

Our Reference: MCUI/2017/346/D
CS Portal Reference: N/A
Contact Officer: Richard Green
Contact: (07) 4688 6710
Email: development@tr.qld.gov.au

Decision Notice
CHANGE TO A DEVELOPMENT APPROVAL
Planning Act 2016 Section 83

Mort & Co Lot Feeders Pty Ltd
C/- Precinct Urban Planning
PO Box 3038
TOOWOOMBA QLD 4350

Email: kim@precinctplan.com.au

6 August 2026

Dear Sir/Madam

Development Approval:	Material Change of Use – Impact – Extension to Intensive Animal Industry and High Impact Industry (Manure Importation and Processing)
Location:	556 Grassdale Road, GRASSDALE QLD 4407
Property Description:	Lot 26 SP216179
Relevant Planning Scheme:	Toowoomba Regional Planning Scheme 2012

I refer to your application received on 14 May 2026 for a change to the development approval for Material Change of Use – Extension to Intensive Animal Industry approved on 12 January 2022.

The change application was assessed against the relevant assessment benchmarks as identified in the *Toowoomba Regional Planning Scheme 2012* for the development.

On the 6 August 2026, the change application was approved as per the attached Schedule. The changes are considered to be consistent with the relevant assessment benchmarks.

All deletions are identified by **bolded** strikethrough of text and all additions are identified by **bolded** text.

Rights of Appeal

Attached is an extract from the *Planning Act 2016* which details your appeal rights regarding this decision.

Yours faithfully



Matthew Coleman
Principal Planner, Planning Branch

SCHEDULE 1

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE – IMPACT

APPLICATION NUMBER:	MCUI/2017/346/D
APPLICANT:	Mort & Co Lot Feeders Pty Ltd
LOCATION:	556 Grassdale Road, GRASSDALE QLD 4407
PROPERTY DESCRIPTION:	Lot 26 SP216179
APPROVED USE:	Extension to Intensive Animal Industry and High Impact Industry (Manure Importation and Processing) – Change Application
ZONING / PRECINCT:	Rural / 100ha minimum

A. ASSESSMENT MANAGER'S CONDITIONS:

PLANNING

PLANNING

APPROVED USE

1. This Development Approval is for a material change of use for extension to the existing cattle feedlot from 47,952 Standard Cattle Units (SCU) to a capacity of 70,000 SCU including manure processing plant, **fertiliser manufacturing and the import of a maximum 50,000tpa of cattle manure from off-site feedlots.**
2. This Development Approval does not imply or comprise an approval for any uses other than that listed in Condition 1.

CARRY OUT & MAINTAIN DEVELOPMENT

3. 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.
4. Unless otherwise stated, all conditions must be complied with prior to the commencement of use and thereafter.
5. 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 Building Works approval.
6. The development must be maintained in accordance with the Approved and Amended Plans and Documents subject to or modified by any conditions of this Development Approval.

APPROVED PLANS

7. 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: ~~30413.CC.003 – Revision A13~~
Description: ~~Mort & Co Grassdale Feedlot Stage 3 – Option 2 2D Concept – Aerial~~
Amendments: ~~Nil~~

Plan No: 30413.CC.003 – Revision 1
Description: Mort & Co Grassdale Feedlot Expansion – Stage 3 Existing Site Layout Plan, prepared by EnviroAg Australia and dated 03/07/2018
Amendments: Nil

Plan No: 30413.CC.010 – Revision 2
Description: Mort & Co Grassdale Feedlot Expansion – Stage 3 Holding Pond and Sediment Basins, prepared by EnviroAg Australia and dated 13/07/2018
Amendments: Nil

Plan No: 30413.CC.020 – Revision 2
Description: Mort & Co Grassdale Feedlot Expansion – Stage 3 Site Layout Plan, prepared by EnviroAg Australia and dated 13/07/2018
Amendments: Nil

Plan No: GRFE-PFD-02, Revision 0
Description: Process Flow Diagram – As Built, prepared by Mort & Co and dated 16 April 2026
Amendments: Nil

Plan No: GRFE-VMP-04, Revision 1
Description: Prime Equipment Layout Plan, prepared by Mort & Co and dated 23 June 2026
Amendments: Nil

Plan No: GRFE -VWP-05, Revision 1
Description: Factory and Pad Plan, prepared by Mort & Co and dated 22 April 2026
Amendments: Nil

Plan No: GRFE-VMP-06, Revision 1
Description: Factory General Arrangement Plan, prepared by Mort & Co and dated 22 April 2026
Amendments: Nil

APPROVED DOCUMENTS

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

Document: Odour Risk Assessment
Description: Odour Risk Assessment, prepared by Katestone Environmental Australia Pty Ltd and dated 26 June 2026
Amendments: Nil

Document: Air Quality Management Plan
Description: Air Quality Management Plan, prepared by Mort & Co and received by Council 30 June 2026
Amendments: Nil

Document: Fertiliser Process Management Plan, Version 2.0
Description: Fertiliser Process Management Plan, prepared by Mort & Co, dated 2 July 2026 and received by Council 2 July 2026
Amendments: Nil

Document: Fertiliser Process and Operational Management Overview
Description: Fertiliser Process and Operational Management Overview, prepared by Mort & Co and received by Council 30/06/2026
Amendments: Nil

AVAILABILITY OF APPROVED DOCUMENTATION DURING WORKS

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

WORKS

ENGINEER'S CERTIFICATION AND SUPERVISION OF WORKS

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

STORMWATER DRAINAGE

13. All private stormwater quality devices installed within the subject land as part of the development must be maintained for the life of the development, in accordance with the manufacturer's guidelines and to best management practice, to ensure continuing level of performance for water quality for stormwater discharged from the subject land.
14. All land adjoining the development must be protected from ponding or nuisance from stormwater resulting from the development for the life of the development.

EROSION & SEDIMENT CONTROL

15. 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.
16. 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.

17. 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.
18. All disturbed areas must be mulched, grassed or turfed as soon as possible during construction.
19. 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.

DAMAGE TO SERVICES & ASSETS

20. Protect Council and public utility services and assets during construction of the development.
21. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner in accordance with the following timing:
 - 21.1 Where the damage would cause a hazard to pedestrian or vehicle safety or interrupts a service to the community, immediately; or
 - 21.2 Where otherwise, as soon as reasonably possible, but no later than completion of the works associated with the development or prior to the commencement of use, whichever is the earlier.
22. Any repair work which includes alteration to the alignment or the level of existing services and assets must first be referred to the relevant service authority for approval.
23. Construction, alterations and any repairs to Council infrastructure is undertaken in accordance with the *Planning Scheme Policy PSP No. 4 – Development Near Utility Services*.

SERVICES & UTILITIES

ON-SITE WASTE WATER TREATMENT & DISPOSAL

24. 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. The area nominated on the Approved Plans for the waste water treatment and effluent disposal, including irrigation areas, are maintained for this purpose for the life of the approval.
25. All reasonable and practicable measures must be undertaken to prevent treated waste water and effluent from overflowing or seeping onto adjoining properties.

WATER SUPPLY

26. 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)*.

TRANSPORT, VEHICULAR ACCESS & PARKING

VEHICULAR ACCESS / EXTERNAL ROADS

27. Vehicle access to and from the subject land by heavy or other service vehicles is limited to the “approved access route” being the existing approved route comprising Grassdale Road and Springvale Road to the Dalby-Cecil Plains Road.

- 27.1 All internal roads must be maintained in good all-weather condition and suitable for 2wd access.
28. Install and maintain signage advising vehicles to use the approved access route as follows:
- (a) Prior to conducting any site or other works associated with the approved expansion of the feedlot, install a sign immediately inside the property at the entrance of the feedlot. The sign must be double sided and contain the following words, in bold capitals, with a minimum 25mm lettering height:

"ALL HEAVY AND OTHER SERVICE VEHICLES MUST TRAVEL ALONG APPROVED ROUTES ONLY"

The sign must include a labelled graphical representation of the approved route that is clearly legible;
 - (b) Prior to installing the sign in accordance with subclause (a), submit to Council for endorsement, a proof of the sign; and
 - (c) Maintain the sign in good, legible condition during the life of the development.
29. Any new or replacement contracts/agreements between the Feedlot Operator and Suppliers/Contractors must contain a clause that includes wording to the effect that "all heavy or other service vehicles servicing the feedlot must be limited to using the approved route being Grassdale Road north of the feedlot to Springvale Road to Cecil-Plains Road."
30. Provide heavy or other service vehicle drivers ~~visitors to~~ attending the feedlot, with a map and information advising them of the approved route and need for adherence to the approved route.
31. Prior to conducting any site or other works associated with the approved expansion of the feedlot, install monitoring cameras capable of allowing identification of vehicles, to assist with ensuring compliance with use of the approved route by vehicles entering and leaving the feedlot, as follows:
- (a) Install a camera near the feedlot weighbridge and a camera on the property boundary with Grassdale Road, in a location near to the north-eastern corner of the feedlot and south of the approved route;
 - (b) Maintain records that allow cross matching of vehicles that have entered and or left the feedlot and also travelled on Grassdale Road where not part of the approved route; and
 - (c) Where considered warranted by Council and when requested in writing to do so, provide the abovementioned records to Council within seven (7) business days.
32. Trafficable movements ~~carrying livestock, grain, other feedstuffs, supplies or manure to or from the feedlot must not occur between the hours of 10pm to 6am. to or from the feedlot are limited to the following:~~
- 32.1 Trafficable movements carrying grain, other feedstuffs, supplies or manure must not occur between the hours of 10pm and 6am; and**
 - 32.2 Trafficable movements carrying livestock must not occur between the hours of 10pm and 5am.**

ON-SITE CAR PARKING, SERVICE BAYS & MANOEUVRING

33. The premises must be provided with sealed heavy vehicle and light vehicle parking and standing areas and sealed internal roads. Car parking and manoeuvring areas must be:

- 33.1 Constructed generally as shown on the Approved Plans listed within this Development Approval;
- 33.2 Designed and constructed in accordance with the requirements of AS2890;
- 33.3 Maintained as originally constructed and kept and used exclusively for vehicle parking and manoeuvring; and
- 33.4 Designed to enable all vehicles to enter and leave the subject land in a forward gear and be constructed in a suitable all weather surface.

ENVIRONMENT & WASTE

ACOUSTIC AMENITY - NOISE LIMITS

- 34. Noise from activity associated with the use of the site must not exceed the Acoustic Quality Objectives listed in the *Environment Protection (Noise) Policy 2008* when measured at any sensitive receptor.
- 35. 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 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

- 36. 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 2008* as measured at any sensitive receptor place must not be released to the atmosphere.

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

- 37. 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 site do not exceed the following levels when measured at any sensitive place or commercial place:
 - 37.1 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*.
 - 37.2 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.*

38. 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.

STORMWATER QUALITY

39. Contaminants or contaminated water must not be directly or indirectly released from the site or to the ground or groundwater at the subject site at any time except:
- 39.1 Following treatment using an appropriate stormwater quality improvement device (SQID) as uncontaminated overland stormwater flow;
 - 39.2 Following treatment using an appropriate stormwater quality improvement device (SQID) as uncontaminated stormwater to the stormwater system; and
 - 39.3 Contaminants released to sewer under and in accordance with a trade waste permit issued by Council under the *Water Supply (Safety and Reliability) Act 2008*.

WASTE MANAGEMENT (GENERAL)

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

REMOVAL OF EXISTING VEGETATION

41. Clearing, including felling, pushing, lopping and grubbing of existing trees and vegetation not identified for retention must be undertaken by a suitably qualified person and must include:
- 41.1 Stump grinding to below finished surface level;
 - 41.2 Rectification to the finished surface levels and materials;
 - 41.3 No damage to other vegetation for retention; and
 - 41.4 Conclude with the area being stabilised against erosion.

MANURE AND FERTILISER PROCESSING FACILITY

42. The manure processing facility must have a maximum Gross Floor Area (GFA) of 5,405m² and operated as an ancillary activity in relation to the approved feedlot as follows:
- 42.1 Products to be used in the composting process sourced from off-site are limited to materials such as biomass (plant material, sawdust, mulch etc. ~~but excluding manure~~); gypsum, rock phosphate and other additives **as included in the approved Fertiliser Process and Operational Management Overview listed in the Decision Notice; and**
 - 42.2 Manure for composting ~~must be sourced from the approved feedlot on-site. includes~~ **manure sourced from the development site and up to 50,000tpa of cattle manure from off site feedlots; and**

42.3 The manufacture of composted manure and fertilisers must occur as per the processes and inputs described in the approved documents listed within this Decision Notice.

43. The existing southern manure pad must be decommissioned and regressed within two (2) months of commencement of the use of the manure composting facility.

MANURE PROCESSING FACILITY - AIR QUALITY & AMENITY - AIR QUALITY MANAGEMENT PLAN

44. Prior to the issue of any Operational Works approval or Building Works approval, submit to Council for endorsement, and have endorsed, an Air Quality Management Plan for the operation of the manure processing facility prepared by a suitably qualified person that, at a minimum, includes the following:
- 44.1 A simple emissions inventory identifying the type and accounting the amount of primary pollutants discharged into the atmosphere from point, area and mobile sources over a specified time span relevant to the nature of the approved use;
 - 44.2 Description of specific mitigation treatments, management methods and procedures that will be implemented to control the release of pollutants discharged to the air during the operation of the manure processing facility;
 - 44.3 Procedures for notifying neighbouring residents of activities likely to affect their amenity; and
 - 44.4 A complaints management procedure that must include the following:
 - i) A contact person with whom complaints can be lodged;
 - ii) A clearly defined procedure for responding to and investigating complaints; and
 - iii) A notification protocol to all complainants of the outcome of complaint investigations.
45. The endorsed Air Quality Management Plan must be implemented, maintained and modified where necessary to maintain compliance with the requirements of this Development Approval at all times.

B. ADVICES:

INFRASTRUCTURE CHARGES

- 1) Infrastructure charges are now levied by way of an infrastructure charges notice, issued pursuant to Section 635 of the *Sustainable Planning Act 2009*.

OTHER LAWS & REQUIREMENTS

- 2) This Development Approval relates to development requiring approval under the *Sustainable Planning Act 2009* only. It is the approval holder's responsibility to obtain any other necessary approvals, licenses or permits required under State and Federal legislation or Council local law, prior to carrying out the development. Information with respect to other Council approvals, licenses or permits may be found on the Toowoomba Regional Council website. For information about State and Federal requirements please consult with these agencies directly.
- 3) 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.

- 4) 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

- 5) This approval takes effect in accordance with the provisions of Section 339 of the *Sustainable Planning Act 2009*.

WHEN APPROVAL LAPSES

- 6) This approval will lapse in accordance with the provisions contained in Sections 341 and 342 of the *Sustainable Planning Act 2009*, unless otherwise stated elsewhere within this Development Approval.

CLEARING OF NATIVE VEGETATION

- 7) The subject land supports regulated vegetation under the *Vegetation Management Act 1999 (VMA)*. The clearing of regulated vegetation can only be undertaken where associated with exempt clearing activities established under the VMA. For further information regarding exempt clearing activities please contact your local office of the Department of Natural Resources and Mines.

CLEARING OF PROTECTED PLANTS

- 8) In accordance with *Nature Conservation (Wildlife Management) Regulation 2006* you must check the flora survey trigger map, prior to the clearing of any native plants found on the subject land to determine if a flora survey must be undertaken and if a clearing permit for clearing endangered, vulnerable and near threatened plants ('EVNT plants') and their supporting habitat is required.

Under the Regulation, if a flora survey identifies that EVNT plants are not present or can be avoided by 100m, the clearing activity may be exempt from a permit, however an exempt clearing notification form must be submitted to the Department of Environment and Heritage Protection. In an area other than a high risk area, a clearing permit is only required where a person is, or becomes, aware that EVNT plants are present, though a range of exemptions do apply. Clearing of least concern plants is generally exempt from requiring a clearing permit. For further information associated with the clearing of protected plants and to obtain flora survey trigger map for your site please refer to the Departmental website.

EXCAVATION & FILLING

- 9) 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

- 10) 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 & Heritage Protection will also be required.

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.

ENVIRONMENT PROTECTION & BIODIVERSITY CONSERVATION ACT 1999

- 12) An additional approval from the Commonwealth Government under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) may be required in relation to the approved development. The *Environment Protection and Biodiversity Conservation Act 1999* relates to actions that may have a significant impact on matters of national environmental significance (NES) or the environment generally if on Commonwealth land. These matters of NES include nationally listed threatened and migratory species, Ramsar wetlands, World Heritage, Commonwealth marine and nuclear actions.

The EPBC Act provides that a person must not take an action that has, will have or is likely to have a significant impact on matters of NES, without the approval of the Commonwealth Environment Minister. Such actions should be referred to the Minister for a decision on whether or not approval is required under the *Environment Protection and Biodiversity Conservation Act 1999*.

Contact the Australian Government Department of the Environment and Energy 1800 803 772 to discuss any obligations under the EPBC Act.

ABORIGINAL CULTURAL HERITAGE ACT 2003

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

The ACH Act establishes a cultural heritage duty of care which provides that: "*A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage.*" It is an offence to fail to comply with the duty of care. Substantial monetary penalties may apply to individuals or corporations breaching this duty of care. Injunctions may also be issued by the Land Court, and the Minister administering the ACH Act may also issue stop orders for an activity that is harming or is likely to harm Aboriginal cultural heritage or the cultural heritage value of Aboriginal cultural heritage.

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

FIRE ANTS

- 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.

SUBMISSION OF DOCUMENTS FOR ENDORSEMENT

- 16) The conditions of this Development Approval require submission of documents to Council for endorsement. Please address the documents for endorsement to Council's Development Assessment Branch with the Reference No. MCUI/2017/346/A, and send to development@tr.qld.gov.au.

ENVIRONMENTALLY RELEVANT ACTIVITIES

- 17) Should the premises, or any part of the premises, be used for an "Environmentally Relevant Activity" as defined under Schedule 2 the *Environmental Protection Regulation 2008*, separate approval is required by the relevant Administering Authority in accordance with the *Environmental Protection Act 1994* and where applicable the *Planning Act 2016* before such use commences. Please note that composting activity may require approval of Environmentally Relevant Activity (ERA 53). It is recommended that further advice is obtained from the Department of Environment and Heritage Protection (DEHP).

C. ATTACHMENTS:

- Concurrence Agency Conditions Schedule 1
- Approved Development Plans
- Approved Documents
- Appeal provisions pursuant to the *Planning Act 2016*.

SCHEDULE 1

CONCURRENCE AGENCY (CONDITIONS AND COMMENTS)

DEPARTMENT OF STATE DEVELOPMENT, INFRASTRUCTURE AND PLANNING



SARA reference: 2605-52650 SRA
Council reference: MCUI/2017/346/D
Applicant reference: 2026-227

24 June 2026

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

Attention: Richard Green

Dear Mr Green

SARA referral agency response—556 Grassdale Road, Grassdale

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

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 1 June 2026.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , SARA advises it has no requirements relating to the application.
Date of response:	24 June 2026
Advice:	Advice to the applicant is in Attachment 1
Reasons:	The reasons for the referral agency response are in Attachment 2

Development details

Description:	Development permit	Change Application (Other Change) – Material Change of Use – Impact – Extension to Intensive Animal Industry and High Impact Industry (Manure Importation and Processing).
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 5, Division 4, Table 2, Item 1 (Planning Regulation 2027)	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: 2605-52650 SRA

Assessment manager: Toowoomba Regional Council

Street address: 556 Grassdale Road, Grassdale

Real property description: Lot 26 on SP216179

Applicant name: Mort & Co Lot Feeders Pty Ltd
C/-Precinct Urban Planning

Applicant contact details: PO Box 3038
Toowoomba QLD 4350
kim@precinctplan.com.au

Human Rights Act 2019 considerations: The decision has been assessed for compatibility with human rights under the *Human Rights Act 2019*. The decision was found not to limit human rights under the *Human Rights Act 2019* therefore, it is reasonable to conclude the decision is compatible with human rights.

Representations

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

Copies of the relevant provisions are in **Attachment 3**.

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

For further information please contact Ian McHugh, Principal Planning Officer, on 07 4616 7320 or via email ToowoombaSARA@dsdip.qld.gov.au who will be pleased to assist.

Yours sincerely



Paul Gleeson
A/Manager

enc Attachment 1 - Advice to the applicant
 Attachment 2 - Reasons for referral agency response
 Attachment 3 - Representations about a referral agency response provisions

cc Mort & Co Lot Feeders Pty Ltd, kim@precinctplan.com.au

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP), version 3.5. If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

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

The reasons for SARA's decision are:

- The development complies with the assessment benchmarks of State code 22 and State code 6 of SDAP in that the development:
 - is suitably located and designed to prevent environmental harm to the acoustic and air environment, receiving waters, and sensitive land uses
 - effectively prevents and minimises hazardous contaminants from release to the environment
 - avoids impacts on matters of state environmental significance.
 - does not adversely impact the structural integrity or physical condition of the state controlled road network
 - does not adversely impact the function and efficiency of the state controlled road network.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP, version 3.5, as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- Section 58 of the *Human Rights Act 2019*

Attachment 3— Representations about a referral agency response 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.

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229 Appeals to tribunal or P&E Court

- (1) Schedule 1 states—
 - (a) matters that may be appealed to—
 - (i) either a tribunal or the P&E Court; or
 - (ii) only a tribunal; or
 - (iii) only the P&E Court; and
 - (b) the person—
 - (i) who may appeal a matter (the appellant); and
 - (ii) who is a respondent in an appeal of the matter; and
 - (iii) who is a co-respondent in an appeal of the matter; and
 - (iv) who may elect to be a co-respondent in an appeal of the matter.
- (2) An appellant may start an appeal within the appeal period.
- (3) The appeal period is—
 - (a) for an appeal by a building advisory agency—10 business days after a decision notice for the decision is given to the agency; or
 - (b) for an appeal against a deemed refusal—at any time after the deemed refusal happens; or
 - (c) for an appeal against a decision of the Minister, under chapter 7, part 4, to register premises or to renew the registration of premises—20 business days after a notice is published under section 269(3)(a) or (4); or
 - (d) for an appeal against an infrastructure charges notice—20 business days after the infrastructure charges notice is given to the person; or
 - (e) for an appeal about a deemed approval of a development application for which a decision notice has not been given—30 business days after the applicant gives the deemed approval notice to the assessment manager; or
 - (f) for an appeal relating to the Plumbing and Drainage Act 2018—
 - (i) for an appeal against an enforcement notice given because of a belief mentioned in the Plumbing and Drainage Act 2018, section 143(2)(a)(i), (b) or (c)—5 business days after the day the notice is given; or
 - (ii) for an appeal against a decision of a local government or an inspector to give an action notice under the Plumbing and Drainage Act 2018—5 business days after the notice is given; or
 - (iii) otherwise—20 business days after the day the notice is given; or
 - (g) for any other appeal—20 business days after a notice of the decision for the matter, including an enforcement notice, is given to the person.

Note— See the P&E Court Act for the court's power to extend the appeal period.
- (4) Each respondent and co-respondent for an appeal may be heard in the appeal.
- (5) If an appeal is only about a referral agency's response, the assessment manager may apply to the tribunal or P&E Court to withdraw from the appeal.
- (6) To remove any doubt, it is declared that an appeal against an infrastructure charges notice must not be about—
 - (a) the adopted charge itself; or
 - (b) for a decision about an offset or refund—
 - (i) the establishment cost of trunk infrastructure identified in a LGIP; or
 - (ii) the cost of infrastructure decided using the method included in the local government's charges resolution.

230 Notice of appeal

- (1) An appellant starts an appeal by lodging, with the registrar of the tribunal or P&E Court, a notice of appeal that—
 - (a) is in the approved form; and
 - (b) succinctly states the grounds of the appeal.
- (2) The notice of appeal must be accompanied by the required fee.
- (3) The appellant or, for an appeal to a tribunal, the registrar must, within the service period, give a copy of the notice of appeal to—
 - (a) the respondent for the appeal; and
 - (b) each co-respondent for the appeal; and
- (c) for an appeal about a development application under

schedule 1, section 1, table 1, item 1—each principal submitter for the application whose submission has not been withdrawn; and

- (d) for an appeal about a change application under schedule 1, section 1, table 1, item 2—each principal submitter for the application whose submission has not been withdrawn; and
 - (e) each person who may elect to be a co-respondent for the appeal other than an eligible submitter for a development application or change application the subject of the appeal; and
 - (f) for an appeal to the P&E Court—the chief executive; and
 - (g) for an appeal to a tribunal under another Act—any other person who the registrar considers appropriate.
- (4) The service period is—
 - (a) if a submitter or advice agency started the appeal in the P&E Court—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (5) A notice of appeal given to a person who may elect to be a co-respondent must state the effect of subsection (6).
- (6) A person elects to be a co-respondent to an appeal by filing a notice of election in the approved form—
 - (a) if a copy of the notice of appeal is given to the person—within 10 business days after the copy is given to the person; or
 - (b) otherwise—within 15 business days after the notice of appeal is lodged with the registrar of the tribunal or the P&E Court.
- (7) Despite any other Act or rules of court to the contrary, a copy of a notice of appeal may be given to the chief executive by emailing the copy to the chief executive at the email address stated on the department's website for this purpose.

231 Non-appealable decisions and matters

- (1) Subject to this chapter, section 316(2) schedule 1 and the P&E Court Act, unless the Supreme Court decides a decision or other matter under this Act is affected by jurisdictional error, the decision or matter is non-appealable.
- (2) The *Judicial Review Act 1991*, part 5 applies to the decision or matter to the extent it is affected by jurisdictional error.
- (3) A person who, but for subsection (1) could have made an application under the *Judicial Review Act 1991* in relation to the decision or matter, may apply under part 4 of that Act for a statement of reasons in relation to the decision or matter.
- (4) In this section—

decision includes—

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

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

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

232 Rules of the P&E Court

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