

**8.2 WALLACE QUARRYING AND MINING PTY LTD - MATERIAL CHANGE OF USE - EXTRACTIVE INDUSTRY (UP TO 5,000 TONNES PER ANNUM) - LOT 2 ON SP182482 - 852 TINAROO CREEK ROAD, MAREEBA - MCU/24/0004****Date Prepared:** 9 December 2024**Author:** Senior Planner**Attachments:**  
1. Proposal Plan  
2. Submissions**APPLICATION DETAILS**

APPLICATION		PREMISES	
<b>APPLICANT</b>	Wallace Quarrying and Mining Pty Ltd	<b>ADDRESS</b>	852 Tinaroo Creek Road, Mareeba
<b>DATE LODGED</b>	21 June 2024	<b>RPD</b>	Lot 2 on SP182482
<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use – Extractive Industry (up to 5,000 tonnes per annum)		
<b>FILE NO</b>	MCU/24/0004	<b>AREA</b>	30.01 hectares
<b>LODGED BY</b>	Anson Advisory	<b>OWNER</b>	I & R Wallace
<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>	3		

**EXECUTIVE SUMMARY**

Council is in receipt of a development application described in the above application details. The application is impact assessable and three (3) properly made submissions were received during the public notification period.

In 2017/2018, approximately 80% of the site was cleared under a State approval to “clear native vegetation for irrigated high value agriculture”. This approval requires this land to be cropped, or it must be revegetated. A large amount of basalt rock was removed from the soil profile at the eastern end of the property, which is now cropped with avocados. This rock is currently stockpiled at the western end of the property. A large proportion of the remaining land cleared for agriculture is still awaiting rock removal.

The applicants propose to crush both the stockpiled basalt rock, as well as the rock currently within the soil profile over the remainder of the site as it is removed over time. Occasionally, blasting will be required to break up larger rocks before they can be crushed. The crushed rock will then be screened and washed to produce a saleable resource. The operation will produce just 5,000 tonnes of crushed rock product per year.

The key planning considerations with the proposed development are the potential noise impacts the blasting and rock crushing activities may have on the nearby sensitive land uses. It is considered that appropriate controls have been implemented through conditions of approval to ensure impacts

are minimised. Increased heavy vehicle movements along Tinaroo Creek Road associated with the proposed 5,000 tonne per annum operation are likely to be negligible, particularly considering the high amount of existing heavy vehicle movements currently experienced along this road.

Draft conditions were provided to the Applicant care of their consultant and have been agreed to. It is recommended that the application be approved in full, subject to conditions.

## OFFICER'S RECOMMENDATION

- That in relation to the following development application:

APPLICATION		PREMISES	
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<b>TYPE OF APPROVAL</b>	Development Permit		
<b>PROPOSED DEVELOPMENT</b>	Material Change of Use – Extractive Industry (up to 5,000 tonnes per annum)		

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), relevant period in (E), further permits in (F), and further approvals from Council listed in (G);

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 (up to 5,000 tonnes per annum) **APPROVED PLANS:**

Plan/Document Number	Plan/Document Title	Prepared by	Dated
Figure 2	Quarry Operations Map - Sites and Distances to Neighbours	Anson Advisory	June 2024

- (C) **ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)**

(a) Development assessable against the Planning Scheme

- Development must be carried out generally 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. The developer/landowner/operator must ensure ongoing compliance with all conditions of approval for the life the development, to the satisfaction of Council's delegated officer.
- 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, or except where ongoing compliance over the life of the approval is required.

## 3. General

- 3.1 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.
- 3.2 Where relevant, 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.
- 3.3 Days/Hours of Operation

Crushing, screening and washing of rock product can only occur **a maximum of 10 days in any 4-week period** between Monday and Friday only (inclusive) and only between the hours of 7.00am and 6.00pm. No crushing, screening, or washing operations are permitted on weekends or Public Holidays.

Rock can be ripped or picked from paddocks on-site between the hours of 7.00am and 6.00pm Monday to Friday and 7.00am to 12.00pm Saturdays. No rock ripping or picking can occur on Sundays or Public Holidays.

PROVIDED ALWAYS that the Council will have the right at any time, and from time to time, to fix other reasonable 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 associated with the extractive industry operation, nor remove any materials from the said land outside the abovementioned hours or such other hours as can be fixed by Council.

- 3.4 Rock crushed and processed on-site must be limited to that either stockpiled on-site or any rock removed from paddocks on-site as part of soil improvements for agriculture. No rock or other product external to the site is to be brought on-site for crushing, processing or washing.

- 3.5 No mechanical “rock breakers” of any kind, such as those mounted to an excavator are permitted to be used as part of the extractive industry processing operation. This restriction does not include “rock crushers” which are acceptable. Mechanical crushing and screening/washing plant must be located in the most north-west extent of the approved processing area. Where possible, unprocessed and processed crushed rock should be stockpiled between the crushing and screening/washing plant and nearby sensitive land uses to provide a physical noise barrier.

### 3.6 Blasting

Blasting associated with the approved extractive industry must not occur more than twice per year. Each blast must involve only 1 shot. A Blast Management Plan must be developed for each blasting activity in accordance with Australian Standard 2187. Blasting must only be conducted between 9am and 3pm Monday to Friday (and not on any Public Holiday).

Airblast overpressure must not exceed 120dB Z Peak for all blasts when measured from any noise sensitive location. Ground vibration measured at any noise sensitive location must not exceed a peak particle velocity of 5mm per second for any blast event.

All blasts must occur at the western end of the approved processing area, unless an alternate site is located so as to better comply with the above criteria. Rocks to be blasted must be buried before blasting occurs to avoid flyrock and other debris impacting neighbouring properties.

Any resident located within 1km of the blast site must be made aware of each blasting event at least 2 weeks in advance.

### 3.7 Water Quality

- 3.7.1 Ponds (dams) used for the storage or treatment of aqueous waste must be constructed, installed and maintained to:

- prevent any release of aqueous waste from the ponds; and
- ensure the stability of the pond structure.

- 3.7.2 Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment, in particular Tinaroo Creek.

- 3.7.3 Erosion and sediment control measures must be implemented and maintained to minimise erosion and the release of sediment.

- 3.7.4 The stormwater runoff from the processing area generated by a 24 hour storm event with an average recurrence interval of one in five years must be retained within the processing area and treated to remove contaminants before release from the processing area.

### 3.8 Emissions

Emissions associated with the development, including but not limited to noise and dust emissions must not cause an 'environmental nuisance' within the meaning of the *Environmental Protection Act 1994 (s440)* to any nearby sensitive receptor, at any time.

- 3.9 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.

3.10 Scale and Intensity

The extraction volume, meaning the amount of processed/crushed rock product produced, must not exceed 5,000 tonnes per annum. This tonnage limit does not apply to unprocessed stockpiled rock removed from the ground. Processed and unprocessed rock stockpiles are not to exceed three (3) metres in height.

- 3.11 The Applicant shall provide Council with records of quantities of material extracted/removed from the site on a monthly basis, including the number of truck movements associated with each monthly quantity.

- 3.12 Access to the approved processing area, including for the carting of any processed material must be via the internal driveway located in the centre of the site only.

3.13 Prevention of the spread of weeds and pests

The applicant/developer/operator must ensure the development is carried out in a manner that prevents the spread of weeds, seeds or other pests into clean areas or away from any existing infested areas.

- 3.14 Machinery and plant used on-site must be fitted with reversing "squawkers" instead of beepers so as to minimise noise impacts.

- 3.14 The Site Based Management Plan must be amended to include any operational requirements/limitations required under these conditions of approval. The amended Site Based Management Plan must be provided to Council for review and approval prior to the commencement of the use. All operations pursuant to the extractive industry must be carried out in accordance with the amended Site Based Management Plan at all times.

4. Infrastructure Services and Standards

4.1 Access

The existing access crossover (between Tinaroo Creek Road and the site access) must be upgraded to an industrial access crossover standard in accordance with the FNQROC Development Manual, for the life of the development, 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 \$3,360.00 for each 167 haul truck movements 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 Tinaroo Creek 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 commencement of the use.

#### (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) 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.dcceew.gov.au](http://www.dcceew.gov.au).

(d) 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.dsdsatsip.qld.gov.au](http://www.dsdsatsip.qld.gov.au).

(e) Electric Ants

Electric ants are designated as restricted biosecurity matter under the *Biosecurity Act 2014*.

Certain restrictions and obligations are placed on persons dealing with electric ant carriers within the electric ant restricted zone. Movement restrictions apply in accordance with Sections 74–77 of the *Biosecurity Regulation 2016*. Penalties may be imposed on movement of electric ant carriers and electric ants in contravention of the legislated restrictions. It is the responsibility of the applicant to check if the nominated property lies within a restricted zone.

All persons within and outside the electric ant biosecurity zone have an obligation (a **general biosecurity obligation**) to manage biosecurity risks and threats that are under their control, they know about, or they are expected to know about. Penalties may apply for failure to comply with a general biosecurity obligation.

For more information please visit the electric ant website at [Electric ants in Queensland | Business Queensland](http://ElectricantsinQueensland.com.au) or contact Biosecurity Queensland 13 25 23.

(f) Transportation of Soil

All soil and material 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 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) 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).

**(F) OTHER NECESSARY DEVELOPMENT PERMITS AND/OR COMPLIANCE PERMITS**

- Nil

**(G) OTHER APPROVALS REQUIRED FROM COUNCIL**

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

**THE SITE**

The subject site is situated at 852 Tinaroo Creek Road, Mareeba, and is described as Lot 2 on SP182482. The site is generally regular in shaped with an area of 30.01 hectares and is zoned Rural under the Mareeba Shire Council Planning Scheme 2016.

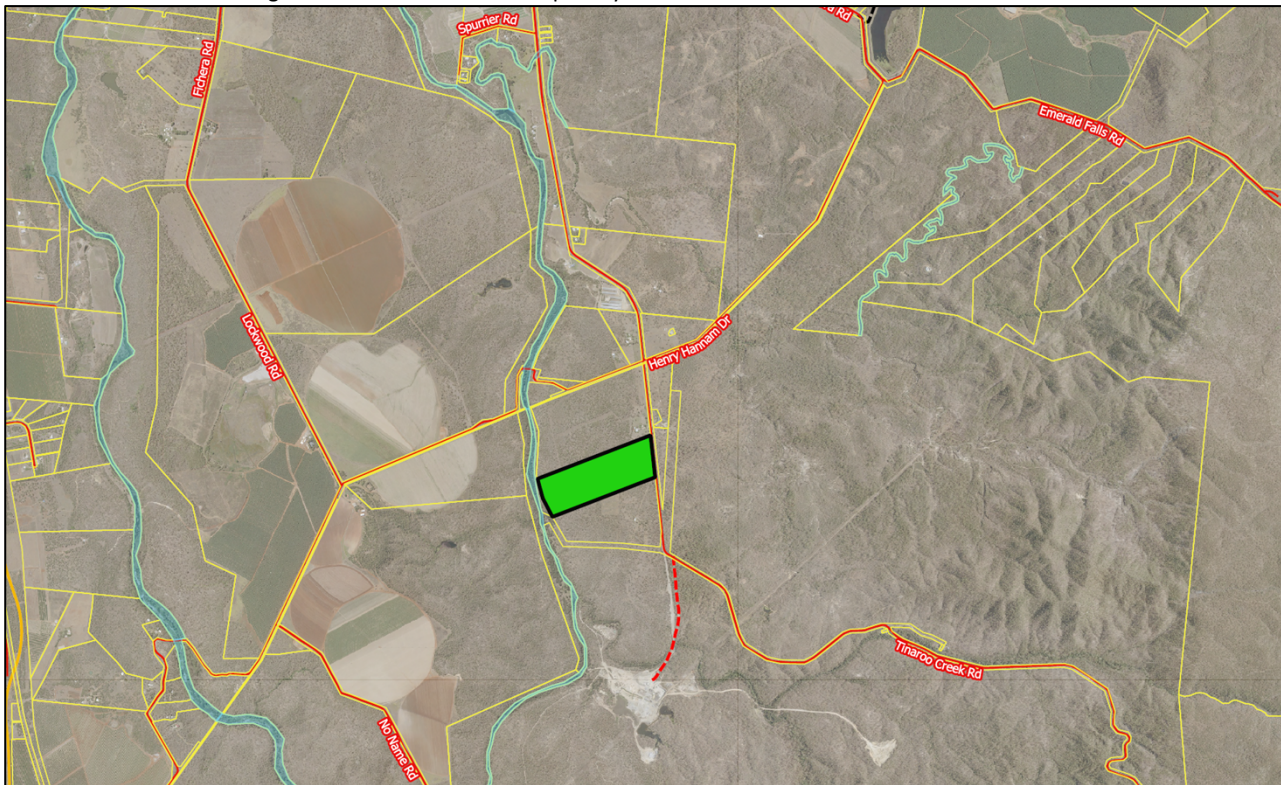
The site is accessed off Tinaroo Creek Road which is bitumen sealed back to the Kennedy Highway. The site is improved by a large shed and ancillary outbuildings. Fruit trees have been planted over approximately 6 hectares of the front of the property, and a further approx. 2 hectare of land is used to grow grown ground crops such as Taro. The majority of the site was cleared in 2017/2018 under a State approval to “clear native vegetation for irrigated high value agriculture”. Under this State approval, the landowner has an obligation to crop the land, otherwise it must be rehabilitated with native vegetation.



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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All immediate surrounding land is zoned Rural and are both large, vegetated lots with agricultural activity limited to livestock grazing. The dwelling on the lot to the north is situated approximately 800 metres from the proposed processing area. The adjoining lot to the south contains a non-habitable shed only. A large quarry is situated 1.4 kilometres to the south of the site which is covered by a number of mining leases. A granted mining lease covering approximately 7.4 hectares of land also exists over Tinaroo Creek to the west of the site, however, remains inactive. This mining lease extends into both the subject site and the northern adjoining allotment. Other granted mining leases exist to the south of the site. A 4-hectare portion of the western end of the site remains vegetated with regulated vegetation.

## 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 (up to 5,000 tonnes per annum) in accordance with the plans shown in **Attachment 1**.

Approximately 80% of the site was cleared in 2017/2018 under a State approval to “clear native vegetation for irrigated high value agriculture”. It is important to note that under this State approval, the landowner has an obligation to farm the land, hence the applicants desire to “rock rip and pick” the land to improve its agricultural productivity. In accordance with the State clearing approval, If the land is not farmed it must be rehabilitated with native vegetation.

The applicant/landowner proposes to process (crush/blast, screen and wash) both rocks already removed from the soil profile and stockpiled on site, as well as future rocks removed from the balance of the farmland over time. The application includes the following details:

#### 4.1 History of Workings

The site underwent land clearing for high-value agricultural use in 2017 – approval details: SARA ref.1802-4126 SDA, DNRME ref 2018/001940. There are significant basalt rocks within the soil profile which have to be removed before agricultural activities can begin. Avocados and taro have been planted. More rock needs to be removed from the high-value agriculture soil to continue planting horticultural crops.

Extracted rock will be stock piled within the EIL area and this EIL application is to convert these rock resources into a useful product and tidy up the farm to enhance future productivity, aesthetic appearance and environmental enhancement.

#### 4.2 Future Working Proposal

This project is essentially to clean up the small rock piles from high-value agricultural land development and continue crushing further rock extracted within unplanted areas.

The gravel material will be utilised to improve roads within the applicant’s properties or sold.

#### 4.3 Quarry operations

The activity is to clean up stockpiled basalt rock located in the Cat X area and process further rock extracted from the soil profile within the Cat X farming area/land. The impact/effect of this

Quarry Management Plan -Tinaroo Ck Rd Rock Crushing Project – June 2024

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activity will convert the rock into a useable resource. The total EIL area is expected to cover approximately 2.7ha to allow rock stockpiles as they are extracted.

Small rocks (<600mm diameter) can be fed directly into the crusher. Larger rocks will require blasting to reduce the size enabling them to be crushed by the crusher. It’s estimated up to 10% of the rock will require blasting. Blasting can occur in a safe zone within the EIL area with rock/gravel batters surrounding blast areas to further increase safety.

Gravel will be stockpiled and regularly used/sold throughout the project to keep gravel stockpiles relatively small.

The property has irrigation water available and water will be used for dust suppression when needed.

When assessing this development application, Council officers consider the following to be of relevance/importance:

1. Under Schedule 6, Part 3, Item 16 of the *Planning Regulation 2017*, operational works (which includes rock removal) relating to the management practices for the conduct of an agricultural use **cannot be made assessable** under the Mareeba Shire Council Planning Scheme 2016.

This exemption allows farmers to “rock rip and pick” paddocks as well as carry out other bulk earthworks (such as forming plant mounds, digging drains etc.) within their paddocks without needing to obtain any approvals from Council. This practice is commonplace and occurs regularly across the Shire.

It is also not unusual for farmers to crush rock extracted from the soil profile and reuse this crushed rock on-site. Rock is typically used for subsurface drainage which is particularly important for crops such as avocados.

2. The applicant/landowners 2024 approval to “clear native vegetation for irrigated high value agriculture”, includes the following condition:
  4. *The following management practices must be undertaken to mitigate land suitability limitations and enable the cultivation of horticulture:*
    - *Plant mounds must be designed to a minimum height of 0.3 metres above the inter-row following consolidation and aligned along the contour (perpendicular to the natural land slope).*
    - ***Any rock larger than a cobble (>200 mm) exposed by ripping must be picked and disposed of appropriately.***
3. **If the applicant/developer (also the landowner) did not intend to sell the crushed rock product, or use it off-site, Council planning officers would have deemed this rock extraction, stockpiling and crushing activity accepted development, which could proceed on-site without a Council town planning approval.**

## 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:

- *State & Regional Conservation Corridors*
- *Wetland Area of General Ecological Significance*
- *Terrestrial Area of General Ecological Significance*

## PLANNING SCHEME DESIGNATIONS

Strategic Framework:	<b>Land Use Categories</b> <ul style="list-style-type: none"> <li>• Rural Agricultural Area</li> <li>• Rural Other</li> </ul> <b>Natural Resource Elements</b> <ul style="list-style-type: none"> <li>• Mining Lease</li> </ul>
Zone:	Rural zone
Overlays:	Agricultural Land Overlay Airport Environs Overlay Bushfire Hazard Overlay Environmental Significance Overlay Extractive Resources Overlay Flood Hazard Overlay Hill and Slope Overlay Transport 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 2016

#### Strategic Framework

#### 3.3 Settlement pattern and built environment

##### 3.3.1 Strategic outcomes

- (5) *Primary industries in Rural areas are not compromised or fragmented by incompatible and/or unsustainable development, including but not limited to subdivision that results in a detrimental impact on rural productivity or fragments rural land. The valued, relaxed rural lifestyle, character and scenic qualities of the rural area are preserved and enhanced. The rural area is largely maintained to its current extent, while accommodating development directly associated with or reliant on natural resources including rural activities and tourism. Rural areas protect the shire's agricultural area and ensure food security. Other rural areas predominantly remain agricultural grazing properties.*

#### Comment

The proposed extractive industry operation will occur at the western end of the site in an area lawfully cleared under a State approval to “clear native vegetation for irrigated high value agriculture”. The intent is to rock rip/pick the cleared paddocks, removing basalt rocks from the soil profile which will in-turn increase the agricultural productivity of the land. In most

cases, rock removed from paddocks is discarded and stockpiled on properties or removed and disposed of off-site, however in this situation the rock will be crushed and reused both on and off-site.

Under the State clearing approval, the land must be cropped, or it is required to be rehabilitated with native vegetation. The proposed extractive industry operation could only increase the agricultural productivity of the site. The development complies with Strategic outcome (5).

### **3.3.11 Element—Rural areas**

#### **3.3.11.1 Specific outcomes**

- (1) *Rural areas include rural activities and land uses of varying scale, consistent with surrounding rural land use, character and site conditions.*

##### Comment

The proposed development is for an extractive industry operation producing up to 5,000 tonnes of crushed rock product per annum. This operation is considerably smaller in scale than the long-established hard rock extractive industry operation located towards the end of Tinaroo Creek Road 1.4 kilometres to the south of the site.

Extractive industry operations are commonplace within the Rural zone, and it is considered that this particular development, which is essentially the removal and processing of basalt rock from arable soil, is consistent with surrounding rural land uses and rural character. A granted mining lease covering an area of approximately 7.4 hectares is situated to the west of the site over Tinaroo Creek.

Surrounding sensitive land uses achieve acceptable setbacks, and appropriate conditions of approval will be included to ensure land use conflict is minimised. The development complies with Specific Outcome (1).

- (6) *Agricultural areas will be retained in large holdings (60ha or greater) and not fragmented or compromised by unsuitable development. Uses and development within this precinct will not cause land use conflicts with primary production or will ensure these conflicts are mitigated.*

##### Comment

The proposed extractive industry operation will occur at the western end of the site in an area lawfully cleared under a State approval to “clear native vegetation for irrigated high value agriculture”. The intent is to rock rip/pick the cleared paddocks, removing basalt rocks from the soil profile which will in-turn increase the agricultural productivity of the land. In most cases, rock removed from paddocks is discarded and stockpiled on properties or removed and disposed of off-site, however in this situation the rock will be crushed and reused both on and off-site.

Under the State clearing approval, the land must be cropped, or it is required to be rehabilitated with native vegetation. The proposed extractive industry operation could only increase the agricultural productivity of the site.

The development complies with Specific outcome (6).

- (7) *Rural areas preserve lands for future uses beyond the life of the planning scheme.*

Comment

The proposed extractive industry operation will occur at the western end of the site in an area lawfully cleared under a State approval to “clear native vegetation for irrigated high value agriculture”. The intent is to rock rip/pick the cleared paddocks, removing basalt rocks from the soil profile which will in-turn increase the agricultural productivity of the land. In most cases, rock removed from paddocks is discarded and stockpiled on properties or removed and disposed of off-site, however in this situation the rock will be crushed and reused both on and off-site.

Under the State clearing approval, the land must be cropped, or it is required to be rehabilitated with native vegetation. The proposed extractive industry operation could only increase the agricultural productivity of the site.

The development complies with Specific outcome (7).

### **3.4 Natural resources and environment**

#### **3.4.3 Element—Pest and weed management**

##### **3.4.3.1 Specific outcomes**

- (1) *Development within, adjoining or surrounding conservation areas, biodiversity areas, wetlands or watercourses avoids the incursion of weeds and pests through best practice management practices, sensitive design, landscaping and appropriate setback and buffer distances.*
- (4) *Operational works ensure appropriate management practices are adopted to minimise the spread of weed species.*

Comment

The proposed extraction area includes stockpiled basalt rock at ground level, and buried basalt rock. The site is not a conservation area or biodiversity area, nor is Tinaroo Creek mapped as a significant watercourse. The proposed extraction process is not likely to introduce any new weeds or pests into the existing environment.

The development complies with Specific outcomes (1) and (4).

#### **3.4.8 Element—Air and noise quality**

##### **3.4.8.1 Specific outcomes**

- (1) *The health, well-being, amenity and safety of the community and the environment is protected from the impacts of air emissions, noise and odour through appropriate management and adequate separation distances.*

Comment



The proposed extraction area, and more importantly the more intensive crushing/screening/blasting area does not achieve the 1,000-metre setback from surrounding sensitive receptors (dwellings) nominated as an acceptable outcome within the Industrial activities code. However, this development does achieve an 800-metre setback and is only producing an upper limit of 5,000 tonnes per annum of crushed rock product. The predominate wind direction over the site is from the east (north-east and south-east), so the processing area is also down wind of nearby sensitive receptors which will help minimise noise impacts.

Included in the existing locality is a large-scale hard rock quarrying activity, as well as numerous granted mining leases, with the closest lease area actually extending into the subject site and the northern adjoining property. Despite not achieving the desired separation distances, the 800 metres that is achieved is deemed acceptable given the context of the locality with respect to quarrying/mining operations, the predominate wind direction and the small-scale nature of the extractive industry operation proposed. A comprehensive suite of conditions has also been applied which will ensure the likelihood of environmental nuisance is minimised.

The development is likely to achieve compliance with Specific outcome (1).

### **3.6 Transport and infrastructure**

#### **3.6.1 Strategic outcomes**

- (1) *Local collector road and state-controlled road networks support the identified hierarchy of activity centres and the rural economy of Mareeba Shire. The location, density and scale of development supports the efficient and convenient movement of goods, services and people. Roads are progressively upgraded (including construction of future state roads and future local connections) and maintained to a high standard to support higher urban densities, rural production, tourism, commerce, industry and major trip generators.*

#### Comment

The proposed extractive industry operation is predicted to place an additional average of 4 vehicle movements per week on Tinaroo Creek Road. This amount of additional traffic is not considered significant, given the large volumes of heavy vehicle movements experienced along Tinaroo Creek Road at present.

The applicant/developer will be subject to the same special rating levy as other extractive industry operators in the Shire (proportionate to scale of operation). This rating levy is in lieu of providing road upgrades/monetary contributions.

The development complies with Strategic outcome (1).

#### **3.6.8 Element—Stormwater management**

##### **3.6.8.1 Specific outcomes**

- (2) *Stormwater is managed, and measures are implemented to ensure erosion is prevented or minimised and contaminants are not released into surrounding environs.*

Comment

The development has been appropriately conditioned to ensure impacts on nearby receiving waters are minimised. The conditions are consistent with the State's code of practice conditions for extractive industry operations up to 100,000 tonnes per annum, which is 20 times larger than that proposed in this instance at only 5,000 tonnes per annum.

The development has been conditioned to comply with Specific outcome (2).

**3.7 Economic development****3.7.2 Element—Rural and Agricultural land****3.7.2.1 Specific outcomes**

- (1) *Agricultural areas are preserved for the purpose of primary production and are protected from fragmentation, alienation and incompatible development.*

Comment

The proposed extractive industry operation will occur at the western end of the site in an area lawfully cleared under a State approval to "clear native vegetation for irrigated high value agriculture". The intent is to rock pick the cleared paddocks, removing large basalt rocks which will increase the agricultural productivity of the land. In most cases, rock removed from paddocks is discarded and stockpiled on properties or removed and disposed of off-site,, however in this situation the rock will be crushed and reused both on and off-site.

Under the State clearing approval, the land must be cropped, or it is required to be rehabilitated with native vegetation. The proposed development is not incompatible with the Rural zone, nor will it fragment or permanently alienate the agricultural land. The proposed extractive industry operation could only increase the agricultural productivity of the site and therefore complies with Specific outcome (1).

- (5) *Development ensures rural activities in all rural areas are not compromised by incompatible development and fragmentation.*

Comment

The proposed development is for a small-scale extractive industry operation to process rock removed from the farms soil profile in an effort to increase the agricultural productivity of the site. Immediate surrounding land remains predominately vegetated and is either vacant or is used for low intensity livestock grazing. Extractive industry uses are commonplace within the Rural zone and this development is not likely to impact on any surrounding rural land uses.

The development complies with Specific outcome (5).

**3.7.11 Element—Extractive resources****3.7.11.1 Specific outcomes**

- (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).

#### Comment

The proposed extraction area, and more importantly the more intensive crushing/screening/blasting area does not achieve the 1,000-metre setback from surrounding sensitive receptors (dwellings) nominated as an acceptable outcome within the Industrial activities code. However, this development does achieve an 800-metre setback and is only producing an upper limit of 5,000 tonnes per annum of crushed rock product. The predominate wind direction over the site is from the east (north-east and south-east), so the processing area is also down wind of nearby sensitive receptors which will help minimise noise impacts.

The immediate locality is also characterised by existing large scale hard rock quarrying activity, as well as numerous granted mining leases, with the closest lease area actually extending into the subject site and the northern adjoining property. Despite not achieving the desired separation distances, the 800 metres that is achieved is deemed acceptable given the context of the locality with respect to quarrying/mining operations, the predominate wind direction and the small-scale nature of the extractive industry operation proposed. A comprehensive suite of conditions has also been applied which will ensure the likelihood of environmental nuisance is minimised.

The development avoids areas of ecologically significance and values.

The development complies with Specific outcomes (1), (2) and (3).

#### **Relevant Developments Codes**

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

- 6.2.9 Rural zone code
- 8.2.1 Agricultural land overlay 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
- 8.2.6 Flood hazard overlay code
- 8.2.8 Hill and slope 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 outcome where no acceptable outcome 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 complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met).  Further discussion is warranted in relation to amenity – refer to Planning Discussion section of report for commentary.
Agricultural land overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met).  Refer to code document for full commentary.
Airport environs overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met).  Refer to code document for full commentary.
Bushfire hazard overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met).  Refer to code document for full commentary.
Environmental significance overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met).  Refer to code document for full commentary.
Extractive resources overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met).  Refer to code document for full commentary.
Flood hazard overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met).  Refer to code document for full commentary.

Hill and slope overlay code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met). Refer to code document for full commentary.
Industrial activities code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met). Further discussion is warranted in relation to setbacks – refer to Planning Discussion section of report for commentary.
Landscaping code	Given the site is within the Rural zone, landscaping is not required.
Parking and access code	Given the nature and scale of the proposed use, and the size of the site, formal car parking is not considered necessary in this instance.
Works, services and infrastructure code	The application complies or can be conditioned to comply with the relevant acceptable outcomes contained within the code (or higher order performance outcomes where no acceptable outcome is provided, or an acceptable outcome cannot be met). Refer to code document for full commentary.

#### **(D) Planning Scheme Policies/Infrastructure Charges Plan**

The following planning scheme policies are relevant to the application:

Planning Scheme Policy 4 - FNQROC Regional Development Manual

A condition will be attached to any approval requiring any development works be designed and constructed in accordance with FNQROC Development Manual standards.

#### **(E) Additional Trunk Infrastructure Condition**

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

Section 130 of the Planning Act 2016 allows Council to condition additional trunk infrastructure outside the PIA.

The applicant's roadworks contribution for each 5,000 tonnes would be as follows:

Length of road traversed by the applicant is 8.5 kilometres (haul route to State controlled road).

Truck and dog = 30 tonnes / load = 6 ESA \* / load  
(\* ESA - Equivalent Standard Axles)

Truck loads = tonnes (5,000) ÷ load of truck (30t)  
= 5,000 ÷ 30

$$\begin{aligned}
 &= 166.67 \\
 \text{Number of axles} &= \text{No. of loads (167 x ESA / Load (6))} \\
 &= 166.67 \times 6 \\
 &= 1,000 \\
 \text{Present road investment} &= \$1.40 / \text{ESA} \\
 \text{Future road maintenance cost} &= \$2.10 / \text{ESA} \\
 &= \text{Difference in maintenance and present cost} \\
 &= \$2.10 - \$1.40 \\
 &= \$0.70 \\
 &= \$0.70 \times \text{ESA (1,000)} \\
 &= \$700.00 \\
 \text{Therefore, total contribution sought} &= \text{cost x distance (km)} \\
 &= \$700.00 \times 8.5 \\
 &= \$5,950.00
 \end{aligned}$$

Based on Council's standard contribution calculation method, the applicant would be required to pay a roadworks contribution of \$5,950.00 for each 5,000 tonnes of material extracted.

Council's recent budgets have applied a special charge for extractive industries.

Council acknowledges 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.

## REFERRAL AGENCY

This application did not trigger referral to a Referral Agency.

## Internal Consultation

Development Engineering

## PUBLIC NOTIFICATION

The development proposal was placed on public notification from 16 August 2024 to 6 September 2024. The applicant submitted the notice of compliance on 9 September 2024 advising that the public notification requirements were carried out in accordance with the requirements of the Act.

Three (3) properly made submissions were received, all objecting to the proposed development.

The grounds for objection are summarised and commented on below:

Grounds for objection	Comment
The application did not include sufficient detail to enable Council to fully assess the proposed development or its potential impacts.	Council officers disagree with this statement. Given the small scale of development proposed (up to 5,000 tonnes annually), enough information was provided in the application to adequately assess the proposal.
The application does not include any details about staging, or the depth to which rock will be removed from the soil profile.	The development is not proposed to be staged, nor is staging considered necessary. Rock will be ripped and picked from the soil profile using a bulldozer and excavator. This is common practice for new agricultural land before it is cropped. Appropriate controls have been conditions to limit the scale of the development.
The application lacks detail regarding processing and stockpiling details, including location, size and height of stockpiles.	The plan of development identifies a 2.7ha area that will be used to stockpile and process rock. A condition of approval will require that all stockpiles are limited to 3m in height. The Stockpiles and processing area are adequately screened from view from existing sensitive land uses.
The application lacks detail in relation to staffing numbers and vehicle movements.	The proposal is for a small-scale extractive industry operation producing only 5,000 tonnes of product per annum. The applicants have confirmed that staffing will be limited to 2 persons. Vehicle movements associated with the use are negligible.
The application lacks detail in relation to the volumes and types of waste generated and methods of disposal.	Waste generated by the use is likely to be limited to wastewater from the washing plant. Appropriate conditions of approval have been included to manage this wastewater in settling ponds, which is standard practice.
What will the land be used for after extraction is exhausted.	The whole intent of the development is to remove basalt rock from the soil profile to increase the agricultural potential of the land. Under the State clearing approval, the land must be cropped.
The application did not include a traffic impact assessment.	Given the nature and scale of the use (producing up to 5,000 tonnes of product per year) a traffic impact assessment was not warranted. This is consistent with other 5,000 tonnes extractive industry operations approved in recent years.
The application did not include a visual impact assessment	Given the nature and scale of the use, and the location of the proposed processing area in relation to nearby sensitive land uses, a visual impact assessment was not warranted. The development will be appropriately screened from view from existing sensitive land uses.
The application did not include an assessment of noise, vibration and dust impacts.	Given the nature and scale of the proposed development, these assessments were not warranted. The development has been appropriately conditions to minimise impacts on nearby sensitive land uses.
Owner's consent was not submitted with the application.	Noted, however Council officers were certain that Ian Wallace and Rayleen Wallace are the owners of "Wallace Quarrying and Mining Pty Ltd ATFT Wallace Unit Trust". A landowner's consent form was obtained from Ian and Rayleen Wallace before the second round of Public Notification commenced.

Public notification was not carried out in accordance with the requirements of the Act.	The application underwent public notification twice. On the second attempt, Council officers are satisfied the application was notified in accordance with the requirements of the Act.
The application did not address the relevant sections of the Planning Scheme's Strategic Framework.	Noted. Council officers have addressed the relevant sections of the Strategic Framework in this report.
The application does not properly define the duration and scope of the proposed extractive industry operation.	Not many extractive industries identify a scope and duration. The resource, basalt rocks in this situation, is however finite. Once the rock has been ripped and picked from the paddocks and processed the development will have to cease.
The proposed extractive industry processing area is not adequately setback from neighbouring properties in order to minimise amenity impacts.	The development is considered to be appropriately setback from existing <u>sensitive land uses</u> (dwellings) and has been appropriately conditioned to ensure land use conflict is minimised. Refer to Planning Discussion section of report for further commentary.
The application is unclear as to whether the extractive industry operation will involve the processing or only the rock currently stockpiled on-site or will be an ongoing operation to process rock also currently located underground awaiting removal from the soil profile.	Sections of the application material clearly state that both rock already stockpiled on-site <b>AND</b> rock yet to be removed from the soil profile will be processed on-site.
The application does not address how wastewater from screening and washing will be dealt with on-site.	Wastewater will be dealt with in settling ponds, which is common practice. This has been conditioned.
The extractive industry operation will limit the development potential of adjoining properties.	Council officers are unaware of any situation across the Shire where an extractive industry operation has impacted the ability of a adjoining rural allotment to be used for <u>rural</u> pursuits. Both allotments are predominately covered in Cat B remnant vegetation which is far more likely to impede future development than the proposed development will. The resource on-site is finite and once exhausted the land will revert back to a cropping use which is required under the State clearing approval.

### Submitters

Name of Principal submitter	Address
1. Wyndara Pty Ltd C/- Reel Planning	mail@reelplanning.com
2. Don Hall C/- Aspire Town Planning	admin@aspireqld.com
3. Conmat Pty Ltd	<a href="mailto:admin@conmat.com.au">admin@conmat.com.au</a>

### PLANNING DISCUSSION

The section discusses the proposed extractive industries impacts on nearby sensitive land uses. Sensitive land uses surrounding the site are limited to dwellings only. A condition of approval will require the crushing, screening and washing plant, and blasting location to be located in the north-

western corner of the identified processing area. The following is a summary of surrounding sensitive land uses:

- Northern adjoining Lot 3 on SP182482 contains a single dwelling that will be setback approximately 800 metres from the processing/blasting location.
- Southern adjoining Lot 1 on SP182482 does not contain a dwelling, however it is reasonable to assume that a dwelling will be constructed on the property. A dwelling could be constructed to achieve a setback in excess of 700 metres from the processing/blasting location. However, greater setbacks could be achieved if the dwelling was constructed in the south-east corner of Lot 1.
- Lot 2 on SP282413 situated on the opposite side of Tinaroo Creek Road to the north-east of the site contains a dwelling which is setback 940 metres from the proposed processing/blasting location.
- All other surrounding dwellings are setback well in excess of 1,000 metres.

### Industrial Activities Code

#### ***If for Extractive Industry***

##### **PO6**

*Extractive industry is appropriately located to adequately mitigate visual, noise, vibration and dust impacts on sensitive uses.*

##### **AO6**

*All aspects of the Extractive industry are setback from all boundaries:*

- (a) *200 metres where not involving blasting or crushing; and*
- (b) *1,000 metres for where involving blasting or crushing.*

### Comment

Although AO6 stipulates that the extractive industry operation involving blasting and crushing must be setback 1,000 metres from any property boundary, this is considered to be a discrepancy in the Planning Scheme which is just not achievable in most cases, including for the long established large hard rock quarry and mining operation to the south of the site that achieves boundary setbacks of just 200 metres at its closest point. Another example is the Boral hard rock quarry at Tichum Creek. This quarry operation involves blasting and crushing and includes at least 12 dwellings situated within 1 kilometre of the quarry.

It is therefore considered more appropriate that the 1,000-metre separation distance should be from any neighbouring sensitive land use (e.g. dwelling) which is the approach of other neighbouring Shire Planning Schemes like Douglas and Cairns. Further supporting this approach is higher order PO6 which aims to protect sensitive land uses specifically, instead of boundary setbacks. A 1,000 metre setback to sensitive land uses (instead of boundaries) is also consistent with the best practice setback criteria for ERA 16 – Extractive industry operations of 5,000 tonnes to 100,000 tonnes per annum.

It should also be noted that this desired setback is applicable for hardrock extractive industry operations producing up to 100,000 tonnes of product per annum, with this proposed development producing just 5,000 tonnes (20 times less volume).

Despite not achieving the desired 1,000 metre setback, the development does achieve an 800-metre setback to the closest dwelling, and is only producing an upper limit of 5,000 tonnes per annum of crushed rock product. The prevailing wind direction over the site is from the east (north-east and south-east), so the processing area is also down wind of nearby dwellings which will further help minimise noise impacts.

The immediate locality is also characterised by existing large scale hard rock quarrying activity, as well as numerous granted mining leases, with the closest lease area actually extending into the subject site and the northern adjoining property. Despite not achieving the desired separation distances, the 800 metres that is achieved is deemed acceptable given the context of the locality with respect to existing and possible future quarrying/mining operations, the predominate wind direction and the small-scale nature of the extractive industry operation proposed. A comprehensive suite of conditions has also been applied which will ensure the likelihood of environmental nuisance is minimised.

The development has been conditioned to comply with higher order PO6.

#### Rural Zone Code - Amenity

##### **Amenity**

##### **PO6**

*Development must not detract from the amenity of the local area, having regard to:*

- (a) noise;
- (b) hours of operation;
- (c) traffic;
- (d) advertising devices;
- (e) visual amenity;
- (f) privacy;
- (g) lighting;
- (h) odour; and
- (i) emissions.

##### **AO6**

*No acceptable outcome is provided.*

#### Comment

##### **Noise**

Despite not achieving the desired 1,000 metre setback mentioned in AO6 of the Industrial activities code, the development does achieve an 800-metre setback to the closest neighbouring dwelling and is only producing an upper limit of 5,000 tonnes per annum of crushed rock product. The prevailing wind direction over the site is from the east (north-east and south-east), so the processing area is also down wind of nearby dwellings which will further help minimise noise impacts on any given day.

When considering noise impacts, it is important to remember that just because a particular activity such as the crushing, washing and screening of rock material may be audible at a nearby dwelling, does not mean that this audible noise is nuisance noise. This is further evidenced by a review of the standard noise conditions applied by the State for larger scale extractive industry operations (5,000 – 100,000 tonnes) that are deemed to be Environmentally Relevant Activities (ERA – 16). The State



ERA noise conditions allow extractive industry operations to be audible at sensitive receptors, just not outside the hours of 7.00am to 7.00pm Monday to Friday, and 8.00am to 7.00pm on any other day (Saturday or Sunday). In the case of this development, at a scale 20 times less than an ERA extractive industry operation, producing just 5,000 tonnes per annum, Council has applied even stricter operating hours and operating day limitations to further ensure impacts are minimised.

Condition 3.8 of the Officers Recommendation dictates that emissions associated with the development must not cause an 'environmental nuisance' to any nearby sensitive receptor. This is also a standard condition applied by the State for larger scale ERA extractive industry operations. In the event Council receives noise complaints about the development, noise monitoring can be carried out to determine if the development is producing audible noise (at a sensitive receptor) that is loud enough to be deemed 'nuisance' noise under the *Environmental Protection Act 1994*. Again, just because something may be audible, does not mean that it is a nuisance noise.

Furthermore, within the immediate locality is an existing large scale hard rock quarrying activity, as well as numerous granted mining leases, with the closest mining lease area actually extending into the subject site and the northern adjoining property from the west. Despite not achieving the desired separation distances, the 800 metres that is achieved is deemed acceptable given the context of the locality with respect to existing and possible future quarrying/mining operations, the predominate wind direction and the small-scale nature of the extractive industry operation proposed.

It is considered that the suite of conditions included in the Officer Recommendation will help ensure noise impacts associated with the proposed development do not result in an unacceptable loss of amenity for nearby residents.

### **Hours of operation**

The standard accepted hours of operation applied to extractive industry approvals in the Mareeba Shire is 7.00am to 6.00pm Monday to Friday and 7.00am to 12.00 noon on Saturdays. No operations are permitted on Sundays or Public Holidays. This is consistent with operational limitations included in the Standard Conditions applied by the State for ERA 16 Approvals – extractive industry operations of 5,000 tonnes up to 100,000 tonnes per annum. The proposed 5,000 tonne per year proposal is considered small scale and is not an Environmentally Relevant Activity.

Commensurate to the scale of operation proposed, and given the lesser setbacks achieved between the processing area and nearby sensitive land uses, in consultation with the applicants, Council officers have reduced the allowable operating days from 6 days per week down to just 10 days per 4-week period.

This proposed reduction in standard hours of operation is likely to help minimise amenity impacts.

### **Traffic**

Traffic generated by the development is likely to be an average of 4 heavy vehicle movements per week plus 2-4 vehicle movements per day for the operational staff. Traffic impacts associated with the proposed development are considered negligible, particularly when you consider the high volume of heavy vehicle traffic already experienced along Tinaroo Creek Road.

Traffic associated with the proposed development is unlikely to impact on amenity.

**Advertising devices**

No advertising devices are proposed as part of the development.

**Visual amenity**

Although the proposed extractive industry processing area will be visible from parts of the adjoining properties, it will be effectively screened from view from the dwelling on the northern adjoining allotment. No dwelling exists on the southern adjoining allotment. Tinaroo Creek Road users will not be able to see the operation.

The proposed extractive industry operation will be effectively screened from view and will not impact on amenity.

**Privacy**

The proposed development is not likely to impact on the privacy of adjoining properties.

**Lighting**

The proposed development will not operate over evening or nighttime hours and will not incorporate any obtrusive lighting so will therefore not create lighting impacts on adjoining properties.

**Odour & Emissions**

The proposed extractive industry processing area is appropriately setback to ensure impacts from odour (from machinery and explosives) and dust are minimised. The use of water trucks and the easterly prevailing wind direction will further help minimise impacts.

**Conclusion**

With the inclusion of appropriate conditioning, it is considered that the proposed development can achieve compliance with PO6.