

Project Code	Project Description	Corporate Plan Link - Primary	Financial Project	2020/2021 Adopted Budget	2019/2020 Work in Progress	Total Available Budget
<b>Museum - Wondai Heri</b>						
005924	Wondai-Records Facility-Compactus		100699	-	-	-
005977	W4Q4-Wondai-Heritage Museum Footpath		100715	10,000.00	-	10,000.00
			<b>Sub Activity Subtotal</b>	<b>10,000.00</b>	<b>-</b>	<b>10,000.00</b>
<b>Museum - Nanango Rin</b>						
005843	Ringsfield House-Resheet roof		100680	-	44,016.54	44,016.54
			<b>Sub Activity Subtotal</b>	<b>-</b>	<b>44,016.54</b>	<b>44,016.54</b>
<b>Parks &amp; Gardens</b>						
005493	Signage 48 Hour Overnight Areas		104648	-	17,500.00	17,500.00
005973	W4Q4-Proston-Dump Point		100715	15,000.00	-	15,000.00
005979	W4Q4 - Kingaroy -Verge Planting		100714	250,000.00	-	250,000.00
005980	W4Q4 - Murgon -QE2 Park Tree Replacement		100714	75,000.00	-	75,000.00
005981	W4Q4 - Regional Parks-Park Furniture		100714	150,000.00	-	150,000.00
005982	W4Q4-K'roy & Benarkin Lions Park Signage		100714	20,000.00	-	20,000.00
005983	W4Q4 - Regional Tourism - Statues		100714	200,000.00	-	200,000.00
005992	W4Q4-Proston-Playground Shadesail Replac		100716	50,000.00	-	50,000.00
			<b>Sub Activity Subtotal</b>	<b>760,000.00</b>	<b>17,500.00</b>	<b>777,500.00</b>
<b>Swimming Pool - King</b>						
005846	Kingaroy-Pool-Refurbishment		104618	500,000.00	-	500,000.00
006029	Kingaroy-Pool-Refurbishment-Concept Plan		104618	250,000.00	-	250,000.00
006038	DCP-Kingaroy-Children's Pool Painting		100719	8,000.00	-	8,000.00
			<b>Sub Activity Subtotal</b>	<b>758,000.00</b>	<b>-</b>	<b>758,000.00</b>
<b>Swimming Pool - Murg</b>						
006030	Murgon-Pool-Plant Room Replacement		104614	200,000.00	-	200,000.00
			<b>Sub Activity Subtotal</b>	<b>200,000.00</b>	<b>-</b>	<b>200,000.00</b>
<b>Swimming Pool - Nana</b>						
006031	Nanango-Pool-Expansion Joints & Repaint		104614	45,000.00	-	45,000.00
006032	Nanango-Solar Heating		104619	60,000.00	-	60,000.00
006033	Nanango-Pool-Shade Sail Post Rustproof		104619	5,000.00	-	5,000.00
006034	Nanango-Pool-Changeroom Refurb		104619	90,000.00	-	90,000.00
			<b>Sub Activity Subtotal</b>	<b>200,000.00</b>	<b>-</b>	<b>200,000.00</b>
<b>Tourism - Yallakool</b>						
005765	CAP-Yallakool TP-Powerhead Replacements		100209	-	31,000.00	31,000.00
005766	CAP-Yallakool TP-Ensuite Refurbishment		100209	-	27,200.00	27,200.00
005767	CAP-Yallakool TP-Office Screen/Picnic Ar		100209	-	5,000.00	5,000.00
005978	W4Q4 - Yallakool Dam - Boat Ramp Repairs		100715	75,000.00	-	75,000.00
005984	W4Q4 - Dams - Yallakool - Tennis Courts		100715	20,000.00	-	20,000.00
006016	CP - Dams - Yallakool - New Amenities		104612	191,000.00	-	191,000.00
			<b>Sub Activity Subtotal</b>	<b>286,000.00</b>	<b>63,200.00</b>	<b>349,200.00</b>
<b>Tourism - Lake Boon</b>						
005751	Boondooma-Dam-Amenities Upgrades		104616	-	14,000.00	14,000.00
005768	Boondooma-Dam-Cabin Furniture		104616	-	150.00	150.00
005769	Boondooma-Dam-Airconditioner Replacement		104616	-	1,400.00	1,400.00
005975	W4Q4-Boondooma Dam-Bunkhouse Relocation		100715	215,000.00	-	215,000.00
005976	W4Q4- Dams - Boondooma - Tennis Courts		100715	20,000.00	-	20,000.00
006014	CP - Dams -Boondooma-Playground Day Area		104616	28,500.00	-	28,500.00
006015	CP - Dam -Boondooma Bunkhouse Renovation		104616	19,500.00	-	19,500.00
006017	CP - Boondooma-Dam-Carpark & Pathways		104616	34,500.00	-	34,500.00
			<b>Sub Activity Subtotal</b>	<b>317,500.00</b>	<b>15,550.00</b>	<b>333,050.00</b>
<b>Public Conveniences</b>						
005758	CAP - Toilets - Stuart River Rest Area		104648	-	1,000.00	1,000.00
006001	W4Q4 - Durong - Public Amenities - Bore		100713	80,000.00	-	80,000.00
006002	W4Q4 - Kingaroy - Youth Public Amenities		100713	80,000.00	-	80,000.00
006003	W4Q4-Kingaroy-Glendon St Amenities		100713	25,000.00	-	25,000.00
006026	CP - Maidenwell-Public Amenities Upgrade		100204	34,500.00	-	34,500.00
006027	CP - Taromeo-Jessies Well-Amen Refurbish		100204	12,000.00	-	12,000.00
			<b>Sub Activity Subtotal</b>	<b>231,500.00</b>	<b>1,000.00</b>	<b>232,500.00</b>
<b>Sp/ground-Murgon</b>						
005999	W4Q4-Murgon-Squash Courts		100713	140,000.00	-	140,000.00
006043	DCP-Murgon-QE2 Amenities Upgrade/Graffit		100719	35,000.00	-	35,000.00
			<b>Sub Activity Subtotal</b>	<b>175,000.00</b>	<b>-</b>	<b>175,000.00</b>
<b>Sp/ground-Wondai</b>						
005926	Wondai-Showgrounds-Grandstand Replace		100701	40,000.00	-	40,000.00
006000	W4Q4-Wondai-Showground Grandstand		100713	175,000.00	-	175,000.00
			<b>Sub Activity Subtotal</b>	<b>215,000.00</b>	<b>-</b>	<b>215,000.00</b>

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<b>Tennis Courts - Reg</b>						
006044	DCP-Nanango-Tennis Club-Roof Replacement		100719	17,000.00	-	17,000.00
			<b>Sub Activity Subtotal</b>	<b>17,000.00</b>	<b>-</b>	<b>17,000.00</b>
<b>W4Q - Round 3</b>						
005608	W4Q3-Wondai-Swimming Pool-Solar		100665	-	-	-
005609	W4Q3-Wondai-Swimming Pool-Filtration		100665	-	-	-
005612	W4Q3 - Kroy Heritage Museum & VIC		100668	-	-	-
005720	W4Q3 - Maidenwell Toilet Upgrade		100675	-	60,000.00	60,000.00
			<b>Sub Activity Subtotal</b>	<b>-</b>	<b>60,000.00</b>	<b>60,000.00</b>
<b>Parks - Kingaroy</b>						
005760	Mt Wooroolin-BBQ Replacement		100202	-	600.00	600.00
005987	W4Q4 - Kingaroy - Memorial Park Softfall		100716	40,000.00	-	40,000.00
005988	W4Q4 - Kingaroy-Apex Park-Park Furniture		100716	25,000.00	-	25,000.00
006018	CP K'Roy Apex Park-Carpark, Path & Paint		100202	30,500.00	-	30,500.00
006019	CP - K'Roy Memorial Pk-Garden Bed Replac		100202	28,000.00	-	28,000.00
006020	CP K'roy - Lions Park -Playground, Paths		100202	100,000.00	-	100,000.00
006024	DCP - Kingaroy -Apex Park-Lookout Refurb		100717	35,000.00	-	35,000.00
			<b>Sub Activity Subtotal</b>	<b>258,500.00</b>	<b>600.00</b>	<b>259,100.00</b>
<b>Parks - Nanango</b>						
005985	W4Q4 - Nanango-Pioneer Park Playground		100716	120,000.00	-	120,000.00
005986	W4Q4 - N'go Butter Factory Pk-Playground		100716	50,000.00	-	50,000.00
005990	W4Q4 -Nanango-Reg McCallum Pk-Playground		100716	100,000.00	-	100,000.00
005991	W4Q4-Nanango-Scott Street Carpark Shade		100716	70,000.00	-	70,000.00
006021	DCP - Nanango -Butter Factory Park-Shade		100717	42,500.00	-	42,500.00
006022	DCP - Nanango - Pioneer Park - Shade		100717	42,500.00	-	42,500.00
			<b>Sub Activity Subtotal</b>	<b>425,000.00</b>	<b>-</b>	<b>425,000.00</b>
<b>Parks - Blackbutt</b>						
005752	Bernarkin-Playground & Softfall		100202	-	4,760.00	4,760.00
005755	Blackbutt-Les Muller Park-Equipment		100202	-	800.00	800.00
006025	DCP - Blackbutt-Skate Park Shade Shelter		100717	80,000.00	-	80,000.00
			<b>Sub Activity Subtotal</b>	<b>80,000.00</b>	<b>5,560.00</b>	<b>85,560.00</b>
<b>Parks - Wondai</b>						
005974	W4Q4-Wondai-Coronation Park		100715	100,000.00	-	100,000.00
005989	W4Q4 - Wondai-Skate Park Upgrade		100716	50,000.00	-	50,000.00
			<b>Sub Activity Subtotal</b>	<b>150,000.00</b>	<b>-</b>	<b>150,000.00</b>
<b>Rail Trails</b>						
005762	Murgon/Kingaroy-Rail Trail Crossing		100502	-	22,000.00	22,000.00
			<b>Sub Activity Subtotal</b>	<b>-</b>	<b>22,000.00</b>	<b>22,000.00</b>
<b>Streetscaping</b>						
006023	DCP-Nanango-Streetscape Refurbishment		100717	65,000.00	-	65,000.00
			<b>Sub Activity Subtotal</b>	<b>65,000.00</b>	<b>-</b>	<b>65,000.00</b>
<b>General</b>						
005847	Building Condition Priorities		100731	-	1,354,526.24	1,354,526.24
005915	Murgon Shops - Remove Asbestos		100197	-	70,000.00	70,000.00
005919	Boondooma Heritage-Tank Stand & Replace		100631	-	3,737.27	3,737.27
005995	W4Q4-Regional-Roof Replacements		100713	220,000.00	-	220,000.00
005996	W4Q4-Regional-Repainting		100713	230,000.00	-	230,000.00
005997	W4Q4-Regional-Replace Flooring		100713	150,000.00	-	150,000.00
005998	W4Q4-Regional-Security System		100713	175,000.00	-	175,000.00
006100	DCP-Maidenwell CBD Upgrade		100720	40,000.00	-	40,000.00
			<b>Sub Activity Subtotal</b>	<b>815,000.00</b>	<b>1,428,263.51</b>	<b>2,243,263.51</b>
			<b>Activity Total</b>	<b>5,865,000.00</b>	<b>1,751,821.69</b>	<b>7,616,821.69</b>
<b>Intangibles</b>						
<b>Business System</b>						
005911	Agenda Software		100606	-	-	-
			<b>Sub Activity Subtotal</b>	<b>-</b>	<b>-</b>	<b>-</b>
			<b>Activity Total</b>	<b>-</b>	<b>-</b>	<b>-</b>

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<b>Plant &amp; Equipment</b>						
<b>Info Serv - ICT</b>						
000379	Computer Infrastructure & Upgrade	42	100211	155,000.00	-	155,000.00
000381	Server Hardware	42	100211	135,000.00	-	135,000.00
000382	Photocopiers & Printers	42	100211	30,000.00	-	30,000.00
006052	Microwave Radio & Hardware		100211	85,000.00	-	85,000.00
006053	MS Cloud Provisioning		100211	75,000.00	-	75,000.00
	<b>Sub Activity Subtotal</b>			<b>480,000.00</b>	<b>-</b>	<b>480,000.00</b>
<b>Plant &amp; Fleet Manage</b>						
005496	Plant and Fleet Replacement 18-19 FY		100212	-	396,975.47	396,975.47
005824	Plant and Fleet Replacement 2019-20		100212	-	920,235.12	920,235.12
006057	Plant and Fleet Replacement 2020/2021		100212	2,315,000.00	-	2,315,000.00
	<b>Sub Activity Subtotal</b>			<b>2,315,000.00</b>	<b>1,317,210.59</b>	<b>3,632,210.59</b>
	<b>Activity Total</b>			<b>2,795,000.00</b>	<b>1,317,210.59</b>	<b>4,112,210.59</b>
<b>Roads</b>						
<b>W4Q - Round 3</b>						
005717	W4Q3-Regional-Town Entry Signage		100673	-	-	-
	<b>Sub Activity Subtotal</b>			<b>-</b>	<b>-</b>	<b>-</b>
<b>Streetscaping</b>						
006045	Kingaroy Transformation Project		100708	6,350,000.00	-	6,350,000.00
	<b>Sub Activity Subtotal</b>			<b>6,350,000.00</b>	<b>-</b>	<b>6,350,000.00</b>
<b>Bridges</b>						
006192	Regional-Guardrail Replacement Program		100215	210,000.00	-	210,000.00
006193	NanangoStateSchool-PedestrianBridgeRepla		100215	180,000.00	-	180,000.00
006194	LRCI-Taromeo-PedstrianBridgeReplacement		100723	180,000.00	-	180,000.00
	<b>Sub Activity Subtotal</b>			<b>570,000.00</b>	<b>-</b>	<b>570,000.00</b>

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<b>Grav Resheet</b>						
005691	W4Q3 - GR - Gayndah Hivesville Rd		100670	-	-	-
005693	W4Q3 - GR - Morgans Rd		100670	-	4,620.00	4,620.00
005696	W4Q3 - GR - Mondure Crossing Rd		100670	-	2,731.02	2,731.02
005697	W4Q3 - GR - Robin and Lee Rd		100670	-	-	-
005721	Unsealed Roads Gravel Resheeting 19/20		100215	-	-	-
005780	Dangore Mountain Road Gravel Resheeting		100215	-	2,000.00	2,000.00
005784	Friebergs Road Gravel Resheeting		100215	-	-	-
005790	Kangaroo Yard Road Shoulder Resheeting		100670	-	-	-
005800	Nanango Neumgna Road Gravel Resheeting		100215	-	1,562.50	1,562.50
005803	Old Esk Road North Gravel Resheeting		100215	-	2,430.00	2,430.00
005806	Reagon Road Gravel Resheeting		100670	-	133,978.27	133,978.27
005809	Reeve Road Gravel Resheeting		100215	-	-	-
005940	Boonenne Road Gravel Resheeting		100215	-	57,942.58	57,942.58
006108	RTR-Sandy Ridges-Glenmore Rd-GR		100221	161,000.00	-	161,000.00
006109	RTR-Coolabunia-Franklins Rd-GR		100221	72,000.00	-	72,000.00
006110	RTR-Wamung-Friebergs Rd-GR		100221	145,000.00	-	145,000.00
006111	RTR-Nanango-Greenwood Creek Rd - GR		100221	58,000.00	-	58,000.00
006112	RTR-Glan Devon-Grindstone School Rd- GR		100221	139,000.00	-	139,000.00
006113	RTR-Kumbia-Hancocks Rd-GR		100221	133,000.00	-	133,000.00
006114	RTR-Wondai-Hansens Rd-GR		100221	66,000.00	-	66,000.00
006115	RTR-Johnstown-Johnstown Rd-GR		100221	178,000.00	-	178,000.00
006116	RTR-Neumgna-MaidenwellUpperYarramanRd-GR		100221	97,000.00	-	97,000.00
006117	RTR-Goodger-Neale Rd-GR		100221	181,000.00	-	181,000.00
006118	RTR-Kumbia-Nollers Rd-GR		100221	140,000.00	-	140,000.00
006119	RTR(D)-SE Nanango-Old Yarraman Rd-GR		100728	85,000.00	-	85,000.00
006120	RTR(D)-Benair-Reedy Creek Rd-GR		100728	276,000.00	-	276,000.00
006121	RTR(D)-Nanango-Rural Rd-GR		100723	375,000.00	-	375,000.00
006122	RTR(D)-Neumgna-Ryan Reagon Rd-GR		100728	107,000.00	-	107,000.00
006123	RTR(D)-Ballogie-Seiler Rd-GR		100728	75,000.00	-	75,000.00
006124	RTR(D)-Kingaroy-Ushers Rd-GR		100728	54,000.00	-	54,000.00
006125	RTR(D)-Charlestown-Weckers Rd-GR		100728	96,000.00	-	96,000.00
006126	RTR(D)-Wooroolin-West Wooroolin Rd-GR		100728	190,000.00	-	190,000.00
006127	TIDS-Chapingah-Burra Burri Rd-GR		100726	300,000.00	-	300,000.00
006128	Booie-HarchsRd-GR		100215	21,000.00	-	21,000.00
006129	Hodgleigh-LucasRd-GR		100215	39,000.00	-	39,000.00
006130	Cushnie-MorrisRd-GR		100215	49,000.00	-	49,000.00
006131	Booie-NystromRd-GR		100215	81,000.00	-	81,000.00
006132	Hivesville-Oberles Rd-GR		100215	15,000.00	-	15,000.00
006133	Neumgna-Tarong Yarraman Rd-GR		100215	8,000.00	-	8,000.00
006134	Benarkin-Williams Rd-GR		100215	450,000.00	-	450,000.00
006135	Gravel Resheeting 20/21		100215	478,994.00	-	478,994.00
			<b>Sub Activity Subtotal</b>	<b>4,069,994.00</b>	<b>205,264.37</b>	<b>4,275,258.37</b>
<b>Pavement Rehab</b>						
005284	Kingaroy-Transformation Project		100617	-	-	-
005479	Niagara Road (Wind Farm)		100215	4,000,000.00	-	4,000,000.00
005851	Old Esk Road Bitumen Seal		100400	-	190,000.00	190,000.00
005852	Kingaroy-Stehbens Street-Upgrade		100400	-	160,437.48	160,437.48
005889	TIDS-Coolabunia-Peterson Drive-Widen/Sea		100219	473,826.00	-	473,826.00
005910	Bunya Avenue		100215	150,000.00	-	150,000.00
005922	Kingaroy-Alford Street-Carpark		100400	600,000.00	-	600,000.00
005966	Kingaroy-Edward Street-Rehabilitation		100215	-	-	-
006180	Boyneside-Niagara Rd-Seal		100215	100,000.00	-	100,000.00
006181	DCP-Proston-Hood St-Kerb&ChannelUpgrade		100720	60,000.00	-	60,000.00
006182	DCP-Murgon-Burtons Lane-Upgrade		100720	60,000.00	-	60,000.00
006183	DCP-Wondai-Dingo Creek Carpark Upgrade		100720	75,000.00	-	75,000.00
006184	Kingaroy-Pavement Rehabilitation		100215	500,000.00	-	500,000.00
006185	Nanango-MercerSpringate/BrigtsRd-Upgrade		100215	99,000.00	-	99,000.00
006186	Blackbutt CBD Disability Parking Upgrade		100215	30,000.00	-	30,000.00
006187	Nanango Butter Factory DisabilityParking		100215	50,000.00	-	50,000.00
006188	Kingaroy/Wondai-BunyaHwyMedianUpgrade		100215	1,020,000.00	-	1,020,000.00
006189	STIP-Wheatlands School Set Down		100725	150,000.00	-	150,000.00
006190	STIP-Murgon High School PedestrianRefuge		100725	75,000.00	-	75,000.00
006191	Roy Emerson Carpark Upgrade		100215	75,000.00	-	75,000.00
006208	Murgon-CBD Stormwater		100276	-	-	-
			<b>Sub Activity Subtotal</b>	<b>7,517,826.00</b>	<b>350,437.48</b>	<b>7,868,263.48</b>

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<b>Footpaths &amp; Cycleway</b>						
005715	Murgon-CBD Footpath Stage 2		100671	150,000.00	278,879.61	428,879.61
005857	Haly Street Wondai Footpath - TIDS		100400	-	776.70	776.70
005971	Murgon CBD Footpath Replacement Stage 3		100727	-	-	-
006098	TIDS-Kingaroy-Markwell St-Footpath		100726	34,000.00	-	34,000.00
006099	TIDS-Nanango-Burnett St/Drayton St-FP		100726	37,000.00	-	37,000.00
006101	DCP-Memerambi-Footpath		100720	10,000.00	-	10,000.00
006102	TIDS-Kingaroy-KingaroyBarkersCreekRd-FP		100726	98,000.00	-	98,000.00
006103	TIDS-Kingaroy-Oliver Bond St-Footpath		100726	51,000.00	-	51,000.00
006104	TIDS-Kingaroy-Tessmanns Rd-Foothpath		100726	47,000.00	-	47,000.00
006105	DCP-Kumbia-Bell St-Footpath		100720	95,000.00	-	95,000.00
006106	SBRC Minor Footpath Replacements		100727	150,000.00	-	150,000.00
006107	Blackbutt CBD Footpath		100727	580,000.00	-	580,000.00
006207	Murgon-CBD Footpath-Stage 3		100727	500,000.00	-	500,000.00
<b>Sub Activity Subtotal</b>				<b>1,752,000.00</b>	<b>279,656.31</b>	<b>2,031,656.31</b>
<b>Bitumen Resealing</b>						
004405	Reseal /Prep Works Blackbutt Street		100222	-	-	-
006136	TIDS-Stalworth-Back Creek Rd Reseal		100726	21,120.00	-	21,120.00
006137	TIDS-Abbeywood-Basin Rd-Reseal		100726	30,360.00	-	30,360.00
006139	TIDS-Silverleaf-Beers Rd - Reseal		100726	4,620.00	-	4,620.00
006140	TIDS-Taabinga-BoonenneEllesmereRd-Reseal		100726	42,240.00	-	42,240.00
006141	TIDS-Memerambi-Comdale Rd-Reseal		100726	78,100.00	-	78,100.00
006142	TIDS-Abbeywood-Cridlands Rd-Reseal		100726	61,600.00	-	61,600.00
006143	TIDS-Greenview-Cushnie Rd-Reseal		100726	16,370.00	-	16,370.00
006144	TIDS-Kingaroy-Edenvale North Rd-Reseal		100726	20,064.00	-	20,064.00
006145	TIDS-Kingaroy-Edenvale South Rd-Reseal		100726	65,472.00	-	65,472.00
006146	TIDS-Booie-Faughans Rd-Reseal		100726	32,472.00	-	32,472.00
006147	TIDS-Booie-Faulkner Rd-Reseal		100726	12,870.00	-	12,870.00
006148	LRCI-Hivesville-GayndahHivesvilleRd-Rese		100723	167,867.00	-	167,867.00
006149	TIDS-Kingaroy-Geritz Rd-Reseal		100726	40,040.00	-	40,040.00
006150	TIDS-Nanango-GreenwoodCreekRd-Reseal		100726	45,760.00	-	45,760.00
006151	TIDS-Hivesville-Gwen St-Reseal		100726	950.00	-	950.00
006152	TIDS-Booie-Harchs Rd-Reseal		100726	19,888.00	-	19,888.00
006153	TIDS-Murgon-Heading St-Reseal		100726	3,700.00	-	3,700.00
006154	TIDS-Hivesville-Johnson St-Reseal		100726	4,510.00	-	4,510.00
006155	LRCI-Maidenwell-King Rd-Reseal		100723	22,176.00	-	22,176.00
006156	LRCI-Kinleymore-KinleymoreSchoolRdReseal		100723	16,790.00	-	16,790.00
006157	LRCI-Moffatdale-Leddy Court-Reseal		100723	7,150.00	-	7,150.00
006158	LRCI-Tingoora-Magnussens Rd-Reseal		100723	14,256.00	-	14,256.00
006159	LRCI-Mannuem-Mannuem Rd-Reseal		100723	76,230.00	-	76,230.00
006160	LRCI-Cushnie-McAllisters Rd-Reseal		100723	33,449.00	-	33,449.00
006161	LRCI-Kingaroy-Moonya St-Reseal		100723	36,000.00	-	36,000.00
006162	LRCI-MP Creek-MP Creek Rd-Reseal		100723	24,112.00	-	24,112.00
006163	LRCI-Speedwell-OkedenByandaRd-Reseal		100723	66,000.00	-	66,000.00
006164	LRCI-Nanango-RacecourseRd-Reseal		100723	30,000.00	-	30,000.00
006165	LRCI-Stalworth-Range Rd-Reseal		100723	44,000.00	-	44,000.00
006166	TIDS-Nanango-Rural Rd-Reseal		100726	8,105.00	-	8,105.00
006167	LRCI-Murgon-Silverleaf Rd-Reseal		100723	85,712.00	-	85,712.00
006168	LRCI-Booie-Smith Rd-Reseal		100723	79,200.00	-	79,200.00
006169	LRCI-Abbeywood-SpeedwellAbbeywoodRd-Rese		100723	103,488.00	-	103,488.00
006170	LRCI-Stalworth-Stalworth Rd-Reseal		100723	64,240.00	-	64,240.00
006171	TIDS-Hivesville-Starr St-Reseal		100726	3,564.00	-	3,564.00
006172	TIDS-Hivesville-Vaughan St-Reseal		100726	1,426.00	-	1,426.00
006174	LRCI-Moffatdale-Verdelho Dr-Reseal		100723	38,500.00	-	38,500.00
006175	LRCI-Moffatdale-Waterview Dr-Reseal		100723	17,248.00	-	17,248.00
006176	TIDS-Hivesville-Webb St-Reseal		100726	2,640.00	-	2,640.00
006177	LRCI-Gordonbrook-Weens Rd-Reseal		100723	14,960.00	-	14,960.00
006178	Bitumen Seal Various Roads		100217	188,633.00	-	188,633.00
006179	TIDS-Kingaroy-Bunya Highway-Reseal		100726	17,160.00	-	17,160.00
<b>Sub Activity Subtotal</b>				<b>1,663,042.00</b>	<b>-</b>	<b>1,663,042.00</b>
<b>Town Development</b>						
006211	KTP-Alford St (Youngman-GlendonSt) Works		100709	-	-	-
006212	KTP-Alford St(GlendonSt-KingaroySt)Works		100709	-	-	-
<b>Sub Activity Subtotal</b>				<b>-</b>	<b>-</b>	<b>-</b>

Project Code	Project Description	Corporate Plan Link - Primary	Financial Project	2020/2021 Adopted Budget	2019/2020 Work in Progress	Total Available Budget
<b>TIDS - LRRS Projects</b>						
005936	TIDS-Kingaroy-Jarrah/Fisher St-Footpath		100219	-	-	-
<b>Sub Activity Subtotal</b>				<b>-</b>	<b>-</b>	<b>-</b>
<b>General</b>						
005459	Town Entry Signs		100215	-	100,000.00	100,000.00
005716	Nanango-Brisbane Street Drainage		100672	-	4,038.36	4,038.36
<b>Sub Activity Subtotal</b>				<b>-</b>	<b>104,038.36</b>	<b>104,038.36</b>
<b>Urban Drainage</b>						
005860	Various Drainage Replacements		100400	-	-	-
006195	Regional-Minor Drainage Replacements		100215	25,800.00	-	25,800.00
006196	LCRI-Kingaroy-Alford Street-Drainage		100723	275,000.00	-	275,000.00
006197	Murgon-Cobb St South-Drainage		100215	120,000.00	-	120,000.00
006198	Wondai-Bramston St-Drainage		100215	70,000.00	-	70,000.00
006199	Nanango-Gipps St-Drainage		100215	70,000.00	-	70,000.00
<b>Sub Activity Subtotal</b>				<b>560,800.00</b>	<b>-</b>	<b>560,800.00</b>
<b>Activity Total</b>				<b>22,483,662.00</b>	<b>939,396.52</b>	<b>23,423,058.52</b>
<b>Water Services</b>						
<b>Water - General Oper</b>						
005830	Regional Arc Flash Compliance-Water		100225	-	125,000.00	125,000.00
006061	Orana Reservoir Platform		100225	150,000.00	-	150,000.00
006062	Wooloolin Reservoir		100225	150,000.00	-	150,000.00
006063	Murgon Reservoirs-Pipework		100225	150,000.00	-	150,000.00
<b>Sub Activity Subtotal</b>				<b>450,000.00</b>	<b>125,000.00</b>	<b>575,000.00</b>
<b>Water - Kingaroy</b>						
004308	KWS - Burnett St Water Main Replacement		100227	-	-	-
004311	KWS - West St Water Main Replacement		100227	-	-	-
005315	Kingaroy-Orana Reservoir-Roof Replace		100227	-	665,514.51	665,514.51
005456	KWS-Youngman Street (Haly to Avoca)		100227	-	-	-
005471	KWS-Toomey St (Youngman to William) WMR		100227	-	-	-
005472	KWS-Youngman St (Venmen to DI PS) WMR		100227	-	-	-
005473	KWS-Knight St (RailwayTce to Hodge) WMR		100227	-	-	-
005547	Gordonbrook WTP - Post Con Contract Work		100227	-	67,603.79	67,603.79
006046	KTP-Alford St (Youngman-GlendonSt)-WMR		100710	800,000.00	-	800,000.00
006047	KTP - Alford St (Glendon - Short St) WMR		100710	-	-	-
006048	KTP - Kingaroy (Alford - Haly St) WMR		100710	-	-	-
006049	KTP - Haly (Kingaroy - Glendon St) WMR		100710	-	-	-
006050	KTP - Haly St (Glendon - YoungmanSt) WMR		100710	-	-	-
006051	KTP-Glendon St (Alford to Haly St)-WMR		100710	300,000.00	-	300,000.00
006054	Water Meter Replacement Program - 20/21		100225	100,000.00	-	100,000.00
006060	Gordonbrook Dam AFC Design Works		100227	200,000.00	-	200,000.00
006093	KWS-WMR-Youngman St Nth		100227	175,000.00	-	175,000.00
006094	KWS-WMR- Reen St		100227	100,000.00	-	100,000.00
<b>Sub Activity Subtotal</b>				<b>1,675,000.00</b>	<b>733,118.30</b>	<b>2,408,118.30</b>
<b>Water - Murgon</b>						
006058	Murgon-ACM Replacment		100229	100,000.00	-	100,000.00
<b>Sub Activity Subtotal</b>				<b>100,000.00</b>	<b>-</b>	<b>100,000.00</b>
<b>Water - Preston</b>						
006055	Preston-SCADA Platform Update	62	100231	250,000.00	-	250,000.00
006059	Preston-ACM Replacement		100231	175,000.00	-	175,000.00
<b>Sub Activity Subtotal</b>				<b>425,000.00</b>	<b>-</b>	<b>425,000.00</b>
<b>Water - Wondai</b>						
005318	Wondai-Scott St Reservoir-Roof		100233	-	183,631.39	183,631.39
006056	Wondai-SCADA Platform Update	62	100233	50,000.00	-	50,000.00
006080	WWS-WMR-Haly St (Hodge/Scott)		100233	300,000.00	-	300,000.00
<b>Sub Activity Subtotal</b>				<b>350,000.00</b>	<b>183,631.39</b>	<b>533,631.39</b>
<b>Activity Total</b>				<b>3,000,000.00</b>	<b>1,041,749.69</b>	<b>4,041,749.69</b>
<b>Wastewater Services</b>						
<b>Wastewater - General</b>						
005825	Regional-Arc Flash Compliance Wastewater		100275	-	125,000.00	125,000.00
005826	Update Scada/Cyber Security		100275	-	99,026.50	99,026.50
<b>Sub Activity Subtotal</b>				<b>-</b>	<b>224,026.50</b>	<b>224,026.50</b>

Project Code	Project Description	Corporate Plan Link - Primary	Financial Project	2020/2021 Adopted Budget	2019/2020 Work in Progress	Total Available Budget
<b>Wastewater - Kingaro</b>						
004904	Mains & Manholes - Network Renewals Kr	64	100236	-	99,940.38	99,940.38
006095	KWW- Sewer Replacement Works		104626	2,385,000.00	-	2,385,000.00
			<b>Sub Activity Subtotal</b>	<b>2,385,000.00</b>	<b>99,940.38</b>	<b>2,484,940.38</b>
<b>Wastewater - Murgon</b>						
004905	Mains & Manholes - Network Renewals	64	100237	-	535,724.27	535,724.27
			<b>Sub Activity Subtotal</b>	<b>-</b>	<b>535,724.27</b>	<b>535,724.27</b>
<b>Wastewater - Nanango</b>						
004906	Mains and Manholes - Network Renewals	64	100238	-	655,795.09	655,795.09
005827	WWTP Reconfiguration - Nanango		100238	-	-	-
006096	NWW- Sewer Replacement Works		100238	1,050,000.00	-	1,050,000.00
			<b>Sub Activity Subtotal</b>	<b>1,050,000.00</b>	<b>655,795.09</b>	<b>1,705,795.09</b>
<b>Wastewater - Wondai</b>						
004907	Mains & Manholes -Network Renewal Wor	64	100240	-	456,881.39	456,881.39
005165	Wondai-Recycled Water Plant Upgrade	64	100240	-	338,343.53	338,343.53
006064	Wondai-SCADA-STP/WWTP		100240	300,000.00	-	300,000.00
			<b>Sub Activity Subtotal</b>	<b>300,000.00</b>	<b>795,224.92</b>	<b>1,095,224.92</b>
			<b>Activity Total</b>	<b>3,735,000.00</b>	<b>2,310,711.16</b>	<b>6,045,711.16</b>
<b>Waste</b>						
<b>Waste Management - R</b>						
005488	Kingaroy-Landfill-Land Acquisition		100241	-	9,919.64	9,919.64
005849	Kingaroy-Liquid Waste Facility		100241	-	-	-
005850	Maidenwell-Transfer Station		100241	350,000.00	-	350,000.00
			<b>Sub Activity Subtotal</b>	<b>350,000.00</b>	<b>9,919.64</b>	<b>359,919.64</b>
			<b>Activity Total</b>	<b>350,000.00</b>	<b>9,919.64</b>	<b>359,919.64</b>
				<b>38,228,662.00</b>	<b>7,370,809.29</b>	<b>45,599,471.29</b>

**8.8 TENDER CONSIDERATION PLAN FOR COUNCIL HEALTH CARE PROVIDERS****File Number: 16-09-2020****Author: Strategic Procurement Coordinator****Authoriser: Chief Executive Officer****PRECIS**

This report sets out the legislative requirements and provides recommendations for Council in relation to the engagement of Health Care Providers to meet council requirements.

**SUMMARY**

Council is seeking the ability to enter into arrangements with a number of health care providers in various towns throughout the South Burnett Region to ensure access to quality health care professionals for Council employees as well as maintain value for money outcomes for Council.

Council wishes to depart from the standard tendering process for health care providers used by its employees and undertake procurement and contracting by way of a tender consideration plan to establish a panel network of health care providers and services offered.

**OFFICER'S RECOMMENDATION**

That pursuant to Section 230 of the *Local Government Regulation 2012*, Council receives and adopts the Tender Consideration Plan as tabled.

**FINANCIAL AND RESOURCE IMPLICATIONS**

This strategy is considered to be of no risk to Council's financial capacity, and the overall benefit for local health care providers and the community outweigh the conventional delivery method for this type of procurement.

There are no financial and/or resource implications as Council is not committed to using any of the suppliers on the Health Care Provider arrangements. The use of these providers are included in the current budgets, if required.

**LINK TO CORPORATE/OPERATIONAL PLAN**

EXC1: Effective financial management:

EXC1.1: Ensure Council's financial management planning is based on realistic, sustainable, equitable policies and practices

EXC2.1: Effective corporate management

EXC2.1: Deliver governance that provides sound organisational management and complies with relevant legislation.

EXC2.2: Appropriately resource the organisation to deliver Council's strategic objectives

EXC3: A skilled and sustainable workforce

EXC3.1: Deliver contemporary human resource practices

EXC3.2: Promote a 'zero harm' environment through implementation of Council's Workplace Health Safety Plan

EXC4: Effective advocacy and strategic partnerships

EXC4.1: Develop and maintain productive working relationships with relevant stakeholders



**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Manager People & Culture and Council's Return to Work and Rehabilitation Officer in consultation with the Strategic Procurement Coordinator developed the specifications required to engage Health Care Providers.

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

Section 230 of the *Local Government Regulation 2012*

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

Not applicable.

**ASSET MANAGEMENT IMPLICATIONS**

Not applicable.

**REPORT**

There is currently limited access to quality health care services in some areas within the South Burnett region (particularly in relation to specialised services) and there is also a considerable degree of uncertainty in relation to cost, given it is not common practice to request quotes for the provision of health care services, particularly where services are required at short notice.

Alternative means to this Tender Consideration Plan to meet Council objectives could be to continue with the status quo approach of purchasing health care services, some of which would, over a twelve (12) month period, amount to a medium-sized contractual arrangement requiring Council to implement the default contracting procedures under the *Local Government Act 2012* and *Local Government Regulation 2009*.

The status quo approach is inflexible in how Council procures health care providers and their respective services.

The arrangement will be established by undertaking an Expression of Interest (EOI) approach to market and preparing a shortlist of respondents and further inviting written tenders from those persons. Council will accept the tenders most advantageous to Council, having regard to the sound contracting principles.

The framework will be established with flexibility to enable on-boarding of health care providers during the term (subject to established criteria being met) to allow additional health care providers to be included in the framework (e.g. new entrants or specialised services to be added) or existing providers to be removed where this is considered appropriate (e.g. due to quality of services or other circumstances). The Tender Consideration Plan will establish this with a twelve (12) month framework term with an option to extend it up to another twelve (12) months.

The objectives of the plan are to assist Council to engage health care providers that Council employees can be sent to for a range of medical needs by selecting providers in a broad number of locations with the aim to having at least one provider per town in the South Burnett Region.

It has been identified that a panel arrangement of health care providers could be more advantageous to Council due to:

- more readily available services for each town within the region;
- financial risk mitigation of multiple providers due to the historical instability of the health care market within the region;
- reduction of a reputation or public image risk if Council officers were assumed to be circumventing the procurement process.

**ATTACHMENTS**

1. **Tender Consideration Plan Health Care Services** [↓](#) 

## 1.

**South Burnett Regional Council - Tender Consideration Plan for Council Health Care Providers**

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<b>Date</b>	19 August 2020
<b>Subject</b>	Tender Consideration Plan for Council Health Care Providers (prepared in accordance with regulation 230 of the <i>Local Government Regulation 2012</i> (Qld))
<b>By</b>	Melanie Alexander (Safety Services Officer) Rebecca Humphrey (Manager People and Culture) and  Louise Reidy (Strategic Procurement Coordinator)

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**Background**

Council is seeking the ability to enter into arrangements with a number of health care providers in various towns throughout the South Burnett region to ensure access to quality health care professionals for Council employees as well as to maintain value for money outcomes for Council.

Currently, Council's needs for health care professional services covers:

- Ad hoc services for injured employees (including the need for some employees to travel to obtain services from health care providers not available in their town)
- Pre-employment medical services
- Vaccinations
- Hearing tests and other specialised services (e.g. spirometry).

There is currently limited access to quality health services in some areas within the South Burnett region (particularly in relation to specialised services) and there is also a considerable degree of uncertainty in relation to cost, given it is not common practice to request quotes for the provision of health care services, particularly where services are required at short notice.

As a result, Council wishes to depart from the standard tendering process for health care providers used by its employees, and undertake procurement and contracting by way of a tender consideration plan to establish a panel network of health care providers and services offered. The Tender Consideration Plan will establish this with a 12 month framework term with an option to extend it by up to another 12 months.

The framework will be established with flexibility to enable on-boarding of health care providers during the term (subject to established criteria being met) to allow additional health care providers to be included in the framework (e.g. new entrants or specialised services to be added) or existing providers to be removed where this is considered appropriate (e.g. due to quality of service or other circumstances).

**Objectives of the plan**

This Tender Consideration Plan has been prepared to assist Council to engage health care providers that Council employees can be sent to for a range of medical needs, including:

- (a) pre-employment medical examinations;
- (b) injury management (work related and non-work related)

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- (c) medical examinations required by The Coal Mine Workers' Health Scheme (formerly the Coal Board Medical);
- (d) hearing tests;
- (e) vaccinations;
- (f) spirometry testing;
- (g) fit for work assessments; and
- (h) toxicology screening; and
- (i) skin checks

While this Tender Consideration Plan provides an exemption for Council sourcing health care providers using the standard tendering process, all other areas of the engagement will proceed in accordance Council's procurement policy when carrying out procurement and contracting activities. The proposed framework will have a 12 month term with an option to extend for a period of up to another 12 months. The framework will also need to accommodate flexibility in service providers as new entrants come to the South Burnett region or as new services are required by Council to service the needs of its employees.

This Tender Consideration Plan will ensure that Council officers contract health care providers in a manner that meets probity requirements and the sound contracting principles of:

- (a) value for money;
- (b) open and effective competition;
- (c) the development of competitive local business and industry;
- (d) environmental protection; and
- (e) ethical behaviour and fair dealing.

**How the objectives will be achieved**

The process for the selection, procurement and contracting of the health care providers under the framework is as follows:

- (a) having a simplified expression of interest process for health care providers to submit for participating on the panel arrangement;
- (b) selecting providers in a broad number of locations, with the aim to having at least one provider per town in the South Burnett region. This will have regard to established operators in the South Burnett region and confirming their qualifications and suitability (e.g. by reference to list of providers approved by the Department of Natural Resources, Mines and Energy to carry out functions under the Coal Mine Workers' Health Scheme);
- (c) consulting with health care providers to ensure that quality health care services can be undertaken in a timely and efficient manner (e.g. the ability to make appointments at short notice if a workplace injury occurs);
- (d) consulting with a range of health care providers to ensure that services offered will be cost effective and having agreed pricing for specified services where applicable;
- (e) the Council officer is responsible for ensuring that the consultation process, negotiations and communications generally are fair, equitable and any conflicts of interest are declared and dealt with under probity in accordance with Council's policies; and

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- (f) establishing the framework with flexibility to enable on-boarding of health care providers during the term (subject to established criteria being met) to allow additional health care providers to be included in the framework (e.g. new entrants in the region or specialised services to be added) or existing providers to be removed where this is considered appropriate (e.g. due to consistent poor quality of service or other circumstances).

**How the achievement of the objectives will be measured**

The objectives will be measured by:

- (a) documentation of the procurement process, including documentation supporting adherence to the sound contracting principles and Council's procurement policy;
- (b) establishing a negotiated contract which includes terms and conditions in line with Council requirements;
- (c) regular reporting during the term of the framework to monitor and record the application of the framework and identify areas of improvement or non-compliance;
- (d) establishing appropriate compliance reporting (eg invoicing, provision of deliverables such as certificates and work capacity forms); and
- (e) reviews of the framework to be scheduled every 6 months with Manager P&C, RRTWC and practice manager of the health services provider to assess the quality of the services provided.

**Alternative ways of achieving the objectives and why the alternative ways are not adopted**

There are alternative means of meeting the Council's objectives, namely:

- continue with the status quo approach of purchasing health care services, some of which would, over a 12 month period, amount to a medium-sized contractual arrangement requiring Council to implement the default procurement arrangements under the *Local Government Act* and *Local Government Regulations*;
- utilising any existing contracts made with, or under an arrangement with, a government agency if applicable (eg the Department of Natural Resources, Mines and Energy preferred list of providers to carry out functions under the Coal Mine Workers' Health Scheme);
- consider utilising other applicable exemptions under the *Local Government Regulations*.

The reasons why these options are not being pursued are:

- inflexibility in how Council procures the health care providers and their respective services (e.g. using other applicable exemptions would effectively lock in service providers without the ability to add or remove service providers during the term or add new services where required);
- expected better value for money to be established through a panel arrangement over a defined period of time rather than through ad hoc procurement or procurement on a tender or quote basis strictly in accordance with the default procurement procedures under the *Local Government Regulations*;
- better quality control through the establishment of proper reporting and monitoring of the health care providers as well as a framework that ensures providers are motivated to perform to ensure they remain on the panel and are eligible for any extended term; and
- efficiency in procuring once the panel arrangement is established, particularly where there are regular services being procured (e.g. vaccinations) or where response times are important (e.g. for better injury management and reduction of lost time injuries).

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**1.****The proposed terms of the contract for the goods or services**

Each health care service provider will be engaged for a period of 12 months with a right for Council to extend the framework for a period of up to 12 months.

There will be an overall agreement with each health care provider to confirm the framework for the panel network, which terms will outline the terms of being on the panel, the services that can be accessed from the health care provider and pricing, as applicable. For each individual service offering, standard terms for the provision of that service will be agreed under the panel (which may include, where considered appropriate having regard to the sound contracting principles, health care providers own terms and conditions.

**Risk analysis of the market from which the goods or services are to be obtained**

The panel arrangement of health care providers contains a vast range of services required by Council, therefore the following risk areas within the health services market have been identified and will be mitigated through the pre-qualification process ensuring providers can sufficiently demonstrate risk management processes:

- (a) consumer engagement;
- (b) cybersecurity;
- (c) patient privacy and safety; and
- (d) timeliness and quality of services being performed

It has been identified that a panel arrangement of health care providers could be more advantageous for Council due to:

- more readily available services for each town within the region;
- financial risk mitigation of multiple providers due to the historical instability of the health care market within the region;
- reduction of a reputation or public image risk if Council officers were assumed to be circumventing the procurement process

The engagement will be aimed at having a positive impact on Council's financial capacity, and is expected to improve the overall benefit for the community, which benefit is expected to outweigh the conventional delivery method for this type of procurement.

**8.9 QUOTE SBRCQ-20/21-08 - REPLACEMENT OF WASTE HOOKLIFT TRUCK [PLANT 2019]****File Number:** 16-Sep-2020**Author:** Coordinator Plant and Fleet**Authoriser:** Chief Executive Officer**PRECIS**

Quote SBRCQ-20/21-08 for the replacement and purchase a new Waste Hooklift Truck.

**SUMMARY**

Council engaged Local Buy to prepare tender documentation and obtain written quotes from Fuso Trucks, Scania Trucks and Volvo Trucks.

**OFFICER'S RECOMMENDATION**

That Council purchase a Fuso Hooklift Truck for the sum of \$300,612.37 plus GST from Daimler Trucks Toowoomba.

**FINANCIAL AND RESOURCE IMPLICATIONS**

The cost for purchase of this truck is within the allocated budget.

**LINK TO CORPORATE/OPERATIONAL PLAN**

EXC2.2 - Appropriately resource the organisation to deliver Council's strategic objectives.

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Council's Coordinators and Supervisors from Waste Services and Plant and Fleet evaluated the tenders.

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

Nil. Vehicle will be checked at delivery and invoice processed for payment. Warranties apply.

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

In accordance with the Procurement Policy.

**ASSET MANAGEMENT IMPLICATIONS**

Lower maintenance and downtime as Council replaces its aging plant.

**REPORT**

Council engaged Local Buy to prepare tender documentation and obtain written quotes from Fuso Trucks, Volvo Trucks and Scania Trucks to replace Council's Hooklift Truck [Plant 2019] which is used in Kingaroy Waste Facility and throughout the South Burnett Regional Council area.

Council has three Waste Hooklift Trucks: Plant 2001, 2019 and 2036.

**Scania Trucks**

Did not respond.

**Volvo Trucks**

Did not respond.

**Fuso Trucks**

RGM Maintenance Rockhampton

RGM Maintenance Rockhampton submitted a quote that was addressed to another Council.

This quote was not for the requested specification.

RGM were contacted regarding the wrong quote being submitted. There was initial interest in quoting and why RGM Maintenance Rockhampton contacted Palfinger for a quote on the Hook Lift attachment.

RGM decided not to submit a quote.

RGM are unaware how their quote for another Council for a different item of plant was submitted to the South Burnett Regional Council through Vendor Panel.

Daimler Trucks Toowoomba

Daimler Trucks Toowoomba were the only dealer that submitted a quote for a truck with the required specification.

Council already owns a truck in this configuration and have found it very reliable.

**Recommendation**

It is recommended that Council purchase the Fuso Shogun Truck fitted with the Palfinger T22 Dino Hooklift body for a total cost of \$300,612.37 plus GST.

Plant 2019 will be sold by a public auction.

The following quotes were received:

**All prices exclude GST.**

**SBRCQ-20/21-08**

Make	<b>Daimler Trucks Toowoomba</b>	RGM Maintenance Rockhampton	Volvo Trucks	Scania Trucks
Model	<b>Fuso Shogun Truck fitted with a Palfinger T22 Dino Hooklift body</b>	Submitted quote that was not for the requested specifications	Did not respond	Did not respond
TOTAL	<b>\$300,612.61</b>			

**ATTACHMENTS**

**Nil**

**9 PORTFOLIO – ROADS & DRAINAGE**

**9.1 ROADS & DRAINAGE PORTFOLIO REPORT**

**File Number:** 16-09-2020

**Author:** Councillor

**Authoriser:** Chief Executive Officer

**PRECIS**

Roads & Drainage Portfolio Report

**SUMMARY**

Cr Jones presented his Roads & Drainage Portfolio Report to Council.

---

**OFFICER'S RECOMMENDATION**

That Cr Jones's Roads & Drainage Portfolio Report to Council be received.

**BACKGROUND**

Nil

**ATTACHMENTS**

Nil



## **9.2 KINGAROY TRANSFORMATION COUNCIL COMMUNITY REFERENCE GROUP TERMS OF REFERENCE**

**File Number:** 16/09/2020  
**Author:** Administration Officer  
**Authoriser:** Chief Executive Officer

### **PRECIS**

Kingaroy Transformation Council Community Reference Group Terms of Reference

### **SUMMARY**

The Kingaroy Transformation Project is a major renewal and upgrade for the South Burnett Regional Council within the Kingaroy CBD. The project involves a coordinated design and construction program that requires extensive community engagement to underpin its success. The formation of a Council Community Reference Group will be pivotal in achieving open and consistent communication with all stakeholders and the people of the South Burnett Region.

### **OFFICER'S RECOMMENDATION**

That Council adopt the terms of reference for the Kingaroy Transformation Council Community Reference Group.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

Resources for the Council Community Reference Group will be utilised from the existing project team.

### **LINK TO CORPORATE/OPERATIONAL PLAN**

EC1.1 – Develop a range of initiatives to engage and inform the community.

### **COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

The formation of the Council Community Reference Group has been undertaken with consultation between Councillors, Officers and the Kingaroy Chamber of Commerce and Industry. The need for the group has been identified in previous projects where continued community consultation was undertaken to support substantial infrastructure projects.

### **LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

The group has no formal decision making power and is an advisory group to Council Officers.

### **POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

The group is formed with consideration given to the following Council policies:

- Conduct of Council & Committee Meetings Policy;
- Acceptable Request Guidelines Policy;
- Employee Conflict of Interest Policy;
- Councillor Code of Conduct Policy;
- Employee Code of Conduct Policy;
- Fraud and Corruption Prevention Management Policy; and
- Council Portfolio Policy.

### **ASSET MANAGEMENT IMPLICATIONS**

N/A

## REPORT

The Kingaroy Transformation Project (KTP) is a significant infrastructure renewal and upgrade project which will deliver significant human, social, economic and infrastructure outcomes for the South Burnett. A project of this nature is complex with design and construction coordination and a 'fit for purpose' project structure has been implemented for the delivery and consultation programs.

The project will require significant ongoing consultation and engagement with stakeholders and all people in the South Burnett for the life of the project, and the project team will rely on Councillors and members of the community to develop effective communications. It is recommended that Council form a Council Community Reference Group (CCRG) to assist the project team in the development and implementation of the KTP consultation program.

The group would have no formal decision making power for the project, but would form an invaluable partnership with Council officers in underpinning the project's success. The CCRG would operate under a terms of reference and provide coordinated support with the following key objectives:

- To ensure consistent and coordinated messaging and promotion of the project;
- To assist with development and implementation of the Kingaroy Transformation Project Community Engagement Strategy;
- To identify opportunities to maximise traction in Community Relations;
- To inform the Program Management Team on community feedback;
- To promote the positive outcomes that will be realised as a result of the KTP and other related projects; and
- To effectively communicate the project to key stakeholders and community.

## ATTACHMENTS

1. **CCRG Terms of Reference** [↓](#) 
2. **Kingaroy Transformation Project Structure** [↓](#) 



ECM ID: "ECM ID"  
 MINUTE NUMBER: [Minute Number]  
 ADOPTED ON/SIGN OFF DATE: [Date]

# Council Community Reference Group Terms of Reference

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**1. INTRODUCTION**

Council has established a Council Community Reference Group (CCRG) to assist with with community engagement objectives in relation to the Kingaroy Transformation Project (KTP).

**2. OBJECTIVES**

- To ensure consistent and coordinated messaging and promotion of the project
- To assist with development and implementation of the Kingaroy Transformation Project Community Engagement Strategy
- To identify opportunities to maximise traction in Community Relations
- To inform the Program Management Team on community feedback
- To promote the positive outcomes that will be realised as a result of the KTP and other related projects
- To effectively communicate the project to key stakeholders and community

**3. DUTIES AND RESPONSIBILITIES**

The primary responsibility is to provide guidance and recommendations to the Project Sponsor and KTP Delivery Team through the CCRG for the effective implementation of the Community Engagement Strategy.

The CCRG, is an advisory group which will work in a coordinated manner to ensure that the KTP Team is aware of the issues which affect people during project delivery.

The CCRG and members are not to engage in public consultation or engagement activities without the express authorization of the Project Sponsor or Chief Executive Officer.

**4. MEMBERSHIP**

The CCRG consists of the following membership appointed by Council;

- Mayor,

- Divisional Councillor, Community, Arts, Heritage, Sport & Recreation Portfolio Councillor
- Portfolio Councillor for Roads and Drainage
- Portfolio Councillor Water & Wastewater
- Portfolio Councillor for Economic Development
- Chief Executive Officer (CEO)
- General Manager Infrastructure (GMI) – Project Sponsor
- KTP Program Manager
- KTP Assistant Program Manager
- KTP Community Liaison Officer (Secretariat)
- KCCI Executive Member Representative
- KCCI Nominated Owners and Traders Representative

The following Councillors will be Optional Attendees;

- Portfolio Councillor for Rural Resilience, Parks & Gardens, Property & Facility Management, Indigenous Affairs
- Portfolio Councillor Rural Services. Natural Resource Management, Planning, Compliance Services

The Mayor will be appointed to the role of Committee Chairperson. The Divisional Councillor shall be appointed to the Committee as Deputy Chair.

The KTP Community Liaison Officer will perform the duties of Secretariat.

Council at any time may appoint a stand-in or replacement external member representative to the committee. Council will appoint the members based on Council and Industry representation.

The Chief Executive Officer (or delegate) is appointed to the Committee as an ex-officio member. The Committee may invite other Council Officers or other relevant attendees and stakeholders to attend meetings as necessary.

## 5. MEETINGS

### Notice of Meetings

- The Chairperson in consultation with the KTP Program Manager and members may determine the dates and times for meetings. All Meetings will be held in Kingaroy at the KTP Program Officer or other Council meeting venues within Kingaroy.
- The agenda will be prepared and circulated among members and attendees at least three (3) days prior to the meeting.

### Quorum

- A quorum shall consist of at least half of the members of the Committee plus one.

### Report

- The CCRG will report to the GMI through the KTP Program Manager and shall an update to Council as part of the Monthly Council Infrastructure Update Report.

## 6. ETHICAL CONDUCT

Committee members must exercise transparency, integrity, honesty, objectivity and ethical conduct in the fulfilment of their duties and responsibilities. Members must ensure confidentiality, exercise prudence, care and due diligence in the handling of Council and personal information acquired in the course of their duties.

Members must immediately declare to the Chairperson any interest that may represent a real, potential or apparent conflict of interest related to their Committee membership. In case of a conflict of interest involving the Chairperson, declaration to the Chief Executive Officer is required. The declaration must be made on appointment to the Committee and in relation to specific agenda items at the outset of each Committee meeting and be updated as necessary.

#### **7. COMMITTEE EVALUATION**

The Committee will conduct an annual self-assessment to evaluate its performance and ensure the efficient and effective achievement of objectives. The assessment will confirm that all duties and responsibilities indicated in these terms of reference have been performed. The Chairperson will take necessary action to ensure that enhancements and recommendations highlighted in the assessment are properly implemented.

#### **8. LEGISLATIVE REFERENCE**

*Local Government Act 2009*

*Local Government Regulation 2012*

*Crime and Corruption Act 2001*

#### **9. RELATED POLICIES/PROCEDURES**

Conduct of Council & Committee Meetings Policy

Acceptable Request Guidelines Policy

Employee Conflict of Interest Policy

Councillor Code of Conduct Policy

Employee Code of Conduct Policy

Fraud and Corruption Prevention Management Policy

Council Portfolio Policy

#### **10. NEXT REVIEW**

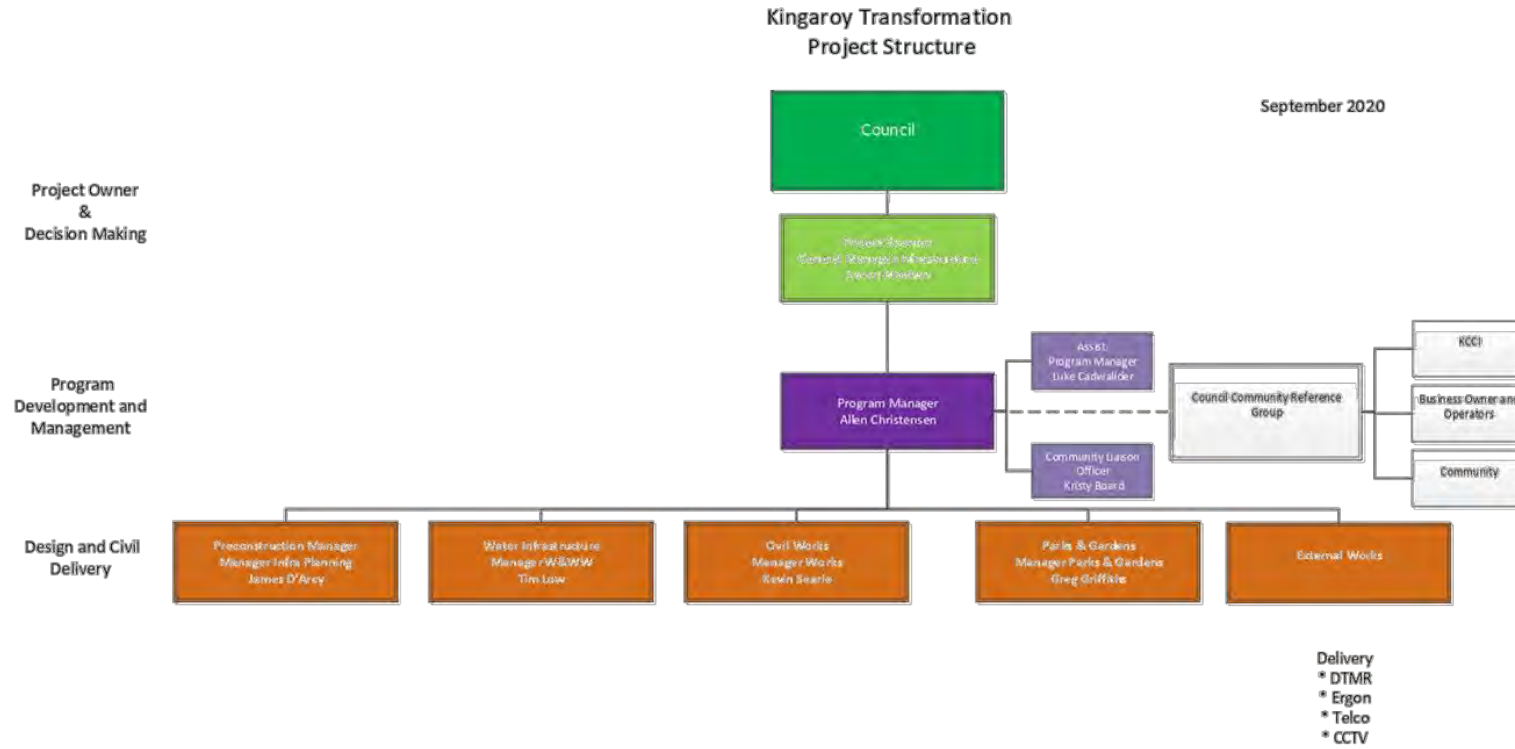
December 2020

**11. VERSION CONTROL**

Version	Revision Description	Approval Date
1	Development and Adoption	
2	Review	

\_\_\_\_\_  
 Mark Pitt  
 CHIEF EXECUTIVE OFFICER

\_\_\_\_\_  
 Date



**9.3 WORKS - APPLICATION FOR PROPOSED PERMANENT ROAD CLOSURE OF UNNAMED ROAD WONDAI ADJACENT TO KEMP STREET THAT JOINS LOT 106 SP212971 PARKSIDE BUILDING SUPPLIES PTY LTD**

**File Number:** 16/09/2020  
**Author:** Administration Officer  
**Authoriser:** Chief Executive Officer

**PRECIS**

Application for permanent road closure adjacent to Kemp Street, Wondai that adjoins Lot 106 SP212971

**SUMMARY**

An application for permanent road closure of an un-named road, adjacent to Kemp Street, Wondai that adjoins Lot 106 SP212971 has been received, requesting Council to make comment on this proposal.

---

**OFFICER'S RECOMMENDATION**

That Council offers no objections to the permanent road closure of the un-named road adjacent to Kemp Street, Wondai that adjoins Lot 106 SP212971 and this section of road be amalgamated into lot 106 SP212971 with reference to Attachment A: Plan of proposed part road closure.

**FINANCIAL AND RESOURCE IMPLICATIONS**

N/A

**LINK TO CORPORATE/OPERATIONAL PLAN**

N/A

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Communication and consultation have occurred internally with the following Council branches:

- Property
- Roads and Drainage
- Water & Wastewater
- Planning & Land Management

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

N/A

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

N/A

**ASSET MANAGEMENT IMPLICATIONS**

N/A

**REPORT**

An application for the permanent road closure of an un-named road adjacent to Kemp Street, Wondai that adjoins Lot 106 SP212971 has been received and to be amalgamated into Lot 106 SP212971 to create a larger parcel for potential future expansion. This section of road separates Lot 106 SP212971 in two (2) and is currently owned by Parkside Building Supplies Pty Ltd. This section of road is currently unmaintained and unused by Council.



Reference is made to Attachment A and B showing the un-named road adjacent to Kemp Street, Wondai that adjoins Lot 106 SP212971.

It is recommended that Council offers no objections to the permanent road closure of the un-named road adjacent to Kemp Street, Wondai that adjoins Lot 106 SP212971 and this section of road be amalgamated into lot 106 SP212971 with reference to Attachment A: Plan of proposed part road closure.

#### **ATTACHMENTS**

1. **Attachment A - Plan of Proposed Road Closure** [!\[\]\(f15d3c54be60b4fd0ce1da9fb3f67256\_img.jpg\)](#) 
2. **Attachment B - Queensland Globe Image of Proposed Road Closure** [!\[\]\(2bcc37677ea6b96900e4d746ad300082\_img.jpg\)](#) 

**Attachment A:** Plan of proposed road closure



This plan is conceptual and for discussion purposes only. All areas, dimensions and land uses are preliminary, subject to investigation, survey, engineering, and Local Authority and Agency approval.

**Attachment B:** Queensland Globe, image of proposed road closure



#### **9.4 WORKS - REQUESTING COUNCIL NAME INDUSTRIAL ESTATE LOCATED ON RETSCHLAG STREET MURGON TO BOTTLE TREE ESTATE**

**File Number:** 16/09/2020

**Author:** Administration Officer

**Authoriser:** Chief Executive Officer

#### **PRECIS**

Requesting Council to name the Industrial Estate located on Retschlag Street Murgon to Bottle Tree Industrial Estate.

#### **SUMMARY**

A request has been received requesting Council to name the Industrial Estate located on Retschlag Street, Murgon to Bottle Tree Industrial Estate.

---

#### **OFFICER'S RECOMMENDATION**

That Council names the industrial estate located on Retschlag Street, Murgon to Bottle Tree Industrial Estate with the following conditions:

1. The applicant bears all cost associated with the sign;
2. The applicant must give the local government specified indemnities and take out and maintain insurance against personal injury and property damage. This includes taking out and maintain public liability insurance cover in an amount not less than \$10,000,000.00;
3. The sign is to be:
  - a. Located within the Retschlag Street, road reserve;
  - b. Maximum size of 1.2m high and 2.4m long;
  - c. As shown in attachment A, B and C;
  - d. Not cause a nuisance and must not cause obstruction of, or distraction to, pedestrian or vehicular traffic;
  - e. Apply to Council's Works Branch for any changes to the approved sign;
  - f. Plans (sign, footings and structure) are to be certified by an RPEQ (Registered Professional Engineer of Queensland). The certified plans must be issue to Council before construction works commence;
  - g. Installation works must be under the direct supervision of an RPEQ and a Certificate of Completion, certifying the sign has be installed in accordance with industry standards and plan must be provided to Council on completion of the works;
4. Council reserves the right at any time, to request the repair, removal or relocation of the sign with all costs to be borne by the asset owner;
5. A Permit to Work on Council Roads or Footpaths must be completed and approved before the works can commence; and
6. Seek advice from the Department of Transport and Main Roads in relation to this sign to confirm any requirement they have.

#### **FINANCIAL AND RESOURCE IMPLICATIONS**

N/A

#### **LINK TO CORPORATE/OPERATIONAL PLAN**

N/A

#### **COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Consultation has been undertaken with the Divisional Councillor with no objections to the proposed naming of the industrial estate located on Retschlag Street, Murgon to Bottle Tree Industrial Estate.

The Divisional Councillor also consulted with the adjoining landholders as well as the relevant stakeholders. All that were consulted were happy to call the area Bottle Tree Industrial Estate.

### **LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

N/A

### **POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

This proposal has been assessed against Council's Infrastructure Asset Naming policy.

### **ASSET MANAGEMENT IMPLICATIONS**

N/A

### **REPORT**

A request has been received requesting Council to name the Industrial Estate located on Retschlag Street, Murgon to Bottle Tree Industrial Estate.

The request has originated from the original developer Selwyn and Jacquelyn Retschlag. The land was subdivided in 1986 and subsequently the street has been named Retschlag Street.

The following information has been provided by the applicant who is requesting the renaming of the reserve:

*The naming of the estate to 'Bottle Tree Industrial Estate' represents the large narrow leaf bottle tree that is located at the end of the estate and represents the last remaining remnant of the soft wood scrub that previously grew there.*

The proposed sign shown in appendix A, and consists of four (4) 25mm stainless steel square tubing mounted on a fixed concrete block wall, that is approximately 1.2m high and 2.4m long. The letter sizing is proposed to be 500mm with *'established by Selwyn and Jacquelyn Retschlag 1986'* in smaller lettering mounted in the middle.

The location is shown in attachment B and C. The sign is proposed be installed on the western side of Retschlag Street, within Council road reserve.

Consultation has been undertaken with the Divisional Councillor with no objections to the proposed naming of the industrial estate located on Retschlag Street, Murgon to Bottle Tree Industrial Estate. The Divisional Councillor also consulted with the adjoining landholders as well as the relevant stakeholders, all were happy to call the area Bottle Tree Industrial Estate.

By considering Council's Infrastructure Asset Naming Policy, and public consultation undertaken by the Divisional Councillor, it is recommended that Council names the industrial estate located on Retschlag Street, Murgon to Bottle Tree Industrial Estate with the following conditions:

1. The applicant bears all cost associated with the sign;
2. The applicant must give the local government specified indemnities and take out and maintain insurance against personal injury and property damage. This includes taking out and maintain public liability insurance cover in an amount not less than \$10,000,000.00.
3. The sign is to be;
  - a. Located within the Retschlag Street, road reserve;
  - b. Maximum size of 1.2m high and 2.4m long;
  - c. As shown in appendix A, B and C;
  - d. Not cause a nuisance and must not cause obstruction of, or distraction to, pedestrian or vehicular traffic;
  - e. Apply to Council Works Branch for any changes to the approved sign;
  - f. Plans (sign, footings and structure) are to be certified by an RPEQ (Registered Professional Engineer of Queensland). The certified plans must be issue to Council before construction works commence;
  - g. Installation works must be under the direct supervision of an RPEQ and a Certificate of Completion, certifying the sign has be installed in accordance with industry standards and plan must be provided to Council on completion of the works;

4. Council reserves the right at any time, to request the repair, removal or relocation of the sign with all costs to be borne by the asset owner;
5. A Permit to Work on Council Roads or Footpaths must be completed and approved before the works can commence; and
6. Seek advice from the Department of Transport and Main Roads in relation to this sign to confirm any requirement they have.

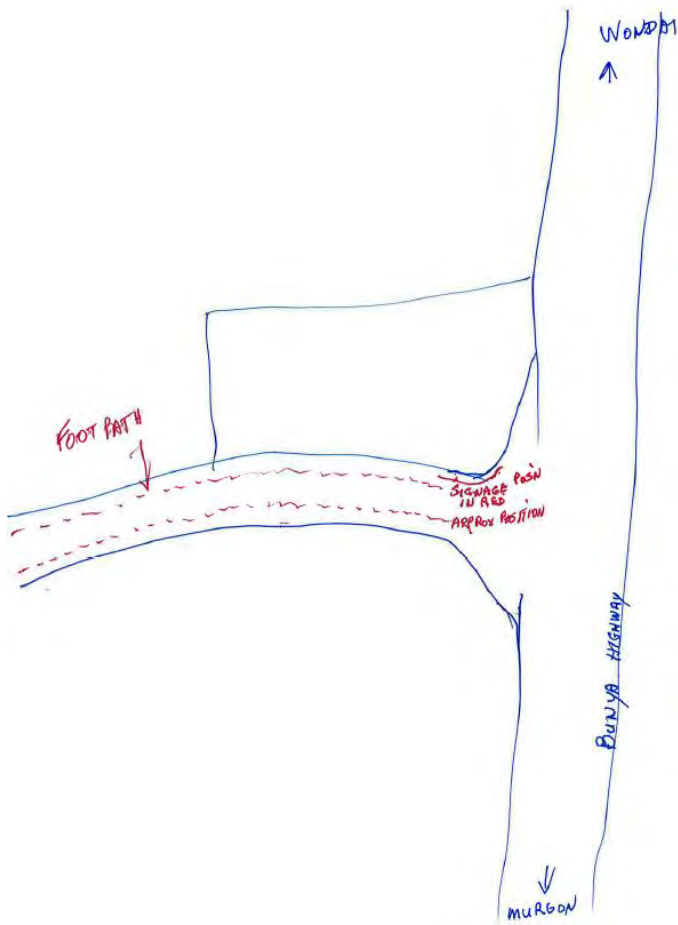
#### **ATTACHMENTS**

1. **Attachment A - Proposed Sign supplied by Applicant** [!\[\]\(756219e9389f679d57027482aa5cf5fc\_img.jpg\)](#) [!\[\]\(fcb77b2d9531d23794a07d244b7a89bc\_img.jpg\)](#)
2. **Attachment B - Proposed Location supplied by Applicant** [!\[\]\(8175e06aff05874f50e11ffc448e6860\_img.jpg\)](#) [!\[\]\(d7fb7ebced2c712ed3052caf75d30501\_img.jpg\)](#)
3. **Attachment C - Queensland Globe proposed Sign Location** [!\[\]\(d0fe824e371dd316453cda01cf34ca98\_img.jpg\)](#) [!\[\]\(d1a2681fe7bfd4d9525bb4cc91a3e465\_img.jpg\)](#)
4. **Attachment D - Infrastructure Asset Naming Policy** [!\[\]\(8b973f5add5af5083ee0afc186cd5414\_img.jpg\)](#) [!\[\]\(a60687ab372714f0e840dc74a221d5b2\_img.jpg\)](#)

Attachment A: Proposed sign supplied by applicant.

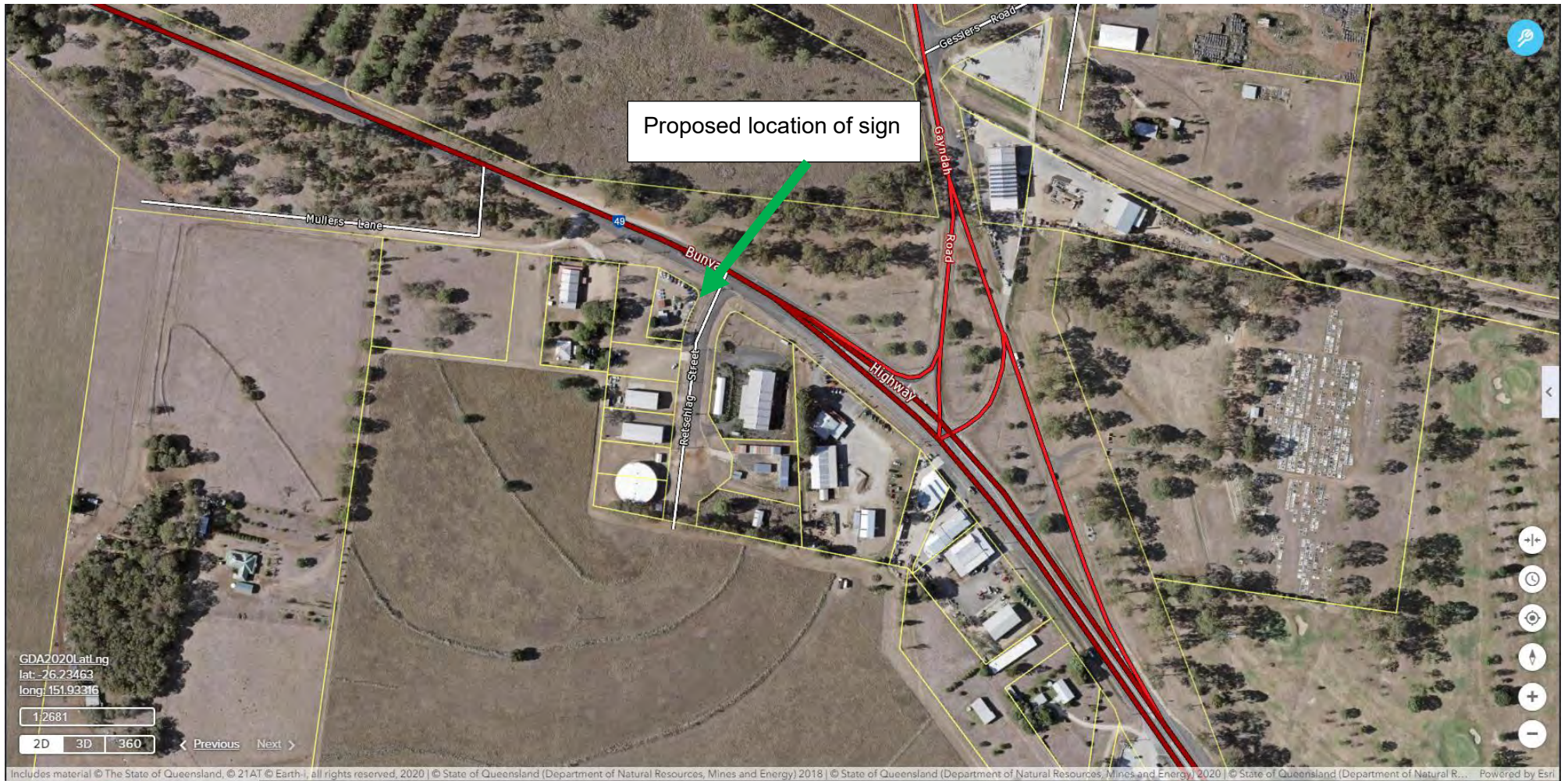


**Attachment B:** Proposed location supplied by applicant.





Attachment C: Queensland Globe, proposed location of sign



**Attachment D:** Infrastructure Asset Naming Policy



**South Burnett**  
Regional Council

IR NUMBER: 2325103  
MINUTE NUMBER: 14777  
ADOPTED ON: 15 March 2017

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## Infrastructure Asset Naming Policy

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### 1. POLICY STATEMENT

To ensure there is a consistent approach to infrastructure asset naming throughout the South Burnett Regional Council.

### 2. SCOPE

This policy applies to all existing and proposed infrastructure assets inclusive of gazetted and private assets in the South Burnett region that are under the control of the South Burnett Regional Council.

### 3. POLICY OBJECTIVES

The purpose of this policy is to:

- Ensure a systematic process for the naming or renaming of infrastructure assets within the South Burnett region;
- Provide consistent guidelines for developers, the community and Council when allocating new names or changing the name of existing assets within the region;
- Ensure asset names are appropriate, will stand the test of time and where suitable, are of local or historical significance;

### 4. BACKGROUND AND/OR PRINCIPLES

Council has the responsibility of providing infrastructure assets with names that comply with the principles in this document and ensuring that they:

- Are suitable in name, length and spelling as to not hinder emergency services and the general public;
- Are not offensive;
- Are not duplicated within the region; and
- Are suitable for their location.

## 5.1 Public Consultation

Communication and consultation with affected parties is required to a level that is appropriate for the residents or business at hand. The appropriate level of consultation for the processes covered by this Policy is defined herein.

### a) Comments

Where consultation is deemed necessary, Council will engage the public and give consideration to comments from the stakeholders.

### b) Adjoining Councils

If Council proposes to change the name of a gazetted road that runs into the area of, or along the boundary of an adjoining Council, the adjoining Council must be given reasonable notice of the proposal, and any representations made by the adjoining Council in response to the notice must be considered by Council.

## 5.2 Principles for Choosing a Name

The following principles are to be considered when choosing names for infrastructure assets.

These names should:

- Be selected from the Council approved list of preferred names
- Reflect the heritage of the locality
- Identify one of the characteristics of the place
- Recognise pioneers of the area or persons who have had a long association with the locality
- Acknowledge names of persons who have given significant community service within the Region; such as past Councillors who have served no less than ten (10) years on this Council, including the respective Councils superseded by the South Burnett Regional Council (ie. Kingaroy, Murgon, Nanango or Wondai)
- Follow a theme through an estate, eg famous people, colours, flora or fauna species
- Be a derivative of a nearby or adjoining existing name

Such names should preferably:

- Be capable of easy pronunciation
- Avoid confusing one name with another, e.g. through similar spelling or pronunciation
- Not suffix a compass point (e.g. North, South, East or West) to the same name unless the two roads are adjoining and directly linked, such as either side of a major road or either side of a river or creek linked by a bridge, culvert or causeway
- Not have been used elsewhere in the Region
- Retain the same name when crossing Council boundaries
- Not be difficult to spell
- Not be difficult to interpret
- Not be very long
- Avoid using more than one word in a road name
- Not include initials with a surname
- Not be hyphenated words
- Not be plural or possessive in nature
- Not be seen to be offensive

Consultation should occur with the Mayor and the divisional Councillor and with any local group that may possess a potential interest.

---

**10 PORTFOLIO – COMMUNITY, ARTS, HERITAGE, SPORT & RECREATION**

**10.1 COMMUNITY, ARTS, HERITAGE, SPORT AND RECREATION PORTFOLIO REPORT**

**File Number: 16-09-2020**

**Author: Councillor**

**Authoriser: Chief Executive Officer**

**PRECIS**

Community, Arts, Heritage, Sport and Recreation Portfolio Report

**SUMMARY**

Cr Potter presented her Community, Arts, Heritage, Sport and Recreation Portfolio Report to Council.

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**OFFICER’S RECOMMENDATION**

That Cr Potter’s Community, Arts, Heritage, Sport and Recreation Portfolio Report to Council be received.

**BACKGROUND**

Nil

**ATTACHMENTS**

Nil

**11 PORTFOLIO – RURAL SERVICES, NATURAL RESOURCE MANAGEMENT, PLANNING & COMPLIANCE SERVICES**

**11.1 RURAL SERVICES, NATURAL RESOURCE MANAGEMENT, PLANNING AND COMPLIANCE SERVICES PORTFOLIO REPORT**

**File Number: 16-09-2020**

**Author: Councillor**

**Authoriser: Chief Executive Officer**

**PRECIS**

Rural Services, Natural Resource Management, Planning and Compliance Services Portfolio Report

**SUMMARY**

Cr Henschen presented his Rural Services, Natural Resource Management, Planning and Compliance Services Portfolio Report to Council.

---

**OFFICER'S RECOMMENDATION**

That Cr Henschen's Rural Services, Natural Resource Management, Planning and Compliance Services Portfolio Report to Council be received.

**BACKGROUND**

Nil

**ATTACHMENTS**

Nil

**11.2 P&LM - 2625648 - MATERIAL CHANGE OF USE APPLICATION FOR EXPANSION OF EXISTING PIGGERIES AT 161 & 225 ELBOW ROAD AND OTHER PROPERTIES - 13 SP139361, 15-17 FY425 AND OTHER LOTS - APPLICANT: SUNNYSOOK FARMS PTY LTD - MCU19/0011**

**File Number:** MCU19/0011  
**Author:** Senior Planner  
**Authoriser:** Chief Executive Officer

**PRECIS**

Material change of use application for Expansion of existing piggeries at 161 & 225 Elbow Road and other properties - 13 SP139361, 15-17 FY425 and other lots - Applicant: Sunnynook Farms Pty Ltd - MCU19/0011

**SUMMARY**

- Application for Material Change of Use – Development Permit – Intensive animal industry (piggery expansion) over three (3) stages;
- Subject site is including in the Rural zone under the South Burnett Regional Council Planning Scheme v1.3;
- The proposal is impact assessable subject to public notification and triggered assessment against the entire planning scheme which includes:
  - o Strategic framework;
  - o Rural zone code;
  - o Services and works code.
- One (1) public submission was received during the notification period (refer to Attachment D);
- The applicant currently operates a piggery at William Webber Road consisting of 5,200 standard pig units, a piggery at 225 Elbow Road consisting of 3,000 standard pig units and 161 Elbow Road consisting of 1,500 standard pig units;
- The age of the existing piggeries at 225 Elbow Road and 161 Elbow Road has necessitated the land owner/s to consolidate all three (3) piggeries into a single piggery at the William Webber Road site by following a staged approach;
- The William Webber site will be expanded and the final development will result in 28,000 standard pig units with the decommissioning of the two (2) Elbow Road piggeries;
- All sheds will be conventional systems following the consolidation of all sites;
- Ancillary buildings at the Elbow Road site will be maintained for general farming and administration purposes;
- The proposed piggery will be setback over 200m from William Webber Road frontage. Effluent irrigation areas will maintain a 20m buffer from the property boundary;
- The current total standard pig units across the 3 subject sites is of 9,700 standard pig units. The proposed expansion is as follows:
  - o **Stage 1:-**
    - Addition of 8 weaner sheds to William Webber Road Piggery increasing GFA by 6,624.4sqm taking the total capacity to 13,200 standard pig units of William Webber Road Piggery (^8,000 standard pig units);
    - Total capacity 17,700 standard pig units across the 3 sites;
    - No change to the standard pig units at the Elbow Road piggeries;
    - Conversion of deep litter sheds to conventional sheds at William Webber Road (no change in GFA of deep litter sheds are proposed).
  - o **Stage 2:-**
    - Addition of 23 new grower sheds at William Webber Road Piggery increasing GFA by 9,660sqm taking the total capacity to 24,700 standard pig units of William Webber Road Piggery (^16,700 standard pig units);
    - Destocking Elbow Road Piggeries.

- **Stage 3:-**
  - Addition 6 new grower sheds at William Webber Road Piggery increasing GFA by 2,520sqm taking the total capacity to 27,700 standard pig units rounded to 28,000 standard pig units for approval purposes (^3,000 standard pig units).
- Referral to SARA as per Planning Regulation:
  - Schedule 10, Part 5, Division 4, Table 2, Item 1 – Development application for Environmentally Relevant Activities;
  - Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development application exceeding the State transport infrastructure threshold;
  - Schedule 10, Part 9 Division 4, Subdivision 2, Table 4, Item 1 – Development application for material change of use within 25 metres of a State transport corridor
- The proposal is considered to be consistent with the rural zoning of the site and well separated from sensitive receptors in accordance with National Environmental Guidelines for Indoor Piggeries (NEGIP);
- The application has been assessed against the overall outcomes and performance outcomes of the relevant codes and conditioned to comply (refer to Attachment C – Statement of Reasons);
- Application recommended for approval subject to reasonable and relevant conditions.

**OFFICER’S RECOMMENDATION**

That Council approve the Material change of use – development permit for an Intensive animal industry (piggery expansion - Stages 1 to 3) located at Lot 13 on SP139361 – 225 Elbow Road, Lot 4 on SP157518 – 161 Elbow Road, Lot 1 on RP911368 - William Webber Road, Lot 15 on FY425 - 1894 Murgon-Gayndah Road, Lot 16 on FY425 – William Webber Road and Lot 17 on FY425 - William Webber Road subject to the following conditions:

**ALL STAGES – 1 TO 3**

**GENERAL**

GEN1. The development must be completed and maintained generally in accordance with the approved plans and documents and any amendments arising through conditions to this development approval:

Drawing Title	Prepared by	Reference no.	Revision	Date
Proposed Site Plan	Premise	SKA02	D	13/05/20
BPA Layout Weaner Shed	Stockyard Industries	BPWN01082000A00	-	01/08/20
BPA Shed Layout Weaner Shed	Stockyard Industries	BPWN01082000C00	-	01/08/20
BPA Section A-A Weaner Shed	Stockyard Industries	BPWN01082000D00	-	01/08/20S
Constructure [sic] Layout Plan	Bishop Shed- Architectural Drawing	Sheet Number: 01		
Elevation & Section View	Bishop Shed- Architectural Drawing	Sheet Number: 02		
Roof Plan	Bishop Shed	Sheet Number: 03		

		Architectural Drawing			
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**Amendment:** Revise the site plan (SKA02 Rev D) in Appendix A of the Environmental Management Plan (MIS-0577/1903323) to indicate the correct lot and property details where Stages 1-3 will occur.

GEN2. Where there is any conflict between the conditions of approval and the details shown on the approved plans and documents, the conditions of this development approval must prevail.

**FUTHER PERMITS REQUIRED**

GEN3. The development herein approved may not start until the following development permits have been issued and complied with as required:

- Development Permit for Building Works;
- Permit for Plumbing and Drainage Work;
- Development Permit for Operational Works (Site Works, road widening, kerb and channel and associated drainage, landscaping, access driveways, water supply and sewerage discharge sludge collection and removal, stormwater disposal).

**STAGED DEVELOPMENT PERIOD**

GEN4. All stages must be completed within eight (8) years of the development approval starting to have effect.

GEN5. The development (including landscaping, parking, driveway and other external spaces) shall be maintained in accordance with the approved plans, subject to and modified by any conditions of this approval.

**APPROVED USE**

GEN6. The approved use of the premises is for an Intensive animal industry (piggery expansion – Stages 1-3).

GEN7. Staging of the development is to occur in strict accordance with the following staging indicated on the approved plans, subject to and modified by the conditions of this approval:-

**Stage 1-**

- Addition of 8 weaner sheds to William Webber Road Piggery
- Stage 1 GFA – 6,624.4sqm
- Total capacity 13,200 standard pig units of William Webber Road Piggery (^8,000 standard pig units)
- Total capacity 17,700 standard pig units across the 3 sites
- No change to other piggeries
- Conversion of deep litter sheds to conventional sheds (no floor area change)

**Stage 2-**

- Addition of 23 new grower sheds at William Webber Road Piggery
- Stage 2 GFA – 9,660sqm
- Total capacity 24,700 standard pig units of William Webber Road Piggery (^16,700 standard pig units)
- Destocking Elbow Road Piggeries

**Stage 3-**

- Addition 6 new grower sheds at William Webber Road Piggery
- Stage 3 GFA – 2,520sqm
- Total capacity 27,700 standard pig units rounded to 28,000 standard pig units for approval purposes of William Webber Road Piggery (^3,000 standard pig units)



- GEN8. Stages must be completed in sequential order, or may be combined and constructed at one time, subject to compliance with all conditions applicable to the relevant stages.

#### **ENVIRONMENTAL MANAGEMENT PLAN**

- MCU1. Submit a final Environmental Management Plan (EMP) for endorsement by Council prior to the use commencing which includes:
- Amendment to reflect the staging as approved by Council and as referred to in condition GEN7;
  - Complaint management procedures and register that includes:
    - o Full details of complaints received;
    - o Results of investigations into complaints; and
    - o Corrective actions.
- MCU2. Ensure that all external lighting is in accordance with Australia Standard – AS4282 – Control of the Obtrusive Effects of Outdoor Lighting so as not to cause nuisance to nearby residents or passing motorists. Lighting must be maintained by the owner of the buildings in a safe and good working order.
- MCU3. All development involved the emission of noise, odour and dust from ongoing uses, building and/or construction activities must ensure that the emissions are in accordance with requirements of the *Environmental Protection Act 1994*.

#### **ENGINEERING WORKS**

- ENG1. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to commencement of the use unless stated otherwise.
- ENG2. Undertake Engineering designs and construction in accordance with the Planning Scheme, Council's standards, relevant design guides, and Australian Standards.
- ENG3. Be responsible for the full cost of any alterations necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

#### **LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS**

- ENG4. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
- ENG5. Repair all damages incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages immediately upon completion of works associated with the development

#### **STORMWATER MANAGEMENT**

- ENG6. Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
- ENG7. Design and construct stormwater drainage incorporating measures to prevent any solid matter and floatable oils being carried into existing stormwater system.
- ENG8. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.

- ENG9. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.
- ENG10. Design and construct stormwater drainage incorporating measures to prevent adverse impacts on surface waters external to the effluent utilisation areas.

**WATER SUPPLY**

- ENG11. Provide an adequate water supply for staff suitable to meet the requirements of the development.

**ON-SITE SEWERAGE**

- ENG12. Connect the development to an on-site effluent disposal system for staff, in accordance with Schedule 6, Division 3 – Water Supply and Sewerage, AS1547, and the Queensland Plumbing and Wastewater Code.

**PARKING AND ACCESS - SERVICING**

- ENG13. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

**DRIVER CODE OF CONDUCT**

- ENG14. Implement a driver Code of Conduct to facilitate safe and professional driving practices. The Code of Conduct shall include the following points as a minimum:
- All trucks are required to drive in a safe and professional manner, and show respect and courtesy to other road users. Speeding, aggressive driving and tail gating will not be tolerated.
  - Drivers are required to drive in a manner appropriate for the weather and associated road conditions.
  - All vehicles visiting the site must be in good working conditions and must comply with the Australian Design Rules under the Motor Vehicles Standards Act 1989 of the Commonwealth.
  - All trucks travelling between the site and the point of delivery must be driven in a manner that minimises noise. This includes limiting the use of engine brakes and horns unless in an emergency, and using low engine revs to the maximum practicable extent.
  - Truck trailers must also be maintained in good condition so that when empty, noise is limited.
  - Drivers must adhere to the speed limits and designated traffic signs.
  - All drivers will take extra care when in vicinity of the Cloyna State School, and particularly during school zone hours 8:00am to 9:30am and 2:30pm to 4:00pm.

**TRANSPORT ROUTE**

- ENG15. William Webber Road is not an approved B-Double Route, and B-Doubles are not permitted for any reason.

**EROSION AND SEDIMENT CONTROL - GENERAL**

- ENG16. Ensure that all reasonable actions are taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.
- ENG17. Remove and clean-up sediment or other pollutants in the event that sediment or other pollutants are tracked/released onto adjoining streets or stormwater systems, at no cost to Council.

**ADVICE**

**WHEN APPROVAL STARTS TO HAVE EFFECT**

ADV1. This development approval starts to have effect in accordance with the provisions of Section 71 of the *Planning Act 2016*.

**WHEN APPROVAL LAPSES**

ADV2. This development approval will lapse in accordance with the provisions contained within Sections 85 and 88 of the *Planning Act 2016*, unless otherwise stated elsewhere within this development approval.

**HERITAGE**

ADV3. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding. A search can be arranged by visiting <https://www.datsip.qld.gov.au> and filling out the Aboriginal and Torres Strait Islander Cultural Heritage Search Request Form.

**APPEAL RIGHTS**

ADV4. Attached for your information is a copy of Chapter 6 of the *Planning Act 2016* as regards Appeal Rights.

**CONCURRENCE AGENCY**

ADV5. The Queensland Treasury has imposed conditions on the development permit as attached as Attachment A.

**STAGE 1 – CONDITIONS**

USE1. Prior to commencement of the Stage 1 on the site, written notice must be given to Council that the use (development and/or works) full complies with Council's Decision Notice issued in respect to this development.

USE2. The land owner must ensure compliance with the requirements of the *Land Protection (Pest and Stock Route Management) Act 2002* and any successive legislation.

**ENGINEERING WORKS**

ENG1. Submit to Council, an Operational Work application for all civil works including roadworks and access works.

**MAINTENANCE**

ENG2. Maintain all works that will become Council infrastructure for a period of 12 months (maintenance period) from the date of on-maintenance. Any defective works must be rectified within the maintenance period.

ENG3. Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council's infrastructure prior to commencement of the maintenance period.

**VEHICLE ACCESS - TURNOUT**

ENG4. Design and construct a vehicle turnout generally in accordance with Council's Standard Drawing No. 00049 Rev B, with the splay constructed sufficiently wide to accommodate the swept paths of all vehicles accessing the site.

- ENG5. Construct a Basic Right Turn Treatment (BAR) at the access location, generally in accordance with Figure A 28, Guide to Road Design Part 4: Intersections and Crossings – General.

*Comment: The existing access to William-Webber Rd requires upgrading to meet the above requirements, and shall be subject to an Operational Work application.*

### **Roadworks - Signage**

- ENG6. Install on William-Webber Rd, 500m either side of the access location, W5-22 “Trucks (crossing or entering” signage as specified in the Manual of Uniform Traffic Control Devices - Part 2 Traffic Control Devices for General Use.

### **STAGE 2 – CONDITIONS**

- USE1. Prior to commencement of Stage 2 at the William Webber Road site, written notice must be given to Council that the use (development and/or works) full complies with Council’s Decision Notice issued in respect to this development.
- USE2. The land owner must ensure compliance with the requirements of the *Land Protection (Pest and Stock Route Management) Act 2002* and any successive legislation.
- MCU1. Prior to the completion of Stage 2 at the William Webber Road site on Lot 17 on FY425 all piggery sheds and all effluent storage ponds and associated facilities, on the Elbow Road sites at Lot 13 on SP139361 (225 Elbow Road) and Lot 4 on SP157518 (161 Elbow Road) must be demolished or removed off-site. The effluent treatment systems to be filled in and the site restored to pasture.

### **STAGE 3 – CONDITIONS**

- USE1. Prior to commencement of Stage 3 on the William Webber Road site over Lot 13 on SP139361 and Lot 17 on FY425, written notice must be given to Council that the use (development and/or works) full complies with Council’s Decision Notice issued in respect to this development.
- USE2. The land owner must ensure compliance with the requirements of the *Land Protection (Pest and Stock Route Management) Act 2002* and any successive legislation.

### **FINANCIAL AND RESOURCE IMPLICATIONS**

No implication can be identified.

### **LINK TO CORPORATE/OPERATIONAL PLAN**

- GO2 Balanced development that preserves and enhances our region.
- GO2.1 Implement Council’s planning scheme to support sustainable development of business, industry and community liveability.

### **COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

No implication can be identified.

### **LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

No implication can be identified.

### **POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

No implication can be identified.

### **ASSET MANAGEMENT IMPLICATIONS**

No implication can be identified.

Locality Plan



Source: Intramaps

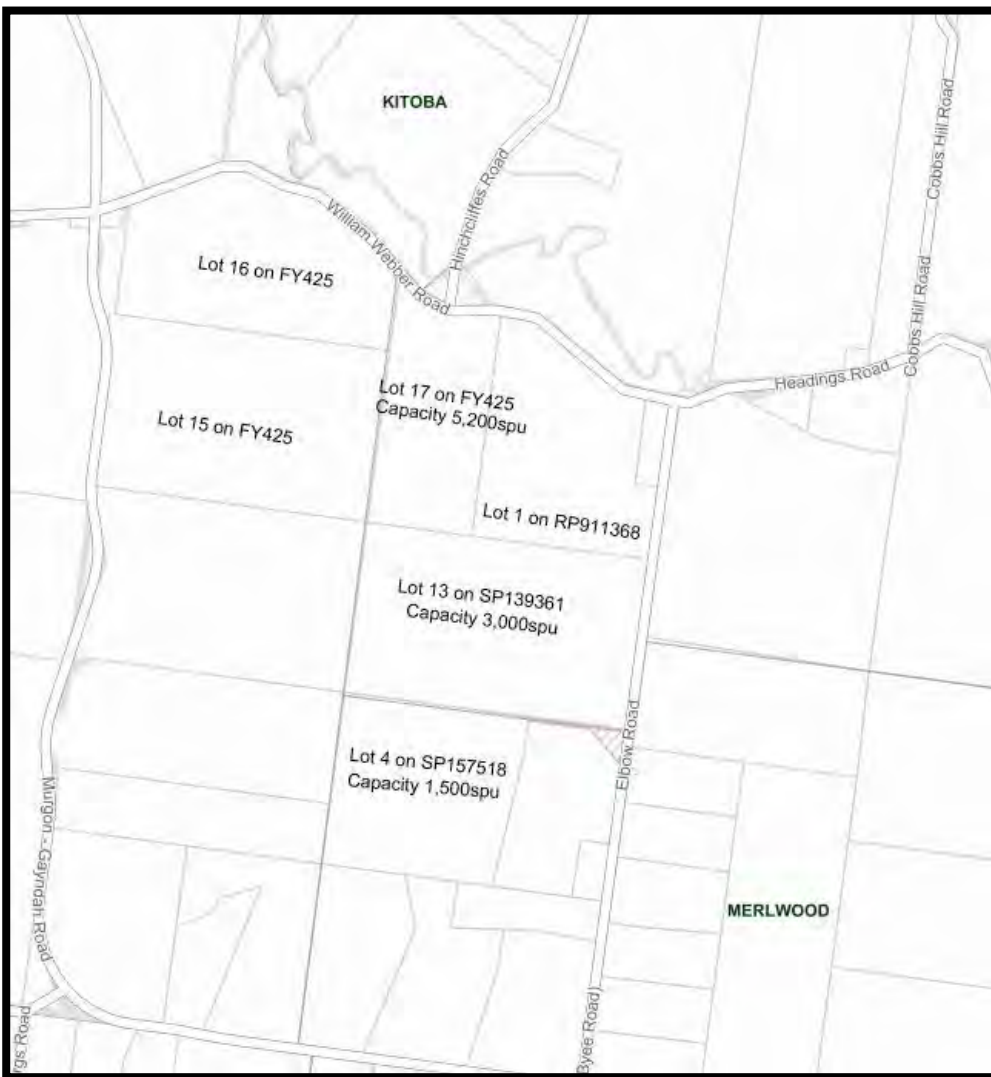
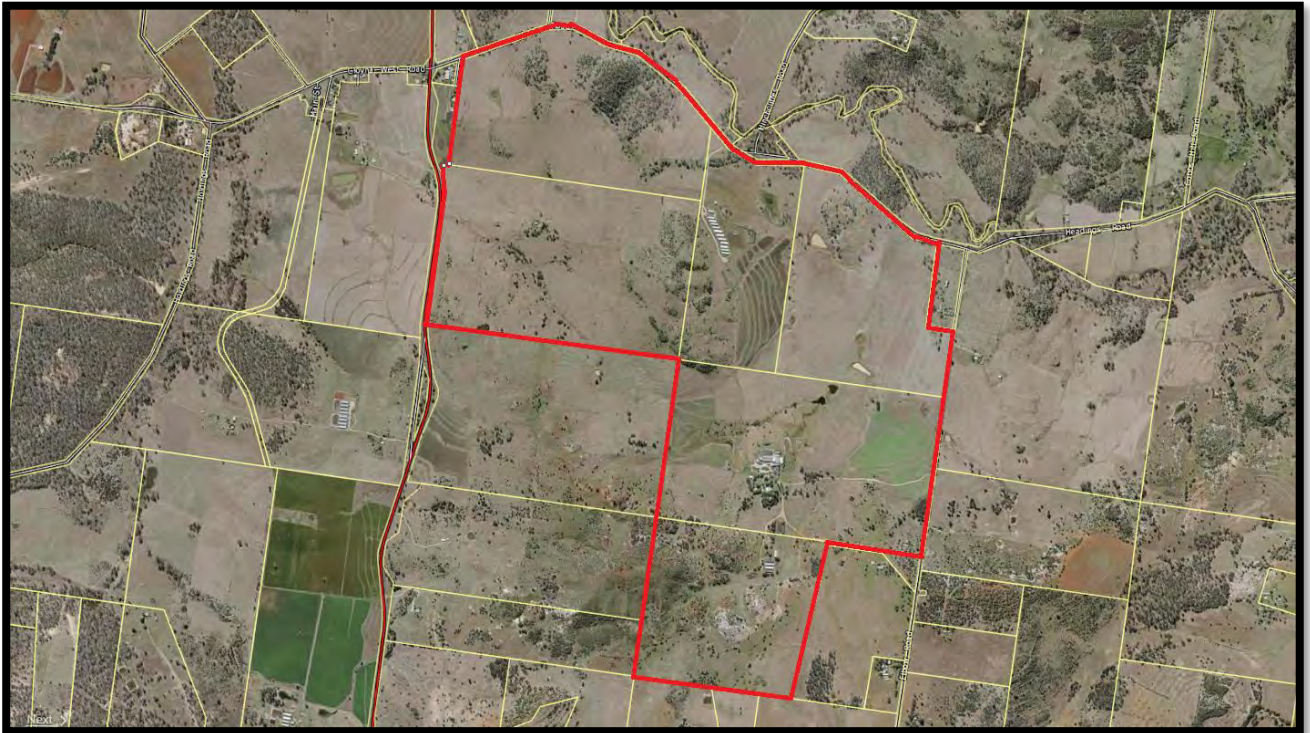


Figure 1 - Source: IntraMaps (Existing piggy configuration)

**Aerial Plan**



Source: Queensland Globe

Proposal Plan

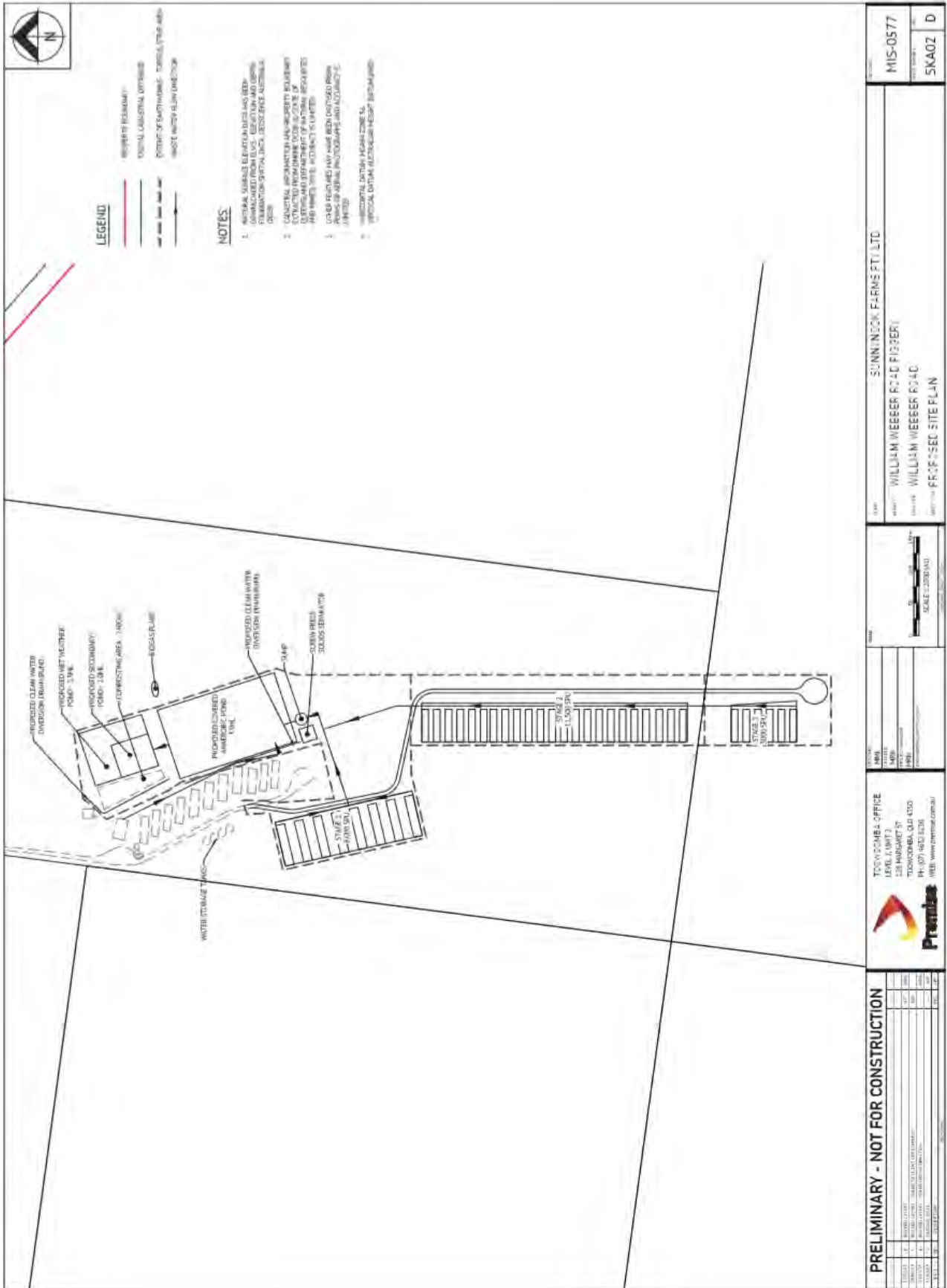


Figure 2 - Source: Applicant

**REPORT**

The applicant seeks approval for Material Change of Use – Development Permit for Intensive animal industry for consolidation of an existing piggery using a staged approach.

<b>APPLICATION SUMMARY</b>	
<b>Applicant:</b>	Sunnynook Farms Pty Ltd
<b>Owner:</b>	Lot 15 on FY425, Lot 13 on SP139361 & Lot 1RP on 911368 - M J Bishop & R J Bishop Lot 16 & 17 on FY425 - R J Bishop Lot 4 on SP157518 - Wattlebrae Pty Ltd
<b>Type of Application:</b>	Material Change of Use – Development Permit
<b>Properly Made Date:</b>	11 September 2019
<b>RP Description &amp; Street Address:</b>	Lot 15 on FY425 -1894 Murgon-Gayndah Road CLOYNA Lot 13 on SP139361 - 225 Elbow Road SUNNY NOOK Lot 1RP on 911368 - William Webber Road SUNNY NOOK Lot 17 on FY425 - William Webber Road SUNNY NOOK QLD 4605 Lot 16 on FY425 - William Webber Road CLOYNA QLD 4605 Lot 4 on SP157518 - 161 Elbow Road MERLWOOD
<b>State Referral Agencies:</b>	SARA – Concurrence Agency <ul style="list-style-type: none"> <li>○ Schedule 10, Part 5, Division 4, Table 2, Item 1 – Development application for Environmentally Relevant Activities;</li> <li>○ Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 – Development application exceeding the State transport infrastructure threshold;</li> <li>○ Schedule 10, Part 9 Division 4, Subdivision 2, Table 4, Item 1 – Development application for material change of use within 25 metres of a State transport corridor</li> </ul>
<b>Referred Internal Specialists:</b>	Contract Development Engineer / Senior Environmental Health Officer

The following table outlines the proposed development:

<b>PROPOSED DEVELOPMENT</b>	
<b>Proposed Development:</b>	Intensive animal industry – Consolidation of existing piggeries <b>Existing piggeries:</b> - 5,200 standard pig units at William Webber Road



- Grow out facility – 4 deep litter eco-shelter style sheds and 7 conventional pull-plug sheds
- 3,000 standard pig units at 225 Elbow Road
  - Farrow and finish facility – 2 main sheds with multiple smaller sheds
  - Primary site for Sunnynook operations including office and machinery shed/workshop
- 1,500 standard pig units at 161 Elbow Road
  - Grow out facility – 4 deep litter eco-shelters
- TOTAL standard pig units across three (3) sites – 9,700 standard pig units

The proposed piggery complex is setback over 200m from William Webber Road frontage. Effluent irrigation areas will maintain a 20m buffer from the property boundary.

***Proposed piggery expansion:***

***Stage 1:-***

- Addition of 8 weaner sheds to William Webber Road Piggery
- Stage 1 GFA – 6,624.4sqm
- Effluent pond system to be reconfigured with anaerobic pond covered allowing for final capacity of standard pig units
- Final decision on effluent treatment system to be determined at the time of construction
- Total capacity 13,200 standard pig units of William Webber Road Piggery (^8,000 standard pig units)
- Total capacity 17,700 standard pig units across the 3 sites
- No change to other piggeries
- Conversion of deep litter sheds to conventional sheds (no floor area change)

***Stage 2:-***

- Addition of 23 new grower sheds at William Webber Road Piggery
- Stage 2 GFA – 9,660sqm
- Total capacity 24,700 standard pig units of William Webber Road Piggery (^16,700 standard pig units)
- Destocking Elbow Road Piggeries ie. transfer of standard pig unit capacity will occur and not the physical pigs thus reducing biosecurity risks

***Stage 3:-***

- Addition 6 new grower sheds at William Webber Road Piggery
- Stage 3 GFA – 2,520sqm
- Total capacity 27,700 standard pig units rounded to 28,000 standard pig units for approval purposes of William Webber Road Piggery (^3,000 standard pig units)

	<p>The proposed effluent management system will include a 34 ML covered anaerobic pond serviced by a 3 ML wet weather pond. The anaerobic pond size assumes a desludging interval of five years.</p> <p>A total of 260ha of land for effluent irrigation has been identified although the actual land available on-site, or on properties immediately adjacent owned by family members in excess of what is required.</p> <p>Change in vehicular movements resulting in fewer heavy vehicles using Elbow Road and the eastern section of William Webber Road between Elbow Road and William Webber piggery site.</p> <p>Increase in movements on the western section of William Webber Road between William Webber piggery driveway and Murgon-Gayndah Road.</p> <p>The piggery expansion will increase the number of trips for semi-trailer vehicles entering and existing William Webber Road at the access driveway by approximately 10 vehicles per day. This equates to between five and six additional semi-trailer movements during peak hours.</p> <p>All heavy vehicle movements are currently undertaken by semi-trailers and this will remain unchanged post-development.</p> <p>Water supply for 28,000 standard pig units will require a total of 85ML/year of fresh water for drinking, cooling and cleaning purposes. The site has access to both on-site and off-site bores which can supply over 250ML of potable water per year.</p> <p>The proposed piggery will result in approximately 58,000 weaners entering the property annually. Assuming a 5% mortality rate, outgoing pig numbers will be approximately 55,000 finished pigs.</p>
<b>Variations Sought:</b>	N/A
<b>Level of Assessment:</b>	Impact Assessment
<b>Area to be used:</b>	<p>Refer to SKA02 Rev D 13 May 2020</p> <p>Stage 1 – 6,624.4sqm</p> <p>Stage 2 – 9,660sqm</p> <p>Stage 3 – 2,520sqm</p>
<b>Parking &amp; Service Vehicle Provision:</b>	<p>Heavy vehicles and service vehicles will generally park near the area they are servicing. Feed trucks will park adjacent to the silo that requires filling, pig trucks will park adjacent to the loading ramp and service vehicles will park in open space near their work area. Other staff and visitor parking is available adjacent to the storage shed.</p> <p>Internal roads have been designed to minimise reversing and allow for heavy vehicle manoeuvring.</p>

<b>Submissions Received:</b>	One (1) submission received.
<b>Decision Making Period Ends:</b>	14 August 2020 extended to five (5) days past 16 September 2020 General Meeting.

The following table describes the planning scheme parameters for the proposal:

<b>PLANNING SCHEME DETAILS</b>		
<b>Current Planning Scheme:</b>	South Burnett Regional Council Planning Scheme	Version 1.3
<b>Zone:</b>	Rural	
<b>Precinct:</b>	N/A	
<b>Overlays:</b>	OM2 – Bushfire Hazard Overlay OM3 – Flood Hazard Overlay OM5 – Biodiversity Areas Overlay OM8 – Agricultural Overlay OM10 – Landslide Hazard Overlay	

The following table describes the key development parameters for the proposal:

**SITE DETAILS:**

<b>SITE AND LOCALITY DESCRIPTION</b>		
<b>Land Area:</b>	Lot 15 on FY425 – 123.7ha Lot 13 on SP139361 – 128.3ha Lot 1 on RP911368 – 83.84ha Lot 17 on FY425 – 62.22ha Lot 16 on FY425 – 97.5ha Lot 4 on SP157518 – 83.65ha	
<b>Existing Use of Land:</b>	William Webber Road – grow out facility 5,200 standard pig units capacity.  225 Elbow Road – weaner/grower facility with a capacity of 3,000 standard pig units.  161 Elbow Road – grow out facility with a capacity of 1,500 standard pig units consisting of four deep litter eco-shelters with approval for a fifth.	
<b>Road Frontage:</b>	William Webber Road Murgon Gayndah Road Elbow Road	
<b>Road/s</b>	<b>Road Hierarchy</b>	
	Murgon Gayndah Road – Main Road	Two-lane road with sealed with of approximately 8metres 100km/hr posted speed limit
	William Webber Road – Gazetted but unconstructed	Local road – two-lane sealed width ranging between 3.7metres and 3.9metres. 100km/hr posted

		speed limit but not necessarily conducive to the environment.
	Elbow Road – Access Primary	Local road – two-lane sealed width approximately 4m
<b>Easements</b>	Easement over Lot 4 on SP157518 which will not affect the Piggery Expansion	
<b>Significant Site Features:</b>	Nil – refer to aerial image.	
<b>Topography:</b>	<p>The site terrain is undulating with elevations ranging from 324m to 260m above sea level.</p> <p>The existing William Webber piggery is located on the side of a centrally located hill with an approximate elevation of 287m. The site generally slopes from this hill towards the property boundary in the north and north-west.</p>	
<b>Surrounding Land Uses:</b>	<b>Land Use</b>	<b>Zone/Precinct</b>
	<p>There are multiple receptors surrounding the property. The nearest sensitive receptor to the Stage 1 development is 575m east of the 161 Elbow Road piggery and the nearest receptor to the Stage 3 development is 1,025m east of the William Webber Road piggery. All properties containing receptors are identified as legal houses in the Rural zone under the planning scheme.</p> <p>There is a mixture of land uses in the area with multiple other piggeries, grazing land, some cropping land and some smaller blocks with minimal farming activity.</p> <p>The piggery site is located approximately 26.5km north-east of Proston and approximately 16km north-west of Murgon.</p>	Rural
<b>Services:</b>	Electricity	

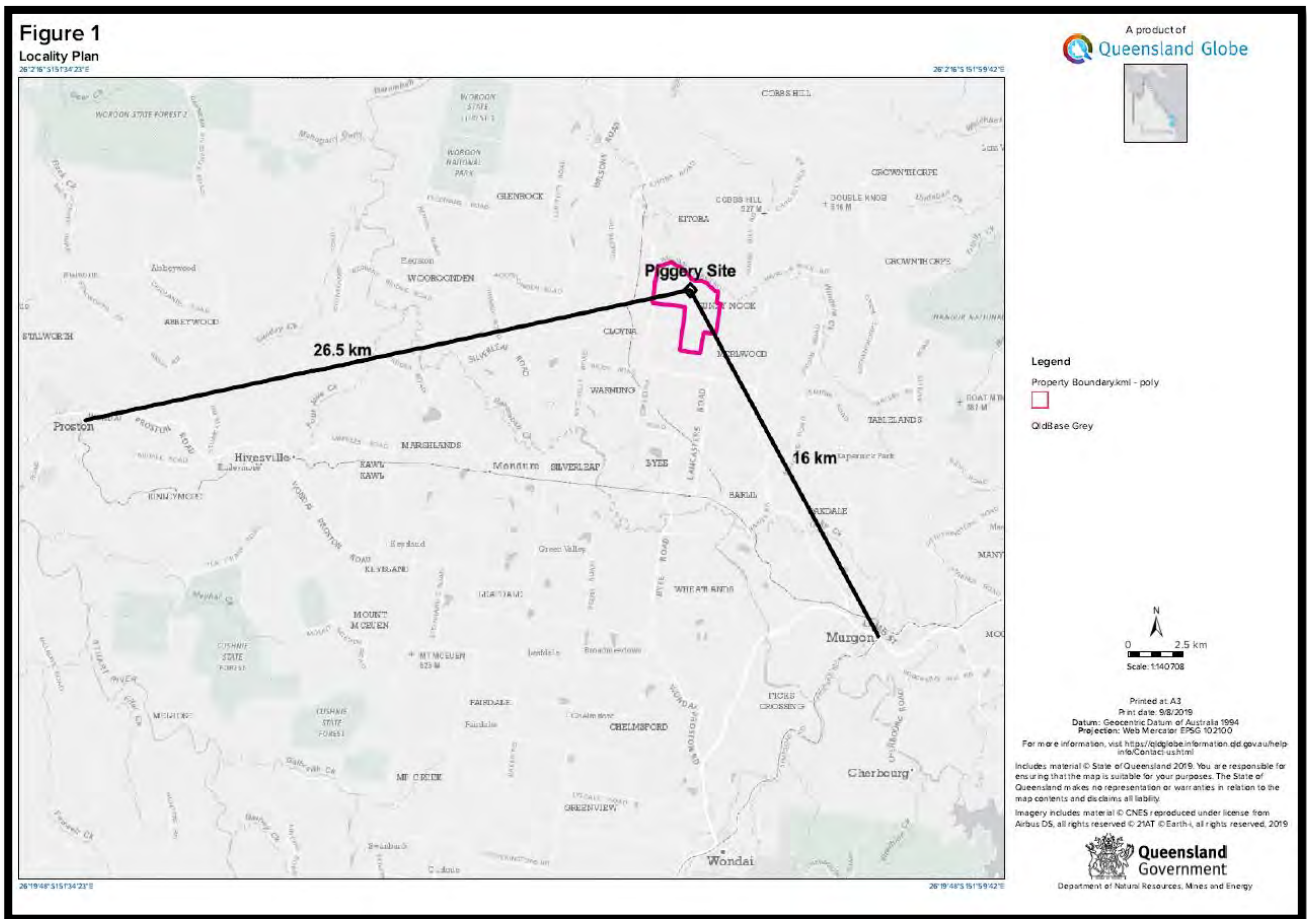


Figure 3 - Locality plan provided by applicant (distance to Proston and Murgon)

**Background / Site History**

<b>BUILDING / PLANNING APPLICATION</b>	
Lot 13 SP139361 – Application not found	225 Elbow Road SUNNY NOOK
Lot 15 on FY425 - DEV/1915/0384	1894 Murgon-Gayndah Road CLOYNA
Lot 16 on FY425 – Application not found	William Webber Road CLOYNA QLD 4605
Lot 17 on FY425 – BLD2018/0031	William Webber Road SUNNY NOOK QLD 4605
Lot 1 on RP911368 - DEV/1915/0384	William Webber Road SUNNY NOOK
Lot 4 on SP157518 – No application found	161 Elbow Road MERLWOOD

The application was lodged on 12 September 2019.

**Confirmation notice**

A Confirmation notice acknowledging the application was issued on 20 September 2019 as the application was impact assessable triggered referral to SARA and subject to public notification. Referral to SARA was required under the *Planning Regulation 2017* (refer to application summary).

**Council information request**

An extension to the period was issued on 2 October 2019 and an information request was subsequently issued by Council on 21 October 2019.

The issues raised related to:-

- Traffic Impact Assessment addressing
  - o Increase in vehicle numbers on William Webber Road and site access;
  - o Impacts upon road pavement;
  - o Adequate sight distance.
- Environmental Management
  - o Buffer distances, effluent collection and emissions such as odour, dust and noise;
  - o Vegetation.
- Environmental Impact
  - o EMP in accordance with NEGIP addressing the staging.
- Effluent System Design
  - o Disposal and usage of effluent on property and off-site.

On 21 May 2020 the applicant provided a response to the information request and the matters raised in the letter. Part of the response included:-

- a revision to the proposed staging and layout of the piggery;
- traffic impact assessment prepared by an RPEQ;
- environmental management plan including further detail regarding effluent management;
- confirmation that the proposed expansion is located in compliance with the S Factor separation methodology described in the NEGIP;
- confirmation of Department of Agriculture and Fisheries (DAF) expert assessment of piggery management and odour emissions as part of State Assessment and Referral Agency (SARA).

**CONSULTATION:****Referral Agencies**

SARA – Conditions of approval (refer to Attachment A).

**Other Referrals**

<b>INTERNAL SPECIALIST</b>	<b>REFERRAL</b>	<b>REFERRAL / RESPONSE</b>
Development Engineer		Provided conditions and Infrastructure Charges Notice
Infrastructure Charges Unit		<p>Intensive animal industry is listed as High impact rural under the South Burnett Regional Council Charges Resolution (No. 3) 2019.</p> <p>Nb. The adopted charge is the charge for another similar use listed in this table that Council decides to apply to the use.</p> <p>As per the South Burnett Regional Council Charges Resolution (No. 3) 2019 Table 2.2 the charge for High impact rural is \$14.00 per sqm GFA. Broken down as:</p> <ul style="list-style-type: none"> <li>- \$7 Water supply</li> <li>- \$4 Sewerage</li> <li>- \$3 Transport</li> </ul> <p>Refer to Attachment B – Adopted Infrastructure Charge.</p>

**Public Notification**

The notice of compliance was received by Council on 26 June 2020. The information attached to the notice confirms that the public notification of the application was undertaken in accordance with the requirements of Part 4 of the *Planning Act 2016*. The notice of compliance states the public notification included:

- Notifying owners of all land adjoining the site on 1 June 2020;
- Placed a notice on the land from 2 June 2020;
- Publishing a notice in the South Burnett Times on 2 June 2020.

One (1) public submission was received against the proposed development (Refer to Attachment D).

The following is a summary of the submission lodged, with Council officer and applicant comments:

<b>Issue</b>	<b>Officer’s Response</b>
Traffic	<p>The submitter raised concerns over the increased heavy traffic on William Webber Road which is in close proximity to the school at the intersection of William Webber Road and Murgon-Gayndah Road during the morning and afternoon transit period for the school.</p> <p>The applicant confirmed that the Traffic Impact Assessment (TIA) was based on a site visit undertaken on 10 January 2020 (school holidays) but the detailed intersection count was undertaken on 6 February 2020 to capture normal school traffic in the assessment.</p> <p>The risk ratings identified being with and without the development both having a consequence rating of 5 which did not change the consequence risk rating for this intersection.</p> <p>The RPEQ TIA was submitted to SARA and subsequently accepted by SARA (refer to Attachment A). SARA’s response did not identify any conditions relating to state-controlled roads or intersections. Council’s Development Engineer was satisfied with the TIA and imposed a condition relating to the implementation of a Driver’s Code of Conduct to facilitate safe driving practices and taking extra caution within the Cloyna State</p>

Issue	Officer's Response
	School zone particularly during school zone hours from 8am to 9.30am and 2.30pm to 4pm.
Odour	<p>The submitter raised concerns over the potential impact odours generated from the piggery sheds and effluent disposal areas at the Cloyna School site. Concerns were also expressed by the submitter that ERA licensing provisions administered by the DAF are not considered sufficient to manage any odour nuisance generated by the piggery.</p> <p>The applicant addressed the odour concerns raised by the submitter. The proposed piggery has been sized and sited in accordance with national Environmental Guidelines for Indoor Piggeries (NEGIP).</p> <p>SARA request for information (RFI) resulted in further information being provided to Department of Agriculture and Fisheries (DAF) in relation to odour. This information request resulted in a reduction in standard pig units eg. capacity to ensure the proposed piggery expansion complies based on the S Factor methodology. This methodology used by DAF ensures that this type of activity can be designed and sited to ensure odour impact are minimised.</p> <p>Transport contractors must follow strict biosecurity practices. According to the applicant all trucks and trailers are washed and disinfected between loads of pigs. Odour impacts from passing pig trucks are short term in nature and all pigs being loaded out of the site will have been on a clean trailer for less than an hour.</p> <p>The regulation of odour impacts is through the State Government licensing process for the ERA.</p>

**ASSESSMENT:**

**Framework for Assessment**

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

**Assessment Benchmarks Pertaining to the Planning Regulation 2017**

The following Assessment Benchmarks from the *Planning Regulation 2017* are applicable to this application:

<b>PLANNING REGULATION 2017 DETAILS</b>	
<b>Assessment Benchmarks:</b>	Nil.
<b>WBB Regional Plan Designation:</b>	The Wide Bay Burnett Regional Plan is a statutory document released in 2011. The development is not required to be assessed against the regional plan if the document is appropriate reflected in the local planning



	scheme. It is considered that the regional plan is appropriately reflected in the current local planning scheme.
--	--

### **State Planning Policy 2017**

The current State Planning Policy (SPP) came into effect on 3 July 2017 and replaces the previous SPP (April 2016).

The new policy expresses the state's interest in land-use planning and development and contains a number of changes to better align with the *Planning Act 2016*. This policy requires development applications to be assessed against its requirements where they have not been appropriately reflected in the local planning scheme.

The Minister states that the current South Burnett Regional Council Planning Scheme appropriately reflects the State Planning Policy.

### **South Burnett Regional Council Planning Scheme**

The applicable planning scheme for the application is South Burnett Regional Council Version 1.3.

The proposed development was assessed against the following assessment benchmarks:

### **IMPACT ASSESSMENT**

#### **Strategic Framework**

- Settlement Pattern
- Rural Futures
- Strong Economy
- Natural Systems & Sustainability
- Strong Communities
- Infrastructure & Servicing

The Strategic Framework forms part of the Assessment Benchmarks. The *Planning Act 2016* requires that impact assessable applications be assessed against the Assessment Benchmarks.

The Intensive animal industry is a consistent and expected land use in the rural zone. The piggery expansion has been designed and sited in accordance with the National Environmental Guidelines for Indoor Piggeries (NEGIP).

Two of the existing piggeries will be decommissioned on Elbow Road allowing the future expansion of the William Webber Road piggery to progress. Additional heavy vehicle movements will occur on William Webber Road and has been assessed and approved by SARA and Council's Development Engineer.

#### **Settlement Pattern**

The South Burnett has a strong emphasis on its agricultural heritage based on animal and crop production. The proposed piggery expansion is consolidating two other piggeries into one piggery while increasing the number of pigs. There is adequate separation between the land use and sensitive receptors which is essential to avoid potential land use conflicts. Given the number of piggeries in the surrounding rural locality the proposed expansion of the piggery aligns with the existing community expectation.

**Rural Futures**

The region supports a diverse range of rural land activities including grazing, dairying, piggeries and cropping. The Intensive animal industry is a consistent and expected land use in the rural zone. The piggery expansion has been designed and sited in accordance with the National Environmental Guidelines for Indoor Piggeries (NEGIP). The applicant reduced the number of total proposed standard pig units to comply with the required setbacks to sensitive receptors as per the state government requirements.

The piggery requires agricultural land for the irrigation of effluent and spreading of solids, sustainable use of agricultural land is in the best interests of the applicant. The proposed expansion is located adjacent to the existing piggery and in the long term the site will result in the consolidation of three separate piggeries into one modern facility.

**Strong Economy**

The proposed piggery expansion will be of economic benefit and provide additional employment opportunities for the local residents. Kingaroy Bacon Factory – Swickers is one of the largest employers in the South Burnett and increasing supply to this facility will only increase its processing employment. The pork industry is one of the major industries in the regional and the development will assist in the growth of this industry.

**Natural systems and sustainability**

No vegetation is required to be removed for the development footprint. There is a small isolated pocket of remnant vegetation on Lot 16. The piggery expansion is not located in or adjacent to any areas of local environmental significance and the site is not at risk of any natural hazards. The covering of the anaerobic pond in Stage 1 provides a significant reduction in the carbon footprint of the proposed piggery. Effluent pond system to be reconfigured with anaerobic pond covered allowing for final capacity of standard pig units in Stage 1.

The proposed sheds have been aligned around the edge of a hill. The average slope at the sheds is approximately 8%. This slope is necessary to allow effluent to be piped from the furthest shed into the anaerobic pond. Shorter than normal sheds have also been proposed to minimise the earthworks required for the pad.

**Strong communities**

The piggery is within the Rural zone and the proposed expansion is considered consistent with the intent of the zone. Access to the piggery is via William Webber Road off the Murgon Gayndah Road (state controlled highway). The amenity of the rural community is unlikely to be impacted as a result of the proposed expansion. The decommissioning of old piggeries and consolidation into a state of the art facility may provide better outcomes for the community amenity than the current existing operations.

**Infrastructure & servicing**

As the piggery expansion is proposed over three (3) stages will result in less local roads around the site being utilised by heavy vehicles. The applicant commissioned a traffic impact assessment by an RPEQ. This report was assessed by Council's Development Engineer and the State Government (SARA). SARA did not identify any conditions relating to state-controlled roads or intersections. Part of this assessment identified the likelihood and consequence of certain risk items relating to the intersection. As a result, the proposed development did not change the consequence risk rating for the intersection. Council's Development Engineer advised that the current road is suitable for the additional heavy vehicular movements along William Webber Road and that an upgrade to the entrance of the piggery is warranted which has been conditioned as part of Stage 1 of the piggery expansion.

The effluent pond systems have been suitably sized to minimise overtopping and the downstream gully dams act as further detention to reduce the velocity of stormwater and also dilute and provide further detention for effluent in the event of a spill. This will minimise any change in stormwater characteristics along William Webber Road.

Zones

Rural locality zone

Overlays

Landslide

Bushfire

Flood Hazard

Biodiversity

Agricultural Land (Class A)

The development or effluent irrigation are not proposed on the parts of the property subject to the Landslide, Bushfire, Flood hazard, Biodiversity and Agricultural overlays. No additional assessment has been carried out against the assessment benchmarks for reasons mentioned above.

Other codes

Services and works code

The development was assessed against all of the assessment benchmarks listed above and the pertinent issues arising out of assessment are discussed below:

<b>RURAL ZONE CODE:</b>
<b>Purpose</b>
<p>The purpose of the rural zone code is to:-</p> <ul style="list-style-type: none"> <li>- Provide for rural uses and activities;</li> <li>- Provide for other uses and activities that are compatible with –             <ul style="list-style-type: none"> <li>- Existing and future rural uses and activities; and</li> <li>- The character and environmental features of the zone and</li> </ul> </li> <li>- Maintain the capacity of land rural uses and activities by protecting and managing significant natural resources and processes.</li> </ul>
<p><b>Officer comment</b> – The proposal is consistent with the purpose of the rural code as the proposed piggery expansion support the rural uses and activities of the local area. There is a number of piggeries located within the rural fabric and is considered an acceptable use of the rural land.</p> <p>Any noise and odour issues associated with the proposal have been addressed through the relevant ERA licensing provisions and conditions of approval.</p>
<b>Overall Outcomes</b>
<ul style="list-style-type: none"> <li>- Development comprises a wide range of existing and new rural pursuits, including cropping, intensive horticulture and animal industries, animal husbandry and keeping and other compatible primary production uses.</li> <li>- The viability of existing and future rural uses and activities are protected from the intrusion of incompatible uses.</li> <li>- Uses that require isolation from urban areas as a consequence of their impacts such as noise or odour may be appropriate where land use conflicts are minimised.</li> </ul>
<p><b>Officer comment</b> – The proposal is consistent with the overall outcomes of the rural zone code. The location of the existing piggery and number of proposed standard pig units was revised to comply with the National Environmental Guidelines for Indoor Piggeries (NEGIP) thus satisfying the required setback distances between the Intensive animal industry to sensitive receptors.</p>

**Local Categorising Instrument - Variation Approval**

Not applicable.

**Local Categorising Instrument - Temporary Local Planning Instrument**

Not applicable.

**Other Relevant Matters**

Not applicable.

**CONCLUSION:**

The proposed material change of use for an Intensive animal industry (piggery expansion) is considered an appropriate land use for a site located within the rural zone. The piggery expansion has been designed and sited in accordance with the National Environmental Guidelines for Indoor Piggeries (NEGIP). No sheds are proposed forward of the existing piggery therefore additional buffering or screening is not considered necessary. The proposed built form maintains the rural amenity and character of the locality.

Overall, there are no conflicts with the planning scheme identified and reasonable and relevant conditions are included to manage or mitigate potential impacts from the use such that use maintains acceptable amenity outcomes in the rural locality.

**RECOMMENDATION:**

It is recommended that the development application for Material change of use (Intensive animal industry – piggery expansion (Stages 1-3)) at Lot 13 on SP139361 – 225 Elbow Road, Lot 4 on SP157518 – 161 Elbow Road, Lot 1 on RP911368 - William Webber Road, Lot 15 on FY425 - 1894 Murgon-Gayndah Road, Lot 16 on FY425 – William Webber Road and Lot 17 on FY425 - William Webber Road be approved subject to reasonable and relevant conditions pursuant to Section 60 of the *Planning Act 2016*.

**ATTACHMENT A**  
**REFERRAL AGENCY RESPONSE**

RAE-N



Queensland Treasury

SARA reference: 1908-13291 SRA  
Council reference: MCU16/0011

8 June 2020

Chief Executive Officer  
South Burnett Regional Council  
PO Box 338  
KINGAROY QLD 4610  
info@southburnett.qld.gov.au

Attention: Sam Dunstan

Dear Ms Dunstan

**SARA response—225 Elbow Road and William Webber Road,  
Sunny Nook; 1894 Gayndah Road and William Webber Road,  
Cloyna; 161 Elbow Road, Merlwood**

*(Referral agency response given under section 5E of the Planning Act 2016)*

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 24 September 2019.

**Response**

Outcome:	Referral agency response – with conditions.
Date of response:	8 June 2020
Conditions:	The conditions in <b>Attachment 1</b> must be attached to any development approval.
Advice:	Advice to the applicant is in <b>Attachment 2</b> .
Reasons:	The reasons for the referral agency response are in <b>Attachment 3</b> .

**Development details**

Description:	Development permit	Material Change of Use for Intensive Animal industry (Piggery up to 25,000 Standard Pig Units (SPU)) and Environmentally Relevant Activity 3(3)
SARA role:	Referral Agency	

Page 1 of 3

Wide Bay Burnett regional office  
Level 1, 7 Takavar Street, Buntarberg  
PO Box 279, Buntarberg QLD 4670

1909-13291 SRA

SARA trigger:	<ul style="list-style-type: none"> <li>• Schedule 10, Part 5, Division 4, Table 2, Item 1 of the Planning Regulation 2017  Development application for a material change for an environmentally relevant activity</li> <li>• Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 of the Planning Regulation 2017  Development application for material change of use meeting or exceeding the State transport infrastructure threshold under Schedule 20 of the Planning Regulation 2017</li> <li>• Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 of the Planning Regulation 2017  Development application for material change of use within 25 metres of a State controlled road</li> </ul>
SARA reference:	1909-13291 SRA
Assessment Manager:	South Burnett Regional Council
Street address:	225 Elbow Road and William Webber Road, Sunny Nook, 1894 Gayndah Road and William Webber Road, Cloyns, and 181 Elbow Road, Merwood
Real property description:	Lots 15, 16, and 17 on FY426, 13 on SP136361, 1 on RP911368, and 4 on SP157518.
Applicant name:	Sunnynook Farms Pty Ltd C/- Premise
Applicant contact details:	PO Box 2175 TOOWOOMBA QLD 4350 matt.norton@premise.com.au
Environmental Authority:	<p>This referral included an application for an environmental authority under section 115 of the <i>Environmental Protection Act 1994</i>. Below are the details of the decision:</p> <ul style="list-style-type: none"> <li>• Approved</li> <li>• Reference: 2020-07</li> <li>• Effective date: Upon approval of the development application</li> <li>• Prescribed environmentally relevant activity (ERA) ERA 3(3) – Pig Keeping more than 8,000 standard pig units</li> </ul> <p>If you are seeking further details about the environmental authority please contact the Department of Agricultural and Fisheries (DAF) at <a href="mailto:livestockregulator@daf.qld.gov.au">livestockregulator@daf.qld.gov.au</a></p>

## Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

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

1909-13291 BRA

For further information please contact Savannah Deller, Planning Officer, on (07) 4331 5814 or via email [WBBSARA@dsdmip.qld.gov.au](mailto:WBBSARA@dsdmip.qld.gov.au) who will be pleased to assist.

Yours sincerely



Luke Lankowski  
Manager, Planning – Wide Bay Burnett

cc: Sunnynook Farms Pty Ltd, [matt.nocton@premise.com.au](mailto:matt.nocton@premise.com.au)

enc: Attachment 1 - Referral agency conditions  
Attachment 2 - Advice to the applicant  
Attachment 3 - Reasons for referral agency response  
Attachment 4 - Representations provisions  
Attachment 5 - Approved plans and specifications

1909-13291 SRA

**Attachment 1—Referral agency conditions**

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
<b>Material Change of Use for an Environmentally Relevant Activity</b>		
Schedule 10, Part 5, Division 4, Table 2, Item 1—Environmentally Relevant Activities—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Agriculture and Fisheries to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition(s):		
1.	Development authorised under this approval for ERA 3(3) is limited to 28,000 standard pig units and shown in; <ul style="list-style-type: none"> <li>• Proposed Site Plan, prepared by Premise, dated 13 May 2020, reference MIS-0577 SDA02, revision D.</li> </ul>	At all times



1909-13291 SRA

**Attachment 2—Advice to the applicant**

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General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.5. If a word remains undefined it has its ordinary meaning.

1909-13291 SRA

**Attachment 3—Reasons for referral agency response**

(Given under section 58(7) of the *Planning Act 2016*)

**The reasons for SARA's decision are:**

- The development is for an intensive animal industry (piggery up to 28,000 standard pig units) and environmentally relevant activity 3(3) for pig keeping more than 3,000 standard pig units.
- The development will involve consolidating three piggeries operated by the same company on one site, over three stages.
- The development footprint is predominantly located on lot 17 on FY425 which is more than 1 kilometre from the State controlled road.
- The consolidation of farming activities will result in an overall increase of 10 vehicle movements per day.
- All development traffic will enter and exit the development site via William Webber Road, a local road.
- The William Webber Road/Murgon-Gayndah Road has sufficient capacity to accommodate for traffic generated by the development.
- The development meets the air quality objectives of the Environmental Protection (Air) Policy 2008.
- The development meets the management intent, water quality guidelines and objectives of the Environmental Protection (Water) Policy 2008.
- The development will implement an Environmental Management Plan which will appropriately manage any aspects of the development which have the potential to cause environmental harm.

**Material used in the assessment of the application:**

- Development application common material
- *Planning Act 2016*
- Planning Regulation 2017
- State Development Assessment Provisions (version 2.5)
- Development Assessment Rules
- Development Assessment Mapping System
- State Planning Policy Interactive Mapping System

1909-13291 BRA

**Attachment 4—Change representation provisions**

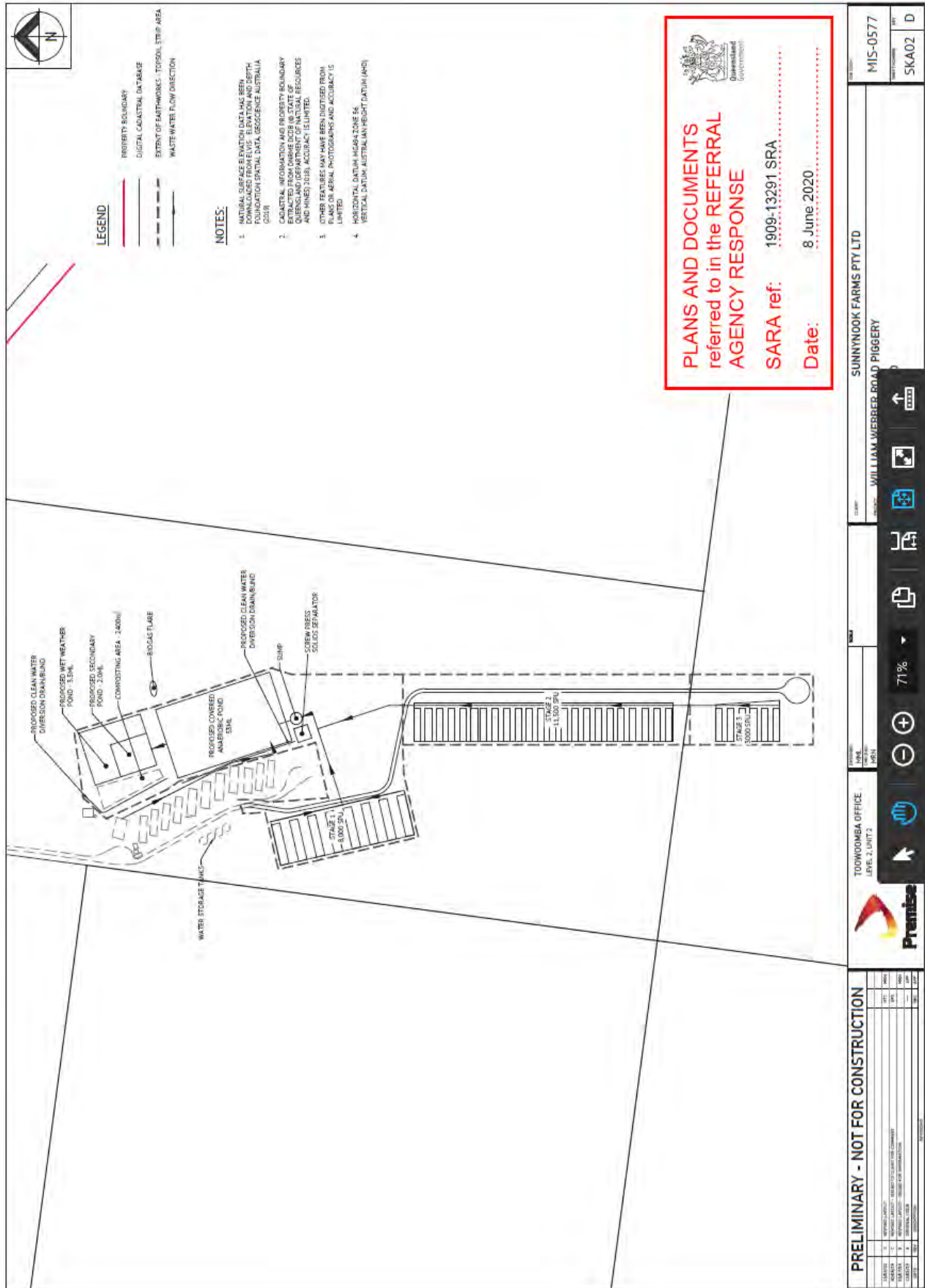
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1909-13291 BRA

**Attachment 5—Approved plans and specifications**

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**PRELIMINARY - NOT FOR CONSTRUCTION**

NO.	REVISION	DATE	BY	CHKD
1	ISSUED FOR PERMIT	08/06/2020	SKA02	SKA02
2	REVISED PER PLAN	08/06/2020	SKA02	SKA02
3	REVISED PER PLAN	08/06/2020	SKA02	SKA02
4	REVISED PER PLAN	08/06/2020	SKA02	SKA02
5	REVISED PER PLAN	08/06/2020	SKA02	SKA02

**TOOWOOMBA OFFICE**  
LEVEL 2, UNIT 2

**Premise**

**PROJECT:** SUNNYBROOK FARMS PTY LTD  
**ADDRESS:** WILLIAM WEBBER ROAD PIGGERY

**DATE:** 08/06/2020

**SCALE:** 71%

**PROJECT NO:** MIS-0577

**DATE:** 08/06/2020

**BY:** SKA02

**CHKD:** D

## Notice

### *Environmental Protection Act 1994*

#### **Decision about an application for an environmental authority**

*This statutory notice is issued by the administering authority pursuant to section 198 of the Environmental Protection Act 1994 to advise you of a decision on your application for an environmental authority.*

To: Russel and Mandy Bishop  
225 Elbow Road  
MURGON QLD 4605

ATTN: Mr Russel Bishop

Our reference: QAMG0086

#### **Decision about an application for an environmental authority**

##### **1 Application details**

The application for an environmental authority was received by the administering authority on 25 September 2019.

Application reference number: QAMG0086

Land description: 13SP139361, 15FY425, 16FY425, 17FY425, 1RP911368, 4SP157518

William Webber Road

SUNNY NOOK QUEENSLAND

##### **2 Decision**

The administering authority has decided to approve the application.

##### **3 Annual fee**

The first annual fee is payable within 20 business days of the effective date shown in the attached environmental authority.

The anniversary day of this environmental authority is the same day each year as the effective date. An annual return and the payment of the annual fee will be due each year on this day.

##### **4 Review and appeal rights**

You may apply to the administering authority for a review of this decision within 10 business days after receiving this notice. You may also appeal against this decision to the relevant court. Information about your review and appeal rights is attached to this notice. This information is guidance only and you may have other legal rights and obligations.



Mitchell Furness  
Manager, Environmental Regulation

**5 June 2020**

Delegate of the administering authority  
*Environmental Protection Act 1994*

Enquiries:  
Department of Agriculture and Fisheries  
Agribusiness Policy and Industry Development  
203 Tor Street  
TOOWOOMBA QLD 4350

Phone: 13 25 23  
Fax: 07 4529 9233  
Email: [livestockregulator@daf.qld.gov.au](mailto:livestockregulator@daf.qld.gov.au)

**Attachments**

- Environmental authority (reference 2020-07)
- Information sheet: Internal review and appeal (ESR/2015/1742)

# Permit

## Environmental Protection Act 1994

### Environmental authority 2020-07

*This environmental authority is issued by the delegate of the administering authority under Chapter 5 of the Environmental Protection Act 1994.*

**Permit<sup>1</sup> number: 2020-07**

**Environmental authority takes effect when your related development application is approved**

The first annual fee is payable within 20 business days of the effective date.

The anniversary date of this environmental authority is the same day each year as the effective date.

**Environmental authority holder(s)**

Name and Suitable Operator Reference	Registered address
Russell Bishop Suitable operator reference: 702449	225 Elbow Road MURGON QLD 4605
Mandy Bishop Suitable operator reference: 702451	

**Environmentally relevant activity and location details**

Environmentally relevant activity	Location
ERA 3 – Pig keeping 3 keeping more than 8,000 standard pig units	13SP139361; 15FY425; 16FY425; 17FY425; 1RP911368; 4SP157518 William Webber Road SUNNY NOOK QLD

**Additional information for applicants**

Environmentally relevant activities

The description of any environmentally relevant activity (ERA) for which an environmental authority (EA) is issued is a restatement of the ERA as defined by legislation at the time the EA is issued. Where there is any inconsistency between that description of an ERA and the conditions stated by an EA as to the scale, intensity or manner of carrying out an ERA, the conditions prevail to the extent of the inconsistency.

An EA authorises the carrying out of an ERA and does not authorise any environmental harm unless a condition stated by the EA specifically authorises environmental harm.

A person carrying out an ERA must also be a registered suitable operator under the *Environmental Protection Act 1994* (EP Act).





Contaminated land

It is a requirement of the EP Act that an owner or occupier of contaminated land give written notice to the administering authority if they become aware of the following:

- the happening of an event involving a hazardous contaminant on the contaminated land (notice must be given within 24 hours); or
- a change in the condition of the contaminated land (notice must be given within 24 hours); or
- a notifiable activity (as defined in Schedule 3) having been carried out, or is being carried out, on the contaminated land (notice must be given within 20 business days) that is causing, or is reasonably likely to cause, serious or material environmental harm.

For further information, including the form for giving written notice, refer to the Queensland Government website [www.qld.gov.au](http://www.qld.gov.au), using the search term 'duty to notify'.

Take effect

Please note that, in accordance with section 200 of the EP Act, an EA has effect:

- a) if the authority is for a prescribed ERA and it states that it takes effect on the day nominated by the holder of the authority in a written notice given to the administering authority-on the nominated day; or
- b) if the authority states a day or an event for it to take effect-on the stated day or when the stated event happens; or
- c) otherwise- on the day the authority is issued.

However, if the EA is authorising an activity that requires an additional authorisation (a relevant tenure for a resource activity, a development permit under the *Planning Act 2016* or an SDA Approval under the *State Development and Public Works Organisation Act 1971*), this EA will not take effect until the additional authorisation has taken effect.

If this EA takes effect when the additional authorisation takes effect, you must provide the administering authority written notice within 5 business days of receiving notification of the related additional authorisation taking effect.

If you have incorrectly claimed that an additional authorisation is not required, carrying out the ERA without the additional authorisation is not legal and could result in your prosecution for providing false or misleading information or operating without a valid environmental authority.

Mitchell Furness  
Manager, Environmental Regulation

**5 June 2020**

Delegate of the administering authority  
*Environmental Protection Act 1994*

**Enquiries**

Department of Agriculture and Fisheries  
Agribusiness Policy and Industry Development  
203 Tor Street  
TOOWOOMBA QLD 4350

Phone: 13 25 23  
Fax: 07 4529 9233  
Email: [livestockregulator@daf.qld.gov.au](mailto:livestockregulator@daf.qld.gov.au)

## Department of Agriculture and Fisheries

### Obligations under the *Environmental Protection Act 1994*

In addition to the requirements found in the conditions of this environmental authority, the holder must also meet their obligations under the Act, and the regulations made under the Act. For example, the holder must comply with the following provisions of the Act:

- general environmental duty (section 319)
- duty to notify environmental harm (section 320-320G)
- offence of causing serious or material environmental harm (sections 437-439)
- offence of causing environmental nuisance (section 440)
- offence of depositing prescribed water contaminants in waters and related matters (section 440ZG)
- offence to place contaminant where environmental harm or nuisance may be caused (section 443)

### Other permits required

This permit only provides an approval under the *Environmental Protection Act 1994*. In order to lawfully operate you may also require permits / approvals from your local government authority, other business units within the department and other State Government agencies prior to commencing any activity at the site. For example, this may include permits / approvals with your local Council (for planning approval), the Department of Transport and Main Roads (to access state controlled roads), the Department of Natural Resources and Mines (to clear vegetation), and the Department of Agriculture and Fisheries (to clear marine plants or to obtain a quarry material allocation).

### Development Approval

This permit is not a development approval under the *Planning Act 2016*. The conditions of this environmental authority are separate, and in addition to, any conditions that may be on the development approval. If a copy of this environmental authority is attached to a development approval, it is for information only, and may not be current. Please contact the Department of Agriculture and Fisheries to ensure that you have the most current version of the environmental authority relating to this site.

**Conditions of environmental authority**

The environmentally relevant activity conducted at the locations as described above must be conducted in accordance with the following site specific conditions of approval.

<b>Agency interest: General</b>	
<b>Condition number</b>	<b>Condition</b>
<b>G1</b>	Any breach of a condition of this environmental authority must be reported to the <b>administering authority</b> as soon as practicable within 24 hours of becoming aware of the breach. <b>Records</b> must be kept including full details of the breach and any subsequent actions taken.
<b>G2</b>	Activities conducted under this environmental authority must not be conducted contrary to any of the following limitations: a) the maximum number of pigs housed in piggery sheds at any one time must not exceed 28,000 <b>standard pig units (SPU)</b> , and b) pigs are to be housed within piggery sheds at all times.
<b>G3</b>	Prior to stocking the expanded piggery complex with more than 5200 SPU ( <b>or stage 1 on the approved plan</b> ) the proposed covered anaerobic pond must be covered with an impermeable cover at all times while in use.
<b>G4</b>	The pig keeping activity and associated facilities must be constructed generally in accordance with the following approved plan: 1. Proposed Site Plan, Prepared by Premise, Dated 13 May 2020, Sheet Number SKA02, Revision D.
<b>G5</b>	Piggery <b>controlled drainage areas</b> must be constructed and maintained 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 $1 \times 10^{-9}$ m/s. If this standard cannot be achieved using the in-situ material, lining must be carried out in accordance with the design permeability specification of the NEGIP (May 2018). The holder of the environmental authority is to submit compaction testing to demonstrate compliance with this specification prior to stocking the expanded facility.
<b>G6</b>	Following the completion of the proposed piggery complex, the holder of this environmental authority shall arrange for 'as-built' surveys to be carried out to confirm the volume and dimension of all piggery solid and liquid waste containment structures.
<b>G7</b>	The holder of this environmental authority must not make any material alteration to the <b>activity</b> which may affect the operating capacity of the <b>activity</b> or change the way in which the <b>activity</b> operates, without the prior written approval of the <b>administering authority</b> .
<b>G8</b>	The environmentally relevant activity must be designed, constructed and managed in a manner that reduces and or minimises the likelihood of environmental nuisance occurring. Specifically, the piggery sheds and waste containment structures must be designed and constructed in a manner that reduces the likelihood of odour emissions causing environmental nuisance at neighbouring residences.

<b>G9</b>	All reasonable and practicable <b>measures</b> must be taken to prevent or minimise <b>environmental harm</b> caused by the activities.
<b>G10</b>	Animal carcasses shall be disposed of so as not to cause <b>environmental harm</b> or <b>nuisance</b> . Carcasses must, at all times, be covered with a minimum of 300mm of soil or organic material.
<b>G11</b>	Piggery liquid waste containment structures shall be managed to prevent over-topping. All ponds must be designed to provide and maintain a minimum freeboard of 0.6m from the top water level to the top embankment crest. The wet weather ponds are to be managed by irrigation to the designated waste utilisation areas to ensure they are generally empty.
<b>G12</b>	Any <b>release</b> of liquid waste from containment structures must be reported to the <b>administering authority</b> within 24 hours of becoming aware of the <b>release</b> . <b>Records</b> must be kept including full details of the <b>release</b> and any subsequent actions taken.
<b>G13</b>	The <b>activity</b> must be undertaken in accordance with written procedures that: <ul style="list-style-type: none"> <li>a) identify potential risks to the environment from the <b>activity</b> during routine operations and emergencies; and</li> <li>b) establish and maintain control <b>measures</b> that minimise the potential for environmental harm; and</li> <li>c) ensure plant, equipment and <b>measures</b> are maintained in a proper and effective condition; and</li> <li>d) ensure plant, equipment and <b>measures</b> are operated in a proper and effective manner; and</li> <li>e) ensure that staff are trained and aware of their obligations under the Environmental Protection Act 1994; and</li> <li>f) ensure that reviews of environmental performance are undertaken at least annually; and</li> <li>g) identify risk of harm or nuisance to surrounding land uses and <b>measures</b> to minimise any environmental harm or nuisance; and</li> <li>h) include a management plan which outlines practices that prevent or minimise the risk of environmental harm or nuisance to surrounding land uses.</li> </ul>
<b>G14</b>	All analyses required under this environmental authority must be carried out by a laboratory that has National Association of Testing Authorities certification, or an equivalent certification, for such analyses.
<b>G15</b>	Standard agronomic soil chemistry of lands the subject of this environmental authority that receive waste generated by the environmentally relevant activity must be conducted in accord with Condition G17.
<b>G16</b>	A standard chemical analysis of relevant water courses must be conducted in accord with Condition G17. A typical analysis includes those conducted by a local government laboratory and includes the following elements: <i>pH; conductivity; total hardness; temporary hardness; total alkalinity; bicarbonate alkalinity; carbonate alkalinity; hydroxide alkalinity; residual alkalinity; molybdate reactive silica; total iron; total manganese; calcium; magnesium; sodium; potassium; sulphate; chloride; nitrate; phosphate; free carbon dioxide; total dissolved ions; total dissolved solids; figure of merit; saturation index; sodium adsorption ratio.</i>
<b>G17</b>	Monitoring described in condition G15 and G16 must be undertaken when requested by the <b>administering authority</b> , in the manner prescribed by the <b>administering authority</b> . The monitoring results must be provided within 10 business days to the <b>administering authority</b> upon its request.

<b>G18</b>	When required by the <b>administering authority</b> , monitoring must be undertaken in the manner prescribed by the <b>administering authority</b> to investigate a complaint of <b>environmental nuisance</b> arising from the activity. The monitoring results must be provided within 10 business days to the <b>administering authority</b> upon its request.
<b>G19</b>	For each application of liquid effluent, compost or solid waste material the following information must be recorded: <ul style="list-style-type: none"> <li>• the date of application;</li> <li>• the rate of application;</li> <li>• the crop or pasture;</li> <li>• the stage of growth; and</li> <li>• the location of the land receiving the material.</li> </ul>
<b>G20</b>	All <b>records</b> must be kept for a period of at least five years and provided to the <b>administering authority</b> upon request.
<b>Agency interest: Air</b>	
<b>Condition number</b>	<b>Condition</b>
<b>A1</b>	Odours or airborne contaminants must not cause <b>environmental nuisance</b> to any <b>sensitive place</b> or <b>commercial place</b> .
<b>A2</b>	Dust and particulate matter emissions must not exceed the following concentrations at any <b>sensitive place</b> or <b>commercial place</b> : <ul style="list-style-type: none"> <li>a) dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard AS 3580.10.1 (or more recent editions), or</li> <li>b) a concentration of particulate matter with an aerodynamic diameter of less than 10 micrometre (µm) (PM10) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time, when monitored in accordance with Australian Standard AS 3580.9.6 (or more recent editions) or any other method approved by the <b>administering authority</b>.</li> </ul>
<b>A3</b>	Piggery liquid waste containment structures must be managed at all times to prevent or minimise odour <b>nuisance</b> .
<b>A4</b>	To prevent or minimise odour <b>nuisance</b> , the piggery solid waste storage area must be managed at all times to achieve the following: <ul style="list-style-type: none"> <li>• minimise the amount of organic matter available for decomposition;</li> <li>• minimise water pooling;</li> <li>• maximise the rate of drying of wet solids.</li> </ul>
<b>Agency interest: Water</b>	
<b>Condition number</b>	<b>Condition</b>
<b>WT1</b>	Contaminants must not be released to <b>groundwater</b> or at a location where they are likely to release to <b>groundwater</b> .
<b>WT2</b>	Any <b>release</b> of contaminants generated by the <b>activity</b> to <b>waters</b> must not cause <b>environmental harm</b> .

<b>WT3</b>	The stormwater runoff from <b>disturbed areas</b> must be managed to minimise the release of contaminants offsite.																																																												
<b>WT4</b>	Effluent and solid waste shall be applied to crops or pastures using a managed waste application program. The waste application program shall ensure the effluent and solid waste is applied sustainably across the whole of the available waste utilisation area.  The rate and volume of effluent and solid waste applied to utilisation areas shall be such that surface pooling and runoff is kept to a practical minimum and excessive deep percolation is avoided.																																																												
<b>Agency interest: Noise</b>																																																													
<b>Condition number</b>	<b>Condition</b>																																																												
<b>N1</b>	Noise generated by the <b>activity</b> must not cause <b>environmental nuisance</b> to any <b>sensitive place</b> or <b>commercial place</b> .																																																												
<b>N2</b>	Noise from the <b>activity</b> must not include <b>substantial low frequency noise</b> components and must not exceed the levels identified in Table 3 – Noise limits and the associated requirements at any nuisance <b>sensitive place</b> or <b>commercial place</b> .  <b>Table 3 – Noise limits</b>																																																												
<table border="1"> <thead> <tr> <th rowspan="2">Noise level measured in dB(A)</th> <th colspan="3">Monday to Saturday</th> <th colspan="3">Sunday and Public Holidays</th> </tr> <tr> <th>7am-6pm</th> <th>6pm-10pm</th> <th>10pm-7am</th> <th>9am-6pm</th> <th>6pm-10pm</th> <th>10pm-9am</th> </tr> </thead> <tbody> <tr> <td colspan="7" style="text-align: center;">Noise measured at a nuisance <b>sensitive place</b></td> </tr> <tr> <td>L<sub>Aeq</sub> adj, 1 hr</td> <td>Background +5</td> <td>Background +3</td> <td>Background +3</td> <td>Background +5</td> <td>Background +3</td> <td>Background +3</td> </tr> <tr> <td>L<sub>Amax</sub>, 1 hr</td> <td>Background +10</td> <td>Background +8</td> <td>Background +5</td> <td>Background +10</td> <td>Background +8</td> <td>Background +5</td> </tr> <tr> <td colspan="7" style="text-align: center;">Noise measured at a <b>commercial place</b></td> </tr> <tr> <td>L<sub>Aeq</sub> adj, 1 hr</td> <td>Background +10</td> <td>Background +8</td> <td>Background +5</td> <td>Background +10</td> <td>Background +8</td> <td>Background +5</td> </tr> <tr> <td>L<sub>Amax</sub>, 1 hr</td> <td>Background +15</td> <td>Background +13</td> <td>Background +10</td> <td>Background +15</td> <td>Background +13</td> <td>Background +10</td> </tr> </tbody> </table>							Noise level measured in dB(A)	Monday to Saturday			Sunday and Public Holidays			7am-6pm	6pm-10pm	10pm-7am	9am-6pm	6pm-10pm	10pm-9am	Noise measured at a nuisance <b>sensitive place</b>							L <sub>Aeq</sub> adj, 1 hr	Background +5	Background +3	Background +3	Background +5	Background +3	Background +3	L <sub>Amax</sub> , 1 hr	Background +10	Background +8	Background +5	Background +10	Background +8	Background +5	Noise measured at a <b>commercial place</b>							L <sub>Aeq</sub> adj, 1 hr	Background +10	Background +8	Background +5	Background +10	Background +8	Background +5	L <sub>Amax</sub> , 1 hr	Background +15	Background +13	Background +10	Background +15	Background +13	Background +10
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Agency interest: Land	
Condition number	Condition
L1	Any <b>release</b> of contaminants generated by the <b>activity to land</b> must not cause <b>environmental harm</b>
L2	Before applying to surrender this environmental authority the site must be rehabilitated to achieve a safe, stable, non-polluting landform.
Agency interest: Waste	
Condition number	Condition
WS1	All waste generated in carrying out the <b>activity</b> must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.
WS2	Waste being treated must be lawfully treated to render it less hazardous and be fit for its intended use or disposal.
WS3	Any <b>release</b> or utilisation of waste products generated by the <b>activity</b> must not cause <b>environmental harm</b>
WS4	The rate of application of effluent and solid wastes from the <b>activity</b> must not exceed the rates at which the critical constituents of the wastes, that is, water, nutrients (especially nitrogen and phosphorus) and salts, are: <ul style="list-style-type: none"> <li>(a) taken up by plants and removed from the waste utilisation areas by harvesting;</li> <li>(b) safely stored within the soil profile; or</li> <li>(c) released into the surrounding environment in an acceptable form.</li> </ul>
WS5	Manure and sludge generated by the <b>activity</b> , shall be either: <ul style="list-style-type: none"> <li>• stored within the designated solid waste processing and composting area(s) of the piggery complex; or</li> <li>• exported from the property; or</li> <li>• applied immediately, at sustainable rates, to crop or pasture on the property</li> </ul>
WS6	Solid waste processing and composting areas shall be protected from rainfall runoff by diversion banks or drains and shall be located within a <b>controlled drainage area</b> .

**END OF PERMIT**

## Attachment

### Site Plan:

Proposed Site Plan, Prepared by Premise, Dated 13 May 2020, Sheet Number SKA02, Revision D.

## Definitions

Key terms and/or phrases used in this document are defined in this section and **bolded** throughout this document. Applicants should note that where a term is not defined, the definition in the *Environmental Protection Act 1994* (the Act), its regulations or environmental protection policies must be used. If a word remains undefined it has its ordinary meaning.

**activity** means the environmentally relevant activities, whether resource activities or prescribed activities, to which the environmental authority relates.

**administering authority** means the Department of Agriculture and Fisheries or its successor or predecessors.

**background** means noise, measured in the absence of the noise under investigation, as  $L_{Aeq,T}$  being the A-weighted sound pressure level exceeded for 90 percent of the time period of not less than 15 minutes, using Fast response.

**commercial place** means a place used as a workplace, an office or for business or commercial purposes and includes a place within the curtilage of such a place reasonably used by persons at that place.

**controlled drainage area** means an area that collects contaminated stormwater runoff or effluent and excludes clean rainfall runoff. It is typically established using a series of:

- catch drains to capture runoff from the piggery sheds and all other surfaces where piggery waste is stored and processed within the piggery complex, and ultimately convey that runoff to a treatment, collection or disposal system, and
- diversion banks or drains placed immediately upslope of the piggery complex, which are designed to divert 'clean' or uncontaminated upslope runoff around the piggery complex.

**delegate of the administering authority** means an officer of the Department of Agriculture and Fisheries or its successor as cited by the administering authority.

**disturbed areas** includes areas:

1. that are susceptible to erosion;
2. that are contaminated by the activity; and/or
3. upon which stockpiles of soil or other materials are located.

**environmental harm** as defined in Chapter 1 of the Environmental Protection Act 1994.

**environmental nuisance** as defined in Chapter 1 of the Environmental Protection Act 1994.

**groundwater** means water that occurs naturally in, or is introduced artificially into, an aquifer.

$L_{Aeq,adj,T}$  means the adjusted A weighted equivalent continuous sound pressure level measures on fast response, adjusted for tonality and impulsiveness, during the time period T, where T is measured for a period no less than 15 minutes when the activity is causing a steady state noise, and no shorter than one hour when the approved activity is causing an intermittent noise.

**land** does not include **waters**.

**Max $L_{pA,T}$**  means the maximum A-weighted sound pressure level measured over a time period T of not less than 15 minutes, using Fast response.



**measures** has the broadest interpretation and includes plant, equipment, physical objects, monitoring, procedures, actions, directions and competency.

**offensive** means causing offence or displeasure, is unreasonably disagreeable to the sense, disgusting, nauseous or repulsive.

**prescribed water contaminants** means contaminants listed within Schedule 9 of the Environmental Protection Regulation 2008.

**records** include breach notifications, written procedures, analysis results, monitoring reports and monitoring programs required under a condition of this authority.

**release** of a contaminant into the environment includes:

1. to deposit, discharge, emit or disturb the contaminant; and
2. to cause or allow the contaminant to be deposited, discharged, emitted or disturbed; and
3. to fail to prevent the contaminant from being deposited, discharged emitted or disturbed; and
4. to allow the contaminant to escape; and
5. to fail to prevent the contaminant from escaping.

**sensitive place** includes the following and includes a place within the curtilage of such a place reasonably used by persons at that place:

1. a dwelling, residential allotment, mobile home or caravan park, residential marina or other residential premises; or
2. a motel, hotel or hostel; or
3. a kindergarten, school, university or other educational institution; or
4. a medical centre or hospital; or
5. a protected area under the *Nature Conservation Act 1992*, the *Marine Parks Act 2004* or a World Heritage Area; or
6. a public park or garden; or
7. for noise, a place defined as a sensitive receptor for the purposes of the Environmental Protection (Noise) Policy 2008.

**standard pig units (SPU)** is a unit of measurement based on types, or a combination of types and live weight, of pigs.

In the following table, the number of **standard pig units** that is equivalent to an animal of a type mentioned in column 1 is stated opposite in column 2.

Column 1	Column 2
Type of pig	Number of standard pig units
boar	1.6
gestating sow	1.6
gilt	1.8
lactating sow	2.5

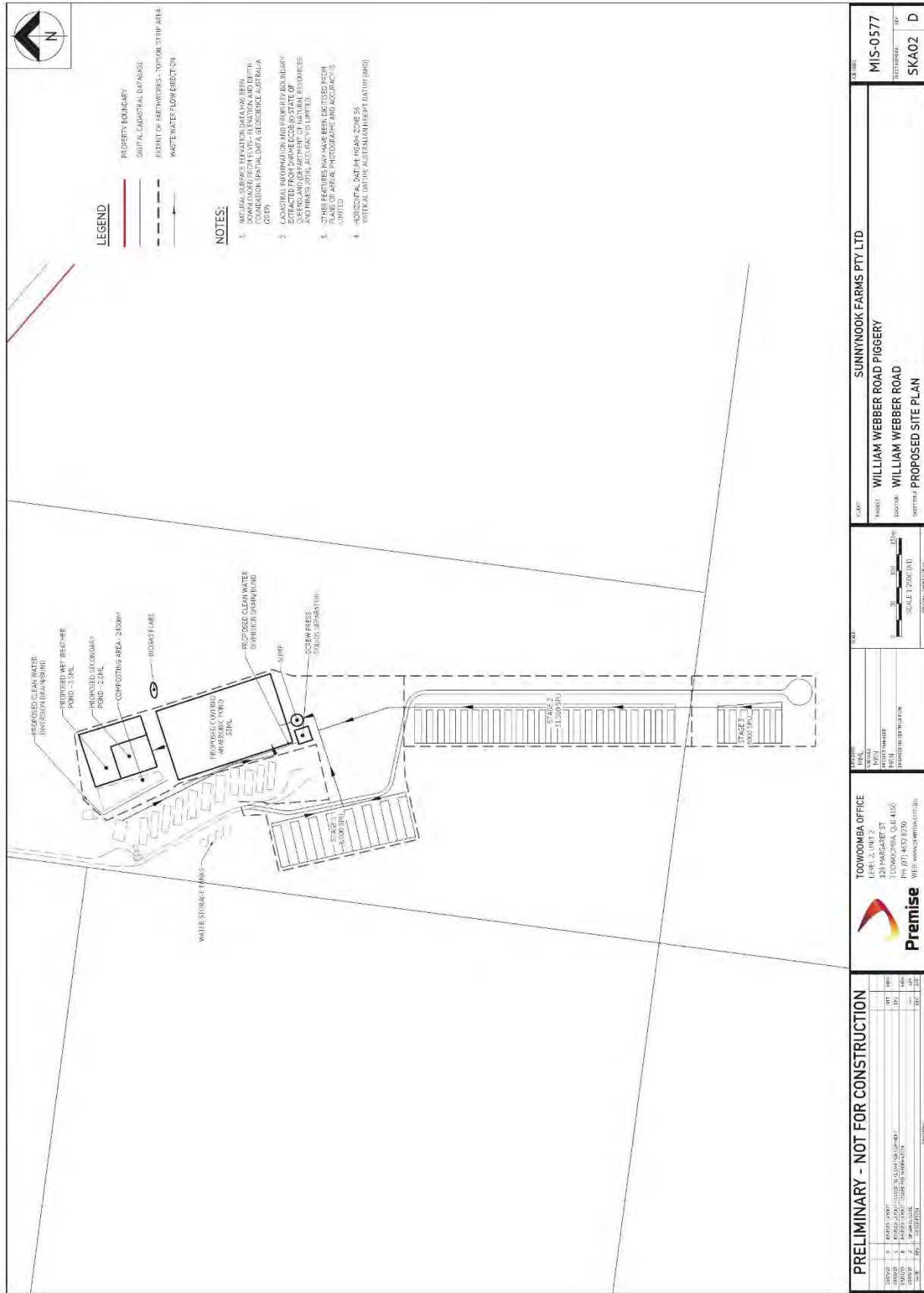
In the following table, the number of **standard pig units** that is equivalent to an animal of a type mentioned in column 1 and a live weight mentioned opposite in column 2, is stated opposite the live weight in column 3.

Column 1	Column 2	Column 3
Type of pig	Live weight (kg)	Number of standard pig units
sucker	1.4 to 8	0.1
weaner	more than 8 to 25	0.5
grower	more than 25 to 55	1.0
finisher	more than 55 to 100	1.6
finisher	more than 100	1.8

**substantial low frequency noise** means a noise emission that has an unbalanced frequency spectrum shown in a one-third octave band measurements, with a predominant component within the frequency range 10 to 200 Hz. It includes any noise emission likely to cause an overall sound pressure level at a noise sensitive place exceeding 55 dB(Z).

**waters** includes river, stream, lake, lagoon, pond, swamp, wetland, unconfined surface water, unconfined water, natural or artificial watercourse, bed and bank of any waters, dams, non-tidal or tidal waters (including the sea), stormwater channel, stormwater drain, roadside gutter, stormwater run-off, and groundwater and any part thereof.

**you** means the holder of the environmental authority.



# Information sheet

*Environmental Protection Act 1994*

## Internal review and appeals

*This information sheet gives a summary of the process for the review of decisions and appeals to the Land Court and the Planning and Environment Court under sections 519 to 539 of the Environmental Protection Act 1994 and subordinate legislation. This information sheet replaces the two information sheets (1) Internal review and appeal to Land Court (ESR/2015/1742) and (2) Internal review and appeal to the Planning and Environment Court (ESR/2015/1572).*

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**Version History**

Version	Effective date	Description of changes
1.00	13 August 2015	First published version of the guideline.
2.00	13 August 2015	Minor changes and references to legislation updated.
3.00	10 October 2016	Updated to reflect latest version of <i>Environmental Protection Act 1994</i> .
3.01	6 July 2017	Replaced references to the <i>Sustainable Planning Act 2009</i> with <i>Planning Act 2016</i> (commenced 3 July 2017).
3.02	13 June 2018	The document template, header and footer have been updated to reflect current Queensland Government corporate identity requirements and comply with the Policy Register.
4.00	01 April 2019	Update of conditions relating to financial assurance to reflect the introduction of the Mineral and Energy Resources (Financial Provisioning) Act 2018 and the subsequent changes to the <i>Environmental Protection Act 1994</i> .

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**Information sheet**  
**Internal review and appeals**

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## 1 Introduction

The *Environmental Protection Act 1994* (EP Act) includes provisions for the internal review and appeal of certain decisions made under the EP Act.

The decisions that are subject to internal review are referred to as 'original decisions' in Schedule 2 of the EP Act and subordinate legislation.

A person who is dissatisfied with an original decision made by the Department of Environment and Science (the department) may apply to have that decision internally reviewed<sup>1</sup>. Generally an application for a review of an original decision must be made:

- within 10 business days of the receiving a notice about the original decision or from when the department is taken to have made the decision;
- be supported by enough information to enable the department to decide the review application; and
- be made using the approved form Application for review of original decision (ESR/2015/1573<sup>2</sup>).

Where an application has been made for a review of an original decision, the applicant may also apply to the relevant court for a stay of the decision to secure the effectiveness of the review and any later appeal.

Once the original decision has been reviewed, a person who is dissatisfied with the review decision may be able to appeal against that decision to the relevant court within 22 business days of receiving the notice about the review decision. Schedule 2, Part 3 includes original decisions for internal review only.

### What is the relevant court?

#### Land Court

Original decisions mentioned in Schedule 2, Part 1 are subject to Land Court appeal. These decisions generally relate to environmental authorities for resource activities.

The EP Act confers jurisdiction to the Land Court to hear and determine matters relating to natural resource issues, including appeals against decisions concerning the grant of mining tenures and other state land interests.

#### Planning and Environment Court

Original decisions mentioned in Schedule 2, Part 2 can be appealed against to the Planning and Environment Court. These decisions generally relate to environmental authorities for prescribed environmentally relevant activities.

The Planning and Environment Court is constituted by judges and hears matters including those relating to planning and development, environmental protection and management, nature conservation and heritage.

The relevant sections of Chapter 11, Part 3 of the EP Act that provide for the review of decisions and appeals are outlined below.

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<sup>1</sup> Note: In accordance with section 521(13) internal reviews are not undertaken for an original decision to issue a clean-up notice.

<sup>2</sup> This form is available on the Queensland Government website at [www.qld.gov.au](http://www.qld.gov.au) using the publication number ESR/2015/1573 as a search term.

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**Chapter 11—Administration, Part 3—Review of decisions and appeals**

**Division 1—Interpretation**

**Section 519 Original decisions**

- (1) A decision mentioned in schedule 2 is an 'original decision'.
- (2) A decision under an environmental protection policy or regulation that the policy or regulation declares to be a decision to which this part applies is also an original decision.

**Section 520 Dissatisfied person**

- (1) A dissatisfied person, for an original or review decision, is—
  - (a) if the decision is about an environmental impact statement (EIS) or the EIS process for an EIS—the relevant proponent under chapter 3, part 1, for the project to which the EIS relates; or
  - (b) if the decision is to refuse to accredit an Environmental Risk Management Plan (ERMP)—the person who submitted it; or
  - (c) if the decision is about an application for an environmental authority—the applicant; or
  - (d) if the decision is about an environmental authority, including financial assurance for the authority—the holder of the authority; or
  - (e) if the decision is about an application for registration of a person as a suitable operator—the applicant; or
  - (f) if the decision is about a registered suitable operator—the operator; or if the decision is to give an audit notice under section 322 or 323—the recipient; or
  - (g) if the decision is to conduct an environmental audit or prepare an environmental report for an audit under section 326—the relevant environmental authority holder; or
  - (h) if the decision is about an ERMP direction, environmental investigation or environmental protection order—the recipient; or
  - (i) if the decision is about a transitional environmental program—the holder of an approval for the program or person or public authority that is required to submit, or submits, the program; or
  - (ja) if the decision is about a temporary emissions licence—
    - (i) the applicant for the licence; or
    - (ii) the holder of the licence; or
  - (j) if the decision is to issue a direction notice, clean-up notice or cost recovery notice—the recipient; or
  - (k) if the decision is about recording particulars of land in, or removing particulars of land from, the environmental management register or contaminated land register—the land's owner; or
  - (o) if the decision is about a site management plan for contaminated land—
    - (i) the recipient for the notice to prepare or commission the site management plan, other than for a decision under section 399; and
    - (ii) the land's owner; and
    - (iii) if another person prepares or commissions the plan—the other person, other than for a decision under section 399; or

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- (p) if the decision is about erecting signs on contaminated land—the land's owner; or
  - (q) if the decision is about a disposal permit—the applicant for the permit; or
  - (r) if the decision is about an exemption under chapter 8, part 3F, division 3—the person applying for, or given, the exemption; or
  - (s) if the decision is to give a notice under section 451(1)—the person to whom the notice is given; or
  - (t) if the decision is about an application for approval as an auditor under chapter 12, part 3A, division 2—the applicant; or
  - (u) if the decision is about an auditor—the auditor; or
  - (v) if the decision is about a complaint under chapter 12, part 3A, division 5—the person who made the complaint; or
  - (w) if the decision is about a conversion application under section 695—the applicant; or
  - (x) if the decision is a decision under an environmental protection policy or a regulation that the policy or regulation declares to be a decision to which this part applies—the person declared under the policy or regulation to be a dissatisfied person for the decision.
- (2) A submitter for an application is also a dissatisfied person if the decision is about—
- (a) a site-specific application for an environmental authority for a petroleum activity; or
  - (b) an amendment application under chapter 5, part 7 for an environmental authority for a resource activity, other than a mining activity; or
  - (c) the submission of a transitional environmental program to which section 335 applies.

## 2 Internal review of decisions

The relevant sections of the EP Act regarding the process for the internal review of original decisions are outlined below.

### Division 2—Internal review of decisions

#### Section 521 Procedure for review

- (1) A dissatisfied person may apply for a review of an original decision.
- (2) The application must—
  - (a) be made in the approved form to the administering authority within—
    - (i) 10 business days<sup>1</sup> after the day on which the person receives notice of the original decision or the administering authority is taken to have made the decision (the 'review date'); or
    - (ii) the longer period the authority in special circumstances allows, and
  - (b) be supported by enough information to enable the authority to decide the application.
- (3) On or before making the application, the applicant must send the following documents to the other persons who were given notice of the original decision—
  - (a) notice of the application (the 'review notice');
  - (b) a copy of the application and supporting documents.



**Information sheet**  
**Internal review and appeals**

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- (4) The review notice must inform the recipient that submission on the application may be made to the administering authority within 5 business days (the 'submission period') after the application is made to the authority.
- (5) If the administering authority is satisfied the applicant has complied with subsections (2) and (3), the authority must, within the decision period—
  - (a) review the original decision;
  - (b) consider any submissions properly made by a recipient of the review notice; and
  - (c) make a decision (the 'review decision') to—
    - (i) confirm or revoke the original decision; or
    - (ii) vary the original decision in a way the administering authority considers appropriate.
- (6) The application does not stay (i.e. suspend or stop) the original decision.
- (7) The application must not be dealt with by—
  - (a) the person who made the original decision; or
  - (b) a person in a less senior office than the person who made the original decision.
- (8) Within 10 business days after making the review decision, the administering authority must give written notice of the decision to the applicant and persons who were given notice of the original decision.
- (9) The notice must—
  - (a) include the reasons for the review decision; and
  - (b) inform the persons of their right of appeal against the decision.
- (10) If the administering authority does not comply with subsection (5) or (8), the authority is taken to have made a decision confirming the original decision.
- (11) Subsection (7) applies despite the *Acts Interpretation Act 1954*, s. 27A.
- (12) This section does not apply to an original decision made by—
  - (a) for a matter, the administration and enforcement of which has been devolved to a local government—the local government itself or the chief executive officer of the local government personally; or
  - (b) for another matter—the chief executive personally.
- (13) Also, this section does not apply to an original decision to issue a clean-up notice
- (14) In this section—

'decision period' means—

  - (a) if a submission is received within the submission period—15 business days after the administering authority receives the application; or
  - (b) if no submissions are received within the submission period—10 business days after the administering authority receives the application.

**Information sheet**  
**Internal review and appeals**

**Section 522 Stay of operation of particular original decisions**

- (1) If an application is made for review of an original decision mentioned in Schedule 2, Part 1 or 2, the applicant may immediately apply for a stay of the decision to—
  - (a) for an original decision mentioned in Schedule 2, Part 1—the Land Court, or
  - (b) for an original decision mentioned in Schedule 2, Part 2—the Court.
- (2) The Land Court or the Court may stay the decision to secure the effectiveness of the review and any later appeal to the Land Court or the Court.
- (3) A stay may be given on conditions the Land Court or the Court considers appropriate and has effect for the period stated by the Land Court or the Court.
- (4) The period of a stay must not extend past the time when the administering authority reviews the decision and any later period the Land Court or the Court allows the applicant to enable the applicant to appeal against the review decision.
- (5) This section applies subject to sections 522A and 522B.

**Section 522A Stay of decision about financial assurance**

- (1) This section applies to an application under section 522 for a stay of a decision about the amount of financial assurance required under a condition of an environmental authority.
- (2) The decision may not be stayed unless the administering authority has been given security for at least 75% of the amount of financial assurance that was decided by the administering authority.

**Section 522B Stay of particular decisions if unacceptable risk of environmental harm**

- (1) This section applies to an application under section 522 for a stay of a decision
  - (a) to ask the scheme manager for a payment of costs and expenses under section 316G, or
  - (b) to make a claim on or realise an EPA assurance under section 316G; or
  - (c) to issue an environmental protection order under section 358 or
- (2) The Land Court or the Court must refuse the application if satisfied there would be an unacceptable risk of serious or material environmental harm if the stay were granted.

**Section 522C Effect of stay of ERC decision**

- (1) This section applies if an ERC decision is stayed.
- (2) Despite the stay the decision remains in effect for section 297 and the *Mineral and Energy Resources (Financial Provisioning) Act 2018*.
- (3) However, if the holder of the environmental authority in relation to which the ERC decision has been made is required to give a surety under the *Mineral and Energy Resources (Financial Provisioning) Act 2018*, the holder is only required, during the period of the stay, to give a surety of 75% of the amount required.

**3 Appeals to Land Court**

The relevant sections of the EP Act regarding the process for appealing against a decision to the Land Court are outlined below.

**Information sheet**  
**Internal review and appeals**

**Division 3—Appeals****Subdivision 1—Appeals to Land Court****Section 523 Review decisions subject to Land Court appeal**

This subdivision applies if the administering authority makes a review decision for an original decision mentioned in schedule 2, part 1

**Section 524 Right of appeal**

A dissatisfied person who is dissatisfied with the review decision may appeal against the decision to the Land Court.

**Section 525 Appeal period**

- (1) The appeal must be started within 22 business days after the appellant receives notice of the review decision.
- (2) However, the Land Court may at any time extend the time for starting the appeal

**Section 526 Land Court mediation**

- (1) Any party to the appeal may, at any time before the appeal is decided, ask the Land Court to conduct or provide mediation for the appeal.
- (2) The mediation must be conducted by the Land Court or a mediator chosen by the Land Court<sup>2</sup>.

**Section 527 Nature of appeal**

The appeal is by way of rehearing, unaffected by the review decision.

**Section 528 Land Court's powers for appeal**

In deciding the appeal, the Land Court has the same powers as the administering authority

**Section 529 Effect of stay on particular decisions**

If a review decision relating to an ERC decision is stayed, the decision remain in effect for section 297.

**Section 530 Decision for appeals**

- (1) In deciding the appeal, the Land Court may—
  - (a) confirm the review decision; or
  - (b) set aside the decision and substitute another decision; or
  - (c) set aside the decision and return the matter to the administering authority who made the decision, with directions the Land Court considers appropriate.
- (2) In setting aside or substituting the decision, the Land Court has the same powers as the authority unless otherwise expressly stated.
- (3) However, this part does not apply to a power exercised under subsection (2).
- (4) If the Land Court substitutes another decision, the substituted decision is taken for this Act, other than this subdivision, to be the authority's decision.

**4 Appeals to the Court**

The relevant sections of the EP Act regarding the process for appealing against a decision to the Court are outlined below.

**Information sheet**  
**Internal review and appeals**

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**Division 3—Appeals****Subdivision 2—Appeals to Court****Section 531 Who may appeal**

- (1) A dissatisfied person who is dissatisfied with a review decision may appeal against the decision to the Court.
- (2) However, the following review decisions cannot be appealed against to the Court—
  - (a) a review decision to which subdivision 1<sup>3</sup> applies;
  - (b) a review decision that relates to an original decision mentioned in Schedule 2, Part 3<sup>4</sup>.
- (3) The chief executive may appeal against another administering authority's decision (whether an original or review decision) to the Court.
- (4) A dissatisfied person who is dissatisfied with an original decision to which s. 521 does not apply may appeal against the decision to the Court.

**Section 532 How to start appeal**

- (1) An appeal is started by—
  - (a) filing written notice of appeal with the registrar of the Court; and
  - (b) complying with rules of court applicable to the appeal.
- (2) The notice of appeal must be filed—
  - (a) if the appellant is the chief executive—within 33 business days after the decision is made or taken to have been made; or
  - (b) if the appellant is not the chief executive—within 22 business days after the day the appellant receives notice of the decision or the decision is taken to have been made.
- (3) The Court may at any time extend the period for filing the notice of appeal.
- (4) The notice of appeal must state fully the grounds of the appeal and the facts relied on.

**Section 533 Appellant to give notice of appeal to other parties**

- (1) Within 8 business days after filing the notice of appeal, the appellant must serve notice of the appeal on—
  - (a) if the appellant is the chief executive—all persons who were given notice of the original decision; or
  - (b) if the appellant is not the chief executive—the other persons who were given notice of the original decision.
- (2) The notice must inform the persons that, within 10 business days after service of the notice of appeal, they may elect to become a respondent to the appeal by filing in the Court a notice of election under rules of court.

**Section 534 Persons may elect to become respondents to appeal**

A person who properly files in the Court a notice of election becomes a respondent to the appeal.

**Section 535 Stay of operation of decisions**

- (1) The Court may grant a stay of a decision appealed against to secure the effectiveness of the appeal.

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**Information sheet**  
**Internal review and appeals**

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- (2) A stay may be granted on conditions the Court considers appropriate and has effect for the period stated by the Court.
- (3) The period of a stay must not extend past the time when the Court decides the appeal.
- (4) An appeal against a decision does not affect the operation or carrying out of the decision unless the decision is stayed.
- (5) This section applies subject to sections 535A to 535C.

**Section 535A Stay of decision to issue clean-up notice**

- (1) This section applies to an application under section 535 for a stay of a decision to issue a clean-up notice.
- (2) In deciding the application, the Court must have regard to—
  - (a) the quantity and quality of contamination of the environment that is likely to be caused if the stay is granted, and
  - (b) the proximity of the place at or from which the contamination incident is happening or happened to a place with environmental values that may be adversely affected by the contamination.

**Section 535B Stay of decision about financial assurance**

- (1) This section applies to an application under section 535 for a stay of a decision about the amount of financial assurance required under a condition of an environmental authority.
- (2) The decision may not be stayed unless the administering authority has been given security for at least 75% of the amount of financial assurance that was decided by the administering authority.

**Section 535C Stay of decision to issue environmental protection order**

- (1) This section applies to an application under section 535 for a stay of a decision to issue an environmental protection order.
- (2) The Court must refuse the application if satisfied there would be an unacceptable risk of serious or material environmental harm if the stay were granted.

**Section 536 Hearing procedures**

- (1) The procedure for an appeal is to be in accordance with the rules of court applicable to the appeal or, if the rules make no provision or insufficient provision, in accordance with directions of the judge.
- (2) An appeal is by way of rehearing, unaffected by the administering authority's decision.

**Section 537 Assessors**

If the judge hearing an appeal is satisfied the appeal involves a question of special knowledge and skill, the judge may appoint 1 or more assessors to help the judge in deciding the appeal.

**Section 538 Appeals may be heard with planning appeals**

- (1) This section applies if—
  - (a) a person appeals against an administering authority's decision (whether an original or review decision)—
    - i. to refuse to accredit an ERMP; or
    - ii. about an application for an environmental authority for a prescribed ERA; and

**Information sheet**  
**Internal review and appeals**

- (b) a person appeals against the assessment manager's decision under the *Planning Act 2016* about a planning or development matter for the premises to which the ERMP or the application for the authority relates.

(2) The Court may order—

- (a) the appeals to be heard together or 1 immediately after the other; or  
(b) one appeal to be stayed until the other has been decided.

(3) This section applies even though the parties, or all of the parties, to the appeals are not the same.

**Section 539 Powers of Court on appeal**

(1) In deciding an appeal, the Court may—

- (a) confirm the decision appealed against; or  
(b) vary the decision appealed against; or  
(c) set aside the decision appealed against and make a decision in substitution for the decision set aside.

(2) If on appeal the Court acts under subsection (1)(b) or (c), the decision is taken, for this Act (other than this part), to be that of the administering authority.

**5 Judicial review**

Under the *Judicial Review Act 1991*, a person whose interests would be adversely affected by a decision made by the department has the right to:

- request a statement of reasons explaining a decision; and
- apply to the Supreme Court for a review of a decision if they are not satisfied with the statement of reasons for that decision.

**Disclaimer**

While this document has been prepared with care it contains general information and does not profess to offer legal, professional or commercial advice. The Queensland Government accepts no liability for any external decisions or actions taken on the basis of this document. Persons external to the Department of Environment and Science should satisfy themselves independently and by consulting their own professional advisors before embarking on any proposed course of action.

**Approved:**

7 March 2019

**Enquiries:**

Permit and Licence Management  
Ph. 1300 130 372 (select option 4)  
Ph:13 QGOV (13 74 68)  
Fax. (07) 3330 5875  
Email [palm@des.qld.gov.au](mailto:palm@des.qld.gov.au)

**Information sheet**  
**Internal review and appeals**

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<sup>1</sup> Under the *Environmental Protection Act 1994* business days—generally, does not include a day between 20 December in a year and 5 January in the following year.

<sup>2</sup> For information on how to start the appeal, see the *Land Court Rules 2000*. For information on the conduct of the mediation, see the *Land Court Act 2000*. Information is also available on the [Land Court website](#).

<sup>3</sup> Subdivision 1 is about appeals to the Land Court.

<sup>4</sup> Original decisions mentioned in Schedule 2, Part 3 are original decisions for internal review only.

**ATTACHMENT B**  
**INFRASTRUCTURE CHARGES – STAGE 1**  
**INFRASTRUCTURE CHARGES NOTICE**  
*(Section 119 of the Planning Act 2016)*

**APPLICANT:** Sunnynook Farms Pty Ltd C/- AgDSA - Agricultural Development Services Australia Pty Ltd  
 PO Box 292  
 TOOWOOMBA QLD 4350

**APPLICATION:** Intensive Animal Industry – Piggery: Stage 1

**DATE:** 7 September 2020

**FILE REFERENCE:** MCU19/0011

<b>AMOUNT OF THE LEVIED CHARGE:</b> <i>(Details of how these charges were calculated are shown overleaf)</i>	<b>\$19,873.00</b>	<b>Total</b>
	\$0.00	Water Supply Network
	\$0.00	Sewerage Network
	\$19,873.00	Transport Network
	\$0.00	Parks and Land for Community Facilities Network
	\$0.00	Stormwater Network

**AUTOMATIC INCREASE OF LEVIED CHARGE:** The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how the increase is worked out.

**LAND TO WHICH CHARGE APPLIES:** Lot 17 on FY425

**SITE ADDRESS:** William Webber Road, Sunnynook

**PAYABLE TO:** **South Burnett Regional Council**

**WHEN PAYABLE:** Material Change of Use – When the change happens.  
*(In accordance with the timing stated in Section 122 of the Planning Act 2016)*

**OFFSET OR REFUND:** Not Applicable.

This charge is made in accordance with South Burnett Regional Council's **Charges Resolution (No. 3) 2019**



## DETAILS OF CALCULATION

### Water Supply

#### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

#### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

### Sewerage

#### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

#### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

### Transport

#### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
High Impact Rural (Intensive Animal Industry) (New sheds only)	6,624.4 m2	GFA	\$3.00	Table 2.2 AICR	\$19,873.200

#### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

## Parks and Land for Community Facilities

### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

## Stormwater

### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

## Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
High Impact Rural	\$0.00	\$0.00	\$19,873.00	\$0.00	\$0.00	\$19,873.00
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$19,873.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$19,873.00</b>

*\* In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at South Burnett Regional Council's discretion.*

## INFORMATION NOTICE

- Authority and Reasons for Charge** This Infrastructure Charges Notice has been given in accordance with section 119 of the *Planning Act 2016* to support the Local government's long-term infrastructure planning and financial sustainability.
- Appeals** Pursuant to section 229 and Schedule 1 of the *Planning Act 2016* a person may appeal an Infrastructure Charges Notice. Attached is an extract from the *Planning Act 2016* that details your appeal rights.
- Automatic Increase Provision of charge rate (\$)** An infrastructure charge levied by South Burnett Regional Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI average<sup>1</sup>. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.
- However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Authority could have levied for the development at the time the charge is paid.
- GST** The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the *Planning Act 2016* are GST exempt.
- Making a Payment** This Infrastructure Charges Notice cannot be used to pay your infrastructure charges.
- To pay the levied charge, you must request an Itemised Breakdown showing the total levied charge payable at the time of payment. An Itemised Breakdown must be presented at the time of payment.
- An Itemised Breakdown may be requested by emailing [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)
- Payment can be made at any of the following South Burnett Regional Council Offices:
- 69 Hart Street, Blackbutt, 4314;

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<sup>1</sup> 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

- 45 Glendon Street, Kingaroy, 4610;
- 42 Stephens Street West, Murgon, 4605;
- 48 Drayton Street, Nanango, 4615;
- McKenzie Street, Wondai, 4606; or
- via other methods identified on the Itemised Breakdown.

**Enquiries**

Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL COUNCIL, Department of Planning and Land Management, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)

**ATTACHMENT B**  
**INFRASTRUCTURE CHARGES – STAGE 2**  
**INFRASTRUCTURE CHARGES NOTICE**

*(Section 119 of the Planning Act 2016)*

**APPLICANT:** Sunnynook Farms Pty Ltd C/- AgDSA - Agricultural Development Services Australia Pty Ltd  
 PO Box 292  
 TOOWOOMBA QLD 4350

**APPLICATION:** Intensive Animal Industry – Piggery: Stage 2

**DATE:** 7 September 2020

**FILE REFERENCE:** MCU19/0011

<b>AMOUNT OF THE LEVIED CHARGE:</b> <i>(Details of how these charges were calculated are shown overleaf)</i>	<b>\$19,440.00</b>	<b>Total</b>
	\$0.00	Water Supply Network
	\$0.00	Sewerage Network
	\$19,440.00	Transport Network
	\$0.00	Parks and Land for Community Facilities Network
	\$0.00	Stormwater Network

**AUTOMATIC INCREASE OF LEVIED CHARGE:** The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how the increase is worked out.

**LAND TO WHICH CHARGE APPLIES:** Lot 17 on FY425

**SITE ADDRESS:** William Webber Road, Sunnynook

**PAYABLE TO:** **South Burnett Regional Council**

**WHEN PAYABLE:** Material Change of Use – When the change happens.  
*(In accordance with the timing stated in Section 122 of the Planning Act 2016)*

**OFFSET OR REFUND:** Not Applicable.

This charge is made in accordance with South Burnett Regional Council's **Charges Resolution (No. 3) 2019**

## DETAILS OF CALCULATION

### Water Supply

#### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

#### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

### Sewerage

#### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

#### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

### Transport

#### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
High Impact Rural (Intensive Animal Industry) (New sheds only)	9,660 m2	GFA	\$3.00	Table 2.2 AICR	\$28,980.00

#### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
High Impact Rural (Intensive Animal Industry)	3,180	GFA	\$3.00	Table 2.2 AICR	\$9,540.00

Estimated Area of Decommissioned Sheds
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## Parks and Land for Community Facilities

### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

## Stormwater

### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

## Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
High Impact Rural	\$0.00	\$0.00	\$19,440.00	\$0.00	\$0.00	\$19,440.00
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$19,440.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$19,440.00</b>

\* In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at South Burnett Regional Council's discretion.

## INFORMATION NOTICE

- Authority and Reasons for Charge** This Infrastructure Charges Notice has been given in accordance with section 119 of the *Planning Act 2016* to support the Local government's long-term infrastructure planning and financial sustainability.
- Appeals** Pursuant to section 229 and Schedule 1 of the *Planning Act 2016* a person may appeal an Infrastructure Charges Notice. Attached is an extract from the *Planning Act 2016* that details your appeal rights.
- Automatic Increase Provision of charge rate (\$)** An infrastructure charge levied by South Burnett Regional Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI average<sup>2</sup>. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.
- However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Authority could have levied for the development at the time the charge is paid.
- GST** The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the *Planning Act 2016* are GST exempt.
- Making a Payment** This Infrastructure Charges Notice cannot be used to pay your infrastructure charges.
- To pay the levied charge, you must request an Itemised Breakdown showing the total levied charge payable at the time of payment. An Itemised Breakdown must be presented at the time of payment.
- An Itemised Breakdown may be requested by emailing [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)
- Payment can be made at any of the following South Burnett Regional Council Offices:
- 69 Hart Street, Blackbutt, 4314;

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<sup>2</sup> 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.



- 45 Glendon Street, Kingaroy, 4610;
- 42 Stephens Street West, Murgon, 4605;
- 48 Drayton Street, Nanango, 4615;
- McKenzie Street, Wondai, 4606; or
- via other methods identified on the Itemised Breakdown.

**Enquiries**

Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL COUNCIL, Department of Planning and Land Management, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)

**ATTACHMENT B**  
**INFRASTRUCTURE CHARGES – STAGE 3**  
**INFRASTRUCTURE CHARGES NOTICE**  
*(Section 119 of the Planning Act 2016)*

**APPLICANT:** Sunnynook Farms Pty Ltd C/- AgDSA - Agricultural Development Services Australia Pty Ltd  
 PO Box 292  
 TOOWOOMBA QLD 4350

**APPLICATION:** Intensive Animal Industry – Piggery: Stage 3

**DATE:** 7 September 2020

**FILE REFERENCE:** MCU19/0011

<b>AMOUNT OF THE LEVIED CHARGE:</b> <i>(Details of how these charges were calculated are shown overleaf)</i>	<b>\$7,560.00</b>	<b>Total</b>
	\$0.00	Water Supply Network
	\$0.00	Sewerage Network
	\$7,560.00	Transport Network
	\$0.00	Parks and Land for Community Facilities Network
	\$0.00	Stormwater Network

**AUTOMATIC INCREASE OF LEVIED CHARGE:** The amount of the levied charge is subject to an automatic increase. Refer to the Information Notice attached to this notice for more information on how the increase is worked out.

**LAND TO WHICH CHARGE APPLIES:** Lot 13 SP139361

**SITE ADDRESS:** 225 Elbow Road, Sunnynook, Qld

**PAYABLE TO:** **South Burnett Regional Council**

**WHEN PAYABLE:** Material Change of Use – When the change happens.  
*(In accordance with the timing stated in Section 122 of the Planning Act 2016)*

**OFFSET OR REFUND:** Not Applicable.

This charge is made in accordance with South Burnett Regional Council's **Charges Resolution (No. 3) 2019**

## DETAILS OF CALCULATION

### Water Supply

#### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

#### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

### Sewerage

#### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

#### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

### Transport

#### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
High Impact Rural (Intensive Animal Industry) (New sheds only)	2,520 m2	GFA	\$3.00	Table 2.2 AICR	\$7,560.00

#### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

## Parks and Land for Community Facilities

### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

## Stormwater

### Adopted Charges

Development Description	Number of Units	Units of Measure	Charge Rate	Reference	Amount
Not Applicable					\$0.00

### Discounts\*

Description	Number of Units	Units of Measure	Discount Rate	Reference	Amount
Not Applicable					\$0.00

## Levied Charges

Development Description	Water Supply	Sewerage	Transport	Parks & Land for Community Facilities	Stormwater	Total
High Impact Rural	\$0.00	\$0.00	\$7,560.00	\$0.00	\$0.00	\$7,560.00
<b>Total</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$7,560.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$7,560.00</b>

\* In accordance with Section 3.3 of the Charges Resolution, the discount may not exceed the adopted charge. Any surplus discounts will not be refunded, except at South Burnett Regional Council's discretion.

## INFORMATION NOTICE

- Authority and Reasons for Charge** This Infrastructure Charges Notice has been given in accordance with section 119 of the *Planning Act 2016* to support the Local government's long-term infrastructure planning and financial sustainability.
- Appeals** Pursuant to section 229 and Schedule 1 of the *Planning Act 2016* a person may appeal an Infrastructure Charges Notice. Attached is an extract from the *Planning Act 2016* that details your appeal rights.
- Automatic Increase Provision of charge rate (\$)** An infrastructure charge levied by South Burnett Regional Council is to be increased by the difference between the Producer Price Index (PPI) applicable at the time the infrastructure charge was levied, and PPI applicable at the time of payment of the levied charge, adjusted by reference to the 3-yearly PPI average<sup>3</sup>. If the levied charge is increased using the method described above, the charge payable is the amount equal to the sum of the charge as levied and the amount of the increase.
- However, the sum of the charge as levied and the amount of the increase is not to exceed the maximum adopted charge the Authority could have levied for the development at the time the charge is paid.
- GST** The Federal Government has determined that contributions made by developers to Government for infrastructure and services under the *Planning Act 2016* are GST exempt.
- Making a Payment** This Infrastructure Charges Notice cannot be used to pay your infrastructure charges.
- To pay the levied charge, you must request an Itemised Breakdown showing the total levied charge payable at the time of payment. An Itemised Breakdown must be presented at the time of payment.
- An Itemised Breakdown may be requested by emailing [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)
- Payment can be made at any of the following South Burnett Regional Council Offices:
- 69 Hart Street, Blackbutt, 4314;

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<sup>3</sup> 3-yearly PPI average is defined in section 114 of the *Planning Act 2016* and means the PPI adjusted according to the 3-year moving average quarterly percentage change between financial quarters. PPI Index is the producer price index for construction 6427.0 (ABS PPI) index number 3101 – Road and Bridge construction index for Queensland published by the Australian Bureau of Statistics.

- 45 Glendon Street, Kingaroy, 4610;
- 42 Stephens Street West, Murgon, 4605;
- 48 Drayton Street, Nanango, 4615;
- McKenzie Street, Wondai, 4606; or
- via other methods identified on the Itemised Breakdown.

**Enquiries**

Enquiries regarding this Infrastructure Charges Notice should be directed to the SOUTH BURNETT REGIONAL COUNCIL, Department of Planning and Land Management, during office hours, Monday to Friday by phoning (07) 4189 9100 or email at [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)

**ATTACHMENT C**  
**STATEMENT OF REASONS**

**NOTICE ABOUT DECISION – STATEMENT OF REASONS**

*The following information is provided in accordance with Section 63(4) & (5) of the Planning Act 2016*

<b>SITE DETAILS</b>	
<b>Street Address &amp; RP Description:</b>	Lot 15 on FY425 -1894 Murgon-Gayndah Road CLOYNA Lot 13 on SP139361 - 225 Elbow Road SUNNY NOOK Lot 1RP on 911368 - William Webber Road SUNNY NOOK Lot 17 on FY425 - William Webber Road SUNNY NOOK QLD 4605 Lot 16 on FY425 - William Webber Road CLOYNA QLD 4605 Lot 4 on SP157518 - 161 Elbow Road MERLWOOD
<b>Site Area</b>	Lot 15 on FY425 – 123.7ha Lot 13 on SP139361 – 128.3ha Lot 1RP on 911368 – 83.84ha Lot 17 on FY425 – 62.22ha Lot 16 on FY425 – 97.5ha Lot 4 on SP157518 – 83.65ha

<b>PROPOSED DEVELOPMENT</b>	
<b>Name of Applicant</b>	Sunnynook Farms Pty Ltd
<b>Type of Application</b>	Material change of use – development permit
<b>Proposed Development</b>	Intensive animal industry – consolidation of existing piggeries and expansion <b>Stage 1:-</b> <ul style="list-style-type: none"> <li>- Addition of 8 weaner sheds to William Webber Road Piggery</li> <li>- Stage 1 GFA – 6,624.4sqm</li> <li>- Total capacity 13,200 standard pig units of William Webber Road Piggery (^8,000 standard pig units)</li> <li>- Total capacity 17,700 standard pig units across the 3 sites</li> <li>- No change to other piggeries</li> <li>- Conversion of deep litter sheds to conventional sheds (no floor area change)</li> </ul> <b>Stage 2:-</b> <ul style="list-style-type: none"> <li>- Addition of 23 new grower sheds at William Webber Road Piggery</li> <li>- Stage 2 GFA – 9,660sqm</li> </ul>

	<ul style="list-style-type: none"> <li>- Total capacity 24,700 standard pig units of William Webber Road Piggery (^16,700 standard pig units)</li> <li>- Destocking Elbow Road Piggeries</li> </ul> <p><b>Stage 3:-</b></p> <ul style="list-style-type: none"> <li>- Addition 6 new grower sheds at William Webber Road Piggery</li> <li>- Stage 3 GFA – 2,520sqm</li> <li>- Total capacity 27,700 standard pig units rounded to 28,000 standard pig units for approval purposes of William Webber Road Piggery (^3,000 standard pig units)</li> </ul>	
<b>Level of Assessment</b>	Impact assessment	
<b>Area of Development</b>	Refer to SKA02 Rev D 13 May 2020 Stage 1 – 6,624.4sqm Stage 2 – 9,660sqm Stage 3 – 2,520sqm	
<b>Parking &amp; Service Vehicle Provision</b>	Heavy vehicles and service vehicles will generally park near the area they are servicing. Feed trucks will park adjacent to the silo that requires filling, pig trucks will park adjacent to the loading ramp and service vehicles will park in open space near their work area. Other staff and visitor parking is available adjacent to the storage shed.  Internal roads have been designed to minimise reversing and allow for heavy vehicle manoeuvring.	
<b>Submissions Received</b>	One (1) public submission received in objection	
<b>Matters raised in submission</b>	<b>Issue</b>	<b>How matter was dealt with</b>
	Traffic	The submitter raised concerns over the increased heavy traffic on William Webber Road which is in close proximity to the school at the intersection of William Webber Road and Murgon-Gayndah Road during the morning and afternoon transit period for the school.  The applicant confirmed that the Traffic Impact Assessment (TIA) was based on a site visit undertaken on 10 January 2020 (school holidays) but the detailed intersection count was undertaken on 6 February 2020 to capture normal school traffic in the assessment.



		<p>The risk ratings identified being with and without the development both having a consequence rating of 5 which did not change the consequence risk rating for this intersection.</p> <p>The RPEQ TIA was submitted to SARA and subsequently accepted by SARA (refer to Attachment A). SARA's response did not identify any conditions relating to state-controlled roads or intersections. Council's Development Engineer was satisfied with the TIA.</p>
	<p>Odour</p>	<p>The submitter raised concerns over the potential impact odours generated from the piggery sheds and effluent disposal areas at the Cloyna School site. Concerns were also expressed by the submitter that ERA licensing provisions administered by the DAF are not considered sufficient to manage any odour nuisance generated by the piggery.</p> <p>The applicant addressed the odour concerns raised by the submitter. The proposed piggery has been sized and sited in accordance with national Environmental Guidelines for Indoor Piggeries (NEGIP).</p> <p>SARA request for information (RFI) resulted in further information being provided to Department of Agriculture and Fisheries (DAF) in relation to odour. This information request resulted in a reduction in standard pig units eg. capacity to ensure the proposed piggery expansion complies based on the S Factor methodology. This methodology used by DAF ensures that this type of activity can be designed and sited to ensure odour impact are minimised.</p> <p>Transport contractors must follow strict biosecurity practices. According to the applicant all trucks and trailers are washed and disinfected between loads of pigs. Odour impacts from passing pig trucks are short term in nature and all pigs being loaded out of the site will have been on a clean trailer for less than an hour.</p>

		The regulation of odour impacts is through the State Government licensing process for the ERA.
<b>Decision</b>	Approved subject to conditions	
<b>Decision Date</b>	14 August 2020 extended to five (5) days past 16 September 2020 General Meeting.	

**1. Assessment Benchmarks**

The proposed development was assessed against the following assessment benchmarks:

South Burnett Regional Council Planning Scheme 2017 v1.3

- Rural zone code;
- Overlays; and
- Services and works code.

**2. Reasons for the Decision**

The reasons for this decision are:-

- The proposed material change of use for an Intensive animal industry (piggery expansion) is considered an appropriate land use for a site located within the Rural zone.
- The piggery expansion has been designed and sited in accordance with the National Environmental Guidelines for Indoor Piggeries (NEGIP).
- No sheds are proposed forward of the existing piggery therefore additional buffering or screening is not considered necessary.
- The proposed built form maintains the rural amenity and character of the locality.

Overall, there are no conflicts with the planning scheme identified and reasonable and relevant conditions are included to manage or mitigate potential impacts from the use such that use maintains acceptable amenity outcomes in the rural locality.

**3. Compliance with Benchmarks**

The development was assessed against all of the assessment benchmarks listed above and complies with all of these or can be conditioned to comply.

**Note:** Each application submitted to Council is assessed individually on its own merit.

**ATTACHMENT D**  
**PUBLIC SUBMISSION**



Date 25 June 2020

Mr Chris Du Plessis  
Manager Planning and Land Management Branch  
South Burnett Regional Council  
PO BOX 336  
KINGAROY QLD 4610

Email: [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)

**SUBMISSION: DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE (MCU19/0011) – INTENSIVE ANIMAL INDUSTRY (CONSOLIDATION & EXPANSION OF EXISTING PIGGERIES TO A TOTAL OF 28,000 SPU AND ASSOCIATED WORKS), LOCATED AT 225 ELBOW ROAD SUNNYNOOK, 1894 GAYNDAH ROAD CLOYNA, WILLIAM WEBBER ROAD CLOYNA AND 161 ELBOW ROAD MERLWOOD**

I am writing in response to the proposal described above, which is currently on public notification until 25 June 2020.

The Department of Education objects to the proposal on the basis that the development will adversely impact on the safety and amenity of Cloyna State School, a Prep to Year 6 school located at 8 William Webber Road, Cloyna. These adverse impacts relate to Traffic and Odour impacts.

Cloyna State School is a small, rural school located at the intersection of Murgon-Gayndah Road and William Webber Road. The school is accessed by vehicle from a small car park located on William Weber Road, which is a narrow rural standard road. There is only basic road infrastructure on the roads surrounding the school, including no formal arrangements to support pedestrians and cyclist activity and no lighting. The prevailing environment is also a high speed environment, with only Gayndah Road having signage to reduce the traffic speed to 80 kilometres per hour during school peak times in the morning and afternoon. Other roads are rural speed, 100 km per hour.

It is understood that the proposal will involve the expansion of the existing piggery which is accessed from William Webber Road, and two existing piggeries at 225 Elbow Road and 161 Elbow Road will be decommissioned. As a result of these changes, there will be a net increase in capacity of the piggery from current 9,700 standard pig units (SPU) up to a capacity of 28,000 SPU. All access to the site will be via William Webber Road, which is the road that the school is accessed via.

**1. Traffic impacts**

Department of Education is concerned that any additional heavy vehicle movements as a result of the development will be required to use the William Webber Road/Murgon Gayndah Intersection which is in close proximity to the school. Increased heavy vehicle traffic associated with the piggery is expected to result in increased traffic risks during the morning and afternoon transit period associated with the school.

Whilst it is understood that the South Burnett Regional Council and Department of Transport and Main Roads through the State Assessment Referral Agency have expressed concern about the impact of traffic on the school, Department of Education are not satisfied that the information provided has satisfactorily demonstrated that the development will not adversely impact on the safety of students, parents, staff and visitors to the school.

Infrastructure Services Branch  
Level 19 – AM 60  
42-60 Albert Street Brisbane 4000  
PO Box 15033 City East  
Queensland 4002 Australia  
Telephone 131 504  
Website [www.qed.qld.gov.au](http://www.qed.qld.gov.au)  
ABN 76 537 615 647

In particular, it is understood that the road safety impact assessment was undertaken following a site visit on 10 January 2020, which was during school holidays. It is not considered that the road safety impacts for the school have been satisfactorily considered if the safety assessment was not undertaken with consideration of traffic, pedestrian and cyclist observations for a typical school day.

Notwithstanding this, the safety assessment undertaken by PSA Consulting (on page 16 of the report) provided for the intersection shows that there is an increased risk for:

- Right turning traffic at William Webber Road; northbound motorists rear end collision with right turning traffic entering William Webber Road – an increased likelihood of '1' to '2'; and
- Right turning traffic at William Webber Road; vehicles adjacent approach through-right collision – an increased likelihood of '1' to '2'.

The consequence of both risk items identified above is '5', for fatality.

Department of Education considers that a meaningful and thorough safety assessment be undertaken to ensure that the likelihood of traffic incidents is not worsened by the proposal. Given that the school caters for young children from Prep to Year 6 students, further attention should be given to ensure that a full and thorough road safety assessment is undertaken. This should also consider future anticipated numbers of students that are expected to be enrolled in the school to forecast years (to 2024). This information can be provided by Department of Education upon request. A thorough assessment is requested to ensure the proposal at completion of all stages, does not adversely impact on traffic, cyclist and pedestrian movements associated with the use of the school.

## 2. Odour impacts

The Department of Education is concerned that the piggery expansion may result in potential increase in odours as a result of heavy vehicles carrying livestock, as well as odours generated from the piggery sheds and effluent disposal areas (ponds, effluent treatment facilities and the like).

Department of Education requests that particular consideration be given to the potential impact of these odours on the health and wellbeing of school students, teachers, staff and visitors. Whilst it is understood that odour levels to sensitive receptors will be managed through the licencing process for the Environmentally Relevant Activity, the Department of Education is still concerned that this will not be sufficient to ensure that odours are not problematic for the school. It is not considered that the ERA process will adequately ensure odours generated by heavy vehicles associated with pig transport are adequately considered and mitigated, if/as required.

Should you wish to discuss this matter further, I invite you to contact Louise McGrath, Strategic Planning Officer, Infrastructure Services Branch by email at [louise.mcgrath@qed.qld.gov.au](mailto:louise.mcgrath@qed.qld.gov.au), or on telephone 3034 4537.

Yours sincerely



**JENNA DONNELLY**  
Manager, Strategic Planning  
Infrastructure Services

**ATTACHMENTS**

**Nil**

### **11.3 CODE OF PRACTICE FOR THE KEEPING AND BREEDING OF DOGS AND CATS IN THE SOUTH BURNETT REGION**

**File Number:** 16-09-2020

**Author:** Manager Environment and Waste

**Authoriser:** Chief Executive Officer

#### **PRECIS**

Code of Practice for the Keeping and Breeding of Dogs and Cats in the South Burnett Region

#### **SUMMARY**

A number of deficiencies or unaddressed issues with the Queensland Government's Animal Welfare Standards and Guidelines for Dog Breeding have been identified. The State's document is very vague and makes broad statements.

The State government have said that they want to stamp out "puppy farms", but their Guideline does not go far enough or have enough specific detailed conditions to attempt to address the keeping and breeding standards of animal facilities. It is therefore very hard from an enforcement perspective to implement or apply such a Code in practical terms. It would also be difficult from an industry perspective to know exactly what one has to do in order to comply.

In an attempt to provide a solution to this situation, Council's Compliance section has developed a draft proposed Code of Practice for the Keeping and Breeding of Dogs and Cats in the South Burnett Region. Council's Code of Practice was based upon the Victorian Government's Code of Practice for Keeping and Breeding of Dogs and Cats as well as the Gold Coast City Council's Code of Practice for Keeping and Breeding of Dogs and Cats. The NSW Government's Code of Practice for Keeping and Breeding of Dogs and Cats was also reviewed.

Council is committed to engaging with the community and industry on issues/changes that may affect them and therefore it is necessary to take this draft proposed document to community consultation.

---

#### **OFFICER'S RECOMMENDATION**

That Council approve for release the draft Code of Practice for the Keeping and Breeding of Dogs and Cats in the South Burnett Region for public consultation.

#### **FINANCIAL AND RESOURCE IMPLICATIONS**

There will be a cost to Council to consult with the public and finalise this proposed Code of Practice. This is expected to be completed with internal staff and so associated costs should be internalised and fixed.

There will also be a time cost involved with amending Council's Local Laws to give effect to enforcement of the Code of Practice, once the Code is adopted by Council. Again, this proposed expense should be a fixed cost and absorbed internally.

Implementation of this Code of Practice could have substantial cost implications for industry. Compliance with a number of the operational and structural requirements may well involve significant costs. This will depend upon their level of compliance at the time of adoption of the Code of Practice.

This proposed Code of Practice is based upon best practice of jurisdictions that are well advance in addressing animal welfare issues and have been for many years. This Code of Practice is very extensive in its application and covers a range of animal welfare issues.

The development of this Code of Practice was in response to an inability to effectively deal with "puppy farms" and require them to comply with some reasonable industry standard that addressed

the animal's benefit/welfare. This Code of Practice will potentially be onerous on those entities not resourced or prepared to provide for the animal's wellbeing.

There will also be expense implications for Council implementing such a Code. Enforcement of this Code may not be able to be effectively carried out within the existing levels of Compliance staffing. The quantity of time required and resources that will need to be applied are not definitive at this point in time.

### **LINK TO CORPORATE/OPERATIONAL PLAN**

The applicable Corporate Strategy is:

Enhancing our Communities - Building vibrant, healthy, supportive & inclusive communities

The applicable Goal & Strategies are:

- EC2 An active, safe and healthy community
- EC2.2 Advocate and support community initiatives that promote healthy lifestyles
- EC2.3 Manage identified public health and environmental issues in accordance with relevant legislation

### **COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

It is proposed that the draft Code of Practice for the Keeping and Breeding of Dogs and Cats in the South Burnett Region be approved by Council for release in August/September 2020 for the necessary public consultation period. Any feedback received will then be collated and provided to Council for their consideration and a decision made as to whether to make any changes to the Code of Practice. A final document can then be released prior to its adoption by Council. Council will then need to go through a public amendment process to change its Animal Management Local Law to recognise and give effect to the Code of Practice.

### **LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

In order to give effect to the proposed Code of Practice the first step is that Council will first take the document to public consultation. Then modify the document as necessary based upon the feedback. A further period of consultation of the final version would be appropriate.

Finally, amendments to the Council's Animal Management Local Law will be necessary to give legal recognition and effect to the Code of Practice. Council will then be able to begin implementation and enforcement of the Code of Practice.

### **POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

As there are a number of existing animal keeping operators within the South Burnett who may presently not be able to meet the Code of Practice conditions it is anticipated that Council would establish a policy position that provided a period of time for these entities captured by the Code to comply with the Code before enforcement action would ensue.

As mentioned earlier the Council's Animal Management Local Law will need to be amended to provide for recognition and enforcement of the Code of Practice for the Keeping and Breeding of Dogs and Cats in the South Burnett Region.

### **ASSET MANAGEMENT IMPLICATIONS**

N/A

## REPORT

A number of deficiencies or unaddressed issues with the Queensland Government's Animal Welfare Standards and Guidelines for Dog Breeding have been identified. The State's document is very vague and makes broad statements.

The State government have said that they want to stamp out "puppy farms", but their Guideline does not go far enough or have enough specific detailed conditions to attempt to address the keeping and breeding standards of animal facilities. It is therefore very hard from an enforcement perspective to implement or apply such a Code in practical terms. It would also be difficult from an industry perspective to know exactly what one has to do in order to comply.

In an attempt to provide a solution to this situation Council's Compliance section has developed a draft proposed Code of Practice for the Keeping and Breeding of Dogs and Cats in the South Burnett Region. Council's Code of Practice was based upon the Victorian Government's Code of Practice for Keeping and Breeding of Dogs and Cats as well as the Gold Coast City Council's Code of Practice for Keeping and Breeding of Dogs and Cats. The NSW Government's Code of Practice for Keeping and Breeding of Dogs and Cats was also reviewed.

This proposed Code of Practice is based upon best practice of jurisdictions that are well advance in addressing animal welfare issues and have been for many years. This Code of Practice is very extensive in its application and covers a range of animal welfare issues.

Council is committed to engaging with the community and industry on issue/changes that may affect them and therefore it is proposed to take this draft proposed document to community consultation. It is important to engage with industry and the public concerning this document as this proactive engagement will help to ensure that the document is the best it can be and reasonable.

There will be a cost to Council to consult with the public and finalise this proposed Code of Practice. This is expected to be completed with internal staff and so associated costs should be internalised and fixed.

There will also be a time cost involved with amending the Council's Local Laws to give effect to enforcement of the Code of Practice, once the Code is adopted by Council. Again, this proposed expense should be a fixed cost and absorbed internally.

Implementation of this Code of Practice could have substantial cost implications for industry. Compliance with a number of the operational and structural requirements may well involve significant costs. This will depend upon their level of compliance at the time of adoption of the Code of Practice.

The development of this Code of Practice was in response to an inability to effectively deal with "puppy farms" and require them to comply with some reasonable industry standard that addressed the animal's benefit/welfare. This Code of Practice will potentially be onerous on those entities not resourced or prepared to provide for the animal's wellbeing.

Once the Code has been adopted by Council and in order to give legal recognition and effect to the Code of Practice, amendments to the Council's Animal Management Local Law will be necessary. After this Local Law amendment process, Council will then be able to begin implementation and enforcement of the Code of Practice. As there are a number of existing animal keeping operators within the South Burnett who may presently not be able to meet the Code of Practice conditions it is anticipated that Council would establish a policy position that provided a period of time for these entities captured by the Code to comply with the Code before enforcement action would ensue.

## ATTACHMENTS

1. **Final Draft - Code of Practice for the Keeping and Breeding of Dogs and Cats**  



**DRAFT**

Code of Practice  
For the Keeping and Breeding of Dogs and  
Cats  
South Burnett Region

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DRAFT

Document Revision Date: July 2021

**Disclaimer**

The information contained herein subject to change without notice. The South Burnett Regional Council shall not be liable for technical or other errors or omissions contained herein. The reader/user accepts all risks and responsibility for losses, damages, costs and other consequences resulting directly or indirectly from using this information.

South Burnett Regional Council

**Code of Practice for the Keeping and Breeding of Cats and Dogs**

**3**

## PART 1 INTRODUCTION

### Introduction

South Burnett Regional Council has a role in regulating the keeping and breeding of dogs and cats to ensure that these activities are carried out in a safe and sanitary manner, while preventing nuisances to neighbouring properties and the surrounding environment. This document was developed to provide the minimum requirements for persons responsible for the breeding or boarding of dogs and cats in the South Burnett region.

### Legal Requirements

The keeping of dogs and cats must comply with:

- The minimum standards outlined within this Code of Practice (the Code), where applicable
- South Burnett Regional Council *Local Law No. 1 (Administration) 2011*
- South Burnett Regional Council *Subordinate Local Law No. 1.5 (Keeping of Animals) 2011*
- South Burnett Regional Council *Local Law No. 2 (Animal Management) 2011*
- South Burnett Regional Council *Subordinate Local Law No. 2 (Animal Management) 2011*
- *Animal Management (Cats and Dogs) Act 2008* and Subordinate legislation
- *Animal Care and Protection Act 2001*
- Council's Planning Scheme
- Any other relevant legislation

*Council's Local Law No. 1 (Administration) 2011* defines the **keeping of animals** as: "the keeping of an animal or animals for which an approval is required under *Local Law No. 2 (Animal Management) 2011*."

*Council's Subordinate Local Law No. 2 (Animal Management) 2011* defines to keep (an animal) as;

#### Keep (an animal)

- (a) includes board, breed and train; and
- (b) in the absence of evidence to the contrary, a person is presumed to keep an animal on the land if the person –
  - i. Feeds and cares for the animal on the land; and
  - ii. The animal is observed by an authorised person on the land on more than 1 occasion during a month.

Council's Local Laws permit the following animals to be kept, on a certain sized allotment in a particular locality, **without** a permit:

	Maximum number of dogs and cats permitted
<b>Designated town areas</b>	2 dogs and 2 cats over the age of 3 months on an allotment
	1 dog and 1 cat over the age of 3 months on a multi-residential premise
<b>Rural and rural residential areas</b>	2 dogs and 2 cats over the age of 3 months on an allotment which has an area less than 20,200m <sup>2</sup>
	4 dogs and 4 cats over the age of 3 months on an allotment which has an area between 20,200m <sup>2</sup> and 60,700m <sup>2</sup>
	6 dogs and 6 cats over the age of 3 months on an allotment which has an area over 60,700m <sup>2</sup>

**Applying for an Animal Keeping (Dogs and Cats) Permit**

Council’s Local Law and Subordinate Local Law allows for the keeping of additional animals under certain circumstances.

Should you wish to keep more animals than the maximum number stated above, then you will be required to apply for the relevant **Animal Keeping Permit**.

A permit is also required if you wish to operate a commercial kennel or cattery.

A permit is required where any of the following applies:

	<b>Number of Animals/ Property Size</b>	<b>Animal Permit Type</b>
Designated town area	The keeping of 3 dogs or 3 cats over the age of 3 months on an allotment	Excess Dog or Cat Permit
	The keeping of 2 dogs or 2 cats over the age of 3 months on a multi-residential premise	Excess Dog or Cat Permit
Rural and rural residential areas	The keeping of 3 dogs or 3 cats over the age of 3 months on an allotment which has an area less than 20,200m <sup>2</sup>	Excess Dog or Cat Permit
	The keeping of more than 6 dogs or 6 cats over the age of 3 months on an allotment which has an area over 100,000m <sup>2</sup>	Low Impact Animal Keeping Permit / High Impact Animal Keeping Permit
	Operating a kennel or cattery	High Impact Animal Keeping Permit

Please note that Council will only approve a Permit for the keeping of additional dogs or cats in these circumstances.

Council will **not** approve animals in excess to the following:

<b>Prohibited keeping of animals</b>	
Designated town areas	More than 3 dogs or 3 cats over the age of 3 months on an allotment
	More than 2 dogs or 2 cats over the age of 3 months on multi-residential premises
Rural and rural residential areas	More than 3 dogs or 3 cats over the age of 3 months on an allotment which has an area less than 20,200m <sup>2</sup>
	More than 4 dogs or 4 cats over the age of 3 months on an allotment which has an area between 20,200m <sup>2</sup> and 60,700m <sup>2</sup>
	More than 6 dogs or 6 cats over the age of 3 months on an allotment which has an area between 60,700m <sup>2</sup> and 100,000m <sup>2</sup>
	More than 6 dogs or 6 cats over the age of 3 months on an allotment which has an area of more than 100,000m <sup>2</sup> , unless the animals are kept in accordance with: <ul style="list-style-type: none"> <li>i. a development approval issued by the local government under the planning scheme of the local government, where applicable; and</li> <li>ii. a permit issued by the local government for the keeping of animals</li> </ul>
<p>Note: Any of the following breeds are prohibited anywhere in the local government area: American pit bull or pit bull terrier; dogo Argentino; fila Brasile; Japanese tosa; Perro de Presa Canario or Presa Canario.</p>	

**Planning Scheme**

All Animal Keeping Permit applications will be required to be initially assessed against the Planning Scheme. An extract of the Planning Scheme in relation to animal keeping is shown below.

Use	Categories of development and assessment	Requirements for accepted development and assessment benchmarks
Animal keeping  e.g. kennels, catteries, breeding or training establishments	Accepted development	
	If:	
	<ul style="list-style-type: none"> <li>▪ On a site more than 2km from urban or rural residential zoned land; and</li> <li>▪ On a site larger than 10ha in area</li> </ul>	
	Impact assessment	
	If not accepted development	The planning scheme

For more information regarding Planning requirements for animal keeping activities, please contact Council’s Planning Team by calling 4189 9100.

**Types of Animal Permits**

**Excess Dog or Cat Permit**

This permit is required when an applicant wishes to keep one (1) dog or one (1) cat in addition to the permitted number as per the Local Law. That is, more than two (2) on an allotment less than 20,200m<sup>2</sup>, but no more than three (3), or more than one (1) on a multi-residential premise, but no more than two (2).

Applications are considered on a case by case basis and are approved in exceptional circumstances only, such as special hardship or medical considerations. Excess Dog or Cat Permit applications for the keeping of an additional dog or cat for the purposes of breeding will not be approved.

The Excess Dog or Cat Permit application is required to be made and approved by Council prior to acquiring the additional animal. If an animal is acquired prior to an application and that application is declined, then you will be required to remove the animal from the premises.

As part of the assessment process, Council will review the application and conduct an inspection of the premises. Minimum standards and conditions for the keeping of animals are applicable and outlined on the application form. Where the application is approved, the permit may be subject to specific conditions.

In the first instance, it is recommended that you contact Council’s Local Laws Team on 4189 9100 to discuss your proposal and request the appropriate application form.

Once Council has assessed your application, you will be advised of the outcome in writing.

**Animal Keeping Permit**

An Animal Keeping Permit is required where:

- dogs or cats are being kept to breed for sale or for showing, and their numbers exceed that which is ordinarily permitted in Council’s Local Laws (i.e. more than 6); or
- a landowner/occupier wishes to operate a commercial kennel or cattery; or
- a landowner/occupier operates a non-profit animal shelter or rescue, where dogs and/or cats are kept at a property (the principal property) and the number of dogs and/or cats kept at the principal property exceeds those numbers which are ordinarily permitted in Council’s Local Laws (i.e. more than 6).

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There are two types of Animal Keeping Permits:

*(1) Low Impact Animal Keeping Permit –*

This category is designed for:

- **Recreational Breeders:** Dog or cat owners who keep animals for the purposes of showing and where breeding is considered ancillary to the keeping of the animals. In this instance, a maximum of 10 dogs or 10 cats over the age of three months is permitted to be kept at the property. Evidence must accompany your application, such as a dog shower society membership stating your membership status as a shower.
- **Commercial Breeders:** Dog or cat breeders with no more than six (6) fertile females and no more than 10 dogs or 10 cats over 3 months of age kept at the property.

**Low Impact Animal Keeping Permit** holders are required to meet the animal welfare standards and the housing and structural requirements for low impact animal breeding establishments within Part 2 of this Code.

Eligibility for a permit is based upon compliance with the relevant Local Law and this Code.

*(2) High Impact Animal Keeping Permit –*

This category is designed for:

- **Commercial boarding establishments** for cats and/or dogs [i.e. cattery(ies) and/or kennel (s)].
- **Commercial Breeders:** Where more than 10 dogs or 10 cats over the age of 3 months are kept at the property or where more than six (6) fertile females over the age of three months are being kept for the purposes of breeding.
- **Recreational Breeders:** Where more than 10 dogs or 10 cats over the age of 3 months are kept on the premises for the purposes of showing and where breeding is considered ancillary to the purposes of keeping the animals.
- **Non-profit animal shelter or rescue organisations:** Where dogs and/or cats are kept at a property (the principal property) and the number of dogs and/or cats kept at the principal property exceeds those numbers which are ordinarily permitted in Council's Local Laws. That is, more than six (6) dogs or cats are kept.

**High Impact Animal Keeping Permit** holders are required to meet the animal welfare standards and the housing and structural requirements for high impact animal breeding establishments (where breeding occurs) within Part 2 of this Code and/or Part 3 of this Code (where animal boarding occurs).

This category of Animal Keeping Permit is for animal keeping and/or breeding that has a higher intensity land use and therefore may have a more significant impact on the land and surrounding neighbourhood. The increased structural requirements are in recognition of the potential high impact this activity may have. This Code sets out the minimum requirements in each of these areas of responsibility.

You will be required to obtain Building and Plumbing approval for all structures.

A permit condition may specify the maximum number of dogs and/or cats which may be kept on the land at any one time.

### Fees

Fees apply for Animal Keeping Permits and are payable at time of application lodgement. The amount payable upon application will be calculated as per Council's current Fees & Charges. Please note that the Animal Keeping Permit application fee does not include any additional approvals that may need to be issued by other Council sections, such as Building, Plumbing or Town Planning.

### How to apply

To apply for an Animal Keeping Permit, a completed Animal Keeping Permit Application form must be submitted to Council, along with the relevant attachments and fees as indicated on the application. This form can be downloaded from Council's website, or a hardcopy can be obtained from any of Council's Customer Service Centres. The relevant permit application form and supporting documents may be lodged to Council via:

Email: [info@southburnett.qld.gov.au](mailto:info@southburnett.qld.gov.au)

Post: South Burnett Regional Council  
PO Box 336  
KINGAROY QLD 4610

Or in person: At any of Council's Customer Service Centres.

Once lodged, Council will assess the application and advise the outcome of the application in writing.

If you require any further information, clarification or assistance, then please contact Council's Local Laws Team by calling (07) 4189 9100.

### Other Legislation

Compliance with this Code does not remove the need to comply with the requirements of other relevant state and local government legislation and permits, including:

- ***Animal Management (Cats and Dogs) Act 2008***  
Under the *Animal Management Act*, every Breeder having a female dog with a litter born on or after 26 May 2017 must register as a dog breeder with the Queensland Government within 28 days of the birth of the litter. You must not give away, supply, sell or advertise a dog or puppies without a Supply Number that identifies the Breeder or provides an Exemption. For further information, please contact the Queensland Government on 13 QGOV (13 74 68).
- Persons involved in the breeding of dogs and cats must be aware of their responsibilities under the *Animals Care and Protection Act 2001* and Regulations.
- The *Queensland Code of Practice for Pet Shops* outlines acceptable standards for managing animal species for sale at pet shops.



## Definitions

**Animal** - for the purposes of this code means a dog, cat, puppy or kitten.

**Animal Management Act** means *Animal Management (Cats and Dogs) Act 2008*.

**Animal of a litter** means an animal from a litter which is the progeny of an animal kept on land pursuant to a permit. An animal of a litter may be a kitten or a puppy.

**Boarding** means the taking of custody or possession of a dog or cat for the keeping, accommodation, care, training or feeding for fee or reward at a property other than the animals normal place of residence.

**Breeding** means the business of breeding of litters of animals for sale.

**Code** means this Code of Practice for the Keeping and Breeding of Cats and Dogs.

**Commercial breeder** means a person who carries out the breeding of dogs and/or cats to sell, where the person does not meet the definition of a **recreational breeder**.

**Council** means South Burnett Regional Council

**Duty of care** is defined in the *Animal Care and Protection Act 2001*.

**Full-time staff member** means staff members working 8 hours of work, either as one staff member working 8 hours continuously, or multiple staff members working split shifts to the equivalent of.

**Guideline** means a guideline included in this Code.

**Humane killing** means the animal is rendered immediately unconscious and does not regain consciousness prior to death.

**Non – profit animal shelter or rescue** means any premises maintained for the purpose of providing temporary care or finding new homes for stray, abandoned or unwanted dogs or cats, but does not include premises on which foster care is being provided

**Permanent identification device or PID** is a microchip or other electronic device

- a) capable of being permanently implanted in a cat or dog
- b) designed to record information in a way that can be electronically retrieved.

**Prescribed permanent identification device or PPID** is a PID that complies with the requirements prescribed under a regulation under the *Animal Management Act*.

**Recreational Breeder** means:

- a) a person who carries out the breeding of dogs and/or cats to sell, where breeding is considered ancillary\* to the purposes of keeping the animals; and
- b) who is a member of an applicable organisation; and
- c) uses the animals for showing.

\* To be considered ancillary to the purposes of keeping the animal, each female dog or each female cat kept by the person must have no more than two (2) litters during the life of the animal.

**Sell:** as per the definition in the *Animal Management Act*, "sell" means sell by retail, wholesale or auction, and includes—

- (a) offer or agree to sell; and
- (b) invite to treat or expose for sale; and
- (c) cause or permit to be sold; and
- (d) supply under a lease, exchange, hiring or other commercial arrangement.

**Standard** means a standard included in this Code.

**Supply** includes doing any of the following things if doing the thing affects the possession of a cat, or dog or PPID, other than the mere temporary custody of it:

- a) exchange, give or sell
- b) offer or agree to supply
- c) cause or permit a supply
- d) possess for supply.

**Veterinary surgeon** means the definition given in the *Animal Management Act*.

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## PART 2 STANDARDS AND GUIDELINES FOR DOG AND CAT BREEDING ESTABLISHMENTS

### Introduction

Part 2 of this Code sets out the standards and guidelines for keepers of cats and dogs, in excess of the Local Laws, who propose to breed animals in the South Burnett region.

By adhering to this Code, persons involved in the breeding of dogs and cats can demonstrate their commitment to the animals in their care and their compliance when undertaking the activity of animal breeding.

The Code corresponds with the Local Law requirements. Failure to meet a standard may result in a Compliance Notice or other enforcement action or a penalty infringement notice (i.e., a fine) being issued under Council's Local Laws.

This Code is neither a complete manual on animal husbandry, nor a static document. It will be revised from time to time to take into account new knowledge of dog and cat physiology and behaviour, technological advances, developments in standards of dog and cat welfare and changing community attitudes and expectations about the humane treatment of dogs and cats.

### Aim

The aim of Part 2 of this Code is to specify:

- a) requirements for the care of cats and dogs that are used, or proposed to be used, for breeding, and their progeny
- b) requirements for the health, safety and wellbeing of the cats, dogs and their progeny
- c) requirements for the cats, dogs and their progeny to be kept without creating a nuisance and in accordance with community standards.

These standards and guidelines recognise that breeding dogs and cats and their progeny have specific needs and require specialised care and management.

Compliance with this Code demonstrates commitment to responsible care and management of cats and dogs. Keepers of cats and dogs are responsible for their health, safety and well-being, and ensuring they do not contribute to the oversupply of animals that have to be euthanised.

### Scope

Part 2 of the Code is designed for everyone involved in the activity of breeding dogs and cats. The standards are mandatory for:

#### *High Impact*

An enterprise that carries out the breeding of dogs and cats to sell, where

- The proprietor is a **recreational breeder**, and keeps more than 10 dogs or 10 cats over the age of three months at the premises; or
- The proprietor is a **commercial breeder**, and keeps more than 10 dogs or 10 cats, or more than six (6) fertile females, over the age of three months at the premises.

These enterprises outlined above are considered **High Impact Animal Keeping** and must comply with the animal welfare standards and the relevant High Impact sections.

### *Low Impact*

An enterprise that carries out the breeding of dogs and cats to sell, where

- The proprietor is a **recreational breeder** and keeps up to 10 dogs or 10 cats over the age of three months at the premises; or
- The proprietor is a **commercial breeder** and keeps at the premises:
  - no more than six (6) fertile females used for breeding, and
  - no more than 10 dogs or 10 cats.

These two (2) abovementioned enterprises are considered **Low Impact Animal Keeping** and must comply with the animal welfare standards and the relevant Low Impact sections.

Part 2 of this Code is not intended to apply to temporary emergency accommodation where animals and their progeny may be temporarily housed. However, all animals in these circumstances must be managed in accordance with the *Animal Care and Protection Act 2001* and Part 3 of this Code (where applicable).

### *Interpretation*

Each numbered section of the document covers a particular topic and contains the following information:

**Animal welfare objective** — the intended outcome(s) for the section of the standards and guidelines.

**Standards** — the animal welfare requirements designated in this document (i.e. the requirements that must be met under law for animal welfare purposes).

The standards are intended to be clear, essential and verifiable statements. However, not all issues are able to be quantified or well defined by scientific research. Science cannot always provide an objective or precise assessment of an animal's welfare and, consequently, where appropriate science is not available, the standards reflect a value judgement that has to be made in some circumstances.

Standards use the word 'must' and are numbered with the prefix 'S'.

**Guidelines** — the recommended practices to achieve desirable animal welfare outcomes. Guidelines use the word 'should' and complement the standards. Noncompliance with one or more guidelines will not necessarily constitute an offence under law.

Guidelines will be particularly appropriate where it is desirable to promote or encourage better care of animals than is provided by a minimum standard. Guidelines are also appropriate where it is difficult to determine an assessable standard.

## 1. Responsibilities

**Objective:** The person in charge of an animal is aware and accepts their responsibilities and has the skills and ability to care for breeding dogs and/or cats and their progeny.

### Standards:

- S1. A person must exercise duty of care when breeding dogs and cats.
- S2. The person in charge of the facility is responsible for the facility complying with all relevant legislation and Codes of Practice, including the enforceable provisions within this Code.
- S3. The person in charge of the facility must be aware of their responsibilities towards dogs and/or cats. Each day, a person must be present to meet the requirements for this Code, and must be knowledgeable and competent to provide for:
- The care and welfare of dogs and/or cats;
  - The feeding, and waterings, of dogs and/or cats;
  - The protection of dogs and/or cats from distress or injury caused by other animals or interference by people;
  - Cleaning and proper hygiene in the facility;
  - Identifying when an animal is unwell or displaying signs of illness, injury or distress;
  - Identifying signs of common disease in the species kept.
- S4. Sufficient staff must be available for the business.
- The minimum of one (1) full-time staff member must be onsite at the business for every 18 fertile animals (or equivalent) housed in the business during business hours. The staffing ratio must be maintained seven days a week.
  - In addition, the minimum of one (1) staff member must be onsite at the business for every 100 fertile animals (or equivalent) housed in the business overnight.
  - In addition, sufficient staff for a ratio of 1:50 fertile animals (or equivalent) housed in the business overnight must be 'on call' to attend the business in the case of an emergency. On call overnight staff must be able to travel to the property within 30 minutes of contact.
- A single fertile animal equivalent is:
- any animal over the age of 16 weeks
  - a litter and its mother while the litter remains housed with its mother
  - a litter no longer residing with its mother, but under the age of 16 weeks.
- S5. Staff health must be protected by the provision of appropriate work clothing, adequate hand washing facilities and tetanus immunisation.

### Guidelines:

The person in charge should understand:

- canine or feline behaviour and social needs
- the special nutritional requirements for pregnant and lactating bitches and/or queens
- the special requirements for whelping a bitch/queen and identifying when help is needed, including the need for prompt veterinary care

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- the normal behaviour of pups/kittens including milestones (e.g. when eyes open, when ears open etc.)
- the safe management of new introductions
- the requirements for appropriate housing for a dog or cat, including re-homing a dog or cat
- cat/dog husbandry and management, including handling, controlling, moving, transporting and training a dog or cat
- signs of health and ill health in a dog/cat, including identifying signs of stress and when prompt veterinary care is required
- the correct procedures for the care of a sick and/or injured dog/cat
- the special requirements of a young dog/cat including diet, exercise and socialising
- disease and parasite control and prevention
- all relevant record keeping requirements.

A record of training undertaken or experience gained by a person should be kept.

To protect staff health, a list of common zoonoses and hydatids associated with animals should be prominently displayed throughout the business (for example in the staff common area or lunchroom).

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## 2. Record keeping

**Objective:** Records assist with monitoring and enforcement of breeder standards for animal care and management.

Breeding establishments should operate in a transparent way so that standards of animal welfare are maintained.

**Standards:**

S6. The holder of a permit must keep and maintain a written register which records details of the activities of the holder under the permit:

- a) during the term of the permit
- b) for a minimum of three (3) years after the end of the term of the permit.

The register must detail:

- a) the particulars and description of each animal kept on the land including, breed, name, date of birth, identifying tag and any other form of identification
- b) a medical history for each animal listing vaccinations, inoculations and treatments that have been carried out for each animal
- c) if any animal is sold or otherwise disposed of – the name and address of the new keeper of the animal and the date of sale or disposal of the animal
- d) the particulars of the permanent identification device (PID) implanted into each animal
- e) for each animal of a litter of an animal kept on the land:
  - the dam of the litter
  - the sire of the litter
  - the breed of each animal of the litter
  - the date of birth of each animal of the litter
  - the date of mating of the parents of the litter
  - the sex of each animal of the litter
  - the distinguishing marks or other form of identification of each animal of the litter
  - the particulars of the PID implanted into the animal
  - if an animal of the litter is sold or otherwise disposed of – the name and address of the new keeper of the animal and the date of sale or disposal of the animal
  - in the event of the death of an animal of the litter – the date and the cause of death of the animal
  - a medical history for each animal of the litter listing vaccinations, inoculations and treatments of the that have been carried out for the animal
- f) if an animal kept on the land – was not born on the land for the acquisition of the animal by the holder of the permit:
  - the date of the acquisition
  - the person from whom the animal was acquired by the holder of the permit.

S7. The holder of the permit must:

- a) keep and maintain records about the activities of the permit holder
- b) produce the records for inspection promptly after receipt of a request from an authorised person
- c) permit the authorised person to take copies of, or extracts from, the records

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- d) keep the records:
    - at specified premises
    - for a specified period.
- S8. The records that the holder of the permit must keep and maintain include, without limitation, details of procedures and protocols adopted and implemented by the holder of permit in relation to:
- a) cleaning and disinfecting enclosures, food preparation and storage areas and animal husbandry equipment
  - b) pest management
  - c) emergencies.

**High Impact Animal Keeping (Breeding)**

**2.1 Health Management Plan**

**Standard:**

- S9. The person in charge of a High Impact Animal Keeping (Breeding) Business must have, and adhere to, a written health management plan that has been formulated in consultation with a veterinary surgeon and is reviewed on an annual basis and/ or whenever veterinary surgeons change, whichever is more frequent.
- The health management plan must include protocols for:
- assessment for admission of new breeding animals to the business
  - protocols for quarantine and movement of animals, including new animals introduced to the business
  - provision of appropriate diet for all animals at the business
  - hygiene, disinfection and disease prevention
  - vaccination programs
  - external parasite prevention and treatment programs
  - internal parasite prevention and treatment programs
  - investigation and treatment of animals showing signs of injury, illness or distress
  - response to a general outbreak of disease
  - grooming requirements
  - approved methods of euthanasia for emergency situations
  - birthing protocols
  - management of isolation facilities
  - exercise, environmental enrichment and socialisation programs
  - assessment programs for the health and welfare of animals, including animals being reared for sale or as replacement breeding animals
  - health assessment for puppies and kittens for sale
  - behavioural and welfare assessment of animals on a daily basis
  - processes for determining the suitability of breeding animals to continue breeding within the business
  - processes for long term management, desexing and/or assessing suitability for rehoming or euthanasia of retired breeding animals
  - risk assessments of housing and exercise areas and risk management plan/s



- pest management protocols
- development and display of emergency response plans for both humans and animals including evacuation procedures at the business.

The health management plan for the business must be submitted to Council during application for a High Impact Animal Keeping Permit and a copy provided to Council on review of the Plan each year, or whenever changes are made to the Plan, whichever is more frequent.

**Guidelines:**

The holder of a permit should hold back-up copies of all electronic records.

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### 3. Animal housing

#### 3.1 Housing

**Objective:** Breeding facilities must be designed, constructed, serviced and maintained in a way that provides for the good health and wellbeing of the animals, which prevents the transmission of infectious disease agents, the escape of animals and does not cause injury to either animals or humans.

**Standards:**

S10. The holder of permit must ensure that any enclosure in which an animal, including an animal of a litter, is kept:

- a) is maintained in a sanitary condition
- b) is provided with a sleeping area for the animal that:
  - (i) is weatherproof, that is, sheltered from sun, wind, rain extreme temperatures or other adverse conditions; and
  - (ii) is raised off the floor of the enclosure in which the animal is kept; and
  - (iii) does not become damp; and
  - (iv) must be constructed of materials selected for ease of maintenance and cleaning, durability and nontoxicity; and
  - (v) has sufficient clean, dry and comfortable bedding for the animal appropriate to the species and breed of the animal.
- c) allows the animal to move around freely and urinate and defecate away from the sleeping and eating areas of the animal within the enclosure
- d) provides sufficient ventilation to maintain the health of the animal and minimise undue draughts, odours and moisture condensation
- e) is free of any dangerous structure or object that may cause injury to the animal; and
- f) is secure so as to prevent access to the animal by persons other than the holder of the permit and persons authorised by the holder of the permit
- g) has an area which is appropriately sized so as to be capable of effectively and comfortably housing the animal kept in the enclosure
- h) is constructed of materials which are of sufficient strength to prevent the animal from escaping from the enclosure
- i) is drained so that the animal kept in the enclosure does not have continuous or extended contact with any part of the floor if the enclosure which is wet
- j) has a floor which is non-porous or coated with a non-toxic material so as to facilitate the proper cleaning of the floor and prevent the transmission of any infectious disease between animals

Example: A wood, chipboard, brick, dirt or grass floor is not acceptable for the main living area of the enclosure.

- k) is equipped with items and areas sufficient to provide the animal with enrichment and exercise appropriate to the species of the animal.

S11. The holder of the permit must keep one (1) separate enclosure on the land available for:

- a) each animal that is suspected of, or diagnosed as having, an infectious disease
- b) each animal that is whelping or queening
- c) each female animal with a litter.

S12. The holder of the permit must ensure that each cat is provided with a litter tray containing a sufficient depth of material to comfortably accommodate the cat.

Example: Commercial cat litter, or sand in a litter tray that is of sufficient size and depth to comfortably accommodate the cat.

S13. If cats and dogs are kept on the land identified in the permit and the animals have not been socialised with each other – the holder of the permit must keep and maintain facilities for the animals so that:

- a) the dogs are separated from the cats
- b) the proximity in which the animals are kept does not cause stress to the animals.

S14. Where groups of animals are housed together on the land – the holder of the permit must ensure that each animal housed in a group is kept free of intimidation from any other animal housed in the group.

S15. If an animal kept on the land is particularly sensitive to changes in temperature – the animal must be provided with appropriate heating and cooling.

Example: An elderly animal, kitten, puppy, or pregnant animal may be provided with an enclosed container with a doorway which gives the animal the opportunity to regulate temperature by perching on top of the container or sheltering within the container.

S16. Fertile male and female animals must be kept separate when females are in or close to oestrus to prevent unplanned breeding.

S17. The tables below (Table 1 and 2) specify the minimum dimensions for an enclosure in which one (1) or more animals may be kept, unless alternative housing is provided under the direction of a veterinary surgeon.

**Table 1. Minimum dimensions for an enclosure for the keeping of dogs**

Height of the dog measured at the shoulder of the dog (cm)	Minimum area (m <sup>2</sup> )	Minimum width (m)	Minimum height (m)	Increased floor area for each pup aged between eight and 16 weeks (m <sup>2</sup> )
70 and above	15	2.40	1.80	1.5
41 to 70	10	1.80	1.80	1.0
Up to 40	7	1.20	1.80	0.5

Table 1 applies to the keeping of one (1) adult dog or one (1) female dog and a litter of the dog up to eight weeks of age. A maximum of four (4) compatible dogs may be housed together. When housing two (2) compatible dogs together, pen areas must be doubled; three (3) dogs require triple the minimum area; four (4) dogs require four times the minimum area.

**Table 2. Minimum dimensions for an enclosure in which one or more cats may be kept**

Each cat must be provided with a minimum area of two square metres which has a height of at least 1.8 metres and had two levels.

**3.1.1 Low Impact Animal Breeding Business**

Often, dogs and cats of these businesses reside in the home of the business owner. For these businesses, an enclosure may include:

- a. a fenced area where cats and dogs share the keeper’s home or an enclosed yard
- b. cats and dogs each have their own enclosures, such as in a cattery, kennel facility, pen, module, commercially sold dog kennel or cat enclosure
- c. a garage can form part of an enclosure.

Vehicles, caravans, portable crates and the crawl space under any dwelling must not be used as permanent housing for dogs and cats.

Low impact animal keeping businesses are not necessarily required to construct separate housing pens or kennel facilities, however the business must still meet the minimum animal welfare standards in section 3.1 Housing.

Separate exercise facilities are not necessarily required for low impact animal keeping businesses; however, daily exercise requirements must be met. Suitable land at the property where the animals are normally kept for exercising will be preferred.

Where animal housing is constructed indoors, but not inside a place of residence (such as a kennel building), natural daylight during daylight hours must be provided and temperature, humidity and ventilation must be managed.

Where low impact animal keeping businesses choose to build housing pens for dogs those facilities must comply with the housing requirements set out in Tables 1.

Low impact animal keeping may house more than four (4) compatible dogs together in a place of residence. However, where a low impact breeding business chooses to build housing pens or kennel facilities, the business must comply with the requirement of a maximum of four (4) dogs per enclosure.

Cats must always be confined to the place of residence or an outdoor run area to prevent breeding with other cats outside of the business.

Where low impact animal keeping businesses choose to build colony cages or walk-in modules for cats those facilities must comply with the housing requirements set out in Tables 3 and 4 respectively.

**3.1.2 High Impact Animal Breeding Business**

Separate housing must be constructed for the housing of all dogs and cats at the business.

S18. All housing facilities must display emergency evacuation procedures in and near the animal housing facilities.

S19. Suitable facilities for bathing, drying and grooming animals must be available and must be hygienically maintained. These facilities may be provided by a grooming service provided that the breeding business has a business agreement with the service.

S20. Construction materials must be selected for ease of maintenance, disinfection and cleaning, durability and non-toxicity.

**Pen construction (dogs)**

Pens must be constructed for the housing of all dogs at the business.

Minimum space allocations for each pen, based on one (1) adult dog per pen, are detailed in Table 1.

S21. One third of the minimum pen size for each dog must be weatherproof and include raised sleeping quarters. The flooring of this area must be made impervious to liquids to assist cleaning, disinfection and drainage, and must have solid walls. No part of the pen floor may be constructed of wire.

S22. The floor of the remaining pen area may be made from any material (except wire), but must be easily cleaned of faeces, old food, etc. This area must not be allowed to become infested with parasites.

The breed/type of dog, including their grooming requirements, must be taken into consideration when determining the flooring in this area of the pen.

S23. The entire pen floor must not be allowed to remain muddy or sufficiently dusty that the dogs are likely to suffer, or are suffering, from respiratory or eye conditions.

S24. This area must be drained to prevent pooling of liquids.

S25. All pens must provide the dogs with continuous access to natural daylight during the day.

S26. Pens may be separated by solid partitions, galvanised chain wire or weld mesh wire dividers.

S27. The pens, including the flooring of the pens, must be of a design that will not cause injury to the animal.

S28. The internal surfaces of the external walls of kennel buildings must be constructed of impervious, solid, washable materials to facilitate cleaning and disinfection.

S29. The identification number of each dog housed in each pen must be clearly displayed on the pen, along with notification if an animal in the pen is under veterinary care.

**Cat housing**

S30. Cat housing must be constructed in the form of walk-in module cages or colony cages as specified in Table 3 and 4 below.

Where multiply housed, each cat must be provided with its own food receptacle, litter tray and appropriate bed/hide/nest.

**Table 3 Walk-in module cage construction (cats)**

	Minimum area (m <sup>2</sup> )	Minimum width (m)	Minimum height (m)	Increased floor area for additional cat (maximum 2 cats) (m <sup>2</sup> )
<b>1 cat</b>	1.5	0.9	1.8	1.0

Module cages used to house cats must contain at least two levels, including draught-free sleeping areas for each animal housed in the cage.

Cats housed in module cages must have access to an external exercise cage for at least half a business day. The exercise cage must:

- (i) be of similar size and dimension to a colony cage
- (ii) be constructed at a ratio of 1:8 cats, 16 weeks or older, housed at the business

(iii) serve no more than 8 compatible cats at any one time.

**Table 4 Colony Cage construction (cats)**

	Minimum area (m <sup>2</sup> )	Minimum width (m)	Minimum height (m)	Increased floor area for each additional cat (maximum 8 cats) (m <sup>2</sup> )
<b>1 cat</b>	2.0	2.0	1.8	2.0

Cats may be multiple housed in colony cages, up to 8 compatible cats. Colony cages must:

- (i) contain at least two levels accessible by cats through the provision of non-slip climbing planks, poles, ramps or the like
- (ii) incorporate a scratching pole
- (iii) provide individual raised sleeping quarters with a separate bed/hide/nest of sufficient bedding material for each cat.

**Indoor housing (dogs and cats)**

S31. Where animal pens are permanently indoors natural daylight during daylight hours must be provided and temperature, humidity and ventilation must be managed.

S32. Ventilation must be adequate to keep animal housing areas free of dampness, noxious odours and draughts.

Fully enclosed housing areas must:

- have an air change rate of 8–12 changes per hour to prevent the build-up of foul odours
- have ventilation devices that avoid draughts and distribute fresh air evenly to all of the housing areas.

Where forced ventilation is the only form of air, all of the following are required:

- air recirculation units incorporating effective air cleaning and filtration to ensure the removal of infectious organisms and chemicals
- a back-up and alarm system in case of power failures or breakdown of ventilation and temperature control mechanisms must be maintained
- temperature must be maintained in the range of 10–32°C.

**Mating areas (dogs and cats)**

S33. Mating areas must be physically separated from all other animal housing areas.

S34. Mating areas must be at least as big as the housing area for one (1) adult animal.

S35. Mating areas must have a weatherproof area large enough to comfortably accommodate both animals during mating and constructed of materials capable of being cleaned easily.

**Whelping/ lactating (dogs) and queening/lactating (cats) housing**

S36. Individual whelping and queening areas must be provided for each bitch or queen and their progeny. Compatible queens and their kittens may be housed in pairs.

S37. Bitches must be provided with a whelping box:

- (i) large enough for the bitch to lie comfortably while whelping and to accommodate the bitch and her puppies for the first 4 weeks after whelping; and
- (ii) constructed of solid sides that can be easily disinfected or be disposable; and
- (iii) which provides visual separation from all other animals.

S38. Whelping boxes, queening and lactating pens must contain bedding that is soft, absorbent and easily disposed of or cleaned and disinfected when soiled.

S39. Whelping/lactating areas must be at least the size of the housing area for one (1) adult dog. If puppies are over 8 weeks of age, but less than 16 weeks, additional floor space must be provided as per Table 1.

S40. Each queen requires an area of at least 2 square metres, with a vertical height of at least 1.8 metres, containing two levels joined by non-slip climbing planks, poles, ramps or the like.

S41. Lactating pens must have a divider to allow the bitch access to an area where she cannot be reached by her puppies when she rests.

S42. Queening areas must contain a fully screened bedding area to allow the queen visual separation from all other animals.

S43. Whelping, queening and lactating housing must be maintained at a temperature between 10 and 32°C at all times.

It is important to provide a heat source for puppies and kittens, particularly during colder weather, to ensure they can maintain their body temperature as their internal temperature regulations systems are not working at this age.

S44. Whelping/lactating pens and queening areas must have access to natural day light during day light hours.

S45. Sleeping areas must be raised off the floor.

#### **Exercise areas (dogs)**

S46. Exercise areas may be constructed indoors or outdoors. All exercise areas must have:

- fresh drinking water provided in sufficient size and volume for all dogs to drink at once
- areas of shade
- areas of natural daylight
- ventilation
- provide protection from extremes of weather.

S47. Exercise areas must ordinarily contain a grassed area and not be bare earth or entirely concrete.

S48. Measures must be in place to minimise the deterioration of exercise areas to bare earth.

S49. No more than six (6) compatible dogs may be exercised together at any one time.

S50. Entire males and females on or near oestrus must not be exercised together.

S51. All exercise must be fully supervised at a staff to dog ratio of 1:18, where the maximum number of dogs in any single exercise area is 6; that is, any single staff member can supervise 3 exercise areas at any one time.

S52. Minimum floor space for exercise areas is 20 square metres for the first dog and an additional 7 square metres for each dog thereafter.

S53. Fences of exercise areas must be at least 1.8 metres tall and the exercise area must have a minimum width of 5 metres.

S54. Fences must be designed to prevent a dog from escaping under, over or through the fence.

S55. Flooring in exercise areas must be constructed of materials that are easily cleaned of faeces.

S56. Exercise areas must not be allowed to become infested with parasites and/or insects. If exercise areas show a build-up of parasites/insects, appropriate action must be taken.

S57. Exercise areas must be physically separated from housing pens; the only exception is where housing pens are at least as large as the minimum pen size plus 20 square metres for each dog housed in that pen. For example, one (1) small dog would require a pen of a minimum size of 27 square metres; two (2) small dogs would need a pen area of 54 square metres.

S58. Where dogs are housed continuously indoors, at least one full exercise session per day must be outside (weather permitting).

S59. Exercise areas must be cleaned daily or before new dogs are introduced to the area.

#### **Housing Guidelines:**

Each cat and dog kept in an enclosure with the minimum dimensions specified in Tables 1 or 2 must be provided daily with additional areas for exercise, exploration, stimulation and socialisation with people and animals of their own species.

Where exercise occurs within the home pen, at least half of the exercise period should include interaction with a human, such as walking on a lead or throwing a ball; and dogs must be removed from their pens a minimum of two sessions weekly for the purpose of handling, socialisation, enrichment or exercise.

Where possible, cats and dogs should also be introduced in a safe controlled situation, to other species that they may be required to live with in a future home environment.

If a cat or a dog is on heat the holder of a permit may be required to keep the animal in an enclosure that is:

- a) appropriate to the species and breed of the animal
- b) constructed of materials of sufficient strength to prevent any other animals from entering the enclosure.

Housing should be located away from sources of excessive noise or pollution that could stress or injure dogs.

Appropriate measures should be in place to protect a dog from loud or sudden noise such as fireworks or explosions.

Artificial lighting should mimic the prevailing natural light cycles in duration and intensity and allow effective inspection and observation of dogs



Where groups of cats are housed together, consideration should be given for each cat to be able to be free from interference by other cats.

Environmental temperature should be controlled to minimise distress to dogs and cats including the provisions of heating or cooling particularly for old, young and pregnant animals if necessary.

Particular attention should be given to protections for brachycephalic breeds, especially against heat.

Breeding dogs prone to heat stress should be monitored carefully to minimise distress.

### 3.2 Security

**Objective:** Security methods prevent accidental or unauthorised access to animals, facilities or dangerous materials.

**Standards:**

S60. The holder of the permit must ensure that any enclosure in which an animal, including an animal of a litter is kept is secure to prevent access to the animal by persons other than the holder of the permit and those persons authorised by the holder of the permit.

S61. Each individual kennel, module or colony pen must be fitted with a secure closing device that cannot be opened by the animals.

S62. Any security method used must allow for ready access to dogs and cats and ready exit for keepers and animals in an emergency.

S63. A substance or liquid that may harm the health or safety of an animal kept on the land must not be stored or used in a manner that permits the animal to access or consume the substance or liquid.

S64. Facilities must have appropriate firefighting equipment readily available.

**Guidelines:**

Double barrier access is recommended to assist in preventing the escape of dogs and cats.

The facility should have a documented emergency evacuation procedure. The procedure should be reviewed every two years.

### 3.3 Noise management

**Objective:** Noise management prevents nuisance to neighbours and the community.

**Standards:**

S65. The holder of a permit must take specified action to prevent the animals, including each animal of a litter, from making a noise or disturbance that may cause a nuisance or disturbance to the occupiers of other premises.

Example: If the permit relates to the keeping of dogs – barking, howling or whining of a dog may result in a nuisance or disturbance to the occupiers of other premises.

S66. A permit condition may require the permit holder to provide and maintain a soundproof enclosure for each animal kept on the land that causes, or is likely to cause, a noise nuisance.

**Guidelines:**

South Burnett Regional Council

Code of Practice for the Keeping and Breeding of Cats and Dogs

Noise from barking dogs should be managed to comply with noise regulations and occupational health and safety requirements and may be reduced by one or more of the following methods:

- judicious use of sound proofing or suitable construction materials which reduce noise;
- care with dog placement to avoid unnecessary arousal;
- limiting external stimulation, e.g. by partitioning dog housing, using a visual barrier or judicious use of blinds or dog housing design to prevent dogs from seeing into nearby pens;
- holding dogs singly or in compatible pairs; or
- taking care to exercise dogs away from the sight of kennelled animals.

Noise from stud cats or calling queens should be managed to comply with noise regulations and occupational health and safety requirements and may be reduced by one or more of the following methods:

- Providing lockable soundproof quarters in which the stud is held at night;
- locating the stud house inside another building, or by taking advantage of as much shielding by existing walls and buildings as possible;
- providing the stud with companion cats, a more interesting run, or more companionship, such as relocation to where people, other cats and other animals can be regularly seen;
- removing a calling queen from an outside pen and placing indoors in a pen, which can also be further covered over at night;
- taking the queen promptly to the stud (the stud being either entire or vasectomised).

### 3.4 Water, wastewater and waste management

#### Water supply

##### Standards:

S67. Breeding facilities must have a continuous water supply, adequate to meet the daily requirements of the dogs and cats held. Water may be supplied through Council’s reticulated mains water supply, or through the private collection of water on the premises (for example rainwater tanks).

#### Waste and wastewater management

##### Standards:

S68. Any enclosure in which an animal, including an animal of a litter is kept, must be properly drained and run-off must be kept off premises adjoining the land.

S69. The holder of the permit must collect and dispose of wastes promptly and in a hygienic manner. This may include:

- disposal of all animal droppings, soiled litter and bedding
- disposal of animal food waste
- removal of any deceased animal.

S70. Animal faeces must be collected:

- at least daily

- more frequently if the number of animals kept, or the conditions of the housing of the animals, necessitates collection more often than daily. For example, collect dog faeces at least daily in a home yard, and twice daily, morning and evening, in a kennel situation).

S71. Each cat litter tray must be:

- checked, scooped and replenished daily
- changed, washed and disinfected at least once every three days.

S72. Collection drains on the land must be cleaned at least daily.

S73. Waste disposal must be in accordance with the requirements of the South Burnett Regional Council.

S74. Wastes must not be incinerated unless the incinerator is registered with the appropriate authority.

S75. Wastewater generated through the operation of the business (for example, the hosing down of pens and kennels) must be appropriately collected and must not run off from the property.

**High Impact Animal Keeping (Breeding) Permit holders:**

S76. High impact animal breeding facilities must be seweraged, on a septic system, or have some other adequate method of disposing of faeces and soiled litter which is approved by the South Burnett Regional Council.

S77. Open pits for collecting run off from drains must not be used.

S78. The business must control stormwater entering and leaving kennels, animal accommodation or other areas where it may become contaminated with animal faecal matter, food or cleaning products (detergents, disinfectants and pesticides) so that it does not contaminate the surrounding soil, stormwater or waterways.

S79. Wastewaters (for example dog wash) must not discharge to stormwater. Wastewater must either be collected for appropriate disposal or discharge directly to the sewer under the conditions of a Trade Waste Permit.

S80. Wastewater must not be applied to land unless treated by a wastewater treatment system approved by Council.

#### 4. Sourcing of animals

**Objective:** Breeding animals are sourced responsibly to ensure the welfare of animals and prevent poor breeding practices.

**Guidelines:** Dogs and cats, including puppies and kittens, should only be acquired from responsible sources that meet accepted standards including:

- a) Local Government requires for a breeder permit, where they exist. In the South Burnett Regional Council, breeders of animals must meet the standards outlined in this Code to be eligible for a breeder permit.
- b) Standards of recognised Breed Societies.
- c) Animals supplied are healthy, bright, alert and sociable.
- d) The supplier is knowledgeable about breed types (the characteristics of the breed, such as size, coat, and temperament) and breed specific genetic problems, and provides documentation that the kittens'/puppies' parents and grandparents have been tested (where possible) to ensure they are free of these genetic problems.
- e) A health care program is provided to breeding stock and litters that includes worming, flea control, vaccination and heartworm prevention, as recommended by a local veterinarian.
- f) Documentation of health care and medical history is provided with each kitten/puppy, cat or dog.
- g) A health guarantee is provided.

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## 5. Food and water

**Objective:** Animals receive appropriate and sufficient food and water to maintain good health and growth, recognising the special needs of differing ages, species, and states, such as pregnancy or lactation.

**Standards:**

S81. The holder of the permit must provide and maintain for each animal:

- a) constant access to clean and fresh water of a quality and quantity that meets their physiological needs.
- b) a complete diet sufficient to maintain good health, growth and appropriate to the stage of physiological development and reproductive status of the animal.

S.82 Adult dogs and cats must receive food at least once in any 24-hour period.

S83. The holder of the permit must provide and maintain on the land an area for the hygienic storage of food for the animals which prevents –

- (i) the deterioration or contamination of the food
- (ii) water from entering the food
- (iii) vermin or insects from accessing the food.

S84. Food and water containers must be stable, non-toxic and easily cleaned and disinfected.

S85. Food and water containers must be free of contaminants.

Examples of contamination include urine, faeces, vomitus or other substance that may be harmful to dogs.

**Guidelines:**

Food and water containers should be readily accessible to animals and positioned to avoid spillage or contamination by urine or faeces.

Changes to diet should be gradual to reduce the risk of stomach upset.

The diet and feeding of sick or debilitated animals should be under the guidance of a veterinary surgeon.

One feeding bowl should be provided for each animal.

Animals housed in groups should be monitored during feeding to ensure that all receive an adequate diet and to prevent bullying.

Animals that are unable to feed themselves should only be kept where facilities and expertise is available for artificial rearing or feeding.

Bitches and queens in the latter stages of pregnancy and during lactation should be provided with additional access to food and water, provided at frequent intervals.

Veterinary advice should be sought regarding an adequate intake of calcium during pregnancy, lactation, and in the feeding of puppies.

## 6. Hygiene

**Objective:** Animals are kept in a clean and sanitary environment to prevent discomfort and disease transfer.

### 6.1 Cleaning and disinfection

**Standards:**

- S86. The breeding facility must be clean and hygienic at all times.
- S87. All enclosures, animal food preparation areas, and animal food utensils must be:
- a) cleaned daily (or more often, if inspections show it is required) by hosing or other appropriate means
  - b) disinfected weekly
  - c) if the enclosure, area or utensils are used for the keeping, storage or treatment of an animal –cleaned and disinfected prior to use by another animal.
- S88. The permit holder must provide and maintain on the land an area for the storage of equipment and consumables used for the cleaning of enclosures on the land that is not accessible by any animal kept on the land.
- S89. Bedding must be kept clean and laundered.
- S90. Bedding that is contaminated by faeces, urine, food scraps or dirt must be replaced.
- S91. After cleaning, sleeping areas must not be allowed to remain wet.

**Guidelines:**

The area where a puppy or kitten is being reared should be cleaned at least twice a day, and kept dry and free of faeces, urine and uneaten food.

Cleaning and disinfection chemicals and materials should be chosen on the basis of their suitability, safety and effectiveness, and used in accordance with the manufacturers' instructions. Some common disinfectants, particularly those derived from or containing coal or wood tar products, are toxic to cats. Pine oil, phenol, cresol and chloroxylenols are such products and should be avoided. The Material Safety Data Sheets (MSDS) or instructions for all chemicals held, should be readily accessible.

It is important that all surfaces and utensils be thoroughly rinsed after disinfecting to avoid poisoning.

All dead animals or waste products such as faeces, bedding, and food wastes should be disposed of promptly and hygienically, and in accordance with the requirements of Council and other authorities.

Specialist advice should be sought before pest control operations are conducted, in order to protect the health and safety of the staff and the animals kept.

To reduce the risk of transmitting disease carrying organisms between animals, and from animals to themselves, keepers should maintain high standards of personal hygiene and all carers should wash hands thoroughly with soap and water after handling any animal or animal equipment, and use disinfectant when infectious disease is present or suspected.

## 6.2 Pest control

### Standard:

S92. Pests including fleas, ticks, flies, mosquitoes and rodents must be effectively controlled. Chemicals used for pest control must be either prescribed by a registered veterinary surgeon and/or registered by the Australian Pesticides and Veterinary Medicines Authority (APVMA) under the Agricultural and Veterinary Chemicals Code (Commonwealth) and used only in accordance with manufacturer's instructions.

### Guidelines:

Pest prevention and control measures should be implemented on specialist advice and manufacturers' instructions to protect the health and safety of animal carers and animals.

The person in charge should have a documented pest program in place to control insects, ectoparasites and vertebrate pests.

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## 7. Socialisation, exercise, enrichment and training

**Objective:** Cats and dogs and their offspring are well-socialised and provided with positive physical and mental stimulation to be friendly, confident and well-adjusted to home life.

### Standards:

S93. The holder of the permit must ensure that animal management and training methods used by the holder on the land do not compromise the physical development, health or welfare of any animal, including an animal of a litter, kept on the land.

#### Examples:

1. Each animal, including each animal of a litter, must be socialised so as to:
  - (i) encourage confident and friendly behaviour with people and other animals
  - (ii) discourage timidity and aggression to persons and other animals.
2. The permit holder should provide each animal with safe experiences with a range of people, other animals, places and objects to ensure its physical, cognitive and psychological well-being.
3. Dogs, and in particular puppies, should be socialised with both adult and juvenile dogs, not just other puppies.
4. When exercising an animal, the permit holder should:
  - (i) allow the animal to run freely and choose and control its environment
  - (ii) include controlled/supervised daily play sessions with people and other animals of the same species as the animal.

S94. All dogs, except under the written advice of a veterinary surgeon, must be provided with the following exercise requirements:

- (i) Adult dogs over 16 weeks old – must have the opportunity to exercise for a minimum of 30 minutes twice daily with at least two hours between each exercise session.
- (ii) Pregnant (7+weeks gestation) and lactating bitches – must be provided with the opportunity for gentle exercise for a minimum of 20 minutes twice daily with at least two hours between each exercise session.

S95. Adult cats over 16 weeks old, except under the written advice of a veterinary surgeon, must be provided with the following exercise and socialisation requirements:

- (i) Daily exposure to humans through handling and interactive play for a minimum of 30 minutes per day.
- (ii) The opportunity for exercise/socialisation with other socially compatible animals daily.

### Guidelines:

- a) Keepers must provide safe experiences with a range of people, other animals, places and objects, for their breeding stock and litters.
- b) Parent animals, male and female, influence the sociability of their offspring, genetically and behaviourally. Breeders should ensure the male parent animal is confident, well-socialised and friendly with people, regardless of whether he has any physical involvement with the



- kittens or pups. The female parent's genetic input and her calm, friendly behaviour towards people will also promote friendly behaviour in her offspring.
- c) Between the second and seventh week of age, as suckling decreases, play, exploration and environmental learning should be supported in the following ways:
- From the age of two weeks, kittens and pups should be spoken to while handled in the presence of their mother and littermates. Benefits of handling have been shown to increase if handled in short sessions for up to an hour a day.
  - Kittens and puppies from birth to four weeks still need close contact with their mother and should not be separated for long periods.
  - Periods of handling should be increased and include less-familiar people, and ultimately, strangers. Four or more new people each week as a minimum are required for socialisation to be generalised.
  - Kittens and pups should be touched on all parts of their body, with frequent lifting and gentle restraint so that they become familiar with being held.
  - Exposure to toys, objects and different noises should be introduced after the kitten/pup has some 'people' experience.
  - The kitten/puppy should not experience fear or trauma – all new challenges should be experienced in a positive manner.
- d) New owners must be informed and encouraged to continue the socialisation process.
- e) New owners need to know how to interact with animals correctly. This includes not leaving young children unsupervised around cats or dogs and teaching young children not to approach an unknown dog or interrupt an animal that is eating.
- f) Exercise should be provided by:
- allowing dogs and cats access to an enclosed exercise area to run freely
  - playing with humans or others of their own species
  - walking animals on a lead
  - very active or old, pregnant or lactating animals may require more or less exercise than specified
  - Care should be taken to avoid mixing incompatible cats or dogs, fighting and the transmission of infectious disease agents
  - dogs must not be exercised in a way that poses a risk of serious injury, for example, attached to a motor vehicle, or unsupervised on a treadmill.
- g) A dog should be provided social contact with other dogs through:
- Group housing with socially compatible dogs where possible; and
  - Allowing a dog controlled/supervised contact with other dogs during exercise periods
- h) A dog that is kept separately from other dogs should be provided with additional enrichment such as socialisation with humans.
- i) A dog should be monitored regularly for signs of abnormal behaviours (e.g. stereotypic behaviour) which may indicate frustration, a lack of fitness or poor mental or physical health and a veterinary, enrichment and socialisation program developed and implemented to address the cause.
- j) A dog with persistent abnormal behaviours should be assessed and treated by a veterinarian or other person with experience in behavioural problems in dogs.
- k) Cats and dogs must be provided with physical and mental enrichment through exposure to a variety of safe, nonthreatening objects and activities.
- Enrichment may include providing:

- physical enrichment - space, substrate and furniture to encourage appropriate canine and feline behaviours (e.g. for cats, access to high ledges, scratching posts, and climbing frames)
  - occupational enrichment - objects for an animal to manipulate (e.g. toys)
  - feeding enrichment - feed activities, novel food items and feeding devices to increase foraging times (e.g. hiding food to increase activity). Care should be taken to ensure these feeds are part of the normal diet, rather than in addition, in order to decrease the likelihood of obesity
  - sensory enrichment - novel smells or noises
  - physiological enrichment - temperatures, humidity and photoperiods to stimulate natural behaviour patterns
  - social enrichment - opportunities to interact with other dogs, humans or other compatible animals
  - behavioural enrichment - positive reinforcement training appropriate to the age and breed of the dog should be used to facilitate physical exercise, mental stimulation and learning of cooperative behaviours
  - exercise – providing appropriate and regular opportunity to exercise.
- a) Cats should never be tethered.
- b) A dog should only be tethered to a fixed object if it:
- is older than four months has been trained to accept a tether
  - is only tethered for a short period under supervision
  - is not tethered to a moving object or where the tether may become entangled or restricted
  - is not in season or pregnant
  - is fitted with a collar with a swivel to which the tether is attached.
- c) Training should involve positive reinforcement.
- d) Negative reinforcement should be kept to a minimum.
- e) Punishment should be avoided.
- f) Owners should seek professional advice on the use of any training device. A collar or lead should not cause distress or injury.
- g) Check chains should only be used with care by an experienced trainer.
- h) An electronic collar should only be used as a final resort where all other strategies have been used unsuccessfully, the life of the animal is at stake, and always in accordance with manufacturer's instructions.
- i) Prong and pinch collars should never be used.

## 8. Health care

**Objective:** Animals are cared for to maximise their health and well-being and minimise health risks to other animals in the breeding facility and the community.

**Standards:**

S96. The holder of the permit must, on request, advise the local government of the veterinary surgeon to whom animal health issues about the animals will be referred.

S97. The holder of the permit must monitor the health, well-being and grooming of each animal daily.

Example: The holder of the permit must seek advice from a veterinary surgeon if any animal appears sick, injured or in distress.

S98. All animals used for breeding must receive, as a minimum, one health check per annum by a veterinary surgeon to assess the suitability of the animal for breeding and the general health of the animal.

S99. The holder of the permit must ensure that each animal, including each animal of a litter, receives all necessary vaccinations, inoculations and treatments:

- a) that are appropriate according to the age of the animal
- b) in any event, before the animal is offered for sale or otherwise disposed of by the holder of the permit.

Example: Each animal must be vaccinated, wormed and treated for external parasites, including fleas, up to date according to protocols accepted by a veterinary surgeon.

S100. The euthanasia of any animal must only be carried out by a veterinary surgeon.

S101. An animal that appears to be sick with a condition that may be transmissible must be isolated unless advised otherwise by a veterinary surgeon.

S102. A dog must be groomed regularly and not have a dirty, matted or tangled coat that affects its health, mobility or general wellbeing.

**Guidelines:**

Newly acquired cats or dogs, or those visiting from another location, should not be mixed with existing animals for at least 10 days.

Animal carers should inspect each animal for signs of good health and must note if each animal is:

- a) eating
- b) drinking
- c) defecating
- d) urinating
- e) behaving normally
- f) showing any obvious signs of illness or distress
- g) able to move about freely
- h) maintaining or gaining weight
- i) sufficiently groomed to prevent matting and/or entanglement of fur.

Veterinary advice and treatments should be sought when there are any signs of illness or injury, including:

- a) runny nose
- b) runny, discharging or inflamed eyes
- c) repeated sneezing
- d) coughing
- e) vomiting
- f) severe diarrhoea, especially if bloodstained
- g) lameness
- h) bleeding or swelling of body parts (other than the vulva of a female on heat)
- i) inability to stand, walk, urinate or defecate
- j) loss of appetite
- k) weight loss
- l) apparent pain
- m) fits, staggering or convulsions
- n) difficulty in urinating, or passing red or brown coloured urine
- o) drinking excessive amounts of water
- p) bloating of the abdomen
- q) depression
- r) fever
- s) presence of external parasites
- t) teeth, gum and mouth problems;
- u) excessive itching, scratching and/or self-chewing
- v) patchy hair loss
- w) any other serious physical or behavioural abnormality.

Prompt action must be taken when signs of disease or injury are observed. Any sick or injured animal should be placed in a comfortable, draught-free area away from people and other animals.

Dogs should not be euthanised in view (or within hearing) of other dogs.

All dogs and cats, regardless of breeding status, should have a general health check by a veterinarian surgeon at least once per year, or more frequently as directed by a veterinary surgeon.

A dog or cat's physical body condition score should be maintained at a score level appropriate to its breed, age, reproduction status and other considerations. Appendix 1 provides guidance on body condition score.

Unexplained deaths should be investigated by a veterinary surgeon.

## 9. Breeding and rearing young animals

**Objective:** When selecting and breeding animals, the quality of the life of the animal is paramount. Breeders must prioritise animal welfare, maintain genetic integrity and diversity of the species, and prevent surplus animals.

### Standards:

S103. A permit condition may specify the maximum number of breeding dogs and breeding cats which may be kept on the land at any one time.

S104. An animal with an exhibited deleterious heritable condition that has the potential to adversely impact on the welfare of the progeny must not be used for breeding, unless with written approval of a veterinary surgeon or geneticist.

S105. A person in charge of an undesexed animal must ensure the animal is not used for breeding with:

- a) the animal's progeny; or
- b) a parent or sibling of the animal.

### Guidelines:

Litters should only be produced when there is a reasonable expectation of finding homes where they are wanted and appreciated, managed responsibly and provided quality of life.

Animals should be sourced from reputable breeders with a permit.

Before mating, ensure the breeding cat or dog does not have any infectious disease, for example parvovirus and hepatitis for dogs, FIV and FLV for cats.

Where a hereditary defect is recognised in a breed and there are screening procedures or tests for the defect, the keeper should:

- a) have a current official evaluation or test result for the cat or dog for the hereditary defect
- b) provide the official evaluation or test result to the keeper of the dog or cat if being bred with an animal not owned by the breeding facility
- c) provide the official evaluation or test result of both the sire and the dam to the new owner of any puppy or kitten.

A permit holder should endeavour to ensure that the genetic make-up of both sire and dam will result in a decrease or elimination of any inherited disorder.

Breeding with close relatives (grandparent, cousin etc.) should only be undertaken with the full understanding of the health or welfare consequences that might occur.

A bitch that has previously produced a litter by caesarean section should not be mated unless veterinary advice has been sought which indicates that she is fit for future breeding.

A dog that is aggressive to humans or other dogs, or excessively nervous, should not be used for breeding and should be desexed.

**9.1 Breeding age, frequency and total breedings**

**Standards:**

- S106. An animal must not, without reasonable excuse, be mated unless the animal is –
  - a) physically mature; and
  - b) fit and healthy; or
  - c) the person has written approval by a veterinary surgeon that the animal has been examined by the veterinary surgeon, and the veterinary surgeon reasonably considers the animal is ready for breeding.
- S107. To avoid unwanted pregnancy, the holder of the permit must keep a cycling, fertile, female cat isolated from all male cats other than during a planned mating of the female cat.
- S108. To avoid unwanted pregnancy, the holder of the permit must keep a cycling, fertile, female dog isolated from all male dogs other than during a planned mating of the female dog.
- S109. A permit condition may require the holder of the permit to desex a male and/or female animal which the holder of the animal has retired from breeding.
- S110. Bitches and queens must not be intentionally mated during their first oestrus cycle.
- S111. Minimum age of first breeding, breeding frequency and total number of litters for a dog and a cat as outlined in Table 5 and Table 6 must be met.

**Table 5 Permitted breeding age, frequency and total number of litters for a dog.**

Minimum age for first breeding	Breeding frequency	Total number of litters
<b>Female dog</b>	Breed specific based on maturation from the second heat	No more than two litters in an 18-month period
<b>Male dog</b>	12 months*	Must not mate with more than one female dog at a time.

Five litters, after which the bitch must be retired from breeding

Dogs over six years must be assessed for prostatic disease and castrated where assessment indicates castration is required

**Table 6 Permitted breeding age, frequency and total number of litters for a cat.**

Minimum age for first breeding	Breeding frequency	Total number of litters
<b>Female cat</b>	12 months**	No more than two litters in a 12-month period
<b>Male cat</b>	12 months*	Must not mate with more than one female cat at a time.

Eight litters, after which the queen must be retired from breeding.

\*Male cats and dogs may be bred prior to 12 months of age with veterinary certification stating they are in good health and breeding would not prejudice their health.

\*\*Female cats that come into oestrus prior to 12 months can be bred on veterinary advice, to prevent some female breeding cats suffering from pyometra or other medical conditions.

**Guidelines:**

When deciding the best time to breed or to cease breeding their animals, breeders must ensure the welfare of:

- a) their breeding sires and dams
- b) the animals of the litters.

Breeding animals should be physically and behaviourally sound and healthy, free from potential/known genetic fault and heritable diseases.

While there is an oversupply of cats and dogs in pounds and shelters, breeding should be kept to a minimum.

Breeders should seek professional advice regarding breeding practices and, where possible, register with an approved governing cat or dog control body for information and advice.

A dog that is not intended for breeding, has reached the end of its useful breeding life, or is assessed as unsuitable for breeding, should be:

- desexed (or otherwise prevented from breeding)
- kept as a pet; or
- rehomed to a suitable owner- where the health and temperament of the dog have been assessed as suitable for rehoming; or
- humanely killed if not suitable for rehoming.

**9.2 Care of breeding animals****Standards:**

S112. The holder of the permit must regularly monitor the health of each pregnant animal, especially during the last weeks of pregnancy, and ensure that the animal receives all necessary treatments which are appropriate according to the age and condition of the animal.

Example: If there is evidence that whelping or kitting has commenced, but there is no progress within 30 minutes, the animal must be examined by a veterinary surgeon.

S113. If an animal is giving birth, the holder of the permit must:

- a) isolate the animal from all other animals
- b) at least one week prior to the expected date of birth, provide the animal with a clean and adequately sized container and bedding
- c) promptly after completion of the birth, clean the birthing area and replace all bedding used by the animal.

S114. When whelping, a bitch or queen must:

- a) be able to withdraw from other animals
- b) be monitored to ensure that any adverse consequences are detected early and corrective action, which may involve veterinary treatment, is provided.

S115. The extra nutritional requirements of pregnant and lactating bitches and queens must be met.

For example. Pregnant and lactating bitches may require feeding twice daily.

**Guidelines:**

A bitch or queen in the last week of pregnancy should be checked at least every eight hours for any signs of distress or abnormal behaviour, and for the last 48 hours before whelping a bitch should be checked every two hours.

When stud cats and dogs are confined in individual quarters, they need daily human companionship. For stud cats, a desexed feline companion housed in close proximity may be beneficial.

During mating, the breeding pair should be supervised.

The current vaccination certificates of male and female animals being brought into the premises for mating should be sighted before mating.

Following birth, breeding females should be checked daily for signs of ill-health including undue bleeding or signs of mastitis.

**9.3 Kitten and puppy weaning****Standards:**

S116. The holder of the permit must complete the weaning of an animal before the animal is sold, rehomed or otherwise disposed of by the holder.

**Guidelines:**

Keepers should ensure puppies and kittens achieve a regular weight gain.

- a) Between four and six weeks of age kittens and puppies should be introduced to suitable solid foods, which may include puppy or kitten commercial food, meat, raw bones (chicken necks for kittens and pups, and brisket bones for pups) and vegetables.
- b) By the end of week four puppies and kittens should be fed four times per day. The mother must be allowed to gradually remove herself from her puppies/kittens over the next few weeks and her milk allowed to dry.
- c) By eight weeks, the pups/kittens should be totally weaned and eating three meals a day.
- d) Breeders should advise and provide written guidelines to new owners of the exact dietary needs of pups/kittens including how much and how often to feed them. Ideally, the breeder should supply food for at least a few days, to ensure that changes in diet occur gradually.
- e) During the weaning stage puppies and kittens should be encouraged to urinate and defecate away from the sleeping area. A shallow litter tray for kittens and paper or training pads for puppies should be provided.

A kitten or puppy less than six weeks of age should not be permanently separated from its mother unless approved by a veterinary surgeon.



#### 9.4 Kitten and puppy health care

##### Standards:

S117. Veterinary treatment must be sought for:

- Puppies and kittens that are not gaining weight or otherwise appear unwell
- Puppies and kittens that have gross or structural abnormalities (e.g. cleft palate) or injuries

##### Guidelines:

The eyes and ears of pups and kittens should not be interfered with before they open or unfold. Eyes will generally open naturally between seven and 14 days and ears unfold at 18 to 20 days. Veterinary advice should be sought if a puppy's eyes have not opened naturally between seven and 14 days of age and its ears begun to unfold naturally between 18 and 20 days of age.

For pups, vaccinations should be given at six to eight weeks, 10 and 14 weeks to prevent distemper, hepatitis, parvovirus, and kennel cough or as recommended by a veterinary surgeon.

For kittens, vaccinations should be given at six to eight and 12 weeks to prevent feline enteritis, cat flu and Chlamydia.

Worming for intestinal worms (hook, tape, round, whip) should commence with oral liquid at two and four weeks, after which an individual broad-spectrum wormer tablet can be used fortnightly until 12 weeks, then every month until six months and then every three months or as recommended by a veterinary surgeon.

Kittens' and pups' areas should be cleaned at least twice a day, kept dry, and free of faeces and uneaten food.

Pups and kittens should become used to all grooming equipment while with the breeder. This includes nail clipping, combing, brushing and exposure to gentle cleaning.

## 10. Transfer of ownership

**Objective:** The future welfare of the animals is the primary obligation when selling or rehoming animals. Animals will be responsibly confined, managed and trained to avoid public nuisance or danger. They should not contribute to the stray or unwanted animal population.

### 10.1 Transfer and identification

#### Standards:

S118. The holder of the permit must not sell or otherwise dispose of an animal of a litter to a minor.

S119. The holder of the permit must not sell an animal of a litter which is a cat, or otherwise dispose of the cat, unless the cat is at least 10 weeks of age.

S120. The holder of the permit must not sell an animal of a litter which is a dog, or otherwise dispose of the dog, unless the dog is at least eight weeks of age.

S121. If the holder of the permit advertises an animal, including an animal of a litter, for sale or disposal – the advertisement must specify the permit number allocated to the permit by the local government.

S122. If the holder of the permit advertises a dog, including a puppy of a litter, for sale or disposal – the advertisement must specify the supply number allocated to the breeder by the Queensland Government through registration to the Queensland Dog Breeder Register, and the supply number recorded in the microchip of the animal.

S123. A breeder must not, unless there is a reasonable excuse, supply a cat or dog to anyone else if it is not implanted with a permanent identification device, that is, a microchip or other electronic device:

- capable of being permanently implanted in a cat or dog
- designed to record information in a way that can be electronically achieved.

S124. Under the *Animal Management Act*, a breeder who is the owner of a dog must register the dog if it is 12 weeks or older.

#### Guidelines:

The breeder or seller of a dog should inform a new owner, verbally and in writing, that they must register the dog with the relevant local government if the dog is 12 weeks or older.

An authorised implanter must not implant a PPID in a cat or dog that is younger than eight weeks unless the implanter has a reasonable excuse as listed in the *Animal Management Act*.

If PID information for a cat or dog changes, the owner must, within seven days, give notice of the changed information to a licence holder, there is a reasonable excuse.

Animals offered for sale must be healthy, weaned, vaccinated, wormed and flea-treated up-to-date, according to veterinary protocols.

### 10.2 Desexing

**Guidelines:**

Desexing cats and dogs - including puppies and kittens - prior to sale or transfer contributes to reducing unwanted cat and dog populations. Early age desexing of cats from eight to 12 weeks prevents accidental or unwanted kittens. Cats can be pregnant by the age of four months.

Decisions on the age to desex a pup, should be made with a veterinary surgeon. Issues for consideration include the risk of the dog becoming unwanted or producing unwanted litters and how the dog will be kept and cared for.

A dog breeder should attempt to ensure that when selling a dog it goes to a responsible owner who has the means to provide for the needs of the dog in an appropriate way.

### 10.3 Pre and post adoption information and support

**Standards:**

S125. If the holder of the permit sells or otherwise disposes of an animal, including an animal of a litter, to a person – the holder of the permit must give written notice to the receiver of:

- a) the number allocated to the permit by the local government
- b) particulars of:
  - (i) the typical lifespan of the animal
  - (ii) the common physical and behavioural characteristics for the age and breed of the animal
- c) the standard of care appropriate for the animal, including specific information about:
  - (i) diet
  - (ii) containment
  - (iii) socialisation
  - (iv) exercise and play
  - (v) training
- d) the medical and health care history of the animal, including particulars of all vaccinations, inoculations and treatments that have been carried out on the animal
- e) the obligations of the receiver as the keeper of the animal under each of:
  - (i) the local law
  - (ii) the Animal Management Act.

**Examples:**

1. The obligation to comply with minimum standards.
2. Animals to be kept under effective control.
3. The duty to provide a proper enclosure.
4. The dog registration obligation.

**Guidelines:**

Information on any known condition of the animal that might affect its future wellbeing should be disclosed to a prospective purchaser prior to sale or transfer.

Prior to sale or transfer, the breeder should determine the prospective owner's circumstances, expectations and capacity to care for the animal, as much as reasonably possible, including:

- a) verification of age (18 or over), and name and address
- b) owning or renting (written verification of landlord/body corporate permission)
- c) suitable enclosures and housing
- d) capacity to integrate this pet into their current household, for example:
  - separate room initially
  - supervision of children and supervision of other pets,
  - time commitment
  - expectations of how long it will take for the new pet to feel comfortable
- e) consideration of long-term capacity to keep the animal, for example:
  - moving
  - allergies
  - finances
  - previous commitment
- f) capacity to provide appropriate socialisation, exercise and training.

Advice given to new owners prior to purchase should include:

- a) usual life span of the breed/species and the long-term commitment required
- b) desirability and advantages of desexing kittens and pups, including discounted registration fees and reducing behaviours that often cause nuisance to owners and the community
- c) keeping puppies and kittens away from other puppies and kittens who are unvaccinated, or their vaccination is unknown - and the need for follow up vaccinations, worm and flea treatments
- d) general care including appropriate diet, socialisation, housing, exercise and training of the animal
- e) common behavioural characteristics of the breed/species
- f) Legal requirements of keeping the animal, such as containment on owners' property and numbers allowed.

Post adoption advice should be offered to assist the owner to manage any animal behaviour that is causing concern in its new home environment.

Owners should be encouraged to contact the breeders when any problem arises.

Breeders should provide verbal and written information to prospective owners, about their guaranteed return policies, including a health guarantee of a minimum of 10 days, offering free treatment for any illness which develops during the guarantee period.

Information on health guarantees to prospective new owners should include:

- a) If an animal is unacceptable to a new owner because of health problems deemed to be hereditary, congenital or existent prior to the sale, that are supported by a statement from a veterinary surgeon, within 10 days of purchase, the breeder will allow the animal to be returned and refund all monies or offer a replacement animal of the same breed with the same guarantee. Animal replacement should be delayed or avoided if the problem is due to a contagious disease.

- b) If the animal dies or is euthanised because of a disease that is traceable to the point of sale, the breeder will refund the purchase price or offer a replacement animal with the same guarantee.
- c) In the event a health problem is related to the care and management of the animal after sale, the breeder is not obliged to cover the cost of treatment, take the animal back, and/or refund monies. However, the breeder may still choose to do so.
- d) Cover for other existing animals within the household if the sold or transferred animal passes on a disease that is traceable to the point of sale.

Breeders should assist with the re-homing of their animals where the initial circumstances of the purchaser change.

#### 10.4 Transport

##### Guidelines:

- a) Transporting animals to new owners can cause distress to animals and should be kept to a minimum.
- b) The breeder should provide adequate space, ventilation, shade, food and water, provision for exercise and cleaning pens to ensure the well-being of animals in transit to their new owner.
- c) The size of transport cages should prevent excessive movement and risk of injury during any sudden movement of the transport vehicle.
- d) All transported animals should be contained or suitably restrained to ensure space to turn around, and to ensure security and protection from injury.
- e) Animals should have adequate ventilation, shade and be protected from extremes of temperature. They must not be transported in the boot of a car or left in an unattended vehicle.
- f) Food and water must be provided during an extended journey, including loading, unloading and waiting time.
- g) The minimum exercise requirement of the Code applies to transported dogs.
- h) Purpose-built vehicles should be thoroughly cleaned and disinfected after use to minimise the possibility of transmission of infectious diseases between consignments of animals.
- i) Pups should not be transported domestically under the age of eight weeks, and overseas under the age of 11 weeks.
- j) Animals from different sources or who are unfamiliar with each other must be contained separately and with barriers to prevent additional stress, conflict or disease transfer.
- k) Kittens should not be transported domestically under the age of 10 weeks and overseas under the age of 12 weeks.
- l) Animal containers should be strong enough to withstand handling and stacking.
- m) The consignor and consignee should confirm the departure and arrival times of animals with the carrier. Containers should be clearly labelled by the consignor, including contact details of consignor and consignee, licence number, date and time of departure.
- n) The requirements of the individual animal(s), conditions and the journey being undertaken should guide when to provide food and water. On road trips of more than two hours duration, take adequate stops to allow dogs and cats to exercise, eat, drink, urinate and defecate where appropriate; and for enclosures to be cleaned where necessary.
- o) All transportation of live animals must comply with the requirements for animal behaviour and containers of the current IATA Live Animals regulations.

## PART 3 STANDARDS FOR DOG AND CAT BOARDING ESTABLISHMENTS

### Introduction

#### Purpose

The purpose of Part 3 of the Code is to specify the minimum standards of accommodation, management and care which are appropriate to the physical and behavioural needs of dogs and cats housed in boarding establishments.

By adhering to this Code, persons involved in the boarding of dogs and cats can demonstrate their commitment to the animals in their care and their compliance when undertaking the activity of animal boarding within the South Burnett region.

#### Scope

Part 3 of the Code is applicable and mandatory for:

- Commercial boarding kennel(s) and cattery(ies); and
- Non-profit animal shelters, pounds or rescues where dogs and/or cats are kept at a property (the principal property) and the number of dogs and/or cats kept at the principal property exceeds those numbers which are ordinarily permitted without a permit in Council's Local Laws.

Council recognises the positive contribution that non-profit animal shelters and rescues make towards the rehoming of dogs and cats within our region. Therefore, these organisations are exempt from the initial application fee when applying for an Animal Keeping Permit, however the yearly permit renewal fee will apply.

### Public liability insurance

**All boarding establishments must carry a minimum of \$10,000,000 Public Liability insurance cover**

### 1. Admission requirements

#### Standards:

S1. All animals entering boarding establishments must be identified and all reasonable special requirements requested by the animal's owner or attending veterinary surgeon must be complied with, such as the administration of medication, feeding of special diets, bathing and grooming.

S2. Dogs less than 4 months old and cats less than 3 months old must not be admitted for overnight boarding other than in exceptional circumstances (commercial boarding establishments only).

S3. Dogs older than 16 weeks must meet the vaccination requirements of Section 4.2.

S4. Cats older than 12 weeks must meet the vaccination requirements of Section 4.2.

S5. Where a declared dangerous dog or declared menacing dog is to be boarded, it must be kept in accordance with the requirements of the *Animal Management (Cats and Dogs) Act 2008* and Regulations and Council's Local Laws.

## 2. Staff

**Objective:** The person in charge of an animal is aware and accepts their responsibilities and has the skills and ability to appropriately care for the animal.

**Standards:**

S6. The proprietor of a boarding facility is responsible for the overall management and conduct of the establishment and for the welfare of the animals boarded therein. The manager/person in charge of the animals must be appropriately experienced and trained in animal care.

In particular, the proprietor is responsible for:

- ensuring that each animal is able to be uniquely identified;
- the well-being of all animals in the establishment;
- the supervision of staff;
- the maintenance and collation of records and statistics;
- supervision of daily feeding, watering, exercising, inspection and medication of all animals;
- supervision and examination of animals upon entry;
- the overall level of hygiene in the establishment;
- provision of prompt veterinary attention for animals when required;
- notifying owners (or their contacts) as soon as possible when an animal is observed to be ailing or injured or promptly after a veterinarian has examined the animal;
- ensuring that a High Impact Animal Keeping (Boarding) Permit issued by the South Burnett Regional Council for the establishment is prominently displayed in the reception area of the establishment;
- ensuring that the owner signs an agreement where the owner requests the boarder to be housed in shared accommodation or exercised in groups;
- ensuring a plan for emergency situations is in place.

S7. The proprietor of the establishment must have a written agreement with sufficient veterinary surgeons to be on-call for the treatment of animals while in care at the establishment.

S8. The proprietor must ensure that the staff employed by the boarding establishment are appropriately trained and experienced to properly manage the type of animal boarded.

S9. Staff health must be protected by the provision of appropriate work clothing, adequate hand washing facilities and tetanus immunisation. Information must be supplied on disease-causing organisms which can be transmitted to humans (zoonoses) and personal hygiene procedures must be such that transmission should not occur.

### 3. Record keeping

**Objective:** Records assist with monitoring and enforcement of standards for animal care and management.

Boarding establishments should operate in a transparent way so that standards of animal welfare are maintained.

**Standards:**

S10. The holder of a permit must keep and maintain a written register which records details of each animal admitted for boarding. The animal register must include:

- the name of the animal;
- contact telephone number and address of the owner or the owner's nominee;
- a description of the animal including:
  - sex
  - breed type
  - colour
  - age
  - details of condition on arrival
  - distinguishing features
  - permanent identification details, where applicable
  - Council registration details (dogs only)
  - date of admission
  - expected date of collection
  - expected check in/check out time
  - details of medical, dietary, bathing and grooming requirements
  - any collars, leads or belongings brought in with the animal
  - vaccination status
  - heartworm treatment (dogs)
  - name and contact telephone number of the owner's veterinarian
  - any behaviour changes during boarding.

### 4. Animal Husbandry

**Objective:** Animals are cared for to maximise their health and well-being and minimise health risks to other animals in the facility.

Animals are kept in a clean and sanitary environment to prevent discomfort and disease transfer.

**Standards:**

#### 4.1 Nutrition

S11. All animals must have a permanent supply of fresh, clean water.

S12. Food and water containers must be stable, non-toxic and easily cleaned and disinfected.

S13. Food and water containers must be free of contaminants. Examples of contamination include urine, faeces, vomitus or other substance that may be harmful to dogs.



S14. All dogs and cats must be fed at least once a day. It is recommended for adult cats to be fed twice daily.

S15. Puppies and kittens between four and six months of age must be fed a minimum of twice daily with a nutritionally balanced diet.

S16. Where exceptional circumstances exist and puppies and kittens under four months of age are being housed they require a minimum of three feeds a day with a nutritionally balanced diet.

S17. The food provided must contain acceptable nutritive values in sufficient quantity to meet appropriate daily requirements for the condition and size of the animal.

S18. The holder of the permit must provide and maintain on the land an area for the hygienic storage of food for the animals which prevents –

- (i) the deterioration or contamination of the food
- (ii) water from entering the food
- (iii) vermin or insects from accessing the food.

#### 4.2 Vaccination and health care

S19. Dogs to be boarded at an establishment must be pre-vaccination against distemper, hepatitis, kennel cough (parainfluenza (Type II) virus and *Bordetella bronchiseptica*) and parvovirus. A current vaccination certificate provided by a veterinary surgeon must be produced for each dog before admission.

S20. Cats to be boarded at an establishment must be pre-vaccination against feline infectious enteritis. A current vaccination certificate provided by a veterinary surgeon must be produced for each cat before admission.

S21. Dogs and cats must be treated for gastrointestinal worms prior to admission. Animals that have not been wormed must be wormed on admission and the owner advised accordingly.

S22. Animals known or suspected to be suffering from an infectious disease must not be admitted for boarding.

S23. Where an infectious condition is suspected, veterinary advice must be sought as soon as possible and the owner (or their nominated contact) should be contacted if possible.

S24. Isolation facilities must be available for animals that are suspected of or have been diagnosed as having an infectious condition. These facilities must be located at the boarding premises, or alternatively, by written agreement at a veterinary practice.

S25. Isolation pens for animals with or suspected of having an infectious disease must be physically separated by an impervious barrier, or for external pens, a distance of at least 10 metres from other animal accommodation at the boarding establishment. Boarding establishments using the facilities of a veterinary surgeon to treat injured or unhealthy animals do not require isolation pens.

S26. Sick animals which are not infectious but which may be stressed by contact with other animals must be separated but not necessarily isolated.

#### 4.3 Hygiene

S27. The boarding establishment must be clean and hygienic at all times.

S28. All enclosures, yards, animal food preparation areas and animal food utensils must be:

- a) cleaned daily (or more often, if inspections show it is required) by hosing or other appropriate means
- b) disinfected weekly
- c) if the enclosure, area or utensils are used for the keeping, storage or treatment of an animal –cleaned and disinfected prior to use by another animal.

S29. After cleaning, sleeping areas must not be allowed to remain wet.

S30. Bedding must be kept clean and laundered.

S31. Bedding that is contaminated by faeces, urine, food scraps or dirt must be replaced.

S32. Pests including fleas, ticks, flies, mosquitoes and rodents must be effectively controlled. Chemicals used for pest control must be either prescribed by a registered veterinary practitioner and/or registered by the Australian Pesticides and Veterinary Medicines Authority (APVMA) under the Agricultural and Veterinary Chemicals Code (Commonwealth) and used only in accordance with manufacturer's instructions.

*Notes: Cleaning and disinfection chemicals and materials should be chosen on the basis of their suitability, safety and effectiveness, and used in accordance with the manufacturers' instructions. Some common disinfectants, particularly those derived from or containing coal or wood tar products, are toxic to cats. Pine oil, phenol, cresol and chloroxylenols are such products and should be avoided. The Material Safety Data Sheets (MSDS) or instructions for all chemicals held, should be readily accessible.*

*It is important that all surfaces and utensils be thoroughly rinsed after disinfecting to avoid poisoning.*

*To reduce the risk of transmitting disease carrying organisms between animals, and from animals to themselves, keepers should maintain high standards of personal hygiene and all carers should wash hands thoroughly with soap and water after handling any animal or animal equipment, and use disinfectant when infectious disease is present or suspected.*

*Specialist advice should be sought before pest control operations are conducted, in order to protect the health and safety of the staff and the animals kept.*

## 5. Animal Housing

**Objective:** Boarding facilities must be designed, constructed, serviced and maintained in a way that provides for the good health and wellbeing of the animals, which prevents the transmission of infectious disease agents, the escape of animals and does not cause injury to either animals or humans.

### Standards:

#### 5.1 Housing

S33. Each boarding establishment must provide an area for reception, records storage, and include washing and toilet facilities for staff.

S34. Catteries and kennels must be designed, constructed, serviced and maintained in a way that ensures the good health and wellbeing of the animals, whilst preventing escape or injury to humans.

S35. Housing must provide protection from the weather (wind, rain sun and extremes of climate), vermin and harassment from other animals.

S36. Materials should be selected for ease of maintenance and cleaning, durability and non-toxicity. Floors of animal housing areas of catteries and kennels must be made of an impervious material to assist cleaning and drainage. Wood, brick, dirt or grass floors are not acceptable.

S37. The internal surfaces of the external walls of catteries and kennels must be constructed of impervious, solid, washable materials optimally curved at the wall/floor junctions to facilitate cleaning and disinfection.

S38. Kennel and cattery floors must be sloped to enable wastes and water to run off. A collection drain must be provided to take away water after cleaning.

S39. Pens may be separated by either solid partitions, galvanised chain wire or weld mesh wire dividers. Pens must be completely enclosed having either a solid or wire roof or have an overhang of 700 millimetres at an angle of 35° to the horizontal.

S40. All kennels must be provided with a weatherproof sleeping area containing raised beds.

S41. Where dog kennels are constructed indoors, temperature, humidity and ventilation must be considered. Ventilation must be adequate to keep animal housing areas free of dampness, noxious odours and draughts. Cage or pen areas must have an ample supply of fresh air.

S42. In totally enclosed buildings where forced ventilation is the only form of air, the following is required:

- An air change rate of 8-12 changes per hour to prevent the build-up of foul odours.
- Ventilation devices must avoid draughts and distribute fresh air evenly to all of the boarding areas.
- Temperature must be maintained in the range of 15-27°C.
- Air recirculation units incorporating effective air cleaning and filtration to ensure the removal of infectious organisms and chemicals.
- A back-up and alarm system in case of power failures or breakdown of ventilation and temperature control mechanisms.

S43. Suitable facilities for bathing, drying and grooming animals must be available and must be hygienically maintained. These facilities may be provided by a grooming service provided that the boarding establishment has a business agreement with the service.

S44. Cats need as much fresh air as possible while providing protection from the elements and wire mesh should be the major feature of a cattery.

S45. Cats must be provided with bedding which must be changed frequently and kept clean and dry.

S46. Facilities for cats must be physically separated from dog facilities.

S47. Where boarding kennels and a pound or shelter co-exist at the same premises, the pound or shelter facilities must be sufficiently separated to minimise the possibility of spreading disease to the boarded animals.

## 5.2 Pen sizes

### Dogs

S48. All adult dogs must be housed one to a pen unless the owner has given permission in writing for dogs to be housed together. Up to three dogs from the same household may be housed together where the owner has signed a written agreement and the dogs are compatible and are normally housed together at home.

**Table 1: Dog pen sizes for boarding establishments**

Size of dog	Height of dog at shoulder (cm)	Minimum floor area (m <sup>2</sup> )	Minimum width (cm)	Minimum height (cm)	Increased floor area for each additional dog (m <sup>2</sup> )
Large	>70	3.5	120	180	1.7
Medium	40-70	2.4	90	180	1.2
Small	<40	1.5	90	180	1.0

One third of the area of each pen must be weatherproof and include raised sleeping quarters. Individual sleeping quarters and food bowls must be provided when adult dogs are housed in the one pen. Isolation facilities at the facility must comply with the above requirements.

### Cats

S49. Cats may be housed in cages or walk-in modules that include a sleeping compartment, refuge area (can be sleeping area provided it has opaque walls and allows individual cats to get away from other cats housed in same module and those in neighbouring cages/modules) and an exercise area.

S50. Cats must be housed singly except in walk in modules where compatible cats from the same household may be housed together. The owner must sign an agreement giving permission for the cats to be housed together.

S51. The minimum size cage for short term boarding of up to seven days must have a floor area of at least one square metre and a minimum height of 900 millimetres. Cats boarded for longer than seven days must be provided with accommodation that meets the following criteria:

- Cages that have a minimum floor area of 1.5 square metres and a minimum height of 900 millimetres; or
- Walk-in modules that have a minimum floor area of 0.8 square metres, a minimum width of 900 millimetres and a minimum height of 1.8 metres. The module must contain at least two levels including raised sleeping quarters. The higher level(s) must be connected to the floor by means of a ramp, pole or steps. This size is for one cat only and an additional one square metre floor space is required for each subsequent cat. Each cat must have an individual sleeping area, food bowl and litter tray.

### 5.3 Exercise

S52. The proprietor must ensure that dogs housed in pens of the minimum recommended size for more than two weeks are exercised daily. Dogs in enclosures larger than twenty square metres do not require additional exercise unless they are boarded for longer than four weeks. Care must be taken to ensure that dogs being exercised cannot escape and are not in danger of attack or other injury.

Exercise can be provided by:

- allowing dogs access to an exercise area for at least 10 minutes twice daily; and/or
- walking dogs on a lead for at least 10 minutes twice daily.

Very active or old dogs may require more or less exercise than specified.

S53. Exercise areas must be well maintained, not muddy or bare and dusty. Exercise areas must ordinarily contain a grassed area and not be constructed entirely of concrete.

S54. Measures must be in place to minimise the deterioration of exercise areas to bare earth.

S55. No more than six (6) compatible dogs may be exercised together at any one time. Where a boarding establishment intends to exercise more than one dog together, the owner must give written permission for the animal to be exercised in this manner.

S56. All exercise must be fully supervised at a staff to dog ratio of 1:18, where the maximum number of dogs in any single exercise area is 6; that is, any single staff member can supervise 3 exercise areas at any one time.

S57. Minimum floor space for exercise areas is 10 square metres for the first dog and an additional 3.5 square metres for each dog thereafter.

S58. Fences of exercise areas must be at least 1.8 metres tall and the exercise area must have a minimum width of 5 metres.

S59. Fences must be designed to prevent a dog from escaping under, over or through the fence.

S60. Flooring in exercise areas must be constructed of materials that are easily cleaned of faeces. Exercise areas must not be allowed to become infested with parasites and/ or insects. If exercise areas show a build-up of parasites/insects, appropriate action must be taken.

S61. Cats must not be exercised with other cats unless with compatible cats from the same household where the owner has agreed for this to occur.

#### 5.4 Security

**Objective:** Security methods prevent accidental or unauthorised access to animals, facilities or dangerous materials.

**Standards:**

S62. Kennels and catteries must be able to be securely locked to prevent unauthorised entry.

S63. Each individual kennel, module or colony pen must be fitted with a secure closing device that cannot be opened by the animals.

S64. Any security methods used must allow for ready access to animals and ready exit for staff and animals from the premises in the event of an emergency.

S65. All boarding establishments must have an external perimeter fence surrounding the establishment to prevent the escape of animals.

**Boundary perimeter fencing must:**

- be a minimum height of 1.8 metres and must be constructed of:
  - brick, concrete, timber, iron or similar solid material
  - chain mesh manufactured from 3.15 mm wire to form a uniform 50mm mesh or 4mm weld mesh wire with a maximum mesh spacing of 50mm
- Must be maintained in a manner which prevents a dog from being able to dig out;
- Must have self-closing and self-locking gates or doors;
- Must be designed to prevent a person from climbing into the enclosure.
- The external walls of the facility may serve as the perimeter fence if an animal escaping from its pen or cage is restrained by these walls.

S66. There must be a minimum of two gates between animal and escape.

S67. Facilities must have appropriate fire extinguishers or other fire protection.

#### 5.5 Water supply

S68. Boarding facilities must have a continuous water supply, adequate to meet the daily requirements of the dog and cats held. Water may be supplied through Council's reticulated mains water supply, or through the private collection of water on the premises (for example rainwater tanks).

### 5.6 Waste and wastewater management

S69. Any enclosure in which an animal is kept, must be properly drained and run-off must be kept off premises adjoining the land.

S70. The holder of the permit must collect and dispose of wastes promptly and in a hygienic manner. This may include:

- disposal of all animal droppings, soiled litter and bedding
- disposal of animal food waste
- removal of any deceased animal.

S71. Animal faeces must be collected:

- at least daily
- more frequently if the number of animals kept, or the conditions of the housing of the animals, necessitates collection more often than daily.

S72. Each cat litter tray must be:

- checked, scooped and replenished daily
- changed, washed and disinfected at least once every three days.
- Sufficient suitable litter material, such as commercial cat litter, sawdust or shredded paper, must be provided.

S73. Collection drains on the land must be cleaned at least daily.

S74. Waste disposal must be in accordance with the requirements of the South Burnett Regional Council.

S75. Wastes must not be incinerated unless the incinerator is registered with the appropriate authority.

S76. Wastewater generated through the operation of the business (for example, the hosing down of pens and kennels) must be appropriately collected and must not run off from the property.

S77. Boarding establishments must be sewerage, on a septic system, or have some other adequate method of disposing of faeces and soiled litter which is approved by the South Burnett Regional Council.

S78. Open pits for collecting run off from drains must not be used.

S79. All used, contaminated bedding and litter and all uneaten food must be removed before hosing, to ensure the pen is fresh and clean. Used litter and uneaten food must be placed in sealed containers for disposal.

S80. The business must control stormwater entering and leaving kennels or animal accommodation or other areas where it may become contaminated with animal faecal matter, food or cleaning products (detergents, disinfectants and pesticides) so that it does not contaminate the surrounding soil, stormwater or waterways.

S81. Wastewaters (for example dog wash) must not discharge to stormwater. Wastewater must either be collected for appropriate disposal or discharge directly to the sewer under the conditions of a Trade Waste Permit.

S82. Wastewater must not be applied to land unless treated by a wastewater treatment system approved by Council.

South Burnett Regional Council

Code of Practice for the Keeping and Breeding of Cats and Dogs

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## 6. Noise management

**Objective:** Noise management prevents nuisance to neighbours and the community.

**Standards:**

S83. The holder of a permit must take specified action to prevent the animals from making a noise or disturbance that may cause a nuisance or disturbance to the occupiers of other premises.

Example: If the permit relates to the boarding of dogs – barking, howling or whining of a dog may result in a nuisance or disturbance to the occupiers of other premises.

Noise from barking dogs should be managed to comply with noise regulations and occupational health and safety requirements and may be reduced by one or more of the following methods:

- judicious use of sound proofing or suitable construction materials which reduce noise;
- care with dog placement to avoid unnecessary arousal;
- limiting external stimulation, e.g. by partitioning dog housing, using a visual barrier or judicious use of blinds or dog housing design to prevent dogs from seeing into nearby pens;
- holding dogs singly or in compatible pairs; or
- taking care to exercise dogs away from the sight of kennelled animals.

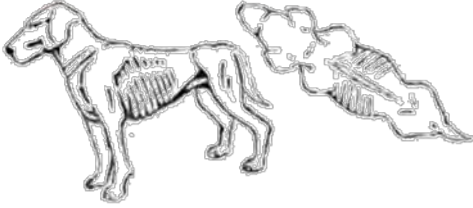
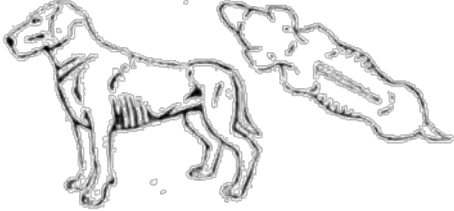
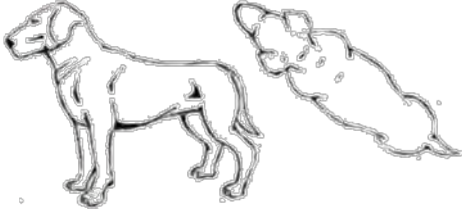
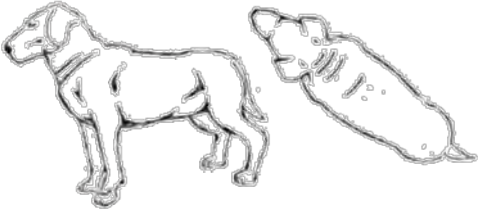
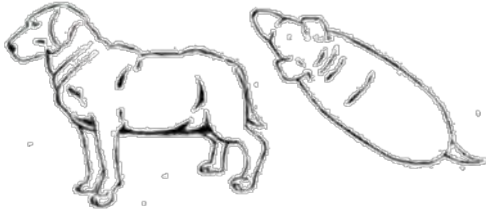
S84. A permit condition may require the permit holder to provide and maintain a soundproof enclosure for each animal kept on the land that causes, or is likely to cause, a noise nuisance.

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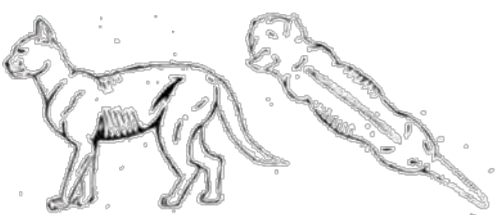

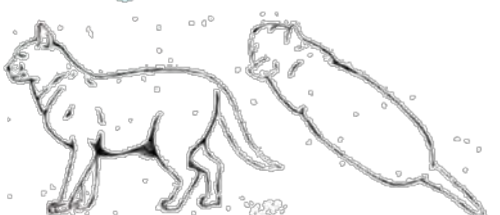



Appendix

## Body condition score chart - Dog

<p><b>Emaciated</b></p> 	<ul style="list-style-type: none"> <li>• Individual ribs, spine and pelvis prominent and evident from a distance.</li> <li>• Lack of muscle mass.</li> <li>• Little or no body fat.</li> <li>• Rump hollow.</li> <li>• Waist prominent when viewed from above.</li> <li>• Abdomen obviously tucked up.</li> <li>• Neck thin.</li> <li>• No fat on tail.</li> </ul> <p>Veterinary advice must be sought.</p>
<p><b>Thin</b></p> 	<ul style="list-style-type: none"> <li>• Ribs, spine and pelvis bones visible and easily felt.</li> <li>• Little body fat.</li> <li>• Neck thin.</li> <li>• Abdomen tucked up.</li> <li>• Little fat on tail.</li> <li>• Obvious waist when viewed from above.</li> </ul> <p>Increase feeding and worm dog if not wormed recently. (ensure all-wormer used – some products do not cover all worms).</p> <p>Seek veterinary advice if dog remains underweight or unsure of feeding or worming regime.</p>
<p><b>Ideal</b></p> 	<ul style="list-style-type: none"> <li>• Ribs and spine can be felt, last few ribs may be visible.</li> <li>• Dog should have a waist when viewed from above.</li> <li>• Belly is tucked up when viewed from side.</li> <li>• Good muscle mass.</li> <li>• Rump well muscled.</li> </ul>
<p><b>Overweight</b></p> 	<ul style="list-style-type: none"> <li>• Ribs and spine not visible but can be felt.</li> <li>• Fat deposit on tail.</li> <li>• Little or no waist when viewed from above, rounded appearance, back appears broadened.</li> <li>• Dog squarish along back line when viewed from side.</li> <li>• Abdomen not tucked up, may appear rounded underneath.</li> </ul> <p>Reduce feed intake or provide lower calorie feed. Increase exercise.</p> <p>Seek veterinary advice if unsure of appropriate diet or concerns over exercise regime.</p>
<p><b>Obese</b></p> 	<ul style="list-style-type: none"> <li>• Ribs and spine not visible and difficult to feel.</li> <li>• Tail has obvious fat deposit.</li> <li>• No waist and back broadened when viewed from above.</li> <li>• Belly obviously rounded and possibly distended.</li> <li>• Dog square or rounded up along back line when viewed from side.</li> </ul> <p>Seek veterinary advice on diet and exercise regime.</p>

## Body condition score chart - Cat

<p><b>Emaciated</b></p> 	<ul style="list-style-type: none"> <li>• Individual ribs, spine and pelvis prominent and evident from a distance.</li> <li>• Lack of muscle mass.</li> <li>• Little or no body fat.</li> <li>• Rump hollow.</li> <li>• Waist prominent when viewed from above.</li> <li>• Neck thin.</li> <li>• No flank fold (under belly), abdomen very tucked up.</li> </ul> <p>Veterinary advice must be sought.</p>
<p><b>Thin</b></p> 	<ul style="list-style-type: none"> <li>• Ribs, spine and pelvis bones visible and easily felt.</li> <li>• Little body fat.</li> <li>• Neck thin.</li> <li>• No flank fold (under belly), abdomen tucked up.</li> <li>• Obvious waist when viewed from above.</li> </ul> <p>Increase feeding and worm cat if not wormed recently (ensure all-wormer used – some products do not cover all worms).</p> <p>Seek veterinary advice if cat remains underweight or unsure of feeding or worming regime.</p>
<p><b>Ideal</b></p> 	<ul style="list-style-type: none"> <li>• Ribs and spine can be felt, last few ribs may be visible.</li> <li>• Flank fold (under belly) maybe visible from side.</li> <li>• Cat should have a waist when viewed from top.</li> <li>• Good muscle mass.</li> </ul>
<p><b>Overweight</b></p> 	<ul style="list-style-type: none"> <li>• Ribs and spine not visible but can be felt.</li> <li>• Little or no waist when viewed from above, rounded appearance.</li> <li>• Flank fold (under belly) clearly visible and will wobble when cat moves. Belly and chest rounded.</li> <li>• Large ventral fat pad covering hind legs.</li> </ul> <p>Reduce feed intake or provide lower calorie feed. Consider options to increase exercise level of cat.</p>
<p><b>Obese</b></p> 	<ul style="list-style-type: none"> <li>• Ribs and spine not visible and difficult to feel.</li> <li>• Tail has obvious fat deposit.</li> <li>• No waist and back broadened when viewed from above.</li> <li>• Flank fold (under belly) hangs down and will sway when cat moves, belly and chest very rounded.</li> </ul> <p>Seek veterinary advice on diet and exercise regime.</p>

**12 PORTFOLIO – LOCAL DISASTER MANAGEMENT, WATER & WASTEWATER, WASTE MANAGEMENT**

**12.1 LOCAL DISASTER MANAGEMENT, WATER, WASTE WATER AND WASTE MANAGEMENT PORTFOLIO REPORT**

**File Number:** 16-09-2020

**Author:** Councillor

**Authoriser:** Chief Executive Officer

**PRECIS**

Local Disaster Management, Water, Waste Water and Waste Management Portfolio Report

**SUMMARY**

Councillor Frohloff presented her Local Disaster Management, Water, Waste Water and Waste Management Portfolio Report to Council.

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**OFFICER'S RECOMMENDATION**

That Cr Frohloff's Local Disaster Management, Water, Waste Water and Waste Management Portfolio Report to Council be received.

**BACKGROUND**

Nil

**ATTACHMENTS**

Nil

**12.2 WWW REVIEW OF STANDPIPE CHARGES**

**File Number:** 16/09/2020  
**Author:** Administration Officer  
**Authoriser:** Chief Executive Officer

**PRECIS**

Review of Standpipe Charges

**SUMMARY**

Council undertook a review of its standpipe charges as a result of water restriction reviews and enquiries made by people across the region in comparison of scheme charges, and as a result of having uncontrolled consumption of water from standpipes particularly when supply restrictions are in place.

**OFFICER'S RECOMMENDATION**

That Council undertake a further review of options to manage consumption and access to standpipes across the South Burnett and that a report be presented to Council at its December 2020 meeting for consideration with details of options and costs.

**FINANCIAL AND RESOURCE IMPLICATIONS**

Council officers would be diverted from current operational priorities and some external costs from specialists may be required. Any significant expenditure requirements would be reported through to Council.

**LINK TO CORPORATE/OPERATIONAL PLAN**

EC3.4 – Manage identified public health and environmental issues in accordance with relevant legislation.

INF1.2 – Provide and maintain financial utility infrastructure in accordance with asset management practices.

**COMMUNICATION/CONSULTATION (INTERNAL/EXTERNAL)**

Council has previously resolved to increase standpipe charges and any future consultation requirements would be determined in later Council reports.

**LEGAL IMPLICATIONS (STATUTORY BASIS, LEGAL RISKS)**

N/A

**POLICY/LOCAL LAW DELEGATION IMPLICATIONS**

N/A

**ASSET MANAGEMENT IMPLICATIONS**

Ongoing maintenance and replacement of key standpipe components due to vandalism has been previously reported to Council. Previously all infrastructure associated with the water schemes is re-couped directly through access charges across the water schemes.

**REPORT**

Council undertook a review of its standpipe access and charges at its ordinary meeting on 17 June 2020, and resolved:

**Resolution:**

*Moved Cr RJ Frohloff, seconded Cr DA Potter.*

*That*

- 1. Council adopts the recommendation to increase standpipe charges to \$10.00 per kilolitre; and*
- 2. The Chief Executive Officer is delegated to close any standpipe unit or place on bypass if it becomes inoperable or damaged.*

The previous Council report provided detailed figures in relation to standpipes with consumption and price comparison. Currently there are no restrictions placed on how much water can be taken from a standpipe, and landowners using standpipe water are not subject to water restrictions. Standpipe consumption is primarily managed through pricing to encourage responsible use, similar to the purpose of a tiered system pricing on a water scheme.

All water schemes are a take or no take pay scheme, meaning Council must fund the scheme in full each year regardless if the allocation is used or not, but only customers that access water pay for the operation and maintenance of these assets, which currently cost \$10.8 million annually. The majority of this money is recouped through access charges, which in addition provides a subsidy to the consumption and treatment of water. Annually, Council pays \$1.2 million to purchase raw water that is then treated and distributed in the water network.

In urban areas water allocation consumption is managed in two ways; water restrictions and price:

1. Water restrictions set the purpose and reasons water is to be utilised; and
2. Price is set on a Tiered System to minimise medium and high water usage.

The standpipes access water from Council's high priority or bore allocations. Water taken through the standpipes places limitations on the approved water schemes as it takes allocations, essentially extending the number of people who access an approved scheme beyond its capability and reliability. This is why standpipes are designed to support rural landowners in times of need only for domestic use.

In regards to rural or residential properties not connected to the water system, their water supply is not intended to primarily come from town water supply and they should be supplied by alternatives such as rainwater tanks, bores etc.

However, when tanks supply becomes critical people need water to survive, which triggers essential domestic use only. The same way in which critical restrictions would be enacted on a water supply. People requiring water for their tanks will either buy a load of water for their tank from a water carter or they can buy it from a Council standpipe. Rural residential landowners only usually buy what they need from the water carter because it comes at a price point that reasonably encourages minimal domestic use, encouraging self-restriction. If you buy water from a Council standpipe, you buy it much cheaper and without any restrictions. That water comes from a restricted town supply or allocated raw water supply.

The justification pricing for standpipes considers the following factors:

1. Ensuring that standpipes are provided to support the rural community in being able to access water in times of need for domestic use only;
2. Ensuring that the water scheme and allocation is not used to essentially provide continual and substantive supply of normal water usage for rural households or non-domestic use. This places additional stress on the water allocations and reduces water security and reliability for town water supplies. Uncontrolled use of water creates significant risk for Council;
3. Create a price point that encourages self-restriction e.g. people only take what they need to live. We would expect that people on critical water supply would be using less than 100 litres per day, and should reasonably minimise their usage somewhere in the vicinity of 80 litres per day; and
4. Create a fair price point that achieves all of the above.

Council has received some community feedback directly and a petition from a group of residents in relation to requesting a review of the increase in standpipe charges

**ATTACHMENTS**

1. **Standpipe Charges Factsheet** [↓](#) 