2016

Standing Committee Meetings – Policy and Planning

NORTH BURNETT
REGIONAL COUNCIL

Eidsvold

North Burnett Regional Council

September, 2016

Attendees	**Agenda Item 1**	**Attendees**	
Welcome	**Agenda Item 2**	**Welcome / Housekeeping**	
Apologies	**Agenda Item 3**	**Apologies**	
	3.1	Cr RP Radel and Chief Executive Officer, MJP Pitt	
Declaration	**Agenda Item 4**	**Declaration of Interest**	
Deputations	**Agenda Item 5**	**Deputations/Petitions**	
Governance	**Agenda Item 6**	**Governance Report**	
	6.1	Queensland ANZAC Centenary Grants Program	**003-006**
	6.2	Customer Service Centre – Centrelink Services	**007-020**
Economic	**Agenda Item 7**	**Economic Reports**	
	7.1	Application for Permissible Change to Material Change of Use – Intensive Animal Industry (Piggery)	**021-107**
	7.2	Application for Material Change of Use—High Impact Industry (Extension to abattoir)	**108-138**
Confidential	**Agenda Item 8**	**Confidential Reports**	
	8.1	Confidential Report 01	
General Business	**Agenda Item 9**	**General Business**	
Closure of Meeting	**Agenda Item 10**	**Closure of Meeting**	

GOV 01 09.2016
QUEENSLAND ANZAC CENTENARY GRANTS PROGRAM

File: *14.1.01*
Responsible Officer: *Mark Pitt – Chief Executive Officer*
Report prepared by: *Tracey Wilson – Media / Grants Officer*

1 PURPOSE OF REPORT

The purpose of this report is to inform Council that funding through the Queensland ANZAC Centenary Grants Program is now open.

2 INTRODUCTION / BACKGROUND

The Queensland Anzac Centenary grants program helps Queenslanders commemorate the centenary of the First World War and the outstanding service of our service men and women over the last Century of Service through to the present day.

The Queensland Anzac Centenary grants program has undertaken some significant changes in the last 12 months to make the program even more accessible for community organisations and now comprises of two programs.

Spirit of Service
This new grants program will be accessible all year round with multiple announcement dates. Grants are available up to $20,000 for smaller Anzac Centenary projects and events.

Organisations are expected to contribute at least 10 per cent (in cash) of the total project cost. The contribution excludes in-kind support, private sponsorships or funding from other programs.

Applications are now open and will **close at 6 pm on Friday, 30 September** 2016 and reopening again on Monday, 3 October 2016.

Guidelines available online http://anzac100.initiatives.qld.gov.au/grants/spirit-of-service/assets/spirit-of-service-guidelines.pdf

Key dates for Spirit of Service

Round	Open	Close (6pm)	Announcement
Round 1	Now	Friday 30 September 2016	December 2016
Round 2	Monday 3 October 2016	Friday 3 February 2017	April 2017
Round 3	Monday 6 February 2017	Friday 9 June 2017	August 2017
Round 4	Monday 12 June 2017	Friday 13 October 2017	December 2017

Lasting Legacies
This grants program is open annually with grants from $20,001 to $80,000 available.

Organisations are expected to contribute at least 25 per cent (in cash) of the total project cost. This contribution excludes in-kind support, private sponsorships or funding from other programs.

Applications are now open and will **close at 6 pm on Friday, 30 September 2016**. The next round is expected to reopen in 2017.

Guidelines available online http://anzac100.initiatives.qld.gov.au/grants/lasting-legacies/assets/lasting-legacies-guidelines.pdf

Key dates for Lasting Legacies

Open	Close (6pm)	Announcement
Now	Friday 30 September 2016	February 2017

Further information regarding these grant programs can be found on the Queensland Anzac Centenary website at www.qld.gov.au/anzac100.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Corporate Plan 2013-18:

- Outcome 2 – Social Wellbeing, Section 2.4 Community Services – Section 2.5 Education and Training – Section 2.8 Sport and Recreation - Section 2.11 Arts and Culture - Section 2.12 Libraries

- Outcome 5 – Governance, Section 5.3 External Funding - Section 5.6 Community Engagement – 5.10 Resource Sharing

4 POLICY IMPLICATIONS

Nil

5 STATUTORY REQUIREMENTS

Nil

FINANCIAL IMPLICATIONS

Lasting Legacies - Organisations are expected to contribute at least 25 per cent (in cash) of the total project cost.

Spirit of Service - Organisations are expected to contribute at least 10 per cent (in cash) of the total project cost.

7 RISK MANAGEMENT

Nil

8 CONSULTATION

Nil

9 OPTIONS FOR COUNCIL TO CONSIDER

Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

Nil

11 ATTACHMENTS

InfoXpert Doc ID 774619 – Qld ANZAC Centenary Grants Program

RECOMMENDATION

That:

1. The Queensland ANZAC Centenary Grants Program report as presented be received.

2. Council libraries display Queensland ANZAC Centenary Grants Program posters and provide brochures as provided for information to the public.

3. Council endorses the following projects for submission under the Queensland ANZAC Centenary Grants Program:
   Spirit of Service – Insert name of project/s
   Lasting Legacies – Insert name of Project/s

   Further, that Council's Community Development Stream work with Council's Media/Grants Officer to prepare applications for submission prior to Friday, 30 September 2016.

RETURNED & SERVICES
LEAGUE OF AUSTRALIA
QUEENSLAND BRANCH
MUNDUBBERA SUB BRANCH INC.

RECEIVED (records)
File No: 6/26
25 AUG 2016
To: PR
Doc ID:
Retention Ref: 2019P

28 August 2016

Chief Executive Officer,
North Burnett Regional Council,
P.O. Box 390,
GAYNDAH. Qld. 4625

Dear Mark,

I am writing on behalf of the Mundubbera RSL Sub Branch Inc. to seek council support for a project the Sub Branch is considering, to promote the 2016 RSL 100 year Centenary.

Our ideas lie with a native tree lined Remembrance Walk along the rail corridor/new roadway between Bauer Street and the Highway. The appropriate native tree species to the town plan would stretch the full length of this corridor along the Bugs for Bugs side and would not interfere with the side Archer Park Sports Precinct adjoins the corridor. We believe this corridor is to be developed as a walkway to link the Red Gully Bridge to Mundubbera Heritage Rail Groups project and feel that a tree lined walk would enhance the area. We propose to lay an underground watering system and would ask that this system be allowed to tap into existing council water lines to Archer Park.

We would also place a memorial plaque at the Bauer Street entrance to this avenue of trees commemorating the RSL 100 year Centenary and honouring men and women in the District that served in all conflicts abroad and at home. To accompany this plaque we hope to be able to produce an enlarged waterproof photo of the Honour Board in the RSL Sub Branch Hall showing all the names of the fallen and those who have passed since. This would be mounted on a durable frame beside the Memorial Stone providing information to those who visit the area.

If Council decides favourably on the above project we would also like to make one further request that North Burnett Regional Council consider naming this corridor Defence Forces Walk/Avenue in keeping with the Spirit of Service.

I would add that the above proposed project relies solely on us obtaining a grant from the Queensland Anzac Centenary small grants program. We are at present obtaining quotes for the above and can submit this application when we have a letter of council authorisation to use the said land. Current grant applications close on 30th September 2016.

Thank you for your consideration.
Yours sincerely,
John Ogden
Secretary.

GOV 02 09.2016
CUSTOMER SERVICE CENTRE-CENTRELINK SERVICES

File:
Responsible Officer: *David Wiskar – Deputy Chief Executive Officer*
Report prepared by: *Trisha Hansen – Manager Corporate and Community Services*

1 PURPOSE OF REPORT

The purpose of this report is to provide information regarding concerns raised by members of the public about privacy at Council's Centrelink Service Points.

2 INTRODUCTION/BACKGROUND

North Burnett Regional Council acts as a Lead Agent for the Federal Government Department of Human Services – Centrelink Agency Program. Currently the Biggenden, Gayndah and Mundubbera sites offer the Centrelink Agency services. Other North Burnett Centrelink Agencies (not lead by Council) include Excel Care in Monto and Eidsvold Aboriginal Housing in Eidsvold.

The contractual arrangements with the Department of Human Services requires that space be provided for customers to access self-service points (only), including two (2) computer terminals, one (1) multi-function printer/scanner/fax point and one phone access point (refer to attached Schedule 1 of Council's Contract Terms and Conditions). Other than these requirements, the terms of the contract do not prescribe specifics regarding privacy requirements for the user.

Prior to the combination of Administration Centres with Library Services, the Centrelink Agencies were located at the following sites:

Biggenden	Biggenden Library
Gayndah	Gayndah Library
Mundubbera	Customer Service Centre

After the combination of Administration Centres with Library Services, the Centrelink Agencies are located at the following sites:

Biggenden	Biggenden Library and Customer Service Centre
Gayndah	Gayndah Library and Customer Service Centre
Mundubbera	Customer Service Centre

3 CORPORATE/OPERATIONAL PLAN

In accordance with Council's Corporate Plan:
Outcome 2 – Social Wellbeing – 2.4 – A community for all ages – community services

4 POLICY IMPLICATIONS

Nil

5 STATUTORY REQUIREMENTS

Nil

6 FINANCIAL IMPLICATIONS

Council receives a subsidy from the Federal Government Department of Human Services which assists with the provision of Centrelink Agency Services in Biggenden, Gayndah and Mundubbera as follows:

Biggenden Centrelink Agency	$18,804.55 (incl GST)
Gayndah Centrelink Agency	$40,416.42 (incl GST)
Mundubbera Centrelink Agency	$35,072.51 (incl GST)

The Department of Human Services provide all IT equipment for the Agencies.

7 RISK MANAGEMENT

Centrelink Agents (ie NBRC Employees) attend annual training provided by Federal Government Centrelink, where risk management, privacy and confidentiality training is included.

Centrelink Agencies are not permitted to hold original and/or copies of documents on site.

Centrelink Agents are not permitted to ask customers for online or phone access pins or passwords.

It is the responsibility of the customer and a condition of use when accessing Centrelink Agency points, to be aware of the customer's own surroundings and privacy contexts.

8 CONSULTATION

Feedback has been received from members of the public. This feedback was considered and consultation has been held with:

- Deputy Chief Executive Officer
- Manager Corporate and Community Services
- Customer Service and Libraries Stream Leader
- Customer Service Staff in Biggenden, Gayndah and Mundubbera

9 OPTIONS FOR COUNCIL TO CONSIDER

- Receive the report as information and adopt recommendations;
- Receive the report as information and request additional information;
- Receive the report as information and reject recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

Council acknowledges that customers may at times feel uncomfortable discussing information over the phone in a more public environment. It is a condition using the Centrelink Agency Services, that Customers are responsible for their own privacy and confidentiality.

All three of Council's sites, currently offer similar physical layouts for the Centrelink access point – being in a public space.

During consultation regarding community concerns about privacy, the following is recommended as action items to provide an alternative, more private option when customers request:
Biggenden Library and Administration Centre – additional line in the library single room;
Gayndah Library and Administration Centre – additional line in the library back room; and
Mundubbera Customer Service Centre – additional line in the single room.

It is noted however, that there is no facility currently available which would provide a 100% sound-proof option.

11 ATTACHMENTS

Attachment 1 – Schedule 1 of Council's Contract Terms and Conditions

RECOMMENDATION

It is recommended that Council actions the following options to provide a more private contact point upon customer request:
- Biggenden Library and Administration Centre – additional line in the library single room;
- Gayndah Library and Administration Centre – additional line in the library back room; and
- Mundubbera Customer Service Centre – additional line in the single room.

Department of Human Services

Agent and Access Point Program

Schedule 1 to the 2016/17 Agent Services Terms and Conditions

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Schedule 1 to the 2016/17 Agent Services Terms and Conditions

RECITALS

A. This Agent Services Schedule 1 is a Schedule to the Department of Human Services Agent and Access Point Program General Terms and Conditions (T&Cs).

B. Schedule 1, including Appendices 1-4, details the specific conditions relating to the provision of Agent Services by the Contractor under the Contract.

1. Interpretation

Definitions

1.1. In this Schedule, capitalised terms that are not defined in this Schedule have the meaning set out in the T&Cs:

‘Agent PC’ means the self-service terminal provided by the Department;

'Agent Services' means the Services described in Appendix 1;

‘Broadband Service’ means ‘always on’ high speed Internet;

‘Daily Statistics Sheet’ means a document provided by the Department for the Contractor to record levels of Customer activity;

‘Local Response Guidelines’ means a document developed by the Contractor that outlines local procedures in the event of Customer aggression;

‘Monthly Statistics Summary Sheet’ means a document provided by the Department for the Contractor to aggregate levels of Customer activity on a monthly basis;

‘Smart Centre’ means one of the department’s dedicated call or processing centres.

2. Agent Services

2.1. The Contractor will perform the Agent Services set out in Appendices 1- 4

APPENDIX 1 – SERVICES TO BE PROVIDED BY THE CONTRACTOR

1. Support the Department's Service Commitments

1.1. The Contractor (including its Specified Personnel) is to support the Department's Service Commitments by:

a) listening to and treating Customers with respect and courtesy;

b) making it easy for Customers to use the Department's services; and

c) providing the department with feedback on how to improve and simplify its services.

2. Functions

2.1. The Contractor must ensure its Specified Personnel perform the following Agent Services in a culturally appropriate manner:

i) educate and encourage Customers to access and engage with the Department online using myGov and/or the Department's smartphone apps;

ii) provide assistance and support in the use of digital services including registering Customers to access online services, claim payments and lodge documentation;

iii) where access to the Department through online channels is not possible, support the customer to access the Department using ancillary channels, such as phone and fax;

iv) utilise Silver Service for Customer Identity Confirmation as the first option. If Silver Service is not available, Contractors will photocopy and certify identity documents and return to the Customer. The Customer will then fax the documents to the Department and retain the copied documents for their own records;

v) where claims cannot be completed online, assist the Customer by checking claim forms are completed and signed and returned to the Customer for lodgement using Document Lodgement Service (DLS) or fax;

vi) Subject to clause 2.3(b), Agents are not to receive/retain documents on behalf of the Department – this includes claim and other forms. Digital and self-service faxing are the only methods of lodgement for Customers via an Agent's site. Agents are not to collect and/or mail documents to the Department for any reason;

vii) respond to enquiries or issues about the Department's payments and services by referring Customers to the Department's website in the first instance or, where appropriate, referring the Customer to the Department's Smart Centre;

viii) promote the applicable tools (including Payment Finder and Rate Estimators) on the Department's website to assist Customers to identify and access possible payments and relevant services;

ix) facilitate Customer and community access to Department forms, information products and publications on the Department's website;

x) refer Customers to local or nearby services;

xi) ensure that, during the Contractor’s normal business hours, the Department's self service facilities including the Agent PC remains operational and accessible to the community;

xii) encourage and assist Customers to advise the Department of any change in their circumstances, primarily through online services;

xiii) outline, and where appropriate assist, Customers to become aware of their rights, obligations and complaint mechanisms;

xiv) assist Customers who have difficulty understanding English to access suitable interpreter services through the Department's Multilingual Smart Centre or other sources as appropriate; and

xv) check the Agent email inbox daily, read and, where appropriate, action Departmental communications as required.

2.2. Promotion of the Department’s services in the community. In conjunction with the Department, promote:

i) the availability of the Department’s services in the local community;

ii) the Department’s online services as the primary resource for all Departmental claim/review forms and other information;

iii) the Department’s self service facilities;

iv) the availability of the Department’s specialist officers where appropriate;

v) monitor and manage the use of the Department’s provided facilities, and provide advice and assistance as required;

vi) and prominently display information material provided by the Department;

vii) and assist with information seminars to be delivered by the Department where requested; and

viii) the availability of local or nearby services when appropriate.

2.3. Management of service delivery:

a) act as a liaison point between the Department and the local community;

b) only where directed by the Department store forms or other documentation in a safe and secure (lockable) cabinet;

c) maintain and record performance and contract management as outlined in Appendix 2;

d) where possible, maintain or identify office facilities for conducting (private) interviews and sufficient space for other services as required;

e) provide regular feedback to host Service Centre of community reactions and comments received about the Department's payments and services; and

f) ensure Local Response Guidelines are established to assist with potential Customer aggression.

2.4. The Contractor must not charge any fee, payment or levy, to Customers, for the provision of the Services.

3. Hours of business

3.1. The Contractor must provide the Services for at least the number of hours per week as specified in the Offer.

3.2. The Contractor must provide the Services during the daily operating hours as specified in the Offer.

3.3. The Contractor must not close (or not perform the Services) on Business Days, unless it has Notified the Department a reasonable period prior to the proposed date of closure and in turn received written approval from the Department authorising the proposed period of closure. Where the Department has raised issues related to the proposed closure, these issues must be resolved to the Department's satisfaction, prior to the Contractor going ahead with the proposed closure.

3.4. Where approval is granted by the Department, the Contractor must prominently display a notice setting out the dates the Contractor has been approved to close for a reasonable period prior to the proposed closure.

3.5. If the Contractor closes its premises in accordance with clause 3.3 of Appendix 1, the Department may, at its discretion, seek reimbursement of that part of the contract price that relates to the Business Days on which the Contractor closed its premises.

APPENDIX 2 – PERFORMANCE AND CONTRACT MANAGEMENT

1. Performance Management

1.1. Using the 'Online Performance Management' facility on the Agent PC, the Contractor must accurately maintain a Daily Statistics Sheet detailing the occasions and types of Service delivered to Customers.

1.2. The Contractor must upload the monthly data to the Department by the 7th day of each ensuing month using the 'Online Performance Management' facility on the Agent PC.

1.3. Where the Online Performance Management facility is not available, the Contractor must, at the end of each month, aggregate the data recorded in the Daily Statistics Sheets for that month and, using the Monthly Statistics Summary Sheet, forward the aggregated data to the Department by agreed means.

1.4. The performance of the Contractor will be addressed during a meeting comprising of a Department staff member and the Contractor (including Specified Personnel) to be held twice per annum following execution of the Contract.

1.5. This meeting may include and address issues such as:

a) an analysis of business levels and costings, including:

i) aggregated data from the monthly statistics;

ii) completion of management information and monthly reporting;

iii) volume and type of contact made from the telephone, facsimile machine and Internet;

iv) volume and type of business conducted on the Agent PC;

v) customer and community feedback on their perceptions of the Service being delivered, which includes without limitation:

i. appropriate use of department branding and styles;

ii. cleanliness/presentation of the Contractor's premises; and

iii. availability of products.

b) staff perceptions of the Service and its capacity to add value to their respective organisations; and

c) other issues as required or agreed.

2. Modification of contractual arrangements could be an outcome of the review and any modification must be in accordance with clause 15 of the T&Cs.

APPENDIX 3 – TRAINING AND SUPPORT

1. Training

1.1. Training in the provision of the Services outlined in this Schedule will be delivered by self-paced interactive training and/or face to face at times mutually agreed between the Parties. Whenever possible, this training will be provided prior to the provision of the Services. The Contractor agrees to ensure the Specified Personnel are available as required to receive the training.

1.2. The Department will monitor the need for further training over the Term of the Contract and liaise with the Contractor to provide suitable training. This may include instances when new initiatives and/or programs are implemented.

1.3. When training is not conducted using self-paced interactive training or face to face on the Contractor's premises, the Department will provide funding for travel and/or accommodation costs associated with the Specified Personnel attending the training. Actual amounts to be paid will be negotiated between the Parties at the time the training is convened. The Specified Personnel will be responsible for costs for incidentals (meals etc.).

1.4. The Contractor is not entitled to any payment or compensation relating to its Specified Personnel attending the training.

1.5. The Contractor must use its reasonable endeavours to ensure that the Specified Personnel attend any training organised by the Department for the purposes of this Contract. Costs incurred by the Department because of non-attendance of Specified Personnel at training may be recovered from, or assigned to, the Contractor.

2. Support

2.1. The Department must provide the Contractor with support services to assist the Contractor in the provision of the Services, including:

a) identification of appropriate Department contact officers to provide additional assistance with issues as required;

b) provision of sufficient stocks of Department promotional material, forms, information pamphlets, and other relevant material; and

c) the establishment of procedures for the provision of additional or replacement material as required.

2.2. An Annual Training Support Fee will be paid in accordance with the Contract.

2.3. Other support will be provided by the Department to the Contractor as agreed between the Department and the Contractor.

APPENDIX 4 – EQUIPMENT

1. Equipment

1.1. Where Equipment is provided by the Department to the Contractor, the Contractor must:

a) not relocate or disconnect the Equipment without the prior approval of the Department;

b) ensure the Equipment is not used for activities other than Department related business. This includes a monthly check of the Agent PC to remove any foreign objects that may have been physically attached to the device; and

c) ensure the Equipment which is intended to be used by Customers is located in a position that is easily accessible by Customers.

1.2. Unless otherwise agreed in writing, all Equipment provided by the Department to the Contractor remains the property of the Department.

1.3. The Department may provide the following Equipment to the Contractor to facilitate the delivery of the Services:

a) telephone and dual handset;

b) all-in-one multifunctional unit incorporating photocopier, scanner, facsimile and printer facilities;

c) toner cartridges;

d) Agent PC, software (as specified by the department), including internet filter, modem and internet connection where applicable;

e) power board with telephone line protection and telephone cable;

f) brochure display;

g) official stamps;

h) shredder;

i) official signage;

j) promotional material; and

k) any other equipment, furniture or fittings as agreed between the Parties.

1.4. Installation and ongoing maintenance costs for the Equipment will be borne by the Department upon receipt of an original tax invoice from the Contractor if:

a) In the Department's reasonable opinion, the costs were appropriate; and

b) the Department provided prior written agreement to incur the costs.

1.5. The Contractor must obtain written permission from the Department to use its own equipment in preference to the Department's.

1.6. If it is agreed that the Contractor may use its own equipment instead of the Department's Equipment, then all care and maintenance of the Contractor's equipment is the responsibility of the Contractor.

1.7. All software provided by the Department to the Contractor for the Agent PC must only be used for the Services.

2. Maintenance of Equipment

2.1. The Contractor must Notify the Department immediately in the event that any part of the Equipment being lost, stolen, damaged or not working properly.

2.2. The Department must arrange for the repair or replacement of any part of the Equipment upon receiving Notification under clause 2.1.

2.3. The Contractor must comply with any instructions given by the Department or the Manufacturer relating to the repair or replacement of that part of the Equipment that was Notified under clause 2.1.

2.4. Other consumables (including paper), incidental stationery, are the responsibility of the Contractor.

2.5. Unless otherwise agreed in writing, or where the Services will continue to be provided under a subsequent Contract with the Department, all Equipment must be returned to the Department by close of business on the date of termination or completion of this Contract. The Department must meet any removal costs associated with the return of the Equipment.

2.6. The Contractor must take reasonable steps to ensure the Equipment is secure from theft, malicious or accidental damage, unauthorised use or access, and exposure to the weather and the elements generally.

2.7. The Contractor must comply with the Department's stock take requirements as Notified from time to time.

3. Agent PC Monitoring

3.1. The Department will monitor usage of the Agent PC.

3.2. The Department may at its discretion prohibit access to its Broadband Service and/or websites.

4. Operation of shared broadband services (if applicable)

4.1. If the Broadband Service becomes unavailable to the Agent PC, the Contractor must Notify the Department with the details and an expected resolution date.

4.2. The Contractor must, at its expense, arrange for the Agent PC to be connected at all times to a Broadband Service with:

a) If using an ADSL service:

i) an Ethernet connection to the Broadband Service;

ii) a minimum download/upload bandwidth of 256/64 kbps respectively;

b) If using an ISDN service:

i) an Ethernet connection to the Broadband Service;

ii) a dual channel Basic Rate service with a minimum bandwidth of 128 kbps;

c) If using a Two Way Satellite service:

i) an Ethernet connection to the Broadband Service;

ii) a minimum download/upload bandwidth of 256/64 kbps respectively; or

d) If using a Wireless Network service:

i) a Wireless connection to the Broadband Service;

ii) a minimum download/upload bandwidth of 256/64 kbps respectively.

4.3. The Contractor must:

a) contact the Department where the performance of the Broadband Service becomes degraded. An agreed outcome to improve the performance may be developed and any additional costs per month must be shared as agreed between the Parties; and

b) provide the Department's visiting Staff access to the Broadband Service via an Ethernet connection on request, for the purposes of conducting the Department's business (an additional service fee would be paid for this service).

ECON 01 06.2010

APPLICATION FOR PERMISSIBLE CHANGE TO MATERIAL CHANGE OF USE – INTENSIVE ANIMAL INDUSTRY (PIGGERY) FROM 1,924 SPU TO 23,000 SPU OVER FOUR STAGES
STAGE 1 AND 2 (UP TO 10,700 SPU)
PRELIMINARY APPROVAL – STAGES 3 AND 4 (UP TO 23,000 SPU)
ENVIRONMETALLY RELEVANT ACTIVITY – THRESHOLD 3 (PIG KEEPING – OVER 8,000 SPU)

File: *114/13*
Responsible Officer: *Lex Webster – Manager Development Services*
Report prepared by: *Angelio Oliaro – Town Planner*

1 PURPOSE OF REPORT

The purpose of this report is to recommend partial approval for a request to change the development permit and provide written notice to the Department of Local Government Infrastructure and Planning that Council has no object to the request to change a concurrence agency condition of approval.

2 INTRODUCTION/BACKGROUND

An application has been received requesting a change to the development approval 114/13 pursuant to *Sustainable Planning Act 2009 (SPA)* s369. The applicant, Liberty Fields Pty Ltd through its planning consultants - Property Projects Australia (PPA), is seeking to delete a number of conditions imposed by Council as part of the approval.

A second application involves an application to amend one condition imposed by a concurrence referral agency, the Department of Agriculture Forestry and Fisheries (DAFF).

Both applications will be dealt with in this report.

Pursuant to *Sustainable Planning Act 2009* s374 of the Council is to assess the request for a permissible to change to the development approval once it has received a response from the relevant entity (now the Department of Local Government Infrastructure and Planning (DLGIP)). Additionally, pursuant to SPA s373 Council is to provide advice to DLGIP regarding its views concerning the changes sought to the concurrence agency conditions of approval.

3 ASSESSMENT SUMMARY

As advised earlier there are two applications, first the request to change the development approval involving conditions imposed by Council and second, the request to change a condition imposed by a concurrence referral entity.

First Application

With respect to the first application, the following matters must be addressed. In order to consider the request to change conditions imposed by Council, the Council must firstly determine whether or not those changes sought satisfy SPA s367. An assessment against these elements of s367 follows:

Part a) – Result in a substantially different development.
The request to change the conditions would not result in the intensification of the approved land use, alter or change the scale and size of buildings or operation of the approved land use or changes the severity of the known impacts to the locality. None of the changes sought would result in a substantially different development.

Part b) – Require additional concurrence referral agencies or change the level of assessment.
The approved land use establishes and approves the access from Roths Road with an internal access track to the development site and this will not change. Consequently, there are no additional referral agencies. The level of assessment does not change.

Part c) – Be likely to cause a person to make a properly made submission to the proposed change
This aspect of the legislation deals specifically as to whether or not as a consequence of the proposed change, the proposed change would attract a submission. It does not require Council to consider the former submissions lodged with the original application but whether the proposed changes would attract a potential new submission that was not identified by the pre existing approval. The question is whether a potential submission raises a new objection about the change itself and not the pre existing approval.

On balance, in considering the above and the nature of the proposed changes sought, some of the changes sought comply. However, conditions 3, 4, 9, 10, 13, 24 and 28 do not comply with.

Details of the changes sought, the applicant's planning consultant submission and recommendations follow.

The applicant's planning consultant states;

"Based on our understanding the preliminary approval for Stage 3 and Stage 4 was granted where perceived inconsistencies with the Environmental Management Plan for Liberty Fields Piggery (October 2013 Report 1.2) were identified. To address these inconsistencies, a subsequent development application for Stage 3 and Stage 4 was lodged and is currently being assessed by North Burnett Regional Council (0013 / 16). As part of our detailed review of the negotiated decision notice (114 / 13) we consider that a number of conditions of the approval, some of which relate to the Environmental Management Plan for Liberty Fields Piggery (October 2013 Report 1.2), have been identified as not being reasonably required and should

not have been conditioned by North Burnett Regional Council as part of the development approval."

"It is submitted that the conditions relating to the environmentally relevant activity are aspects which are managed by Department of Agriculture, Fisheries and Forestry, and therefore should not be conditioned by North Burnett Regional Council. The request includes five (5) conditions that are requested to be removed from the development approval as they should be regulated by Department of Agriculture, Fisheries and Forestry and not North Burnett Regional Council."

"For ease of reference, the conditions which relate to the environmentally relevant activity that are requested to be removed include:
General – Condition 3
General – Condition 4
Environmental Management Plan – Condition 9
Water Quality Monitoring – Condition 10
Water Quality Monitoring – Condition 11
Water Quality Monitoring – Condition 13
Preliminary Approval Stage 3 and Stage 4 – Condition 28

In addition to the abovementioned this request also includes the amendment of the development approval to remove conditions that are not relevant to the development, including:
Development Permit Stages 1 and Stage 2 General – Condition 3
Vehicle Access and Roads – Condition 16
c. Vehicle Access and Roads – Condition 17
Vegetation – Condition 22
Vegetation – Condition 23
Vegetation – Condition 24"

Condition 3

This condition relates to the development approval and not the EMP. Whilst it refers to the progressive order of stages of development it also advises that if all conditions relevant to that stage of development are not satisfied then the development cannot proceed to the next stage. It seeks to achieve a precautionary principle with advancing the SPA and ultimately minimising development and impacts on the environment. The condition meets the test of being a reasonable and relevant condition.

The applicant's consultant has not motivated sufficient justification for the removal of this condition.

Conditions 4 & 9

These conditions relate to operating the land use in accordance with the EMP and DAFF requirements. The EMP forms part of the management processes and operation of the land use, it is intrinsically linked with the land use and therefore represents a relevant and reasonable condition of approval. It is

acknowledged that there may be duplication with the Environmental Authority and role of DAFF.

The request to remove these conditions does not comply with *SPA s367(c).* It therefore does not represent a permissible change.

A reasonable person (potential submitter) would not be familiar with the intricacies of the legislation concerning obtaining a material change of use and an Environmental Authority to operate a piggery. In a rural environment and locality, the community would consider that the Council has some level of authority in protecting the rural environment and establishing conditions of approval that protect the rural amenity of the locality from the potential impacts of a large scale intensive animal husbandry operation. The request to delete this condition could potentially cause a member of the community to lodge a submission, if the circumstances allowed.

It needs to be pointed out that the applicant has prepared an updated EMP which generally addresses the requirements of DAFF and the National Environmental Guidelines for Piggeries Second edition Revised 2010 (the 'NEGP'). The updated EMP addresses all four stages of the development. The lodgement of this EMP and its endorsement should satisfy the conditions of approval.

Conditions 10 to 13

The applicant requested that Condition 13 on the original decision notice to be amended and Council agreed by including current condition 13 on the negotiated decision notice.

In forming the views expressed above (conditions 4 and 9) the same objective views apply to conditions 10 and 13. These conditions relate to potential environmental impacts of a large scale intensive animal husbandry operation which the local community would expect Council to have some level of authority to manage. Deletion of these conditions would potentially cause a member of the rural community to lodge a submission, if the circumstances allowed.

This change cannot meet the test under *SPA s367(c)* of the therefore cannot be considered to be a permissible change.

Conditions 11 and 12 represent procedural matters that are covered in the EMP, therefore satisfy the requirements of *SPA s367(c)* and can be deleted.

Condition 17

This condition refers to the extent and length of the Roths Road upgrading. The request to provide clarity to this condition can be made as it satisfies *SPA s367*.

The previous Council report dealing with representations to the development approval agreed to defer upgrading Roths Road approximately 200m from the Burnett Highway and Roth Road intersection at a point of time when the approved land use exceeded 7 truck movements each way per week or prior to the commencement of Stage 2, which ever occurs first.

The applicant's consultant has requested that this condition be amended to provide clarity. The applicant's consultant advises that Roths Road will initially be used to provide access until such time that the internal access road is constructed. The existing condition is sufficiently clear, however, including a dimension of approximately 200m in the condition will provide certainty and clarity for the applicant.

Conditions 22 to 24

These conditions require the provision of landscaped areas, in part, along Three Moon Creek adjacent to the site and adjoining the piggery sheds.

The conditions represent technical matters associated with the development of the land use as distinct from the operational aspects of running the approved land use. Consequently, they represent permissible changes under *SPA s367*.

Condition 22 represents a reasonable and relevant condition but requires amendment due to the recommendation of deleting condition 23.

Condition 23 refers to landscaping on an adjacent site and does not appear to meet the tests of being reasonable and relevant under the *SPA* and should be removed.

Condition 24 requires ground cover landscaping to reduce erosion and dust caused by the development of the sheds and levy bank and meets the test of being reasonable and relevant under the *SPA*.

Condition 28

Condition 28 requires the applicant to submit a revised EMP detailing matters of environmental modelling, reporting, operation etc. as part of the preliminary approval over stages 3 and 4.

This condition becomes redundant, as the applicant has prepared an updated EMP, which will be lodged to satisfy condition 9.

However, the same views raised in relation to conditions 4, 9, 10 and 13 equally apply to the request to remove this condition.

Deletion of this condition could potentially cause a member of the rural community to lodge a submission, if the circumstances allowed. This change cannot meet the test under *SPA s367(c)* and therefore cannot be considered to be a permissible change.

In assessing the above issues regard has been given to the matters stated in *SPA s374*. In particular, The Rural Zone Code, its purpose particularly items (4) (a), (d), (e), (g) and (k) as well as PC8, PC11, PC13, PC15, PC 16, PC18, PC 24, PC27, PC 29 & PC 44.

Second application

With respect to the second application regarding the applicant seeking a change to a referral agency condition of approval, *SPA s373* advises that Council must provide a written notice advising it has no objection to the change being made or it objects to the change being made and the reasons for the objection.

The applicant's consultant has requested that no pond cover for the primary effluent pond be required for stages 1 and 2 of the piggery based on the following advice.

"The attached advice provided by FSA Consulting demonstrates that in order to address the National Guidelines for Piggeries, the piggery must have a permeable or impermeable pond cover for a capacity of 16,000 standard pig units or more. We note that the development approval for Stage 1 and Stage 2 only allows for a maximum of 10,700 standard pig units, as such a pond cover, being either permeable or impermeable, is not required until the completion of Stage 3, which is subject to a separate development application currently under assessment by North Burnett Regional Council.

On this basis, we are seeking the ***Condition CD2(a)*** *from the abovementioned concurrence agency response (2013 / 03) which requires "all primary piggery effluent treatment ponds must be covered ponds with either permeable or impermeable covers installed"."*

In approving the original development, the setbacks established by the National Environmental Guidelines for Piggeries (the 'NEGP') were adopted by Council. The setback distances to roads and sensitive receptors-dwellings were met.

4 CORPORATE/OPERATIONAL PLAN

In accordance with North Burnett Regional Council's 2013-18 Corporate Plan Outcome 2 – Economic Development and Tourism, Section 2.4 – Land Use Plan of the superseded Monto Shire Planning Scheme.

The application generally complies with the outcomes and purpose of the Rural Zone, however, does not fully comply with some aspects of the performance criteria of this code. Some of the changes sought have been resolved following the approval of a separate application involving Stages 3 and 4 of this development (*0013/16)* as a consequence *of* improving the Environmental Management Plan (the EMP).

4 POLICY IMPLICATIONS

Nil

5 STATUTORY REQUIREMENTS

Council must assess and determine the application in accordance with the requirements of the *Sustainable Planning Act 2009* and in particular *SPA s367* and *s374.*

SPA 2009 s367
"(1) A permissible change, for a development approval, is a change to the approval that would not—

- *(a) result in a substantially different development; or*
- *(b) if the application for the approval were remade including the change—*
  - *(i) require referral to additional concurrence agencies; or*
  - *(ii) for an approval for assessable development that previously did not require impact assessment—require impact assessment; or*
- *(c) for an approval for assessable development that previously required impact assessment—be likely, in the responsible entity's opinion, to cause a person to make a properly made submission objecting to the proposed change, if the circumstances allowed; or*
- *(d) cause development to which the approval relates to include any prohibited development.*

(2) For deciding whether a change is a permissible change under subsection (1)(b) or (d), the planning instruments or law in force at the time the request for the change was made apply."

SPA 2009 s374
(1) To the extent relevant, the responsible entity must assess the request having regard to—

- *(a) the information the person making the request included with the request; and*
- *(b) the matters the responsible entity would have regard to if the request were a development application; and*
- *(c) if submissions were made about the original application—the submissions; and*
- *(d) any notice about the request given under section 373 to the entity; and*
- *(e) any pre-request response notice about the request given to the entity.*

(2) For subsection (1)(b), the responsible entity must have regard to the planning instruments, plans, codes, laws or policies applying when the original application was made, but may give the weight it considers appropriate to the planning instruments, plans, codes, laws or policies applying when the request was made."

6 FINANCIAL IMPLICATIONS

The applicant could lodge an appeal against Council's decision, which would incur financial cost to defend.

7 RISK MANAGEMENT

The applicant has the ability to lodge an appeal in the event that they disagree with the Council decision. The request to change must satisfy the tests in *SPA s367*. In particular Council needs to be confident that no submission from the community would be lodged as a consequence of the requested change to the approval, if the circumstances allowed.

Some of the conditions meet this test while others may not. Those conditions that do not meet the criteria of being a permissible change should not cause a concern to the applicant because the lodging of an updated EMP satisfies the intent of those conditions. The applicant can then rely upon the procedures and operation of the EMP to overcome any perceived inconsistency that may exist between the conditions and the EMP.

8 CONSULTATION

With respect to the first application, pursuant to *SPA s373*, DLGIP has provided advice on 10 August 2016 stating *"The department has considered the proposed changes to the development approval and advises that it has no objection to the change being made."*

This advice from DLGIP only refers to their opinion about the proposed changes to the Council approval in their role as a referral agency.

Council is now required to make its own decision regarding the proposed changes to the negotiated decision notice for development approval 114/13. Council is not bound by the advice provided by DLGIP in making its own decision regarding the proposed changes to the development approval.

9 OPTIONS FOR COUNCIL TO CONSIDER

A number of the conditions requested to be changed/deleted satisfy the requirements of being a permissible change. Conditions 3, 4, 9, 10, 13, 24 and 28 either represent conditions that are reasonable and relevant or do not satisfy the requirements of being a permissible change and therefore should remain on the approval.

Conditions 11, 12 and 23 can be deleted.

Conditions 17 and 22 can be amended to provide clarity.

10 OFFICER'S COMMENTS/CONCLUSION

Council agree to some of the changes sought by the applicant as satisfying the requirements of *SPA s367*.

11 ATTACHMENTS

1. Draft Amended Decision Notice with conditions
2. DILGP response to applicant regarding the changes
3. Draft response to DILGP with Council's response to change request

12 RECOMMENDATION

It is recommended that:

1. Pursuant to *SPA s375*, Council approve the request for a permissible change to the development approval in part as follows:
   a) Decline to delete conditions 3, 4, 9, 10, 13, 24 and 28;
   b) Agree to delete conditions 11, 12 and 23; and
   c) Amend conditions 17 and 22 as follows:

   Condition 17

   > Upgrade Roth's Road from the Burnett Highway intersection to the point of access of the approved development, approximately 200 metres, to a six (6) metre wide gravel road with a depth of 150mm including any associated stormwater drainage. Such work is to be carried out prior to truck movements generated by the approved development exceeding 7 truck movements each way per week or the commencement of Stage 3 of development, whichever occurs first.

   Condition 22

   > Submit a satisfactory plan and obtain Council's approval in respect of works required by Condition 24.

2. Pursuant to *SPA s376* issue a written notice of Council's decision to the applicant and DLGIP.

3. Pursuant to *SPA s373* provide written advice to DLGIP that Council has no objection to the request to change approval conditions issued by the Department of Agriculture Forestry and Fisheries.

ATTACHMENT 1 – DRAFT AMENDED DECISION NOTICE

NORTH BURNETT REGIONAL COUNCIL

Mailing Address: PO Box 390, Gayndah Qld 4625
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Facsimile: (07) 4161 1425
Email: admin@northburnett.qld.gov.au
Web: northburnett.qld.gov.au
ABN: 23 439 388 197

Amended Decision Notice
Sustainable Planning Act 2009 s.363

114-13 *[file reference]*

North Burnett Regional Council *[contact name]*

1300 696 272 *[contact number]*

[date]

Liberty Fields Pty c/- Property Projects Australia Pty Ltd *[applicant's name]*

PO Box 1264 *[applicant's address]*

NEW FARM QLD 4005

DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE *[details of proposed development]*

32089 Monto Biloela Road , Moonford *[street number& address of proposed development]*

Lot 49 on CP857496 & Lot 57 on CP857497 *[lot and plan details of proposed development]*

Dear Mr Irvin *[sir/madam/name]*

I wish to advise that on *[date of negotiated decision]*

a decision was made to issue a amended decision notice. This amended decision notice replaces the decision notice previously issued and dated 22 August 2014 *[date of original decision notice]*

The above development application was: *[tick applicable box]*

☐ approved in full **or**

☐ approved in part for the following [*detail the extent of the approval*] **or**

☐ approved in full with conditions. The conditions of this approval are set out in **Attachment 1**. These conditions are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them **or**

☒ approved in part for the following, with conditions

1. Nature of the changes

The nature of the changes are:

Condition 11— deleted

Condition 12— deleted

Condition 17— amended

Condition 22— amended

Condition 23— deleted

2. Notice of Decision of Notice under s363(5)

The following representations were not agreed to by North Burnett Regional Council:

Condition 3— deleted

Condition 4— deleted

Condition 9— amended

Condition 10— amended

Condition 13— deleted

Condition 24— amended

Condition 28— deleted

3. Approval under s.331 *[tick applicable box]*

This application ☐ has or ☒ has not been deemed to be approved under section 331 of the *Sustainable Planning Act 2009* (SPA).

4. Details of the approval

The following approvals are given *[tick applicable box/es]*

Stages 1 and 2

	Sustainable Planning Regulation 2009, schedule 3 reference	Development Permit	Preliminary Approval
Making a **material change of use** assessable under the planning scheme, a temporary local planning instrument, a master plan or preliminary approval to which section 242 applies		☒	☐
Making a **material change of use** for an **environmentally relevant activity**	Part 1, Table 2, Item1	☒	☐

Stages 3 and 4

	Sustainable Planning Regulation 2009, schedule 3 reference	Development Permit	Preliminary Approval
Making a **material change of use** assessable under the planning scheme, a temporary local planning instrument, a master plan or preliminary approval to which section 242 applies		☐	☒
Making a **material change of use** for an **environmentally relevant activity**	Part 1, Table 2, Item1	☐	☒

5. Submissions *[strike out if not applicable to the application]*

There were **17** properly made submissions about the application. The name and address of the principal submitter for each properly made submission are as follows:

Name of principle submitter	Date of Submission	Address
1. Gary Dingle	3 February 2014	134 Berts Road, Monto QLD 4630
2. Peter John & Natasha Howlett	1 July 2013	32169 Monto Biloela Road, Moonford QLD 4630
3. Peter John & Natasha Howlett	21 January 2014	32169 Monto Biloela Road, Moonford QLD 4630
4. Peter John & Natasha Howlett	27 January 2014	32169 Monto Biloela Road, Moonford QLD 4630
5. Peter John & Natasha Howlett	2 February 2014	32169 Monto Biloela Road, Moonford QLD 4630
6. Peter John & Natasha Howlett	26 March 2014	32169 Monto Biloela Road, Moonford QLD 4630

7. Ian Keith and Tracey Dawn Sanderson	1 February 2014	32259 Burnett Highway, Monto QLD 4630
8. Wesley & Eleena Wolff	30 January 2014	154 Staatz Road, Monto QLD 4630
9. Trevor Pincott	18 July 2013	32053 Monto Biloela Road, Moonford QLD 4630
10. Trevor Pincott	2 February 2014	32053 Monto Biloela Road, Moonford QLD 4630
11. Darren and Donna Zumbansen	3 February 2014	31916 Monto Biloela Road, Monto QLD 4630
12. Darren Paul Hill & Margaret Vince	5 February 2014	31 Bert's Road, Monto QLD 4630
13. Wayne Blair and Julie Maree Roger	3 February 2014	35 Roth's Road, Moonford QLD 4630
14. Timothy and Stacey Baldwin	4 February 2014	77 Roth Road, Moonford QLD 4630
15. Wide Bay Burnett Environmental Council	5 February 2014	445 Lennox Street, Maryborough QLD 4650
16. Leslie Roth	4 February 2014	409 Roth's Road, Monto QLD 4630
17. James and Marteniekie Forsyth		32063 Burnett Highway, Moonford QLD 4630

6. Referral agencies *[strike out if not applicable to the application]*

For an application involving	Name of referral agency	Advice agency of concurrency agency	Address
Schedule 7, Table 3, item 1 of the *Sustainable Planning Regulation 2009* – Making a material change of use of premises if any any part of the land a) Is within 25m of a state-controlled road; or b) Is future state-controlled road; or c) Abuts a road that intersects with a state-controlled road that is within 100m of the land	Department of State Development, Infrastructure & Planning	Concurrency agency	Online via the MyDAS system (refer note below) Or via email to WBBSARA@dsdip.qld.gov.au For assistance phone: 07 4151 9746
Schedule 7, Table 3, item 1 of the *Sustainable Planning Regulation 2009* – A material change of use for an environmentally relevant activity made assessable under schedule 3, part 1, table 2, item 1	Department of State Development, Infrastructure & Planning	Concurrency agency	Online via the MyDAS system (refer note below) Or via email to WBBSARA@dsdip.qld.gov.au For assistance phone: 07 4151 9746

7. Approved plans *[strike out if not applicable to the application]*

The approved plans and/or documents for this development approval are listed in the following table

Plan/document number	Plan/document name	Date
None	Overall site plan amended regarding access and internal roadway	Received by council 24 July 2014
2223C Issue B	Stage 1 – New Piggery, prepared by Lyndarr Constructions	3 March 2014
2223C Issue B	Stage 2 – New Piggery, prepared by Lyndarr Constructions	3 March 2014
2223C Issue B	Stage 3 – New Piggery, prepared by Lyndarr Constructions	3 March 2014
2223C Issue B	Stage 4 – New Piggery, prepared by Lyndarr Constructions	3 March 2014

2224A Issue A	Side Elevation- prepared by Lyndarr construction	21 February
2224B Issue A	South, North & End Elevation - prepared by Lyndarr construction	21 February
2224C Issue A	South, North & End Elevation - prepared by Lyndarr construction	21 February
2224D Issue A	Side & End Elevation - prepared by Lyndarr construction	21 February
2224E Issue A	Side & End Elevation – Ton Sill - prepared by Lyndarr construction	21 February
WIL – 01 – A	Site Plan – prepared by B & M Slots Pty Ltd	26 April 2010
Oct 2013 Report 1.2	Environmental Management Plan for Liberty Fields Piggery	30 October 2013

8. When approval lapses if development not started (s.341)

The *Sustainable Planning Act 2009* provides that the approval will lapse if it is not acted upon within a period of two (2) years.

9. Appeal rights

Appeals by applicants

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal, or refusal in part of the development application
- any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242 of the SPA
- the decision to give a preliminary approval when a development permit was applied for
- the length of a period mentioned in section 341
- a deemed refusal of the development application.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 461(2) of the SPA.

Applicants may also have a right to appeal to the Building and Development Dispute Resolution Committee. For more details, see the SPA, chapter 7, part 2.

If you wish to discuss this matter further, please contact Councils Development Services Department on 1300 696 272.

Yours faithfully

MJP Pitt
Chief Executive Officer

Attachment 1—Part A - Conditions of the approval imposed by Assessment Manager
Part B - Conditions of the approval imposed by Department of Agriculture, Fisheries & Forestry
Part C – Conditions of the approval imposed by Department of Transport and Main Roads
Attachment 3 – Conditions of the approval imposed by referral agencies
Attachment 4— SPA extract on appeal rights

NORTH BURNETT
REGIONAL COUNCIL

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ATTACHMENT 1

PART A—CONDITIONS OF APPROVAL

Conditions imposed by the assessment manager

Development Permit - Stages 1 & 2

General

1. Except where amended in accordance with conditions of this approval, carry out Stages 1 and 2 generally in accordance with Approved Plans.
2. The intensity and scale of the approved use is not to exceed that described in the application and approved plans.
3. The development is to be carried out in order of the approved stages shown in the 'approved plan of development'. In the event that a condition is incomplete or not fully satisfied, no further stages are to be carried out.
4. Implement the 'Environmental Management Plan for Liberty Fields Piggery (Hard Rock), so long as the approved use remains in place. Such environmental management plan is to enable the piggery to be managed in an environmentally sustainable manner, including processes for continual review and improvement.
5. Unless otherwise stated, conditions are to be complete prior to commencing the use of the respective stage to which those conditions apply.
6. The relocation or installation of any infrastructure or services required as a result of this approval, including these conditions, is to be carried out at no cost to Council.
7. Deleted
8. Deleted

Environmental Management Plan (EMP)

9. Prepare and submit a revised Environmental Management Plan (EMP) to the satisfaction of Council that clearly demonstrates how the piggery operation would achieve compliance with DAFF conditions of approval. As a minimum, the revised EMP must include and address:
   a) Detailed hydrological/flood modelling clearly demonstrating the proposed pond system has been designed to achieve 1 in 10 year overflow frequency;
   b) Contingency plan identifying the proposed mitigation measures to be undertaken to address effluent overtopping and accidental discharge into receiving waters;
   c) Water quality assessment of the groundwater and surrounding water receivers to prepare a baseline for water quality monitoring;
   d) Provide definitive management measures for effluent disposal and treatment;
   e) Detailed soil analysis, identifying a nutrient baseline of soils and measurable loading limits for monitoring purposes of effluent discharge and water quality;
   f) Provide definitive hours of operation and access-operations and access are not to be undertaken outside these hours;

g) Provide clear objectives, methods of measurement, performance indicators and monitoring procedures based on standard scientific procedures and management techniques;
h) Identify the suitably qualified expert responsible for management and monitoring of the Environmental Management Plan.

Water Quality Monitoring

10. In addition to management and monitoring outcomes of a revised EMP, independent water testing by a certified water testing authority is to be carried out on groundwater and waterways and submitted to council for monitoring at the applicant's expense.

11. Deleted

12. Deleted

13. Comply with water quality objectives identified in the revised EMP required in condition 9 and in the event that testing required by condition 10 shows water quality objectives do not meet the stated objectives as a result of the approved development, the operator of the development is to -

a) give immediate written notice to Council as soon as practical that the water is not achieving the stated water quality objectives and a satisfactory statement about how the operator intends to achieve such water quality objectives; and
b) take immediate steps to achieve the stated water quality objectives.

Vehicle Access & Roads General

14. Construct a compacted all-weather gravel access from the access point on Roth's Road to the site of the development.
15. Construct access to the approved development from Roth's Road as shown on Approved Plan 'Overall site plan amended regarding access and internal roadway' with not less than 180 metres of sight distance in each direction along Roth's Road.
16. Install one W5-22B 'Truck' signs in Roth's Road adjacent to the entrance point to the approved development and another in Roth's Road adjacent to the Burnett Highway intersection.
17. Upgrade Roth's Road from the Burnett Highway intersection to the point of access of the approved development, approximately 200 metres, to a six (6) metre wide gravel road with a depth of 150mm including any associated stormwater drainage. Such work is to be carried out prior to truck movements generated by the approved development exceeding 7 truck movements each way per week or the commencement of Stage 3 of development, whichever occurs first.

Stage 1

18. Deleted
19. Deleted

Stage 2

20. Deleted
21. Deleted

Vegetation

22. Submit a satisfactory plan and obtain Council's approval in respect of works required by Condition 24.

23. Deleted.
24. The levy bank surrounding the piggery sheds and disposal area is to be vegetated where practical with a suitable ground cover to reduce erosion and dust.

Excavation and filling

25. Excavation or filling for construction activities associated with the approved development is to be carried out in accordance with Schedule 1, Division Standards for Construction Activities, Section 1.1.

Rehabilitation of the site

26. In the event of approved development ceasing, undergo a rehabilitation program to ensure the land is suitable for ongoing agricultural use.

Advice to the applicant

- The Sustainable Planning Act 2009 provides that this approval will lapse if it is not acted upon within a period of four (4) years.
- This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

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ATTACHMENT 1

PART B—CONDITIONS OF APPROVAL

Conditions imposed by Department of Agriculture, Fisheries & Forestry

Department of Agriculture, Fisheries and Forestry

Permit [1]

Sustainable Planning Act 2009

DAFF Permit number: 2013/03

This notice is issued by the Department of Agriculture, Fisheries and Forestry pursuant to s267 (concurrence agency's response powers) of the Sustainable Planning Act 2009 ("the Act").

Concurrence agency reference:	QHMN0159
Date application received:	21 June 2013
Permit type:	Concurrence agency response
Date of decision:	3 December 2013
Decision:	The Chief Executive, Department of Agriculture, Fisheries and Forestry (DAFF) concurrence agency response for the concurrence agency referral jurisdiction aspect of the development involved with the application the subject of this Notice is to tell the assessment manager as follows: Concurrence Response for a material change of use (MCU) involving an ERA. Conditions must attach to any development approval, and those conditions are attached to this Notice.
Relevant laws and policies:	*Sustainable Planning Act 2009*

Jurisdiction	**Legislation**
Concurrence Response for a MCU involving an ERA.	*Sustainable Planning Regulation (2009)* – Schedule 7, Table 2, Item 1

Development Description(s)

Property	**Lot/Plan**	**Aspect of Development**
32089 Monto – Biloela Rd Monto Qld 4630	Lot 57 Crown Plan 857497 and Lot 49 Crown Plan 857496	ERA 3 – Pig Keeping (3) – keeping more than 8000 standard pig units

M. Furness

Mitchell Furness
Delegate of the administering authority
Department of Agriculture, Fisheries and Forestry

3 December 2013

[1] Permit includes licences, approvals, permits, authorisations, certificates, sanctions or equivalent/similar as required by legislation administered by the Department of Environment and Heritage Protection or its successor.

Reason(s) for inclusion of conditions
In accordance with section 289 of the *Sustainable Planning Act 2009*, the reason(s) for inclusion of conditions stated in this permit required by the concurrence agency response for the application are as follows:

1. The **administering authority** under the *Environmental Protection Act 1994* is a concurrence agency for this application under the *Sustainable Planning Act 2009* for the purposes of the *Environmental Protection Act 1994* in accord with *Sustainable Planning Regulation (2009)* – Schedule 7, Table 2, Item 1

Additional information for applicants

Environmentally relevant activities
The description of any environmentally relevant **activity** (ERA) for which this development **approval** is issued is a restatement of the ERA as defined by legislation at the time the **approval** is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by a development **approval** as to the scale, intensity, or manner of carrying out an ERA, then the conditions prevail to the extent of the inconsistency.

A development permit authorising the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the permit specifically authorises environmental harm. A person carrying out an ERA must hold a registration certificate issued under the *Environmental Protection Act 1994*, or must be acting under a registration certificate, for the ERA.

M. Fisher

CONDITIONS

Conditions for: ERA 3 - Pig keeping (3) - keeping more than 8000 standard pig units

Schedule 1: Site Suitability

SS1 The pig keeping **activity** must be constructed and operated in accordance with a management system designed to address any significant risks to the environment.

Schedule 2: Location on Site

LS1 to The **activity** must be located and constructed in a manner that prevents or minimises impacts surface **waters**;

LS2 The **activity** must be located and constructed in a manner that prevents or minimises odour, dust and **noise** impacts to a **sensitive place**;

Schedule 3: Critical Design Requirements

CD1 All piggery effluent treatment ponds must be designed and operated to prevent or minimise odour impacts to a **sensitive place**.

CD2 All primary piggery effluent treatment ponds must be:
a) covered ponds with either permeable or impermeable covers installed; and
b) constructed and operated in accordance with accepted engineering standards currently appropriate for the purpose for which the containment structure/s are intended to be used.

CD3 The facility must be designed in a manner that permits the operation at the **site**, at which the **activity** is to be carried out, in accordance with best practice environmental management.

CD4 Where a dam is constructed to contain piggery effluent, it must be constructed, operated and maintained in accordance with accepted engineering standards currently appropriate for the purpose for which the dam is intended to be used.

CD5 In the event of early signs of loss of structural or hydrological integrity of a piggery effluent pond, the holder of the environmental authority must:
- take immediate action to prevent or minimise any actual or potential environmental harm; and
- report in writing to the **administering authority**, any findings and actions taken within 20 business days of that event.

CD6 The ERA must be carried out in such a manner to:
- minimise the contact of incident rainfall and stormwater runoff with contaminants from the piggery, waste containment structures or waste utilisation areas; and
- prevent or minimise the release or likelihood of release of contaminants from the piggery or waste utilisation areas to any **waters** or the bed and banks of any **waters**.

CD7 Piggery effluent containment ponds and piggery solid waste products must be managed in a manner that prevents or minimises the risk of environmental harm occurring.

DEFINITIONS

Words and phrases used throughout this permit[1] are defined below. Where a definition for a term used in this permit[1] is sought and the term is not defined within this permit[1] the definitions provided in the relevant legislation shall be used.

"activity" means the environmentally relevant activities, whether resource activities or prescribed activities, to which the development approval relates.

"administering authority" means the Chief Executive of the Department of Environment and Heritage Protection or its successor.

"approval" means 'notice of development application decision' or 'notice of concurrence agency response' under the *Sustainable Planning Act 2009*.

"contaminant" can be—

(a) a gas, liquid or solid; or

(b) an odour; or

(c) an organism (whether alive or dead), including a virus; or

(d) energy, including noise, heat, radioactivity and electromagnetic radiation; or

(e) a combination of contaminants.

"delegate of the administering authority": an officer of The Department of Agriculture, Fisheries and Forestry (DAFF) or its successor as cited by the **administering authority**.

"land" means **land** excluding **waters** and the atmosphere.

"noise" includes vibration of any frequency, whether emitted through air or another medium.

"sensitive place" includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

(a) a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or

(b) a motel, hotel or hostel; or

(c) a kindergarten, school, university or other educational institution; or

(d) a medical centre or hospital; or

(e) a protected area under the Nature Conservation Act 1992, the Marine Parks Act 1992 or a World Heritage Area; or

(f) a public thoroughfare, park or gardens; or

(g) for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

"site" means **land** in which it is proposed to carry out the development approved under this development **approval**.

"waters" includes river, stream, lake, lagoon, pond, swamp, wet**land**, unconfined surface water, unconfined water natural or artificial watercourse, bed and bank of any **waters**, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part-thereof.

END OF CONDITIONS

NORTH BURNETT
REGIONAL COUNCIL

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Email: admin@northburnett.qld.gov.au
Web: northburnett.qld.gov.au
ABN: 23 439 388 197

ATTACHMENT 1

PART C—CONDITIONS OF APPROVAL

Conditions imposed by Department of Transport and Main Roads

Queensland Government

Department of
Transport and Main Roads

Our ref TMR13-008343
Your ref 114/13
Enquiries Ian Leyton

19 December 2013

The Chief Executive Officer
North Burnett Regional Council
PO Box 390
Gayndah QLD 4625

Attention: Mr Bob Savage

RECEIVED (Records)
No: 7 - App - material.
20 DEC 2013
Connie
ID:
Retention Ref: 2024A

Dear Sir/Madam

CONCURRENCE AGENCY RESPONSE – CONDITIONS

Proposed Development:	(1) Development permit - material change of use (intensive animal industry [piggery expansion] (2) Development permit - environmentally relevant activity 3 at threshold 3 (keeping more than 8000 standard pig units)
Real Property Description:	Lot 49CP857496, 57CP857497
Street Address:	32089 Monto - Biloela Road, Monto QLD 4630
Assessment Manager ref.:	114/13
Local Government Area:	North Burnett Regional Council
Applicant:	Liberty Fields Pty Ltd
State-controlled Road:	Burnett Highway (Monto – Biloela)
Access location:	41D at 8.494L

Reference is made to the referral agency material for the development application described above which was received by the Department of Transport and Main Roads (the department) under section 272 of the *Sustainable Planning Act 2009* (SPA) on 20 November 2013.

An assessment of the proposed development has been undertaken against the purposes of the *Transport Infrastructure Act 1994* for state-controlled roads. Based on this jurisdiction, the department provides this concurrence agency response under section 285 of the SPA.

The department advises the assessment manager that it requires conditions to attach to any development approval for the application. The department would also like to provide advice about the application to the assessment manager under section 287(6) of the SPA.

Program Delivery and Operations
Wide Bay/Burnett Region / Bundaberg Office
23 Quay Street Bundaberg Queensland 4670
Locked Bag 486 Bundaberg DC Queensland 4670

Telephone +61 7 5482 0367
Facsimile +61 7 5482 0465
Website www.tmr.qld.gov.au
Email ian.r.leyton@tmr.qld.gov.au
ABN: 39 407 690 291

Under section 325(1) of the SPA, the assessment manager must therefore attach this response, including the enclosed Department of Transport and Main Roads Concurrence Agency Conditions and Statement of Reasons, to any approval for the application.

The department may change its concurrence agency response in accordance with section 290(1)(b) of the SPA.

The department must be provided with a copy of the assessment manager's decision notice regarding the application within five (5) business days after the day the decision is made in accordance with section 334 of the SPA.

A copy of this response has been sent to the applicant for their information.

If you have any questions or wish to seek clarification about any of the details in this response, please contact Ian Leyton, Development Control Officer (Adjacent Land Management) on 07 5482 0367.

Yours sincerely

Adam Fryer
Senior Advisor (Development Control)

Enc. (1) Department of Transport and Main Roads Agency Conditions and Statement of Reasons
(2) B & M Slots' Site Plan Drawing No. WIL-01-A dated 26 April 2010

C/c Liberty Fields Pty Ltd
32089 Monto - Biloela Road
Monto QLD 4630

No.	Conditions of Development	Condition Timing	Jurisdiction and Reasons
2	(a) Access to the southern portion of Lot 49 on CP857496 and Lot 57CP857497 shall be via Roths Road. (b) Access to the northern portion of Lot 49 on CP857497 shall be via Staatz Road. (c) Direct access is not permitted between the Burnett Highway and Lot 49 on CP857496 and Lot 57 CP857497.	(a), (b) & (c) At all times	The purposes of the Transport Infrastructure Act 1994. Vehicular access via Roths Road and Staatz Road minimises impacts on the safety and efficiency of the state-controlled road network.

46

Adam Fryer
Senior Advisor (Development Control)

19 December 2013

Connecting Queensland
www.tmr.qld.gov.au

Queensland Government

Advice for state controlled roads
Pursuant to Section 580 of the *Sustainable Planning Act 2009* it is a development offence to contravene a development approval, including any condition in the approval.
Pursuant to Section 80 of the *Transport Infrastructure Act 1994*, the construction, augmentation, alteration or maintenance of a public utility plant on a state-controlled road reserve, must be in accordance with the Department of Transport and Main Roads' requirements.

INFORMATION ATTACHMENT TO CONCURRENCE AGENCY RESPONSE

Representations on Referral Agency Response

If the applicant intends to make a representation to the Department of Transport and Main Roads (the department) regarding the attached concurrence agency response, the applicant needs to do this before the assessment manager decides the application.

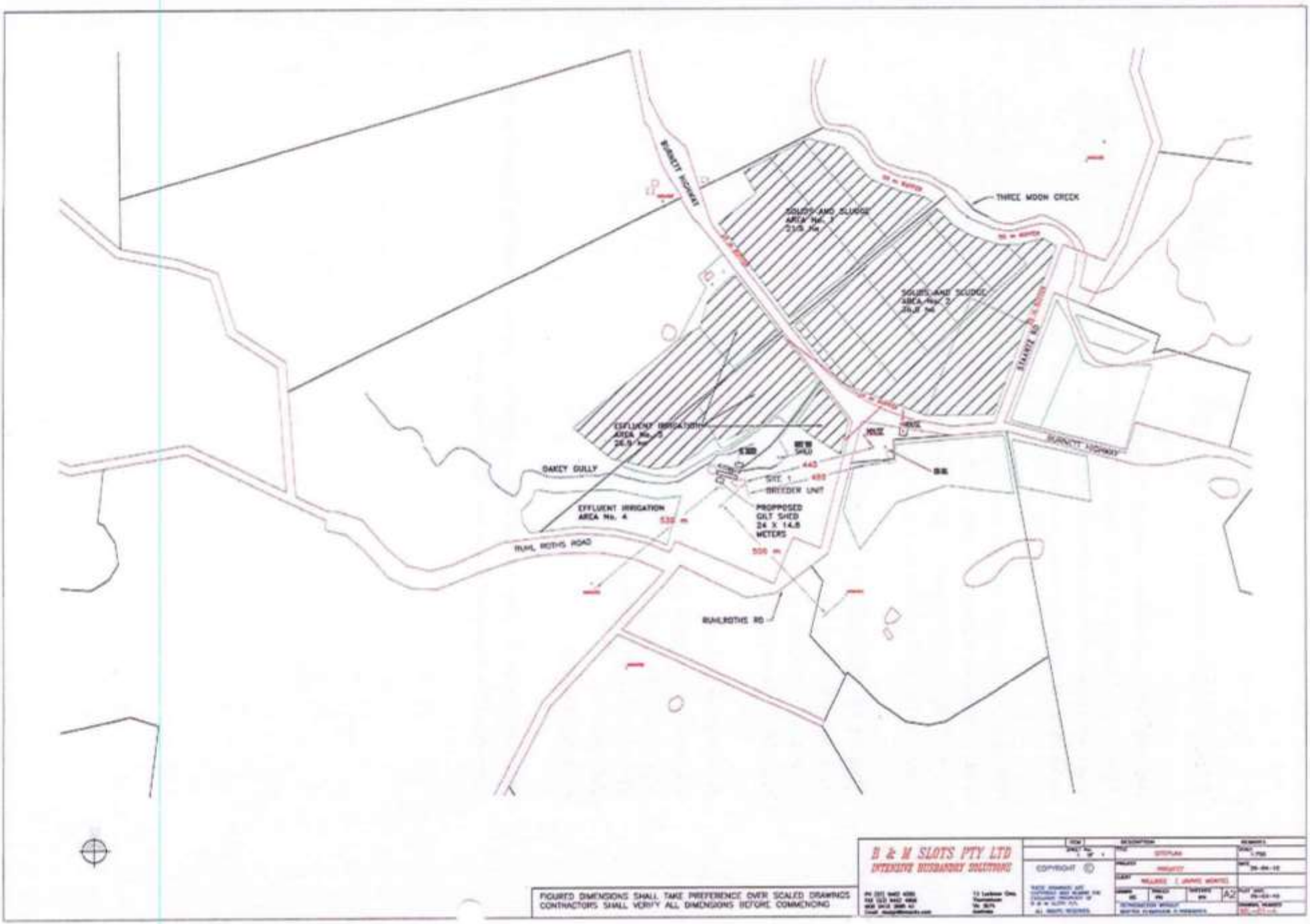
The applicant will need to give the assessment manager written notice under section 320(1) of the *Sustainable Planning Act 2009* (SPA) to stop the decision-making period to make a representation to the department and subsequently contact the department to make the representation. The decision making period cannot be stopped for more than 3 months.

Planning and Environment Court Appeals

If an appeal is lodged in the Planning and Environment Court in relation to this application, the appellant must give written notice of the appeal to the department under section 482(1) of the SPA. This notice should be given to:

Chief Executive Officer
Department of Transport and Main Roads
C/- Planning Law Team
Planning Management Branch
GPO Box 213
Brisbane QLD 4001

This notice should be given within 2 business days if the appeal is started by a submitter, or otherwise within 10 business days after the appeal is started.


BURNETT HIGHWAY
THREE MOON CREEK
SOLIDS AND SLUDGE AREA No. 1
SOLIDS AND SLUDGE AREA No. 2
EFFLUENT IRRIGATION AREA No. 3
OAKEY GULLY
SITE 1 BREEDER UNIT
EFFLUENT IRRIGATION AREA No. 4
PROPPOSED CALF SHED 24 X 14.8 METERS
RUHL ROTHS ROAD
RUHLROTHS RD
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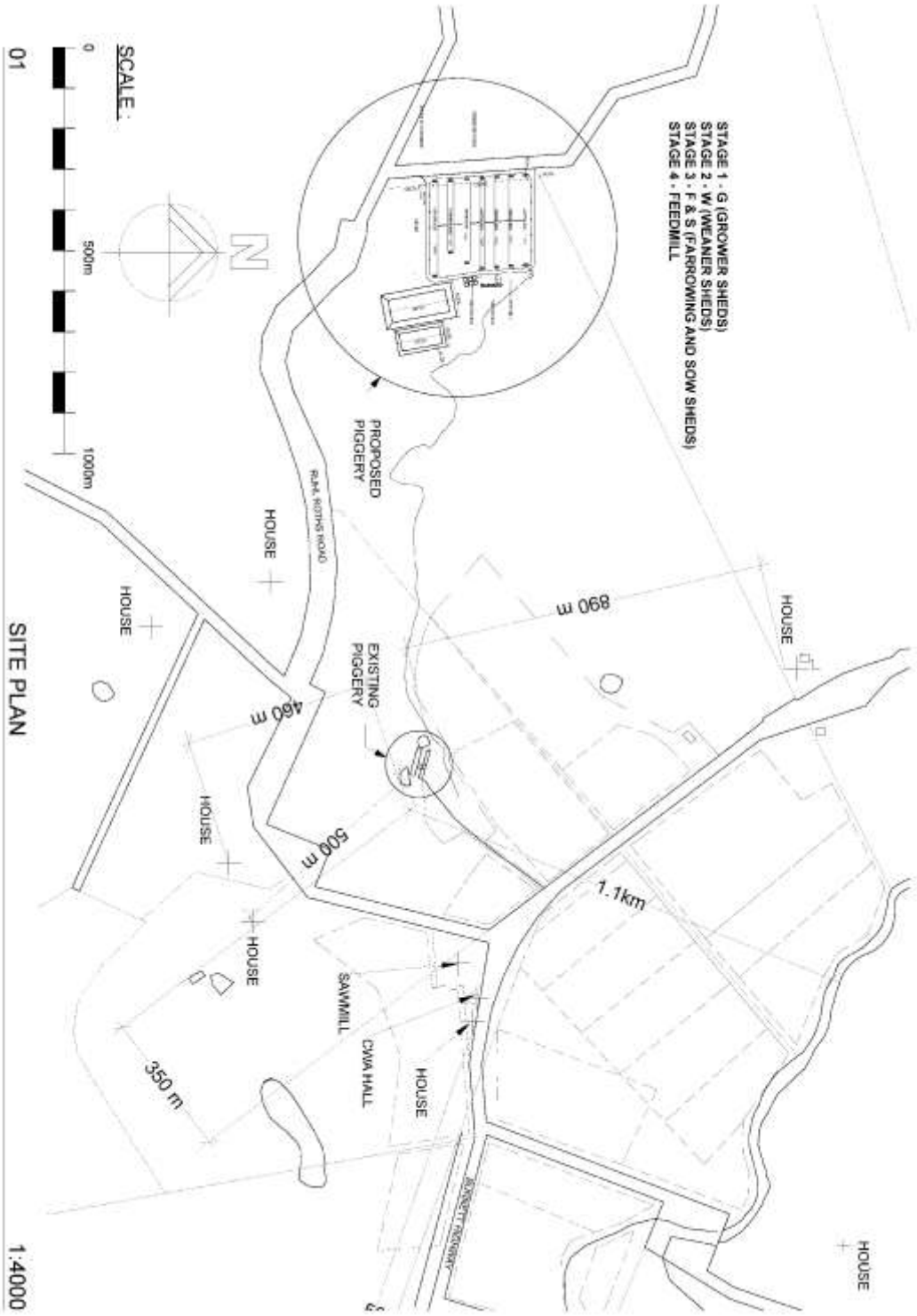
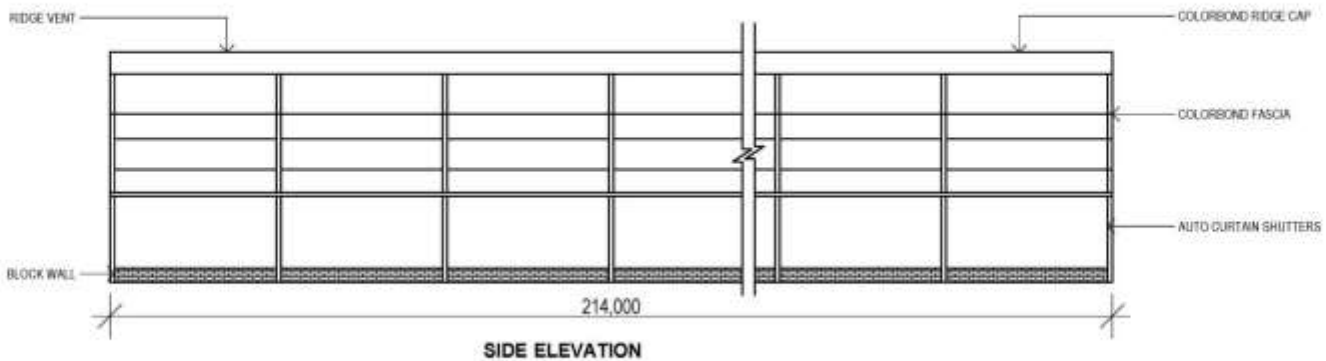
Web: northburnett.qld.gov.au
ABN: 23 439 388 197

ATTACHMENT 2

APPROVED DRAWINGS





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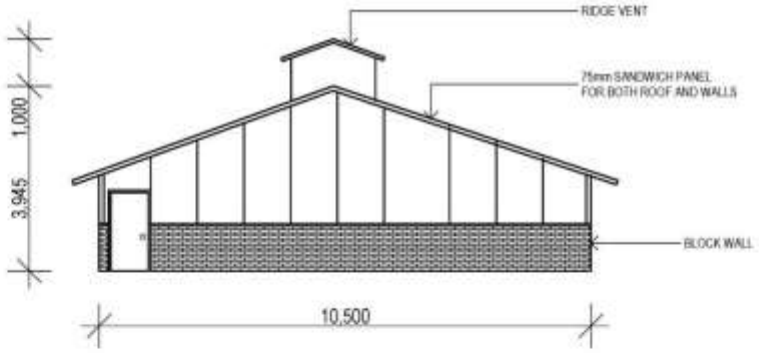

END ELEVATION

01 SIDE ELEVATION 1:100

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Issue	Revision	Date	By
A	ISSUE FOR COUNCIL	[illegible]	[illegible]

Amendments

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Project Name and Location: NEW PROGERY	Drawn: RN	Checked: RN	Approved: DZ
Drawing Title: GROWER SHED	Drawing no.: 2224A		Issue: A

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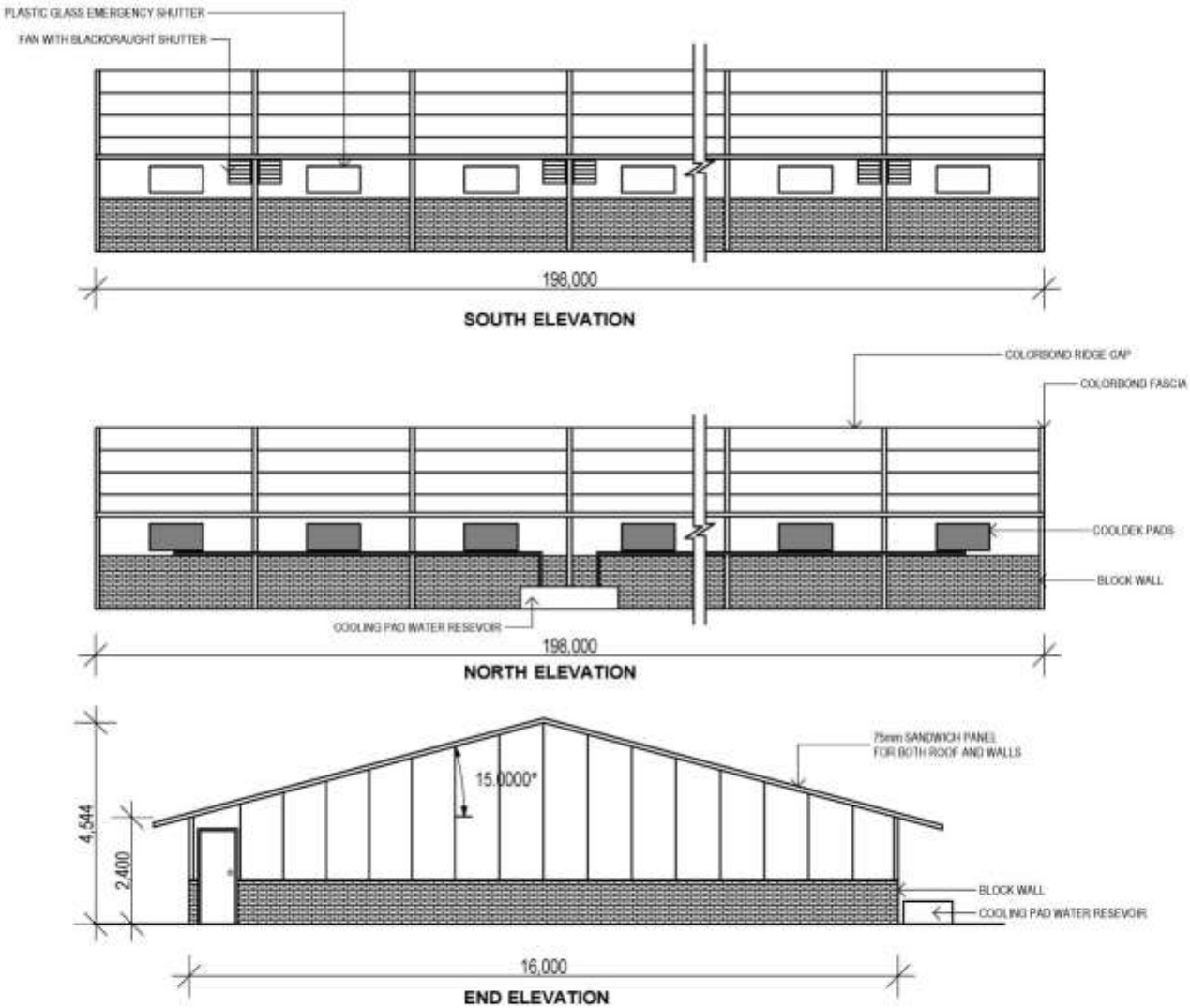

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A	ISSUE FOR COUNCIL		

Amendments

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Project Name and Location: NEW PIGGERY	Drawn: RN	Checked: RN	Approved: DZ
Drawing Title: WEANER SHED	Drawing no.: 2224B		Issue: A

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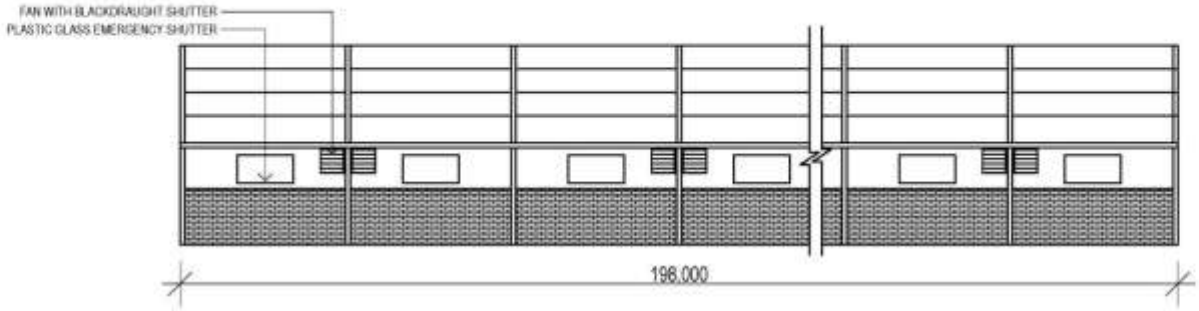

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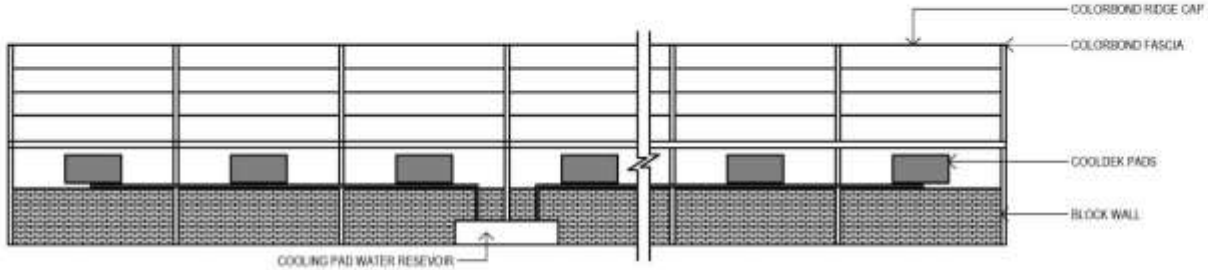

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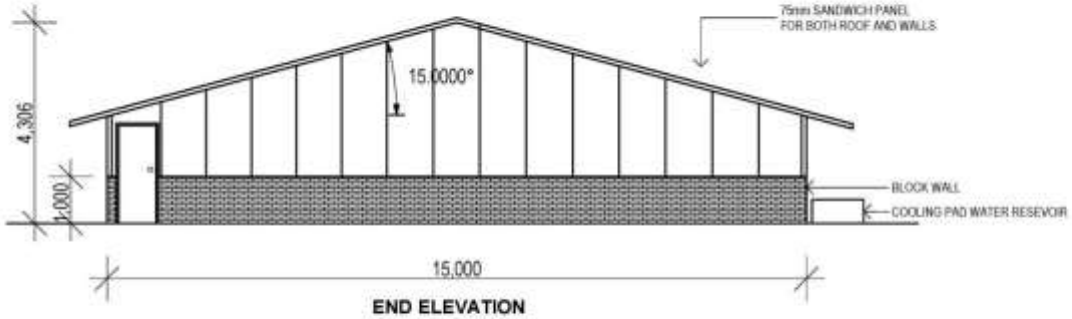

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Issue	Revision	Date	In
A	ISSUE FOR COUNCIL	11.04.13	RN

Abbreviations

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Project Name and Location: NEW PIGGERY	Drawn: RN	Checked: RN	Approved: DZ
Drawing Title: FARROWING SHED	Drawing no.: 2224C		Issue: A

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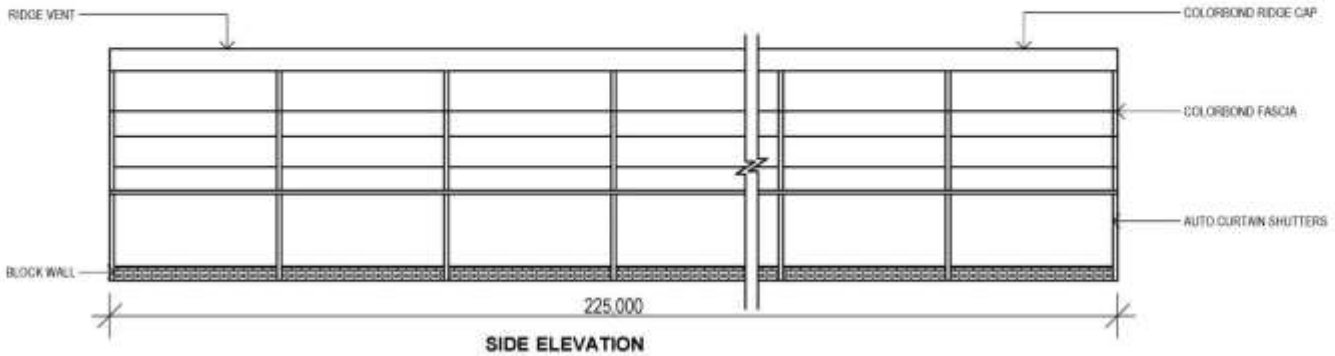

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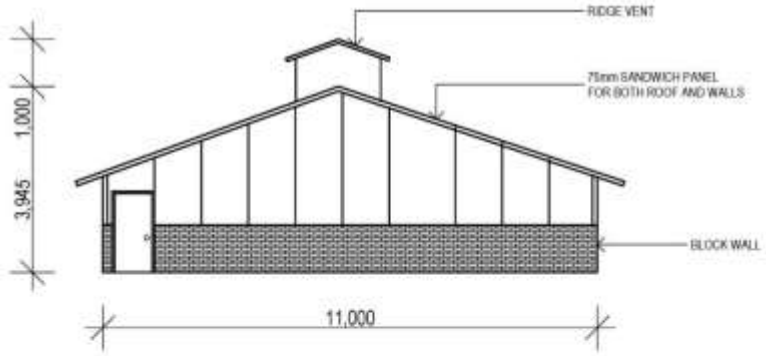

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Project Name and Location	NEW PIGGERY
Drawing Title	DRY SOW SHED

Scale	Date	Job no.
A1 A3	21.02.13	-
Drawn	Checked	Approved
RN	RN	DZ
Drawing no.		Issue
2224D		A

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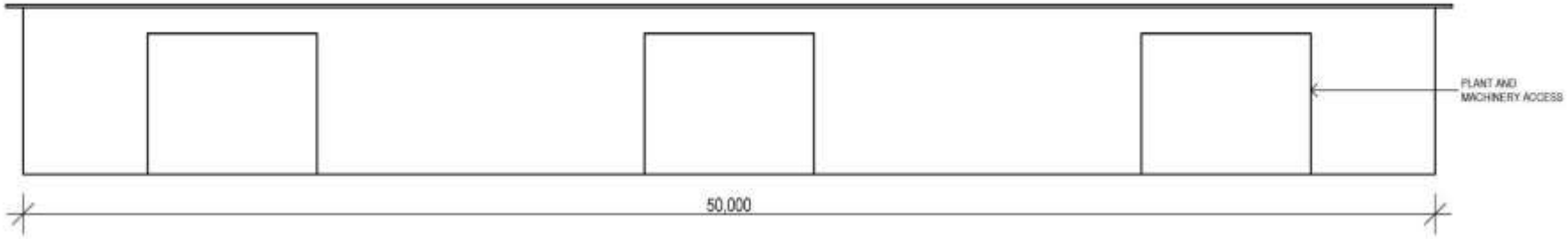

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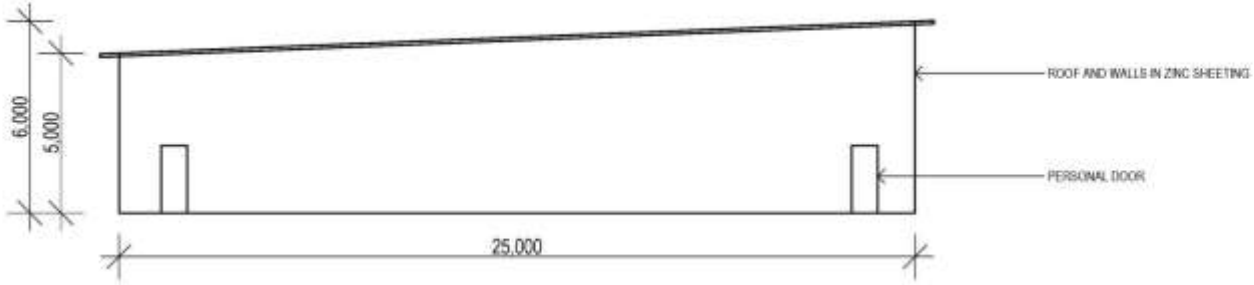

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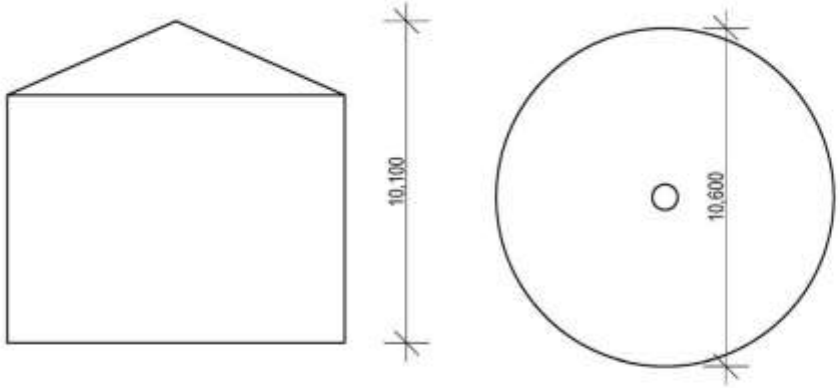
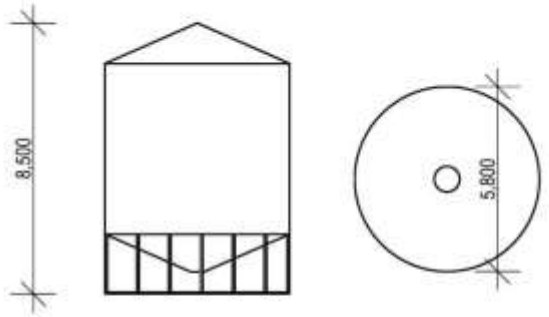


500 TON SILO



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Issue	Revision	Date	By
Amendments			

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Project Name and Location: NEW PIGGERY		Drawn: RN	Checked: RN
Drawing Title: FEED MILL AND SILOS		Drawing no.: 2224E	Issue: A

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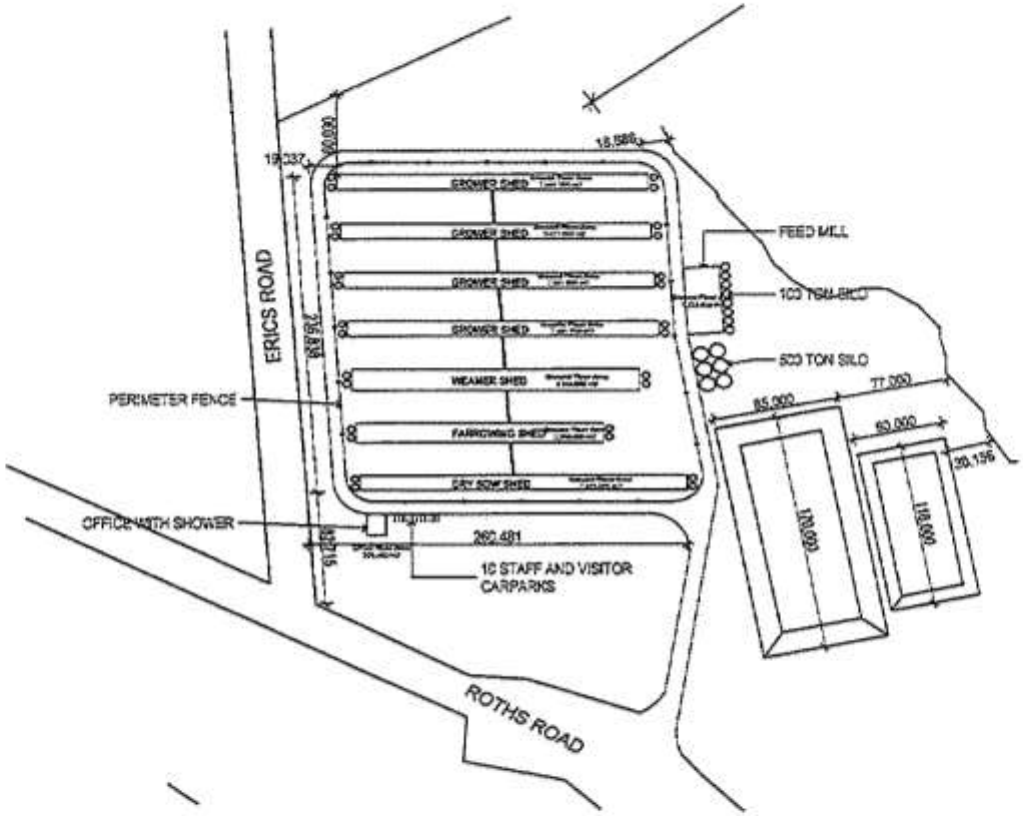

01 NEW SITE PLAN 1:3000

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Drawing Title: NEW SITE PLAN
Scale: NTS
Date: 27.02.13
Job No.: -
Drawn: SN
Checked: SN
Approved: SC
Drawing No.: 2223B
Issue: B

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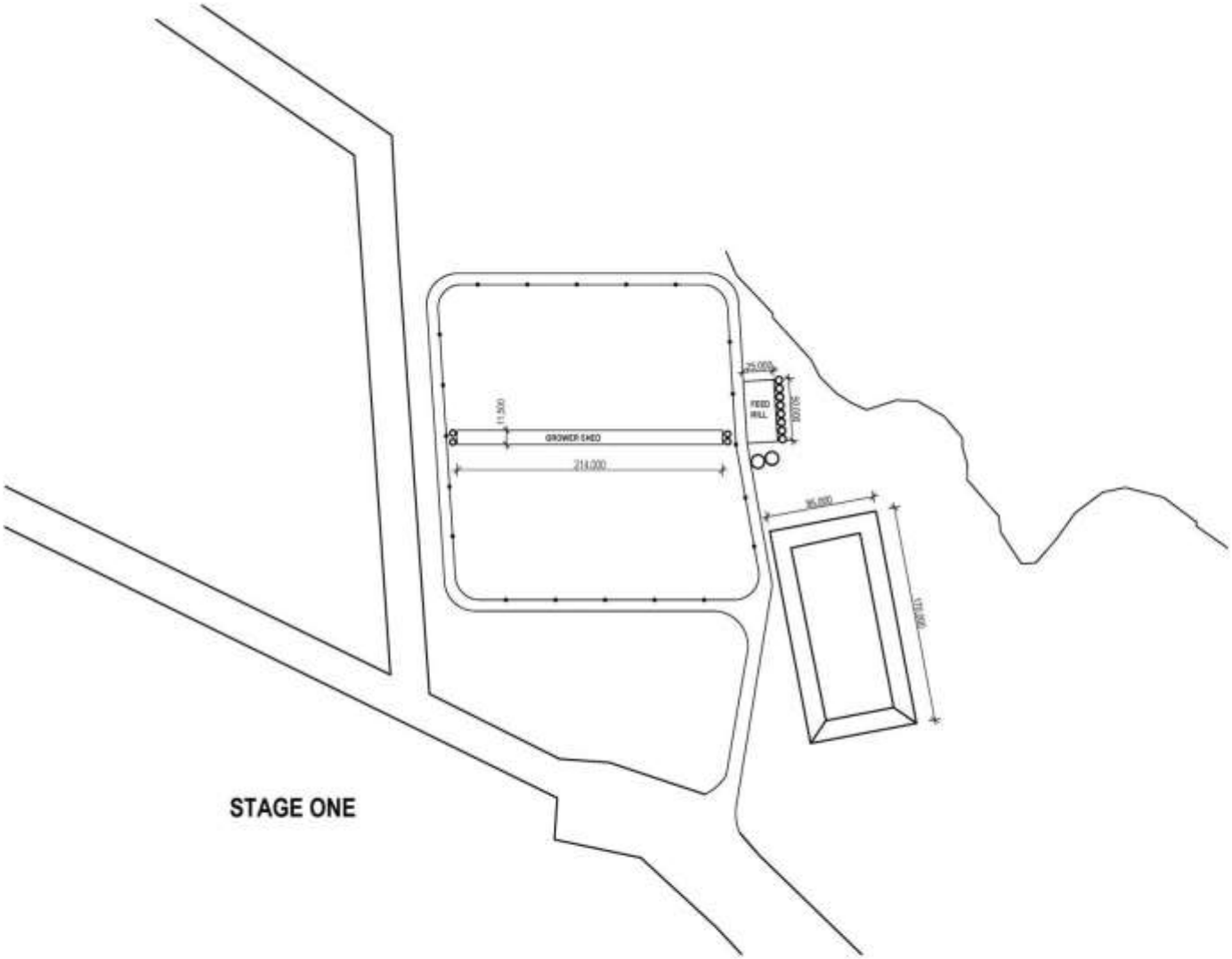

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Issue	Revision	Date	By
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A	ISSUE FOR COUNCIL	21.01.13	RN

Amendments

Client	Scale	Date	Job no.
LIBERTY FIELDS	ATA3	21.02.13	
Project Name and Location	Drawn	Checked	Approved
NEW PIGGERY	RN	RN	GZ
Drawing Title	Drawing no.		Issue
STAGE ONE	2223C		B

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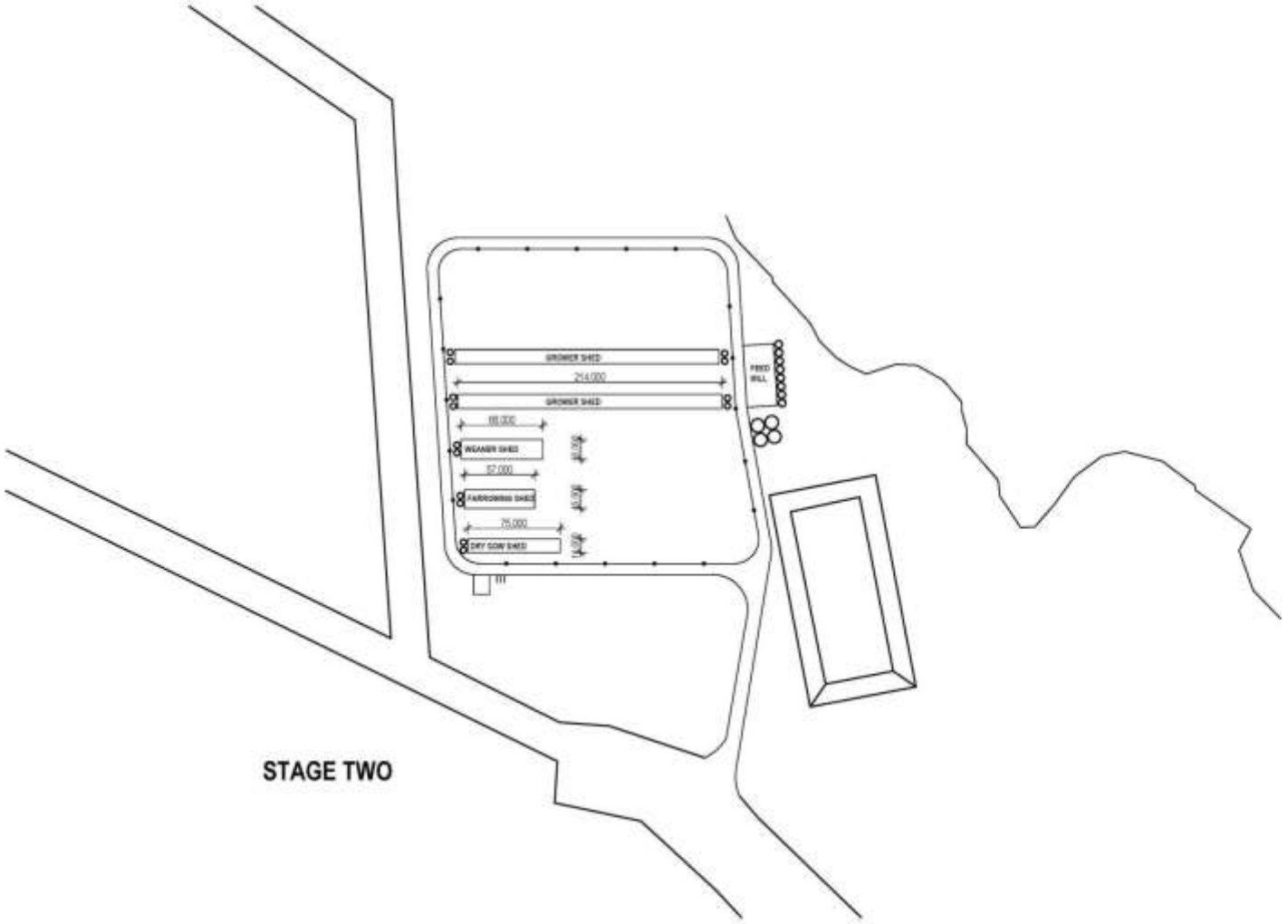

STAGE TWO

01 STAGES

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Issue	Revision	Date	By
B	ISSUE FOR COUNCIL	21.02.13	RN
A	ISSUE FOR COUNCIL	11.02.13	RN

Client: LIBERTY FIELDS
Project Name and Location: NEVI PIGGERY
Drawing Title: STAGE TWO

Scale	Date	Job no.
A1,A3	21.02.13	-
Drawn	Checked	Approved
RN	RN	DJ
Drawing no.		Issue
2223C		B

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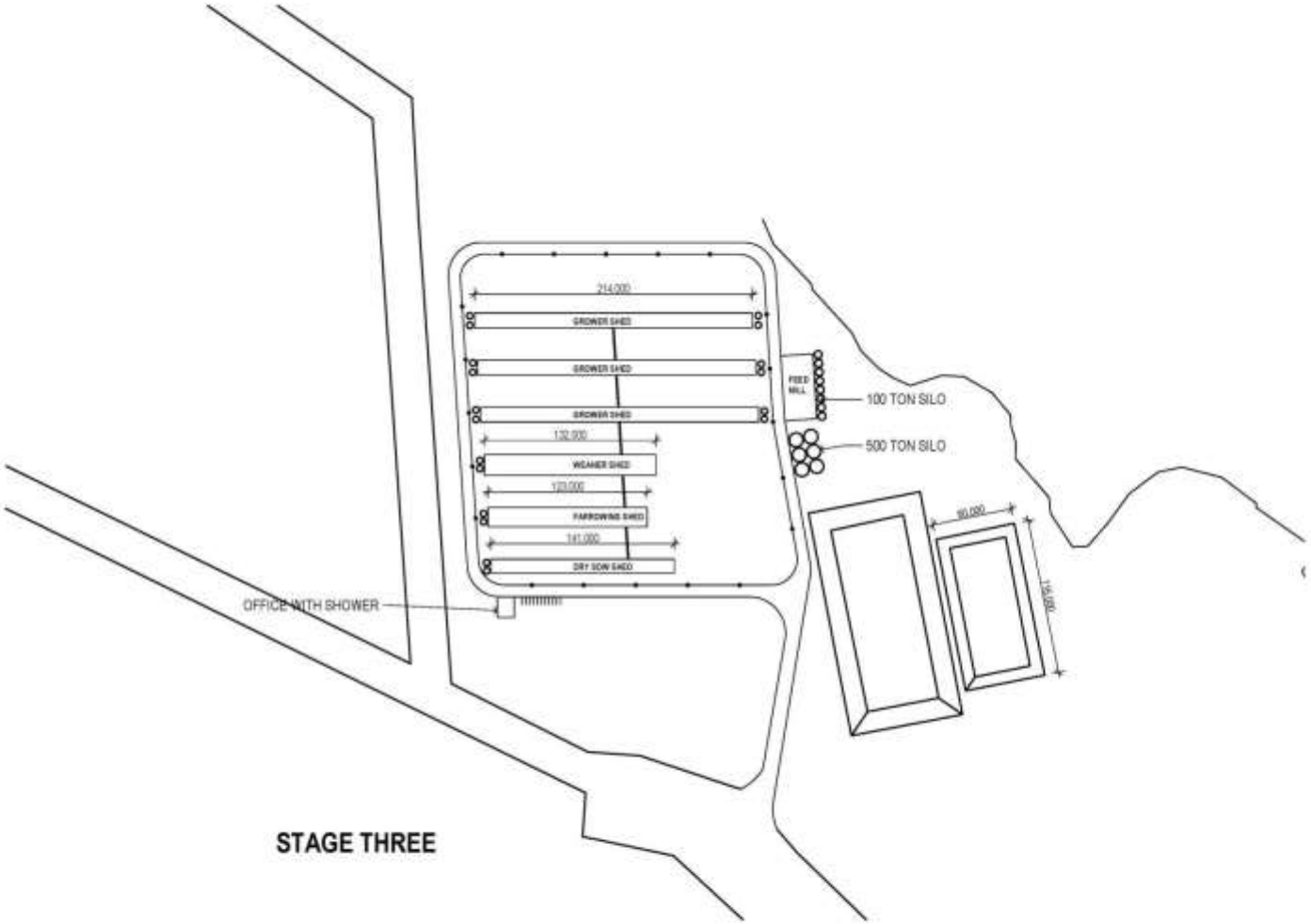

STAGE THREE

01 STAGES

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Issue	Revision	Date	By
B	ISSUE FOR COUNCIL	13.02.13	RN
A	ISSUE FOR COUNCIL	11.02.13	RN

Amendments

Client: LIBERTY FIELDS

Project Name and Location: NEW PIGGERY

Drawing Title: STAGE THREE

Scale	Date	Job no.
AT A3	21.02.13	-
Drawn	Checked	Approved
RN	RN	DZ
Drawing no.		Issue
2223C		B

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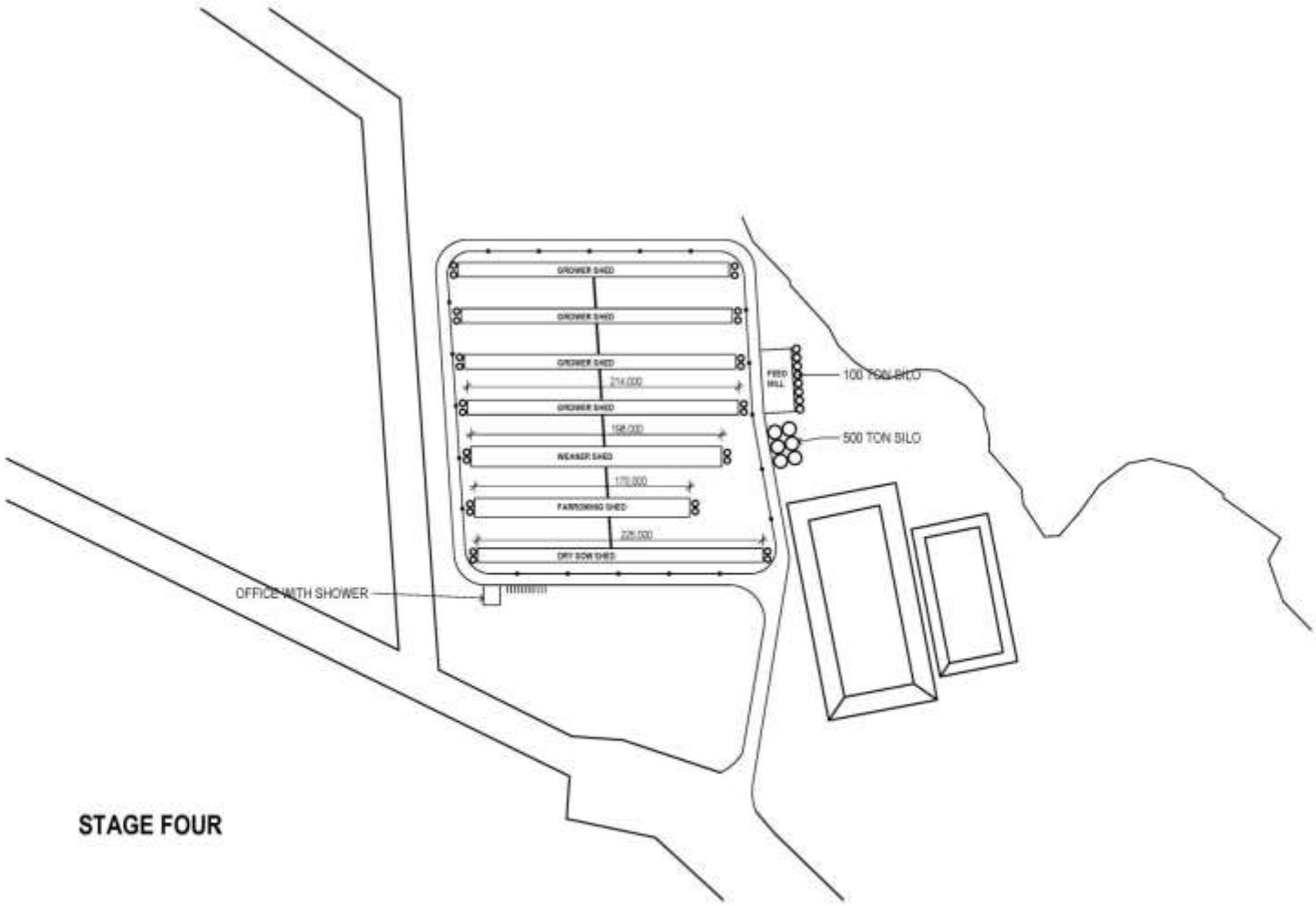

STAGE FOUR

01 STAGES

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Issue	Revision	Date	Ex
B	ISSUE FOR COUNCIL	[illegible]	[illegible]
A	ISSUE FOR COUNCIL	[illegible]	[illegible]

Amendments

Client: LIBERTY FIELDS	Scale: ATA3	Date: 21.02.13	Job no.
Project Name and Location: NEW PIGGERY	Drawn: RN	Checked: RN	Approved: GZ
Drawing Title: STAGE FOUR	Drawing no.: 2223C		Issue: B

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LYNDARR CONSTRUCTIONS

ENVIRONMENTAL MANAGEMENT PLAN

30 Oct 2013

Environmental Management Plan for Liberty Fields Piggery (Hard Rock)

A system enabling the piggery to be managed in an environmentally sustainable manner, including processes for continual review and improvement.

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1 IDENTIFICATION DETAILS

1.1 Ownership and Contact Details

Piggery Owner:
Liberty Fields

Piggery Manager:
Tyson Jarvis

Environmental Manager:
Tyson Jarvis

Piggery Name:
Hard Rock

Postal Address:
32089 Monto – Biloela Rd Monto Qld 4630

Telephone Number:
07 41661771

Mobile Number:
0422450627

Facsimile Number:
07 41663011

Emergency 24 hr Number:
0422450627

Email Address:
tysonjarvis2010@gmail.com

Real Property Description:
The property is currently used for the operation of a breeder-only unit (450 sows) with replacement stock, cattle grazing and cropping.

Lot 57 on CP857497
Lot 49 on CP857496

Land Owner:
FJ & AE Jarvis

Land Area (ha):
332

Tenure:
Freehold

Actual Location of Piggery:

1.2 Overview of Piggery Operation

Actual Piggery Capacity:

An application has been lodged with the North Burnett Council to operate an intensive piggery for up to 23,500 standard pig units (SPU).

Herd Type:

Farrow to Finish.

Accommodation Type/s:

Environmentally controlled and or naturally ventilated sheds, with a pull plug system to remove the waste from the sheds

Entry Requirements:

Two days (48hr) with no contact with any pigs or any other material that has come in contact with pigs.

2 Environmental Policy

Our Environmental Management Plan (EMP) focuses on the general management of the whole farm, taking into account the environment and associated risks.
This document design features and management practices; identify risks and mitigation strategies; include ongoing monitoring to ensure impacts are minimised; and processes for continual review and improvement and provides an environmentally sustainable outcome.

The EMP allows for dynamic, adaptive management and focus on continuous improvement. It allows variations from the guidelines, and includes the monitoring and feedback loops that provide assurances that environmental impact can be detected and resolved. Proactive and genuine handling of complaints is an integral component of the monitoring and feedback loop

3 LEGAL REQUIREMENTS

Local Govt. Consent No.:

Consent Capacity:

Consent Date or Expiry Date:

State Govt. Approval or Licence No:

Approval or Licence Capacity:

Approval or Licence Expiry Date:

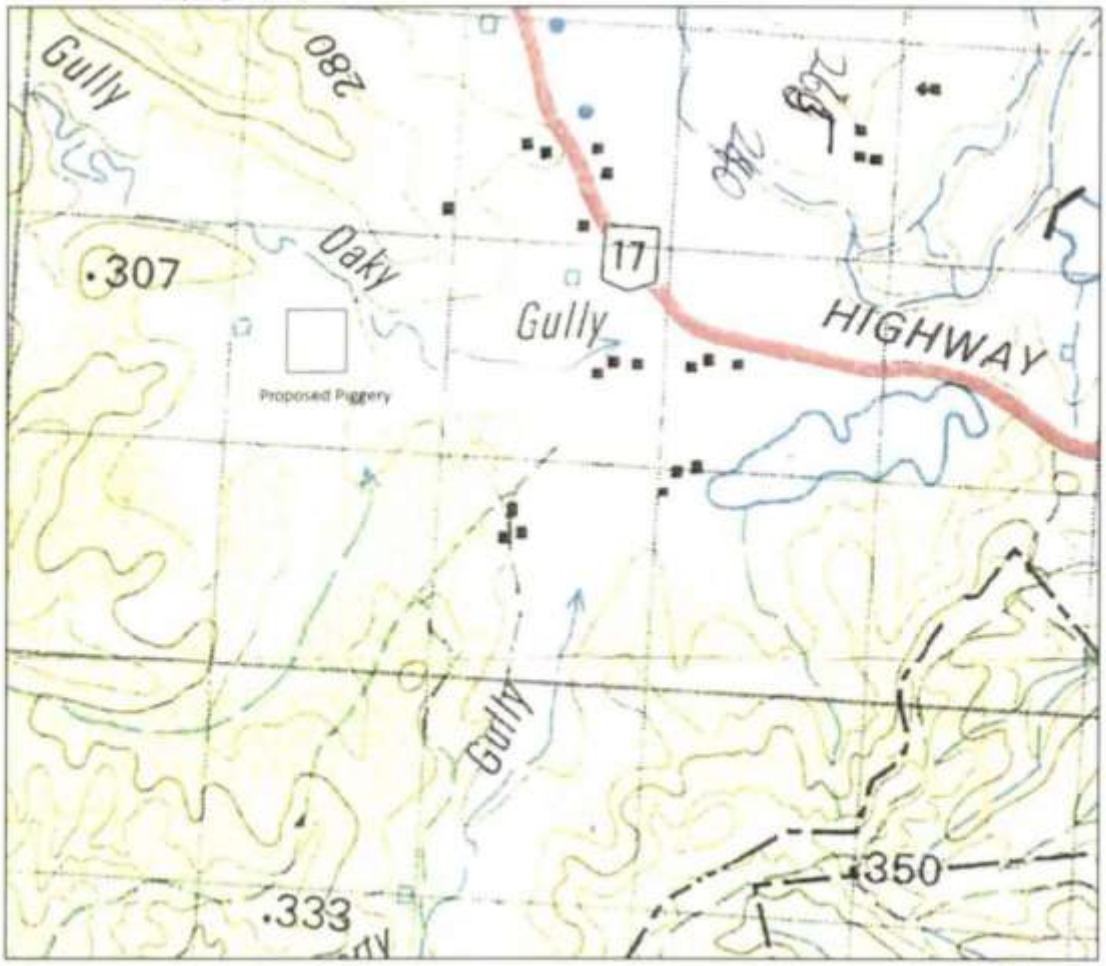
Copies of relevant documentation are attached in Appendix 1.

4 NATURAL RESOURCES & AMENITY

4.1 Climate

Statistics	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	Years
Temperature														
Mean maximum temperature (°C)	31.9	31.2	29.9	27.7	24.2	21.1	20.6	23.0	26.2	29.0	30.8	32.0	27.3	39
Mean minimum temperature (°C)	19.3	19.0	17.2	13.7	10.0	6.7	5.3	6.5	9.6	13.3	16.2	18.3	12.9	39
Rainfall														
Mean rainfall (mm)	113.6	113.6	77.8	44.6	44.7	38.0	36.0	26.1	24.1	55.6	74.8	84.6	743.9	72
Decile 5 (median) rainfall (mm)	102.1	92.4	67.2	39.6	33.2	25.6	21.6	19.8	17.2	45.6	64.2	79.6	743.6	72
Mean number of days of rain ≥ 1 mm	8.3	7.6	6.6	4.6	4.4	3.7	3.6	3.2	3.0	6.2	6.2	7.7	64.5	72
Other daily elements														
Mean daily sunshine (hours)														
Mean number of clear days	4.1	2.9	4.9	8.1	9.9	11.9	15.5	15.4	14.6	10.6	7.1	6.0	112.4	37
Mean number of cloudy days	14.4	14.6	12.7	9.5	9.9	8.3	7.1	5.8	5.5	7.8	9.6	11.7	116.8	37
9 am conditions														
Mean 9am temperature (°C)	25.6	24.8	23.2	20.2	16.9	12.4	11.6	14.0	18.4	22.2	24.4	25.7	19.9	37
Mean 9am relative humidity (%)	69	72	74	76	80	82	78	71	63	56	61	63	70	33
Mean 9am wind speed (km/h)	8.5	8.6	8.6	7.2	6.4	6.9	6.8	7.7	9.1	9.9	9.9	9.1	8.2	37
3 pm conditions														
Mean 3pm temperature (°C)	30.6	29.7	28.6	26.6	23.1	20.3	20.0	22.1	25.2	27.6	29.5	30.6	26.2	37
Mean 3pm relative humidity (%)	49	50	50	47	50	48	45	40	37	38	41	44	45	33
Mean 3pm wind speed (km/h)	11.4	11.0	11.4	10.1	9.7	10.9	10.9	11.1	11.6	11.9	11.6	11.6	11.1	36

4.2 Topography



4.3 Community Amenity

4.3.1 Dust

During the construction phase, dust may be created by earthworks. This will be minimised by undertaking works when the soil is at the optimum moisture content, or by watering the soil where practical.
During the operational phase, dust may be created by traffic movements along unsealed on-farm roads.
The sheds and feed milling can generate some dust. The on-farm roads will not be sealed. Dust nuisance from this source is expected to be negligible since there will only be 1-2 trucks per day using on-farm roads. Dust from sheds will be minimised by ensuring that feed is not dusty. Dust from feed milling will be minimised by setting grain processing equipment such that fines are minimised.
Dust generated by the piggery should not be out of character with the established rural activities in the immediately adjacent and surrounding areas.

4.3.2 Traffic Generation

Traffic generated by the scheme will consist of staff travelling to and from the property, grain trucks bringing feed to the piggery, stock trucks taking pigs from the piggery and trucks transporting sludge from the piggery.
There are four likely traffic routes:

1. Monto to the piggery via the Burnett Highway. It is expected that Route would be used by staff travelling to the piggery.
2. From the piggery to Kingaroy via the Burnett Highway. The route would be used for transport of livestock.
3. The Burnett Highway. The route would be used for trucks carrying feed to the piggery from Central Queensland, Darling Downs and Kingaroy grain growing areas.
4. The Burnett Highway and powers Rd, The route would be used for trucks carrying Sludge from the piggery the other farms own by Liberty fields.

The access point to the Piggery will be Roth's Rd. The point of access is on a straight section of road with good visibility in both directions.

Erics Rd may be use at stage 1 and for constriction of stage 2.
Stage 1

Stock trucks (prime mover): 1/week
Feed trucks (prime mover): 2-3/week
Manure trucks (prime mover): 1/mouth
Cars: 2-3/day

Stage 2

Stock track (prime mover): 2/week
Feed trucks (prime mover): 4-5/week

Manure trucks (prime mover): 2/mouth
Cars: 4-5/day

Stage 3
Stock trucks (prime mover): 3/week
Feed trucks (prime mover): 6-7/week
Manure trucks (prime mover): 3/mouth
Cars: 6-7/day

Stage 4
Stock trucks (prime mover): 4/week
Feed trucks (prime mover): 8-9/week
Manure trucks (prime mover): 1/week
Cars: 8-9/day

4.3.3 Odour

The piggery facilities will be kept very clean to minimise odour generation by the unit. Minimal odour will be released from the effluent irrigation area. Careful timing of irrigations should prevent this odour from creating nuisance

4.3.4 Noise

Some noise will be generated during the construction of the piggery. This will include noise generated by earthmoving equipment used to construct pads, dams, to make and improve roads as well as building noise. Noise generated from construction is not expected to be at nuisance levels at the receptor houses. Noise generated by road works equipment will not be out of character with the established rural activities near the property. As much as practical, construction will only be undertaken between the 7am-6pm weekdays.
Very little noise will be generated by the operations of the piggery. The only noise expected to be audible outside the property boundary will be from traffic movements along public roads.
The noise should not create a nuisance as the roads to be used are already well trafficked. In any case, traffic movements will be scheduled to occur during the day, rather than at night where ever practical.

4.3.5 Pests and Diseases

The piggery should not be an important source of pests and diseases as the herd will be maintained at a high health status at all times. There are large separation distances between the units and other piggeries, so disease transmission should not be an issue. The piggery will be kept clean and outdoor surroundings tidy always. Mosquito breeding monitored throughout the year, particularly during the summer months. Action will be taken as necessary.

4.3.6 Visual Amenity

The new piggery will not be visible from the Burnett Highway.

The Willibee piggery is visible from the Burnett Highway. However, as it already an existing piggery at this site, no additional visual impacts will be created.

4.3.7 Surface Water-Effect on Availability of Surface Water

Surface water will not be used in the proposed piggery. Therefore, no impacts to the availability of surface water are expected.

4.3.8 Effect on Quality of Surface Water

The proposed development is not expected to have any significant effects on the quality of surface water in the area.

(a) All water used within the piggery system will be caught in, and treated by, the effluent pond system. The pond system has been designed to operate with an overflow frequency of less than 1 in 10 years. Effluent will only be removed from the wet-weather pond for irrigation onto designated effluent irrigation areas.

(b) Contamination of surface water will not occur as a result of runoff from the effluent irrigation area. As a precautionary measure, a 50m wide, vegetative buffer has been left between the effluent irrigation area and the Three Moon Creek. The buffer will trap or filter runoff and will strip nutrients from any alluvial groundwater. Contamination of the creek by eroded soil should be minimal. As the effluent irrigation areas will be planted to pasture, a high ground cover percentage will be retained most of the time. There is therefore little chance of erosion of nutrient-rich soils. Soil conservation works have been installed on the effluent irrigation area, where appropriate. As necessary, further soil conservation works may be installed.

(c) Flooding of effluent irrigation area- Parts of the effluent irrigation area flood about once every ten years.

4.3.9 Groundwater

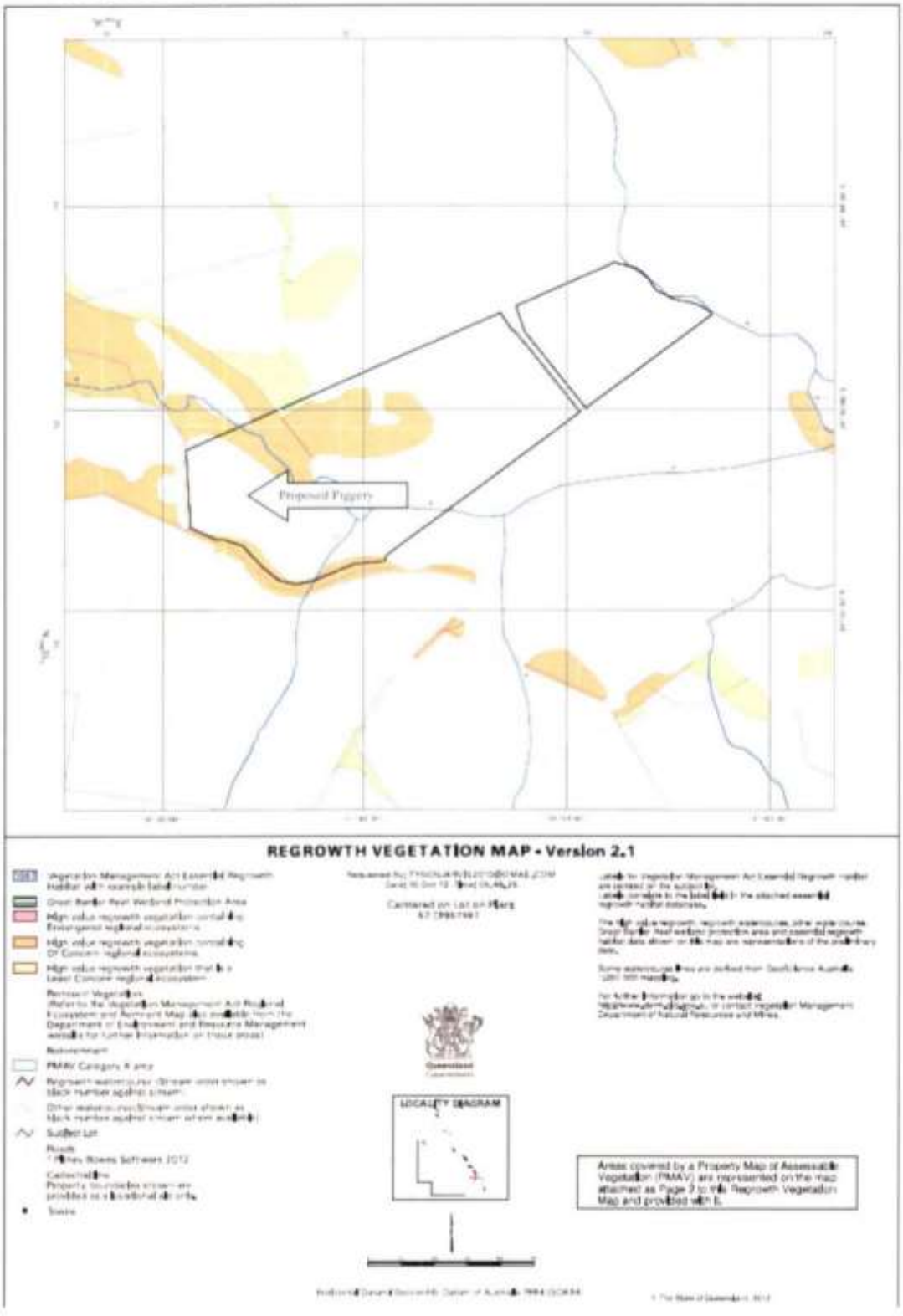
- Effect on Availability of Groundwater

  About 100 – 105ML of water will be used in the piggery each year. No significant impacts to the availability of groundwater are expected as a result of the use of this quantity of groundwater. The amount of water to be used annually is only one-third of the irrigation allocation currently held by the Jarvis's. Also, the water use will be spread fairly evenly throughout the year, therefore the drawing of large volumes over sort periods of time, which might deplete aquifers, will not occur.

- Effect on Groundwater Quality

  The proposed development is not expected to have any effect on the quality of groundwater in the area. The ponds, sludge storage areas and pads for sludge storage will be sealed to have a design seepage rate of 0.1 mm/d or less. The irrigation of effluent is unlikely to result in seepage of nutrients and salts to groundwater, although this will be monitored by soil analysis. Alluvial groundwater beneath the effluent irrigation areas is about 8m deep or deeper.

4.3.10 Flora and Fauna,



Much of the property, including the proposed piggery sites, has previously been cleared for either cattle grazing or cultivation. These activities would have had significant impact on the native flora and fauna inhabiting the land. Due to the previous clearing, it is very unlikely that any rare or threatened species would be present on the proposed sites.
The piggery sites will sit upon built-up platforms. The construction of these platforms, and the effluent treatment ponds, will necessitate further disturbance to the site, and the small area of land involved, no significant impacts to flora and fauna are expected.

4.3.11 Soils

Erosion from the piggery site as a result of earthworks is not expected to be an issue providing only a small area is left devegetated at any time, and sub soils are not left exposed. The only works needed are built-up platforms, roads and excavated ponds. If necessary, banks could be installed at the lower end of the piggery site. No new cleaning will be needed for road improvements. As the roads are already in place, no erosion control structures should be required.
The soils of the effluent irrigation areas are suited to cropping. The most likely impact on the soils of the effluent irrigation area is an improvement in the fertility of the soils of the effluent irrigation area. Only a small surplus of phosphorous will remain in the soil and this can easily be stored. It is not expected that effluent irrigation would contribute to nitrate or phosphate leaching. Nevertheless, it is possible that the land could become overloaded with nutrients. Providing effluent is analysed in association with irrigations and the loading rate calculated, this should not be an issue.

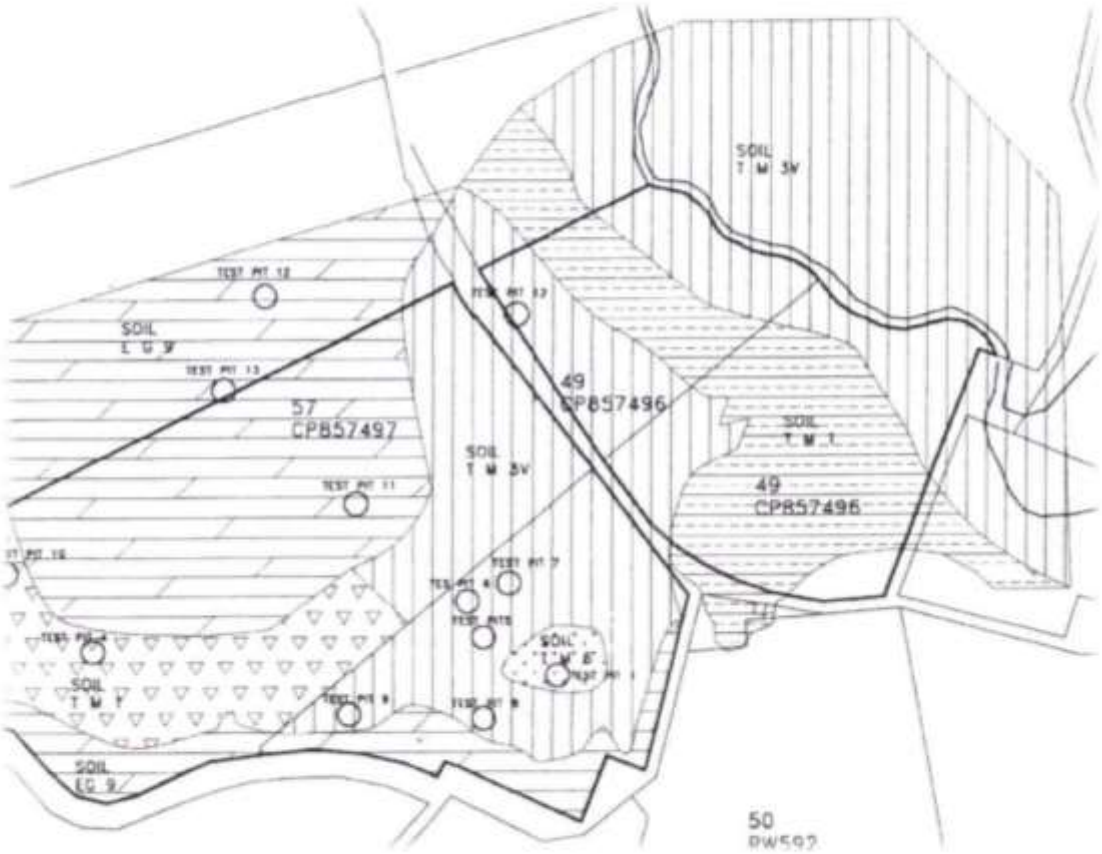
Detailed Description of Soils of the Property

Table 4 - Soil test logs - soils of subject property

Soil Depth (m)	Test Pit (for location, see Figure 9)						
	1 Eg9	2 Eg9	3 Eg9	4 Eg9	5 Tm3v	6 Tm3v	7 Tm3v
0.1	dry pasture debris	dry pasture debris	dry pasture debris	dry pasture debris	dry pasture debris	dry pasture debris	dry pasture debris
0.2	decomposing pasture debris, dark colour	decomposing pasture debris, dark colour	decomposing pasture debris, dark colour	decomposing pasture debris, dark colour	decomposing pasture debris, dark colour	decomposing pasture debris, dark colour	decomposing pasture debris, dark colour
0.2-0.3	light grey sand	light grey sand	light grey sand	light grey sand	chocolate clay loam	chocolate loam with some sand	chocolate clay loam
0.3-0.6	light grey clay, some orange mottling	light grey clay, some orange mottling	light grey clay	light grey compacted clay	chocolate loam with some sand		light red sand
0.6+	sandstone	sandstone	sandstone at 0.6	sandstone at 0.6			

Table 4 - Soil test logs - soils of subject property - continued

Soil Layer	Test Pit (for location see Figure 9)					
	8 Cd 1	9 Cd 1	10 Tm10	11 Eg9	12 Tm3v	13 Eg9
01	dry pasture debris	dry pasture debris	dry pasture debris	dry pasture debris	crop and crop residue	dry pasture debris
02	decomposing pasture debris, dark colour	decomposing pasture debris, dark colour	decomposing pasture debris, dark colour	decomposing pasture debris, dark colour		decomposing pasture debris, dark colour
0-0.3	brown powdery soil	brown powdery soil	dark grey sandy loam	medium brown sandy loam	chocolate sandy clay-loam	medium brown sandy-loam
03-0.6	brown powdery soil	brown powdery soil	light brown sandy clay	reddish-brown sandy clay with some red mottling	chocolate clay-loam with some sand	medium brown clay with some sand and some red mottling
0.6+			sandstone at 1.0 m			orange crumbly sandstone



4.3.12 Archaeology

It is not expected that the project will impact upon items, sites or places of archaeological significance since it is unlikely that any of these are present on the site.

4.3.13 Heritage

No heritage survey of the site has been undertaken. The land has been owned by the Jarvis family for several decades. The current owners are not aware of any buildings of heritage significance.
However, should any cultural material be discovered during excavations for the development, contact will be made immediately with the Department of Environment and Heritage.

4.3.14 Weed Invasion

Grass and other vegetation will be proud and maintained around the complex improve appearance. Weeds will be removed or spared with herbicide. The farm has an agronomist

once every two week visits the farm. Weeds and pest are documented and then controlled. All chemicals use in the farm will comply with Material Safety Data Sheets MSDS

4.3.15 Feral Animals

Feral animals are control with contractors in a humane way.

5 Piggery Facilities and Their Management

5.1 Herd Composition

Farrowing to finish piggery. Closed heard with an in-house breed program (replacement stock)

Standard pig units (SPU) and Hard Numbers

Standard pig units (SPU)

Pig class	Mass range (kg)	Age range (weeks)	SPU multiplier	Stage 1	Stage 2	Stag 3	Completed
Gilts	100 - 160	24 - 30	1.8	0	54	54	108
Boars	100 - 250	24 - 128	1.6	0	10	10	19
Gestating sows	160 -230	-	1.6	0	720	720	1,440
Lactating sows	160 - 230	-	2.5	0	313	313	625
Suckers	1.4 - 8.0	0 - 4	0.1	0	100	100	200
Weaner pigs	Aug-25	4 - 10	0.5	1,000	1,000	1,000	3,000
Grower pigs	24 - 55	10 - 16	1	1,333	1,333	1,333	3,999
Finisher 1 pigs	55 - 100	16 - 24	1.6	2,133	2,133	2,133	6,398
Finisher 2 pigs	100 -	24 - 26	1.8	2,399	2,399	2,399	7,198
Total:				6,865	8,061	8,061	**22,988**

Hard Numbers

Pig class	Mass range (kg)	Age range (weeks)	Stage 1	Stage 2	Stag 3	Completed
[redacted]ilts	100 - 160	24 - 30		30	30	60
[redacted]oars	100 - 250	24 - 128		6	6	12
Gestating sows	160 -230	-		450	450	900
Lactating sows	160 - 230	-		125	125	250
Suckers	1.4 - 8.0	0 - 4		1,000	1,000	2,000
Weaner pigs	8 - 24	4 -10	2,000	2,000	2,000	6,000
Grower pigs	24 - 55	10 - 16	1,333	1,333	1,333	3,999
Finisher 1 pigs	55 - 100	16 - 24	1,333	1,333	1,333	3,999
Finisher 2 pigs	100 -	24 - 26	1,333	1,333	1,333	3,999
Total:			5,999	7,610	7,610	**21,219**

5.2 Accommodation

The hole heard will be house under roof in a commercial piggery. The piggery shed veneration systems will be natural and or controlled ventilation. All sheds will have pull plug for flushing.

5.3 Feeding System

5.3.1 Feed Milling

Feed milling will be undertaken on–site (home mixed) and off–site (commercially mixed).Home mixed feed systems will be operated so that spillage of feedstuffs is minimised.

5.3.2 Feed Storage

On–farm storage facilities hole several days' raw ingredients and/or feed. This is necessary in case feed cannot be delivered for some reason. Storage is weatherproofed so that feed is not spoilt by rain.

5.3.3 Feed Distribution

Dry feed (meal or pellets) is delivered to the pigs by semi–automated or automated systems. It may be supplied on the floor, using self–feeders or by troughs. Nose levels will be significant lower by using automated systems.

5.4 Effluent Collection Method

A pull plug systems that store effluent in underfloor pits. The pits will be drained at least fortnightly, using the gravity release pipes in the centre of the pits. Following complete drainage, the pits are partially refilled with either clean water or recycled effluent to prevent deposited manure from sticking to the pit floor.

5.5 Solids Separation System

A press system separator will be used to removing large solids enables effluent to be conveyed using conventional equipment (e.g. centrifugal pumps) and increases the flexibility of reuse options. Solids removal also reduces the effluent's organic matter, and consequently the capacity required for effluent treatment. Nutrients and minerals in the separated solids are also removed from the liquid effluent.

5.6 Water Supply and Usage

Water usage

Drinking water

Pig class	Pigs	SPU	Water ingested (L/pig/day)	Water ingested (L/day)	Wastage (%)	Wastage (L/day)	Total (L/day)	
Gilts	60	108	12.0	720	10%	72	792	
Boars	12	19	14.0	168	10%	17	185	
Gestating sows	900	1,440	14.0	12,600	10%	1,260	13,860	
[redacted]actating sows	250	625	27.5	6,875	10%	688	7,563	
[redacted]uckers	2,000	200	1.0	2,000	10%	200	2,200	
Weaner pigs	6,000	3,000	3.6	21,600	10%	2,160	23,760	
Grower pigs	3,999	3,999	4.0	15,996	10%	1,600	17,596	
Finisher 1 pigs	3,999	6,398	9.0	35,991	10%	3,599	39,590	
Finisher 2 pigs	3,999	7,198	12.0	47,988	10%	4,799	52,787	
Totals:	21,219	22,988		143,938		14,394	158,332	L/day
				6.26		0.63	6.89	L/SPU/day
				52.57		5.26	57.83	ML/yr

Flushing / hosing water

Daily flushing volume	74,880	L/day	
Daily flushing volume per SPU	#DIV/0!	L/SPU/day	(flushed sheds only)
Annual flushing volume	27.35	ML/year	
- Annual recycled flushing volume	2.73	ML/year	
- Annual fresh flushing volume	24.61	ML/year	
Daily hosing volume per SPU	2.0	L/SPU/day	(flushed, static pit and pull plug sheds)
[redacted]aily hosing volume	45,976	L/day	
[redacted]nnual hosing volume	16.79	ML/year	(assumed to be exclusively fresh water)
Daily wastage from drinkers	14,394	L/day	
Annual wastage from drinkers	5.26	ML/year	
Total annual flushing / hosing volume	49.40	ML/year	
Total annual flushing / hosing volume	135,249	L/day	
% Total annual flushing / hosing volume recycled	6%	%	

Annual fresh water usage

Drinking + spillage	57.83	ML/year
Flushing	24.61	ML/year
Hosing	16.79	ML/year
Dilution of effluent for irrigation	0.00	ML/year
Total annual fresh water requirement:	99.24	ML/year

5.7 Characteristics of Effluent and Solid By-Products

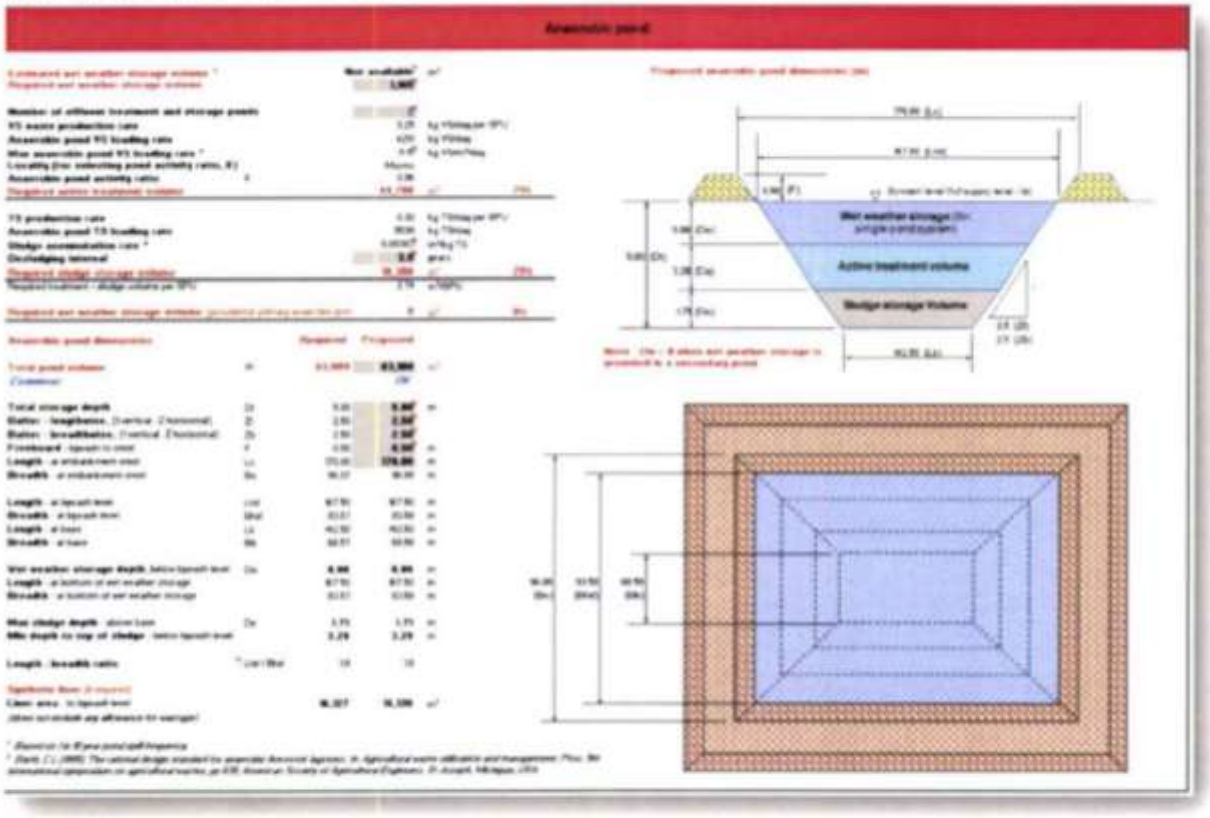
Manure production

Conventional sheds — Is effluent treated by a solids separator before entering pond? Yes

	Units	Total Solids	Volatile Solids	Nitrogen	Phosphorus	Potassium
Pig manure production (from PIGBAL)	kg/SPU/yr	110.0	90.9	9.0	3.0	2.5
Total piggery manure production	kg/yr	2,528,658	2,089,821	206,890	68,963	57,470
Shed loss rate	%	0	0	10	0	0
Effluent out of shed	kg/yr	2,528,658	2,089,821	186,201	68,963	57,470
Screen removal rate	%	20	25	8	11	0
Screened solids	kg/yr	505,732	522,455	14,896	7,586	0
Effluent off screen	kg/yr	2,022,926	1,567,366	171,305	61,377	57,470
Lagoon sludge deposition rate	%	0	0	24	90	10
Lagoon sludge	kg/yr			40,257	55,240	5,747
Lagoon loss rate	%	0	0	40	0	0
Loss from lagoons	kg/yr			68,522	0	0
Lagoon liquid effluent	kg/yr			82,526	6,138	51,723
Irrigation loss rate	%	0	0	25	0	0
Loss during irrigation	kg/yr			15,632	0	0
Effluent applied to soil	kg/yr			46,895	6,138	51,723
Soil loss rate following irrigation	%	0	0	25	0	0
Loss from soil surface	kg/yr			11,724	0	0
Effluent remaining for plant uptake	kg/yr			35,171	6,138	51,723

5.8 Effluent Treatment System

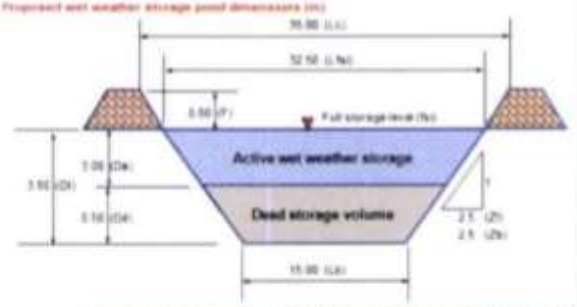
Effluent treatment ponds. The effluent produced is unsuitable for discharge into waterways and will be utilised by land spreading or irrigation, providing a rich source of nutrients for the soil.

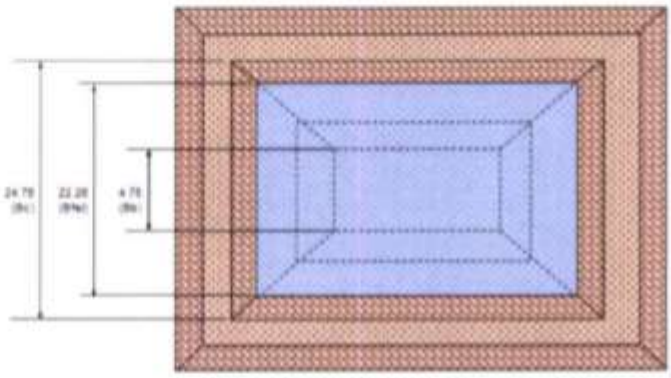


Wet weather storage

Wet weather pond dimensions		Required	Proposed
Wet weather pond volume [1]		1,185	**1,188** m³
(Comment)			OK
Active storage depth	Da	3.00	**3.00** m
Dead storage depth	Dd	0.50	**0.50** m
Batter - length, (1 vertical : z horizontal)	Zl	2.50	**2.50**
Batter - breadth, (1 vertical : z horizontal)	Zb	2.50	**2.50**
Freeboard - by-wash to crest	F	0.50	**0.50** m
Length - at embankment crest	Lc	35.00	**35.00** m
Breadth - at embankment crest	Bc	24.75	24.75 m
Length - at by-wash level	Lbw	32.50	32.50 m
Breadth - at by-wash level	Bbw	22.25	22.25 m
Length - at base of active storage		17.50	17.50 m
Breadth - at base of active storage		7.25	7.25 m
Length - at base of dead storage	Ld	15.00	15.00 m
Breadth - at base of dead storage	Bd	4.75	4.75 m
Dead storage volume	Vd	45	45 m³
Total storage volume (active + dead)	Vt	1,214	1,214 m³
Length : breadth ratio	L/B	1.5	1.5
Volume check		1,214	1,214 m³

Proposed wet weather storage pond dimensions (m)





5.9 Carcass Management

Dead stock will be composted adjacent to each piggery unit. Sawdust will be used as a carbon source for the composting process. Composting will take place on a sealed and bunded pad. Hay bales will be used to form bays on the sides of the pad to contain the composting pigs.
The floor of the composting pad will have a design permeability of 0.1 mm/d or less. By sealing the pad, the potential for impacts to groundwater are minimal. The bunding around the base of the pad will minimise releases to surface waters.

5.10 Disease Outbreaks

State government veterinary officers have the main responsibility and resources to combat an exotic disease incursion or endemic disease outbreak. They will be immediately contacted if a disease outbreak is suspected.

6 Management of Environmental Impacts

6.1 Community Amenity

6.1.1 Aim:

The piggery is operated to prevent or minimise adverse impacts on the amenity of the surrounding community.

6.1.2 Performance Measures:

The piggery is operated so that odour, dust, noise and traffic related to the development do not unreasonably impact community amenity.

6.1.3 Actions:

Sheds, flushing pits, pits, channels, drains, pens and walk ways are managed to prevent impacts to community amenity:

- Cleaning, sweeping and hosing down of lanes, pens and handling areas will be carried out regularly as required to prevent manure accumulation;
- Static pit sheds will be dumped weekly or more frequently if possible;
- Pits will be topped up with recycled effluent to reduce odour;
- No excess manure remaining in the waste collection and transport system after flushing or emptying;
- No overtopping or leakage from pits, drains and sumps;
- No excessive fly breeding.

Stocking densities are managed to minimise impacts to community amenity:

- Stocking densities will be at a level that is comfortable for the pig to maintain and stabilize the cleanliness and odour of the sheds.

Feeding systems and feeding of livestock are managed to minimise impacts to community amenity:

- Matching feed requirements to pig age, sex and genotype where possible;
- Using feeder systems that promote efficient feed usage while minimising feed wastage and spoilage;

- Managing feed systems to provide clean, fresh feed;
- Maintaining feed delivery systems and repairing leaking feed troughs.

Waterers are managed to prevent impacts to community amenity:

- Repair and renew leaking pipes and drinkers;
- Design, install and maintain drinking systems that minimise wastage;
- Design, install and maintain effective hosing systems to minimise water use.

Recycled waste product utilisation managed to minimise impacts to community:

- Pre-treatment system is performing as per design specification;
- No accumulated residual solids;
- Waste pre-treatment system is managed so as not to cause unreasonable odour;
- No excessive fly breeding.

Dead stock are managed to prevent impacts to community amenity:

- No exposed rotting carcasses;
- No groundwater or surface water pollution;
- Carcass disposal is managed so as not to cause unreasonable odours;
- No excessive fly breeding or vermin breeding.

Sedimentation structures are managed to minimise impacts to community amenity:

- To manage pond loading of solids.

Effluent ponds are managed to minimise impacts to community amenity:

- Suitably sized ponds established to allow for appropriate pond function;
- Ponds may be covered, gas flared or used to generate electricity;
- Highly loaded ponds may be used to reduce total surface area;
- Bio-Digester and gen sets established to consume piggery waste and burn excess gases.

Stored wastes managed to minimise impacts to community amenity:

- No run off from the composting or stockpile area outside the controlled drainage area;
- Composting and manure stockpiles are managed so as not to cause unreasonable odours;
- No excessive fly breeding.

Vehicle movement and Machinery operations are managed to minimise impacts to community amenity:

- The piggery will be managed in a manner that does not cause unreasonable impact from noise at any affected residence;
- The piggery will be managed in a manner that does not cause unreasonable impact from dust.

Transport of feed or waste products managed to minimise impacts to community amenity:

- The piggery will be managed in a manner that does not cause unreasonable impact from noise at any affected residence;

- The piggery will be managed in a manner that does not cause unreasonable impact from dust.

Stock feed processing is managed to minimise impacts to community amenity:

- The piggery will be managed in a manner that does not cause unreasonable impact from noise at any affected residence;
- The piggery will be managed in a manner that does not cause unreasonable impact from dust.

Solids separation systems are managed to minimise impacts to community amenity:

- No run off from the composting or stockpile area outside the controlled drainage area;
- Composting and manure stockpiles are managed so as not to cause unreasonable odours;
- No excessive fly breeding.

Livestock handling yards and loading facilities are managed to minimise impacts to community amenity:

- Cleaning, sweeping and hosing down of lanes, pens and handling areas will be carried out regularly as required to prevent manure accumulation.

Waste applications to land are conducted in a way that minimises impacts to community amenity:

- Monitoring effluent from irrigation ponds for nutrient status;
- Monitoring sludge prior to application for nutrient status;
- Monitoring soil for nutrient status.

Timing of waste applications to land is managed to minimise impacts to community amenity:

- Waste will not be applied to land in unsuitable climate conditions;
- Waste applications will be applied during daylight hours with consideration of neighbours and community amenity.

Vegetative buffers are maintained to minimise impacts to community amenity:

- Vegetation buffers will be maintained to minimise visual impacts on the surrounding community.

6.1.4 Relevant Standards or References

- National Environmental Guidelines for Piggeries Second Edition 2010
- Environmental Code of Practice for piggeries 2000

6.1.5 Responsible Person

Piggery Manager

6.2 Impacts to Groundwater

6.2.1 Aims

- To minimise risks of groundwater contamination as a result of the operations of the piggery.

6.2.2 Objectives

1. To apply nutrients and salts in irrigated effluent at acceptable rates.
2. To maintain a sealed base beneath the solid waste storage area.
3. To keep the bases of the effluent storage ponds properly sealed.

6.2.3 Method or Plan to Meet Objectives

- Refer to 7.4.3

- Vegetation will be stripped from the pads for the areas used for storing sludge and composting carcasses. The bases of these areas will have a design permeability of 0.1 mm/day or less. They will be bunded to prevent inflow or outflow of runoff.

- To keep the bases of the effluent storage ponds properly sealed. This will involve proper design and construction of the ponds to achieve an infiltration rate of 0.1 mm/day or less; as well as careful desludging of the ponds to ensure that the bottom layers of sludge are not disturbed.

6.2.4 Method Measurement

- Indirectly through measurement of soil properties (see section 7.5.4)

6.2.5 Performance Objectives

- Refer to 7.4.5

6.2.6 Monitoring and Recording

- Refer to 7.4.6

6.2.7 Assessment of Monitoring Results

- Refer to 7.4.7

6.2.8 Corrective Action

- Refer to 7.4.8

6.2.9 Reporting

The Piggery Manager shall provide the piggery licensing authorities and the North Burnett Regional Council with an Annual Environmental Report. This report will include a section

covering possible impacts to groundwater quality; the Department of Primary Industries will be informed. Advice on remedial action will be sought.

6.2.10 Relevant Standards or References

EMP - Section 3.4

6.2.11 Responsible Person

Piggery Manager

6.3 Impacts to Surface Water

6.3.1 Aims

- To ensure that surface water resources are not significantly degraded as a result of the operation of the piggery.

6.3.2 Objectives

1. To operate the effluent treatment facilities so as to prevent unacceptable surface water contamination.
2. To operate the piggery effluent irrigation areas so as to prevent unacceptable surface water contamination.
3. To operate the areas used for sludge and composting carcasses so as to prevent unacceptable surface water contamination.

6.3.3 Method or Plan to Meet Objectives

Objective 1

- The piggery effluent treatment ponds have been designed to overtop less than once every ten years (on average).

- When the irrigation demand of the land permits, effluent will be irrigated from the piggery wet-weathered pond to maintain the wet-weather storage capacity of the pond system.

Objective 2

- Effluent will only be applied to designated effluent irrigation areas.

- Effluent will not be irrigated within 50m of the Three Moon Creek

- Effluent will be applied to effluent irrigation areas at a rate not exceeding the infiltration rate and irrigation demand of the land (therefore, runoff will not occur).

- Erosion of the effluent irrigation areas will be minimised by using zero-till land preparation and sensible irrigation practices.

Objective 3

- The pads areas for the storage of sludge and carcasses will be bunded to avoid contamination of clean stormwater.

- Overflows from the storage areas for sludge will be diverted to the anaerobic pond.

3.3.4 Method of Measurement

- Pond overflows will be measured by visual observation.

- The volume of effluent released during a pond overflow will be estimated from the length of time over which the overflow lasted, the surface area of the ponds, and the depth of rainfall received from the point at which the overflow commenced.

- The volume of piggery effluent irrigated will be estimated from the length of time over which irrigation is undertaken and the operating capacity of the irrigation system.

- Rainfall will be monitored daily using a rain gauge.

- Irrigation areas will be monitored during irrigations to ensure there is no runoff.

- The locations of the effluent irrigation areas are detailed in (Appendix 2).

6.3.4 Performance Indicators

- Pond overflows occur at a frequency of less than once every ten years.

- There will be no runoff from the effluent irrigation areas as a result of effluent irrigations.

- Piggery effluent will only be added to effluent irrigation areas detailed in (Appendix 2).

6.3.5 Monitoring and Recording

- Overflows of the effluent treatment ponds will be monitored on occurrence. Details of the date and time of the overflow, and the estimated overflow volume, will be recorded in the Environmental Data Record.

- Rainfall will be monitored daily and details of any rain will be recorded in the Environmental Data Record.

A verbal report will be made immediately to the Piggery Licensing Authorities and the North Burnett Regional Council following overflows of the piggery waste treatment system. Where possible, the reason for the release will also be reported.

6.3.6 Assessment of Monitoring Results

- Pond overflows will be monitored on occurrence. Rainfall data for the period prior to the event will be used to determine if the overflow could reasonably have been prevented.

6.3.7 Corrective Action

- Where the wet-weather storage pond overtops more frequently than once every ten years (on average) it will be necessary to reduce the quantity of water held by the ponds (e.g. by increasing the amount of irrigation water drawn) or increase the size of the wet-weather storage pond.

6.3.8 Reporting

The Piggery Manager shall provide the piggery licensing authorities and the North Burnett Regional Council with an Annual Environmental Report. This report will include a section covering the impacts of the piggery to surface water resources. It will summarise findings on the nature and extent of any reductions to surface water quality, findings of the analysis of the cause of the problem, corrective actions taken to address the problem and the effectiveness of these actions. It will also include any recommendations to minimise or eliminate the chances of contamination of surface water.

In addition to the Annual Environmental Report, a verbal report shall be made immediately to the piggery licensing authorities and the North Burnett Regional Council following detection of any important uncontrolled releases of wastes e.g. wet-weather storage pond overflows. Where possible, the underlying reasons for the release will also be reported.

6.3.9 Relevant Standards or References

EMP - Section 6.5.4

6.3.10 Responsible Person

Piggery Manager

6.4 Impacts to Flora and Fauna and Items of Archaeological or Heritage Significance

6.4.1 Aim

- To take appropriate action should rare or threatened species of flora and fauna or items or sites of archaeological or heritage significance be discovered.

6.4.2 Objectives

1. To take appropriate action if any rare or threatened species of flora or fauna are discovered at any time.
2. To take appropriate action if any items, sites or places of archaeological or heritage significance are discovered at any time.

6.4.3 Method or Plan to Meet Objectives

Objective 1

If any species suspected of being rare or threatened are discovered, these will be kept undisturbed until officers at the Department of Environment and Heritage have inspected

them. These officers will be asked to provide advice on their significance and preservation (if applicable).

Objective 2

If any items, sites or places suspected of having heritage or archaeological significance are discovered, these will remain undisturbed until officers of the Department of the Environment and Heritage have inspected them. These officers will be asked to provide advice on their significance and preservation (if applicable).

6.4.4 Method of Measurement

- Advice from the Department of Environment and Heritage

6.4.5 Performance Objectives

- Rare or threatened species of flora and fauna will be preserved in accordance with the requirements of the Department of Environment and Heritage.

- Items, sites or places of archaeological or historical interest will be preserved in accordance with the requirements of the Department of Environment and Heritage.

6.4.6 Monitoring and Recording

- Should any species suspected of being rare or threatened be discovered, these will be reported to the Department of Environment and Heritage as soon as possible. The method of preservation recommended by the Department of Environment and Heritage, and the actual method of preservation, will be recorded in the Environmental Data Record and in the Annual Environmental Report.

- Should any items, sites or places of archaeological or heritage significance be discovered, these will be reported to the Department of Environment and Heritage as soon as possible. The method of preservation recommended by the Department of Environment and Heritage, and the actual method of preservation, will be recorded in the Environmental Data Record and in the Annual Environmental Report.

6.4.7 Assessment of Monitoring Results

- On detection

6.4.8 Corrective Action

- As directed by the Department of Environment and Heritage

6.4.9 Reporting

The Piggery Manager will immediately inform the Department of Environment and Heritage if any rare or threatened species or sites of archaeological or historical significance are discovered.

6.4.10 Relevant Standards or References

- Department of Environment and Heritage database of rare and threatened species.

6.4.11 Responsible Person

Piggery Manager

6.5 Impacts to Soils

6.5.1 Aims

- To ensure that irrigation of piggery effluent does not result in soil degradation.

6.5.2 Objectives

1. Nutrients and salts will be applied to the effluent irrigation areas at environmentally sustainable rates.
2. Hydraulic loading rates of the soils of effluent irrigation areas will not be exceeded.
3. Erosion of effluent irrigation areas and construction sites will be insignificant.
4. Chemical analyses of dried sludge will be provided to recipients.

6.5.3 Method or Plan to Meet Objectives

Objective 1

- Composition of effluent will be determined annually.
- Nutrients in effluent will be applied to soils at sustainable rates.
- The estimated volume of effluent irrigated onto each effluent irrigation area will be recorded at each irrigation. The volume of effluent irrigated will be estimated from the operating capacity of the effluent irrigation system, and the length of time over which effluent is irrigated.
- The characteristics of the soils will be monitored on an on-going basis. Any unacceptable changes in the characteristics of the soils will be investigated and corrective action taken.

Objective 2

- There will be no runoff from effluent irrigation in association with irrigations.

Objective 3

- Effluent irrigation areas will not be eroded as a result of irrigation or management practices.

- Erosion, as a result of soil disturbance for earthworks will be minimised by using appropriate practices. For example, only the minimum practical area will be cleared of groundcover, avoid leaving the sub-soil exposed, only leave small areas of land exposed, or disturbed, at any time and install banks as necessary below the site to limit the movement of soil from the site.

- The areas surrounding the piggery sheds and ponds. (excluding pond banks and areas used to store sludge and carcass composting areas) will be vegetated with pastures as soon as practical following completion of construction.

Objective 4

- Analyse of the nutrient and salt content of dried sludge will be provided to recipients.

6.5.4 Method of Measurement

- The quality of effluent for irrigation will be monitored at least annually. The effluent will be sampled after running the pump to the irrigator for at least five minutes. At a minimum, the following chemical properties of the effluent will be determined: total phosphorus, ortho-phosphate phosphorus, total nitrogen or total Kjeldahl nitrogen, ammonia nitrogen, electrical conductivity and chloride.

- The volume of effluent irrigated will be estimated from the flow rate of the irrigation system, and the period of time over which the effluent is irrigated.

- The volume of shandying water irrigated with effluent will be recorded in the Environmental Data Record at the time of irrigation.

- The on-going monitoring of the soils of the effluent irrigation area will be as follows:

(a) On an annual basis, at the completion of the peak of the irrigation period, multiple soil cores will be bored in the effluent irrigation area. The cores will be sampled from a reference site covering 100m2 area. The same area will be used for each sampling. The cores will be split into depths of 0-10 cm, 20-30 cm, 50-60 cm and bottom of root zone (if deeper than 60 cm) or to a maximum depth of 100 cm. *Where no effluent is applied to the soils in any year, no annual monitoring will be required. The number of cores must comply with the requirements of the licensing authorities.

(b) Analysis of the samples will be as follows:
    - 0-10 cm layer- acid extractable or Colwell phosphorus, nitrate-nitrogen, total nitrogen or total Kjedahl nitrogen, EC, exchangeable sodium percentage, organic carbon and pH.
    - 20-30 cm layer- nitrate-nitrogen, EC and pH.
    - 50-60 cm layer-nitrate-nitrogen, EC and pH.
    - Bottom of root zone or 90-100 cm layer-nitrate-nitrogen, EC and pH.

(c) Following analysis of the soil samples, the results will be evaluated to determine the level of increase of nutrients and electrical conductivity and any marked changes in

pH. If unacceptably large changes have occurred, corrective action will need to be taken.

- Details of the dates of effluent irrigation, and the approximate volume of effluent irrigated, will be recorded in the Environmental Data Record.

- Erosion as a result of construction earthworks will be monitored by visual observation of both evidence of erosion and groundcover.

- Any runoff from effluent irrigation will be monitored by visual assessment. Details of runoff events will be recorded in the Environmental Data Record.

- At least annually, the nutrient and salt content of dried sludge will be determined prior to the removal from the farm. At least ten evenly sized samples of dried sludge will be collected at random from the stockpiles and bulked. The combined sample will be analysed for total phosphorus, ortho-phosphate phosphorus, total nitrogen or total Kjeldahl nitrogen, ammonium nitrogen, potassium and total carbon, electrical conductivity, SAR, pH and moisture content. The analysis of the material will be measured in a NATA laboratory using NATA approved laboratory methods. This information will be provided to recipients of the material. Details will also be recorded in the Environmental Data Record.

- Where dried sludge from the property, the name of the waste transporter and/or disposal operator who removed the waste will be recorded in the Environmental Data Record at the time of removal.
- The intended use and destination of sludge will be ascertained by querying the waste transporter, operator or recipient. Details will be recorded in the Environmental Data Record.
- Each time pasture or crop is harvested from the effluent irrigation areas, the mass of material removed, will be recorded in the Environmental Data Record.
- The nutrient status of soils, effluent, dried sludge will be measured in a NATA laboratory using NATA approved laboratory methods.

6.5.5 Performance Indicators

- Changes in the properties of the soils must conform with the Queensland Pig Industry Environmental Code of Practice.

- There will be no observable erosion from the effluent irrigation areas.

- There will be no observable erosion from the soil of the piggery site as a result of constructive earthworks.

6.5.6 Monitoring and Recording

- The initial chemical characteristics of the soils of the effluent irrigation areas are already known.

- The chemical composition of the effluent will be determined at least annually.

- Records will be kept of the dates and paddocks onto which effluent is irrigated and the estimated volume of effluent involved.

- Records of the volume of effluent irrigated, and the nutrient composition of the effluent, will be used to calculate the estimated mass of nutrients irrigated. This information will be calculated at least annually and recorded in the Environmental Data Record.

- Each time pasture or crop is harvested from the effluent irrigation areas, the estimated mass removed will be recorded in the Environmental Data Record. The dry matter mass of material removed will be multiplied by the nutrient content of the harvested material to estimate the mass of nutrients removed from the site. Details will be recorded in the Environmental Data Record.

- The annual mass of nutrients removed from the site as harvested pasture or crop will be subtracted from the mass of nutrients added as effluent. This information will be calculated at least annually and recorded in the Environmental Data Record.

- Erosion of effluent irrigation areas, as a result of agronomic or irrigation practices will be monitored on an on-going basis. Any evidence of significant erosion will be recorded in the Environmental Data Record.

- The nutrient and salt content of dried sludge will be determined at least annually. Analysis results will be recorded in the Environmental Data Record. These will be provided to recipients of these materials.

6.5.7 Assessment of Monitoring Results

- On-going monitoring of effluent quality and the soils of the effluent irrigation areas will be used as a basis to adjust effluent application rates as necessary. Where significant changes in the properties of soils are detected, more detailed analyses will be undertaken. The nutrient content of the effluent will be used to determine its application rate. Where significant detrimental changes in the properties of soils are detected, the cause of the changes will be established and appropriate remedial action taken. Where significant erosion from the piggery construction site or the effluent irrigation areas is observed, remedial action must be taken promptly.

6.5.8 Corrective Action

- Where marked changes in the properties of the soils are detected following annual analysis, more extensive testing will be undertaken and the findings reviewed. As necessary, effluent irrigation rates will be reviewed. Areas may be spelled or the crops grown changed.

- Where effluent is of an unsuitable quality for irrigation, it will be shandied with clean water prior to irrigation.

- Where erosion from the effluent irrigation areas is occurring, the irrigation or general farming practices will be changed or erosion-prevention structures e.g. contour banks installed.

- Where erosion from the construction site is occurring, appropriate corrective action will need to be taken to halt the erosion.

6.5.9 Reporting

The Piggery Manager shall provide the piggery licensing authorities and the North Burnett Regional Council with an Annual Environmental Report. This report will include a section covering the impact of the piggery units on soils of the effluent irrigation areas. It will summarise findings on the changes to the fertility of the soils and the quantity and quality of effluent irrigated onto land. It will also include any recommendations for enhancing the productivity of soils in the effluent irrigation areas and minimising any detrimental impacts.

6.5.10 Relevant Standards or References

Nutrient Requirements of Beef Cattle or similar will be used to estimate the mass of nutrients in harvested hay.

Queensland Pig Industry Environmental Code of Practice

6.5.11 Responsible Person

Piggery Manager

6.6 Management of the Environmental Management Plan

6.6.1 Management of the Environmental Management Plan

The EMP will be managed by the Piggery Manager. It will involve the piggery sheds, ponds, effluent irrigation areas, sludge storage areas, carcase composting areas and other areas as appropriate. Management of the EMP within the piggery facility will be ongoing with assessments of individual components of the system undertaken as necessary and a review of the entire system undertaken at least annually.

Modifications will be made to the EMP as necessary.

The effectiveness of the EMP will be monitored on an ongoing basis by comparing monitoring results with the objectives for each environmental impact. Individual components of the EMP will be assessed as necessary. The entire system will be assessed annually. Modifications will be made to the EMP as necessary.

The EMP documents will be updated as necessary.

All documents pertaining to the EMP will be held at the piggery office where they are accessible to all staff.

The Piggery Manager shall provide the piggery licensing authorities with an Annual Environmental Report.

6.6.2 Training

All piggery staff will be trained in the components of the EMP relevant to their duties and responsibilities. The training will generally be through direct supervision but may also be through reading of sections of the National Environmental Guidelines for Piggeries and EMP, attendance at training courses as appropriate and reading of appropriate technical information.

Staff will be updated as necessary e.g. when changes are made to relevant sections of the EMP.

Staff performance in relation to environmental management duties and responsibilities will be reviewed when the EMP is reviewed. Where environmental performance is unsatisfactory, relevant staff and procedures will also be investigated.

6.6.3 Measure and Record

Appropriately trained persons shall undertake sampling, measurement and/or objective assessment of soil, water and effluent.

Certified laboratory will be used to analyse samples of soil, water and effluent.

All records pertaining to the EMP will be maintained always.

Reports will be submitted to regulatory authorities as detailed in this EMP. The Piggery Manager shall provide the piggery licensing authorities and the North Burnett Regional Council with an Annual Environmental Report.

6.6.4 Contingency Planning

Objective

To have effective procedures in place to allow the Piggery Manager to respond to all contingencies.

Possible contingencies and the proposed responses to them are as follows:

- Fire-fire hazard will be managed primarily through a prevention strategy involving careful facility design and management. For example, potentially flammable feedstuffs will be stored in properly designed silos, flammable chemicals e.g. fuel will be stored in properly designed containers and welding equipment (or similar) will not be used close to flammable chemicals. Hoses will be installed at each shed. In the event of a fire starting in or approaching the piggery facility, the Rural Fire Service would be contacted. Precautions will be taken to ensure staff safety e.g. buildings or areas will be evacuated if necessary.

- Plant breakdowns-In the event of pumps breaking down, these would either be repaired, or other pumps would be brought in.

- Overloading or insufficiently loading the piggery treatment lagoons-every effort will be made to maintain the quantity and composition of waste entering the anaerobic lagoons at a constant level or to make changes gradually. However, in the event of overloading or insufficiently loading the treatment lagoon, adverse affects of the biological treatment activity of ponds would be minimised by re-seeding with microbiological additives, adding slaked lime or taking other measures as necessary.

- Accidental discharge of hazardous materials into effluent stream any accidental discharges of hazardous material into the effluent stream must immediately be reported to the Piggery Manager. Details of the type of chemical discharge, the known (or estimated) quantity discharged the concentration of the chemical, the site of discharge and any actions taken to counteract the spillage would also be reported. Depending on the chemical discharged, appropriate action would be taken or advice sought from the Department of Primary Industries or other relevant agencies or companies. Details of actions taken in resolving the effect of the spillage would be detailed and the effectiveness of the measures taken monitored.

- Temporary or permanent loss of access to the effluent irrigation areas-these could only be temporarily inaccessible as the areas used are owned by the applicants. The action taken would depend on the reason for the inaccessibility of the land although the most likely reason is that wet-weather may make roads to the site temporarily unusable. If this was the case, the land would be too wet for the irrigation of effluent. Effluent would need to be held in the pond system until the effluent irrigation area had dried out enough for effluent application. This should not present a problem, since the effluent ponds are adequately sized to cater for wet-weather storage.

- Temporary or permanent loss of trained operators-at all times, staff will be trained in the duties and responsibilities applicable to their position. As much as possible, at least one other staff member will be familiar with the duties of the other staff members.

- Rodent plague-in the event of a mouse or rat plague, an appropriate baiting program will be instigated.

The Piggery Manager and at least one other member of staff will be familiar with the contingency plans described above. Other staff members will be informed that the contingency plans are described in the EMP. The EMP will be kept in the piggery office so the contingency plans will be readily accessible by all staff. The plan will be regularly reviewed and updated.

6.6.5 Management Review

The environmental management of the piggery will be in accordance with the procedures listed in the EMP.

A full review of the EMP and the findings of the monitoring program will be undertaken at least annually. The EMP will be updated as necessary.

6.6.6 Document Control

All documents pertaining to the EMP for the piggery will be kept in the piggery office. They will be accessed by staff as required. Documents will be updated as appropriate and all current issues held at the piggery office. The Piggery Manager shall provide the piggery licensing authorities and the North Burnett Regional Council with an Annual Environmental Report.

6.6.7 Non-Conformances

Where non-conformities in relation to the EMP are observed, the details will be recorded in the Environmental Data Record.

6.6.8 Corrective Action

When non-conformities are identified within the system, actions will be taken to correct them. Each case of non-conformity will be assessed to determine why the non-conformity occurred and to put steps in place to prevent the problem recurring. Details will be recorded in the Environmental Data Record, and the EMP updated if necessary, to minimise the likelihood of non-conformance occurring in the future.

6.6.9 Internal Assessment of the EMP

The EMP will be assessed at least annually to ensure that it is working correctly and to identify changes which need to be made and to make appropriate recommendations. Assessment of the EMP will involve an analysis of the way in which procedures are actually undertaken, a comparison with the way in which the EMP states procedures should be undertaken, an analysis of monitoring data to determine future monitoring needs and recommendations regarding future monitoring and analysis.

The frequency of monitoring and the results of the monitoring data will be compared with the requirements listed in the EMP. This is to establish if monitoring is being undertaken as described in the EMP, if there are recent changes to the system which are not covered by the EMP or if changes need to be made to the EMP.

An assessment of the data from the monitoring activities will be undertaken. This is to confirm that there is compliance with the level of impact stated in the objectives. It is also used to determine whether the type and frequency of monitoring is appropriate. For example, if a trend for effluent quality is observed following three or more consecutive, it may be possible for the frequency of testing of effluent quality to be reduced. Conversely, if surface soil nutrient levels for the effluent irrigation area are considered to be too high, different testing and analysis procedures may need to be undertaken, or the area of land for effluent irrigation area increased.

Complaints Register

Date of Complaint	
Time of Complaint	
Nature of Complaint	
Name of Person Advising of Complaint	
Method of Complaint	
Name of Complainant	
Complainant Contact Details	
Weather Conditions at Time of Complaint	
Wind Direction at Time of Complaint	
Person Responsible for Investigating Complaint	
Investigation Method	
Findings of Investigation	
Corrective Actions	
Communications with Complainant	

Environmental Data Record

Date	Item	Comment Action Taken	Effectiveness of Action Taken	Requirement Recommendation for changes to EMP	Signature of Responsible Officer

APPENDIX 1 – PIGGERY LICENSES, APPROVALS AND CONSENTS

APPENDIX 2 – MAPS, PLANS

Effluent Irrigation area

NORTH BURNETT
REGIONAL COUNCIL

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ATTACHMENT 3

SUSTAINABLE PLANNING ACT 2009 EXTRACT ON APPEAL RIGHTS

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

(1) An applicant for a development application may appeal to the court against any of the following—
  (a) the refusal, or the refusal in part, of the development application;
  (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
  (c) the decision to give a preliminary approval when a development permit was applied for;
  (d) the length of a period mentioned in section 341;
  (e) a deemed refusal of the development application.

(2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the ***applicant's appeal period***) after—
  (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
  (b) otherwise—the day a decision notice was required to be given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

(1) A submitter for a development application may appeal to the court only against—
  (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
  (b) the part of the approval relating to the assessment manager's decision under section 327.

(2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the following—
  (a) the giving of a development approval;
  (b) any provision of the approval including—
    (i) a condition of, or lack of condition for, the approval; or
    (ii) the length of a period mentioned in section 341 for the approval.

(3) However, a submitter may not appeal if the submitter—
  (a) withdraws the submission before the application is decided; or
  (b) has given the assessment manager a notice under section 339(1)(b)(ii).

(4) The appeal must be started within 20 business days (the ***submitter's appeal period***) after the decision notice or negotiated decision notice is given to the submitter.

463 Additional and extended appeal rights for submitters for particular development applications

(1) This section applies to a development application to which chapter 9, part 7 applies.

(2) A submitter of a properly made submission for the application may appeal to the court about a referral agency's response made by a prescribed concurrence agency for the application.

(3) However, the submitter may only appeal against a referral agency's response to the extent it relates to—

(a) if the prescribed concurrence agency is the chief executive (environment)—development for an aquacultural ERA; or

(b) if the prescribed concurrence agency is the chief executive (fisheries)—development that is—

(i) a material change of use of premises for aquaculture; or

(ii) operational work that is the removal, damage or destruction of a marine plant.

(4) Despite section 462(1), the submitter may appeal against the following matters for the application even if the matters relate to code assessment—

(a) a decision about a matter mentioned in section 462(2) if it is a decision of the chief executive (fisheries);

(b) a referral agency's response mentioned in subsection (2).

464 Appeals by advice agency submitters

(1) Subsection (2) applies if an advice agency, in its response for an application, told the assessment manager to treat the response as a properly made submission.

(2) The advice agency may, within the limits of its jurisdiction, appeal to the court about—

(a) any part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or

(b) any part of the approval relating to the assessment manager's decision under section 327.

(3) The appeal must be started within 20 business days after the day the decision notice or negotiated decision notice is given to the advice agency as a submitter.

(4) However, if the advice agency has given the assessment manager a notice under section 339(1)(b)(ii), the advice agency may not appeal the decision.

ATTACHMENT 2 – DLGIP RESPONSE TO APPLICANT

Queensland Government

Department of Infrastructure, Local Government and Planning

Our reference: SPD-0716-029304
Your reference: 114/13

10 August 2016

Mr Mark Pitt
Chief Executive Officer
North Burnett Regional Council
PO Box 390
GAYNDAH QLD 4625
admin@northburnett.qld.gov.au

Dear Mr Pitt

Notice about request for permissible change—relevant entity
32089 Burnett Highway, Moonford QLD 4630 - Lot 57 on CP857497 and Lot 49 on CP857496
(Given under section 373(1) of the *Sustainable Planning Act 2009*)

The Department of Infrastructure, Local Government and Planning received a copy of the request for a permissible change under section 372(1) of the *Sustainable Planning Act 2009* on 10 August 2016 advising the department, as a relevant entity, of the request for a permissible change made to the responsible entity under section 369 of the *Sustainable Planning Act 2009*.

The department understands that the proposed changes are as follows:

- The following conditions are requested to be removed from the assessment managers conditions:
  - General – Condition 3
  - General – Condition 4
  - Environmental Management Plan – Condition 9
  - Water Quality Monitoring – Condition 10
  - Water Quality Monitoring – Condition 11
  - Water Quality Monitoring – Condition 13
  - Preliminary Approval Stage 3 and Stage 4 – Condition 28
  - Development Permit Stages 1 and Stage 2 General – Condition 3
  - Vehicle Access and Roads – Condition 16
  - Vehicle Access and Roads – Condition 17
  - Vegetation – Condition 22
  - Vegetation – Condition 23
  - Vegetation – Condition 24

The department has considered the proposed changes to the development approval and advises that it has no objection to the change being made.

If you require any further information, please contact Danica Clark, Senior Planning Officer, on (07) 4331 5614, or via email WBBSARA@dilgp.qld.gov.au who will be able to assist.

Yours sincerely

Holly Sorohan
A/Manager (Planning)

cc: Liberty Fields Pty Ltd, C/- Property Projects Australia Pty Ltd
alan@propertyprojectsaustralia.com.au

Wide Bay Burnett
Level 1, 7 Takalvan Street Bundaberg
PO Box 979 Bundaberg
Queensland 4670 Australia
Telephone +61 7 4331 5614
Website www.dilgp.qld.gov.au
ABN 29 230 178 530

ECON 02 - MATERIAL CHANGE OF USE—HIGH IMPACT INDUSTRY (EXTENSION TO ABATTOIR) AT 1 BLUEBELL ROAD, BIGGENDEN ON LAND DESCRIBED AS LOT 9 ON SP184075

DA Ref: 217-15
Responsible Officer: Lex Webster—Manager Development Services
Report prepared by: David Newby—Partner, InsiteSJC

1 PURPOSE OF REPORT

This report provides a recommendation relating to a development application for a Material Change of Use—High Impact Industry (Extension to abattoir) at 1 Bluebell Road, Biggenden.

2 INTRODUCTION/BACKGROUND

The applicant, Meats R Us Pty Ltd, seeks a development permit for extensions to the abattoir. It addresses the unauthorised additions of a retail sales area, three cold rooms and one machinery storage shed. Subject to approval, new buildings would replace the unauthorised buildings. The proposal would be constructed over 3 stages.

The site and surrounds are in the Rural Zone (Intensive Agricultural Precinct). The application is impact assessable under the planning scheme, therefore requiring assessment against the matters set out in s314 of the SPA, including the entire planning scheme, to the extent relevant. The proposal is consistent with the planning scheme—

1. Strategic framework—achieves all relevant outcomes;
2. Rural zone code—having regard to the existing use of the site as an abattoir, the proposal complies with the code;
3. Infrastructure and operational work code—despite not complying with the code's minimum required parking spaces, the site would in practice have adequate parking and comply with the overall outcomes of the code;
4. Infrastructure overlay code—with an adequate setback from the State-controlled road, the proposal complies with the code
5. Natural features or resources overlay code—the proposal would be sufficiently clear of and have minimal impact on identified natural features, regulated vegetation and Agricultural Land Classification Class A and Class B land;
6. Bushfire hazard overlay code—the proposal would be clear of identified bushfire hazard areas;
7. Flood hazard overlay code—the proposal would be clear of identified flood hazard areas.

3 CORPORATE/OPERATIONAL PLAN

In accordance with the North Burnett Regional Council's Corporate Plan:

Outcome 3 – Economic, Section 3.5 – Land Use: Appropriate community, industrial, commercial and residential land is available to meet community needs, Item 3.5.1: Develop and implement NBRC Planning Scheme and provide effective and efficient planning services.

4 POLICY IMPLICATIONS

Nil

5 STATUTORY REQUIREMENTS

Council, as assessment manager, must assess and determine the application in accordance with the requirements of the *Sustainable Planning Act 2009*, namely—

1. the assessment manager must assess the application against prescribed matters (s314);
2. the assessment manager's decision must not conflict with the planning scheme or other instruments unless '...there are sufficient grounds to justify the decision despite the conflict' (s329).

An approval, in accordance with the recommendation would be consistent with the provisions of the SPA.

6 FINANCIAL IMPLICATIONS

Nil

7 RISK MANAGEMENT

The recommended course of action considers and balances risks associated with potential adverse environmental effects, the need to protect the environment, consideration for neighbours, the existing use of the site, and broader community interests.

8 CONSULTATION

The application was referred to the Department of Infrastructure, Local Government and Planning on 11 January 2016 in relation to access to the State-controlled road. The Department raised no objections to the proposal, subject to relevant conditions being included in any development permit.

The applicant made representations to the Department on 20 July requesting an amended concurrence agency response but was unsuccessful (conveyed in letter dated 15 August 2016).

The application was publically notified for not less than 15 business days from 12 May 2016 to 3 June 2016 in accordance with the requirements of the Sustainable Planning Act 2009. Council did not receive any submissions.

9 OPTIONS FOR COUNCIL TO CONSIDER

Council has the following options available:

1 approve the application in full or part subject to reasonable conditions **(this is the recommended option)**;
2 refuse the application.

10 OFFICER'S COMMENTS/CONLUSION

The proposal complies with the applicable codes and is consistent with the overall expectations of the planning scheme. The application should be approved in full subject to conditions.

11 ATTACHMENTS

1. Assessment summary
2. Recommended decision notice, including approval conditions
3. Recommended infrastructure charges notice

12 RECOMMENDATIONS

1. That the Council as Assessment Manager decide the application under section 324 of the *Sustainable Planning Act 2009* by approving it in full subject to conditions;

2. That the Council notify the applicant and referral agencies in accordance with the requirements of the *Sustainable Planning Act 2009*.

ATTACHMENT ONE – ASSESSMENT REPORT

Site Address:	1 Bluebell Road, Biggenden
Site RPD:	Lot 9 on SP184075
Proposal:	High impact industry (abattoir) • New retail sales area, cold-rooms and machinery shed

Applicable Planning Scheme:	North Burnett Regional Council Planning Scheme 2015
Zone:	Rural Zone (Intensive Agricultural Precinct)
Level of Assessment:	Impact assessment
Overlays:	SPP interactive mapping—Agriclutural Land Classification (ALC) • Assessment against natural features or resource overlay code OM-FH-005—Flood hazard: Site is partly subject to flooding and inundation • Assessment against flood hazard overlay code required OM-INFR-005—Infrastructure: Site abuts state-controlled road • Assessment against infrastructure overlay code required
Referrals	Schedule 7, Table 3, Item 1—development within 25m of a state-controlled road
Other	Proposal is an environmentally relevant activity, however necessary ERA permits have been obtained. No ERA concurrence is required as it does not meet the threshold in Schedule 2 of the *Environmental Protection Regulation 2008*.
Applicable codes	Strategic framework Rural zone code Infrastructure and operational work code Infrastructure overlay code Natural features or resources overlays code Bushfire hazard overlay code Flood hazard overlay code

Considerations / Issues
Site contains category B regulated vegetation, however proposal is sufficiently clear of it.
Site is adjacent to Woowoonga Creek

Strategic Framework

The proposal complies with the strategic framework as a whole. For example, it would strengthen the local economy and provide an additional service that is conveniently accessible for the local community. The location of the buildings would not compromise the long-term use of the land for rural purposes as the majority of the site would remain free from structures.

Rural zone code

The proposal complies with the code. It would be compatible with the environment and landscape character of the rural area, and not compromise the long-term use of the land for rural purposes. The balance area would act as buffers between the site and nearby sensitive land uses.

Infrastructure and operational work code

The proposal complies with the code. Table 9.4.8 of the Planning Scheme prescribes a minimum requirement of "one (1) car parking space per 100m2 of GFA plus one (1) space per 200m2 of external use area". The proposal would require an additional five (5) car parking spaces, however the use of the building would not generate a high need for on-site car parking as the majority of it would be cold rooms and machinery storage. As a result of the small retail area, no additional car parking spaces would be required.

Infrastructure overlay code

Assessment against this code is required as the site fronts a State-controlled road. The proposal complies with the Infrastructure overlay code as it would be sufficiently setback from identified state-controlled road corridors (i.e. Isis Highway).

Natural features or resources overlay code

Assessment against this code is required as the site contains Matters of State Environmental Significant, and Agricultural Land Classification (ALC) Class A and Class B. The proposal complies with this code as it would be sufficiently clear of and have minimal impact on identified natural features, regulated vegetation and ALC Class A and Class B land.

Bushfire hazard overlay code

Assessment against this code is required as the site is partly within a bushfire hazard area. The proposal complies with this code as it would be located sufficiently clear of identified bushfire hazard areas.

Flood hazard overlay code

Assessment against this code is required as the site is partly within a flood hazard area. The proposal complies with this code as it would be located sufficiently clear of identified flood hazard areas.

ATTACHMENT TWO - RECOMMENDED DECISION NOTICE, INCLUDING APPROVAL CONDITIONS

NORTH BURNETT REGIONAL COUNCIL

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Facsimile: (07) 4161 1425
Email: admin@northburnett.qld.gov.au
Web: northburnett.qld.gov.au
ABN: 23 439 388 197

Decision notice approval
Sustainable Planning Act 2009 s.335

217-15 *[file reference]*

North Burnett Regional Council *[contact name]*

1300 696 272 *[contact number]*

[date]

Meats R Us Pty Ltd *[applicant's name]*

c/- Angelo Oliaro Town Planning

56 Honiton Street *[applicant's address]*

TORQUAY QLD 4655

I acknowledge receipt of the above application on 4 December 2015 and confirm the following details:

DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE – HIGH IMPACT INDUSTRY (EXTENSION TO ABATTOIR) *[details of proposed development]*

1 Bluebell Road, Biggenden *[street number& address of proposed development]*

Lot 9 on SP184075 *[lot and plan details of proposed development]*

Dear Sir/Madam,

I wish to advise that, on date the above development application was approved in full with conditions. The conditions of this approval are set out in **Attachment 1**.

Approval under s331

This application **has not** been deemed to be approved under section 331 of the *Sustainable Planning Act 2009*.

1. Details of the approval

The following approvals are given:

	Sustainable Planning Regulation 2009, schedule 3 reference	Development Permit	Preliminary Approval
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which section 242 applies		☒	☐

2. Other necessary development permits and/or compliance permits

Listed below are other development permits and/or compliance permits that are necessary to allow the development to be carried out:

- Operational work made assessable against Table 5.8.1 of the Planning Scheme
- Plumbing and drainage permits

3. Submissions

There **were no** properly made submissions about the application.

4. Conflict with a relevant instrument and reasons for the decision despite the conflict

The assessment manager does not consider that the decision conflicts with a relevant instrument.

5. Referral agencies

The referral agencies for this application are:

For an application involving	Name of referral agency	Advice agency or concurrence agency
Schedule 7, Table 3, item 1 of the *Sustainable Planning Regulation 2009*—State-controlled road Making a material change of use of premises if any part of the land— (a) is within 25m of a State-controlled road; or (b) is future State-controlled road; or (c) abuts a road that intersects with a State-controlled road within 100m of the land	Department of Infrastructure, Local Government and Planning	Concurrence Agency

6. Approved plans

The approved plans and documents for this development approval are listed in the following table:

Plan/Document number	Plan/Document name	Date
15-307-1	Site plan prepared by T.R. & S.L. Roper	-

15-307-2	Retail area and cold room details prepared by T.R. & S.L. Roper	-
15-307-3	Retail area floor plan prepared by T.R. & S.L. Roper	-
15-307-4	Machinery shed details prepared by T.R. & S.L. Roper	-
15-307-5	Cold room details prepared by T.R. & S.L. Roper	-
15-307-6	Cold room details prepared by T.R. & S.L. Roper	-
M16-097	Stormwater drainage strategy prepared by Holmes McLeod Consulting Engineers Pty Ltd	29 March 2016

7. When approval lapses if development not started

Pursuant to section 341 of the *Sustainable Planning Act 2009,* this approval will lapse if it is not acted upon within a period of four (4) years.

8. Conditions about infrastructure

There were no conditions about infrastructure imposed under Chapter 8 of the *Sustainable Planning Act 2009*.

9. Appeal rights

Appeal Rights are set out in Attachment 3.

This decision notice may be appealed in accordance with the *Sustainable Planning Act 2009* Chapter 7, Part 1, Division 8. Information about how to proceed with an appeal to the Planning and Environment Court may be found on the Court's website:

http://www.courts.qld.gov.au/courts/planning-and-environment-court

Applicants may also have a right to appeal to the Building and Development Dispute Resolution Committee. For more details, see SPA, chapter 7, part 2.

If you wish to discuss this matter further, please contact Councils Development Services Department on 1300 696 272.

Yours faithfully

MJP Pitt
Chief Executive Officer

Attachment 1—Conditions of the approval
Part 1a – Conditions imposed by the assessment manager
Part 1b – Conditions imposed by a concurrence agency
Attachment 2—Approved Plans
Attachment 3—SPA extract on appeal rights

NORTH BURNETT
REGIONAL COUNCIL

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ATTACHMENT 1

CONDITIONS OF APPROVAL - PART 1A

Conditions imposed by the assessment manager

General

1) Carry out the approved development generally in accordance with the approved plans and documents identified in section 6 "Approved Plans" of the Decision Notice Approval, except as modified by the conditions of this approval.

2) Where there is any conflict between conditions of this approval and details shown on the approved plans, the conditions prevail.

3) Exercise the approval and complete all associated works, including the installation or relocation of infrastructure or services, at no cost to Council.

4) Pay to the Council any outstanding rates, charges or expenses levied by the Council over the subject land.

Staging of development

5) The development may be carried out in stages generally as follows—

Stage 1 construction and use of the retail sales area and associated cold room measuring 79.2m^2

Stage 2 construction and use of the machinery shed, cold room measuring 12m by 9.6m, and removal of two parts store containers

Stage 3 construction and use of the cold room measuring 15.6m by 4.7m adjoining the abattoir.

Nature and Extent of the Approved Use

6) Unless otherwise approved in writing by the Assessment Manager, all deliveries, loading/unloading activities and refuse collection are to be undertaken between Monday to Friday inclusive—6am to 6pm.

Stormwater

7) All stormwater collected from the site, including roof water, is to be piped to a legal point of discharge. Such works are to be sized and constructed having regard for the requirements of Condition 8) below.

8) The stormwater drainage system serving the site is to be generally designed in accordance with the Stormwater Drainage Strategy prepared by Holmes McLeod Consulting Engineers and dated 16 March 2016.

Minimise or avoid nuisance

9) Manage activities such that noise emissions from the premises do not cause harm or nuisance.

10) All external lighting (not including street-lighting) is to be designed in accordance with Australian Standard AS4282-1997 "Control of the Obtrusive Effects of Outdoor Lighting".

11) All external artificial illumination is to be designed and installed so as not to cause a nuisance to occupants of nearby premises and any passing traffic and in any case not to exceed 8.0 lux at 1.5 metres beyond the boundary of the site. Security and flood lighting is to be directed away from adjacent premises to minimise the protrusion of light outside the site.

12) All waste must be stored in approved waste containers, and a sufficient number of waste containers are to be provided to contain all waste produced on site.

13) Ensure goods, equipment, packaging material or machinery are not stored or left exposed outside buildings as to be visible from any public road or thoroughfare. Any storage on site is required to be screened from view from all roads and adjacent properties.

14) Loading and unloading of all equipment associated with the use must occur on the subject site.

Construction Management

15) Unless otherwise approved in writing by the Assessment Manager, do not undertake building work in a way that makes audible noise:

    a) On a business day or Saturday—before 6:30am or after 6:30pm; and

    b) On any other day—at any time

16) Contain all litter, building waste and sediments on the site by the use of a skip bin or any other reasonable means during construction to prevent release to neighbouring properties, roads or water courses.

17) Remove any spills of soil or other material from the road upon completion of each day's work during construction. These material spills and accumulated sediments deposits must be managed in a way that minimises environmental harm and/or damage to public and private property.

Advice to the applicant

- Please find attached the Adopted Infrastructure Charges Notice applicable to the approved development.
- This development approval does not represent an approval to commence Buildings Works.
- This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage." Council does not warrant that the approved development avoids affecting Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain the presence or otherwise of Aboriginal cultural heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

NORTH BURNETT
REGIONAL COUNCIL

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ATTACHMENT 1

CONDITIONS OF APPROVAL - PART 1B

Conditions imposed by concurrence agencies

Queensland Government

Department of Infrastructure, Local Government and Planning

Our reference: SDA-0116-027138
Your reference: 217-15
Applicant reference: 150800

25 May 2016

Mr Mark Pitt
Chief Executive Officer
North Burnett Regional Council
PO Box 390
GAYNDAH QLD 4625
admin@northburnett.qld.gov.au

Dear Mr Byrne,

Concurrence agency response—with conditions
Isis Highway, Woowoonga – Lot 9 on SP184075
(Given under Section 285 of the *Sustainable Planning Act 2009*)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under Section 272 of the *Sustainable Planning Act 2009* on 11 January 2016.

Applicant details

Applicant name:	Meats R Us Pty Ltd
	C/- Angelo Oliaro Town Planning
Applicant contact details:	56 Honiton Street TORQUAY QLD 4655 aoliaro@bigpond.net.au

Site details

Street address:	Isis Highway, Woowoonga
Lot on plan:	Lot 9 on SP184075
Local government area:	North Burnett Regional Council

Wide Bay – Burnett Region
Level 1, 7 Takalvan Street
PO Box 979
BUNDABERG QLD 4670

Application details

Proposed development:	Material Change of Use – High Impact Industry (Extension to Abattoir)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of Use	Development Permit	High Impact Industry (Extension to Abattoir)	Impact Assessment

Referral triggers

The development application was referred to the Department under the following provisions of the *Sustainable Planning Regulation 2009*:

Referral triggers	Schedule 7, Table 3, Item 1 (State-Controlled Road matters)

Conditions

Under Section 287(1)(a) of the *Sustainable Planning Act 2009*, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under Section 289(1) of the *Sustainable Planning Act 2009*, the Department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

Under Section 287(6) of the *Sustainable Planning Act 2009*, the Department offers advice about the application to the assessment manager—see Attachment 3.

Approved plans and specifications

The Department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Material Change of Use – High Impact Industry (Extension to Abattoir)				
As constructed retail meat premises at Lot 9 Blue Bell Road Woowoonga for the Biggenden Meat Works	T.R & S.L Roper Building Design and Drafting	-	15-307-1	-

A copy of this response has been sent to the applicant for their information.

For further information, please contact Peter Mulcahy, Principal Planning Officer, SARA Wide Bay Burnett on (07) 4331 5603, or email WBBSARA@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Charmaine Aldridge
A/Manager (Planning)

cc: Meats R Us Pty Ltd
C/- Angelo Oliaro Town Planning
aoliaro@bigpond.net.au

enc: Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved Plans and Specifications

Our reference: SDA-0116-027138
Your reference: 217-15
Applicant reference: 150800

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit for Material Change of Use – High Impact Industry (Extension to Abbottoir)		
Schedule 7, Table 3, Item 1 of the *Sustainable Planning Regulation 2009* —Pursuant to section 255D of the *Sustainable Planning Act 2009*, the chief executive administering the Act nominates the Director-General of the Department of Transport and Main Roads to be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
In accordance with the approved plan		
1.	The development must be carried out generally in accordance with the following plan: (i) *As constructed retail meat premises at Lot 9 Blue Bell Road Woowoonga for the Biggenden Meat Works* prepared by T.R & S.L Roper Building Design and Drafting, undated, Drawing Reference 15-307-1	Prior to the commencement of use and to be maintained at all times
Stormwater and drainage impacts on state-transport infrastructure		
2.	(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the state-controlled road network (Isis Highway)	(a) At all times
	(b) Any works on the land must not: (i) create any new discharge points for stormwater runoff onto the Isis Highway (ii) interfere with and/or cause damage to the existing stormwater drainage on the Isis Highway (iii) surcharge any existing culvert or drain on the Isis Highway (iv) reduce the quality of stormwater discharge onto the Isis Highway	(b) At all times
	(c) Registered Professional Engineer of Queensland (RPEQ) certification (with supporting documentation) must be provided to the District Director (Wide Bay Burnett) within the Department of Transport and Main Roads, confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition. The RPEQ certification must include RPEQ certified drawings of the stormwater works.	(c) Prior to the commencement of use
Vehicular access to the state-controlled road		
3.	Direct access is not permitted between the Isis Highway and the subject site.	At all times

No.	Conditions	Condition timing
Road works on a State-controlled road		
4.	(a) Road works comprising a Basic Right Turn (BAR) treatment on a two lane rural road standard in accordance with Figure 7.5 of the Austroads *Guide to Road Design Part 4A: Unsignalised and Signalised Intersections* to cater for right turn movements from Isis Highway into Blue Bell Road must be provided at the Isis Highway/Blue Bell Road intersection. Advance warning signs Type W2-1 and W5-22 on the Isis Highway northern approach must be provided at the Isis Highway Blue Bell Road intersection.	(a) Prior to the commencement of use
	(b) The road works must be designed and constructed in accordance with the Department of Transport and Main Roads' *Road Planning and Design Manual 2nd Edition* and the Department of Transport and Main Roads' *Specifications and Standard Drawings Roads* and the Department of Transport and Main Roads' *Manual of Uniform Traffic Control Devices 2003 Edition*.	(b) Prior to the commencement of use

Our reference:	SDA-0116-027138
Your reference:	217-15
Applicant reference:	150800

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plan of development submitted with the application
- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state-transport corridor
- To ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road direct access to the state-controlled road is prohibited where not required
- To ensure that road works on, or associated with, the state-controlled road network are undertaken in accordance with applicable standards

Our reference: SDA-0116-027138
Your reference: 217-15
Applicant reference: 150800

Attachment 3—Further advice

Road Access Works Approval	
1.	Under Section 33 of the *Transport Infrastructure Act 1994*, written approval is required from the Department of Transport and Main Roads to carry out road works on a State-controlled road. Please contact the Department of Transport and Main Roads' Bundaberg Office on (07) 4154 0200 to ascertain how to make an application for road works approval. This approval must be obtained prior to commencing any works on the State-controlled road reserve. The approval process will require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ) **Please note that the road works approval process takes times – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.**
Multi-combination vehicles (B-double type vehicles) using Blue Bell Road	
2.	The Department of Transport and Main Roads have advised that the Isis Highway is an as-of-right route for multi combination vehicles up to a 25m B-Double vehicle however Blue Bell Road is not an approved route for the as-of-right use for B-Double type vehicles. Please be advised that for multi combination vehicles (such as 23m or 25m B-Double type vehicles) to use Blue Bell Road, separate approval will need to be obtained from the National Heavy Vehicle Regulator (NHVR). The applicant is encouraged to contact NVHR about this matter. The contact details for the NHVR are as follows: Phone: 1300 696 487 E-mail: info@nhvr.gov.au Website: www.nhvr.gov.au

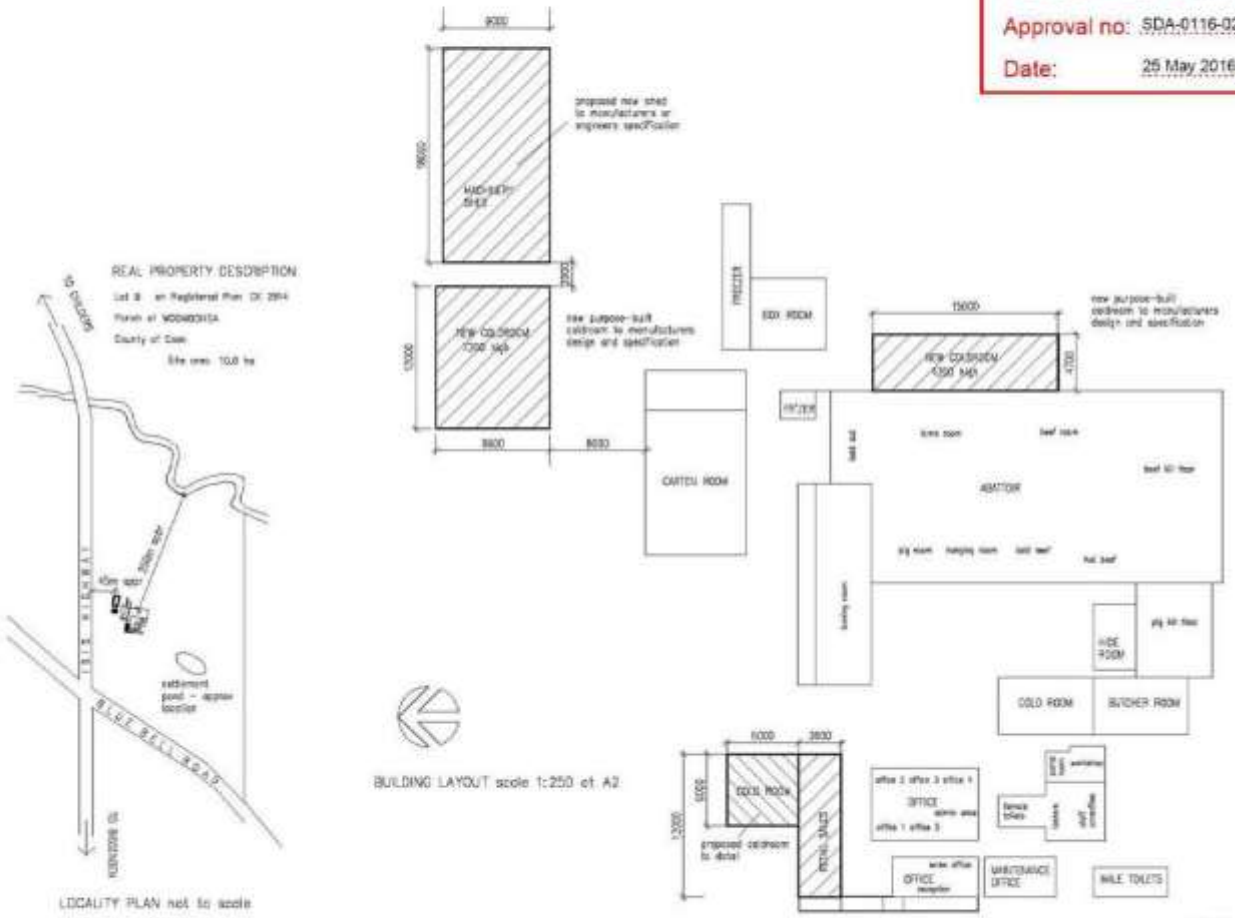
Our reference: SDA-0116-027138
Your reference: 217-15
Applicant reference: 150800

Attachment 4—Approved Plans and Specifications

PLANS AND DOCUMENTS
referred to in the
DEVELOPMENT APPROVAL

Approval no: SDA-0116-027138

Date: 25 May 2016



AS CONSTRUCTED RETAIL MEAT PREMISES AT LOT 9 BLUE BELL ROAD WOOWOONGA FOR THE BIGGENDEN MEAT WORKS

PO BOX 852 CHILDERS QLD 4660
T: 07 41263110 M: 0412 788 330

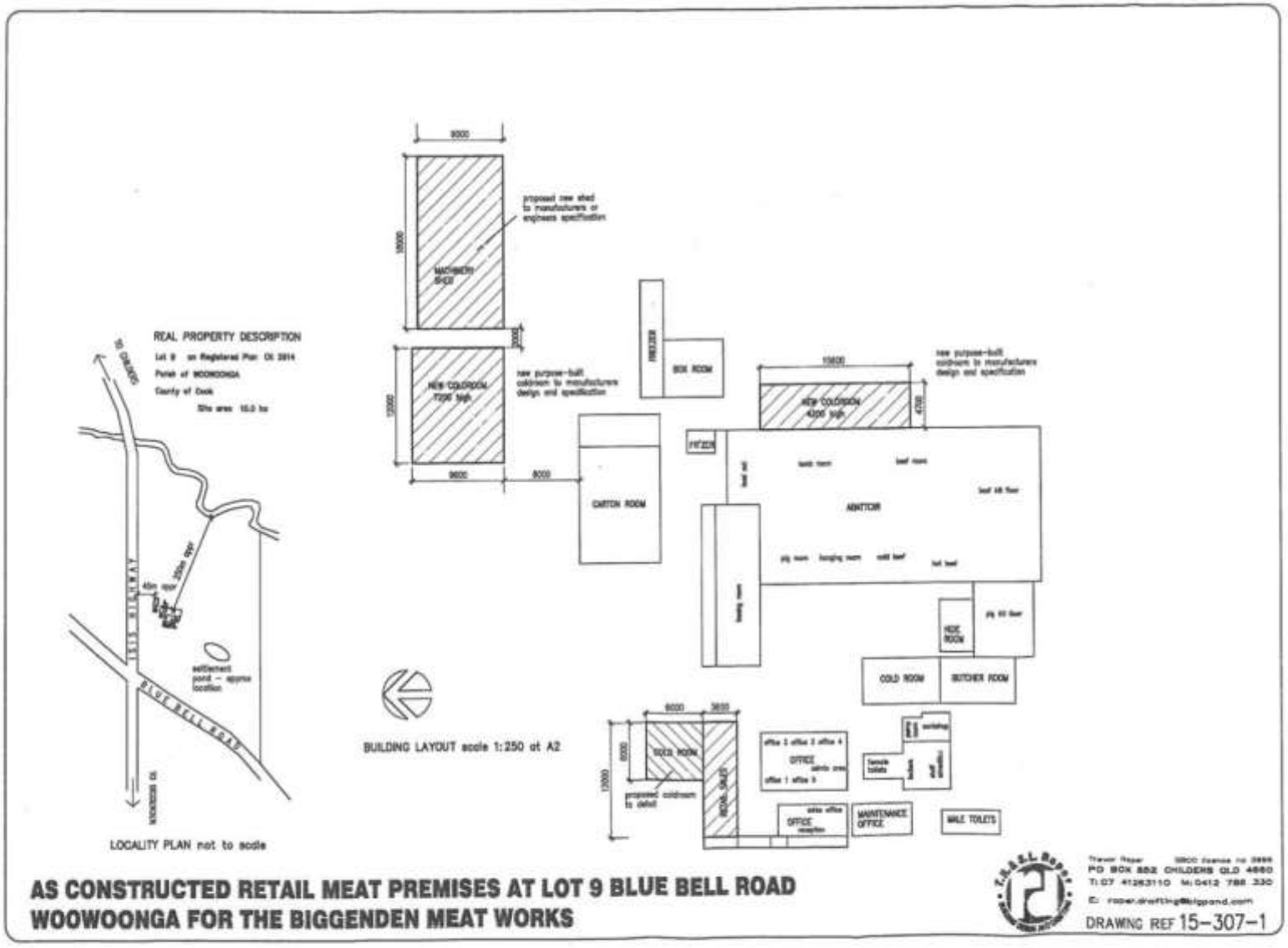
DRAWING REF 15–307–1

NORTH BURNETT
REGIONAL COUNCIL

Mailing Address: PO Box 390, Gayndah Qld 4625
Street Address: 34-36 Capper Street, Gayndah Qld 4625
Telephone: 1300 696 272
Facsimile: (07) 4161 1425
Email: admin@northburnett.qld.gov.au
Web: northburnett.qld.gov.au
ABN: 23 439 388 197

ATTACHMENT 2

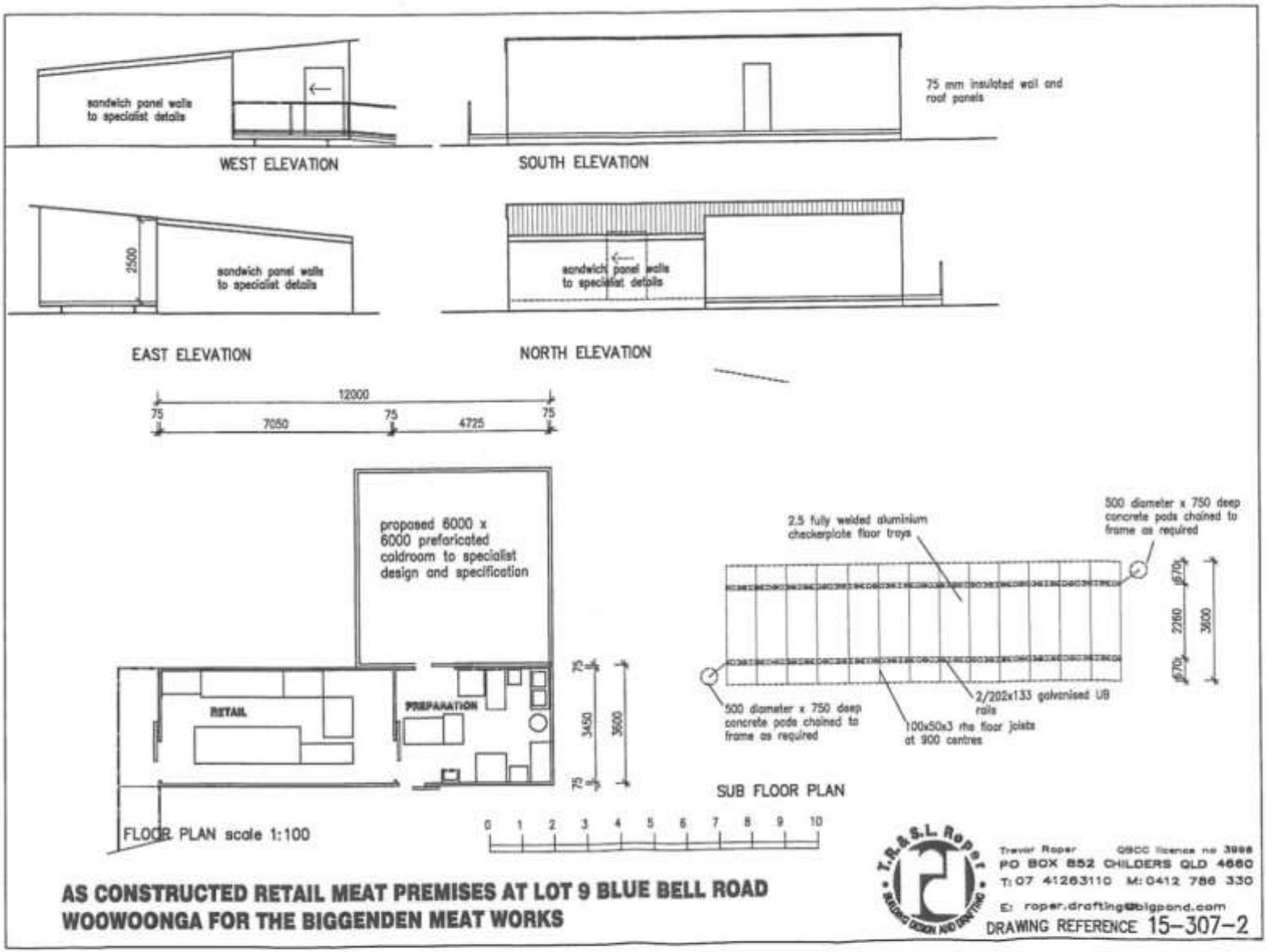
APPROVED DRAWINGS



AS CONSTRUCTED RETAIL MEAT PREMISES AT LOT 9 BLUE BELL ROAD WOOWOONGA FOR THE BIGGENDEN MEAT WORKS

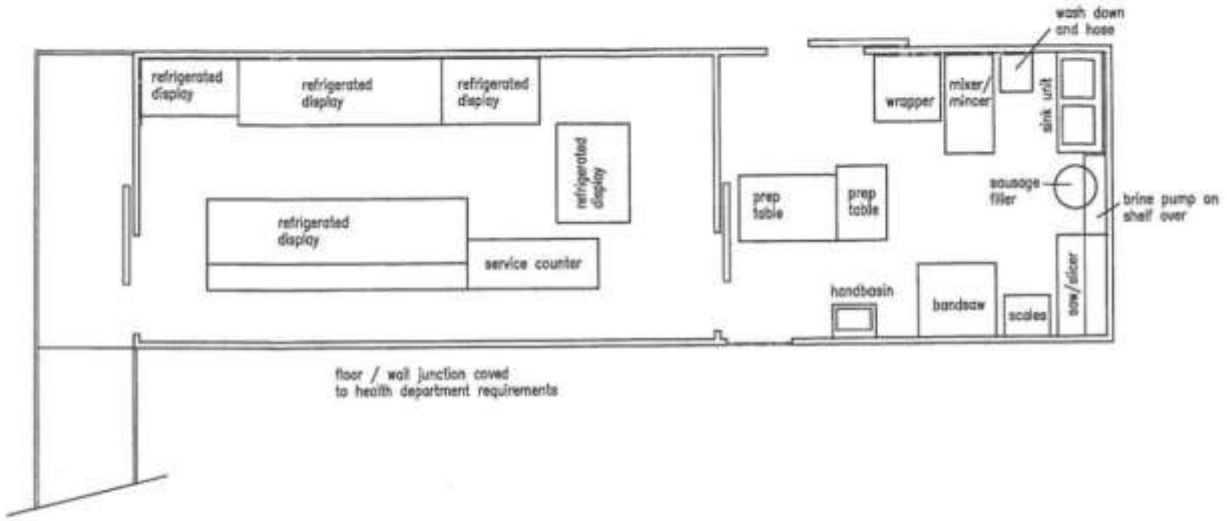
Trevor Roper QBCC licence no 2899
PO BOX 852 CHILDERS QLD 4660
T: 07 41263110 M: 0412 788 330
E: roper.drafting@bigpond.com

DRAWING REF 15-307-1



AS CONSTRUCTED RETAIL MEAT PREMISES AT LOT 9 BLUE BELL ROAD WOOWOONGA FOR THE BIGGENDEN MEAT WORKS

Decision notice approval-Sustainable Planning Act 2009 s.335
Page 18

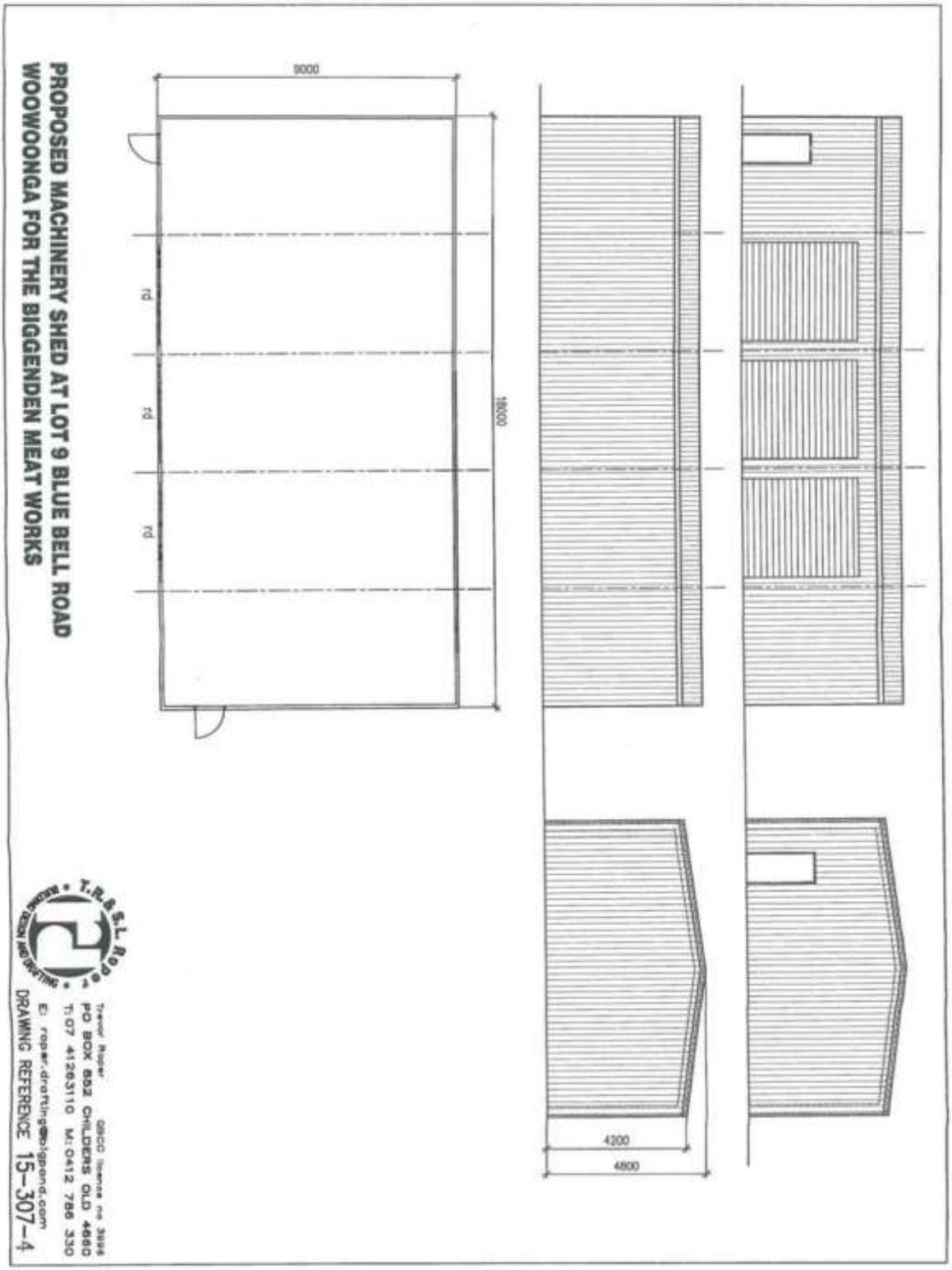


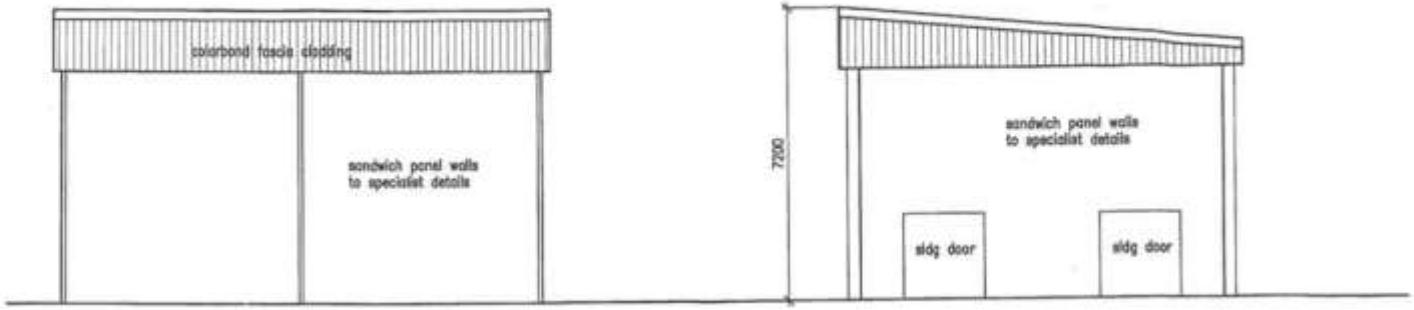
FIT OUT DIAGRAM scale 1:50

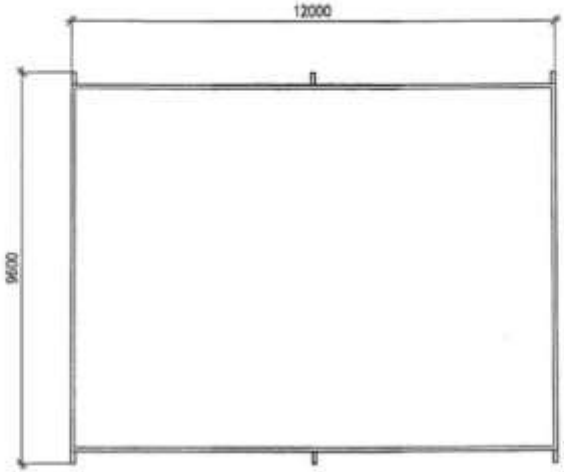
AS CONSTRUCTED RETAIL MEAT PREMISES AT LOT 9 BLUE BELL ROAD WOOWOONGA FOR THE BIGGENDEN MEAT WORKS

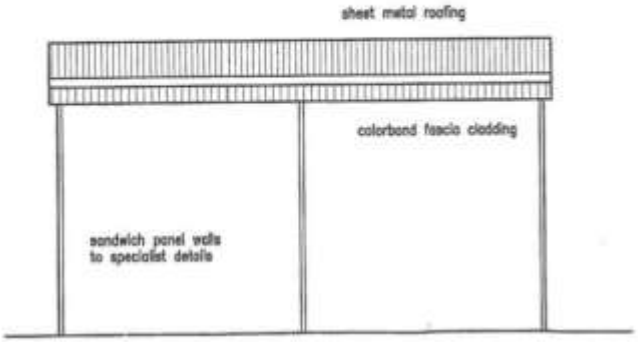
T.R. & S.L. Roper BUILDING DESIGN AND DRAFTING
Trevor Roper QBCC licence no 3998
PO BOX 852 CHILDERS QLD 4660
T: 07 41283110 M: 0412 786 330
E: roper.drafting@bigpond.com
DRAWING REFERENCE 15-307-3

Decision notice approval-Sustainable Planning Act 2009 s.335
Page 19


PROPOSED MACHINERY SHED AT LOT 9 BLUE BELL ROAD
WOOWOONGA FOR THE BIGGENDEN MEAT WORKS
9000
18000
rd
rd
rd
4200
4800
T.R.&S.L Roper
DESIGN AND DRAFTING
Trevor Roper QBCC licence no 3995
PO BOX 652 CHILDERS QLD 4660
T: 07 41283110 M: 0412 786 330
E: roper.drafting@bigpond.com
DRAWING REFERENCE 15-307-4

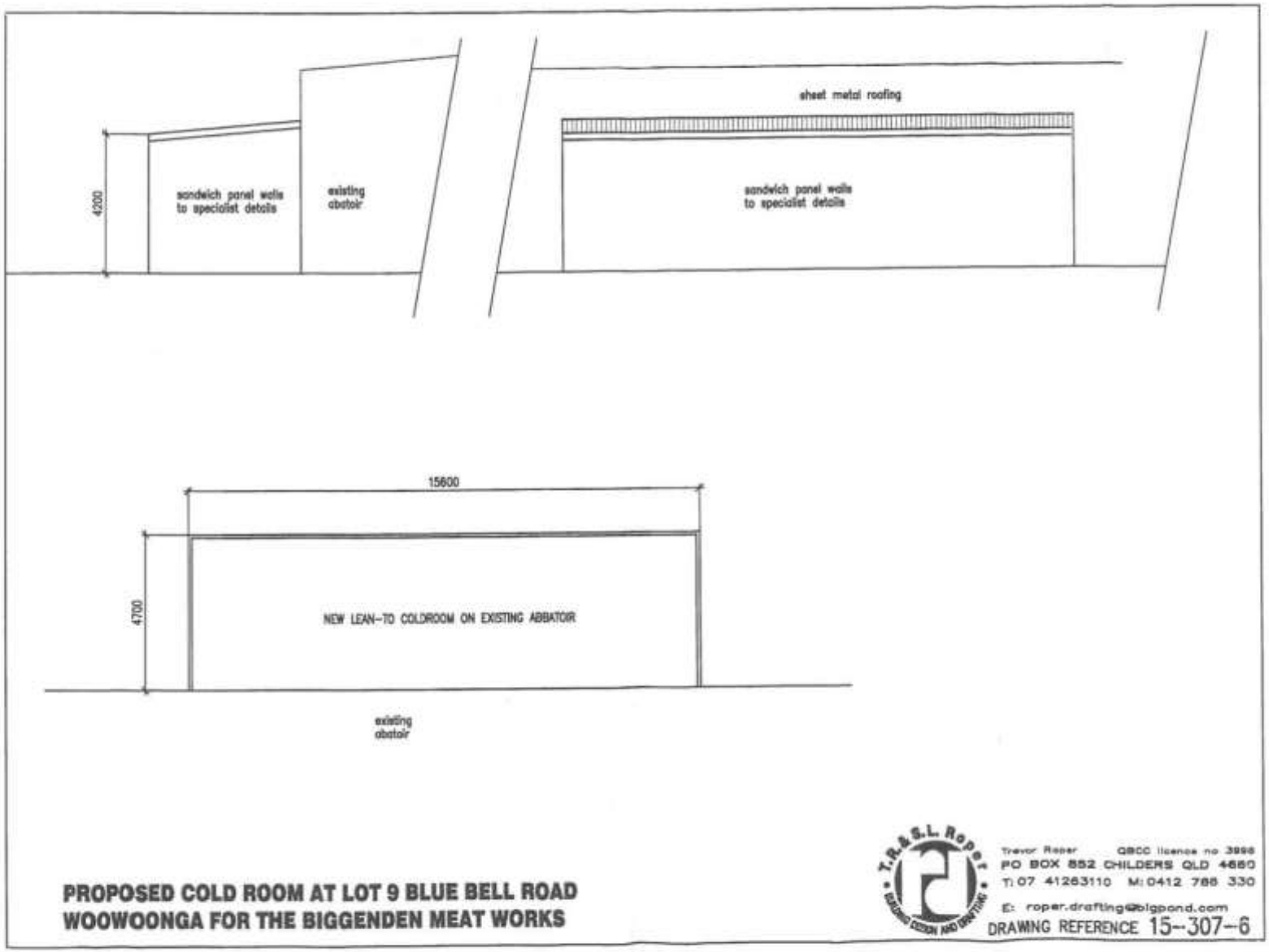






PROPOSED COLD ROOM AT LOT 9 BLUE BELL ROAD
WOOWOONGA FOR THE BIGGENDEN MEAT WORKS

T.R. & S.L. Roper
BUILDING DESIGN AND DRAFTING
Trevor Roper QBCC licence no 3098
PO BOX 852 CHILDERS QLD 4660
T: 07 41283110 M: 0412 788 330
E: roper.drafting@bigpond.com
DRAWING REFERENCE 15–307–5



PROPOSED COLD ROOM AT LOT 9 BLUE BELL ROAD WOOWOONGA FOR THE BIGGENDEN MEAT WORKS

T.R.& S.L. Roper
BUILDING DESIGN AND DRAFTING
Trevor Roper QBCC licence no 3898
PO BOX 852 CHILDERS QLD 4660
T: 07 41263110 M: 0412 786 330
E: roper.drafting@bigpond.com

DRAWING REFERENCE 15--307--6

Decision notice approval-Sustainable Planning Act 2009 s.335
Page 22

NORTH BURNETT
REGIONAL COUNCIL

Mailing Address: PO Box 390, Gayndah Qld 4625
Street Address: 34-36 Capper Street, Gayndah Qld 4625
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Email: admin@northburnett.qld.gov.au
Web: northburnett.qld.gov.au
ABN: 23 439 388 197

ATTACHMENT 3

SUSTAINABLE PLANNING ACT 2009 EXTRACT ON APPEAL RIGHTS

Division 8 Appeals to court relating to development applications and approvals

461 Appeals by applicants

(1) An applicant for a development application may appeal to the court against any of the following—

(a) the refusal, or the refusal in part, of the development application;

(b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;

(c) the decision to give a preliminary approval when a development permit was applied for;

(d) the length of a period mentioned in section 341;

(e) a deemed refusal of the development application.

(2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the ***applicant's appeal period***) after—

(a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or

(b) otherwise—the day a decision notice was required to be given to the applicant.

(3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

ATTACHMENT THREE – RECOMMENDED ADOPTED INFRASTRUCTURE CHARGES NOTICE

NORTH BURNETT REGIONAL COUNCIL

Mailing Address: PO Box 390, Gayndah Qld 4625
Street Address: 34-36 Capper Street, Gayndah Qld 4625
Telephone: 1300 696 272
Facsimile: (07) 4161 1425
Email: admin@northburnett.qld.gov.au
Web: northburnett.qld.gov.au
ABN: 23 439 388 197

ADOPTED INFRASTRUCTURE CHARGES NOTICE

Resolution (No. 2) 2015

TO **Applicant:** Meats R Us Pty Ltd **File Number:** 217-15

Address: c/- Angelo Oliaro Town Planning, 56 Honiton Street, Torquay QLD 4655 **Date of Issue:**

LAND TO WHICH THE CHARGE APPLIES

Site Address: 1 Bluebell Road, Biggenden

Property Description: Lot 9 on SP184075

DEVELOPMENT TO WHICH THE ADOPTED INFRASTRUCTURE CHARGE APPLIES

Material Change of Use—High Impact Industry (Extension to Abattoir)

Development Permit No. 217-15

CURRENT AMOUNT OF THE ADOPTED INFRASTRUCTURE CHARGE

The adopted infrastructure charge has been calculated in accordance with the method outlined in the North Burnett Regional Council Adopted Infrastructure Charges Resolution (No. 2) 2015 and Chapter 8 of the *Sustainable Planning Act 2009*. Please see Schedule 1 of this notice for the detailed calculation of the current amount.

Current Amount of Adopted Infrastructure Charge =
(as at date of issue)

Total - $4,500
Stage 1 - $831.60
Stage 2 - $2910.60
Stage 3 - $757.80

OFFSETS

There are no offsets applicable to this development.

REFUNDS

There are no refunds applicable to this development.

AUTOMATIC INCREASE

The charges are subject to an automatic increase in accordance with section 631 of the *Sustainable Planning Act 2009*. The increase will be the lesser of the following:

- The difference between the levied charge and the maximum adopted charge the local government could have levied for the development when the charge is paid;
- The increase for the PPI index for the period starting on the day the levied charge was levied and ending on the day it is paid, adjusted by reference to the 3-yearly PPI index average.

PAYMENT OF THE ADOPTED INFRASTRUCTURE CHARGE

- The due date for payment of the adopted infrastructure charge is prior to the use commencing.
- Interest at 11% per annum, calculated daily, will be applied to overdue payments.
- The charge is to be paid to the North Burnett Regional Council. Please contact North Burnett Regional Council, Development and Environment Team, prior to making payment.
- Please include a copy of this Notice with payment.

NORTH BURNETT
REGIONAL COUNCIL

OTHER IMPORTANT INFORMATION

1. PAYMENT

This notice is due and payable by the due date shown. Charges are payable to North Burnett Regional Council.

Payment can be made:

- In person at any of Council's offices;
- By credit card;
- By debit card;
- By mail with your cheque or money order made payable to North Burnett Regional Council, PO Box 390, Gayndah QLD 4625. Cheques should be made payable to North Burnett Regional Council and crossed "Not Negotiable". Acceptance of a cheque is subject to collection of proceeds. Post-dated cheques will not be accepted.

2. INTEREST

Compound interest at a rate of 11% per annum calculated daily is payable on all infrastructure charges outstanding after the due date shown on this charges notice.

3. GOODS AND SERVICES TAX

The federal government has determined that rates and utility charges levied by a local government will be GST exempt. Accordingly, no GST is included in this infrastructure charges notice.

4. INFRASTRUCTURE CHARGES ENQUIRY

Enquiries regarding this infrastructure charges notice should be directed to Council's Development and Environment Team on telephone 1300 696 272 during office hours or email admin@northburnett.qld.gov.au

Notice is hereby given under the *Sustainable Planning Act 2009* and the *Local Government Act 2009* that the adopted infrastructure charges notice is levied by the North Burnett Regional Council on the described land. The adopted infrastructure charge is DUE AND PAYABLE BY THE ABOVE DUE DATE. The adopted infrastructure charge plus any arrears and interest may be recovered by legal process without further notice if unpaid after the expiration of the DUE DATE as the charge is deemed to be overdue.

Authorised by:

MJP Pitt
Chief Executive Officer

NORTH BURNETT REGIONAL COUNCIL

ADOPTED INFRASTRUCTURE CHARGES NOTICE

SCHEDULE 1— Calculation of Current Charges, Offsets and Refunds

LAND TO WHICH THE CHARGE APPLIES

Site Address: 1 Bluebell Road, Biggenden

Property Description: Lot 9 on SP184075

DEVELOPMENT TO WHICH THE ADOPTED INFRASTRUCTURE CHARGE APPLIES

Material Change of Use—High Impact Industry (Extension to Abattoir)

Development Permit No. 217-15

CALCULATION OF CURRENT AMOUNT

DEVELOPMENT

Approved Use	High Impact Industry
Rate charged at	$10.50 per m^2 GFA (max $4,500)
GFA	430m^2
Stage 1	*79.2m^2*
Stage 2	*277.2m^2*
Stage 3	*73.32m^2*
Subtotal	*$4,500*

CREDIT FOR EXISTING USE

Existing Use	High Impact Industry
Rate charged at	$10.50 per m^2 GFA (max $4,500)
GFA	Nil
Subtotal	*$Nil*
GROSS TOTAL CHARGE AMOUNT	***$4,500***

TRUNK INFRASTRUCTURE APPLICABLE TO THE DEVELOPMENT

Nil	N/A
TOTAL VALUE OF TRUNK INFRASTRUCTURE	***$0***
Value of offset applied to the charge	N/A
Value of refund payable to applicant	N/A
NETT TOTAL (CURRENT AMOUNT)	**$4,500**

REFUNDS

Not Applicable