

7.8. APPLICATION FOR TEMPORARY ROAD CLOSURE AND ROAD LICENCE - UNFORMED ROAD NEWELL

REPORT AUTHOR	Property Officer
MANAGER	Manager Community Services
DEPARTMENT	Community Services

RECOMMENDATION

That Council:

- 1. Support an application by the landowner of 163 Newell Road, Newell, formally described as Lot 25 SP212664, for a temporary road closure and subsequent road licence over a section of unformed road, depicted within the application as the 'proposed temporary road closure and road licence area'.**
- 2. Advise the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development that Council, as the road manager, supports the application for a temporary road closure and subsequent road licence, by completing a Part C Form LA30: Statement in relation to an application under the *Land Act 1994* over State land.**

EXECUTIVE SUMMARY

Council has received a request to support an application by the landowner for a temporary road closure and subsequent road licence over a section of unformed road (the identified area shown in attachment 1.) adjacent to 163 Newell Road, Newell.

In accordance with the *Land Act 1994*, Council is the road manager for dedicated roads in its local government area. A Part C Form LA30: Statement in relation to an application under the *Land Act 1994* over State land, for lodgement with Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development (the Department), is the sole opportunity for the road manager to either support or not support the application.

BACKGROUND

The identified area was previously subject to a road licence held by the owner of land immediately to the north, prior to reconfiguration of this land from one into two lots, now described as Lot 1 and Lot 2 on SP346868. The reconfiguration process required the previous licensee to surrender the road licence.

COMMENTS

- A road licence is sought by the applicant to enable formalised use of the identified area. Should the Department ultimately grant a road licence, the intended use will be for the expansion of rural activities undertaken on the adjoining Lot 25 SP212664, specifically low-intensity cattle grazing, consistent with the current use of the land.
- An adjoining owner that shares a common boundary with a road can apply for a road licence.
- A road licence can only be issued over roads that have been temporarily closed.

- A road licence provides the licensee exclusive occupation rights of the temporarily closed road area, within the conditions of the licence.
- The identified area does not facilitate legal access to any surrounding properties, nor does it contain public utility infrastructure.
- No objections or concerns were received from the internal consultation process relevant to the proposed temporary road closure.

PROPOSAL

That Council:

1. Support an application by the landowner of 163 Newell Road, Newell, formally described as Lot 25 SP212664, for a temporary road closure and subsequent road licence over a section of unformed road, depicted within the application as the 'proposed temporary road closure and road licence area'.
2. Advise the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development that Council, as the road manager, supports the application for a temporary road closure and subsequent road licence, by completing a Part C Form LA30: Statement in relation to an application under the *Land Act 1994* over State land.

FINANCIAL/RESOURCE IMPLICATIONS

All costs associated with an application for a temporary road closure and road licence are borne by the applicant. Should the Department ultimately grant a road licence over the temporarily closed road area, the licensee will pay an annual licence fee to the Department.

RISK MANAGEMENT IMPLICATIONS

The road is temporarily closed from the day the road licence is issued. If the road licence is surrendered (by the licensee) or cancelled (by the Minister), the road is reopened. If in future Council requires the road to be reopened, Council can make a request to the Department to cancel the road licence. No compensation is payable to the licensee for the cancellation of a road licence.

SUSTAINABILITY IMPLICATIONS

Economic: Nil

Environmental: Nil

Social: Nil

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2025-2030 Initiatives:

Theme 3 - Service Delivery

We deliver Council services effectively and efficiently to meet community expectations, focusing on the wellbeing of both the community and our employees.

3.2 - Focus on customer service.

Operational Plan 2024-2025 Actions:

Legislative requirement.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Custodian	Council owns and manages infrastructure, facilities, reserves, resources and natural areas. In fulfilling its role as custodian, Council will be mindful of the community, the economy, the environment, and good governance.
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CONSULTATION

Internal:	Chief Engineer; Coordinator Civil Operations; Manager Water & Wastewater; Coordinator Water & Wastewater; Acting Manager Project Office; Acting Manager Environment & Planning; Senior Planning Officer; Team Leader Asset Management; Interim Chief Financial Officer; and Coordinator Environmental Health & Local Laws.
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External:	Nil
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COMMUNITY ENGAGEMENT

Nil

ATTACHMENTS

1. Proposed Temporary Road Closure and Road Licence Area [7.8.1 - 1 page]

Proposed Temporary Road Closure and Road Licence Area

Attachment 7.8.1
163 Newell Road, Newell Beach

16°25'25"S 145°23'53"E16°25'25"S 145°24'20"E



16°25'52"S 145°23'53"E16°25'52"S 145°24'20"E

A product of



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0 50 metres

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**Queensland
Government**

Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development