

# KRPG - Participatory Contingent

**Topic:** Community Petition- withdrawing the delegation

**Code:** BARN321848

**Web version:** [www.kurandaregion.org](http://www.kurandaregion.org)

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## OVERVIEW

The recent approval of the Development Application, on the property where the proposed Kur World development may be built, highlights an issue which may be happening across the State.

The MSC *unelected* CEO Peter Franks was given authority to review and approve code assessable DA's under a *delegated authority*. That included MCU /17/0012 on the old Barnwell block, for a Nature based tourism business.

Councillors expected to be a part of the decision process and request conditions. They were upset to find that they had no rights because they had delegated them away to the *unelected* CEO in June this year. Councillors would have been able to include conditions on advice from the community had they not delegated it away. Please sign our petition to support them in their attempt to regain this decision making from the *unelected* CEO.

DA's and the Planning scheme form the structure of our community lifestyle, outlining what can be done where and for what purpose. This supports us with the community lifestyle we have chosen to be a part of. Please sign to give Councillors the ability to influence these decisions based on their knowledge and our community input. As we have just seen on the old Barnwell block, without Councillors taking this delegation back, we get approvals without community input about conditions.

## PETITION TO MAREEBA SHIRE COUNCILLORS

We, the undersigned, petition Councillors, as our elected representatives, to take back management oversight of the development application assessment and approval process by withdrawing the delegation to the CEO which was enacted on 21 June 2017.

## RESULTS

Paper version: 190

Digital version: 104 (data extract sent to [info@msc.gov.au](mailto:info@msc.gov.au))

Total (5 Dec 17): 294

## REFERENCES

- [https://msc.qld.gov.au/download/council\\_meetings\\_2017/Council-meeting-Minutes-21-June-2017.pdf](https://msc.qld.gov.au/download/council_meetings_2017/Council-meeting-Minutes-21-June-2017.pdf)
- <http://kurandaregion.org/media-release-kur-world-developer-mcu-approved-by-mareeba-shire-council-delegated-authority/>
- <http://kurandaregion.org/petition-gain-back-the-right-for-our-elected-councillors-to-represent-us/>
- <http://kurandaregion.org/21-june-2017-the-day-democracy-died-in-mareeba-shire/>

## DE-IDENTIFIED COMMUNITY COMMENTS PROVIDED ON PETITION (48)

**Kuranda** "Decisions concerning Development Application Assessments should be seen to follow correct procedure and be made by those who were elected and are accountable to the people living in the area. Delegating this decision making is avoiding responsibility of the role of Councillor."

**Koah** "Withdrawal of the delegation of authority to the CEO is essential, one person cannot have full authority to make these decisions without community consultation, basically it is corruption."

**Barron Falls** "This is a significant issue which relates directly to, and would seem to undermine, our democratic rights."

**Kuranda** "Revoke the delegation. Put this back in the hands of councillors answerable to the electorate."

**Speewah** "As members of our community, we should have the right to elected representatives who act on our behalf. Isn't this called democracy?"

**Barron Falls** "I wasn't even aware this happened, and I am shocked. What are our elected council representatives for?"

**Barron Falls** "To our council it is important to honour and respect each others community's. This is something, I think the mayor Tom Gilmore has lost sight of and the CEO really should keep his unelected beak out of. Us the community and our present councillors have a great responsibility to protect and build on the work of 100s of volunteers from around the world who have worked tirelessly to reforest our beautiful river line and properties to make Kuranda ecologically more sound and to protect our waterways and wild life. 10's of thousands come to visit each year. Yes tourism fills the coffers. This re-vegetation work is being done after our pioneers ripped the guts out of precious rainforest thoughtlessly, like Ken Lee for bloody cattle and profiteering. It is yours and my job to protect and regrow our special forests. We need to protect species like the frogs, the amazing cassowaries, tree kangaroos, muskyrat kangaroos and many other rare and even undiscovered species for our future generations for 1000's of years into the future. Remembering we are all here for only a short time. One man's ambitions Ken Lee should not overtake what really matters. A man of the mayor's maturity should certainly be able to recognise the importance and the significance of the damage he is helping create in a small rainforest village community, and I would hope the lovely people of Mareeba and surrounds, and in fact people of the world will support the fight against any such development that threatens to urbanize our efforts to protect and if you Google Earth it you will see this very unique and tiny part of Australia. Let's be leaders not followers. Finally councillors will your grand children come to Kuranda in the future to be astounded and amazed by our housing projects and resorts wow or one of the most unique natural areas on the planet it's your call stand up and fight like a tiger."

**Myola** "Just so wrong and corrupt.. Can't believe that your behaviour can possibly be considered legal.. Disgusting behaviour from elected officials"

**Mt Haren / Warril Dve** "Without representative input that are elected to represent the people, how can any decision be made that is free from bias and personal beliefs, and and/or will lead to a breach and conflict of interests."

**Barron Falls** "We elect Councillors for a reason. Given the CEO attempted to block our community members recently from meeting with Councillors on a local issue (but later backtracked!), it concerns me the 'delegated authority' leaves such decision making processes open to bias and corruption, thus also leaving the Council open to legal implications and actions both by DA applicants and by residents who object to the decision. This is a strange and dangerous use of authority and stymies the democratic process and ability for Resident representation. How did such an erosion of democracy occur!"

**Kuranda** "Is this legal to give away authority to an unelected person? Give the Councillors back their rights, what is the MSC trying to cover up, are they on the take, what have they promised to the developers, what's in it for them??"

**Kuranda** "There has and continues to be a complete lack of respect by this Council towards the local Kuranda community - who will be directly impacted by any Barnwell Road/ Kur-World/ Kur-Cow development. The lack of communication and transparency, with the associated delegation of authority appears to be a deliberate means of avoiding any accountability. Please recognise that the community as a whole needs to be

informed - it's not ok to suggest that Councillors are engaging with the community when they sit on various Kuranda committees.”

**Koah** “Kuranda is a diverse community with special needs both environmentally and community...we need a voice within the shire...”

**Koah** “Please sort out this muddle!”

**Speewah** “Represent the community as you were elected to do, not represent whoever presents the biggest \$\$ for council coffers.”

**Kuranda** “Yes we must do this! I fully agree! And I do not want Kur World to go ahead, sick to death of these wealthy privileged developers especially from overseas taking our rights and just riding rough shod all over us!!!! Very Angry!!!!”

**Kuranda** “There are a lot of things wrong with this proposed "development".”

**Oak Forest** “How can this be approved without a completed EIS.? or did local govt hold hands under the table with state govt without any consultation with its constituents after labour got in again. I wonder how our endangered species are going to celebrate this festive season? This is despicable and unwarranted let alone again retrospective. We do as we like here, not what our elective public ask of us. Its been this way forever. Nothing Changes in a hurry! The delegated authority needs to be de elected by his own councilors who he has kept in the dark. You will be accountable for your actions, as they are yours. Own it.”

**Barron Falls** “I would vote for investigating any involvements between the councillors and Ken Lee including donations and/or other benefits of all types.”

**Kuranda** “Kuranda people who are most affected by changes to the community seem to have no say in these changes.”

**Barron Falls** “Ridiculous that as residents of Kuranda we are not able, through our elected councillors, to have a voice in these decisions that drastically affect our community.”

**Barron Falls** “I petition Councillors, as our elected representatives, to take back management oversight of the development application assessment and approval process by withdrawing the delegation to the CEO which was enacted on 21 June 2017.”

**Rest of World** “Development must always use best practices for the outcome. Considering the environment & community values for long term health.”

**Speewah** “It's called Democracy. We have elected representatives and we expect them to be part of the process.”

“I find it very concerning that the people who will be hardest hit and most effected with the proposed Kur development have been muted by a neutered council. What do I pay taxes for? I, and every person in the shire deserve fair and adequate representation. This unelected delegate is not representing our community interests and is skating a line of legality in doing so. If you want development then work with the residents. Using unelected delegates to assess a development who do not consult with the community circumvents democracy and the entire reason we have elevated officials and can be contested slowing the development entirely which is also not good for the region. Please restore our elected officials and our voice.”

**Speewah** “THANK CHRIST THIS BLOODY LOT OF COUNCIL DWELERS WILL BE GOTTEN RID OF NEXT ELECTION AND REPLACED BY ONES THAT WILL DO THINGS FOR ALL WE THE PEOPLE ARE NOT PUTTING UP NO MORE WITH --yes we will look at it OR lets see what happens later on NO WE WANT A BRAND NEW LOT OF COUNCLERS FROM A MAYOR DOWN THAT WILL STOP THINGS LIKE KUR-WORLD & AEROPLAINES TAKING OF

FROM KOAH RUINING THE LIVES OF THE PEOPLE WHO MOVED HERE IN THE FIRST PLACE. so remember people if they LET THIS HAPPEN --THE MAREEBA COUNCIL--ITS GOING TO BE ON THEIR HEADS .”

**Myola** “please respect the views of the residents directly effected by development decisions, with which they disagree, councillors must do the job they were elected to do -represent the community”

**Speewah** “Mareeba Shire Council don't really care what the people of Kuranda want, all they can see are the dollar signs. The money that KUR-WORLD would bring to the area means more money for Mareeba. As usual MSC uses Kuranda as a wallet full of money and they aren't backward in exploiting our natural beauty. I thought Lenore Wyatt would be good for Kuranda but like all the other politicians she seems to do exactly what the Mayor wants. Our voices don't count. If this was happening in Mareeba all hell would break loose. But as it is Kuranda we are just thought of as those hippies in the rainforest. Most of us that live here have a higher intelligence level than some other people. We just choose to live like we do. I am not saying that I have a higher intelligence level than other people but I also don't go round treating those we think of as tree huggers as idiots.”

**Kuranda** “We moved to Kuranda three years ago when my husband got a job in Cairns. We selected Kuranda because of its unique natural heritage, biodiversity values, wildlife and community feel. The Kuranda community- all communities, should have a right to determine the types of development that will impact on them. The way to do that is through our democratically elected local councillors who should be listening to and working for the community, not unelected council staff.”

**Barron Falls** “I encourage all to sign this important petition and give back the councillors that we elected their voice”

**Barron Falls** “Please can our representatives really consider the damage to our fragile environment when outsiders are solely bent on raping the land without any consideration for the community being disrupted all for the sake of extracting as much wealth as possible without putting anything back into the economy. Construction jobs are short lived but the effects of the destruction will linger far into the future.”

**Kuranda** “This is so wrong. Local government the last bastion of real community connection and input into planning decisions. Why is an UNELECTED bureaucrat getting the power we have entrusted to our ELECTED representatives ?

I think our councillors need some help here. It's a huge learning curve and it appears only the people who gain from this decision give advice to our councillors. Is there a union which covers councillors ? I think they need some advice which considers them , the job they have been entrusted to do and the will of the people who voted for them rather than some attempt to streamline development applications which rely on local knowledge and public comment in order to not disadvantage or impose unacceptable pressures on local residents and communities.

In a situation where all involved in creating the application, providing supporting information and assessing are all INVESTED in some way in seeing the application be approved, there needs to be a fact check balance using local knowledge and an examination of the full range of impacts which may flow - not just those that might be put by the applicant nor those which might occur to the assessor. Public notice, public comment and engagement of councillors in the process is critical if no wrong, unintended or otherwise, is to arise out of a development being approved.

Please councillors your job is too important to our sense of trust in local government to be handed to someone unelected.”

**Kuranda** “At best, Kuranda has no council representative. But worse still, an unelected employee of the Council speaks on our behalf. This is unsatisfactory and probably illegal.”

**Kuranda** “Please stop this development we can't take anymore traffic on the Kuranda Range. Everyday it is a nightmare then when the range is closed we can't get to work or get home from work. We have been caught a

few times and arriving home at midnight or 2am. Please we don't need this crazy development unless we get a total upgrade of minimum of a 4 lane road up from Smithfield. I guess all of you people making this decision only think of dollar signs and don't have to battle the range on a daily basis."

**Barron Falls** "Asserting our right to contribute to decisions that affect us in this community, via the representative that we have elected."

**Barron Falls** "We need people in council to represent the community of Kuranda, Speewah & Koah. Listen to the local residents, we live here, we are not just visitors and we want what is best for our community. Our elected councillors will hear our views and represent locals. We don't want non elected people making decisions on what happens in our region, they don't live where the proposed development is or be affected by it."

**Barron Falls** "If we wish to remain a democracy, then we cannot allow corporate hegemony"

**Barron Falls** "One man should never have that authority, especially someone not trained specifically in this area."

**Barron Falls** "I think the rate payers should have the final say with anything to do with Kuranda."

**Kuranda** "Why have councillors if they don't get to vote on proposals like quad bikes in a protected rainforest"

**Rest of World** "My wife and I have visited Kuranda regularly during the winter months for our holidays. I am deeply disturbed to read that the unelected CEO of Mareeba Shire can exercise decisions re planning permits and development applications that are denied to the elected MSC councillors themselves! Such a situation is very unsatisfactory and in my view it represents a travesty of democracy, the principle upon which local council government is supposed to be based and by which it should function.."

**Barron Falls** "Peter Franks is not an elected member, and Kuranda is not getting fair representation."

**Koah** "As a resident of the wider Kuranda community, I am not at all happy that our elected councillors have no say in rural planning, having inadvertently given them away to a CEO. It is of utmost importance to us as the ratepayers that we are able to inform our councillors of our wishes and in turn have them implemented. I back the Mareeba councillors and demand they be given back the right to speak and act on behalf of the residents who voted them in for that purpose. To leave such important and controversial decisions such as KURWORLD in the hands of one unelected CEO is anathema to democracy."

**Barron Falls** "This is a basic test of democracy, and it is difficult to see how this type of oversight might occur, I definitely see the need for a separation of interests here, as the opinion of the CEO in this and similar matters, should represent the people in the community through their representatives, and not be a judgement at this level, which obviously could have issues of conflict of interest involved in the regulation aspects that a delegated authority opens the door to."

**Barron Falls** "We need a representative who lives in Kuranda and is switched on to what our local community needs. Not some out of townner who has no idea."

**Koah** "Councillors please represent the community. This is what we elected you to do."

**Speewah** "Unsuitable development that will impact both on the flora and fauna of the area. Also a possible exodus of residents from the area , reducing services such as ours Teacher, physiotherapist and nurse."

**Barron Falls** "Underhand behaviour towards gagging councillors appears to be deceptive. Other councils have been identified where developers pay quietly to get their developments rushed through . Dishonesty does get exposed eventually. Infrastructure appears totally inadequate for this development- Kuranda Range poses massive more traffic and fatalities for an inferior narrow road used by thousands daily. White elephant !!!!!"