

File: 17/59W
Date: 26 April 2019

Cameron Pastoral Company Pty Ltd
C/- Premise Agriculture
PO Box 2175
TOOWOOMBA QLD 4350

Attention: Mr Matt Norton

Dear Mr Norton

**Decision Notice – approval (with conditions)
Material Change of Use
Calnbrook Road, Lundavra**

We wish to advise that on 24 April 2019 a decision was made to approve the material change of use development application for “*Rural activities*” – “*Intensive animal industry*” (Expansion to piggery – from 59,824SPU to 76,820SPU) at:

- Lot 13 on CVN282;
- Lot 14 on CVN281;
- Lot 16 on CVN282;
- Lot 8 on CVN282; and
- Lot 9 on CVN282, Calnbrook Road, Lundavra.

In accordance with the *Planning Act 2016*, please find attached Council’s Decision Notice for the application.

Please read the conditions carefully as these include actions which must be undertaken **prior to the commencement of the use** as well as requirements for the ongoing operation of the use.

All conditions are required to be either complied with or bonded prior to the commencement of the use. Please note **Condition 33**, which requires a letter to be submitted to Council prior to commencement of the use, outlining and demonstrating compliance with each condition.

The applicant is required to **notify Council in writing of the date of the commencement** of the use, within fourteen (14) business days of commencement.

If you require any further information, please contact Council's Manager of Planning Services, Mrs Ronnie McMahon, on (07) 4671 7400 or rmcmahon@grc.qld.gov.au, who will be pleased to assist.

Yours faithfully

A handwritten signature in dark ink, appearing to read 'Carl Manton', with a long horizontal flourish extending to the right.

Carl Manton
Chief Executive Officer
Goondiwindi Regional Council

Decision Notice approval

Planning Act 2016 section 63

Council File Reference: 17/59W
Council Contact: Mrs Ronnie McMahon: JMW
Council Contact Phone: (07) 4671 7400

26 April 2019

Applicant Details: Cameron Pastoral Company Pty Ltd
C/- Premise Agriculture
PO Box 2175
TOOWOOMBA QLD 4350

Attention: Mr Matt Norton

The development application described below was properly made to Goondiwindi Regional Council on 22 March 2019.

Applicant details

Applicant name: Cameron Pastoral Company Pty Ltd
C/- Premise Agriculture
Mr Matt Norton

Applicant contact details: PO Box 2175, Toowoomba, QLD, 4350
Matt.norton@premise.com.au
0439 536 646

Application details

Application number: 17/59W

Approval sought: Development Permit

Details of proposed development: *"Rural activities" – "Intensive animal industry"* (Expansion to piggery – from 59,824SPU to 76,820SPU)

Location details

Street address: Calbrook Road, Lundavra

Real property description: Lot 13 on CVN282;
Lot 14 on CVN281;
Lot 16 on CVN282;
Lot 8 on CVN282; and
Lot 9 on CVN282

Decision

Date of decision:	24 April 2019
Decision details:	Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence agency imposed them.

Details of the approval

Development permit	Material Change of Use
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Conditions

This approval is subject to the conditions in Attachment 1.

Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

1. Approval for building work under the *Building Act 1975*.

Properly made submissions

There were no properly made submissions for this application.

Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions 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*).

A copy of the relevant appeal provisions are attached.

Currency period for the approval

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

- [For material change of use] This approval lapses if the first change of use does not happen within **six (6) years**.

Environmental authority

Environmental authority permit number 2019-05 was issued by the Department of Agriculture and Fisheries.

Approved plans and specifications

Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Aspect of development: [material change of use]				
Cadastral Plan	Premise Agriculture	24/01/19	17TOO-8520 FIG02	Rev B
Property Aerial Plan	Premise Agriculture	24/01/19	17TOO-8520 FIG03	Rev B
Sensitive Receptors Plan	Premise Agriculture	24/01/19	17TOO-8520 FIG04	Rev B
Lapunyah Site Layout	Premise Agriculture	08/02/18	17TOO-8520 FIG10	Rev B
Wilga Ridge Site Layout	Premise Agriculture	12/02/18	17TOO-8520 FIG11	Rev B
Limebush Site Layout	Premise Agriculture	28/02/19	17TOO-8520 FIG12	Rev D
Quarantine Site Layout	Premise Agriculture	08/02/18	17TOO-8520 FIG13	Rev B
Traffic Route Plan	Premise Agriculture	24/01/19	17TOO FIG18	Rev B
Cameron Pastoral Company Pty Ltd Lapunyah Proposed Dry Sow Shed 1 – 440 sows	Mundigo		Dry Sow 1	
Cameron Pastoral Company Pty Ltd Lapunyah Proposed Dry Sow Shed 2 – 1032 sows	Mundigo		Dry Sow 2	
Layout and Elevations for Natural Ventilated Grower Shed Limebush	Mundigo	14/7/16	CAM-5-01	
Layout and Elevations for Natural Ventilated Grower Shed Limebush	Mundigo	14/7/16	CAM-5-01	
Farrowing Building – Elevations	BETCO Inc	16/8/2010	S1 of 6	
Wilga Ridge Office and Smoko Area	Cameron Pastoral Company Pty Ltd			

Jackson Shed	Cameron Pastoral Company Pty Ltd			
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Attachment 4 is a Notice about decision - Statement of reasons, in accordance with section 63 (5) of the *Planning Act 2016*.

Attachment 5 is an extract from the *Planning Act 2016*, which details the applicant's appeal rights regarding this decision

If you wish to discuss this matter further, please contact Council's Manager of Planning Services, Mrs Ronnie McMahon, on 07 4671 7400.

Yours Sincerely



Carl Manton
Chief Executive Officer
Goondiwindi Regional Council

enc Attachment 1—Assessment manager and concurrence agency conditions
Attachment 2—Approved Plans
Attachment 3—Infrastructure Charges Notice
Attachment 4—Notice about decision – Statement of reasons
Attachment 5—*Planning Act 2016* Extracts



ATTACHMENTS

Attachment 1 – Assessment Manager’s Conditions and Referral Agency Response

Part 1 – Assessment Manager’s Conditions

*Part 2 – Department of State Development, Manufacturing, Infrastructure and Planning
Concurrence Agency Response.*

Attachment 2 – Approved Plans

Attachment 3 – Infrastructure Charges Notice

Attachment 4 – Notice about decision - Statement of reasons

Attachment 5 – Planning Act 2016 Extracts

Planning Act 2016 appeal provisions

Planning Act 2016 lapse dates



Attachment 1 – Assessment Manager's Conditions



Assessment Manager's Conditions

Proposed Use:	<i>"Rural activities"</i> <ul style="list-style-type: none"> <i>"Intensive animal industry"</i> (Expansion to piggery – from 59,824SPU to 76,820SPU)
Development:	Material Change of Use – Development Permit
Applicant:	Cameron Pastoral Company Pty Ltd C/- Premise Agriculture
Address:	Calbrook Road, Lundavra
Real Property Description:	Lot 13 on CVN282; Lot 14 on CVN281; Lot 16 on CVN282; Lot 8 on CVN282; and Lot 9 on CVN282
Council File Reference:	17/59W

GENERAL CONDITIONS																				
1.	Approval is granted for the purpose of a Material Change of Use for: <ul style="list-style-type: none"> <i>"Rural activities" – "Intensive animal industry"</i> (Expansion to piggery – from 59,824SPU to 76,820SPU) as defined in the <i>2006 Planning Scheme for the former Waggamba Shire Council</i> .																			
2.	All conditions must be complied with or bonded prior to the commencement of the use, unless specified in an individual condition.																			
3.	Except where changed by conditions of this approval, the development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans: <table border="1"> <thead> <tr> <th>Drawing Number</th><th>Title</th><th>Date</th></tr> </thead> <tbody> <tr> <td>17TOO-8520 FIG02, Rev B</td><td>Cadastral Plan</td><td>24/01/19</td></tr> <tr> <td>17TOO-8520 FIG03, Rev B</td><td>Property Aerial Plan</td><td>24/01/19</td></tr> <tr> <td>17TOO-8520 FIG04, Rev B</td><td>Sensitive Receptors Plan</td><td>24/01/19</td></tr> <tr> <td>17TOO-8520 FIG10, Rev B</td><td>Lapunyah Site Layout</td><td>08/02/18</td></tr> <tr> <td>17TOO-8520 FIG11, Rev B</td><td>Wilga Ridge Site Layout</td><td>12/02/18</td></tr> </tbody> </table>		Drawing Number	Title	Date	17TOO-8520 FIG02, Rev B	Cadastral Plan	24/01/19	17TOO-8520 FIG03, Rev B	Property Aerial Plan	24/01/19	17TOO-8520 FIG04, Rev B	Sensitive Receptors Plan	24/01/19	17TOO-8520 FIG10, Rev B	Lapunyah Site Layout	08/02/18	17TOO-8520 FIG11, Rev B	Wilga Ridge Site Layout	12/02/18
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17TOO-8520 FIG13, Rev B	Quarantine Site Layout	08/02/18
17TOO FIG18, Rev B	Traffic Route Plan	24/01/19
Dry Sow 1	Cameron Pastoral Company Pty Ltd Lapunyah Proposed Dry Sow Shed 1 – 440 sows	
Dry Sow 2	Cameron Pastoral Company Pty Ltd Lapunyah Proposed Dry Sow Shed 2 – 1032 sows	
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CAM-5-01	Layout and Elevations for Natural Ventilated Grower Shed Limebush	14/7/16
S1 of 6	Farrowing Building – Elevations	16/8/2010
	Wilga Ridge Office and Smoko Area	
	Jackson Shed	
Please note these plans are not approved Building Plans.		

4.	<p>Complete and maintain the approved development as follows:</p> <ul style="list-style-type: none"> (i) Generally in accordance with development approval documents; and (ii) Strictly in accordance with those parts of the approved development which have been specified in detail by Council unless Council agrees in writing that those parts will be adequately complied with by amended specifications. <p>All development shall comply with any relevant provisions in the <i>2006 Planning Scheme for the former Waggamba Shire Council</i>, Council's standard designs for applicable work and any relevant Australian Standard that applies to that type of work.</p> <p>The development approval documents are the material contained in the development application, approved plans and supporting documentation including any written and electronic correspondence between applicant, Council or any relevant Agencies during all stages of the development application assessment processes.</p>
5.	The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite.
6.	It is the responsibility of the developer to ensure that all requirements, legislative or otherwise, relating to this development have been carried out lawfully prior to the commencement of the use.
7.	All proposed new buildings or structures associated with the piggery development or as constructed structures not approved will require building approval under the provisions of the <i>Queensland Building Act 1975</i> , the <i>Queensland Development Code Part 3.7</i> (Farm buildings) and the <i>National Construction Code 2016 or 2019</i> if applications lodged after 1 May 2019. All such approvals are required to be issued by an accredited certifier.
OPERATION OF THE USE	
8.	Operating hours shall be generally in accordance with the supporting information supplied with the application.
9.	Loading and unloading shall be undertaken generally in accordance with the supporting information supplied with the application.
PUBLIC UTILITIES	
10.	Connection to a suitable electricity supply shall be retained to the lots, at no cost to Council.
ESSENTIAL SERVICES	
11.	<p>The site shall obtain a supply of water, of a volume and quality appropriate for piggery purposes, including adequate supply for firefighting purposes, in accordance with relevant engineering standards to the satisfaction of Council.</p> <p>The site shall be connected to and maintain a potable water supply with a sufficient volume for domestic use.</p>

12.	The site shall remain connected to existing onsite effluent disposal sewerage systems in accordance with the <i>Queensland Plumbing and Wastewater Code</i> , to the satisfaction of and at no cost to Council. All sewer infrastructure (including effluent disposal areas) shall remain fully located within site boundaries, to the satisfaction of and at no cost to Council.
ROADS AND VEHICLES	
13.	<p>The site access, from the edge of the existing bitumen to the property boundary, shall be maintained in accordance with Schedule 1, Division 2: Standards for Roads, Carparking Manoeuvring Areas and Access of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i>, to the satisfaction of and at no cost to Council.</p> <p>The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite.</p> <p>A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p>
14.	<p>An access easement must be provided over Lot 10 on CVN412, as described in Figure 3 of the planning report, to provide legal access to Lot 8 on CVN282, Lot 9 on CVN282, Lot 16 on CVN282 and Lot 13 on CVN282.</p> <p>The developer is required to lodge a Reconfiguring a Lot development application to Goondiwindi Regional Council for the proposed access easement. The survey plans are to be registered and the easement created prior to the commencement of the use of the piggery.</p>
STORMWATER	
15.	<p>Prior to the commencement of the use and at all times while the use continues, the site shall be adequately drained and all stormwater shall be disposed of to a legal discharge point in accordance with Schedule 1, Division 5: Standards for Stormwater Drainage of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i>, to the satisfaction of and at no cost to Council.</p> <p>There shall be no change in direction or increase in the volume, concentration or velocity in any overland flow from the site to any adjoining properties unless agreed in writing by Council and the owners of any adjoining properties affected by these changes.</p> <p>The stormwater system shall be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of waterways.</p>
16.	<p>Stormwater shall not be allowed to pond on the site during the development process and after development has been completed unless the type and size of ponding has been agreed in writing by Council.</p> <p>No ponding, concentration or redirection of stormwater shall occur on adjoining properties unless specifically agreed to in writing by Council and the owners of any adjoining properties affected by these changes.</p>

	EARTHWORKS AND EROSION CONTROL
17.	<p>All works associated with the development must be carried out in a manner that minimises erosion and controls sediment. Best practice erosion and sediment control measures shall be in place at the location of all works prior to work commencing and remain until work is completed in accordance with Schedule 1, Division 1: Standards for Construction Activities of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i> to the satisfaction of and at no cost to Council.</p> <p>Control procedures are to be established to ensure sediment from the site is not deposited off site. The developer shall ensure no increase in any silt loads or contaminants in overland flow from the site during the development process and after development has been completed.</p>
18.	<p>Any filling or excavation shall be undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i> or to other relevant engineering standards to the satisfaction of and at no cost to Council.</p> <p>Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.</p>
	AVOIDING NUISANCE
19.	<p>At all times while the use continues, the development shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> (the Act) and all relevant regulations and standards under that Act. All necessary licences, permits and approvals under the Act and all regulatory provisions and legislation shall be obtained and shall be maintained at all times while the use continues.</p>
20.	<p>At all times while the use continues, lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.</p> <p>All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties, motorists or the operational safety of the surrounding road network.</p>
21.	<p>At all times while the use continues it shall be operated in such a manner as to ensure that no nuisance shall arise to adjoining premises as a result of dust, noise, lighting, odour, vibration, rubbish, contaminants, stormwater discharge or siltation or any other potentially detrimental impact.</p>
22.	<p>General municipal waste generated at the piggery is to be disposed of to an approved disposal site or alternatively removed from the site by a suitable waste contractor to an approved waste facility. The following waste products are excluded from any Council operated Waste Facility (medical waste (sharps), tyres, chemical containers (excluding drum muster containers) and any hazardous waste).</p>
23.	<p>The operator shall be responsible for mitigating any complaints arising from on-site operations.</p>

24.	<p>Construction works must occur so they do not cause unreasonable interference with the amenity of adjoining premises.</p> <p>During construction the site must be kept in a clean and tidy state at all times.</p>
25.	<p>The ongoing operation of the development sites are to be operated in accordance with the Piggery Environmental Management Plan and Procedures Manual dated February 2017, prepared by FSA Consulting, report number 1700738. Should any amendments or updates be made to the plan or manual, a copy of the amendments are to be supplied to Council within fourteen (14) days of the amendments being made.</p>
26.	<p>A copy of the annual review report and logged complaints register is to be submitted to Goondiwindi Regional Council within twenty (20) working days of the report being finalised.</p>
DEVELOPER'S RESPONSIBILITIES	
27.	<p>Any alteration or damage to roads and/or public infrastructure that is attributable to the progress of works or vehicles associated with the development of the site shall be repaired to Council's satisfaction or the cost of repairs paid to Council.</p>
28.	<p>It is the developer's responsibility to ensure that any contractors and subcontractors have current, relevant and appropriate qualifications and insurances in place to carry out the works.</p>
29.	<p>The developer shall be responsible for meeting all costs reasonably associated with the approved development, unless there is specific agreement by other parties, including the Council, to meeting those costs.</p>
30.	<p>At all times while the use continues, all requirements of the conditions of the development approval must be maintained.</p>
COMMENCEMENT OF USE	
31.	<p>At its discretion, Council may accept bonds or other securities to ensure completion of specified development approval conditions or Council may accept cash payments for Council to undertake the necessary work to ensure completion of specified development approval conditions.</p> <p>It may be necessary for Council to use such bonds for the completion of outstanding works without a specific timeframe agreed.</p>
32.	<p>Council must be notified in writing of the date of the commencement of the use within 14 days of commencement.</p> <p>This approval will lapse if the use has not commenced within six (6) years of the date the development approval takes effect, in accordance with the provisions contained in section 85 of the <i>Planning Act 2016</i>.</p> <p>Section 86 of the <i>Planning Act 2016</i> sets out how an extension to the period of approval can be requested.</p>

33.	A letter outlining and demonstrating that conditions have been, or will be, complied with shall be submitted to Council and approved by a relevant Officer of Council prior to commencement of the use at each relevant stage. Council Officers may require a physical inspection to confirm that all conditions have been satisfied to relevant standards.
PLEASE READ CAREFULLY - NOTES AND ADVICE	
	<p><i>When approval takes effect</i></p> <p>This approval takes effect in accordance with section 85 of the <i>Planning Act 2016</i>.</p> <p><i>When approval lapses</i></p> <p>This approval will lapse if the use has not commenced within six (6) years of the date the development approval takes effect.</p> <p>Section 86 of the <i>Planning Act 2016</i> sets out how an extension to the period of approval can be requested.</p>
	Infrastructure Charges as outlined in the Infrastructure Charges Notice included in Attachment 3 shall be paid prior to the commencement of the use.
	It is the applicant's responsibility to obtain all statutory approvals prior to commencement of any works onsite.
	This approval in no way removes the duty of care responsibility of the applicant under the <i>Aboriginal Cultural Heritage Act 2003</i> . Pursuant to Section 23(1) of the <i>Aboriginal Cultural Heritage Act 2003</i> , a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care").
	This approval in no way authorises the clearing of native vegetation protected under the <i>Vegetation Management Act 1999</i> .
	The approved development does not authorise any deviation from the applicable Australian Standards nor from the application of any laws, including laws covering work place health and safety.



Attachment 1 – Referral Agency Response

Part 2 – Department State Development, Manufacturing, Infrastructure and Planning – Concurrence Agency Response.



Our reference: 1801-3362 SRA
Your reference: 17/59w

2 April 2019

The Chief Executive Officer
Goondiwindi Regional Council
LMB 7
INGLEWOOD QLD 4387
Via email: mail@grc.qld.gov.au

Attention: Ronnie McMahon

Dear Ronnie

Referral agency response—with conditions

(Given under section 56 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) on 18 January 2018.

Applicant details

Applicant name: Cameron Pastoral Company Pty Ltd
c/- Premise

Applicant contact details: PO Box 2175
TOOWOOMBA QLD 4350
Via email: matt.norton@premise.com.au

Location details

Street address: Calnbrook Road, LUNDAVRA QLD 4390

Real property description: Lot 13 on CVN282
Lot 14 on CVN281
Lot 16 on CVN282
Lot 8 on CVN282
Lot 9 on CVN282

Local government area: Goondiwindi Regional Council

Application details

Development permit Material change of use for the expansion of the existing piggery from 59,824SPU to 76,820SPU and Environmentally Relevant Activity (ERA #3 – Pig Keeping > 8,000 SPU)

Referral triggers

The development application was referred to DSDMIP under the following provisions of the Planning Regulation 2017:

- 10.5.4.2.1 Environmentally relevant activities (only if ERA has not been devolved to a local government)
- 10.9.4.1.1.1 Infrastructure - state transport infrastructure

Conditions

Under section 56(1)(b)(i) of the *Planning Act 2016* (the Act), the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

DSDMIP must provide reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Approved plans and specifications

DSDMIP requires that the plans and specifications set out below and enclosed must be attached to any development approval.

Drawing/report title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: Material change of use for the expansion of the existing piggery from 59,824SPU to 76,820SPU				
EXPANSION OF LAPUNYAH, LIMBUSH AND WILGA RIDGE PIGGERIES, LAPUNYAH SITE LAYOUT	Premise	8 February 2018	17TOO-8520, FIG 10	Revision B
EXPANSION OF LAPUNYAH, LIMBUSH AND WILGA RIDGE PIGGERIES, WILGA RIDGE SITE LAYOUT	Premise	12 February 2018	17TOO-8520, FIG 11	Revision B
EXPANSION OF LAPUNYAH, LIMBUSH AND WILGA RIDGE PIGGERIES, LIMBUSH SITE LAYOUT	Premise	28 February 2019	17TOO-8520, FIG 12	Revision D
EXPANSION OF LAPUNYAH, LIMBUSH AND WILGA RIDGE PIGGERIES, QUARANTINE SITE LAYOUT	Premise	8 February 2018	17TOO-8520, FIG 13	Revision B
EXPANSION OF LAPUNYAH, LIMBUSH AND WILGA RIDGE PIGGERIES, PROPERTY PLAN	Premise	26 March 2019	17TOO-8520, FIG 03	Revision C

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

For further information please contact Brittany Hughes, Planning Officer, on (07) 4616 7332 or via email ToowoombaSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink that reads "B Plummer". The signature is written in a cursive, flowing style.

Bernadette Plummer
A/Manager (Planning)

cc Cameron Pastoral Company Pty Ltd, matt.norton@premise.com.au

enc Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Approved plans and specifications

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Material Change of Use – Expansion of the existing piggery from 59,824SPU to 76,820SPU		
10.5.4.2.1 ERA—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Agriculture and Fisheries to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:		
1.	<p>Development authorised under this approval for ERA 3 (3) Pig Keeping, keeping more than 8,000 standard pig units is limited to 76,820 standard pig units (SPU) and shown in the following approved plans:</p> <ul style="list-style-type: none"> (a) EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES, LAPUNYAH SITE LAYOUT, Prepared by Premise, Job code 17TOO-8520, FIG 10, Revision B, dated 8 February 2018 (b) EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES, WILGA RIDGE SITE LAYOUT, Prepared by Premise, Job code 17TOO-8520, FIG 11, 12 February 2018 (c) EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES, LIMEBUSH SITE LAYOUT, Prepared by Premise, Job code 17TOO-8520, FIG 12, Revision D, 28 February 2018 (d) EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES, QUARANTINE SITE LAYOUT, Prepared by Premise, Job code 17TOO-8520, FIG 13, Revision B, dated 8 February 2018 (e) EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES, PROPERTY PLAN, Prepared by Premise, Job code 17TOO-8520, FIG 03, Revision C, dated 26 March 2019 	At all times.

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- to ensure the development is carried out in the location and to the extent specified on the plans of development submitted with the application.

Department of State Development, Manufacturing, Infrastructure and Planning

Statement of reasons for application 1801-3362 SRA

(Given under section 56 of the *Planning Act 2016*)

Departmental role: Referral agency

Applicant details

Applicant name: Cameron Pastoral Company Pty Ltd
c/- Premise

Applicant contact details: PO Box 2175
TOOWOOMBA QLD 4350
Via email: matt.norton@premise.com.au

Location details

Street address: Calnbrook Road, LUNDAVRA QLD 4390

Real property description: Lot 13 on CVN282
Lot 14 on CVN281
Lot 16 on CVN282
Lot 8 on CVN282
Lot 9 on CVN282

Local government area: Goondiwindi Regional Council

Development details

Development permit: Material change of use for Expansion of the existing piggery from 59,824SPU to 76,820SPU and Environmentally Relevant Activity (ERA #3 – Pig Keeping > 8,000 SPU)

Assessment matters

Aspect of development requiring code assessment	State Development Assessment Provisions (SDAP), version 2.4, applicable code:
1. Material change of use	<ul style="list-style-type: none"> State code 6: Protection of state transport networks State code 22: Environmentally relevant activities

Reasons for DSDMIP's response:

The reasons for the decision are that the proposed development:

- does not warrant any upgrades to the state-controlled road (SCR) network, particularly intersection works
- will not result in significant drainage impacts on the SCR
- does not impact any planned SCR upgrades
- complies with state code 6.

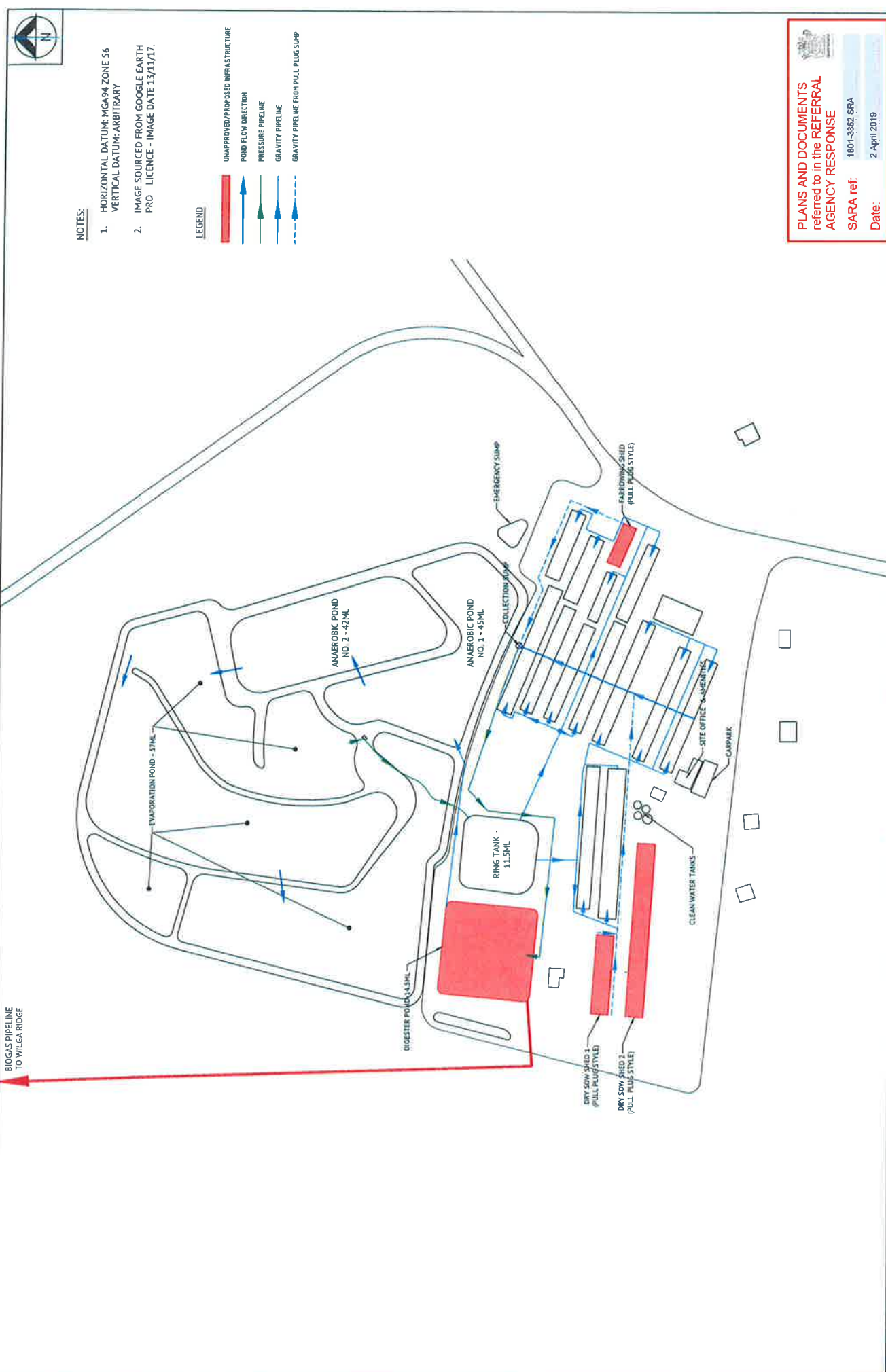
- is suitably located and designed to avoid or mitigate environmental harm to the acoustic environment, air environment and odour.
- complies with state code 22 where conditioned.

Response:

- Referral agency response—approved with conditions
- Response issued 2 April 2019.

Relevant Material:

- SDAP published by DSDMIP
- Technical agency response
- *Transport Infrastructure Act 2009*
- *Planning Act 2016*
- Planning Regulation 2017
- Development Application (DA) Rules.
- Application documents including further issues reports and amended DA report (dated 13 March 2019)
- Planning for Noise Control guideline
- Piggery assessment spreadsheet
- National Environmental Guidelines for Indoor Piggeries NEGIP (May 2018)
- Department of Agriculture and Fisheries onsite noise and dust monitoring
- Environmental Protection (Noise) Policy 2008
- Peer review by MWA Environmental
- QLD Globe mapping tool
- DA and State Planning Policy mapping tools



PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 1801-3382 SRA
Date: 2 April 2019

<p>TOOWOOMBA OFFICE LEVEL 2, UNIT 2 128 MARGARET ST TOOWOOMBA, QLD 4350 PH: (07) 4632 8230 WEB: www.premise.com.au</p>		<p>CLIENT CAMERON PASTORAL COMPANY</p>	<p>PROJECT EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES</p>	<p>LOCATION 238 LIENASSIE ROAD, LUNDAYRA QLD 4390</p>	<p>SHEET no. LAPUNYAH SITE LAYOUT</p>
<p>DATE 30/12/17</p> <p>SCALE 1:500 (A1)</p>		<p>FIG10 B</p>			



RECEIVED FOR INFORMATION - PIGGERIES & RING TANK & ANEROBIC WASTE TANK PLAN
DATE: 11/1/2019

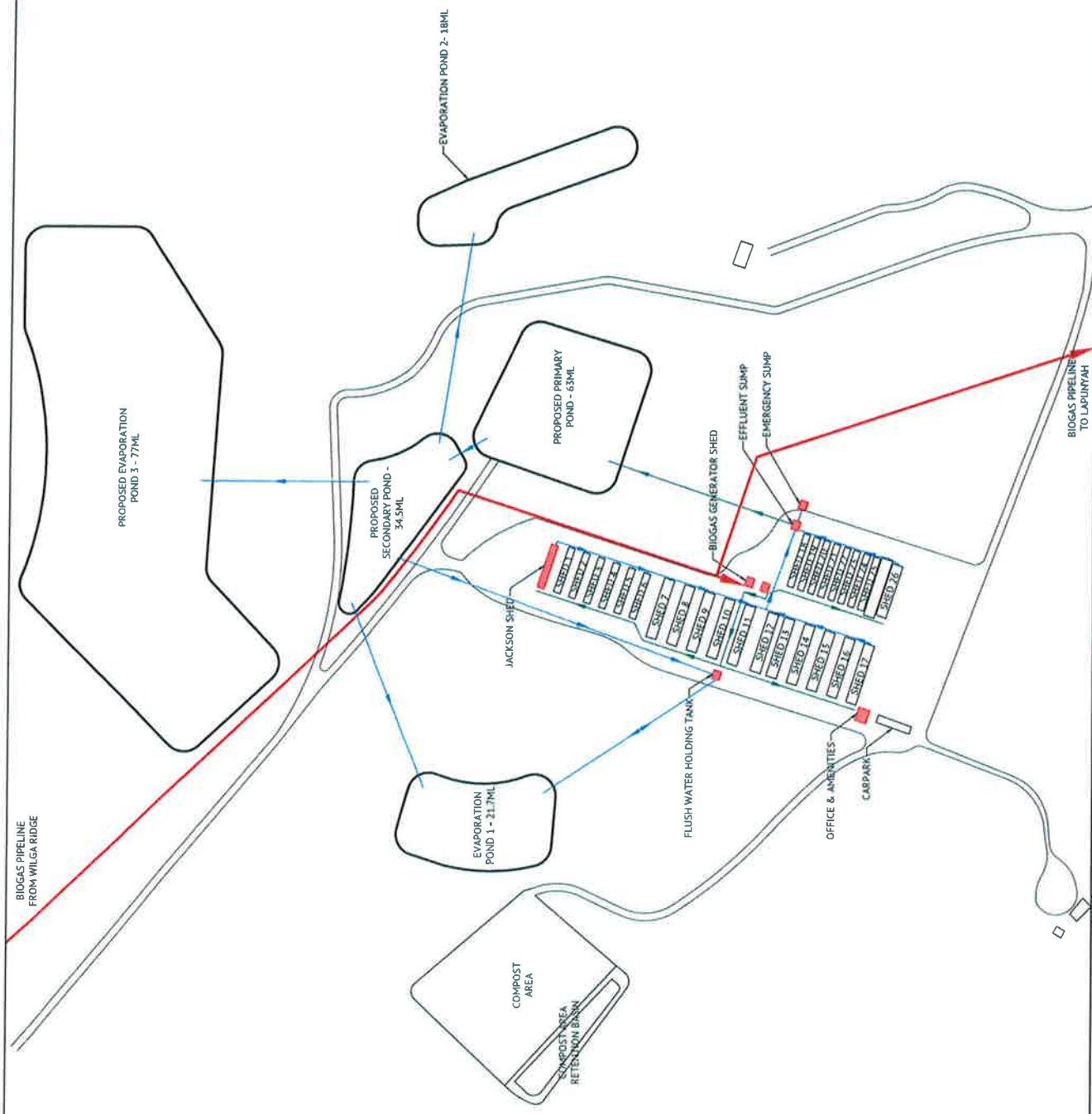


NOTES:

1. HORIZONTAL DATUM: MGA94 ZONE 56
VERTICAL DATUM: ARBITRARY
2. IMAGE SOURCED FROM GOOGLE EARTH
PRO LICENCE - IMAGE DATE 13/11/17.

LEGEND

- UNAPPROVED/PROPOSED INFRASTRUCTURE
- PROPOSED PONDS
- POND FLOW DIRECTION
- PRESSURE PIPELINE
- GRAVITY PIPELINE



PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 1801-3362 SRA

Date: 2 April 2019

PROJECT		CAMERON PASTORAL COMPANY		17T00-8520	
EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES		238 LIENASSIE ROAD, LUNDAYRA QLD 4390		FIG11 B	
SHEET NUMBER		SHEET TOTAL		SHEET TOTAL	
1		1		1	
DATE		DATE		DATE	
30/11/17		30/11/17		30/11/17	
PROJECT MANAGER		PROJECT MANAGER		PROJECT MANAGER	
PROJECT DIRECTOR		PROJECT DIRECTOR		PROJECT DIRECTOR	
DATE		DATE		DATE	
30/11/17		30/11/17		30/11/17	
SCALE		SCALE		SCALE	
1:2000		1:2000		1:2000	
TOOWOOMBA OFFICE		TOOWOOMBA OFFICE		TOOWOOMBA OFFICE	
LEVEL 2, UNIT 2		LEVEL 2, UNIT 2		LEVEL 2, UNIT 2	
128 MARGARET ST		128 MARGARET ST		128 MARGARET ST	
TOOWOOMBA QLD 4350		TOOWOOMBA QLD 4350		TOOWOOMBA QLD 4350	
PH: (07) 4632 8330		PH: (07) 4632 8330		PH: (07) 4632 8330	
WEB: www.premise.com.au		WEB: www.premise.com.au		WEB: www.premise.com.au	
Premise		Premise		Premise	
PREPARED BY		PREPARED BY		PREPARED BY	
17T00-8520		17T00-8520		17T00-8520	
DATE		DATE		DATE	
30/11/17		30/11/17		30/11/17	
DRAWN BY		DRAWN BY		DRAWN BY	
17T00-8520		17T00-8520		17T00-8520	
DATE		DATE		DATE	
30/11/17		30/11/17		30/11/17	
CHECKED BY		CHECKED BY		CHECKED BY	
17T00-8520		17T00-8520		17T00-8520	
DATE		DATE		DATE	
30/11/17		30/11/17		30/11/17	
APPROVED BY		APPROVED BY		APPROVED BY	
17T00-8520		17T00-8520		17T00-8520	
DATE		DATE		DATE	
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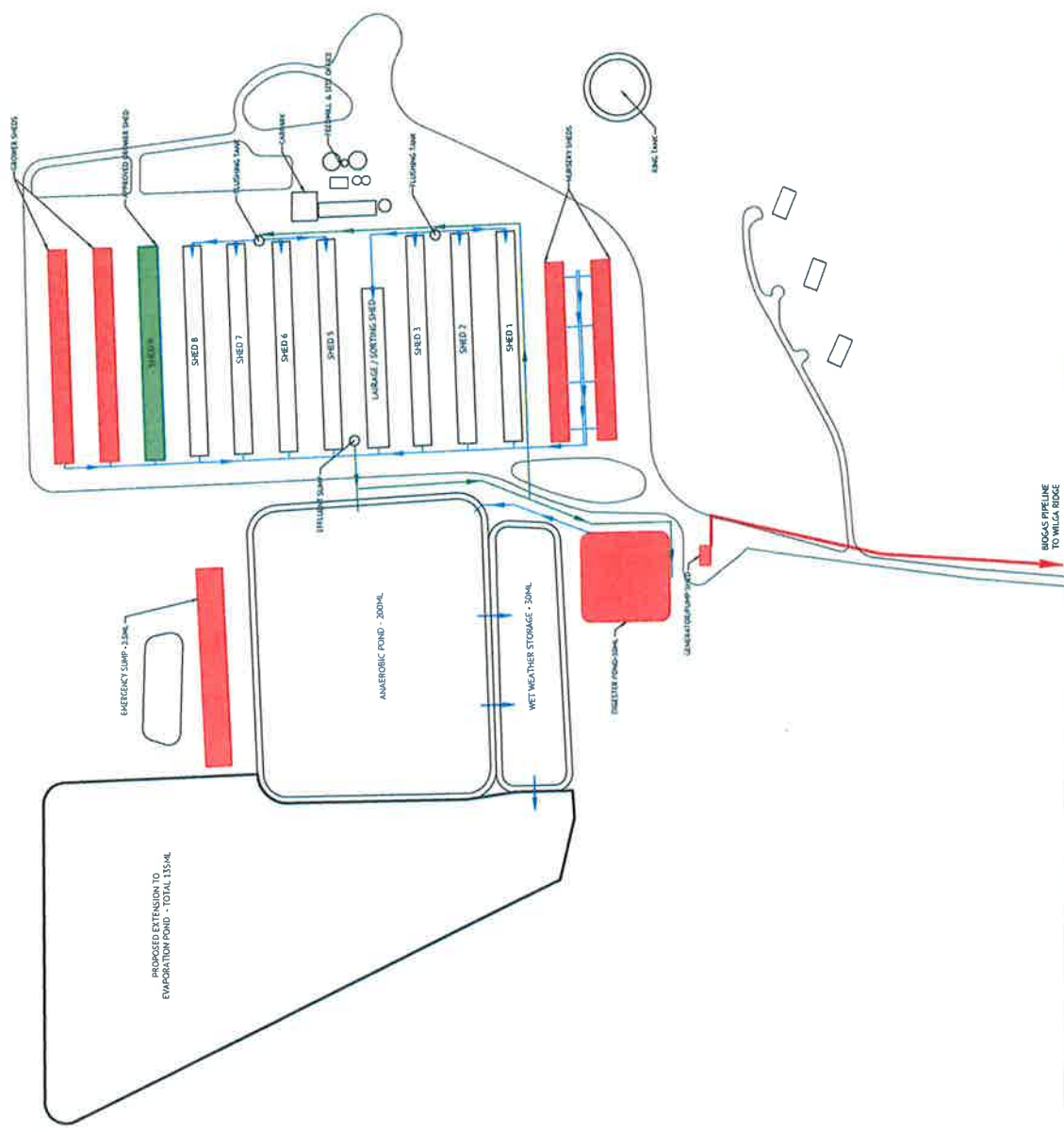


NOTES:

1. HORIZONTAL DATUM: MGA94 ZONE 56
VERTICAL DATUM: ARBITRARY
2. IMAGE SOURCED FROM GOOGLE EARTH
PRO LICENCE - IMAGE DATE 13/11/17.

LEGEND

- UNAPPROVED/PROPOSED INFRASTRUCTURE
- APPROVED INFRASTRUCTURE
- POND FLOW DIRECTION
- PRESSURE PIPELINE
- GRAVITY PIPELINE



PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

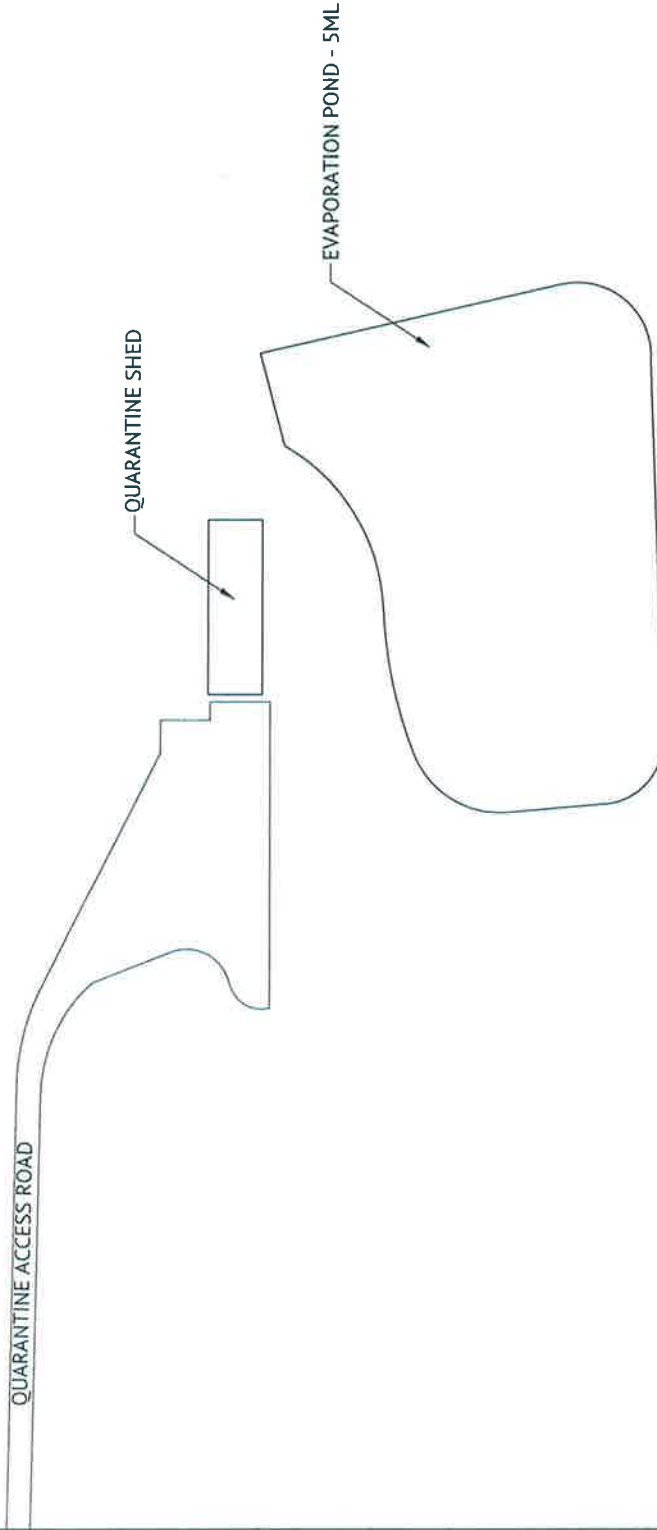
SARA ref: 1801-3362 SRA
Date: 2 April 2019

TOOWOOMBA OFFICE LEVEL 2 UNIT 2 128 MARGARET ST TOOWOOMBA, QLD 4350 PH: (07) 4632 8230 WEB: www.premise.com.au		CAMERON PASTORAL COMPANY EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES 238 LIENASSIE ROAD, LUNDAYRA QLD 4390 LIMEBUSH SITE LAYOUT		SHEET CODE 17700-8520
DESIGNED: JAL CHECKED: PFM PROJECT MANAGER: MSH PROJECT COORDINATOR: SHL		DATE: 30/11/17 SCALE: 1:2000 (A3)		SHEET NUMBER FIG12
APPROVED FOR SUBMISSION - REVIEWED BY LOCAL PIANO SYSTEM RE COASTAL FLOOD INFORMATION - RANGEROO EDDY WINDS & ABBEY WINDS 13/11/17 DATE: 13/11/17		SHEET TITLE LIMEBUSH SITE LAYOUT		DATE 13/11/17



NOTES:

1. HORIZONTAL DATUM: MGA94 ZONE 56
VERTICAL DATUM: ARBITRARY
2. IMAGE SOURCED FROM GOOGLE EARTH
PRO LICENCE - IMAGE DATE 13/11/17.



PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 1801-3362 SRA
Date: 2 April 2019

TOOWOOMBA OFFICE LEVEL 2, UNIT 2 118 MARGARET ST TOOWOOMBA, QLD 4350 PH: 077 4632 8230 WEB: www.premise.com.au		DESIGNED CHECKED PROJECT MANAGER PROJECT INSTRUCTOR	PL PWP HBN	DATE 30/11/17	SCALE 1:500 (A1)	DATE 30/11/17	SCALE 1:500 (A1)	CLEAR PROJECT LOCATION	CAMERON PASTORAL COMPANY EXPANSION OF LAPUNYAH, LIMBUSH AND WILGA RIDGE PIGGERIES 238 LIENASSIE ROAD, LUNDAYRA QLD 4390 SHEET TITLE: QUARANTINE SITE LAYOUT		17TOO-8520	FIG13	B
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NOTES:

1. CADASTRAL INFORMATION EXTRACTED FROM DNRM DCDB (© State of Queensland Department of Natural Resources and Mines) 2014. ACCURACY IS LIMITED.
2. OTHER FEATURES MAY HAVE BEEN DIGITISED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED.
3. AERIAL IMAGE SOURCED FROM GOOGLE EARTH™. DATE OF CAPTURE IS 18/10/2014.

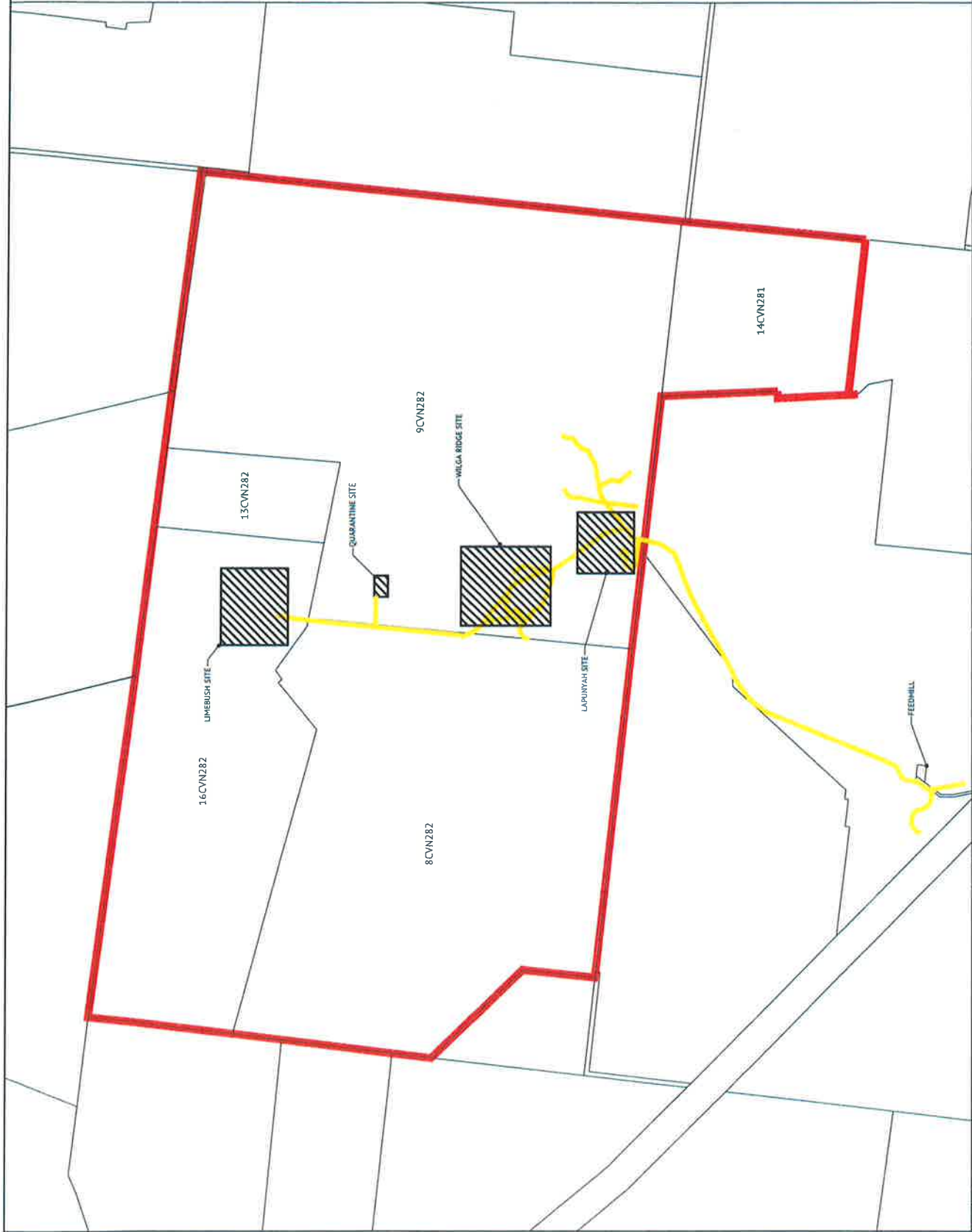
LEGEND

- PROPERTY BOUNDARY
- PROPERTY ROADS
- PIGGERY COMPLEX

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 1801-3362 SRA

Date: 2 April 2019

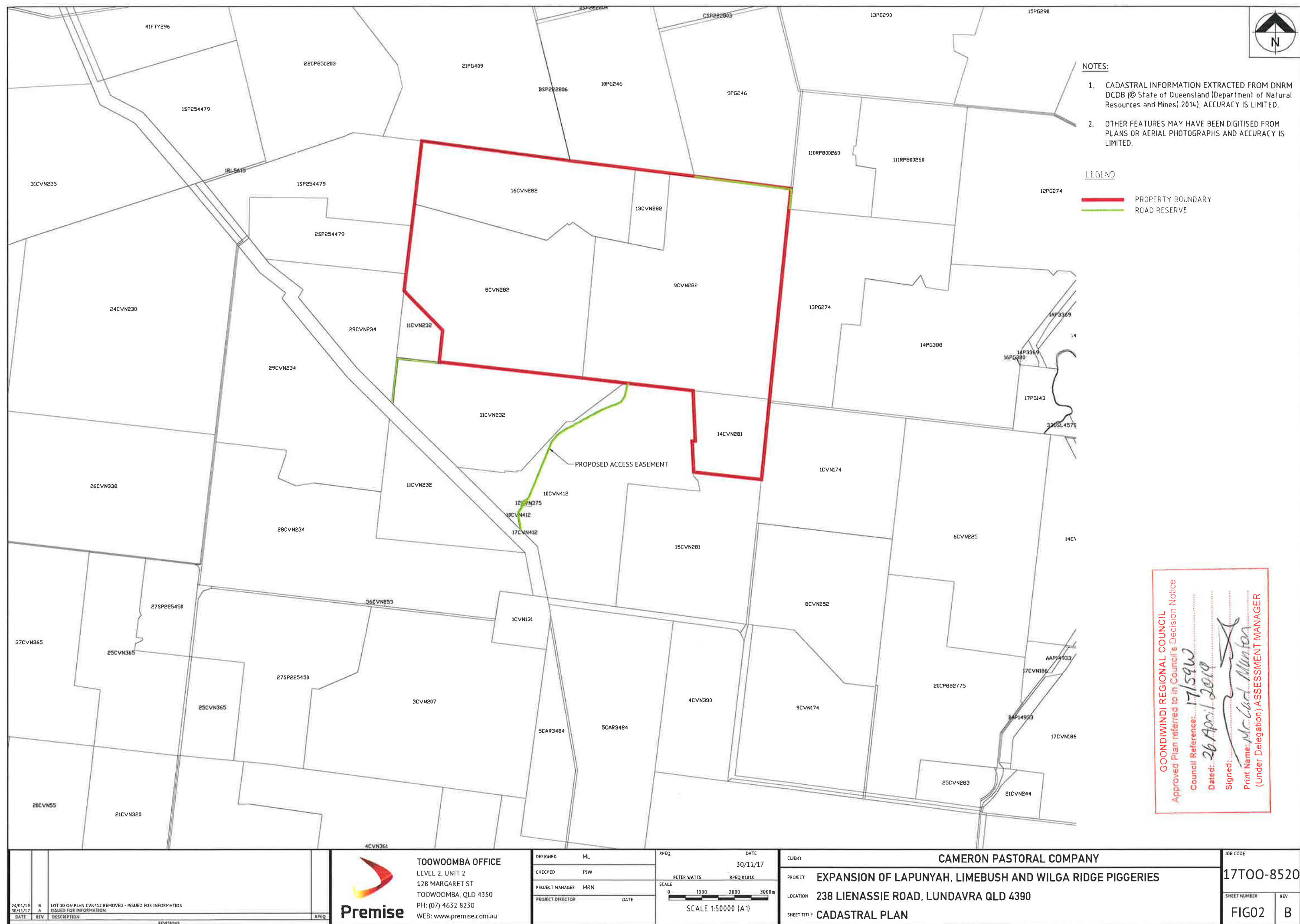


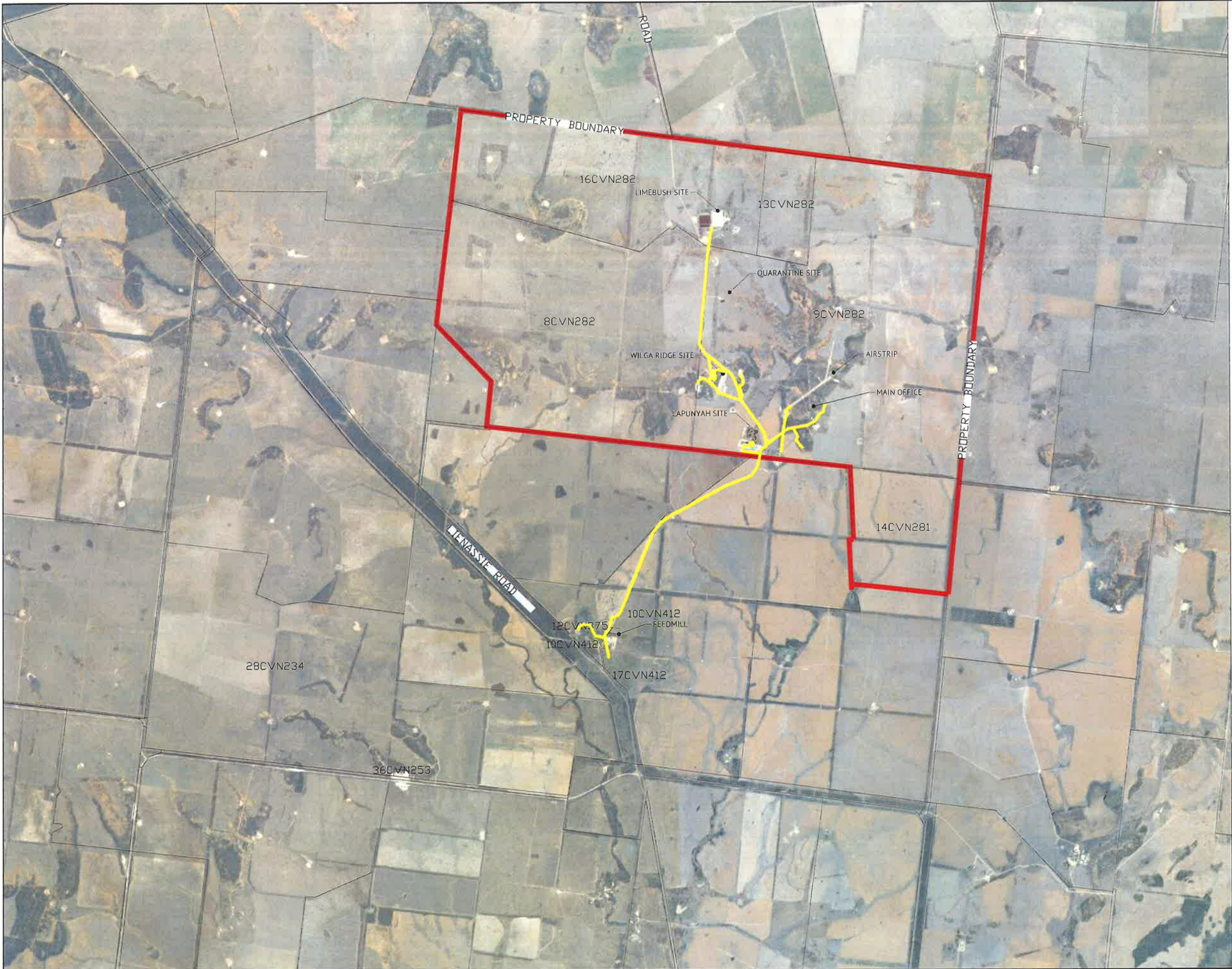
TOOWOOMBA OFFICE LEVEL 2, UNIT 2 128 MARGARET ST TOOWOOMBA QLD 4350 PH: (07) 4632 8250 WEB: www.premise.com.au		DESIGNED: HCL CHECKED: PHW PROJECT MANAGER: SHW PROJECT DIRECTOR: [blank]	DATE: 30/11/17 SCALE: 1:25000 (A1) SCALE: 1:25000 (A1)	PROJECT: EXPANSION OF LAPUNYAH, LIMBUSH AND WILGA RIDGE PIGGERIES LOCATION: 238 LIENASSIE ROAD, LUNDAYRA QLD 4390 SHEET TITLE: PROPERTY PLAN	PROJECT NUMBER: 17TOO-8520 SHEET NUMBER: FIG03 REV: C
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Attachment 2 – Approved Plans








NOTES:

1. CADASTRAL INFORMATION EXTRACTED FROM DNRM DCDB (© State of Queensland (Department of Natural Resources and Mines) 2014), ACCURACY IS LIMITED.
2. OTHER FEATURES MAY HAVE BEEN DIGITISED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED.
3. AERIAL IMAGE SOURCED FROM GOOGLE EARTH™, DATE OF CAPTURE IS 18/10/2014.

LEGEND

- PROPERTY BOUNDARY
PROPERTY ROADS

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 17/159W
Dated: 26 April 2019
Signed: 
Print Name: Mr. Carl Winton
(Under Delegation) ASSESSMENT MANAGER

24/03/19 30/11/17 DATE REV DESCRIPTION REVISIONS				 Premise		TOOWOOMBA OFFICE LEVEL 2, UNIT 2 128 MARGARET ST TOOWOOMBA, QLD 4350 PH: (07) 4632 8230 WEB: www.premise.com.au		DESIGNED ML CHECKED PJW PROJECT MANAGER MRN PROJECT DIRECTOR DATE	RPEQ DATE 30/11/17 PETER WATTS RPEQ 01810 SCALE 0 800 1600 2400m SCALE 1:40000 (A1)	CLIENT CAMERON PASTORAL COMPANY PROJECT EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES LOCATION 238 LIENASSIE ROAD, LUNDAVRA QLD 4390 SHEET TITLE PROPERTY AERIAL PLAN	JOB CODE 17TOO-8520 SHEET NUMBER FIG03 REV B
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NOTES:

1. CADASTRAL INFORMATION EXTRACTED FROM DNRM DCDB (© State of Queensland (Department of Natural Resources and Mines) 2014), ACCURACY IS LIMITED.
2. OTHER FEATURES MAY HAVE BEEN DIGITISED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED.
3. AERIAL IMAGE SOURCED FROM GOOGLE EARTH™, DATE OF CAPTURE IS 13/11/2017.

LEGEND

- SENSITIVE RECEPTOR
- ODOUR GENERATION SITE
- PROPERTY BOUNDARY

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 17/189w
Dated: 26 April 2019
Signed:
Print Name: Mr. Carl Manton
(Under Delegation) ASSESSMENT MANAGER

24/01/19 30/11/17		LOT 10 ON PLAN CVN412 REMOVED - ISSUED FOR INFORMATION ISSUED FOR INFORMATION		RPEQ		REVISIONS				TOOWOOMBA OFFICE LEVEL 2, UNIT 2 128 MARGARET ST TOOWOOMBA, QLD 4350 PH: (07) 4632 8230 WEB: www.premise.com.au		DESIGNED ML	CHECKED PJW	PROJECT MANAGER MRN	PROJECT DIRECTOR DATE	RPEQ PETER WATTS SCALE 0 1200 2400 3600m SCALE 1:60000 (A1)	DATE 30/11/17 RPEQ 01810	CLIENT CAMERON PASTORAL COMPANY	PROJECT EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES	LOCATION 238 LIENASSIE ROAD, LUNDAVRA QLD 4390	SHEET TITLE SENSITIVE RECEPTORS PLAN	JOB CODE 17TOO-8520	SHEET NUMBER FIG04	REV B
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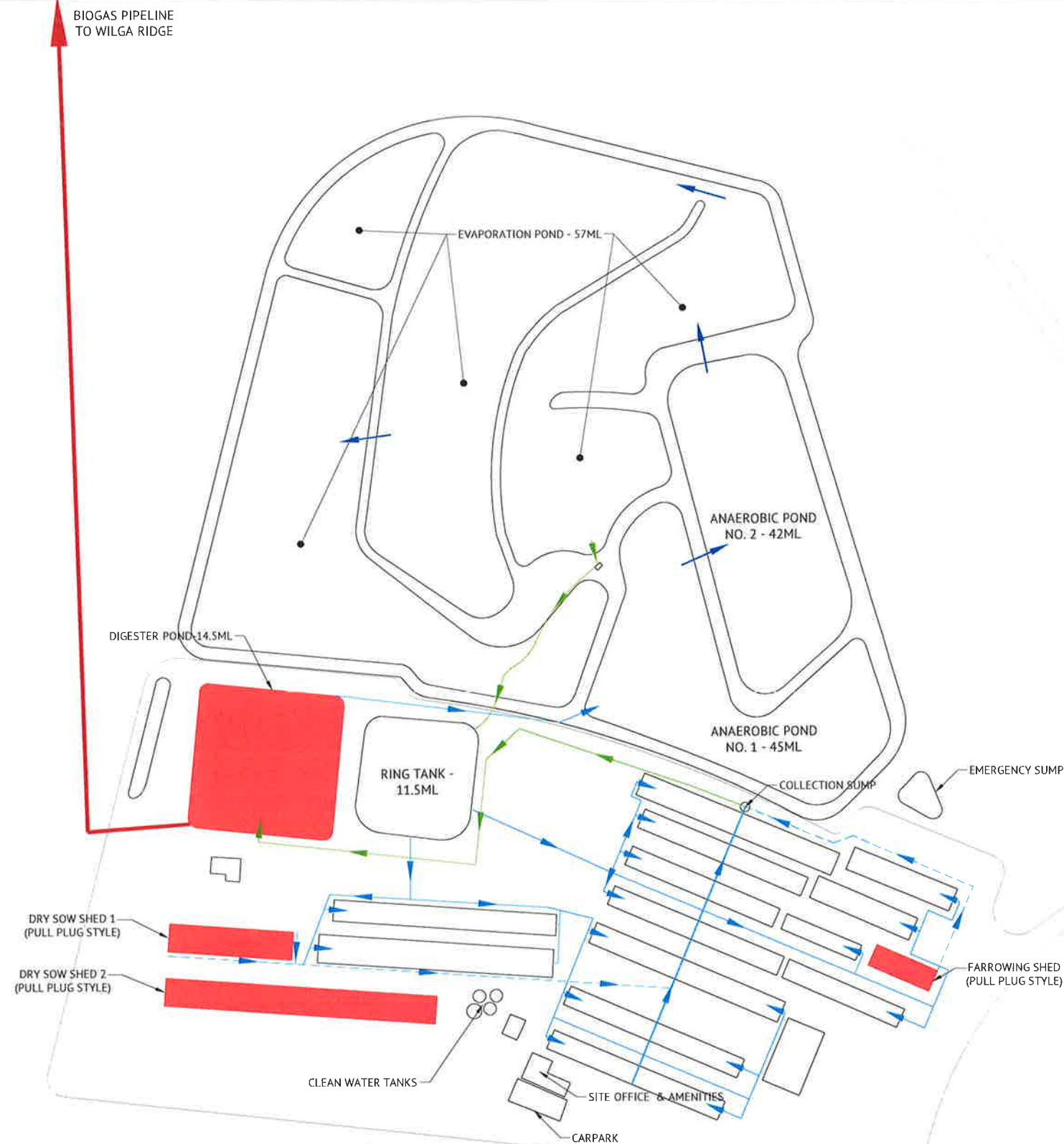


NOTES:

1. HORIZONTAL DATUM: MGA94 ZONE 56
VERTICAL DATUM: ARBITRARY
2. IMAGE SOURCED FROM GOOGLE EARTH
PRO LICENCE - IMAGE DATE 13/11/17.

LEGEND

- UNAPPROVED/PROPOSED INFRASTRUCTURE
- POND FLOW DIRECTION
- PRESSURE PIPELINE
- GRAVITY PIPELINE
- GRAVITY PIPELINE FROM PULL PLUG SUMP



GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 17/59W
Dated: 26 April 2019
Signed: *[Signature]*
Print Name: Mr. Carl Manton
(Under Delegation) ASSESSMENT MANAGER

08/02/18 30/11/17		B A	RE-ISSUED FOR INFORMATION - REMOVED AERIAL IMAGE & ADDED WASTE STREAM FLOW ISSUE FOR INFORMATION	TOOWOOMBA OFFICE LEVEL 2, UNIT 2 128 MARGARET ST TOOWOOMBA, QLD 4350 PH: (07) 4632 8230 WEB: www.premise.com.au	DESIGNED ML CHECKED PJW PROJECT MANAGER MRN PROJECT DIRECTOR DATE	RPEQ DATE 30/11/17 PETER WATTS RPEQ 01810 SCALE 0 30 60 90m SCALE 1:1500 (A1)	CLIENT CAMERON PASTORAL COMPANY PROJECT EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES LOCATION 238 LIENASSIE ROAD, LUNDAVRA QLD 4390 SHEET TITLE LAPUNYAH SITE LAYOUT	JOB CODE 17TOO-8520 SHEET NUMBER FIG10 REV B
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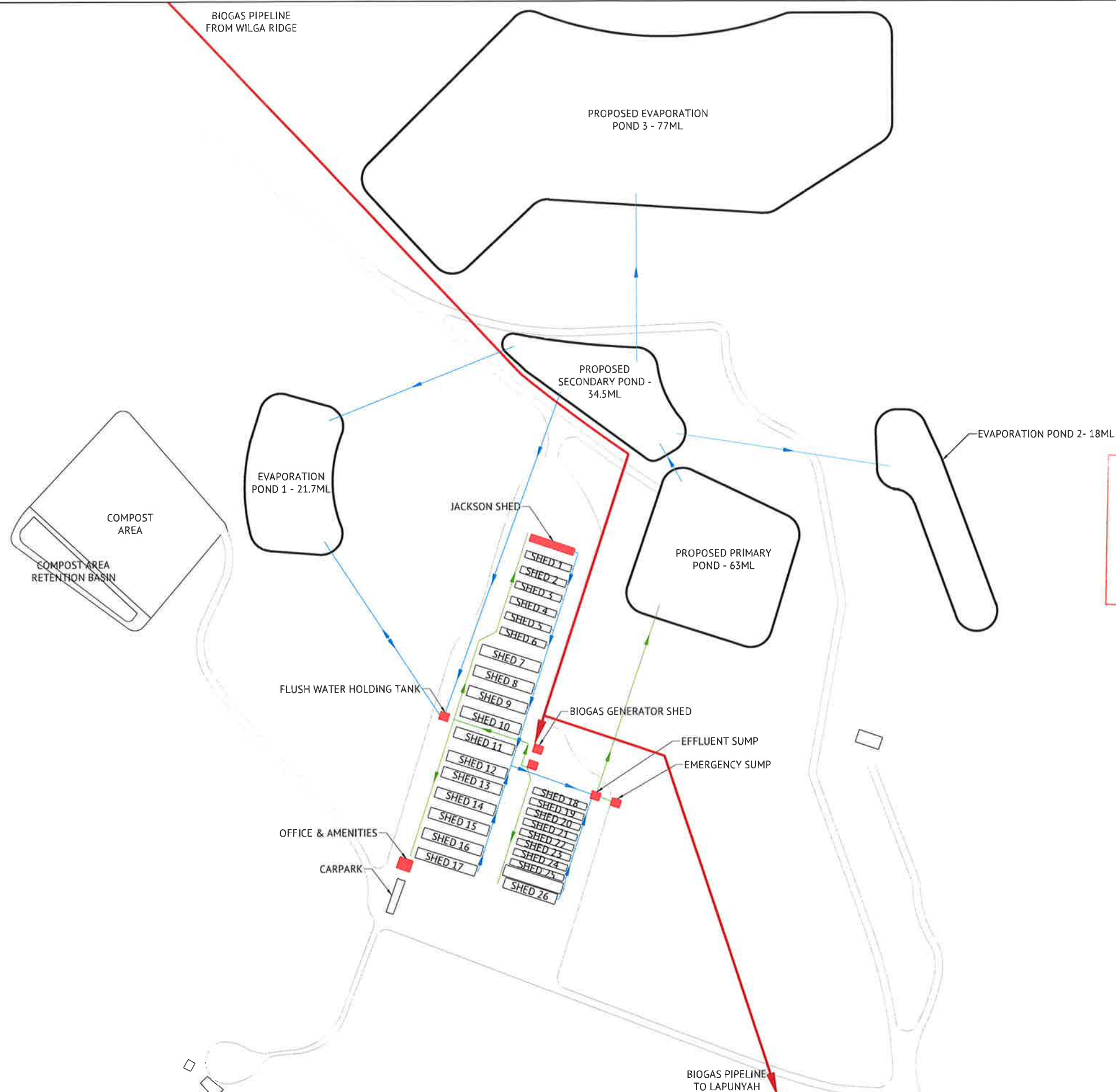


NOTES:

1. HORIZONTAL DATUM: MGA94 ZONE 56
VERTICAL DATUM: ARBITRARY
2. IMAGE SOURCED FROM GOOGLE EARTH
PRO LICENCE - IMAGE DATE 13/11/17.

LEGEND

- UNAPPROVED/PROPOSED INFRASTRUCTURE
- PROPOSED PONDS
- POND FLOW DIRECTION
- PRESSURE PIPELINE
- GRAVITY PIPELINE



GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 17/59W
Dated: 26 April 2019
Signed:
Print Name: Mr. Carl Manton
(Under Delegation) ASSESSMENT MANAGER

12/02/18 30/11/17		RE-ISSUED FOR INFORMATION - REMOVED AERIAL IMAGE & ADDED WASTE STREAM FLOW ISSUED FOR INFORMATION		RPEQ	
DATE	REV	DESCRIPTION	REVISIONS	DESIGNED	ML
				CHECKED	PJW
				PROJECT MANAGER	MRN
				PROJECT DIRECTOR	DATE
			TOOWOOMBA OFFICE LEVEL 2, UNIT 2 128 MARGARET ST TOOWOOMBA, QLD 4350 PH: (07) 4632 8230 WEB: www.premise.com.au		
			RPEQ		
			DATE		
			30/11/17		
			PETER WATTS		
			RPEQ 01810		
			SCALE		
			0 40 80 120m		
			SCALE 1:2000 (A1)		
			CLIENT		
			CAMERON PASTORAL COMPANY		
			PROJECT		
			EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES		
			LOCATION		
			238 LIENASSIE ROAD, LUNDAVRA QLD 4390		
			SHEET TITLE		
			WILGA RIDGE SITE LAYOUT		
			JOB CODE		
			17T00-8520		
			SHEET NUMBER		
			FIG11		
			REV		
			B		

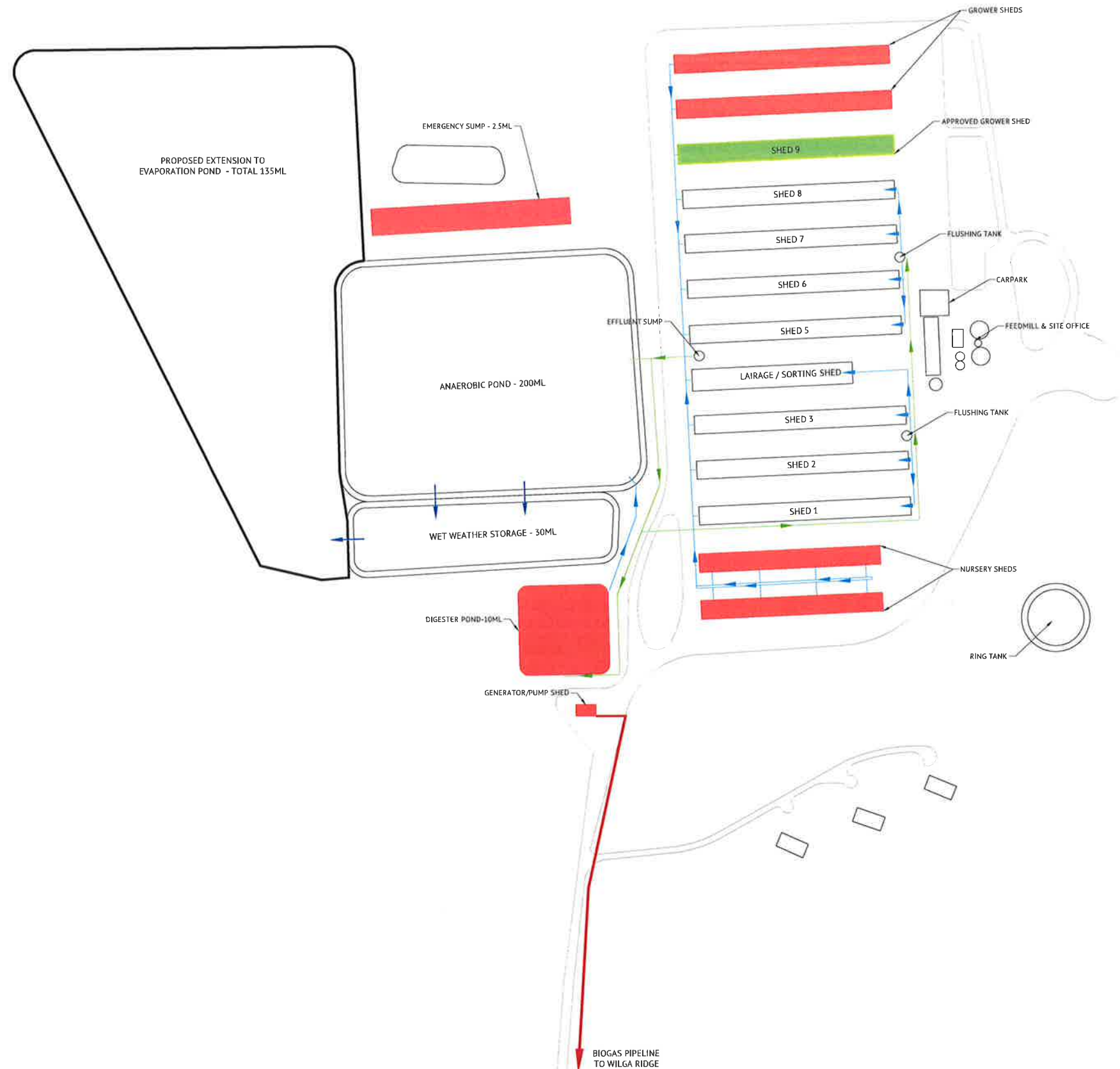



NOTES:

1. HORIZONTAL DATUM: MGA94 ZONE 56
VERTICAL DATUM: ARBITRARY
2. IMAGE SOURCED FROM GOOGLE EARTH
PRO LICENCE - IMAGE DATE 13/11/17.

LEGEND

- UNAPPROVED/PROPOSED INFRASTRUCTURE
- APPROVED INFRASTRUCTURE
- POND FLOW DIRECTION
- PRESSURE PIPELINE
- GRAVITY PIPELINE



GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 17/1596
Dated: 26 April 2019
Signed: 
Print Name: Mr. Carl Montenegro
(Under Delegation) ASSESSMENT MANAGER

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NOTES:

1. HORIZONTAL DATUM: MGA94 ZONE 56
VERTICAL DATUM: ARBITRARY
2. IMAGE SOURCED FROM GOOGLE EARTH
PRO LICENCE - IMAGE DATE 13/11/17.

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice

Council Reference: 17/59W

Dated: 26 April 2019


Signed: 

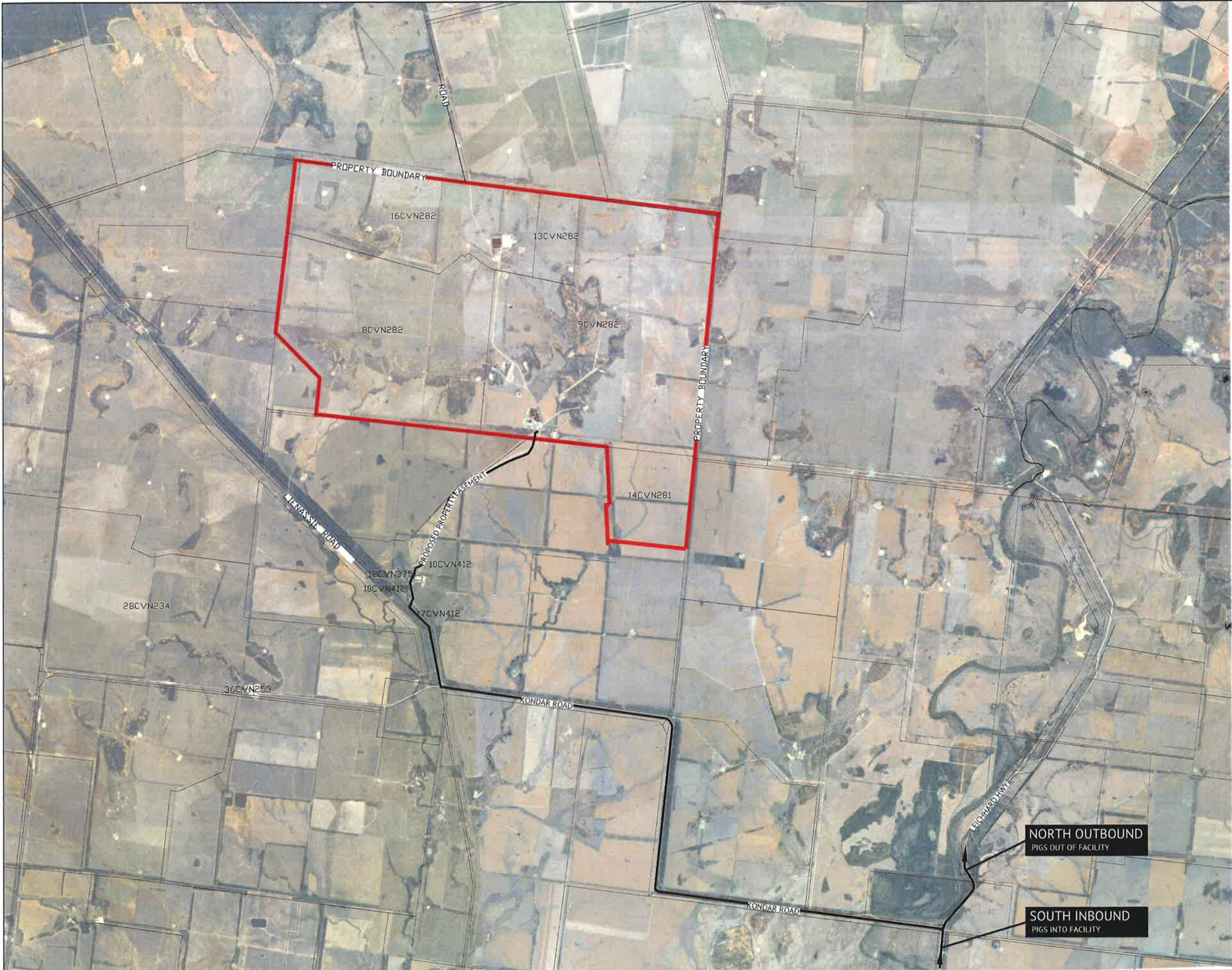
Print Name: Mr. Carl Manton
(Under Delegation) ASSESSMENT MANAGER

QUARANTINE ACCESS ROAD

QUARANTINE SHED

EVAPORATION POND - 5ML

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NOTES:


1. CADASTRAL INFORMATION EXTRACTED FROM DNRN DCDB (@ State of Queensland (Department of Natural Resources and Mines) 2014), ACCURACY IS LIMITED.
2. OTHER FEATURES MAY HAVE BEEN DIGITISED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED.
3. AERIAL IMAGE SOURCED FROM GOOGLE EARTH™, DATE OF CAPTURE IS 21/07/2013.

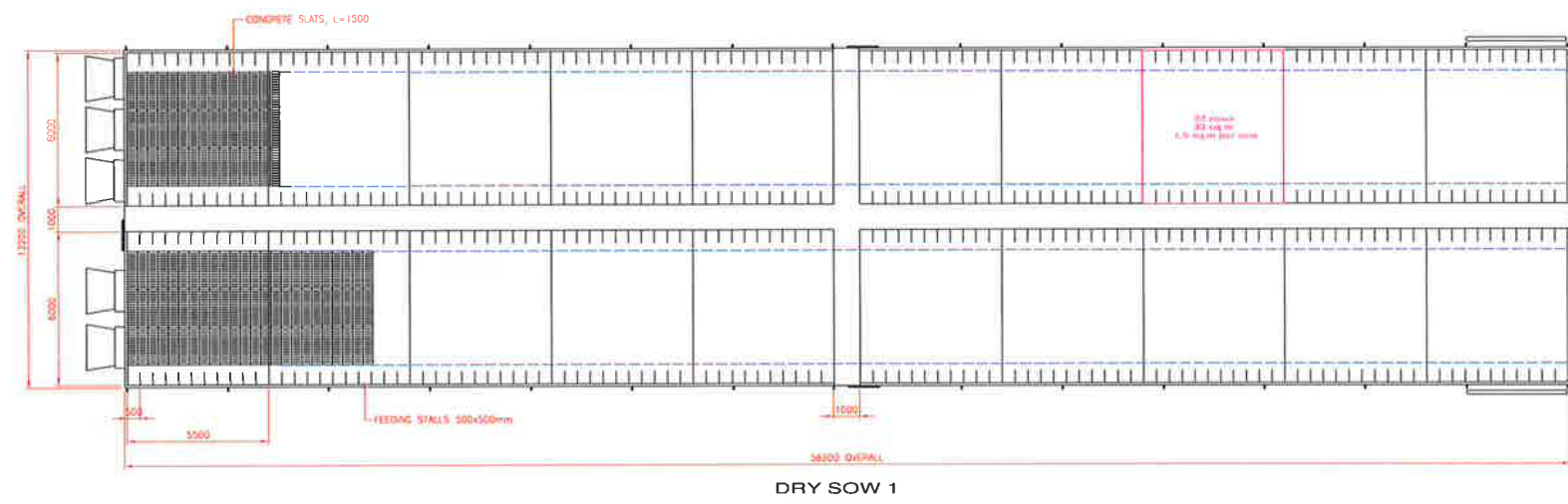
LEGEND

- TRAFFIC ROUTE
- PROPERTY BOUNDARY

GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 17/59W
Dated: 26 April 2019
Signed:
Print Name: Mr. Carl Manton
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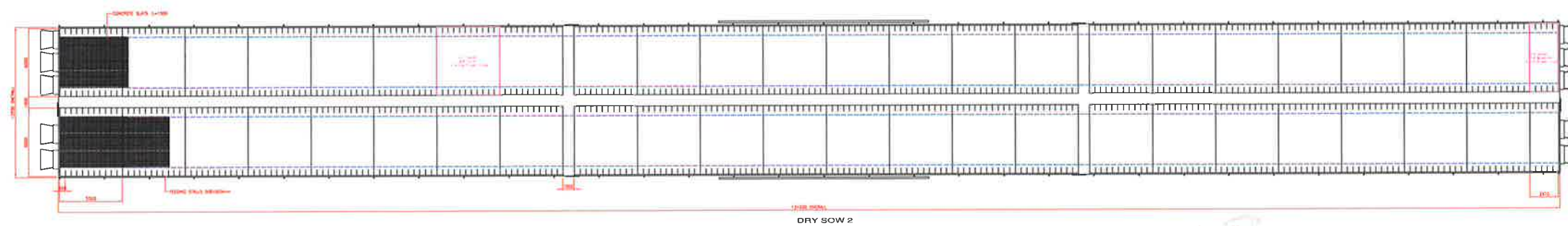
24/01/19 10/11/17 DATE REV DESCRIPTION			TOOWOOMBA OFFICE LEVEL 2, UNIT 2 128 MARGARET ST TOOWOOMBA, QLD 4350 PH: (07) 4632 8230 WEB: www.premise.com.au			DESIGNED ML CHECKED PJW PROJECT MANAGER MRN PROJECT DIRECTOR DATE			RPEQ DATE 30/11/17 PETER WATTS RPEQ 01810 SCALE 0 1000 2000 3000m SCALE 1:50000 (A1)			CLIENT CAMERON PASTORAL COMPANY PROJECT EXPANSION OF LAPUNYAH, LIMEBUSH AND WILGA RIDGE PIGGERIES LOCATION 238 LIENASSIE ROAD, LUNDAVRA QLD 4390 SHEET TITLE TRAFFIC ROUTE PLAN			JOB CODE 17TOO-8520 SHEET NUMBER FIG18 REV B	
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GOONDIWINDI REGIONAL COUNCIL
Approved: Plan referred to in Council's Decision Notice
Council Reference: 17/540
Dated: 26 April 2019
Signed: 
Print Name: Mr. Carl Martin
(Under Delegation) ASSESSMENT MANAGER



Cameron Pastoral Company Pty.Ltd.
Lapunyah
Proposed Dry Sow Shed 1 - 440 sows.

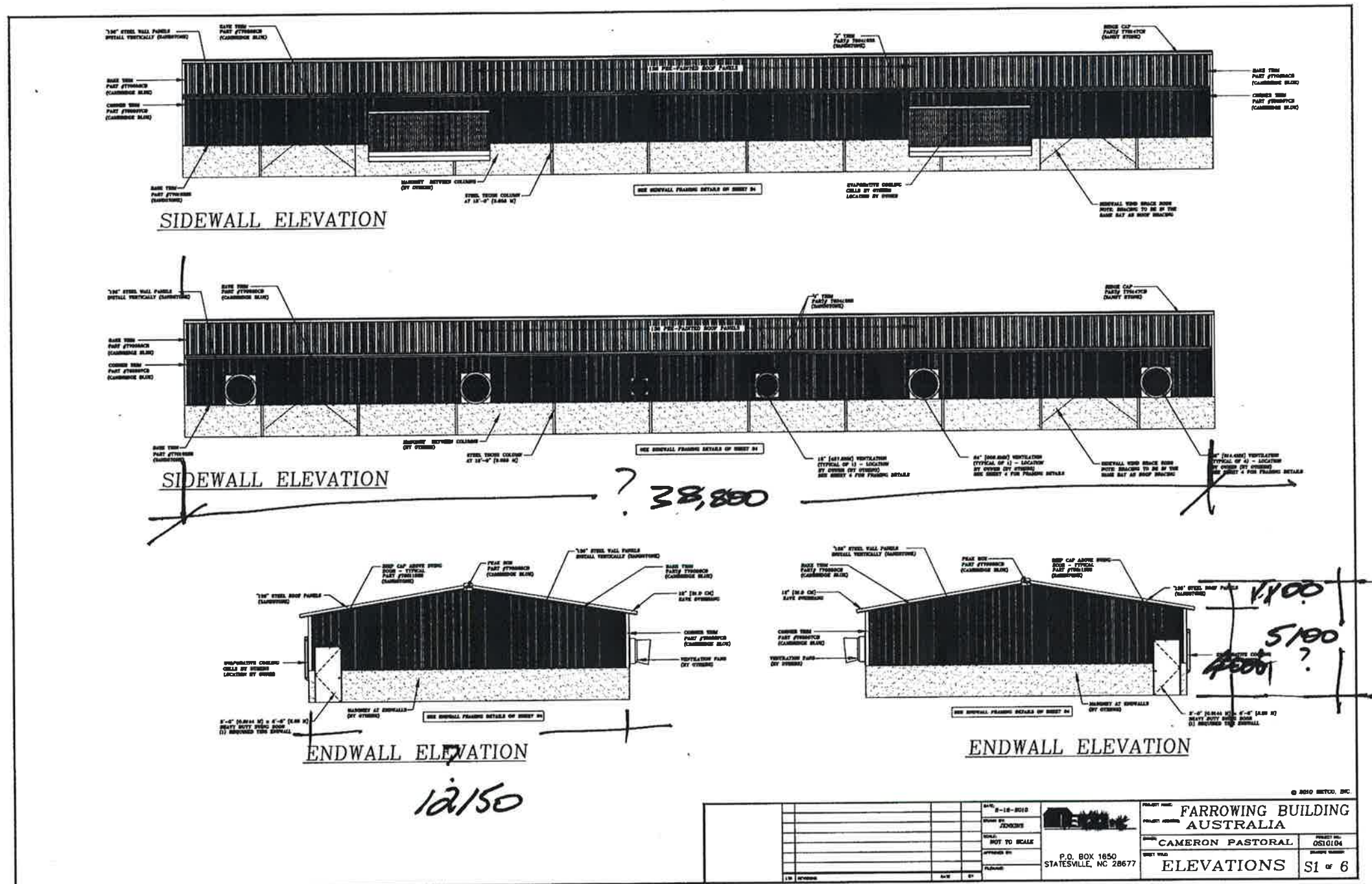
GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: M159W
Dated: 26 April 2014
Signed: 
Print Name: Mr Carl Manton
(Under Delegation) ASSESSMENT MANAGER



DRY SOW 2

Mundigo

Cameron Pastoral Company Pty.Ltd.
Lapunyah
Proposed Dry Sow Shed 2 - 1032 sows.





CAMERON PASTORAL COMPANY PTY LTD

60 SANDHURST STREET

PO BOX 233

GOONDIWINDI QLD 4390

Lapunya Office Wayne Lowe

Telephone: (07) 4676 4144

m 0407467155

email: hcc@bigpond.net.au

Goondiwindi Office

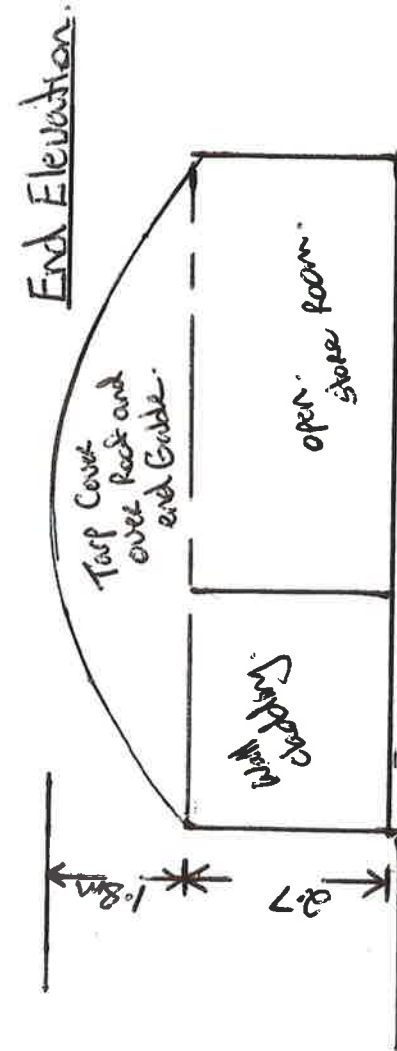
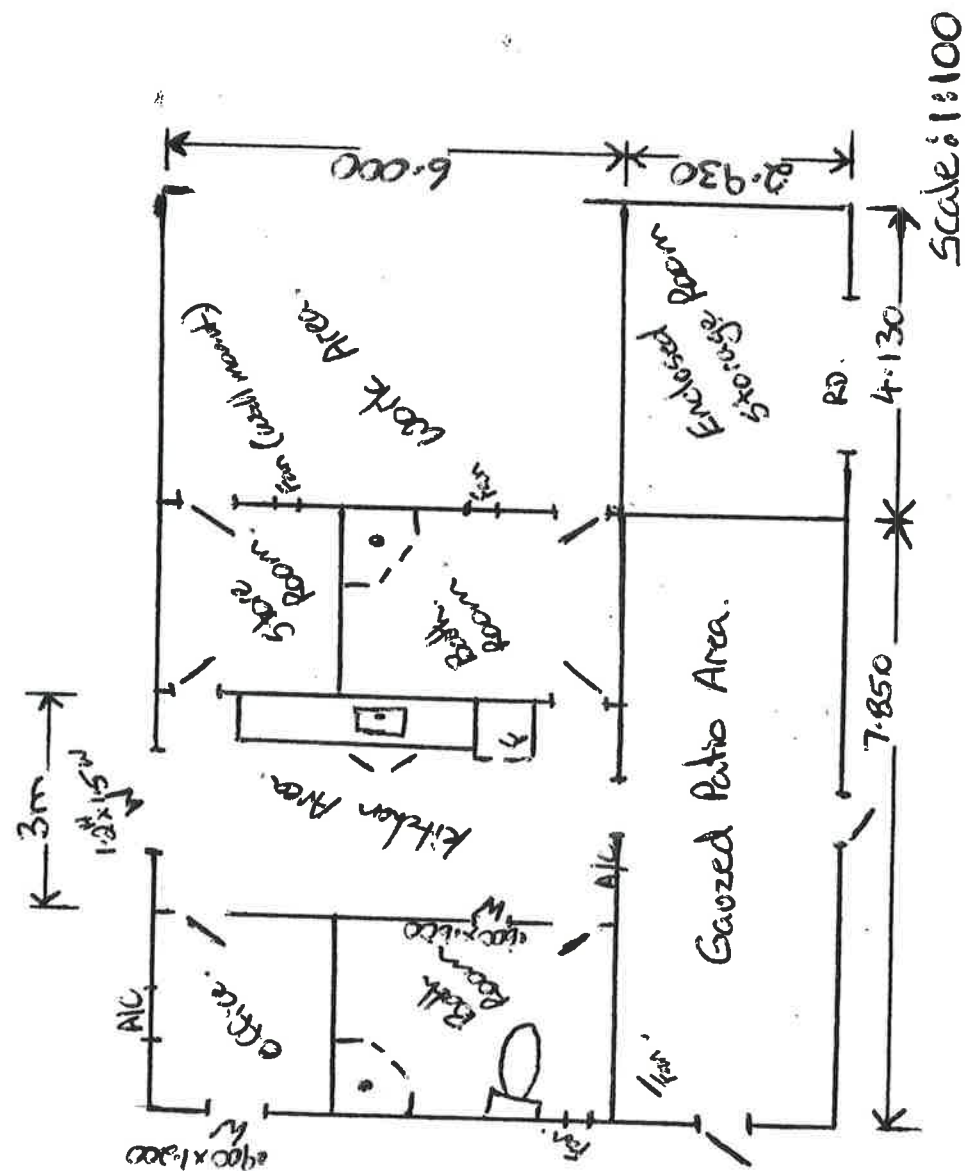
Telephone: (07) 4671 4144

Fax: (07) 4671 4199

Toowoomba Office

Telephone: (07) 4638 694

Wilga Ridge Office and Smoko Area



GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice

Council Reference: 17/59W

Dated: 26 April 2019

Signed:

Print Name: Mr. Carl Manton
(Under Delegation) ASSESSMENT MANAGER



CAMERON PASTORAL COMPANY PTY LTD

60 SANDHURST STREET

PO BOX 233

GOONDIWINDI QLD 4390

Lapunya Office Wayne Louze

Telephone: (07) 4676 4144

m 0407467155

email: hcc01a@bigpond.net.au

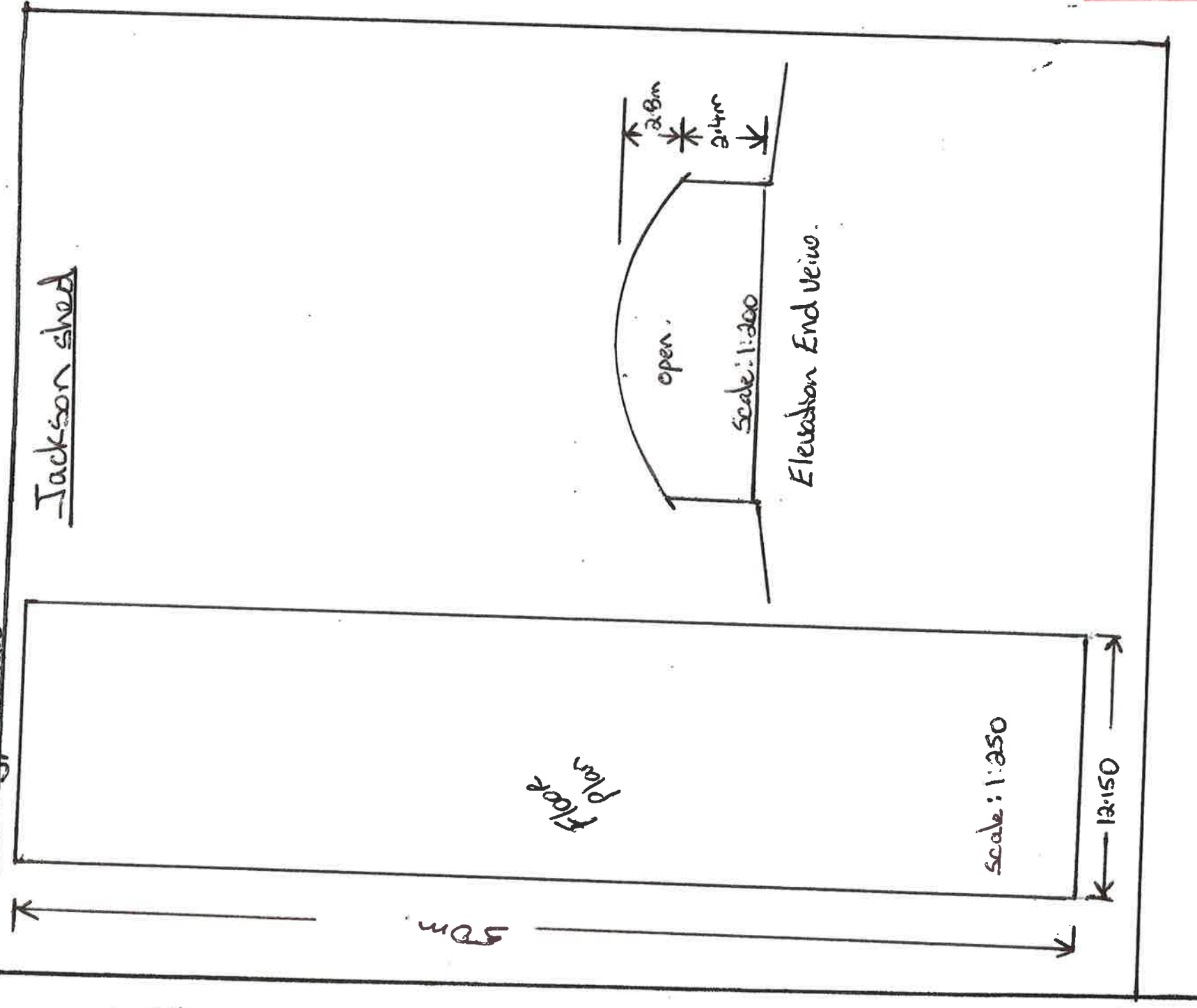
Goondiwindi Office

Telephones: (07) 4671 4144

Fax: (07) 4671 4199

Toowoomba Office

Telephone: (07) 4638 6



GOONDIWINDI REGIONAL COUNCIL
Approved Plan referred to in Council's Decision Notice
Council Reference: 17/59W
Dated: 26 April 2019
Signed:
Print Name: Mr. Carl Manton
(Under Delegation) ASSESSMENT MANAGER



Attachment 3 – Infrastructure Charges Notice





Goondiwindi Customer Service
Centre
4 McLean Street
Goondiwindi
Inglewood Customer Service
Centre
18 Elizabeth Street
Inglewood

Locked Mail Bag 7
Inglewood QLD 4387

Telephone: 07 4671 7400
Fax: 07 4671 7433

Email: mail@grc.qld.gov.au

Infrastructure Charges Notice

Address	Calnbrook Road, Lundavra
Owner	John Beauchamp Cameron & Kenneth Beauchamp Cameron C/- Cameron Pastoral Company
Applicant	Cameron Pastoral Company Pty Ltd C/- Premise Agriculture
Application No.	17/59W
Lot and Survey Plan	Lot 13 on CVN282, Lot 14 on CVN281, Lot 16 on CVN282, Lot 8 on CVN282 and Lot 9 on CVN282
Date	26 April 2019
Approval	Development Permit – Material Change of Use

Development Application Details
<i>"Rural activities" - "Intensive animal industry"</i> (Expansion to piggery – from 59,824SPU to 76,820SPU))

Type of Charge	Charge Area (A, B, C, D or E)	Type of Charge	Charge Amount (\$)	Unit	Total Charge (\$)
High Impact Rural	E	Water, sewerage, transport and parks	4.00 per m ² of GFA	14,292m ²	57,168
		Stormwater	0.00 per m ² for all impervious area	NIL	NIL

Due Date	When the change of use happens	Total Charge (\$)	57,168
Charge to be paid to	Goondiwindi Regional Council		
Lapse Date	26 April 2025		

Authorised by:

Print Name: **Mr Carl Manton**
Chief Executive Officer

In accordance with the Planning Act 2016

An offset has been applied to this notice for existing areas, at the rate of \$4 per m² of GFA and \$0 per m² for all impervious areas.

Office Use – Receipt Number

Charges – 1250-1150-0000

Drainage – 1250-1151-0000





Attachment 4 – Notice about decision - Statement of reasons



Notice about decision - Statement of reasons

The following information is provided in accordance with section 63 (5) of the *Planning Act 2016* and must be published on the assessment managers website

The development application for "*Rural activities*" – "*Intensive animal industry*" (Expansion to piggery – from 59,824SPU to 76,820SPU)

17/59W

Calnbrook Road, Lundavra

Lot 13 on CVN282, Lot 14 on CVN281, Lot 16 on CVN282, Lot 8 on CVN282 and Lot 9 on CVN282

On 24 April 2019, the above development application was:

- ☐ approved in full or
☐ approved in part for _____ or
☒ approved in full with conditions or
☐ approved in part for _____
with conditions or
☐ refused.

1. Reasons for the decision

The reasons for this decision are:

- *Having regard to the requirements of the 2006 Planning Scheme for the former Waggamba Shire Council and the relevant facts and circumstances, the proposed development satisfied all relevant criteria, and was approved at the Ordinary Meeting of Council held on Wednesday 24 April 2019, subject to appropriate, relevant and reasonable conditions.*

2. Assessment benchmarks

The following are the benchmarks applying for this development:

Benchmarks applying for the development	Benchmark reference
Rural Zone Code	2006 Planning Scheme for the former Waggamba Shire Council: PC1, PC2, PC3, PC4, PC5, AS6, AS7.1, AS7.2, AS8, PC9, AS10, PC11, AS12, AS13.2, AS13.3, PC14, AS15.2, AS16, AS17, AS18.2, AS19.1, AS19.2, AS20.1, AS20.2, PC21, PC22, PC23, PC24, AS25, PC26, PC27, PC28, PC29, AS30.1, AS30.2, AS30.3, AS31, AS32, PC33, PC34, AS35, AS36, AS37, PC38, AS39, PC40, AS41.1, AS41.2, PC42, AS43.1, AS43.2, AS43.3, AS43.4, AS43.5, PC44, AS45.1, AS45.2, AS45.3
Rural Zone Code Purpose	2006 Planning Scheme for the former Waggamba Shire Council: Section 4.1.3.3 – Outcomes 1 - 5
Strategic Directions	2006 Planning Scheme for the former Waggamba Shire Council: Part 3 – Items 3.3 – 3.3

3. Compliance with benchmarks

Not applicable, as the proposed development complied with all applicable benchmarks.

4. Relevant matters for impact assessable development

The following matters were given regard to or assessment carried out against, in undertaking the assessment of this development application.

Other relevant matters to the assessment of the development under section 45(5)(b)	Benchmark reference	Assessment carried out against or assessment had regard to
Rural Zone Code Purpose of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i> .	Section 4.1.3.3 – Outcomes 1 - 5	<input checked="" type="checkbox"/> assessed against <input type="checkbox"/> had regard to
Strategic Directions of the <i>2006 Planning Scheme for the former Waggamba Shire Council</i> .	Part 3 – Items 3.1 – 3.3	<input checked="" type="checkbox"/> assessed against <input type="checkbox"/> had regard to

5. Matters raised in submissions for impact assessable development

The application was publically notified, however there were no submissions received.

6. Matters prescribed by Regulation

Not applicable for this proposed development.



Attachment 5 – *Planning Act 2016* Extracts



EXTRACT FROM *PLANNING ACT 2016* RELATING TO APPEAL RIGHTS

Chapter 6 Dispute Resolution, 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.

230 Notice of appeal

(1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—

(a) is in the approved form; and

(b) succinctly states the grounds of the appeal.

(2) The notice of appeal must be accompanied by the required fee.

(3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—

(a) the respondent for the appeal; and

(b) each co-respondent for the appeal; and

(c) for an appeal about a development application under schedule 1, table 1, item 1—each

principal submitter for the development application; and

- (d) for an appeal about a change application under schedule 1, table 1, item 2—each principal submitter for the change application; and
- (e) each person who may elect to become a co-respondent for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
- (f) for an appeal to the P&E Court—the chief executive; and
- (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.

(4) The service period is—

- (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

231 Other appeals

- (1) Subject to this chapter, schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The Judicial Review Act 1991, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the Judicial Review Act 1991 in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.

(4) In this section—

decision includes—

- (a) conduct engaged in for the purpose of making a decision; and
- (b) other conduct that relates to the making of a decision; and
- (c) the making of a decision or the failure to make a decision; and
- (d) a purported decision; and
- (e) a deemed refusal.

non-appealable, for a decision or matter, means the decision or matter—

- (a) is final and conclusive; and
- (b) may not be challenged, appealed against, reviewed, quashed, set aside or called into question in any other way under the Judicial Review Act 1991 or otherwise, whether by the Supreme Court, another court, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

232 Rules of the P&E Court

- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

Part 2 Development tribunal

Division 1 General

233 Appointment of referees

- (1) The Minister, or chief executive, (the appointer) may appoint a person to be a referee, by an appointment notice, if the appointer considers the person—
 - (a) has the qualifications or experience prescribed by regulation; and
 - (b) has demonstrated an ability—
 - (i) to negotiate and mediate outcomes between parties to a proceeding; and

(ii) to apply the principles of natural justice;
and

(iii) to analyse complex technical issues;
and

(iv) to communicate effectively, including,
for example, to write informed succinct and
well-organised decisions, reports,
submissions or other documents.

(2) The appointer may—

(a) appoint a referee for the term, of not more
than 3 years, stated in the appointment notice;
and

(b) reappoint a referee, by notice, for further
terms of not more than 3 years.

(3) If an appointer appoints a public service officer as
a referee, the officer holds the appointment
concurrently with any other appointment that the
officer holds in the public service.

(4) A referee must not sit on a tribunal unless the
referee has given a declaration, in the approved
form and signed by the referee, to the chief
executive.

(5) The appointer may cancel a referee's
appointment at any time by giving a notice,
signed by the appointer, to the referee.

(6) A referee may resign the referee's appointment
at any time by giving a notice, signed by the
referee, to the appointer.

(7) In this section—

appointment notice means—

(a) if the Minister gives the notice—a gazette
notice; or

(b) if the chief executive gives the notice—a
notice given to the person appointed as a referee.

234 Referee with conflict of interest

(1) This section applies if the chief executive informs
a referee that the chief executive proposes to
appoint the referee as a tribunal member, and
either or both of the following apply—

(a) the tribunal is to hear a matter about
premises—

(i) the referee owns; or

(ii) for which the referee was, is, or is to be,
an architect, builder, drainer, engineer,
planner, plumber, plumbing inspector,
certifier, site evaluator or soil assessor; or

(iii) for which the referee has been, is, or will
be, engaged by any party in the referee's
capacity as an accountant, lawyer or other
professional; or

(iv) situated or to be situated in the area of
a local government of which the referee is
an officer, employee or councillor;

(b) the referee has a direct or indirect personal
interest in a matter to be considered by the
tribunal, and the interest could conflict with the
proper performance of the referee's functions for
the tribunal's consideration of the matter.

(2) However, this section does not apply to a referee
only because the referee previously acted in
relation to the preparation of a relevant local
planning instrument.

(3) The referee must notify the chief executive that
this section applies to the referee, and on doing
so, the chief executive must not appoint the
referee to the tribunal.

(4) If a tribunal member is, or becomes, aware the
member should not have been appointed to the
tribunal, the member must not act, or continue to
act, as a member of the tribunal.

235 Establishing development tribunal

(1) The chief executive may at any time establish a
tribunal, consisting of up to 5 referees, for tribunal
proceedings.

(2) The chief executive may appoint a referee for
tribunal proceedings if the chief executive
considers the referee has the qualifications or
experience for the proceedings.

(3) The chief executive must appoint a referee as the
chairperson for each tribunal.

(4) A regulation may specify the qualifications or
experience required for particular proceedings.

(5) After a tribunal is established, the tribunal's
membership must not be changed.

236 Remuneration

A tribunal member must be paid the remuneration the Governor in Council decides.

237 Tribunal proceedings

- (1) A tribunal must ensure all persons before the tribunal are afforded natural justice.*
- (2) A tribunal must make its decisions in a timely way.*
- (3) A tribunal may—*
 - (a) conduct its business as the tribunal considers appropriate, subject to a regulation made for this section; and*
 - (b) sit at the times and places the tribunal decides; and*
 - (c) hear an appeal and application for a declaration together; and*
 - (d) hear 2 or more appeals or applications for a declaration together.*
- (4) A regulation may provide for—*
 - (a) the way in which a tribunal is to operate, including the qualifications of the chairperson of the tribunal for particular proceedings; or*
 - (b) the required fee for tribunal proceedings.*

238 Registrar and other officers

- (1) The chief executive may, by gazette notice, appoint—*
 - (a) a registrar; and*
 - (b) other officers (including persons who are public service officers) as the chief executive considers appropriate to help a tribunal perform its functions.*
- (2) A person may hold the appointment or assist concurrently with any other public service appointment that the person holds.*

Division 2 Applications for declarations

239 Starting proceedings for declarations

- (1) A person may start proceedings for a declaration by a tribunal by filing an application, in the approved form, with the registrar.*
- (2) The application must be accompanied by the required fee.*

240 Application for declaration about making of development application

- (1) The following persons may start proceedings for a declaration about whether a development application is properly made—*
 - (a) the applicant;*
 - (b) the assessment manager.*
- (2) However, a person may not seek a declaration under this section about whether a development application is accompanied by the written consent of the owner of the premises to the application.*
- (3) The proceedings must be started by—*
 - (a) the applicant within 20 business days after receiving notice from the assessment manager, under the development assessment rules, that the development application is not properly made; or*
 - (b) the assessment manager within 10 business days after receiving the development application.*
- (4) The registrar must, within 10 business days after the proceedings start, give notice of the proceedings to the respondent as a party to the proceedings.*
- (5) In this section—*

respondent means—

- (a) if the applicant started the proceedings—the assessment manager; or*
- (b) if the assessment manager started the proceedings—the applicant.*

241 Application for declaration about change to development approval

- (1) This section applies to a change application for a development approval if—*
 - (a) the approval is for a material change of use of premises that involves the use of a classified building; and*
 - (b) the responsible entity for the change application is not the P&E Court.*
- (2) The applicant, or responsible entity, for the change application may start proceedings for a*

declaration about whether the proposed change to the approval is a minor change.

- (3) The registrar must, within 10 business days after the proceedings start, give notice of the proceedings to the respondent as a party to the proceedings.

- (4) In this section—

respondent means—

- (a) if the applicant started the proceedings—the responsible entity; or
- (b) if the responsible entity started the proceedings—the applicant.

Division 3 Tribunal proceedings for appeals and declarations

242 Action when proceedings start

If a document starting tribunal proceedings is filed with the registrar within the period required under this Act, and is accompanied by the required fee, the chief executive must—

- (a) establish a tribunal for the proceedings; and
- (b) appoint 1 of the referees for the tribunal as the tribunal's chairperson, in the way required under a regulation; and
- (c) give notice of the establishment of the tribunal to each party to the proceedings.

243 Chief executive excusing noncompliance

- (1) This section applies if—

- (a) the registrar receives a document purporting to start tribunal proceedings, accompanied by the required fee; and
- (b) the document does not comply with any requirement under this Act for validly starting the proceedings.

- (2) The chief executive must consider the document and decide whether or not it is reasonable in the circumstances to excuse the noncompliance (because it would not cause substantial injustice in the proceedings, for example).

- (3) If the chief executive decides not to excuse the noncompliance, the chief executive must give a notice stating that the document is of no effect,

because of the noncompliance, to the person who filed the document.

- (4) The chief executive must give the notice within 10 business days after the document is given to the chief executive.

- (5) If the chief executive does excuse the noncompliance, the chief executive may act under section 242 as if the noncompliance had not happened.

244 Ending tribunal proceedings or establishing new tribunal

- (1) The chief executive may decide not to establish a tribunal when a document starting tribunal proceedings is filed, if the chief executive considers it is not reasonably practicable to establish a tribunal.

Examples of when it is not reasonably practicable to establish a tribunal—

- there are no qualified referees or insufficient qualified referees because of a conflict of interest
- the referees who are available will not be able to decide the proceedings in a timely way

- (2) If the chief executive considers a tribunal established for tribunal proceedings—

(a) does not have the expertise to hear or decide the proceedings; or

(b) is not able to make a decision for proceedings (because of a tribunal member's conflict of interest, for example); the chief executive may decide to suspend the proceedings and establish another tribunal, complying with section 242(c), to hear or re-hear the proceedings.

- (3) However, the chief executive may instead decide to end the proceedings if the chief executive considers it is not reasonably practicable to establish another tribunal to hear or re-hear the proceedings.

- (4) If the chief executive makes a decision under subsection (1) or (3), the chief executive must give a decision notice about the decision to the parties to the proceedings.

- (5) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the chief

executive gives the decision notice to the party who started the proceedings.

- (6) The decision notice must state the effect of subsection (5).

245 Refunding fees

The chief executive may, but need not, refund all or part of the fee paid to start proceedings if the chief executive decides under section 244—

- (a) not to establish a tribunal; or
- (b) to end the proceedings.

246 Further material for tribunal proceedings

- (1) The registrar may, at any time, ask a person to give the registrar any information that the registrar reasonably requires for the proceedings.

Examples of information that the registrar may require—

- material about the proceedings (plans, for example)
- information to help the chief executive decide whether to excuse noncompliance under section 243
- for a deemed refusal—a statement of the reasons why the entity responsible for deciding the application had not decided the application during the period for deciding the application.

- (2) The person must give the information to the registrar within 10 business days after the registrar asks for the information.

247 Representation of Minister if State interest involved

If, before tribunal proceedings are decided, the Minister decides the proceedings involve a State interest, the Minister may be represented in the proceedings.

248 Representation of parties at hearing

A party to tribunal proceedings may appear—

- (a) in person; or
- (b) by an agent who is not a lawyer.

249 Conduct of tribunal proceedings

- (1) Subject to section 237, the chairperson of a tribunal must decide how tribunal proceedings are to be conducted.

- (2) The tribunal may decide the proceedings on submissions if the parties agree.

- (3) If the proceedings are to be decided on submissions, the tribunal must give all parties a notice asking for the submissions to be made to the tribunal within a stated reasonable period.

- (4) Otherwise, the tribunal must give notice of the time and place of the hearing to all parties.

- (5) The tribunal may decide the proceedings without a party's submission (written or oral) if—

- (a) for proceedings to be decided on submissions—the party's submission is not received within the time stated in the notice given under subsection (3); or

- (b) for proceedings to be decided by hearing—the person, or the person's agent, does not appear at the hearing.

- (6) When hearing proceedings, the tribunal—

- (a) need not proceed in a formal way; and

- (b) is not bound by the rules of evidence; and

- (c) may inform itself in the way it considers appropriate; and

- (d) may seek the views of any person; and

- (e) must ensure all persons appearing before the tribunal have a reasonable opportunity to be heard; and

- (f) may prohibit or regulate questioning in the hearing.

- (7) If, because of the time available for the proceedings, a person does not have an opportunity to be heard, or fully heard, the person may make a submission to the tribunal.

250 Tribunal directions or orders

A tribunal may, at any time during tribunal proceedings, make any direction or order that the tribunal considers appropriate.

Examples of directions—

- a direction to an applicant about how to make their development application comply with this Act
- a direction to an assessment manager to assess a development application, even though the referral agency's response to the assessment manager was to refuse the application

251 Matters tribunal may consider

- (1) This section applies to tribunal proceedings about—
 - (a) a development application or change application; or
 - (b) an application or request (however called) under the Building Act or the Plumbing and Drainage Act.
- (2) The tribunal must decide the proceedings based on the laws in effect when—
 - (a) the application or request was properly made; or
 - (b) if the application or request was not required to be properly made—the application or request was made.
- (3) However, the tribunal may give the weight that the tribunal considers appropriate, in the circumstances, to any new laws.

252 Deciding no jurisdiction for tribunal proceedings

- (1) A tribunal may decide that the tribunal has no jurisdiction for tribunal proceedings, at any time before the proceedings are decided—
 - (a) on the tribunal's initiative; or
 - (b) on the application of a party.
- (2) If the tribunal decides that the tribunal has no jurisdiction, the tribunal must give a decision notice about the decision to all parties to the proceedings.
- (3) Any period for starting proceedings in the P&E Court, for the matter that is the subject of the tribunal proceedings, starts again when the tribunal gives the decision notice to the party who started the proceedings.

- (4) The decision notice must state the effect of subsection (3).
- (5) If the tribunal decides to end the proceedings, the fee paid to start the proceedings is not refundable.

253 Conduct of appeals

- (1) This section applies to an appeal to a tribunal.
- (2) Generally, the appellant must establish the appeal should be upheld.
- (3) However, for an appeal by the recipient of an enforcement notice, the enforcement authority that gave the notice must establish the appeal should be dismissed.
- (4) The tribunal must hear and decide the appeal by way of a reconsideration of the evidence that was before the person who made the decision appealed against.
- (5) However, the tribunal may, but need not, consider—
 - (a) other evidence presented by a party to the appeal with leave of the tribunal; or
 - (b) any information provided under section 246.

254 Deciding appeals to tribunal

- (1) This section applies to an appeal to a tribunal against a decision.
- (2) The tribunal must decide the appeal by—
 - (a) confirming the decision; or
 - (b) changing the decision; or
 - (c) replacing the decision with another decision; or
 - (d) setting the decision aside, and ordering the person who made the decision to remake the decision by a stated time; or
 - (e) for a deemed refusal of an application—
 - (i) ordering the entity responsible for deciding the application to decide the application by a stated time and, if the entity does not comply with the order, deciding the application; or
 - (ii) deciding the application.

(3) However, the tribunal must not make a change, other than a minor change, to a development application.

(4) The tribunal's decision takes the place of the decision appealed against.

(5) The tribunal's decision starts to have effect—

(a) if a party does not appeal the decision—at the end of the appeal period for the decision; or

(b) if a party appeals against the decision to the P&E Court—subject to the decision of the court, when the appeal ends.

255 Notice of tribunal's decision

A tribunal must give a decision notice about the tribunal's decision for tribunal proceedings, other than for any directions or interim orders given by the tribunal, to all parties to proceedings.

256 No costs orders

A tribunal must not make any order as to costs.

257 Recipient's notice of compliance with direction or order

If a tribunal directs or orders a party to do something, the party must notify the registrar when the thing is done.

258 Tribunal may extend period to take action

(1) This section applies if, under this chapter, an action for tribunal proceedings must be taken within a stated period or before a stated time, even if the period has ended or the time has passed.

(2) The tribunal may allow a longer period or a different time to take the action if the tribunal considers there are sufficient grounds for the extension.

259 Publication of tribunal decisions

The registrar must publish tribunal decisions under the arrangements, and in the way, that the chief executive decides.

Schedule 1 Appeals

section 229

Appeal rights and parties to appeals

(1) Table 1 states the matters that may be appealed to—

(a) the P&E court; or

(b) a tribunal.

(2) However, table 1 applies to a tribunal only if the matter involves—

(a) the refusal, or deemed refusal of a development application, for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(b) a provision of a development approval for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(c) if a development permit was applied for—the decision to give a preliminary approval for—

(i) a material change of use for a classified building; or

(ii) operational work associated with building work, a retaining wall, or a tennis court; or

(d) a development condition if—

(i) the development approval is only for a material change of use that involves the use of a building classified under the Building Code as a class 2 building; and

(ii) the building is, or is proposed to be, not more than 3 storeys; and

(iii) the proposed development is for not more than 60 sole-occupancy units; or

(e) a decision for, or a deemed refusal of, an extension application for a development approval that is only for a material change of use of a classified building; or

(f) a decision for, or a deemed refusal of, a change

application for a development approval that is only for a material change of use of a classified building; or

(g) a matter under this Act, to the extent the matter relates to the Building Act, other than a matter under that Act that may or must be decided by the Queensland Building and Construction Commission; or

(h) a decision to give an enforcement notice—

(i) in relation to a matter under paragraphs (a) to (g); or

(ii) under the Plumbing and Drainage Act; or

(i) an infrastructure charges notice; or

(j) the refusal, or deemed refusal, of a conversion application; or

(l) a matter prescribed by regulation.

(3) Also, table 1 does not apply to a tribunal if the matter involves—

(a) for a matter in subsection (2)(a) to (d)—

(i) a development approval for which the development application required impact assessment; and

(ii) a development approval in relation to which the assessment manager received a properly made submission for the development application; or

(b) a provision of a development approval about the identification or inclusion, under a variation approval, of a matter for the development.

(4) Table 2 states the matters that may be appealed only to the P&E Court.

(5) Table 3 states the matters that may be appealed only to the tribunal.

(6) In each table—

(a) column 1 states the appellant in the appeal; and

(b) column 2 states the respondent in the appeal; and

(c) column 3 states the co-respondent (if any) in the appeal; and

(d) column 4 states the co-respondents by election (if any) in the appeal.

(7) If the chief executive receives a notice of appeal under section 230(3)(f), the chief executive may elect to be a co-respondent in the appeal.

(8) In this section—

storey see the Building Code, part A1.1.

Table 1

Appeals to the P&E Court and, for certain matters, to a tribunal

1. Development applications

For a development application other than a development application called in by the

Minister, an appeal may be made against—

(a) the refusal of all or part of the development application; or

(b) the deemed refusal of the development application; or

(c) a provision of the development approval; or

(d) if a development permit was applied for—the decision to give a preliminary approval.

**EXTRACT FROM THE *PLANNING ACT 2016*
RELATING TO LAPSE DATES**

***Division 4 Lapsing of and extending
development approvals***

85 Lapsing of approval at end of current period

*(1) A part of a development approval lapses at the end of the following period (the **currency period**)—*

(a) for any part of the development approval relating to a material change of use—if the first change of use does not happen within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—6 years after the approval starts to have effect;

(b) for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act, is required to be given to a local government for approval is not given to the local government within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—4 years after the approval starts to have effect;

(c) for any other part of the development approval if the development does not substantially start within—

(i) the period stated for that part of the approval; or

(ii) if no period is stated—2 years after the approval starts to take effect.

(2) If part of a development approval lapses, any monetary security given for that part of the approval must be released.