

BASIC TRUST LAND MANAGEMENT PLAN

This Land Management Plan applies to a specific parcel of land detailed in Section 3 below (the Reserve)

Land Management Plan Duration: 10 years.

1. Compliance with statutory instruments and guidelines

Mareeba Shire Council ('Council') in its role as Trustee must ensure that the management, development and use of the Reserve R1146 - Lot 858 on Crown Plan NR7516 ('Reserve'), whether by its representative, any lessee, licensee or other user, complies with statutory guidelines and in a manner consistent with the reserve's gazetted purpose.

The purpose of this Land Management Plan ('LMP') for the Reserve is:

1. To identify existing and emerging uses.
2. To address any current or future issues arising.
3. To guide the future development, maintenance and management of the Reserve.
4. To assist Council in processing lease/use applications or renewals for the site in accordance with this Plan.

This Land Management Plan complies with a number of pieces of legislation and policy, outlined in the following subsections:

Land Act 1994 and Land Regulation 2020

The Reserve is State land held in trust by Mareeba Shire Council (Council). The Reserve's gazetted purpose is "Local Government", sub-purpose "Rubbish", (originally created 05/11/1960).

This Land Management Plan has been developed in accordance with the *Land Act 1994*, *Land Regulation 2020*, Operational Policy, Managing Actions Consistent and Inconsistent with the Purpose of Trust Land (No. SLM/2024/6804) and the Mareeba Shire Council Planning Scheme 2016.

Mareeba Shire Council Planning Scheme 2016

The Mareeba Shire Council Planning Scheme 2016 came into effect on 1 July 2016. Under the Mareeba Shire Council Planning Scheme 2016, the Reserve is zoned as Community Facilities. The current and proposed uses of the Reserve are consistent with the outcomes and land use strategies elements within the Mareeba Shire Council Planning Scheme 2016.

Native Title Legislation

Native Title legislation may include:

1. Native Title Act 1993 (Cth);
2. Native Title Amendment Act 1998 (Cth)

The Reserve is subject to a Native Title Determination (Lodged 03/04/2012) and is part of an Indigenous Land Use Agreement (ILUA): NNTT Number QI2011/058, Muluridji People and Tablelands Regional Council ILUA (16/03/2012).

2. Trustee Details

Trustee's Name

Mareeba Shire Council

Trustee's Address

65 Rankin Street
PO Box 154,
MAREEBA QLD 4880

3. Existing Tenure of the Subject Land

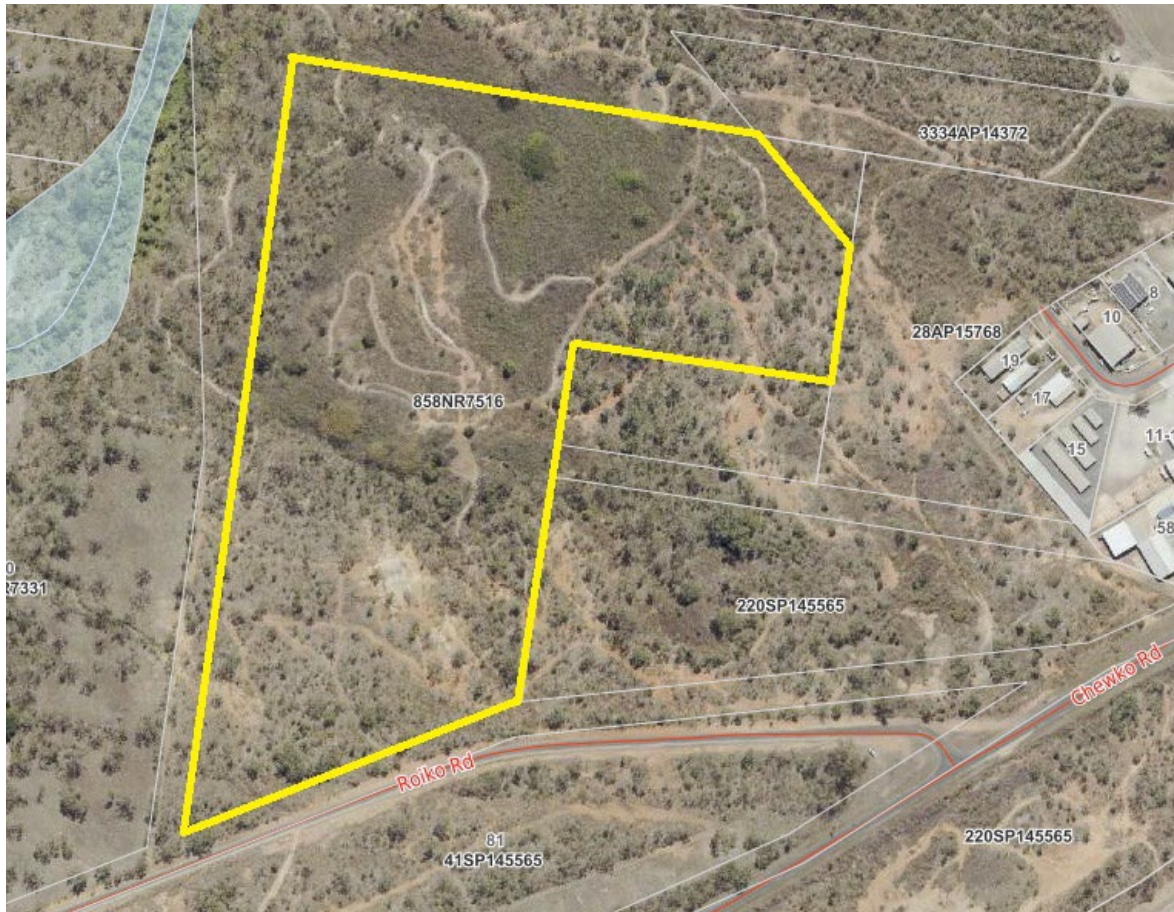
Trust Land Description: Roiko Road Reserve
Lot: 858
Plan: CPNR7516
Title Reference: 49008588
Reserve: R1146
Local Government: Mareeba Shire Council
Purpose: Local Government
Sub-purpose: Rubbish
Area of Land: 10.6 ha (about)

4. Existing Description of the Subject Land

4.1 Site Description

The Reserve was Gazetted in 1960 for use as a municipal rubbish dump. The land was used for this purpose for several years and then fell into disuse after the dump was closed.

The Reserve is about 3.2km from the Mareeba CBD and is approximately 10.6 hectares in area. The southern boundary runs along Roiko Road and the northern boundary borders an undeveloped dedicated road, being the extension of Hales Street. The eastern boundaries of the land are bounded by parcels of State land while an unformed dedicated road runs along the western boundary connecting Roiko Road with Hales Street.



The land is 410 metres above sea level falling to about 405 metres in the northwest corner. Creeks and gullies meander through parts of the Reserve with large level areas most likely created from the site being a landfill. The land is not noted or registered on Council's contaminated land maps (per IntraMaps).

The Reserve has only a small section of land (about 0.44 ha) on the north-western boundary that is listed (on the Department of Resources 'Regulated Vegetation Management Maps') as being Category B area – Remnant Vegetation. The remainder of the Reserve is listed as Category X land.

4.2 Local Area Description

Brief Local History

Traditional owners of the land are the Muluridji people who roamed the area now known as Mareeba. They maintained their existence as hunter gatherers within their traditional boundaries.

In the 1840s, explorers Ludwig Leichardt and Edmund Kennedy traversed the area. James Venture Mulligan discovered gold in the Palmer and Hodgkinson areas in the 1870s and this brought a large influx of miners travelling through Mareeba. Mareeba was settled by 1877 by John Atherton and the town became an important coach stop for Cobb & Co servicing mining areas across the Tablelands. In 1893, the railway arrived and Mareeba became a busy commercial centre for the region.

The town remains an important commercial centre for the region's agricultural industries and being on a major tourist route, a popular stop-off for travellers.

General Facts

Mareeba is situated about 64 kilometres by road southwest of Cairns on the Kennedy Highway (State Highway 1). The town is 417 metres (1,368 ft) above sea level on the confluence of the Barron River, Granite Creek and Emerald Creek. The town's name is derived from an Aboriginal word meaning meeting of the waters. The population of Mareeba is about 11,994 (ABS 2021 Census). The Reserve is approximately 3.2kms from the centre of Mareeba CBD.

4.3 Existing Uses (Primary and Secondary)

The Reserve is held in trust by the Mareeba Shire Council for the purpose described as 'Local Government' with a sub-purpose of 'Rubbish'.

Council does not seek to use the Reserve land for disposal of town refuse, as this activity ceased many years ago.

Authorised Secondary Use

In 2015, the Mareeba Mountain Goats Club Inc was issued a Trustee Lease, with a permitted use of "Mountain Bike Track and associated Club activities" in accordance with a Land Management Plan for the Reserve, to develop the reserve land into a mountain bike park, providing bike trails and a skills practice area for use by the broader community. The bike park also utilises the neighbouring land which is part of a reserve containing the Mareeba Turf Club.

4.4 Existing Interests

Tenure	Lessee	Commencement Date	Expiry Date
Trustee Lease of the whole of the land	Mareeba Mountain Goats Inc	01/01/2015	31/12/2024

There is an existing interest registered on the title which is a Native Title Determination (Lodged 03/04/2012), part of an Indigenous Land Use Agreement (ILUA): Muluridji People and Tablelands Regional Council ILUA.

4.5 Existing Infrastructure

The current Lessee, Mareeba Mountain Goats Inc have obtained grant funding to create the mountain bike trails and install infrastructure and extensive improvements to the land.

Mountain Bike Trails – The mountain bike network of trails are approximately 8km in length. The trails are primarily used for mountain biking; however, have been utilised for hiking, running and walking as it presents a safer environment than the road. There are trail features throughout the network, including timber obstacles, seesaws, and jumps.

Fencing and access gates - the Mareeba Mountain Goats Inc have installed fencing around the reserve to deter members of the public accessing the bike park without authorisation and to address the issue of illegal dumping. There are also access gates.

Signage - the Mareeba Mountain Goats Inc have installed safety signage, both on trail and at the carpark.

All notable infrastructure on the reserve has been constructed by the Mareeba Mountain Goats Inc as a result of grant funding and volunteer time.

4.6 Native Title Status

Native Title implications for Council works will be assessed in accordance with the State's Native Title Work Procedures prior to any dealings being undertaken on the Reserve and in accordance with the existing Indigenous Land Use Agreement (ILUA): NNTT Number QI2011/058, Muluridji People and Tablelands Regional Council ILUA (16/03/2012). The ILUA now encompasses the new Mareeba Shire Council since de-amalgamation (01/01/2014).

The Mareeba Mountain Goats Inc as Lessee of the land have a duty of care to address and protect cultural heritage in any works conducted on the Reserve.

5. Proposed uses of the Subject Land

5.1 Proposed "Use/s" of the subject land:

The Mareeba Mountain Goats Inc is a community organisation with considerable experience in operating mountain bike facilities and promoting mountain biking in the region. The club has approached Council seeking a renewal of their tenure over the Reserve, to ensure the continued operation of the mountain bike park. Council supports this continued use of the Reserve for the benefit of the community.

Additionally, this venture will provide practical day-to-day management of the Reserve and contribute to improving the natural environmental values of the land.

The Mareeba Mountain Goats Inc require continued security of tenure to allow it to properly insure its operation and to apply for grants/funding to manage and further enhance the facilities.

The Mareeba Mountain Goats Inc utilise grant funding and volunteer time to manage the reserve land and provide ongoing maintenance to ensure the network trail remains in operation. A trail technician is engaged to conduct the works and is assisted by club volunteers providing labour.

In addition, the Mareeba Mountain Goats Inc expend funds on machinery use and materials to conduct weed control along the trail network and do so in conjunction with Queensland Parks and Wildlife Service.

Council will conduct fuel reduction burns in consultation with Mareeba Mountain Goats Inc in accordance with Council's cyclic schedule of bushfire mitigation practices around the Shire.

5.2 Development Intended

Whilst there are no major developments planned in the immediate future, the Mareeba Mountain Goats Club Inc intend to continue to manage the improvements on the land for the use and enjoyment of the Club.

5.3 Exclusivity & Restrictions of proposed use and associated development

The Mareeba Mountain Goats Inc. is a not-for-profit, community organisation with membership open to all members of the community.

The mountain bike park will be open for use by all members of the Club for mountain biking and other non-motorised recreational activities at all times. The restriction of access to the facilities to Club members only is to ensure the safety of riders and management of public liability risk.

As there are no locked gates, it is acknowledged that members of the public who are not Club members may access the bike trails, and safety signage has been installed to accommodate this.

5.4 Commerciality

The Reserve would support non-profit use by a community club. Revenue streams for these types of clubs could include membership fees, funding submissions and fundraising. Any revenue raised on this land would be used by such organisation to deliver community services and programs and for the ongoing management and maintenance of on-site facilities such as maintaining trails, weed control to support ongoing management of the land.

5.5 Public Interest

The proposal for a secondary purpose allowing the Mareeba Mountain Goats Inc to continue their Club activities and operations as a mountain bike trail is in the public interest as it will:

1. Ensure the ongoing maintenance of a Reserve that is no longer used for its primary purpose;
2. Ensure the continued operation of a long-standing Club within the Mareeba community;
3. Provide ongoing activities for the Club's members and any members of the public who wish to become a member;
4. Provide a recreational activity for the community;
5. Ensure the Reserve is cared for and managed appropriately, by a Club who is able to utilise a parcel of land of this type, noting that the previous use as a rubbish dump limits future uses.

5.6 Not Diminish Reserve purpose

In considering this Land Management Plan, Council has considered whether the proposed secondary use would diminish the reserve purpose, where its present, scale or activity would permanently overshadow or reduce the trust land's ability to achieve its purpose, and Council considers that it will not.

The reserve purpose of "Local Government" with a sub-purpose of "Rubbish" will not be diminished by the use of the Reserve for mountain bike trails and associated activities. The Reserve has not been used as a rubbish dump for many decades and it is not anticipated that it will be used for this again. However, it is noted that, the trails and improvements could be removed, to return the Reserve to its original state if this was required.

6. Community Consultation

7. Objectives and Proposed Actions

The main objectives of the proposed activities defined in this Land Management Plan include:

- To sustainably manage the Reserve and its attributes for the benefit of the community;
- To ensure the continued operation and management of the Reserve with the neighbouring land as part of an overall mountain bike precinct.
- To grant a Trustee Lease to the Mareeba Mountain Goats Inc for a further term.

Actions:

1. Upon completion of this Land Management Plan, Council will enter into a renewed Trustee Lease with the Mareeba Mountain Goats Inc. for the use of the entire Reserve as a mountain bike park.

8. Monitoring and Revision

Council will monitor and review this Land Management Plan periodically, with a substantial review, as required, to ensure that the Plan continues to meet community needs.

As required, all leases between the Trustee and lessees will include clauses outlining:

- Any activities (including developments) that will require the Trustee's (or Minister's) approval.
- That it is the Trustee's responsibility to monitor lessee compliance with lease conditions.
- Regular communication with the community to monitor use of the reserve and to assess the suitability of this Management Plan.

9. Summary and Recommendations

The Reserve is currently being effectively utilised as a mountain bike park and managed by Mareeba Mountain Goats Inc. The previous 10 years of management by Mareeba Mountain Goats Inc has proved beneficial to the community, as the Reserve is being effectively managed by a successful community group offering recreational facilities to Mareeba and surrounds.

The Mareeba Mountain Goats Inc have been granted approval to enter into a further 10-year Trustee Lease with Mareeba Shire Council for the continued operation of the mountain bike park.

It is recommended that this Land Management Plan be put into effect to allow the Trustee Lease renewal to Mareeba Mountain Goats Inc.

10. Appendices

- 10.1 Title Search of Lot 858 CPNR7156
- 10.2 Survey Plan of CPNR7516
- 10.3 Map of Native Title Determination Area
- 10.4 Vegetation Management Map

10.1 Title Search of Lot 858 CPNR7156

INTERNAL CURRENT RESERVE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 25/11/2024 10:09

Title Reference: 49008588
Date GAZETTED: 05/11/1960
PAGE: 1367

Opening Ref: RES 10593
Purpose: LOCAL GOVERNMENT
Sub-Purpose: RUBBISH
Local Name: MAREEBA REFUSE SITE
Address: ROIKO RD, MAREEBA
County (R) No: R1146
File Ref: RES 10593

TRUSTEES

MAREEBA SHIRE COUNCIL GAZETTED ON 05/11/1960 PAGE 1367

LAND DESCRIPTION

LOT 858 CROWN PLAN NR7516 GAZETTED ON 13/12/1986 PAGE 2073
Local Government: MAREEBA

Area: 10.600000 Ha. (ABOUT)

EASEMENTS AND ENCUMBRANCES

1. TRUSTEE LEASE No 716649974 27/07/2015 at 10:09
MAREEBA MOUNTAIN GOATS INC
OF THE WHOLE OF THE LAND
TERM: 01/01/2015 TO 31/12/2024 OPTION NIL
Lodged at 10:09 on 27/07/2015 Recorded at 14:57 on 27/07/2015

ADMINISTRATIVE ADVICES

Dealing	Type	Lodgement Date	Status	Location
714394383	NT DETERM NATIVE TITLE ACT 1993 (CTH)	03/04/2012 09:49	CUR	BE-BE6 -00
716428688	LAND NOTICE SEC 48 (2) LAND ACT 1994	14/04/2015 11:52	CUR	CS-GEN -00

UNREGISTERED DEALINGS - NIL

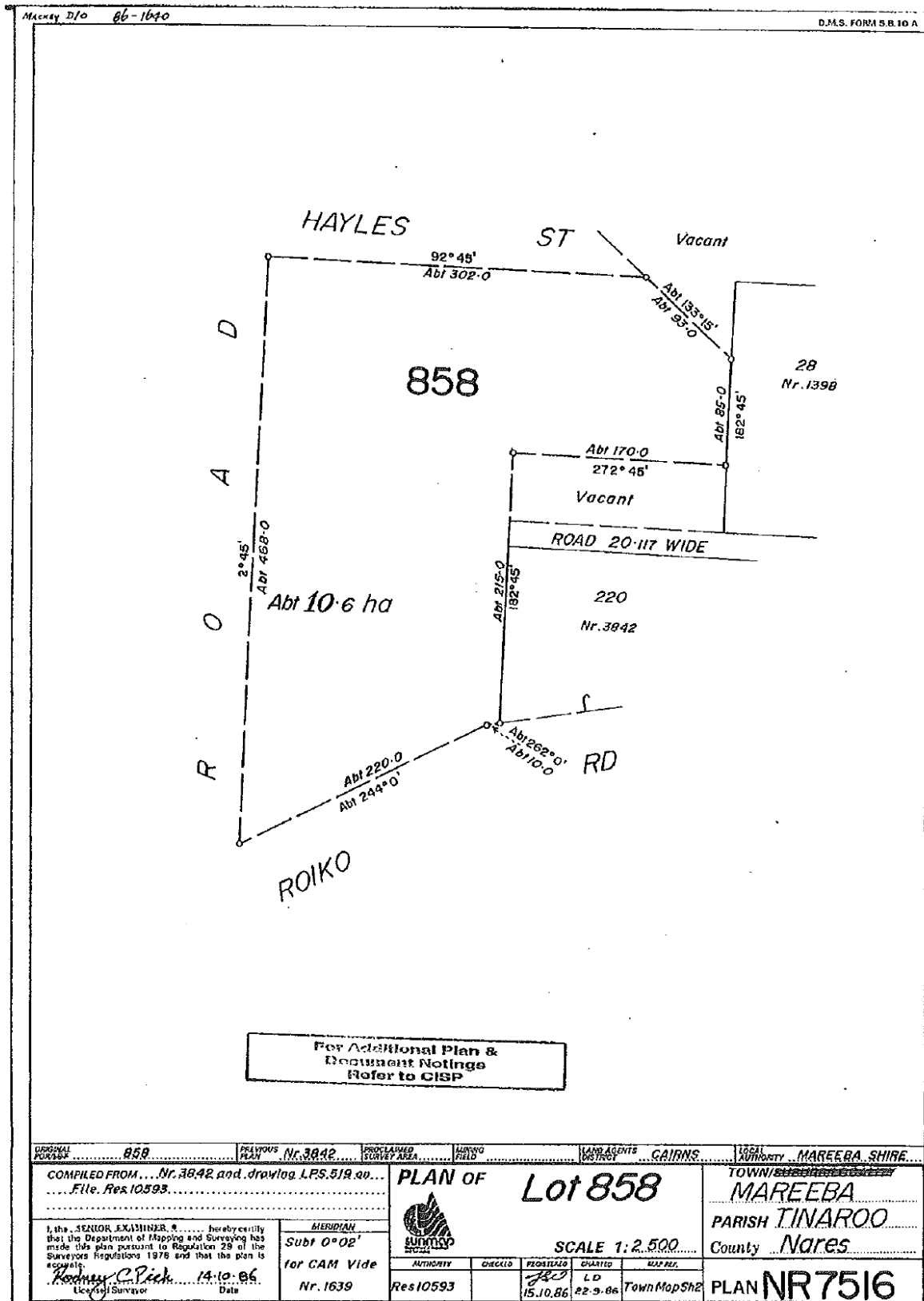
Caution - Charges do not necessarily appear in order of priority

** End of Current Reserve Search **

CONSULT

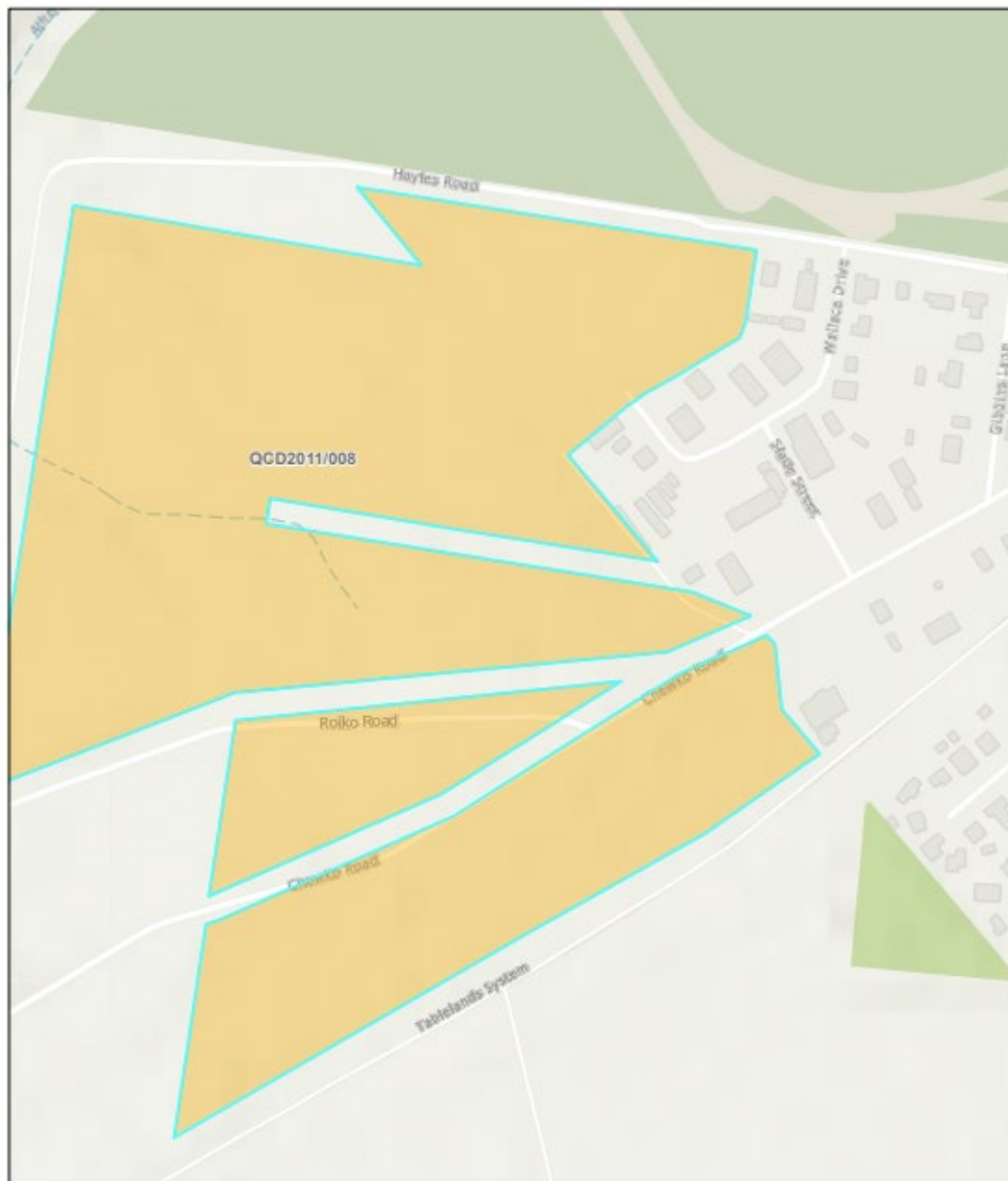
10.2 Survey Plan of CPNR7516

NR7516 V0 Page 1 of 1 Not To Scale



10.3 Map of Native Title Determination Area

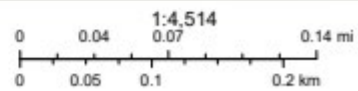
Native TitleVision Web Map



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Determinations

In effect - Finalised

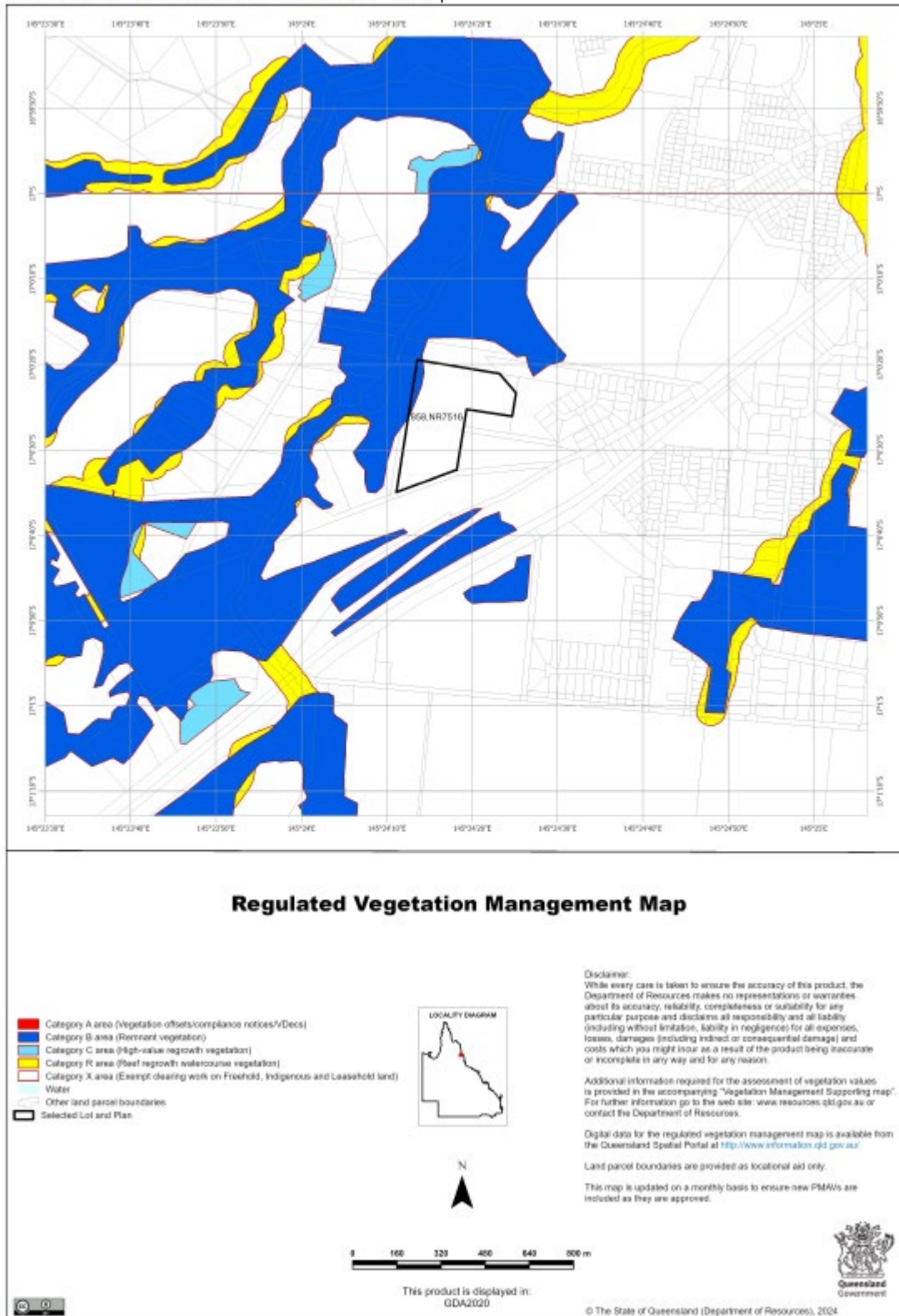


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Native TitleVision
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10.4 Vegetation Management Map

4.1 Regulated vegetation management map



4.2 Vegetation management supporting map

