

MISS KATE SWEPSON

Our Ref: MCU245



25 November 2025

GW, SR, MG, RJ & SM Bowhay  
PO Box 158  
ST GEORGE QLD 4487

Dear Sirs,

### **Decision notice approval**

(Given under section 63(2) of the *Planning Act 2016*)

The development application described below was properly made to the Balonne Shire Council on 3 October 2025.

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#### **Applicant details**

**Applicant name:** GW, SR, MG, RJ & SM Bowhay  
**Applicant contact details:** PO Box 158, St George QLD 4487  
Ph: (07) 4625 2157

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#### **Location details**

**Street address:** 1065 Buckinbah Road, St George QLD 4487  
**Real property description:** Lot 1 on SP220289 & Lot 1 on BLM748  
**Local government area:** Balonne Shire Council

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#### **Application details**

**Application number:** MCU245  
**Approval sought:** Development Permit  
**Description of the development proposed:** Material Change of Use – “Intensive Animal Industry” (Expansion of existing feedlot – up to 1,000 SCU)  
**Category of assessment:** Code Assessment  
**Planning scheme:** *Balonne Shire Planning Scheme 2024*

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#### **Decision**

I wish to advise that, on 20 November 2025, the above development application was **approved in full** subject to conditions by Council. (Refer to the conditions contained in **Attachment 1**)

## Details of the approval

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This application is not taken to have been approved (a deemed approval) under section 64(5) of the *Planning Act 2016*.

The following approval is given:

	<b>Planning Regulation 2017 reference</b>	<b>Development Permit</b>	<b>Preliminary Approval</b>
Development assessable under the planning scheme, superseded planning scheme, a temporary local planning instrument, a master plan or a preliminary approval which includes a variation approval - Material change of use	N/A	<input checked="" type="checkbox"/>	N/A

## Further development permits

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

- Not Applicable

## Referral agencies for the application

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The development application did not require referral to any external agencies.

## Approved plans, specifications and drawings

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Copies of the following approved plans are enclosed.

<b>Drawing Number:</b>	<b>Title</b>	<b>Date:</b>
-	Buckinbah Feedlot	n.d.
-	Buckinbah Feedlot – southern end	n.d.
-	Buckinbah Feedlot – northern end	n.d.
	Buckinbah Feedlot Yard Plan	

## Currency period for the approval (s.85 of the Planning Act)

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This approval lapses if the first change of use does not happen within 6 years after the approval starts to have effect.

## Appeal Rights

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The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against a decision about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For certain 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*).

### Appeal by an applicant

An applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal of all or part of the development application
- a provision of the development approval
- the decision to give a preliminary approval when a development permit was applied for
- a deemed refusal of the development application.

An applicant may also have a right to appeal to the Development tribunal. For more information, see schedule 1 of the *Planning Act 2016*.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 229 of the *Planning Act 2016*.

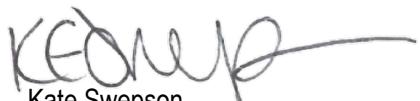
**Attachment 2** is an extract from the *Planning Act 2016* detailing appeal rights.

To stay informed about any appeal proceedings which may relate to this decision visit:

<https://planning.dsmpip.qld.gov.au/planning/our-planning-system/dispute-resolution/pe-court-database>.

For further information, please contact the Council office on 07 4620 8888 or via email to [council@balonne.qld.gov.au](mailto:council@balonne.qld.gov.au).

Yours sincerely



Kate Swepson

**Consulting Town Planner**

enc.     Attachment 1 – Assessment Manager Conditions of Approval (Balonne Shire Council)  
Attachment 2 – Appeal Provisions  
Attachment 3 – Statement of Reasons  
Attachment 4 – Approved Plans and Specifications

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

### CONDITIONS OF APPROVAL

#### Use

1. The approved development is for a Material Change of Use for “Intensive Animal Industry” (Expansion of existing feedlot – up to 1,000 SCU) as defined in the Planning Scheme and as shown on the approved plans and documents.
2. Design, construct and operate the feedlot equivalent to or better than a Class 1 standard in accordance with the National Guidelines for Beef Cattle Feedlots in Australia (Meat & Livestock Australia Limited, 2012) and National Beef Cattle Feedlot Environmental Code of Practice (Meat & Livestock Australia Limited, 2012).

#### Approved plans and documents

3. The approved development is to be carried out in accordance with the following approved plans/documents and subject to the approval conditions. Where there is any conflict between the approval conditions and the details shown on the approved plans, the approval conditions prevail.

Drawing Number:	Title	Date:
-	Buckinbah Feedlot	n.d.
-	Buckinbah Feedlot – southern end	n.d.
-	Buckinbah Feedlot – northern end	n.d.
	Buckinbah Feedlot Yard Plan	

#### Buffers

4. Provide and maintain the following buffers—
  - (i) between solid waste utilisation areas and drainage lines — buffering not less than 25 metres wide;
  - (ii) between solid waste utilisation areas and Buckinbah Weir —not less than 50 metres wide;

#### Compliance inspection

5. All conditions relating to the establishment of the approved development must be fulfilled prior to the commencement of use of each approved stage (as applicable), unless noted in these conditions or otherwise permitted by Council.
6. Prior to the commencement of use of each approved development stage, the applicant shall contact Council to arrange a development compliance inspection.

#### Environmental management

7. While the use continues all activities must be managed in accordance with:
  - (i) The relevant Environmental Authority issued by the Department Primary Industries or any subsequent Environmental Authority that is issued for the approved use.

8. A Site Based Management Plan shall be prepared for the proposed intensive animal industry activity, and shall address the following operation and maintenance issues:
  - (i) Site and pen maintenance, including cleaning frequency;
  - (ii) Waste collection and runoff monitoring;
  - (iii) Construction and management of carcass disposal areas;
  - (iv) Register to be kept for all of the following events:
    - a. Complaints received about the operation of the use, including but not limited to noise, odour and dust complaints, and what actions have been undertaken by whom to investigate and resolve any confirmed issues;
    - b. Details of any events involving contaminants entering natural watercourses and actions taken to resolve this issue.
  - (v) Details of who will be responsible for all actions mentioned in points (i)-(iii) above.

### **Biosecurity plan**

9. A Biosecurity Plan for the premises must be prepared and implemented in accordance with the *Biosecurity Act 2014*. A copy of the plan must be submitted to Council prior to commencement of the approved development.

### **Development works**

10. During construction of the development, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are always in place.
11. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners' requirements and specifications and to the satisfaction of the asset owners' representative(s).

### **Applicable Standards**

12. All works must comply with:
  - (i) the development approval conditions;
  - (ii) any relevant provisions in the Planning Scheme;
  - (iii) any relevant standards, drawings or specifications by the Institute of Public Works Engineering Australasia Queensland Division;
  - (iv) any relevant Australian Standard that applies to that type of work; and
  - (v) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

## **Site maintenance**

13. The development (including parking, access and other external spaces) shall be maintained in accordance with the Approved plans and documents, subject to and modified by any conditions of this approval.
14. The area and its surrounds must 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.

## **Refuse storage and collection**

15. Adequate refuse storage areas and facilities must be provided on the site to service the approved development. Refuse storage facilities are to be screened from view.
16. Refuse storage containers and areas 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.
17. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.

## **Construction Activities**

18. If there is a possibility of erosion or silt or other materials being washed off the property during the development process or after the development is completed, the developer must document and implement a management plan that prevents this from occurring.
19. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site.
20. Stockpiles of topsoil, sand, aggregate, spoil or other 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.
21. 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 to pedestrians and/or passing traffic.

## **Access, internal access roads, parking and manoeuvring**

22. Maintain the existing crossover from the edge of bitumen seal on Buckinbah Road to the property boundary with a sealed surface generally in accordance with Council's standards. The crossover must be designed to cater for the maximum vehicle size exiting the site, ensuring no damage to the roadway.
23. The developer 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. Should any damage be caused at the access location, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.

24. Vehicle driveways, access, car parking and manoeuvring areas are to be constructed of a compacted gravel surface to prevent dust nuisance.
25. Vehicle movements within the site are to be clear of proposed parking areas and feedlot infrastructure.

### **Provision of services**

26. Prior to commencement of the use, provide evidence that the development is provided with an on-site water supply with sufficient capacity to meet all operational needs, including watering to minimise dust nuisance, fire-fighting purposes and also a potable water supply sufficient to meet the needs of staff and visitors to the site.
27. Any amenities on site must be connected to a suitably designed on-site effluent disposal system, if required, in accordance with the Queensland Plumbing and Wastewater Code, to the satisfaction of and at no cost to Council..
28. If the premises is connected to a telecommunications service, then such works shall be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).
29. Any conflicts associated with existing and proposed services shall be forwarded by the developer to the appropriate controlling authority for approval for any proposed changes.

### **Advertising signage**

30. Signage is to be provided at the entrance of the site displaying information including details of, and the contact phone numbers for;
  - (i) The operator of the site; and
  - (ii) Person/s responsible for the management of the site.

**Note:** Signage is limited to the necessary contact information and must not impact upon the visual amenity of the locality.

31. Any proposed advertising signage in addition to that identified in the approved development plans, is subject to further development approval unless compliant with the requirements for "Accepted development" or "Accepted development subject to requirements" identified in the planning scheme in force at the time.
32. Any advertising signage associated with the approved use must be fully contained within the development site boundaries and must not encroach into adjoining properties or roads.

### **Avoiding nuisance**

33. 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 during or after the establishment of the approved development.

34. Air (odour and dust) and noise emissions from the development shall not cause environmental nuisance or exceed the relevant quality objectives listed in the Environmental Protection Policy 2019, as measured at any sensitive or commercial place.
35. Dust emanating as result of activities carried out onsite (both during construction and post construction) must be continually monitored and suppressed in order to prevent any dust drifting onto road networks and nearby properties and sensitive land uses.
36. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
37. 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.

#### **No cost to Council**

38. 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. This includes the costs of any services and infrastructure required in connection with the establishment of the development, survey, registration, document lodgement, easement documentation preparation and plan sealing.

#### **Latest versions**

39. 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 commencement of the development works, unless a regulation or law requires otherwise.

#### **Application documentation**

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

## GENERAL ADVICE

- a. Refer to <https://www.balonne.qld.gov.au/council/publications/policies-plansstrategies> for Council Policies.
- b. The relevant planning scheme for this development is Balonne Shire Planning Scheme 2024. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- c. The Institute of Public Works Engineering Australasia Queensland Division is the applicable engineering design guideline for Balonne Shire Council.
- d. The land use rating category may change upon commencement of any new approved use on the site. Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s, can be viewed on the Council Website: [www.balonne.qld.gov.au](http://www.balonne.qld.gov.au).
- e. 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.
- f. 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.
- g. It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved use.
- h. A Works in a Road Reserve Permit will be required from Council for any works associated with the development that are undertaken within the Council road reserve by private contractor/entity.
- i. All persons involved in the development, 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*.
- j. 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 plans and documents 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

## 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 — STATEMENT OF REASONS

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

<b>Description of development</b>	Material Change of Use for “Intensive Animal Industry” (Expansion of existing feedlot – up to 1,000 SCU)
<b>Assessment benchmarks</b>	The assessment manager has assessed the application against the following— <ul style="list-style-type: none"><li>• Balonne Shire Planning Scheme 2024<ul style="list-style-type: none"><li>○ Part 6.2.4 Rural Zone Code</li><li>○ Part 7.3.1 General Development Code</li><li>○ Part 7.3.3 Rural Activities Code</li></ul></li></ul>
<b>Relevant matters</b>	There are no relevant matters for a Code Assessable development application.
<b>Matters raised in submissions</b>	The application was not subject to Impact Assessment.
<b>Reasons for the decision</b>	At the Ordinary Meeting on 20 November 2025, Council resolved to approve the development subject to conditions and for reasons including: <ul style="list-style-type: none"><li>• The proposal is for the intensification of an existing feedlot on the site;</li><li>• The proposal is not expected to impact the safe operation of the transport network;</li><li>• The use will be operated to ensure no adverse impacts on biodiversity values.</li><li>• The proposal has a suitable separation distance to existing nearby sensitive receptors.</li></ul>

## ATTACHMENT 4 — APPROVED PLANS AND SPECIFICATIONS

# Buckinbah Feedlot



BALONNE SHIRE COUNCIL  
Planning Act 2016  
This document comprises part  
of  
Development Permit No.

MCU245

and was issued on

25 November 2025

In accordance with the :-  
Planning Act 2016

KATE SWEPSON  
Consulting Town Planner

**Legend**

- 1
- 1
- Buckinbah Weir
- Channel
- Feature 1

# Buckinbah Feedlot

Southern End

 1

 1

 Buckinbah Weir

 Channel

 Feature 1

BALONNE SHIRE COUNCIL  
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Consulting Town Planner

Google Earth

Image © 2025 Airbus

1m



40 m

# Buckinbah Feedlot

Northern End

**Legend**

- 1
- 1
- Buckinbah Weir
- Channel
- Feature 1

2.26m

BALONNE SHIRE COUNCIL  
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Consulting Town Planner

Google Earth

Image © 2025 Airbus

N

40 m

# Buckinbah Feedlot Yard Plan

N →

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