

Tablelands Regional Council

AGENDA

Planning Committee

Coordination Centre, 15 Vernon Street, Atherton Qld 4883

Thursday, 13 April 2023

Commencing at 9:00 AM

THE PLANNING COMMITTEE MEETING OF THE TABLELANDS REGIONAL COUNCIL WILL BE HELD AT DISASTER COORDINATION CENTRE, 15 VERNON STREET, ATHERTON ON THURSDAY, 13 APRIL 2023 AND THE ATTENDANCE OF EACH COUNCILLOR IS REQUESTED.

GARY RINEHART

CHIEF EXECUTIVE OFFICER





Council Members:

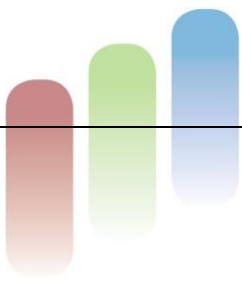
Mayor, Councillor Rod Marti
Deputy Mayor, Councillor Kevin Cardew
Division 1 - Councillor Kevin Cardew
Division 2 - Councillor Annette Haydon
Division 3 - Councillor Dave Bilney
Division 4 - Councillor David Clifton
Division 5 - Councillor Peter Hodge
Division 6 - Councillor Bernie Wilce

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The Council Meeting will be streamed live, recorded and published on Council's website for future viewing.

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Principles for Local Government

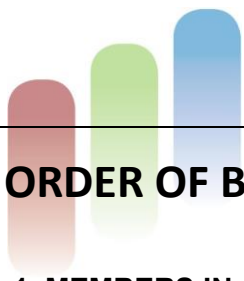
The **local government principles** stated in the Local Government Act 2009 are:

- (a) transparent and effective processes, and decision-making in the public interest;
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services;
- (c) democratic representation, social inclusion and meaningful community engagement;
- (d) good governance of, and by, local government;
- (e) ethical and legal behaviour of councillors and local government employees.

Key Priorities and Strategic Goals from the TRC Corporate Plan

Strategic Themes





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8.1. KABAN WIND FARM PTY LTD - RECONFIGURING A LOT - LEASE TERM EXCEEDING 10 YEARS - LOT 35 ON CWL391 - HOLLAND ROAD, TUMOULIN - RAL23/0004

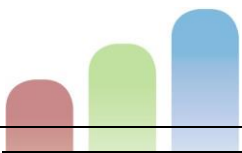
REPORT DETAIL

Report Author: Planning Officer

Department: Development Services

APPLICATION DETAILS:

Applicant:	Kaban Wind Farm Pty Ltd C/- Stantec Australia Pty Ltd 15 Scott Street Parramatta Park QLD 4870
Applicant Reference:	Nil
Landowner:	Bert Wilson's Rustproofing Service Pty Ltd
Proposal:	Development Permit for Reconfiguring a Lot - Lease term exceeding 10 years
Properly Made Date:	27 January 2023
Street Address:	Holland Road, Tumoulin
RP Description:	Lot 35 on CWL391
Lot Area:	1,549,950m ²
Planning Scheme:	Tablelands Regional Council Planning Scheme 2016 (V4)
Designations:	<p>Strategic Framework:</p> <ul style="list-style-type: none"> • Settlement pattern – rural other • Natural resources – Agricultural land • Natural areas - Areas of state environmental significance <p>Local Plan: Nil</p> <p>Zone: Rural Zone – Agricultural Land Precinct and General Rural Precinct</p> <p>Applicable Overlays:</p> <ul style="list-style-type: none"> • Bushfire hazard overlay code • Environmental significance overlay code • Slope overlay code
Assessment Type:	Impact Assessable
Number of Submissions:	Nil
Referral Agencies:	Nil



Referred Internal Specialists:	Development Engineer
Recommendation:	Approve with conditions

-
- ATTACHMENTS:**
1. Plan of Development
 2. Statement of Reasons
-

EXECUTIVE SUMMARY

The Applicant is seeking a reconfiguration of a lot development permit for the establishment of a lease exceeding ten (10) years. The purpose of the lease is to secure tenure over the part of Lot 35 on CWL391 which is to be utilised as part of the Kaban Wind Farm. The proposed lease area is just over 25ha and borders the southern and eastern boundaries in the southeast corner of the existing lot, adjoining parcels containing the Kaban Wind Farm.

The key issue of the proposed development is that at 25ha, the proposed lease area does not meet the minimum lot size for the rural zone of 60ha. However, the development is required to secure tenure for the Kaban Wind Farm. The Kaban Wind Farm was approved by the Queensland Department of State Development, Manufacturing, Infrastructure and Planning on 18 May 2018, with a change subsequently approved on 22 December 2022. As the development is required to facilitate the approved renewable energy facility, and the application will not result in the creation of a permanent lot below the minimum lot size, it is considered appropriate that Council approve the development.

While the proposed development does not meet the minimum lot size for the Rural Zone, the proposed development complies with the corresponding performance outcome in that the lease area can accommodate the intended land use. The proposed development also complies with the strategic framework as the development will not fragment agricultural land or limit rural activities on surrounding lots due to significant separation from farming land.

The application is impact assessable and no properly made submissions were received in response to public notification of the application. Draft conditions were provided to the Applicant, care of their consultant, and have been agreed to.

It is recommended that the application be approved in full subject to conditions.

OFFICER'S RECOMMENDATION

- (A) That Council 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	Plan of Lease A in Lot 35 CWL391, prepared by Stantec Australia Pty Ltd	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.

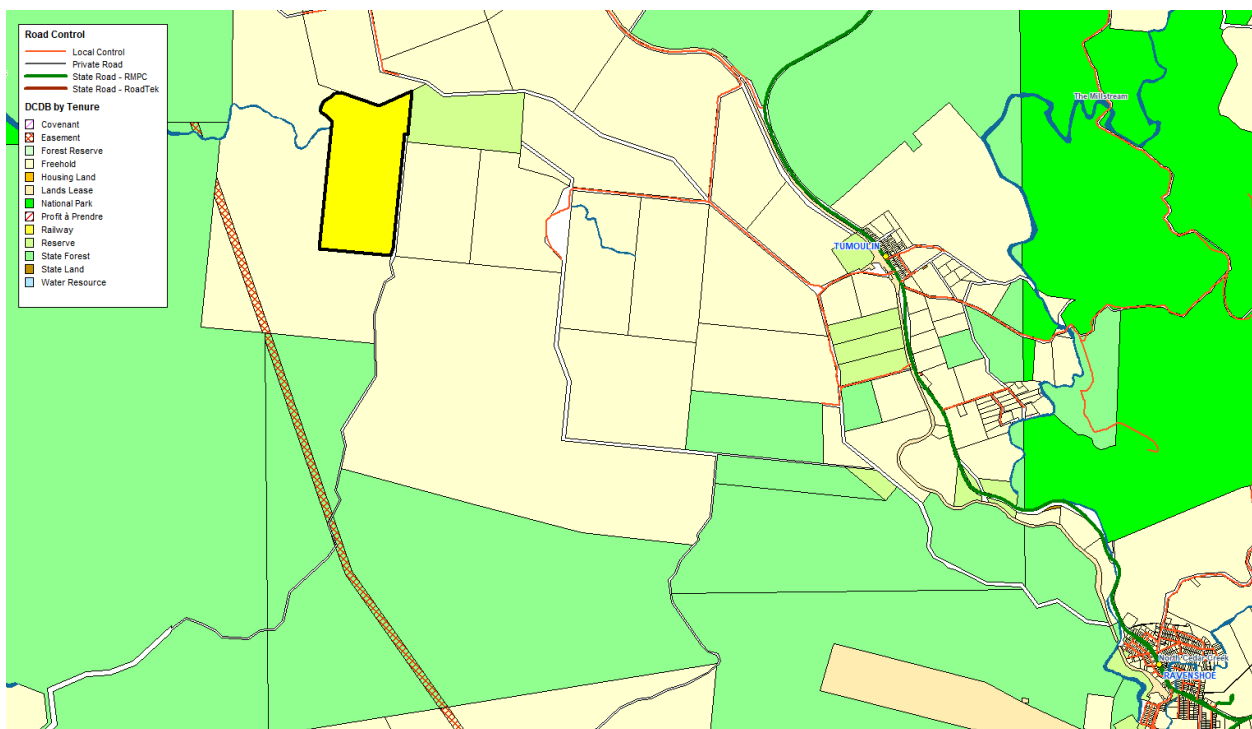
FURTHER DEVELOPMENT PERMITS REQUIRED

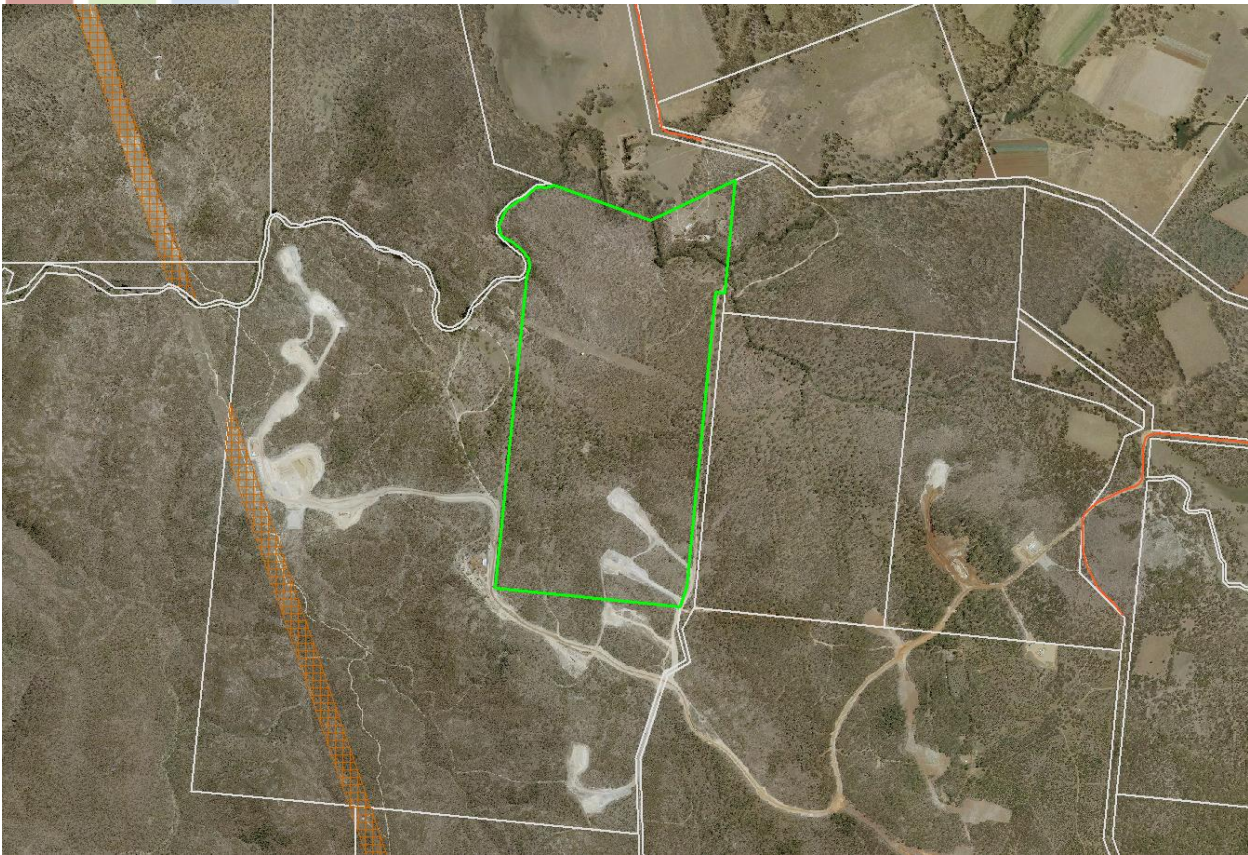
- Nil

OTHER APPROVALS REQUIRED FROM ASSESSMENT MANAGER (COUNCIL)

- Nil

THE SITE





- Land Area: 1, 549,950m² (154.995 ha)
- Existing Use of Land: Dwelling house to the northeast, animal keeping (cattle grazing) and wind farm infrastructure.
- Road Frontage: Approximately 1,400m along unnamed road reserve (fire trail).
- Significant Site Features: Waterways, native vegetation cover and clearing for wind farm infrastructure.
- Topography: Gradual slope towards north of lot.
- Surround Land Uses: Kaban Wind Farm to the east, south and west of the lot and camping reserve to the northeast.

DESCRIPTION OF PROPOSED DEVELOPMENT

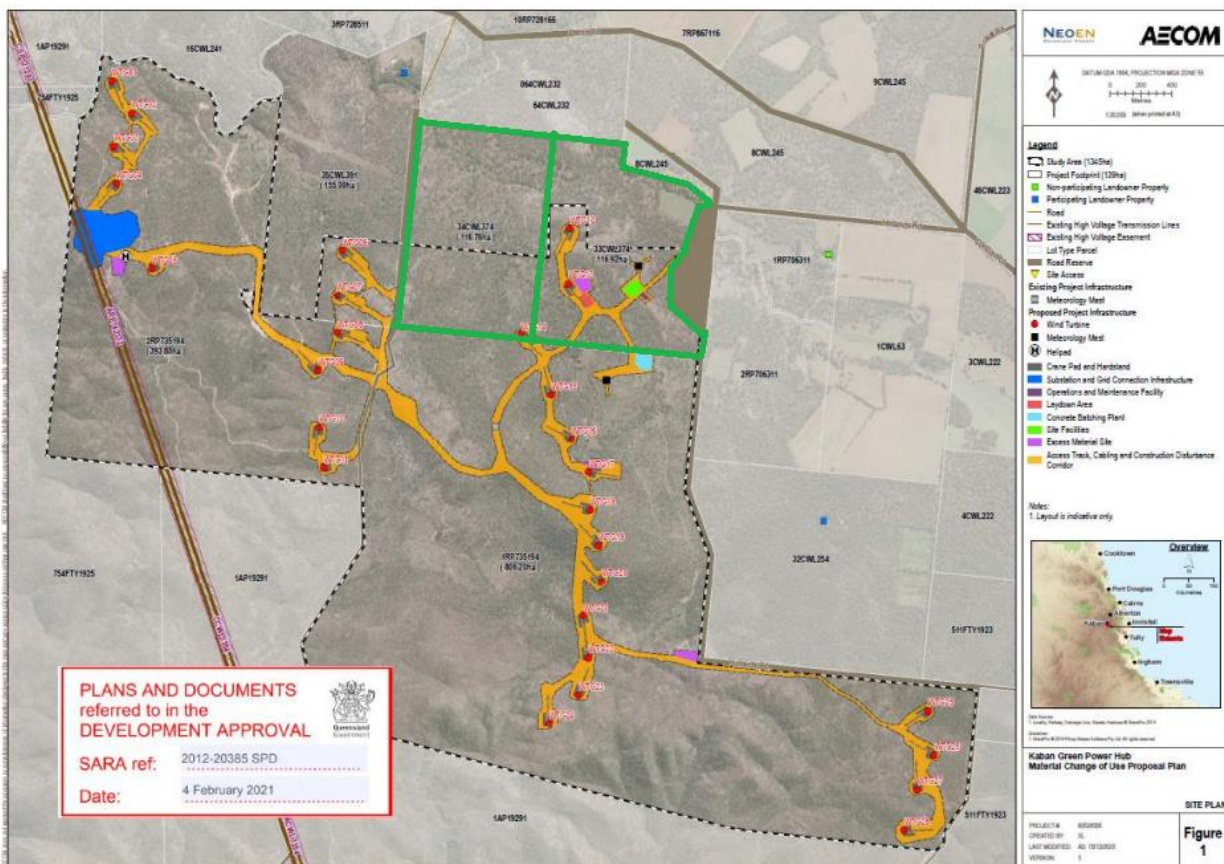
As shown by the plan provided as Attachment 1, the Applicant is seeking a reconfiguration of a lot development permit for the establishment of a lease exceeding ten (10) years. The purpose of the lease is to secure tenure over the part of Lot 35 on CWL391, which is to be utilised as part of the Kaban Wind Farm. The lease area is just over 25ha and borders the southern and

eastern boundaries of the lot and has frontage to an unnamed road reserve (fire trail), which is unconstructed. Access to the lease area is to be provided via the Kaban Wind Farm site (Lots 33 and 34 on CWL374 and Lots 1 and 2 on RP735194) accessible from Holland Road.

BACKGROUND AND CONTEXT

On 18 May 2018, the Queensland Department of State Development, Manufacturing, Infrastructure and Planning issued Kaban Wind Farm Pty Ltd with a Development Permit for a combined wind and storage project including up to 29 wind turbines and battery storage of up to 100MW, and operational works for the clearing of native vegetation (reference number 1911-14358 SPD). A change to the Decision Notice was subsequently approved on 22 December 2020. The lot which is the subject of the application before Council (Lot 35 on CWL391) forms part of the wind farm approval and construction works are nearing completion.

On 6 August 2021, TRC approved a Material Change of Use for a concrete batching plant associated with the construction of the Kaban Wind Farm on Lot 1 on RP735194 (reference number MCU21/0009). The plant has since been completed and is operational.



ASSESSMENT FRAMEWORK

An assessment of the proposed development against the relevant planning instruments is summarised as follows:

State Planning Policy 2017

A separate assessment against the State Planning Policy is not required as it is adequately reflected by the TRC Planning Scheme (V4).

FNQ Regional Plan 2009-2031

A separate assessment against the FNQ Regional Plan is not required as it is reflected by the TRC Planning Scheme 2016 (V4).

Tablelands Regional Council Planning Scheme 2016 (v4) Designations

Strategic Plan designation:	<ul style="list-style-type: none"> • Settlement pattern – rural other • Natural resources – Agricultural land • Natural areas - Areas of state environmental significance
Priority Infrastructure Area:	Nil
Zone:	Rural Zone – Agricultural Land Precinct and General Rural Precinct
Local Area Plan:	Nil
Overlays:	<ul style="list-style-type: none"> • Bushfire hazard overlay code • Environmental significance overlay code • Slope overlay code

Strategic Framework

The following Strategic/Specific Outcomes are considered relevant to the assessment of the application:

	Strategic/Specific Outcomes	Complies <input type="checkbox"/> / <input checked="" type="checkbox"/>	Comments
3.4.2.1.1	Agricultural Land of Class A and B Agricultural Land Classification are preserved for the purpose of primary production and are protected from fragmentation, alienation and incompatible land uses and development.	<input checked="" type="checkbox"/>	The subject lot Class A & B agricultural land. However, the proposed lease area is located on Class C land which is not suitable for agricultural production. As such, the lease area does not fragment or alienate agricultural land.
3.4.2.1.3	Built infrastructure and non-agricultural uses within farms will be co-located and clustered with existing farm dwellings and infrastructure	p	The non- agricultural use of the Kaban Wind Farm to be contained within the proposed lease area is clustered to the southeast where the soil is not

	Strategic/Specific Outcomes	Complies ☒ / ☑	Comments
	to prevent encroachment onto productive land.		classified as good quality agricultural soil. As such, the lease area does not encroach on productive land.
3.4.2.1.6	Development ensures rural activities in all rural areas are not compromised by incompatible development and fragmentation.	☑	The Kaban Wind Farm is to be contained within the proposed lease area to the southeast of the development site. The lease area will not be established on agricultural land and there is significant separation between the lease area and land used for agricultural purposes, with the nearest farms located over 1km away. Much of the surrounding land is heavily vegetated and used for grazing or conservation purposes, rather than for agriculture. The development is not considered to impede on surrounding rural activities.

Strategic Framework Outcomes Relating to Renewable Energy & Wind Farms

Strategic framework outcomes 3.4.1.8, 3.4.12.1.1, 3.4.12.1.2, 3.4.12.1.3, 3.4.12.1.4, 3.4.12.1.5 and 3.4.12.1.6 apply to development relating to renewable energy and wind farms. While the existing application is associated with the Kaban Wind Farm, the assessment of the application is limited to the establishment of the lease area. The assessment of the application does not include an assessment of the suitability of the location for a renewable energy facility, as TRC are not the assessing authority for the wind farm. The Kaban Wind Farm was approved by the Queensland Department of State Development, Manufacturing, Infrastructure and Planning on the 18 May 2018, and a subsequent change on the 22 December 2022. The reconfiguration of a lot application to TRC is purely a technical requirement to secure tenure for the wind farm, and as such, the above-mentioned strategic framework outcomes relating to renewable energy and wind farms are not relevant to the assessment of the application.

Relevant Development Codes

An assessment of the application has been undertaken against the relevant development codes of the TRC Planning Scheme 2016 (V4). Commentary on the key assessment benchmarks is provided below.

6.2.1 Rural Zone Code	PO2/AO2 - Condition 3.4 and 3.5 have been applied to ensure that buildings and structures are set back from the boundaries, and do not straddle the proposed boundaries, to comply with the acceptable outcome and performance outcome. This is with the exception of Kaban Wind Farm infrastructure so as to not impede on the Applicant's ability to comply with the wind farm approval (SARA Approval Reference: 1911-14358 SPD).
9.4.2 Landscaping code	The development complies with this assessment benchmark without the need for conditions.
9.4.3 Parking and access code	PO14, AO14.1, AO14.2, AO14.3, AO14.4, AO14.5 - Accessways have not been constructed in accordance with the FNQROC Regional Development Manual. However, access to the lease area is to be provided via the existing access to the Kaban Wind Farm site on Lots 33 on CWL374, Lot 1 on RP735194, Lot 2 on RP735194, in accordance with the wind farm approval (SARA Approval Reference: 1911-14358 SPD).
9.4.4 Reconfiguring a lot code	PO1/AO1, PO4/ AO4.1 – The proposed lease area does not meet the minimum lot size for the Rural Zone. However, the application will not result in the creation of a permanent lot. The lease area also complies with the performance outcome as it can accommodate the intended land use. PO9/AO9.1, AO9.2, AO9.3, AO9.4 – The lease area has frontage to an unnamed road reserve, which is unconstructed. Access to the lease area is to be provided via the existing access to the Kaban Wind Farm site on Lots 33 on CWL374, Lot 1 on RP735194, Lot 2 on RP735194, in accordance with the wind farm approval (SARA Approval Reference: 1911-14358 SPD).
9.4.5 Works, services and infrastructure code	PO5/AO5 – Accessways have not been constructed in accordance with the FNQROC Regional Development Manual. However, access to the lease area is to be provided via the existing access to the Kaban Wind Farm site on Lots 33 on CWL374, Lot 1 on RP735194, Lot 2 on RP735194, in accordance with the wind farm approval (SARA Approval Reference: 1911-14358 SPD).
6.2.1 Bushfire Hazard Overlay	The development complies with this assessment benchmark

	Code	without the need for conditions.
6.2.1	Environmental Significance Overlay Code	The development complies with this assessment benchmark without the need for conditions.
8.2.7	Slope Overlay Code	The development complies with this assessment benchmark without the need for conditions.

Planning Scheme Policies

The following planning scheme policies are relevant to the application:

PSP 4 - FNQROC Regional Development Manual

This policy applies to the proposal and is generally achieved through conditions and any resulting operational works.

Infrastructure Charges Notice

In accordance with Council's Adopted Infrastructure Charges Resolution (No. 1 of 2019), Infrastructure Charges are not payable on this development, no additional lots are being created.

REFERRAL AGENCIES

This application did not trigger referral to any State referral agencies or other referral entities.

INTERNAL CONSULTATION

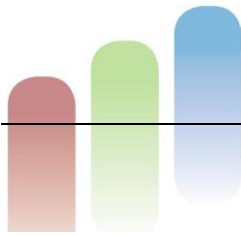
Development Engineer

PUBLIC NOTIFICATION

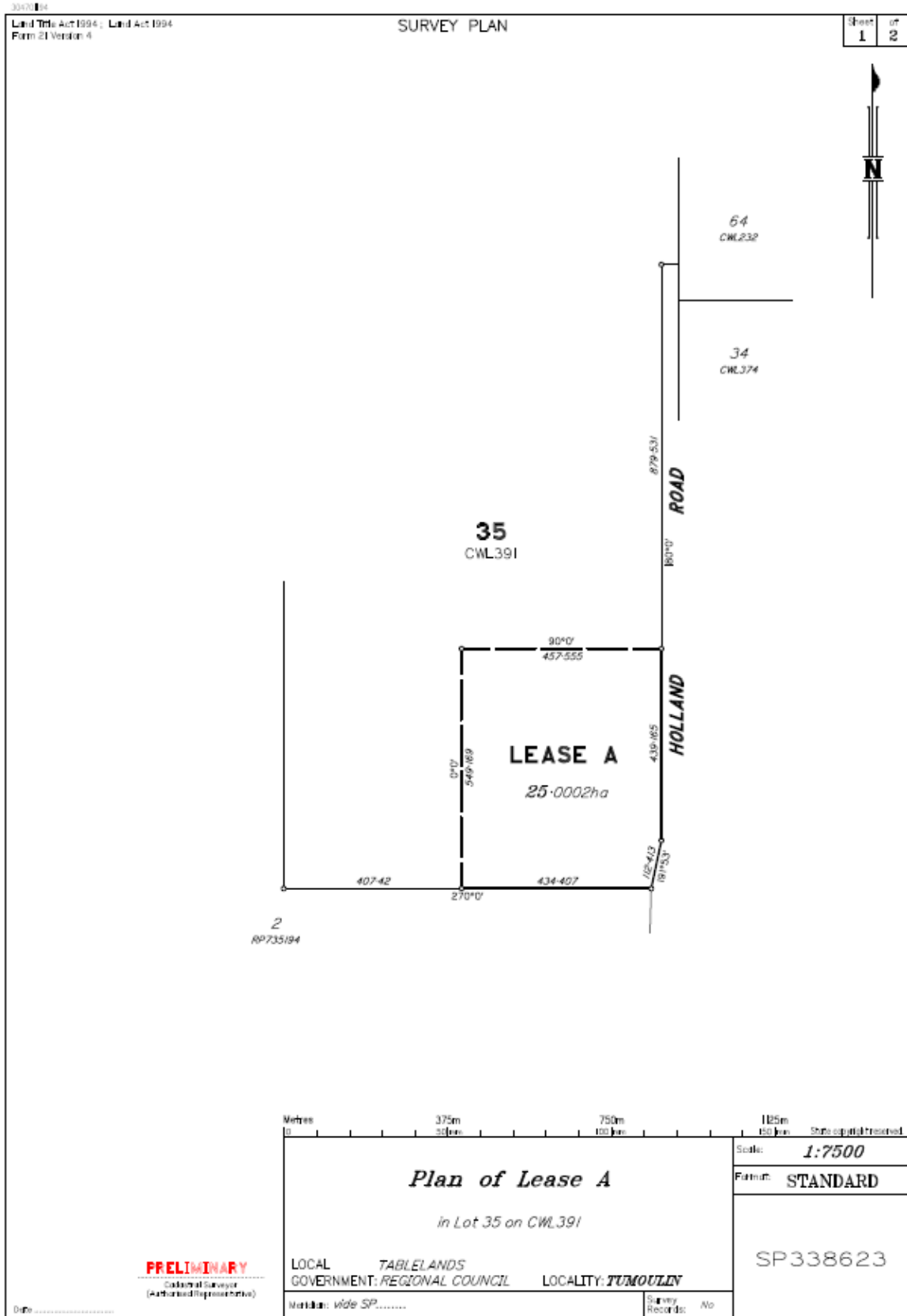
The development proposal was placed on public notification from 9 February 2023 to 3 March 2023. The Applicant submitted the notice of compliance on 6 March 2023 advising that public notification tasks were carried out in accordance with the requirements of the Act.

No properly made submissions were received during the public notification period.

Date Prepared: 22 March 2023



ATTACHMENT 1 - PLAN OF DEVELOPMENT



Land Title Act 1994; Land Act 1994 Form 3B Version 2 (Dealing No.)		WARNING : Folded or Mutilated Plans will not be accepted. Plans may be rolled. Information may not be placed in the outer margins. <table border="1" style="float: right; border-collapse: collapse;"> <tr> <td style="padding: 2px;">Sheet</td> <td style="padding: 2px;">2</td> <td style="padding: 2px;">of</td> <td style="padding: 2px;">2</td> </tr> </table> * Lodged by (Include address, phone number, email, reference, and Ledger Code)			Sheet	2	of	2
Sheet	2	of	2					
Existing		Created						
Title Reference	Description	New Lots	Road	Secondary Interests				
????	Lot 35 on C81391	-	-	Lease A				
<p style="color: red; font-weight: bold; font-size: 1.2em;">PRELIMINARY</p>								
Lots		Orig						
2. Orig Grant Allocation :		5. Passed & Endorsed :						
3. References : Dept File : Local Govt : Surveyor : 304701194		By : STANTEC AUSTRALIA PTY LTD Date : Signed : Designation : Robert Wilson / ENTECOST Liaison Officer						
		6. Short Plan Number <p style="font-size: 1.2em; font-weight: bold;">SP338623</p>						

6. Building Format Plans only.
 I certify that:
 * As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or road.
 * Part of the building shown on this plan encroaches onto adjoining lots and road.

.....
 Chief Surveyor/Director Date
 *Milets wordmark required

7. Lodgement Fees :

Survey Deposit	\$
Lodgement	\$
.....New Titles	\$
Photocopy	\$
Postage	\$
TOTAL	\$

ATTACHMENT 2

STATEMENT OF REASONS

PLANNING ACT 2016 & PLANNING REGULATION 2017

This Notice is prepared in accordance with s63(5) and s83(7) of the Planning Act 2016 to inform the public about a decision that has been made in relation to a development application. The purpose of the Notice is to enable a public understanding of the reasons for the planning decision, specifically having regard to:

- The relevant parts of the Planning Scheme and Assessment Benchmarks against which the application was assessed; and
- Any other information, documents or other material Council was either required to, or able to, consider in its assessment.

All terms used in this Notice have the meanings given them in the *Planning Act 2016*.

Application Details

Application Number:	RAL23/0004
Property Address:	Holland Road, Tumoulin
RPD:	Lot 35 on CWL 391
Proposal:	Reconfiguring a Lot - Lease term exceeding 10 years
Planning Scheme:	Tablelands Regional Council Planning Scheme 2016 (V4)

Applicable Assessment Benchmarks

- Rural zone code
- Reconfiguring of a lot code
- Landscaping code
- Parking & access code
- Works, services and infrastructure code
- Slope overlay code
- Bushfire hazard overlay code
- Environmental significance overlay code

Reasons for the Decision

The development application is approved for the following reasons:

- a) The development is required to secure tenure for the Kaban Wind Farm, which already has approval from the Queensland Department of State Development, Manufacturing, Infrastructure and Planning;
- b) While the lease area does not meet the minimum lot size for the rural zone, the application will not result in the creation of a permanent lot and the lease area complies with the relevant performance outcome as it can accommodate the intended land use; and
- c) The proposed development complies with the strategic framework as the development will not fragment or alienate agricultural land or limit rural activities on surrounding lots due to significant separation from farming land.

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

REPORT DETAIL

Report Author: Senior Planner

Department: Development Services

EXECUTIVE SUMMARY

Council and the Department of Transport and Main Roads (DTMR) have expressed a desire to secure a higher-order road link north of Hastie Road, running east-west between Herberton Road and the Kennedy Highway in conjunction with the development of greenfield lands on Atherton's southern urban periphery. The intent of this "Southern Link Road" was to reduce future pressure on Robert Street (State-controlled), provide connectivity between the Kennedy Highway, Herberton Road and Hastie Road, and ultimately, service the demand for additional residential land within the area bounded by the aforementioned arterial roads. Some years later, this greenfield area would come to be known as Atherton's Urban Growth Investigation Area (UGIA) South.

In 2007, Council considered a report addressing residential development trends and opportunities within the former Atherton Shire LGA. As part of that exercise, the land comprising the UGIA South was identified as being suitable for future residential development, with some potential for neighbourhood-scale non-residential development. DTMR were consulted and indicated that the delivery horizon for the Southern Link Road was dictated by development pressures in the UGIA South traffic catchment.

The endorsed option for the Southern Link Road as an extension of Weaver Street included a connection to the Kennedy Highway immediately to the north-west of Atherton International Club. The report anticipated that the englobo lands to the north of the adopted alignment would be sufficient to accommodate approximately 15 years' urban residential growth.

As it stands, each of the englobo residential parcels fronting onto the alignment of the Southern Link Road hold development approvals, two of which (Atherton Rise Estate and Sunshine Group) contain conditions requiring partial construction of the link road. Over recent months, the Developer of Atherton Rise has made representations to officers in relation to his current Stage 2 application, which triggers partial construction of the Southern Link Road pursuant to the Infrastructure Agreement for the estate. The representations essentially submit that the requirement to construct part of the link road is premature and prohibitive to the proposed development. Following on from those discussions, officers agreed to revisit the factors informing the Infrastructure Agreement as relates to the

Southern Link Road, hence the basis for this report. Officers' investigations centred on the following considerations:

- a) The historical planning context surrounding the Southern Link Road; and
- b) Engineering considerations regarding the capacity of the existing Council-controlled road network between the Southern Link Road corridor, Robert Street and Herberton Road to accommodate growth in the foreseeable future.

The purpose of this report is to inform Council as to the outcome of officers' investigations and to clarify Council's position regarding the preferred approach for delivering the infrastructure.

OFFICER'S RECOMMENDATION

"That Council resolves:

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."

BACKGROUND

As early as 2004, Council and DTMR expressed a desire to secure a higher-order road link north of Hastie Road, running east-west between Herberton Road and the Kennedy Highway in conjunction with the development of greenfield lands on Atherton's southern urban periphery. The intent of this "Southern Link Road" was to reduce future pressure on Robert Street (State-controlled), provide connectivity between the Kennedy Highway, Herberton Road and Hastie Road, and ultimately, service the demand for additional residential land within the area bounded by the aforementioned arterial roads. Some years later, the subject greenfield area would come to be known as Atherton's Urban Growth Investigation Area (UGIA) South.

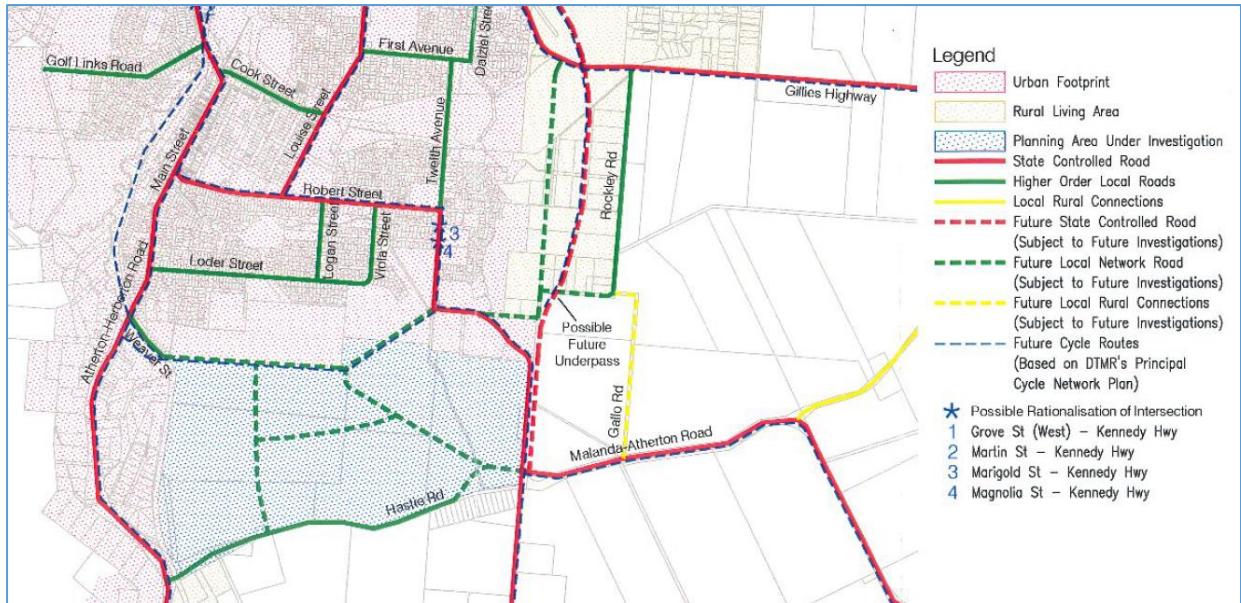
In early 2007, Council considered a report addressing residential development trends and opportunities within the former Atherton Shire LGA. As part of that exercise, the land comprising the UGIA South was identified as being suitable for future residential development, with some potential for neighbourhood-scale non-residential development. This occurred despite the composite parcels being classified Good Quality Agricultural Land and being constrained in parts by drainage features associated with Hastie's Swamp.

Officers from the Department of Transport and Main Roads were consulted as part of the 2007 exercise, who at the time indicated that they foresaw the delivery horizon for the Southern Link Road as being dictated by development pressures in the UGIA South traffic catchment.

Following on from the abovementioned report, a confidential report was tabled at Council's ordinary meeting on 15 February 2007, which outlined various options for the proposed route of the Southern Link Road as an extension of Weaver Street. The endorsed option (Option 2A) is shown below.



The Southern Link Road was originally planned to be a four-lane limited access road with access to the road proposed to be limited to two locations, controlled by round-a-bouts. The western round-a-bout was to be a four-way intersection with its northern leg providing a connection to Loder Street via Quadrio Street and/or Turner Street and/or Tumbare Street, its southern leg giving access to future developments south of the link road. The eastern round-a-bout was to be a three-way intersection with its southern leg giving access to future developments to the south of the link road. The below plan, taken from the Tablelands Transport Network Plan (Flanagan Consulting Group, June 2009), identified opportunities for the provision of a higher-order road network within the UGIA South extending from the aforementioned round-a-bouts and connecting with Hastie Road.



Owing to past reconfiguration approvals in the precinct, the bulk of the road reserve associated with the Southern Link Road has been dedicated to date, that is, with the exception of approximately 200m at the eastern extent. The remaining section of reserve is, however, conditioned to be opened and constructed as part of the approval for the Sunshine Gardens gated community (Sunshine Group).

As part of the investigations underpinning the TRC Planning Scheme 2016, Council engaged consultants to prepare the Atherton Urban Growth Study. The study was a comparative assessment of three “Urban Growth Investigation Areas” (UGIAs), two in the vicinity of Atherton and one adjacent to Rangeview/Tandara (see below map), the aim of which was to identify the most suitable area for urban development (primarily) beyond the life of the TRC Planning Scheme. The UGIAs nominated for investigation by Council as part of the study were:

- UGIA South – As described above;
- UGIA North – Located between Bulankoff Road and Griffin Road, Tolga; and
- UGIA East – The established rural residential area to the east of Halloran’s Hill, comprising lots along Rockley Road, Windhaus Road and Garner Drive, and taking in rural lands to the north and north-west of Mountain View Estate.

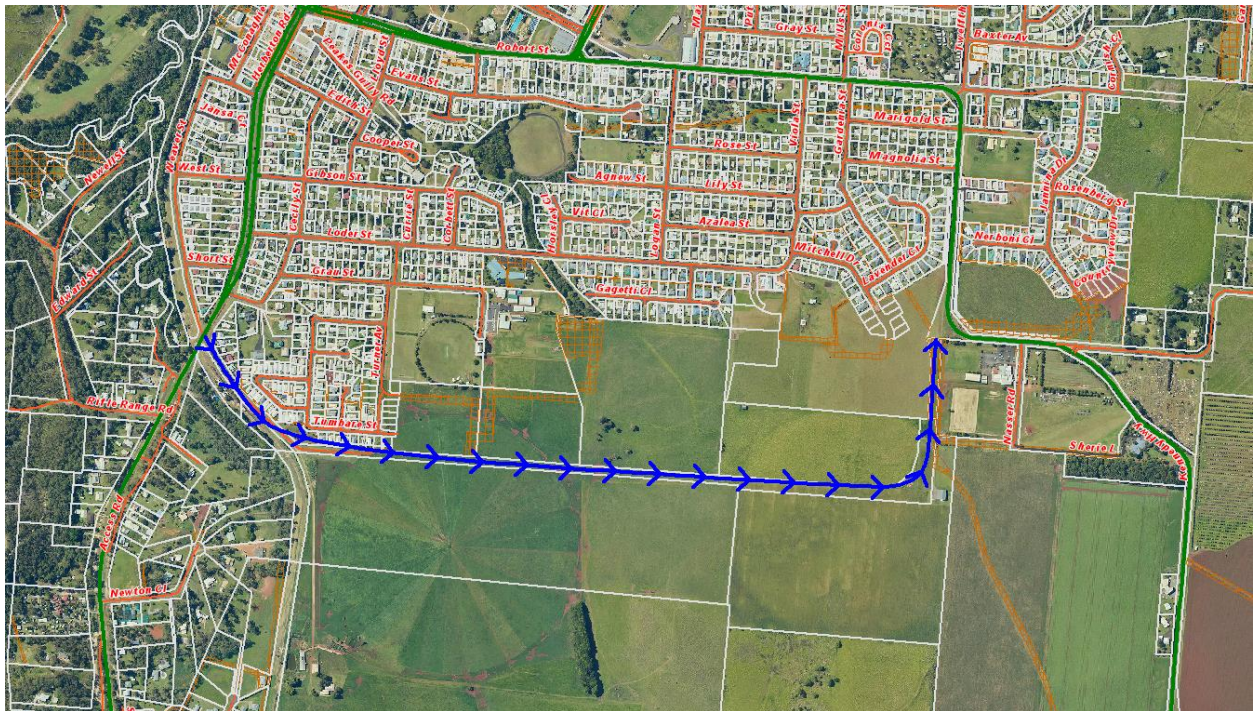


Consistent with the recommendations of the Atherton Urban Growth Study, Council resolved to incorporate the UGIA East into the TRC Planning Scheme as the preferred growth precinct, that is, to the exclusion of any rural-zoned land to the north of the Gillies Range Road. The UGIA East was selected on the basis that:

- The land is already committed for non-rural purposes;
- Given its proximity to Atherton’s existing urban area, the precinct presents an opportunity to accommodate low density residential development rather than rural residential uses;
- Urban growth within the UGIA East would have the least impact on Good Quality Agricultural Land (GQAL); and
- The Atherton Bypass Corridor would provide a definitive boundary to the ultimate extent of urban development.

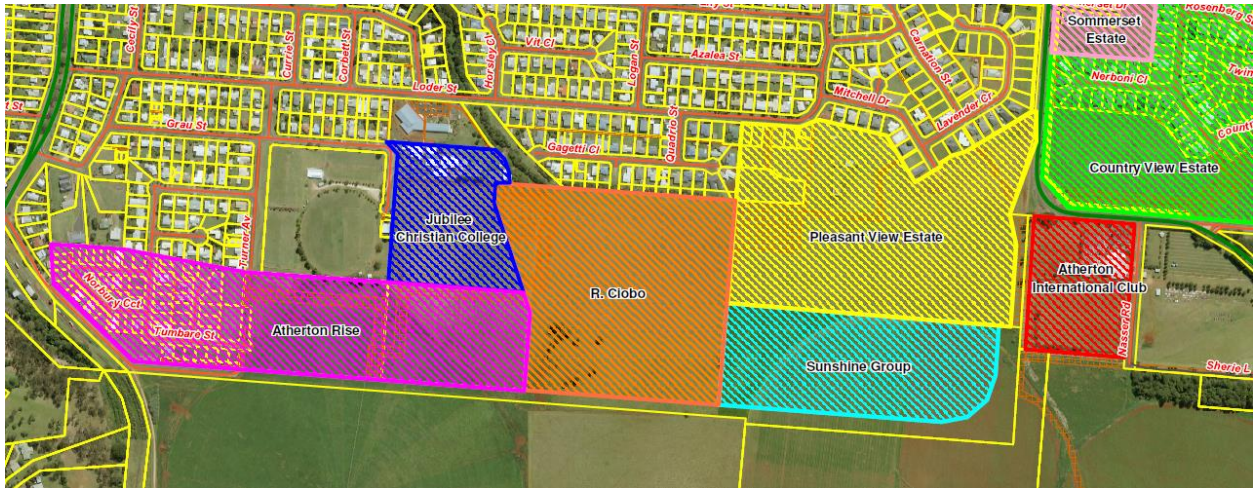
A slightly different alignment for the Southern Link Road to the one endorsed by Council in 2007 was adopted by Council as part of the TRC Planning Scheme. The alignment was

revised in response to a submission from a landowner whose lot was transected by the original alignment. The current alignment of the Southern Link Road is shown below in blue.

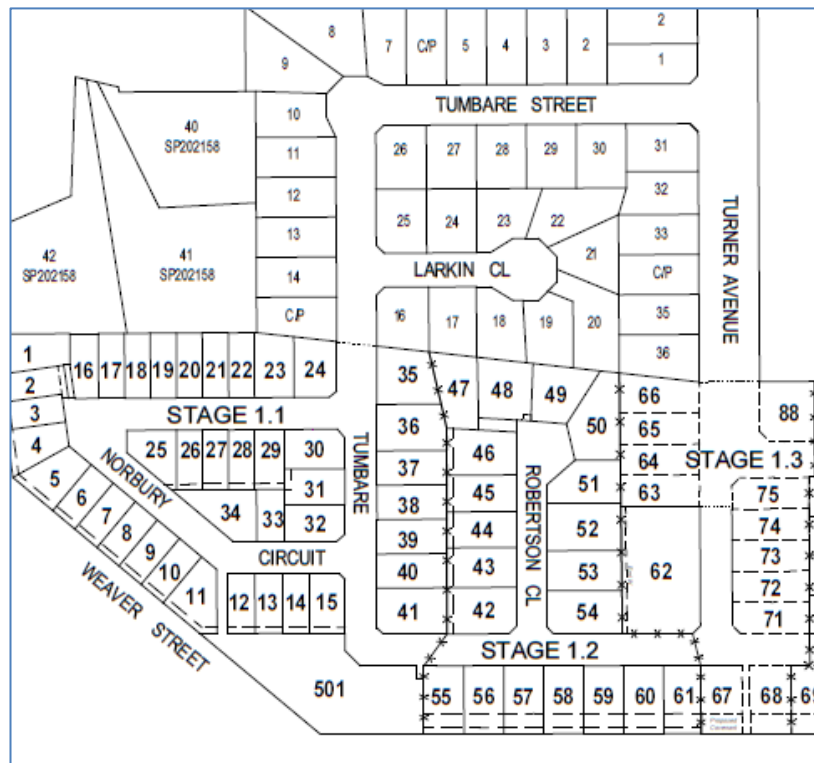


As it stands, each of the englobo residential parcels fronting onto the alignment of the Southern Link Road hold development approvals, two of which (Atherton Rise Estate and Sunshine Group – see below) contain conditions requiring partial construction of the link road. The approved developments that hold the greatest potential to place increasing pressure on the existing local road network in the Loder Street / Robert Street traffic catchment, thus driving demand for construction of an alternative road link, are identified on the plan below as:

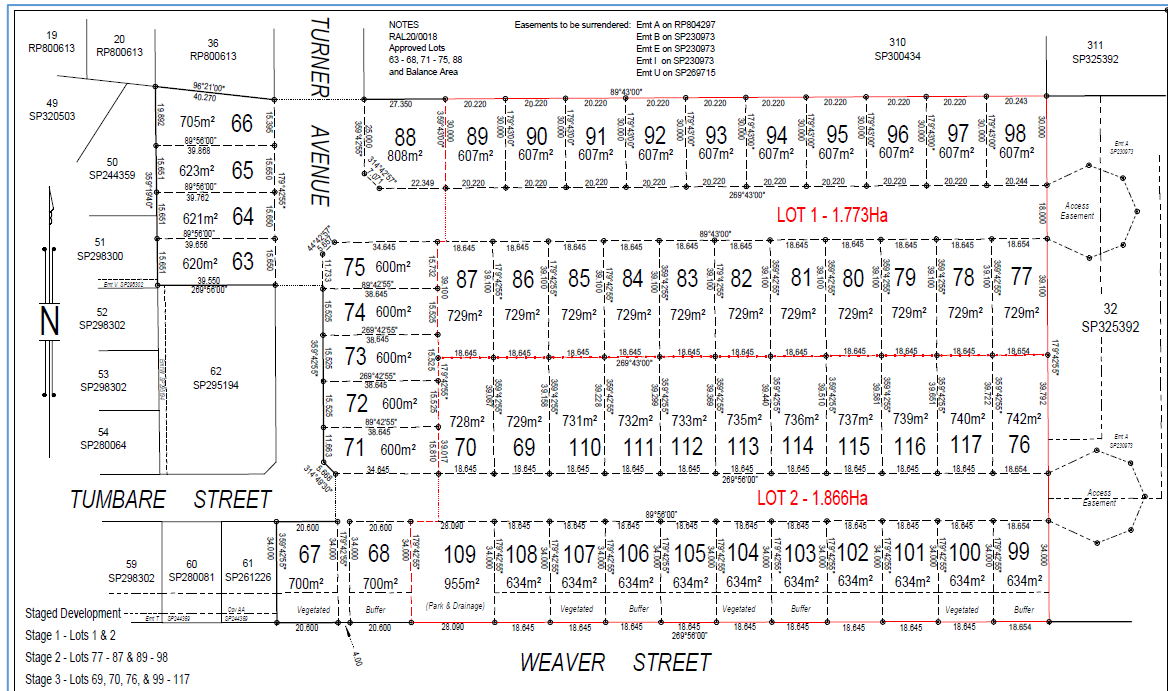
- Atherton Rise (residential estate, childcare centre and preliminary approval for aged care facility)
- Jubilee Christian College (educational establishment)
- R. Ciobo (residential estate)
- Sunshine Group (gated community)
- Pleasant View (residential estate)



The following are a combination of approved plans and indicative concept plans for each of the above-listed developments.



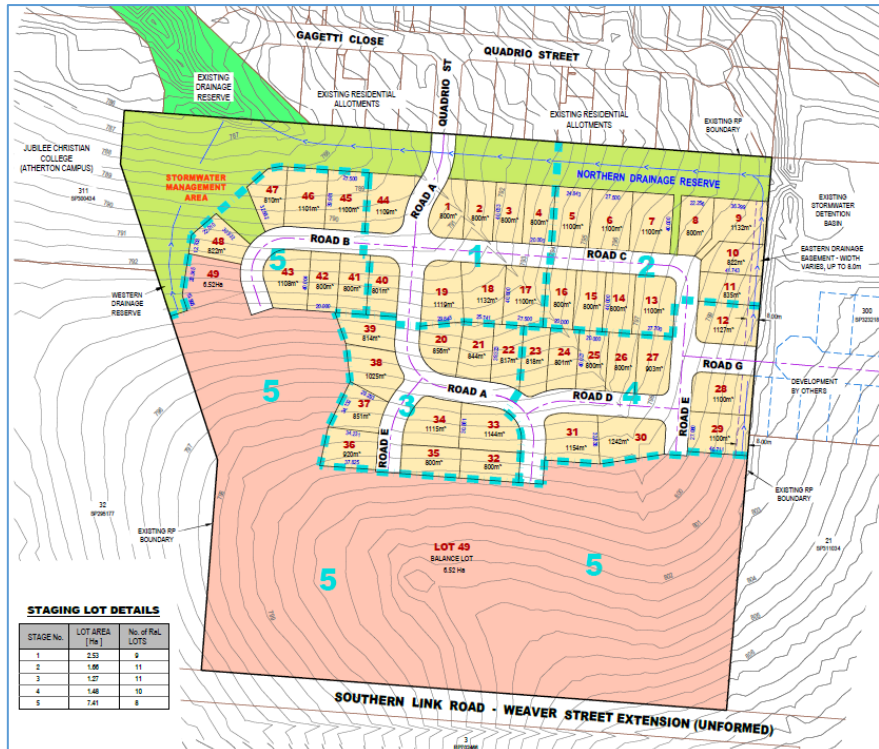
Atherton Rise – Stage 1: 73 residential lots + childcare centre



Atherton Rise – Stage 2: 40 residential lots (current application undecided)



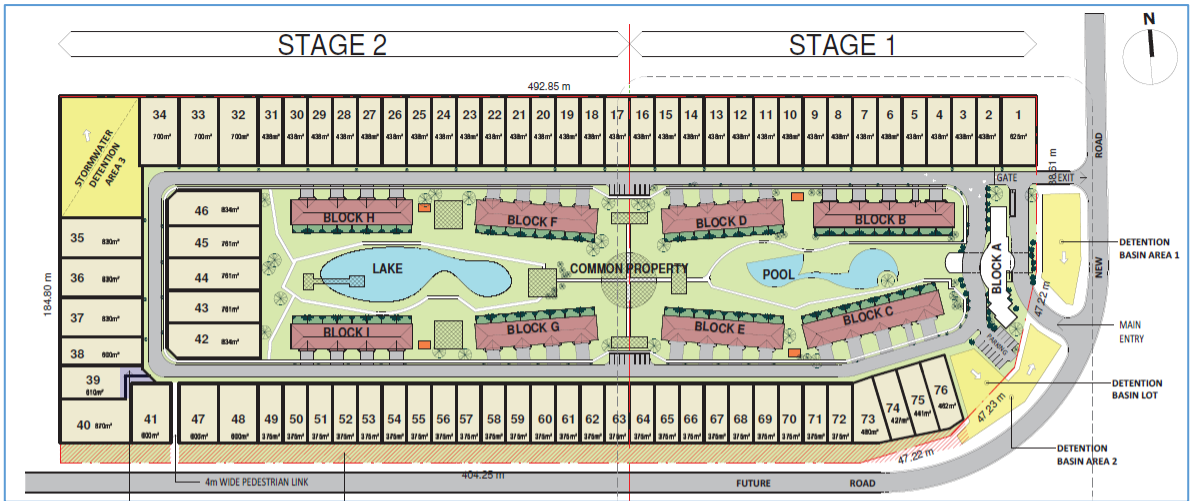
Jubilee Christian College Indicative Master Plan - 250 students forecasted by 2028



R. Ciobo – 48 residential lots (approved / uncommenced)



R. Ciobo – Indicative future layout, 48 residential lots



Sunshine Group – 142-unit gated community



Pleasant View Estate – Indicative ultimate layout, 233 residential lots

The above-mentioned 2007 report anticipated that the englobo lands to the north of the adopted alignment would be sufficient to accommodate approximately 15 years' urban residential growth. As evidenced by the below series of aerial photos, much of the area remains undeveloped to this day. The photos indicate that approximately 144 dwellings were constructed on greenfield lands in the catchment between 2007 and 2021, which equates to an average take-up of approximately 10 dwellings per annum. Based on the current approvals and indicative future lot layouts, the ultimate development yield of the greenfield land is estimated at approximately 630 dwellings, leaving some 480 dwellings to be

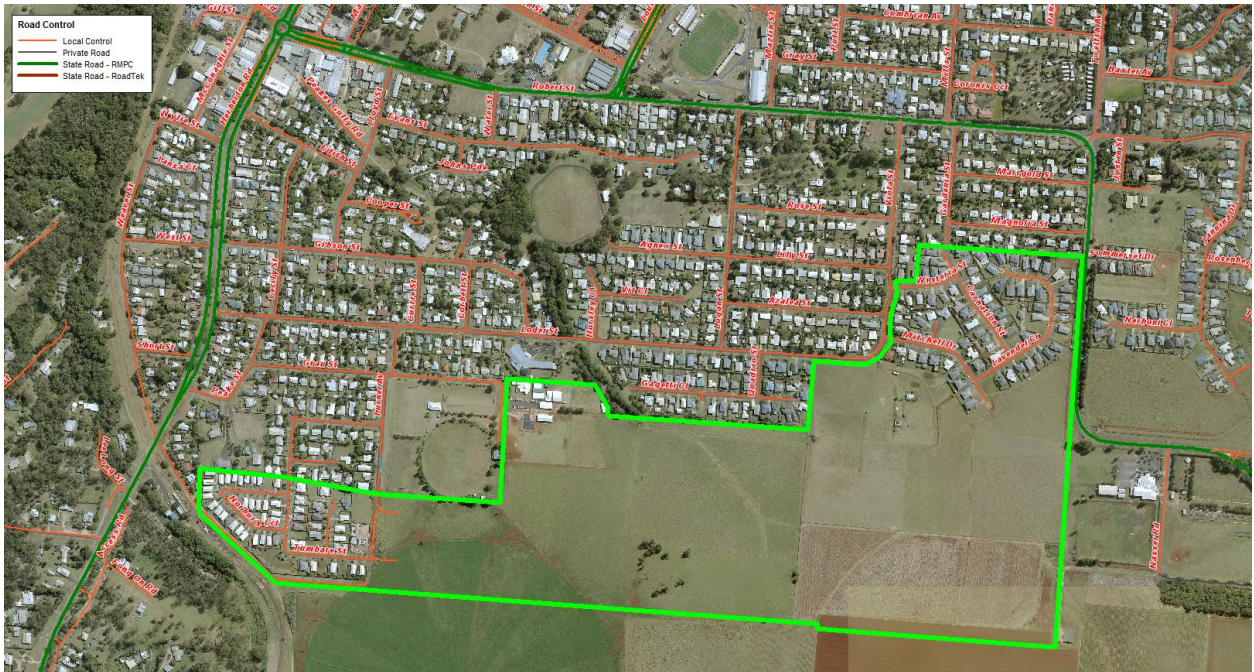
developed. To infer that this means it will take approximately 48 years for the land to be fully developed is most likely understating the pace of growth, however, to put this into perspective, the TRC Land Supply Study (2021) indicates that the average take-up of residential land across the Atherton urban area between 2006 and 2018 was approximately 37 dwellings per annum. If such a projection were to materialise in the subject area, it would take approximately 13 years for the ultimate yield to be realised.



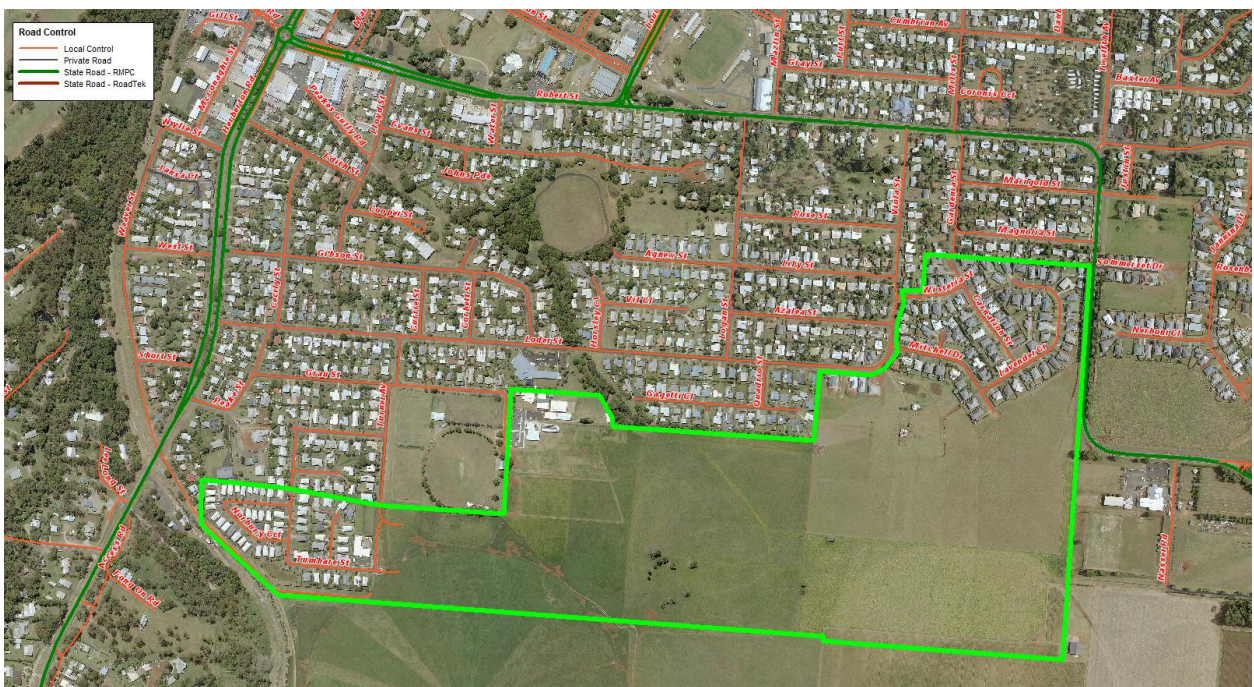
2007 (7 dwellings)



2013 (38 dwellings and school additions)



2018 (128 dwellings and school additions)



2021 (144 lots, childcare centre and school additions)

Over recent months, the Developer of Atherton Rise has made representations to officers in relation to his current Stage 2 application, the creation of which triggers partial construction of the Southern Link Road pursuant to the Infrastructure Agreement for the estate. The representations essentially submit that the requirement to construct part of the link road is premature and prohibitive to the proposed development. Following on from those

discussions, officers agreed to revisit the factors informing the Infrastructure Agreement as relates to the Southern Link Road, hence the basis for this report.

Officers' investigations centred on the following considerations:

- a) The historical planning context surrounding the Southern Link Road (as is summarised above); and
- b) Engineering considerations regarding the capacity of the existing Council-controlled road network between the Southern Link Road corridor, Robert Street and Herberton Road (the Loder Street traffic catchment) to accommodate growth in the foreseeable future.

In addressing the second of the above items, Council's Development Engineer undertook a high-level study of traffic pressures in the Loder Street traffic catchment. Having regard to the FNQROC Road Hierarchy Classifications, the preliminary assessment found that based on the densities being delivered in the catchment at present, the catchment is assessed as being capable of absorbing approximately 10 years growth.

Council Officer's recommend that Council revisit this desktop assessment as part of the 10-year Planning Scheme/LGIP review to gauge the accuracy of the current growth assumptions.

It is recommended that the 10-year planning scheme assessment incorporate the following (which has not been undertaken for the purpose of preparing this report)

- SIDRA analysis – SIDRA is a software package that assesses the operation of intersections.
- Consideration of acoustic impacts – As traffic increases on Council-controlled roads, there will be an increase in traffic noise.
- Traffic Counts – This will assist in informing the recommendation as to timing for delivery of the infrastructure.
- Trip Distribution and Origin/Destination Considerations – Validate the assumptions that have been used to underpin this recommendation.
- Development Yield/Density – The planning scheme's target density of 12 dwellings/lots per hectare has been adopted for the study, however, the actual density achieved will ultimately determine the Annual Average Daily Traffic (AADT) and peak hour flows.
- Timing – Ultimately, the timing and delivery of urban development will determine traffic volumes.
- Local Area Traffic Management

- Safety – As traffic volumes increase, the existing driveways/accesses may increase the level of risk for road users.

PROJECT OBJECTIVE AND SCOPE

The project objective/scope are discussed in the below section of this report as relates to the relevant Council strategies, policies and plans.

LINK TO CORPORATE PLAN

Our Organisation

- Model leadership and good governance

Our Infrastructure

- Plan and deliver contemporary infrastructure and spaces for community need
- Maintain and improve road network

Our Economy

- Facilitate sustainable planning and development

LINK TO STRATEGIES, POLICIES AND PLANS

TRC Planning Scheme 2016 (Version 4)

The TRC Planning Scheme 2016 (V4) provides strategic and specific outcomes in relation to planning for future transport infrastructure. The relevant strategic objectives of the TRC Planning Scheme, as relates to the development of local and regional transport infrastructure, are:

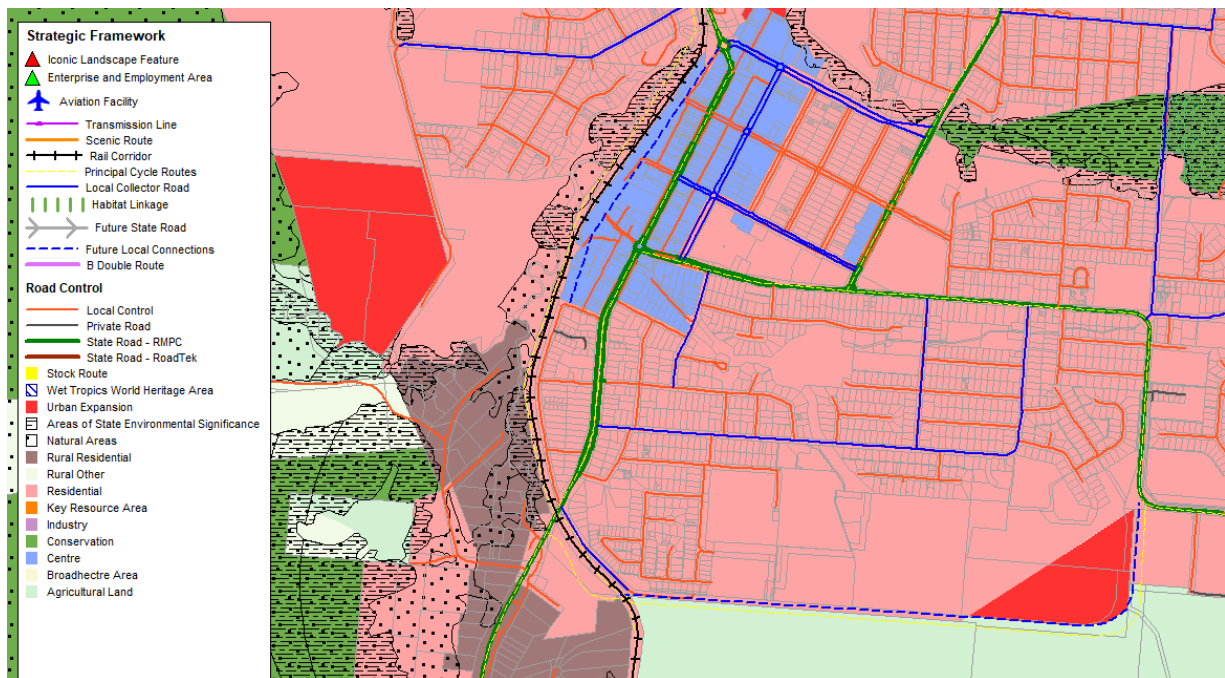
Roads are progressively upgraded (including construction of future State roads and local connections) and maintained to a high standard to support higher urban densities, rural production, commerce, industry and major trip generators.

- New streets integrate with the existing road network in a way which results in high levels of connectivity, accessibility and legibility to motorists and residents.
- The region is provided with a high-quality road network which is upgraded and extended to provide for the safe, efficient movement of vehicles and to cater for new development.
- Development of new roads and upgrades to existing roads are designed and constructed in accordance with the FNQROC Development Manual.

- Designated freight routes (including B-double routes) are appropriately managed, upgraded and are not impeded by inappropriate land uses to ensure the efficient transportation of essential goods and services.
- Infrastructure and services are provided in an economical and efficient manner in order to consolidate urban form, support community needs and maximise return on investment.

The Southern Link Road alignment is shown by strategic framework mapping as a “Future Local Connection” (see below). Specific Outcome 3.5.2.1.3 of the Strategic Framework expresses TRC’s intentions for such connections:

8.3.2.1.3 – *Planned future state roads and future local connections are integrated into new development and protected from development that would compromise their construction and future operation.*



Local Government Infrastructure Plan (July 2018)

The purpose of the Local Government Infrastructure Plan (LGIP) is to:

- Integrate infrastructure planning with the land use planning identified in the planning scheme;
- Provide transparency regarding a local government’s intentions for the provision of trunk infrastructure;
- Enable a local government to estimate the cost of infrastructure provision to assist in its long term financial planning;

- Ensure that trunk infrastructure is planned and provided in an efficient and orderly manner; and
- Provide a basis for the imposition of conditions about infrastructure on development approvals.

The LGIP includes planning assumptions about population and employment growth and the type, scale, location and timing of development as relates to the anticipated demand for trunk infrastructure. The planning assumptions contained in the LGIP together with Council's desired standards of service form a basis for the planning of the trunk infrastructure networks and the determination of the Priority Infrastructure Area (PIA).

The Southern Link Road alignment corresponds with the southern boundary of Atherton's PIA, however, the LGIP's Plans for Trunk Infrastructure do not currently identify the infrastructure and the infrastructure is not referenced in the Schedule of Works (SoW) for trunk transport infrastructure. This is because the delivery horizon for the infrastructure was regarded as falling beyond the 15-year scope of the SoW at the time of drafting. The consequence of this is that Council cannot, at present, collect infrastructure charges from developers towards the works or expend previously collected charges on the works.

Council officers have flagged potential inclusion of the Southern Link Road in the SoW as part of the upcoming 10-year Planning Scheme/LGIP review. At such time as the infrastructure is reflected by the LGIP, Council's Adopted Infrastructure Charges Resolution would allow Council to apply infrastructure charge offsets to developments that are conditioned to construct the infrastructure. This represents officers' recommended approach for delivering the infrastructure going forward.

CONSULTATION

Internal

General Manager Infrastructure and Environment

Executive Manager Development Services

External

Atherton No. 1 and Atherton No. 2 Pty Ltd

Freshwater Planning P/L

LEGAL IMPLICATIONS

Should Council choose to impose conditions on development approvals requiring construction of the Southern Link Road prematurely and without sufficient technical justification, applicants may appeal to the Planning and Environment Court on the basis that

the conditions are neither “reasonable” nor “relevant” pursuant to section 65 of the *Planning Act 2016*.

POLICY IMPLICATIONS

The policy implications are discussed in the above section of this report as relates to the relevant Council strategies, policies and plans.

FINANCIAL & RESOURCE IMPLICATIONS

Capital & Operating

Assuming the officers’ recommendation is supported by Council, implications of this nature would be considered as part of the 10-year LGIP review.

Is the expenditure included in the current annual budget?

For the reasons discussed above, there would be no immediate expenditure.

COST BENEFIT ANALYSIS

Costs:

- Potential impacts on future capital/operational budgets due to the opportunity-costs associated with a failure to capitalise on potential public/private cost-sharing arrangements.
- Removal of less critical items of trunk transport infrastructure (and potentially non-transport related trunk items) from the revised Schedule of Works supporting the LGIP.
- Increased maintenance costs associated with aging road assets experiencing traffic demands beyond their design capacity.

Benefits:

- Deferred maintenance and depreciation costs to Council achieved by ensuring the delivery of trunk infrastructure is appropriately timed in response to population growth and development pressures in the catchment.
- Stimulate construction activity in the catchment and bring on additional housing stock by removing financial impediments to development.
- Opportunities for public/private cost-sharing arrangements as development in the precinct progresses.

RISK / SUSTAINABILITY ASSESSMENT

In the medium to long term, should TRC fail to deliver the Southern Link Road, it may jeopardise public safety, orderly precinct planning and the achievement of strategic transport

objectives supporting the growth of the regional economy. As such, it is strongly recommended that Council retain the reserve for this critical link for ease of construction once required.

IMPLEMENTATION/COMMUNICATION

Council's Development Services team will communicate Council's resolution to the impacted customers, have regard to it when negotiating the conditions attached to development approvals in the catchment and use it to inform strategic plan making decisions as officers progress the upcoming 10-year Planning Scheme/LGIP review.

ATTACHMENTS

N/A

Date Prepared: *21 March 2023*

8.3. TABLELAND VETERINARY SERVICES – INVESTMENT INCENTIVE POLICY

REPORT DETAIL

Report Author: Executive Manager Economic Development

Department: Office of the CEO

EXECUTIVE SUMMARY

Tableland Veterinary Services (TVS) has made an application to Council's Investment Incentive Policy under Strategic Industry – Primary Industry Developments and as a Catalytic Project. Tablelands Regional Council (TRC) officers have assessed the TVS application and recommend it be deemed eligible to receive an infrastructure charges incentive under Councils Investment Incentive Policy. The recommendation is in support of the Strategic Industries of Research and Education. The recommendation also considered the increased services that will be provided to our agriculture industry, the established research partnerships, the new jobs created and the development outcomes. The application did not meet the eligibility criteria for Primary Industry Developments and Catalytic Projects. TVS must comply with the conditions of the Incentive Policy to remain eligible for any incentive.

OFFICER'S RECOMMENDATION

That Council:

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.

BACKGROUND

Council's Investment Incentive Policy (Policy) was endorsed on 26 June 2022. The Policy provides waived infrastructure charges to incentivise the construction of affordable medium density dwellings, the development of strategically important industries and the attraction of major catalytic projects. The Policy establishes the eligibility criteria according to the type of development and its location within the TRC LGA.

Tableland Veterinary Services (TVS) has made an application to Council's Investment Incentive Policy, under Strategic Industries - Primary Industry Developments and as a Catalytic Project. The TVS application relates to the proposed development at 114-122

Herberton Road, Atherton 4883. The development approval reference number is MCU22/0028.

PROJECT OBJECTIVE AND SCOPE

TRC officers have assessed the TVS application and recommend it be deemed eligible to under Councils Investment Incentive Policy. TVS must comply with the conditions of the Policy to remain eligible for any incentive.

The recommendation is in support of the Strategic Industries of Research and Education. The recommendation also considered the increased services that will be provided to our agriculture industry, the established research partnerships, the new jobs created and the development outcomes. The application did not meet the eligibility criteria for Primary Industry Developments and Catalytic Projects.

TVS provides veterinary services across the Tablelands region, supporting primary producers including dairy farmers, beef cattle farmers and piggeries. The proposed development will be the largest veterinary clinic in the region. It will mostly cater for small animals but will also support the TVS group in its delivery of services to all animals especially primary producers. It will also be used for education and training purposes, catering to students and education providers.

TVS has a significant educational and research focus. This has resulted in TVS becoming a recognised provider in undergraduate and post-graduate training. They currently train all final year James Cook University (JCU) Bachelor of Veterinary Science students (approx. 100) and have done so since the start of the Bachelor of Veterinary Science course in 2006. TVS host JCU students in groups of 6-8 for three-week rotations for approximately 40 weeks of the year. Two TVS staff lecture within the Bachelor of Veterinary Science at JCU. (Attachment 1 - Letter of support James Cook University). In 2022, TVS were approached by City University Hong Kong Jockey Club's School of Veterinary Medicine and similarly hosted their final year students for a two-week placement in November. This contract has been extended for 5 years. TVS is also actively involved in research and publish scientific papers, in conjunction with partners including JCU, QBiotics and Dairy Australia.

LINK TO CORPORATE PLAN

Our Organisation

- Model leadership and good governance

Our Economy

- Support economic and business development.
- Assist in developing business capacity, growth, diversification and resilience.
- Facilitate sustainable planning and development.
- Promote the region and local businesses.

LINK TO STRATEGIES, POLICIES AND PLANS

Economic Development Strategy

TRC Planning Scheme 2016

Tablelands 2030+ Community Plan

CONSULTATION

Internal

Development Services

External

TVS

LEGAL IMPLICATIONS

The Infrastructure Planning and Charging framework for Queensland is prescribed under Schedule 16 of the Planning Regulation 2017 under the Planning Act 2016. The Planning Regulation 2017 prescribes a maximum charge. TRC charges approximately 20 to 25% less than the prescribed maximum charge.

POLICY IMPLICATIONS

Infrastructure charges are calculated in accordance with Council's Adopted Infrastructure Charges resolution.

FINANCIAL & RESOURCE IMPLICATIONS

Capital

The implication associated with the proposed recommendation is financial. If eligible for an incentive, it is that amount that may be forgone if development is completed in accordance with the terms of the Policy.

Operating

The Executive Manager Economic Development oversees the implementation of the Policy, working in collaboration with the Planning and Finance sections.

COST BENEFIT ANALYSIS

N/A

RISK / SUSTAINABILITY ASSESSMENT

The Policy may bring-forward rates from new properties however these benefits may be offset through increases in costs because of new areas or facilities to incorporate in infrastructure maintenance and longer-term upgrade assessments.

IMPLEMENTATION/COMMUNICATION

All applicants must meet with the conditions of the Investment Incentive Policy. Incentives are only applied when Infrastructure Charges would ordinarily become payable in accordance with s122 of the Planning Act 2016. A failure to comply with the conditions will make a development ineligible to receive the infrastructure charges incentive and the full amount of Infrastructure Charges levied in on the Infrastructure Charges Notice will become immediately payable on Commencement of Use.

CHANGE MANAGEMENT

N/A

ATTACHMENTS

1. Letter of Support – James Cook University

Date Prepared: 24 March 2023

Attachment 1 - Letter of Support - James Cook University

Cairns
Singapore
Townsville



24 February 2023

Professor Margaret Reilly
BVSc MVS MBA GAICD
Academic Head of Veterinary
Sciences
College of Public Health,
Medical & Veterinary Sciences
James Cook University
1 James Cook Drive
Townsville QLD 4811
AUSTRALIA
T (07) 4781 4278
T (INT'L) +61 7 4781 4278
E margaret.reilly1@jcu.edu.au

To Whom It May Concern

This is to serve as a letter of support for the Tablelands Veterinary Service (TVS) in their application for discounted development fees associated with the building of their new Atherton Veterinary facility.

TVS has had formal links with James Cook University (JCU), providing teaching in clinics, or staff teaching at the University, since the start of the Bachelor of Veterinary Science course in 2006. Our students reside on site at their Malanda facility while they complete their three week clinical rotation both in the clinic and on surrounding farms.

The Atherton building is significantly larger than average for the region and has allowances for purpose built spaces like a dental room, imaging room and isolation facilities with a view to expanding the teaching capability and providing yet another venue to educate JCU students.

The extra operating theatres and consult rooms have been added to enable a student or new graduate veterinarian to undertake procedures at a slower pace, protected from, and not interrupting, the rest of the work-flow.

TVS has a passion for clinical teaching and have demonstrated this with their facilities, planning, post-graduate qualifications and memberships of their staff.

If you require any further information please do not hesitate to contact me at the above email address.

Yours sincerely

A handwritten signature in cursive script that reads "mreilly".

Professor Margaret Reilly BVSc MVS MBA GAICD FGIA

Head of Veterinary Sciences
James Cook University

8.4. PRIORS CREEK DEVELOPMENT - EXPRESSION OF INTEREST FREEHOLD LOTS

REPORT DETAIL

Report Author: Executive Manager Economic Development

Department: Office of the CEO

EXECUTIVE SUMMARY

The Priors Creek Master Plan identifies a series of new freehold lots as part of the development. The new lots will provide development opportunities for a range of commercial and mixed-use, such as short-term accommodation and residential units, consistent with the purpose and intent of the Centre zone and the Atherton Local Plan, complementing the existing development in the Atherton town centre. The sale of these lots will help activate the Priors Creek Development (PCD) through private sector investment and help fund the capital works needed to deliver the project.

Chapter 6 of the *Local Government Regulation 2012* (“the Regulation”) provides for the requirements for Contracting requirements relating to the disposal of non-current assets. A non-current asset contract is defined to include the disposal of land or an interest in land.

Generally, s 227 of the Regulation, requires Council to offer non-current assets for disposal by way of tender or auction. Section 228 of the Regulation sets out the requirements for a tender process.

As Tablelands Regional Council (TRC) is seeking to attract a particular style of development, proposals from the private sector would help refine the scope of the tender and would provide TRC with an opportunity to invite tenders from a selection of proponents. These proposals will also help inform the development of the Priors Creek Development Guidelines, which together with a development deed, will inform urban design and built form outcomes and the timing of development.

Accordingly, it would be in the public interest to seek expressions of interest prior to selling lots by way of auction or tender. In accordance with s 228 (3) (5) of the Regulation, Council is required to resolve to seek Expressions of Interest (EOI) prior to seeking tenders for the sale of the new freehold lots. Council is not bound to run a closed tender and may still decide to proceed with an open tender process.

OFFICER'S RECOMMENDATION

"That Council:

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. 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.

BACKGROUND

The endorsed Priors Creek Master Plan identifies a series of new freehold lots along a new link road. The new lots will provide development opportunities for a range of commercial and mixed-use short-term accommodation and residential units consistent with the purpose and intent of the Centre zone and the Atherton Local Plan, complementing the existing development in the Atherton town centre. The sale of these lots will help activate the PCD through private sector investment and help fund the capital works needed to deliver the project.

On the 24th of March 2023, a [Development Application \(RAL23/0015\)](#) was submitted to TRC for Reconfiguring a Lot to establish the new road reserve and freehold lots. The application seeks approval to create four (4) new lots and a new one-way access road between Vernon Street and Jack Street. (Attachment 1)

TRC will appoint a real estate agent who will work with TRC on the sale of the freehold lots through a two-stage approach.

PROJECT OBJECTIVE AND SCOPE

TRC and the community have an interest in ensuring that any proposed developments compliment the PCD and the Atherton town centre and occurs in a timely manner. TRC is proposing a two-stage approach for the proposed sale of freehold lots as follows.

Stage 1- Expression of Interest (EOI).

Where TRC considers that it would be in the public interest to first seek expressions of interest, TRC is required to resolve to seek EOI prior to seeking Tender in accordance with s 228 (3) (5) of the Regulation. This stage will include:

- Proponents submitting their proposal.
- TRC and the appointed real estate agent assessing each proposal using a weighted multi-criterion analysis.
- A shortlist can then be established and presented to Council for approval.

TRC may then decide whether they wish to invite tenders from a selection of proponents (closed tender) or alternatively proceed to an open tender process.

Stage 2 – Request for Tender (RFT).

If TRC resolves to invite a shortlist of proponents from Stage 1, proponents will be issued the RFT documents, which will include development guidelines and a development deed.

- Proponents submit their proposal.
- TRC and the appointed Real Estate Agent assess each proposal using a weighted multi-criterion analysis.
- Recommendations are presented to TRC for approval.
- Award a Contract to the successful proponent/s (i.e. 1 or multiple purchasers)

The Priors Creek Development Guidelines, together with a development deed, will inform the urban design and built form outcomes and the timing of development. These will be presented to TRC for approval prior to the issue of the RFT documents.

Conditions will be included in the RFT documents which provides Council with the discretion not to accept the highest or any tender.

LINK TO CORPORATE PLAN

Our Organisation

- Model leadership and good governance
- Collaborate and build partnerships to plan and deliver quality services

Our Community

- Support healthy, active and safe lifestyles

Our Infrastructure

- Plan and deliver contemporary infrastructure and spaces for community need

Our Economy

- Support economic and business development
- Assist in developing business capacity, growth, diversification and resilience
- Facilitate sustainable planning and development
- Promote the region and local businesses

LINK TO STRATEGIES, POLICIES AND PLANS

Corporate Plan 20121-2026

Tablelands 2030+Community Plan

Priors Creek Masterplan

CONSULTATION

Internal

Legal and Governance

Development Services

External

N/A

LEGAL IMPLICATIONS

The purpose of seeking expressions of interest is to gauge the market interest for particular types of develops that compliment TRC proposed redevelopment of the Priors Creek Precinct. The alternate process under subsections (5) provides a mechanism for saving Councils and prospective tenderers from wasting their time and resources in relation to major contracts or project. Carrying out an open tender may attract tenders from a number of providers who believe that they can fulfil the desired outcomes sought by TRC, but objectively, do not have the resources or experience required. In relation to projects of this nature, the alternate process allows Councils to narrow down proponents to a class of serious contenders for the job 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.

Depending on the timing of the creation of the lots, TRC may need to consider the *Land Sales Act 1984* if “off-the-plan contracts” are to be entered into. The *Land Sales Act* provides for certain disclosure to be included in contracts for the sale of proposed lots. The recommendation is in accordance with s 228 (3) (5) of the Regulation.

POLICY IMPLICATIONS

N/A

FINANCIAL & RESOURCE IMPLICATIONS

Capital

The sale of these lots will help activate the PCD through private sector investment and help fund the capital works needed to deliver the project.

Operating

The sale of the freehold lots for private development will be a benefit to TRC through increased rates revenue.

COST BENEFIT ANALYSIS

The Priors Creek Business Case considers the sale and development of the freehold lots as part of the PCD. Although the sale of the land for private development will be a benefit to TRC (through increased revenue), it will also be a cost to the private developer. The sale of land for private development was therefore excluded from the business case analysis as the benefit and costs net to zero.

RISK / SUSTAINABILITY ASSESSMENT

The risk associated with proceeding with an EOI prior to seeking tender is low. The main considerations include the amount of time it will take to advertise and complete the tender process and the maximising the return for TRC. By inviting EOIs, it provides TRC with an opportunity to gauge the market sentiment.

There is a risk that there is limited interest expressed by the market and council could lose time as a result, however by proceeding with an open tender or auction, could impact on the quality of the development or result in opportunity loss.

IMPLEMENTATION/COMMUNICATION

All contracts and tenders are to be notified to TRC's Procurement Officer in accordance with the Tenders and Contracts Guidelines.

CHANGE MANAGEMENT

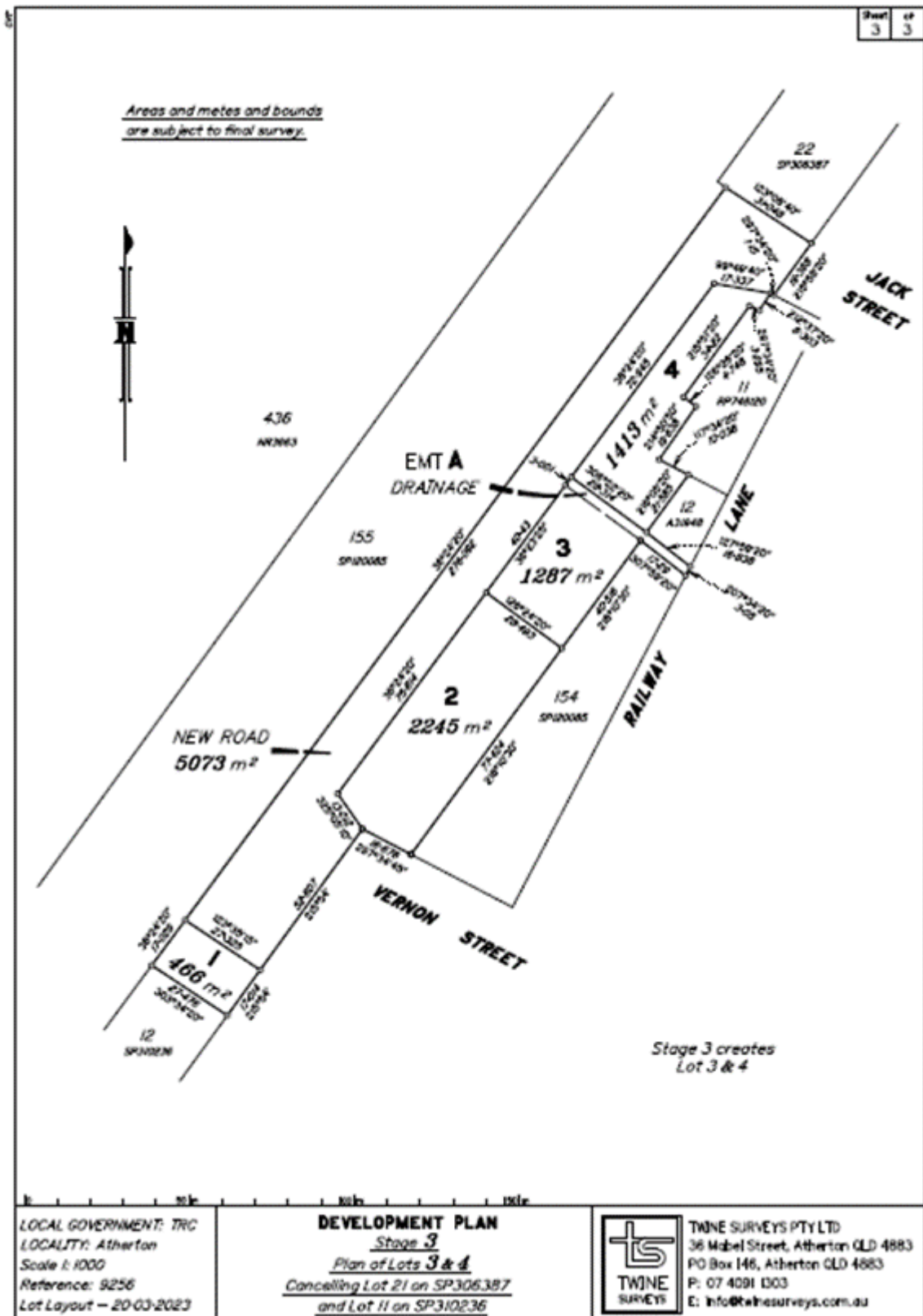
N/A

ATTACHMENTS

1. Priors Creek Development Lot Plan

Date Prepared: 30/03/2023

Attachment 1 - Priors Creek Development Lot Plan



9. BUSINESS WITHOUT NOTICE

10. NEXT MEETING OF COUNCIL

The next meeting of Council will be held at Atherton

Ordinary Meeting 9:00 am on 27 April 2023



Live, discover and invest in a Tablelands community



Tablelands Regional Council

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