

**PLANNING REPORT**

**SUBJECT:** PIONEER NORTH QLD PTY LTD - MATERIAL CHANGE OF USE - EXTRACTIVE INDUSTRY - LOT 77 ON CP902753 - KIMALO ROAD, ARRIGA - MCU/17/0009

**MEETING:** Ordinary

**MEETING DATE:** 20 December 2017

**REPORT OFFICER'S TITLE:** Senior Planner

**DEPARTMENT:** Corporate and Community Services

**APPLICATION DETAILS**

APPLICATION		PREMISES	
<b>APPLICANT</b>	Pioneer North QLD Pty Ltd	<b>ADDRESS</b>	Kimalo Road, Arriga
<b>DATE LODGED</b>	4 October 2017	<b>RPD</b>	Lot 77 on CP902753
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use – Extractive Industry		

<b>FILE NO</b>	MCU/17/0009	<b>AREA</b>	157.4 hectares
<b>LODGED BY</b>	RPS Australia East Pty Ltd	<b>OWNER</b>	MP Australia Investments Pty Ltd
<b>PLANNING SCHEME</b>	Mareeba Shire Council Planning Scheme 2016		
<b>ZONE</b>	Rural zone		
<b>LEVEL OF ASSESSMENT</b>	Impact Assessment		
<b>SUBMISSIONS</b>	Nil		

**ATTACHMENTS:**

1. Proposal Plan/s
2. Department of Infrastructure, Local Government and Planning Referral Agency Response – 7 November 2017

**EXECUTIVE SUMMARY**

*Council is in receipt of a development application described in the above application details.*

*The application is impact assessable and no properly made submissions were received in response to public notification of the application.*

*It has been assessed against the relevant statutory planning instruments, including the Regional Plan and the Planning Scheme and does not conflict with any relevant planning instrument.*

*Draft conditions were provided to the Applicant/care of their consultant and have been agreed.*

*It is recommended that the application be approved in full with conditions.*

## OFFICER'S RECOMMENDATION

"1. That in relation to the following development application:

APPLICATION		PREMISES	
<b>APPLICANT</b>	Pioneer North QLD Pty Ltd	<b>ADDRESS</b>	Kimalo Road, Arriga
<b>DATE LODGED</b>	4 October 2017	<b>RPD</b>	Lot 77 on CP902753
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use – Extractive Industry		

and in accordance with the Planning Act 2016, the applicant be notified that the application for a development permit for the development specified in (A) is:

Approved by Council in accordance with the approved plans/documents listed in (B), subject to assessment manager conditions in (C), assessment manager's advice in (D), referral agency conditions in (E), relevant period in (F), further permits in (G), and further approvals from Council listed in (H);

And

The assessment manager does not consider that the assessment manager's decision conflicts with a relevant instrument.

(A) APPROVED DEVELOPMENT: Development Permit for Material Change of Use – Extractive Industry

(B) APPROVED PLANS:

Plan/Document Number	Plan/Document Title	Prepared by	Dated
PR137274-2	Site Layout Plan	RPS	28-08-2017

(C) ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

(a) Development assessable against the Planning Scheme

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:

- found necessary by the Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and
- to ensure compliance with the following conditions of approval.

2. Timing of Effect

- 2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the commencement of the use except where specified otherwise in these conditions of approval.
- 2.2 Prior to the commencement of use, the applicant must notify Council that all the conditions of the development permit have been complied with, except where specified otherwise in these conditions of approval.

### 3. General

- 3.1 The development approval would not have been issued if not for the conditions requiring the construction of infrastructure within the conditions of approval.
- 3.2 The applicant/developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.
- 3.3 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to commencement of the use and at the rate applicable at the time of payment.
- 3.4 All works must be designed, constructed and carried out in accordance with FNQROC Development Manual requirements (as amended) and to the satisfaction of Council's delegated officer.

#### 3.5 Hours of Operation

All operations pursuant to the extractive industry, or in any way connected with the extractive industry will, for site operations and for removal of material, be limited to the hours between 7.00 am and 6.00 pm Mondays to Friday and 7:00am to 12:00 noon Saturdays (except Public Holidays), PROVIDED ALWAYS that the Council will have the right at any time, and from time to time, to fix other hours of operation, and upon the fixing of any such other hours of operation pursuant to the permit, or in any way connected therewith, the extractive industry will be limited to such other hours. The Applicant will not be allowed to conduct nor permit nor suffer to be conducted, any extractive industry operation nor run nor start any motors, machinery, or the like, nor remove any materials from the said land on any Sunday or Public Holiday, or at any time outside the hours mentioned or such other hours as will be fixed by Council.

- 3.6 The Applicant shall provide Council with records of quantities of material extracted from the site on a monthly basis.
- 3.7 All operations pursuant to the extractive industry must be carried out in accordance with an Environmental Management Plan, except where modifications are required by the conditions of this approval. A copy of the Environmental Management Plan must be provided to Council prior to the commencement of extraction.
- 3.8 The applicant will be required to take every precaution to avoid spillage and any spillage which occurs on any public road, shall be removed at the end of

each working day or within four (4) hours of any verbal requirement by Council's delegated officer.

### 3.9 Scale and Intensity

The extraction volume must not exceed 100,000 tonnes per annum.

### 3.10 No extractive industry operations, other than access, are to occur within 10 metres of:

- Kimalo Road;
- any property boundary;
- any existing easement; and
- any mapped remnant vegetation.

### 3.12 Rehabilitation

A Site Rehabilitation Management Plan is to be prepared by a suitably qualified and experienced person detailing the timing/staging of vegetation removal, method of removal and the sequence of operations and rehabilitation works.

Site rehabilitation works must be provided in a progressive manner in accordance with extraction sequences and staging. The method of rehabilitation needs to be detailed with appropriate revegetation strategies indicated including the species list to be used including plant source. The plan is to be submitted to Council and operations are not to commence prior to receipt of Council's approval of the plan.

All site rehabilitation is to occur in accordance with the approved Site Rehabilitation Management Plan.

## 4. Infrastructure Services and Standards

### 4.1 Access

A Commercial access crossover/s, for the extractive industry access, must be constructed and maintained, to the property boundary of the Sales Permit area in accordance with the FNQROC Development Manual, to the satisfaction of Council's delegated officer.

## 5. Additional Payment Condition – **Note:** The applicant's obligations under this condition are waived whilst Council continues to levy the special charge for extractive industries in accordance with Council's adopted annual budget.

5.1 The additional payment condition has been imposed as the development will create additional demand on trunk infrastructure which will create additional trunk infrastructure costs for council.

5.2 The developer must pay \$51,795.00 for each 3,333haul truck movements (\$15.54 per truck) from the site towards trunk transport infrastructure, with the amount of the contribution increased on 1 July each year in accordance with the increase for the PPI index for the period starting on the day the development approval takes effect, adjusted by reference to the 3-yearly PPI index average to the date of payment.

5.3 The trunk infrastructure for which the payment is required is:

- The trunk transport infrastructure servicing the land - specifically the upgrading of Kimalo Road and North Walsh Road to rural road (8 metres wide) bitumen sealed standard.

5.4 The developer may elect to provide part of the trunk infrastructure instead of making the payment.

5.5 If the developer elects to provide part of the trunk infrastructure the developer must:

- Discuss with Council's delegated officer the part of the works to be undertaken;
- Obtain the necessary approvals for the part of the works;
- Indemnify the Council in relation to any actions, suits or demands relating to or arising from the works;
- Take out joint insurance in the name of the Council and the developer in the sum of \$20,000,000 in relation to the undertaking of the works;
- Comply with the reasonable direction of Council officers in relation to the completion of the works;
- Complete the works to the standards required by the Council; and
- Complete the works prior to endorsement of the plan of subdivision.

#### (D) ASSESSMENT MANAGER'S ADVICE

(a) A number of other charges or payments may be payable as conditions of approval. The applicable fee is set out in Council's Fees & Charges Schedule for each respective financial year.

(b) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

(c) Compliance with Acts and Regulations

The erection and use of the building must comply with the Building Act and all other relevant Acts, Regulations and Laws, and these approval conditions.

(d) Environmental Protection and Biodiversity Conservation Act 1999

The applicant is advised that referral may be required under the *Environmental Protection and Biodiversity Conservation Act 1999* if the proposed activities are likely to have a significant impact on a matter of national environmental significance. Further information on these matters can be obtained from [www.environment.gov.au](http://www.environment.gov.au).

(e) Cultural Heritage

In carrying out the activity, the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural

heritage duty of care”). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from [www.datsip.qld.gov.au](http://www.datsip.qld.gov.au).

(f) Transportation of Soil

All soil transported to or from the site must be covered to prevent dust or spillage during transport. If soil is tracked or spilt onto the road pavements as a result of the works on the subject site, it must be removed prior to the end of the working day and within four (4) hours of a request from a Council Officer.

(E) REFERRAL AGENCY CONDITIONS

Department of Infrastructure, Local Government and Planning (no requirements) dated 7 November 2017

(F) RELEVANT PERIOD

When approval lapses if development not started (s.85)

- Material Change of Use – six (6) years (starting the day the approval takes effect);

(G) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS

- Nil

(H) OTHER APPROVALS REQUIRED FROM COUNCIL

- Access approval arising from condition number 4.1 (Please contact Planning Section to obtain application form and applicable fee)"

## THE SITE

The subject land is described as Lot 77 on CP902753, situated at Kimalo Road, Arriga, approximately 14.5 km west of Mareeba.

The land has an area of 157.4 hectares, with a frontage of approximately 1.06 kilometres to Kimalo Road. Access to the land is obtained directly off Kimalo Road via an established farm access.

Kimalo Road is constructed to at least 7 metre wide bitumen sealed standard from its intersection with Bower Road and North Walsh Road, up to and including the full frontage of the subject land.

The land is located within the Rural Zone and surrounded by agricultural activities, primarily sugar cane and horticultural production.

The land is relatively flat with minor undulations of alluvial plains. The Environmental Significance - Waterways Overlay of the Mareeba Shire Council Planning Scheme 2016 depicts waterways traversing the subject land to a drainage line immediately adjacent to Kimalo Road.

The applicant advises that the subject land has been inspected by the Department of Natural Resources and Mines (DNR&M) and it has been determined that the mapped waterways are Drainage Features pursuant to the *Water Act 2000* and not a watercourse pursuant to the *Water Act*.

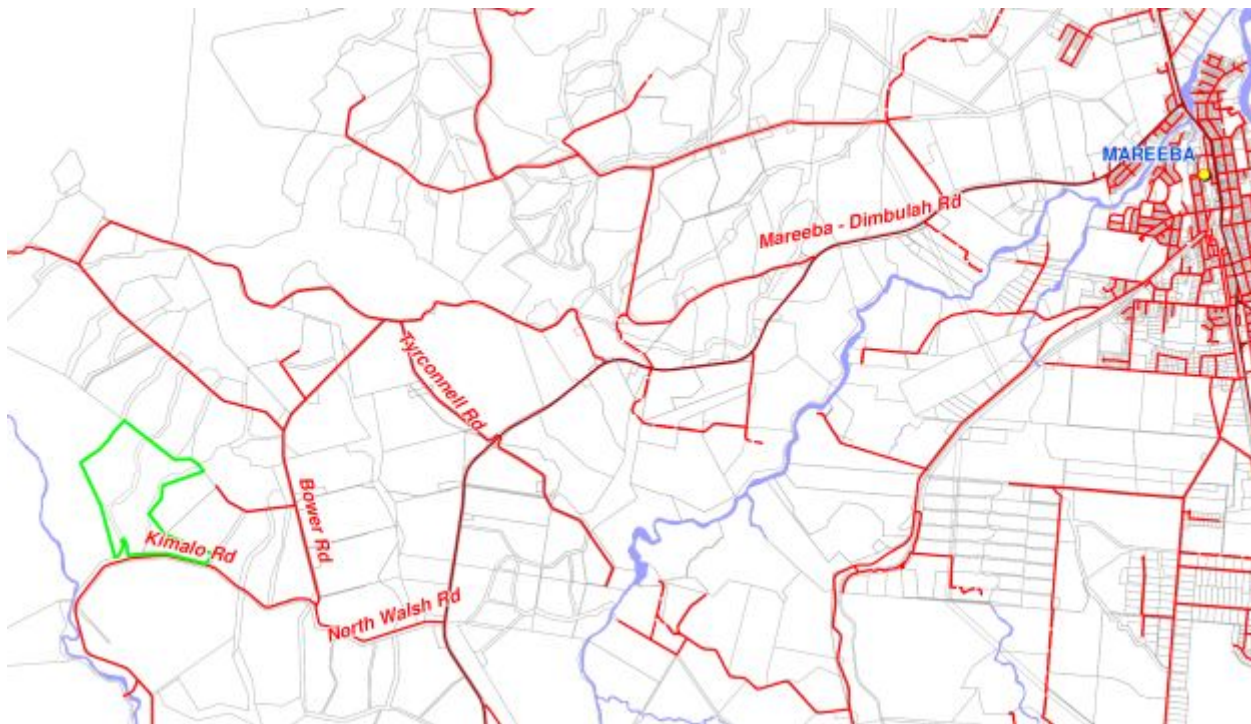
A residential dwelling and ancillary farming sheds exist on the site, approximately 380 metres, north of Kimalo Road and approximately 200 metres to the closest point of proposed extraction. Except for the land owners residence, the nearest sensitive receptors to the proposed extraction area are rural residences, located:

- Approximately 900m to the north north east;
- 700m to the north east; and
- 650m to the south west.



**Map Disclaimer:**

Based on or contains data provided by the State of Queensland (Department of Environment and Resource Management) (2009). In consideration of the State permitting use of this data you acknowledge and agree that the State gives no warranty in relation to the data (including accuracy, reliability, completeness, currency or suitability) and accepts no liability (including without limitation, liability in negligence) for any loss, damage or costs (including consequential damage) relating to any use of the data. Data must not be used for direct marketing or be used in breach of the privacy laws.



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## BACKGROUND AND CONTEXT

Nil

## PREVIOUS APPLICATIONS & APPROVALS

Nil

## DESCRIPTION OF PROPOSED DEVELOPMENT

The development application seeks a Development Permit for Material Change of Use – Extractive Industry in accordance with the plans shown in **Attachment 1**.

The proposed development would involve the extraction and screening of up to 100,000 tonnes of fine sand per year from a total area of approximately 19.8 hectares.

The following extractive industry processes will be carried out as part of the project.

- Removal and storage of topsoil in earthen bunds;
- Extraction of the sand resource;
- Screening of the material into stockpiles;
- Haulage off-site via Kimalo Road; and
- Stabilisation and rehabilitation of disturbed areas

The area proposed for sand extraction provides for an exclusion area of not less than 10m from any area mapped as remnant vegetation.



The applicant advises that a separate application has been made to the Department of Environment and Heritage Protection for a Site Specific Environmental Authority over land described as Lot 77 on CP902753, for the following:

- ERA 16 2(a) extracting, other than by dredging, in a year, 5,000t to 100,000t of material; and
- ERA 16 3(a) screening, in a year, 5,000t to 100,000t of material.

The potential environmental impacts typically associated with extraction and screening activities would be managed in accordance with the conditions of the environmental authority and an approved Environmental Management Plan.

The applicant intends to progress the development in stages, with the first stage facilitating extraction up to 5,000 tonnes of sand from two separate extraction pits prior to the issue of the Environmental Authority. The extraction pits are to be located either side of the SunWater drainage easement with each extraction pit gaining access to Kimalo Road from two separate points, from the existing farm access and the alternate access shown on the Proposal Plan.

The initial extraction pits are anticipated to form the sediment retention ponds in the larger scale sand extraction operation.

The standard extractive industry operating hours of 7 am to 6 pm Monday to Friday and 7 am to 12 pm on Saturdays will apply. No activities will take place on Sundays or Public Holidays.

## REGIONAL PLAN DESIGNATION

The subject site is included within the Regional Landscape and Rural Production Area land use category in the Far North Queensland Regional Plan 2009-2031. The Regional Plan Map 3- 'Areas of Ecological Significance' also identifies the site is:

- *Terrestrial Area of General Ecological Significance*

## PLANNING SCHEME DESIGNATIONS

Strategic Framework:	<b>Land Use Categories</b> <ul style="list-style-type: none"> <li>▪ Rural Other</li> </ul> <b>Natural Resource Elements</b> Key Resource Area
Zone:	Rural zone
Overlays:	Airport environs overlay Bushfire hazard overlay Environmental significance overlay Extractive resources overlay Transport infrastructure overlay

## Planning Scheme Definitions

The proposed use is defined as:-

<b>Column 1 Use</b>	<b>Column 2 Definition</b>	<b>Column 3 Examples include</b>	<b>Column 4 Does not include the following examples</b>
<i>Extractive industry</i>	<i>Premises used for the extraction and/or processing of extractive resources and associated activities, including their transportation to market.</i>	<i>Quarry</i>	

## RELEVANT PLANNING INSTRUMENTS

Assessment of the proposed development against the relevant planning instruments is summarised as follows:-

### (a) Far North Queensland Regional Plan 2009-2031

Separate assessment against the Regional Plan is not required because the Mareeba Shire Council Planning Scheme appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies to the planning scheme area.

### (b) State Planning Policy

Separate assessment against the State Planning Policy (SPP) is not required because the Mareeba Shire Council Planning Scheme appropriately integrates all relevant aspects of the SPP.

### (c) Mareeba Shire Council Planning Scheme - July 2016

## Strategic Framework

### 3.7 Economic development

#### 3.7.1 Strategic outcomes

- (7) The geological diversity and rare mineral occurrence of Mareeba Shire provide the basis for the establishment of mixed mining activities of varying scales, supporting increased employment and wealth within the shire, while ensuring ecological and amenity values are not negatively impacted. Support services and infrastructure to existing and future mineral exploration, including workers accommodation, are encouraged in appropriate locations.
- (8) *Key resource areas* (of local, regional and state significance) and associated haul routes are buffered from incompatible development. New resource operations establish in *rural areas* where impacts on surrounding land are manageable and environmental values can be protected.

#### 3.7.11 Element - Extractive resources

##### 3.7.11.1 Specific outcomes

- (1) *Key resource areas* of local, regional and state significance and their associated haul routes are protected from development that might prevent or constrain current or future extraction.
- (2) Extractive industries:
  - (a) mitigate impacts relating to air, noise, water and waste on local ecological and environmental values and the amenity of residential areas, and surrounding rural dwellings;
  - (b) avoid areas of ecological significance and values;
  - (c) progressively rehabilitate disturbed land on site and ensure ecological values are rehabilitated (where relevant).
- (3) Sand extraction in watercourses maintains and restores the environmental and hydrological values of the site, and does not impede community recreational usage and public access points to waterways.

### Comment

The subject site is within key resource area (KRA) KRA151.

KRA151 is intended to recognise and protect the sand resource which extends from Narcotic Creek Road in a north-westerly direction to McBean Road. Numerous historic and active sand extractive industries are scattered throughout this KRA.

The proposed development would comply.

### **Relevant Development Codes**

The following Development Codes are considered to be applicable to the assessment of the application:

- 6.2.9 Rural zone code
- 8.2.2 Airport environs overlay code
- 8.2.3 Bushfire hazard overlay code
- 8.2.4 Environmental significance overlay code
- 8.2.5 Extractive resources overlay code
- 8.2.12 Transport infrastructure overlay code
- 9.3.5 Industrial activities code
- 9.4.2 Landscaping code
- 9.4.3 Parking and access code
- 9.4.5 Works, services and infrastructure code

The application included a planning report and assessment against the planning scheme. An officer assessment has found that the application satisfies the relevant acceptable outcomes or performance criteria where no acceptable solution applies) of the relevant codes set out below, provided reasonable and relevant conditions are attached to any approval.

Relevant Codes	Comments
Rural zone code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Airport environs overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Bushfire hazard overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Environmental significance overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Extractive resources overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Transport infrastructure overlay code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Industrial activities code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Landscaping code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Parking and access code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).
Works, services and infrastructure code	The application can be conditioned to comply with the codes relevant acceptable outcomes and/or performance outcomes (where no acceptable outcome is provided).

**(e) Planning Scheme Policies/Infrastructure Charges Plan**

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

Where relevant, conditions will be attached to any approval requiring all development works be designed and constructed in accordance with the FNQROC Development Manual.

**(f) Additional Trunk Infrastructure Condition (Section 130 of PA)**

The subject land is located outside the identified Priority Infrastructure Area (PIA).

Section 130 of PA allows Council to condition additional trunk infrastructure outside the PIA.

The applicant's roadworks contribution for each 100,000 tonnes would be as follows.

Length of road traversed by the applicant is 3.7 kilometres (shortest route to State controlled road).

Truck and dog	=	30 tonnes / load = 6 ESA * / load (* ESA - Equivalent Standard Axles)
Truck loads	=	tonnes (100,000) ÷ load of truck (30t)
	=	100,000 ÷ 30
	=	3,333
Number of axles	=	No. of loads (3,333 x ESA / Load (6))
	=	3,333 x 6
	=	19,998
Present road investment	=	\$1.40 / ESA
Future road maintenance cost	=	\$2.10 / ESA
	=	Difference in maintenance and present cost
	=	\$2.10 - \$1.40
	=	\$0.70
	=	\$0.70 x ESA (19,998)
	=	\$13,998.60
Therefore total contribution sought	=	cost x distance (km)
	=	\$13,998.60 x 3.7
	=	\$51,794.82

Based on Council's standard contribution calculation method, the applicant would be required to pay a roadworks contribution of \$51,794.82 for each 100,000 tonnes of material extracted.

On 21 June 2017, Council adopted its 2017/18 Budget and introduced a new special charge for extractive industries.

In doing so, Council acknowledged that certain quarries already contribute towards road infrastructure through a condition of their development approval. In such cases, the applicant's obligation under the relevant road infrastructure condition would be waived whilst Council continued to levy the special charge for extractive industries.

Accordingly, it is proposed to apply a road infrastructure condition on this extractive industry, however the applicant will not have to comply with this condition whilst Council continues to levy the special charge for extractive industries.

## REFERRALS

The application triggered referral to the State Referral Agency for state transport infrastructure matters.

The Department advised in a response dated 7 November 2017 that they have no requirements for the development (**Attachment 2**).

## Internal Consultation

Technical Services

**PUBLIC NOTIFICATION**

The development proposal was placed on public notification from 2 November 2017 to 24 November 2017. The applicant submitted the notice of compliance on 27 November 2017 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

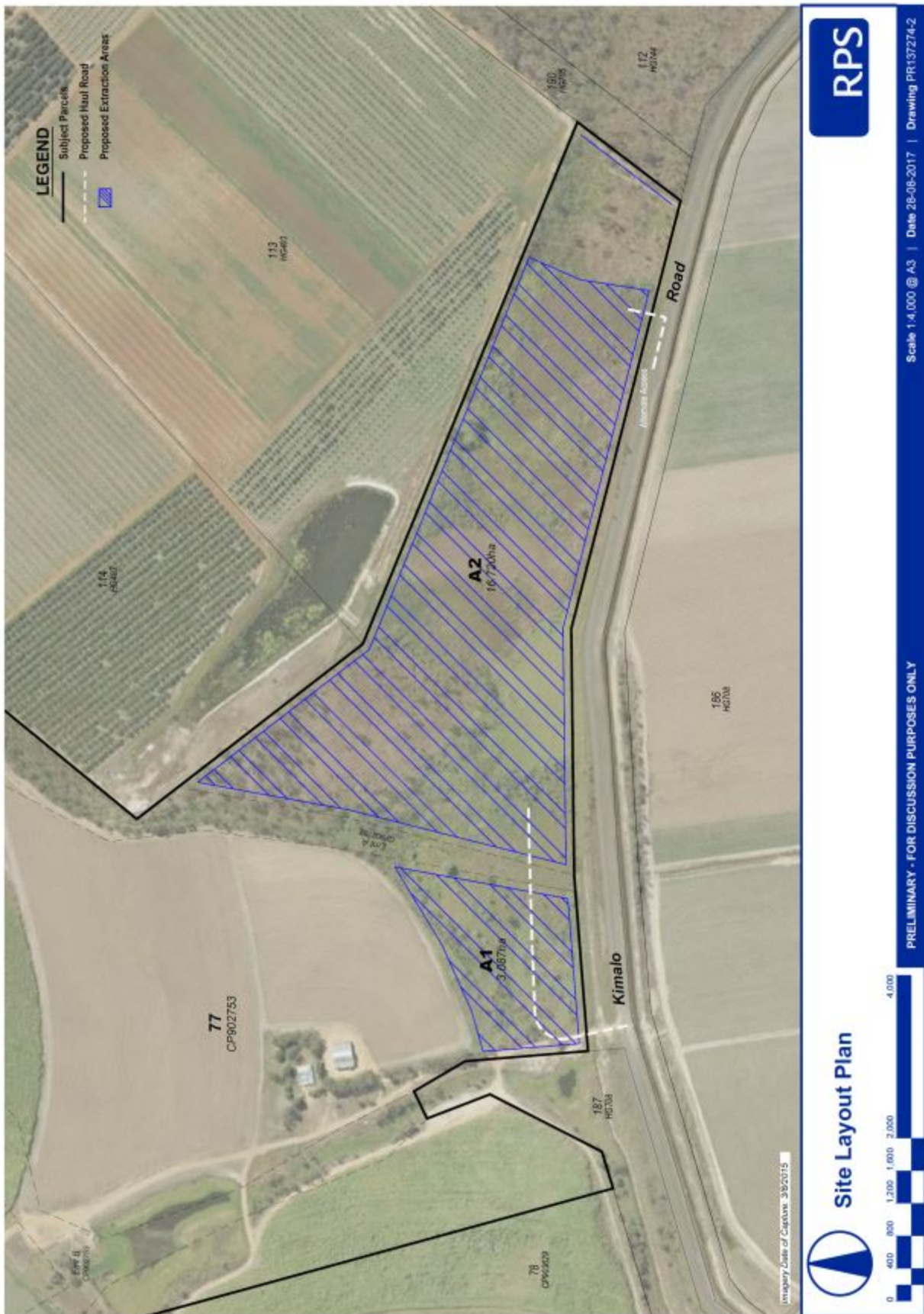
No submissions were received.

**PLANNING DISCUSSION**

Nil

***Date Prepared:***            *11 December 2017*

APPROVED PLANS



## ATTACHMENT 2

RA9-N



Department of Infrastructure,  
Local Government and Planning

Our reference: 1710-1961 SRA  
Your reference: MCU/17/0009  
Applicant reference: 9369 / R76869

7 November 2017

Chief Executive Officer  
Mareeba Shire Council  
PO Box 154  
Mareeba Qld 4880

*Attention: Brian Millard*

Dear Sir / Madam

**Referral agency response—no requirements**

(Given under section 56 of the *Planning Act 2016*)

The development application described below was properly referred to the Department of Infrastructure, Local Government and Planning on 16 October 2017.

**Applicant details**

Applicant name:	Pioneer North Queensland Pty Ltd
Applicant contact details:	135 Abbott Street Cairns QLD 4870 owen.caddick-king@rpsgroup.com.au

**Location details**

Street address:	2576 Mareeba Dimbulah Road, Arriga
Real property description:	Lot 77 on CP902753
Local government area:	Mareeba Shire Council

**Application details**

Development permit	Material change of use for an Extractive Industry including the extraction and processing of sand at a scale of not greater than 100,000t per year.
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**Referral triggers**

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Far North Queensland regional office  
Ground Floor, Cnr Grafton and Hartley  
Street, Cairns  
PO Box 2358, Cairns QLD 4870



The development application was referred to the department under the following provisions of the Planning Regulation 2017:

10.9.4.1.1.1                      Infrastructure - state transport infrastructure

**No requirements**

Under section 56(1)(a) of the *Planning Act 2016*, the department advises it has no requirements relating to the application.

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

For further information please contact Michele Creecy, Senior Planning Officer, on 40373206 or via email CairnsSARA@dlgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Brett Nancarrow  
Manager (Planning)

cc      Pioneer North Queensland Pty Ltd, C/- owen.caddick-king@rpsgroup.com.au

GE78-N



Department of Infrastructure,  
Local Government and Planning

## Department of Infrastructure, Local Government and Planning

### Statement of reasons for application 1710-1961 SRA

(Given under section 56 of the *Planning Act 2016*)

Departmental role: Referral agency

#### Applicant details

Applicant name: Pioneer North Queensland Pty Ltd  
 Applicant contact details: 135 Abbott Street  
 Cairns QLD 4870  
 owen.caddick-king@rpsgroup.com.au

#### Location details

Street address: 2576 Mareeba Dimbulah Road, Arriga  
 Real property description: Lot 77 on CP902753  
 Local government area: Mareeba Shire Council

#### Development details

Development permit: Material change of use for an Extractive Industry including the extraction and processing of sand at a scale of not greater than 100,000t per year.

#### Assessment matters

Aspect of development requiring code assessment	Applicable codes
1. Material change of use	State Development Assessment Provisions (SDAP) State code 6: Protection of state transport networks

#### Reasons for the department's decision

The reasons for the decision are:

- the subject site is within the existing Key Resource Area and will use the existing haulage route, including the Mareeba- Dimbulah Road.
- the proposed development will utilise the local road network and the intersection with the state-controlled road has been recently upgraded to cater for heavy vehicles.
- the proposed development complies with all applicable performance outcomes of the SDAP state code 6: Protection of state transport networks.
- the proposed development will not adversely impact on the functioning of the state-controlled road network, namely Mareeba-Dimbulah Road.
- the proposed development is required to replace other extractive industry sites that have become exhausted so the net traffic impact will not be increased.

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 Street, Cairns  
 PO Box 2358, Cairns QLD 4870

**Decision**

- The development application is for material change of use for an extractive industry (extraction and screening) of between 5000 and 100,000t per annum.
- The department issued its referral agency response on 7 November 2017 which states that it has no requirements relating to the application.

**Relevant material**

- Development application
- State Development Assessment Provisions version 2.1, published by the Department of Infrastructure, Local Government and Planning
- *Planning Act 2016*
- Planning Regulation 2017