



Planning Committee Meeting

Coordination Centre, 15 Vernon Street, Atherton Qld 4883

Thursday, 13 April 2023

at 9:00 AM

MINUTES

1. MEMBERS IN ATTENDANCE

Members Present: Cr K Cardew (Acting Mayor), Crs A Haydon, D Bilney, D Clifton, P Hodge and B Wilce.

2. OFFICERS IN ATTENDANCE

G Rinehart (Chief Executive Officer), H Jackson (General Manager Community & Corporate Services), M Vis (General Manager Infrastructure & Environmental Services), K Reaston (Acting Executive Manager Development Services), D O'Connor (Senior Planner), C Burgess (Development Engineer), A Finocchiaro (Executive Manager Economic Development), T Vallance (Strategic Communications), A Loudon (Executive Support Officer) and J Hunter (Minute Secretary).

3. APOLOGIES/LEAVES OF ABSENCE

Cr R Marti (Mayor) having been previously granted leave of absence from this meeting was not in attendance.

4. ACKNOWLEDGEMENT OF COUNTRY

The Chairperson delivered the following Acknowledgement of Country: *'I acknowledge the Traditional Custodians of the land on which we work and live, and pay respect to Elders past, present and emerging.'*

5. DECLARATION OF ANY CONFLICT OF INTEREST BY COUNCILLORS AND SENIOR COUNCIL OFFICERS

There were no Conflicts of Interest declared by any Councillor or senior Council officer in relation to the items of business listed on the Agenda.

6. DEPUTATIONS & DELEGATIONS

Michael and Maree Nasser presented to Planning Committee at 9.01am and the presentation concluded at 9.14am.

7. MAYORAL MINUTE

No Mayoral Minute.

8. CHIEF EXECUTIVE OFFICER

8.1. RAL230004 - KABAN WIND FARM - RECONFIGURING A LOT - HOLLAND ROAD, TUMOULIN

Moved by Cr Clifton

Seconded by Cr Wilce

- (A) That the Planning Committee resolve that the application does not conflict with a relevant instrument and approve a Development Permit for a on land described as Lot 35 on CWL391, situated at Holland Road subject to the following:

APPROVED PLANS/DOCUMENTS:

Plan No.	Rev.	Plan Name	Date
SP338623	N/A	<i>Plan of Lease A in Lot 35 CWL391, prepared by Stantec Australia Ptd Ltd</i>	Undated (Received 9/1/23)

ASSESSMENT MANAGER'S CONDITIONS (COUNCIL)

1. Development must be carried out substantially in accordance with the approved plans and the facts and circumstances of the use as submitted with the application, subject to any alterations:
 - found necessary by Council's delegated officer at the time of examination of the engineering plans or during construction of the development because of particular engineering requirements; and

- to ensure compliance with the following conditions of approval.

2. Timing of Effect

2.1 The conditions of the development permit must be complied with to the satisfaction of Council's delegated officer prior to the endorsement of the plan of survey, except where specified otherwise in these conditions of approval.

3. General

3.1 The Applicant/Developer is responsible for the cost of necessary alterations to existing public utility mains, services or installations required by works in relation to the proposed development or any works required by condition(s) of this approval.

3.2 All payments or bonds required to be made to the Council pursuant to any condition of this approval must be made prior to the endorsement of the plan of survey and at the rate applicable at the time of payment.

3.3 The Applicant/Developer must relocate (in accordance with FNQROC standards) any services such as water, sewer, drainage, telecommunications and electricity that traverse the boundary between Lot 35 and the lease area, unless approved by Council's delegated officer.

3.4 Any existing buildings or structures and/or incidental works, other than any existing fencing, that traverse the new dividing boundary between Lot 35 and the lease area, must be altered, demolished or removed, as required, to align with the new property boundaries and/or be wholly contained within each lot.

3.5 With the exception of any Kaban Wind Farm infrastructure, setbacks to any new property boundaries are to be in accordance with the relevant acceptable outcome within the Tablelands Regional Council Planning Scheme 2016 (as amended) and/or Queensland Development Code. To avoid any doubt, this Condition 3.5 does not relate to buildings and structures associated with the Kaban Wind Farm development which is subject to a separate existing approval (SARA Approval Reference: 1911-14358 SPD).

4. Infrastructure Services and Standards

4.1 Stormwater Drainage/Water Quality

The Applicant/Developer must take all necessary steps to ensure a non-worsening effect on surrounding land as a consequence of the development.

5. Charges

- 5.1 All outstanding rates, charges and expenses pertaining to the land are to be paid in full.

ASSESSMENT MANAGER'S ADVICE

a) Endorsement Fees

Please be advised that Council charges a fee for the endorsement of a Survey Plan, Community Management Statements, easement documents, and covenants. The fee is set out in Council's Fees & Charges Schedule applicable for each respective financial year.

b) Compliance with applicable codes/policies

The development must be carried out to ensure compliance with the provisions of Council's Local Laws, Planning Scheme Policies, Planning Scheme and Planning Scheme Codes to the extent they have not been varied by a condition of this approval.

c) Cultural Heritage

In carrying out the activity the applicant must take all reasonable and practicable measures to ensure that no harm is done to Aboriginal cultural heritage (the "cultural heritage duty of care"). The applicant will comply with the cultural heritage duty of care if the applicant acts in accordance with gazetted cultural heritage duty of care guidelines. An assessment of the proposed activity against the duty of care guidelines will determine whether or to what extent Aboriginal cultural heritage may be harmed by the activity. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from: <https://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care>.

REFERRAL AGENCY CONDITIONS

Not applicable.

CURRENCY PERIOD

The development approval lapses at the end of the following period (the *currency period*)—

- for any part of the development approval relating to reconfiguring a lot—if a plan for the reconfiguration that, under the Land Title Act 1994 , is required to be given to a local government for approval is not given to the local government within **4 years** after the approval starts to have effect;

The approval, to the extent it relates to the development or aspect not completed, lapses at the end of the currency period.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Nil

OTHER APPROVALS REQUIRED FROM ASSESSMENT MANAGER (COUNCIL)

- Nil”

CARRIED UNANIMOUSLY

8.2. SOUTHERN LINK ROAD (WEAVER STREET) TRUNK INFRASTRUCTURE CONSIDERATIONS

Moved by Cr Hodge

Seconded by Cr Wilce

"That the Planning Committee resolve:

1. That, unless it is the sole means of accessing development sites in the precinct, construction of the Southern Link Road is not currently required.
2. To review the timing for delivery of the Southern Link Road in the development of future Planning Schemes, the Long Term Financial Plan, operational and capital budgets, and the Local Government Infrastructure Plan.
3. To retain the Weaver Street road reserve for the purpose of delivering the Southern Link Road at a future time to be established as part of the 10-year Planning Scheme review."

CARRIED UNANIMOUSLY

8.3. TABLELAND VETERINARY SERVICES - INVESTMENT INCENTIVE POLICY

Moved by Cr Wilce

Seconded by Cr Bilney

"That the Planning Committee:

1. Deem eligible, the Tableland Veterinary Services application to the Investment Incentive Policy, noting they must also comply with the conditions of the Policy to remain eligible for any incentive.
2. Delegate authority to the Chief Executive Officer pursuant to the Local Government Act 2009 to finalise all matters associated with this report."

CARRIED UNANIMOUSLY

8.4. PRIORS CREEK DEVELOPMENT - EXPRESSION OF INTEREST FREEHOLD LOTS

Moved by Cr Hodge

Seconded by Cr Wilce

"That Planning Committee consider the commencement of the Expression of Interest for the sale of proposed freehold lots 1, 2, 3 and 4 identified on the development plan in Attachment 1."

CARRIED UNANIMOUSLY

Moved by Cr Hodge

Seconded by Cr Clifton

"That the Planning Committee:

1. Resolve to seek Expressions of Interest for the sale of proposed freehold lots 1, 2, 3 and 4 identified on the development plan in Attachment 1, as part of the Priors Creek Development in accordance with s 228 (3) (5) Local Government Regulation.
2. Resolve it is in the public interest to first seek Expressions of Interest in relation to the sale of these lots, as it allows Councils to narrow down proponents to a class of competent submitters without putting those persons to the expense of preparing a full tender, and without the expenditure of Council resources which is necessary to properly assess a full tender.
3. Delegate the power to the Chief Executive Officer to do all things and prepare all documents to facilitate the Expression of Interest process.

CARRIED UNANIMOUSLY

9. NOTICE OF MOTION

No notice of motions submitted.

10. BUSINESS WITHOUT NOTICE

No business without notice was presented.

11. CONFIDENTIAL ITEMS

No confidential items submitted.



12. NEXT MEETING OF COUNCIL

The next meeting of Council will be held at Atherton

Ordinary Council Meeting 9.00am on 27 April 2023

There being no further business, the meeting closed at 9.41am.

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Cr Kevin Cardew

Acting Mayor

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Gary Rinehart

Chief Executive Officer