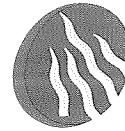




Hon Stirling Hinchliffe MP
Member for Stafford



**Queensland
Government**

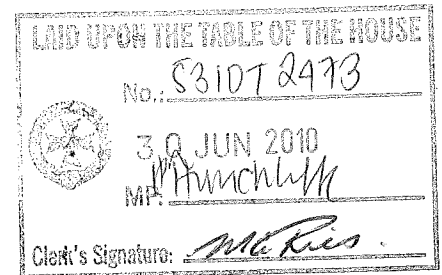
Minister for Infrastructure and Planning

Our ref: 10/27443

Your ref: Petitions

29 JUN 2010

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
Brisbane QLD 4000



Dear Neil

Thank you for your letter of 11 June 2010 about petition number 1466-10 in relation to a proposed sand mining operation in the Burnett region.

The petition wishes to draw the attention of the House to the strong opposition to Bundaberg Sugar's proposed sand mining operation in the Burnett region on land stretching from Gooburrum to Moore Park Beach for a number of reasons, including:

- close proximity to residential estates and significant urban development
- significantly increased heavy vehicle movements on inadequate roads will considerably increase the danger to all road users, including many school children
- significantly increased surface water ponding in disused sand mining areas will considerably increase the risk of the transition of dangerous diseases carried by mosquitoes
- high levels of dust created by processing sand containing dangerous silicone particles and dispersed by prevailing winds onto neighbouring properties will increase the risk to public health of local residents
- little or no consultation with local community and Indigenous groups
- noise generated by the activities of the proposed sand mine will impact on the ability of the existing residents to peacefully enjoy their properties
- good quality agricultural land will be destroyed for the sake of a sand mine with a limited lifespan
- significant and adverse impact on the environment and local wildlife
- likely interruption and interference with the quantity and quality of local residences's bore water
- devaluation of land and house prices.

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The petition requests the House to use all legislative and political powers to stop the proposed Bundaberg Sugar sand mining project.

The management of development and the assessment of individual development applications in the Gooburrum and Moore Park Beach area are primarily regulated by the planning scheme of the former Burnett Shire. Under the *Sustainable Planning Act 2009* (SPA), any person wishing to undertake assessable development of land must apply to the relevant Council which is required to assess each application on its merits against the requirements of the planning scheme. If an application is in conflict with Council's planning scheme, SPA requires Council to refuse the application, unless there are sufficient planning grounds to justify the approval.

Intervention by the State Government in the development assessment process prior to or following a decision by the Local Government is only intended on occasions where an interest of economic or environmental significance to the State could be significantly affected by a decision of Local Government. Given these are reserve powers, decisions on their use are not taken lightly.

The development application for extractive industry (sand resource) and environmentally relevant activity number 16(1)(c) and 16(1)(d) (extractive and screening activities) for Bundaberg Sugar is currently being considered by Bundaberg Regional Council. Through the Integrated Development Assessment System process, the assessment manager and identified referral agencies will consider similar issues to those raised by the petitioners on assessment of the development application.

I understand this development application is currently undergoing public notification until 22 July 2010. I would encourage the petitioners to take the opportunity to make a properly made submission on the development application during this time.

If someone has made a properly made submission, and they are dissatisfied with Council's subsequent decision, they may appeal the decision to the Planning and Environment Court (P&E Court). The P&E Court is the independent body established to resolve disputes about planning and development matters. General enquiries to the P&E Court can be made through the District Court Civil Registry at PO Box 15167, City East Qld 4002, on telephone number 3247 4313 or by visiting the Queensland Courts' internet site at www.courts.qld.gov.au.

I trust this information is of assistance. If you require any further information, please contact Mr Dale Bell, Principal Planner, Regional Services, Strategy and Governance, Department of Infrastructure and Planning, on 4131 5594 who will be pleased to assist.

Yours sincerely



Stirling Hinchliffe MP
Minister for Infrastructure and Planning