

5.10. OWNERS CONSENT FOR NEWELL BEACH BOAT RAMP UPGRADE

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MANAGER Mark Stoermer, Chief Executive Officer

DEPARTMENT Infrastructure

RECOMMENDATION

That Council resolves to:

1. Provide 'in-principle' support for the proposed upgrade of the Newell Beach Boat Ramp;
2. Delegates authority under section 257 of the *Local Government Act 2009* to the Chief Executive Officer to provide written owners consent to the Queensland Department of Transport and Main Roads so that they may lodge a reclamation permit and development application.

EXECUTIVE SUMMARY

The Queensland Department of Transport and Main Roads (DTMR) wrote to Council on 28 October 2019 requesting Owners Consent to lodge a reclamation permit and development application for the proposed Newell Beach Boat Ramp upgrade project.

Part of the existing boat ramp and carpark are within Lot 382 SR864, which is a reserve controlled by Council as Trustee.

Section 51 (2) of the Planning Act states that 'the application must be accompanied by the written consent of the owner of the premises'. This power has not been delegated from Council to the Chief Executive Officer (CEO) and remains with Council.

This report recommends that Council support the project by providing owners consent for DTMR to lodge the reclamation permit and subsequent development application.

BACKGROUND

The existing boat ramp does not extend far enough into the Mossman River to enable all tide access for users. DTMR has previously looked to rectify this issue through dredging at the toe of the boat ramp and into the channel. This is a short-term solution, is costly and not sustainable.

Part of the existing boat ramp and carpark are within Lot 382 SR864, which is a reserve controlled by Council as Trustee (refer to Figure 1 below). DTMR has written to Council requesting Owners Consent to lodge a development application for the proposed upgrade of the boat ramp. The proposed works include the construction of a causeway across the existing ramp and installation of a new all tide boat ramp and access walkway into the Mossman River main channel.



Figure 1: Site plan showing Lot 382 SR864, the boat ramp and carpark

Advice from DTMR is as follows:

- Construction of the Newell Beach boat ramp will begin after the 2020 wet season;
- The Queensland Transport and Roads Investment Program 2018–19 to 2021–22 includes \$3.2 million to upgrade boating infrastructure at Newell Beach, under the Marine Infrastructure Fund;
- Works are expected to be completed by late 2020, weather permitting;
- Design work is underway and a development application will be lodged very soon;
- The new two-lane boat ramp and floating walkway will access naturally deep water, avoiding the need and associated impacts of ongoing dredging.

COMMENT

Under the *Transport Infrastructure (Public Marine Facilities) Regulation 2011*, DTMR is the Asset Owner of boating facilities in the Douglas Shire and Council is the Facility Manager. As the Facility Manager, Council is responsible for maintaining roads, carparking, landscaping and minor routine maintenance activities.

It is well documented that the Newell Beach Boat Ramp silts up and is difficult to use at low tide. The proposed upgrade will reduce tidal influences and provide a safer all-tide facility. Additionally, this new facility will reduce the maintenance obligations of Council as the ramp will extend into the main channel of the river.

PROPOSAL

That Council resolves to:

1. Provide 'in-principle' support for the proposed upgrade of the Newell Beach Boat Ramp;
2. Delegates authority under section 257 of the *Local Government Act 2009* to the Chief Executive Officer to provide written owners consent to the Queensland Department of Transport and Main Roads so that they may lodge a reclamation permit and development application.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource obligations associated with this recommendation.

RISK MANAGEMENT IMPLICATIONS

Adoption of the recommendation delegates authority to the CEO to consent to a reclamation permit and development application to be lodged by DTMR.

SUSTAINABILITY IMPLICATIONS

- Economic:** The proposed upgrade to the Newell Beach Boat Ramp will improve access to waterways along the Douglas Shire coastline. This may lead to increased visitor number from within and external to the shire. This new facility will reduce the maintenance obligation on Council.
- Environmental:** The proposed upgrade will reduce the need to dredge a channel and will ensure users are able to launch boats into naturally deep water within the estuary.
- Social:** Boating and fishing are popular recreational activity for residents and visitors. This proposed upgrade will enhance access to the waterways and provide greater opportunities to explore and relax in the natural environment.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2019-2024 Initiatives:

Theme 4 - Inclusive Engagement, Planning and Partnerships

In delivering for our communities, economy and environment, Douglas Shire will ensure open and transparent engagement and communication. We will develop robust strategic plans and we will partner with our community and key stakeholders.

Goal 3 - We will recognise the critical role that our partners play in planning and delivering vital programs and services.

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:

Advocate Council makes representation on behalf of the community on important issues, funding opportunities, projects and programs. Council will use its influence to seek the best outcomes for the community.

Facilitator Council often brings stakeholders together on important issues, projects or for service delivery. In this role, Council can act as a mediator, connector, collaborator or initiator.

CONSULTATION

Internal: Internal consultation was undertaken with the Manager Governance to confirm the Council to Chief Executive Officer delegations register.

External: Nil

COMMUNITY ENGAGEMENT

No community engagement has been undertaken by Council at this time. This project is the responsibility of DTMR and Council is merely providing 'Owners Consent' to lodge a development application.

ATTACHMENTS

Nil