

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

SITE DETAILS	
<b>Site Address</b>	Lot 312 and 356 ML1095 2072 Millmerran-Leyburn Road, TUMMAVILLE QLD 4357
<b>Real Property Description</b>	Lot 312 ML1095 and Lot 356 ML1095
<b>Site Area</b>	1,182.83ha
<b>Owner</b>	Yorkrange Pty Ltd

PROPOSED DEVELOPMENT	
<b>Name of Applicant</b>	Broad Water Downs Pty Ltd
<b>Type of Application</b>	Change Application (other change) - Material Change of Use
<b>Proposed Development</b>	<p>Change to Intensive Animal Industry – 4920 SCU Cattle Feedlot comprising:</p> <ul style="list-style-type: none"> <li>- Decommissioning of existing Stage 3 production pens (Pens 13-18);</li> <li>- Revised layout and siting of Stage 4 production pens (decommission pens 13-18 (Stage 3) and new Stage 4 pens 29-58) including cattle lanes, catch drains, feed alleys, sedimentation basin and holding pond;</li> <li>- Additional 365m<sup>2</sup> GFA cattle receipt/dispatch facility to service Stage 4 production pens and associated 18m<sup>2</sup> GFA modular office;</li> <li>- Relocation and replacement of existing cattle weighbridge, including an associated 18m<sup>2</sup> GFA modular office;</li> <li>- Internal roadway connecting the site access road to the new cattle receipt/dispatch facility; and</li> <li>- Inclusion of Lot 312 ML1095 into the approval to formalise existing road access rights, permit weighbridge location, and reuse of an existing rural shed as an ancillary machinery workshop for the Intensive Animal Industry.</li> </ul>
<b>Level of Assessment</b>	Impact Assessment
<b>Gross Floor Area</b>	18m <sup>2</sup>
<b>Impervious Area</b>	Additional 365.55m <sup>2</sup> impervious areas
<b>Site Cover</b>	0.0001%
<b>Car Parking Spaces</b>	Six (6) formalised on-site car parking spaces
<b>Service Vehicle Provision</b>	B-Double
<b>Submissions Received</b>	Objection: One (1)
	Support: Nil (0)
<b>Decision</b>	Approval
<b>Decision Date</b>	12 September 2018

ASSESSMENT MATTERS	
<b>Assessment benchmarks</b>	The proposed development was assessed against the following assessment benchmarks:

	<ul style="list-style-type: none"> <li>• <i>Toowoomba Regional Planning Scheme 2012</i> <ul style="list-style-type: none"> <li>○ Strategic Framework;</li> <li>○ Rural Zone Code;</li> <li>○ Rural Uses Code;</li> <li>○ Environmental Standards Code;</li> <li>○ Integrated Water Cycle Management Code;</li> <li>○ Landscaping Code;</li> <li>○ Transport, Access and Parking Code;</li> <li>○ Works and Services Code;</li> <li>○ Environmental Significance Overlay Code;</li> <li>○ Flood Hazard Overlay Code; and</li> <li>○ Agricultural Land Overlay Code.</li> </ul> </li> </ul>	
<p><b>Relevant matters</b></p>	<p>The proposed development was assessed against the following relevant matter/s:</p> <ul style="list-style-type: none"> <li>• See notice of decision.</li> </ul>	
<p><b>Matters raised in submissions</b></p>	<p><b>Issue</b></p> <p><u>Odour</u> The submission can be paraphrased as:</p> <p>‘...should this expansion go ahead we are going to be subjected to increased levels of unpleasant odour...’</p> <p>‘...with twice as many beasts being present, the width of the project will be doubled therefore giving us twice as much exposure for the odour to be carried to our residence...’</p> <p>‘...we are already subjected to foul odour from a piggery on the southern side of our property...’</p>	<p><b>How matter was dealt with</b></p> <p>The proposed Change Application to change the approval of the existing feedlot does not significantly reduce the development’s setback to site boundaries or sensitive receptors. Further, the Change Application does not include any proposal to increase the number of SCUs approved on the site. The submitter may perceive that this change request is seeking additional SCU however it is not as 4920 SCU are already approved for the site.</p> <p>The closest residential Dwelling House is located approximately 2.5km to the north-east of the Intensive Animal Industry. The Applicant submitted an Odour Impact Assessment in support of the application. The assessment was prepared using the S-factor method of calculating separation distances. The assessment considered the cumulative odour impact of both the proposed development and the nearby piggery and demonstrates that all sensitive receptors are located outside of the required separation distance to the Intensive Animal Industries and are unlikely to be affected by odour nuisance. In all instances, except for the abovementioned Dwelling House sensitive receptors are separated from the Intensive Animal Industry by at least double the required separation distance calculated using the S-Factor method.</p> <p>The closest residential Dwelling House requires a separation distance of 1.641km (calculated using high S-factor) and has a separation distance of approximately 2.5km. This dwelling is the Dwelling House of the</p>

		<p>submitter and is located to the north-east of the development site. The piggery nearby the site is located approximately 6km south-east of the development site and approximately 4.2km south-east of the Dwelling House. Predominant winds in the locality are south-easterly.</p> <p>An Environmental Authority for the proposed Intensive Animal Industry was issued by the Department of Agriculture and Fisheries on 18 June 2018. The Environmental Authority contains conditions to minimise and regulate the impact of the Intensive Animal Industry on the surrounding environment.</p> <p>It is considered the proposed Change Application (other change) – Material Change of Use – Intensive Animal Industry 4,920 SCU Cattle Feedlot is unlikely to cause odour nuisance to nearby sensitive receptors.</p>
	<p><u>Environmental Impact</u>                  The submission can be paraphrased as:</p> <p>‘...the environment, in particular the river system is going to be subjected to greater degradation...’</p> <p>‘...there will be increased runoff (during flood periods) of nutrient laden water when evaporation ponds become full...and manure is spread onto the river flats adjacent to canal creek...’</p> <p>‘...contact your environmental organisation and find out how many feedlots contacted them during the floods and</p>	<p>The proposed Change Application to change the approval of the existing feedlot does not significantly reduce the development’s setback to site boundaries or elements of environmental significance including waterways and tributaries.</p> <p>The development has been sited within an area of the development site which is unaffected by the Q100 Flood Events. While the manure spreading and land irrigation areas are located within a Flood Plain, the relative infrequency of flood events in this area means there is minimal risk to the environmental values of nearby waterways. Conditions of Development Approval have been recommended to prevent land degradation and to reduce the risk of adverse impacts on air and water quality and the loss of habitat and biodiversity. It should also be noted the Environmental Authority regulating the Environmentally Relevant Activity requires the preparation and maintenance of a Site Based Environmental Management Plan and regular monitoring of the receiving environment for pollutants.</p>

	informed them their settling/evaporation ponds have been flooded...I know for a fact very few did'	
<b>Reasons for decision</b>	The development was assessed against all of the assessment benchmarks listed above and complies 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: <http://www.tr.qld.gov.au/payments-self-service-laws/web-apps/pdonline/8892-planning-and-development-online>. When accessing Council's website please use the following Application Number: MCUI/2004/3562/A.