

Fact Sheet 11: Food and Beverage Business

This Information Sheet explains the requirements for commencing a food and beverage business within Noosa Shire.

What is a “food and drink outlet”?

Businesses such as a kiosk, coffee shop, café, tea room, milk bar, snack bar, take-away, bistro, restaurant or drive-through facility are defined as a *food and drink outlet*.

Food and drink outlet means the use of premises for—

- a) preparing and selling food and drink for consumption on or off the premises; or
- b) providing liquor for consumption on the premises, if the use is ancillary or supports the use in paragraph (a).

The main purpose of the business is the service of food and non-alcoholic beverages. The business may have a liquor licence but alcohol consumption is secondary to food.

Under the Noosa Plan 2020 there are many opportunities for *food and drink outlets* to establish at different scales, in appropriate locations.

Food and drink outlets primarily locate in Centre zones, Tourist Accommodation zone and to a lesser extent in other non-residential zones. The requirement for a planning approval is dependent on the locality and zoning of the development site, and scale and nature of the business proposed.

Within the Centre zones, planning approval is often not required where it is a new tenancy in an existing

building and where acceptable outcomes of the Business Activities Code can be met. Otherwise a planning approval may be required.

Food and drink outlets require a development approval in the form of a code assessable application in the Tourist Accommodation zone fronting Duke Street, Sunshine Beach, Thomas Street, Weyba Road or Gympie Terrace, Noosaville; or Hastings Street or Noosa Drive, Noosa Heads.

Within public open space small *food and drink outlets* may be appropriate where specific requirements can be met.

Food and drink outlets are not a preferred use if there is potential for conflict with the predominant land use or the land is more suitable for another purpose. Industrial zones for example provide for manufacturing, servicing and repair operations and other forms of industry and are not intended for uses better located in a Centre zone.

In the Low Impact Industry zone *food and drink outlets* may be appropriate subject to code assessment where small scale, associated with and subordinate to an industrial activity on site.

The Venture Drive Enterprise Precinct and Gateway West Makers Precinct allow for a complementary use which could be a *food and drink outlet* provided it does not exceed 10% of the Gross Floor Area of the overall use area.

Along with planning approvals there are other approvals required for food and beverage businesses, such as a liquor licence or food business licence. Please contact Council’s Environmental Health Unit for further information.

View the Noosa Plan 2020 online at www.noosa.qld.gov.au/noosa-plan-2020

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Examples of what isn't defined as a food and drink outlet

The following uses are classed as "Entertainment Activities".

Function facility

Function facility means the use of premises for—

- a) receptions or functions; or
- b) preparing and providing food and liquor for consumption on the premises as part of a reception or function.

Examples would include a conference centre or reception centre.

Hotel

Hotel means the use of premises for—

- a) selling liquor for consumption on the premises; or
- b) a dining or entertainment activity, or providing accommodation to tourists or travellers, if the use is ancillary to the use in subparagraph (a) but specifically does not include a bar, or nightclub entertainment facility as separately defined.

Examples would include a pub or tavern.

Bar

Bar means the use of premises, with seating for 60 or less people, for—

- a) selling liquor for consumption on the premises; or
- b) an entertainment activity, or preparing and selling food and drink for consumption on the premises, if the use is ancillary to the use in paragraph (a)

Nightclub entertainment facility

Nightclub entertainment facility means the use of premises for—

- a) providing entertainment that is cabaret, dancing or music; or

- b) selling liquor, and preparing and selling food, for consumption on the premises, if the use is ancillary to the use in paragraph (a).

A *function facility, hotel, bar or nightclub entertainment facility* will require either code assessment or impact assessment planning approval depending on location and zone. In general they are only consistent in the larger Centre zones and the Tourist Accommodation zone.

Breweries and Distilleries

Breweries and distilleries are not defined in the *Planning Act 2016* as a specific land use in their own right and can be a combination of land uses or an undefined use depending on the particular nature and scale of the business.

Examples include:

- a low impact industrial use with ancillary tasting area would be considered to be directly associated with the industrial use which is catered for in Noosa Plan 2020; or
- an industrial use in conjunction with other uses of a scale and nature which operate more like bars, function facilities or in some cases defined as hotels, are not considered appropriate in industrial areas due to potential interface issues and conflicts with traditional industrial uses.

Information sheets are designed to assist in interpretation of the Noosa Plan 2020. Before proceeding with development proponents should review the planning scheme and/or engage professional advice.

Noosa Plan 2020 can be accessed online at www.noosa.qld.gov.au/noosa-plan-2020.

For further information on development under Noosa Plan 2020 contact Council's Development Services on (07) 5329 6500 or email planning@noosa.qld.gov.au.

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