

FACT SHEET



Major Amendment No.1 of 2023—Subdivision in the Rural zone

Background

On 8 December 2021, the Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning made *Temporary Local Planning Instrument No. 01 of 2021 (Subdivision in Rural zone)* (TLPI 01/2021).

TLPI 01/2021 applies to development for reconfiguring a lot within the Rural zone of the Mareeba Shire Council Planning Scheme 2016 (Planning Scheme).

TLPI 01/2021 effectively prevents the creation of lots with an area less than 60 hectares within the Rural zone.

In making TLPI 01/2021, the Deputy Premier found that certain current provisions of the Planning Scheme, in their current form, were drafted in such a manner that it could result in Council approving the subdivision of lots within the Rural zone less than 60 hectares in area.

The subdivision of lots within the Rural zone less than 60 hectares in area would be incompatible with the existing and intended character of the Rural zone and undermine the FNQ Regional Plan. The FNQ Regional Plan aims to protect Rural zoned land from further fragmentation or encroachment by inappropriate development, particularly urban or rural residential development.

Major Amendment No.1 of 2023 will amend the Planning Scheme to reflect the provisions of TLPI 01/2021, thereby ensuring the Planning Scheme continues to appropriately address the intent of the FNQ Regional Plan after TLPI 01/2021 ends.

What does Major Amendment No.1 of 2023 change in the Mareeba Shire Council Planning Scheme 2016?

Major Amendment No.1 of 2023 will amend the Planning Scheme to reflect the provisions of TLPI 01/2021.

Specifically, Major Amendment No.1 of 2023 will amend the following parts of the Planning Scheme as they relate to the subdivision of land within the Rural zone:

- Part 3 Strategic Framework;
- Part 5 Tables of Assessment – Categories of development and assessment - Reconfiguring a lot;
- Part 6 Zones - Rural zone code;
- Part 9 Development codes - Reconfiguring a lot code; and
- Schedule 1 Definitions – Administrative definitions.



The effect of Major Amendment No.1 of 2023 will be to generally make the subdivision of lots within the Rural zone less than 60 hectares in area impact assessable development and inconsistent with the intended character of the Rural zone.

Major Amendment No.1 of 2023 will provide for limited circumstances where the subdivision of lots within the Rural zone less than 60 hectares will be code assessable development. These limited circumstances are as follows:

- (i) The subdivision results in no additional lots (boundary realignment); or
- (ii) The subdivision is limited to one additional lot created to accommodate any of the following public reconfiguration purposes:
 - (i) a cemetery; or
 - (ii) a crematorium; or
 - (iii) a detention facility; or
 - (iv) emergency services; or
 - (v) an environmental facility; or
 - (vi) major electricity infrastructure; or
 - (vii) a park; or
 - (viii) a renewable energy facility; or
 - (ix) a substation; or
 - (x) a telecommunications facility; or
 - (xi) a utility installation other than a transport service,
 - (xii) a wind farm.

Public consultation period

The public consultation period for Major Amendment No.1 of 2023 commences Wednesday 30 August 2023 and closes Wednesday 27 September 2023.

During the public consultation period, Major Amendment No.1 of 2023 and supporting material will be available for viewing and purchase at Mareeba Shire Council Chambers, 65 Rankin Street, Mareeba.

They will also be available for viewing and download on council's website: www.msc.qld.gov.au.

Major Amendment No.1 of 2023 will also be displayed at the Mareeba and Kuranda libraries.

Have your say - Submissions

Any person can make a written submission about any aspect of Major Amendment No.1 of 2023. A properly made submission must:

- in writing;
- signed by each person who has made the submission (unless the submission is made electronically);
- state the name and address of each person making the submission; and
- state the grounds of the submission and the facts and circumstances relied on to support the grounds of the submission; and
- received no later than 5:00pm on Wednesday 27 September 2023.

All submissions must be addressed to the Chief Executive Officer, Mareeba Shire Council, PO Box 154, Mareeba QLD 4880.

Submissions can also be made via email to info@msc.qld.gov.au.

For more information about the major amendment No. 1 of 2023:

T: 1300 308 461

E: info@msc.qld.gov.au

W: www.msc.qld.gov.au