

5.3. PROPOSED PERMANENT ROAD CLOSURE OFF BONNIE DOON RD, KILLALOE

REPORT AUTHOR(S): Susanna Andrews, Property Officer
GENERAL MANAGER: Darryl Crees, General Manager Corporate Services
DEPARTMENT: Governance

RECOMMENDATION

That Council resolves to:

- 1. advise the Department of Natural Resources and Mines that it:**
 - a. has no objections to the proposed permanent road closure over part of an un-named road off Bonnie Doon Road, Killaloe, within Road Licence 5976 (described as Lot 1 on RL5976), which is to be incorporated into adjoining Lot 54 on NR413; and**
 - b. requires all costs associated with the road closure be paid by the applicant; and**
- 2. delegate authority to the Chief Executive Officer, in accordance with section 257 of the *Local Government Act 2009*, to determine and finalise any and all matters associated with this request.**

EXECUTIVE SUMMARY

A request has been received from the Department of Natural Resources and Mines (DNRM) for Council's views in relation to a proposed permanent road closure over part of an un-named road off Bonnie Doon Road, Killaloe, within Road Licence 5976 (described as Lot 1 on RL5976), adjoining Lot 54 on NR413.

At the Ordinary Meeting of Council held on 15 March 2016, Council determined to execute a form Part C as road manager in relation to the proposed road closure so the application could be lodged with the DNRM. Council officers held no concerns with regard to the proposal.

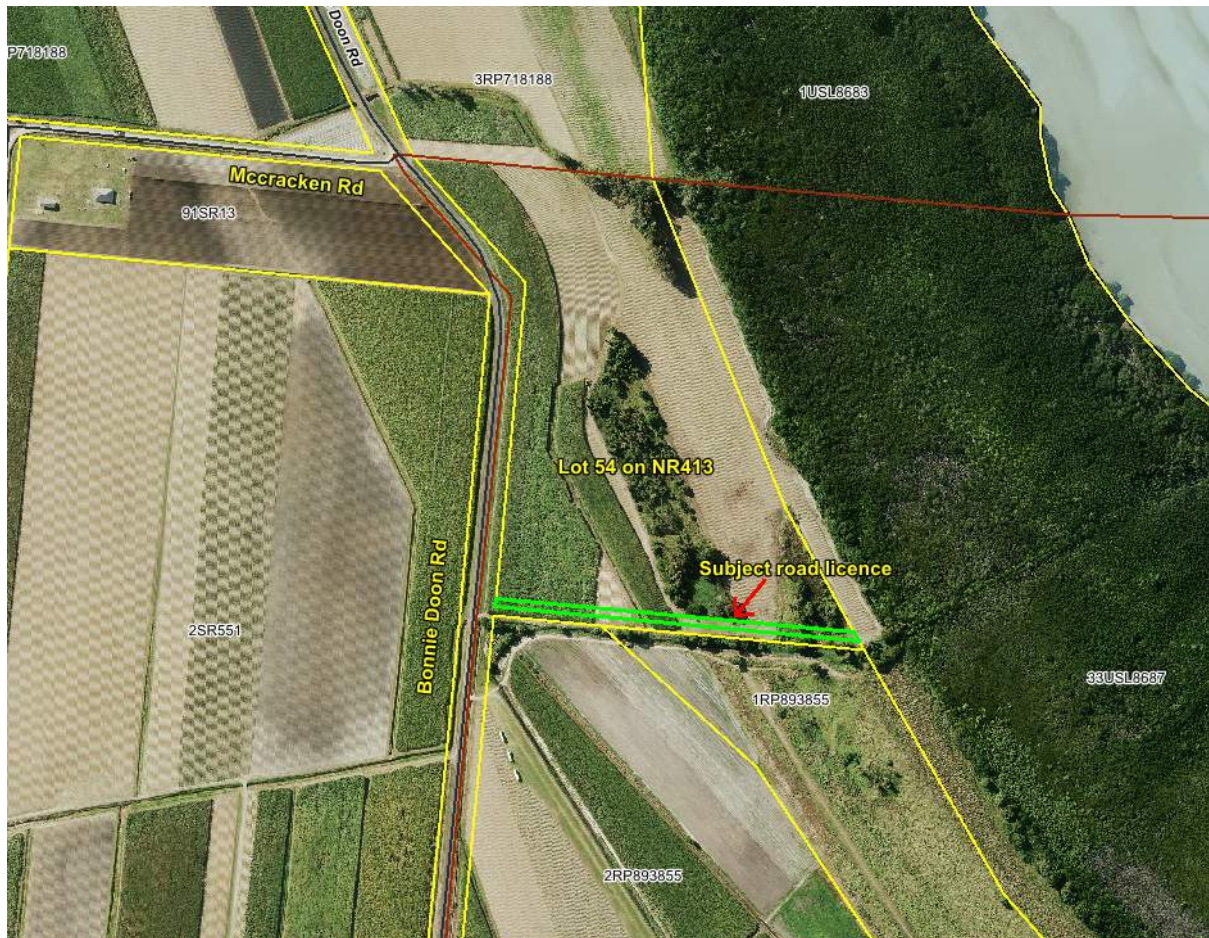
It is recommended that Council advises the DNRM that it has no objections to the proposed permanent road closure.

BACKGROUND

In February 2016 Council received a request to execute, as road manager, form Part C 'Statement in relation to an application under the *Land Act 1994* over State land' for the proposed permanent road closure of part of an un-named road off Bonnie Doon Road, Killaloe, within Road Licence 5976 (described as Lot 1 on RL5976), adjoining Lot 54 on NR413. Council determined to execute the form at the Ordinary Meeting held on 15 March 2016.

Council is now requested to provide its views in relation to the subject road closure as the application has now been lodged with the DNRM.

Locality Plan



The area of the subject road licence is ten (10) metres wide and 425 metres long and approximately 4340 m² in area. The land has been used for growing sugar cane and has never been used by vehicles or pedestrians.

The applicant states that if the road is permanently closed the registered owner will utilise part of the land to construct a house. Most of Lot 54 on NR413 is very low-lying and not suitable for a house site. The road licence area is the highest point of the land.

COMMENT

Council officers raise no concerns with regard to the proposed permanent road closure.

PROPOSAL

That Council advises the Department of Natural Resources and Mines that it has no objections to the proposed permanent road closure.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial or resource implications associated with the request.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with the request.

SUSTAINABILITY IMPLICATIONS

- Economic:** There are no economic sustainability implications in regard to the proposal.
- Environmental:** The area of land proposed to be closed is about 4340 m² and used for sugar cane growing. Loss of this relatively small area to cane is not envisaged to have serious environmental sustainability implications.
- Social:** There are no social sustainability implications in regard to the proposal.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2014-2019 Initiatives:

Theme 5 – Governance

5.2.1 – Provide Councillors and community with accurate, unbiased and factual reporting to enable accountable and transparent decision-making.

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:

- Asset-Owner** Meeting the responsibilities associated with owning or being the custodian of assets such as infrastructure.

CONSULTATION

- Internal:** Internal consultation was conducted prior to execution of the form Part C attached to the application submitted to the DNRM by the applicant in March 2016.
- External:** Department of Natural Resources and Mines

ATTACHMENTS

1. Request to submit views **[5.3.1]**

Author: Janelle Shore
 File/Ref number: 2016/001514
 Directorate/Unit: State Land Asset Management
 Phone: (07)40957024

| | |
|-----------------------------------|----------------|
| DOUGLAS SHIRE COUNCIL Received | |
| File Name | RoadClose/Perm |
| Document No. | |
| 26 APR 2016 | |
| Attention | RJL |
| Information | |



Department of
Natural Resources and Mines

22 April 2016

Douglas Shire River Improvement Trust
 PO Box 357
 MOSSMAN QLD 4873

Dear Sir/Madam

Application for permanent road closure over part of un-named road off Bonnie Doon Road, Killaloe, within Road Licence 5976 (described as Lot 1 on RL5976), adjoining Lot 54 on NR413, and shown as Lot A on Drawing CNS16/016P

Please find enclosed a copy of the Notice published in the Government Gazette of 22 April 2016 relative to the above application.

The applicant advises that the road licence is currently used for sugar cane growing. If the road closure application is approved, the intended use of the land will be a house site.

To enable full consideration to be given to this matter, please submit your views and/or requirements, in writing, to this office **by 2 June 2016**. If no reply is received by that date it will be assumed you have no objection to the application.

Any objections received may be viewed by other parties interested in the proposed road closure in accordance with the provisions of the *Right to Information Act 2009*.

If you wish to discuss this matter please contact Janelle Shore on (07)40957024.

All future correspondence relative to this matter is to be referred to the department at the address below or by email to Townsville.SLAMS@dnrm.qld.gov.au (please no larger than 4MB). Any hard copy correspondence received will be electronically scanned and filed. For this reason, it is recommended that any attached plans, sketches or maps be no larger than A3-sized.

Please quote reference number 2016/001514 in any future correspondence.

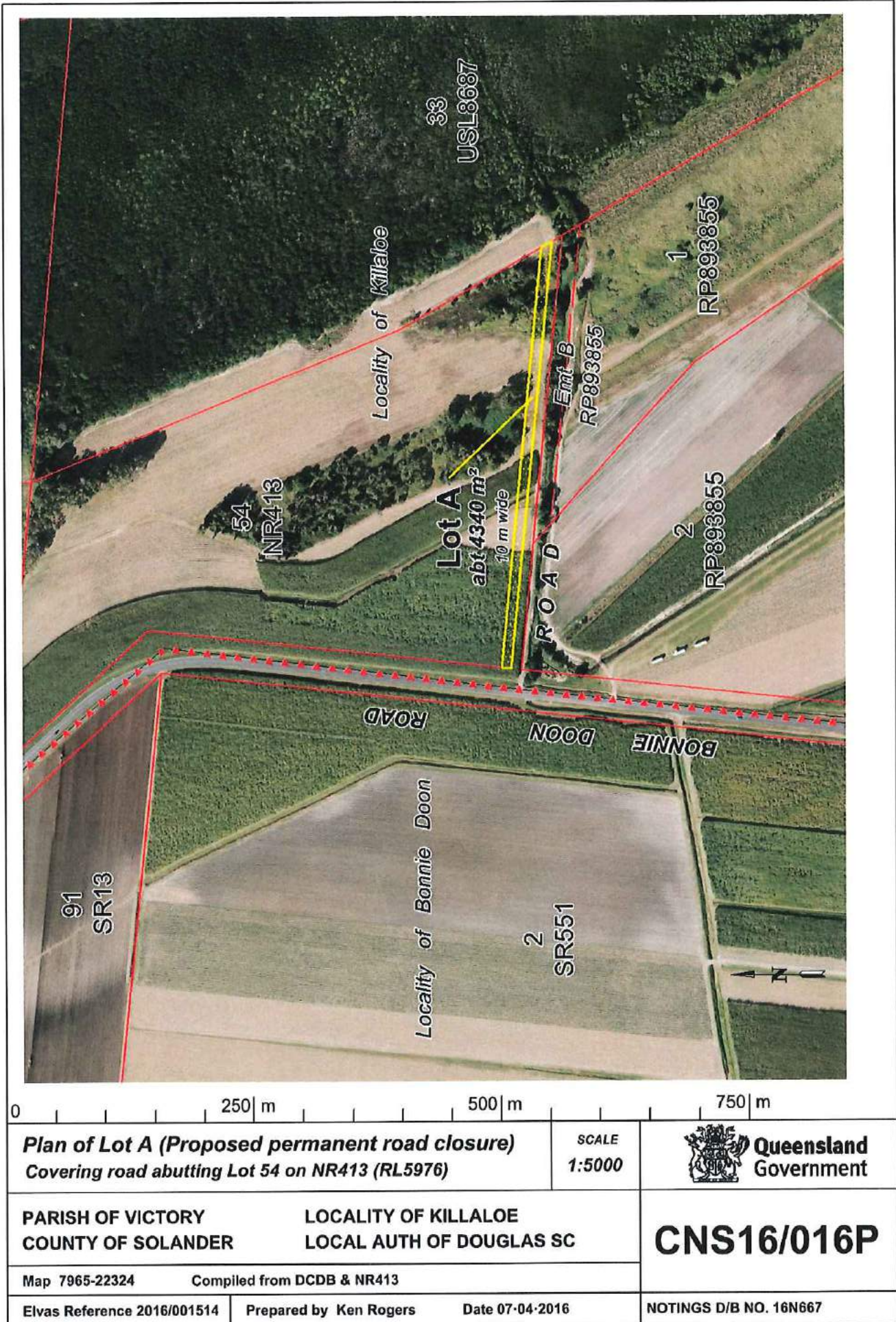
Yours sincerely


 Janelle Shore
 Land Administration Officer
 State Land Asset Management
 Land Services
 North Region

encl - Drawing CNS16/016P & Government Gazette dated 22.04.2016

Postal :
 DNRM Townsville
 PO Box 5318
 Townsville Qld 4810

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 Fax: (07)4447 9199



*Land Act 1994***OBJECTIONS TO PROPOSED ROAD CLOSURE
NOTICE (No 15) 2016****Short title**

1. This notice may be cited as the *Objections to Proposed Road Closure Notice (No 15) 2016*.

Application for road closure [s.100 of the Act]

2. Applications have been made for the permanent closure of the roads mentioned in the Schedule.

Objections

3.(1) An objection (in writing) to the proposed road closures mentioned in the Schedule may be lodged with the Executive Director, Department of Natural Resources and Mines, at the regional office for the region in which the road is situated.

(2) Latest day for lodgement of objections is **2 June 2016**.

(3) Any objections received may be viewed by other parties interested in the proposed road closure under the provisions of the *Right to Information Act 2009*. If you lodge an objection, please include in your objection letter whether you would like to be consulted if this issue becomes the subject of an access request under the *Right to Information Act 2009*.

Plans

4. Inspection of the plans of the proposed road closures may be made at-

- (a) the Department of Natural Resources and Mines Offices at Cairns, Caboolture, Gympie, Nambour and Toowoomba; and
- (b) the Local Government Offices of Douglas Shire, Somerset Regional, Gympie Regional, Sunshine Coast Regional and Toowoomba Regional;

for a particular plan in that district or that local government area.

SCHEDULE**PERMANENT CLOSURE****North Region, Cairns Office**

1 An area of about 4340 m2 being part of the unnamed road off Bonnie Doon Road, within Road Licence 5976, abutting the southern boundary of Lot 54 on NR413 (locality of Killaloe) and shown as plan of Lot A. (proposed permanent road closure) on Drawing CNS16/016P. (2016/001514)

South Region, Caboolture Office

*2 An area of 1712 m2 abutting the northern boundary of Lot 1 on CC542 (locality of Fairney View) and shown as road proposed to be permanently closed on Drawing 16/035. (2016/000208)

South Region, Gympie Office

3 An area of about 8980 m2 being part of Upper Ecl Creek Road intersecting Lot 71 on LX1145 (locality of Langshaw) and shown as road proposed to be permanently closed on Drawing 16/070. (2016/001050)

South Region, Nambour Office

4 An area of about 861 m2 being part of Wilkins Road abutting the south western boundary of Lot 1 on RP7650 (locality of Glass House Mountains) and shown as road proposed to be permanently closed on Drawing 16/096. (2016/001602)

South Region, Toowoomba Office

5 An area of about 2.13 ha abutting the southern boundary of Lot 1 on RP103442 (locality of Headington Hill) and shown as permanent road closure on Drawing 16/036. (2015/006432)

*The proposed closure of this road is in conjunction with the proposed opening of another road.

ENDNOTES

1. Published in the Gazette on 22 April 2016.
2. Not required to be laid before the Legislative Assembly.
3. The administering agency is the Department of Natural Resources and Mines.

Gov. Gaz., 22 April 2016, No. 68 page 543

Brisbane

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