

REPORT TITLE	Material Change of Use – Impact – Intensive Animal Industry and ERA 2(1)(b) Intensive Animal Feedlotting (keeping more than 1,000 but no more than 10,000 SCU) located at 48 Schulls Road, DEVON PARK QLD 4401
AUTHOR	Planning Officer (James Leader)
Application No.	MCUI/2025/4656

PURPOSE OF REPORT

To consider a Development Application for Material Change of Use – Impact – Intensive Animal Industry and ERA 2(1)(b) Intensive Animal Feedlotting (keeping more than 1,000 but no more than 10,000 SCU) located at 48 Schulls Road, DEVON PARK QLD 4401.

EXECUTIVE SUMMARY

The proposed development is a Material Change of Use for an Intensive Animal Industry and Environmentally Relevant Activity (ERA) 2(1)(b) Intensive Animal Feedlotting – keeping more than 1,000 but no more than 10,000 Standard Cattle Units (SCU) in a feedlot located at 48 Schulls Road, Devon Park.

The subject site currently contains a facility that has been used as a Live Export depot under federal regulations, and is now proposed to be converted into a 3,400 SCU Feedlot to be accredited under the National Feedlot Accreditation Scheme (NFAS). There will be minimal operational changes to the current facility, with the main change being the increase in capacity, and the introduction of a number of Effluent Utilisation Areas (EUA) to manage liquid and solid waste produced on site.

The site gains access to Schulls Road via an existing driveway crossover and internal driveway and will include upgrades to Schulls Road to accommodate the traffic anticipated to be generated by the development.

The proposed development also includes a number of lots that will be used for cropping and grazing in conjunction with the proposed Intensive Animal Industry Use, and will also benefit from the two (2) proposed EUA’s included with the proposal.

The proposed solid waste stockpile, carcass composting area, and effluent holding pond, will not be impacted by flood events as they are located clear of any flooding extent.

Under the Planning Scheme, the proposed Material Change of Use for an Intensive Animal Industry is subject to Impact Assessment.

One (1) properly made submission regarding the proposed Intensive Animal Industry was made during the Public Notification Period. The matters raised in the submission have been considered in the assessment of the development application.

The proposal is considered to comply with the relevant Planning Scheme provisions, or to the extent of non-compliance, is considered capable of being conditioned to comply. Therefore, the development application is recommended for approval subject to relevant and reasonable conditions.

RECOMMENDATION

APPROVED – Application No. MCUI/2025/4656 for a Development Permit for Material Change of Use – Impact – Intensive Animal Industry, pursuant to the provisions of Section 60 of the *Planning Act 2016* and subject to the conditions listed below.

ASSESSMENT MANAGER CONDITIONS

PLANNING

APPROVED USE

1. This Development Approval is for a Material Change of Use for Intensive Animal Industry for a maximum of 3,400 SCU.

CARRY OUT & MAINTAIN DEVELOPMENT

2. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.
3. Complete all building work associated with this Development Approval, including work required by any of the conditions of this Development Approval prior to the commencement of use. Such building work is to be carried out generally in accordance with the Approved Plans and Documents and, where the building work is assessable development, in accordance with a current Building Work approval.
4. The development must be maintained generally in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.

APPROVED PLANS

5. The development must be carried out generally in accordance with the Approved Plans listed below, subject to the conditions of this Development Approval:

Plan No: ELC-002, P202, Revision A1
Description: Property Plan, prepared by AgDSA and dated 5 December 2025
Amendments: Nil

Plan No: ELC-002, P204, Revision A1
Description: Design Plan, prepared by AgDSA and dated 5 December 2025
Amendments: Nil

Plan No: ELC-002, P205, Revision A1
Description: Controlled Drainage Area, prepared by AgDSA and dated 5 December 2025
Amendments: Nil

Plan No: ELC-002, P206, Revision A1
Description: Typical Pen Design & Cross Section, prepared by AgDSA and dated 5 December 2025
Amendments: Nil

Plan No: ELC-002, P207, Revision A1
Description: Effluent Management, prepared by AgDSA and dated 5 December 2025
Amendments: Nil

APPROVED DOCUMENTS

6. The development must be carried out generally in accordance with the Approved Documents listed below, subject to the conditions of this Development Approval

Plan No: Site Based Management Plan, Rev. 0
Description: Site Based Management Plan, prepared by AgDSA and dated 9 July 2025
Amendments: Nil

Plan No: Bushfire Emergency Evacuation Plan, Ver. 2
Description: Bushfire Emergency Evacuation Plan, prepared by Range Environmental and dated 8 October 2025
Amendments: Nil

Document: Silverbrook Feedlot – Schulls/Devon Park, Rev 2
Description: Traffic Impact Assessment, prepared by RMA Engineers and dated 28 June 2025
Amendment: Nil

COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (OPERATIONAL WORK)

7. Prepare and submit applications to Council and obtain a Development Permit for Operational Work for the following:
 - 7.1 Bulk Earthwork (where required); and

7.2 Roadworks.

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

8. A legible copy of the Development Approval, including the Approved and Amended Plans and Documents bearing Council's approved stamp must be available on the subject land for inspection at all times during earthworks and construction.

WORKS

ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

9. Plans and specifications for all works associated with earthworks, stormwater drainage, roadworks or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland – Civil (RPEQ).
10. A RPEQ must submit to Council a copy of the:
 - 10.1 Design Certificate prior to commencement of the works; and
 - 10.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
11. Any works that have been certified by an RPEQ must be carried out under the supervision of an RPEQ with all executed works being detailed on a Construction Supervision Certificate.
12. Where any condition refers to or requires an Engineer to perform a task or function, the Engineer must hold professional indemnity insurance to the value of \$2,000,000. A Certificate of Currency must be submitted to Council with any Design Certificate or Construction Supervision Certificate.

STORMWATER DRAINAGE

13. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.
14. Upstream flows must be excluded from the Controlled Drainage Area (CDA) identified within the Approved Site-Based Management Plan.
15. All stormwater which has entered the Controlled Drainage Area (CDA) must be captured and diverted to the Effluent Holding Pond identified on the Approved Plans

STORMWATER DISCHARGE

16. Stormwater from new roofed areas (including overflow pipes from rainwater tanks) is permitted to be discharged within the subject land, a minimum of 3 metres clear of any building foundations and any adjoining property boundary.
17. The act of on-site stormwater discharge must not cause erosion and scouring and must utilise appropriate control devices at outlets to prevent such erosion and scouring.
18. Stormwater must be dispersed as sheet flow.
19. Design and construction of all internal stormwater drainage works must comply with each applicable section of *Australian and New Zealand Standard AS/NZS 3500 – Plumbing and Drainage Code* and the *Queensland Urban Drainage Manual*.

BULK EARTHWORKS (IF REQUIRED)

20. Where earthworks are not assessed as part of a Development Application for a Development Permit for Building Work, prior to the commencement of any earthworks on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council if required.

AIR QUALITY IMPACT MITIGATION

21. Odours or airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the *Air Quality Objectives* listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive place or commercial place must not be released to the atmosphere during building and operational work.
22. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated during building works do not exceed the following levels when measured at any sensitive place or commercial place:
 - 22.1 Dust deposition of 133 milligrams per square metre per day, averaged over 1 month, when monitored in accordance with the most recent version of *Australian Standard AS3580.10.1 Methods for sampling and analysis of ambient air – Determination of particulate matter – Deposited matter – Gravimetric method*.

CONSTRUCTION WASTE MANAGEMENT & STORAGE

23. Waste generated during demolition, excavation and construction must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.
24. The on-site storage and disposal of demolition, excavation and construction waste (including the storage and disposal of night soil) must comply with the *Environmental Protection Regulation 2019*.
25. Fires are not to be lit to dispose of demolition or construction waste.
26. No demolition, excavation or construction waste is to be used as fill or buried on-site (with the exception of cut material recycled from the subject land and used on the subject land), or be used as fill or buried elsewhere, unless otherwise permitted:
 - 26.1 Elsewhere within this Development Approval;
 - 26.2 In accordance with an associated Development Permit for Operational Work;
 - 26.3 In association with and in accordance with an Environmental Authority issued under the *Environmental Protection Act 1994*;
 - 26.4 In accordance with either a general or specific approval of a resource for recycling (in accordance with the End of Waste Codes) issued under the *Waste Reduction and Recycling Act 2011*; or
 - 26.5 In accordance with a written approval issued by Council under the *Environmental Protection Regulation 2019* relating to the depositing or disposal of general waste from a premises not serviced by Council.
27. Demolition, excavation and construction waste (including night soil) must not be placed or stored within the road reserve at any time.

CONSTRUCTION NOISE IMPACT MITIGATION

28. Building work (as per the definition of the *Environmental Protection Act 1994*) that creates audible noise must be confined to the hours of 6:30 AM and 6:30 PM Monday to Saturday (excluding Public Holidays) unless otherwise approved by Council in an endorsed Construction Environmental Management Plan.

EROSION & SEDIMENT CONTROL (GENERAL)

29. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of wind or running water must be stored clear of drainage paths and not within the road reserve at any time.
30. Measures such as sediment fences, earth berms, temporary drainage, temporary sediment basins, dewatering or stormwater filtering devices to prevent eroded material, sediment or sediment laden water from being transported to adjoining properties, roads or stormwater drainage systems must be provided.

31. Where erosion and sediment control measures have been damaged, fail or are inadequate and erosion or the release of sediment or sediment laden stormwater has occurred from the subject land or associated works, any resultant property or environmental damage or interference caused must be repaired or cleaned up within 24 hours or upon the direction of Council, at no cost to the affected parties.
32. All disturbed areas must be mulched or turfed as soon as possible during construction.

DAMAGE TO SERVICES & ASSETS

33. Protect Council and public utility services and assets during construction of the development.
34. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
 - 34.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
 - 34.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
35. Any repair work which includes alteration to the alignment, or the level of existing services and assets must first be referred to the relevant service authority for approval.
36. Construction, alterations, and any repairs to Council infrastructure is undertaken in accordance with Council's relevant policies and requirements at no cost to Council.

Note: Council must be notified of any damage to water and sewer immediately on Ph: 131 872.

SERVICES & UTILITIES

WATER SUPPLY

37. The development must be provided with a potable water supply having a capacity sufficient for the use, with water quality complies with the *Australian Drinking Water Guidelines (NHMRC, 2011)*.

TRANSPORT, VEHICULAR ACCESS & PARKING

ROADWORKS (EXTERNAL TO DEVELOPMENT)

38. Prior to the commencement of use, the existing Devon Park Road / Schulls Road intersection must be upgraded in accordance with the recommendations of the approved Traffic Impact Assessment listed within this Development Approval.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.
39. The existing concrete pipe culvert structure at the Devon Park Road / Schulls Road intersection must be widened and rehabilitated to accommodate design vehicle manoeuvring paths.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.
40. The design and construction of all required roadworks must comply with *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure (PSP No.2)*.
41. Any pavement widening must join neatly to the existing pavement so that there are no specific irregularities in line or level resulting at or adjacent to the join for the length of the construction. Where necessary the existing pavement must be brought to a satisfactory standard in accordance with PSP No. 2 to allow for the above.
42. All street/road surfacing must be in accordance with the pavement construction standards in PSP No. 2.

43. Prior to the commencement of any works on the subject land, a Development Application for a Development Permit for Operational Work must be submitted to and be approved by Council for the road works.

ROADWORKS SIGNAGE AND PEDESTRIAN SAFETY

44. All works carried out on or near roadways must be adequately signed in accordance with the *Manual for Uniform Traffic Control Devices – Part 3, Works on Roads*.

Note: *Road or lane closures require approval from Council's Principal Engineer Road Operations, and all conditions of that approval complied with during construction of the works.*

45. Safe pedestrian access along Council's footpaths must be maintained at all times.

Note: *Should access to footpaths need to be restricted, a separate 'Temporary road or footpath closure' must be obtained from Council's Principal Engineer Road Operations, prior to the commencement of the works.*

PROVISION OF VEHICULAR ACCESS

46. The vehicle access from the subject land to Schulls Road must be provided with a minimum all-weather gravel pavement from the road edge to the property boundary. Such works must be constructed generally in accordance with any requirements identified listed within this Development Approval, or as specifically required below:

46.1 The vehicle access must be located as shown on the Approved Plans listed within this Development Approval;

46.2 The vehicle access (crossing the verge) must be constructed generally in accordance with the Institute of Public Works Engineering Australasia *Drawing RS-056 Rural Driveways*, and in accordance with *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*; and

46.3 The vehicle access (crossing of the verge) must include suitable tapers and flares to accommodate the required turning paths of an Articulated Vehicle.

ENVIRONMENT & WASTE

ACOUSTIC AMENITY - NOISE LIMITS

47. Noise from activity associated with the use of the subject land must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2019* when measured at any sensitive receptor.

48. Where considered warranted by Council and when requested in writing to do so, a noise investigation must be undertaken to investigate a complaint of noise nuisance. In such instances, a suitably qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the Noise Emission Limits listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request. Measurement of noise emissions (adjusted for tonality and impulse) must be generally in accordance with the most recent version of *Australian Standard AS1055.1 Acoustics – Description and measurement of environmental noise – General procedures*.

Note: *Before investigation by the operator is required, Council completes its own consultation and preliminary investigation to confirm if a complaint is valid.*

ACOUSTIC AMENITY - MECHANICAL PLANT

49. All "refrigeration equipment", "pumps", "regulated devices", and "air conditioning equipment" as defined by the *Environmental Protection Act 1994* must be designed, installed, operated and maintained to comply with the noise standards as specified within the *Environmental Protection Act 1994*.

AIR QUALITY & AMENITY - AIR RELEASE LIMITS

50. Airborne contaminants which are noxious or offensive to public amenity or safety, likely to cause environmental harm or environmental nuisance or exceed the Air Quality Objectives listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive receptor place must not be released to the atmosphere.

AIR QUALITY & AMENITY - AIR RELEASE LIMITS (DUST)

51. All reasonable and feasible avoidance and mitigation measures are employed so that dust emissions generated from activity associated with the use of the subject land do not exceed the following levels when measured at any sensitive place or commercial place:

- 51.1 Dust deposition of 133 milligrams per square metre per day averaged over 1 month, when monitored in accordance with the most recent version of *Australian Standard AS3580.10.1: Methods for sampling and analysis of ambient air – Determination of particulate matter – Deposited matter – Gravimetric method*.

OUTDOOR LIGHTING IMPACT MITIGATION

52. Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of *Australian Standard AS4282-2019 Control of the obtrusive effects of outdoor lighting*.

53. All flood lighting must be of a type that gives no upward component of light when mounted horizontally (i.e. a full cut off luminaire).

54. Where considered warranted by Council and when requested in writing to do so, a lighting impact investigation must be undertaken to investigate a complaint of light nuisance. In such circumstances, a suitably qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the lighting levels listed within this Development Approval have been exceeded. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request.

Note: Before investigation by the operator is required, Council completes its own consultation and preliminary investigation to confirm if a complaint is valid.

STORMWATER QUALITY

55. Contaminants or contaminated water must not be directly or indirectly released from the subject land or to the ground or groundwater at the subject land at any time except:

- 55.1 Following treatment using an appropriate stormwater quality improvement device (SQID) as uncontaminated overland stormwater flow; and

- 55.2 Following treatment using an appropriate stormwater quality improvement device (SQID) as uncontaminated stormwater to the stormwater system.

WASTE MANAGEMENT (GENERAL)

56. All waste generated on the subject land must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

WASTE MANAGEMENT (REMOVAL)

57. Unless otherwise endorsed by Council in a waste management plan, arrangements for waste removal are provided in accordance with the following requirements:

- 57.1 Disposal of waste generated must be undertaken in accordance with the *Environmental Protection Regulation 2019*;

- 57.2 Bins must be located in a manner that allows the refuse vehicle to pick them up automatically without the driver having to relocate them;

- 57.3 General waste must be collected and removed at periods not exceeding seven (7) days;

- 57.4 Bins must be stored at their place of permanent storage other than times ahead of or during waste removal; and
- 57.5 The waste collection method must ensure that waste is adequately managed to prevent escape of contamination.

SITE BASED ENVIRONMENTAL MANAGEMENT PLAN

58. The approved use must be carried out in accordance with the Site Based Management Plan listed within this Development Approval.

GENERAL ADVICES

INFRASTRUCTURE CHARGES

- 1) Infrastructure charges are levied by way of an Infrastructure Charges Notice, issued pursuant to Section 119 of the *Planning Act 2016*.

OTHER LAWS & REQUIREMENTS

- 2) This Development Approval relates to development requiring approval under the *Planning Act 2016* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 3) Carrying out works on a road or interfering with the road or its operation will require a permit under *Subordinate Local Law No. 1.15 (2020)*. The application form can be found on Council's website at www.tr.qld.gov.au. For further information contact the Road Operations Branch through Council's Customer Service Centre on 131 872.
- 4) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme 2012*. No assessment has been made in respect of the provisions of the *Building Code of Australia* and/or the *Queensland Development Code*.

WHEN APPROVAL STARTS TO HAVE EFFECT

- 5) This Development Approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

WHEN APPROVAL LAPSES

- 6) This Development Approval will lapse in accordance with the provisions contained in Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this Development Approval.

EQUITABLE ACCESS & FACILITIES

- 7) The plans for the proposed building work have NOT been assessed for compliance with the requirements of the *National Construction Code – Building Code of Australia (Volume 1)* as they relate to people with disabilities.

In addition to the requirements of the National Construction Code as they relate to people with disabilities, one or more of the following may impact on the proposed building work:

- 7.1 The *Disability Discrimination Act 1992* (Cth);
- 7.2 The *Anti-Discrimination Act 1991* (Qld); and
- 7.3 The *Disability (Access to Premises - Buildings) Standards*.

ENVIRONMENTAL HARM

- 8) The *Environmental Protection Act 1994* (EP Act) states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm.

Environmental harm includes environmental nuisance. In this regard persons and entities involved in the civil, earthworks, construction and operational phases of this development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm. Environmental harm is defined by the EP Act as any adverse effect, or potential adverse effect (whether temporary or permanent and of whatever magnitude, duration or frequency) on an environmental value, and includes environmental nuisance.

Therefore, no person should cause any interference with the environment or amenity of the area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, sediment, oil or otherwise, or cause hazards likely in the opinion of the Administering Authority to cause undue disturbance or annoyance to persons or affect property not connected with the use.

WATER POLLUTION

- 9) In accordance with the *Environmental Protection Act 1994*, all sand, silt, mud, paint, cement, concrete, construction material and demolition material, and other such waste material must not be deposited or placed where it could reasonably be expected to travel into a roadside gutter, stormwater drain or watercourse. On the spot fines apply for such offences.

ABORIGINAL CULTURAL HERITAGE ACT 2003

- 10) There may be a requirement to establish a Cultural Heritage Management Plan and/or obtain approvals pursuant to the *Aboriginal Cultural Heritage Act 2003* ("ACH Act").

The ACH Act establishes a cultural heritage duty of care which 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.*" It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the ACH Act may also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

You should contact the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) Cultural Heritage Unit on 07 3247 6212 to discuss any obligations under the ACH Act.

FIRE ANTS

- 11) The State of Queensland has been declared a quarantine area for the Red Imported Fire Ant. Should this approval involve the movement of restricted items from areas of known infestation the provisions of the *Biosecurity Act 2014* apply, compliance with statutory provisions must be achieved.

REASONS FOR RECOMMENDATION

The proposed development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 2). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance.

DELEGATE'S DECISION:

I have reviewed the report for this application in accordance with the Relevant Instruments, Statutory and Non-Statutory Provisions and in accordance with Council's process and procedures. I agree with the responsible officer's recommendation that the application be approved subject to the conditions contained in the recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Richard Green
Lead Senior Planner, Planning Branch

Decision Date: 28 April 2026

CORPORATE PLAN REFERENCE

Strategic Action 2.3.3 Ensure development aligns with community sentiment, through effective and efficient assessment, with the planning scheme, planning instruments, codes and legislation.

BACKGROUND

SITE DETAILS				
Site Address	48 Schulls Road, DEVON PARK QLD 4401			
Real Property Description	Lot 1 RP55546, Lot 24 RP36473, Lot 23 RP36474, Lot 24 RP36474, Lot 2 RP55546			
Site Area	358.353 ha.			
Owner	Matthew William John Edwards and Alice Madge Edwards			
SITE CHARACTERISTICS				
Current Land Use	Rural			
Site Frontage/s	Schulls Road, Devon Park Boundary Road			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Schulls Road	Local	20m	5m	Dirt
Devon Park Boundary Road	Local	20m	5m	Gravel
Easements	Nil			
Existing Structures	Existing rural outbuildings, dwelling, and Live Export Cattle Facility			
Infrastructure	The site does not feature any connections to Council's reticulated networks.			
Topography	The site slopes slightly with a fall from east to west			
Street Trees	Nil			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	<i>Toowoomba Regional Planning Scheme 2012</i> (Version 28)			Adopted: 28 November 2022
Zone	Rural Zone			
Precinct	100ha Minimum Precinct			
Overlays	Airport Environs Overlay <ul style="list-style-type: none"> - 8km Wildlife Hazard Buffer Zone - Lighting Area Buffer (6km) - Obstacle Height Restriction Zone (Area C - 15m) - Obstacle Height Restriction Zone (Area D - 45m) - Obstacle Height Restriction Zone (Area E - 90m) Environmental Significance Overlay <ul style="list-style-type: none"> - Areas of Environmental Significance - Areas of Ecological Significance Buffer Agricultural Land Overlay <ul style="list-style-type: none"> - Agricultural Land Flood Hazard Overlay <ul style="list-style-type: none"> - Balance Mixed Bushfire Hazard Overlay <ul style="list-style-type: none"> - Medium Fire Risk 			
Infrastructure Charges Resolution	<i>Charges Resolution No. 7</i>			Adopted: 19 August 2025
SURROUNDS:				
Direction	Land Use	Zone/Precinct		
North	Agricultural	Rural Zone		
East	Agricultural	Rural Zone		

South	Agricultural	Rural Zone
West	Agricultural	Rural Zone

APPLICATION HISTORY	
<i>Application No.</i>	<i>Description</i>
PREL/2025/395	Meeting held 7 February 2025

PROPOSED DEVELOPMENT	
Name of Applicant	Edwards Livestock Pastoral Pty Ltd
Type of Application	Material Change of Use - Impact
Proposed Development	Intensive Animal Industry
Variations Sought	Not Applicable
Level of Assessment	Impact
Service Vehicle Provision	Articulated Vehicle
Submissions Received	Objection: One (1)
	Support: Nil
Decision Making Period Ends	28 April 2026

CONSULTATION UNDERTAKEN

Referral Agency/ies

Referral Agency (Technical Agency)	Referral Role	Aspect of Development Requiring Referral	Response
Department of State Development, Manufacturing, Infrastructure and Planning	Referral Agency	<ul style="list-style-type: none"> Schedule 10, Part 5, Division 4, Table 2, Item 1 (<i>Planning Regulation 2017</i>) – Environmentally Relevant Activity Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 (<i>Planning Regulation 2017</i>) – Development impacting on state transport infrastructure 	<p>The referral agency has imposed conditions on the development.</p> <p>The referral agency response was received 23 December 2025.</p>

Internal Referrals

Internal Referral Partner	Referral / Response
Development Engineering and Plumbing	Recommended approval subject to conditions.
Place Environmental	Recommended approval subject to conditions.
Water and Waste	Recommended approval subject to conditions.
Infrastructure Charges Unit	Prepared an Infrastructure Charges Notice in accordance with <i>Charges Resolution No. 7</i> to accompany any approval of the development.

Public Notification

The Notice of Compliance was received by Council on 2 March 2026. The information attached to the notice confirms that the public notification of the application was undertaken in accordance with the requirements of Part 4 of the *Planning Act 2016*. The Notice of Compliance states the public notification included:

- Publishing a notice in the Chronicle on 5 February 2026;
- Placing a notice on the land from 5 February 2026 until 27 February 2026; and

- Notifying owners of all land adjoining the site on 4 February 2026.

One (1) properly made submission was received opposing the development.
No submissions were received supporting the development.

It is noted that the signs placed on the premises during Public Notification did not contain the correct application reference in accordance with the requirements of Schedule 3, Part 1 of the DA Rules. However, in accordance with Section 53(3) of the *Planning Act 2016*, it has been determined that Council will continue to assess and decide the application despite the noncompliance as it is considered that it has not adversely affected the public's awareness of the existence and nature of the application and has not restricted the public's opportunity to make properly made submissions about the application.

A summary of the matters raised in the submission/s and Council officer responses are outlined in the Table below:

Issue	How matter was dealt with
Odour emissions and scale of proposed feedlot.	<p>The submitter has raised concerns regarding the amount of odour produced by the proposed feedlot due to its proximity to their property, and the number of cows proposed on the site. The submitter has also raised concerns regarding the odour emissions produced by the effluent dispersion systems proposed as part of the development.</p> <p>As part of the assessment of the proposed development, a complex assessment of the odour expected to be generated by the proposal has been undertaken. The applicant has submitted a Site Based Management Report, which has been included as an approved document, and requires odour produced by the site operations to be managed to not cause nuisance to adjoining sensitive receptors. Council's Environmental Officers were satisfied based on the information provided by the applicant that odour is able to be appropriately managed. In addition to requiring the development to be undertaken in accordance with the requirements of the submitted Site Based Management Plan, conditions of approval have been imposed which require further testing and checking of odour levels produced by the development should there be any issues or complaints received from nearby sensitive receptors post approval.</p>

ISSUES, RISKS AND RESPONSES – ASSESSMENT

Categorising Instrument – *Planning Regulation 2017*:

PLANNING REGULATION 2017	
<i>Prohibited Development</i>	The proposed development is not prohibited development in accordance with the <i>Planning Regulation 2017</i> .
<i>Infrastructure Charges</i>	The <i>Planning Regulation 2017</i> provides for the levying of infrastructure charges on development approvals.
<i>Schedules 9 and 10</i>	The proposed development is not for Reconfiguring a Lot as defined in Part 1 of Schedule 12A of the Regulation.

REGIONAL PLANS	
<i>Shaping SEQ – South East Queensland Regional Plan 2023</i>	Not applicable
<i>Darling Downs Regional Plan October 2013</i>	<p>The <i>Darling Downs Regional Plan 2013</i> (DDRP) is a statutory regional plan that is intended to provide planning policy to address planning matters that are of State interest and specific to the Darling Downs region.</p> <p>The DDRP identifies that the subject site is mapped within a Priority Agricultural Area (PAA) and Strategic Cropping Area (SCA). However, the development application does not conflict with the intent for a PAA or SCA because the subject site is located within an established rural area and it is considered that the development application is consistent with the regional policies included within the DDRP.</p>

STATE PLANNING POLICY (SPP)

July 2017

The proposed development is seen to achieve the relevant benchmarks of the SPP.

Local Categorising Instrument – *Toowoomba Regional Planning Scheme 2012*:

The proposed development was assessed against the following assessment benchmarks:

- Strategic Framework
- Rural Zone Code
- Airport Environs Overlay Code
- Environmental Significance Overlay Code
- Bushfire Hazard Overlay Code
- Agricultural Land Overlay Code
- Flood Hazard Overlay Code
- Rural Uses Code
- Environmental Standards Code
- Integrated Water Cycle Management Code
- Transport, Access and Parking Code
- Works and Services Code

The development was assessed against all of the assessment benchmarks listed above and is considered to comply, or can be conditioned to comply. Further comment is made with regard to the following:

OVERLAY CODE/S:

ENVIRONMENTAL SIGNIFICANCE OVERLAY CODE	
Performance Outcome	Acceptable Outcome
<p>PO1 <i>Vegetation disturbance or other impacts on areas of ecological significance shown on the Environmental Significance Overlay maps, is avoided or where disturbance cannot be avoided the loss or reduction of ecological values is minimised.</i></p>	<p>AO1.1 <i>Impacts are avoided by locating development wholly outside mapped areas of ecological significance and areas of ecological significance buffer identified on the Environmental Significance Overlay maps.</i> OR <i>Where impacts on areas of ecological significance shown on the Environmental Significance Overlay Maps cannot be avoided, they are minimised by:</i></p> <ul style="list-style-type: none"> <i>(a) minimising the total footprint within which activities, buildings, structures, driveways and other works or activities are contained;</i> <i>(b) avoiding further fragmentation of areas of ecological significance and strengthening linkages where possible;</i> <i>(c) utilising areas of lesser importance in terms of biodiversity values so that areas of higher value are conserved to the greatest extent practicable; and</i> <i>(d) maintaining areas of ecological significance in patches of greatest possible size and with the smallest possible edge to area ratio.</i>
Alternate Outcome	
<p>The applicant submits:</p> <p><i>“Generally, the clearing of remnant vegetation is limited to isolated trees already within the existing live export footprint. These trees must be cleared to ensure the feedlot pen surface meets the permeability specifications within the National Guidelines. Clearing of a small number of isolated trees outside the existing footprint will also be required. However, these have been limited as much as reasonably possible. This vegetation is on the outer edge of the larger tree canopy along the adjacent ridge.”</i></p>	
Officer Comment	
<p>The proposed development involves locating the proposed feedlot pens in an area mapped as containing Areas of Ecological Significance under the Environmental Significance Overlay of the Planning Scheme. The proposed location of the feedlot pens features scattered existing vegetation which is located amongst pens which are currently utilised for the existing live export facility on the site. This limited vegetation</p>	

inside the proposed feedlot pens has been significantly degraded and is highly fragmented when compared to other more established areas of ecological significance on the site.

The removal of this limited number of trees in order to establish the proposed feedlot pens, is not seen to result in the reduction of ecological values across the site, especially given that there are large, highly vegetated areas of the site which are mapped as both remnant vegetation by the State, and as Areas of Ecological Significance under the Planning Scheme.

The ecological value of the vegetation proposed to be removed is seen to be minimal given the existing live export facility pens location and as such the removal vegetation in order to establish the proposed feedlot pens is seen to comply with Performance Outcome PO₁ of the Environmental Significance Overlay Code.

Local Categorising Instrument – Variation Approval:

Not Applicable

Local Categorising Instrument – Temporary Local Planning Instrument:

Not Applicable

Local Categorising Instrument – Preliminary Approval:

Not Applicable

Local Categorising Instrument – Local Government Infrastructure Plan:

The subject site is not located within the Priority Infrastructure Area (PIA)

Other Relevant Matters

Not Applicable

FINANCIAL / RESOURCE IMPLICATIONS

Infrastructure charges will be applied in accordance with Council's *Charges Resolution No. 7*.

Human Rights Act 2019 CONSIDERATIONS

The *Human Rights Act 2019* provides that it is unlawful for a public agency to act or make a decision in a way that is not compatible with human rights, or to fail to give proper consideration to a human right. This necessitates understanding the human rights that are protected. When making decisions or taking actions, consideration needs to be given to how that may impact on a person's human rights. Where there is a restriction on a person's human rights the restriction must be no greater than is justifiable to protect the rights of others or the community at large.

In assessing this application consideration has been given to the following sections of the *Human Rights Act 2019*:

Section 15 – Recognition and equality before the law
Section 24 – Property rights

It is the opinion of the decision maker that no human rights have been limited.

CONCLUSION

The development has been assessed with regard to the applicable assessment benchmarks as identified within this report and the attached Statement of Reasons (refer to Schedule 2). The proposed development generally complies with the assessment benchmarks or it can be conditioned to comply. Where the applicant has not provided sufficient information, conditions have been imposed to ensure compliance. It is therefore recommended that the development application be approved subject to the conditions identified above.

ATTACHMENT/S

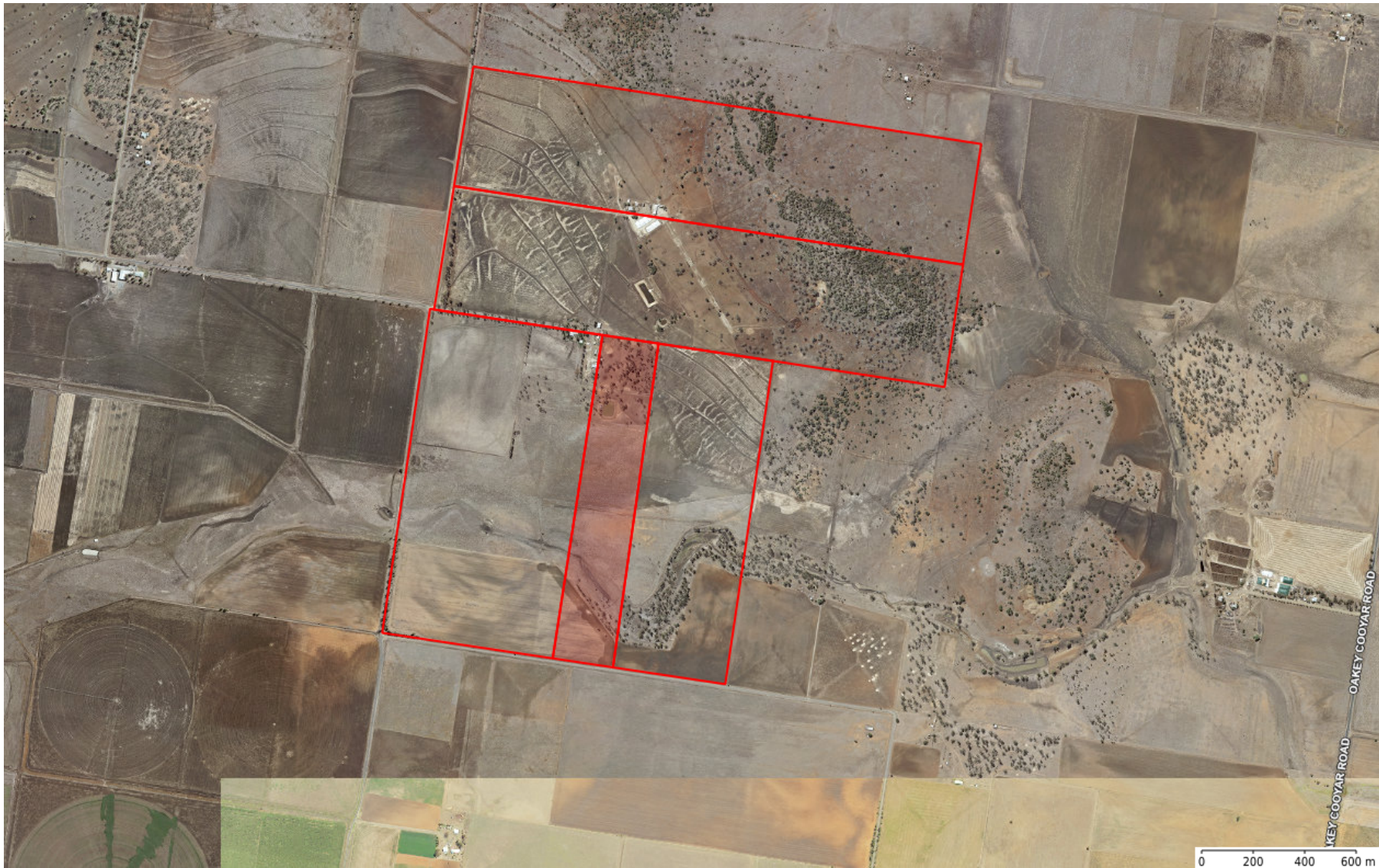
Attachment	1	of	4	Aerial Imagery
Attachment	2	of	4	Zoning Map
Attachment	3	of	4	Overlay Map
Attachment	4	of	4	Approved Plans

SCHEDULES

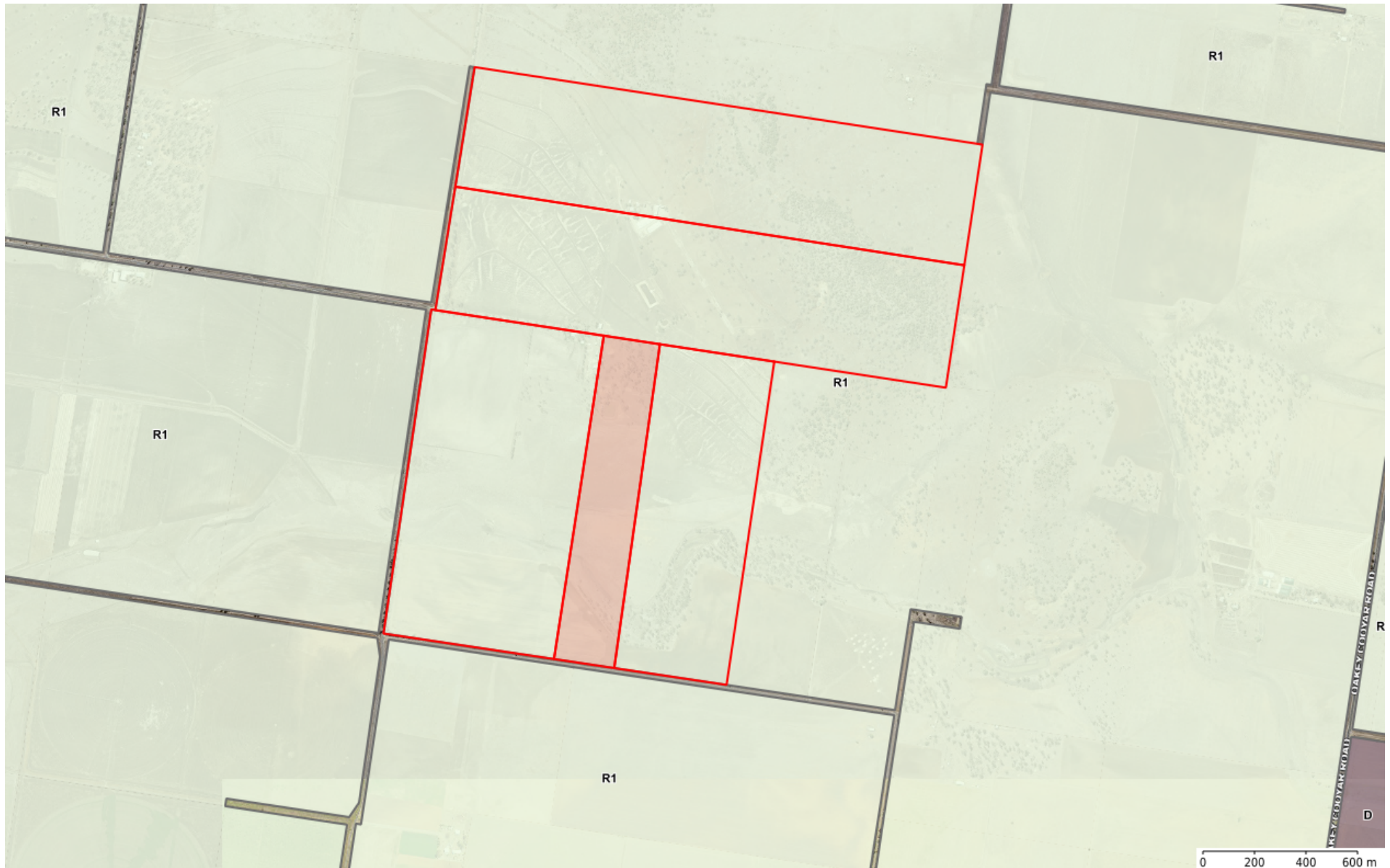
Schedule	1	Concurrence Agency Response
Schedule	2	Statement of Reasons

ATTACHMENTS

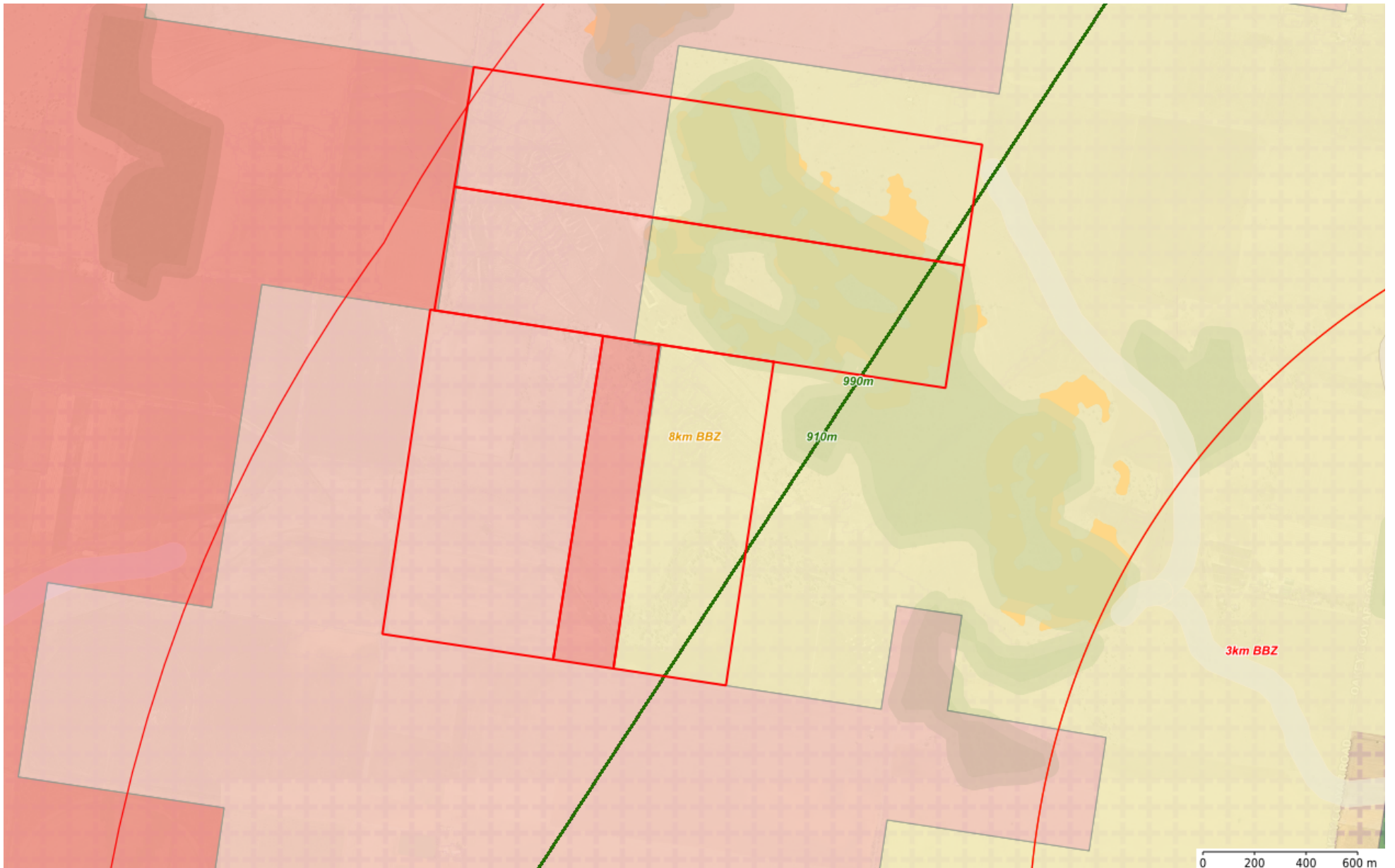
ATTACHMENT 1 OF 4 — AERIAL IMAGERY



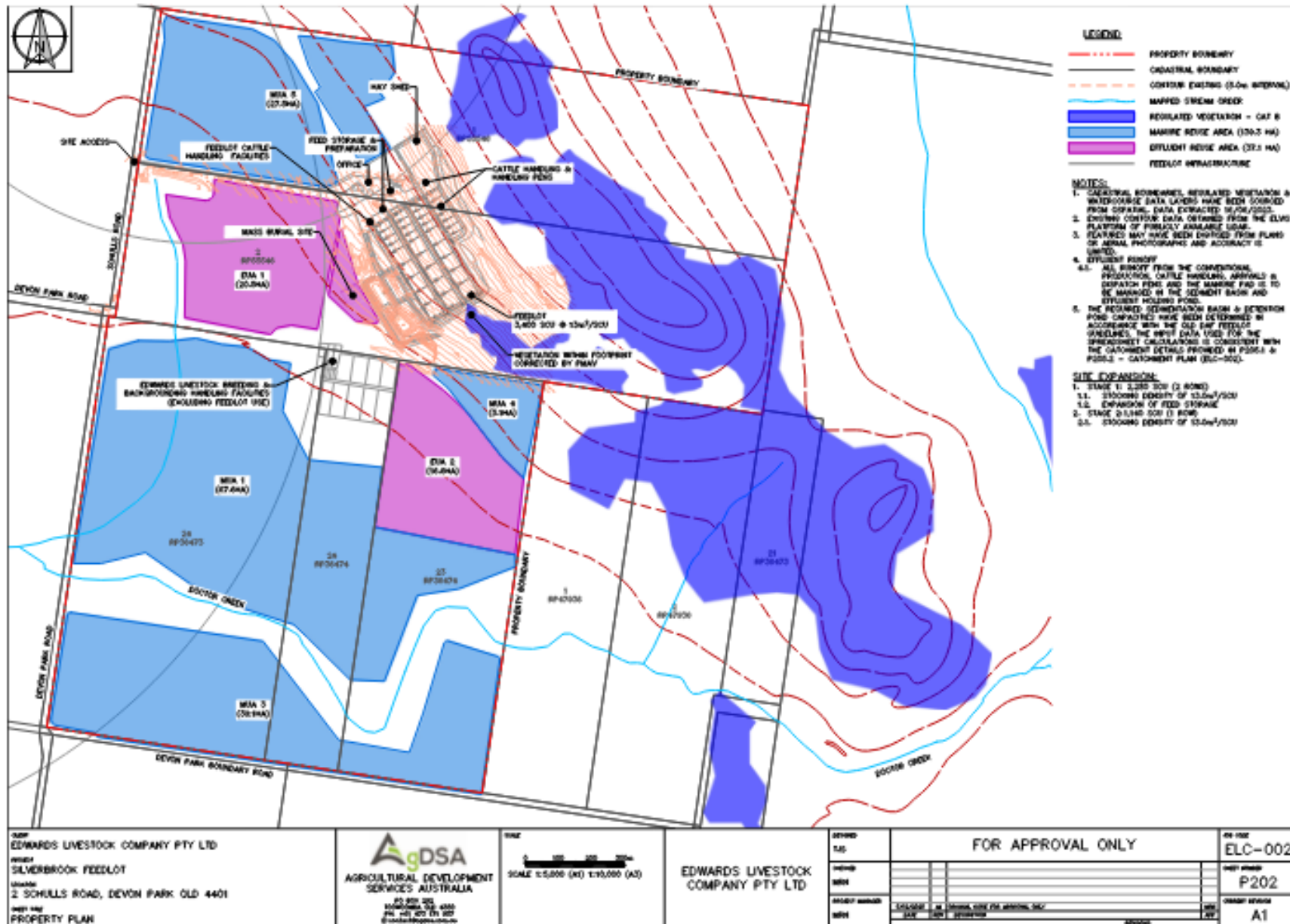
ATTACHMENT 2 OF 4 — ZONING MAP



ATTACHMENT 3 OF 4 — OVERLAY MAP



ATTACHMENT 4 OF 4 — APPROVED PLANS



CLIENT: EDWARDS LIVESTOCK COMPANY PTY LTD
 PROJECT: SILVERBROOK FEEDLOT
 ADDRESS: 2 SCHULLS ROAD, DEVON PARK QLD 4401
 SHEET NO: PROPERTY PLAN

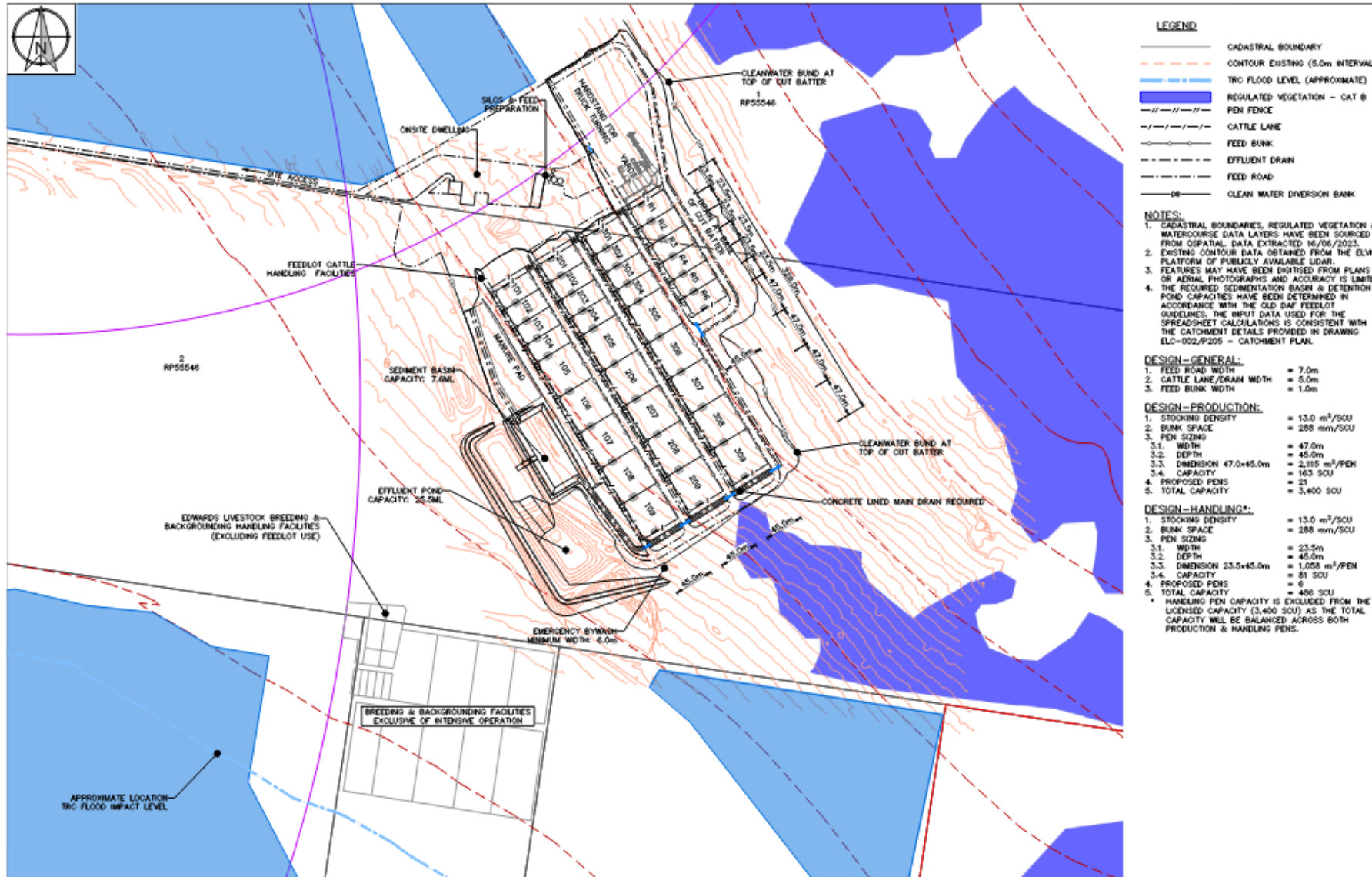
gDSA
 AGRICULTURAL DEVELOPMENT SERVICES AUSTRALIA
 100 DUNDAS ST, 4000
 QLD 4000
 PH: 401 400 071 307
 Email: info@gdsa.com.au

SCALE 1:5,000 (A3) 1:10,000 (A2)

EDWARDS LIVESTOCK COMPANY PTY LTD

REVISED	FOR APPROVAL ONLY		DATE
TITLE			BY
DATE			BY
BY			DATE
PROJECT NUMBER	CHARGE NO	CHARGE DATE FOR APPROVAL ONLY	DATE
BY	DATE	DATE	DATE

DA-1002
 ELC-002
 SHEET NUMBER
 P202
 CHARGE OFFICE
 A1



OWNER
EDWARDS LIVESTOCK COMPANY PTY LTD

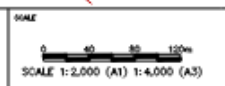
PROJECT
SILVERBROOK FEEDLOT

LOCATION
2 SCHULLS ROAD, DEVON PARK OLD 4401

SHEET TITLE
DESIGN PLAN

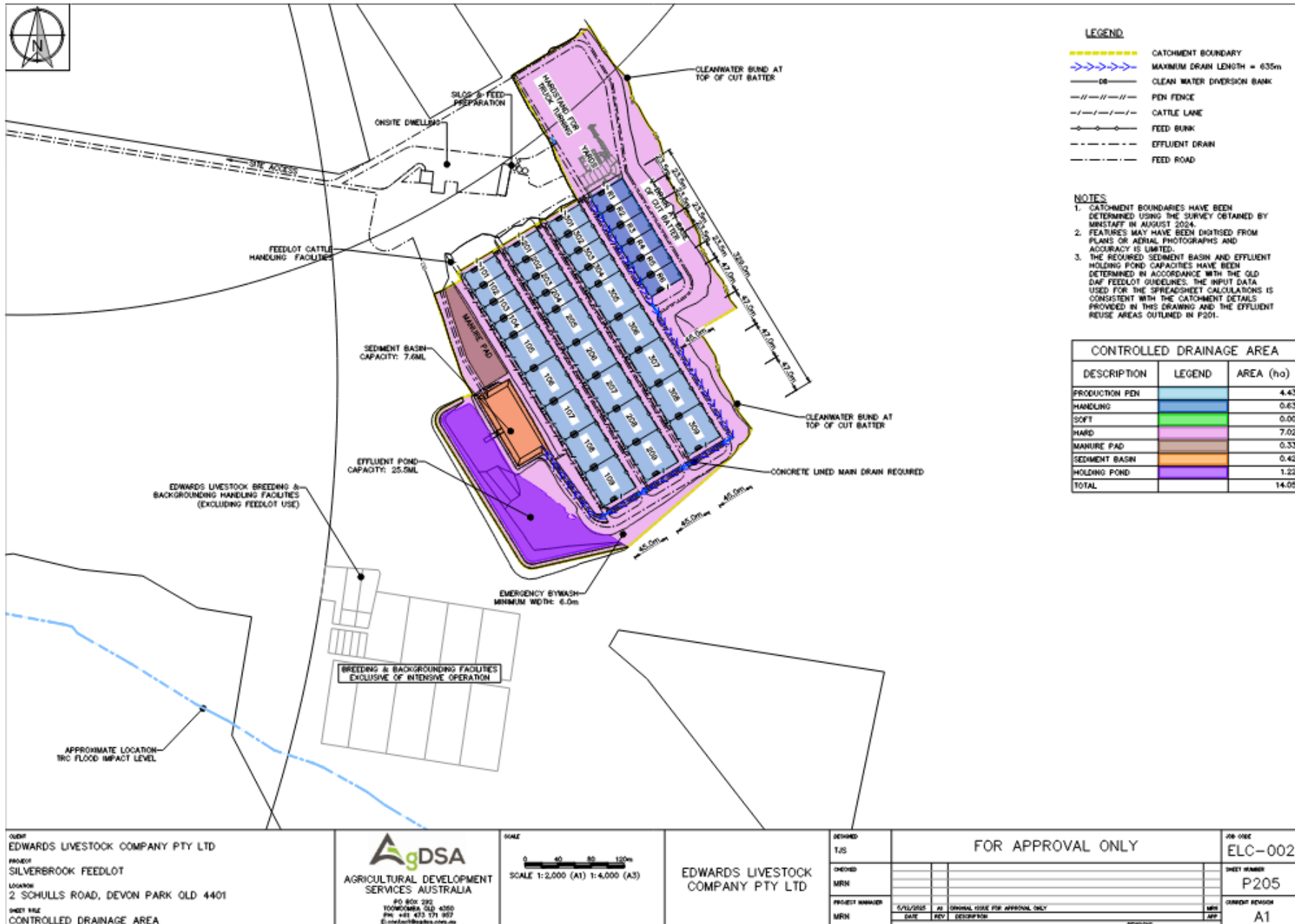
AgDSA
AGRICULTURAL DEVELOPMENT SERVICES AUSTRALIA

PO BOX 392
TOOWOOMBA QLD 4350
PH: +61 433 171 957
E: info@agdsa.com.au



EDWARDS LIVESTOCK COMPANY PTY LTD

DESIGNED TJS	FOR APPROVAL ONLY			JOB CODE ELC-002
CHECKED MRN				SHEET NUMBER P204
PROJECT MANAGER MRN	DATE	REV	DESCRIPTION	CURRENT REVISION A1



CLIENT
EDWARDS LIVESTOCK COMPANY PTY LTD
PROJECT
SILVERBROOK FEEDLOT
LOCATION
2 SCHULLS ROAD, DEVON PARK QLD 4401
SHEET TITLE
CONTROLLED DRAINAGE AREA

AgDSA
AGRICULTURAL DEVELOPMENT SERVICES AUSTRALIA
PO BOX 292
TOOWOOMBA QLD 4350
PH +61 433 731 887
© 2024 AgDSA

SCALE
0 40 80 120m
SCALE 1:2,000 (A1) 1:4,000 (A3)

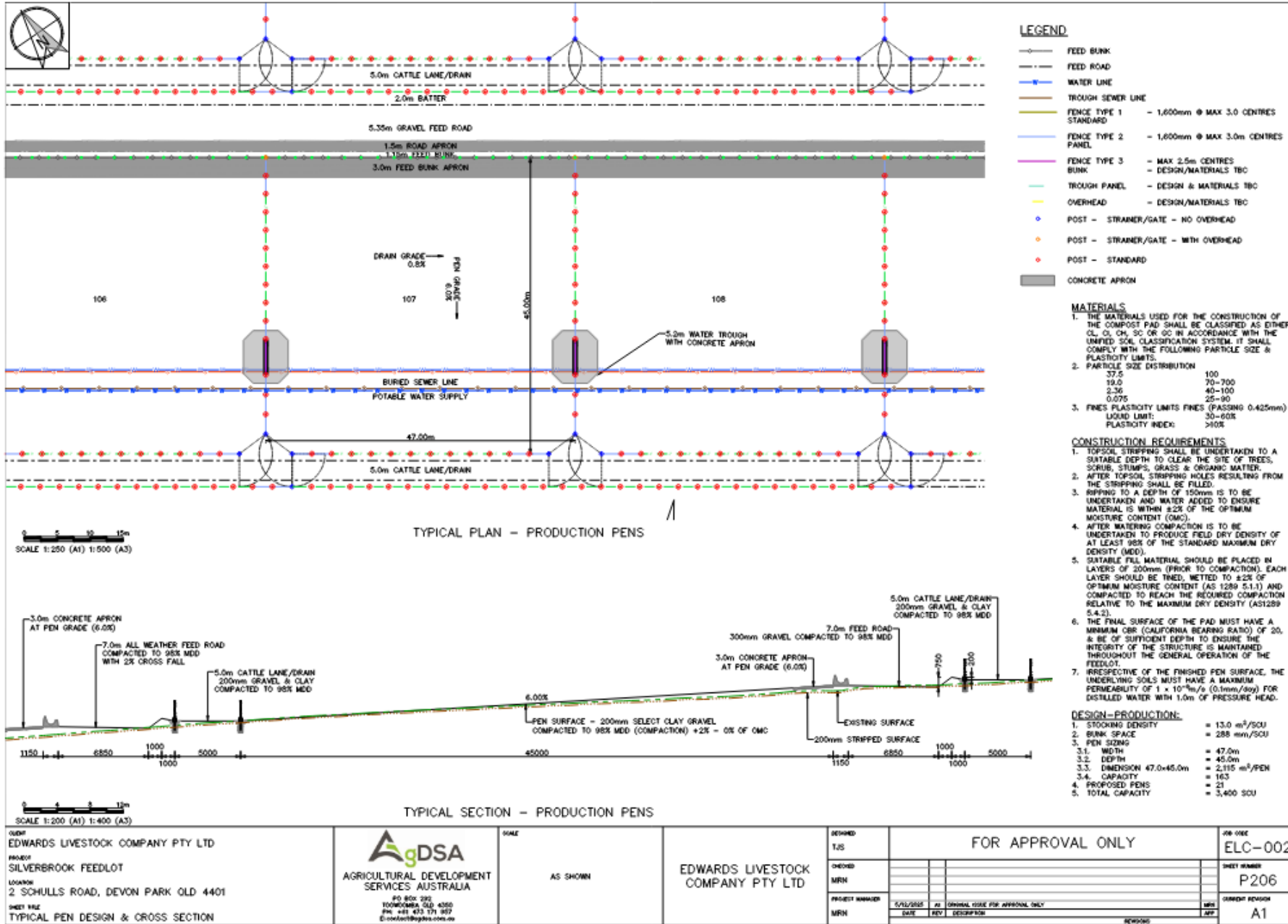
EDWARDS LIVESTOCK COMPANY PTY LTD

DESIGNED
TJS
CHECKED
MRN
PROJECT NUMBER
MRN

FOR APPROVAL ONLY

DATE	REV	DESCRIPTION
5/12/2024	1	ORIGINAL ISSUE FOR APPROVAL ONLY

JOB CODE
ELC-002
SHEET NUMBER
P205
CURRENT REVISION
A1



OWNER
EDWARDS LIVESTOCK COMPANY PTY LTD

PROJECT
SILVERBROOK FEEDLOT

LOCATION
2 SCHULLS ROAD, DEVON PARK QLD 4401

SHEET TITLE
TYPICAL PEN DESIGN & CROSS SECTION

AgDSA
AGRICULTURAL DEVELOPMENT SERVICES AUSTRALIA

PO BOX 292
1000/GRANA QLD 4350
PH: +61 473 171 957
E: contact@agdsa.com.au

SCALE
AS SHOWN

EDWARDS LIVESTOCK COMPANY PTY LTD

DESIGNED
TJS

DRAWN
MRN

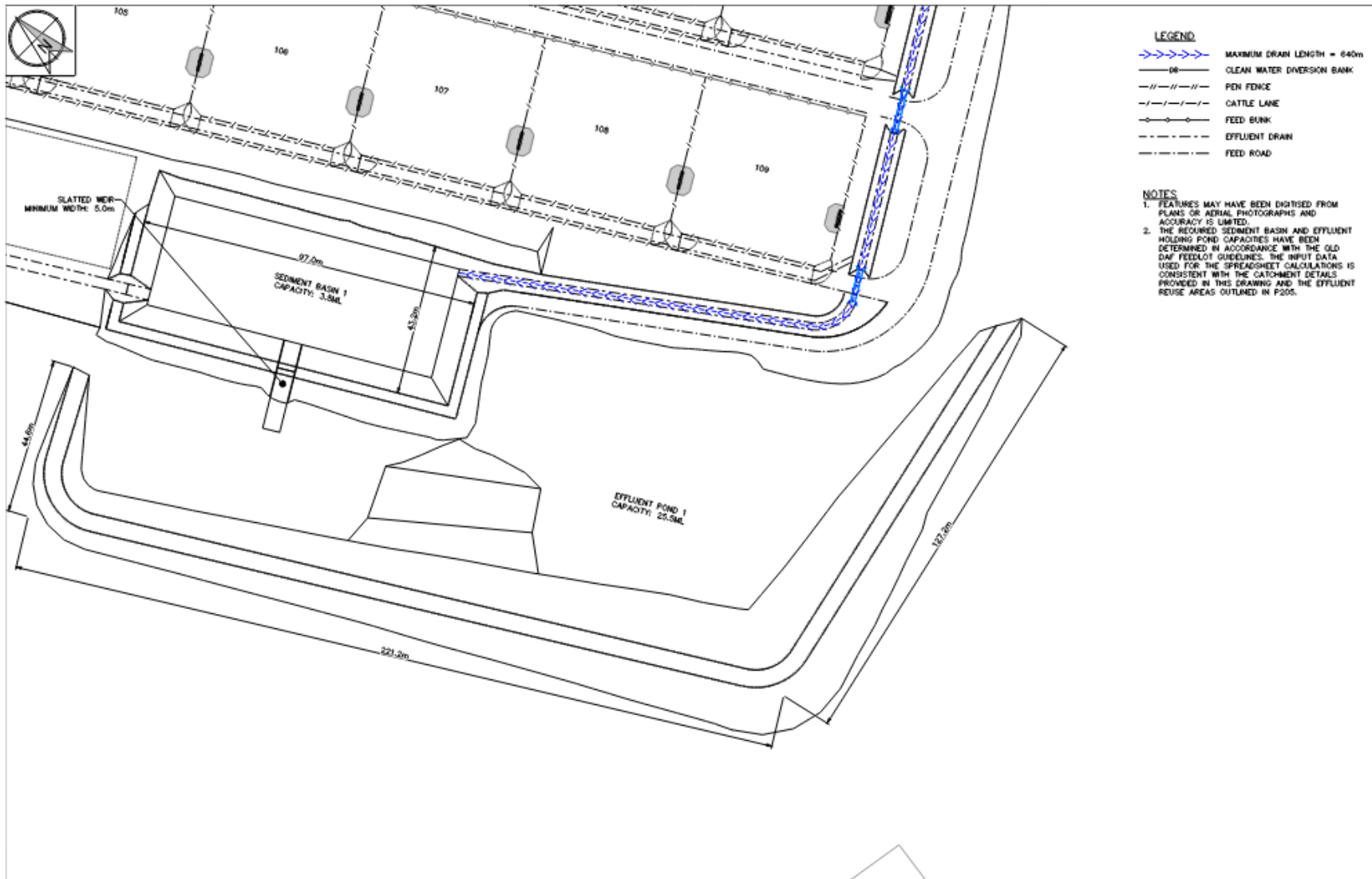
PROJECT MANAGER
MRN

FOR APPROVAL ONLY			
DATE	REV	DESCRIPTION	APPROVED
5/12/2025	AS	ORIGINAL ISSUE FOR APPROVAL ONLY	

JOB CODE
ELC-002

SHEET NUMBER
P206

CURRENT REVISION
A1



CLIENT
EDWARDS LIVESTOCK COMPANY PTY LTD

PROJECT
SILVERBROOK FEEDLOT

LOCATION
2 SCHULLS ROAD, DEVON PARK QLD 4401

SHEET FILE
EFFLUENT MANAGEMENT

AgDSA
AGRICULTURAL DEVELOPMENT
SERVICES AUSTRALIA

PO BOX 292
TOOWOOMBA QLD 4350
Ph: +61 453 171 967
E: info@agdsa.com.au

SCALE

SCALE 1:500 (A3) 1:1,000 (A3)

EDWARDS LIVESTOCK
COMPANY PTY LTD

DESIGNED TJS	FOR APPROVAL ONLY		JOB CODE ELC-002
CHECKED MRN			SHEET NUMBER P207
PROJECT MANAGER MRN	DATE 5/12/2025	REV AS ORIGINAL ISSUE FOR APPROVAL ONLY	CURRENT DESIGN A1

SCHEDULE 1

Concurrence Agency Response/s

SARA reference: 2507-47275 SRA
Council reference: MCUI/2025/4656

23 December 2025

Chief Executive Officer
Toowoomba Regional Council
PO Box 3021
TOOWOOMBA QLD 4350
development@tr.qld.gov.au

Attention: James Leader

RECEIVED
23/12/2025
TOOWOOMBA
REGIONAL COUNCIL

Dear Mr Leader

SARA referral agency response—48 Schulls Road, Devon Park

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 16 September 2025.

Response

Outcome:	Referral agency response – with conditions	
Date of response:	23 December 2025	
Conditions:	The conditions in Attachment 1 must be attached to any development approval	
Advice:	Advice to the applicant is in Attachment 2	
Reasons:	The reasons for the referral agency response are in Attachment 3	

Development details

Description:	Development permit	Material change of use – Intensive Animal Industry; and Environmentally Relevant Activity (ERA) 2(1)(b) Intensive Animal Feedlotting (keeping more than 1,000 but no more than 10,000 SCU)
SARA role:	Referral agency	
SARA trigger:	<ul style="list-style-type: none"> Schedule 10, Part 5, Division 4, Table 2, Item 1 – Environmentally relevant activity 	

- Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development impacting on state transport infrastructure (Planning Regulation 2017)

SARA reference:	2507-47275 SRA
Assessment manager:	Toowoomba Regional Council
Street address:	48 Schulls Road, Devon Park
Real property description:	Lot 1 RP55546, Lot 24 RP36473, Lot 23 RP36474, Lot 24 RP36474, Lot 2 RP55546
Applicant name:	Edwards Livestock Pastoral Pty Ltd
Applicant contact details:	C/- AgDSA PO Box 292 Toowoomba QLD 4350 matt.norton@agdsa.com.au
Environmental Authority:	This referral included an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i> . Below are the details of the decision: <ul style="list-style-type: none"> • Approved • Reference: 2025-20 • Effective date: In accordance with Section 200 of the <i>Environmental Protection Act 1994</i> • Prescribed environmentally relevant activity (ERA): ERA 2 – Intensive animal feedlotting <ul style="list-style-type: none"> (1) keeping the following number of standard cattle units in a feedlot – (b) more than 1,000 but not more than 10,000 <p>If you are seeking further details about the environmental authority, please contact the Department of Primary Industries (DPI) at: livestockregulator@dpi.qld.gov.au</p>
<i>Human Rights Act 2019</i> considerations:	A consideration of the 23 fundamental human rights protected under the <i>Human Rights Act 2019</i> has been undertaken as part of this decision. It has been determined that this decision does not limit human rights.

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 4**.

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

For further information please contact Danica Clark, Senior Planner, on 3307 6175 or via email ToowoombaSARA@dscip.qld.gov.au who will be pleased to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Gleeson', with a horizontal line extending to the right.

Paul Gleeson
A/Manager

cc Edwards Livestock Pastoral Pty Ltd, C/- AgDSA, matt.norton@agdsa.com.au

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions
Attachment 5 - Documents referenced in conditions

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<p>Material change of use – Intensive Animal Industry; and Environmentally Relevant Activity (ERA) 2(1)(b) Intensive Animal Feedlotting (keeping more than 1,000 but no more than 10,000 SCU)</p>		
<p>Schedule 10, Part 5, Division 4, Table 2, Item 1 – Environmentally relevant activity—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Primary Industries 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:</p>		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • Property Plan, AgDSA, 5/12/2025, Job Code ELC-002, Sheet Number P202 and Revision A1. 	At all times

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.3). If a word remains undefined it has its ordinary meaning.
2.	<p>Water Act 2000: The current and proposed water requirements to support the feedlot must be reviewed to ensure the current water supplies and water entitlements adequately meet the needs of the current production and proposed development. A water entitlement (for a purpose other than stock and domestic use) under the <i>Water Act 2000</i> will be required to support the feedlot as there are no existing water entitlements to meet the needs (and purpose) of current production and proposed development.</p> <p>A search on the Department of Local Government, Water and Volunteers system has shown that an application (event 637094) was made 6 November 2024 (properly made 19 May 2025) to change the location of Water Allocation 1974AP7585 to coordinates -27.39042703, 151.68915636 on Lot 24 on RP36474. A search of the title system indicates that the dealing certificate with the expiry date of 28 November 2025 has yet to be lodged. The dealing certificate needs to be lodged to the Titles Office for this dealing to be finalised. Please see Titles Queensland for more information: Home - Titles Queensland</p> <p>Options for additional water may include temporary or permanent water trading under both the Water Plan (Great Artesian Basin and Other Regional Aquifers) 2017 or Water Plan (Condamine and Balonne) 2019.</p> <p>Please contact Water services Toowoomba at 1300 097 826 or waterservices.toowoomba@rdmw.qld.gov.au for further information.</p>
3.	<p>Overland flow water: Existing water storages on the properties (excluding storages for effluent runoff approved under <i>Environmental Protection Act 1994</i>) cannot be deepened or increased in size to collect more overland flow water as this would be a breach of the Water Plan (Condamine and Balonne) 2019.</p>
4.	<p>Additional approvals: Assessable development will be triggered (under State Code 10 of the SDAP) should any of the following be required as part of the proposed development:</p> <ul style="list-style-type: none"> • Operational works (e.g. effluent pond, sediment detention pond) to take overland flow for the purpose of an environmentally relevant activity; • Operational works to take overland flow that is contaminated agricultural runoff; and • Operational works to take ground

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for the SARA's decision are:

SARA assessed the development against the following code(s) of the State Development Assessment Provisions (SDAP), version 3.3:

- State code 6: Protection of State transport networks
- State code 22: Environmentally relevant activities.

The development complies with the assessment benchmarks of the SDAP in that the development:

- does not adversely impact the structural integrity or physical condition of the state transport infrastructure
- does not adversely impact the function and efficiency of state transport infrastructure
- does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
- does not create a safety hazard for users of a state-controlled road
- is suitably located and designed to avoid or mitigate environmental harm to the environment
- is located and designed to avoid or mitigate environmental harm on environmental values of the natural environment, adjacent sensitive land uses and sensitive receptors
- is designed and located to avoid impacts or, where the matters of state environmental significance cannot be reasonably avoided, impacts are reasonably minimised and mitigated.

Material used in the assessment of the application:

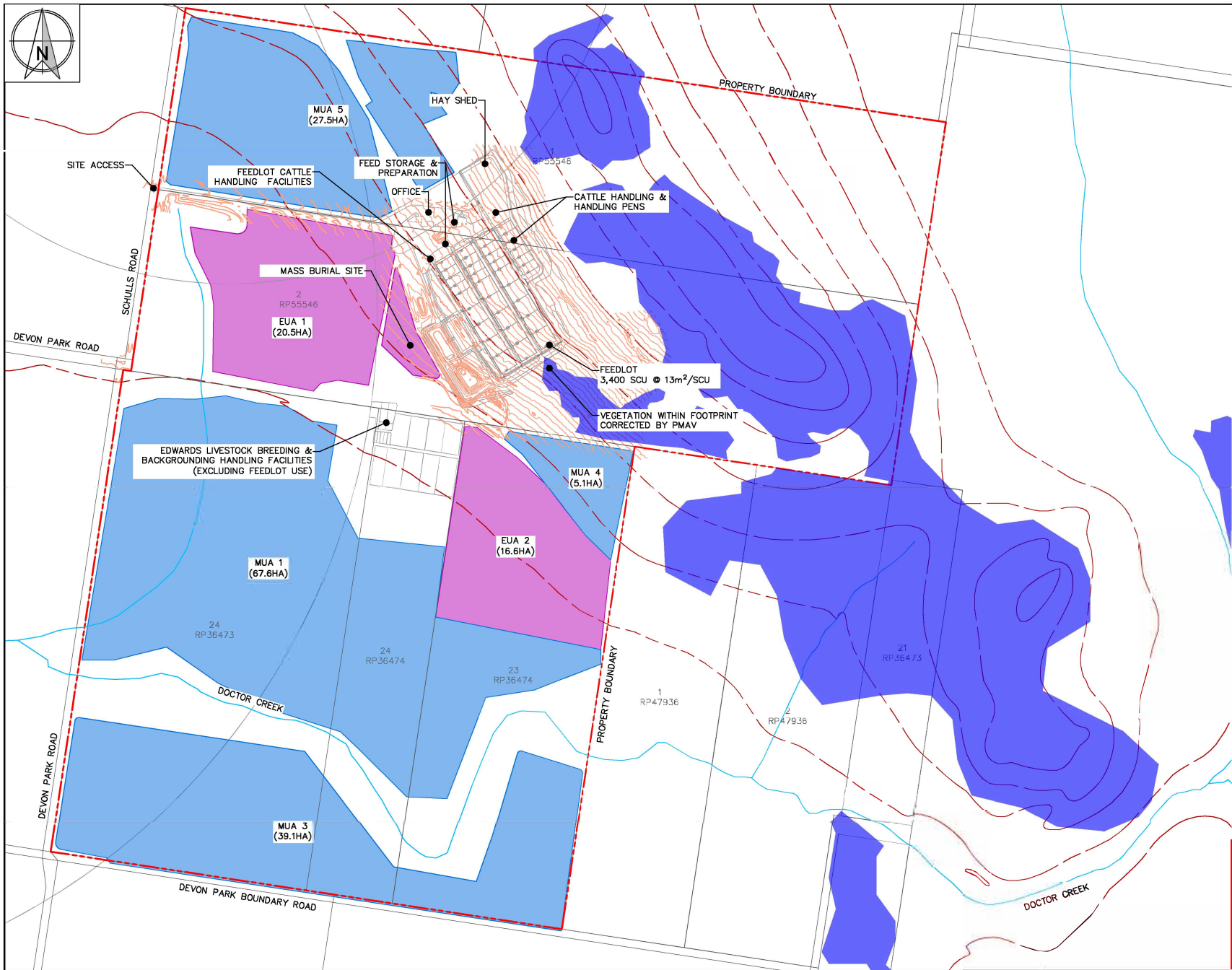
- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 3.3), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- section 58 of the *Human Rights Act 2019*

Attachment 4—Representations about a referral agency response provisions

(page left intentionally blank)

Attachment 5—Documents referenced in conditions

(page left intentionally blank)



LEGEND

- - - - PROPERTY BOUNDARY
- CADASTRAL BOUNDARY
- - - - CONTOUR EXISTING (5.0m INTERVAL)
- ~~~~~ MAPPED STREAM ORDER
- REGULATED VEGETATION - CAT B
- MANURE REUSE AREA (139.3 HA)
- EFFLUENT REUSE AREA (37.1 HA)
- FEEDLOT INFRASTRUCTURE

NOTES:

1. CADASTRAL BOUNDARIES, REGULATED VEGETATION & WATERCOURSE DATA LAYERS HAVE BEEN SOURCED FROM QSPATIAL DATA EXTRACTED 16/06/2023.
2. EXISTING CONTOUR DATA OBTAINED FROM THE ELVIS PLATFORM OF PUBLICLY AVAILABLE LIDAR.
3. FEATURES MAY HAVE BEEN DIGITISED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED.
4. EFFLUENT RUNOFF
 - 4.1. ALL RUNOFF FROM THE CONVENTIONAL PRODUCTION, CATTLE HANDLING, ARRIVALS & DISPATCH PENS AND THE MANURE PAD IS TO BE MANAGED IN THE SEDIMENT BASIN AND EFFLUENT HOLDING POND.
5. THE REQUIRED SEDIMENTATION BASIN & DETENTION POND CAPACITIES HAVE BEEN DETERMINED IN ACCORDANCE WITH THE QLD DAF FEEDLOT GUIDELINES. THE INPUT DATA USED FOR THE SPREADSHEET CALCULATIONS IS CONSISTENT WITH THE CATCHMENT DETAILS PROVIDED IN P205.1 & P205.2 - CATCHMENT PLAN (ELC-002).

SITE EXPANSION:

1. STAGE 1: 2,280 SCU (2 ROWS)
 - 1.1. STOCKING DENSITY OF 13.0m²/SCU
 - 1.2. EXPANSION OF FEED STORAGE
2. STAGE 2: 1,140 SCU (1 ROW)
 - 2.1. STOCKING DENSITY OF 13.0m²/SCU

PLANS AND DOCUMENTS referred to in the REFERRAL AGENCY RESPONSE

SARA ref: 2507-47275 SRA.....

Date: 23 December 2025.....

CLIENT
EDWARDS LIVESTOCK COMPANY PTY LTD

PROJECT
SILVERBROOK FEEDLOT

LOCATION
2 SCHULLS ROAD, DEVON PARK QLD 4401

SHEET TITLE
PROPERTY PLAN

AgDSA

AGRICULTURAL DEVELOPMENT SERVICES AUSTRALIA

PO BOX 292
TOOWOOMBA QLD 4350
PH: +61 473 171 987
E: contact@gagdsa.com.au

SCALE

0 100 200 300m

SCALE 1:5,000 (A1) 1:10,000 (A3)

EDWARDS LIVESTOCK COMPANY PTY LTD

DESIGNED TJS	FOR APPROVAL ONLY			JOB CODE ELC-002
CHECKED MRN				SHEET NUMBER P202
PROJECT MANAGER MRN	5/12/2025	A1	ORIGINAL ISSUE FOR APPROVAL ONLY	CURRENT REVISION A1
	DATE	REV	DESCRIPTION	APPR
REVISIONS:				

Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

SCHEDULE 2

Statement of Reasons

Statement of Reasons
Section 63(4) and (5) of the *Planning Act 2016*

SITE DETAILS	
Site Address	48 Schulls Road, DEVON PARK QLD 4401
Real Property Description	Lot 1 RP55546, Lot 24 RP36473, Lot 23 RP36474, Lot 24 RP36474, Lot 2 RP55546
Site Area	358.353 ha.
Owner	Matthew William John Edwards and Alice Madge Edwards

PROPOSED DEVELOPMENT		
Name of Applicant	Edwards Livestock Pastoral Pty Ltd	
Type of Application	Material Change of Use	
Proposed Development	Intensive Animal Industry	
Level of Assessment	Impact	
Service Vehicle Provision	Articulated Vehicle	
Submissions Received	Objection:	One (1)
	Support:	Nil
Decision	Approval	
Decision Date	28 April 2026	

ASSESSMENT MATTERS					
Assessment benchmarks	<p>The proposed development was assessed against the following assessment benchmarks:</p> <ul style="list-style-type: none"> • Schedules 9 and 10 of the <i>Planning Regulation 2017</i> (as relevant); • <i>State Planning Policy July 2017</i> (as relevant); • Darling Downs Regional Plan (as relevant); • The Local Government Infrastructure Plan; and • <i>Toowoomba Regional Planning Scheme 2012</i> (Version 28): <ul style="list-style-type: none"> ○ Strategic Framework ○ Rural Zone Code ○ Airport Environs Overlay Code ○ Environmental Significance Overlay Code ○ Bushfire Hazard Overlay Code ○ Agricultural Land Overlay Code ○ Flood Hazard Overlay Code ○ Rural Uses Code ○ Environmental Standards Code ○ Integrated Water Cycle Management Code ○ Transport, Access and Parking Code ○ Works and Services Code 				
Matters raised in submissions	<table border="1"> <thead> <tr> <th>Issue</th> <th>How matter was dealt with</th> </tr> </thead> <tbody> <tr> <td>Odour emissions and scale of proposed feedlot.</td> <td> <p>The submitter has raised concerns regarding the amount of odour produced by the proposed feedlot due to its proximity to their property, and the number of cows proposed on the site. The submitter has also raised concerns regarding the odour emissions produced by the effluent dispersion systems proposed as part of the development.</p> <p>As part of the assessment of the proposed development, a complex assessment of the odour expected to be generated by the proposal has been undertaken. The applicant has submitted a Site Based Management Report, which has been included as an</p> </td> </tr> </tbody> </table>	Issue	How matter was dealt with	Odour emissions and scale of proposed feedlot.	<p>The submitter has raised concerns regarding the amount of odour produced by the proposed feedlot due to its proximity to their property, and the number of cows proposed on the site. The submitter has also raised concerns regarding the odour emissions produced by the effluent dispersion systems proposed as part of the development.</p> <p>As part of the assessment of the proposed development, a complex assessment of the odour expected to be generated by the proposal has been undertaken. The applicant has submitted a Site Based Management Report, which has been included as an</p>
Issue	How matter was dealt with				
Odour emissions and scale of proposed feedlot.	<p>The submitter has raised concerns regarding the amount of odour produced by the proposed feedlot due to its proximity to their property, and the number of cows proposed on the site. The submitter has also raised concerns regarding the odour emissions produced by the effluent dispersion systems proposed as part of the development.</p> <p>As part of the assessment of the proposed development, a complex assessment of the odour expected to be generated by the proposal has been undertaken. The applicant has submitted a Site Based Management Report, which has been included as an</p>				

		approved document, and requires odour produced by the site operations to be managed to not cause nuisance to adjoining sensitive receptors. Council's Environmental Officers were satisfied based on the information provided by the applicant that odour is able to be appropriately managed. In addition to requiring the development to be undertaken in accordance with the requirements of the submitted Site Based Management Plan, conditions of approval have been imposed which require further testing and checking of odour levels produced by the development should there be any issues or complaints received from nearby sensitive receptors post approval.
Reasons for decision	The development was assessed against all of the assessment benchmarks listed above and complies, or can be conditioned to comply, with all of these without exception.	

For further details on the assessment of this development application, please see the Delegated Report available for public viewing on the Toowoomba Regional Council Planning and Development Online website at: <https://developmenti.tr.qld.gov.au/>. When accessing Council's website please use the following Application Number: MCUI/2025/4656.