



The Hon Cameron Dick MP  
Minister for State Development,  
Manufacturing, Infrastructure and Planning

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Our ref: MC18/514

30 MAY 2018

Councillor Tom Gilmore  
Mayor  
Mareeba Shire Council  
PO Box 154  
MAREEBA QLD 4880

Dear Councillor Gilmore *Tom,*

I have received correspondence from the Kuranda Region Planning Group raising concerns about recent approvals issued by the Mareeba Shire Council (council) for rural residential and rural lifestyle subdivisions.

In response to this correspondence, the Department of State Development, Manufacturing, Infrastructure and Planning (department) has investigated the concerns raised. A review of the council meeting minutes indicates that since January 2016, the council has approved ten applications, resulting in an additional 24 rural residential or lifestyle lots in the rural zone. In each of these approvals, it would appear the council officer's assessment identified significant conflict with the relevant planning scheme provisions.

The former Planning Minister approved the *Mareeba Shire Council Planning Scheme 2016* (planning scheme) and it appropriately integrated the *Far North Queensland Regional Plan 2009-2031* (FNQRP) and the State Planning Policy (SPP). The FNQRP and SPP both include provisions to ensure that agricultural land is protected and only utilised for other purposes where there is an overriding need.

The approval of development applications which are inconsistent with the planning scheme can result in the state interests expressed in the FNQRP and SPP being compromised. This is a significant concern and it undermines the integrity of the Queensland planning system.

It is important to note that the Council's assessment of development applications must be undertaken in accordance with the *Planning Act 2016* and the Development Assessment Rules. Council's assessment, for example, can not include a matter of a person's opinion or a person's circumstances, financial or otherwise, nor can council give weight to a decision to investigate the precinct in the Koah locality.

I note that the appropriate process to investigate the Koah locality is through a planning scheme amendment. This process will ensure that the community is appropriately consulted, and that the state's interests are appropriately considered. The planning scheme sets out the community's expectations for the future development of the council area. It is important that you ensure that the council makes planning decisions that are consistent with the Planning Act and the planning scheme.

If you require further information, I encourage you to contact Ms Robin Clark, Director Planning and Development services, in the department, on [REDACTED] or robin.clark@dsdmip.qld.gov.au, who will be pleased to assist.

Yours sincerely



**CAMERON DICK MP**  
**Minister for State Development, Manufacturing,**  
**Infrastructure and Planning**

RTI RELEASED