Cloncurry Shire Council

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Our ref: 221763 - TP09/17

12 September 2017

Aurizon Operations Limited Attention: Andrew Batts Senior Advisor Environmental Planning and Approvals PO Box 456 BRISBANE QLD 4001

Dear Andrew

DECISION NOTICE PURSUANT TO SECTION 334 OF THE SUSTAINABLE PLANNING ACT 2009

Development Application seeking a Development Permit for

- Material Change in Use - High Impact Industry

Development application type: (Intensification of the existing Cloncurry Container Terminal)

and Material change in use – Environmentally Relevant

Activity (ERA 50- Bulk materials handling)

Council reference number:

TP 09/16

Property situated at:

Round Oak Road, Cloncurry Qld 4824

Property description:

Lot 16 on SP130414 and part of Lot 46 on SP233672

Date the development application

24 May 2017

was properly made:

Date of decision:

12 September 2017

This is a decision notice given for a development application as defined by section 334 of the *Sustainable Planning Act 2009* (**SPA**).

I wish to advise that Council at its General Meeting held on 12 September 2017 resolved to approved the above development application and the granting of a development permit for a Material Change in Use, subject to conditions.

The conditions of approval are contained in Attachment 1, and were imposed by Council in its capacity as the Assessment Manger for the development application.

Development approval under s331 SPA

This development application has not been deemed to be approved under section 331 SPA.

1. Details of the approval

The following development approval has been given:

	Sustainable Planning Regulation 2009, schedule 3 reference	Development Permit	Preliminary Approval
Making a material change of use assessable under the planning scheme, a temporary local planning instrument, a master plan or a preliminary approval to which SPA section 242 applies.	Part 1, table 3, item 1		

2. Preliminary approval mentioned in section 242 SPA

Not applicable to this development application.

- 3. Other development permits and/or compliance permits necessary to allow the development to be carried out
 - Development approval for Operational works
- 4. Codes for self-assessable development related to the development approved

There are no applicable codes.

5. Details of any compliance assessment required under Part 10 of SPA for documents or work in relation to the development

No compliance assessment required.

6. Properly made submissions

There were no properly made submissions about the development application.

7. Conflict with a relevant instrument

The Council, as assessment manager, does not consider that its decision conflicts with a relevant instrument.

8. Referral agencies

SARA as a concurrence agency provided a referral response which is attached to the decision notice.

9. Approved plans

Title	Plan No	Rev	Date	Prepared By
Cover Sheet , Drawing Index and Locality Plan	AUR-Q-0697-0003	1	07.04.2017	GHD
General Notes and Standard Drawings List	AUR-Q-0679-0004	А	07.07.2017	GHD
Existing Features and Services Layout Plan	AUR-Q-0679-0102	1	07.04.2017	GHD
Site Works Layout Plan	AUR-Q-0679-0103	1	07.04.2017	GHD

Erosion and Sediment Control Plan	AUR-Q-0679-1010	Α	07.07.2017	GHD
Erosion and Sediment Control Notes and Details	AUR-Q-0679-1011	A	07.07.2017	GHD
Stormwater Drainage Layout and Catchment Plan	AUR-Q-0679-4001	A	07.07.2017	GHD
Control line Setout Plan	AUR-Q-0679-5002	1	07.04.2017	GHD
Control Line Setout Tables	AUR-Q-0679-5003	1	07.04.2017	GHD
Roadworks Typical Sections and Details	AUR-Q-0679-5101	A	07.07.2017	GHD
Intersection and Layby Area Details (AUR-Q-0679-5500 Issue A includes the changes to AUR-Q-0697-5403 issue 1 reflecting Ballast Rd Access)	AUR-Q-0679-5403 AUR-Q-0679-5500	1 A	07.04.2017 07.07.2017	GHD
Signage and Linemarking Layout Plan (including amendments from SARA shown in red see attached)	AUR-Q-0679-6200	1	07.04.2017	GHD

10. When approval lapses if development not started (s.341)

The development approval will lapse in accordance with section 341(1) of SPA.

11. Appeal rights

Appeals by applicants

Pursuant to section 461(1) SPA, an applicant for a development application may appeal to the Planning and Environment Court against the following:

- the refusal, or refusal in part of the development application
- any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242 of SPA
- the decision to give a preliminary approval when a development permit was applied for
- the length of a period mentioned in section 341
- a deemed refusal of the development application.

The timeframes for starting an appeal in the Planning and Environment Court are set out in section 461(2) and (3) of SPA. **Attachment 2** is an extract from SPA which details the applicant's appeal rights regarding this decision.

Should you have any questions or concerns in respect of this matter please contact Council's Planning and development Officer, Larinda Turrell, at this office.

Yours faithfully

Ben Milligan

Chief Executive Officer

Attachment 1- Conditions of the approval - Part 1—Conditions imposed by the assessment manager

Attachment 2-SPA extract on appeal rights

Attachment 3-Approved plans

Attachment 4- Conditions of the approval- Conditions imposed by concurrence agencies

ATTACHMENT 1 - CONDITIONS OF APPROVAL

NATURE OF DECISION

A The Cloncurry Shire Council issues a development permit for Development application - Reference TP09/17 under the repealed *Sustainable Planning Act 2009* in accordance with the transitional provisions of the *Planning Act 2016*.

GENERAL

1. Site Layout

(a) The development must generally comply with the Approved Proposal Plans and Design Drawings as referenced in the table below, which forms part of this application, except as otherwise specified by any condition of this approval.

Title	Plan No	Rev	Date	Prepared By
Cover Sheet, Drawing Index and Locality Plan	AUR-Q-0697-0003	1	07.04.2017	GHD
General Notes and Standard Drawings List	AUR-Q-0679-0004	Α	07.07.2017	GHD
Existing Features and Services Layout Plan	AUR-Q-0679-0102	1	07.04.2017	GHD
Site Works Layout Plan	AUR-Q-0679-0103	1	07.04.2017	GHD
Erosion and Sediment Control Plan	AUR-Q-0679-1010	Α	07.07.2017	GHD
Erosion and Sediment Control Notes and Details	AUR-Q-0679-1011	Α	07.07.2017	GHD
Stormwater Drainage Layout and Catchment Plan	AUR-Q-0679-4001	Α	07.07.2017	GHD
Control line Setout Plan	AUR-Q-0679-5002	1	07.04.2017	GHD
Control Line Setout Tables	AUR-Q-0679-5003	1	07.04.2017	GHD
Roadworks Typical Sections and Details	AUR-Q-0679-5101	Α	07.07.2017	GHD
Intersection and Layby Area Details	AUR-Q-0679-5403	1	07.04.2017	GHD
(AUR-Q-0679-5500 Issue A includes the changes to AUR-Q-0697-5403 issue 1 reflecting Ballast Rd Access)	AUR-Q-0679-5500	Α	07.07.2017	GHD
Signage and Linemarking Layout Plan (including amendments from SARA shown in red see attached)	AUR-Q-0679-6200	1	07.04.2017	GHD

2. Compliance with conditions

- (a) All conditions must be complied with prior to the commencement of intensification of existing activity and capacity on the subject site, unless specified in an individual condition.
- (b) The conditions of this development approval are to be read in conjunction with the approved plans /drawings/ documents at all times. Where a conflict occurs between the conditions of this approval and the approved plans / documents, the conditions of this development approval shall prevail.

3. Site Access and Intersection with Round Oak Road

(a) The site access and intersection with Round Oak Rd is to be upgraded in accordance with the Drawings referenced for intersection and layout details; including the additional Ballast Access Road design detail as shown on Drawing no. AUR-Q-0679-5500 Issue A; as signed-off by an RPEQ.

To be complied with prior to the commencement of the use.

(b) The proposed new layby area as shown on Drawings AUR-Q-0679-5403 Issue 1 and AUR-Q-

0679-5500 Issue A in Round Oak Rd to the south-east of the railway crossing is to be deleted as it is not approved.

To be complied with prior to the commencement of the use.

4. Internal Road and Access

(a) The internal access road, beyond the planned extent of the sealed pavement to the Round Oak Rd frontage access; is to be of a non sealed hardstand construction as designed and certified by an RPEQ and where existing, is to be upgraded and maintained to a good engineering standard /condition.

To be complied with prior to the commencement of the use.

- (b) A regular monitoring program of inspection and maintenance is to be put in place and undertaken by the applicant / site operator.
- (c) The proposed upgrade of the existing ballast access road within the Aurizon site (Lot 16 on SP130414) and the associated new access gate at the western end of the existing hardstand area is to be designed to permit the movement of A-Triple Road Trains from the ballast access road onto the hardstand. This is to provide an alternative internal access route in the event that such access becomes necessary due to an unplanned blockage at the main vehicle entrance from Round Oak Road.

To be complied with prior to the commencement of the use.

5. Round Oak Road Pavement Impacts

Due to the intensification of heavy vehicle movements to and from the site as a result of this development permit placing additional impacts on the existing pavement condition in Round Oak Road (a Council controlled road), the Applicant is to undertake a pavement monitoring program in Round Oak Road (with detail to be agreed with Council), for a period not exceeding 18months (unless otherwise agreed between the Council and the Applicant) from the commencement date in intensifying the haulage capacity provided for by this development permit. This program will determine if there is a level of failure /deterioration occurring to the pavement condition and the necessity for undertaking remedial / restoration action by the Council at a cost to be agreed and met wholly by the Applicant.

6. Car Parking Area

(a) A detailed drawing is to be prepared of the existing staff and visitor carpark area adjacent to the administrative building and provided to Council for approval by its delegated officer. The drawing is to demonstrate the bay layout numbers and ability to meet the requirements of (d) below.

To be complied with prior to the commencement of the use.

(b) The existing car parking areas should be constructed of a durable, suitable material, such as compacted hard stand gravel (minimum depth of 150mm), in accordance with Council's Standard Drawings.

To be complied with prior to the commencement of the use.

- (c) The carparking area where vehicles are driven is to be maintained to an appropriate standard to the satisfaction of Council. A program of regular inspection and maintenance is to be undertaken by the applicant / site operator.
- (d) Access and internal manoeuvring is provided for in accordance with AS1428 Design for access and mobility and AS1742.1 Manual of Uniform Traffic Control Devices.

7. Water Supply

- (a) The existing potable water supply provision through contracted supply to the administration building is to be maintained and is to meet the reasonable demands on site.
- (b) The existing non-potable supply contained within 2x 90kl concrete tanks for fire- fighting purposes is to be maintained at a capacity to meet the supply demands in case of an emergency.

8. Stormwater Drainage

- (a) Stormwater discharging from the site is to be directed to a lawful point of discharge.
- (b) Stormwater drainage is to be managed, controlled and treated (incorporating collection, quality and quantity measures) in accordance with the Site Based Stormwater Management Plan prepared by GHD dated 13th April 2017 (as certified by an RPEQ).
- (c) Overland flow paths on the site must not be altered in a way that inhibits or alters the characteristics of existing overland flows on other properties or that creates an increase in flood damage on other properties. Localised stormwater path affects caused by the proposed access

upgrades are to be appropriately addressed through the development of the proposed detention (and bio-retention) basins which are to ensure that flows can be reduced to match (or improve upon) the existing flows and have a 'no worsening' effect.

(d) Stormwater and any on-site wastewater systems proposed should not result in the contamination of groundwater flows.

(e) With a reduction in suspended solids achieved through the Site Based Stormwater Management Plan, a significant amount of the hydrocarbon material is to be captured for disposal, prior to stormwater runoff being discharged into existing waterways.

9. Noise Management

Noise mitigation measures as detailed in Operational Noise and Vibration Assessment report prepared by GHD dated April 2017 (including the measures detailed in Section 7) shall be put in place to contain and manage noise levels so as not to give rise to unacceptable affect on nearby sensitive receiving land uses.

10. Dust Management

During operation of the approved use, the operator is to put in place appropriate mitigation measures for the suppression of dust, so as not to cause a nuisance.

11. Environmental Management Plan and Associated Matters

- (a) The development is be carried out in accordance with the Environmental Management Plan (Planning) (EMP) prepared by GHD and lodged in support of proposed development (including but not limited to implementing the Erosion and Sediment Plan; the prevention of risk of any accidental spillage(s), bunded containment to mitigate potential environment harm and emergency management responses).
- (b) Due to the site having been used for a notifiable activity (chemical storage), no soil will be removed from Lot 16 on Survey Plan 130414, unless appropriate testing is undertaken and a disposal permit is sought in accordance with the *Environmental Protection Act 1994*. Additionally, removal of any soil is to undertaken only where in compliance with the *Cloncurry Shire Planning Scheme 2016*.
- (c) During the construction phase, implementation of appropriate EMP controls /actions for dust suppression, erosion and sediment control and noise/vibration management, will ensure that any short-term adverse effects on local amenity will be minimised.

12. Lighting

Any additional lighting to that existing is to be designed, installed and maintained in accordance with the requirement of AS4282-1997 "Control of the Obtrusive Effects of Outdoor lighting".

13. Landscaping

In association with the detailed drawing required by Condition 6 (a), additional detail of the existing vegetation (landscape planting) adjacent to the vehicular entry and carparking area is to be provided; with additional planting to be shown to supplement that existing as feature statements and be suitably integrated with any advertising devices (signage) and be approved by Council's delegated officer prior to the commencement date in intensifying haulage capacity provided for by this development permit.

14. Advertising Devices

The design detail and specification for any alternation to an existing sign or the erection of a new sign is to be submitted to Council's Delegated Officer for approval.

[Note - Advertising devices must comply with section 9.4.1 – Advertising device code].

ADVICE - Please note that these are not conditions

- A. The Applicant is responsible for securing all necessary approvals, permits and tenure, providing statutory notifications and complying with all relevant laws. Nothing in this development approval alleviates the need for the Applicant to comply with all relevant Local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the Applicant is involved. Without limiting this obligation, the Applicant is responsible for:
 - (a) Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called (this may include further development approvals under the "Sustainable Planning Act 2009" and the planning scheme) required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;

- (b) Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the "Environmental Protection Act 1994" of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity');
- (c) Securing tenure/permission from the relevant owner to use private or public land not owned by the Applicant (including for access required by conditions of approval); and
- (d) Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the Applicant to ensure compliance with this decision notice and applicable codes.

B. Indigenous Cultural Heritage Legislation and Duty of Care Requirement

The "Aboriginal Cultural Heritage Act 200" (ACHA) establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

- (e) Is not negated by the issuing of this development approval;
- (f) Applies on all land and water, including freehold land;
- (g) Lies with the person or entity conducting an activity; and
- (h) If breached, is subject to criminal offence penalties.

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care. Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the ACHA. The Applicant should contact NRW's Cultural Heritage Coordination Unit on (07) 3238 3838 for further information on the responsibilities of developers under the ACHA.

C. Limitation of Approval

The Council and its officers make no representations and provide no warranties as to the accuracy of the information contained in the development application including its supporting material provided to it by the Applicant.

The Council and its officers rely upon the applicant concerning the accuracy and completeness of the application and its supporting material and accepts the development application and supporting material as constituting a representation by the applicant as to its accuracy and completeness.

ATTACHMENT 2 APPEAL RIGHTS

Planning and Environment Court:

461 Appeals by applicants

- (1) An applicant for a development application may appeal to the court against any of the following—
 - (a) the refusal, or the refusal in part, of the development application;
 - (b) any condition of a development approval, another matter stated in a development approval and the identification or inclusion of a code under section 242;
 - (c) the decision to give a preliminary approval when a development permit was applied for;
 - (d) the length of a period mentioned in section 341;
 - (e) a deemed refusal of the development application.
- (2) An appeal under subsection (1)(a), (b), (c) or (d) must be started within 20 business days (the *applicant's appeal period*) after—
 - (a) if a decision notice or negotiated decision notice is given—the day the decision notice or negotiated decision notice is given to the applicant; or
 - (b) otherwise—the day a decision notice was required to be given to the applicant.
- (3) An appeal under subsection (1)(e) may be started at any time after the last day a decision on the matter should have been made.

462 Appeals by submitters—general

- (1) A submitter for a development application may appeal to the court only against
 - (a) the part of the approval relating to the assessment manager's decision about any part of the application requiring impact assessment under section 314; or
 - (b) the part of the approval relating to the assessment manager's decision under section 327.
- (2) To the extent an appeal may be made under subsection (1), the appeal may be against 1 or more of the
 - following -
 - (a) the giving of a development approval;
 - (b) any provision of the approval including—
 - (i) a condition of, or lack of condition for, the approval; or
 - (ii) the length of a period mentioned in section 341 for the approval.
- (3) However, a submitter may not appeal if the submitter—
 - (a) withdraws the submission before the application is decided; or
 - (b) has given the assessment manager a notice under section 339(1)(b)(ii).
- (4) The appeal must be started within 20 business days (the *submitter's appeal period)* after the decision notice or negotiated decision notice is given to the submitter.

481 How appeals to the court are started

- (1) An appeal is started by lodging written notice of appeal with the registrar of the court.
- (2) The notice of appeal must state the grounds of the appeal.

- (3) The person starting the appeal must also comply with the rules of the court applying to the appeal.
- (4) However, the court may hear and decide an appeal even if the person has not complied with subsection (3).

482 Notice of appeal to other parties—development applications and approvals

- (1) An appellant under division 8 must give written notice of the appeal to—
 - (a) if the appellant is an applicant—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any concurrence agency; and
 - (iii) any concurrence agency; and
 - (iv) any principal submitter whose submission has not been withdrawn; and
 - (v) any advice agency treated as a submitter whose submission has not been withdrawn; or
 - (b) if the appellant is a submitter or an advice agency whose response to the development application is treated as a submission for an appeal—
 - (i) the chief executive; and
 - (ii) the assessment manager; and
 - (iii) any referral agency; and
 - (iv) the applicant; or
 - (c) if the appellant is a person to whom a notice mentioned in section 465(1) has been given—
 - (i) the chief executive; and
 - (ii) the assessment manager for the development application to which the notice relates; and
 - (iii) any entity that was a concurrence agency for the development application to which the notice relates; and
 - (iv) the person who made the request under section 383 to which the notice relates, if the person is not the appellant; or
 - (d) if the appellant is a person mentioned in section 466(1)—
 - (i) the chief executive; and
 - (ii) the responsible entity for making the change to which the appeal relates; and
 - (iii) the person who made the request to which the appeal relates under section 369, if the person is not the appellant; and
 - (iv) if the responsible entity is the assessment manager—any entity that was a concurrence agency for the development application to which the notice of the decision on the request relates; or
 - (e) if the appellant is a person to whom a notice mentioned in section 467 has been given—the entity that gave the notice.
- (2) The notice must be given within—
 - (a) if the appellant is a submitter or advice agency whose response to the development application is treated as a submission for an appeal—2 business days after the appeal is started; or
 - (b) otherwise—10 business days after the appeal is started.
- (3) The notice must state—

- (a) the grounds of the appeal; and
- (b) if the person given the notice is not the respondent or a co-respondent under section 485—that the person may, within 10 business days after the notice is given, elect to become a co-respondent to the appeal by filing in the court a notice of election in the approved form.

485 Respondent and co-respondents for appeals under div 8

- (1) Subsections (2) to (8) apply for appeals under sections 461 to 464.
- (2) The assessment manager is the respondent for the appeal.
- (3) If the appeal is started by a submitter, the applicant is a co-respondent for the appeal.
- (4) Any submitter may elect to become a co-respondent for the appeal.
- (5) If the appeal is about a concurrence agency's response, the concurrence agency is a corespondent for the appeal.
- (6) If the appeal is only about a concurrence agency's response, the assessment manager may apply to the court to withdraw from the appeal.
- (7) The respondent and any co-respondents for an appeal are entitled to be heard in the appeal as a party to the appeal.
- (8) A person to whom a notice of appeal is required to be given under section 482 and who is not the respondent or a co-respondent for the appeal may elect to be a co-respondent.
- (9) For an appeal under section 465—
 - (a) the assessment manager is the respondent; and
 - (b) if the appeal is started by a concurrence agency that gave the assessment manager a notice under section 385—the person asking for the extension the subject of the appeal is a corespondent; and
 - (c) any other person given notice of the appeal may elect to become a corespondent.
- (10) For an appeal under section 466—
 - (a) the responsible entity for making the change to which the appeal relates is the respondent; and
 - (b) if the responsible entity is the assessment manager—
 - (i) if the appeal is started by a person who gave a notice under section 373 or a prerequisite response notice—the person who made the request for the change is a co-respondent; and
 - (ii) any other person given notice of the appeal may elect to become a co-respondent.
- (11) For an appeal under section 467, the respondent is the entity given notice of the appeal.

488 How an entity may elect to be a co-respondent

An entity that is entitled to elect to be a co-respondent to an appeal may do so, within 10 business days after notice of the appeal is given to the entity, by following the rules of court for the election.

490 Lodging appeal stops particular actions

- (1) If an appeal, other than an appeal under section 465, 466 or 467, is started under division 8, the development must not be started until the appeal is decided or withdrawn.
- (2) If an appeal is about a condition imposed on a compliance permit, the development must not be started until the appeal is decided or withdrawn. Despite subsections (1) and (2), if the court is satisfied the outcome of the appeal would not be affected if the development or part of the development is started before the appeal is decided, the court may allow the development or part of the development to start before the appeal is decided.

ATTACHEMENT 3 APPROVED PLANS

ATTACHMENT 4 – CONCURRENCE AGENCY CONDITIONS



Department of infrastructure, Local Government and Planning

Our reference: SDA-0517-039589 Your reference: 219977 – TP09/17

11 August 2017

Chief Executive Officer Cloncurry Shire Council Po Box 3 Cloncurry QLD 4824

Dear Mr. Milligan,

Concurrence agency response—with conditions

Application for Material Change of Use - High Impact Industry (Intensification of the Existing Cloncurry Container Terminal) and Environmentally Relevant Activity (ERA 50 – Bulk Materials Handling) on land located at Hutchinson Parade and 85 Mcilwraith Street - Cloncurry, QLD (Given under section 285 of the Sustainable Planning Act 2009)

The referral agency material for the development application described below was received by the Department of Infrastructure, Local Government and Planning under section 272 of the Sustainable Planning Act 2009 on 26 May 2017.

Applicant details

Applicant name:

Aurizon Operations Limited

Applicant contact details:

GPO Box 456

BRISBANE QUEENSLAND 4001 andrew.batts@aurizon.com.au

Site details

Street address:

Hutchinson Parade - Cloncurry and 85 Mcilwraith Street -

Cloncurry, QLD

Lot on plan:

Lot 16 on SP130414 and Lot 46 on SP233672

Local government area:

Cloncurry Shire

Application details

Proposed development:

Development Permit for Material Change of Use - High Impact Industry (Intensification of the Existing Cloncurry

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North Outerisland Regional Office Floor 4, Verde Building, 445 Finders Street, PO Box 5666 Townsville Old 4810 Container Terminal) and Environmentally Relevant Activity (ERA 50 – Bulk Materials Handling)

Aspects of development and type of approval being sought

Nature of Development	Approval Type	Brief Proposal of Description	Level of Assessment
Material Change of	Development	High Impact Industry	Impact
Use	Permit	(Intensification of the Existing Cloncurry Container Terminal) and Environmentally Relevant Activity (ERA 50 – Bulk Materials Handling)	Assessment

Referral triggers

The development application was referred to the department under the following provisions of the Sustainable Planning Regulation 2009:

Referral trigger

Schedule 7, Table 2, Item 1 - Environmentally relevant activities

Schedule 7, Table 3, Item 1 - State-controlled road

Schedule 7, Table 3, Item 2 - Development impacting on State

transport infrastructure

Schedule 7, Table 3, Item 10 - Clearing vegetation

Schedule 7, Table 3, Item 15A - Railways

Conditions

Under section 287(1)(a) of the Sustainable Planning Act 2009, the conditions set out in Attachment 1 must be attached to any development approval.

Reasons for decision to impose conditions

Under section 289(1) of the now repealed *Sustainable Planning Act 2009*, the department must set out the reasons for the decision to impose conditions. These reasons are set out in Attachment 2.

Further advice

The department offers advice about the application to the applicant —see Attachment 3.

Approved plans and specifications

The department requires that the following plans and specifications set out below and in Attachment 4 must be attached to any development approval.

Drawing/Report Title	Prepared by	Date	Reference no.	Version/Issue
Aspect of development: ma	aterial change of us	е		
Site Works Layout Plan	GHD	7/04/2017	AUR-Q- 0697-0103	1
Signage and Linemarking Layout Plan	GHD	7/04/2017	AUR-Q-069- 6200	1

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

For further information, please contact Javier Samanes, Senior Planning Officer, SARA North QLD on 4758 3416, or email javier.samanes@dilgp.qld.gov.au who will be pleased to assist.

Yours sincerely

Robin Clark

Director, Planning

Adm Clah

Planning and Development Services - Northern Region

Aurizon Operations Limited, andrew.batts@aurizon.com.au

enc:

Attachment 1—Conditions to be imposed
Attachment 2—Reasons for decision to impose conditions
Attachment 3—Further advice
Attachment 4—Approved Plans and Specifications

Our reference: SDA-0517-039589 Your reference: 219977 – TP09/17

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Existing	ment Permit for Material Change of Use - High Impact Industry (Inter Cloncurry Container Terminal) and Environmentally Relevant Activity is Handling)	nsification of the y (ERA 50 – Bulk
impactir Pursuar the Act assessi	le 7, Table 3, Item 1 – State-controlled road, Schedule 7, Table 3, Iten 15, on State transport infrastructure and Schedule 7, Table 3, Item 15, it to section 2550 of the Sustainable Planning Act 2009, the chief extending the Director-General of the Department of Transport and Iten authority for the development to which this development approval tration and enforcement of any matter relating to the following conditions.	A - Railways— ecutive administering Main Roads to be the relates for the
1.	(a) The development must be carried out generally in accordance with the following plans: • Site Works Layout Plan, prepared by GHD, dated 07/04/2017, drawing number AUR-Q-0697-0103, issue 1. • Signage and Linemarking Layout Plan, prepared by GHD, dated 07/04/2017, drawing number AUR-Q-0697-6200, issue 1 (as amended in red on 9/08/2017).	(a) Prior to the commencement of use and to be maintained at all times
	(b) The applicant must provide to the Program Delivery and Operations Unit, Department of Transport and Main Roads, North Queensland Region (North.Queensland.IDAS@tmr.qld.gov.au) written evidence from the railway manager that the required works have been designed and constructed in accordance with part (a) of this condition.	(b) Prior to commencement of use
2.	(a) Any excavation, filling/backfilling/compaction, retaining structures, services and utilities, stormwater management measures and other works involving ground disturbance must not encroach upon or de-stabilise the railway, including rail transport infrastructure or the land supporting this infrastructure, or cause similar adverse impacts.	(a) At all times
	(b) RPEQ certification with supporting documentation must be provided to the Program Delivery and Operations Unit, Department of Transport and Main Roads, North Queensland Region (North Queensland.IDAS@tmr.qld.gov.au), confirming that the development has been designed and constructed in accordance with part (a) of this condition.	(b) Prior to commencement of use
3.	(a) Stormwater management of the development must ensure no worsening or actionable nuisance to the railway. (b) Any works on the land must not:	(a) At all times (b) At all times

No.	Conditions	Condition timing
	(c) RPEQ certification with supporting documentation must be provided to the Program Delivery and Operations Unit, Department of Transport and Main Roads, North Queensland Region (North-Queensland.IDAS@tmr.qld.gov.au), confirming that the development has been designed and constructed in accordance with parts (a) and (b) of this condition.	(c) Prior to the commencement of use
Plann Depar which	Julie 7, Table 3, Item 10 – Clearing vegetation—Pursuant to section 25% ing Act 2009, the chief executive administering the Act nominates the Ethern of Natural Resources and Mines to be the assessing authority for this development approval relates for the administration and enforceming to the following conditions:	Director-General of the r the development to
4.	The clearing of vegetation under this approval is limited to the area identified as Area A as shown on the attached Referral Agency Response (Vegetation) Plan (RARP) SDA-0517- 039589 dated 20 June 2017.	At all times
5.	Any person(s) engaged or employed to carry out the <u>clearing</u> of <u>vegetation</u> under this development approval must be provided with a full copy of this development approval, and must be made aware of the full extent of <u>clearing</u> authorised by this development approval.	Prior to <u>clearing</u>

Our reference: SDA-0517-039589 Your reference: 219977 - TP09/17

Attachment 2-Reasons for decision to impose conditions

The reasons for this decision are:

- To ensure the development is carried out generally in accordance with the plans of development submitted with the application
- To ensure the development and its construction does not cause adverse structural impacts on state-transport infrastructure
- To ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state transport corridor.
- Where relevant to ensure compliance with a Performance Outcome/s.
- · To ensure compliance with development approval.

Our reference: SDA-0517-039589 Your reference: 219977 - TP09/17

Attachment 3—Further advice

General advice

 Words underlined in these conditions have the same meaning given in the Glossary of Terms found within the State Development Assessment Provisions Module 8: Native vegetation.

Further development permits, compliance permits or compliance certificates

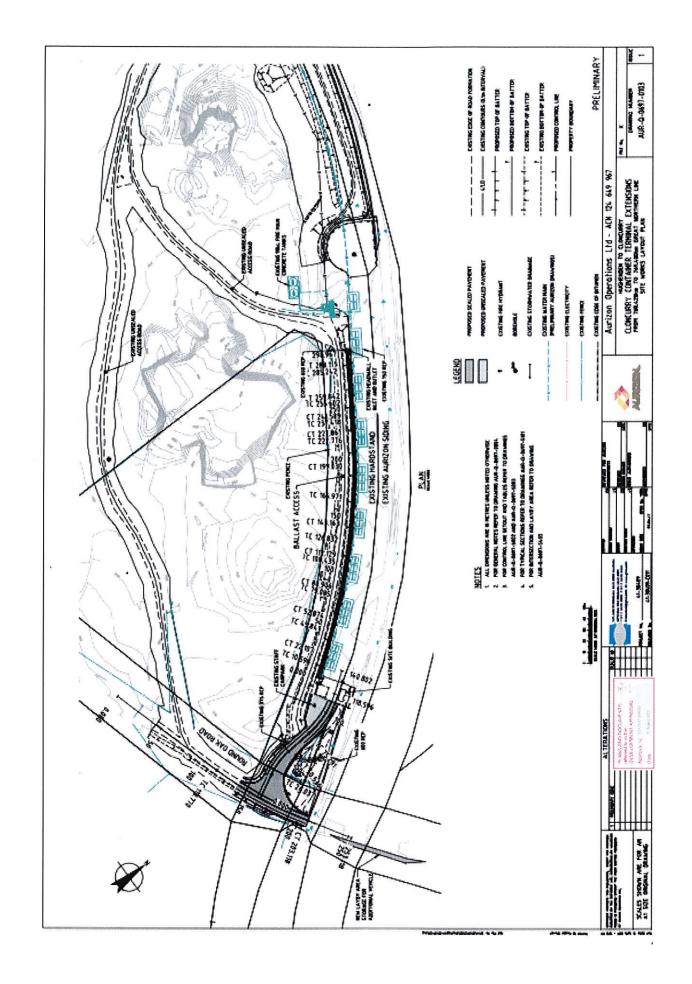
2. Pursuant to section 255 of the Transport Infrastructure Act 1994, the railway manager's written approval is required to carry out works in or on a railway or otherwise interfere with the railway or its operations. In particular, any works associated with establishing the development and railway level crossing upgrade works will require relevant approvals to be obtained from the railway manager, for example, wayleave agreements, and licences to enter and construct, amongst other relevant approvals. The proposed works will need to ensure the safety and operational integrity of the Great Northern Line during all stages of the development including during construction and on-going operation.

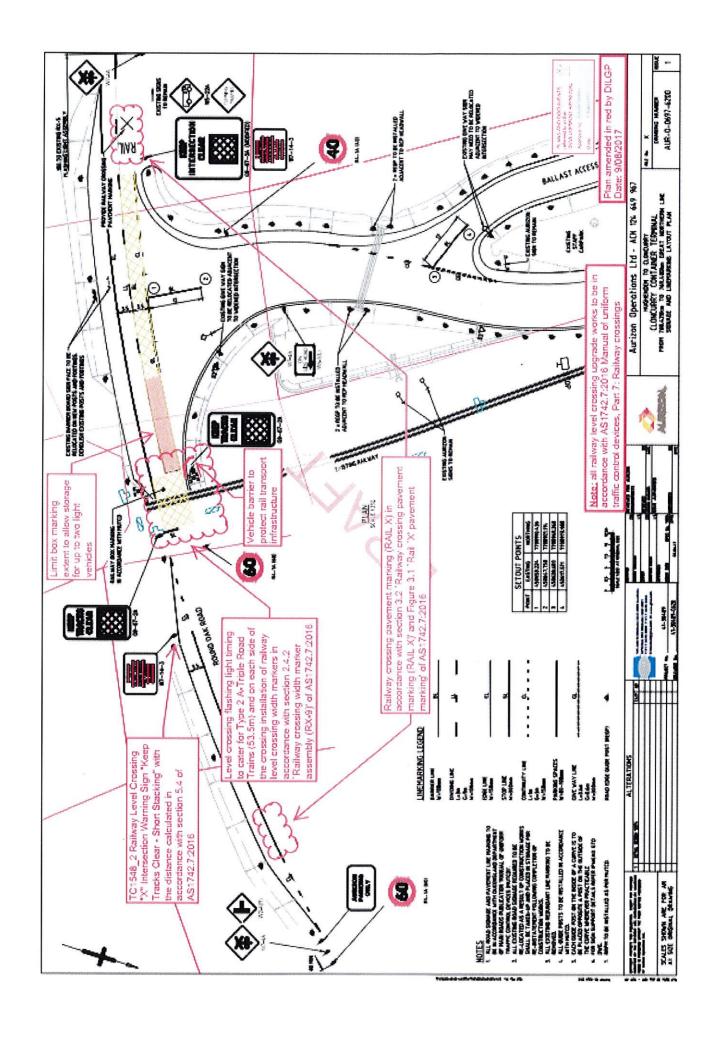
Please be advised that this concurrence agency response does not constitute an approval under section 255 of the *Transport Infrastructure Act 1994* and that such approvals need to be separately obtained from the relevant railway manager.

The applicant should contact the Queensland Rail property team on telephone number (07) 3072 1229 or at gropertywayleaves@qr.com.au in relation to obtaining the necessary approvals.

Our reference: SDA-0517-039589 Your reference: 219977 - TP09/17

Attachment 4—Approved plans and specifications





CLONCURRY CONTAINER TERMINAL EXTENSIONS AURIZON OPERATIONS LTD

Cloncurry Shire Council Approved with Conditions Town Planning

Approved Date: ..

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HAGHENDEN TO CLONCURRY CONTAINER TERMINAL EXTENSIONS FROM TIGAZINA TO 108-4400A GREAT MOTHERS LINE COPER SEET, BRANNES RICK, AND LOCALITY PLAN

Aurizon Operations Ltd - ACN 124 649 967

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PNEKO	
MSM-111	INDRETENTION STANGARD PROPILE - OVERFLOW PIT
WSWD-113	BIORETENTION STANDARD PROPILE - UNDERDRAIN CLEANOUT
ASID-115	BOSETENTION - LARGE COARSE SECRENT FOREBAY
901-075M	MORE TENTION BASH - WERE DETALS
05-50	DRAMMER PITS - FELD SKET - TYPE 1 AND TYPE 2
SED R-142	SUBSOL DRAIN ACCESS POINTS
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MAT-1285	THRUST BLOCK DETAILS CONCRETE BLOCKS
WAT-1360	VALVE AND HYDRANT DENTIFICATION - IDENTIFICATION MARKERS AND MARKER POSTS
WAT-1303	TYPICAL SURFACE FITTING INSTALLATION GATE VALVE SURFACE BOXES NOW TRAFFICABLE
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Approved Date: 12 SEP 2017 TP 09/17

Cloncurry Shire Council

Town Planning

Aurizan Operations Ltd - ACN 124 649 967

HAGHENEN TO CLONCURRY
CLONCURRY CONTAINEN TERMALE EXTENSIONS
FROM TORACZNA TO 1964-ABOR GRAFI MORTHEN LINE
GENERAL NOTES AND STANDARD DRAWINGS LIST

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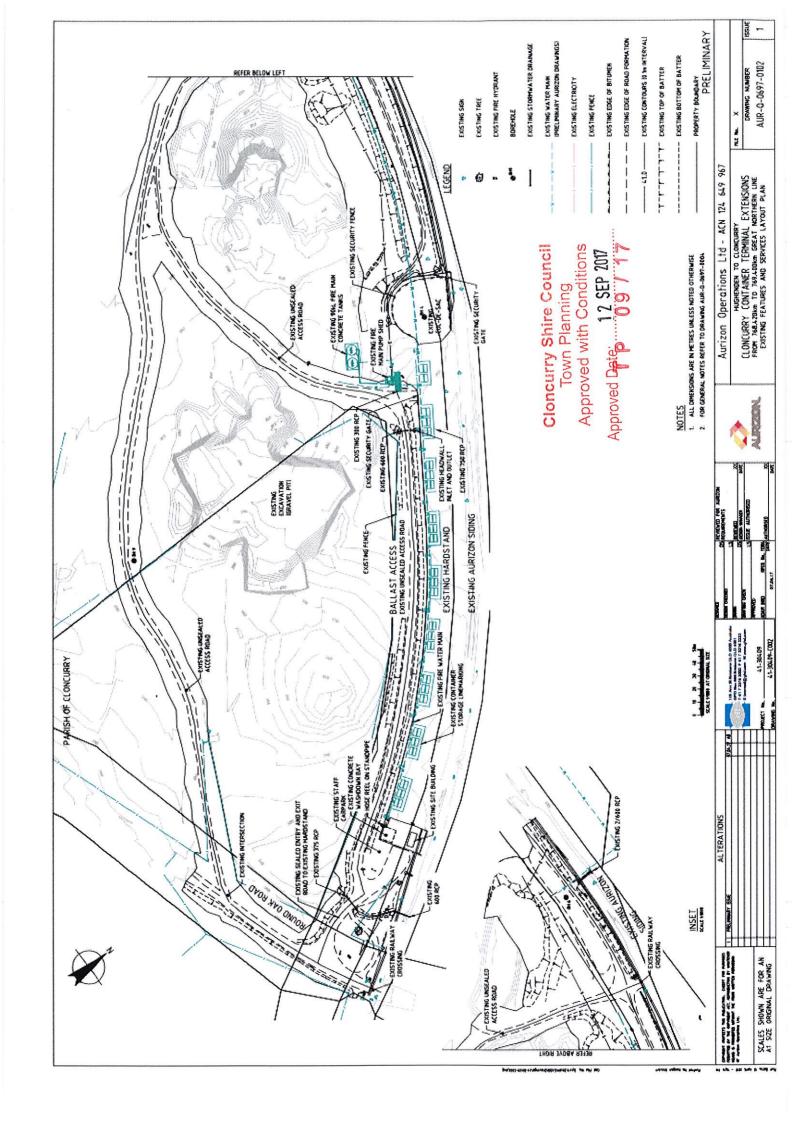
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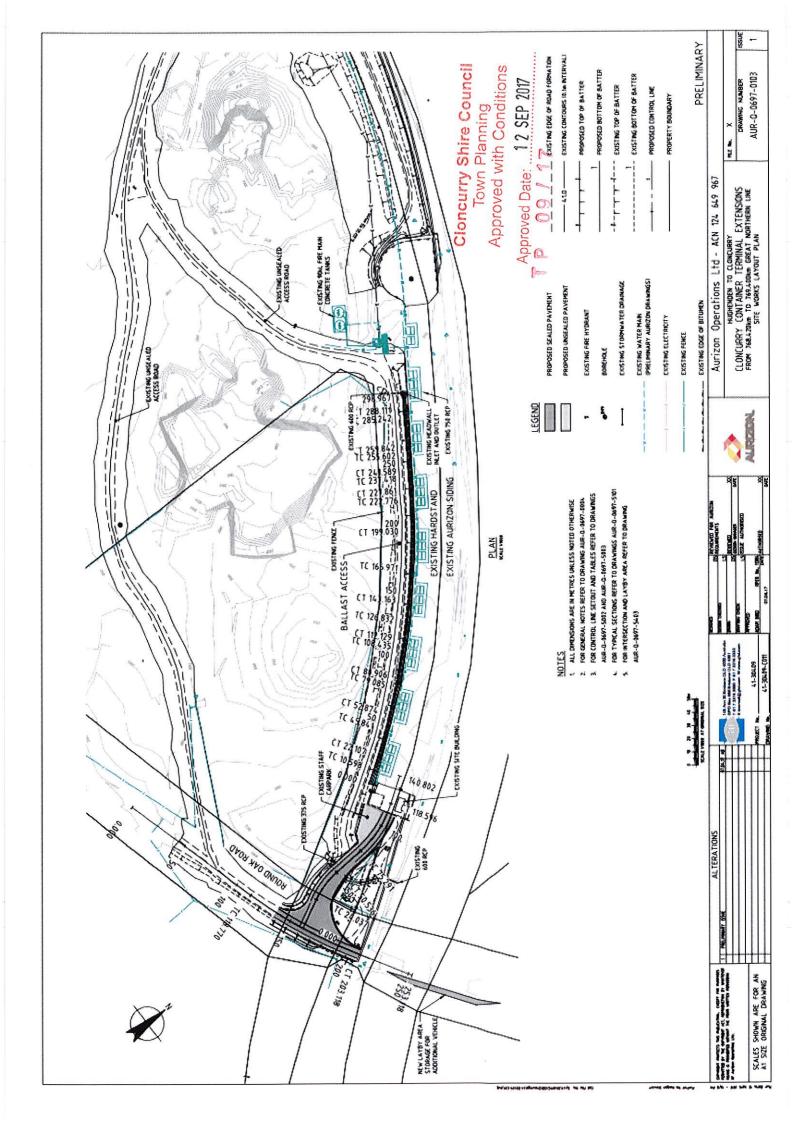
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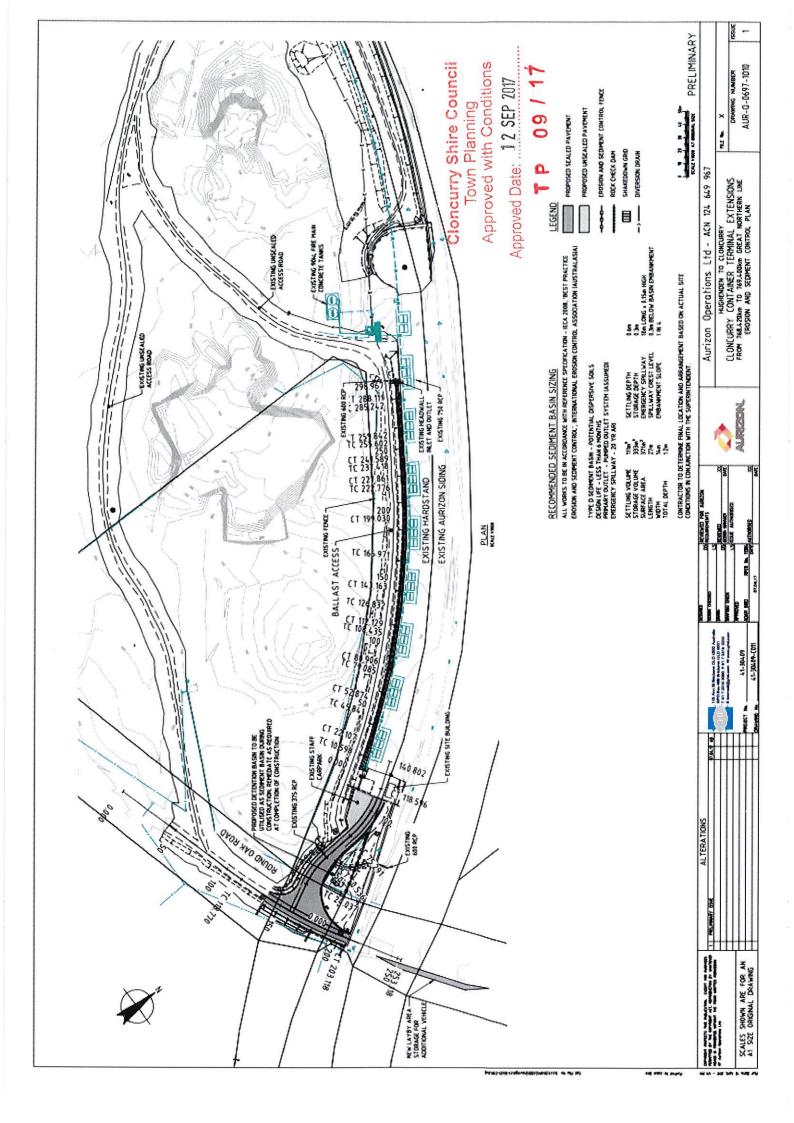
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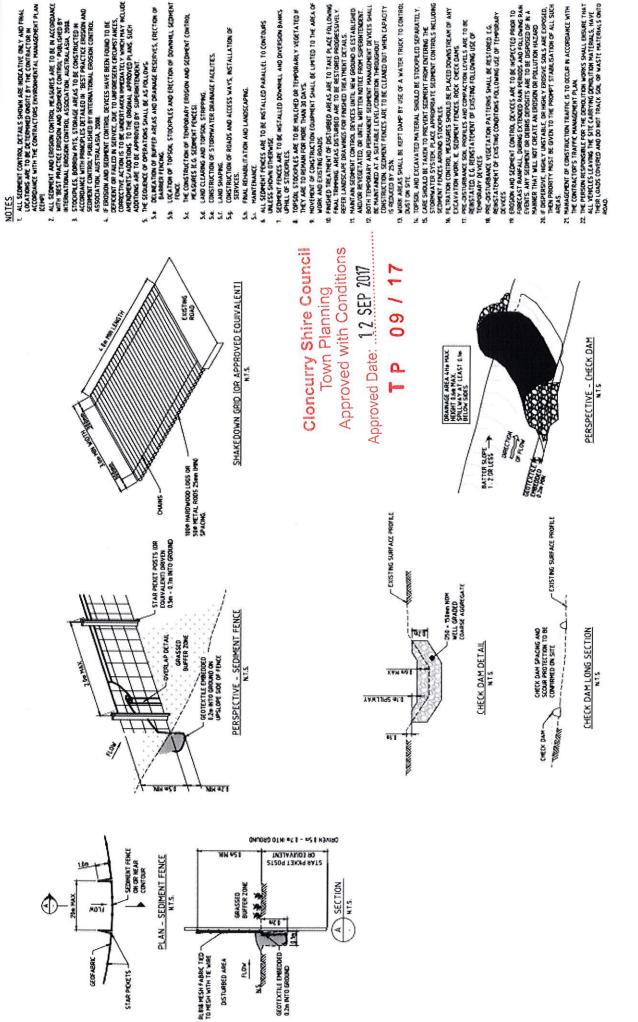
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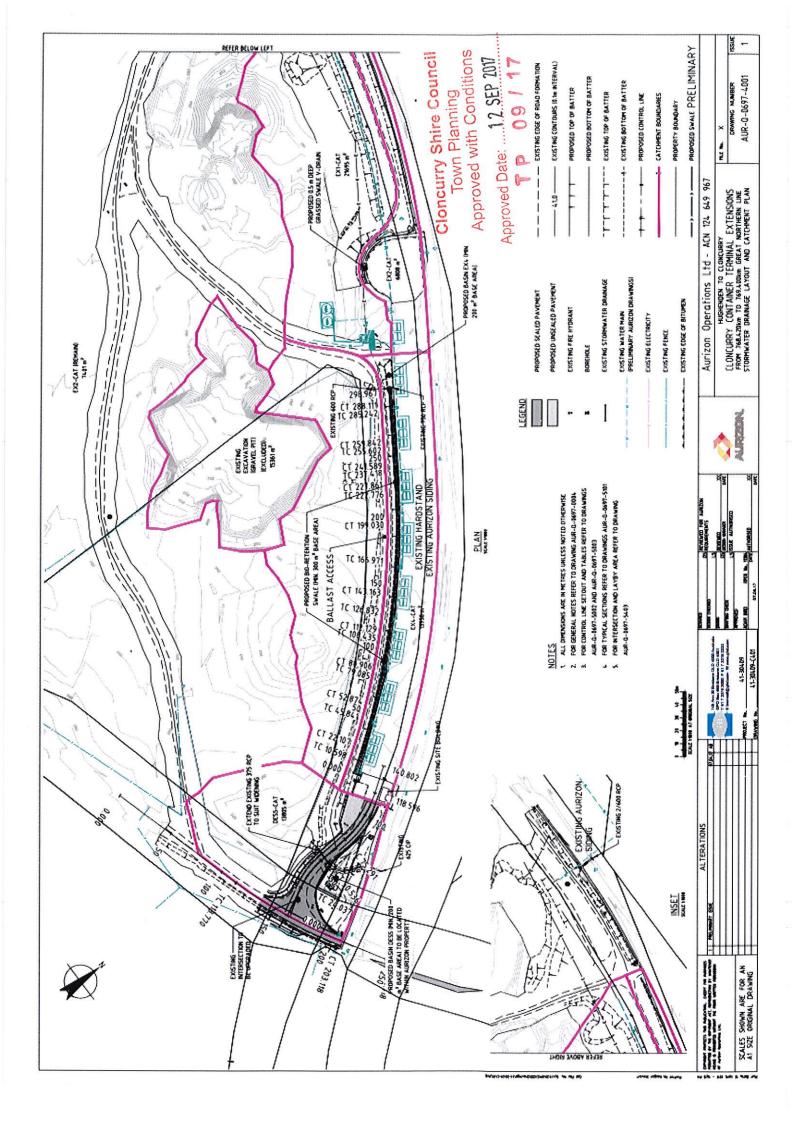
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Cloncurry Shire Council Town Planning Approved with Conditions

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Aurizon Operations Ltd - ACN 124 649 967

HUGHENDEN TO CLONCUREN CLONCURRY CONTAINER TERMINAL EXTENSIONS FROM 364-20m TO 769-40m GEAT WRITHERN LINE SETOUT TABLES

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