

copy from BDC/190/000 (0079)

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B209/01212

Mcintosh Gloriamarie

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)

EVENT # 507386

- 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)

EVENT #

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
O +61 7 3364 2809

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M +61 Sch4 - Mobile phone
www.holcim.com.au

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73(2)Irrelevant

DNRM RTI DL Release

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

Apologies for all the questions, your assistance is much appreciated.

Thanks again

Adam MacKenzie

Aggregate Planning & Development Manager

CEMEX Australia Pty Limited

Level 3, 18 Little Cribb St, Milton QLD 4064

O +61 7 3364 2809

F +61 7 3364 2841

M4961 Sch4 - Mobile phone

www.cemex.com.au

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 23rd 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.

Sapiing 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

Department of Environment and Resource Management
Water Services
Woolloongabba.

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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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Form 2 Development Application idas

Request to change an existing approval

Details of person making the request

1. Who is making the request?

Company/organisation name <i>(If applicable)</i>		Holcim Australia Pty Ltd (formerly CEMEX)	
Individual applicant Contact person <i>(If there is more than one applicant, provide details under Add another applicant)</i>			
Title	Mr	First name	Adam
		Last name	MacKenzie
Postal address		Level 3, 18 Little Cribb St Milton QLD 4064	
Contact telephone number	07 3364 2809	Mobile phone number	49-Sch4 - Mobile phone
Facsimile number	07 3364 2841	e-mail address	adam.mackenzie@holcim.com

Details of the existing approval

2. What are the details of the approval sought to be changed

Type of approval	Identification number	Date issued	Assessment manager <i>(If request not made to the assessment manager)</i>
<input checked="" type="checkbox"/> Development Permit	181438	11-Mar-2005	Dept Natural Resources and Water - Scott Spen
<input type="checkbox"/> Preliminary Approval			

Identification of the premises

3. Can any part of the premises be identified by a street address or lot on plan description?

- No - Answer Q3(a)
 Yes - Complete Table B and Q3(b)

Table B

	Street Address			Lot on plan description		Local government area
	Unit Number	Street number	Street Name and official suburb/locality name	Post code	Lot No	
1			Adjacent to: E Summervilles Rd Borallon Qld	4306	4	RP891065 Somerset

3(b). Can the address be further described by shop/tenancy number or storey/level?

- No
 Yes - Complete Table C

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4. Can the premises best be identified by coordinates (e.g. for development proposed in waters, or on a site within a large rural lot)?

- No
 Yes - Complete Table D

5. What is the total area that makes up the premises (i.e. the area covered by the application)?

Area of land above high water mark/outside watercourse		Area in a water body or watercourse	
20.00	<input type="checkbox"/> m ² <input checked="" type="checkbox"/> hectares <i>(Tick applicable unit)</i>	0.00	<input type="checkbox"/> m ² <input checked="" type="checkbox"/> hectares <i>(Tick applicable unit)</i>

Owner's consent and resource owner's agreement

6. Is the person making the request the owner of the land to which the approval attaches?

- Yes No - Complete Table E - provide details for each owner on a separate row, or on an attachment to this form if applicable. Note: Advice provided at the end of this form details when owner's consent is not required.

Table E

	Owner's name/s and postal address	Details of the premises owned (street address or lot on plan description)	Signature*	Date written consent was obtained
1	CD Summerville and BM Bernitt E Summerville's Rd MS1020 Fernvale Qld 4306	Lot 4 RP891065		

*Owner's signature can not be provided on the form if you intend to submit the application electronically. Owner's consent must be provided to the assessment manager on an attachment containing appropriate written documentation of the owner's consent. If the owner is a company the company must sign as owner. S127 of the Corporations Act 2001 (Cwealth) details how a company may execute a document.

7. If an application for the existing approval were being made now (i.e. at the time of making this request), would evidence be required to support the application because it involved taking or interfering with a State-owned resource prescribed by schedule 10 of the Integrated Planning Regulation 1998 (IP Reg) or any other regulation

- No Yes - Complete Table F and submit, with the application, written agreement to the request.

Table F

	Nature of State-owned resource	Relevant State Government Department	Date written agreement of the chief executive was obtained
1	14. Quarry material taken from a watercourse or lake	Department of Environment & Resource Management	05-Jul-2007

Nature of the request

8. What is the nature of the request for change? (Tick the applicable box/es)

- An extension of the period before an approval lapses (under IPA, section 3.5.22)
 To change the development approval other than a change of condition (under IPA, section 3.5.24)
 To change or cancel a condition of approval (under IPA, section 3.5.33) - Go to Q11
 To change conditions of a rezoning approval given under the Local Government (Planning and Environment) Act 1990 (under IPA, section 6.1.35A) - Go to Q12

9. Were one or more concurrence agencies involved in the approval?

- No Yes - Complete Table G. Submit, with the application, a copy of the notice required to be sent to each agency under IPA sections 3.5.22(1)(a) and 3.5.24(1)(b).

10. Does the request for change relate to an aspect of the approval that involved a building referral agency?

- No Yes - Complete Table H. Submit, with the application, a copy of the notice required to be sent to each agency under IPA section 3.5.24(1)(b).

Details and reasons or justification for the request

11. What are the details of the requested change and the reasons or justification for the change? Use a different row for each change if more than one.

	Details of requested change (including extension of the period if relevant)	Reasons or justification for the requested change
1	Holdcim requests an extension to the Dev Permit 181438 lapse date from 15/02/2010 to 15/02/2011.	Holdcim has finished extraction at Summerville. Holdcim requests an

extension to the Dev Permit 181438 lapse date to ensure site rehabilitation is finalised.

Mandatory attachments and information

12. What are the mandatory attachments and supporting information accompanying this application?

	Description of attachment or information <i>(e.g. notice to concurrence/building referral agencies, owner's consent, resource owner's agreement, drawings, reports)</i>	Title and date (if applicable) <i>(e.g. James Street Traffic Report)</i>	Method of delivery to assessment manager
1			

OFFICE USE ONLY

Date Received

Reference Numbers

Cost Code *(applicable to EPA only)*

433062
(ERAs)

Advice for completing Form 2

General advice

- Form 2 may be used for any one of the four types of request for changing an existing approval -
 - an extension of the period before an approval lapses (under IPA, section 3.5.22)
 - to change or cancel a condition of approval (under IPA, section 3.5.33)
 - to change the development approval other than a change of condition (under IPA, section 3.5.24)
 - to change conditions of a rezoning approval given under the *Local Government (Planning and Environment) Act 1990 (P&E Act)* (under IPA, section 6.1.35A)
- Form 2 is not an approved form under the IPA. The assessment manager, concurrence agency or court may have their own form for the purpose of making a request to change an approval. In the case of a request to change conditions of a rezoning approval, the P&E Act establishes the process to be followed and provides for the local government to determine the required form.
- The entity that should receive the request is:
 - for an extension of the period before an approval lapses - the assessment manager (even if the approval was granted by the court (IPA, section 3.5.22(9)))
 - to change or cancel a condition of approval - the entity that decided or required the condition (i.e. the assessment manager, a concurrence agency or the court)
 - to change the development approval - the assessment manager
 - to change conditions of a rezoning approval - the local government
- When paying fees to the Environmental Protection Agency by electronic funds transfer (EFT) for requests relating to environmentally relevant activities (ERAs) or coastal development, use the process from the information sheet *Electronically paying fees to the Environmental Protection Agency (EPA)* and attach the form *Electronic Funds Transfer (EFT) payment notification* to the request.

- Q1** Any person may make a request to change an approval. However, in the case of a development approval for building work or operational work for the supply of community infrastructure on land designated for the community infrastructure, only the person supplying the infrastructure may make a request (IPA, section 3.5.33(3A)).
- Q2** If the request is made to a concurrence agency or the court, notice of any subsequent change or cancellation of a condition must be given to the assessment manager (IPA, section 3.5.33(9)).
- Q6**
 - If the person making the request is not the owner of the land to which the approval attaches, the request must be accompanied by the owner's consent. (IPA, sections 3.5.22(3), 3.5.24(3), 3.5.33(3)).
 - However, owner's consent is not required if the approval is for:
 - a mobile and temporary ERA; or
 - building work or operational work for the supply of community infrastructure on land designated for community infrastructure (IPA, section 3.5.33(3A)).
- Q7** The request must also be accompanied by the written agreement of the chief executive from whom evidence of resource allocation or entitlement would be required if an application for approval were being made. (IPA, sections 3.5.22(5), 3.5.24(5), 3.5.33(3C))
- Q9** For a request to extend the period before an approval lapses, or to change a development approval, each concurrence agency for the approval must be given written notice of the request (IPA, sections 3.5.22(1), 3.5.24(1)).
- Q10** For a request to change a development approval, if the subject of the request involved a building referral agency, that agency also needs to be given notice of the request (IPA, section 3.5.24(1)). For a request to change conditions the opinion of a relevant building referral agency must be given regard to by the entity deciding the request (IPA, section 3.5.33(9)).

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Holcim (Australia) Pty Ltd
Tower B, Level 8
799 Pacific Hwy
Chalawood 2067
Australia

ABN 87 099 732 297
Phone +61 2 9412 6600
Fax +61 2 9412 6601
www.holcim.com.au

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

October 21, 2009
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 49-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

From: Mcintosh Gloriamarie
Sent: Thursday, 6 August 2009 11:43 AM
To: 'MacKenzie, Adam '
Subject: RE: Application to renew quarry allocation

FILE COPY

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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

73(2)Irrelevant

Thanks again

Adam MacKenzie

Aggregate Planning & Development Manager

CEMEX Australia Pty Limited

Level 3, 18 Little Cribb St, Milton QLD 4064

O +61 7 3364 2809

F +61 7 3364 2841

M 491Sch4 - Mobile phone

www.cemex.com.au

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 23rd 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

Department of Environment and Resource Management
Water Services
Woolloongabba.

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Sent: Thursday, 30 July 2009 5:20 PM
To: McIntosh Gloriamarie
Subject: FW: Application to renew quarry allocation
Attachments: Sapling Dev Permit_031207.pdf; Rehab_060601.pdf

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Thanks again

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Aggregate Planning & Development Manager

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McIntosh Gloriamarie*Copy env file + 40,800/515/000607
P5*

From: McIntosh Gloriamarie
Sent: Wednesday, 29 July 2009 10:32 AM
To: 'bburr@cemex.com.au'
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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

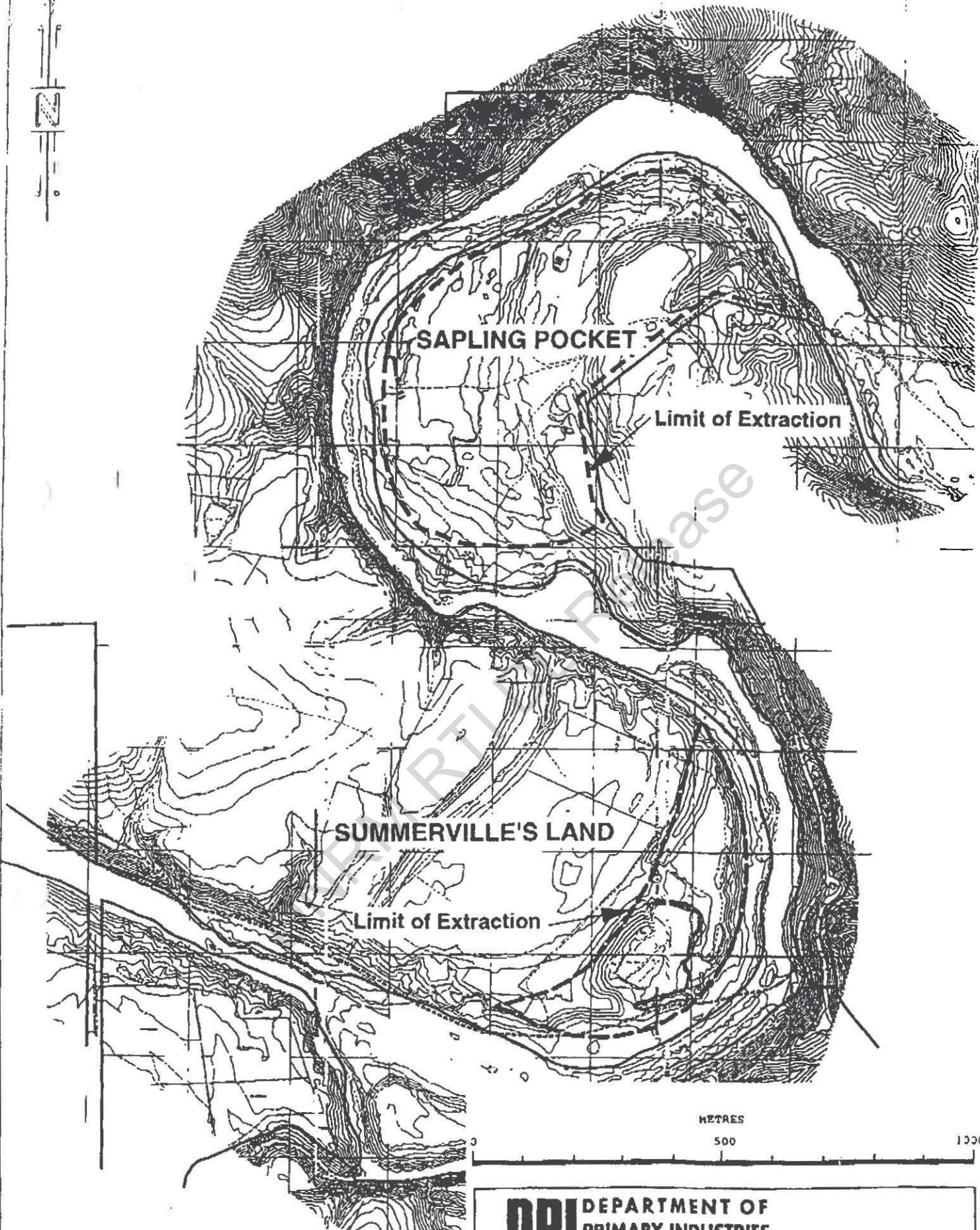
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Topographic information taken from
Kinhill Cameron McNamara Pty Ltd
Report on Proposed Extraction Operations
at Sapling Pocket for the CSR Readymix Group
(Figures 3.1 and 3.2, Document 4608-500)

DPI DEPARTMENT OF
PRIMARY INDUSTRIES
QUEENSLAND RESOURCE MANAGEMENT

**CSR - BRISBANE RIVER
SAPLING POCKET & SUMMERVILLE'S LAND**

LOCALITY PLAN

BR 636 2.4