
MAJOR AMENDMENT NO.1 OF 2023

**MAREEBA SHIRE COUNCIL PLANNING
SCHEME 2016**

**Subdivision in the Rural zone
Consultation Report**



Public Consultation Summary

Mareeba Shire Council has carried out public consultation on Major Amendment No.1 of 2023 – Subdivision in the Rural zone in accordance with the *Planning Act 2016*, the *Minister's Guidelines and Rules* and the Communications Strategy for Major Amendment No.1 of 2023.

The following specific public notice requirements were undertaken:

1. The consultation period commenced on 30 August 2023 and ended on 27 September 2023 (21 business days).
 2. A public notice was published in The Express newspaper on 30 August 2023 (**Attachment 1**).
 3. A second notice was published in the Kuranda Paper September 2023 edition (**Attachment 2**).
 4. The public notice, a copy of Major Amendment No.1 of 2023 and a fact sheet were made available to view and download from the Mareeba Shire Council website (**Attachment 3**) and maintained for the duration of the consultation period.
 5. A press release was published in The Express newspaper on 6 September 2023 and a post regarding the amendment's consultation period was made on Council's Facebook Page on 30 August 2023 (**Attachment 4**). The press release was sent to multiple local media outlets.
 6. A letter was sent to all adjoining Local Governments informing them of Major Amendment No.1 of 2023 (**Attachment 5**).
 7. Static displays were established at the Mareeba customer service centre, Mareeba and Kuranda libraries providing hard copies of the planning scheme amendment for viewing; information on how to prepare a submission; and fact sheet about the planning scheme amendment (**Attachment 6**).
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Consideration of Submissions

Nine (9) submissions were received about Major Amendment No.1 of 2023. A copy of each submission is included as **Attachment 7**.

The submitters are as follows:

1. Nadine O'Brien, 345 Fantin Road, Koah QLD 4881 nadine_obrien@yahoo.com.au
2. Cheryl Tonkin, 76 High Chapparral Road, Myola QLD 4881 cheryl.tonkin@gmail.com
3. Kuranda Conservation Community Nursery, 1 Pademelon Lane, Kuranda QLD 4881 kurandaconservation@hotmail.com
4. Luciano Ceciliot, 76 High Chapparral Road, Myola QLD 4881 johnnolad@gmail.com
5. John and Kathryn Edwards, 28 Monaro Close, Kuranda QLD 4881 jandkedwards@bigpond.com
6. Gianni Barbetti, 27 Clohesy River Road, Koah QLD 4881 john.barbetti@bigpond.com
7. Ray Ganley, 77 Monaro Close, Kuranda QLD 4881 jajanti1@bigpond.com
8. Johanna Martin, 451 Oak Forest Road, Kuranda QLD 4881 jo@ojoonline.com
9. Tammy Tiraboschi, PO Box 867, Mareeba QLD 4880 thelimeman@bigpond.com

Minister's Guidelines and Rules

Sections 18, 19 and 20 of the Minister's Guidelines and Rules establish the process for public consultation and Council's subsequent consideration of submissions.

18. Public consultation

18.1. *The local government may only commence public consultation after-*

- a) *complying with the Minister's conditions, if any, that apply to the proposed amendment given under section 17.5; and*
- b) *if relevant, giving notice under Chapter 4, part 1, section 3.3(b).*

18.2. *Public consultation must be undertaken-*

- a) *for a period of at least 20 days; and*
- b) *in accordance with-*
 - i. *the public notice requirements prescribed in the Act;*
 - ii. *the public notice requirements prescribed under Schedule 4; and*
 - iii. *the communications strategy given by the Minister under section 17.5.*

18.3. *The local government must consider every properly made submission about the proposed amendment and may consider other submissions.*

18.4. *Following the end of public consultation, the local government must prepare a*

consultation report about how the local government has dealt with properly made submissions, which is-

- a) provided to each person who made a properly made submission;⁷ and*
- b) available to view and download on the local government's website; or*
- c) available to inspect and purchase in each of the local government's offices.*

18.5. If the local government proposes to make changes to the proposed amendment under section 19, the actions under sections 18.3 and 18.4 may be deferred until after all applicable actions under section 19 have been undertaken.

19. Changing the proposed amendment

19.1. The local government may make changes to the proposed amendment to-

- a) address issues raised in submissions;*
- b) amend a drafting error; or*
- c) address new or changed planning circumstances or information.*

19.2. The local government must ensure any changes continue to appropriately integrate and address relevant state interests, including those identified in the state interest review.

20. Effect of changes on public consultation

20.1. If the local government changes the proposed amendment and the change results in the proposed amendment being significantly different to the version released for public consultation, the local government must repeat the public consultation required for the proposed amendment.

20.2. The local government may limit the public consultation to only those aspects of the proposed amendment that have changed.

20.3. If consultation has been repeated, the local government must take the actions required under sections 18.3 and 18.4 for the repeated consultation.

Submission 1 – Nadine O'Brien

Summary

The submitter proposes that Major Amendment No.1 of 2023 be amended to make all applications for reconfiguring a lot to create a rural lot below 60 hectares (to accommodate a *public reconfiguration purpose*) impact assessable development.

The submitter believes there is a significant risk of negative impacts from the 12 listed *public reconfiguration purposes*.

The submitter further asks Council to acknowledge that code assessment is simply a decision by the CEO, and that impact assessment would allow assessment of these applications to benefit from community and other views.

Officer comments

Major Amendment No.1 of 2023 currently makes these *public reconfiguration purpose* reconfiguring a lot applications, code assessable development.

The 12 listed *public reconfiguration purposes* can effectively be described as essential community infrastructure. The 12 uses and their level of assessment (material change of use) in the rural zone, are as follows:

- (i) a cemetery; or (**Impact Assessment**)
- (ii) a crematorium; (**Impact Assessment**)
- (iii) a detention facility; (**Impact Assessment**)
- (iv) emergency services; (Code Assessment or Accepted Development)
- (v) an environmental facility; (Code Assessment or **Impact Assessment**)
- (vi) major electricity infrastructure; (**Impact Assessment**)
- (vii) a park; (Accepted Development)
- (viii) a renewable energy facility; (**Impact Assessment**)
- (ix) a substation; (Accepted Development)
- (x) a telecommunications facility; (**Impact Assessment**)
- (xi) a utility installation other than a transport service, (Accepted Development or **Impact Assessment**)
- (xii) a wind farm (**Impact Assessment**)

For majority of these public uses, the material change of use application process will provide the community with reasonable opportunity to make comment on the development.

Requiring a second public consultation process for the ancillary reconfiguring a lot application process is excessive and unreasonable.

In respect of the delegation of certain code assessable applications, there appears to be some misunderstanding regarding how delegated decisions are made.

Code assessable applications are assessed by relevant Council officers and where required; input is sought from external consulting experts. The Council officer formulates the assessment report and recommends a particular decision. This assessment report is then reviewed by a second Council officer and can be approved under sub delegation.

Where an application is recommended for refusal, this application must be decided by Council. Where there is any disagreement with a proposed recommendation, the application is also decided by Council.

It is extremely rare that any single Council officer would be required to sign off on an

application for which they have also undertaken the assessment. In the case of the CEO, they are not involved in the development assessment stage and are rarely requested to approve a delegated planning application.

Recommendation

That Council make no change to Major Amendment No.1 of 2023 in response to Submission 1.

Submission 2 – Cheryl Tonkin

Summary

The submitter proposes that Major Amendment No.1 of 2023 be amended to make all applications for reconfiguring a lot to create a rural lot below 60 hectares (to accommodate a *public reconfiguration purpose*) impact assessable development.

The submitter believes there is a significant risk of negative impacts from the 12 listed *public reconfiguration purposes*.

The submitter believes that code assessment is simply a decision by the CEO, and that impact assessment would allow assessment of these applications to benefit from community and other views.

Officer comments

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- (vii) a park; (Accepted Development)
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- (x) a telecommunications facility; (**Impact Assessment**)
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Recommendation

That Council make no change to Major Amendment No.1 of 2023 in response to Submission 2.

Submission 3 – Kuranda Conservation Community Nursery

Summary

The submitter proposes that Major Amendment No.1 of 2023 be amended to make all applications for reconfiguring a lot to create a rural lot below 60 hectares (to accommodate a *public reconfiguration purpose*) impact assessable development.

The submitter believes there is a significant risk of negative impacts from the 12 listed *public reconfiguration purposes*.

The submitter believes that impact assessment would allow assessment of these applications to benefit from community and other views.

Officer comments

Major Amendment No.1 of 2023 currently makes these *public reconfiguration purpose* reconfiguring a lot applications, code assessable development.

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Recommendation

That Council make no change to Major Amendment No.1 of 2023 in response to Submission 3.

Submission 4 – Luciano Ceciliot

Summary

The submitter proposes that Major Amendment No.1 of 2023 be amended to make all applications for reconfiguring a lot to create a rural lot below 60 hectares (to accommodate a *public reconfiguration purpose*) impact assessable development.

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The submitter believes that code assessment is simply a decision by the CEO, and that impact assessment would allow assessment of these applications to benefit from community and other views.

Officer comments

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Recommendation

That Council make no change to Major Amendment No.1 of 2023 in response to Submission 4.

Submission 5 – John and Kathryn Edwards

Summary

The submitter proposes that Major Amendment No.1 of 2023 be amended to make all applications for reconfiguring a lot to create a rural lot below 60 hectares (to accommodate a *public reconfiguration purpose*) impact assessable development.

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Officer comments

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Recommendation

That Council make no change to Major Amendment No.1 of 2023 in response to Submission 5.

Submission 6 – Gianni Barbetti

Summary

The submitter opposes Major Amendment No.1 of 2023 and supports Council having the authority to approve rural reconfiguring a lot applications less than 60 hectares subject to:

- The land not being GQAL;
- The reconfiguration aligns with identified residential/commercial growth;
- Protection of regulated vegetation and biodiversity.

The submitter further proposes that land to the east & south-east of the Kennedy Highway between Speewah Road and Clohesy River Road be zoned Rural Residential.

Officer comments

The allocation of additional Rural Residential zoned land is beyond the scope of the current proposed amendment and would result in a major change to the amendment. A major change would require the amendment process to recommence from the beginning.

Council has the option of considering zoning allocation and rural precincts as part of the full review on the Mareeba Shire Council Planning Scheme 2016 in the lead up to the ten (10) year anniversary of the planning scheme in 2026.

The Koah area has long been identified as a potential future urban growth area and this remains the case for the medium to long term.

Council officers have already included this matter on the list of items to be considered during the future planning scheme review.

Recommendation

That Council make no change to Major Amendment No.1 of 2023 in response to Submission 6.

Submission 7 – Ray Ganley

Summary

The submitter proposes that Major Amendment No.1 of 2023 be amended to make all applications for reconfiguring a lot to create a rural lot below 60 hectares (to accommodate a *public reconfiguration purpose*) impact assessable development.

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The submitter believes that code assessment is simply a decision by the CEO, and that impact assessment would allow assessment of these applications to benefit from community and other views.

Officer comments

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Recommendation

That Council make no change to Major Amendment No.1 of 2023 in response to Submission 7.

Submission 8 – Johanna Martin

Summary

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The submitter believes that code assessment is simply a decision by the CEO, and that impact assessment would allow assessment of these applications to benefit from community and other views.

Officer comments

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Recommendation

That Council make no change to Major Amendment No.1 of 2023 in response to Submission 8.

Submission 9 – Tammy Tiraboschi

Summary

The submitter is supportive of Major Amendment No.1 of 2023 and its protection of rural zoned land (and GQAL) from loss through fragmentation and encroachment of inappropriate development.

The submitter has further proposed that Council review the Mareeba Shire Council Planning Scheme 2016 in relation to large-scale manufacturing and medium-high density accommodation uses that can be established within the rural zone. The submitter believes that these uses also have the potential to fragment and adversely impact on the rural zone.

Finally, the submitter has raised the potential for the planning scheme to be amended to allow for an additional dwelling house/s to be constructed on rural lots to allow for “next generation farmers” to also reside on farms.

Officer comments

The submitter’s support for Major Amendment No.1 of 2023 is noted.

As with Submission 6, the other review suggestions are beyond the scope of the current proposed amendment and would result in a major change to the amendment. A major change would require the amendment process to recommence from the beginning.

The other review suggestions are certainly worthy of further consideration as part of the full review on the Mareeba Shire Council Planning Scheme 2016 in the lead up to the ten (10) year anniversary of the planning scheme in 2026.

Council officers will include both suggestions on the list of items to be considered during the future planning scheme review.

It should be noted that the current planning scheme would allow for next generation farmers to reside on site by way of the caretaker’s accommodation/rural workers’ accommodation application process.

Recommendation

That Council make no change to Major Amendment No.1 of 2023 in response to Submission 9.

Attachment 1

CLASSIFIEDS

POSITION VACANT

IMPACT ACCOUNTING

BOOKKEEPER

We are looking for a Bookkeeper to join our growing firm in Atherton.

We are a firm focused on teamwork and value customer service. We understand the need for flexibility and the role is negotiable with casual, part-time or full-time hours that suit an employee's lifestyle. Our firm uses XERO software, so experience would be an advantage.

Role and Tasks

- Monthly and Quarterly BAS processing
- Manage workflow to ensure deadlines are met
- Direct contact with clients via email and phone for any queries
- Skills and Experience
- Will enjoy meeting and communicating with clients
- Experience working in an accounting or bookkeeping firm preferred although not necessary
- High level of attention to detail
- Excellent verbal and written communication skills
- Practical experience with bookkeeping software including Xero, MYOB
- Working in a team focused environment.

Please forward all applications to:
admin@impactnq.com

IMPACT ACCOUNTING

ACCOUNTANT

We are looking for an Accountant to join our growing firm in Atherton.

We are a firm focused on teamwork and value customer service. We understand the need for flexibility and the role is negotiable with casual, part-time or full-time hours that suit an employee's lifestyle. Our firm uses XERO software, so experience would be an advantage although not necessary.

This role entails the preparation of tax returns and financial statements for a varied range of business activities and entity structures, with a focus on building relationships with clients. Our clients use a mixture of XERO, Quickbooks and MYOB accounting packages. To be successful in this role you will be able to work to deadlines and enjoy contributing to a professional team environment.

Please forward all applications to:
admin@impactnq.com



SALES POSITIONS @ FNQ HUB ATHERTON

1. FNQ Powersports Canam & Seadoo
2. Atherton 4x4 Home of Ironman 4X4
3. Atherton MG Cars

If you like playing in the outdoors and helping customers do the same, we need you on our Team!
Training + Support + Teamwork + Variety = Great Culture!

We have 3x Full Time positions. To be successful in one of these roles you will have exceptional attention to detail, an extraordinarily strong work ethic and a 'right first time' attitude, be reliable, honest, and punctual.

Send your resume to:
nik@fnqhub.com.au
Or call 4091 8700

YOUR LOCAL CLASSIES

Proposed Development

Make a submission from:
30th August, 2023 to
20th September, 2023

Material Change of Use Dual Occupancy

Where: 32B Charlotte Street, Cooktown
On: Lot 8 on SP208169

Approval Sought: Development Permit -
Material Change of Use

Application Ref: DA/4646

You may obtain a copy of the application and make a submission to:

Cook Shire Council
PO Box 3, Cooktown, QLD, 4895
mail@cook.qld.gov.au
(07) 4082 0500
www.cook.qld.gov.au

Public notification requirements are in accordance with the Planning Act 2016.



PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 TO THE MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

Notice is given under section 20 of the Planning Act 2016 and the Minister's Guidelines and Rules that on 21 June 2023, Mareeba Shire Council resolved to make Major Amendment No.1 of 2023 to the Mareeba Shire Council Planning Scheme 2016.

The full title of the amendment is Major Amendment No.1 of 2023 - Subdivision in the Rural zone. The purpose and general effect of Major Amendment No.1 of 2023 is to protect the Rural zone from the subdivision of lots less than 50 hectares in area, thereby maintaining the intended character of the Rural zone and appropriately addressing the intent of the Far North Queensland Regional Plan.

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: <https://msc.qld.gov.au>.

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

Submissions

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

- be in writing
- be 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
- be 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 354, Mareeba QLD 4880.

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

Please call council on 1300 308 461 or email planning@msc.qld.gov.au for information about the planning scheme amendment.

Peter Franks
Chief Executive Officer
PO Box 154, MAREEBA QLD 4880

BUTCHER

MOBILE farm butcher:
Ph 0499 638 882

BILL Black Mobile Butcher. Hang up to 7 days. 0408 922 812.

LOCAL Mobile Farm Butcher - will travel. Ph Bryan 0407 691 752.

GIVEAWAY

MANY books, wide range of topics, reference, poetry, biographies, non-fiction. 16 Langton Ave, Mareeba.

BUYING or selling something? Do it in The Express. Phone 4092 3464 by 4pm every Friday.

PUBLIC NOTICE



Mareeba Community Housing Company invites tenders from suitably qualified trades for the exterior painting of 14 dwellings managed by the Company in the Mareeba Shire locations of Dimbulah, Mt Molloy, Kuranda and Mareeba.

The scope includes necessary preparation for clear access for equipment and supply of all materials to complete the works.

Tender documents are available on the Company website <https://www.mchc.org.au> and on request by contacting the office located at 212 Walsh Street, Mareeba 4892 6899 or email: reception@mchc.org.au.

The closing date for the tender is Friday 22nd September 2023 at 4.00pm. The lowest or any tender will not be necessarily accepted.

Patricia Goldfinch, General Manager



Mareeba Community Housing Company invites tenders from suitably qualified trades for multiple (6) kitchen replacements in the Mareeba Shire location of Mt Molloy, Kuranda and Mareeba.

The scope includes removal of existing and installation of new kitchens set out in the scope MCHC 001 to meet quality standards.

Tender documents are available on the Company website <https://www.mchc.org.au> and on request by contacting the office located at 212 Walsh Street, Mareeba 4892 6899 or email: reception@mchc.org.au.

The closing date for the tender is Friday 22nd September, 2023 at 4.00pm. The lowest or any tender will not be necessarily accepted.

Patricia Goldfinch, General Manager

NOTICE OF AGM Tablelands Outdoor Recreation Association Inc.

At 9 Main Street, Atherton
Monday 18 September, 2023 at 1.30pm
Enquiries: tora.enquiries@gmail.com

HISTORICAL SOCIETY OF MAREEBA A.G.M.

Saturday 2nd September at 10am
345C Byrnes Street, Centenary Park
Email: sec@mhahistoc.org.au
For catering purposes.

BINGO

WEEKLY SUNDAY BINGO

Doors Open 9.00am for a 9.30am Start
Bosca's Burger Bar (Old RSL Building)
80 Byrnes Street, Mareeba

Bring along your Mareeba Sports Club of the Mareeba Community

Vision 4885 Inc

AGM 7/9/23

7pm
Enquiries contact Secretary 0428 966 600

THE EXPRESS

CLASSIFIED DEADLINES

4PM FRIDAY
Prior to the next week's Publication

PROPERTY



RENTAL PROPERTIES WANTED

Mareeba Community Housing Company is seeking 2 and 3 bedroom rental properties in Mareeba for the Community Rent Scheme Program.

Properties must be in good condition to meet minimum housing standards.

The benefits include guaranteed rents, nil management fees, qualified independent and professional property management team.

Phone 4092 6899 for further details and Lessor's Packages.

PETS

ANIMAL OF THE WEEK

NAME: Tyke DOB: 26/11/2010
BREED: Jack Russell

My mum went into a meringue home and I couldn't go with her. I have been with my mum for 11 years, I am looking for a new elderly woman or elderly couple who I can give my love too for the remainder of my life. I need to be an only pet, I am very affectionate, have a beautiful nature, love people, I come vet checked, vaccinated, microchip #1910010523367, de wormed, flea & tick treated, my adoption fee is \$100.

If you would like to meet TYKE - please call 0487 430 443. ETPOS Available

make your ad stand out ADD COLOUR

WE'RE YOUR VOCAL LOCAL

YOUR LOCAL INDEPENDENT LOCALLY OWNED NEWSPAPER

Covering local news, sport and entertainment from across the region.

The EXPRESS



Mareeba SHIRE COUNCIL

PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 TO THE MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

Notice is given under section 20 of the *Planning Act 2016* and the *Minister's Guidelines and Rules* that on 21 June 2023, Mareeba Shire Council resolved to make Major Amendment No.1 of 2023 to the Mareeba Shire Council Planning Scheme 2016.

The full title of the amendment is Major Amendment No.1 of 2023 – Subdivision in the Rural zone.

The purpose and general effect of Major Amendment No.1 of 2023 is to protect the Rural zone from the subdivision of lots less than 60 hectares in area, thereby maintaining the intended character of the Rural zone and appropriately addressing the intent of the Far North Queensland Regional Plan.

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: <https://msc.qld.gov.au>.

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

Submissions

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

- be in writing;
- be 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
- be 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.

Please call council on 1300 308 461 or email planning@msc.qld.gov.au for information about the planning scheme amendment.

Peter Franks

Chief Executive Officer

PO Box 154, MAREEBA QLD 4880

Attachment 2



Councillor Column



MAREEBA SHIRE DEPUTY MAYOR CR. KEVIN DAVIES
Kuranda Tourism, Parks and Open Spaces Upgrades

I would like to take the time to thank residents who attended our recent community consultation sessions in Kuranda.

We used this time to talk about improvements planned for footpaths and lighting in Coondoo Street, as well as a refresh of Anzac Park. Thank you for taking time to come and talk to us about this very special project. The design options are currently under review and we look forward to sharing more information in the coming months.

Waste Management and Illegal Dumping

Council continues to take a strategic and regional approach to waste management to ensure that our practices are leading the way into the future, at the lowest possible cost to residents and ratepayers.

This strategy will see us moving towards a circular economy and we want to become less reliant on landfill. I would like to thank residents who are doing the right thing and continuing to reduce their waste or looking at ways to reuse and recycle items no longer needed.

Unfortunately, we have experienced an increase in items being illegally dumped across the Shire. Illegal dumping is against the law and there are penalties in place for those found to be doing the wrong thing. You can help to keep our Shire clean by reporting illegal dumping to Council on 1300 308 461.

Community Events

With Spring approaching, it is wonderful to know many events in our annual calendar will once again be back in the spotlight. I look forward to the upcoming Kuranda Colour Fest, taking place on Saturday 9 September 2023 and I am sure you do too.

Mareeba Shire Council is a proud supporter of this event and many other events across the Shire. Events make a significant difference to our towns, and I thank the Kuranda Traders Association and many other groups for their outstanding efforts.

Are you planning a community event and want to spread the word? Council offers an online Events Calendar that allows community event organisers to advertise their events on Council's website for free. Submit your event online or email info@msc.qld.gov.au.

Deputy Mayor Cr. Kevin Davies
0400 490 493 | KevinD@msc.qld.gov.au



PUBLIC NOTICE MAREEBA SHIRE COUNCIL PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 TO THE MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

On 21 June 2023, Mareeba Shire Council resolved to make Major Amendment No.1 of 2023 to the Mareeba Shire Council Planning Scheme 2016.

The full title of the amendment is Major Amendment No.1 of 2023 - Subdivision in the Rural zone.

The purpose and general effect of Major Amendment No.1 of 2023 is to protect the Rural zone from the subdivision of lots less than 60 hectares in area, thereby maintaining the intended character of the Rural zone and appropriately addressing the intent of the Far North Queensland Regional Plan.

Public consultation period

The public consultation period for Major Amendment No.1 of 2023 commenced on Wednesday 30 August 2023 and will close on 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:
<https://msc.qld.gov.au>.

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

Submissions

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

- be in writing;
- be 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
- be 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.

Please call council on 1300 308 461 or email planning@msc.qld.gov.au for information about the planning scheme amendment.

Peter Franks
CHIEF EXECUTIVE OFFICER
Mareeba Shire Council

MAREEBA SHIRE COUNCIL - COMMUNITY UPDATE



NEW MURAL UNVEILED IN KURANDA



The Kuranda community is now home to a new colourful and dramatic mural, Bulmba Ngirra, which incorporates traditional Djabugay language (Ngirra) and symbols.

Local artist Connie Rovina has taken inspiration from the natural surroundings of Kuranda and the artwork features the Barron River, fish, birds and plants found in the Kuranda area.

Ms Connie Rovina said, "I thoroughly enjoyed researching and connecting with traditional history, language and culture of Kuranda while creating the artwork."

Mayor Angela Toppin congratulated Connie and members of the community for working together. "Ms Rovina worked with the Djabugay Aboriginal Corporation and traditional owner, Bada Djabugul (Dennis Hunter) around the inclusion of Djabugay cultural heritage within the artwork."

The project was made possible with funding from the Mareeba Shire Council Regional Arts Development Fund (RADF) Program. RADF is a partnership between the Queensland Government and Mareeba Shire Council to support local arts and culture in regional Queensland.

The Kuranda Visitor Information Centre Mural is the fifth artwork under the Public Mural Action Plan with a total of eleven public murals planned throughout the Shire over three years.

Visit Council's website for more information.

LAND PROTECTION PRIORITISED

Mareeba Shire Council continues to prioritise land protection and weed management activities across the Shire.

Land protection generally takes on some form of partnership, whether that is with neighbouring local government authorities, residents or traditional owner groups. We are seeing more and more evidence that working together results in much greater outcomes for the land.

Land protection is critically important to this Council and a total of twelve wild pigs were trapped and put down in July 2023.

Pig traps were provided to landholders in Kuranda and Speewah. A landholder in Speewah held concerns that the pigs are competing for the cassowary food supply and, as it is the nesting season for cassowaries, the pigs prey on the cassowary eggs. The pig traps provided to landholders are designed to be cassowary safe.

Community members are invited to visit Council's website to know their biosecurity obligation with the aim of identification, removal and eradication of invasive plants and animals. Access Council's Community Biosecurity Plan online.



Cash Donation for the Kuranda Amphitheatre Society.
Pictured: Troy Cassar Daley playing at the Understage.

SIGNIFICANT COMMUNITY SUPPORT

105 Community Groups and organisations received support from Council in the 2022/23 financial year, valued at over \$380,000.

This significant level of community support was provided through a number of ways including cash and in-kind assistance, rate rebates, interest free loans, discounted hall hire fees and arts and cultural project grants.

Community groups and events make a significant difference to our Shire and our residents, and Council supports the volunteer efforts of groups to enhance the liveability of our towns. By working in partnership, we can achieve so much more than by working alone.

Customers and Community Service Officers are available to provide grant assistance for groups applying for funding. Visit Council's website for more information.



Bilboora Water Tanks



**PUBLIC NOTICE
MAREEBA SHIRE COUNCIL
PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 TO THE MAREEBA SHIRE
COUNCIL PLANNING SCHEME 2016**

On 21 June 2023, Mareeba Shire Council resolved to make Major Amendment No.1 of 2023 to the Mareeba Shire Council Planning Scheme 2016.

The full title of the amendment is Major Amendment No.1 of 2023 – Subdivision in the Rural zone.

The purpose and general effect of Major Amendment No.1 of 2023 is to protect the Rural zone from the subdivision of lots less than 60 hectares in area, thereby maintaining the intended character of the Rural zone and appropriately addressing the intent of the Far North Queensland Regional Plan.

Public consultation period

The public consultation period for Major Amendment No.1 of 2023 commenced on Wednesday 30 August 2023 and will close on 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:
<https://msc.qld.gov.au>.

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

Submissions

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

- be in writing;
- be 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
- be received no later than 5:00pm on Wednesday 27 September 2023.

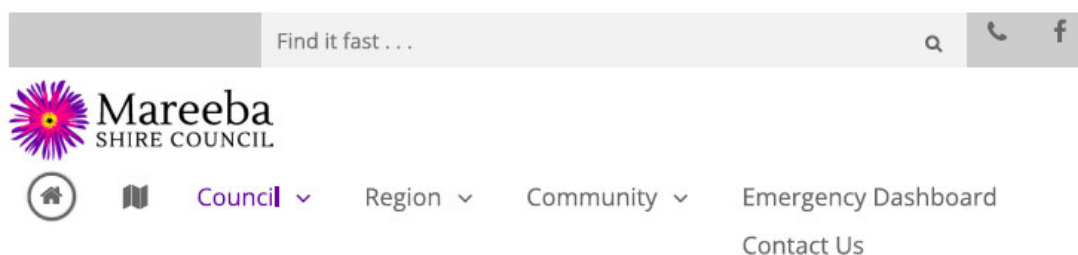
All submissions must be addressed to the Chief Executive Officer, Mareeba Shire Council, PO Box 154, Mareeba QLD 4880.

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

Please call council on 1300 308 461 or email planning@msc.qld.gov.au for information about the planning scheme amendment.

Peter Franks
CHIEF EXECUTIVE OFFICER
Mareeba Shire Council

Attachment 3



You are here | Home > Council > Building & Planning > Planning > Public Consultation of Major Amendment No.1 of 2023



PUBLIC CONSULTATION OF MAJOR AMENDMENT No.1 of 2023 – SUBDIVISION in the RURAL Zone – MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

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 with the Rural zone less than 60 hectares in area.

The subdivision of lots with 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.



Council is required to amend the planning scheme to address the concerns raised in the making of TLPI 01/2021.

On 21 June 2023, Council resolved in accordance with section 20 of the *Planning Act 2016* and Chapter 2, Part 4 of the Minister's Guidelines and Rules to make Major Amendment No.1 of 2023 to the planning scheme.

The full title of the amendment is Major Amendment No.1 of 2023 – Subdivision in the Rural zone.

The purpose and general effect of Major Amendment No.1 of 2023 is to protect the Rural zone from the subdivision of lots less than 60 hectares in area, thereby maintaining the intended character of the Rural zone and appropriately addressing the intent of the Far North Queensland Regional Plan.

Major Amendment No.1 of 2023 and related documentation is downloadable below:

[Major Amendment No.1 of 2023](#)

[Fact Sheet](#)

[Communications Strategy for Major Amendment No.1 of 2023](#)

[Temporary Local Planning Instrument No.01 of 2021 \(Subdivision in Rural zone\)](#)

Major Amendment No.1 of 2023 – Subdivision in the rural zone

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.

With the exception of boundary realignments and subdivisions to accommodate a public reconfiguration purpose, subdivisions to create new lots less than 60 hectares within the Rural

zone are not supported by the planning scheme amendment.



Public consultation period

The public consultation period for Major Amendment No.1 of 2023 commenced on Wednesday 30 August 2023 and will close on 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.

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

Submissions

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

- be in writing;
- be 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
- be 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.

Please call council on 1300 308 461 or email planning@msc.qld.gov.au for information about the planning scheme amendment.

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.

Disclaimer: This fact sheet is intended to help the public gain a general understanding of planning scheme matters and is a guide only. The content of this fact sheet does not replace the provisions of the MSC Planning Scheme, nor should it be interpreted as Council policy

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.

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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

Attachment 4

Brian Millard

From: Lindie Boonzaaier
Sent: Wednesday, 30 August 2023 3:08 PM
To: Brian Millard; Carl Ewin; Dee Petersen
Cc: Rochelle Harding
Subject: FW: MSC Media Release - Subdivision in the Rural Zone
Attachments: MSC Media Release 30 August 2023 - Subdivision in the Rural zone.pdf

Good afternoon Brian,

- Please see attached media release that has been sent to our 'media release group' this afternoon.
- The website page has been created, and [Public Consultation of Major Amendment No.1 of 2023 - Mareeba Shire Council \(msc.qld.gov.au\)](http://www.msc.qld.gov.au/public-consultation/).
- The Facebook post has been published.



Please let me know if any additional communications is required.

Kind regards,

Lindie Boonzaaier
Corporate Communications Officer



Mareeba
SHIRE COUNCIL

Phone: 1300 308 461 | Direct: 07 4086 4722 | Fax: 07 4092 3323
Email: lindieb@msc.qld.gov.au | Website: www.msc.qld.gov.au
65 Rankin St, Mareeba | PO Box 154, Mareeba, Queensland, Australia, 4880

From: Communications
Sent: Wednesday, 30 August 2023 3:04 PM
To: Lindie Boonzaaier <LindieB@msc.qld.gov.au>
Subject: MSC Media Release - Subdivision in the Rural Zone

Good afternoon,

Please find attached media release.

Kind regards,

Lindie Boonzaaier
Corporate Communications Officer



Mareeba
SHIRE COUNCIL

Phone: 1300 308 461 | Direct: 07 4086 4722 | Fax: 07 4092 3323
Email: lindieb@msc.qld.gov.au | Website: www.msc.qld.gov.au
65 Rankin St, Mareeba | PO Box 154, Mareeba, Queensland, Australia, 4880

MEDIA RELEASE

Wednesday, 30 August 2023



PLANNING SCHEME AMENDMENT TO PROTECT RURAL ZONE

30 August 2023

An amendment to Mareeba Shire Council's planning scheme is being made to protect the Rural zone from unintended fragmentation through subdivision to create lots less than 60 hectares in area.

Mareeba Shire Council Mayor, Angela Toppin, said, "The amendment to the planning scheme strengthens the provisions relating to subdivision in the Rural zone."

"Under the amendment, a subdivision to create a rural lot less than 60 hectares will require impact assessment except for where no additional lot is created (boundary realignment), or where one additional lot is created to accommodate a public reconfiguration purpose."

Mayor Toppin explains, "Council tabled the amendment at the June Council meeting after the unintended fragmentation concern was identified by the Deputy Premier through the making of *Temporary Local Planning Instrument No. 01 of 2021 (Subdivision in Rural zone) (TLPI)*".

"In making the TLPI, the Deputy Premier found that certain 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, and this would be incompatible with the intended character of the Rural zone and undermine the FNQ Regional Plan."

In general, a subdivision to create a new rural lot less than 60 hectares in area will not be supported under the amended planning scheme.

"I acknowledge the State's concerns with the existing planning scheme and recognised the importance of strengthening the planning scheme's protection of the Rural zone."

On 18 August 2023, the Deputy Premier gave permission for Council to proceed to the public consultation of the planning scheme amendment.

Public consultation of the amendment will occur from 30 August 2023 up to and including 27 September 2023. During this consultation period, any person may make a properly made submission to Council in relation to the proposed amendment.

Details of the proposed amendment are available on Council's [website](#) and can be viewed at the Mareeba Shire Council Chambers, 65 Rankin Street, Mareeba.

-Ends-

Planning amendment to protect rural zone

"I acknowledge the State's concerns with the existing planning scheme and recognised the importance of strengthening the planning scheme's protection of the Rural zone," Mayor Torpin said.

On 18 August, the Deputy Premier gave permission for council to proceed to the public consultation of the planning scheme amendment. Public consultation is open now until 27 September 2023.

During the consultation period, any person may make a properly made submission to council in relation to the proposed amendment.

Details of the proposed amendment are available on council's website and can be viewed at the Mareeba Shire Council Chambers, 65 Rankin Street, Mareeba.

A photograph of three students in school uniforms sitting at a table. From left to right: a boy with brown hair, a girl with long brown hair, and a boy with brown hair. They are all wearing white short-sleeved shirts and blue ties. The boy on the right is holding a pen. In the background, other students are visible sitting at tables in a hall.

Classmates from St Stephens Catholic College were among just over 100 school students who attended the Legal Studies Conference at James Cook University in Cairns recently.

The students attended sessions ranging from criminal law to law reform and the proposed changes to the constitution to allow an Indigenous voice to Parliament.

Associate professor and head of law at JCU Jamie Fellows said the annual event attracted students who were interested in the law, whether as a career or as an important institution.

"Like most of us, school students are interested in how the law works, how it might affect them, and how the law can be changed over time," he said.

"Students are engaging with legal issues all the time. This year they had lots of interesting questions on current topics, including social media, vaping, and artificial intelligence."

www.theexpressnewspaper.com.au

Attachment 5



Mareeba
SHIRE COUNCIL

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 07 4086 4657
F: 07 4086 4733

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

Council Ref: URP-SCH
Our Ref: PF:BM

28 August 2023

Cairns Regional Council
PO Box 359
CAIRNS QLD 4870

council@cairns.qld.gov.au

Dear Sir/Madam

PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 – SUBDIVISION IN THE RURAL ZONE - MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

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).

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On 21 June 2023, Council resolved in accordance with section 20 of the *Planning Act 2016* and Chapter 2, Part 4 of the Minister's Guidelines and Rules to make Major Amendment No.1 of 2023 to the planning scheme.

The full title of the amendment is Major Amendment No.1 of 2023 – Subdivision in the Rural zone.

The purpose and general effect of Major Amendment No.1 of 2023 is to protect the Rural zone from the subdivision of lots less than 60 hectares in area, thereby maintaining the intended character of the Rural zone and appropriately addressing the intent of the Far North Queensland Regional Plan.

Major Amendment No.1 of 2023 and related documentation is downloadable below:

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Major Amendment No.1 of 2023 - Subdivision in the rural zone

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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:

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- Part 6 Zones - Rural zone code;
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- (x) a telecommunications facility; or
- (xi) a utility installation other than a transport service,
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Public consultation period

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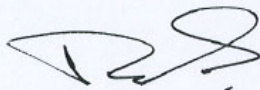
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Yours faithfully



PETER FRANKS
CHIEF EXECUTIVE OFFICER



Mareeba
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PO Box 154 MAREEBA QLD 4880

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F: 07 4086 4733

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Council Ref: URP-SCH

Our Ref: PF:BM

28 August 2023

Carpentaria Shire Council
PO Box 31
NORMANTON QLD 4890

council@carpentaria.qld.gov.au

Dear Sir/Madam

PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 – SUBDIVISION IN THE RURAL ZONE - MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

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 with the Rural zone less than 60 hectares in area.

The subdivision of lots with 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.

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28 August 2023

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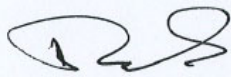
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Yours faithfully



PETER FRANKS
CHIEF EXECUTIVE OFFICER



Mareeba
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65 Rankin Street
PO Box 154 MAREEBA QLD 4880

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Council Ref: URP-SCH

Our Ref: PF:BM

28 August 2023

Cook Shire Council
PO Box 3
COOKTOWN QLD 4895

mail@cook.qld.gov.au

Dear Sir/Madam

PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 – SUBDIVISION IN THE RURAL ZONE - MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

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).

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- (x) a telecommunications facility; or
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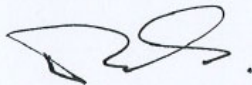
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Yours faithfully



PETER FRANKS
CHIEF EXECUTIVE OFFICER



65 Rankin Street
PO Box 154 MAREEBA QLD 4880

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Council Ref: URP-SCH

Our Ref: PF:BM

28 August 2023

Croydon Shire Council
PO Box 17
CROYDON QLD 4871

admin@croydon.qld.gov.au

Dear Sir/Madam

PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 – SUBDIVISION IN THE RURAL ZONE - MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

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Yours faithfully



PETER FRANKS
CHIEF EXECUTIVE OFFICER



Mareeba
SHIRE COUNCIL

65 Rankin Street
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Council Ref: URP-SCH

Our Ref: PF:BM

28 August 2023

Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

enquiries@douglas.qld.gov.au

Dear Sir/Madam

PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 – SUBDIVISION IN THE RURAL ZONE - MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

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).

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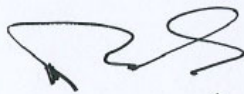
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CHIEF EXECUTIVE OFFICER



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Council Ref: URP-SCH

Our Ref: PF:BM

28 August 2023

Etheridge Shire Council
PO Box 12
GEORGETOWN QLD 4871

info@etheridge.qld.gov.au

Dear Sir/Madam

PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 – SUBDIVISION IN THE RURAL ZONE - MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

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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

Public Consultation of Major Amendment No.1 of 2023
Mareeba Shire Council Planning Scheme 2016

Page 3
28 August 2023

- (x) a telecommunications facility; or
- (xi) a utility installation other than a transport service,
- (xii) a wind farm.

With the exception of boundary realignments and subdivisions to accommodate a public reconfiguration purpose, subdivisions to create new lots less than 60 hectares within the Rural zone are not supported by the planning scheme amendment.

Public consultation period

The public consultation period for Major Amendment No.1 of 2023 commenced on Wednesday 30 August 2023 and will close on 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.

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Submissions

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

- be in writing;
- be 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
- be 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.

Please call council on 1300 308 461 or email planning@msc.qld.gov.au for information about the planning scheme amendment.

Yours faithfully



PETER FRANKS
CHIEF EXECUTIVE OFFICER



65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 07 4086 4657
F: 07 4086 4733

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

Council Ref: URP-SCH

Our Ref: PF:BM

28 August 2023

Tablelands Regional Council
45 Mabel Street
ATHERTON QLD 4883

info@trc.qld.gov.au

Dear Sir/Madam

PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 – SUBDIVISION IN THE RURAL ZONE - MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

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 with the Rural zone less than 60 hectares in area.

The subdivision of lots with 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.

Council is required to amend the planning scheme to address the concerns raised in the making of TLPI 01/2021.

On 21 June 2023, Council resolved in accordance with section 20 of the *Planning Act 2016* and Chapter 2, Part 4 of the Minister's Guidelines and Rules to make Major Amendment No.1 of 2023 to the planning scheme.

The full title of the amendment is Major Amendment No.1 of 2023 – Subdivision in the Rural zone.

The purpose and general effect of Major Amendment No.1 of 2023 is to protect the Rural zone from the subdivision of lots less than 60 hectares in area, thereby maintaining the intended character of the Rural zone and appropriately addressing the intent of the Far North Queensland Regional Plan.

Major Amendment No.1 of 2023 and related documentation is downloadable below:

<https://msc.qld.gov.au/council/building-planning/planning/>

Major Amendment No.1 of 2023 - Subdivision in the rural zone

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:

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 - (viii) a renewable energy facility; or
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Public Consultation of Major Amendment No.1 of 2023
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Page 3
28 August 2023

- (x) a telecommunications facility; or
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Yours faithfully



PETER FRANKS
CHIEF EXECUTIVE OFFICER

Attachment 6

65 Rankin Street
PO Box 154 MAREEBA QLD 4880

P: 1300 308 461
F: 07 4092 3323

W: www.msc.qld.gov.au
E: info@msc.qld.gov.au

28 August 2023

Council Ref: URP-SCH

Our Ref: PF:BM

PUBLIC CONSULTATION OF MAJOR AMENDMENT NO.1 OF 2023 – SUBDIVISION IN THE RURAL ZONE - MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016

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Submissions

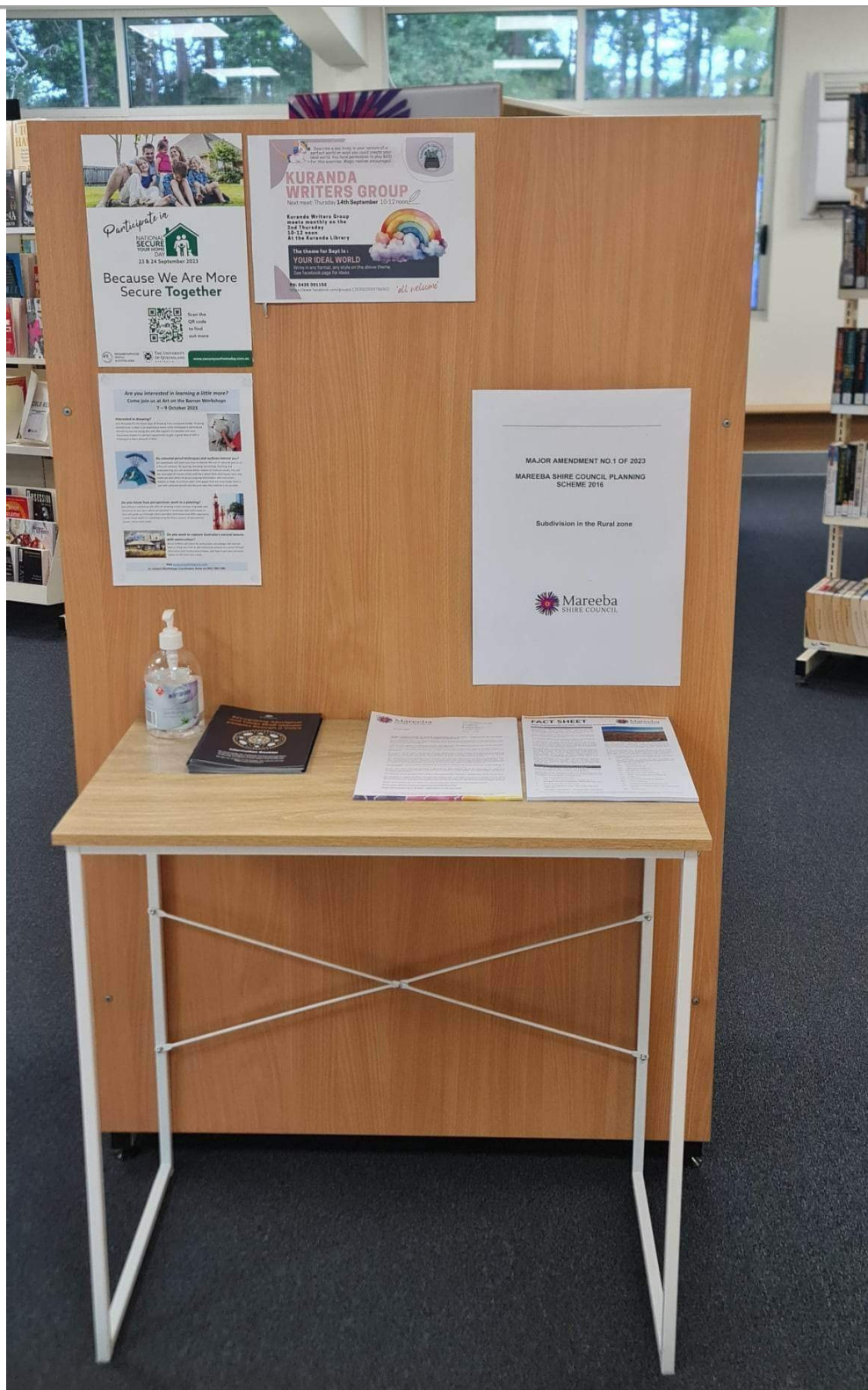
Any person can make a written submission about any aspect of the Major Amendment No.1 of 2023. A properly made submission must:

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- be signed by each person who has made the submission (unless the submission is made electronically);
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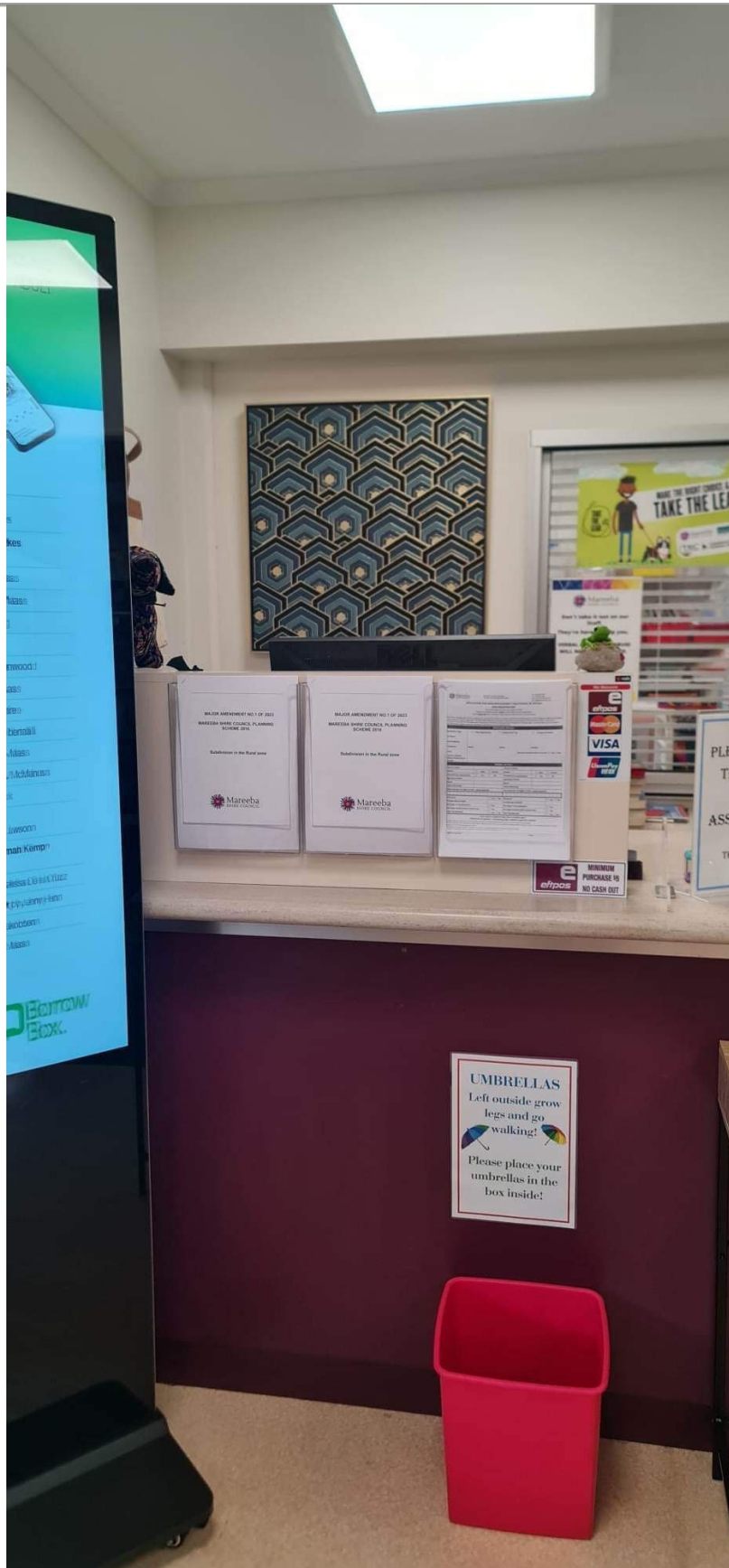
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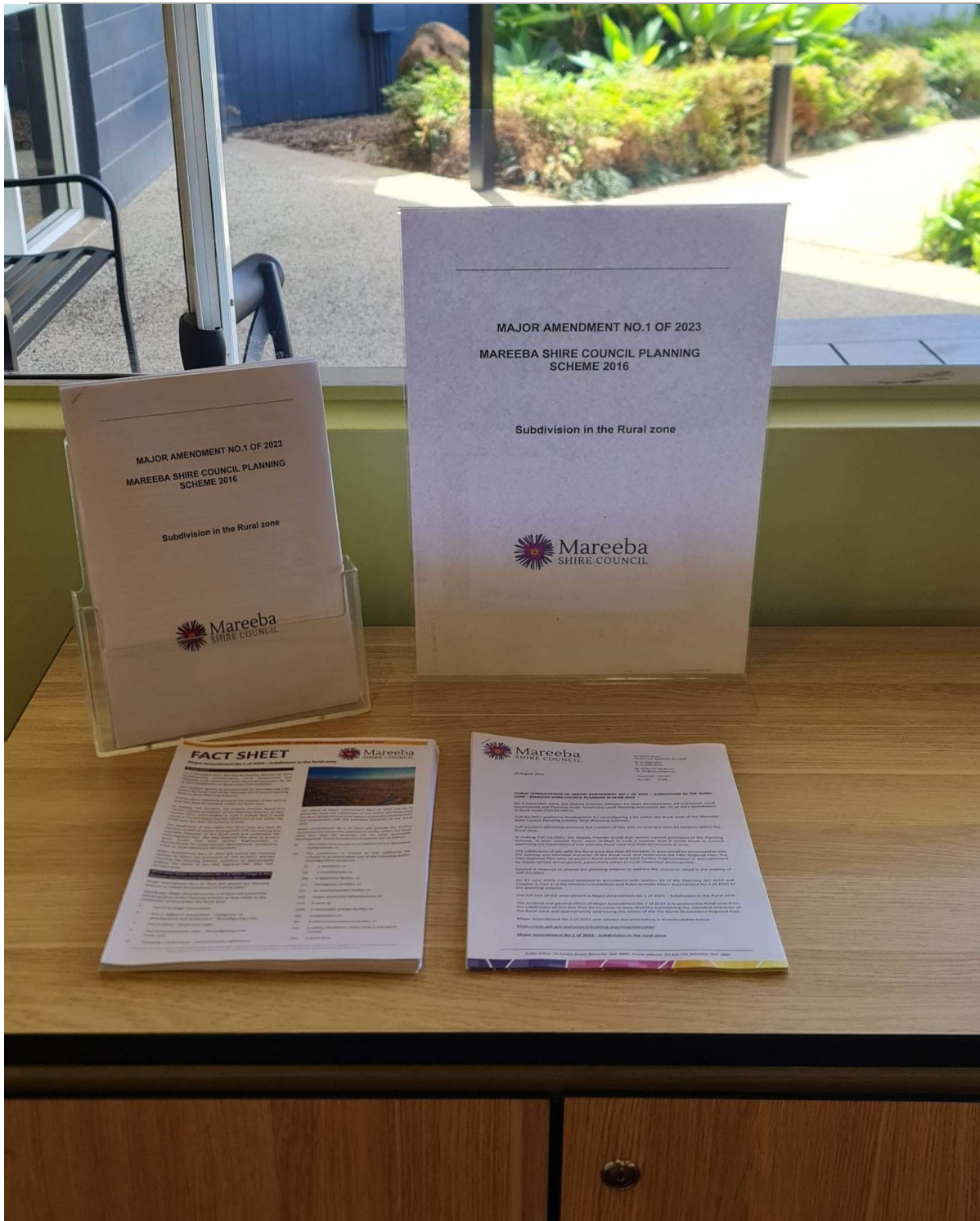
Please call council on 1300 308 461 or email planning@msc.qld.gov.au for information about the planning scheme amendment.



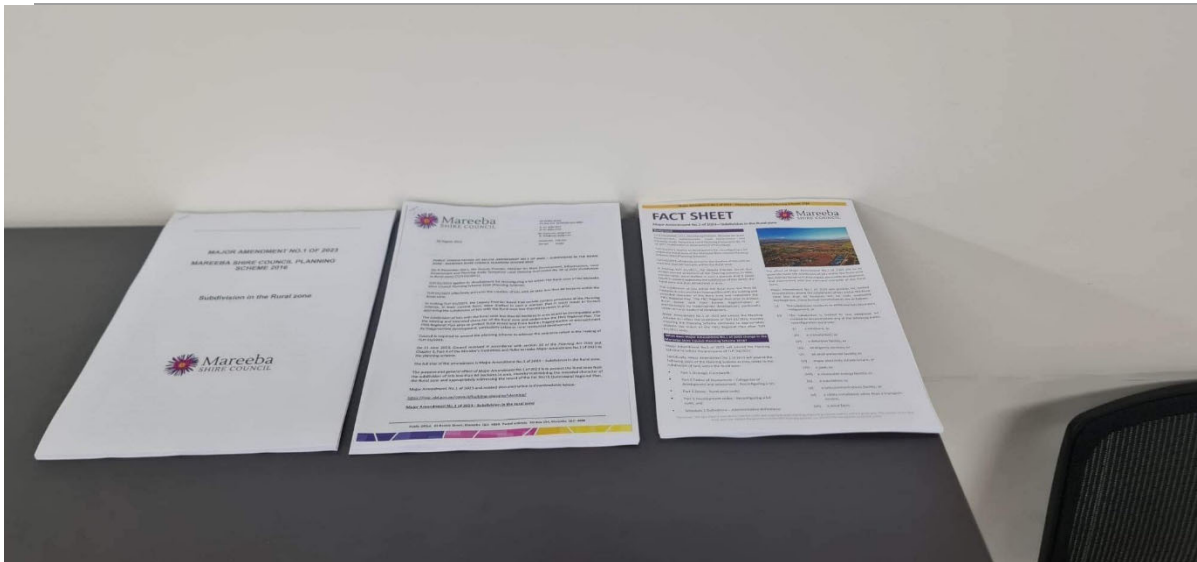
Kuranda Library – Photo 1



Kuranda Library – Photo 2



Mareeba Library – Photo 1



Mareeba Customer Service Centre – Photo 1



Mareeba Customer Service Centre – Photo 2

Attachment 7
Submission 1

To the Chief Executive Officer

08 September 2023

Submission to Major Amendment No.1 of 2023

All subdivisions for public reconfiguration purposes, that create a lot smaller than 60 hectares should be impact assessable, because there is a significant risk of negative impacts from the 12 listed public reconfiguration purposes. There can be no exemption from impact assessment for subdivision applications, if proposed lots are smaller than 60 hectares.

We ask Council to acknowledge that code assessment is simply a decision by the MSC CEO. This decision maker is not an elected representative of the ratepayers or the community, whose lives may be affected. MSC has accepted the community consultation principles of IAP2 and we would ask, that this be applied to this amendment. In a democracy, representation in decision making is an expected norm.

One person cannot possibly know how such developments may affect each community or individual. Projects may subsequently be scrutinised and approved with conditions which have considered experts, councillor's and community feedback.

It also has the advantage, to test community sentiment towards planned public reconfiguration purposes at the earliest stage of development, rather than finding out later, after a lot of funds and time were wasted to realize that there is strong community opposition.

Therefore *table 5.6.1 Reconfiguring a lot*, in appendix B would need to be changed from

Rural zone Impact assessment

If creating a lot less than 60hectares, including for public reconfiguration purposes unless

- (a) The subdivision results in no additional lots (boundary realignment); or***
- (b) The subdivision is limited to one additional lot created to accommodate a public reconfiguration purpose.***

to

Rural zone Impact assessment

If creating a lot less than 60hectares, including for public reconfiguration purposes, unless the subdivision results in no additional lot (boundary realignment)

To ensure that any public reconfiguration purpose becomes impact assessable, delete

- (b) The subdivision is limited to one additional lot created to accommodate a public reconfiguration purpose.***

Thus changing from this

Table 5.6.1—Reconfiguring a lot		
Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
Emerging community zone	Impact assessment	
	If not: (a) realigning the common boundaries of adjoining lots; or (b) creating an access easement.	The planning scheme
Rural residential zone	Impact assessment	
	If: (a) not located in the 4,000m ² precinct, 1 hectare precinct or 2 hectare precinct, and resulting in the creation of one or more additional lots.	The planning scheme
Rural zone	Impact assessment	
	If creating a lot less than 60ha, unless: (a) The subdivision results in no additional lots (boundary realignment); or (b) The subdivision is limited to one additional lot created to accommodate a public reconfiguration purpose.	The planning scheme
	Code assessment Where not impact assessable.	Reconfiguring a lot code Rural zone code Landscaping code Parking and access code Works, services and infrastructure code
All zones other than the Emerging community zone or Rural residential zone	No change	Reconfiguring a lot code Relevant zone code Landscaping code Parking and access code Works, services and infrastructure code
Code assessment		
Any other reconfiguring a lot not listed in this table. Any reconfiguring a lot listed in this table and not meeting the description listed in the "Categories of development and assessment" column.		
Editor's note—The above categories of development and assessment apply unless otherwise prescribed in the Regulation.		
Editor's note—Also see Table 5.4.2— for Prescribed levels of assessment: reconfiguring a lot.		

to that

Table 5.6.1—Reconfiguring a lot		
Zone	Categories of development and assessment	Assessment benchmarks for assessable development and requirements for accepted development
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Rural residential zone	Impact assessment	
	If: (a) not located in the 4,000m ² precinct, 1 hectare precinct or 2 hectare precinct, and resulting in the creation of one or more additional lots. (b)	The planning scheme
Rural zone	Impact assessment	
	If creating a lot less than 60ha, unless: The subdivision results in no additional lots (boundary realignment).	The planning scheme
All zones other than the Emerging community zone or Rural residential zone	Code assessment	
	Where not impact assessable.	Reconfiguring a lot code Rural zone code Landscaping code Parking and access code Works, services and infrastructure code
All zones other than the Emerging community zone or Rural residential zone	No change	Reconfiguring a lot code Relevant zone code Landscaping code Parking and access code Works, services and infrastructure code
Code assessment		
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Editor's note—The above categories of development and assessment apply unless otherwise prescribed in the Regulation.		
Editor's note—Also see Table 5.4.2— for Prescribed levels of assessment: reconfiguring a lot.		

Nadine O'Brien
345 Fantin Road
Koah
nadine_obrien@yahoo.com.au

Submission 2

Please find my submission re changes to MSC Planning Scheme, Major Amendment No. 1 of 2023.

TO: info@msc.qld.gov.au; mayor@msc.qld.gov.au; KevinD@msc.qld.gov.au; LockyB@msc.qld.gov.au;
DannyB@msc.qld.gov.au; MaryG@msc.qld.gov.au; MarioM@msc.qld.gov.au; LenoreW@msc.qld.gov.au;

Submitted by:

Name: **Cheryl Tonkin**

Address: 76 High Chapparral Rd., Myola.

Signature: *Cheryl Tonkin*

Dated: 11/9/2023

The grounds for my submission are as follows:

THIS SUBMISSION REQUESTS THAT **ALL** SUBDIVISIONS IN THE RURAL ZONE INCLUDING THOSE FOR PUBLIC RECONFIGURATION PURPOSES, CREATING A LOT SMALLER THAN 60 HECTARES ARE IMPACT ASSESSABLE.

I ask that all development should be impact assessable or be inconsistent with the planning scheme if proposed lots are smaller than 60 hectares.

As there is a significant risk of negative impacts to rural communities from the 12 listed public reconfiguration purposes, I ask that there can be no exemption from impact assessment for subdivision applications, if proposed lots are smaller than 60 hectares in the rural zone.

I ask Council to consider that impact assessment be mandatory for development in the MSC rural zone because code assessment is simply a decision by the MSC CEO. This decision maker is not elected and is not representative of the ratepayers or the community whose lives may be affected. MSC has accepted the community consultation principles of IAP2 and I ask that this be applied to this amendment. In a democracy, representation in decision making is an expected norm.

One person cannot possibly know how such developments may affect each community or individual and the gathering of such information to assist in the decision making is not an unreasonable request. Developments may then be subsequently scrutinised and rejected and/or approved with conditions which have considered councillor's and community approval.

Submission 3

Brian Millard

From: Kuranda Conservation Community Nursery <kurandaconservation@hotmail.com>
Sent: Monday, 11 September 2023 1:26 PM
To: Cr Angela Toppin; Cr Kevin Davies; Cr Locky Bensted; Cr Danny Bird; Cr Mary Graham; Cr Mario Mlikota; Cr Lenore Wyatt; Info
Cc: info@dsdilgp.qld.gov.au
Subject: Re: Submission re changes to MSC Planning Scheme, Major Amendment No. 1 of 2023

Categories: Chantel, Added to ECM

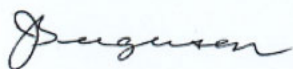
11 September 2023

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We ask that all development should be impact assessable or be inconsistent with the planning scheme if proposed lots are smaller than 60 hectares.

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MSC has accepted the community consultation principles of IAP2 and we ask that this be applied to this amendment. In a democracy, representation in decision making is an expected norm. Impact accessibility allows for developments to be scrutinised and rejected and/or approved with conditions which have considered councillors and community feedback.



for an on behalf of Kuranda Conservation Community Nursery Inc.



KURANDA
conservation
COMMUNITY NURSERY Inc

- 1 Pademelon Lane, Kuranda Qld 4881
- Phone: (07) 4093 8834
- email: kurandaconservation@hotmail.com
- ABN: 87 584 487 289
- www.kurandaconservation.org

Donations \$2 and over to our Gift Fund are tax deductible and fund our program to preserve the Cassowary

1 Pademelon Lane, Kuranda, Queensland, Australia Q4881 +61 7 40938834

<http://www.kurandaconservation.org>

Donations \$2 and over to our Gift Fund are tax deductible and fund our program to preserve the Cassowary

Please advise if you wish to be removed from this list

Submission 4

Please find my submission re changes to MSC Planning Scheme, Major Amendment No. 1 of 2023.

TO: info@msc.qld.gov.au; mayor@msc.qld.gov.au; KevinD@msc.qld.gov.au; LockyB@msc.qld.gov.au;
DannyB@msc.qld.gov.au; MaryG@msc.qld.gov.au; MarioM@msc.qld.gov.au; LenoreW@msc.qld.gov.au;

Submitted by:

Name: **Luciano Ceciliot**

Address: 76 High Chapparral Rd., Myola.

Signature: *Luciano Ceciliot*

Dated: 12/9/2023

The grounds for my submission are as follows:

THIS SUBMISSION REQUESTS THAT ALL SUBDIVISIONS IN THE RURAL ZONE INCLUDING THOSE FOR PUBLIC RECONFIGURATION PURPOSES, CREATING A LOT SMALLER THAN 60 HECTARES ARE IMPACT ASSESSABLE.

I ask that all development should be impact assessable or be inconsistent with the planning scheme if proposed lots are smaller than 60 hectares.

As there is a significant risk of negative impacts to rural communities from the 12 listed public reconfiguration purposes, I ask that there can be no exemption from impact assessment for subdivision applications, if proposed lots are smaller than 60 hectares in the rural zone.

I ask Council to consider that impact assessment be mandatory for development in the MSC rural zone because code assessment is simply a decision by the MSC CEO. This decision maker is not elected and is not representative of the ratepayers or the community whose lives may be affected. MSC has accepted the community consultation principles of IAP2 and I ask that this be applied to this amendment. In a democracy, representation in decision making is an expected norm.

One person cannot possibly know how such developments may affect each community or individual and the gathering of such information to assist in the decision making is not an unreasonable request. Developments may then be subsequently scrutinised and rejected and/or approved with conditions which have considered councillor's and community approval.

Submission 5

Please find my/our submission re changes to MSC Planning Scheme, Major Amendment No. 1 of 2023.

TO: info@msc.qld.gov.au; mayor@msc.qld.gov.au; KevinD@msc.qld.gov.au; LockyB@msc.qld.gov.au;
DannyB@msc.qld.gov.au; MaryG@msc.qld.gov.au; MarioM@msc.qld.gov.au; LenoreW@msc.qld.gov.au;

Submitted by:

(Name:) John & Kathryn Edwards

(Street Address:) 28 Monaro Close, Kuranda. Qld. 4881.

(Signature:) John Edwards and Kathryn Edwards

(Dated:) 12 September, 2023.

The grounds for our submission are as follows:

THIS SUBMISSION REQUESTS THAT **ALL** SUBDIVISIONS IN THE RURAL ZONE INCLUDING THOSE FOR PUBLIC RECONFIGURATION PURPOSES, CREATING A LOT SMALLER THAN 60 HECTARES ARE IMPACT ASSESSABLE.

I ask that all development should be impact assessable or be inconsistent with the planning scheme if proposed lots are smaller than 60 hectares.

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Submission 6

Attention
Chief Executive Officer, Mareeba Shire Council
PO Box 154
Mareeba
QLD 4880 Dated: Wednesday 20th September 2023

Subject: Public Consultation - Major Amendment No.1 of 2023 – Subdivision in Rural Zone

Dear Sir

My name is Gianni (John) Luigi Barbetti of 27 Clohesy River Road. I am the owner of the property described as LOT 37 on RP 48312 (15 Hectares) on the corner of Kennedy Highway and Clohesy River Road.

My submission is based on, the Mareeba Shire Council having the authority to able to approve the undertaking of subdivisions on areas less than 60 Hectares (Eg lot 37), to create additional rural residential lifestyle lots. The granting of such approval would be based on and subject to the following.

- The land is Not Good Quality Agriculture land; with the result that any future subdivision will not result in the loss or alienation of any good quality agriculture land.
- That any proposed subdivision, aligns with the identified residential / commercial growth potential of the area concerned.
- The Vegetation Management provision will also allow for the support of the area biodiversity assets – which I support.
- Lot 37 is surrounded by significant number of rural residential "Lifestyle" land use, that remain within the Rural Zone. The area located east / southeast of the Kennedy Highway from the Clohesy River bridge to Speewah is dominated by rural residential and or rural lifestyle land use. The zoning for this area should reflect the land use, ie. Rural Residential.

With respect I Gianni Luigi Barbetti make this submission to support the Mareeba Shire Council having the authority to make such decisions.

Thank You for the opportunity.
Yours Sincerely
G.L.Barbetti

Signed copy delivered to MSC office Mareeba.

Submission 7

Please find my submission re changes to MSC Planning Scheme, Major Amendment No. 1 of 2023.

TO: info@msc.qld.gov.au; mayor@msc.qld.gov.au; KevinD@msc.qld.gov.au; LockyB@msc.qld.gov.au;
DannyB@msc.qld.gov.au; MaryG@msc.qld.gov.au; MarioM@msc.qld.gov.au; LenoreW@msc.qld.gov.au;

Submitted by:

Ray Ganley

77 Monaro Close, Kuranda Q 4881 .

19th September, 2023.

The grounds for my submission are as follows:

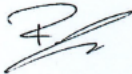
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As there is a significant risk of negative impacts to rural communities from the 12 listed public reconfiguration purposes, I ask that there can be no exemption from impact assessment for subdivision applications, if proposed lots are smaller than 60 hectares in the rural zone.

I ask Council to consider that impact assessment be mandatory for development in the MSC rural zone because code assessment is simply a decision by the MSC CEO. This decision maker is not elected and is not representative of the ratepayers or the community whose lives may be affected. MSC has accepted the community consultation principles of IAP2 and I ask that this be applied to this amendment. In a democracy, representation in decision making is an expected norm.

One person cannot possibly know how such developments may affect each community or individual and the gathering of such information to assist in the decision making is not an unreasonable request. Developments may then be subsequently scrutinised and rejected and/or approved with conditions which have considered councillor's and community feedback.



Submission 8

Please find my/our submission re changes to MSC Planning Scheme, Major Amendment No. 1 of 2023.

TO: info@msc.qld.gov.au; mavor@msc.qld.gov.au; KevinD@msc.qld.gov.au; LockyB@msc.qld.gov.au;
DarnnyB@msc.qld.gov.au; MaryG@msc.qld.gov.au; MarioM@msc.qld.gov.au; LenoreW@msc.qld.gov.au;

Submitted by:

Johanna Martin
451 Oak Forest Road.
Kuranda QLD 4881



27 September, 2023.

The grounds for my submission are as follows:

THIS SUBMISSION REQUESTS THAT **ALL** SUBDIVISIONS IN THE RURAL ZONE INCLUDING THOSE FOR PUBLIC RECONFIGURATION PURPOSES, CREATING A LOT SMALLER THAN 60 HECTARES ARE IMPACT ASSESSABLE.

I ask that all development should be impact assessable or be inconsistent with the planning scheme if proposed lots are smaller than 60 hectares.

As there is a significant risk of negative impacts to rural communities from the 12 listed public reconfiguration purposes, I ask that there can be no exemption from impact assessment for subdivision applications, if proposed lots are smaller than 60 hectares in the rural zone.

I ask Council to consider that impact assessment be mandatory for development in the MSC rural zone because code assessment is simply a decision by the MSC CEO. This decision maker is not elected and is not representative of the ratepayers or the community whose lives may be affected. MSC has accepted the community consultation principles of IAP2 and I ask that this be applied to this amendment. In a democracy, representation in decision making is an expected norm.

One person cannot possibly know how such developments may affect each community or individual and the gathering of such information to assist in the decision making is not an unreasonable request. Developments may then be subsequently scrutinised and rejected and/or approved with conditions which have considered councillor's and community feedback.

Submission 9

Tammy Tiraboschi
PO Box 867
MAREEBA QLD 4880

27 September 2023

Chief Executive Officer
Mareeba Shire Council
PO Box 154
MAREEBA QLD 4880

Attention: CEO – Peter Franks

Dear Mr Franks

RE: SUBMISSION in relation to MAJOR AMENDMENT NO.1 OF 2023 – SUBDIVISION IN THE RURAL ZONE – MAREEBA SHIRE PLANNING SCHEME 2016

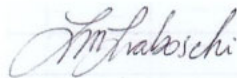
Reference is made to the above-described major amendment that is currently on public notification until 27 September 2023.

In this regard, please find **attached** my Submission (Aspects for Discussion) dated 27 September 2023 in response to the above major amendment.

Please confirm that this letter and the attached Submission (Aspects for Discussion) are considered by Council as a "properly made submission".

I await Council's further correspondence.

Yours faithfully,



TAMMY TIRABOSCHI

**SUBMISSION in relation to MAJOR AMENDMENT NO.1 OF 2023
– SUBDIVISION IN THE RURAL ZONE – MAREEBA SHIRE COUNCIL PLANNING SCHEME 2016
- Submitted 27 September 2023 -**

This major amendment has certainly provided a stronger basis in which to further future secure our Rural zones productivity and amenity, which is reflective of the Far North Queensland Regional Plan (FNQRP). I commend Mareeba Shire Council (MSC) on this major amendment becoming a part of the shire's Strategic Framework and Planning Scheme.

Reading through, I believe the major amendment to Subdivision of Lots achieves the goal to protect Rural zoned land from further fragmentation and encroachment by inappropriate development, particularly urban or rural residential development, by limiting the subdivision of lots within the Rural zone.

However, additional to implementing this Subdivision amendment to protect Rural zoned land, I strongly believe MSC should also look to amend zone codes, definitions and impact assessment tables around any large-scale manufacturing, or medium to high-density settlement style accommodation site developments (being defined as for a 'rural use') in Rural zones, as our Shire progresses. Such developments are definitely urban and or residential in their very nature, and therefore have the potential to encroach into the Rural zone without Subdivision. In my opinion, such extensive developments in Rural zones would certainly challenge the fragmentation and encroachment principles being adopted through this major amendment.

The particular aspect of the amendment that drew my attention to this further concern I have for our Rural zones was:

CLAUSE 6 Amendment of Part 3 – Strategic framework
(1) Part 3, 3.3 Settlement pattern and built environment, 3.3.1 Strategic outcomes

"...including but not limited to subdivision that results in a detrimental impact on rural productivity or fragments rural land."

"The valued, relaxed rural lifestyle, character and scenic qualities of the rural area are preserved and enhanced."

I would like to see the MSC Strategic Framework / Planning Scheme further develop clear guidelines, definitions and zone codes around any built or settlement development eg. a residential / accommodation site, or large-scale manufacturing (being defined as for a 'rural use' in a Rural zone) also be considered as impacting / fragmenting / encroaching on Rural areas, as comparable in nature to 'Subdivisions' when the land use area of such developments is significant enough to change the valued, relaxed rural lifestyle, character and scenic qualities of the Rural area. The development may not warrant a Subdivision Application, but such developments would be, in effect, 'subdividing / fragmenting / encroaching' the Rural area with built structures (urban) and/or larger populations (residential), just without a subdivision line (additional Lots).

I strongly believe that development proposals such as those I have mentioned above (not requesting a Subdivision), will certainly fragment and encroach upon Rural areas and impact productive agricultural land, as well as the rural lifestyle, scenic quality and character of the Rural zone if Council does not aim to address this issue as well. I believe all current and future development application reviews, decision notices, conditional approvals etc should consider this aspect of impactable development in Rural zones with great importance and assess them as another form of fragmentation and encroachment into the Rural areas of which the Strategic Framework is aiming to "preserve and enhance".

Perhaps such development applications as mentioned above, defined as for a 'rural use' within a Rural area, could be rigorously considered and redirected by Council as more appropriately located to areas within Industrial zoning or Residential zoning as these zones can better service such developments, as they suit the character, lifestyle and scenic quality of those particular zones. However, if such development applications are rigorously considered by Council and are deemed to be appropriate development in the Rural zone, that they only be permitted in areas of less arable, less agriculturally viable land, as near to other established buildings / structures, infrastructure and amenities as possible and most definitely to a scale conducive to the minimal urban and residential amenity of Rural areas.

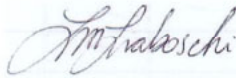
Finally, in certain circumstances I believe the smaller subdivisions that were approved in the past were possibly done to assist family farming with being able to build another residence on the farm and the next generation of farmers could live and continue to work on the same area of land.

With this major amendment changing the smaller Subdivision option, I wonder what options or considerations might exist or could be generated (be they amendments to definitions, zone codes, definitions etc) that may be made to the Strategic Framework / Planning Scheme by Council, in line with FNQRP, that would allow family farming to have such options as adding an additional residence to properties (in lieu of Subdividing), so that the "next generation farmers" have the option, should they so choose, to build their family home upon the same Lot / property, without actually Subdividing the property, and therefore alleviating, to some extent, the next generation farmers having to outlay additional capital (away from the family farming enterprise) to buy, build or rent somewhere away from the family farm or, perhaps they may even move away from the region to seek other employment because they cannot afford to stay and farm whilst their parents live out their days on the property.

Is it currently possible, or could it be possible in future planning schemes, for the number of residences permitted on rural properties to be reviewed to allow for a family residence to be added, without subdividing?

Once again, I commend Mareeba Shire Council on the progress made with this major amendment for Subdivision in the Rural Zone and I thank you for reviewing my submission.

Sincerely,



TAMMY TIRABOSCHI