

REPORT TITLE	Assessment of Change Application for Material Change of Use – Impact – Intensive Animal Industry (Poultry Farming); and Environmentally Relevant Activity – Poultry Farming (for more than 200,000 birds) (ERA 4 (2)) located at 240 Turallin Road, TURRALIN QLD 4357
AUTHOR	Planning Officer (Alice Ssu-Chieh Pai)
Application No.	MCUI/2020/1100/A & ERA/2020/1103/A

PURPOSE OF REPORT

To consider a change application regarding a development approval for Material Change of Use – Impact – Intensive Animal Industry (Poultry Farming); and Environmentally Relevant Activity – Poultry Farming (for more than 200,000 birds) (ERA 4 (2)) located at 240 Turallin Road, TURRALIN QLD 4357

EXECUTIVE SUMMARY

This report considers a change application regarding a development approval for Material Change of Use – Impact – Intensive Animal Industry Poultry Farming); and Environmentally Relevant Activity – Poultry Farming (for more than 200,000 birds) (ERA 4 (2)) located at 240 Turallin Road, Turrallin, also described as Lot 2 RP79686. The site is currently improved by farm houses and ancillary structures.

On 10 September 2020, Council issued a development permit for a Material Change of Use – Impact – Intensive Animal Industry Poultry Farming); and Environmentally Relevant Activity – Poultry Farming (for more than 200,000 birds) (ERA 4 (2)).

The subject change application was lodged on 16 September 2025 and seeks amendments to the overall site layout, including the following:

- Replacement of the two (2) approved rearing sheds with two (2) new layer sheds located adjacent to the approved laying sheds, with a more condensed shed layout.
- Re-staging of the development into two stages, with:
 - Stage 1 - comprising the egg production components of the farm; and
 - Stage 2 - comprising structures associated with the sorting and packaging of eggs.
- Introduction of a new manager's accommodation.
- Inclusion of an additional maintenance shed, machinery building, and feed complex in Stage 1.
- Amendments to the layout and design of the packing shed.
- Reduction of the landscape buffer width from 30 metres to 10 metres.

An updated Odour Impact Assessment, Noise Impact Assessment and Site Based Management Plan were provided the support the proposed changes.

The proposed change is considered to constitute a 'minor change' under Section 81 of the *Planning Act 2016*. The proposed changes are considered to generally comply with the existing approval, *Toowoomba Regional Planning Scheme 2012* (Version 28), the required tests for a minor change under the *Planning Act 2016* and all other relevant considerations. The application is recommended to be approved subject to amended conditions as outlined in this report.

RECOMMENDATION

APPROVED – Change Application regarding Development Approval MCUI/2020/1100/A & ERA/2020/1103/A for Material Change of Use – Impact – Intensive Animal Industry (Poultry Farming); and Environmentally Relevant Activity – Poultry Farming (for more than 200,000 birds) (ERA 4 (2)), pursuant to the provisions of Section 81 of the *Planning Act 2016* and subject to the amendments listed below.

ASSESSMENT MANAGER CONDITIONS

PLANNING

APPROVED USE

1. This Development Approval is for a Material Change of Use for Intensive Animal Industry (Poultry Farm – maximum 840,000 birds) as follows:
 - 1.1 Stage 1 – **12 layer sheds, access roads, packhouse building, maintenance shed, machinery building, feed complex, manure pad and ponds area, and manager's residence; and Egg grading floor and shed**
 - 1.2 Stage 2 – **Solar array, wastewater treatment plant, store building, and packhouse/warehouse. Six (6) layer sheds housing 60,000 birds each (360,000 barn/cage free birds), manure pad, packhouse/amenities building, and storage shed; and**
 - 1.3 ~~Stage 3 – Four (4) layer sheds housing 60,000 birds each (240,000 barn/cage free birds), two (2) rearing sheds housing 120,000 pullets each (240,000 birds), amenities building, and storage shed.~~

CARRY OUT & MAINTAIN DEVELOPMENT

2. The development must comply with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they are not varied by this Development Approval.
3. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.
4. 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 Works approval.
5. 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

6. 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: ~~DA03~~

Description: ~~Pictorial Site Plan, dated 15 July 2020 and received by Council 15 July 2020~~

Amendments: ~~Nil~~

Plan No: LBD 25-0302, Rev G

Description: Site Plan, prepared by Langton Building Designs, dated 3 November 2025

Amendments: Nil

Plan No: ~~DA04~~

Description: ~~Area A Grading Floor Site Plan, dated 20 March 2020 and received by Council 15 July 2020~~

Amendments: ~~As notated in RED~~

Plan No: LBD 25 25-0302, Rev C

Description: Master Floor Plan – Wastewater Treatment Area, prepared by Langton Building Designs, dated 3 November 2025

Amendments: Nil

Plan No: ~~DA05~~

Description: ~~Area B Layer Shed Site Plan, dated 15 July 2020 and received by Council 15 July 2020~~

Amendments: ~~As notated in RED~~

Plan No: LBD 25 25-0302, Rev H
Description: Master Floor Plan – Laying Sheds Area, prepared by Langton Building Designs, dated 3 November 2025
Amendments: Nil

Plan No: LBD 25 25-0302, Rev B
Description: Laying Shed Floor Plan, prepared by Langton Building Designs, dated 10 July 2025
Amendments: Nil

Plan No: LBD 25 25-0302, Rev B
Description: Laying Shed Elevation, prepared by Langton Building Designs, dated 10 July 2025
Amendments: Nil

Plan No: ~~DA06~~
Description: ~~Area D Rearing Shed Site Plan, dated 20 March 2020 and received by Council 15 July 2020~~
Amendments: ~~As notated in RED~~

Plan No: DA07
Description: Pictorial Farm Entry, dated 20 March 2020 and received by Council 15 July 2020
Amendments: Nil

Plan No: ~~DA09~~
Description: ~~Construction Areas Superimposed on RVM Map, dated 20 March 2020 and received by Council 15 July 2020~~
Amendments: Nil

Plan No: ~~DA11~~
Description: ~~Area C Manure Pad Site Plan, dated 15 July 2020 and received by Council 15 July 2020~~
Amendments: Nil

Plan No: LBD 25 25-0302, Rev C
Description: Manure Pad & Ponding Plan, prepared by Langton Building Designs, dated 3 November 2025
Amendments: Nil

Plan No: ~~DA12~~
Description: ~~Pictorial Managed Plantation, dated 20 March 2020 and received by Council 15 July 2020~~
Amendments: Nil

Plan No: ~~DA13~~
Description: ~~Staging Plan – Gross Floor Areas, dated 3 July 2020 and received by Council 15 July 2020~~
Amendments: Nil

Plan No: ~~13549, S-A001.02, Revision G~~
Description: ~~Level 1 Floor Plan (Packing and Grading Floor), dated 13 February 2020 and received by Council 15 July 2020~~
Amendments: Nil

Plan No: ~~13549, S-A001.03, Revision A~~
Description: ~~Level 2 Floor Plan (Packing and Grading Floor), dated 13 February 2020 and received by Council 15 July 2020~~
Amendments: Nil

Plan No: ~~13549, S-A002.01, Revision B~~
Description: ~~Elevations (Packing and Grading Floor), dated 13 February 2020 and received by Council 15 July 2020~~
Amendments: ~~As notated in RED~~

Plan No: LBD 25 25-0302, Rev F
Description: Packhouse Floor Plan, prepared by Langton Building Designs, dated 3 November 2025
Amendments: Nil

Plan No: LBD 25 25-0302, Rev F
Description: Packhouse Elevations, prepared by Langton Building Designs, dated 3 November 2025
Amendments: Nil

~~**Plan No:** Unnumbered
Description: Typical Layer Packhouse and Amenities, dated June 2020 and received by Council 15 July 2020
Amendments: Nil~~

~~**Plan No:** Unnumbered
Description: Typical Layer Shed, dated June 2020 and received by Council 15 July 2020
Amendments: Nil~~

~~**Plan No:** Unnumbered
Description: Typical Rearing Shed Amenities, dated June 2020 and received by 15 July 2020
Amendments: Nil~~

~~**Plan No:** Unnumbered
Description: Typical Rearing Shed, dated June 2020 and received by Council 15 July 2020
Amendments: Nil~~

Plan No: LBD 25 25-0302, Rev A
Description: Machinery Shed – Floor Plan, prepared by Langton Building Designs, dated 9 April 2025
Amendments: Nil

Plan No: LBD 25 25-0302, Rev A
Description: Machinery Shed Elevations, prepared by Langton Building Designs, dated 9 April 2025
Amendments: Nil

Plan No: LBD 25 25-0302, Rev G
Description: Maintenance Shed Floor Plan & Elevations, prepared by Langton Building Designs, dated 3 November 2025
Amendments: Nil

Plan No: LBD 25 25-0302, Rev G
Description: Store Building – Floor Plan, prepared by Langton Building Designs, dated 3 November 2025
Amendments: Nil

Plan No: LBD 25 25-0302, Rev G
Description: Store Building Elevations, prepared by Langton Building Designs, dated 3 November 2025
Amendments: Nil

Plan No: LBD 25 25-0302, Rev A
Description: Feeding Complex – Floor Plan, prepared by Langton Building Designs, dated 9 April 2025
Amendments: Nil

Plan No: LBD 25 25-0302, Rev A
Description: Feeding Complex Elevations, prepared by Langton Building Designs, dated 9 April 2025
Amendments: Nil

APPROVED DOCUMENTS

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

Document: ~~Unnumbered Revision 2~~

Description: Noise Impact Assessment, prepared by Matrix Acoustics, dated ~~11 June 2020 and received by Council 15 July 2020~~ **19 January 2026, received by Council 19 January 2026**

Amendment: Nil

Document: ~~19-188, Version R1-5 Job: 24-175, Version R1-1~~

Description: Odour Impact Assessment, prepared by Astute Environmental Consulting Pty Ltd, dated ~~24 June 2020 and received by Council 15 July 2020~~ **2 September 2025, received by Council 15 September 2025**

Amendment: Nil

Document: ~~Final 100720 Avondale Cage Free Layer Farm: Site Based Environmental Management Plan – Jan 2026~~

Description: Site Based Environmental Management Plan prepared by Integrity Ag & Environment, dated ~~10 July 2020 and received by Council 15 July 2020~~ **January 2026, received by Council 27 January 2026**

Amendment: Nil

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

8. Prepare and submit a Development Application for a Development Permit for Operational Work for the following:
- 8.1 A Development Application for a Development Permit for Operational Work for Roadworks (Driveway Crossovers and External Roadworks); and
 - 8.2 Bulk Earthworks (where required).

COUNCIL APPROVAL OF PLANS, DOCUMENTS & WORKS (FOR ENDORSEMENT)

9. Prepare and submit the following documents in accordance with the conditions of this Development Approval and obtain Council's endorsement:
- 9.1 Landscape Plan.

STAGED DEVELOPMENT

- 10. Staging of the development is to occur in accordance with the staging indicated on the Approved Plans subject to and modified by any conditions of this Development Approval.
- 11. Stages must be completed in sequential order (i.e. Stage 1 must be completed before Stage 2) as identified on the Approved Plans, or may be combined and constructed at one time, subject to all conditions applicable to the relevant stages being complied with.
- 12. All stages must be completed within the currency period of this Development Approval.

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

- 13. 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

14. Plans and specifications for all works associated with vehicular access and car parking, roadworks, earthworks or any other works required on Council infrastructure, must be prepared and certified by a Registered Professional Engineer Queensland - Civil (RPEQ).
15. A RPEQ must submit to Council a copy of the:
 - 15.1 Design Certificate prior to commencement of the works; and
 - 15.2 Construction Supervision Certificate upon completion of the works certifying that works are in accordance with the approved plans and specifications.
16. 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.
17. 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

18. All land adjoining the development must be protected from nuisance from stormwater resulting from the development for the life of the development.

STORMWATER DISCHARGE

19. 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.
20. Stormwater must be dispersed as sheet flow.
21. 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

22. 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.

AIR QUALITY IMPACT MITIGATION

- 22A. **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 work and throughout the life of this development.**
- 22B. **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:**
 - 22B.1 **Dust deposition of 120 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 beneficial use (otherwise known as a beneficial use approval) 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 6:30am and 6:30pm Monday to Saturday, and must not be carried out on Public Holidays, unless otherwise approved by Council in an endorsed Construction Environmental Management Plan.

EROSION & SEDIMENT CONTROL

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.
- 32A. Measures such as vehicle baths, wash-down and construction matting together with dust suppressants and wraps, exposed ground and stockpile sprinkling must be put in place to minimize site vehicles tracking sediment onto adjoining streets during the course of the construction period, and to prevent dust nuisance during construction and, where applicable the ensuing 'on-maintenance' period.**

SERVICES & UTILITIES

ON-SITE WASTEWATER TREATMENT & DISPOSAL

33. The development must be provided with an on-site waste water treatment and effluent disposal system having a capacity and land application area sufficient for the use.
34. The waste water treatment and effluent disposal system must comply with *Australian Standard AS3500.2 – National Plumbing and Drainage – Sanitary Plumbing and Drainage*; and *Australian Standard AS1547:2012 – On Site Domestic-Wastewater Management* where system size is not exceeded (ref. Part 1.2.1.2 of AS1547:2012).

WATER SUPPLY

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

AMENITY & OPERATION OF USE

VISUAL AMENITY

36. All buildings, structures and fences as well as the subject land must be maintained in a clean and tidy manner at all times.

TRANSPORT, VEHICULAR ACCESS & PARKING

37. Existing roads must be widened adjacent to the site accesses to Turallin Road, as follows:

Street:	Turallin Road
Classification:	Collector Road
Construction Standard:	Basic Right Turn (BAR) type intersection treatment must be provided with a sealed shoulder opposite to both site accesses to Turallin Road in accordance with the requirements of Austroads Guide to Road Design Part 4A Unsignalised and Signalised Intersections.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016

38. The design and construction of the BAR intersection treatment works must be in accordance with *Planning Scheme Policy No. 2 – Engineering Standards – Roads and Drainage Infrastructure* (PSP No. 2).
39. 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.
40. All street/road surfacing must be in accordance with the pavement construction standards in PSP No. 2.
41. Verge widths, street reserve widths, intersection treatment, provision of parking and speed control devices must comply with Council's requirements in PSP No. 2.
42. 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

43. 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.

44. 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

45. The vehicle accesses from the subject land to Turallin Road must be sealed from the edge of the existing bitumen seal to the property boundary. The accesses must be designed by a Registered Professional Engineer Queensland (RPEQ) – Civil and must include the provision of adequate access width and flares to suit the proposed entry and exit manoeuvres. Such works must be constructed generally in accordance with any requirements as specifically required below:
 - 45.1 The vehicle accesses must be located as shown on the Approved Plans listed within this Development Approval, subject to a Development Application for a Development Permit for Operational Work for Driveway Crossovers;
 - 45.2 The vehicle accesses (crossing the verge) must be constructed generally in accordance Council's requirements and *Australian Standard AS 2890 – Parking Facilities (Part 1 and as relevant Part 2)*;
 - 45.3 The vehicle access (crossing of the verge) must align neatly on both sides with the verge with a maximum cross fall of 2.5%;
 - 45.4 Any necessary relocation of all existing services clear of the vehicle accesses (crossing of the verge) must be undertaken. All relevant service authorities must be contacted and their requirements complied with in relation to these works;
 - 45.5 The vehicle accesses must extend into the subject land generally in accordance with the Approved Plans listed within this Development Approval; and
 - 45.6 The vehicle access (crossing of the verge) must include suitable tapers and flares to accommodate the required turning paths of an Articulated Vehicle.

***Note:** This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

REMOVAL AND REINSTATEMENT OF EXISTING VEHICLE ACCESS TO FARMHOUSE

46. Remove and reinstate the existing vehicle accesses in Turallin Road adjacent to the subject land as shown on the Approved Plans. The works must include, but are not limited to the following:
 - 46.1 Removal of the existing vehicle accesses; and
 - 46.2 Reinstatement of the road verge to the satisfaction of Council.

***Note:** This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

ON-SITE CAR PARKING, SERVICE BAYS & MANOEUVRING

47. The premises must be provided with a minimum total of 75 on-site car parking spaces (~~40~~ **35** (including ~~two (2)~~ **one (1)** spaces for persons with a disability) in Stage 1 of the development, ~~27~~ **40** (including ~~one (1)~~ **two (2)** space for persons with a disability) in Stage 2 of the development ~~and eight (8) (including one (1) space for persons with a disability) in Stage 3 of the development~~) together with standing and manoeuvring for an Articulated Vehicle. Car parking and manoeuvring areas must be:
 - 47.1 As a minimum, provided with an all-weather gravel surface;
 - 47.2 Accessible and available to staff during approved hours of operation;
 - 47.3 Maintained as originally constructed and kept and used exclusively for vehicle parking and manoeuvring;

- 47.4 Car parking areas must be delineated (pavement markers or similar) to the minimum dimensions detailed in the *Toowoomba Regional Planning Scheme and Australian Standard AS2890 – Parking Facilities*;
- 47.5 Designed and constructed to meet the requirements of *Australian Standard AS2890 – Parking Facilities*;
- 47.6 Designed to ensure any persons with a disability car parking spaces are located in close proximity to a primary building entrance and meet the requirements of *Australian Standards AS2890.1 Clause 2.4.5 (1.3m high bollards), AS1428.1 and AS2890.6:2009*;
- 47.7 Provided with signage that indicates the location of parking areas and the proposed flow of traffic through the subject land; and
- 47.8 Designed to enable all vehicles to enter and leave the subject land in a forward gear.

INTERNAL ROADS AND CARPARKING AREAS

- 48. Internal roads and car parking areas must be constructed to create a gravel hardstand being of a coarse gravel graded at between 16 – 32 millimetres in diameter; a medium gravel graded at between 8 – 16 millimetres in diameter; or a fine gravel graded at 4 – 8 millimetres in diameter. Where a medium or fine gravel is utilised the gravel must be treated with a dust suppressant product prior to the commencement of use and on an as needs basis thereafter.

ACCESS FOR PEOPLE WITH DISABILITIES

- 49. Access must be provided for people with disabilities in accordance with *Australian Standard AS1428.1: Design for Access and Mobility* by means of an unimpeded continuous path of travel from any disabled access car parking bay to all parts of the development that are normally open to the public.

ENVIRONMENT & WASTE

ACOUSTIC AMENITY – NOISE LIMITS

- 50. Noise from activity associated with the use of the subject land must not exceed the noise limits noted within the Approved Noise Impact Assessment or an Environmental Authority for the activity when measured at any sensitive receptors.
- 51. 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*.

AIR QUALITY & AMENITY - AIR RELEASE LIMITS

- 51A. 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 receptor place must not be released to the atmosphere.

AIR QUALITY & AMENITY – AIR RELEASE LIMITS (DUST AND PARTICULATE MATTER)

- 52. ~~Dust and Particulate Matter emitted from activity associated with the use of the subject land must not exceed the Air Quality Objectives listed in the *Environment Protection (Air) Policy 2019* when measured at any sensitive receptor, unless otherwise specified in an Environmental Authority for the activity.~~

All reasonable and feasible avoidance and mitigation measures are employed so that dust and particulate matter 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:

- 52.1** 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*.
- 52.2** A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, for no more than 5 exceedances recorded each year, when monitored in accordance with the most recent version of either:
 - i) *Australian Standard AS3580.9.6: Methods for sampling and analysis of ambient air—Determination of suspended particulate matter - PM₁₀ high volume sampler with size-selective inlet – Gravimetric method*; or
 - ii) *Australian Standard AS3580.9.9: Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM₁₀ low volume sampler -Gravimetric method*.
- 53.** Where considered warranted by Council and when requested in writing to do so, an air quality investigation must be undertaken to investigate a complaint of air pollution, odour or dust nuisance. In such circumstances, a qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the Air Release 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.

ODOUR

- 54.** Odour from activity emitted from the activity associated with the use of the subject land must not exceed the Air Quality Objectives listed in the *Environment Protection (Air) Policy 2019* when measured at any sensitive receptor, unless otherwise specified in the Approved Odour Impact Assessment or an Environmental Authority for the activity.
- 55.** Where considered warranted by Council and when requested in writing to do so, an odour investigation must be undertaken to investigate a complaint of odour nuisance. In such circumstances, a qualified person must monitor, interpret and record all parameters that are required to be monitored in order to determine whether or not the odour 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.

OUTDOOR LIGHTING IMPACT MITIGATION

- 56.** Outdoor lighting associated with the use must be designed, sited, and installed to comply with the relevant parameters of *Australian Standard AS4282-1997 Control of the obtrusive effects of outdoor lighting*.
- 57.** 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).
- 58.** 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.

WASTE MANAGEMENT (GENERAL)

59. 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 (BIN PROVISION & STORAGE)

60. Refuse storage facilities must be provided generally in accordance with the Approved Plans listed within this Development Approval and the following:
- 60.1 The size, mix and capacity of bins provided must be sufficient to accommodate the type and level of waste likely to be generated from the development having regard to the frequency of disposal or collection.

WASTE MANAGEMENT (REMOVAL)

61. Unless otherwise endorsed by Council in a waste management plan, arrangements for waste removal are provided in accordance with the following requirements:
- 61.1 Disposal of waste generated must be undertaken in accordance with the *Environmental Protection Regulation 2019*.

SITE BASED ENVIRONMENTAL MANAGEMENT PLAN

62. The approved use must be carried out in accordance with the Approved Site Based Environmental Management Plan listed within this Development Approval.
63. The Approved Site Based Environmental Management Plan must be implemented, maintained and where necessary, modified with submission to Council for endorsement of proposed changes, to maintain compliance with the requirements of this Development Approval at all times.

STORAGE OF LIQUID CHEMICALS

64. All liquid chemicals (including flammable liquids, agricultural and veterinary chemicals, waste oil, acid and lube oil) must be stored within dedicated impervious secondary containment stores, structures or devices and in a manner that complies with *Australian Standards AS1940 – The storage and handling of flammable and combustible liquids* and *AS 2507 – The storage and Handling of Agricultural and Veterinary Chemicals*.

LANDSCAPE SCREENING

65. A ~~30~~10m wide plantation screening buffer must be planted and established in those locations as shown on the Approved Plans and as required by each stage of the development as relevant.
66. Unless otherwise approved by Council, the plantation screening buffer must achieve a minimum height of five (5) metres within five (5) years of planting, and a minimum height of eight (8) metres within ten (10) years of planting.

Note: For clarity, for compliance with this condition to be achieved, 75% of the upper canopy layer species must achieve the minimum height of five (5) metres within five (5) years of planting when measured over representative 100m transects.

67. Prior to the commencement of any works on site or the issue of a Development Permit for Operational Work or Building Work (whichever occurs first), submit to Council for endorsement, a Landscape Plan prepared by a suitably qualified person detailing the landscaping/plantation areas shown on all Approved Plans that details in particular:
- 67.1 Landscaping as required by the conditions of this Development approval;
- 67.2 A Plant Plan and Schedule;
- 67.3 The typical planting detail including preparation, backfill, staking and mulching;
- 67.4 Landscaping associated with each stage where relevant; and

- 67.5 North point, scale and drawing number.
68. The Landscape Plan must receive endorsement by Council prior to commencement of any site works.
69. All landscape screening buffer works must be established by a suitably qualified person and maintained in accordance with the conditions of this Development Approval for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be replaced when its life expectancy is reached.

GENERAL ADVICES

SUBMISSION OF PLANS FOR ENDORSEMENT

- 1) The conditions of this Development Approval require submission of plans to Council for endorsement. Please address the plans for endorsement to Council's Development Services Branch with the Reference No. MCUI/2020/1100 and send to development@tr.qld.gov.au.

INFRASTRUCTURE CHARGES

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

OTHER LAWS & REQUIREMENTS

- 3) 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.
- 4) Any works impacting outside the property boundary will require a permit under Subordinate Local Law 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011. Please contact Council's Road Operations Branch through our Customer Service Centre on 131 872. The application can be found on Council's website at www.tr.qld.gov.au.
- 5) The development has only been assessed in accordance with the provisions of the *Toowoomba Regional Planning Scheme*. 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

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

WHEN APPROVAL LAPSES

- 7) 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.

EXCAVATION & FILLING

- 8) The *Toowoomba Regional Planning Scheme* (TRPS) declares excavation and filling activity involving less than 50m³ of material and excavation and filling activity to a depth or height lower than 1m to be accepted development. Any combination of excavation or filling where 50m³ or more of fill is deposited on, or 50m³ or more of excavated material is removed from the premises and excavation or filling is not associated with 'Building Work' as defined under the *Planning Act 2016*, must obtain an Operational Works approval from Council before commencing site works.

WASTE WATER TREATMENT & DISPOSAL SYSTEM

- 9) The establishment of a waste water treatment and disposal system for the subject land requires a Compliance Permit to be obtained from Council under the *Plumbing and Drainage Act 2002*. The system must be designed in accordance with the *Queensland Plumbing and Wastewater Code* (Department of State Development and Infrastructure & Planning, 2007) and the *Australian & New Zealand Standard AS/NZS1547 On-site domestic wastewater management*.

Please contact Council's Planning and Development Services Unit via the Customer Service Centre for further information in respect of a Compliance Permit. Where a development exceeds the accommodation or use of 21 or more equivalent persons an Environmental Authority from the Department of Environment and Science will also be required.

EQUITABLE ACCESS & FACILITIES

- 10) 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:

- 10.1 The *Disability Discrimination Act 1992* (Cth);
- 10.2 The *Anti-Discrimination Act 1991* (Qld); and
- 10.3 The *Disability (Access to Premises - Buildings) Standards*.

ENVIRONMENTAL HARM

- 11) 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, waste water, 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.

- 12) This Development Approval does not infer or give approval to the owners or occupiers of the subject land to disturb or remove street trees. A separate Street Tree Disturbance or Removal Approval is required where a street tree is expected to be disturbed or removed. Please contact Council's Parks and Recreation Branch via Council's Customer Service Centre for further information in respect of street trees.

WATER POLLUTION

- 13) 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.

FIRE ANTS

- 14) 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 *Plant Protection Act 1989* apply, compliance with statutory provisions must be achieved.

ADVERTISING SIGNS

- 15) Placing an advertising device on premises is accepted development where complying with the assessment benchmarks that form the requirements for accepted development in the Advertising Devices Code in the *Toowoomba Regional Planning Scheme*. A separate Operational Works approval will be required for any Advertising Devices not complying with the assessment benchmarks that form the requirements for accepted development in the Advertising Devices Code.

REASONS FOR RECOMMENDATION

The change application has been assessed with regard to the applicable assessment framework as identified within this report. The proposed changes are considered to be generally acceptable. It is therefore recommended that the development approval be changed as identified above.

The attached Statement of Reasons is not required to be amended.

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 request be Approved subject to the Conditions contained in the recommendation. I exercise delegation in accordance with the delegations adopted by the Toowoomba Regional Council.



Emily Hinchliffe
Lead Senior Planner, Planning Branch

Decision Date: 27 April 2026

BACKGROUND

SITE DETAILS				
Site Address	240 Turallin Road, TURALLIN QLD 4357			
Real Property Description	Lot 2 RP79686			
Site Area	321.055ha			
Owner	Ellerslie Free Range Farms Pty Ltd			
SITE CHARACTERISTICS				
Current Land Use	Rural land			
Site Frontage/s	Turallin Road and Dooley Road			
Road/s	Order of Road	Width of Road Reserve	Width of Pavement	Road Material
Turallin Road	Collector	34m	~7.2m	Asphalt
Dooley Road	Local	60m	~6.5m	Gravel
Easements	Nil			
Existing Structures	Existing dwelling house located 41 metres from the Turallin Road frontage. This existing use does not form part of the development application.			
Infrastructure	The subject site is connected to electricity and telecommunication infrastructure servicing the area. The subject site will be serviced by an on-site effluent system and will access water from a new water bore.			
Topography	The land falls from north-east to south-west. Approximate fall across the site is 20 metres			
Street Trees	There are several street trees within both the Turallin Road and Dooley Road frontages of the subject site.			
Other Features	The remnant vegetation under the Environmental Significance Overlay are located approximately 600 metres from Turallin Road and 400 metres from Dooley Road. The proposed change to the development will not result in the clearing of the vegetation.			
PLANNING SCHEME SITE DATA				
Current Planning Scheme	Toowoomba Regional Planning Scheme 2012 (Version 28)			Adopted: 28/11/22
Zone	Rural Zone			
Precinct	200ha minimum Precinct			
Overlays	Environmental Significance Overlay • Areas of Ecological Significance Buffer • Areas of Ecological Significance Flood Hazard Overlay • Balance Mixed			
Infrastructure Charges Resolution	Charges Resolution No. 7			Adopted: 19/08/25
SURROUNDS:				
Direction	Land Use	Zone/Precinct		
North	Intensive animal industry (piggery)	Rural Zone, 100ha minimum Precinct		
East	Rural land	Rural Zone, 100ha minimum Precinct		
South	Rural land	Rural Zone, 100ha minimum Precinct		
West	Rural land to the west of Turallin Road	Rural Zone, 100ha minimum Precinct and 200ha minimum Precinct		
Other Features	The locality is generally rural in character			
APPLICATION HISTORY				
Application No.	Description	Decision Date	Decision	
MCUI/2020/1100 &	Development Permit for Material Change	10 September	Approved	

ERA/2020/1103	of Use – Impact – Intensive Animal Industry (Poultry Farming); and Environmentally Relevant Activity – Poultry Farming (for more than 200,000 birds) (ERA 4 (2))	2020	
PREL/2019/4956	A pre-lodgement meeting was held on 19 December 2019 relating to the proposed development.		

APPROVED DEVELOPMENT

Type of Approval	Development Permit for Material Change of Use; and Environmentally Relevant Activity ERA 4 (2)		
Approved Development	Intensive Animal Industry (Poultry Farming – maximum 840,000 birds)		
Variations Sought	Not applicable		
Level of Assessment	Impact Assessable		
Gross Floor Area	36,080.4m ²		
Impervious Area	36,080.4m ²		
Site Cover	0.011%		
Car Parking Spaces	75 gravel surfaces car parking spaces		
Service Vehicle Provision	Articulated vehicle		
Submissions Received	Objection:	Nil	
	Support:	Nil	
Decision Notice Issued	14 September 2020		

CHANGE APPLICATION

Applicant Name	Ellerslie Free Range Farms Pty Ltd
Type of Application	Change Application
Type of Change	Minor Change
Public Notification	Not required for a Minor Change.
Application Received	16 September 2025

CONSULTATION UNDERTAKEN**Internal Referrals**

Internal Referral Partner	Referral / Response
Development Infrastructure and Growth	Reviewed application and advised no issues with proposed changes.
Development Services Environmental	Reviewed changes and recommended changes to conditions of approval.
Water and Waste	Reviewed application and advised no issues with proposed changes.
Infrastructure Charges Unit	Preparing an Amended Infrastructure Charges Notice in accordance <i>with Charges Resolution No. 7</i> to accompany an approval of the proposed changes

ISSUES, RISKS AND RESPONSES – ASSESSMENT**Assessment Framework**

Section 81 of the *Planning Act 2016* establishes the following parameters in relation to the assessment of change applications for minor changes:

- (2) *In assessing the change application, the responsible entity must consider—*
 (a) *the information the applicant included with the application; and*

- (b) *if the responsible entity is the assessment manager—any properly made submissions about the development application or another change application that was approved; and*
- (c) *any pre-request response notice or response notice given in relation to the change application; and*
- (d) *if the responsible entity is, under section 78A(3), the Minister—all matters the Minister would or may assess against or have regard to, if the change application were a development application called in by the Minister; and*
- (da) *if paragraph (d) does not apply—all matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and*
- (e) *another matter that the responsible entity considers relevant.*
- (3) *Subsections (4) and (5) apply if the responsible entity must, in assessing the change application under subsection (2)(d) or (da), consider—*
 - (a) *a statutory instrument; or*
 - (b) *another document applied, adopted or incorporated (with or without changes) in a statutory instrument.*
- (4) *The responsible entity must consider the statutory instrument, or other document, as in effect when the development application for the development approval was properly made.*
- (5) *However, the responsible entity may give the weight the responsible entity considers is appropriate, in the circumstances, to—*
 - (a) *the statutory instrument or other document as in effect when the change application was made; or*
 - (b) *if the statutory instrument or other document is amended or replaced after the change application is made but before it is decided—the amended or replacement instrument or document; or*
 - (c) *another statutory instrument—*
 - (i) *that comes into effect after the change application is made but before it is decided; and*
 - (ii) *that the responsible entity would have been required to consider if the instrument had been in effect when the development application for the development approval was properly made.*

Assessment of Proposed Changes – Change to Conditions of the Development Approval

Changes to the conditions of approval have been proposed by the applicant. The following table identifies the relevant condition of approval, the applicant's proposed changes, any relevant representations made by the applicant, the officer's assessment of the proposed amendments and any recommend amendments to the condition.

Assessment of Proposed Changes – Change to Conditions of the Development Approval

No.	Original Condition	Proposed Amended Condition	Relevant Representation	Officer's Assessment	Condition to be Recommended
1	This Development Approval is for a Material Change of Use for Intensive Animal Industry (Poultry Farm – maximum 840,000 birds) as follows: 1.1 Stage 1 – Egg grading floor and shed; 1.2 Stage 2 – Six (6) layer sheds housing 60,000 birds each (360,000 barn/cage free birds), manure pad, packhouse/amenities building, and storage shed; and 1.3 Stage 3 – Four (4) layer sheds housing 60,000 birds each (240,000 barn/cage free birds), two (2) rearing sheds housing 120,000 pullets each (240,000 birds), amenities building, and storage shed.	<i>This Development Approval is for a Material Change of Use for Intensive Animal Industry (Poultry Farm – maximum 840,000 birds) as follows:</i> 1.1 Stage 1 – Egg grading floor and shed; twelve (12) layer sheds, access Roads, packing building, maintenance shed, machinery building, feed complex, manure pad and ponds area, and manager's residence; and 1.2 Stage 2 – Six (6) layer sheds housing 60,000 birds each (360,000 barn/cage free birds), manure pad, packhouse/amenities building, and storage shed; and Solar array, wastewater treatment plan, store building, and packhouse/warehouse 1.3 Stage 3 – Four (4) layer sheds housing 60,000 birds each (240,000 barn/cage free birds), two (2) rearing sheds housing 120,000 pullets each (240,000 birds), amenities building, and storage shed.	<i>The following changes are proposed:</i> <i>The two (2) rearing shed (containing 240,000 birds) are proposed to be removed</i> <i>Instead, two (2) new layer sheds are to be constructed adjacent to the then (10) approved laying sheds. The layout of these sheds will be condensed.</i> <i>The overall maximum capacity will remain the same (840,000 birds), with sheds to contain up to 70,000 birds</i> <i>The development is to include two (2) stages. Notably:</i> <i>Stage 1 will consist of the egg production components of the farm</i> <i>Stage 2 will consist of structures relating to sorting and packaging of eggs</i> <i>An ancillary manager's accommodation will be introduced (as shown at Attachment 4) within stage 1. This building will be:</i> <i>Located west of the layer sheds, separated by a pocket of remaining vegetation</i> <i>Consist of a single-storey, four (4) bedroom house</i> <i>An ancillary maintenance shed, machinery building, and feed complex are also proposed within stage 1</i> <i>Amendments to the floor plan/elevations of the packing shed will be amended to an updated design, with a reduction in overall GFA.</i> <i>Reduce landscape buffer from 30m to 10m in width (noting that 30m is significantly greater than the area necessary to provide screening).</i> <i>The approved Noise Impact Assessment, Site Based Environmental Management Plan are considered to maintain their relevance</i>	The proposed change includes: - Reducing the development staging from three (3) stages to two (2) stages and the description of the approved works to align with the amended site layout and the current operational intent (egg production in Stage 1 and egg sorting/packing/ancillary infrastructure in Stage 2). - Removal of the rearing sheds and substitution with additional layer sheds with a condensed shed layout - Introduction of a manager's residence and ancillary buildings (maintenance shed, machinery building and feed complex) are associated with the approved rural poultry farming operation. Noting that the maximum approved bird capacity remains unchanged at 840,000 birds and the activity remains an Intensive Animal Industry (poultry), it is considered that the proposed changes are consistent with the existing approval and do not increase the intensity of the site. In addition, it is noted that all proposed buildings of the development are located outside of the Flood Hazard Overlay. Therefore, it is recommended that condition 1 be updated to reflect the proposed staging in accordance with the amended plan.	This Development Approval is for a Material Change of Use for Intensive Animal Industry (Poultry Farm – maximum 840,000 birds) as follows: 1.1 Stage 1 – 12 layer sheds, access roads, packhouse building, maintenance shed, machinery building, feed complex, manure pad and ponds area, and manager's residence; and Egg grading floor and shed 1.2 Stage 2 – Solar array, wastewater treatment plant, store building, and packhouse/warehouse. Six (6) layer sheds housing 60,000 birds each (360,000 barn/cage free birds), manure pad, packhouse/amenities building, and storage shed; and 1.3 Stage 3 – Four (4) layer sheds housing 60,000 birds each (240,000 barn/cage free birds), two (2) rearing sheds housing 120,000 pullets each (240,000 birds), amenities building, and storage shed.

			<i>through this change application where the overall capacity of birds on-site remains unchanged. Given the change in the positioning of poultry sheds and the change in typology from rearing to layer birds over part of the development, an updated Odour Assessment has been provided at Attachment 5. It is noted that this assessment has demonstrated that the proposed change does not result in the development causing odour impacts that exceed the applicable criteria.</i>																																		
6.	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: DA03 Description: Pictorial Site Plan, dated 15 July 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: DA04 Description: Area A Grading Floor Site Plan, dated 20 March 2020 and received by Council 15 July 2020 Amendments: As notated in RED Plan No: DA05 Description: Area B Layer Shed Site Plan, dated 15 July 2020 and received by Council 15 July 2020 Amendments: As notated in RED Plan No: DA06 Description: Area D Rearing Shed Site Plan, dated 20 March 2020 and received by Council 15 July 2020 Amendments: As notated in RED Plan No: DA07 Description: Pictorial Farm Entry, dated 20 March 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: DA09 Description: Construction Areas Superimposed on RVM Map, dated 20 March 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: DA11 Description: Area C Manure Pad Site	Table 1 - Approved Drawings and Documents <table><tr><th>Plan No</th><th>Description</th><th>Comment</th></tr><tr><td>DA03</td><td>Pictorial Site Plan, dated 15 July 2020 and received by Council 15 July 2020</td><td>This plan is superseded by the ‘site plan’ referenced in the row below.</td></tr><tr><td>05</td><td>Site Plan, dated 4 September 2025</td><td></td></tr><tr><td>DA04</td><td>Area A Grading Floor Site Plan, dated 20 March 2020 and received by Council 15 July 2020</td><td>This plan is no longer relevant. It is noted that all necessary information is shown on the new proposed site plan.</td></tr><tr><td>DA05</td><td>Area B Layer Shed Site Plan, dated 15 July 2020 and received by Council 15 July 2020</td><td>The relevant information is provided in the ‘Site Plan’ provided with this application.</td></tr><tr><td>10</td><td>Laying Shed Floor Plan, dated 10 July 2025</td><td>These plans reflect the updated layout of the laying sheds</td></tr><tr><td>20</td><td>Laying Shed Elevations, dated 1 April 2025</td><td></td></tr><tr><td>DA06</td><td>Area D Rearing Shed Site Plan, dated 20 March 2020 and received by Council 15 July 2020</td><td>As the rearing sheds are deleted under the proposed change this plan is no longer relevant.</td></tr><tr><td>DA07</td><td>Pictorial Farm Entry, dated 20 March 2020 and received by Council 15 July 2020</td><td></td></tr><tr><td>DA09</td><td>Construction Areas Superimposed on RVM Map, dated 20 March 2020 and received by Council 15 July 2020</td><td>Sufficient information is shown on the proposed ‘Site Plan’. Therefore, this plan is no longer required in the approval package.</td></tr><tr><td>DA11</td><td>Area C Manure Pad Site Plan, dated 15 July 2020 and received by Council 15 July 2020</td><td>This plan is no longer up to date. It is noted that all necessary</td></tr></table>	Plan No	Description	Comment	DA03	Pictorial Site Plan, dated 15 July 2020 and received by Council 15 July 2020	This plan is superseded by the ‘site plan’ referenced in the row below.	05	Site Plan, dated 4 September 2025		DA04	Area A Grading Floor Site Plan, dated 20 March 2020 and received by Council 15 July 2020	This plan is no longer relevant. It is noted that all necessary information is shown on the new proposed site plan.	DA05	Area B Layer Shed Site Plan, dated 15 July 2020 and received by Council 15 July 2020	The relevant information is provided in the ‘Site Plan’ provided with this application.	10	Laying Shed Floor Plan, dated 10 July 2025	These plans reflect the updated layout of the laying sheds	20	Laying Shed Elevations, dated 1 April 2025		DA06	Area D Rearing Shed Site Plan, dated 20 March 2020 and received by Council 15 July 2020	As the rearing sheds are deleted under the proposed change this plan is no longer relevant.	DA07	Pictorial Farm Entry, dated 20 March 2020 and received by Council 15 July 2020		DA09	Construction Areas Superimposed on RVM Map, dated 20 March 2020 and received by Council 15 July 2020	Sufficient information is shown on the proposed ‘Site Plan’. Therefore, this plan is no longer required in the approval package.	DA11	Area C Manure Pad Site Plan, dated 15 July 2020 and received by Council 15 July 2020	This plan is no longer up to date. It is noted that all necessary	Having regard to the comments above in relation to Condition 1, it is recommended that the Approved Plans be updated to reflect the proposed changes to the site layout and revised staging. Additional plans have been submitted for the proposed manager's accommodation, maintenance shed, machinery building and feed complex. It is recommended that these plans be included as part of the Approved Plans to accurately reflect the location and floor plans of the additional structures forming part of the development.	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: DA03 Description: Pictorial Site Plan, dated 15 July 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: LBD 25-0302, Rev G Description: Site Plan, prepared by Langton Building Designs, dated 3 November 2025 Amendments: Nil Plan No: DA04 Description: Area A Grading Floor Site Plan, dated 20 March 2020 and received by Council 15 July 2020 Amendments: As notated in RED Plan No: LBD 25 25-0302, Rev C Description: Master Floor Plan – Wastewater Treatment Area, prepared by Langton Building Designs, dated 3 November 2025 Amendments: Nil Plan No: DA05 Description: Area B Layer Shed Site Plan, dated 15 July 2020 and received by Council 15 July 2020 Amendments: As notated in RED Plan No: LBD 25 25-0302, Rev H Description: Master Floor Plan – Laying Sheds Area, prepared by Langton Building Designs, dated 3 November 2025 Amendments: Nil Plan No: LBD 25 25-0302, Rev B Description: Laying Shed Floor Plan, prepared by Langton Building Designs, dated 10 July 2025 Amendments: Nil Plan No: LBD 25 25-0302, Rev B
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DA11	Area C Manure Pad Site Plan, dated 15 July 2020 and received by Council 15 July 2020	This plan is no longer up to date. It is noted that all necessary																																			

Plan, dated 15 July 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: DA12 Description: Pictorial Managed Plantation, dated 20 March 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: DA13 Description: Staging Plan – Gross Floor Areas, dated 3 July 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: 13549, S-A001.02, Revision G Description: Level 1 Floor Plan (Packing and Grading Floor), dated 13 February 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: 13549, S-A001.03, Revision A Description: Level 2 Floor Plan (Packing and Grading Floor), dated 13 February 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: 13549, S-A002.01, Revision B Description: Elevations (Packing and Grading Floor), dated 13 February 2020 and received by Council 15 July 2020 Amendments: As notated in RED Plan No: Unnumbered Description: Typical Layer Packhouse and Amenities, dated June 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: Unnumbered Description: Typical Layer Shed, dated June 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: Unnumbered Description: Typical Rearing Shed Amenities, dated June 2020 and received by 15 July 2020 Amendments: Nil	information is shown on the proposed new site plan. A managed plantation is not proposed to be provided, noting the significant distances between the proposed buildings and the site boundaries, and the lack of adverse impacts to any space or nearby use warranting screening. The development will be located on a rural site that includes a combination of fields, clusters of vegetation, and sparsely located vegetation which together provide a suitable landscape character for a rural area. The staging is now indicated on the 'site plan' provided. This existing approved plan is now redundant. The design of the packhouse has been amended. The reference for the updated set of plans is noted in the rows below. These plans relate to the proposed new machinery shed. These plans relate to the proposed new feed complex. These are the amended plans for the packhouse. This plan has been superseded by the 'Packhouse Floor Plan' provided with this application. This plan has been superseded by the 'packhouse elevations' plan provided with this application. These plans are no longer relevant, where the design of the rearing sheds has been updated.	Description: Laying Shed Elevation, prepared by Langton Building Designs, dated 10 July 2025 Amendments: Nil Plan No: DA06 Description: Area D Rearing Shed Site Plan, dated 20 March 2020 and received by Council 15 July 2020 Amendments: As notated in RED Plan No: DA07 Description: Pictorial Farm Entry, dated 20 March 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: DA09 Description: Construction Areas Superimposed on RVM Map, dated 20 March 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: DA11 Description: Area C Manure Pad Site Plan, dated 15 July 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: LBD 25 25-0302, Rev C Description: Manure Pad & Ponding Plan, prepared by Langton Building Designs, dated 3 November 2025 Amendments: Nil Plan No: DA12 Description: Pictorial Managed Plantation, dated 20 March 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: DA13 Description: Staging Plan – Gross Floor Areas, dated 3 July 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: 13549, S-A001.02, Revision G Description: Level 1 Floor Plan (Packing and Grading Floor), dated 13 February 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: 13549, S-A001.03, Revision A Description: Level 2 Floor Plan (Packing and Grading Floor), dated 13 February 2020 and received by Council 15 July 2020 Amendments: Nil

	Plan No: Unnumbered Description: Typical Rearing Shed, dated June 2020 and received by Council 15 July 2020 Amendments: Nil			Plan No: 13549, S-A002.01, Revision B Description: Elevations (Packing and Grading Floor), dated 13 February 2020 and received by Council 15 July 2020 Amendments: As notated in RED Plan No: LBD 25 25-0302, Rev F Description: Packhouse Floor Plan, prepared by Langton Building Designs, dated 3 November 2025 Amendments: Nil Plan No: LBD 25 25-0302, Rev F Description: Packhouse Elevations, prepared by Langton Building Designs, dated 3 November 2025 Amendments: Nil Plan No: Unnumbered Description: Typical Layer Packhouse and Amenities, dated June 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: Unnumbered Description: Typical Layer Shed, dated June 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: Unnumbered Description: Typical Rearing Shed Amenities, dated June 2020 and received by 15 July 2020 Amendments: Nil Plan No: Unnumbered Description: Typical Rearing Shed, dated June 2020 and received by Council 15 July 2020 Amendments: Nil Plan No: LBD 25 25-0302, Rev A Description: Machinery Shed – Floor Plan, prepared by Langton Building Designs, dated 9 April 2025 Amendments: Nil Plan No: LBD 25 25-0302, Rev A Description: Machinery Shed Elevations, prepared by Langton Building Designs, dated 9 April 2025 Amendments: Nil Plan No: LBD 25 25-0302, Rev G Description: Maintenance Shed Floor Plan & Elevations, prepared by Langton Building Designs, dated 3 November 2025 Amendments: Nil
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					Plan No: LBD 25 25-0302, Rev G Description: Store Building – Floor Plan, prepared by Langton Building Designs, dated 3 November 2025 Amendments: Nil Plan No: LBD 25 25-0302, Rev G Description: Store Building Elevations, prepared by Langton Building Designs, dated 3 November 2025 Amendments: Nil Plan No: LBD 25 25-0302, Rev A Description: Feeding Complex – Floor Plan, prepared by Langton Building Designs, dated 9 April 2025 Amendments: Nil Plan No: LBD 25 25-0302, Rev A Description: Feeding Complex Elevations, prepared by Langton Building Designs, dated 9 April 2025 Amendments: Nil
7.	The development must be carried out generally in accordance with the Approved Documents listed below, subject to the conditions of this Development Approval: Document: Unnumbered Description: Noise Impact Assessment, prepared by Matrix Acoustics, dated 11 June 2020 and received by Council 15 July 2020 Amendment: Nil Document: 19-188, Version R1-5 Description: Odour Impact Assessment, prepared by Astute Environmental Consulting Pty Ltd, dated 24 June 2020 and received by Council 15 July 2020 Amendment: Nil Document: Final 100720 Description: Site Based Environmental Management Plan prepared by Integrity Ag & Environment, dated 10 July 2020 and received by Council 15 July 2020 Amendment: Nil	-	-	Updated reports, including the Noise Impact Assessment, Odour Impact Assessment and Site Based Environmental Management Plan, were submitted in support of the proposed change to the development. The reports were reviewed by Council's Environmental Officer and are considered to be consistent with the existing approval and to meet the relevant requirements of the Planning Scheme. Accordingly, it is recommended that the Approved Documents be updated to reflect the submitted reports.	The development must be carried out generally in accordance with the Approved Documents listed below, subject to the conditions of this Development Approval: Document: Unnumbered Revision 2 Description: Noise Impact Assessment, prepared by Matrix Acoustics, dated 11 June 2020 and received by Council 15 July 2020 19 January 2026, received by Council 19 January 2026 Amendment: Nil Document: 19-188, Version R1-5 Job: 24-175, Version R1-1 Description: Odour Impact Assessment, prepared by Astute Environmental Consulting Pty Ltd, dated 24 June 2020 and received by Council 15 July 2020 2 September 2025, received by Council 15 September 2025 Amendment: Nil Document: Final 100720 Avondale Cage Free Layer Farm: Site Based Environmental Management Plan – Jan 2026 Description: Site Based Environmental Management Plan prepared by Integrity Ag & Environment, dated 10 July 2020 and received by Council 15 July 2020 January 2026, received by Council 27 January 2026 Amendment: Nil
22A	-	-	-	The proposed change to the site layout has reduced the distance from the	AIR QUALITY IMPACT MITIGATION

				development to the sensitive receptors to the north and the south. Council's Environmental Officer have reviewed the proposed change with all updated environmental reports, and considered that the proposed change does not result in adverse air quality impacts to nearby sensitive receptors. However, recommendations were made to include conditions relating to Air Quality Impact Mitigation. This will ensure that air quality is appropriately managed and can be monitored appropriately throughout the life of the development.	22A. 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 work and throughout the life of this development. 22B. 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: 22B.1 Dust deposition of 120 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.
32A	-	-	-	Condition 32A is recommended to ensure that appropriate, practical measures are implemented during construction of the proposed changes to minimise environmental nuisance and off-site impacts associated with earthworks and vehicle movements. In particular, the condition addresses the risk of sediment being tracked from the site onto adjoining roads and the potential for dust emissions from exposed surfaces and stockpiles. These measures are consistent with standard erosion and sediment control practice, support Council's expectations for maintaining the safety and amenity of the road network, and assist in meeting the general environmental duty for preventing or minimising environmental harm during construction and any ensuing maintenance period.	Measures such as vehicle baths, wash-down and construction matting together with dust suppressants and wraps, exposed ground and stockpile sprinkling must be put in place to minimize site vehicles tracking sediment onto adjoining streets during the course of the construction period, and to prevent dust nuisance during construction and, where applicable the ensuing 'on-maintenance' period.
47.	The premises must be provided with a minimum total of 75 on-site car parking spaces (40 (including two (2) spaces for persons with a disability) in Stage 1 of the development, 27 (including one (1) space for persons with a disability) in Stage 2 of the development and eight (8) (including one (1) space for persons with a disability) in Stage 3 of the development) together with standing	<i>The premises must be provided with a minimum total of 75 on-site car parking spaces (40 (including two (2) spaces for persons with a disability) in Stage 42 of the development, 2735 (including one (1) space for persons with a disability) in Stage 21 of the development and eight (8) (including one (1) space for persons with a disability) in Stage 3 of the development)</i>	-	Refer to the officer comments above regarding the amended staging of the development. It is recommended that the car parking requirement for each stage be amended to reflect the revised staging arrangements, noting the total number of on-site car parking spaces remains	The premises must be provided with a minimum total of 75 on-site car parking spaces (40 35 (including two one (1) spaces for persons with a disability) in Stage 1 of the development, 27 40 (including one two (2) space for persons with a disability) in Stage 2 of the development and eight (8) (including one (1) space for persons with a disability) in Stage 3 of the development) together with standing and manoeuvring for an Articulated Vehicle. Car parking

	and manoeuvring for an Articulated Vehicle. Car parking and manoeuvring areas must be: 47.1 As a minimum, provided with an all-weather gravel surface; 47.2 Accessible and available to staff during approved hours of operation; 47.3 Maintained as originally constructed and kept and used exclusively for vehicle parking and manoeuvring; 47.4 Car parking areas must be delineated (pavement markers or similar) to the minimum dimensions detailed in the <i>Toowoomba Regional Planning Scheme and Australian Standard AS2890 – Parking Facilities</i>; 47.5 Designed and constructed to meet the requirements of <i>Australian Standard AS2890 – Parking Facilities</i>; 47.6 Designed to ensure any persons with a disability car parking spaces are located in close proximity to a primary building entrance and meet the requirements of <i>Australian Standards AS2890.1</i> Clause 2.4.5 (1.3m high bollards), <i>AS1428.1</i> and <i>AS2890.6:2009</i>; 47.7 Provided with signage that indicates the location of parking areas and the proposed flow of traffic through the subject land; and 47.8 Designed to enable all vehicles to enter and leave the subject land in a forward gear.	<i>together with standing and manoeuvring for an Articulated Vehicle. Car parking and manoeuvring areas must be:</i> ...		unchanged.	and manoeuvring areas must be: 47.1 As a minimum, provided with an all-weather gravel surface; 47.2 Accessible and available to staff during approved hours of operation; 47.3 Maintained as originally constructed and kept and used exclusively for vehicle parking and manoeuvring; 47.4 Car parking areas must be delineated (pavement markers or similar) to the minimum dimensions detailed in the <i>Toowoomba Regional Planning Scheme and Australian Standard AS2890 – Parking Facilities</i>; 47.5 Designed and constructed to meet the requirements of <i>Australian Standard AS2890 – Parking Facilities</i>; 47.6 Designed to ensure any persons with a disability car parking spaces are located in close proximity to a primary building entrance and meet the requirements of <i>Australian Standards AS2890.1</i> Clause 2.4.5 (1.3m high bollards), <i>AS1428.1</i> and <i>AS2890.6:2009</i>; 47.7 Provided with signage that indicates the location of parking areas and the proposed flow of traffic through the subject land; and 47.8 Designed to enable all vehicles to enter and leave the subject land in a forward gear.
51A	-	-	-	Refer to officer comments to Condition 22A. Given the amendment in site layout resulting in reduction of distance to nearby sensitive receptors, condition 51A has been recommended by Council's Environmental Officer to ensure the use continues to be operated in a manner that avoids environmental nuisance and prevents environmental harm, and provides a clear regulatory trigger for compliance action should odour or airborne contaminants become noxious or offensive, or otherwise exceed the applicable air quality objectives at any sensitive receptor.	AIR QUALITY & AMENITY - AIR RELEASE LIMITS 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 <i>Environmental Protection (Air) Policy 2019</i> as measured at any sensitive receptor place must not be released to the atmosphere.

52	Dust and Particulate Matter emitted from activity associated with the use of the subject land must not exceed the Air Quality Objectives listed in the <i>Environment Protection (Air) Policy 2019</i> when measured at any sensitive receptor, unless otherwise specified in an Environmental Authority for the activity.	-	-	Following officer comments above for Condition 51A regarding additional environmental protection measures (particularly in relation to nearby sensitive receptors), Condition 52 is recommended to ensure that dust and particulate matter generated by the use is avoided and appropriately mitigated to protect public amenity and the health and wellbeing of nearby sensitive receptors.	Dust and Particulate Matter emitted from activity associated with the use of the subject land must not exceed the Air Quality Objectives listed in the <i>Environment Protection (Air) Policy 2019</i> when measured at any sensitive receptor, unless otherwise specified in an Environmental Authority for the activity. All reasonable and feasible avoidance and mitigation measures are employed so that dust and particulate matter 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: 52.1 Dust deposition of 133 milligrams per square metre per day averaged over 1 month, when monitored in accordance with the most recent version of <i>Australian Standard AS3580.10.1: Methods for sampling and analysis of ambient air - Determination of particulate matter - Deposited matter - Gravimetric method.</i> 52.2 A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24-hour averaging time, for no more than 5 exceedances recorded each year, when monitored in accordance with the most recent version of either: i) <i>Australian Standard AS3580.9.6: Methods for sampling and analysis of ambient air—Determination of suspended particulate matter - PM₁₀ high volume sampler with size-selective inlet – Gravimetric method;</i> or ii) <i>Australian Standard AS3580.9.9: Methods for sampling and analysis of ambient air - Determination of suspended particulate matter - PM₁₀ low volume sampler -Gravimetric method.</i>
65	A 30m wide plantation screening buffer must be planted and established in those locations as shown on the Approved Plans and as required by each stage of the development as relevant.	A 30-10m wide plantation screening buffer must be planted and established in those locations as shown on the Approved Plans and as required by each stage of the development as relevant.	Reduce landscape buffer from 30m to 10m in width (noting that 30m is significantly greater than the area necessary to provide screening.	The proposed reduction in landscaping has been reviewed by Council's Landscape Architect and Environmental Officer and is considered acceptable. The proposed 10m wide plantation screening buffer is considered sufficient to provide effective screening for the site.	A 30-10m wide plantation screening buffer must be planted and established in those locations as shown on the Approved Plans and as required by each stage of the development as relevant.

FINANCIAL / RESOURCE IMPLICATIONS

A revised infrastructure charges notice will be issued for the development in conjunction with a decision regarding the change application.

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 change application has been assessed with regard to the applicable assessment framework as identified within this report. The proposed changes are considered to be generally acceptable. It is therefore recommended that the development approval be changed as identified above.

The attached Statement of Reasons is not required to be amended.

ATTACHMENT/S

Attachment	1	of	5	Aerial Image of Site
Attachment	2	of	5	Zoning Map
Attachment	3	of	5	Flood Hazard Overlay Map
Attachment	4	of	5	Approved Site Plan
Attachment	5	of	5	Proposed Amended Site Plan

SCHEDULES

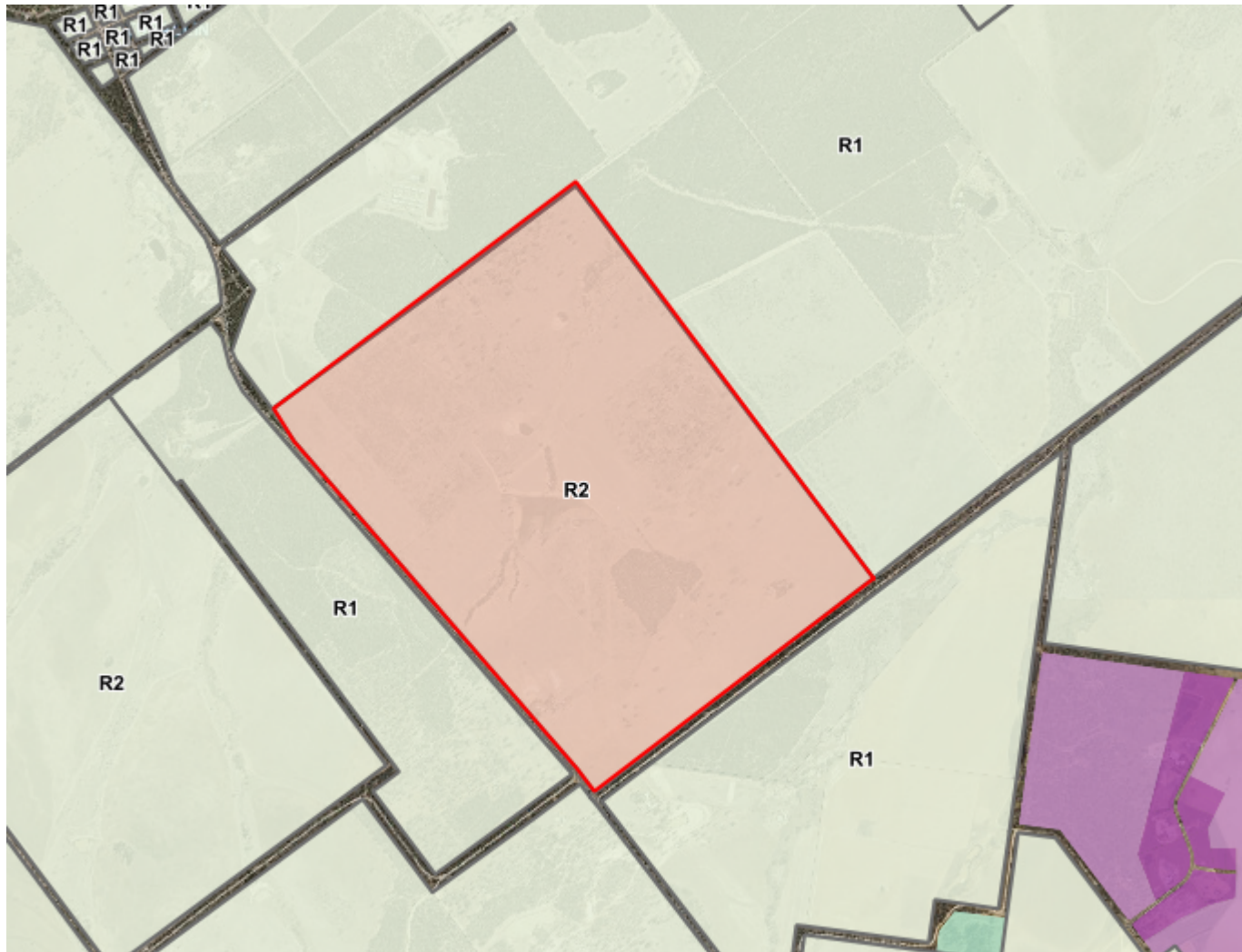
Schedule 1 Referral Agency Response

ATTACHMENTS

Attachment – 1 – Aerial Image of Site



Attachment – 2 – Zoning Map

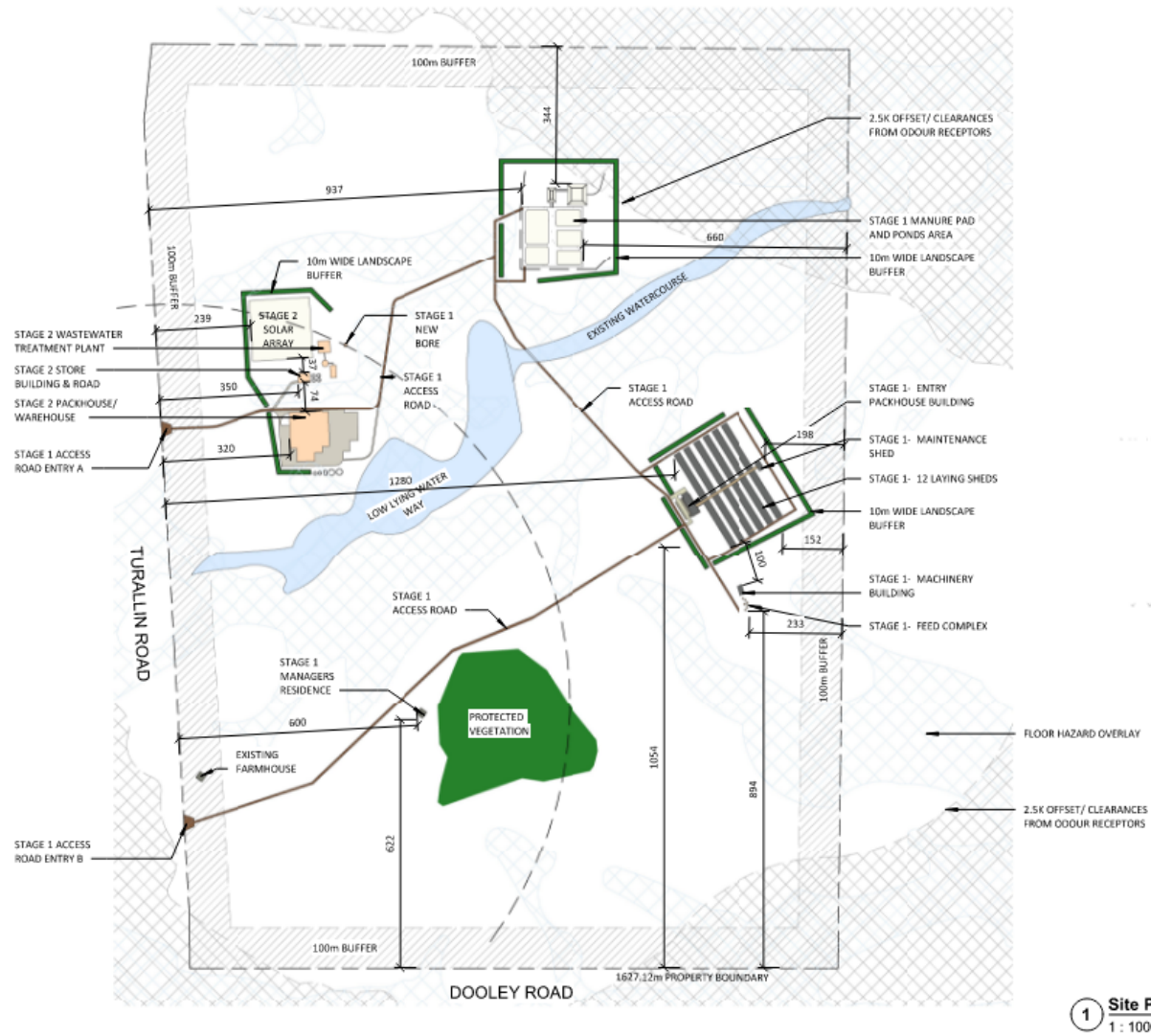


Attachment – 3 – Flood Hazard Overlay Map



Attachment – 4 – Approved Site Plan

Attachment – 5 – Proposed Amended Site Plan



SCHEDULE 1

Concurrence Agency Response



Queensland Treasury

SARA reference: 2004-16303 SRA
 Council reference: MCUI/2020/1100 & ERA/2020/1103

10 August 2020

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



Dear Sir/Madam

SARA response—240 Turallin Road, Turallin

(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 on 9 April 2020.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application.
Date of response:	10 August 2020
Reasons:	The reasons for the referral agency response are in Attachment 1 .

Development details

Description:	Development permit	Material Change of Use – Intensive Animal Industry (Poultry); and Environmentally Relevant Activity – Poultry Farming (for more than 200,000 birds) (ERA 4 (2))
SARA role:	Referral Agency	
SARA trigger:	Schedule 10, part 5, division 4, table 2, item 1 (Planning Regulation 2017) – Material change of use for non-devolved environmentally relevant activity	
	Schedule 10, part 9, division 4, subdivision 1, table 1, item 1 (Planning Regulation 2017) – Development impacting on State transport	

infrastructure

SARA reference: 2004-16303 SRA

Assessment Manager: Toowoomba Regional Council

Street address: 240 Turallin Road, Turallin

Real property description: 2RP79686

Applicant name: DHP Consolidated Pty Ltd

Applicant contact details: C/- Precinct Urban Planning
PO Box 3038
Toowoomba QLD 4350
paul@precinctplan.com.au

Environmental Authority: This referral included an application for an environmental authority under section 115 of the *Environmental Protection Act 1994*. Below are the details of the decision:

- Approved
- Reference: 2020-12
- Effective date: Environmental authority takes effect when your related development application is approved
- Prescribed environmentally relevant activity (ERA): ERA 4(2) Poultry Farming (more than 200,000 birds)

If you are seeking further details about the environmental authority, please contact the Department of Agricultural and Fisheries (DAF) at: livestockregulator@daf.qld.gov.au

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 2**.

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

For further information please contact Tim O'Leary, Manager, on 34527683 or via email DAAT@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Steve Conner
Executive Director

cc DHP Consolidated Pty Ltd, C/- Precinct Urban Planning, paul@precinctplan.com.au

enc Attachment 1 - Reasons for referral agency response
Attachment 2 - Representations provisions

Attachment 1—Reasons for referral agency response

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

The reasons for the department's decision are:

- The proposal will protect and maintain the operational performance of the state transport network
- The proposal is located and designed to avoid and mitigate environmental harm and will not result in adverse impacts to sensitive uses.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version [2.6]), as published by the department
- The Development Assessment Rules
- SARA DA Mapping system

Attachment 2—Change representation provisions

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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.