

**Subject:** Application to renew quarry allocation

Hi Brian,

as per our phone conversation, please see the following;

**Summerville, (adjacent to Lot 4 RP891065)**

I refer to the existing application for the renewal of quarry allocation 100740, submitted to the Department of Environment and Resource Management (DERM), for the Summerville site, (Lot 4 RP891065). A site visit was undertaken by Fred Hundy (Senior Project Officer) and myself on Thursday 23<sup>rd</sup> July. I was informed by Andrew Brietkopf that no further material would be extracted from the Summerville site, (Lot 4 RP891065) and that only remediation activities are being undertaken. In this instance a quarry allocation is not required considering the current activity being undertaken and the future plans for this site.

Remediation activities are able to be continued as the development permit is current and expires 15/02/2010. In light of this and at your direction, I recommend you withdraw your renewal for a quarry allocation (100740) without fees due to the department.

**Sapling Pocket, (adjacent to Lot 1 RP866821 and Lot 2 RP866821)**

73(2)Irrelevant

I can provide you with the information to be amend by fax to facilitate a timely assessment of the application. If you have any further enquiries please do not hesitate to call me on the number below.

Regards

*Gloriamarie McIntosh*  
Project Officer, Water Services  
Telephone: 07 3224 8172  
Email: [Gloriamarie.McIntosh@derm.qld.gov.au](mailto:Gloriamarie.McIntosh@derm.qld.gov.au)

Department of Environment and Resource Management  
Water Services  
Woolloongabba.

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If you have received this message in error, you are asked to inform the sender as quickly as possible and delete this message and any copies of this message from your computer and/or your computer system network.

As of 26 March 2009 the Department of Natural Resources and Water/Environmental Protection Agency integrated to form the Department of Environment and Resource Management

+-----+

Think B4U Print

1 ream of paper = 6% of a tree and 5.4kg CO2 in the atmosphere

3 sheets of A4 paper = 1 litre of water

+-----+

DNRM RTI DL Release

**Mcintosh Gloriamarie***Copy new file BDO 515/000(0033) P5*

**From:** McIntosh Gloriamarie  
**Sent:** Wednesday, 29 July 2009 10:32 AM  
**To:** 'bburr@cemex.com.au'  
**Subject:** Application to renew quarry allocation

Hi Brian,

as per our phone conversation, please see the following;

**Summerville, (adjacent to Lot 4 RP891065)**

I refer to the existing application for the renewal of quarry allocation 100740, submitted to the Department of Environment and Resource Management (DERM), for the Summerville site, (Lot 4 RP891065). A site visit was undertaken by Fred Hundy (Senior Project Officer) and myself on Thursday 23<sup>rd</sup> July. I was informed by Andrew Brietkopf that no further material would be extracted from the Summerville site, (Lot 4 RP891065) and that only remediation activities are being undertaken. In this instance a quarry allocation is not required considering the current activity being undertaken and the future plans for this site.

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**Sapling Pocket, (adjacent to Lot 1 RP866821 and Lot 2 RP866821)**

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I can provide you with the information to be amend by fax to facilitate a timely assessment of the application. If you have any further enquiries please do not hesitate to call me on the number below.

Regards

*Gloriamarie McIntosh*  
 Project Officer, Water Services  
 Telephone: 07 3224 8172

Email: [Gloriamarie.McIntosh@derm.qld.gov.au](mailto:Gloriamarie.McIntosh@derm.qld.gov.au)

Department of Environment and Resource Management  
Water Services  
Woolloongabba.

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DNRM RTI DL Release



## Development Details 181438

Compiled on 24-July-2009 at 11:27 AM

The information contained herein is a record of the works authorised by a development approval given by a decision notice under the *Integrated Planning Act 1997*. The conditions shown are conditions applied by this agency as the Assessment Manager which authorised the development.

### Statement of Development

<b>Reference</b>	181438	<b>Lapse Date</b>	15/02/2010
<b>Location</b>	adjacent to Lot 4 on RP891065		
<b>Date Given</b>	11/03/2005		

#### Works Reference 15529

Removal of quarry material from BRISBANE RIVER.  
Quarry Extraction Site (Summervilles Land -Left Bank)  
Located adjacent to Lot 4 on RP891065.  
Works Proposed.

DNRM RTI DL Release

# QUARRY MATERIAL ALLOCATION NOTICE

Water Act 2000

Page 1 of 2



**Queensland  
Government**  
Natural Resources  
and Mines

**Notice Number** 100740

**Effective From** 28 February 2007 **Expiry Date** 28 February 2009

**Holder** RINKER AUSTRALIA PTY LTD

**Date of Original Issue** 19 March 2002

**Location of Allocation** BRISBANE RIVER

**Location Description** Adjacent to Lot 4 on RP891065

**Total Allocation** 400000 cubic metres

**Maximum Extraction Rate** 200000 cubic metres in any twelve (12) month period, or part thereof, commencing from the date this Notice takes effect.

This Allocation Notice is subject to the terms endorsed hereon or attached hereto.

Issued at Brisbane this FIFTH day of JULY 2007

49-Sch4 - Signature

Scott Spencer  
**DIRECTOR-GENERAL**  
**DEPARTMENT OF NATURAL RESOURCES AND WATER**

Notice Number 100740

Expiry Date 28 February 2009

Page 2 of 2



**Queensland  
Government**

**Natural Resources  
and Mines**

### Schedule of Conditions

1

The allocation holder must give to the chief executive, within 7 days after the end of each month, a written return in the approved form for all quarry material removed by the holder, in the month.

2

The allocation holder shall keep a record of daily extractions on site at all times. This record shall be made available for inspection upon request of an Authorised Officer of this Department.

3

The allocation holder is required to comply with any conditions relating to the development approval authorising the works to remove quarry material under this allocation notice

4

The nominated removal rate for this notice is:  
yearly: 200000 cubic metres (m3)

6

The chief executive at Woolloongabba Office is to be notified of any intention to remove an amount larger than the nominated amount within a given period.

### End of Schedule of Conditions



# RENEWAL



File No: 190/000(0079)

New Owner:

Same Owner

Authorisation No.	<u>100740</u>

Application No.	<u> </u>

Fees Received: Yes  No

Properly Made: Yes  No

Initial:   49-Sch4 - Signature

L.A.I.S Receipt No: 3742544

Returned Properly Made Date:   /   /   Initial:  

Print ATS Titles - Confirm Owner's:

Print New Smart Map:

Complete Native Title 101 Form + Print 101 & NT Flow Chart:

Update Client Details in WERD + Print:

Enter Usage History into WERD:

Enter Lats + Longs from DCDB, Map No, & Sub Group on Application Form & In WERD:

Check Works Installed/Proposed on Linked DP - Update Status & Write on Application:

Fill In "Office Use Only" Box on Renewal Form:

Validate File Number:

Work Completed By:   49-Sch4 - Signature

Date Completed: 17/2/09

Action	Officer	Initial	Date
Renew/Reinstate Authorisation in WERD	Admin (A02)		<u>17/2/09</u>
Native Title Decision to be Made	SAO		<u>11/3/09</u>
Native Title was Required: Yes <input type="checkbox"/> or No <input checked="" type="checkbox"/>			
Native Title Notification Sent: Yes <input type="checkbox"/> or N/A <input type="checkbox"/>	Admin (A02)		
Event Triggers & Update NT Spreadsheet Completed: <input type="checkbox"/>			
Refer NRO for Investigation & to Delegate	Admin (A03)		
NRO Delegated to (TO) Name: <u> </u>	NRO/TO		
For Investigation & Approval to Draft			
Compile Draft + Set Delegation + Print & Sign Draft	NRO/TO		
Set Authorisation to Ready to Issue (QA)	RMO		
Issue Authorisation + Print & Post (Inc. Explanatory Notes) (Get Decision Maker to Sign)	Admin (A02)		

Comments:



PROPOSED DEALING AREA/S

Land\Watercourse Description: Adjacent to Lot 4 on RP891065 from Brisbane River

Local Authority: SOMERSET REGIONAL

Parish: Sahl

Current Tenure/s: Freehold - Boundary

~~Activity is only on the~~

PROPOSED DEALING/S

Quarry renewal of 100740 for 1 year

Activity - Extraction of quarry material adjacent to 4/RP891065

DECISION (Please select one option)

Proceed without notification

Notify and consider comments

Refer to AAT

REASON FOR DECISION (Please select one option)

NOTIFICATION

Proposed dealing requires notification - Module H

WATER PROCEDURE ASSESSMENT

Dealing may proceed without further reference to native title - Water Mod AB

Proposed dealing area is covered by an ILUA, refer dealing to AAT - Water Mod AC

Proposed dealing area covered by native title determination (native title does not exist) - Water Mod AD

Proposed dealing to proceed due to previous extinguishing grant - Water Mod BA

Proposed dealing to proceed due to previous public works - Water Mod CA

Proposed dealing to proceed due to valid dedicated road - Water Mod CB

Proposed dealing relates to a primary production activity on a non-exclusive pastoral/agricultural lease - Module GB

Proposed dealing to proceed as a renewal/amendment action - Module IC

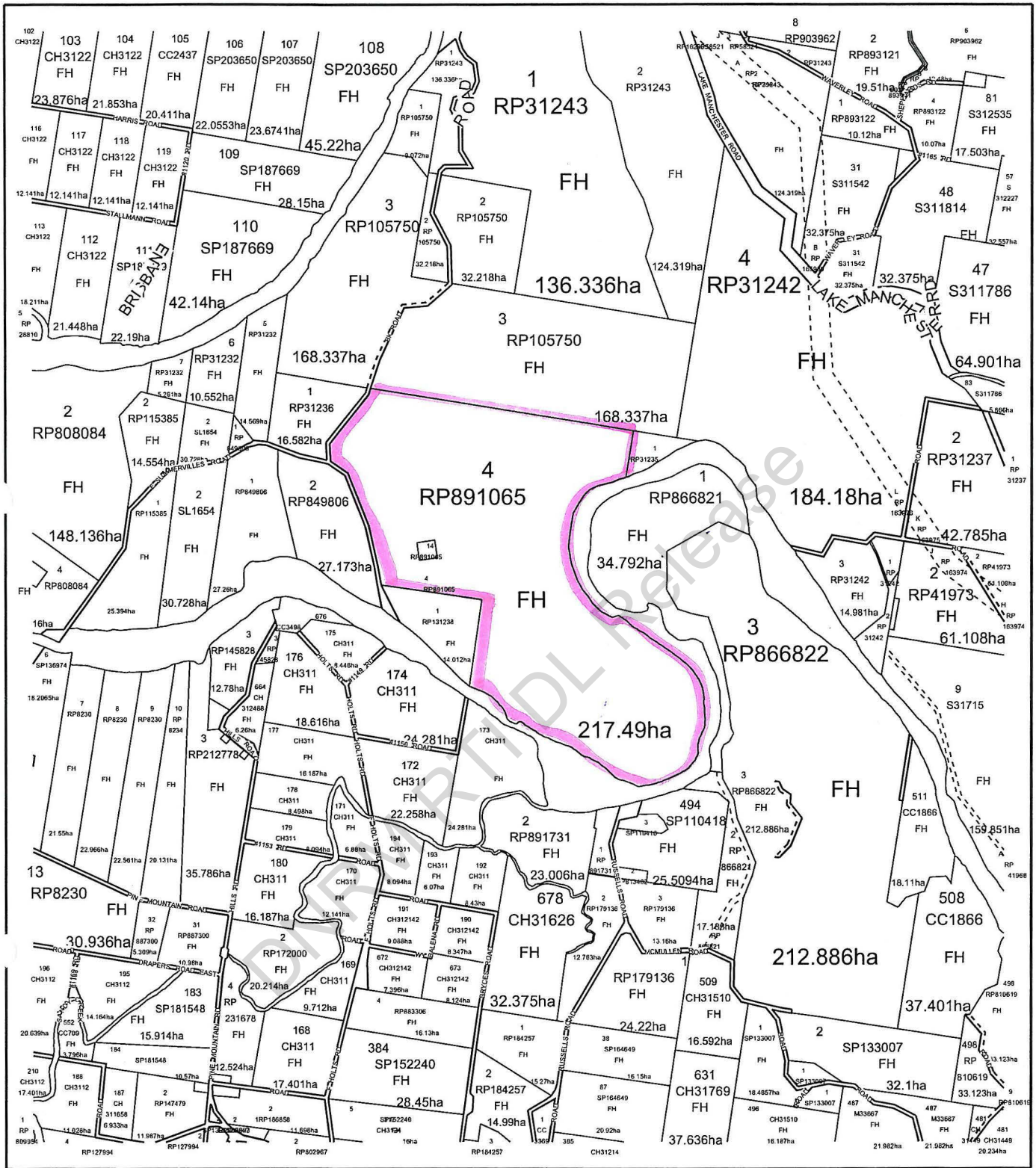
NB: Attach relevant evidence for assessments recorded under Modules BA, CA, CB, GB & IC.

Name of Decision Maker: TIM MCCONNELL

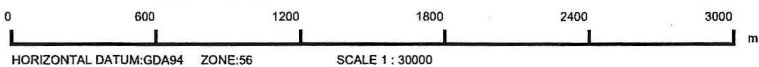
Position: NRO

Signature: 49-Sch4 - Signature

Date: 11/3/09



STANDARD MAP NUMBER  
9443-32232



MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	4/RP891065
Lot/Plan	217.49ha
Area/Volume	FREEHOLD
Tenure	SOMERSET REGIONAL
Local Government	BORALLON
Locality	SAHL
Parish	STANLEY
County	54708/45
Segment/Parcel	

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 17/02/2009

DCDB 16/02/2009 (Lots with an area less than 1.000ha are not shown)

Users of the information recorded in this document (the Information) accept all responsibility and risk associated with the use of the Information and should seek independent professional advice in relation to dealings with property.

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**SmartMap**

An External Product of SmartMap Information Services

Based upon an extraction from the Digital Cadastral Data Base



**Queensland Government**

**Natural Resources and Water**

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Page 12 of 65





Attention :- Jason



Queensland Government  
Natural Resources and Water

# APPLICATION FOR RENEWAL OF QUARRY MATERIAL ALLOCATION

(Water Act 2000)

**Purpose of this Form**

To apply for the renewal of an allocation of quarry material (stone, gravel, clay, earth or soil not removed as waste material) from a watercourse or lake.

**PART A Quarry Allocation Details**

Please supply existing Allocation Notice number  Expiry Date

**PART B Allocation Notice Holder Details**

**Name** Specify the full name, of all persons, that appears on the Quarry Allocation Notice

~~Rinker Australia Pty Ltd~~ change to

**Attention (Optional)** (eg, Principal, Secretary, Managing Director, etc)

**Mailing Address** All correspondence will be delivered to this address

State  Postcode  Country  if not Australia

**Contact Person's Details** (if different from above) Title  Mr  Mrs  Ms  Miss  Other please specify

Given Name   
 Last Name   
 Preferred Phone  Alternate Phone  Facsimile   
 Email Address

FILED  
9/02/09

OFFICE USE ONLY	Fee Received \$ <input type="text" value="256.20"/>	Application
	Receipt No. <input type="text" value="3742544"/>	Client <input type="text" value="43539"/>
	Registration Date / / Initials	Authorisation <input type="text" value="100740"/>

NATURAL RESOURCES and WATER  
SOUTH EAST REGION  
RECEIVED  
  
21 FEB 2009  
  
WOOLLOONGABBA OFFICE



**PART C Declaration**

*All parties to complete and sign the declaration below*

I/We declare that the information contained in this application is true and correct.

**INDIVIDUAL** *Attach separate sheet (or photocopy) if more than 2 signatures required*

Name		Name	
Signature		Signature	
Position/Title <i>(if applicable)</i>		Position/Title <i>(if applicable)</i>	
Date		Date	

**CORPORATION** *Executed for and on behalf of (Corporation)*

<i>Cemex Australia Pty Limited</i>	ACN	
------------------------------------	-----	--

By (Name)	<i>Jason Seaby</i>
Position	<i>Quarry Manager</i>
Signature	49-Sch4 - Signature
Date	<i>9/02/09</i>
Witnessed By	<i>Rhonda Horton</i>
Witness Signature	49-Sch4 - Signature
Date	<i>9/2/09</i>

By (Name)	<i>ANDREW BREITKOPF</i>
Position	<i>SUPERVISOR</i>
Signature	49-Sch4 - Signature
Date	<i>9.2.09</i>
Witnessed By	<i>Rhonda Horton</i>
Witness Signature	49-Sch4 - Signature
Date	<i>9/2/09</i>

DNRM RTI 01683



**FAV**  
*9/02/09*

NATURAL RESOURCES and WATER  
SOUTH EAST REGION  
RECEIVED  
11 FEB 2009  
WOOLLOONGABBA OFFICE

Client Ref: 199839  
File Ref: BDO/190/000(0033)

I hereby certify that this is a  
copy of the letter sent to:



Queensland  
Government

24 February 2012

.....  
.....  
.....  
.....  
Signed: 49-Sch4 - Signature  
Date: 24/2/12

Department of  
Environment and Resource  
Management

HOLCIM (AUSTRALIA) PTY LTD  
PO BOX 617  
BEENLEIGH QLD 4207

WMS EVENT # 543384

Dear Sir/Madam

**Application for Amendment of Development: reference 181438, application reference 543384**

Attached is a decision notice, which is advice of the decision and the reasons for the decision for the abovementioned application, pursuant to section 334 of the *Sustainable Planning Act 2009*.

Please note that this Development does not negate the requirement to obtain any other approvals or to enter into other statutory arrangements, such as those relating to Aboriginal and Torres Strait Islander cultural heritage, which may be required. In particular, the *Aboriginal Cultural Heritage Act 2003* and the *Torres Strait Islander Cultural Heritage Act 2003*, places a duty of care on anyone undertaking an activity to protect Aboriginal and Torres Strait Islander Cultural Heritage. Please refer to the attached information sheet for further information on this legislation.

If you have any further enquiries please call (07) 32277735.

Yours Sincerely

49-Sch4 - Mobile phone

Matthew Sciacca  
Technical Officer

Level 3, Landcentre  
Cnr Main & Vulture St WOOLLOONGABBA  
GPO Box 2771  
BRISBANE QLD 4001  
Telephone +61 7 32277735  
Facsimile +61 7 32242933  
Website <http://www.derm.qld.gov.au/>  
ABN 46 640 294 485



## Cultural heritage - your duty of care

The *Aboriginal Cultural Heritage Act 2003* and *Torres Strait Islander Cultural Heritage Act 2003* (the Acts) protects all Aboriginal cultural heritage in Queensland. This protection applies whether or not the Aboriginal cultural heritage has been identified or recorded in a database. The Department of Environment and Resource Management is responsible for administering this legislation.

The Act requires anyone who carries out a land-use activity to exercise a duty of care, that is, they must take all reasonable and practical measures to ensure their activity does not harm Aboriginal cultural heritage. The duty of care applies to any activity where Aboriginal or Torres Strait Islander cultural heritage is located, including freehold land. Identifying the cultural heritage values of an area can be difficult. The area may be secret or sacred, incorporated into the landscape or under the soil surface.

The Acts, together with gazetted duty-of-care guidelines, provides guidance on how to proceed.

### Duty-of-care guidelines

Duty-of-care guidelines have been gazetted under the Acts and set out reasonable and practical measures to avoid harming Aboriginal cultural heritage and to meet duty-of-care requirements. They also provide guidance on identifying features likely to contain or constitute cultural heritage.

Following the duty-of-care guidelines will ensure land-use activities proceed lawfully in relation to Aboriginal and Torres Strait Islander cultural heritage. The guidelines recognise that some activities (such as driving along existing roads and tracks or cultivating areas currently subject to cultivation) are unlikely to harm Aboriginal or Torres Strait Islander cultural heritage. They also recognise that the nature and extent of past land uses in an area (such as development) may mean that any further activity in the area is unlikely to harm Aboriginal or Torres Strait Islander cultural heritage. Unfortunately, harm is likely to have already been caused to the cultural heritage. Despite this, it is recognised that Aboriginal and Torres Strait Islander cultural heritage may continue to lie below the surface. For this reason, the guidelines provide that, if at any time during your activity you excavate, relocate, remove or harm a cultural heritage find, you must notify the relevant Aboriginal or Torres Strait Islander party immediately and seek their advice on how best to proceed. Where the nature and extent of the past land use of an area is not inconsistent with the continued presence of Aboriginal or Torres Strait Islander cultural heritage, you should exercise greater caution before proceeding.

### Be safe

Before undertaking a land-use activity, it is advisable to check the duty-of-care guidelines and decide what, if any, precautions you need to take to adequately address the issue. This will not only ensure you avoid the risk of a substantial fine under the Act, but also that you are doing your bit to preserve our history and Queensland's Aboriginal and Torres Strait Islander cultural heritage.

### Financial penalty

Fines of up to \$100 000 for an individual and \$1 000 000 for a corporation apply for causing unlawful harm to Aboriginal and Torres Strait Islander cultural heritage or for breaching your duty of care.

### Further information

For further information on cultural heritage duty of care visit the Department of Environment and Resource Management website <http://www.derm.qld.gov.au/> or contact:

Cultural Heritage Coordination Unit  
Department of Environment and Resource Management  
GPO Box 2454  
Brisbane Qld 4001

Telephone: (07) 3239 3647  
Fax: (07) 3238 3842



## NOTICE OF DECISION

### Request to change a Development Permit *Sustainable Planning Act 2009*



Queensland  
Government

Development Permit      181438      Lapse Date      30/11/2013

The request dated 10 February 2012 to change the lapse date is approved.

#### Approval Information

The application for development to remove quarry material on land described as is approved by this agency .

Development to remove quarry material from a watercourse or lake may continue under this permit only during the period for which an allocation notice granted under the *Water Act 2000* authorises the material to be removed.

It is an offence for a person to remove quarry material from a watercourse or lake without appropriate authority under the *Water Act 2000*.

**Changed at Brisbane this TWENTY-FOURTH day of FEBRUARY 2012.**

49-Sch4 - Signature

Jim Reeves  
**Director-General**  
**Department of Environment and Resource Management**



## Schedule of Assessment Manager Conditions

### Description of Approved Works

#### Works Reference 15529

Removal of quarry material from Brisbane River.

Development for the removal of quarry material associated with a Quarry Material Allocation Notice.

Quarry Extraction Site (Summervilles Land -Left Bank)

The bed of the Brisbane River adjacent to Lot 4 on RP891065.

Must be located on Lot 4 on RP891065.

Quarry Extraction Site (Summervilles Land -Left Bank).

DNRM RTI DL Release



**Part A - General Conditions of the Approvals**

**D001**

The works approved under this permit are to be completed by 15 February 2010.

**D003**

The permittee must notify the chief executive of the completion of the approved works within 30 business days after such completion. The notification must be given in writing to the chief executive of the Department of Environment and Resource Management.

**D015**

The permittee must, to the satisfaction of the chief executive of the Department of Environment and Resource Management, and at the permittee's own expense, maintain the bed and banks of the watercourse adjacent to the permitted works.

**Part B - Other Conditions of the Approval**

missing condition document

**END OF ASSESSMENT MANAGER CONDITIONS**

DNRM RTI DL Release

Holcim - Application (request) to extend  
lapse date for DP.

**Individual owner's consent to the making of a  
development application under the Sustainable Planning Act 2009**



I/We, Betty May Bernitt

as owner of premises identified as follows

**Lot 4 on RP891065**

*[insert street address, lot or plan description, or coordinates of the premises the subject of the application]*

consent to the making of a development application under the Sustainable Planning Act 2009 by

**Holcim (Australia) Pty Ltd**

*[insert name of applicant]*

on the premises described above for the purposes of:

**Renewal request for Development Permit 181438**

*[insert details of the proposed development e.g. material change of use for three storey apartment building]*

49-Sch4 - Signature

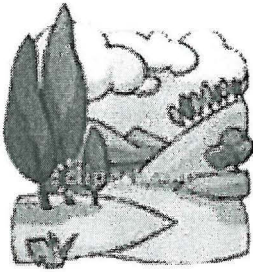
*[signature of owner]*

signed on the

9<sup>th</sup> day of Feb

20 12





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**From:** Clemmey, Rebecca [mailto:rebecca.clemmey@holcim.com]  
**Sent:** Monday, 30 January 2012 1:39 PM  
**To:** Sciacca Matthew  
**Subject:** Extension to Development Permit 181438

Hi Matthew,  
This time last year you assisted Holcim to extend the development permit at the sand site we call "Summerville's" to allow us to understand the damage caused by the floods and effect any remediation works. This is taking slightly longer than anticipated, and as such we will need to further extend the expiry date of the attached Permit. If possible, it would be good if we could extend this to 30/11/2013 to match that of adjoining site "Sapling Pocket" Development Permit 181441 expiry.

As Holcim does not own the land of the Summerville's site, I understand that we will need to obtain landowner's consent. Is there anything further Holcim needs to provide to enable the extension of the permit expiry?

Kind Regards,

Rebecca Clemmey  
Planning & Approvals Coordinator  
Holcim (Australia) Pty Ltd  
Level 1, 18 Little Cribb St Milton QLD 4064  
O +61 7 3259 1709  
F +61 7 3364 2827  
M +61 9-Sch4 - Mobile phone  
[www.holcim.com.au](http://www.holcim.com.au)

DNRM RTI DL Release

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Author : Matthew Sciacca  
File: BDO/190/000(0079)P5  
Phone: 07 32248419

Department of Environment and Resource Management

I hereby certify that this is a true copy of the letter sent to:

3 March 2011

Attn: Adam Mackenzie  
Holcim (Australia) Pty Ltd  
Lvl 3, 18 Little Cribb St  
MILTON QLD 4064

Signed: 49-Sch4 - Signature

Date: 3/3/11

*\*\* Related to QMAN # 100740 (now expired). This DA relates to rehab on the site.*

Dear Sir

Application for Amendment of Development Approval: Reference 181438, application reference 529012

Attached is a decision notice, which is advice of the decision and the reasons for the decision for the abovementioned application, pursuant to section 334 of the *Sustainable Planning Act 2009*.

Please note that this Development does not negate the requirement to obtain any other approvals or to enter into other statutory arrangements, such as those relating to Aboriginal cultural heritage, which may be required. In particular, the Aboriginal Cultural Heritage Act 2003, places a duty of care on anyone undertaking an activity to protect Aboriginal Cultural Heritage. Please refer to the attached information sheet for further information on this legislation.

If you have any further enquiries please call (07) 32248419.

Yours sincerely

49-Sch4 - Signature

**Matthew Sciacca**  
**Technical Officer**  
**Environmental Services (Water)**

Department of Environment and Resource Management  
Lvl 4 Landcentre, Cnr Main & Vulture Sts  
WOOLONGABBA  
QLD 4102  
PO Box 2771  
BRISBANE QLD 4001  
Telephone 07 32248419  
Facsimile 07 34062578  
Website [www.derm.qld.gov.au](http://www.derm.qld.gov.au)



## Cultural heritage - your duty of care

The *Aboriginal Cultural Heritage Act 2003* (the Act) protects all Aboriginal cultural heritage in Queensland. This protection applies whether or not the Aboriginal cultural heritage has been identified or recorded in a database. The Department of Environment and Resource Management is responsible for administering this legislation.

The Act requires anyone who carries out a land-use activity to exercise a duty of care, that is, they must take all reasonable and practical measures to ensure their activity does not harm Aboriginal cultural heritage. The duty of care applies to any activity where Aboriginal cultural heritage is located, including freehold land. Identifying the cultural heritage values of an area can be difficult. The area may be secret or sacred, incorporated into the landscape or under the soil surface.

The Act, together with gazetted duty-of-care guidelines, provides guidance on how to proceed.

### Duty-of-care guidelines

Duty-of-care guidelines have been gazetted under the Aboriginal Cultural Heritage Act and set out reasonable and practical measures to avoid harming Aboriginal cultural heritage and to meet duty-of-care requirements. They also provide guidance on identifying features likely to contain or constitute cultural heritage.

Following the duty-of-care guidelines will ensure land-use activities proceed lawfully in relation to Aboriginal cultural heritage. The guidelines recognise that some activities (such as driving along existing roads and tracks or cultivating areas currently subject to cultivation) are unlikely to harm Aboriginal cultural heritage. They also recognise that the nature and extent of past land uses in an area (such as development) may mean that any further activity in the area is unlikely to harm Aboriginal cultural heritage. Unfortunately, harm is likely to have already been caused to the Aboriginal cultural heritage. Despite this, it is recognised that Aboriginal cultural heritage may continue to lie below the surface. For this reason, the guidelines provide that, if at any time during your activity you excavate, relocate, remove or harm a cultural heritage find, you must notify the relevant Aboriginal party immediately and seek their advice on how best to proceed. Where the nature and extent of the past land use of an area is not inconsistent with the continued presence of Aboriginal cultural heritage, you should exercise greater caution before proceeding.

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Before undertaking a land-use activity, it is advisable to check the duty-of-care guidelines and decide what, if any, precautions you need to take to adequately address the issue. This will not only ensure you avoid the risk of a substantial fine under the Act, but also that you are doing your bit to preserve our history and Queensland's Aboriginal cultural heritage.

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### Further information

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Cultural Heritage Coordination Unit  
Department of Environment and Resource Management  
Locked Bag 40  
Coorparoo Delivery Centre QLD 4151

Telephone: (07) 3239 3647  
Fax: (07) 3238 3842



## NOTICE OF DECISION

### Request to change a Development Permit

*Sustainable Planning Act 2009*



**Queensland  
Government**

**Development Permit**      181438      **Lapse Date**      29/02/2012

The request dated 18 February 2011 to change the lapse date is approved.

#### **Approval Information**

The application for development to remove quarry material on land described as is approved by this agency .

Development to remove quarry material from a watercourse or lake may continue under this permit only during the period for which an allocation notice granted under the *Water Act 2000* authorises the material to be removed.

It is an offence for a person to remove quarry material from a watercourse or lake without appropriate authority under the *Water Act 2000*.

**Changed at Brisbane this THIRD day of MARCH 2011.**

49-Sch4 - Signature

John Bradley  
**Director-General**  
**Department of Environment and Resource Management**





**Schedule of Assessment Manager Conditions**

**Description of Approved Works**

**Works Reference 15529**

Removal of quarry material from Brisbane River.

Development for the removal of quarry material associated with a Quarry Material Allocation Notice.

Quarry Extraction Site (Summervilles Land -Left Bank)

The bed of the Brisbane River adjacent to Lot 4 on RP891065.

Must be located on Lot 4 on RP891065.

Quarry Extraction Site (Summervilles Land -Left Bank).

DNRM RTI DL Release





**Part A - General Conditions of the Approvals**

**D001**

The works approved under this permit are to be completed by 15 February 2010.

**D003**

The permittee must notify the chief executive of the completion of the approved works within 30 business days after such completion. The notification must be given in writing to the chief executive of the Department of Environment and Resource Management.

**D015**

The permittee must, to the satisfaction of the chief executive of the Department of Environment and Resource Management, and at the permittee's own expense, maintain the bed and banks of the watercourse adjacent to the permitted works.

**Part B - Other Conditions of the Approval**

missing condition document

**END OF ASSESSMENT MANAGER CONDITIONS**

DNRM RTI DL Release

Client Ref: 199839  
File Ref: BDO/190/000(0033)

2 March 2011

READYMIX HOLDINGS PTY LTD  
Attention to: Mick Horan  
PO BOX 25  
IPSWICH QLD 4305

Dear Holder

**LAPSE OF DEVELOPMENT PERMIT 181438, UNDER THE SUSTAINABLE PLANNING ACT 2009**

Our records indicate that you hold a development permit under the *Sustainable Planning Act 2009*. Your attention is drawn to condition D001 of your development permit which requires the works to be completed by 15 February 2010.

If the approved works have been completed please complete the attached questionnaire and return it to the office at the address below prior to the lapse date shown.

If the works have not been completed, a request under Sections 369 and 383 of the Sustainable Planning Act 2009 can be made prior to the lapse date to change a condition and extend the period of the permit. The notice of request can be given on the attached request. There is no fee associated with this request.

If you have any further enquiries please call (07) 32277735.

Yours Sincerely

49-Sch4 - Signature

John Bradley  
Director-General

Level 3, Landcentre  
Cnr Main & Vulture St WOOLLOONGABBA  
GPO Box 2771  
Brisbane QLD 4001  
Telephone +61 7 32277735  
Facsimile +61 7 32242933  
Website <http://www.derm.qld.gov.au/>





**Questionnaire - Status of Approved Works**

Development Permit

181438

Lapse Date 28 February 2011

Description of Approved Works

DNRM RTI DL Release

**Works Reference 15529**

Removal of quarry material from Brisbane River.

Development for the removal of quarry material associated with a Quarry Material Allocation Notice.

Quarry Extraction Site (Summervilles Land -Left Bank)

The bed of the Brisbane River adjacent to Lot 4 on RP891065.

Must be located on Lot 4 on RP891065.

Our records indicate that the works listed above has not been completed. It is essential that this questionnaire be filled out and returned to the office below prior to the permit lapsing so the permit remains in effect or can be extended before lapsing.

**Are the works listed above completed (are they installed or have they ever been installed eg. portable pumps are considered to be installed)?**

Yes  (Go to Section A)

No  (Go to Section B)

**A**

<b>If the works are completed:</b>	
1. What date were the works completed?	_____
2. Are the works still installed? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If no, please provide details.	_____ _____
3. Are the works completed to the dimensions listed above ? Yes <input type="checkbox"/> No <input type="checkbox"/>	
If no, please provide details of the completed dimensions.	_____ _____

**B**

<b>If the works are not completed or are in progress:</b>
If the works are not completed or are in progress and you wish to complete the works in the future please apply to the department prior to the lapse date to change this existing approval.



Declaration	
I / We declare the above information to be true and correct.	
<b>Individual(s)</b>	
<b>Name</b> <i>(please print)</i>	_____
<b>Signature</b>	_____
<b>Date</b>	____ / ____ / ____
<b>Name</b> <i>(please print)</i>	_____
<b>Signature</b>	_____
<b>Date</b>	____ / ____ / ____
<b>Incorporated Company or Association</b>	
<b>Executed for and on behalf of</b> <b>(Company/Association)</b>	
<b>By</b> <i>(Name)</i>	<b>Position</b>
_____	_____
<b>Signature</b>	<b>Date</b>
_____	____ / ____ / ____
<b>Witnessed by</b>	_____
<b>Signature</b>	_____

DNR MRTI DL Release



## **IMPORTANT INFORMATION ABOUT YOUR WATER LICENCE**

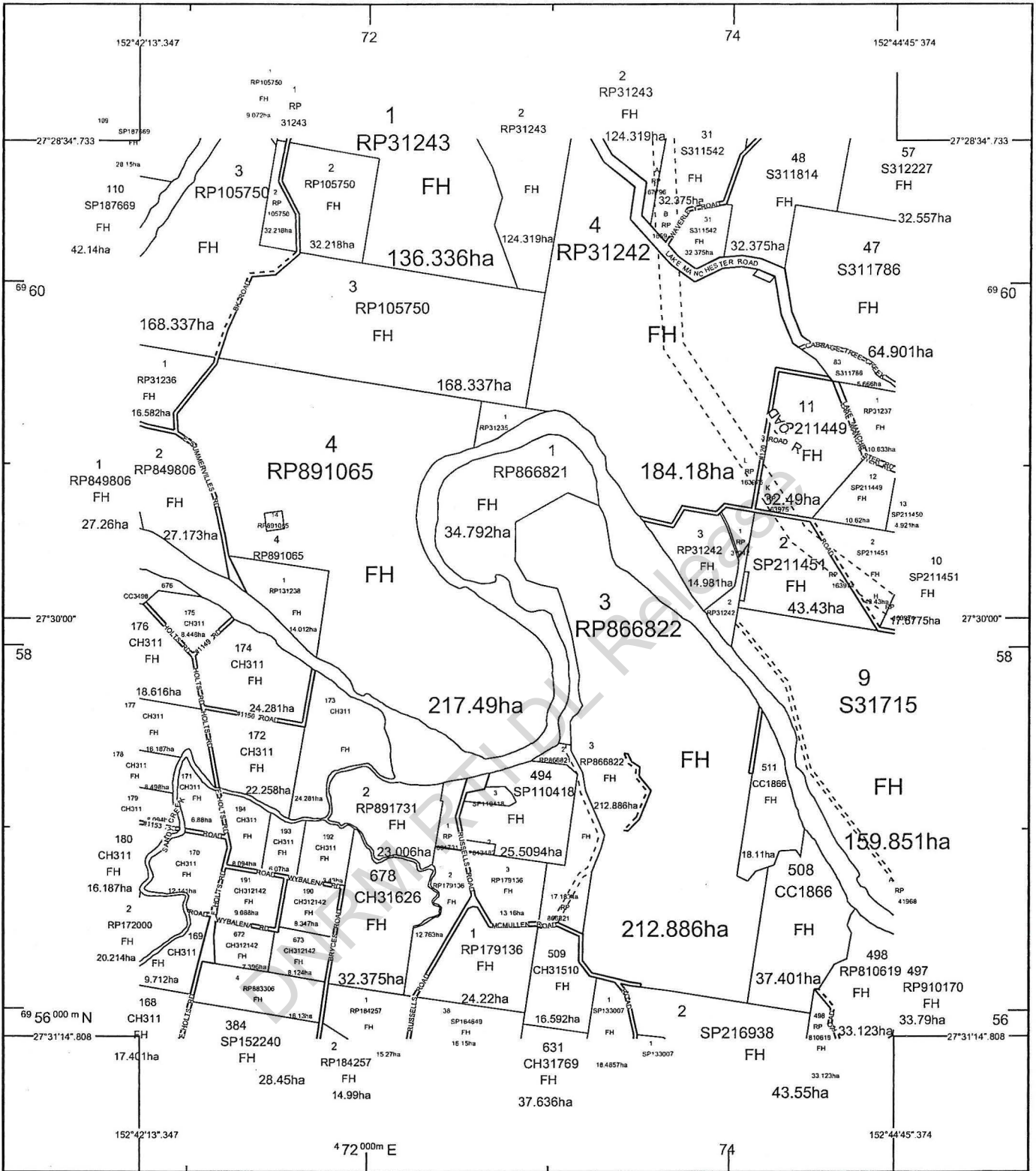
Taking of water under this water entitlement is subject to the licensee having approved works (ie. Pump, bore etc) under the *Sustainable Planning Act 2009* for the parcel of land on which the works are located.

Our records indicate that development permit 181438 lapsed on 28 February 2011.

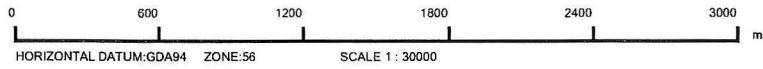
If the works have been installed please advise this office in writing, giving the date of installation for pumps in a watercourse, date of completion for dams and weirs. However, if the works are not installed, and you wish to proceed with the development you must obtain a new development permit. This application can be made on the IDAS Form 1, which is available from the office below and from the IPA website – [www.ipa.gov.au](http://www.ipa.gov.au)

DNRM RTI DL Release

Level 3, Landcentre  
Cnr Main & Vulture St WOOLLOONGABBA  
GPO Box 2771  
Brisbane QLD 4001  
Telephone + 61 7 32277735  
Facsimile + 61 7 32242933  
Website [www.derm.qld.gov.au](http://www.derm.qld.gov.au)  
ABN 46 640 294 485

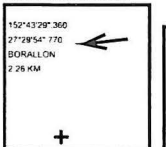


STANDARD MAP NUMBER  
9443-32223



**SmartMap**  
An External Product of  
SmartMap Information Services

MAP WINDOW POSITION & NEAREST LOCATION



**SUBJECT PARCEL DESCRIPTION**

DCDB	1/RP866821
Lot/Plan	34.792ha
Area/Volume	FREEHOLD
Tenure	IPSWICH CITY
Local Government	PINE MOUNTAIN
Locality	BRASSALL
Parish	CHURCHILL
County	23287/35
Segment/Parcel	

**CLIENT SERVICE STANDARDS**

PRINTED (dd/mm/yyyy) 23/02/2011

DCDB 22/02/2011 (Lots with an area less than 1.000ha are not shown)

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Despite Department of Environment and Resource Management (DERM)'s best efforts, DERM makes no representations or warranties in relation to the information, and, to the extent permitted by law, exclude or limit all warranties relating to correctness, accuracy, reliability, completeness or currency and all liability for any direct, indirect and consequential costs, losses, damages and expenses incurred in any way (including but not limited to that arising from negligence) in connection with any use of or reliance on the Information

For further information on SmartMap products visit <http://nsw.qld.gov.au/property/mapping/binmap>

Based upon an extraction from the Digital Cadastral Data Base



**Queensland Government**  
(c) The State of Queensland,  
(Department of Environment and  
Resource Management) 2011.









**REGISTERED MAIL**

Author : Matthew Sciacca  
File: BDO/190/000(0079)P5  
Phone: 07 32248419

I hereby certify that this is a true  
copy of the letter sent to  
..... *Rinker Aust Pty Ltd* .....  
.....  
Signed: ..... 49-Sch4 - Signature .....  
Date: ..... *22/12/09* .....

22 December 2009

Attn: Adam Mackenzie  
Rinker (Cemex/Holcim) Australia Pty Ltd  
Lvl 3, 18 Cribb St  
**MILTON QLD 4064**

Dear Sir

**Expiry of Quarry Material Allocation Notice: Reference 100740**

I refer to your request to withdraw Quarry Material Allocation Notice 100740 received by this office on the 12 October 2009. This request came in the form of an email to departmental officer Gloriamarie McIntosh.

I advise that Quarry Material Allocation Notice number 100740 expired on 28 February 2009 and will not be renewed. This action is the equivalent of your request to 'withdraw' the authority.

Under the provisions of the *Water Act 2000*, the extraction of quarry material under this authority is now unauthorised.

The unauthorised taking of quarry material is a breach of the *Water Act 2000* for which penalties apply. If you have any questions please contact this office on 07 32248419.

Yours sincerely

49-Sch4 - Signature

**Matthew Sciacca**  
**Technical Officer**  
**Environmental Services (Water)**

Department of Environment and Resource  
Management  
Lvl 4 Landcentre, Cnr Main & Vulture Sts  
WOOLOONGABBA  
QLD 4102  
Telephone 07 32248419  
Facsimile 07 34062578  
Website [www.derm.qld.gov.au](http://www.derm.qld.gov.au)

ABN 46 640 294 485



# QUARRY MATERIAL ALLOCATION NOTICE

*Water Act 2000*

Page 1 of 2



**Queensland  
Government**

**Notice Number** 100740

**Effective From** 28 February 2007 **Expiry Date** 28 February 2009

**Holder** RINKER AUSTRALIA PTY LTD

**Date of Original Issue** 19 March 2002

**Location of Allocation** BRISBANE RIVER

**Location Description** Adjacent to Lot 4 on RP891065

**Total Allocation** 400000 cubic metres

**Maximum Extraction Rate** 200000 cubic metres in any twelve (12) month period, or part thereof, commencing from the date this Notice takes effect.

This Allocation Notice is subject to the terms endorsed hereon or attached hereto.

Issued at Brisbane this TWENTY-FIRST day of DECEMBER 2009

49-Sch4 - Signature

John Bradley  
**DIRECTOR-GENERAL**  
**DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT**

---

Client No: 43539 File No: BDO/190/000(0079)  
Level 3, Landcentre, Cnr Main & Vulture St, PO Box 1653, COORPAROO DC, 4151  
Telephone: (07) 3227 7735 Facsimile: (07) 3224 2933

Notice Number 100740

Expiry Date 28 February 2009

Page 2 of 2



Queensland  
Government

### Schedule of Conditions

1

The allocation holder must give to the chief executive, within 7 days after the end of each month, a written return in the approved form for all quarry material removed by the holder, in the month.

2

The allocation holder shall keep a record of daily extractions on site at all times. This record shall be made available for inspection upon request of an Authorised Officer of this Department.

3

The allocation holder is required to comply with any conditions relating to the development approval authorising the works to remove quarry material under this allocation notice

4

The nominated removal rate for this notice is:  
yearly: 200000 cubic metres (m3)

6

The chief executive at Woolloongabba Office is to be notified of any intention to remove an amount larger than the nominated amount within a given period.

### End of Schedule of Conditions



**Sciacca Matthew**

---

**From:** Bell Bob  
**Sent:** Monday, 21 December 2009 2:22 PM  
**To:** Sciacca Matthew  
**Subject:** RE: QMAN # 100740 - Rinker Aust Pty Ltd (Brisbane River)

Matthew

Sorry, once it's issued it too late to make any changes - I could have done it when it was in Draft.

As this expires in Feb 2009 it will expire tonight.

You could just add a comment to the Auth and leave it in the expired state. Do send out any notices that may be generated.

Bob

---

**From:** Sciacca Matthew  
**Sent:** Monday, 21 December 2009 2:17 PM  
**To:** Bell Bob  
**Subject:** QMAN # 100740 - Rinker Aust Pty Ltd (Brisbane River)

Hi Bob

I have a QMAN # 100740 in the name of Rinker Aust Pty Ltd (Brisbane River), which ultimately needs to be withdrawn in WERD. I issued the 'draft' for this auth a little earlier believing that I would be able to 'cancel' the auth after that. As this has not proved to be the case, I was wondering if you would be able to 'unissue' this auth back to the previous 'draft state' and at that point I would be able to 'withdraw' the auth (hopefully).

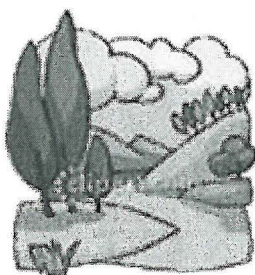
Thanks Bob

Regards

Matthew

**Matthew P Sciacca**  
**Technical Officer, Environmental Services**  
**Ph: 32248419 (M)**49-Sch4 - Mobile phone  
**Fax: 34062578**  
**Email: [SciaccaM@derm.qld.gov.au](mailto:SciaccaM@derm.qld.gov.au)**

**Department of Environment and Resource Management**  
**Lvl 4, Landcentre**  
**Cnr Main & Vulture Sts WOOLLOONGABBA Q 4102**



MATS.

# Registered Post Lodgement Document - Multiple

\* A duplicate of this document is required when an article is insured

DERM Department of Environment  
and Resource Management  
SOUTH EAST REGION  
Locked Bag 40  
**COORPAROO DELIVERY CENTRE  
QLD 4151**

Payment Method  
 Charge  Cash  
 Charge Account Number  
**41210**  
 FAP 221 Number

Registered Post Number	Details of Addressee		Optional Services (Please Tick)		*Insured Articles Only			Australia Post Use Only		
	Name	Address	Delivery Confirmation	Person to Person	Description of Contents	Insured Value	Insurance Fee	Postage Charge	Total Charge	
REGISTERED POST - SENDER TO 561342191011	Rinker Aust P/L.	PO Box 1143 Milton	<input checked="" type="checkbox"/>		amendment 181438 app ref. 507386.					

I hereby certify that the items to be carried do not consist of any dangerous or prohibited goods, e.g. Explosives, Flammables, Corrosives, Aerosols, etc. I understand that carriage is subject to the General Postal Services Terms and Conditions

\* If in doubt ask at any Post Office  
A false declaration is a criminal offence.

49-Sch4 - Signature  
Sender's signature: \_\_\_\_\_ Date: 17.12.09

Please retain this receipt

Total Insurance Fee	Total Charge Payable
Signature of accepting Officer _____ Date _____	



**REGISTERED MAIL**

Client Ref: 216549  
File Ref: BDO/190/000(0033)

17 December 2009

I hereby certify that this is a true  
copy of the letter sent to:  
..... RINKER AUST PTY  
..... LTD.

Signed: ..... 49-Sch4 - Signature  
Date: ..... 17/12/09

RINKER AUSTRALIA PTY LTD  
PO BOX 1143  
MILTON QLD 4064

Dear Sir/Madam

**Application for Amendment of Development: reference 181438, application reference 507386**

Attached is a decision notice, which is advice of the decision and the reasons for the decision for the abovementioned application, pursuant to section 3.5.15(1)(a) of the *Integrated Planning Act 1997*.

Please note that this Development does not negate the requirement to obtain any other approvals or to enter into other statutory arrangements, such as those relating to Aboriginal cultural heritage, which may be required. In particular, the *Aboriginal Cultural Heritage Act 2003*, places a duty of care on anyone undertaking an activity to protect Aboriginal Cultural Heritage. Please refer to the attached information sheet for further information on this legislation.

If you have any further enquiries please call (07) 32277735.

Yours sincerely

49-Sch4 - Signature

Matthew Sciacca  
Technical Officer

Level 3, Landcentre  
Cnr Main & Vulture St WOOLLOONGABBA  
PO Box 1653  
COORPAROO DC QLD 4151  
Telephone +61 7 32277735  
Facsimile +61 7 32242933  
Website <http://www.derm.qld.gov.au/>  
ABN 46 640 294 485



## Aboriginal Cultural Heritage - Your Duty of Care!

If you'd like to finish your water development without unnecessary delays or cost, then this might be the most important notice you'll ever read.

The *Aboriginal Cultural Heritage Act 2003*, which commenced 16 April 2004, seeks to protect artefacts and cultural sites that are of significance to Aboriginal people. In addition to protecting objects, features and archaeological sites, this legislation protects certain areas important to Aboriginal people because of traditions, customs, beliefs or history.

The Act requires anyone who carries out an activity to exercise a Duty of Care, that is they must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. This applies to any activity, including the taking of or interference with water, that is undertaken on any land (including freehold) which may involve the excavation, harm, removal or relocation of cultural heritage. Duty of Care guidelines have been established to provide guidance on identifying features likely to contain or constitute cultural heritage and provide reasonable and practical measures to be undertaken in order to protect cultural heritage.

**Fines of up to \$75,000 for an individual and \$750,000 for a corporation** apply when Duty of Care is not undertaken or cultural heritage is unlawfully harmed... And sometimes you just don't know if there are cultural heritage values. The sites may be secret or sacred, incorporated into the landscape or under the soil surface.

The Department of Environment and Resource Management is responsible for administering the legislation and you should seek their assistance. Contact the Cultural Heritage Coordination Unit on (07) 3238 3838 or fax (07) 3238 3842. The Cultural Heritage Coordination Unit can provide you with a copy of the Duty of Care guidelines and put you in contact with the Aboriginal Party in your area.

### **How it affects you**

Prior to undertaking any activity, you can contact the department to undertake a **free search** search of the database and register of cultural heritage to ensure the activity will not excavate, harm, remove or relocate known cultural heritage. If in the course of undertaking an activity you discover a cultural heritage find, you must notify the Aboriginal Party immediately and exercise your Duty of Care. Where the activity will excavate, relocate, remove or harm Aboriginal cultural heritage, the activity should not proceed without a Cultural Heritage Management Plan or an agreement from the Aboriginal Party for the area.

Where the activity doesn't involve any additional surface disturbance (e.g. ongoing cultivation of an area) or if the activity occurs in a developed area, it is generally unlikely to harm cultural heritage. Surface disturbance includes any activity that causes a lasting impact to the land or waters. It includes any activity that disturbs the topsoil or surface rock layer of ground either by machinery (e.g. drilling or ploughing) or by removal of native vegetation.

If the activity will cause additional surface disturbance, a cultural heritage assessment should be undertaken. Advice should be sought from the relevant Aboriginal Party as to whether the activity affects Aboriginal cultural heritage and, if it does, how to best manage the activity to avoid or minimise harm to Aboriginal cultural heritage. *Ask First - A Guide to respecting Indigenous heritage places and values*, released by the Australian Heritage Commission, provides guidance on consulting and negotiating with Aboriginal people and is available from the publications menu of the Australian Heritage Commission website: <http://www.ahc.gov.au>.

Cultural heritage may not be an issue in many areas, particularly those areas that are already developed. However, as you have the Duty of Care placed upon you not to harm cultural heritage, take the necessary precautions up front and it will benefit the progress of your development. Compliance with the cultural heritage Duty of Care guidelines is taken as fulfilling your Duty of Care.

Fulfill your Duty of Care and you will:

- Not incur a fine
- Know what to do if you encounter cultural heritage
- Have greater project certainty
- Protect Queensland's cultural heritage

### **Why do we have such legislation?**

The following quote from Stephen Robertson, the former Minister for Natural Resources and Mines best sums up why we have such legislation:

"... Consider for a moment if a less than thoughtful Turkish government was to consider putting a resort at Anzac Cove, what would be our response? Anzac Cove is nothing special. It is a beach and some cliffs, but I would suggest that it has a place in each and every one of our hearts. It adds to our spirituality as Australians. ...Why is it so difficult when you have such a hard heart to soften it? Why is it so difficult when you have such a closed mind to open it and to be consistent when you celebrate your own spirituality, when you celebrate your own history, to give something of yourself to others who claim a slightly different experience and give the right to those people to celebrate, to protect, to commemorate and to mourn? That is what this legislation is all about."



## NOTICE OF DECISION

### Request to change a Development Permit *Integrated Planning Act 1997*



**Development Permit**      181438      **Lapse Date**      28/02/2011

The request dated 12 October 2009 to change the lapse date is approved.

#### **Approval Information**

The application for development to remove quarry material on land described as is approved by this agency .

Development to remove quarry material from a watercourse or lake may continue under this permit only during the period for which an allocation notice granted under the *Water Act 2000* authorises the material to be removed.

It is an offence for a person to remove quarry material from a watercourse or lake without appropriate authority under the *Water Act 2000*.

**Changed at Brisbane this SEVENTEENTH day of DECEMBER 2009.**

49-Sch4 - Signature

John Bradley  
**Director-General**  
**Department of Environment and Resource Management**



**Schedule of Assessment Manager Conditions**

**Description of Approved Works**

**Works Reference 15529**

Removal of quarry material from BRISBANE RIVER.

Development for the removal of quarry material associated with a Quarry Material Allocation Notice.

Quarry Extraction Site (Summervilles Land -Left Bank)

The bed of the BRISBANE RIVER adjacent to Lot 4 on RP891065.

Must be located on Lot 4 on RP891065.

Quarry Extraction Site (Summervilles Land -Left Bank).

DNRM RTI DL Release



**Part A - General Conditions of the Approvals**

**D001**

The works approved under this permit are to be completed by 15 February 2010.

**D003**

The permittee must notify the chief executive of the completion of the approved works within 30 business days after such completion. The notification must be given in writing to the chief executive of the Department of Environment and Resource Management.

**D015**

The permittee must, to the satisfaction of the chief executive of the Department of Environment and Resource Management, and at the permittee's own expense, maintain the bed and banks of the watercourse adjacent to the permitted works.

DNRM RTI DL Release



**Part B - Other Conditions of the Approval**

missing condition document

**END OF ASSESSMENT MANAGER CONDITIONS**

DNRM RTI DL Release

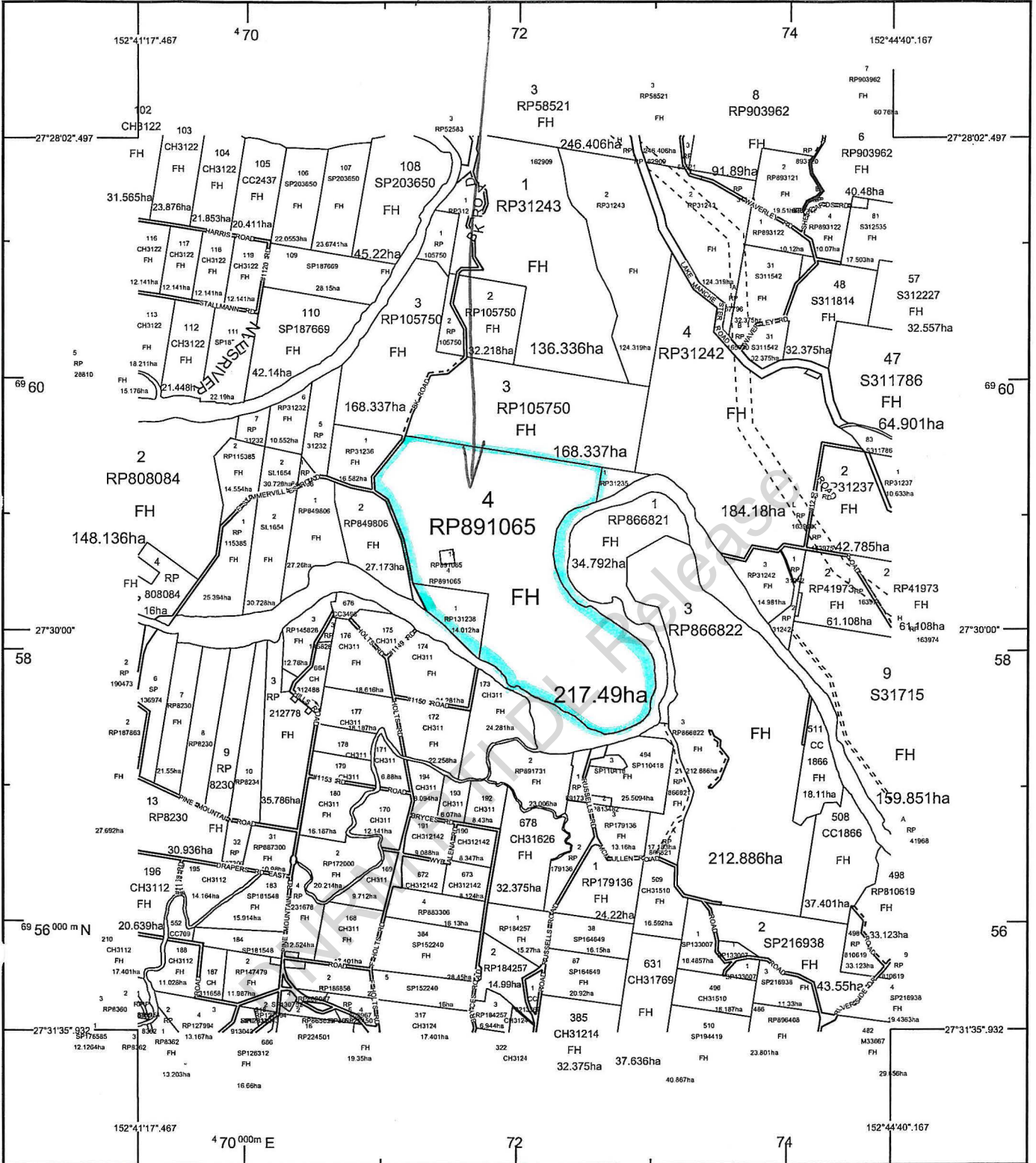


Under the *Integrated Planning Act 1997* and the *Water Act 2000*, you as the permittee and the chief executive of the Department of Environment and Resource Management have certain obligations and abilities that are applicable to the management of water resources. For your information, those obligations and abilities applicable to your development permit are outlined below. Please note that the wording in these notes does not reflect the exact wording in the *Integrated Planning Act 1997* or the *Water Act 2000* and reference should be made to these Acts for precise details.

- The assessment manager for a development application (in this case a delegated officer of the Department of Environment and Resource Management) may grant a development permit with conditions.
- During the appeal period for this permit, you may apply to change these conditions or another matter in the decision notice. This is called a negotiated decision. The appeal period is 20 business days from receiving the decision notice. (Details of how to appeal are included in the decision notice.)
- Only one negotiated decision notice may be given and it must be given within five business days after the day the assessment manager agrees with the representations. If the assessment manager does not agree with any of the representations, it must, within five business days after deciding not to agree with any of the representations, give a written notice to you stating the decision about the representations.
- If you want to change or cancel a condition and no assessable development would arise from the change or cancellation, you may make a request in writing to the assessment manager to change or cancel the condition. If you are not the owner of the land to which the approval attaches, the request must contain the owner's consent. The request must have the written consent of the chief executive of the Department of Environment and Resource Management before it can be accepted as properly made. The assessment manager must decide the request within 20 business days after accepting the request as properly made and must give you written notice of the decision. The changed condition or cancellation of condition takes effect from the day the notice is given.
- Under the *Water Act 2000*, the chief executive of the Department of Environment and Resource Management may, at any time and if considered necessary, ask you to show cause why the chief executive should not direct that these works be modified or removed. (An example of this might be where the works have not been properly abandoned or are causing erosion of a watercourse or the requirements of such a development have changed.)
- If you want to make a minor change to a development approval other than change of a condition, you must request by written notice to the assessment manager that you wish to make the change. If you are not the owner of the land, the request must also contain the owner's consent. The request must have the written consent of the chief executive of the Department of Environment and Resource Management before it can be accepted as properly made. A "minor change" of a development approval means a change that would not, if the application for the approval were remade including the change, require referral to additional concurrence agencies.
- The development approval will lapse at the end of the relevant period unless development substantially starts before the end of the relevant period. The relevant period for water-related developments is, by default, 2 years from the date this permit takes effect or for the specific period stated on this permit. Any specified period also starts on the day this approval takes effect.
- You may apply in writing to extend a relevant period before the development approval lapses. If you do so and you are not the owner of the land, the request must contain the owner's consent. The request must have the written consent of the chief executive of the Department of Environment and Resource Management before it can be accepted as properly made.
- This development approval attaches to the land, the subject of the original application. It binds the owner, the owner's successors in title and any occupier of the land to the conditions on the permit and the requirements of the *Integrated Planning Act 1997*. To remove any doubt, this applies even if later development such as subdividing the land is approved for the land.
- The permittee must allow an authorised officer of the Department of Environment and Resource Management full and free access to the facility at all reasonable times for the purpose of checking compliance with the development permit conditions or the *Integrated Planning Act 1997* generally. The permittee must pay any fee or charge prescribed by a regulation made under the *Integrated Planning Act 1997* or *Water Act 2000*.



DP # 181438



STANDARD MAP NUMBER  
9443-32232



MAP WINDOW POSITION & NEAREST LOCATION



SUBJECT PARCEL DESCRIPTION

DCDB  
Lot/Plan 4/RP891065  
Area/Volume 217.49ha  
Tenure FREEHOLD  
Local Government SOMERSET REGIONAL  
Locality BORALLON  
Parish SAHL  
County STANLEY  
Segment/Parcel 54708/45

CLIENT SERVICE STANDARDS

PRINTED (dd/mm/yyyy) 16/12/2009

DCDB 15/12/2009 (Lots with an area less than 1.000ha are not shown)

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For further information on SmartMap products visit <http://nrw.qld.gov.au/property/mapping/blnmap>

SmartMap

An External Product of SmartMap Information Services

Based upon an extraction from the Digital Cadastral Data Base



Queensland Government

(c) The State of Queensland, (Department of Environment and Resource Management) 2009.



14-203



INTERNAL CURRENT TITLE SEARCH  
ENVIRONMENT AND RESOURCE MANAGEMENT, QUEENSLAND

Search Date: 16/12/2009 14:12

Title Reference: 50068487  
Date Created: 05/05/1995

Previous Title: 14756154

REGISTERED OWNER

Interest

Dealing No: 700589150 04/04/1995

CRISPINA DOROTHY SUMMERVILLE 1/2  
BETTY MAY BERNITT 1/2

AS TENANTS IN COMMON

ESTATE AND LAND

Estate in Fee Simple

LOT 4 REGISTERED PLAN 891065  
County of STANLEY Parish of SAHL  
Local Government: SOMERSET

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 10953246 (POR 4)
2. LEASE No 601049031 (L947457F) 06/05/1994 at 10:01  
To  
CSR LIMITED  
OF PART OF THE LAND FROM 12/11/93 TO 12/11/2003  
Lodged at 10:01 on 06/05/1994 Recorded at 11:13 on 14/09/1994
3. TRANSFER No 706657481 30/05/2003 at 12:07  
LEASE: 601049031 (L947457F)  
READYMIX HOLDINGS PTY LIMITED A.C.N. 099 732 297  
Lodged at 12:07 on 30/05/2003 Recorded at 14:06 on 06/06/2003
4. AMENDMENT No 708269935 06/12/2004 at 15:23  
LEASE: 601049031 (L947457F)  
Lodged at 15:23 on 06/12/2004 Recorded at 13:09 on 07/12/2004
5. EASEMENT No 700589176 04/04/1995 at 15:43  
burdening the land to  
LOT 14 ON RP 891065 OVER EASEMENT A ON RP 891065  
Lodged at 15:43 on 04/04/1995 Recorded at 16:38 on 08/05/1995

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
AS1395T	ROAD LICENCE LAND ACT 1994	01/06/1987 00:00	CUR	BE-ARCH -00
710668444	WATER NOTICE WATER ACT 2000	12/06/2007 12:55	CUR	DL-WERD -00
710723317	WATER NOTICE WATER ACT 2000	20/06/2007 15:55	CUR	DL-WERD -00

UNREGISTERED DEALINGS - NIL

INTERNAL CURRENT TITLE SEARCH  
ENVIRONMENT AND RESOURCE MANAGEMENT, QUEENSLAND

Search Date: 16/12/2009 14:12

Title Reference: 50068487

Date Created: 05/05/1995

CERTIFICATE OF TITLE ISSUED - No

Caution - Charges do not necessarily appear in order of priority

\*\* End of Current Title Search \*\*

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## Investigation Report

Compiled on 23 October 2009 at 3:12 PM  
Page 1 of 5

Authorisation Number: 181438

### Request to Change Development Approval

#### 1. Request Details

Date request was received: 12 October 2009  
Lapse Date: 15 February 2009  
Received before lapse date Yes

The request has indicated that the works are installed. The proposal is to extend the currency period for this DP for a further (1) year.

#### 2. Act Provisions

The request is being dealt with under chapter 3 of *Integrated Planning Act 1997*, ss.3.5.22 and 3.5.23.

#### 3. Resource Entitlement

Under s.3.5.22 (5) request must be accompanied by the chief executive's written consent. The required evidence for Resource Mangers Consent is that which indicates the development is consistent with an allocation/entitlement to the resource or if it is deemed that the request can proceed in the absence of an allocation/entitlement to the resource.

The renewal application for the quarry allocation 100740 has been withdrawn and expired 28 February 2009. The extension of the associated development permit is to facilitate the remediation of the Summerville site, where quarry material has been extracted. The extension of the existing development permit will facilitate the remediation of the activity site, which is in accordance with the operations plan. Therefore RMC is given.

#### 4. Native Title

*IF EXTENSION PERIOD TO BE GRANTED IS NOT LONGER THAN HAS PREVIOUSLY APPROVED*

This development permit is to have the currency period extended for a period not longer than has been previously approved and the original permit was granted before 23 Dec 1996. In accordance with Chapter 5 Module IC (Att 4.3) of the Native Title Work Procedures, the renewal of this licence under the Water Act 2000 may proceed without native title notification.

The request can now proceed; a documented decision (form 101) has been completed for this dealing.

## Investigation Report

Compiled on 23 October 2009 at 3:12 PM

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Authorisation Number: 181438

### 5. Land Ownership

As per section 3.5.22 (3) if the request is not being made by the owner of land to which the approval attaches, the request must be accompanied by owners consent.

The registered owner/s of the land attached to the DP are not the person making this request but the consent of the land owners CD Summerville and BM Bernitt is provided.

### 6. Management Group and Water Code

Sub group:

Water code:

*Area is not covered by a water resource plan.*

### 7. Considerations

There are no concurrence agencies, therefore as the assessment manager a decision must be made within 30 business days after receiving the request.

No laws or policy applying to the development have changed since the original decision. No changes other than extending the currency period are requested.

Therefore, the conditions applied to this development permit as part of the original decision to minimise long and short term impact on the impacts on other water entitlements, natural ecosystems and physical integrity of the aquifer are to remain in place with no changes.

### 8. Metering

Not applicable

### 9. RECOMMENDATION

Having considered the facts I recommend that the request be approved **subject to conditions.**

**10. Currency Period** 1 year

**11. LAPSE DATE** 28/02/2011



## Investigation Report

Compiled on 23 October 2009 at 3:12 PM  
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Authorisation Number: 181438

### 12. CONDITIONS

#### Schedule A

##### D001

The works approved under this permit are to be completed by 15 February 2010.

##### D003

The permittee must notify the chief executive of the completion of the approved works within 30 business days after such completion. The notification must be given in writing to the chief executive of the Department of Natural Resources and Mines.

##### D015

The permittee must, to the satisfaction of the chief executive of the Department of Natural Resources and Mines, and at the permittee's own expense, maintain the bed and banks of the watercourse adjacent to the permitted works.

#### Schedule B

##### 01

The works authorised by this Development Permit must be located in accordance with Operational Plan titled "Operations Plan Sand Extraction at Summerville's Land by Readymix". Prepared for Readymix Holdings Pty Ltd by WBM Oceanics Australia dated 14 December 2004.

##### 02

The works authorised by this Development Permit must be constructed and maintained in accordance with Operational Plan titled "Operations Plan Sand Extraction at Summerville's Land by Readymix" prepared for Readymix Holdings Pty Ltd by WBM Oceanics Australia dated 14 December 2004.

##### 03

An Authorised Officer of this Department may direct that operations cease if any operations are being carried which is contrary to any term, limitation, direction, or operations which are likely to damage the watercourse.

##### 04

Removal of material and associated operations shall not cause erosion or damage to the bed or banks, the vegetation growing thereon, pumps, fences or structures within the watercourse, nor shall they cause unauthorised interference to the flow of the watercourse.

##### 05

Material removed from the watercourse should be stored above known flood level and must only be returned to the watercourse when and as directed by an Authorised Officer of the Department or in accordance with a works plan approved by the chief executive.

##### 06

Removals adjacent to the base of any bank shall at all times maintain a batter no steeper than 1 on 3 at the toe of the bank.

##### 07

The surface of the area of operation shall be left at an even longitudinal grade, smooth and free from holes and ridges.

## Investigation Report

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**Authorisation Number: 181438**

08

This Development Permit does not authorise access across freehold, leasehold or land under any authorised tenure for the purposes of exercising the Permit. Access is subject to and in compliance with a written agreement between the landholder and the Permittee and is only valid during the currency of the agreement.

09

Right bank removal is to terminate at a level dictated by points previously identified by the Department, located above the lower level grassed and timbered river terrace and existing riparian vegetation zone.

10

Heavy machinery is not to traverse the lower level terrace and existing riparian zone except in one scoured flood channel area where stabilisation work already commenced can be completed. The remaining area which is relatively stable is to be left undisturbed.

11

A new stable high bank batter is to be constructed with a batter no steeper than 1 on 3 as shown in Operational Plan titled "Operations Plan Sand Extraction at Summerville's Land by Readymix" prepared for Readymix Holdings Pty Ltd by WBM Oceanics Australia dated 14 December 2004.

12

Removal of material down to bedrock level (some 4 metres below normal low flow level) and progressive backfill with compacted reject and overburden material to final post extraction profile level can take place in areas defined by the Department.

13

The rehabilitation and revegetation of the site will be carried out in accordance with Operational Plan titled "Operations Plan Sand Extraction at Summerville's Land by Readymix - Section 2.3.3" prepared for Readymix Holdings Pty Ltd by WBM Oceanics Australia dated 14 December 2004 or in accordance with any alternative revegetation plan approved by the Chief Executive, Department of Natural Resources and Mines.

14

Final operational and rehabilitation profiles shall be in accordance with Operational Plan titled "Operations Plan Sand Extraction at Summerville's Land by Readymix" - Section Appendix D-1 (dated Dec.1995) prepared for Readymix Holdings Pty Ltd by WBM Oceanics Australia dated 14 December 2004 CSR.

### 13. ACTIONS

- √ Lapse date to be as above
- √ Conditions to be as above.
- √ Note in cover letter

*The currency period for this development permit has been extended for one year. **Please note that development permits are not continually extended.** If the works are not installed by this extended lapse date the development permit will lapse. A new development permit can be applied for when the construction of works is more imminent."*



## Investigation Report

Compiled on 23 October 2009 at 3:12 PM  
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Authorisation Number: 181438

### RECOMMENDATION MADE BY:

Gloriamarie McIntosh  
Project Officer

Signature: \_\_\_\_\_ 49-Sch4 - Signature

Date: 29/10/09.

### APPROVAL BY:

Name of approving officer:

Delegation:

Competency:

I am delegated under section 3.2.23 of the *Integrated Planning Act 1997* to make this decision as per Water Resources (IPA) Delegation ( ), dated .

Signature: \_\_\_\_\_  
Date:

### SET READY TO ISSUE

Name: M.R. Sciacca .

Position: TOS.

Signature: \_\_\_\_\_ 49-Sch4 - Signature  
Date:

21/12/09.

Animal owners consent

Mcintosh Gloriamarie B009/190/000 (0079)

From: MacKenzie, Adam [adam.mackenzie@holcim.com]  
Sent: Monday, 26 October 2009 12:34 PM  
To: Mcintosh Gloriamarie  
Subject: RE: Term of extension  
Attachments: Summerville Owners Consent\_261009.pdf

B009/01241

Hi Gloria,

Please find attached the signed owners consent letter from the Bernitt's at our Summerville sand & gravel pit.  
Thanks

Adam

73(2)Irrelevant

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As of 26 March 2009 the Department of Natural Resources and Water/Environmental Protection Agency integrated to form the Department of Environment and Resource Management

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3 sheets of A4 paper = 1 litre of water



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[www.holcim.com.au](http://www.holcim.com.au)

CD Summerville and BM Bernitt  
E Summerville's Rd  
MS1020  
Fernvale Qld 4306

October 21, 2009  
[adam.mackenzie@holcim.com](mailto:adam.mackenzie@holcim.com)

Dear Russell

As you are aware, Holcim's (formerly CEMEX) "Summerville" sand & gravel extraction operation on your property, Lot 4 on RP891065, is exhausted & currently undergoing rehabilitation.

In order to carry out the sites rehabilitation in full, Holcim has requested a 1 year renewal to the current Development Permit (DP181438) lapse date which is due to expire on 15/02/2010. It is likely the sites rehabilitation will be complete by 15/02/2010, the 1 year renewal will give Holcim the opportunity to provide a better final land form.

As I understand, you would like the site rehabilitated by early 2010. Holcim will make ever effort to rehabilitate & exit the site as soon as possible.

For your information, Holcim will not be requesting renewal of the Quarry Material Allocation Permit as the sand & gravel reserves at "Summerville" are exhausted. This means Holcim cannot extract anymore material from the site.

Holcim requires your signature (Owners Consent) for the Department of Environment & Resource Management (DERM) to grant the renewal to the Development Permit (DP181438).

Could I please ask you sign the following document so Holcim can attach it to the Development Permit application to be submitted to DERM.

Please feel free to call if you have any questions, mobile@9-Sch4 - Mobile phone

Yours sincerely

Adam MacKenzie

Planning & Approval Manager



**Owners Consent**

I / we B. BERNITT....., owner of Lot 4 on RP891065  
("Summerville" sand & gravel pit), hereby provide Holcim Australia Pty Ltd owners consent to  
lodge a renewal request (IDAS Form 2) for Development Permit (DP181438).

Signed:.. 49-Sch4 - Signature .....

Date: 26 Oct 09.....

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**Mcintosh Gloriamarie**

600190  
 500/55/000(0079)  
 B209/0212

**From:** MacKenzie, Adam [adam.mackenzie@holcim.com]  
**Sent:** Monday, 12 October 2009 3:22 PM  
**To:** McIntosh Gloriamarie  
**Subject:** RE: Application to renew quarry allocation  
**Follow Up Flag:** Follow up  
**Flag Status:** Red  
**Attachments:** Change of Name Cert (00001918).PDF; Certificate of Registration (00001919).PDF; Summerville Dev Permit Applic\_121009.pdf; Sapling Pocket Dev Permit Applic\_121009.pdf

Hi Gloria,

Thanks for your assistance on the phone today with our Summerville & Sapling Pocket sand & gravel operations.

As discussed, CEMEX has recently been purchased by another company & is now known as Holcim Australia Pty Ltd. I have attached the latest name change certificates for your records. It would be much appreciated if you could pass this information onto the various departments within DERM.

I can confirm that:

**Summerville, (adjacent to Lot 4 RP891065)**

- This operation is exhausted & rehabilitation is currently underway.
- Holcim would like to withdraw its quarry allocation 100740 renewal.
- Holcim requests an extension to the Dev Permit 181438 lapse date from 15/02/2010 to 15/02/2011. Please find attached "Form 2 - Request to change an existing approval". As Holcim is not the owner of the Summerville property I am unable to complete Item 6 of Form 2. I will gain the landowners consent / signature & forward this to you ASAP.
- The extension will give Holcim additional time & assurance that it will be able to meet its rehabilitation requirements before the current 15/02/2010 Dev Permit lapse date.

28  
 30

**Sapling Pocket, (adjacent to Lot 1 RP866821 and Lot 2 RP866821)**

73(2)Irrelevant

Hope this isn't too confusing Gloria, please call if you have any questions.

Thanks

Adam MacKenzie  
 Planning & Approvals Manager  
 Holcim (Australia) Pty Ltd  
 Level 3, 18 Little Cribb St Milton QLD 4064  
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**From:** MacKenzie, Adam [mailto:AdMackenzie@cemex.com.au]  
**Sent:** Thursday, 30 July 2009 5:20 PM  
**To:** Mcintosh Gloriamarie  
**Subject:** FW: Application to renew quarry allocation

Hi Gloria,

Thanks for the chat regarding CEMEX's Sapling Pocket & Summerville sand & gravel operations.

As per your email to Brian below, we are comfortable with your quarry allocation advice for

Summerville & pending discussion with management, we'll proceed as requested.

73(2)Irrelevant

Thanks again

**Adam MacKenzie**

Aggregate Planning & Development Manager

**CEMEX Australia Pty Limited**

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M +61 Sch4 - Mobile phone

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---

**From:** Burr, Brian  
**Sent:** Thursday, 30 July 2009 2:05 PM  
**To:** Zaver, Andrew  
**Cc:** Lewis, Christian  
**Subject:** FW: Application to renew quarry allocation

FYI

---

**From:** Mcintosh Gloriamarie [mailto:Gloriamarie.Mcintosh@derm.qld.gov.au]  
**Sent:** Wednesday, 29 July 2009 10:32 AM  
**To:** Burr, Brian  
**Subject:** Application to renew quarry allocation

Hi Brian,

as per our phone conversation, please see the following;

**Summerville, (adjacent to Lot 4 RP891065)**

I refer to the existing application for the renewal of quarry allocation 100740, submitted to the Department of Environment and Resource Management (DERM), for the Summerville site, (Lot 4 RP891065). A site visit was undertaken by Fred Hundy (Senior Project Officer) and myself on Thursday 23<sup>rd</sup> July. I was informed by Andrew Brietkopf that no further material would be extracted from the Summerville site, (Lot 4



RP891065) and that only remediation activities are being undertaken. In this instance a quarry allocation is not required considering the current activity being undertaken and the future plans for this site.

Remediation activities are able to be continued as the development permit is current and expires 15/02/2010. In light of this and at your direction, I recommend you withdraw your renewal for a quarry allocation (100740) without fees due to the department.

**Sapling Pocket, (adjacent to Lot 1 RP866821 and Lot 2 RP866821)**

73(2)Irrelevant

Regards

*Gloriamarie McIntosh*  
Project Officer, Water Services  
Telephone: 07 3224 8172  
Email: [Gloriamarie.McIntosh@derm.qld.gov.au](mailto:Gloriamarie.McIntosh@derm.qld.gov.au)

Department of Environment and Resource Management  
Water Services  
Woolloongabba.

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