



# Planning Report

## Material Change of Use for Fine Sand Extraction Operation on Land Known as Stornelli's Farm

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Prepared for:

**PIONEER NORTH QUEENSLAND PTY LTD**

Client Manager: Owen Caddick-King  
Report Number: 9369-8 / R76881  
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**Document Status**

Version	Purpose of Document	Orig	Review	Review Date
Final	DA – MCU	OCK		

**Approval for Issue**

Name	Signature	Date
Owen Caddick-King		9 October 2017
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## I.0 Introduction

RPS Australia East Pty Ltd has been engaged by Pioneer North Queensland Pty Ltd (the 'applicant') to seek a Material Change of Use (MCU) Development Approval to facilitate the expansion of Extractive Industry activities onto adjoining land (once the sand resource is exhausted at the current approved location), including the extraction of up to 100,000t of material per year from Lot 2 RP745859 (former Stornelli's Farm), the processing of the extracted material on Lot 2 RP745859 or Lot 12 HG387 (where the existing Extractive Industry activities are located) and the hauling of the material from Lot 12 HG387 to Mareeba-Dimbulah Rd through the existing approved haul access. The portion of Lot 2 RP745859 where sand extraction activities are intended and the processing of material maybe undertaken is an area of approximately 18 hectares, as per RPS Drawing No. 9369-23 (refer to **Annexure A**).

The proposed sand extraction operation is prescribed as an Environmentally Relevant Activity (ERA) in accordance with Schedule 2 of the *Environmental Protection Regulation 2008*. Given that the proposed sand extraction operation is an expansion of the existing operation and intended to extract and process not more than 100,000 tonne of material per year, the ERA's proposed for the site are as follows:

- ERA 16 2(a) Extracting more than 5,000t but less than 100,000t of material per year; and
- ERA 16 3(a) Screening more than 50,000t but less than 100,000t of material per year.

Given the scale of the proposed extraction activity, the proposed activity does not constitute a Concurrence ERA. A concurrent application for an Environmental Authority will be submitted to the Department of Environmental and Heritage Protection (EHP) for the proposed sand extraction and screening operations and potential environmental impacts will be managed in accordance with the Environmental Authority, once issued by EHP and the Environmental Management Plan (EMP) that is in the process of being reviewed and approved by EHP as part of the Environmental Authority approval process.

The proposal is appropriately located in the State Government's Extractive Industry Key Resource Area (KRA) 151 and is compliant with Council's Planning Scheme requirements. It is noted that the Extractive Industry activity will require the clearing of Regulated Vegetation and in respect of that matter, it is noted that an Extractive Industry is a Relevant Purpose under the Vegetation Management Act and that the clearing of vegetation will be undertaken in accordance with the applicable State Development Assessment Provisions.

To facilitate Council's assessment of the proposal, the completed DA Form 1 and owners consent, where required in respect of Lot 2 RP745859, is provided for reference in **Annexure B**.

## 2.0 The Site

The subject land where the sand extraction is proposed is known locally as the former Stornelli Farm and is more formally described as Lot 2 on RP745859. The land where the sand extraction operations currently exist and the haul access to Mareeba-Dimbulah Road is to continue to be provided is known locally as the former Cosentino's Farm and is more formally described as Lot 12 on HG387. The proposed Extractive Industry operation is located off the Mareeba-Dimbulah Road, approximately 11km west of Mareeba.

The subject land is located within the Rural Zone and surrounded by agricultural activities, primarily horticultural production of mangoes and avocados, in addition to grazing. The site is also located within the Key Resource Area 151 which reflects the existing sand extraction activities that are conducted within the surrounding vicinity.

The site and surrounding areas are predominantly flat with minor undulations.

A farm residence and ancillary farm buildings exist on Lot 2 on RP745859 and Lot 12 on HG387 and in each instance, the farm buildings are located approximately 1800m from the proposed Extractive Industry activities.

The area of sand extraction proposed on Lot 2 on RP745859 is located within mapped Regulated Vegetation and vegetation clearing is to be undertaken in accordance with State Code 16: Native Vegetation Clearing, as detailed in section 5.1.3.

### 3.0 The Proposal

The proposal relates to the expansion of Extractive Industry activities onto adjoining land (once the sand resource is exhausted at the current approved location), including the extraction of up to 100,000t of material per year from Lot 2 RP745859 (former Stornelli's Farm), the processing of the extracted material on Lot 2 RP745859 or Lot 12 HG387 (where the existing Extractive Industry activities are located) and the hauling of the material from Lot 12 HG387 to Mareeba-Dimbulah Rd through the existing approved haul access. The portion of Lot 2 RP745859 where sand extraction activities are intended and the processing of material maybe undertaken is an area of approximately 18 hectares, as per Drawing No. 9369-23 (refer to **Annexure A**).

The sand extraction will involve the clearing of vegetation, the removal and storage of topsoil in earthen bunds, extraction of the sand resource, and screening of the material into stockpiles prior to haulage off-site via the existing haul access on Lot 12 on HG387 to Mareeba Dimbulah Road. Rehabilitation of the land where sand extraction is intended, to facilitate future agricultural use, will be undertaken progressively.

The proposed Extractive Industry operation is intended to extract and process not more than 100,000 tonne of material per year.

The proposed Extractive Industry operation is prescribed as an Environmentally Relevant Activity (ERA) in accordance with Schedule 2 of the *Environmental Protection Regulation 2008*. Given that the proposed sand extraction operation is an expansion of the existing operation and intended to extract and process not more than 100,000 tonne of material per year, the ERA's proposed for the site are as follows:

- ERA 16 2(a) Extracting more than 5,000t but less than 100,000t of material per year; and
- ERA 16 3(a) Screening more than 50,000t but less than 100,000t of material per year.

The proposed activity does not constitute a Concurrence ERA, therefore, a concurrent application for an Environmental Authority will be submitted to the Department of Environmental and Heritage Protection (EHP) for the proposed sand extraction and screening operations and potential environmental impacts will be managed in accordance with the Environmental Authority, once issued by EHP and the Environmental Management Plan (EMP) that is in the process of being reviewed and approved by EHP as part of the Environmental Authority approval process.

The proposal is appropriately located in the State Government's Extractive Industry Key Resource Area (KRA) 151 and is compliant with Council's Planning Scheme requirements. It is noted that the Extractive Industry activity will require the clearing of Regulated Vegetation and in respect of that matter, it is noted that an Extractive Industry is a Relevant Purpose under the Vegetation Management Act and that the clearing of vegetation will be undertaken in accordance with the applicable State Development Assessment Provisions.

To facilitate the commencement of sand extraction operations, the extraction and processing of up to 5000 tonne of material may be undertaken from an extraction pit prior to the issue of the Environmental Authority. The initial extraction pit is anticipated to form the sediment retention pond in the larger scale sand extraction operation and once processed (using wet or dry screening processes), the material shall be hauled from site using the existing approved haul access.

## 4.0 Legislative Requirements

### 4.1 Assessment Manager

In accordance with Schedule 8 of the Planning Regulation 2017, the assessment manager for this application is Mareeba Shire Council.

### 4.2 Categories of Assessment

The table below summarises the categorising instruments and categories of assessment applicable to this application.

Aspect of development	Categorising instrument	Category of assessment
Development Permit for Material Change of Use	<i>Mareeba Shire Council Planning Scheme 2016</i>	Code

### 4.3 Referral Agencies

A review of Schedule 10 of the *Planning Regulation 2017* indicates that referral is required and the following referrals apply:

#### Schedule 10:

Part	Division	Table	Referral trigger (item 1)	Referral agency
Part 3 – Clearing native vegetation	Division 4 – Referral agency assessment	Table 3 – MCU that is assessable development under a local categorising instrument	Development application for a MCU on a lot larger than 5ha that is not a variation request	The Chief Executive (SARA)
Part 9 – Infrastructure related referrals	Division 4 – State transport infrastructure Subdivision 1 – State transport infrastructure generally	Table 1 – Aspect of development stated in Schedule 20	Development application for an aspect of development stated in schedule 20 that is assessable development under a local categorising instrument	The Chief Executive (SARA)

With regard to the native vegetation clearing aspect of the development, the Department of Natural Resources and Mines have confirmed that the proposed vegetation clearing is for a relevant purpose pursuant to the Vegetation Management Act (refer to DNRM's response in **Annexure C**).

While the development application relates to a material change of use within 25m of a State transport corridor, the proposal is considered to be an excluded material change of use and not trigger referral in respect of this aspect of the development. Given the intent is to move the sand extraction activity onto the adjoining land once the sand resource is exhausted at the existing approved quarry and continue to operate at the current permitted scale of 100,000 tonne per year, the type of haul vehicles and trip rates are not intended to vary from what is already permitted and the haul access to the Mareeba-Dimbulah Road will continue to be used which has already been adequately upgraded to accommodate the extractive industry haul access requirements (refer to Photos of Mareeba-Dimbulah Road Haul Access in **Annexure D**).

### 4.4 Public Notification

The proposal is Code Assessable and public notice is not required.

## 5.0 Statutory Planning Assessment

### 5.1 State and Regional Assessment Benchmarks

#### 5.1.1 Regional Plan

Section 2.2 of the Planning Scheme states that, *“The minister has identified that the planning scheme, specifically the strategic framework, appropriately advances the Far North Queensland Regional Plan 2009-2031, as it applies in the planning scheme area.”* Accordingly, assessment against the applicable Planning Scheme provisions will address any relevant Regional Plan matters.

#### 5.1.2 State Planning Policy

As outlined in Part 2 of the Mareeba Shire Council Planning Scheme 2016, all aspects of the State Planning Policy have been adequately reflected in the Council's current Planning Scheme. Accordingly, assessment against the applicable Planning Scheme provisions will address any relevant State Issues.

#### 5.1.3 State Development Assessment Provisions

The State Code applicable to the clearing of native vegetation is State Code 16: Native vegetation clearing.

An assessment of the applicable Code provisions (the Property Vegetation Management Plan) has been undertaken by Simon Danielson, Astrebla Ecological Services, an ecologist familiar with the area and the State's vegetation assessment requirements. It is understood that Simon's assessment was undertaken in consultation with DNR&M's Melody Field and the Property Vegetation Management Plan is provided for reference in **Annexure E**.

As is evident in the Property Vegetation Management Plan, an extraction footprint of 18.1 hectares is proposed which is configured to be compliant with the State Code provisions. The extraction footprint that is deemed to be consistent with the State Code provisions directly correlates with the Proposed Extraction Area shown in the Proposal Plan, Drawing No. 9369-23 provided for reference in **Annexure A**.

As indicated in Section 4.3, while the development application relates to a material change of use within 25m of a State transport corridor, the proposal is considered to be an excluded material change of use and not require referral and/or assessment in respect of this aspect of the development.

Given the quantity of material to be extracted, the proposal triggers referral and assessment against the applicable State Development Assessment Provisions, State Code 6: Protection of State transport networks, to facilitate the assessment of potential impacts on the State Controlled Road, the Mareeba-Dimbulah Road.

However, given that;

- 1) The proposal relates to an extractive industry activity of not more than 100,000t per year;
- 2) The proposal effectively relates to the transfer of the sand extraction activities from Lot 12 HG387 (once the sand resource is exhausted) to Lot 2 RP745589 with the scale of the activity remaining at not more than 1000,000 tonne per year; and
- 3) The proposed extractive industry haul access to the Mareeba-Dimbulah Road will continue to use the existing approved haul access which has already been adequately upgraded to accommodate the



extractive industry haul access requirements (refer to Photos of Mareeba-Dimbulah Road Haul Access in **Annexure D**).

It is considered that completion of the applicable State Development Assessment Provisions is not necessary to facilitate the State's assessment of the proposed development and that no additional road upgrading requirements should be imposed to facilitate the use of the State Controlled Road.

The Extractive Industry proposal was briefly discussed with DTMR's Steve Zelenica, who is familiar with PNQ's sand extraction activities, the existing haul access onto Mareeba-Dimbulah Road and sand extraction activities in the locality and it was suggested that a similar Concurrence Agency Response as compare to that recently issued in response to a sand extraction proposal on the opposite side of the Mareeba-Dimbulah Road is expected to be appropriate (refer to SARA Ref: SDA-0617-040140, dated 19 July 2017).

## 5.2 Local Authority Assessment Benchmarks

This application is to be assessed against the current Mareeba Shire Council Planning Scheme, July 2016. The assessment benchmarks applicable under the Planning Scheme are addressed below.

### 5.2.1 Zone

The Mareeba Shire Council Planning Scheme 2016 includes the subject land within the Rural Zone where the proposed operation of a sand extraction and screening facility, is Code Assessable Development where it is the expansion of an existing facility. The intent of the Rural Zone is to provide opportunities for non-rural uses that are compatible with agricultural production, including extractive industries, provided environmental impacts and land-use conflicts are minimised.

### 5.2.2 Codes

Mareeba Shire Council Planning Scheme Codes applicable to the proposal are identified below:

- Rural Zone Code;
- Agricultural Land Overlay Code;
- Environmental Significance Overlay Code;
- Extractive Resources Overlay Code;
- Industrial Activities Code;
- Landscaping Code;
- Parking and Access Code;
- Works Services and Infrastructure Code.

A review of the applicable Codes has been completed and the following commentary is provided in respect of the proposals compliance with each Code:

#### **Rural Zone Code**

The majority of the Rural Zone Code provisions relate to building development and are not applicable to the extractive industry proposal. The Code provisions that are applicable seek to ensure that development does not detract from the local amenity and that development ameliorates any negative impacts arising from the development and in respect of those provisions, it is noted that;

- 1) The proposed sand extraction footprint will be located a significant distance (600+m from Mareeba-Dimbulah Road and will be screened from areas of remnant vegetation that are to be retained on-site;
- 2) The subject locality's positioning within KRA 151, reflects that extractive industry activities are common within this vicinity and as such, comprise part of the rural landscape; and
- 3) Any adverse impacts related to the extractive industry activity will be addressed in accordance with the Environmental Authority and the site's Environmental Management Plan.

### **Agricultural Land Overlay Code**

The Code provisions applicable to the proposal seek to ensure that development does not impinge upon the lands suitability for agricultural purposes. In respect of this matter, it is noted that the proposed operation of a staged sand extraction and screening operation will enable the land which is currently not used for productive agricultural purposes, to be progressively rehabilitated for future agricultural production.

### **Environmental Significance Overlay Code**

The only feature of note in respect of the Environmental Significance Overlay Code is the Waterway 100m Buffer which the mapping appears to suggest is limited to the adjoining Sunwater Drainage Area. On the basis of the mapping the Environmental Significance Overlay Code does not appear to be applicable to the land however in respect of the provision of buffers, it is noted that the sand extraction footprint retains a vegetated buffer of approximately 100m from the mapped waterway.

### **Extractive Resources Overlay Code**

Extractive Resources Overlay Code refers in detail to the protection of the 'Key Resource Area' and associated haulage routes for both existing and future extractive operations. The following commentary is provided in respect of the Code's provisions:

- 1) The proposal is appropriately located in the KRA and proposes to use nominated extractive industry haul routes;
- 2) With the exception of the landowner's residential dwelling, there are no sensitive receptors within approximately 200m of the proposed haulage route;
- 3) The proposal relates solely to the operation of a sand extraction and screening operation, it is intended that only persons associated with this operation will be present; and
- 4) The proposed extractive industry and screening operation will be adequately separated from adjoining sensitive receptors to mitigate any adverse impacts.

### **Industrial Activities Code**

With regards to the Industrial Activities Code, the following commentary is provided in respect of the Code's provisions;

- 1) With the exception of the land owner's residences, sensitive receptors (farm residences) are located no closer than 200m from sand extraction areas and/or the proposed haul access. As such the proposed extractive industry operation is appropriately located to mitigate potential impacts upon sensitive receptors;

- 2) The proposed sand extraction site is located adjacent to Mareeba-Dimbulah Road, however a substantial separation distance will be maintained between the Mareeba-Dimbulah Road and the Extractive Industry activity thereby providing a substantial visual buffer. Given the site's location with the KRA 151, any potential the visual amenity impacts of the proposed operation are expected to be of an acceptable level;
- 3) The site is of a size that is able to accommodate the proposed use;
- 4) The extractive industry use is to be established within the surrounds of existing farming land and safety fencing would not be required in this instance to maintain public safety; and
- 5) Management of potential environmental impacts and rehabilitation of the land will be undertaken in accordance with the Environmental Management Plan and associated Environmental Authority which is in the process of being sought from the Department of Environment and Heritage Protection.

### **Landscaping Code**

While this Code is identified as an applicable Code, it is particularly relevant to the extractive industry proposal that is effectively an expansion of an existing approved extractive industry operation where the area of extraction is distant from the Mareeba-Dimbulah Road.

### **Parking and Access Code**

As detailed above in section 5.1.3, State Development Assessment Provisions, the existing access to Mareeba-Dimbulah Road has previously been adequately upgraded to meet the vehicle crossover requirements in accordance with FNQROC Regional Development Manual.

There is ample area on-site for vehicle parking and manoeuvring.

### **Works Services and Infrastructure Code**

With respect to the Works, Services and Infrastructure Code, the following commentary details compliance with the applicable code provisions:

- 1) Excavated areas associated with the sand extraction operation will be progressively rehabilitated in accordance with the EMP;
- 2) The EMP provides detailed provisions for the management of water quality discharge from the site through an erosion and sediment control plan; and
- 3) The EMP provides detailed provisions for the mitigation of potential air quality impacts associated with the proposed extraction and screening operations.

## 6.0 Conclusion

This town planning report supports a development application made on behalf of Pioneer North Queensland Pty Ltd to seek a MCU Development Approval to facilitate the expansion of Extractive Industry activities onto adjoining land (once the sand resource is exhausted at the current approved location), including the extraction of up to 100,000t of material per year from Lot 2 RP745859 (former Stornelli's Farm), the processing of the extracted material on Lot 2 RP745859 or Lot 12 HG387 (where the existing Extractive Industry activities are located) and the hauling of the material from Lot 12 HG387 to Mareeba-Dimbulah Rd through the existing approved haul access.

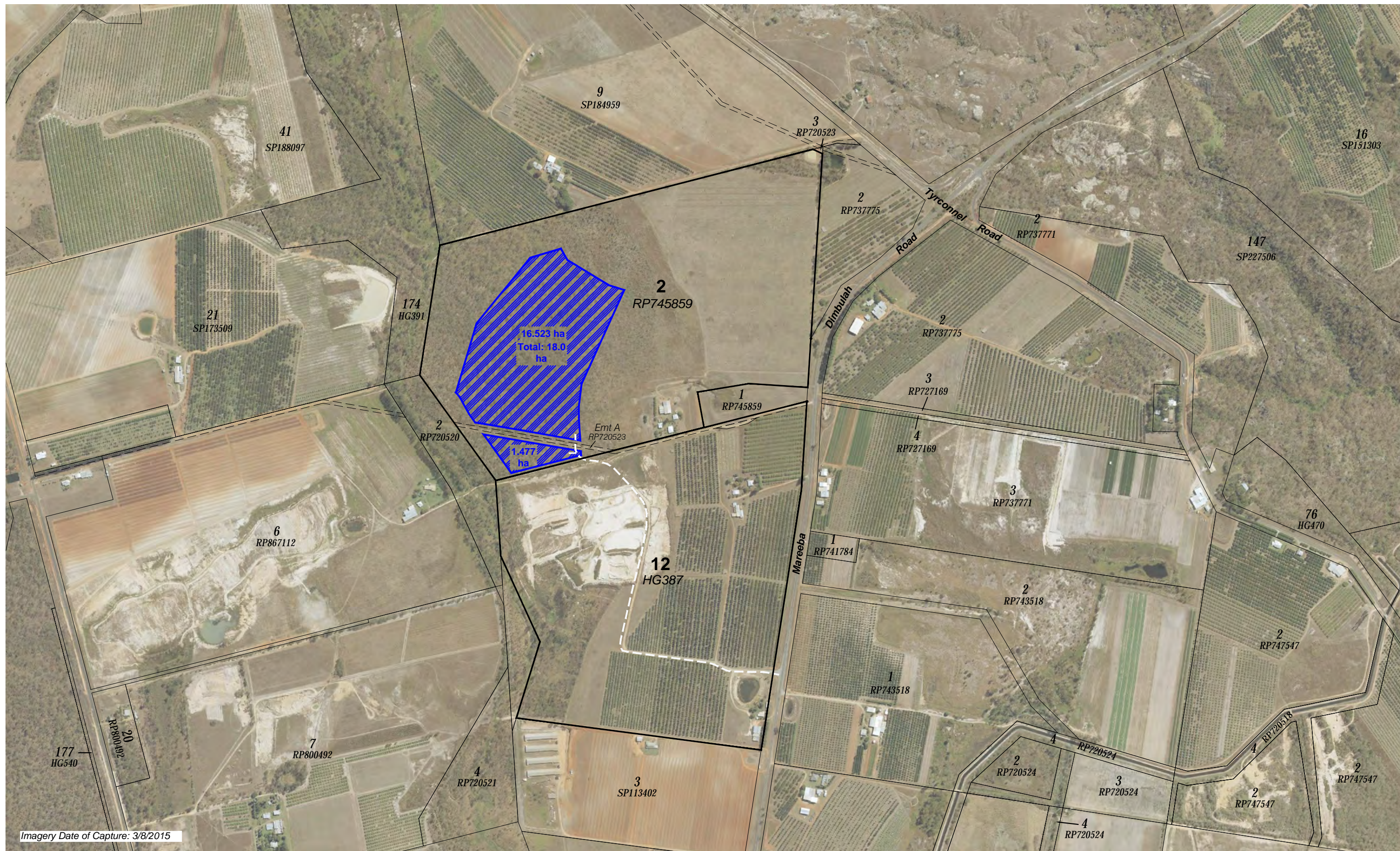
The report has demonstrated the proposal's consistency with the intent and code requirements of the Mareeba Shire Council Planning Scheme, details that the subject site is appropriately located within the State's Key Resource Area and has provided appropriate justification for aspects of the proposed development in relation to the Planning Scheme.

In summary, we submit that the proposed development is unlikely to have any significant impacts upon infrastructure, environment or community that cannot be adequately addressed through the imposition of reasonable and relevant conditions. We therefor commend the development for Council approval.

## Annexure A

Proposal Plan - RPS Drawing No. 9369-23

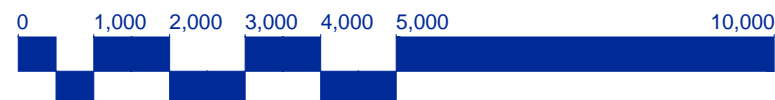




Imagery Date of Capture: 3/8/2015



## Lot 2 RP745859 & Lot 12 HG387 Proposal Plan



### LEGEND

- Subject Parcels
- Proposed Haul Road
- Proposed Extraction Areas



PRELIMINARY - FOR DISCUSSION PURPOSES ONLY

Scale 1:10,000 @ A3 | Date 9-10-2017 | Drawing 9369-23



## Annexure B

### DA Form I & Owners Consent

# DA Form 1 – Development application details

**Approved form (version 1.0 effective 3 July 2017) made under section 282 of the Planning Act 2016.**

This form **must** be used to make a development application **involving code assessment or impact assessment**, except when applying for development involving building work.

For a development application involving **building work only**, use *DA Form 2 – Building work details*.

For a development application involving **building work associated with any other type of assessable development**, use this form (*DA Form 1*) **and** parts 4 to 6 of *DA Form 2 – Building work details*.

Unless stated otherwise, all parts of this form **must** be completed in full and all required supporting information **must** accompany the development application.

One or more additional pages may be attached as a schedule to this development application if there is insufficient space on the form to include all the necessary information.

This form and any other form relevant to the development application must be used to make a development application relating to strategic port land and Brisbane core port land under the *Transport Infrastructure Act 1994*, and airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*. For the purpose of assessing a development application relating to strategic port land and Brisbane core port land, any reference to a planning scheme is taken to mean a land use plan for the strategic port land, Brisbane port land use plan for Brisbane core port land, or a land use plan for airport land.

**Note:** All terms used in this form have the meaning given under the Planning Act 2016, the Planning Regulation 2017, or the Development Assessment Rules (DA Rules).

## PART 1 – APPLICANT DETAILS

1) Applicant details	
Applicant name(s) <i>(individual or company full name)</i>	Pioneer North Queensland c/- RPS Australia East Pty Ltd
Contact name <i>(only applicable for companies)</i>	Owen Caddick-King, RPS Australia East Pty Ltd
Postal address <i>(P.O. Box or street address)</i>	PO Box 1949
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Contact number	(07) 4031 1336
Email address <i>(non-mandatory)</i>	owen.caddick-king@rpsgroup.com.au
Mobile number <i>(non-mandatory)</i>	
Fax number <i>(non-mandatory)</i>	
Applicant's reference number(s) <i>(if applicable)</i>	9369-8

2) Owner's consent
2.1) Is written consent of the owner required for this development application?
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this development application <input type="checkbox"/> No – proceed to 3)



## PART 2 – LOCATION DETAILS

## 3) Location of the premises (complete 3.1) or 3.2, and 3.3) as applicable)

**Note:** Provide details below and attach a site plan for any or all premises part of the development application. For further information, see [DA Forms Guide: Relevant plans](#).

## 3.1) Street address and lot on plan

☒ Street address **AND** lot on plan (all lots must be listed), **or**

☐ Street address **AND** lot on plan for an adjoining or adjacent property of the premises (appropriate for development in water but adjoining or adjacent to land e.g. jetty, pontoon; all lots must be listed).

a)	Unit No.	Street No.	Street Name and Type	Suburb
			Mareeba-Dimbulah Road	Arriga
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		2	RP745859	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
			Mareeba-Dimbulah Road	Arriga
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
		12	HG387	Mareeba Shire Council

## 3.2) Coordinates of premises (appropriate for development in remote areas, over part of a lot or in water not adjoining or adjacent to land e.g. channel dredging in Moreton Bay)

**Note:** Place each set of coordinates in a separate row. Only one set of coordinates is required for this part.

☐ Coordinates of premises by longitude and latitude

Longitude(s)	Latitude(s)	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

☐ Coordinates of premises by easting and northing

Easting(s)	Northing(s)	Zone Ref.	Datum	Local Government Area(s) (if applicable)
		<input type="checkbox"/> 54 <input type="checkbox"/> 55 <input type="checkbox"/> 56	<input type="checkbox"/> WGS84 <input type="checkbox"/> GDA94 <input type="checkbox"/> Other:	

## 3.3) Additional premises

☐ Additional premises are relevant to this development application and their details have been attached in a schedule to this application

☒ Not required

## 4) Identify any of the following that apply to the premises and provide any relevant details

☐ In or adjacent to a water body or watercourse or in or above an aquifer

Name of water body, watercourse or aquifer:

☐ On strategic port land under the *Transport Infrastructure Act 1994*

Lot on plan description of strategic port land:

Name of port authority for the lot:

☐ In a tidal area

Name of local government for the tidal area (if applicable):

Name of port authority for tidal area (if applicable):

☐ On airport land under the *Airport Assets (Restructuring and Disposal) Act 2008*

Name of airport:

☐ Listed on the Environmental Management Register (EMR) under the *Environmental Protection Act 1994*

EMR site identification:

☐ Listed on the Contaminated Land Register (CLR) under the *Environmental Protection Act 1994*

CLR site identification:

### 5) Are there any existing easements over the premises?

*Note: Easement uses vary throughout Queensland and are to be identified correctly and accurately. For further information on easements and how they may affect the proposed development, see DA Forms Guide.*

☒ Yes – All easement locations, types and dimensions are included in plans submitted with this development application

☐ No

## PART 3 – DEVELOPMENT DETAILS

### Section 1 – Aspects of development

#### 6.1) Provide details about the first development aspect

a) What is the type of development? *(tick only one box)*

☒ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☐ Building work

b) What is the approval type? *(tick only one box)*

☒ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☒ Code assessment

☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots):*

Proposed expansion of Extractive Industry activities onto adjoining land, including the extraction of up to 100,000t of material per year from Lot 2 RP745859, the processing of the extracted material on Lot 2 RP745859 or Lot 12 HG387 (where the existing Extractive Industry activities are located) and the hauling of the material from Lot 12 HG387 to Mareeba-Dimbulah Rd through the existing haul access.

e) Relevant plans

**Note:** Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms guide: Relevant plans](#).

☒ Relevant plans of the proposed development are attached to the development application

#### 6.2) Provide details about the second development aspect

a) What is the type of development? *(tick only one box)*

☐ Material change of use

☐ Reconfiguring a lot

☐ Operational work

☐ Building work

b) What is the approval type? *(tick only one box)*

☐ Development permit

☐ Preliminary approval

☐ Preliminary approval that includes a variation approval

c) What is the level of assessment?

☐ Code assessment

☐ Impact assessment *(requires public notification)*

d) Provide a brief description of the proposal *(e.g. 6 unit apartment building defined as multi-unit dwelling, reconfiguration of 1 lot into 3 lots)*

e) Relevant plans

**Note:** Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

☐ Relevant plans of the proposed development are attached to the development application

#### 6.3) Additional aspects of development

☐ Additional aspects of development are relevant to this development application and the details for these aspects that would be required under Part 3 Section 1 of this form have been attached to this development application

☒ Not required

## Section 2 – Further development details

## 7) Does the proposed development application involve any of the following?

Material change of use	<input checked="" type="checkbox"/> Yes – complete division 1 if assessable against a local planning instrument
Reconfiguring a lot	<input type="checkbox"/> Yes – complete division 2
Operational work	<input type="checkbox"/> Yes – complete division 3
Building work	<input type="checkbox"/> Yes – complete <i>DA Form 2 – Building work details</i>

## Division 1 – Material change of use

**Note:** This division is only required to be completed if any part of the development application involves a material change of use assessable against a local planning instrument.

## 8.1) Describe the proposed material change of use

Provide a general description of the proposed use	Provide the planning scheme definition (include each definition in a new row)	Number of dwelling units (if applicable)	Gross floor area (m <sup>2</sup> ) (if applicable)
Proposed expansion of Extractive Industry activities onto adjoining land, including the extraction of up to 100,000t of material per year from Lot 2 RP745859, the processing of the extracted material on Lot 2 RP745859 or Lot 12 HG387 (where the existing Extractive Industry activities are located) and the hauling of the material from Lot 12 HG387 to Mareeba-Dimbulah Rd through the existing haul access	Extractive Industry	N/A	N/A

## 8.2) Does the proposed use involve the use of existing buildings on the premises?

<input type="checkbox"/> Yes		
<input checked="" type="checkbox"/> No		

## Division 2 – Reconfiguring a lot

**Note:** This division is only required to be completed if any part of the development application involves reconfiguring a lot.

## 9.1) What is the total number of existing lots making up the premises?

--

## 9.2) What is the nature of the lot reconfiguration? (tick all applicable boxes)

<input type="checkbox"/> Subdivision (complete 10))	<input type="checkbox"/> Dividing land into parts by agreement (complete 11))
<input type="checkbox"/> Boundary realignment (complete 12))	<input type="checkbox"/> Creating or changing an easement giving access to a lot from a construction road (complete 13))

## 10) Subdivision

## 10.1) For this development, how many lots are being created and what is the intended use of those lots:

Intended use of lots created	Residential	Commercial	Industrial	Other, please specify:
Number of lots created				

## 10.2) Will the subdivision be staged?

<input type="checkbox"/> Yes – provide additional details below	
<input type="checkbox"/> No	
How many stages will the works include?	
What stage(s) will this development application apply to?	

11) Dividing land into parts by agreement – how many parts are being created and what is the intended use of the parts?

Intended use of parts created	Residential	Commercial	Industrial	Other, please specify:
Number of parts created				

12) Boundary realignment

12.1) What are the current and proposed areas for each lot comprising the premises?

Current lot		Proposed lot	
Lot on plan description	Area (m <sup>2</sup> )	Lot on plan description	Area (m <sup>2</sup> )

12.2) What is the reason for the boundary realignment?

--

13) What are the dimensions and nature of any existing easements being changed and/or any proposed easement? (attach schedule if there are more than two easements)

Existing or proposed?	Width (m)	Length (m)	Purpose of the easement? (e.g. pedestrian access)	Identify the land/lot(s) benefitted by the easement

### Division 3 – Operational work

**Note:** This division is only required to be completed if any part of the development application involves operational work.

14.1) What is the nature of the operational work?

<input type="checkbox"/> Road work	<input type="checkbox"/> Stormwater	<input type="checkbox"/> Water infrastructure	
<input type="checkbox"/> Drainage work	<input type="checkbox"/> Earthworks	<input type="checkbox"/> Sewage infrastructure	
<input type="checkbox"/> Landscaping	<input type="checkbox"/> Signage	<input type="checkbox"/> Clearing vegetation	
<input type="checkbox"/> Other – please specify: <table border="1" style="width: 100%;"><tr><td></td></tr></table>			

14.2) Is the operational work necessary to facilitate the creation of new lots? (e.g. subdivision)

<input type="checkbox"/> Yes – specify number of new lots:	
<input type="checkbox"/> No	

14.3) What is the monetary value of the proposed operational work? (include GST, materials and labour)

\$
----

## PART 4 – ASSESSMENT MANAGER DETAILS

15) Identify the assessment manager(s) who will be assessing this development application

Mareeba Shire Council

16) Has the local government agreed to apply a superseded planning scheme for this development application?

<input type="checkbox"/> Yes – a copy of the decision notice is attached to this development application
<input type="checkbox"/> Local government is taken to have agreed to the superseded planning scheme request – relevant documents attached
<input checked="" type="checkbox"/> No

## PART 5 – REFERRAL DETAILS

17) Do any aspects of the proposed development require referral for any referral requirements?

**Note:** A development application will require referral if prescribed by the Planning Regulation 2017.

☐ No, there are no referral requirements relevant to any development aspects identified in this development application – proceed to Part 6

**Matters requiring referral to the chief executive of the Planning Regulation 2017:**

- ☒ Clearing native vegetation
- ☐ Contaminated land (*unexploded ordnance*)
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have not been devolved to a local government*)
- ☐ Fisheries – aquaculture
- ☐ Fisheries – declared fish habitat area
- ☐ Fisheries – marine plants
- ☐ Fisheries – waterway barrier works
- ☐ Hazardous chemical facilities
- ☐ Queensland heritage place (*on or near a Queensland heritage place*)
- ☐ Infrastructure – designated premises
- ☒ Infrastructure – state transport infrastructure
- ☐ Infrastructure – state transport corridors and future state transport corridors
- ☐ Infrastructure – state-controlled transport tunnels and future state-controlled transport tunnels
- ☐ Infrastructure – state-controlled roads
- ☐ Land within Port of Brisbane's port limits
- ☐ SEQ development area
- ☐ SEQ regional landscape and rural production area or SEQ Rural living area – community activity
- ☐ SEQ regional landscape and rural production area or SEQ Rural living area – indoor recreation
- ☐ SEQ regional landscape and rural production area or SEQ Rural living area – residential development
- ☐ SEQ regional landscape and rural production area or SEQ Rural living area – urban activity
- ☐ Tidal works or works in a coastal management district
- ☐ Urban design
- ☐ Water-related development – taking or interfering with water
- ☐ Water-related development – removing quarry material (*from a watercourse or lake*)
- ☐ Water-related development – referable dams
- ☐ Water-related development – construction of new levees or modification of existing levees (*category 2 or 3 levees only*)
- ☐ Wetland protection area

**Matters requiring referral to the local government:**

- ☐ Airport land
- ☐ Environmentally relevant activities (ERA) (*only if the ERA have been devolved to local government*)
- ☐ Local heritage places

**Matters requiring referral to the chief executive of the distribution entity or transmission entity:**

- ☐ Electricity infrastructure

Matters requiring referral to: <ul style="list-style-type: none"> <li>The <b>chief executive of the holder of the licence</b>, if not an individual</li> <li>The <b>holder of the licence</b>, if the holder of the licence is an individual</li> </ul> <input type="checkbox"/> Oil and gas infrastructure
Matters requiring referral to <b>the Brisbane City Council</b> : <input type="checkbox"/> Brisbane core port land
Matters requiring referral to the <b>Minister under the Transport Infrastructure Act 1994</b> : <input type="checkbox"/> Brisbane core port land <input type="checkbox"/> Strategic port land
Matters requiring referral to the <b>relevant port operator</b> : <input type="checkbox"/> Brisbane core port land (below high-water mark and within port limits)
Matters requiring referral to the <b>chief executive of the relevant port authority</b> : <input type="checkbox"/> Land within limits of another port
Matters requiring referral to the <b>Gold Coast Waterways Authority</b> : <input type="checkbox"/> Tidal works, or development in a coastal management district in Gold Coast waters
Matters requiring referral to the <b>Queensland Fire and Emergency Service</b> : <input type="checkbox"/> Tidal works, or development in a coastal management district

<b>18) Has any referral agency provided a referral response for this development application?</b>		
<input type="checkbox"/> Yes – referral response(s) received and listed below are attached to this development application <input checked="" type="checkbox"/> No		
Referral requirement	Referral agency	Date of referral response
Identify and describe any changes made to the proposed development application that was the subject of the referral response and the development application the subject of this form, or include details in a schedule to this development application <i>(if applicable)</i> .		

## PART 6 – INFORMATION REQUEST

<b>19) Information request under Part 3 of the DA Rules</b>
<input checked="" type="checkbox"/> I agree to receive an information request if determined necessary for this development application <input type="checkbox"/> I do not agree to accept an information request for this development application
<b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge: <ul style="list-style-type: none"> <li>that this development application will be assessed and decided based on the information provided when making this development application and the assessment manager and any referral agencies relevant to the development application are not obligated under the DA Rules to accept any additional information provided by the applicant for the development application unless agreed to by the relevant parties</li> <li>Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.</li> </ul> Further advice about information requests is contained in the <u>DA Forms Guide</u> .

## PART 7 – FURTHER DETAILS

20) Are there any associated development applications or current approvals? (e.g. a preliminary approval)

- ☒ Yes – provide details below or include details in a schedule to this development application  
☐ No

List of approval/development application references	Reference number	Date	Assessment manager
<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Development application	MC2000/31	7 March 2001	Mareeba Shire Council
<input type="checkbox"/> Approval <input type="checkbox"/> Development application			

21) Has the portable long service leave levy been paid? (only applicable to development applications involving building work or operational work)

- ☐ Yes – the yellow local government/private certifier's copy of the receipted QLeave form is attached to this development application  
☐ No – I, the applicant will provide evidence that the portable long service leave levy has been paid before the assessment manager decides the development application. I acknowledge that the assessment manager may give a development approval only if I provide evidence that the portable long service leave levy has been paid  
☒ Not applicable

Amount paid	Date paid (dd/mm/yy)	QLeave levy number (A, B or E)
\$		

22) Is this development application in response to a show cause notice or required as a result of an enforcement notice?

- ☐ Yes – show cause or enforcement notice is attached  
☒ No

23) Further legislative requirements

**Environmentally relevant activities**23.1) Is this development application also taken to be an application for an environmental authority for an **Environmentally Relevant Activity (ERA)** under section 115 of the *Environmental Protection Act 1994*?

- ☐ Yes – the required attachment (form EM941) for an application for an environmental authority accompanies this development application, and details are provided in the table below

☒ No

**Note:** Application for an environmental authority can be found by searching "EM941" at [www.qld.gov.au](http://www.qld.gov.au). An ERA requires an environmental authority to operate. See [www.business.qld.gov.au](http://www.business.qld.gov.au) for further information.

Proposed ERA number:		Proposed ERA threshold:	
Proposed ERA name:			

- ☐ Multiple ERAs are applicable to this development application and the details have been attached in a schedule to this development application.

**Hazardous chemical facilities**23.2) Is this development application for a **hazardous chemical facility**?

- ☐ Yes – Form 69: Notification of a facility exceeding 10% of schedule 15 threshold is attached to this development application

☒ No

**Note:** See [www.justice.qld.gov.au](http://www.justice.qld.gov.au) for further information.

**Clearing native vegetation**23.3) Does this development application involve **clearing native vegetation** that requires written confirmation the chief executive of the *Vegetation Management Act 1999* is satisfied the clearing is for a relevant purpose under section 22A



of the *Vegetation Management Act 1999*?

☒ Yes – this development application is accompanied by written confirmation from the chief executive of the *Vegetation Management Act 1999* (s22A determination)

☐ No

**Note:** See [www.qld.gov.au](http://www.qld.gov.au) for further information.

### **Environmental offsets**

23.4) Is this development application taken to be a prescribed activity that may have a significant residual impact on a **prescribed environmental matter** under the *Environmental Offsets Act 2014*?

☐ Yes – I acknowledge that an environmental offset must be provided for any prescribed activity assessed as having a significant residual impact on a prescribed environmental matter

☒ No

**Note:** The environmental offset section of the Queensland Government's website can be accessed at [www.qld.gov.au](http://www.qld.gov.au) for further information on environmental offsets.

### **Koala conservation**

23.5) Does this development application involve a material change of use, reconfiguring a lot or operational work within an assessable development area under Schedule 10, Part 10 of the Planning Regulation 2017?

☐ Yes

☒ No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

### **Water resources**

23.6) Does this development application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, taking overland flow water or waterway barrier works**?

☐ Yes – the relevant template is completed and attached to this development application

☒ No

**Note:** DA templates are available from [www.dilgp.qld.gov.au](http://www.dilgp.qld.gov.au).

23.7) Does this application involve **taking or interfering with artesian or sub artesian water, taking or interfering with water in a watercourse, lake or spring, or taking overland flow water** under the *Water Act 2000*?

☐ Yes – I acknowledge that a relevant water authorisation under the *Water Act 2000* may be required prior to commencing development

☒ No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### **Marine activities**

23.8) Does this development application involve **aquaculture, works within a declared fish habitat area or removal, disturbance or destruction of marine plants**?

☐ Yes – an associated resource allocation authority is attached to this development application, if required under the *Fisheries Act 1994*

☒ No

**Note:** See guidance materials at [www.daf.qld.gov.au](http://www.daf.qld.gov.au) for further information.

### **Quarry materials from a watercourse or lake**

23.9) Does this development application involve the **removal of quarry materials from a watercourse or lake** under the *Water Act 2000*?

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Natural Resources and Mines at [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au) for further information.

### **Quarry materials from land under tidal waters**

23.10) Does this development application involve the **removal of quarry materials from land under tidal water** under the *Coastal Protection and Management Act 1995*?

☐ Yes – I acknowledge that a quarry material allocation notice must be obtained prior to commencing development

☒ No

**Note:** Contact the Department of Environment and Heritage Protection at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.



**Referable dams**

23.11) Does this development application involve a **referable dam** required to be failure impact assessed under section 343 of the *Water Supply (Safety and Reliability) Act 2008* (the Water Supply Act)?

☐ Yes – the ‘Notice Accepting a Failure Impact Assessment’ from the chief executive administering the Water Supply Act is attached to this development application

☒ No

**Note:** See guidance materials at [www.dews.qld.gov.au](http://www.dews.qld.gov.au) for further information.

**Tidal work or development within a coastal management district**

23.12) Does this development application involve **tidal work or development in a coastal management district**?

☐ Yes – the following is included with this development application:

☐ Evidence the proposal meets the code for assessable development that is prescribed tidal work (*only required if application involves prescribed tidal work*)

☐ A certificate of title

☒ No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for further information.

**Queensland and local heritage places**

23.13) Does this development application propose development on or adjoining a place entered in the **Queensland heritage register** or on a place entered in a local government's **Local Heritage Register**?

☐ Yes – details of the heritage place are provided in the table below

☒ No

**Note:** See guidance materials at [www.ehp.qld.gov.au](http://www.ehp.qld.gov.au) for information requirements regarding development of Queensland heritage places.

Name of the heritage place:		Place ID:	
-----------------------------	--	-----------	--

**Brothels**

23.14) Does this development application involve a **material change of use for a brothel**?

☐ Yes – this development application demonstrates how the proposal meets the code for a development application for a brothel under Schedule 3 of the *Prostitution Regulation 2014*

☒ No

**Decision under section 62 of the Transport Infrastructure Act 1994**

23.15) Does this development application involve new or changed access to a state-controlled road?

☐ Yes - this application will be taken to be an application for a decision under section 62 of the *Transport Infrastructure Act 1994* (subject to the conditions in section 75 of the *Transport Infrastructure Act 1994* being satisfied)

☒ No

**PART 8 – CHECKLIST AND APPLICANT DECLARATION****24) Development application checklist**

I have identified the assessment manager in question 15 and all relevant referral requirement(s) in question 17

☒ Yes

**Note:** See the *Planning Regulation 2017* for referral requirements

If building work is associated with the proposed development, Parts 4 to 6 of *Form 2 – Building work details* have been completed and attached to this development application

☐ Yes

☒ Not applicable

Supporting information addressing any applicable assessment benchmarks is with development application

**Note:** This is a mandatory requirement and includes any relevant templates under question 23, a planning report and any technical reports required by the relevant categorising instruments (e.g. local government planning schemes, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning Report Template](#).

☒ Yes

Relevant plans of the development are attached to this development application

**Note:** Relevant plans are required to be submitted for all aspects of this development application. For further information, see [DA Forms Guide: Relevant plans](#).

☒ Yes

The portable long service leave levy for QLeave has been paid, or will be paid before a

☐ Yes

development permit is issued (see 21))

☒ Not applicable**25) Applicant declaration**☒ By making this development application, I declare that all information in this development application is true and correct☒ Where an email address is provided in Part 1 of this form, I consent to receive future electronic communications from the assessment manager and any referral agency for the development application where written information is required or permitted pursuant to sections 11 and 12 of the *Electronic Transactions Act 2001***Note:** It is unlawful to intentionally provide false or misleading information.**Privacy** – Personal information collected in this form will be used by the assessment manager and/or chosen assessment manager, any relevant referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the development application.

All information relating to this development application may be available for inspection and purchase, and/or published on the assessment manager's and/or referral agency's website.

Personal information will not be disclosed for a purpose unrelated to the *Planning Act 2016*, Planning Regulation 2017 and the DA Rules except where:

- such disclosure is in accordance with the provisions about public access to documents contained in the *Planning Act 2016* and the Planning Regulation 2017, and the access rules made under the *Planning Act 2016* and Planning Regulation 2017; or
- required by other legislation (including the *Right to Information Act 2009*); or
- otherwise required by law.

This information may be stored in relevant databases. The information collected will be retained as required by the *Public Records Act 2002*.**PART 9 – FOR OFFICE USE ONLY**

Date received:

Reference number(s):

**Notification of engagement of alternative assessment manager**

Prescribed assessment manager	
Name of chosen assessment manager	
Date chosen assessment manager engaged	
Contact number of chosen assessment manager	
Relevant licence number(s) of chosen assessment manager	

**QLeave notification and payment***Note: For completion by assessment manager if applicable*

Description of the work	
QLeave project number	
Amount paid (\$)	
Date paid	
Date receipted form sighted by assessment manager	
Name of officer who sighted the form	

The *Planning Act 2016*, the Planning Regulation 2017 and the DA Rules are administered by the Department of Infrastructure, Local Government and Planning. This form and all other required development application materials should be sent to the assessment manager.

**Individual owner's consent for making a development application under the *Planning Act 2016***

I, **Remo Giuseppe Terranova and Bernice Terranova**

as owners of the premises identified as follows:

**Lot 2 on RP745859, Mareeba-Dimbulah Road**

consent to the making of a development application under the *Planning Act 2016* by:

**Pioneer North Queensland Pty Ltd**

on the premises described above for:

**A Material Change of Use for an Extractive Industry – The expansion of the existing Extractive Industry Facility located on the adjoining Lot 12 on HG387 onto Lot 2 on RP745859**

**Remo Giuseppe Terranova**

 Date **01/09/2017**

**Bernice Terranova**

 Date **1/09/2017**

## Annexure C

### Department of Natural Resources and Mines Relevant Purpose response



Department of  
**Natural Resources and Mines**

19 October 2017

Pioneer North Queensland Pty Ltd  
C/- RPS Australia East Pty Ltd  
Owen Caddick-King  
PO Box 1949  
Cairns Qld 4870

Dear Mr Caddick-King

**RE: Proposal to undertake vegetation clearing for the relevant purpose of extractive industry on Lot 2 on RP745859 via Lot 12 on HG387 Mareeba-Dimbulah Road – Mareeba Shire Council.**

I refer to your request received by the Department of Natural Resources and Mines (the department) on 9 October 2017 to determine if proposed vegetation clearing on Lot 2 on RP745859 is for a relevant purpose under section 22A of the *Vegetation Management Act 1999* (VMA).

The department has considered the application and is satisfied that the proposed clearing for the purpose of extractive industry meets the relevant purpose requirements of section 22A of the VMA. Please note that this determination is not a development approval to carry out vegetation clearing.

Other legislation, such as those listed in Attachment 1, may be relevant to the proposed vegetation clearing.

Should you require any additional information please contact your local SARA office as below:

Far North Queensland Regional Office  
Ground Floor, Cairns Port Authority Building, Cnr Grafton and Hartley Streets, Cairns  
PO Box 2358, Cairns QLD 4870  
(07) 4037 3209  
E-mail: [CairnsSARA@dilgp.qld.gov.au](mailto:CairnsSARA@dilgp.qld.gov.au)

On accepting your application, SARA will request relevant technical advice from the department. That advice will be prepared in consideration of the State Development Assessment Provisions (SDAP) State code 16 - Native vegetation clearing. A copy of SDAP State code 16 is available on the internet at <http://www.dilgp.qld.gov.au/planning-reform/resources/development-assessment.html>. The information you provide to support your application should address these assessment provisions where they relate to the proposal.

DNRM Townsville  
Verde Tower, Level 9  
445 Flinders Street  
PO Box 5318  
Townsville QLD 4810

Telephone: (07) 4447 9150  
Facsimile: (07) 4447 9200  
Website: [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)  
ABN: 59 020 847 551

Should you have any further enquiries, please do not hesitate to contact Melody Field,  
Natural Resource Management Officer North Region of the department on telephone (07)  
4447 9161.

Yours sincerely



Michelle Sangricoli  
**Senior Natural Resource Management Officer  
North Region**

DNRM Townsville  
Verde Tower, Level 9  
445 Flinders Street  
PO Box 5318  
Townsville QLD 4810

**Telephone:** (07) 4447 9150  
**Facsimile:** (07) 4447 9200  
**Website:** [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)  
ABN: 59 020 847 551

## Attachment 1 - Legislation and Acts

Act(s)	Agency
<ul style="list-style-type: none"> <li>• <i>Water Act 2000</i></li> <li>• <i>Soil Conservation Act 1986</i></li> </ul>	Department of Natural Resources and Mines
<ul style="list-style-type: none"> <li>• <i>Aboriginal Cultural Heritage Act 2003</i></li> <li>• <i>Torres Strait Islander Cultural Heritage Act 2003</i></li> </ul>	Department of Aboriginal and Torres Strait Islander Partnership
<ul style="list-style-type: none"> <li>• <i>Nature Conservation Act 1992</i></li> <li>• <i>Environmental Protection Act 1994</i></li> <li>• <i>Coastal Protection and Management Act 1995</i></li> <li>• <i>Queensland Heritage Act 1992</i></li> </ul>	Department of Environment and Heritage Protection
<ul style="list-style-type: none"> <li>• <i>Fisheries Act 1994</i></li> </ul>	Department of Agriculture and Fisheries
<ul style="list-style-type: none"> <li>• <i>Environment Protection and Biodiversity Conservation Act 1999</i></li> </ul>	Australian Government - Department of the Environment
<ul style="list-style-type: none"> <li>• <i>Wet Tropics World Heritage Protection and Management Act 1993</i></li> <li>• <i>Wet Tropics Management Plan 1998</i></li> </ul>	Wet Tropics Management Authority
<ul style="list-style-type: none"> <li>• <i>Local Government Act 2009</i></li> <li>• <i>Regional Planning Interests Act 2014</i></li> <li>• <i>Planning Act 2016</i></li> </ul>	Department of Infrastructure Local Government and Planning

DNRM Townsville  
Verde Tower, Level 9  
445 Flinders Street  
PO Box 5318  
Townsville QLD 4810

**Telephone:** (07) 4447 9150  
**Facsimile:** (07) 4447 9200  
**Website:** [www.dnrm.qld.gov.au](http://www.dnrm.qld.gov.au)  
ABN: 59 020 847 551

## Annexure D

### Photos of Haul Access into Mareeba-Dimbulah Road

















## Annexure E

Property Vegetation Management Plan prepared by Simon Danielson,  
Astrebla Ecological Services



# Pioneer North Queensland

## Lot 2 RP745859, Arriga, Queensland

### Property Vegetation Management Plan



15 September, 2017



*This Property Vegetation Management Plan ('the Report') has been prepared by Astrebla Ecological Services ('AES') on behalf of and for RPS Australia East Pty Ltd ('RPS') in accordance with an agreement between AES and RPS. The Report may only be used and relied on by RPS for the purpose of informing an assessment against State Code 16: Native Vegetation Clearing for a proposed extractive industry Material Change of Use application over lot 2 RP745859 in Mareeba local government area (Purpose). It may not be used by, or relied on by, any person other than RPS or the relevant assessment agency.*

*The services undertaken by AES in connection with preparing the Report were limited to those specifically detailed in the Report. The Report is based on conditions encountered and information reviewed, including assumptions made by AES, at the time of preparing the Report.*

*To the maximum extent permitted by law AES expressly disclaims responsibility for or liability arising from:*

- any error in, or omission in connection with assumptions, or*
- reliance on the Report by a third party, or use of this Report other than for the Purpose.*

Cover images

Smaller image: Remnant vegetation present on lot 2

Main image: Lot 2 RP745859. Image ©Google Earth.

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# 1 Introduction

This Property Vegetation Management Plan (PVMP) has been produced to support a material change of use (MCU) application for a Property Map of Assessable Vegetation (PMAV) over lot 2 RP745859 (lot 2), in the Mareeba local government area.

## 1.1 Land description

Lot 2 is located on the Mareeba-Dimbulah Rd in Arriga, approximately 13 km west of Mareeba. It is a freehold lot of 74.805 ha, of which 40.7 ha is mapped as remnant vegetation (see Figure 1). The upslope, eastern half is predominately utilised for growing hay (see Figure 1). The downslope, western half is entirely remnant vegetation.

Lot 2 is situated on a gently undulating rise with a westerly aspect that sits directly on the spine of the Great Dividing Range (it is located in the Walsh River catchment but forms part of the watershed with the catchment of the Barron River). Slopes on the property are generally gentle (less than five percent), particularly in the western half (the area occupied by remnant vegetation), and the lot is located between 525 and 565 m above sea level. The soil is a fine to medium grained sandy loam of granitic origin.

## 1.2 Vegetation description

The vegetation is mapped as a mixed polygon of the least concern regional ecosystems 9.5.9a/9.5.15 (90/10) (see Figure 1). These REs are described as follows:

- 9.5.9a: Woodland to open woodland of *Corymbia clarksoniana* (Clarkson's bloodwood) +/- *Eucalyptus platyphylla* (poplar gum) +/- *E. leptophleba* (Molloy red box) +/- *C. tessellaris* (Moreton Bay ash) with a distinct to sparse sub-canopy layer often including *Melaleuca viridiflora* (broad-leaved paperbark), *Grevillea glauca* (bushman's clothes peg), *Petalostigma pubescens* (quinine) and *Alphitonia pomaderroides* (soapbush). An open to sparse shrub layer includes *Melaleuca* spp., *Persoonia falcata*, *Grevillea* spp. and *Petalostigma pubescens* (quinine). The sparse to mid-dense ground layer is dominated by *Themeda triandra* (kangaroo grass), *Aristida* spp., *Heteropogon contortus* (black speargrass), *H. triticeus* (giant speargrass), and *Sarga plumosum* (plume sorghum). Occurs on undulating plains. (BVG1M: 9e)
- 9.5.15a: Mixed low woodland to low open forest of *Melaleuca monantha*, *M. viridiflora* (broad-leaved paperbark), *Callitris intratropica* (cypress pine) and *Allocasuarina luehmannii* +/- *Grevillea parallela* (silver oak) +/- *G. pteridifolia* (toothbrush grevillea), often with emergent *Eucalyptus cullenii* (Cullen's ironbark), *E. leptophleba* (Molloy red box), *Corymbia clarksoniana* (Clarkson's bloodwood) or *C. dallachiana* (Dallachy's gum). An open to mid-dense sub-canopy or shrub layer usually includes canopy species +/- *Petalostigma banksii* (smooth-leaved quinine), *Jacksonia thesioides* and *Grevillea* spp. The mid-dense to dense grassy ground layer is usually dominated by *Themeda triandra* (kangaroo grass). Occurs on valley infill between metamorphic hills.

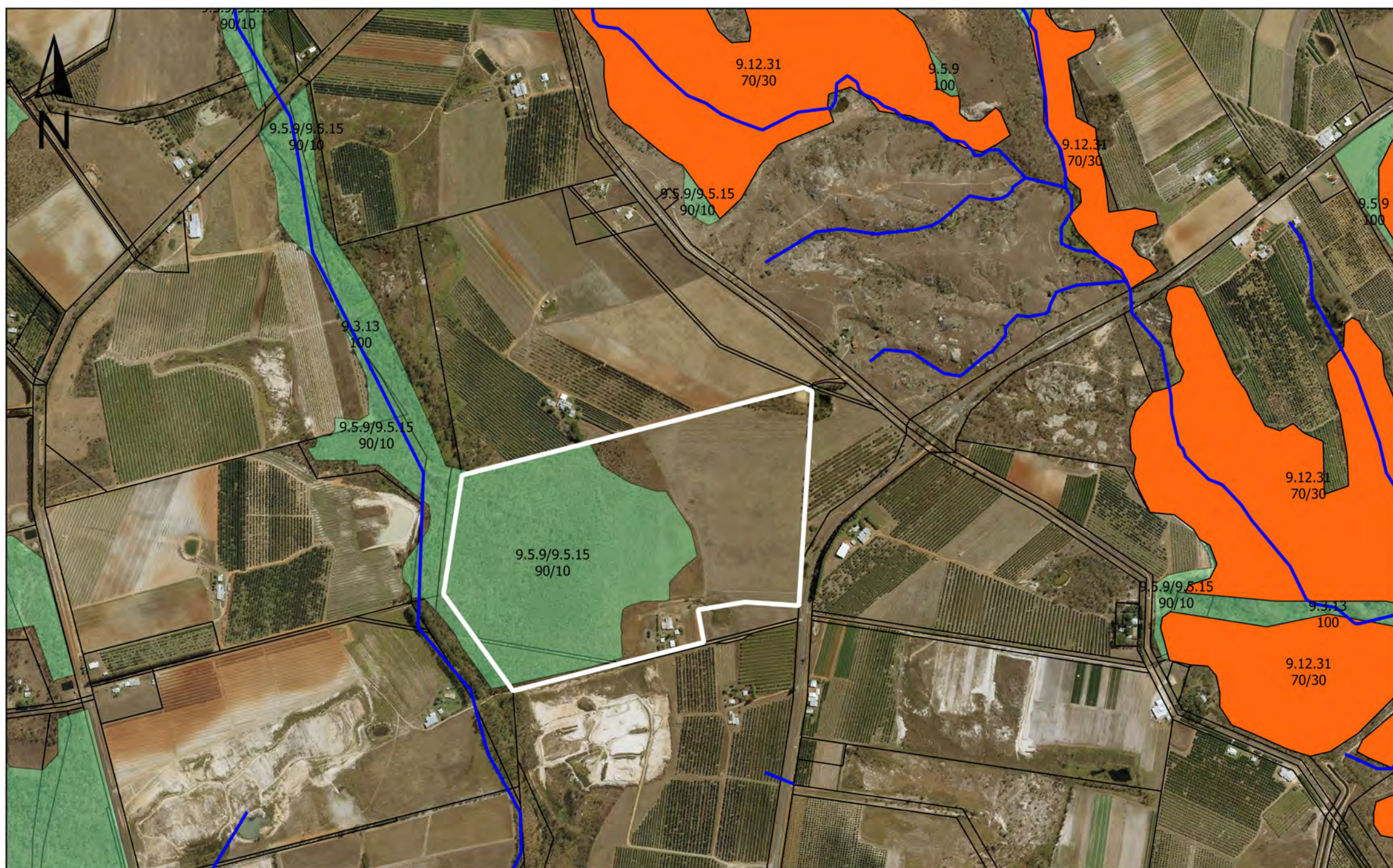
A field survey was conducted on 12 July, 2017, to confirm the RE mapping. The vegetation found to be actually present was *Corymbia clarksoniana* (Clarkson's bloodwood) grassy woodland with *Eucalyptus tereticornis* (Queensland blue gum) and a lower tree layer dominated by paperbarks, primarily *Melaleuca viridiflora* (broad-leaved paperbark) (see Plate 1). In places along the eastern boundary the vegetation becomes low woodland/open woodland of *M. viridiflora*. The ground layer was comprised by a mixture of native grasses, primarily *Heteropogon contortus* (black spear grass), *H. triticeus* (giant spear grass), *Eriachne trisetata*, *Aristida macropoda* (wire grass) and *Cymbopogon refractus* (barbed wire grass).

Therefore, the vegetation present meets the definition of the mapped RE 9.5.9a. The RE 9.5.15 was not present.



**Plate 1** Woodland of Clarkson's bloodwood dominating the canopy in remnant vegetation on lot 2





**Figure 1 Lot 2 RP745859**





**Figure 2 Proposed clearing/extracted area (18.1 ha)**



## 2 Assessment against State Code 16

This chapter outlines how the proposed clearing meets State Code 16: Native Vegetation Clearing. Table 16.2.1 of State Code 16 outlines the Performance Outcomes (POs) that an MCU for an extractive industry must meet. These POs are addressed in the sections below.

### 2.1 PO1: Clearing avoids or minimises impacts

The clearing area (see Figure 2) for this proposed extractive industry MCU is located in a mapped Key Resource Area (KRA15) and has been proposed over a bed of fine to medium sand of granitic origin that is of regional significance, given that fine sand sources are scarce in the Cairns/Tablelands region (see the accompanying RPS Environment Assessment Report). Therefore, if the sand is to be accessed clearing of the least concern RE is necessary and cannot be avoided. This sand is not present elsewhere on the lot in commercially viable beds (the beds are either too narrow or contain extensive impurities).

The clearing area has been minimised to the smallest area possible whilst giving access to the sand resource. In fact, this clearing area does not allow full access to *all* the resource-quality sand present on lot 2. Other areas of sand beneath remnant vegetation will not be accessed (ie left in the ground) to allow for the retention of a remnant vegetation buffer of 100 m width to the west, north and east of the clearing. In addition, after clearing, an area equal to 30% of the area of lot 2 will be retained as remnant vegetation.

The southern side of the proposed clearing area borders an existing sand extraction area (see Figure 1) and access tracks and haul roads have been located here. In addition, it should be noted the clearing is divided into two parts to avoid a 0.5 ha Sunwater easement running across the south western corner of lot 2.

Therefore, PO1 will be met.

### 2.2 PO2-PO4: Clearing on land in particular circumstances

No compliance notice has been issued over lot 2. Therefore, clearing complies with PO2.

Lot 2 does not contain a particular regulated area or a legally secured offset area. Therefore, PO3 and PO4 are met.

### 2.3 PO7: Clearing associated with wetlands

The nearest mapped natural wetland is located 6200 m south west of lot 2. Therefore, the clearing meets AO7.1.

### 2.4 PO11: Clearing associated with watercourses and drainage features

No mapped watercourse is located on lot 2. A first order watercourse is mapped 75 m (at the closest) to the west of the western boundary of lot 2, approximately 90 m to the west of the proposed clearing. The eastern defining bank is located at least 50 m from the proposed clearing at all points along its length. No other mapped watercourses are located within a kilometre of the proposed clearing area.

Lot 2 is located approximately 11 km west south west of the township of Mareeba, in the Hodgkinson Basin subregion of the Einasleigh Uplands bioregion. Therefore, it is located in a coastal area. As clearing for this MCU is proposed at least 50 m from the defining bank of a first order watercourse, AO11.1 will be met.

## 2.5 PO16: Maintaining connectivity

The proposed clearing will meet AO 16.1, which requires proponents address Table 16.3.3 in State Code 16. As outlined above in Section 2.4, lot 2 is located in a coastal area. The requirements for coastal areas outlined in Table 16.3.3 are met as follows (also see Figure 2):

- The area of mapped remnant vegetation on lot 2 is 40 ha,
- After the proposed clearing, a total of 22.5 ha of mapped remnant vegetation will be retained,
- The mapped remnant vegetation on lot 2 is wider than 100 m in all places,
- Proposed clearing will not reduce any area of mapped remnant vegetation on lot 2 or that is contiguous with lot 2 to less than 100 m width,
- The area of lot 2 is 74.805 ha (as provided in Queensland Globe), 30% of which is an area of 22.4 ha. The area of retained mapped remnant vegetation on lot 2 after clearing will be 22.5 ha.

Therefore, proposed clearing will meet AO16.1.

## 2.6 PO22: Salinity

The proposed clearing site is in a downslope location, between 525 and 540 m elevation, on sandy soils, within 50 m of a watercourse. In this instance, clearing is proposed for the purpose of extracting sand to a depth of approximately two metres. After clearing, these areas will be rehabilitated, and the land returned to an agricultural use. Therefore, waterlogging is not likely to occur as a result of this clearing.

Groundwater monitoring undertaken in 2012 within 100 m of the proposed clearing site recorded conductivity of 75  $\mu\text{S}/\text{cm}$ . Prior to this, in 1999-2000, conductivity recordings of 102  $\mu\text{S}/\text{cm}$  (measured 12/04/2000) and 191  $\mu\text{S}/\text{cm}$  (measured 12/10/1999) (see the groundwater section of the RPS Environment Assessment Report accompanying this PVMP). Under the National Health and Medical Research Council's 2004 guidelines, conductivity of under 125  $\mu\text{S}/\text{cm}$  is of excellent quality, and conductivity of between 125-770  $\mu\text{S}/\text{cm}$  is good. Guidelines for irrigation water published by ANZECC (2000) state that conductivity of less than 950  $\mu\text{S}/\text{cm}$  has a 'very low' salinity level.

This indicates that groundwater at and in the vicinity of lot 2 has a very low salinity level, and is of good to excellent quality for human drinking purposes (for salinity).

Clearing for the purpose of sand extraction has occurred in the adjoining lot to the south of lot 2 (see Figure 1), in the same vegetation type and landscape position (confirmed during the field survey of 12 July, 2017). Land degradation due to salinity has not been observed to have occurred at or downslope of this site as a result of this activity.

Therefore, the proposed clearing is not expected to result in land degradation from salinity or waterlogging, and PO 22.1 is met.

## **2.7 PO23: Conserving endangered and of concern regional ecosystems**

No endangered or of concern REs are located on or within 500 m of lot 2. Therefore, clearing meets AO23.1.

## **2.8 PO24: Essential habitat**

The nearest essential habitat is mapped on a separate lot approximately 1700 m east of the clearing proposed on lot 2. Therefore, clearing meets AO24.1.

## **2.9 PO27: Acid sulfate soils**

Clearing is proposed in REs located on land zone 5, on a lot with a minimum elevation above sea level of approximately 525 m. Therefore, clearing meets AO27.1.

## **2.10 PO28: Clearing is staged**

Please refer to the Planning Report accompanying this application. Clearing will be staged in line with operational requirements and will be restricted to the areas required for current operational needs. It will only occur in areas mapped in Figure 2, which encompass areas required for sand extraction and reasonably associated infrastructure. Clearing will not commence until all required permits are in place. Therefore, clearing meets PO28.1.

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### 3 References

ANZECC, 2000, Australia and New Zealand Water Quality Guidelines for Fresh and Marine Water Quality, *National Water Quality Management Strategy*, ANZECC and ARMCANZ, Canberra, Australia.

NHMRC, 2004, *Australian Drinking Water Guidelines*, National Health and Medical Research Council, Canberra.



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