

CABINET MINUTE

BRISBANE, 26/8/1985

DECISION NO.

46887

SUBJECT: Bowen Shire Council - Town Planning Scheme for the Balance
of the Shire of Bowen (including Collinsville and Scottville).

(Submission No. 42237)

30 Copies Received at 10:00 a.m. 22/8/1985 Mr. Hinge
p.m.

Copies
Made

29

CIRCULATION DETAILS

1	GOVERNOR		21	Decision File	
2	SIR JOH BJELKE- PETERSEN		22	Rox	
3	MR. GUNN		23	he	
4	MR. HINZE	4	24	PSA	
5	MR. WHARTON		25	J. Hulten + Arch 30 28.8.85	
6	MR. GIBBS		26		
7	MR. AHERN		27		
8	MR. LANE		28		
9	MR. GLASSON		29		
10	MR. AUSTIN		30		
11	MR. POWELL		31		
12	MR. GOLEBY		32		
13	MR. TURNER		33		
14	MR. LESTER		34		
15	MR. TENNI		35		
16	MR. HARPER		36		
17	MR. MUNTZ		37		
18	MR. McKECHNIE		38		
19	MR. KATTER		39		
20	Master File		40		



C O N F I D E N T I A L

C A B I N E T M I N U T E

Copy No. _____

20

Brisbane, 26th August, 1985

Decision No. 46387

Submission No. 42237

TITLE: Bowen Shire Council - Town
Planning Scheme for the Balance
of the Shire of Bowen (including
Collinsville and Scottville).

CABINET decided:-

That the town planning scheme prepared by the Bowen Shire Council for the balance area of the Shire of Bowen, the new town planning bylaw relating to such scheme and the amendments of the Council's subdivision of land bylaws be submitted for the approval of the Governor in Council, subject to modifications in accordance with decisions made on objections lodged as referred to in the Submission.

CIRCULATION: Department of Local Government and copy to
Minister.
All other Ministers for perusal and return.

Certified True Copy.

Secretary to Cabinet.

FOR CABINET

Bowen Shire Council - Town Planning Scheme for the Balance
of the Shire of Bowen (including Collinsville and Scottville)

1. The Bowen Shire Council at a meeting held on the 24th May 1982 resolved to prepare a new town planning scheme for the balance of the Shire of Bowen, including the towns of Collinsville and Scottville. A town planning scheme is already in force in Bowen and the coastal areas of the Shire and the proposed new scheme will cover the balance of the Shire.
2. Ministerial approval was duly granted to the resolution and in consequence thereof a town planning scheme was prepared by the Council for the balance of the Shire Area. In terms of the Local Government Act, the scheme was opened to inspection at the Council's office for a period of three months, notification to that effect being published in the Government Gazette and in a newspaper circulating in the Area. Prior to the scheme's being advertised details thereof, including the legal provisions, were the subject of discussion between the Council and the Department of Local Government. In terms of the Act, the scheme requires the approval of the Governor in Council before it has force and effect.
3. During the statutory period in which the scheme was open to inspection, 49 objections were lodged thereto. Of these, the Council recommended that 12 be upheld in their entirety or in part, and that the remainder be rejected. The scheme, together with all accompanying documentation required by the Act has been submitted by the Council for approval by the Governor in Council.
4. In accordance with usual practice, officers of the Department of Local Government visited the Area and carried out an inspection of the site of each objection. As a result of such inspection, the Department found that it did not agree with the Council's representations in respect of 6 matters of objection. These matters were subsequently discussed with the Council and agreement was reached on the action which should be taken thereon.
5. To complement the proposed new town planning scheme, the Council proposes to amend its existing subdivision of land bylaws and to introduce a new town planning bylaw for the balance of the Shire. There were no objections to the town planning bylaw when it was placed on public exhibition as required by the Act. However, there were 21 objections to the proposed amendments of the subdivision of land bylaw when it was advertised. Each objection relates to proposed minimum allotment sizes in rural zones constituted under the proposed new town planning scheme. The objections have been discussed with the Council and agreement reached in regard to the action that should be taken thereon.
6. After fully considering the proposed new town planning scheme, the proposed new town planning bylaw and the amendments of the Council's subdivision of land bylaws, objections thereto and the Council's representations thereon, I am of the view that the proposed new scheme and the bylaws should be submitted for the approval of the Governor in Council, subject to modifications necessitated by decisions made following consideration of objections lodged.

7. RECOMMENDATION

I recommend that the town planning scheme prepared by the Bowen Shire Council for the balance area of the Shire of Bowen, the new town planning bylaw relating to such scheme and the amendments of the Council's subdivision of land bylaws be submitted for the approval of the Governor in council, subject to modifications in accordance with decisions made on objections lodged as referred to in this Submission.

(R.J. HINZE)
Minister for Local Government,
Main Roads and Racing

Department of Local Government,
BRISBANE. 22/8/85