

Our Reference: MCUI/2026/3256  
 Contact Officer: Davis Uhlmann  
 Contact: (07) 4688 9516  
 Email: [development@tr.qld.gov.au](mailto:development@tr.qld.gov.au)

**INFORMATION REQUEST**  
*Planning Act 2016 Section 68(1)*  
*Development Assessment Rules Chapter 1 Part 3*

CEFN Pty Ltd  
 C/- Agdsa  
 PO Box 292  
 TOOWOOMBA QLD 4350

Email: [matt.norton@agdsa.com.au](mailto:matt.norton@agdsa.com.au)

14 May 2026

Dear Sir/Madam

**Development Application for:** **Material Change of Use – Impact – Intensive Animal Industry (Expansion of Piggery – Maximum 24,500 SPU); and Environmentally Relevant Activity – Pig Keeping (ERA 3 (3))**

**Location:** **106 Strathane Road and 4835 Toowoomba-Karara Road, ELLANGOWAN, and 191 Strathane Road, LEYBURN QLD 4361**

**Property Description:** **Lot 5 SP170101, Lot 45 ML1080, Lot 21 ML606, Lot 112 M341013, Lot 4 SP170101, Lot 3 M341013, Lot 10 RP892911 and Lot 46 ML1080**

**Relevant Planning Scheme:** **Toowoomba Regional Planning Scheme 2012 (Version 28)**

Upon review of the abovementioned Development Application and supporting information, Council requires further information which demonstrates compliance with the Planning Scheme. Please provide the information requested below:

**1. SENSITIVE RECEPTORS**

<b>1.1</b>	<b>Issue:</b>
	The application material (Development Assessment Report – Section 2.3: Receptors and Land Use) excludes nearby dwellings, including those located on lots 2 and 3 RP162693, from being treated as sensitive receptors on the basis that they are not lawfully established and are situated within the 1-kilometre reverse amenity protection area.
	Council’s position is that where an expansion of, or the establishment of a new, intensive animal industry use is proposed, a precautionary approach must be applied (refer to Council’s pre-lodgement advice in the email correspondence sent 16 September 2025). This approach requires all surrounding dwellings to be considered sensitive receptors for assessment purposes, regardless of whether the lawful establishment of those dwellings is clearly demonstrated.
	<b>Information Required:</b>
	Provide amended application material (including the Site Based Management Plan and any supporting assessments) to identify and assess all surrounding dwellings as sensitive receptors.

	The updated assessment must demonstrate that the proposed development can appropriately manage amenity impacts (including odour, dust and noise) with regard to these receptors.
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## 2. NOISE ASSESSMENT

	<p><b>Issue:</b></p> <p>The proposed development is subject to the requirements outlined in the <i>Toowoomba Regional Planning Scheme 2012</i> as follows:</p> <ul style="list-style-type: none"> <li>• Performance Outcome PO<sub>8</sub> (Table 6.6.6:2) of the Rural Zone Code requires that the use (piggery extension) does not unduly impact on the rural amenity of the locality having regard to noise; and</li> <li>• Performance Outcome PO<sub>8</sub> of the Environmental Standards Code requires that noise generated from the premises must not cause environmental harm or nuisance to adjoining properties or other noise sensitive land uses.</li> </ul> <p>The application material relies on an Environmental Noise Assessment prepared for the nearby Kyles Piggery and does not include a site specific noise assessment for the proposed development (Susco Piggery), the subject of this development application. As a result, potential noise impacts on all surrounding sensitive receptors have not been adequately assessed.</p>
	<p><b>Information Required:</b></p> <p>Provide further information which demonstrates that potential noise impacts have been adequately assessed and that the proposed development will not result in environmental nuisance for any sensitive receptor, including:</p>
2.1	<ul style="list-style-type: none"> <li>• A site specific Environmental Noise Assessment for the proposed development, prepared by a suitably qualified acoustic consultant, which: <ul style="list-style-type: none"> <li>○ Predicts noise emissions associated with operation of the proposed development (including ventilation fans, mechanical plant, equipment and on site vehicle movements);</li> <li>○ Assesses predicted noise levels at all relevant sensitive receptors, including all surrounding dwellings treated as sensitive receptors for assessment purposes; and</li> <li>○ Demonstrates compliance with the <i>Environmental Protection (Noise) Policy 2019</i> and the Environmental Standards Code of the <i>Toowoomba Regional Planning Scheme 2012</i>.</li> </ul> </li> </ul> <p>Or</p> <ul style="list-style-type: none"> <li>• Alternatively, if reliance is proposed to be placed on the Environmental Noise Assessment prepared for the Kyles Piggery, a technical addendum prepared by a suitably qualified acoustic consultant that: <ul style="list-style-type: none"> <li>○ Demonstrates the applicability of the Kyles Piggery noise assessment to the Susco Piggery site;</li> <li>○ Accounts for differences in site layout, operational characteristics, separation distances, surrounding land uses, topography and the location of all sensitive receptors; and</li> <li>○ Confirms that predicted noise levels from the Susco Piggery would comply with all applicable noise criteria at all sensitive receptors.</li> </ul> </li> </ul>

## 3. ODOUR AND CUMULATIVE IMPACT ASSESSMENT

	<p><b>Issue:</b></p> <p>The proposed development is subject to the requirements outlined in the <i>Toowoomba Regional Planning Scheme 2012</i> as follows:</p>
3.1	<ul style="list-style-type: none"> <li>• Performance Outcome PO<sub>8</sub> (Table 6.6.6:2) of the Rural Zone Code requires that the use (piggery extension) does not unduly impact on the rural amenity of the locality</li> </ul>

- having regard to odour; and
- Performance Outcome PO<sub>5</sub> of the Environmental Standards Code requires that the development does not unreasonably affect the amenity and environmental quality of environs, especially of any nearby residential premises or public spaces due to odour impacts.

The application material (Development Assessment Report – Section 3.7.1: Odour) relies on a Level 1.5 S Factor assessment undertaken in accordance with the *National Environmental Guidelines for Indoor Piggeries* (NEGIP) and excludes certain nearby dwellings from assessment as sensitive receptors. Council acknowledges that, for this site, detailed odour modelling is not required, having regard to the inclusion of a covered anaerobic pond (CAP) treating effluent from both the existing and proposed development and the likelihood of an overall reduction in odour emissions.

Notwithstanding this, further qualitative assessment and management-based information is required to enable Council to assess whether odour impacts can be appropriately managed and whether the proposed development would avoid additional environmental nuisance at any surrounding dwelling, having regard to cumulative odour sources and sensitive receptors (refer to Council's pre-lodgement advice in the email correspondence sent 28 October 2025).

**Information Required:**

Provide a technical assessment of potential odour impacts and cumulative odour effects of the proposed development, including the following information:

- Accurate sensitive receptor identification.
  - Updated application material (including plans and supporting documents) that identifies all surrounding dwellings as sensitive receptors, including those previously excluded on the basis of legality or reverse amenity considerations; and
  - A receptor schedule identifying each sensitive receptor assessed, including lot and plan details, distance and bearing from the piggery complex, and assumed receptor type.
- Qualitative odour impact assessment.
  - A qualitative odour impact assessment demonstrating that odour emissions from the proposed development, when considered together with the existing operation and the inclusion of the covered anaerobic pond, are not expected to give rise to environmental nuisance at any identified sensitive receptor; and
  - A detailed explanation addressing:
    - Why overall odour impacts are expected to be reduced or appropriately managed;
    - How odour from pigs inside new sheds is included in the S Factor model;
    - How odour from effluent irrigation areas is managed; and
    - How odour risks are mitigated through design, operation and management measures, rather than reliance on detailed predictive modelling.
- Cumulative odour considerations.
  - A discussion of cumulative odour impacts having regard to nearby odour generating activities, including the Ellangowan Feedlot and the Kyles Piggery; and
  - Information which:
    - Identifies relevant separation distances and the proximity of nearby odour sources; and
    - Explains why cumulative odour impacts are or are not expected to result in environmental nuisance at any sensitive receptor.
- Covered anaerobic pond (CAP) operation and maintenance.
  - Details of the proposed CAP operation and maintenance regime, including:
    - Venting arrangements;
    - Monitoring and inspection practices;
    - Maintenance and cleaning activities; and

	<ul style="list-style-type: none"> <li>- Circumstances under which the cover may be removed, the likely duration of removal, and odour management measures to be implemented during these periods.</li> </ul> <ul style="list-style-type: none"> <li>• Effluent reuse and land application. <ul style="list-style-type: none"> <li>○ A discussion of how odour impacts associated with effluent reuse and land application will be avoided or minimised, including: <ul style="list-style-type: none"> <li>- Management of effluent moisture content;</li> <li>- Timing and methods of application;</li> <li>- Soil nutrient loading considerations; and</li> <li>- Monitoring and management during rainfall events.</li> </ul> </li> <li>○ In response to the items listed above, Council will accept information consistent with <b>Tucker (2018)</b> or other recognised, industry accepted guidance.</li> </ul> </li> </ul>
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#### 4. FLOOD HAZARD

4.1	<p><b>Issue:</b></p> <p>The proposed development is subject to the requirements outlined in the <i>Toowoomba Regional Planning Scheme 2012</i> including Overall Outcome (2)(ii)(B) of the Flood Hazard Overlay Code which requires development within the balance (mixed) flood risk area mitigate flood risk to people, property and infrastructure through siting, layout and site-specific design.</p> <p>The proposed plans identify the primary and secondary effluent utilisation areas located within the Flood Hazard Overlay – Balanced (mixed) flood risk area. Insufficient information has been provided which addresses the site-specific flood hazard.</p>
	<p><b>Information Required:</b></p> <p>The applicant is required to demonstrate all infrastructure, including the effluent utilisation areas associated with the proposed development are located and designed to avoid or mitigate the flood risk.</p> <p>Provide a detailed response to the Flood Hazard Overlay Code in the form of a site-specific Flood Hazard Assessment carried out by a suitably qualified person in accordance with Appendix 2 of the SPP1/03 (Mitigating the Adverse Impacts of Flood, Bushfire and Landslide).</p>

#### 5. TRAFFIC IMPACT ASSESSMENT (TIA)

5.1	<p><b>Issue:</b></p> <p>The proposed development is subject to the requirements outlined in the Transport Access and Parking Code of the <i>Toowoomba Regional Planning Scheme 2012</i> as follows:</p> <ul style="list-style-type: none"> <li>• Overall Outcome (2)(a) requires development to protect or improve the function, safety and efficiency of the transport network; and</li> <li>• Performance Outcome PO<sub>1</sub> (Table 9.4.6:2) which requires development is located on roads that are appropriate for the nature of traffic generated, having regard to the safety and efficiency of the transport network, and the functions and characteristics identified in the transport network hierarchy contained in <i>SC 6.2 PSP No. 2 – Engineering Standards – Roads and Drainage Infrastructure</i>.</li> </ul> <p>The applicant has advised in the application material (Development Assessment Report – Part 1 – Introduction) that a Traffic Impact Assessment (TIA) is in the process of being prepared and will be provided at the Information Request stage. In the absence of a site-specific TIA, insufficient information has been provided to demonstrate that the proposed development achieves compliance with the relevant provisions of the Transport Access and Parking Code.</p>
	<p><b>Information Required:</b></p> <p>Provide a site-specific Traffic Impact Assessment (TIA) which demonstrates that there will be no significant adverse impacts on the operation of adjacent roads and transport networks. The TIA must be prepared in accordance with the requirements outlined in <i>SC6.1 PSP No. 1 - Development Application Requirements</i> and Austroads – Guide to Traffic Management Part 12 Traffic Impacts of Development.</p>

## 6. UTILITY INSTALLATION (BIOGAS INFRASTRUCTURE)

	<p><b>Issue:</b></p> <p>The application material (Site-based Management Plan – Section 3.2.1) states that biogas may be utilised for heating or electricity generation within the piggery, with indicative process information provided in Appendix B – Proposed plan (C.PFD, Anaerobic Digester Civil Set – Process Flow Diagram). This material identifies additional onsite infrastructure will be required for biogas management and methane destruction, including a ‘new utility building’ and ‘new safety flare’, however, the final scope and potential impacts of the ancillary biogas infrastructure has not been provided.</p> <p>The establishment of such infrastructure has the potential to introduce new environmental impacts in relation to outdoor lighting, odour, noise, waste management and general air emissions. Such impacts must be appropriately managed in accordance with the relevant provisions of the Environmental Standards Code.</p>
6.1	<p><b>Information Required:</b></p> <p>Provide additional information which demonstrates that the biogas infrastructure is ancillary to the piggery use and does not give rise to additional environmental or amenity impacts, including the following:</p> <ul style="list-style-type: none"><li>• Confirmation of the intended end use(s) of the biogas (e.g. heating, electricity generation and/or flaring), and whether use will be limited to the onsite piggery operations;</li><li>• Updated plans identifying the indicative location of biogas-related infrastructure;</li><li>• Key design parameters of the proposed enclosed combustor/flare (including confirmation it is enclosed/ground-mounted, approximate height, and confirmation of no visible flame); and</li><li>• A statement addressing potential amenity impacts (noise, lighting and air emissions), confirming that impacts will be appropriately managed and will not adversely affect offsite receptors and a response to the relevant provisions of the Environmental Standards Code.</li></ul>

### Note on Alternative Solutions

Where an alternative solution to the Acceptable Outcome is proposed, justification demonstrating how the correlating Performance Outcome has been met must be provided. Requesting an alternative solution without demonstrating how the Performance Outcome has been satisfied, does not oblige Council to favourably consider the alternative solution.

### Options Available in Response to this Information Request

In accordance with section 13.2 of the *Development Assessment Rules*, you may respond to this request for information by providing Council with:

- 1) all of the information requested; or
- 2) part of the information requested; or
- 3) a notice stating that none of the information will be provided.

In your response, advise Council which option you are supplying. If you choose 2) or 3), you may also advise Council to proceed with its assessment of the application.

Provide one electronic copy of the response to Council, including any plans or supporting information.

In accordance with section 13.1 of the *Development Assessment Rules*, you must respond to this information request within **three months** of the date the information request was made, or a further period agreed between the applicant and Council. If there is no response to the information request within the period described, Council will proceed with the assessment of the application based on the information currently available.

Yours faithfully

A handwritten signature in black ink, appearing to read 'R. Green', written in a cursive style.

Richard Green  
Lead Senior Planner, Planning Branch