



Our Ref: MCU 50

22 January 2024

Moolabah Agriculture Pty Ltd  
C/- AgDSA Pty Ltd  
PO BOX 292  
**TOOWOOMBA QLD 4350**

Attention: Matt Norton

Dear Matt,

## **Decision Notice Approval- Minor Change application**

(Given under section 83 of the *Planning Act 2016*)

The Change Application described below was properly made to the Balonne Shire Council on the 13<sup>th</sup> of December 2023.

### **Changes:**

This decision notice replaces the previous decision notice dated 18<sup>th</sup> of October 2010. Changes made to the original decision are set out in **red** text. Deleted conditions are shown with 'strikethrough' of text and replaced with the amended condition in **blue** text. This amended decision notice does not affect the currency period for the development approval.

### **Applicant Details**

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Applicant name:	Moolabah Agriculture Pty Ltd
Applicant contact details:	C/- AgDSA Pty Ltd PO Box 292, TOOWOOMBA QLD 4350 <a href="mailto:Matt.norton@agdsa.com.au">Matt.norton@agdsa.com.au</a> 0418446245

## Application Details

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Application number:	MCU 50
Approval Sought:	Development Permit
Details of proposed development:	Minor Change for a Material Change of Use — “Intensive Animal Industry” (3168 Standard Cattle Unit Feedlot)

## Location Details

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Street address:	3160 Castlereagh Highway ST GEORGE QLD 4487
Real property description:	Lot 7 on SP 156065

## Decision

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Date of decision:	18 <sup>th</sup> January 2024
Decision details:	<p>At the Ordinary Meeting of Council on 18<sup>th</sup> of January 2024, a decision was made to approve the requested change to Development Approval MCU 50, which involved:</p> <ul style="list-style-type: none"><li>• Amendments to the approved plans to recognise the plans submitted as part of the Change Application.</li></ul> <p>The development is 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 agency imposed them.</p>

## Details of the approval

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Development permit:	Making a Minor Change to an existing Material Change of Use and Reconfiguration of a Lot approval assessable under the Planning Scheme.
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## Conditions

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This approval is subject to the conditions in Attachment 1

## Further Development Permits

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

- Building Works

## Properly made Submissions

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There were no properly made submissions for this application.

## Currency period for the approval

This development approval will lapse at the end of the period set out in section 85 of the Planning Act 2016.

## Approved plans and specifications

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

Plan/Document Number	Plan/Document Name	Date
<a href="#">A002</a>	<a href="#">Property Plan</a>	<a href="#">04/10/2023</a>
<a href="#">A004</a>	<a href="#">Design Plan</a>	<a href="#">04/10/2023</a>
<a href="#">A005</a>	<a href="#">Controlled Drainage Area</a>	<a href="#">04/10/2023</a>
<a href="#">A006</a>	<a href="#">Typical Pen Design</a>	<a href="#">04/10/2023</a>

## 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 provided in Attachment 4.

For further information please contact James Leader, Planning and Development Officer, on 07 4620 8883 or via email at [james.leader@balonne.qld.gov.au](mailto:james.leader@balonne.qld.gov.au)

Yours sincerely



James Leader

**Planning and Development officer**

- cc Department of State Development, Infrastructure, Local Government and Planning (DSDILGP) — State Assessment Referral Agency via email [ToowoombaSARA@dasilgp.qld.gov.au](mailto:ToowoombaSARA@dasilgp.qld.gov.au) as required under section 63 (1) of the *Planning Act 2016*.
- enc Attachment 1—Assessment manager conditions and approved plans and specifications  
Attachment 2—Conditions of Approval imposed by Department of Employment, Economic Development and Innovation (DEEDI) as Concurrence Agency.  
Attachment 3—Conditions of Approval imposed by Department of Primary Industries and Fisheries (DPIF) as Concurrence Agency.  
Attachment 4—Appeal provisions  
Attachment 5—Approved Plans and Specifications

## **Attachment 1: Assessment Manager Conditions/Endorsed Plans**

Development Permit for a Material Change of use – “Intensive Animal Industry” (3168 Standard Cattle Unit Feedlot), located at 3160 Castlereagh Highway, ST GEORGE QLD 4487 (described as Lot 7 on SP156065).

### **Balonne Shire Council Approval Conditions**

1. That the infrastructure works associated with the feedlot are situated above the 1:50 ARI flood level; and
2. That the applicant must ensure any works associated with the feedlot and effluent/manure disposal, do not divert or concentrate overland flow that may increase the risk of environmental harm to land or property;
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 another condition of this approval.

<b>Plan/Document Number</b>	<b>Plan/Document Name</b>	<b>Date</b>
<i>A002</i>	<i>Property Plan</i>	<i>04/10/2023</i>
<i>A004</i>	<i>Design Plan</i>	<i>04/10/2023</i>
<i>A005</i>	<i>Controlled Drainage Area</i>	<i>04/10/2023</i>
<i>A006</i>	<i>Typical Pen Design</i>	<i>04/10/2023</i>



***Attachment 2: Conditions of Approval imposed by Department of Employment,  
Economic Development and Innovation (DEEDI) as Concurrence Agency***

**Refer next page**

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BALONNE SHIRE COUNCIL  
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15 SEP 2010



Queensland  
Government

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DTS			Admin
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SAS			
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File			

Department of  
Employment, Economic  
Development and Innovation

Reference: QCBL0124

10 September 2010

Mr Theodore and Mrs Alice Bradstreet  
PO Box 78  
Cardiff NSW 2284

*Samah B*

Dear Mr and Mrs Bradstreet

**Proposed amendments to development permit conditions for the cattle feedlot located on land described as Lot 7 SP156065**

I refer to your request to change the conditions of your development approval dated 3 March 2008 imposed by the administering authority under the *Environmental Protection Act 1994* as a concurrence agency. This letter is the written notice of the administering authority's decision under section 376 of the *Sustainable Planning Act 2009*.

- The request was made on 1 September 2009, the date the request was received by the administering authority.
- The development approval for the original application was decided on 3 March 2008.
- The administering authority's decision is to approve the request on conditions.
- A copy of the original decision notice showing the changes approved is enclosed.
- You may appeal against this decision.
- A copy of the provisions relating to your appeal rights is attached

If you require any further information regarding this matter, please do not hesitate to contact me on telephone 07 4688 1374 or email [mitchell.furness@deedi.qld.gov.au](mailto:mitchell.furness@deedi.qld.gov.au).

Yours sincerely

Mitchell Furness  
Senior Environmental Scientist - Environmental Regulation  
Delegate of the administering authority under the *Environmental Protection Act 1994*

Att/Enc

ILERJ, 203 Tor Street  
PO Box 102  
Toowoomba  
Queensland 4350 Australia  
Business Centre 13 25 23  
Website [www.deedi.qld.gov.au](http://www.deedi.qld.gov.au)  
ABN 24 630 236 406

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Cc The Chief Executive Officer  
Balonne Shire Council  
PO Box 201  
St George Qld 4487

Cc Mr Philip O'Hearn  
OHB Lawyers  
PO Box 280  
Wallsend NSW 2287

**Development Permit on  
Lot 7 on Survey Plan 156065 Parish of Karee Shire of Balonne**

Change to condition of development approval imposed by a concurrence agency – section 369(1)(c) of the *Sustainable Planning Act 2009*

The concurrence agency conditions imposed by the administering authority under the *Environmental Protection Act 1994* attached to the decision notice of the Balonne Shire Council dated 3 March 2008 are changed as follows:

**1 The following condition is amended to read as follows:**

- (A1) The ERA must be established and operated in accordance with these Development Permit Conditions, the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland (2000)* and the documents, plans, specifications and drawings described below ("the Development Information");
- Moomamma Site Plan, dated 29/10/07;
  - Moomamma Feedlot As-built Survey Plot dated 20 July 2010 (for pens 1-12);
  - Moomamma Feedlot General Layout Plan dated received 01/06/09 (for proposed pens 13-26);
  - Moomamma Feedlot Typical Pen Layout dated received 01/06/09;
  - Moomamma Feedlot Controlled Drainage Areas Plan dated received 01/06/09;
  - Moomamma Feedlot Locality Plan dated received 01/06/09.

In the event of any inconsistency between these Development Permit Conditions, the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland (2000)* and the Development Information, the documents will prevail in the following order to the extent of the inconsistency:

- these Development Permit Conditions
- the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland (2000)*
- the Development Information

The ERA must be carried out using:

- (a) the following facilities located within the Controlled Drainage Areas in the positions shown on the attached plans, or any subsequently approved plans, ("the Feedlot Area"):
- (i) Twenty-six (26) production pens with a total pen area of 35476m<sup>2</sup>;
  - (ii) Two Sedimentation Basins with minimum working capacities of 1.1ML (pens 1-12) and 1.3ML (pens 13-26);
  - (iii) Two Effluent Holding Ponds with minimum working capacities of 9ML (pens 1-12) and 8.5ML (pens 13-26); and
  - (iv) Manure and Carcass Composting Area

and

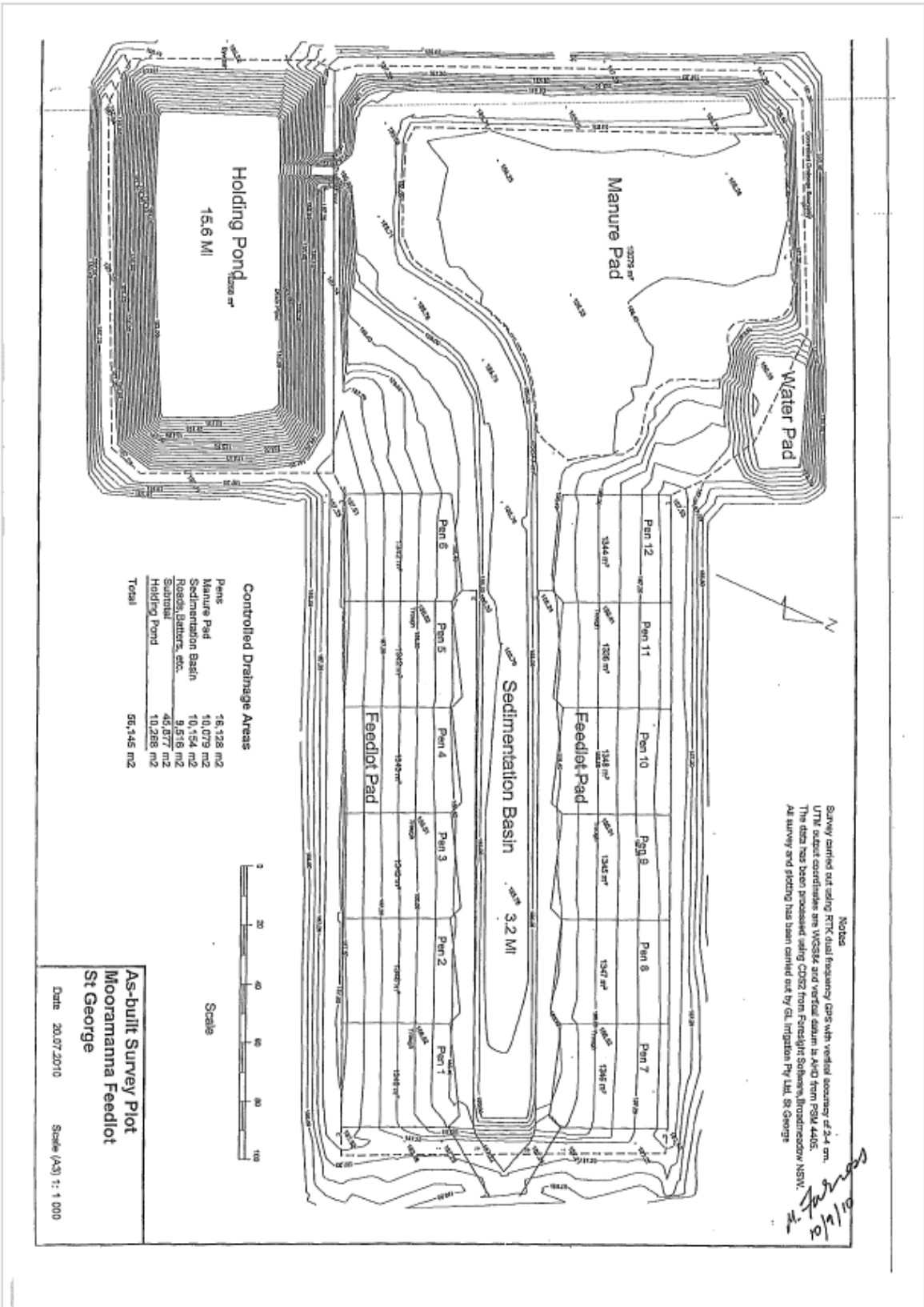
(b) the following facilities located outside the Controlled Drainage Areas in the positions shown on the attached plans ("the Ancillary Areas"):

- (i) Effluent Irrigation Area
- (ii) Manure Application Area
- (iii) Mass Carcass Disposal Site

2 Mooramanna Feedlot as Built Survey Plot dated 20 July 2010 is inserted.

Signed M. Furness  
Mitchell Furness - Delegate of the administering authority under the  
Environmental Protection Act 1994

Dated 10 September 2010





***Attachment 3: Conditions of Approval imposed by Department of Primary Industries and Fisheries (DPIF) as Concurrence Agency***

***Refer next page***

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BALONNE SHIRE COUNCIL  
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27 FEB 2008



Department of  
Primary Industries and Fisheries

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DMPE			
DMT			Notes
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27 February 2008

Chief Executive Officer  
Balonne Shire Council  
PO Box 201  
St George Qld 4810

Dear Sir

**AMENDED REFERRAL AGENCY RESPONSE TO DEVELOPMENT APPLICATION**  
(Section 3.3.17(1) *Integrated Planning (IP) Act 1997*)

I refer to the application dated 9 November 2007 by TJ and A Bradstreet for the establishment of a cattle feedlot on land described as Lot 7 on SP 156065. The administering authority under the *Environmental Protection Act 1994* is a concurrence agency for this application.

Following negotiations with the applicant the administering authority has amended its concurrence agency response. The applicant has agreed to the amended response.

The administering authority's response is to tell your council as assessment manager the conditions that must attach to any development approval. These conditions should be attached in the exact form enclosed.

The administering authority requires these conditions to be included as a result of its consideration of the Standard Criteria and the additional information given in relation to the application in accordance with the EP Act.

Please find attached the new conditions to be attached and a copy of the agreement from the applicant to the amended conditions.

Please contact me on telephone number (07) 4688 1374 if you require clarification of any of the issues addressed within this letter.

Yours sincerely

Mitchell Furness  
Development Assessment Coordinator

Mission - Vision  
Profitable primary  
industries for Queensland

Maximise the economic  
potential of Queensland  
primary industries on a  
sustainable basis

203 Tor Street  
PO Box 102 Toowoomba  
Queensland 4350 Australia  
Call Centre 13 25 23  
Website www.dpi.qld.gov.au  
ABN 78 342 694 030

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27/02 2008 WED 8:23 FAX 61 7 46881192 DPINF

002/017

CC: TJ & A Bradstreet  
C/- O'Hearn and Bilinsky  
PO Box 280  
Wallsend NSW 2287

**AMENDED CONCURRENCE AGENCY  
RESPONSE TO DEVELOPMENT APPLICATION**

*Section 3.3.17(1) Integrated Planning Act 1997*



**Queensland  
Government**

Department of  
Primary Industries  
and Fisheries

**CATTLE FEEDLOTING**

The administering authority under the *Environmental Protection Act 1994* (EP Act) is a concurrence agency for this application. The administering authority has delegated responsibility for the administration of the environmentally relevant activity "Cattle Feedlotting" to officers of the Department of Primary Industries and Fisheries

The administering authority's response is to tell the assessment manager that the following conditions must attach to any development approval.

**Development Permit Applicant:** TJ and A Bradstreet

**Applicant's address:** C/- O'Hearn & Blinsky Lawyers  
PO Box 280  
Wallsend NSW 2287

**Environmentally Relevant Activity:** 2(d) Cattle Feedlotting

**Land description:** Lot 7 on Survey Plan 156065 ("the Land")

**Location:** 3160 Castlereagh Highway St George Qld 4487

**Feedlot Name:** 'Mooramanna'

**DPI Property Number:** QCBL0124

**Approved capacity:** 3168 Standard Cattle Units.

**Stocking Density:** 11m<sup>2</sup>/Standard Cattle Unit

**Class of Feedlot:** Class Two (2)

Dated this 27<sup>th</sup> day of February, 2008.

Signed M. Furness

Mitchell Furness

Development Assessment Coordinator

Delegate of the Administering Authority  
*Environmental Protection Act 1994*

Development Permit Conditions: Lot 7 on Survey Plan 158065

Environmentally Relevant Activity: 2(d) Cattle feedlotting

Environmental Protection Regulation 1998

**SCHEDULE A - GENERAL CONDITIONS**

(A1) The ERA must be established and operated in accordance with these Development Permit Conditions, the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland (2000)* and the documents, plans, specifications and drawings described below ("the Development Information"):

- SmartMap, dated 29/10/07;
- Mooramanna Site Plan, dated 29/10/07;
- Feedlot Plan, dated 29/10/07; and
- Stage 1 Pen Plan, dated 29/10/07.

In the event of any inconsistency between these Development Permit Conditions, the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland (2000)* and the Development Information, the documents will prevail in the following order to the extent of the inconsistency:

- these Development Permit Conditions
- the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland (2000)*
- the Development Information

The ERA must be carried out using:

(a) the following facilities located within the Controlled Drainage Area in the positions shown on the attached plans, or any subsequently approved plans, ("the Feedlot Area") and developed in stages:

Stage 1-

- (i) Six (6) production pens with a total pen area of 8712m<sup>2</sup>
- (ii) Sedimentation Basin with a minimum working capacity of 800m<sup>3</sup>
- (iii) Effluent Holding Pond with a minimum working capacity of 6.5ML
- (iv) Manure Stockpile
- (v) Carcass Composting Area

Stage 2 -

- (vi) Twelve (12) production pens with a total pen area of 17424m<sup>2</sup>
- (vii) Sedimentation Basin with a minimum working capacity of 800m<sup>3</sup>
- (viii) Effluent Holding Pond with a minimum working capacity of 6.5ML
- (ix) Manure Stockpile
- (x) Carcass Composting Area

Stage 3 -

- (xi) Twenty-four (24) production pens with a total pen area of 34 848m<sup>2</sup>
- (xii) Sedimentation Basin with a minimum working capacity of 1510m<sup>3</sup>
- (xiii) Effluent Holding Pond with a minimum working capacity of 12.5ML
- (xiv) Manure Stockpile
- (xv) Carcass Composting Area

and

(b) the following facilities located outside the Controlled Drainage Area in the positions shown on the attached plans ("the Ancillary Areas"):

- (i) Effluent Irrigation Area
- (ii) Manure Application Area
- (iii) Mass Carcass Disposal Site



Development Permit Conditions: Lot 7 on Survey Plan 158085

Environmentally Relevant Activity: 2(d) Cattle feedlotting

Environmental Protection Regulation 1098

#### Cattle Capacity

- (A2) The maximum number of cattle accommodated in the Feedlot Area at any one time must not exceed the equivalent of:
- Stage 1 development - 792 Standard Cattle Units;
  - Stage 2 development - 1584 Standard Cattle Units;
  - Stage 3 development - 3168 Standard Cattle Units.

#### Stocking Density

- (A3) The stocking density in each production pen must not be less than 11m<sup>2</sup> per Standard Cattle Unit. The stocking density in a production pen is calculated by dividing the area of the production pen by the number of standard cattle units equivalent to the number of cattle accommodated in the pen.

#### Access to these Development Permit Conditions

- (A4) A copy of these Development Permit Conditions must be kept in a location readily accessible to all persons carrying out the ERA.

#### Prevention of Environmental Harm

- (A5) In carrying out the ERA, all reasonable and practicable measures must be undertaken to prevent or minimise the likelihood of environmental harm.

#### Records

- (A6) Any record or document required to be kept under these Development Permit Conditions must be kept at an appropriate place on the Land for a period of at least five (5) years and be available for examination by an Authorised Person. The record retention requirements of this condition will be satisfied if any daily and weekly records are kept for a period of at least three (3) years and these records are then kept in the form of annual summaries after that period.

#### Alterations

- (A7) No material alteration to the facilities within the ERA Area and no change in the way in which the ERA is carried out can be undertaken without the prior written approval of the Delegate of the Administering Authority.

#### Environmental Management Plan (EMP)

- (A8) The person carrying out the ERA must develop and submit an EMP to the Delegate of the Administering Authority prior to commencing to carry out the ERA.
- (A9) A copy of the EMP must be kept in a location readily accessible to all persons carrying out the ERA.

#### Construction of Effluent Holding Pond and Sedimentation Basin

- (A10) The Effluent Holding Pond and Sedimentation Basin must be designed and constructed in accordance with accepted engineering practice, to ensure long term structural integrity. The in-situ coefficient of permeability of the finished base, batters and embankments must not exceed 0.1mm/day. If this standard cannot be achieved using the in-situ material, lining must be carried out in accordance with the specification in Appendix E of the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland (2000)*. Compaction testing must



*Development Permit Conditions: Lot 7 on Survey Plan 156065*

*Environmentally Relevant Activity: 2(d) Cattle feedlotting*

*Environmental Protection Regulation 1998*

be undertaken to demonstrate compliance with this specification. The results of these tests must be submitted to an Authorised Person prior to any person commencing to carry out the ERA.

- (A11) "As-built" surveys of the Effluent Holding Pond and Sedimentation Basin must be carried out to confirm their respective storage volumes and an "as-built" survey of the Feedlot Area (at the completion of each stage) must be carried out to confirm the area of the Feedlot Area and the area of each of the facilities therein. The results of these surveys must be submitted to an Authorised Person prior to any person commencing to carry out the ERA for each stage of the proposed feedlot.
- (A12) Upon completion of Stage 1 a survey must be carried out to confirm the location of the feedlot on Lot 7 Survey Plan 156065 Parish of Karee Balonne Shire.

#### Vegetative Buffers

- (A13) Vegetated buffers having a minimum width of 20m must be established and maintained along all watercourses adjacent to areas where manure or effluent is utilised on the Land. Effluent and manure must not be applied to land within these buffers.

#### Pre - Operation Inspection and Approval of the ERA Area

- (A14) The ERA must not be carried out until an inspection of the ERA Area has been undertaken by an Authorised Person to determine whether these Development Permit Conditions have been complied with and the Authorised Person has given written notice that these Development Permit Conditions have been complied with.
- (A15) An Authorised Person must inspect each stage of the feedlot prior to any person commencing to carry out the ERA for each stage of the proposed feedlot.

#### Specific Operational Requirements

The following operating conditions are based on the requirements for a Class Two (2) cattle feedlot, as outlined in the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland (2000)*.

- (A16) Pen cleaning by removal or mounding must be carried out at a maximum interval of 15 weeks, weather permitting, to ensure that the Manure Pack depth does not reach 100mm.
- (A17) Cleaning under fences must be carried out quarterly or as soon as practically possible when accumulated manure obstructs drainage.
- (A18) Wet patches must be eliminated monthly or as soon as practically possible after rainfall.
- (A19) Potholes must be repaired monthly or as soon as practically possible after rainfall.
- (A20) Feed residues must be removed from feed troughs and bins weekly.
- (A21) Spilt feed must be removed from around the feed troughs and bins at each pen cleaning.

#### General Operational Requirements

- (A22) Liquid and solid contaminants that may cause environmental harm must not be allowed to directly or indirectly leave the Land.

*Development Permit Conditions: Lot 7 on Survey Plan 156065  
Environmentally Relevant Activity: 2(d) Cattle feedlotting*

*Environmental Protection Regulation 1998*

- (A23) Cattle must be fed and watered in such a manner as to minimise spillage and overflow.
- (A24) Wastewater generated by routine water trough cleaning operations must be disposed of without causing erosion or significant ponding on the pen surface.
- (A25) All banks and drains must be maintained at all times and repaired as soon as practically possible following any damage, including erosion damage.
- (A26) All banks and drains must be kept clean and free from any obstruction that may impede the flow therein.
- (A27) The Sedimentation Basin must be maintained at all times and cleaned as soon as practically possible following the deposition of any sediment that may affect the ability of the Sedimentation Basin to perform its normal function.
- (A28) The Effluent Holding Pond must be de-sludged as soon as practically possible after the storage volume is reduced by more than 25% due to sediment buildup.

#### **Manure Pack Removal**

- (A29) The Manure Pad must be left intact during Manure Pack removal and pen cleaning operations.
- (A30) Following removal of the Manure Pack, the surface of the Manure Pad must be left in a smooth, durable, uniform state.

#### **Pen Surface Renovations**

- (A31) The original pen surface must be restored to its original specifications if damaged during cleaning operations.

#### **SCHEDULE B - WATER**

- (B1) Contaminants that may cause environmental harm must not be allowed to directly or indirectly enter any waters that leave the Land.
- (B2) Any entry of contaminants to waters that leave the Land must be recorded and immediately reported to the Delegate of the Administering Authority.
- (B3) All runoff from within the Controlled Drainage Area must enter the Effluent Holding Pond. Runoff from outside the Controlled Drainage Area must not enter the Controlled Drainage Area.

#### **SCHEDULE C - UTILISATION, MANAGEMENT AND DISPOSAL OF SOLID AND LIQUID WASTES**

- (C1) The rate of application of liquid and solid wastes from the ERA must not exceed the rates at which the critical constituents of the wastes, that is, water, nutrients (especially nitrogen and phosphorus) and salts, are:
  - (a) taken up by plants and removed from the Waste Utilisation Areas by harvesting;
  - (b) safely stored within the soil profile; or
  - (c) released into the surrounding environment in an acceptable form.

Development Permit Conditions: Lot 7 on Survey Plan 156085

Environmentally Relevant Activity: 2(d) Cattle feedlotting

Environmental Protection Regulation 1998

**Liquid Wastes**

- (C2) The Effluent Holding Pond must be managed to ensure that over-topping does not occur and in particular must have a minimum of 500mm between the effluent level and the base of the spillway.
- (C3) Effluent from the Effluent Holding Pond must be applied uniformly over the Effluent Irrigation Area using a managed irrigation system. The rate and volume of effluent applied to the Effluent Irrigation Area must be such that surface runoff is kept to a practical minimum and deep leaching is avoided. In the event that it is not possible to apply effluent to the Effluent Irrigation Area without contravening Condition (C1), the person carrying out the ERA must cease to apply effluent to the Effluent Irrigation Area. If the person carrying out the ERA wishes to continue to carry out the ERA, the person must apply (under the *Integrated Planning Act 1997*) for approval to amend these Development Permit Conditions to include an alternative method for the utilisation, management and disposal of effluent without causing environmental harm.
- (C4) Effluent may be applied to yards and roads on the Land for dust suppression purposes.

**Solid Wastes**

- (C5) Manure, sludge and feed removed from within the Feedlot Area must be:
  - (a) stored within the Manure Stockpile or Compost Area;
  - (b) exported from the Land; or
  - (c) applied uniformly to the Solids Spreading Area provided that Condition (C1) is not contravened.
- (C6) The Manure Stockpile must be managed to avoid burning, including by spontaneous combustion. Any fires must be extinguished as soon as practically possible.
- (C7) Solid waste must be incorporated into the soil as soon as practically possible after being applied to the solids spreading area.

**Carcass Disposal**

- (C8) Carcasses must be disposed of by being composted in the Compost Area.
- (C9) The permeability of the base of the Compost Area must not exceed 0.1mm/day and sufficient absorbent material must be available to prevent any form of liquid leaving the Compost Area.

**SCHEDULE D - COMMUNITY AMENITY**

- (D1) The ERA must be operated so as not to cause unreasonable interference with the comfortable enjoyment of life and property or commercial activity off-site.
- (D2) Any utilisation of liquid and solid wastes must be carried out so as to minimise environmental harm.

**SCHEDULE E - MONITORING, RECORDING AND REPORTING**

**MONITORING**

Development Permit Conditions: Lot 7 on Survey Plan 156085  
 Environmentally Relevant Activity: 2(d) Cattle feedlotting

Environmental Protection Regulation 1998

- (E1) All results of monitoring undertaken as a requirement of these Development Permit Conditions must be kept for recording purposes and copies of the results must be forwarded to the Delegate of the Administering Authority within 30 days of receipt.
- (E2) All sampling for monitoring purposes, carried out under these Development Permit Conditions, must be in accordance with the most recent edition of the Department of Primary Industries and Fisheries Sampling Manual, or any similar publication which may supersede this document.
- (E3) All measurement and analysis of contaminants released to waters must be made in accordance with methods prescribed in the Water Quality Sampling Manual, 3rd Edition, December 1999, Environmental Protection Agency or more recent editions or supplements to that document.
- (E4) The analysis of all samples collected for monitoring purposes must be performed by either a laboratory accredited by the NATA (National Association of Testing Authorities), or a laboratory with equivalent standards for the tests undertaken.
- (E5) All instruments and devices used for the measurement and monitoring of any parameter under these Development Permit Conditions must be calibrated, operated and maintained in accordance with the relevant Australian Standard (if in existence), or otherwise to a relevant international standard as nominated by the Delegate of the Administering Authority.
- (E6) The purpose of the monitoring undertaken as a requirement of these Development Permit Conditions is to monitor compliance with Schedules B, C and D of these Development Permit Conditions.

#### Waste Utilisation Areas Soil Monitoring

- (E7) The following analyses are required for soil samples collected from the specified depth intervals from representative sites within the Waste Utilisation Areas:

Parameter	Depth Intervals
Colwell Phosphorus (Colwell P)	0 - 10 cm, 50 - 60 cm, 90 - 100 cm
Nitrate Nitrogen (NO <sub>3</sub> - N)	0 - 30 cm, 50 - 60 cm, 90 - 100 cm
Exchangeable Sodium Percentage (ESP)	0 - 30 cm, 50 - 60 cm, 90 - 100 cm
Electrical Conductivity (EC)	0 - 30 cm, 50 - 60 cm, 90 - 100 cm
pH and chloride	0 - 30 cm, 50 - 60 cm, 90 - 100 cm

- (E8) Soil monitoring samples must be collected annually, at approximately the same time every year, to fit in with normal agricultural practices.

#### Liquid Effluent and Solid Waste Monitoring

- (E9) Surface water samples must be collected from water courses on an event basis, that is, when runoff from the Feedlot Area or Waste Utilisation Areas is entering a watercourse. For comparison purposes, samples are to be collected directly upstream and downstream of the point where runoff from the Feedlot Area or Waste Utilisation Areas enters the watercourse.



Development Permit Conditions: Lot 7 on Survey Plan 156065

Environmentally Relevant Activity: 2(d) Cattle feedlotting

Environmental Protection Regulation 1998

#### RECORDING

##### Operational Recording

Details (including the date and location) of the following are to be recorded and produced and a copy provided to an Authorised Person upon request:

- (E10) All cattle introduced to and removed from the Feedlot Area, including:
  - (a) number, and actual or estimated liveweight of cattle;
  - (b) date of introduction and removal; and
  - (c) number of cattle deaths.
- (E11) Routine operating procedures undertaken to prevent or minimise environmental harm, including:
  - (a) pen cleaning and manure removal, storage and utilisation; and
  - (b) fly and insect treatment and control.
- (E12) Routine maintenance works undertaken to ensure the ERA is operating in accordance with these Development Permit Conditions:
  - (a) drainage channel maintenance;
  - (b) Controlled Drainage Area maintenance; and
  - (c) Sedimentation Basin and Effluent Holding Pond maintenance.
- (E13) Results of all monitoring undertaken as a requirement of these Development Permit Conditions.
- (E14) Staff training to enhance environmental management skills and awareness of environmental issues.
- (E15) For each application of liquid and solid waste, the date, rate of application and the exact area within the Waste Utilisation Areas receiving the liquid and solid waste material, and the crop or pasture yields resulting therefrom.
- (E16) For each export of solid wastes from the ERA area:
  - (a) the date, quantity and type of waste removed; and
  - (b) the name and address of the recipient of the waste.

##### Incident Recording

- (E17) Details of the following must be recorded and produced and a copy provided to an Authorised Person upon request:
  - (a) the time, date and duration of equipment malfunctions or other operational problems which may have resulted in a direct or indirect impact on the environment;
  - (b) any corrective measures implemented;
  - (c) the results of assessments of the environmental impact of any releases of contaminants into the environment;
  - (d) any release of contaminants reasonably likely to cause environmental harm;
  - (e) any substantial increase in cattle deaths; and
  - (f) any changes in management practices, which may have resulted in enhanced environmental performance.

##### Complaint Recording

- (E18) All complaints (including those associated with the release of a contaminant such as odour or noise), regarding the ERA must be recorded and produced and a copy

Development Permit Conditions: Lot 7 on Survey Plan 156065  
Environmentally Relevant Activity: 2(d) Cattle feedlotting Environmental Protection Regulation 1998

provided to an Authorised Person upon request. The complaint records must include the following details:

- (a) time and date of complaint;
- (b) particulars of the complaint;
- (c) method of communication (telephone, letter, personal etc);
- (d) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then, "not identified" is to be recorded);
- (e) wind direction and strength and any other relevant climatic conditions;
- (f) complaint investigation undertaken and findings;
- (g) any management practices that may have contributed to the complaint;
- (h) name of person responsible for investigating the complaint;
- (i) action taken as a result of the complaint investigation and signature of responsible person; and
- (j) notification to an Authorised Person (if applicable).

#### REPORTING

- (E19) As soon as practicable after becoming aware of any emergency or incident resulting in the release of a contaminant, other than those released during normal daily operations, which has caused or is likely to cause environmental harm, an Authorised Person must be notified by telephone or facsimile. Written confirmation is required following notification by telephone.
- (E20) An Authorised Person must be immediately notified of any substantial increase in cattle deaths.

#### SCHEDULE F - SPECIAL CONDITIONS

Nil

#### SCHEDULE G - DEFINITIONS

For the purposes of these Development Permit Conditions the following definitions apply:

- (G1) **Ancillary Areas:** The facilities located outside the Controlled Drainage Area listed in clause A1(b)
- (G2) **Authorised Person:** An authorised person under the EP Act
- (G3) **Class of Feedlot:** As defined in the *Reference Manual for the Establishment and Operation of Beef Cattle Feedlots in Queensland (2000)*
- (G4) **Carcass Composting Area:** The area designated as such on the attached plans
- (G5) **Controlled Drainage Area:** The area shown on the attached site plan from which the overland flow of water is excluded to avoid it becoming contaminated. Upon completion of Stage 3, this area must not exceed 5.73ha.
- (G6) **Delegate of the Administering Authority:** The Development Assessment Coordinator, Department of Primary Industries and Fisheries (DPI&F), PO Box 102, Toowoomba Qld 4350 or any other delegate advised by the administering authority
- (G7) **Development Information:** As defined in Condition (A1)



*Development Permit Conditions: Lot 7 on Survey Plan 168065  
Environmentally Relevant Activity: 2(d) Cattle feedlotting Environmental Protection Regulation 1998*

**(G8) These Development Permit Conditions:** The conditions in Schedules A – G required to be imposed by the administering authority under the EP Act

**(G9) Effluent Holding Pond:** The effluent holding pond or ponds within the Controlled Drainage Area designated as such on the attached plans with a minimum working capacity of:

- Stage 1 - 6.5 megalitres;
- Stage 2 – 6.5 megalitres;
- Stage 3 – 12.5 megalitres.

**(G10) Effluent Irrigation Area:** A minimum area or areas of 15.3 hectares outside the Controlled Drainage Area designated as such on the attached plans. The maximum effluent application rate shall not exceed 70 mm/yr.

**(G11) EMP:** The site based management plan must be amended to exist as a stand alone document containing the following information:

- (a) a detailed description of the ERA Area, including its land and water resources;
- (b) an assessment of the potential environmental risks associated with the ERA;
- (c) details of the procedures to be implemented to minimise the risk of environmental harm arising from the ERA and to ensure compliance with these Development Permit Conditions;
- (d) the identification of a suitable site for the mass burial of carcasses;
- (e) the relevant procedures, schedules, any subsequently approved plans, and responsibilities for:
  - (i) operating, maintaining and managing the ERA in compliance with these Development Permit Conditions;
  - (ii) environmental monitoring, recording and reporting of the ERA and its impact on the environment;
  - (iii) implementing corrective measures and actions in the event of operational problems and emergencies; and
  - (iv) the mass burial of carcasses.

**(G12) EP Act:** The *Environmental Protection Act 1994* and all regulations and policies made under it.

**(G13) ERA:** The environmentally relevant activity of cattle feedlotting carried out on the Land.

**(G14) ERA Area:** The Feedlot Area and the Ancillary Areas

**(G15) Feedlot Area:** The Controlled Drainage Area including the facilities listed in Condition A1(a)

**(G16) Land:** The land described on the front page of these Development Conditions

**(G17) Manure Pad:** The highly dense layer of compacted soil/manure mix, which forms a virtually impermeable seal on the surface of the pens.

**(G18) Manure Pack:** The manure deposited on the pen surface, above the Manure Pad.

**(G19) Manure Stockpile:** The area designated as such on the attached plans

**(G20) Mass Carcass Disposal Site:** The area outside the Controlled Drainage Area designated as such on the attached plans or identified in the EMP

Development Permit Conditions: Lot 7 on Survey Plan 156065

Environmentally Relevant Activity: 2(d) Cattle feedlotting

Environmental Protection Regulation 1996

(G21) **Solids Spreading Area:** A minimum area of 465 hectares outside the Controlled Drainage Area designated as such on the attached plans. The maximum manure application rate shall not exceed 6.8 tonne (wet) /ha/yr.

(G22) **Sedimentation Basin:** The sedimentation basin, pond or terrace within the Controlled Drainage Area designated as such on the attached plans with a minimum working capacity of:

- Stage 1 - 800m<sup>3</sup>;
- Stage 2 - 800m<sup>3</sup>;
- Stage 3 - 1510m<sup>3</sup>.

(G23) **Standard Cattle Unit:**

The number of standard cattle units per beast must be calculated in accordance with the following table:

Approximate Weight of Beast at Turnoff (kg liveweight)	Number of Standard Cattle Units
700	1.12
650	1.06
600	1.00
550	0.94
500	0.87
450	0.81
400	0.74
350	0.67

(G24) **Waste Utilisation Areas:** the Effluent Irrigation Area and the Solids Spreading Area

Any term used in these Development Permit Conditions that is not defined but is defined in the EP Act has the meaning given to it in the EP Act.

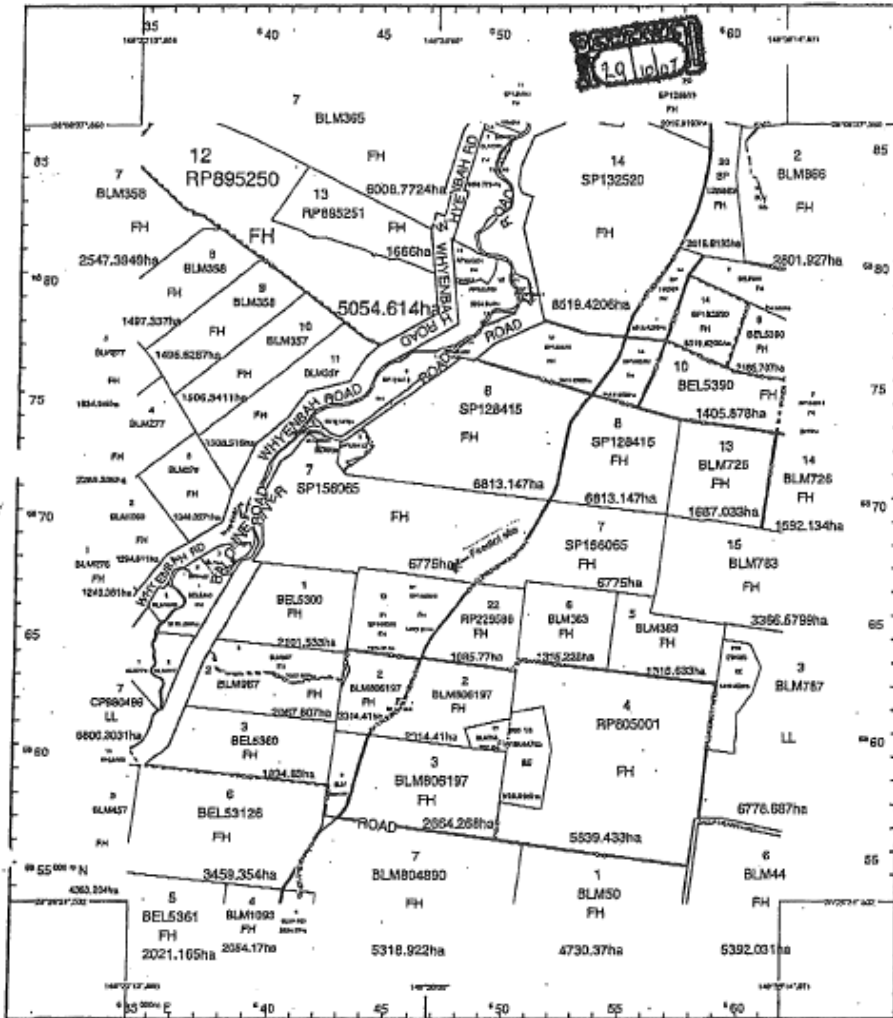
Dated this 27<sup>th</sup> day of February 2008.

Signed M. Furness

Mitchell Furness

Development Assessment Coordinator

Delegate of the Administering Authority  
Environmental Protection Act 1994



STANDARD MAP NUMBER  
8841-34434



SUBJECT PARCEL DESCRIPTION

DCDO	100000
Latitude	27°06'
Longitude	152°06' E
Local Government	ST GEORGE
Locality	WARRAGE
Parish	SELWAGE
County	4201768

CLIENT SERVICE STANDARDS

PHOTO (aerial) 2002/07

DCDO 2162007 (aerial) within 200m and not shown

Users of the information provided in this document (the information) accept full responsibility and liability for the use of the information and should seek independent professional advice in relation to dealings with property.

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SmartMap

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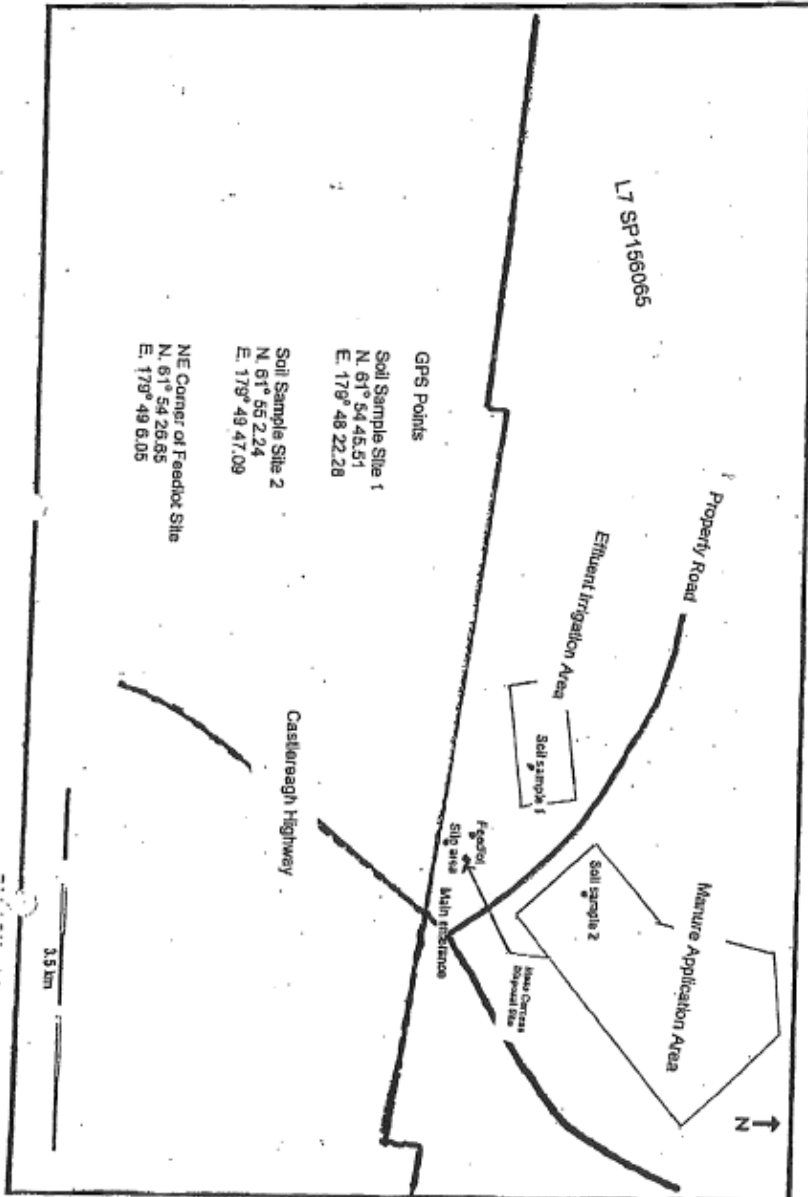


Queensland Government  
Natural Resources and Water  
© The State of Queensland, Natural Resources and Water, 2007.



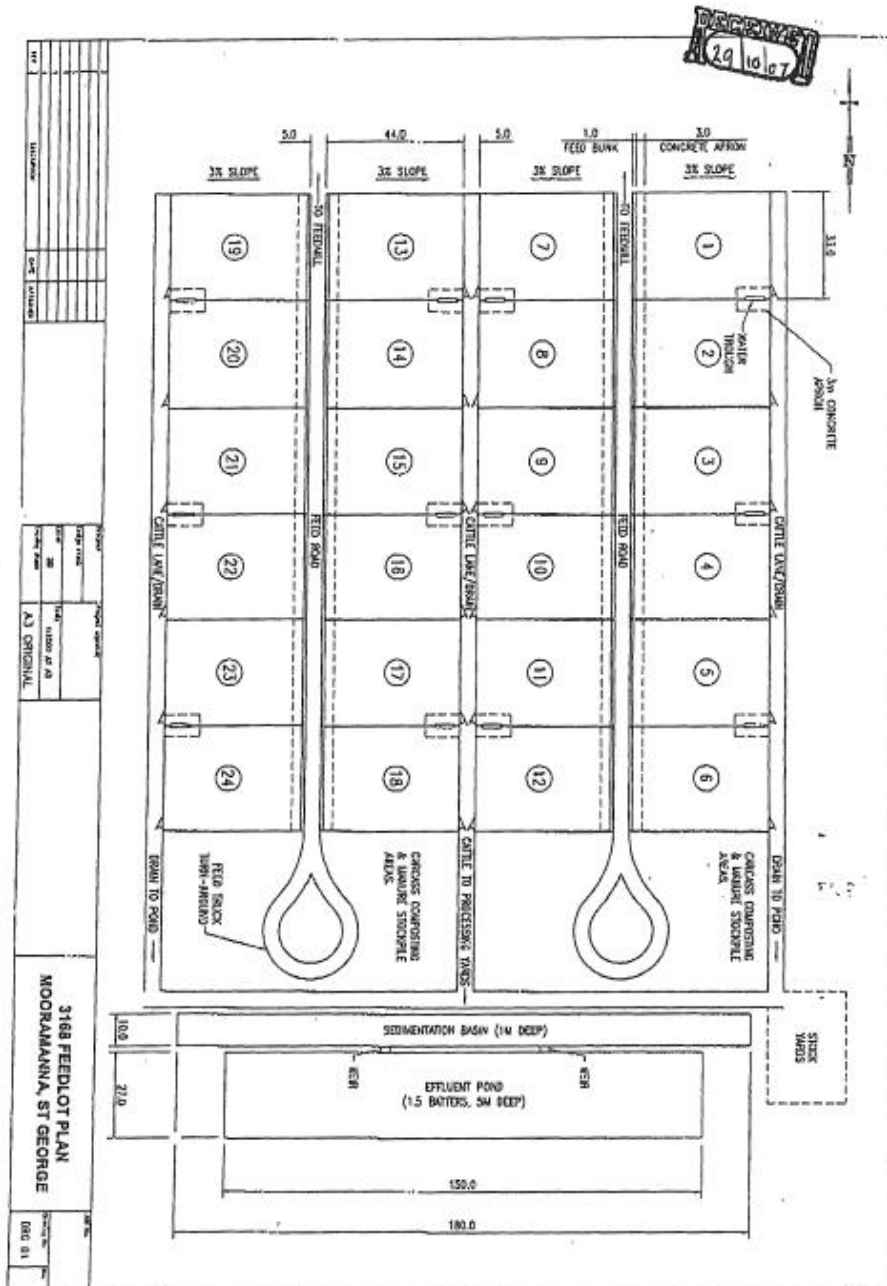
29/10/07

# Mooramanna Site Plan



4





M.F.





## **Attachment 4: Appeal Provisions – Extract from the Planning Act 2016 (PA)**

### **Chapter 6 Dispute Resolution Part 1 Appeal Rights**

#### **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) for an appeal against a failure to make a decision about an application or other matter under the Plumbing and Drainage Act 2018—at anytime after the period within which the application or matter was required to be decided ends; or
- (iv) 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**

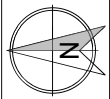
- (1) A person who is appealing to the P&E Court must comply with the rules of the court that apply to the appeal.
- (2) However, the P&E Court may hear and decide an appeal even if the person has not complied with rules of the P&E Court.

## ***Attachment 5: Approved Plans and Specifications***

***Refer next page***







**LEGEND**

- PROPERTY BOUNDARY
- CADASTRAL BOUNDARY
- CONTOUR EXISTING (10m INTERVAL)
- BUFFER (DRAINAGE LINE - 25m)
- MAPPED STREAM ORDER
- EXISTING INFRASTRUCTURE
- PEN FENCE
- CATTLE LANE
- EFFLUENT DRAIN
- FEED ROAD
- ACTUAL TREE LINE
- REGULATED VEGETATION—CATEGORY B
- REGULATED VEGETATION—CATEGORY C

**NOTES:**

1. AERIAL IMAGERY OBTAINED FROM MAXAR IMAGERY. CAPTURED ON 07/09/2023. SIZE: 10800x10800. ORDER: 4. VEGETATION DATA SOURCED THROUGH OSPATIAL IN MAY 2023.
2. FEATURES MAY HAVE BEEN DIGITISED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED. CAPACITIES ARE BASED ON A STOCKING DENSITY OF 11.2m<sup>2</sup>/SCU.

**EXISTING:**

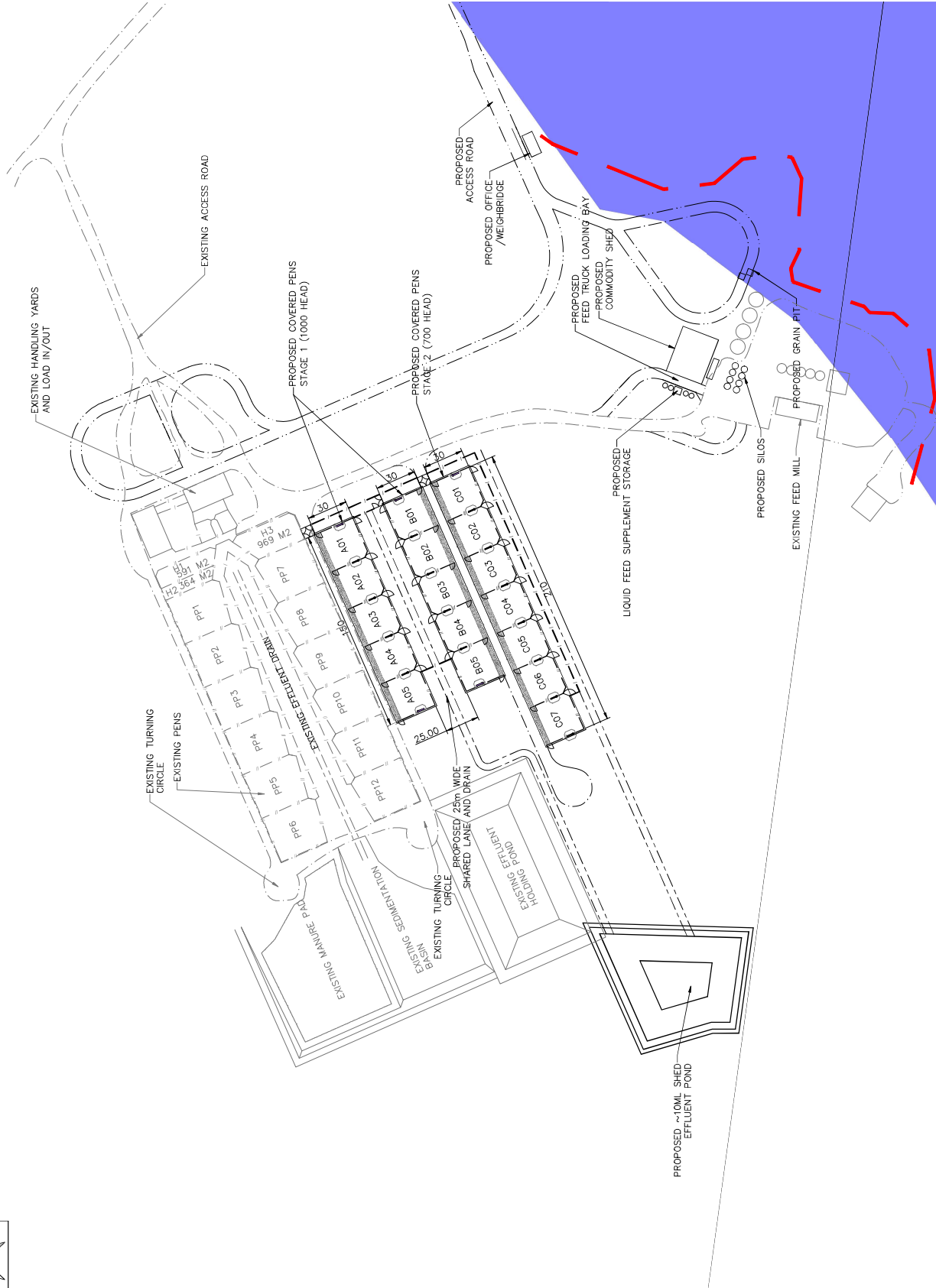
1. STOCKING DENSITY = 11.2m<sup>2</sup>/SCU
2. PRODUCTION PEN AREA (35m x ~39m) = 1,367m<sup>2</sup>
3. INDIVIDUAL PRODUCTION PEN CAPACITY = 122 SCU
4. TOTAL EXISTING PRODUCTION CAPACITY = 1,468 SCU

**PROPOSED ROW A&B (STAGE 1):**

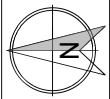
1. FEED ROAD WIDTH = 8.0 m
2. FEED ROAD PER SCU = 300mm
3. BUNK SPACE PER SCU = 20.0 m
4. CATTLE LANE WIDTH = 9.0m<sup>2</sup>/SCU
5. STOCKING DENSITY = 150x30m x 2 = 1000 SCU
6. SHED DIMENSIONS = 2,468 SCU
7. SHED CAPACITY = 2,468 SCU
8. TOTAL COMBINED FEEDLOT CAPACITY = 2,468 SCU

**PROPOSED ROW C (STAGE 2):**

1. FEED ROAD WIDTH = 8.0 m
2. FEED ROAD PER SCU = 300mm
3. BUNK SPACE PER SCU = 8.0 m
4. CATTLE LANE WIDTH = 9.0m<sup>2</sup>/SCU
5. STOCKING DENSITY = 210x30m = 700 SCU
6. SHED DIMENSIONS = 3,168 SCU
7. SHED CAPACITY = 3,168 SCU
8. TOTAL COMBINED FEEDLOT CAPACITY = 3,168 SCU



<p><b>CLIENT</b> MOOLABAH AGRICULTURE (MCINTYRE AGRICULTURE)</p> <p><b>PROJECT</b> MOORAMANA FEEDLOT EXPANSION</p> <p><b>LOCATION</b> 3160 CASTLEREAGH HWY, ST GEORGE QLD 4487</p> <p><b>SHEET TITLE</b> DESIGN PLAN</p>	<p>DESIGNED TCG</p> <p>CHECKED MFRN</p> <p>PROJECT MANAGER MFRN</p>	<p>McINTYRE AGRICULTURE</p>	<p>SCALE</p> <p>SCALE 1:1,500 (A1) 1:3,000 (A3)</p>	<p>FINAL — FOR SUBMISSION</p> <p>JOB CODE MBA-001</p> <p>SHEET NUMBER A004</p> <p>CURRENT REVISION A</p>									
<p>DATE: 06/05/2023</p> <p>REVISIONS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>ISSUE DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>06/05/2023</td> <td>A: ORIGINAL ISSUE</td> </tr> <tr> <td>2</td> <td></td> <td>B: REVISED DESCRIPTION</td> </tr> </tbody> </table>					NO.	DATE	ISSUE DESCRIPTION	1	06/05/2023	A: ORIGINAL ISSUE	2		B: REVISED DESCRIPTION
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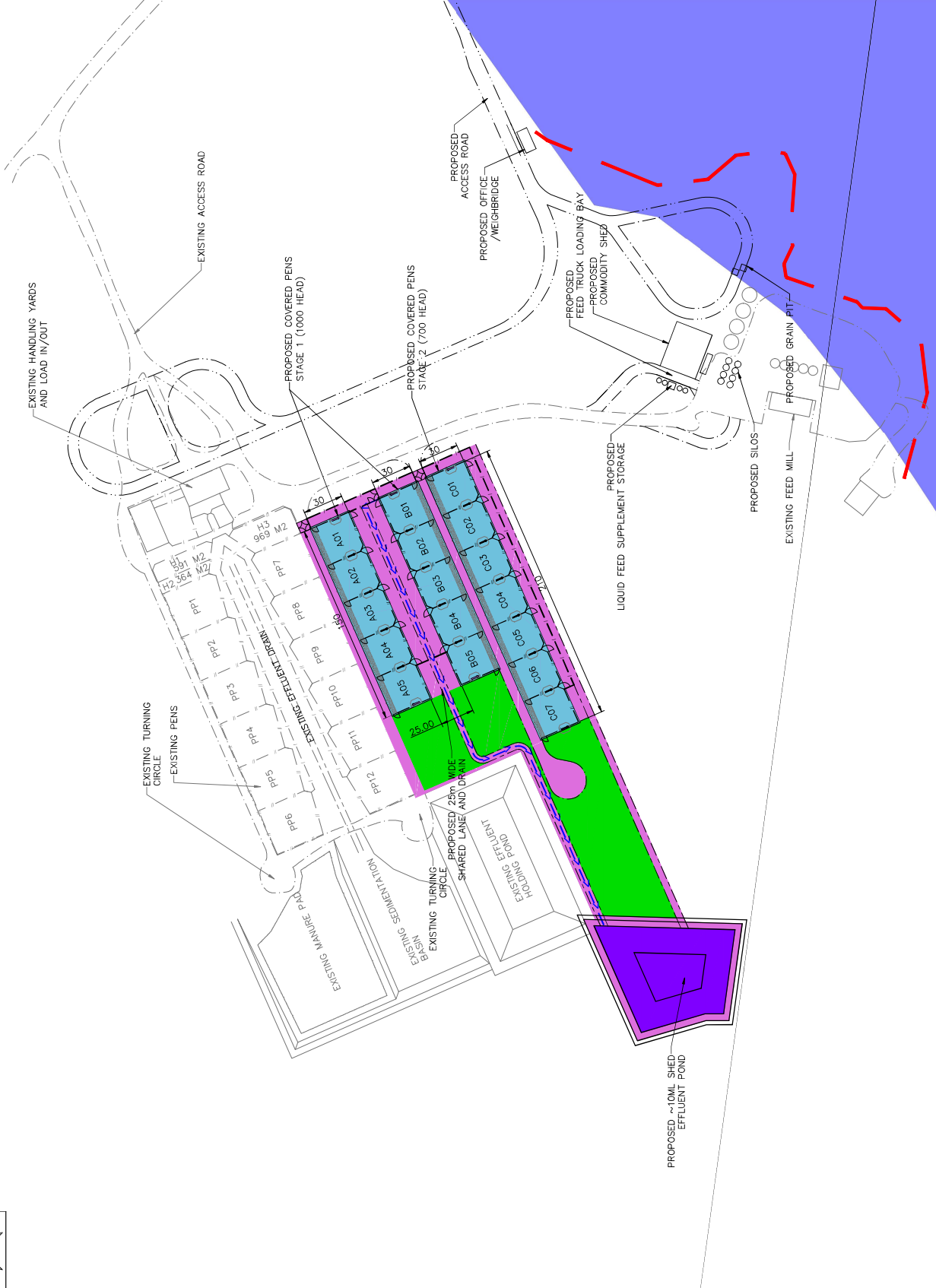


**LEGEND**

- PROPERTY BOUNDARY
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- REGULATED VEGETATION—CATEGORY B
- REGULATED VEGETATION—CATEGORY C

**NOTES:**  
 1. THE CATCHMENT OF THE ORIGINAL FEEDLOT HAS BEEN IDENTIFIED AND THE PREVIOUSLY APPROVED PENS & EFFLUENT HOLDING POND.  
 2. FEATURES MAY HAVE BEEN DIGITISED FROM PLANS OR AERIAL PHOTOGRAPHS AND ACCURACY IS LIMITED.  
 3. PROPOSED FEEDLOT PENS WILL BE STOCKED AT 9m<sup>2</sup>

CONTROLLED DRAINAGE AREA		VALUE
DESCRIPTION	LEGEND	
COVERED PENS (HA)		1.65
SOFT (HA)		1.10
HARD (HA)		1.52
HOLDING POND (HA)		0.58
TOTAL (HA)		4.85
MAX DRAIN LENGTH (m)		4722



<p><b>CLIENT</b> MOOLABAH AGRICULTURE (MCINTYRE AGRICULTURE)</p> <p><b>PROJECT</b> MOORAMANA FEEDLOT EXPANSION</p> <p><b>LOCATION</b> 3160 CASTLEREAGH HWY, ST GEORGE QLD 4487</p> <p><b>SHEET TITLE</b> CONTROLLED DRAINAGE AREA</p>	<p>SCALE</p> <p>SCALE 1:1,500 (A1) 1:3,000 (A3)</p>	<p><b>McINTYRE</b> AGRICULTURE</p>	<p>DESIGNED TCG</p> <p>CHECKED MFRN</p> <p>PROJECT MANAGER MFRN</p>	<p>FINAL — FOR SUBMISSION</p> <p>JOB CODE MBA-001</p> <p>SHEET NUMBER A005</p> <p>CURRENT REVISION A</p>									
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