

Your Reference:

Our Reference: CW: RR; mw: 20-08 (FID86649, COM001-19/20, 20991-00000-000, ID1545240)

Contact: Rentia Robertson

21 August 2020

Usher Pastoral Company Pty Ltd
C/- RDC Engineers Pty Ltd
Attn: Alun Hebbes & Rod Davis
PO Box 1223
TOOWOOMBA QLD 4350

Dear Sir/Madam

Decision Notice – Approval

(Given under section 63 of the Planning Act 2016)

Application Number: COM001-19/20

Description: COMBINED APPLICATION
Material Change of Use (Expansion of Beef Cattle
Feedlot from 2000scu to 4000scu))
Operational Works (Earthworks)
Environmentally Relevant Activity (No. 2 Intensive
Animal Feedlotting)

Level of Assessment: Impact Assessable

Site Address: 309 TARANA CROSSING ROAD, KINNOUL

Lot & Plan Details: Lot 2 on SP214982

On 21 August 2020, under delegated authority, the above development application was approved in full subject to 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.

1. Details of Approval

The following approvals are given:

	Planning Regulation 2017 reference	Development Permit	Preliminary Approval
Making a Material Change of Use assessable under the planning scheme	s20	☒	☐
Operational Works	s20	☒	☐

2. Approved Plans

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

Plan/Document number	Plan/Document name	Date
B9-129-00-07 Rev B Figure 7	Development Application – Material Change of Use proposed development – Infrastructure layout prepared by RDC Engineers	13/04/20
B9-104-00-08 Rev B Figure 8	Development Application – Material Change of Use proposed development- Production pen details –prepared by RDC Engineers	13/04/20
B9-129-00-17 Rev B Figure 17	Development Application – Material Change of Use proposed development – Staging Plan – Stage 1 and Stage 2 prepared by RDC Engineers	13/04/20
B9-129-00-09 Rev B Figure 9	Development Application – Material Change of Use –Production pen details- Typical Cross Section prepared by RDC Engineers	13/04/20
B9-129-00-10 Rev B Figure 10	Development Application – Material Change of Use –Proposed Development – Internal roads and Vehicle manoeuvring prepared by RDC Engineers	13/04/20
B9-129-00-11 Rev B Figure 11	Development Application – Material Change of Use –Proposed Development – Controlled Drainage Area 2	13/04/20
B9-129-00-12 Rev B Figure 12	Development Application – Material Change of Use –Sedimentation Basin section and Outlet Weir details, prepared by RDC Engineers	13/04/20
B9-129-00-13 Rev B Figure 13	Development Application – Material Change of Use Proposed Development – Concept Layout, prepared by RDC Engineers	13/04/20
B9-129-00-15 Rev B Figure 15	Development Application – Material Change of Use Proposed Development –Waste Utilisation Areas, prepared by RDC Engineers	13/04/20
B9-129-00-16 Rev B Figure 16	Development Application – Material Change of Use Proposed Development –Staging Plan – Stage	13/04/20

	1, prepared by RDC Engineers	
B9-129-00-17 Rev B Figure 17	Development Application – Material Change of Use Proposed Development – Staging Plan – Stage 1 and Stage 2, prepared by RDC Engineers	13/04/20
B9-129-00-31 Rev B Figure 31	Development Application – Material Change of Use- Regional Ecosystem Overlay prepared by RDC Engineers	13/04/20
B9-129-00-41 Rev B Figure 41	Development Application – Material Change of Use Separation Distances Assessment to Sensitive Receptors, prepared by RDC Engineers	13/04/20
B9-129-50-02 Rev B Figure 2	Development Application – MCU Traffic Impact Assessment Tarana Crossing Road/Roma-Taroom Road Intersection Left in/Left out swept paths, prepared by RDC Engineers	13/04/20
B9-129-50-03 Rev B Figure 3	Development Application – MCU Traffic Impact Assessment Tarana Crossing Road/Roma-Taroom Road Intersection Right in/Right out swept paths, prepared by RDC Engineers	13/04/20

3. Further Development Permits

Please be advised that there are no further development permits required.

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

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

5. Submissions

There were no properly made submissions about the application.

6. Referral Agencies

The referral agency for this application was:

Name of referral agency	Advice agency or concurrence agency	Referral Basis	Address
Chief Executive - Department of State	Concurrence	Schedule 10, Part 9, Division	RockhamptonSAR A@dsmip.qld.gov.

Development, Infrastructure and Planning (DSDIP) - State Assessment Referral Agency (SARA)		4, Subdivision 1, Table 1 and Schedule 10, Part 5, Division 4, Table 2	au Fitzroy & Central Region PO Box 113 ROCKHAMPTON QLD 4701
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7. Environmental Authority

Environmentally relevant activity: ERA 2 - Intensive Animal Feedlotting
 1 keeping the following number of standard cattle units in a feedlot -
 (b) more than 1,000 but not more than 10,000.
 EA permit number: 2020-06

8. Currency Period for the Approval

This development approval will lapse at the end of the period set out in section 85 of the *Planning Act 2016*.

9. Statement of Reasons

Description of the development	Combined development application for a Material Change of Use for an Intensive Animal Industry (an expansion of Beef Cattle Feedlot from 2000scu to 4000scu), Operational works for Earthworks and an Environmental Relevant Activity (No. 2 Intensive Animal Feedlotting)
Assessment Benchmarks	Rural Zone Code
Reasons for Decision	The proposed development complies with all applicable Acceptable Outcomes of the code. Conditions have been imposed on the following: PO8 - condition imposed in relation to maintaining a 50 meter separation distance to a ridgeline or escarpment. PO7 - standard condition imposed in relation to setback requirements. PO14 - Condition imposed to ensure Stormwater drainage is undertaken in accordance with the Stormwater Management Plan. PO22 - Watercourses and Lakes - condition imposed to ensure compliance with 50 meter buffer area. PO29 - Construction activities - condition imposed to ensure erosion and sediment measures are implemented

	according to relevant standards.
	PO32 - Flooding - Condition imposed to ensure an evacuation route remains passable in the event of flood inundation.

10. Appeal rights

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the Planning Act 2016. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the Planning Act 2016).

Appeal by an applicant

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

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the Planning Act 2016.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the Planning Act 2016.

Attachment 2 is an extract from the Planning Act 2016 that sets down the applicant's appeal rights and the appeal rights of a submitter.

The Planning and Environment Court appeals database lists all the appeals lodged in the Planning and Environment Court since 15 March 2008, which the department has been notified of. It contains information about the appeal, including the appeal number, site address, local government area, and a copy of the appeal notice, including grounds for the appeal. The appeal database is an easy way for anyone to obtain information about an appeal or check if an appeal has been lodged for a specific development application or approval.

The appeal database is available at <https://planning.dsdmip.qld.gov.au/planning/our-planning-system/dispute-resolution>.

Should you require further assistance in relation to this matter, please do not

hesitate to contact Council's Development Services section on (07) 4992 9500, quoting you application number of COM001-19/20.

Yours Sincerely

Chris Welch

DIRECTOR COUNCIL SERVICES

CC All Referral Agencies (both advice and concurrence)

State Assessment and Referral Agency (SARA)
rockhamptonSARA@dilgp.qld.gov.au

Enc Attachment 1 – Part A Conditions imposed by the Assessment Manager
Attachment 1 – Part B Assessment Manager Notes
Attachment 1 – Part C Conditions imposed by Department of Agriculture
and Fisheries and Department of State Development,
Manufacturing, Infrastructure and Planning
Attachment 2 – Appeal Rights
Attachment 3 – Approved Drawings

COM001-19/20 Attachment 1

Part A - Conditions imposed by the Assessment Manager

Section 1 – Development Permit – Material Change of Use- Intensive Animal Industry (expansion of beef cattle feedlot from 2000scu to 4000scu)

General

- 1 The proposed Material Change of Use is to be completed and carried out generally in accordance with the following approved plans and reports submitted with the Development Application, except where modified by the conditions of this Development Approval –

Plan/Document number	Plan/Document name	Date
B9-129-00-07 Rev B Figure 7	Development Application – Material Change of Use proposed development – Infrastructure layout prepared by RDC Engineers	13/04/20
B9-104-00-08 Rev B Figure 8	Development Application – Material Change of Use proposed development- Production pen details –prepared by RDC Engineers	13/04/20
B9-129-00-17 Rev B Figure 17	Development Application – Material Change of Use proposed development – Staging Plan – Stage 1 and Stage 2 prepared by RDC Engineers	13/04/20
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B9-129-00-11 Rev B Figure 11	Development Application – Material Change of Use –Proposed Development – Controlled Drainage Area 2	13/04/20
B9-129-00-12 Rev B Figure 12	Development Application – Material Change of Use –Sedimentation Basin section and Outlet Weir details, prepared by RDC Engineers	13/04/20
B9-129-00-13	Development Application – Material	13/04/20

Rev B Figure 13	Change of Use Proposed Development – Concept Layout, prepared by RDC Engineers	
B9-129-00-15 Rev B Figure 15	Development Application – Material Change of Use Proposed Development –Waste Utilisation Areas, prepared by RDC Engineers	13/04/20
B9-129-00-16 Rev B Figure 16	Development Application – Material Change of Use Proposed Development –Staging Plan – Stage 1, prepared by RDC Engineers	13/04/20
B9-129-00-17 Rev B Figure 17	Development Application – Material Change of Use Proposed Development – Staging Plan – Stage 1 and Stage 2, prepared by RDC Engineers	13/04/20
B9-129-00-31 Rev B Figure 31	Development Application – Material Change of Use- Regional Ecosystem Overlay prepared by RDC Engineers	13/04/20
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- 2 Comply with all of the conditions of this Development Approval prior to the commencement of the use, unless otherwise stated within this Decision Notice, and maintain compliance for the duration of the approved use.
- 3 Exercise the approval and complete all associated works, including any relocation or installation of services, at no cost to Council.
- 4 Alterations to public utilities, mains and services made necessary in connection with any of the works arising from this approval including works to restore and reinstate all roads are to be completed at no cost to Council.

Approved Use

- 5** The approved use of the premises is for an expansion of beef cattle feedlot 2000scu's to 4000scu's defined as an "Intensive animal industry – means the use of "Premises", including buildings, structures, pens, storage areas and effluent treatment areas, for commercial or other non-domestic activities involving the breeding, keeping, or depasturing of animals where the animals:
- (a) are reliant on prepared or manufactured feed for production purposes; and/or
 - (b) are temporarily held pending transportation or marketing.

The term includes the use of premises for purposes such as: (4) "Lot Feeding".

Flood evacuation

- 6** Applicant is to ensure that an evacuation route remains passable to the north in the event of flooding.
- 7** Sufficient flood warning time is to be provided to people to progressively evacuate through the evacuation route.

Road and access

- 8** Access for the proposed expansion is to be via the existing property access. This access is to be maintained to a standard which will allow access to the use for emergency vehicles.

Vehicle Parking and Manoeuvring Areas

- 9** No vehicle storage or parking is permitted on the adjoining road reserve.

Stormwater Drainage

- 10** All stormwater infrastructure must be designed and constructed, prior to the commencement of use, as per the requirements of the Stormwater Management Plan.
- 11** The stormwater drainage system serving the site is to be designed so that the development will not make material changes to the pre-development location, duration, frequency or concentration of overland stormwater flow at the point of discharge to all downstream properties including road reserves.
- 12** Stormwater formerly flowing onto the site must not be diverted onto other properties.

- 13** All stormwater being discharged from the site is to meet the requirements of the Capricorn Municipal Development Guidelines and the Queensland Water Quality Guidelines 2009.
- (a) Except as approved on the Environmental Authority, contaminated water must not be directly or indirectly released from the premises onto the ground or into the groundwater at the premises.
 - (b) Releases to stormwater must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible grease, scum, litter or floating oil.

Setbacks

- 14** All “Buildings” and “Structures” maintain a minimum 50 metre separation distance to a ridgeline or escarpment.
- 15** Buildings” and “Structures” have a setback of not less than 20 metres from any road frontage.
- 16** Solid waste utilisation area is setback a minimum of 25 metres from the subject land boundary, which includes the mapped stock route, mapped unnamed waterway/drainage feature and Category A or B area containing of concern regional ecosystem (as noted on Figures 15, Drawing B9-129-00-15, Rev B, Waste Utilisation Areas and Figure 31, Drawing B9-129-00-31 Rev. B).
- 17** Effluent utilisation area is setback a minimum 50 metres from unmapped drainage lines (noted on Figure 15 Drawing B9-129-00-15, Rev B, Waste Utilisation Areas).
- 18** Development, including solid waste and effluent utilisation areas, is setback 100 metres from the Dawson River and Category A or B area that is a least concern regional ecosystem along the River (noted on Figure 15 Drawing B9-129-00-15, Rev B, Waste Utilisation Areas and Figure 31, Drawing B9-129-00-31 Rev. B).

Rehabilitation

- 19** Within six (6) months of the cessation of the operational activities applied for under the combined development application, all land that has been disturbed as a result of these activities must be rehabilitated in a manner that:
- (a) Utilises suitable and agreed species of vegetation for a rural land use which are established and sustained in stabilising earthen surfaces; and
 - (b) The final landform is stable, designed to minimise erosion and protects public safety.
- 20** Any balance effluent from the ponds is to be removed at decommissioning as per Environmental Authority, Permit number 2020-06.

- 21** Within twelve (12) months of the cessation of operations, a Site Condition Report must be submitted to Council detailing rehabilitation works and remediation measures carried out.

Amenity

- 22** The premises must be maintained in a safe and tidy manner at all times.

Waste Management

- 23** Waste must not be burned at the premises

Section 2 – Development Permit - Operational works – Earthworks

Design Plans

- 1** The proposed development must generally comply with:
 - (a) the approved plan(s), unless otherwise specified by any condition of this approval;
 - (b) the relevant conditions of any higher order approvals to which this approval relates; and
 - (c) all relevant Council Planning Scheme Policies, standard drawings, standard specifications and guidelines.
- 2** This approval is issued on the understanding that the design complies with the Capricorn Municipal Development Guidelines, Council's planning scheme and with all conditions of associated relevant decision notices.
- 3** It is a condition of this permit that any errors in the design are the responsibility of the Consulting Engineer, and that any rectification which may be required at due to these errors are to be completed with no cost to Council.

Insurance and Indemnity

- 4** From the commencement of works until Final Completion, the works must be insured against public liability (\$10 million dollar minimum cover) and other claims arising from the works, and Council must be indemnified against liability. Council must be included as an interested party on the insurance policy. Evidence of the insurance and indemnification are to be submitted to Council before commencing the works.

Pre-start Requirements

- 5** Contact must be made with 'Dial Before You Dig' before construction commences in order to determine the location of any underground service utilises in the construction area. Care must be taken to avoid damage to service utilities identified. Any damage to these services must be repaired at no cost to Council.

Inspections

- 6** Inspections are required for any works completed on the Council Road network of the area in accordance with the Capricorn Municipal Development Guidelines. The following inspections are required, and must be witnessed by Council Officer(s), as part of this approval:

- (a) All works prior to becoming 'Finally Complete'.

The Council Officer(s) inspecting the site must be allowed to conduct other regular site inspections, subject to normal WH&S requirements, in order to monitor development progress and general compliance with the Operational Works approval.

Final Completion

- 7 Notification to be provided to the Banana Shire Council once all works have been completed.

General

- 8 Any damage that occurs to Council assets that occurs as a result of the development works and creates a hazard that presents risk to person or property is to be repaired immediately, at no cost to Council. Any other damage to Council assets must be repaired prior to completion of the works.
- 9 Should construction be abandoned before the full completion of the works, as per the approved plans, remediation of the site is to be completed at no cost to Council.
- 10 Any infrastructure, associated with the proposed facility entrance, constructed within the Tarana Crossing Road reserve is to be maintained at no cost to Council.

Stormwater

- 11 Stormwater Management shall be undertaken in accordance with the Stormwater Management Plan prepared by RDC Engineers.

Erosion and Sediment Control

- 12 A Detailed Erosion and Sediment Management Plan shall be provided to Council for approval in accordance with development guidelines. This Plan must comply with the Capricorn Municipal Development Guidelines.
- 13 During construction, the Developer is to undertake sedimentation and erosion control management as per the approved Erosion and Sediment Management Plan.

Vegetation Clearing

- 14 The applicant shall receive permission from the DNRME for any clearing that may be required as part of this application not contained within three (3) metres of an existing road formation.
- 15 All tree and vegetation removal works must be undertaken by a qualified person.

Cultural Heritage

- 16 During the construction phase of this development suitable cultural heritage conservation measures are to be put in place so as to comply with the requirements of the *Aboriginal Cultural Heritage Act 2003*, the *Torres Strait Islander Cultural Heritage Act 2003* and the *Queensland Heritage Act 1992*.

END OF CONDITIONS

COM001-19/20 Attachment 1

Part B – Assessment Manager Notes

- A** The approved development must also comply with Council's current Local Laws under the *Local Government Act 2009*.
- B** Failure to ensure ongoing compliance with the conditions of this Development Approval including conditions relating to the ongoing use of the premise, and the design and layout of the development may constitute an offence under the *Planning Act 2016*.
- C** The applicant is responsible for ensuring Queensland Fire Services requirements are met with respect to this development which may include but not be limited to the installation/upgrade of holding tanks or pumps as necessary to meet flow and pressure requirements.
- D** Where further development is proposed it is the applicant's / developer's responsibility to ensure further approvals are sought as required by the Banana Planning Scheme.
- E** In carrying out the activity or works associated with the development, all reasonable and practical measures are to be taken to minimise releases and the likelihood of releases of contaminants to the environment, except as otherwise provided by the conditions of this development approval.
- F** The applicant and or owner/s of the land and the person/s responsible for the management of the premise is/are to ensure ongoing compliance with conditions of this Development Permit including Conditions relating to the ongoing use of the premise, and the design and layout of the development.
- G** Pursuant to section 75 of the *Local Government Act 2009*, Council's written approval is required to carry out works on a road, or interfere with a road or its operation. This requirement applies to all Council-controlled roads within its local government area. The process for obtaining approval is set out in Council's *Local Law No. 1 (Administration) 2011*. Approval must be obtained prior to the commencement of the works.
- H** Please note the conditions dated 9 June 2020 imposed by the State Assessment and Referral Agency (SARA) as a concurrence agency and attached to this Decision Notice.

Engineering

- A** Operational works designs are to be in accordance with Capricorn Municipal Development Guidelines - CMDG Design Specifications and Standard Drawings (www.cmdg.com.au), unless otherwise stated in a condition of the Development Approval.
- B** All damage incurred to existing roads, services or street furniture as a result of the proposed development shall be repaired within a reasonable period at the developer's expense.
- C** All works required pursuant to these conditions shall be undertaken and completed in accordance with Council's Standards - Capricorn Municipal Development Guidelines (www.cmdg.com.au) at the Applicant's expense.
- D** Contact is to be made with "Dial Before You Dig" before construction of any of the work commences in order to determine the location of any underground services adjoining the premises. Any damage to any services are to be repaired at no cost to Council.

Cultural Heritage

- A** 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.

Declared Pests/Plants

- A** A landowner has an obligation to take reasonable steps to keep their land free of invasive plants and animals in accordance with the *Biosecurity Act 2014*. Consideration should be given to appropriate treating of invasive plants, where necessary, in the construction and operational phases of the proposed development to meet the obligations under this Act.

Mosquito breeding

- A** The site is required to be appropriately drained so that water is not allowed to accumulate or pond in a manner that may allow mosquito breeding, as required under the *Public Health Regulation 2005*.

General

- A** The *Environmental Protection Act 1994* lists obligations and duties to prevent environmental harm, nuisances and contamination. The two primary duties that apply to everyone in Queensland are:

general environmental duty – which means a person must not carry out any activity that causes or is likely to cause environmental harm, unless measures to prevent or minimise the harm have been taken; and

duty to notify of environmental harm – to inform the administering authority and landowner or occupier when an incident has occurred that may have caused or threatens serious or material environmental harm.

- B** It is an offence under Section 440 of the *Environmental Protection Act 1994* to cause environmental nuisance. Environmental nuisance includes unreasonable interference caused by noise, dust, fumes, odour, smoke, aerosols, particles or light.

Noise

- A** Activities must be managed such that noise emissions from the premises do not cause harm or nuisance to adjoining residents and comply with the requirements of the *Environmental Protection Act 1994*.

- B** Noise must not be emitted outside the hours specified below-

Source	Noise	Allowable Hours
Building work (Builders and owner-builders, including excavation. For home renovations or other uses refer to regulated devices)		6:30am and 6:30pm Monday to Saturday, excluding public holidays.
Regulated devices (eg mowers, power tools, compressors, leaf blowers, nail guns etc)		7:00am to 7:00pm Monday to Saturday 8:00am to 7:00pm Sundays and public holidays
Amplifier devices (other than indoor venues and open air events)		7am to 10pm Business days 8am to 6pm Other days

- C** All noise producing machinery and equipment (including air conditioners, compressors and cooling systems) should be fitted with noise attenuation features so that noise at a sensitive receptor does not exceed the levels indicated in Schedule 1 of the *Environmental Protection (Noise) Policy 2019*.

Air and Light

- A** Air and light emissions must be appropriately managed to prevent environmental nuisance beyond the boundaries of the property during all stages of the development including earthworks and construction.

Suitable dust suppression should be used and/or screens or barriers should be erected, where required during excavation and building works, to reduce the emission of dust or other such emissions from the site.

Water and Stormwater

- A** It is an offence under section 440ZG of the *Environmental Protection Act 1994* to:
- i. deposit a prescribed water contaminant in waters; or a roadside gutter or stormwater drain; or another place and in a way so that the contaminant could reasonably be expected to wash, blow, fall or otherwise move into waters, a roadside gutter or stormwater drainage; or
 - ii. release stormwater run-off into waters, a roadside gutter or stormwater drainage that results in the build-up of earth in waters, a roadside gutter or stormwater drainage.
- Prescribed water contaminants include but are not limited to: animal matter, including dead animals, animal remains and animal excreta, and water used to clean animals, animal enclosures or vehicles used for transporting animals.

Waste Management

- A** Trap Gully Landfill is the only approved waste facility within the Banana Shire for the disposal of commercial waste. No commercial waste is to be deposited at other Banana Shire landfills or transfer stations without prior written approval from Council.
- B** It is an offence under Section 113 of the *Environmental Protection Regulation 2019* to fail to comply with signage or directions at a waste facility.
- C** Council will not enter onto private property to service wheelie bins. Bins to be serviced by Council will be required to be placed at the kerbside for collection. For a property located outside the wheelie bin service area, a service may be provided by agreement pending an assessment of the suitability of the location.

Land

- A** The site is required to be appropriately drained, and equipment appropriately maintained so that water is not allowed to accumulate or pond in a manner that may allow mosquito breeding, as required under the *Public Health Regulation 2018*.

Water

- A** During construction, stockpiles and areas of bare soil or earth that are likely to become eroded must be adequately protected – by upslope surface water diversion, downslope sediment fencing and/or temporary surface coverings.
- B** Development shall comply with the applicable requirements of the *Environmental Protection (Water and Wetland Biodiversity) Policy 2019*.

Biosecurity

- A** Vehicles movement during construction must be managed to prevent the spread of invasive plants. All vehicles used in weed infested areas must either be contained or cleaned to prevent the spread of invasive plant material. Numerous washdown facilities are available within the Shire to help remove weed seeds, soil and other foreign matter from vehicles and machines, and Council staff are available to conduct vehicle inspections.
- B** Section 23 of the *Biosecurity Act 2014* outlines the General Biosecurity Obligation. All landowners have a General Biosecurity Obligation (GBO) for managing biosecurity risks that are under their control and that they know about or should reasonably be expected to know about. All individuals and organisations whose activities pose or is likely to pose a biosecurity risk must:
 - i. take all reasonable and practical measures to prevent or minimise the biosecurity risk
 - ii. minimise the likelihood of causing a biosecurity event and limit the consequences if such an event occurs
 - iii. prevent or minimise the harmful effects a biosecurity risk could have
 - iv. not do anything that might make any harmful effects of a biosecurity risk worse

A biosecurity risk exists when you deal with any pest, disease, weed or contaminant. This includes moving an animal, plant, turf, soil, machinery and/or equipment that could carry a pest, disease, weed or contaminant.

Regulated Vegetation

- A** The *Vegetation Management Act 1999* regulates the clearing of vegetation in Queensland. No interference or clearing of vegetation is to be undertaken (unless the clearing is exempt, a development approval authorising the clearing has been obtained or the clearing is authorised in accordance with a code). Contact the Department of Natural Resources, Mines and Energy should you require any further information on these matters.

Construction Environmental Management Plan

- A** A guidance document titled 'Requirements for Construction Environmental Management Plan' has been included to assist applicants with the preparation of their Construction Environmental Management Plan (CEMP). It is not intended as a comprehensive list of all Environmental and Cultural Heritage considerations relating to your proposal. A risk-based assessment should be undertaken to determine the appropriate elements to be included in your CEMP.

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*Part C - Conditions imposed by the Department of State Development,
Manufacturing, Infrastructure and Planning*

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*Part C - Conditions imposed by the Department of Agriculture and
Fisheries*

Attachment 2

Planning Act 2016 Extract on Appeal Rights

Part 1 Appeal rights

229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The appeal period is—
 - (a) For an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) For an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person. Note— See the P&E Court Act for the court's power to extend the appeal period.
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) The cost of infrastructure decided using the method included in the local government's charges resolution.

Attachment 3
Approved Drawings
