

MISS JESSICA REISER (MARANOVA REGIONAL COUNCIL)

Our Ref: JR:MW

Doc: 83329

16 August 2019

JV Brodie and MH Brodie
C/- RDC Engineers Pty Ltd
PO Box 1223
Toowoomba QLD 4350

Attention: Rod Davis

Dear Rod

Decision notice—(with conditions)

(Given under section 63 of the *Planning Act 2016*)

The development application described below was properly made to the Balonne Shire Council on 23 April 2019.

Applicant details

Applicant name: JV Brodie and MH Brodie
C/- RDC Engineers Pty Ltd

Applicant contact details: rod.davis@rdengineers.com.au
0427 629 203

Application details

Application number: MCU168

Approval sought: Development Permit

Details of proposed development: Development Application for Material Change of Use – “Intensive Animal Industry” (Sheep Feedlot (10,000 SSU) and Cattle Feedlot (1,000 SCU))

Location details

Street address: ‘Deepwater’ Powrunna Road, St George QLD 4487

Real property description: Lot 1 on RP195461

Decision

Date of decision:	15 August 2019
Decision details:	Approved in full with conditions. These conditions are set out in Attachment 1 and are clearly identified to indicate whether the assessment manager or a concurrence/advice agency imposed them.

Details of the approval

Development Permit	Making a Material Change of Use assessable under the planning scheme.
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Conditions

This approval is subject to the conditions in Attachment 1.

Further development permits

Please be advised that the following development permits are required to be obtained before the development can be carried out:

- Development Permit – Building Work
- Development Permit – Plumbing and Drainage works

Properly made submissions

There were no properly made submissions for this application.

Referral agencies

The referral agencies for the application are:

Referral agency	Advice/Concurrence
State Assessment and Referral Agency Department of State Development, Manufacturing, Infrastructure and Planning PO Box 825 Toowoomba QLD 4350	Concurrency Agency For an application involving: Development application for a material change of use, other than an excluded material change of use, that is assessable development under a local categorising instrument, if all or part of the premises— a) are within 25m of a State transport corridor.
Santos GPO Box 2455 Adelaide SA 5001	Advice Agency For an application involving: Development application for a material change of use that is assessable development under a local categorising instrument and does not relate to reconfiguring a lot, if— a) all or part of the premises are subject to an easement for the benefit of the holder of a pipeline licence under the Petroleum and Gas Act; and b) the easement is for the construction or operation of

	<p>the pipeline that is the subject of the pipeline licence; and</p> <p>c) all or part of a structure or work that is the natural and ordinary consequence of the use is, or will be, on the easement.</p>
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The Department of State Development, Manufacturing, Infrastructure and Planning has advised by letter dated 17 May 2019 that they have no requirements for the development.

Refer to Attachment 3 Advice provided by Santos Ltd, as the holder of the easement traversing the development site.

Rights of appeal

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

A copy of the relevant appeal provisions are attached.

Currency period for the approval

This approval lapses if the first change of use does not happen within six (6) years.

Approved plans and specifications

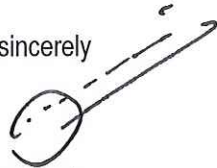
Copies of the following plans, specifications and/or drawings are enclosed.

Drawing/report title	Prepared by	Date	Reference no.	Version/issue
Development Application – Material Change of Use Subject Land – Aerial Plan	RDC Engineers	25/03/19	B9-100-00-03	Revision B
Development Application – Material Change of Use Subject Land – Aerial Plan	RDC Engineers	25/03/2019	B9-100-00-04	Revision B
Development Application – Material Change of Use Proposed Sheet Feedlot – Preliminary Layout	RDC Engineers	25/03/2019	B9-100-00-05	Revision B
Baoodie John 72x20x3/6.5m Shelter				
Development Application – Material Change of Use Proposed Commodity Shed – Typical Elevations	RDC Engineers	25/03/2019	B9-100-00-07	Revision B
Development Application – Material Change of Use Site	RDC Engineers	25/03/2019	B9-100-00-08	Revision B

Office – Floor Plan and Elevation Detail				
Development Application – Material Change of Use Beef Cattle Feedlot – Preliminary Layout	RDC Engineers	25/03/2019	B9-100-00-09	Revision B
Development Application – Material Change of Use for Intensive Animal Industry (Sheep Feedlot and Beef Cattle Feedlot) on Property “Deepwater” Powrunna Road, St George Report	RDC Engineers	25/03/2019	Project No. B9-100	Revision B

For further information please contact Jessica Reiser, Planning Officer Maranoa Regional Council, on 1300 007 662 or via email planning@maranoa.qld.gov.au who will be pleased to assist.

Yours sincerely



Matthew Magin
Chief Executive Officer

- enc Attachment 1—Assessment manager Conditions of Approval (Balonne Shire Council)
Attachment 2—Appeal provisions
Attachment 3—Advice Agency Response (Santos Ltd)
Attachment 4—Statement of Reasons
Attachment 5—Approved plans and specifications

ATTACHMENT 1 – ASSESSMENT MANAGER CONDITIONS OF APPROVAL (BALONNE SHIRE COUNCIL)

DEVELOPMENT PERMIT CONDITIONS

Preamble

- (i) The relevant planning scheme for this development is the *Balonne Shire Planning Scheme 2006*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- (ii) The related Environmental Authority(s) as included in the *Environmental Protection Act 1994* must have been given and remain current while the use continues. All references to the 'Environmental Authority' within these conditions refer to the Environmental Authority for this approved use.
- (iii) The related Environmental Authorities are:
2 (2)(a) Intensive Animal Feeding: 1000 – 10,000 Standard Sheep Units (SSU)
2 (1)(a) Intensive Animal Feeding: 150 -1,000 Standard Cattle Units (SCU)
- (iv) All Aboriginal Cultural Heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003* and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- (v) The *Environmental Protection Act 1994* 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 operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.
- (vi) It is the responsibility of the developer to obtain all necessary permits, including for any works in State or Council road reserve(s) and to submit all necessary plans to the relevant authorities prior to any works being undertaken.
- (vii) In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved operations on the site may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.
- (viii) A permit from the National Heavy Vehicle Regulator (NHVR) to access the road network may be required if heavy vehicles larger than a Type 1 Road Train configuration are used. All Balonne Shire Council Rural roads are approved for Type 1 Road Trains.
- (ix) All persons involved in the operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the *Biosecurity Act 2014*.
- (x) Refer to Attachment 3 - Referral Agency Advice provided by Santos Ltd, dated 4 June 2019, which includes conditions for the approved development. The developer is advised that subsequent advice

from Santos Ltd was provided to Council on 25 July 2019, confirming no objection to the proposed location of the internal access road on the northern side of the pipeline easement. It is recommended to contact Santos Ltd prior to commencing construction and for further advice in relation to this infrastructure.

Approved Development

1. The approved development is for a Material Change of Use – “Intensive Animal Industry” (Sheep Feedlot - 10,000 Standard Sheep Units (SSU) and Cattle Feedlot - 1,000 Standard Cattle Units (SCU)) located at “Deepwater”, Powrunna Road, St George, described as Lot 1 on RP195461.
2. All civil and related works shall be designed and supervised by a Registered Professional Engineer of Queensland (RPEQ) who is competent in the construction of the works.

Approved Plans and Supporting Documentation

3. The development must be carried out generally in accordance with the Balonne Shire Council stamped/approved plan(s) and supporting documentation referenced in the table below which forms part of this approval, unless otherwise specified by any condition of this approval. Where there is any conflict between the approval conditions and the details shown on the approved plans and/or documents, the approval conditions prevail.

Plan/Document number	Plan/Document name	Date
B9-100-00-03 Rev B	Development Application – Material Change of Use Subject Land – Aerial Plan	25/03/19
B9-100-00-04 Rev B	Development Application – Material Change of Use Subject Land – Aerial Plan	25/03/19
B9-100-00-05 Rev B	Development Application – Material Change of Use Proposed Sheet Feedlot – Preliminary Layout Baoodie John 72x20x3/6.5m Shelter	25/03/19
B9-100-00-07 Rev B	Development Application – Material Change of Use Proposed Commodity Shed – Typical Elevations	25/03/19
B9-100-00-08 Rev B	Development Application – Material Change of Use Site Office – Floor Plan and Elevation Detail	25/03/19
B9-100-00-09 Rev B	Development Application – Material Change of Use Beef Cattle Feedlot – Preliminary Layout	25/03/19
Project No. B9-100	Development Application – Material Change of Use for Intensive Animal Industry (Sheep Feedlot and Beef Cattle Feedlot) on Property “Deepwater” Powrunna Road, St George Report	23/05/19

Compliance with Conditions

4. All conditions relating to the establishment of the approved development must be fulfilled prior to any approved use commencing, unless otherwise noted in these conditions.
5. Prior to the commencement of the use, the applicant shall contact Council to arrange a development compliance inspection.

Environmental Management

6. All activities while the use continues are to be managed in accordance with:
 - a) The relevant Environmental Authority issued by the Department of Agriculture, Fisheries or any subsequent Environmental Authority that is issued for the approved use;
 - b) Development Application – Material Change of Use for Intensive Animal Industry (Sheep Feedlot and Beef Cattle Feedlot) on Property “Deepwater” Powrunna Road, St George Report Project No. B9-100 - Prepared by RDC Engineers dated 23 March 2019; and
 - c) All relevant sections of the Balonne Shire Planning Scheme 2006.

Application Documentation

7. It is the developer’s responsibility to ensure all entities associated with this Development Permit have a legible copy of the Approved Plans and Approved Documents bearing “Council Approval” and the Decision Notice.

Fees and Charges

8. All fees, rates, interest and other charges levied on the property shall be paid in full, in accordance with the rate at the time of payment.

Site Maintenance

9. The development (including parking, access and other external spaces) shall be maintained in accordance with the Approved Plans and Approved Document, subject to and modified by any conditions of this approval.
10. The site shall be maintained in a clean and orderly state at all times to Council's satisfaction.

Avoiding Nuisance

11. No nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.
12. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.

13. Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.
14. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
15. Dust emanating as a result of operations carried out onsite must be continually monitored and suppressed in order to prevent any dust drifting onto road networks, nearby properties and sensitive land uses. The landowner/operator must implement a dust management plan for the site operations taking into account proximity to sensitive land uses and roads.
16. Noise emissions from the development shall not cause environmental harm of nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Noise) Policy 2008*.
17. Air emissions from the development shall not cause environmental harm of nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Air) Policy 2008*.

Waste Management

18. All waste generated from construction of the premises must be effectively controlled onsite before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
19. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.
20. A permanent refuse storage area must be provided within the premises. The refuse storage area must be located so as to be screened from the road and adjoining uses.
21. All refuse storage containers must be maintained in a clean and tidy state at all times while the use continues, and shall be emptied and the waste removed from the site on a regular basis.

Public Utilities

22. The developer shall be responsible for the location of and protection of any Council and Public Utility Services Infrastructure and Assets that may be impacted on during construction of the development
23. Any damage which is caused to Council's Infrastructure as a result of the approved development must be repaired immediately at no cost to Council.

Stormwater Drainage

24. Stormwater is to be managed generally in accordance with:
 - a) Development Application – Material Change of Use for Intensive Animal Industry (Sheep Feedlot and Beef Cattle Feedlot) on Property "Deepwater" Powrunna Road, St George Report Project No. B9-100 - Prepared by RDC Engineers dated 23 March 2019; and
 - b) Schedule 6: "Standards for Stormwater Design Drainage" of the Balonne Shire Planning Scheme.
25. There is to be no increase in any silt loads or contaminants in any overland flow from the property during the development process and after development has been completed.
26. The holder of the permit shall ensure that the use is to be conducted in a manner that the Sheep and Cattle Feedlot activities do not cause contamination of groundwater or stormwater runoff.
27. The holder of the permit shall ensure that all persons engaged in the conduct of the activity are trained in the practices and procedures necessary to prevent environmental harm as a consequence of carrying out the activity and in the event of any emergency.
28. During construction, soil erosion and sediment is managed in accordance with Schedule 7: "Standards for Construction Activity" of the Balonne Shire Planning Scheme.
29. Stockpiles material capable of being moved by the action of running water shall be stored clear of drainage paths and be prevented from entering the road and/or drainage system.
30. Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion and/or sedimentation from the site, then such works shall be at no cost to Council. Such works shall be undertaken immediately where there is a potential hazard, including hazard to passing traffic.

Excavation and Filling

31. Excavation and filling is undertaken in accordance with Schedule 7: "Standards for Construction Activity" of the Balonne Shire Planning Scheme.

Provision of Services

32. The development must be connected to an on-site sewerage treatment system that is adequate for the approved use.

Note: *The permit holder is responsible for obtaining any permits required to achieve compliance with environmental laws relevant to the provision of onsite sewerage treatment and/or disposal.*

33. The development must be provided with an on-site water supply with sufficient capacity to meet all operational needs, including watering to minimise dust nuisance and also a potable water supply sufficient to meet the needs of staff and visitors to the site.
34. Adequate amenities are to be provided in proximity to the site office/s to cater for staff and visitors to the development site.
35. The development must be connected to an electricity reticulation service in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).

Access, Car Parking and Manoeuvring

36. Vehicle access, manoeuvring and parking shall be maintained in accordance with Schedule 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas" of the Balonne Shire Planning Scheme.
37. The landowner shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards.
38. Vehicle access to the development site from Powrunna Road is to be constructed in the location shown on approved drawing B9-100-00-04 Rev B – "Development Application – Material Change of Use Development Site – Aerial Plan", prepared by RDC Engineers, dated 25/03/19. The crossover is to be constructed of gravel and designed to cater for the maximum vehicle size accessing the site, ensuring no damage to the roadway.
39. All weather vehicle access is to be provided for anticipated traffic movement within the development site.
40. Internal roads are to be watered to mitigate dust and upon receipt of any reasonable complaint regarding dust nuisance caused by vehicle movements within the site.
41. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose.
42. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

Hazards and Emergency Events

43. A Bushfire Hazard Management Plan, having regard to the site characteristics and management procedures in the event of a bushfire, shall be prepared prior to the commencement of use. The owner and/or operator, staff and visitors to the site shall be made aware of the Bushfire Hazard Management Plan, its content, and the procedures that need to be followed in the case of a bushfire event.

Note: A copy of the Bushfire Hazard Management Plan must be made available during any compliance inspection carried out by Council.

44. The approved development must be provided with access to a reliable and adequate water supply for firefighting purposes.
45. Firebreaks are to be provided in accordance with *Schedule 12: "Standards for Roads in Bushfire Hazard Area"* of the *Balonne Shire Planning Scheme*.

Advertising signage

46. Any proposed advertising signage is subject to a further development approval unless compliant with the 'Self Assessable' development provisions of the planning scheme in force at the time.
47. Any advertising signage associated with the approved uses must be fully contained within the development site boundaries and must not encroach on adjoining properties or roads
48. Any free standing advertising signage or structure constructed on the subject site shall be designed by an RPEQ (Structural) Engineer and certification provided for both design and construction.

No Cost to Council

49. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs.
50. All rates and charges of any description and all arrears of such rates and charges, together with interest outstanding thereon, on the land, due to the Council, shall be paid to the Council prior to any approved use commencing.

Latest Versions

51. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the time the first operational works or compliance approval is lodged with the assessment manager or approval agency for those types of works to be performed or approved, unless a regulation or law requires otherwise.

Application Documentation

52. It is the developer's responsibility to ensure that all entities associated with the Development Approval have a legible copy of the Decision Notice and the Approved Plans and the Approved Documents bearing 'Council Approval'.

ATTACHMENT 2 – PLANNING ACT EXTRACT APPEAL RIGHTS

Chapter 6 Dispute resolution Part 1 Appeal rights

228 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 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.

229 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
 - (d) schedule 1, table 1, item 1—each principal submitter for
 - (e) the development application; and
 - (f) for an appeal about a change application under
 - (g) schedule 1, table 1, item 2—each principal submitter for
 - (h) the change application; and
 - (i) each person who may elect to become a co-respondent
 - (j) for the appeal, other than an eligible submitter who is not a principal submitter in an appeal under paragraph (c) or (d); and
 - (k) for an appeal to the P&E Court—the chief executive; and
 - (l) 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 by filing a notice of election, in the approved form, within 10 business days after the notice of appeal is given to the person.

230 Other appeals

- (1) Subject to this chapter, 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, a tribunal or another entity; and
- (c) is not subject to any declaratory, injunctive or other order of the Supreme Court, another court, a tribunal or another entity on any ground.

231 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.

ATTACHMENT 3 ADVICE AGENCY RESPONSE (SANTOS LTD)



Thu 25/07/2019 11:37 AM

Bishop, Greg <Greg.Bishop@santos.com>

RE: Balonne Council - MCU 168 John Brodie

fo Planning

i You forwarded this message on 25/07/2019 11:53 AM.

Thanks Jess.

Confirming we have no objection with the access road on the northern side of the easement.

Best regards,

Greg

Santos

Greg Bishop
Superintendent MBP JMP
Operations, Maintenance and Midstream
Santos Limited, 32 Turbot St, Brisbane, QLD 4000
t: +61 7 3838 3978 m: +61 427 727 090



From: Planning [<mailto:Planning@maranoa.qld.gov.au>]
Sent: Thursday, 25 July 2019 11:32 AM
To: Bishop, Greg <Greg.Bishop@santos.com>
Subject: [[EXT]: Balonne Council - MCU 168 John Brodie

↑ Next ↓ Last

Hi Greg
Following on from earlier conversation regarding John Brodie's feedlot. Could you please confirm that you have no concerns with the proposed access road to be located on the northern side of the easement.

Kind regards

Jess



Maranoa Regional Council
Postal Address: P.O. Box 620 RDHA QLD 4455
P: 1300 007 662
1300 007 662



Santos Ltd
ABN 80 007 550 923

Santos Resources Pty Ltd
ABN 55 010 407 664

60 Flinders Street
Adelaide SA 5000

GPO Box 2455
Adelaide SA 5001
Telephone: 61 8 8116 5000
Facsimile: 61 8 8116 5050
www.santos.com

Ref.: JMP AGM321+1087 MCU Deepwater Sheep and Cattle Feedlot Conditional Approval

4 June 2019

Fiona Macleod
Planning and Development Officer
Balonne Shire Council
112-118 Victoria Street,
St George, QLD, 4487

Dear Fiona,

Development Application for Material Change of Use – Intensive Animal Industry (Sheep Feedlot (10,000 SSU) and Cattle Feedlot (1,000 SCU) at 'Deepwater' Powrunna Rd, St George, QLD 4487 being Lot 1 on RP195461,

Thank you for your correspondence and information regarding the above service crossing and for the opportunity for Santos to assess the associated impact it may have upon the Jackson to Moonie high pressure transmission pipeline (JMP).

Santos obligations

By its wholly owned subsidiary, Santos Resources Pty Ltd, Santos holds petroleum pipeline licence number 6 (PPL6), which is administered under the *Petroleum and Gas (Productions & Safety) Act 2004* (P&G Act). Santos is legally obliged to protect the JMP to ensure safe and continued operation according to the Australian Standard for Pipelines – Gas and Liquid Petroleum (AS2885).

AS2885 recommends that activities impacting the JMP be carefully considered to ensure that any risk to its integrity, risk of property damage or injury to the public or the environment is minimised.

The risk profile of the JMP increases significantly when activities occur along or adjacent to it. Accordingly, Santos must satisfactorily mitigate the risk management issues associated with such activities to the JMP.

Conditions for the Material Change of Use

Following our assessment of the development adjacent to the JMP, Santos grants conditional approval and highlights the following requirements and provisions:

- i. Drawings B9-100-00-04 Rev B (Figure 4) and B9-100-00-05 Rev B (Figure 5) detail the access road to the development on the northern side of the pipeline easement. Santos requires this road to be moved off the easement to the north for final approval.

- ii. Any site works (including excavation) on the Pipeline easement may require assessment and supervision by a Santos representative. The Applicant is asked to contact our Pipeline Operator, Dutton McCormack directly on 0427 576 164 at least two weeks prior to the commencement of any site works affecting the JMP pipeline or easement.

Santos reserves all its rights under PPL6, the P&G Act, the *Land Title Act 1994*, the *Land Act 1994* and its registered easement.

Subject to compliance with the following, Santos grants conditional approval for the proposed activity:

- (a) Limited to the facts, circumstances and to any geographical or physical limits contained or delimited in the Development Application (DA);
- (b) Revocable if:
- (i) there is any non-compliance by the Applicants;
 - (ii) the Applicants make any material alteration to the DA;
 - (iii) if there is a legal restraint imposed by any governmental authority or other entity on Santos' ability to consent to the proposal;
- (c) Subject to the prior written approval of any registered owner, mortgagee or lessee of the land burdened by the easement; and
- (d) Subject to compliance with the following standard conditions associated with the proposed activity:

Activity Limitations

- The activities must not hinder Santos' ability to operate and maintain the JMP in compliance with AS2885.
- All future activities and design which impact upon the JMP, associated facilities and/or registered easement are subject to assessment under a separate application.

Design Requirements

- No pit, well, foundation, pavement or other structure of any kind will be permitted over or in the vicinity of the JMP.
- 'As constructed' details of the activities are to be submitted to Santos for record.
- Modification to the surface profile (i.e. cut or fill) over the JMP will be subject to Santos Engineering assessment.
- Pipeline markers (signage), above-ground markers (AGMs) and cathodic-protection (CP) test points shall not be removed without the prior written authority of Santos.
- AGMs shall be surveyed prior to any authorised disturbance.

Management of Site Works

- Excavation work around the JMP is to be carried out under the explicit direction of Santos.
- Personnel working within the vicinity of the JMP may be required to attend an induction prior to commencing of site works.
- No earthmoving equipment or construction traffic is permitted to travel along, cross or stand over the JMP.
 - Where mobile equipment traffic is required to operate in the vicinity of the JMP, an 'exclusion buffer' either side of the pipeline will be barricaded off for the duration of construction. The location and type of barrier will be determined with and agreed to by the onsite Santos representative.
 - Where mobile equipment traffic is required to cross the JMP, the location of a protective crossing (e.g. earth ramp) for heavy vehicles/equipment will be determined on-site with the Santos representative.
 - Final specifications of any required protective crossing shall be subject to Santos Engineering design.
- Vibration-rolling is not permitted over or within the vicinity of the Pipeline. The option to undertake static-rolling and/or the minimum offset for vibration-rolling shall be subject to Santos Engineering assessment.
- The storage of building materials or equipment over or in the vicinity of the JMP is not permitted;

Costs & Tenure Responsibilities

- ♦ All costs associated with the installing protective measures for the JMP (including initial inspection and coating repair) are the responsibility of the Applicants;
- ♦ The Applicants shall be responsible for obtaining all consents and approvals from Santos and relevant government departments for the extinguishing and/or amending the easements and/or registering as required, and pay any legal costs incurred by Santos for preparation of the associated legal documents.

Should you require any further information please contact this office.

Yours Sincerely



Greg Bishop
Superintendent MBP JMP

ATTACHMENT 4 — STATEMENT OF REASONS

The following information is provided in accordance with section 63 of the *Planning Act 2016*.

Description of Development	The proposed development is for Material Change of Use – “Intensive Animal Industry” (Sheep Feedlot (10,000 SSU) and Cattle Feedlot (1,000 SCU))
Assessment benchmarks	The proposed development was assessed against the following Assessment benchmarks: <ul style="list-style-type: none">• <i>Darling Downs Regional Plan</i>;• <i>State Planning Policy</i>; and• <i>Balonne Shire Planning Scheme 2006 (As amended July 2014)</i>
Relevant matters	There relevant matters are the Assessment benchmarks.
Matters raised in submissions	No submissions were received during the public notification period.
Reasons for decision	The development was assessed against all of the Assessment benchmarks listed above and complies with all of these Assessment benchmarks or has otherwise been conditioned to achieve compliance.

ATTACHMENT 5 — APPROVED PLANS AND SPECIFICATIONS

BALONNE SHIRE COUNCIL
APPROVED PLANS / AMENDED PLANS

That accompanies a decision notice under the SPA 2009

File Number **MCU 168**

Date of Approval **15.08.19**

Assessment Mgr / CEO



- LEGEND**
- SUBJECT LAND BOUNDARY
 - LAND PARCEL BOUNDARY
 - EFFLUENT UTILISATION AREA
 - SOLID WASTE UTILISATION AREA
 - CONTROLLED DRAINAGE AREA

- NOTES**
1. THIS MAP IS BASED ON DIGITAL GIS DATA FROM THE STATE OF QUEENSLAND (DEPARTMENT OF NATURAL RESOURCES, MINES AND ENERGY (DNME)) 2019 - QUEENSLAND SPATIAL CATALOGUE.
 2. CADASTRAL INFORMATION BASED ON THE STATE OF QUEENSLAND (DNME) DIGITAL CADASTRAL DATABASE (DCDB) 2019, PROVIDED BY THE QUEENSLAND SPATIAL CATALOGUE AND ACCURACY IS LIMITED.
 3. TOPOGRAPHIC PLAN EXTRACTED FROM QTOPO METADATA, JANUARY 2019 AND ACCURACY IS LIMITED.
 4. IMAGE SOURCED FROM GOOGLE EARTH™, IMAGE DATE 12/08/2018.
 5. OTHER FEATURES MAY HAVE BEEN DISTORTED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED.

DISCLAIMER
THE ENGINEER DOES NOT WARRANT GUARANTEE OR MAKE ANY REPRESENTATIONS REGARDING THE CORRECTNESS, ACCURACY, RELIABILITY, CURRENTCY, OR ANY OTHER ASPECT REGARDING CHARACTERISTICS OR USE OF INFORMATION PRESENTED IN DRAWING MATERIALS OR DRAWINGS WHATSOEVER, WHATSOEVER RESULTING FROM LOSS OF USE, DATA OR PROFITS, WHETHER IN AN ACTION OF CONTRACT, NEGLIGENCE OR OTHERWISE, ARISING OUT OF OR IN CONNECTION WITH THE USE OR PERFORMANCE OF DRAWING MATERIALS.

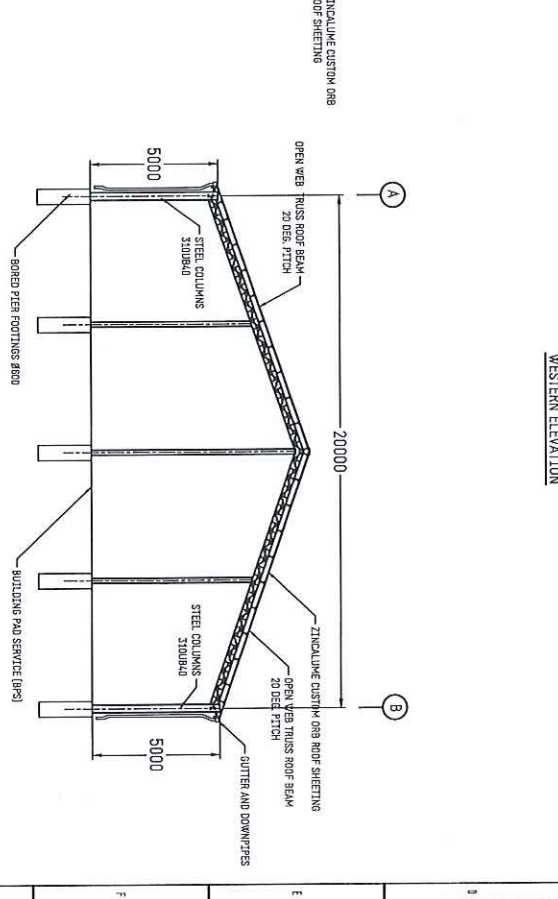
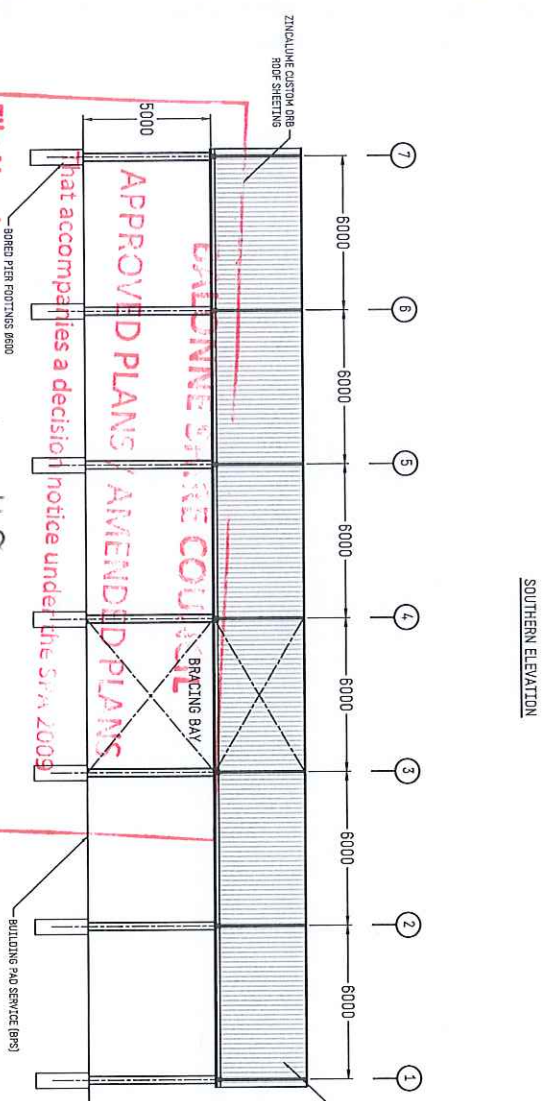
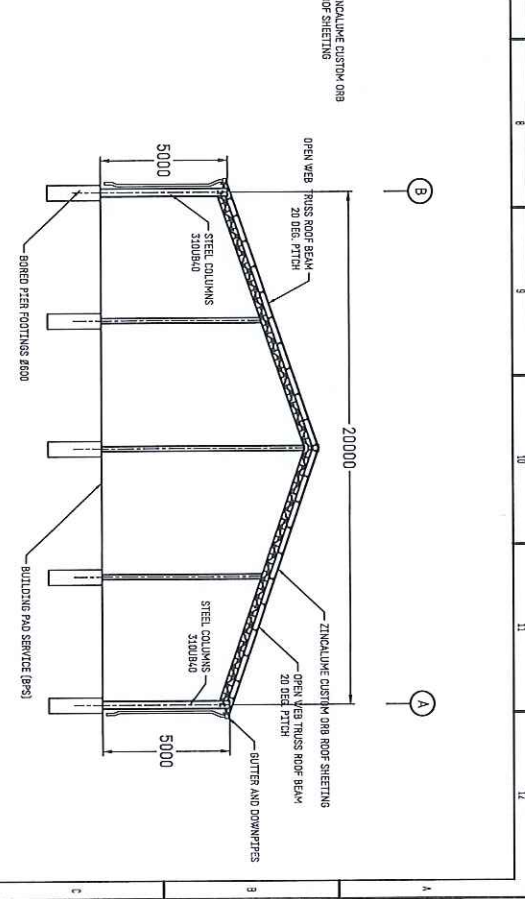
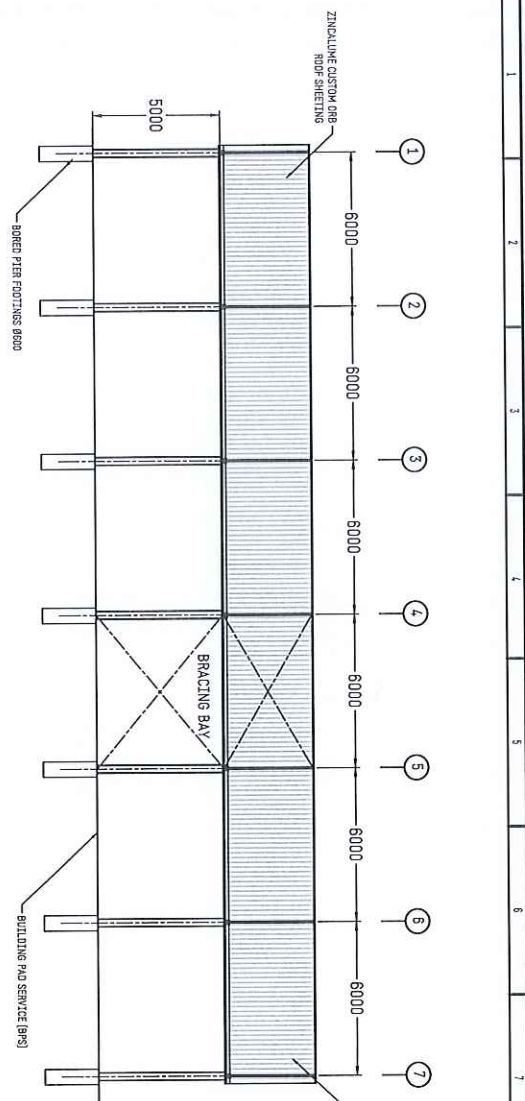
FOR APPROVAL
NOT TO BE USED FOR CONSTRUCTION PURPOSES

ISSUE DATE	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT
15/08/2019	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT	ISSUE TO CLIENT
25/02/19	FROM OUR DEVELOPMENT TO DEC	FROM OUR DEVELOPMENT TO DEC	FROM OUR DEVELOPMENT TO DEC	FROM OUR DEVELOPMENT TO DEC	FROM OUR DEVELOPMENT TO DEC	FROM OUR DEVELOPMENT TO DEC	FROM OUR DEVELOPMENT TO DEC	FROM OUR DEVELOPMENT TO DEC	FROM OUR DEVELOPMENT TO DEC	FROM OUR DEVELOPMENT TO DEC

RDC ENGINEERS
AGRICULTURAL ENVIRONMENTAL PROJECT MANAGEMENT

CLIENT: JV & MH BRODIE
PROJECT: PROPOSED INTENSIVE LIVESTOCK DEVELOPMENT - "DEEPWATER"
TITLE: DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE
PROPOSED SHEEP FEEDLOT - PRELIMINARY LAYOUT

DATE: 25/03/2019
DRAWING NO: A3
PROJECT NO: B9-100-00-05



APPROVED PLANS / AMENDED PLANS

VALIDATION STAMP REQUIRED

That accompanies a decision notice under the SRA 2009

File Number **MCU 168**

Date of Approval **15-08-19**

Assessment Mgr / CEO

[Signature]



FOR APPROVAL

NOT TO BE USED FOR CONSTRUCTION PURPOSES

REV.	DATE	REVISION DESCRIPTION	DATE	BY	CHKD	DATE	BY	CHKD
A	26/02/14	ISSUE TO CLIENT						
B	26/02/14	FINAL FOR LENDERSHIP TO BSC						

RDC ENGINEERS | AGRICULTURAL ENVIRONMENTAL PROJECT MANAGEMENT

CLIENT: JV & MH BRODIE

PROJECT: PROPOSED INTENSIVE LIVESTOCK DEVELOPMENT - "DEEPWATER"

TITLE: DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE PROPOSED COMMUNITY SHED - TYPICAL ELEVATIONS

FIGURE 7

SCALE: A3

DATE: 26/07/2016

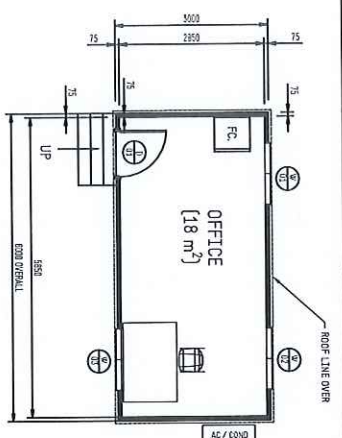
FIGURE 7

SCALE: A3

DATE: 26/07/2016



ELEVATION MARKER



FLOOR PLAN
SCALE 1:100 (A3)

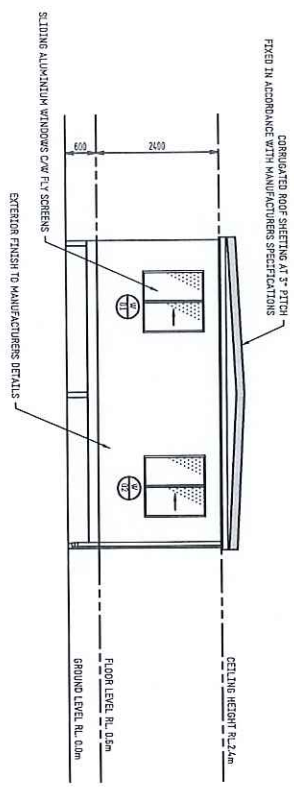
DOOR SCHEDULE

MARK	No. OFF	ROOM	HEIGHT	WIDTH	DOOR TYPE
D1	1	OFFICE	2040	870	EXTERNAL SOLID CORE SWING DOOR

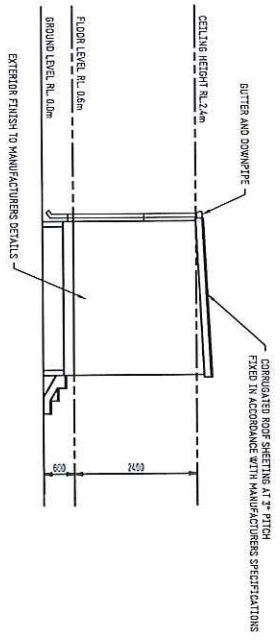
TOTAL DOORS = 1

WINDOW SCHEDULE

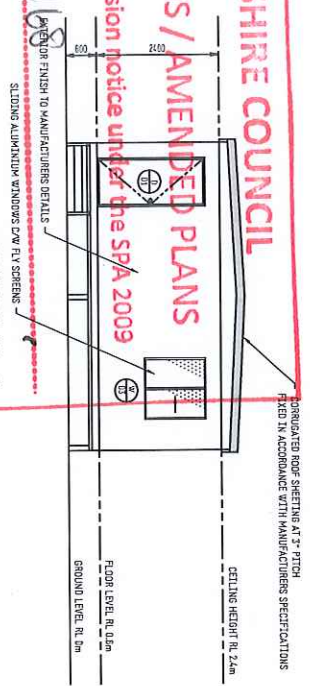
MARK	No. OFF	ROOM	HEIGHT	WIDTH	HEAD HEIGHT	WINDOW TYPE
W01	1	OFFICE	1200	1200	2100	ALUMINIUM FRAMED SLIDING GLASS WINDOW C/W FLY SCREEN
W02	1	OFFICE	1200	1200	2100	ALUMINIUM FRAMED SLIDING GLASS WINDOW C/W FLY SCREEN
W03	1	OFFICE	1200	1200	2100	ALUMINIUM FRAMED SLIDING GLASS WINDOW C/W FLY SCREEN



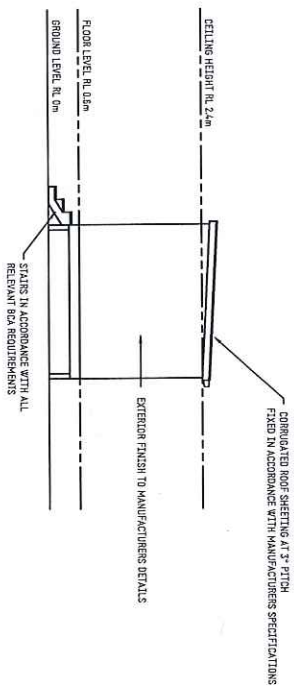
ELEVATION 'A'
SCALE 1:100 (A3)



ELEVATION 'B'
SCALE 1:100 (A3)



ELEVATION 'C'
SCALE 1:100 (A3)



ELEVATION 'D'
SCALE 1:100 (A3)

BALONNE SHIRE COUNCIL
APPROVED PLANS / AMENDED PLANS
That accompanies a decision notice under the SPA 2009
File Number MCU 168
Date of Approval 15-08-19
Assessment Mgr / CEO [Signature]
ELEVATION 'C'
SCALE 1:100 (A3)



SCALE 1:100 (A3)

FOR APPROVAL
NOT TO BE USED FOR CONSTRUCTION PURPOSES

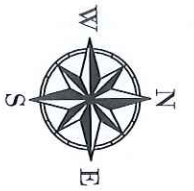
REV	DATE	REVISION DESCRIPTION	BY	CHECKED	APPROVED	SCALE
A	06/02/18	ISSUE TO CLIENT	RJD	RJD	RJD	1:100 (A3)
B	26/02/19	FINAL FOR SUBMITTAL TO BCC	RJD	RJD	RJD	1:100 (A3)

STATUS: **FOR APPROVAL**

PROJECT: PROPOSED INTENSIVE LIVESTOCK DEVELOPMENT - "DEERWATER"
CLIENT: JV & MH BRODIE
TITLE: DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE
SITE OFFICE - FLOOR PLAN AND ELEVATION DETAILS

PROJECT MANAGER: **RDC ENGINEERS**
RDC ENGINEERS PROJECT MANAGEMENT
885 ST 207 235 ST 1
PO BOX 222
M. 0427 052 231
E. info@rdcengineers.com.au

FIGURE 8
A3
89-100-00-08
B



BALONNE SHIRE COUNCIL
APPROVED PLANS / AMENDED PLANS
 That accompanies a decision notice under the SPA 2009

File Number **mcu 168**

Date of Approval **15.08.19**

Assessment No. **168/19**

EASEMENT

SOLID WASTE STOCKPILE AND
CARCASS COMPOSTING AREA

SEDIMENTATION BASIN

OUTLET
CONTROL
WEIR

HOLDING POND

CATTLE LANE

FEED BUNK AND APRON

FEED ROAD

RECEIVAL AND
INDUCTION

LOADING RAMP

FEED STORAGE AND
PREPARATION

SITE OFFICE AND WEIGHBRIDGE

- LEGEND**
- SUBJECT LAND BOUNDARY
 - LAND PARCEL BOUNDARY
 - EFFLUENT UTILISATION AREA
 - SOLID WASTE UTILISATION AREA
 - CONTROLLED DRAINAGE AREA

NOTES

1. THIS MAP IS BASED ON DIGITAL GIS DATA FROM THE STATE OF QUEENSLAND DEPARTMENT OF NATURAL RESOURCES, MINES AND ENERGY (DMRE) 2018 - QUEENSLAND SPATIAL DATASET (DMRE) 2018.
2. EXISTING UTILISATION AREAS AND DRAINAGE DATA FROM THE STATE OF QUEENSLAND DEPARTMENT OF NATURAL RESOURCES, MINES AND ENERGY (DMRE) 2018.
3. PROPOSED UTILISATION AREAS AND DRAINAGE DATA FROM THE STATE OF QUEENSLAND DEPARTMENT OF NATURAL RESOURCES, MINES AND ENERGY (DMRE) 2018.
4. THE DESIGNER DOES NOT WARRANT, GUARANTEE OR MAKE ANY REPRESENTATION REGARDING THE COMPLETENESS, ACCURACY, RELIABILITY, CURRENTCY, OR ANY OTHER INFORMATION CONTAINED HEREIN, INCLUDING THE INFORMATION PROVIDED IN THIS DRAWING, AND THE USER SHALL BE RESPONSIBLE FOR VERIFYING THE INFORMATION AND DATA FOR ANY SPECIAL, INDIRECT OR CONSEQUENTIAL DAMAGES OR DAMAGES WHATSOEVER RESULTING FROM LOSS OF USE, DATA OR PROFITS, WHETHER IN AN ACTION OF CONTRACT, NEGLIGENCE OR TORT, ARISING OUT OF OR IN CONNECTION WITH THE USE OR PERFORMANCE OF THESE MATERIALS.

REV.	DATE	DESCRIPTION	ISSUED BY	CHECKED BY	DATE	APPROVED BY
A	10/02/19	ISSUE TO CLIENT	RDCE	RDCE	25/02/19	RDCE
B	25/02/19	FINAL FOR SUBMITTAL TO SPA	RDCE	RDCE	25/02/19	RDCE

STATUS	FOR APPROVAL	FOR CONSTRUCTION
REVISED	NO	NO
ISSUED	NO	NO
APPROVED	NO	NO

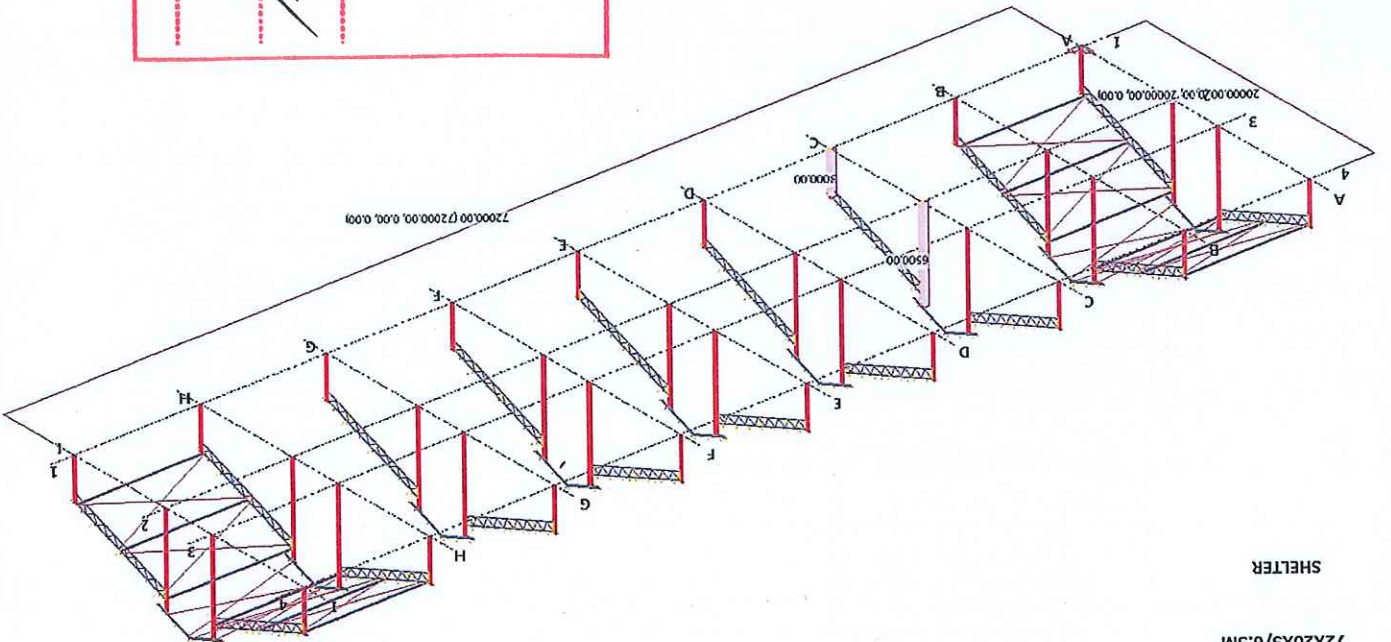
CLIENT	CV & MH BRODIE
PROJECT	PROPOSED INTENSIVE LIVESTOCK DEVELOPMENT - "DEEPWATER"
TITLE	DEVELOPMENT APPLICATION - MATERIAL CHANGE OF USE PROPOSED BEEF CATTLE FEEDLOT - PRELIMINARY LAYOUT
FIGURE NO.	FIGURE 9
SCALE	A3
DATE	B9-100-00-09



RDC ENGINEERS | AGRICULTURAL ENVIRONMENTAL PROJECT MANAGEMENT

145 37 672 245 511
 145 37 672 245 511
 145 37 672 245 511
 145 37 672 245 511

BAODIE JOHN
72X20X3/6.5M
SHELTER



BALONNE SHIRE COUNCIL
APPROVED PLANS / AMENDED PLANS
That accompanies a decision notice under the SPA 2009

File Number *MCU 168*

Date of Approval *15.08.19*

Assessment Mgr / CEO *[Signature]*

Development Application – Material Change of Use for Intensive Animal Industry (sheep feedlot and beef cattle feedlot) on the property “Deepwater”

“Deepwater”
Powrunna Road
ST GEORGE QLD 4487



BALONNE SHIRE COUNCIL

APPROVED PLANS / AMENDED PLANS

That accompanies a decision notice under the SPA 2009

File Number MCU 168 **NORTHPOINT QLD 4350**

Date of Approval 15.08.19

Assessment Mgr / CEO 

JV & MH Brodie
PO Box 16078
NORTHPOINT QLD 4350

[March 2019]

RDC
ENGINEERS

AGRICULTURAL
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TOOWOOMBA QLD 4350

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