

# ***Regional Planning Interests Act 2014***

## **Assessment application form**

Approved under section 94 of the *Regional Planning Interests Act 2014*.

Version 3.0 is effective from 3 July 2017.

### **Before lodging your application**

1. Read RPI Act Statutory Guideline 01/14: How to make an assessment application for a regional interests development approval under the [Regional Planning Interests Act 2014](#)
2. Consider contacting the RPI Act Development Assessment team on 1300 967 433 or email [RPIAct@dilgp.qld.gov.au](mailto:RPIAct@dilgp.qld.gov.au) for general queries, or to request a pre-application discussion on the proposed application.

## **Purpose of application form**

This form is to be used when making an assessment application for a regional interests development approval (RIDA) under the *Regional Planning Interests Act 2014* (RPI Act).

### **Definitions**

Expressions highlighted in bold italic type have the same meaning as in the RPI Act or in regulations made under the RPI Act.

### **How to make the Assessment Application**

Section 29 of the RPI Act states:

An assessment application must be:

1. made to the chief executive in the approved form; and
2. accompanied by a report:
  - assessing the resource activity or regulated activity's impact on the area of regional interest; and
  - identifying any constraints on the configuration or operation of the activity; and
3. accompanied by the fee prescribed under a regulation.

The applicant must complete all sections of the form either on the form or as an attachment.

### **Where to lodge**

**The preferred method of lodgement is to upload the application form on the electronic registration and login system. Access to the RIDA system is available on the [DILGP Planning website](#).**

OR

Provide **1 electronic copy** of the completed application form and the supporting information to the chief executive:

- **Email:** [\*\*RPIAct@dilgp.qld.gov.au\*\*](mailto:RPIAct@dilgp.qld.gov.au)
- **Post:** RPI Act Development Assessment Team DILGP  
PO Box 15009  
City East QLD 4002
- **Hand deliver:** RPI Act Development Assessment Team DILGP  
Level 13, 1 William Street, Brisbane  
(For hand deliveries, contact the RIDA Development Assessment team on 1300 967 433).



<p><b>1. Property description of the land the subject of the application.</b> Identify all lots or parts of lots on which the activity is proposed, and the total area of disturbance. Provide a map.</p>			
Lot on Plan description (e.g. 1RP12345)	2SP254309		
Street address/suburb/ locality and post code	Lyra Park Road Mackenzie River QLD 4705		
Closest town	Emerald		
<p><b>2. Application details</b> Attach a map that clearly shows all relevant areas of regional interest on the land the subject of the application and the corresponding proposed location of the proposed activity/ies.</p>			
<p><b>Identify the area/s of regional interest (ARI) in the application area and the area of the ARI to be disturbed</b></p>			
<b>Area of regional interest (ARI)</b>	<b>Area of disturbance</b>	<b>Area of regional interest (ARI)</b>	<b>Area of disturbance</b>
<input type="checkbox"/> Priority agricultural area	_____ ha	<input type="checkbox"/> Priority living area	_____ ha
<input checked="" type="checkbox"/> Strategic cropping area	196 ha	<input type="checkbox"/> Strategic environmental area	_____ ha
<p><b>Identify the resource or regulated activity</b></p>			
<p><input checked="" type="checkbox"/> Resource activity: mining and other resource activities (not petroleum and gas). (Add the type of mining on this form <b>COAL</b>)</p>			
<p><input type="checkbox"/> Resource activity: petroleum and gas</p>			
<p><input type="checkbox"/> Regulated activity - broadacre cropping (Only relevant where the application relates to a strategic environmental area)</p>			
<p><input type="checkbox"/> Regulated activity - water storage (dam) (Only relevant where the application relates to a strategic environmental area)</p>			
<p><b>Provide a detailed description of the proposed activities</b> Provide a description of the proposed activities for which approval is sought, location and the surface area of the activities.</p>			
Area of regional interest	Activity	Location	Total area of disturbance (ha)
	Mine pit Waste rock dump Infrastructure Mine water dam	2SP254309	196 ha

**Provide a description of current land use**

Provide a description of what the land is currently being used for (e.g. horticulture, irrigated cropping, dryland grazing, nature conservation, residential, manufacturing and industrial, etc.) and the surrounding land within a 1 kilometre radius.

Attach a map that clearly shows the area and location of all existing land uses and activities on the land the subject of the application, and within a 1 kilometre radius of the boundaries of the land that is the subject of the application.

See attached report

WILTON COAL PROJECT - Soil and Strategic Cropping Land Assessment (Ref: 623.17170-R01, v0.5, July 2019)

**3. Supporting information to accompany this application**

Report (*addressing matters set out in section 29(b) of the RPI Act*)

WILTON COAL PROJECT - Soil and Strategic Cropping Land Assessment (Ref: 623.17170-R01, v0.5, July 2019)

**4. Other relevant information to accompany this application**

Attach map/s to identify the location of this information and lot on plan details.

<p>Are there any resource authorities or applications for resource authorities over all or part of the land the subject of the application? (e.g. for exploration or resource development)</p>	<p><input checked="" type="checkbox"/> Yes (Provide the resource authority reference number, a description of the type of authority/approval, the status (i.e. in application stage or approved); date of application or approval; location and dimensions of each resource authority or application)</p> <p>ML700029 (application) – 614.5 ha ML700028 (application) – 178.1 ha See figure 2 in attached report</p>	<p><input type="checkbox"/> No</p>
<p>Is there a SCL protection decision over all or part of the land the subject of the application?</p>	<p><input type="checkbox"/> Yes (Provide decision number/s)</p>	<p><input checked="" type="checkbox"/> No</p>
<p>Is there an environmental authority (EA) over all or part of the land the subject of the application?</p>	<p><input type="checkbox"/> Yes (Provide environmental authority number/s)</p>	<p><input checked="" type="checkbox"/> No</p>
<p>Are there any easements over any part of the land the subject of the application?</p>	<p><input checked="" type="checkbox"/> Yes ROAD PARCEL (not a formed road) See figure 2 in attached report</p>	<p><input type="checkbox"/> No</p>
<p>Attach a current title search for each lot or part of a lot the subject of the application (NOTE: the searches must be obtained within 3 business days before application.)</p>	<p><input checked="" type="checkbox"/> Tick to confirm title searches are attached.</p>	

Attach GIS data files for the proposed activities identified in section 2 above.	<input checked="" type="checkbox"/> Tick to confirm data files are attached.	
Is an exemption from public notification for the assessment application under section 34(3) of the RPI Act sought?	<input checked="" type="checkbox"/> Yes (Attach written request including justification for the exemption) See attached letter.	<input type="checkbox"/> No
<b>5. Land owner details</b>		
Name of all land owner/s	R & R Simmons	
Postal address/s	'Avon Downs' 2343 Avon Road CLERMONT QLD 4721	
Telephone/mobile number/email address/s (non-mandatory)		
Is the applicant the owner (as defined in schedule 1 to the RPI Act) of the land the subject of the application?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No (Identify the land that is not owned by the applicant)
Is it necessary, under section 30 of the RPI Act, to provide a copy of the application to the owner of the land? (NOTE: proof of delivery will be required.)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>6. Applicant/authorised person details</b>		
Section 28 of the RPI Act prescribes who may be the applicant for a RIDA for a resource activity or regulated activity to be carried out in an area of regional interest. The decision about the application is issued to the applicant. The applicant need not be the owner of the land. The authorised person for a company (if applicable) is the contact person for the applicant and need not be the applicant (for example, director, company secretary or sole director). However, formal documents, such as any requirement notice and the decision about the application, will be sent to the applicant at the address for service stated below.		
Applicant/s name (individual or company name in full), include ABN or ACN number if applicable	Wilton Coking Coal Pty Ltd 16 147 034 277	
Applicant's postal address and email address for service	GPO Box 225, SYDNEY NSW 2001 <a href="mailto:info@futuraresources.com.au">info@futuraresources.com.au</a>	
Authorised contact person for applicant: name, position and company	Ben Dunlop Project Manager, Futura Resources Ltd	
Contact phone number and mobile number	+61 405 722 551	
Contact email address	<a href="mailto:ben.dunlop@futuraresources.com.au">ben.dunlop@futuraresources.com.au</a>	

<b>7. Electronic documentation</b>	
Where an email address is provided in section 6 above, does the applicant consent to receiving written information relating to this assessment application, required or permitted to be provided under the <i>Regional Planning Interests Act 2014</i> or any other State law, in an electronic format pursuant to sections 11 and 12 of the <i>Electronic Transactions Act 2001</i> ?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>8. Application fee</b> (Fees are prescribed in the Regional Planning Interests Regulation 2014)	
Amount payable	\$26,500
Reference number (Contact RIDA assessment team for a reference number)	RPI19-003
Payment option (Contact RIDA assessment team for account details)	<input checked="" type="checkbox"/> Direct deposit      Date deposited:
	<input type="checkbox"/> Cheque attached
<b>9. Use and Disclosure of Information Statement</b>	
<p>The information is collected in accordance with the RPI Act and will be used by Queensland Government Agencies for the processing and assessment of your assessment application, and may involve the chief executive:</p> <ol style="list-style-type: none"> <li>1. and other officers of the DILGP, and any consultants engaged by or on behalf of the chief executive, reviewing the information provided for the purpose of considering and assessing your assessment application</li> <li>2. providing a copy of the assessment application to relevant Queensland Government Agencies prescribed as assessing agencies for the assessment application (including the local government), the Gasfields Commission or any person asked to provide advice or comment on the assessment application.</li> </ol> <p>The assessment application and the accompanying report will also be made publically available on the DILGP website from the time the assessment application is made until the time it lapses or is withdrawn or, if is decided, until the end of the last period during which an appeal may be made against a decision on the application. However, information will not be made publicly available on the DILGP website to the extent that it is provided by an owner of land (as defined in schedule 1 to the RPI Act) (an owner) who is not the applicant, and is commercial-in-confidence or personal information, and that owner has not consented to its disclosure, or to the extent that it is information which is considered to be sensitive security information.</p> <p>Where an application proposes a resource or regulated activity in a priority agricultural area (PAA) and the applicant is required to provide information about the productive capacity or operation of a priority agricultural land use to address the prescribed solutions in the Regional Planning Interests Regulation 2014 (schedule 2, part 2), the information is to be provided in a separate document attached as an appendix to the assessment application report and the application must:</p> <ul style="list-style-type: none"> <li>• identify the source of the information provided, including whether the information was provided by an owner other than the applicant</li> <li>• state whether an owner other than the applicant agrees to the information being made publicly available on the DILGP website; and if so:</li> </ul>	

- provide the express written agreement of that owner to the information being made publicly available on the DILGP website.

If an owner, other than the applicant, does not provide express written agreement, the information will not be made available on the DILGP website with the other application information. You may also be required to publicly notify your application. A notice about the chief executive's decision relating to your application will also be publicly notified.

Your personal details will not be disclosed for a purpose outside this assessment process, except where required by legislation (including the *Right to Information Act 2009*). This information may be stored in a database by DILGP.

The information collected will be retained as required by the *Public Records Act 2002*.

### 10. Declaration

This declaration needs to be made by the individual applicant or, when the applicant is a company, an authorised person or persons who have the authority to act on behalf of that company in accordance with the *Corporations Act 2001* (Cth).

Where the declaration is made by a person who is authorised in writing to make that declaration on behalf of the company, evidence of that authorisation must accompany the application.

- By making this application, I declare that all the information in this application is true and correct and that I have read and understood the '*Use and Disclosure of Information statement*' on this form.

#### Signature of Applicant

Signature of applicant/authorised person:



Name and Position:

Don Carroll Executive Chairman

Date:

12 August 2019

#### Signature of Applicant

Signature of applicant/authorised person:

Name and Position:

Date:

<b>Office use only</b>	Date received	
	RIDA reference number	
	Source number	

CURRENT TITLE SEARCH

NATURAL RESOURCES, MINES AND ENERGY, QUEENSLAND

Request No: 31804778

Search Date: 02/08/2019 14:49

Title Reference: 50975967

Date Created: 06/01/2015

Previous Title: 50530641

REGISTERED OWNER

Interest

Dealing No: 716224902 23/12/2014

RICHARD HUGH SIMMONS

1/2

ROBYN JANE SIMMONS

1/2

AS TENANTS IN COMMON

ESTATE AND LAND

Estate in Fee Simple

LOT 2

SURVEY PLAN 254309

Local Government: ISAAC

EASEMENTS, ENCUMBRANCES AND INTERESTS

1. Rights and interests reserved to the Crown by  
Deed of Grant No. 40000439 (Lot 1 on CP TT436)  
Deed of Grant No. 40039184 (Lot 4 on CP TT427)
2. MORTGAGE No 709727460 29/06/2006 at 10:52  
WESTPAC BANKING CORPORATION A.B.N. 33 007 457 141
3. EASEMENT No 716224954 23/12/2014 at 11:11  
burdening the land to  
LOT 1 ON SP254309  
OVER EASEMENT A ON SP254309

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status
708882376	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	08/08/2005 12:33	CURRENT
710155794	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	05/12/2006 11:16	CURRENT
710303951	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	02/02/2007 08:45	CURRENT
714487560	NOTC INT RES ACQUISITION OF LAND ACT 1967	29/05/2012 13:56	CURRENT
715138330	VEG NOTICE VEGETATION MANAGEMENT ACT 1999	13/06/2013 12:29	CURRENT

UNREGISTERED DEALINGS - NIL

CERTIFICATE OF TITLE ISSUED - No

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Caution - Charges do not necessarily appear in order of priority

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

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Requested By: D-ENQ EQUIFAX