SECTION 16 EVALUATION DEPARTMENT OF ENVIRONMENT AND RESOURCE MANAGEMENT, LOT 28 USL21847, EUBENANGEE ROAD, EUBENANGEE – DIV. 1

Allan Simpson : 19/3/3-80: #2039980

RECOMMENDATION:

That Council advise the Department of Environment and Resource Management that Lot 28 on USL21847, Eubenangee Road, Eubenangee is contained within the Rural 1 Planning Area and the Vegetation Conservation and Hillslopes Overlays under CairnsPlan, and it is also identified as having High Ecological Significance in the Far North Queensland Regional Plan 2009-2031. Council has no specific requirements in regard to the tenure of the land, however uses will be impacted by CairnsPlan and Regional Plan requirements.

INTRODUCTION:

The Department of the Environment and Resource Management as part of negotiations of the Mamu People native title determination application is conducting a land evaluation/planning study as required under s16 of the Land Act 1994.

The purpose of the exercise is to assist the Department to determine the range of uses and land tenures (eg freehold or reserve) for those parcels situated within the claim area. Prior to the allocation of tenure the Land Act 1994 requires that the most appropriate use of the land is determined.

BACKGROUND:

Council’s interests within the area of the claim which takes in Cassowary Coast, Tablelands and Cairns Council’s is limited to its regulatory powers under its Planning Scheme and Local Laws, and payment of rates and charges.

The only parcel of claimed land within Council’s local government area is Lot 28 on USL21847, Eubenangee Road, Eubenangee which is held by the State of Queensland as unallocated state land.

Lot 28 has an area of 1.5622 hectares and is in Rural 1 Planning Area under CairnsPlan and is located right on the boundary with Cassowary Coast Regional Council.
COMMENT:
Development Assessment

There really isn't a lot that can be done with this land. It is Rural 1, but constrained by the Vegetation Conservation Overlay and the Hillslopes Overlay.

Planning Strategies

The subject site is contained within the Rural 1 Planning Area and the Vegetation Conservation and Hillslopes Overlays under CairnsPlan. This is considered the most appropriate Planning Area for the site and it is not anticipated that this planning area designation will change.

The site is also identified as having High Ecological Significance in the Far North Queensland Regional Plan 2009-2031.

Infrastructure Management (“IM”)

Infrastructure Management has requirements in regard to Lot 28 and there is no identifiable need for the location of any assets.

Water & Waste

Water and Waste has no known, or future proposed water or sewerage infrastructure located within, or to be located within, or in the vicinity of Lot 28 on USL21847.

At this stage Water and Waste would support other Officer’s recommendations

Sport, Recreation & Community Development

Sport, Recreation & Community Development supports other officer’s comments.

CONSIDERATIONS:

Corporate and Operational Plans:

This report was prepared in accordance with Corporate Plan goal 1.1 (An integrated approach to planning by Council and stakeholders).

Statutory:

The land evaluation is being undertaken in accordance with the requirements of the Land Act 1994.

Policy:

N/A
Financial and Risk:

N/A

Sustainability:

N/A

CONSULTATION:

As per the comment section of this report.

OPTIONS:

1. That Council advise the Department of Environment and Resource Management that Lot 28 on USL21847 is contained within the Rural 1 Planning Area and the Vegetation Conservation and Hillslopes Overlays under CairnsPlan, and it is also identified as having High Ecological Significance in the Far North Queensland Regional Plan 2009-2031. Council has no specific requirements in regard to the tenure of the land, however uses will be impacted by CairnsPlan and Regional Plan requirements.

2. That Council advise the Department of Environment and Resource Management that Lot 28 on USL21847 should be incorporated into the Eubenangee Swamp National Park being Lot 157 on NPW880.

CONCLUSION:

That Council concur with the recommendation subject of this report.

ATTACHMENTS:

Locality map and aerial photograph.

L. Giacomi  
Property & Administration Team Leader

L. Kirchner  
Manager Corporate Performance

B. Grosser  
General Manager Corporate Services