

10 January 2025

**Our Ref:** 21-651

**Chief Executive Officer**

Mareeba Shire Council  
PO Box 154  
MAREEBA QLD 4870

Attention: Mr Brian Millard – (BrianM@msc.qld.gov.au)

Dear Brian,

**RE: CONFIRMATION OF LANDOWNER'S CONSENT FOR A PROPOSED MINOR CHANGE OVER LAND LOCATED AT 936 TINAROO CREEK ROAD, MAREEBA, MORE FORMALLY DESCRIBED AS LOT 358 ON OL451.**

We refer to the above-described matter and confirm Urban Sync Pty Ltd (Urban Sync) has been engaged by Conmat Pty Ltd to apply to Mareeba Shire Council (Council) requesting a 'Change Approval' Minor under s78 of the Planning Act 2016 (PA), to an existing Decision Notice for Material Change of Use (MCU/12/0017) in effect over Lot 358 on OL451 at 936 Tinaroo Creek Road, Mareeba (the site).

The substance of the request to Mareeba Shire Council relates the change of development conditions that are considered impractical and are limiting productivity and the broader economy of the Mareeba region. While the site is also an 'Extractive Industry', the requested amendments to the approval relate specifically to a small area within the property for 'Concreted Batching Plant'.

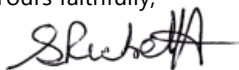
On the 17<sup>th</sup> of December 2024, this request for a 'Minor Change' was submitted to the Mareeba Shire Council without an accompanying signed Landowner's Consent Form. During this time, Urban Sync has been in an ongoing discussion with the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development, the owner of the site on behalf State of Queensland, at the time of submission and has since received a formal Signed Owner Consent as seen in **Attachment 1**.

In support of this request, we attach the following documents to assist with Council's assessment:

- Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development Signed Owner Consent as **Attachment 1**

As such, we are seeking confirmation from the Mareeba Shire Council that the Minor Change application, submitted on the 17 of December 2024, is considered to be a property made application, i.e. 'Lawful', under the Planning Act 2016 (PA) and will continue to be assessed by the Assessment Manager. We trust that our submission provides the necessary information for Council to consider and continue its assessment of the application. However, should you require any further details or clarification about the lodgement, please do not hesitate to contact our office.

Yours faithfully,



Stuart Ricketts.  
Director – Senior Planner.

E stuart@urbansync.com.au | T 4051 6946 | M 0418 985 935

**ATTACHMENT 1**

**DEPARTMENT OF NATURAL RESOURCES AND MINES,  
MANUFACTURING AND REGIONAL AND RURAL DEVELOPMENT  
SIGNED OWNER CONSENT**

8 January 2025

Urban Sync Pty Ltd  
Attn: Stuart Ricketts  
PO Box 2970  
Cairns QLD 4870

email: admin@urbansync.com.au



Department of  
**Natural Resources and Mines,  
Manufacturing and Regional  
and Rural Development**

Dear Stuart,

**Application for Owner Consent – Changing a Development Approval Conditions for Material Change of Use for Industry Concrete Batching Plant, within Lot 358 on Crown Plan OL451.**

Reference is made to your request dated 5 December 2024 requesting owner's consent to change a development approval for the purpose of section 79(1A) of the *Planning Act 2016*, for material change of use for industry concrete batching plan within Lot 358 on Crown Plan OL451

The department hereby gives owner's consent as the owner to accompany the development application for the purpose of section 79(1A)2) of the *Planning Act 2016* to change a development approval, for material change of use for industry concrete batching plan within Lot 358 on Crown Plan OL451

Although owner's consent to the change application has been provided and no tenure under the Land Act is required, your client is to undertake works on the land only if and when the change application has been approved by the assessment manager or responsible entity, and in accordance with the conditions of that approval.

A copy of this letter is to be attached to your DA Form 5 as the required evidence of owners consent.

Your client will also need to comply with all other legislative and regulatory requirements which may also include approvals that are not part of the assessment of the change application under the *Planning Act 2016* e.g. a marine park permit if in a marine park.

Further, please note that the above consent will expire on **8 July 2025**. Should the change application not be lodged with the assessment manager prior to this date, your client will be required again to lodge the DA Form 5 and any attachments with this Department with a further request for owner's consent - any further request will need to be reconsidered by the Department.

It is also advised that any land use activities must comply with the *Aboriginal Cultural Heritage Act 2003* or the *Torres Strait Islander Heritage Act 2003*.

Finally, owner's consent is required under the *Planning Act 2016* to enable the application to be considered properly made for lodging with the assessment manager and is a completely separate process to assessment of the application under the *Planning Act 2016*.

Accordingly, the State may act at a later date as assessment manager in the assessment of the change application - providing owner's consent will not influence any role the State may have in this development assessment.

If you wish to discuss this matter please contact Gerry McDonald on (07) 4222 5427.

All future correspondence relative to this matter is to be referred to the contact Officer at the address below or by email to [Lasslsteam1enq@resources.qld.gov.au](mailto:Lasslsteam1enq@resources.qld.gov.au) . Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number **2024/004256** in any future correspondence.

Yours sincerely



Dianne Camilleri  
Senior Land Officer  
A duly authorised delegate of the Minister  
under the current Land Act (Ministerial) Delegation

# Change application form

**Planning Act Form 5 (version 1.2 effective 7 February 2020) made under Section 282 of the Planning Act 2016.**

This form is to be used for a change application made under section 78 of the *Planning Act 2016*. It is important when making a change application to be aware of whether the application is for a minor change that will be assessed under section 81 of the *Planning Act 2016* or for an other change that will be assessed under section 82 of the *Planning Act 2016*.

An applicant must complete all parts of this form, and provide any supporting information that the form identifies as being required to accompany the change application, unless stated otherwise. Additional pages may be attached if there is insufficient space on the form to complete any part.

**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) (individual or company full name)	Conmat Construction Materials Pty Ltd
Contact name (only applicable for companies)	C/- Stuart Ricketts of Urban Sync Pty Ltd
Postal address (P.O. Box or street address)	PO Box 2970
Suburb	Cairns
State	Queensland
Postcode	4870
Country	Australia
Email address (non-mandatory)	<a href="mailto:admin@urbansync.com.au">admin@urbansync.com.au</a>
Mobile number (non-mandatory)	(07) 4051 6946
Applicant's reference number(s) (if applicable)	21-651

2) Owner's consent - Is written consent of the owner required for this change application?	
<b>Note:</b> Section 79(1A) of the <i>Planning Act 2016</i> states the requirements in relation to owner's consent.	
<input checked="" type="checkbox"/> Yes – the written consent of the owner(s) is attached to this change application	
<input type="checkbox"/> No	

## PART 2 – LOCATION DETAILS

3) Location of the premises (complete 3.1 or 3.2), and 3.3 as applicable)				
3.1) Street address and lot on plan				
<input checked="" type="checkbox"/> Street address <b>AND</b> lot on plan (all lots must be listed), <b>or</b>				
<input type="checkbox"/> Street address <b>AND</b> 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
		936	Tinaroo Creek Road	Mareeba
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)
	4880	358	OL451	Mareeba Shire Council
b)	Unit No.	Street No.	Street Name and Type	Suburb
	Postcode	Lot No.	Plan Type and Number (e.g. RP, SP)	Local Government Area(s)



**Queensland  
Government**

**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.

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: <input type="text"/>	

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: <input type="text"/>	

**3.3) Additional premises**

Additional premises are relevant to the original development approval and the details of these premises have been attached in a schedule to this application

Not required

**PART 3 – RESPONSIBLE ENTITY DETAILS**

**4) Identify the responsible entity that will be assessing this change application**

**Note:** see section 78(3) of the Planning Act 2016

Mareeba Shire Council

**PART 4 – CHANGE DETAILS**

**5) Provide details of the existing development approval subject to this change application**

Approval type	Reference number	Date issued	Assessment manager/approval entity
<input checked="" type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval	MCU/12/0017	20 May 2013	Tablelands Regional Council
<input type="checkbox"/> Development permit <input type="checkbox"/> Preliminary approval			

**6) Type of change proposed**

**6.1) Provide a brief description of the changes proposed to the development approval (e.g. changing a development approval for a five unit apartment building to provide for a six unit apartment building):**

Changing a Development Approval Conditions for Material Change of Use (Industry (Concrete Batching Plant))

**6.2) What type of change does this application propose?**

Minor change application – proceed to Part 5

Other change application – proceed to Part 6

## PART 5 – MINOR CHANGE APPLICATION REQUIREMENTS

7) Are there any affected entities for this change application		
<input checked="" type="checkbox"/> No – proceed to Part 7 <input type="checkbox"/> Yes – list all affected entities below and proceed to Part 7 <b>Note:</b> section 80(1) of the Planning Act 2016 states that the person making the change application must give notice of the proposal and the details of the change to each affected entity as identified in section 80(2) of the Planning Act 2016.		
Affected entity	Pre-request response provided? (where a pre-request response notice for the application has been given, a copy of the notice must accompany this change application)	Date notice given (where no pre-request response provided)
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	
	<input type="checkbox"/> No <input type="checkbox"/> Yes – pre-request response is attached to this change application	

## PART 6 – OTHER CHANGE APPLICATION REQUIREMENTS

**Note:** To complete this part it will be necessary for you to complete parts of DA Form 1 – Development application details and in some instances parts of DA Form 2 – Building work details, as mentioned below. These forms are available at <https://planning.dsdmip.qld.gov.au>.

8) Location details - Are there any additional premises included in this change application that were not part of the original development approval?
<input type="checkbox"/> No <input type="checkbox"/> Yes

9) Development details
<b>9.1) Is there any change to the type of development, approval type, or level of assessment in this change application?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Sections 1 and 2 of Part 3 (Development details) of DA Form 1 – Development application details as these sections relate to the new or changed aspects of development are provided with this application.
<b>9.2) Does the change application involve building work?</b> <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Building work details) of DA Form 2 – Building work details as it relates to the change application is provided with this application.

10) Referral details – Does the change application require referral for any referral requirements?
<b>Note:</b> The application must be referred to each referral agency triggered by the change application as if the change application was the original development application including the proposed change. <input type="checkbox"/> No <input type="checkbox"/> Yes – the completed Part 5 (Referral details) of DA Form 1 – Development application details as it relates to the change application is provided with this application. Where referral is required for matters relating to building work the <a href="#">Referral checklist for building work</a> is also completed.

11) Information request under Part 3 of the DA Rules
<input type="checkbox"/> I agree to receive an information request if determined necessary for this change application <input type="checkbox"/> I do not agree to accept an information request for this change application <b>Note:</b> By not agreeing to accept an information request I, the applicant, acknowledge:

- that this change application will be assessed and decided based on the information provided when making this change application and the assessment manager and any referral agencies relevant to the change application are not obligated under the DA Rules to accept any additional information provided by the applicant for the change application unless agreed to by the relevant parties
  - Part 3 of the DA Rules will still apply if the application is an application listed under section 11.3 of the DA Rules.
- Further advice about information requests is contained in the [DA Forms Guide: Forms 1 and 2](#).

## 12) Further details

- Part 7 of *DA Form 1 – Development application details* is completed as if the change application was a development application and is provided with this application.

## PART 7 – CHECKLIST AND APPLICANT DECLARATION

### 13) Change application checklist

I have identified the:

- responsible entity in 4); and
- for a minor change, any affected entities; and  Yes
- for an other change all relevant referral requirement(s) in 10)

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

- For an other change application, the relevant sections of [DA Form 1 – Development application details](#) have been completed and is attached to this application  Yes  Not applicable

- For an other change application, where building work is associated with the change application, the relevant sections of [DA Form 2 – Building work details](#) have been completed and is attached to this application  Yes  Not applicable

- Supporting information addressing any applicable assessment benchmarks is attached to this application  Yes
- Note:** This includes any templates provided under 23.6 and 23.7 of *DA Form 1 – Development application details* that are relevant as a result of the change application, a planning report and any technical reports required by the relevant categorising instrument(s) (e.g. the local government planning scheme, State Planning Policy, State Development Assessment Provisions). For further information, see [DA Forms Guide: Planning report template](#).

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

### 14) Applicant declaration

- By making this change application, I declare that all information in this change 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 responsible entity and any relevant affected entity or referral agency for the change 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 responsible entity and/or chosen assessment manager, any relevant affected entity or referral agency and/or building certifier (including any professional advisers which may be engaged by those entities) while processing, assessing and deciding the change application.

All information relating to this change 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*.



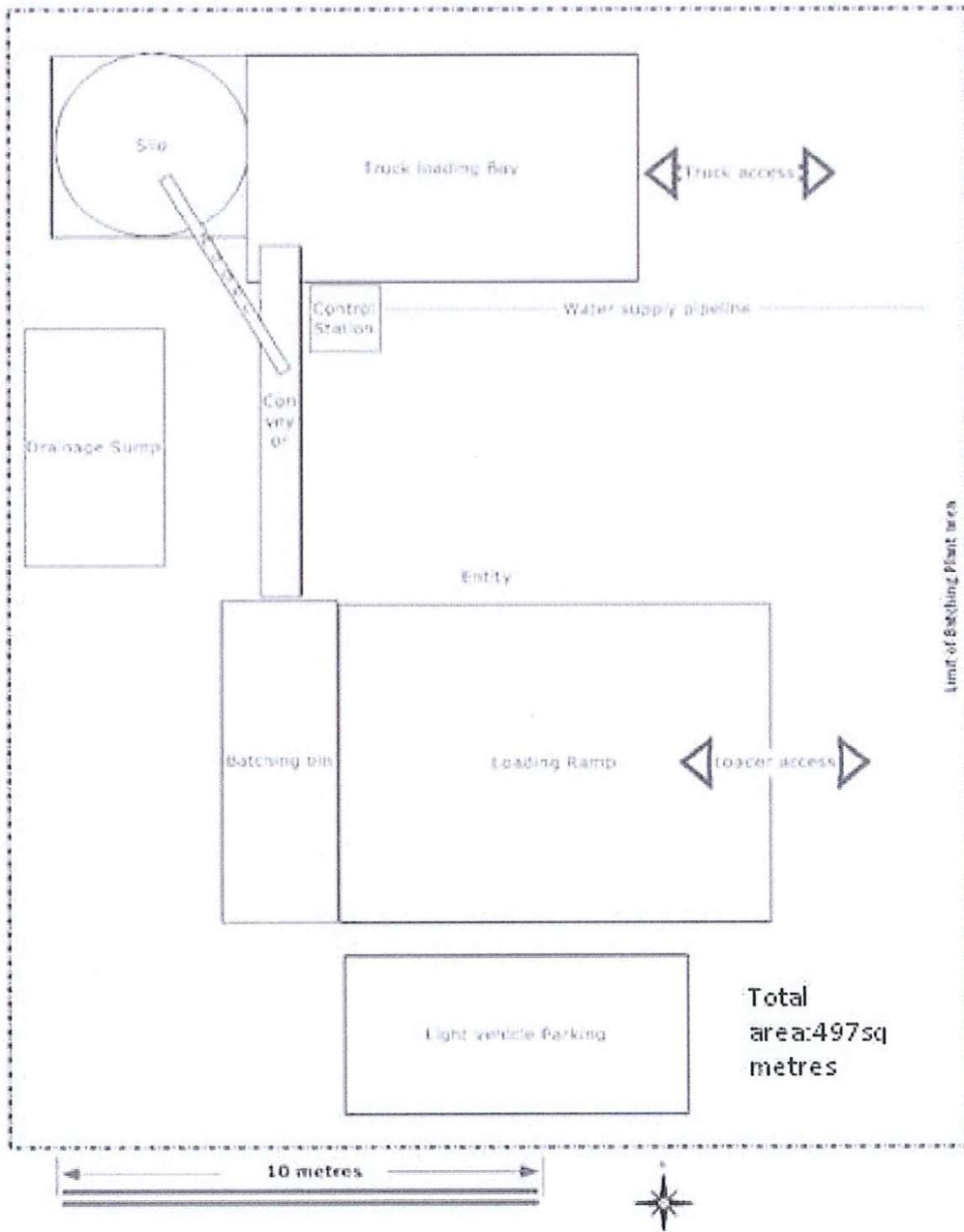
**PART 8 – FOR COMPLETION OF THE ASSESSMENT MANAGER – FOR OFFICE USE ONLY**

---

Date received:  Reference number(s):

QLeave notification and payment			
<i>Note: For completion by assessment manager if applicable</i>			
Description of the work			
QLeave project number			
Amount paid (\$)		Date paid (dd/mm/yy)	
Date received form sighted by assessment manager			
Name of officer who sighted the form			

ATTACHMENT 1 - APPROVED PLANS OF DEVELOPMENT (DWS VS 3067870 & 3067869)



## Layout of Concrete Batching Plan – Wallace Quarries

**APPROVED** on 17 MAY 2013  
subject to conditions detailed in Council's letter  
dated 20 MAY 2013

*B. Nancarrow*  
for **BRETT NANCARROW -**  
**MANAGER URBAN AND REGIONAL PLANNING**

