INFRASTRUCTURE, PLANNING AND ASSETS COMMITTEE SUPPLEMENTARY REPORTS

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^{**} Item includes confidential papers

INFRASTRUCTURE, PLANNING AND ASSETS COMMITTEE NO. 5

15 OCTOBER 2024

SUPPLEMENTARY REPORTS

10. <u>966-3023-PDAEE PROVIDENCE CENTENARY SPORTSFIELD AND OFF-ROAD</u> PATHWAYS PROVISIONAL OFFSET CLAIMS

This report seeks the approval of Provisional Offset claims submitted by AW Bidco 6 Pty Ltd for costs associated with the construction of a District Sports Facility and a section of Off Road Path in the Ripley Valley Priority Development Area.

RECOMMENDATION

That Council, as the Minister Economic Development Queensland (MEDQ) Delegate, issues a Provisional Offset notice to AW Bidco 6 Pty Ltd for Municipal Infrastructure Works – Municipal Parks and Open Space Network and Transport (off-road pathways) to the value of \$9,662,823.28 (indexed to July 2024 dollars, and including a 2% Economic Development Queensland (EDQ) administration fee) as endorsed by EDQ.

11. 6257-2023-PDAEE PROVISIONAL OFFSET FOR MUNICIPAL INFRASTRUCTURE WORKS - TRUNK TRANSPORT - UPGRADE OF RIPLEY ROAD AND PROVIDENCE PARADE INTERSECTION TO A SIGNALISED INTERSECTION

This report seeks Committee approval of a Provisional Offset claim submitted by AW Bidco 6 Pty Ltd for costs associated with the upgrade of the Ripley Road/Providence Parade intersection to a signalised intersection.

RECOMMENDATION

That Council, as the Minister Economic Development Queensland (MEDQ) Delegate, issues a Provisional Offset notice to AW Bidco 6 Pty Ltd for Municipal Infrastructure Works – Trunk Transport for the upgrade of Ripley Road/Providence Parade to a signalised intersection to the value of \$7,475,485 (indexed to July 2024 dollars, and including a 2% Economic Development Queensland (EDQ) administration fee) as endorsed by EDQ.

Doc ID No: A10718080

This matter has been determined to be of a significant nature and approval has been given to refer this report to the Infrastructure, Planning and Assets Committee as a supplementary item.

ITEM: 10

SUBJECT: 966-3023-PDAEE PROVIDENCE CENTENARY SPORTSFIELD AND OFF-ROAD

PATHWAYS PROVISIONAL OFFSET CLAIMS

AUTHOR: PRINCIPAL ENGINEER (RIPLEY PDA)

DATE: 26 SEPTEMBER 2024

EXECUTIVE SUMMARY

This report seeks the approval of Provisional Offset claims submitted by AW Bidco 6 Pty Ltd for costs associated with the construction of a District Sports Facility and a section of Off Road Path in the Ripley Valley Priority Development Area.

RECOMMENDATION/S

That Council, as the Minister Economic Development Queensland (MEDQ) Delegate, issues a Provisional Offset notice to AW Bidco 6 Pty Ltd for Municipal Infrastructure Works – Municipal Parks and Open Space Network and Transport (off-road pathways) to the value of \$9,662,823.28 (indexed to July 2024 dollars, and including a 2% Economic Development Queensland (EDQ) administration fee) as endorsed by EDQ.

RELATED PARTIES

Developer: AW Bidco 6 Pty Ltd

AW Bidco 6 Pty Ltd C/-ASC Consulting - Mr Adrian Sains <u>adrian@acsconsult.com.au</u>

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

APPLICATIONS IN THE RIPLEY VALLEY PRIORITY DEVELOPMENT AREA

Development applications located within the Ripley Valley Priority Development Area (Ripley Valley PDA) are required to be submitted to the Minister of Economic Development Queensland (MEDQ) for assessment and decision. On 30 September 2013 the development assessment decision making powers for the Ripley Valley PDA was delegated to Ipswich City Council (Council) for all assessment functions. Since then, Council has been deciding applications in the Ripley Valley PDA pursuant to the *Economic Development Act 2012* as the MEDQ Delegate.

Ripley Valley PDA Offsets

Trunk infrastructure to be delivered in the Ripley Valley PDA is governed by the *Ripley Valley Priority Development Area Development Charges and Offset Plan*, commonly referred to as "the DCOP". On and from the date the DCOP took effect, the DCOP prevails over other instruments concerning charges, credits, offsets and refunds in the Ripley Valley PDA.

Where a PDA development approval requires the applicant to provide a Land Contribution or Works Contribution, the applicant may lodge an application to the MEDQ for the following types of offset claim:

- Provisional Offset where the applicant seeks to vary the scope, timing or cost of infrastructure land and works. Having decided the request, the MEDQ must give a notice to the applicant stating:
 - a) whether a Provisional Offset will be given for the contribution
 - b) if a provision offset is to be given:
 - i. the Provisional Offset Value for the Works Contribution
 - ii. the Provisional Offset Value for the Land Contribution, or
 - iii. the Provisional Offset Value for the Implementation Works Contribution.

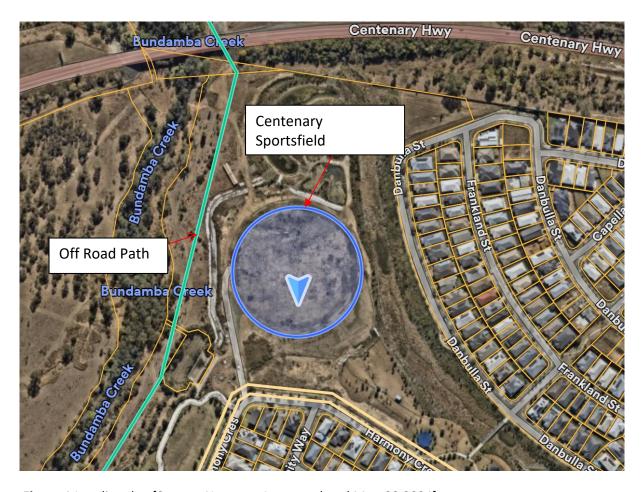
A Provisional Offset has a currency period of two (2) years from the date of decision.

- Final Offset for a Works Contribution, Land Contribution or an Implementation Works Contribution. Having Decided the request, the MEDQ must give notice to the applicant stating:
 - a) Whether a Final Offset will be given for the contribution
 - b) Which Development Charge Type (ie. sub-regional charge, balance municipal charge, implementation charge) the Final Offset Value will be offset against
 - c) If a Final offset is to be given:
 - The timing of the offset accrual,
 - ii. The Final Offset Value for the Works Contribution,
 - iii. The Final Offset Value for the Land Contribution,
 - iv. The Final Offset value for the Implementation Works Contribution, or
 - d) Where an applicant's offset claim has not been accepted, the MEDQ will provide written notice of reasons for rejecting the applicant's request.

The applicant's request for Infrastructure Offset Claims and/or Refunds are referred to Economic Development Queensland (EDQ) for assessment. Once EDQ has assessed the application, EDQ notifies Council of the endorsed Offset Value and the relevant component/s of the Development Charge Type. Council, as the MEDQ Delegate, then gives notice to the applicant of the application outcome.

Locality Plan

The applicant is seeking Provisional Offset claims related to the development of a District Sports Park identified as POS051 in the DCOP, on lot 7000 Harmony Crescent and the Off Road Pathway along the east side of Bundamba Creek identified as ORP03 in the DCOP. Refer to **Figure 1** below for a locality plan of the developments.



_Figure 1_Locality plan [Source: Nearmap Imagery dated Mon 22 2024]

Relevant PDA Development Permits

Details of PDA development permit condition relevant to this Provisional Offset Claim is presented in **Table 1** below.

PDA Development	Developer	Details of Works Contribution	Proposed
Permit			Scope
40/2015/MAPDA/J	Stockland	15. Open Space Planning and Sequencing – Compliance Assessment (a) An open space staging plan is to be provided to DSDIP PDA Development Assessment for compliance assessment. The plan is to demonstrate: (i) The staged delivery of open space in accordance with the desired standards of service required by the endorsed IMP, the Ripley Valley Development Scheme, the Ripley Infrastructure Charges Offset Plan and the Infrastructure Funding Framework for each stage of open space to be dedicated and embellished. (ii) Open Space provision in accordance with the desired standards of service required by DEV2012/275, the Ripley Valley Development Scheme and the endorsed IMP for Community Greenspace for each stage of open space to be dedicated and embellished. (iii) The achievement of the desired standards of service and a sequence of staging to align with the development of allotments to ensure that recreation space is provided to satisfy the needs of the community and the ultimate desired standard of service for each space.	Construction of Sportsfield and Off Road Path

Table 1 – Related PDA Development Approval

The following development applications have been submitted and endorsed/acknowledged in relation to the Provisional Offset claims:

a. 1972/2023/PDAEE – Compliance Endorsement for Preliminary Bulk Earthworks. Refer Figure
 2 below: the layout plan from the endorsed set of drawings.

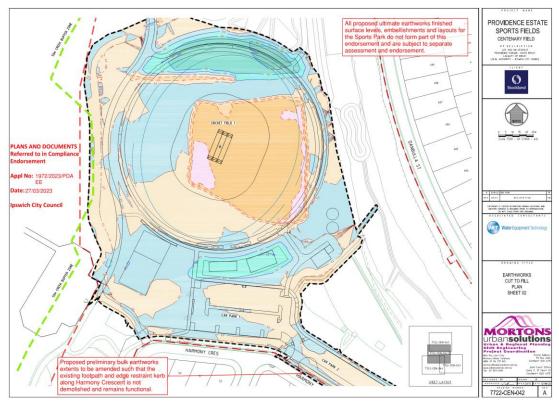
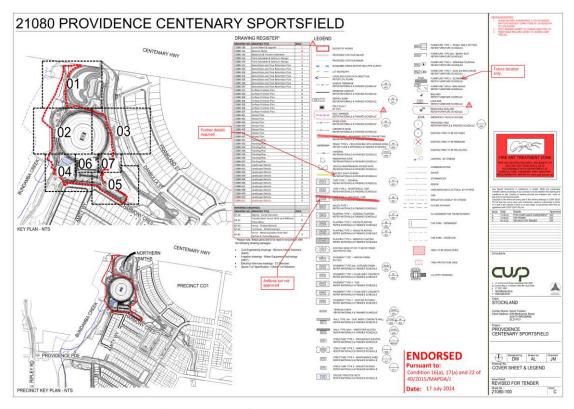


Figure 2 - Endorsed plans for the Preliminary Bulk Earth Works

b. **7759/2022/PDAEE** – Compliance Endorsement for Electrical Services, Open Space Landscape Works & Streetscapes drawings for the development of the Sportsfield. The layout plan detailing the extent of works from this drawing set is detailed in **Figure 3** below.



3: Endorsed Cover Sheet from the set of drawings

Figure

It is noted that at the date of this report, the Off Road Path design has not been submitted to Council for Compliance Assessment and Endorsement.

Assessment and Determination by EDQ

The applicant's request for Provisional Offset for Municipal Infrastructure Works – Parks and Open Space and Transport (off-road pathways) was referred to EDQ for assessment on 16 February 2023.

EDQ's endorsement of the applicant's request for Provisional Offset for Municipal Infrastructure Works was received on 29 August 2024, for \$9,662,823.28 (indexed to July 2024 dollars) (including a 2% administration fee). A summary of EDQ's endorsement is detailed in **Table 2** below.

Offset Type	DCOP ID	Offset Description	Applicant's Claim (July 2024 dollars)	EDQ Endorsed Early Accrual Offset (July 2024 dollars)
Municipal Charge	POS051	District Sports Park	\$9,581,953.75	\$9,295,450.50
Municipal Charge	ORP03 (Part)	Off Road Path	\$376,461.12	\$367,372.78
	Total		\$9,958,414.87	\$9,662,823.28

Table 2. EDQ Assessment of Applicant's Claim

Ripley Valley PDA Offset/Refund Notices

Council's Planning and Regulatory Services (PRS) Department implemented a business process in 2019 to identify the Delegate for the approval of Ripley Valley PDA Offset/Refund applications, based on the EDQ endorsed claim value:

- a. Up to \$500,000.00 Manager, Engineering, Health & Environment (EHE);
- b. From \$500,000.00 up to and including \$2,000,000.00 General Manager, Planning and Regulatory Services (PRS);
- c. From \$2,000,000.00 up to and including \$5,000,000.00 The CEO, Ipswich City Council; and
- d. Greater than \$5,000,000.00 Council.

This report has been prepared to seek Committee approval to issue a MEDQ Delegate Notice to AW Bidco 6 Pty Ltd for Provisional Offset for Municipal Infrastructure Works – Parks and Open Space and Transport (off-road pathways) to the value of \$9,662,823.28 as detailed in **Table 2** above.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions: *Economic Development Act 2012*

Ripley Valley Priority Development Area Development Charges Offset Plan (DCOP)

POLICY IMPLICATIONS

Not applicable

RISK MANAGEMENT IMPLICATIONS

As the MEDQ Delegate, Council is required to issue a notice to advise the applicant of the outcome of the assessment of the submitted application for Provisional Offset.

FINANCIAL/RESOURCE IMPLICATIONS

There are no direct financial or resource implications of this decision.

COMMUNITY AND OTHER CONSULTATION

Not applicable

CONCLUSION

That Council, as the MEDQ Delegate, issues a Provisional Offset notice to AW Bidco 6 Pty Ltd for Municipal Infrastructure Works – Parks and Open Space and Transport (off-road pathways) to the value of \$9,662,823.28 (indexed to July 2024 dollars, and including a 2% EDQ administration fee).

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS

NON-DISCRETIONARY DECISION

As the MEDQ Delegate, Council has an obligation under the *Economic Development Act 2012* to issue a notice to the applicant advising of the outcome of the assessment of the applicant's request for Provisional Offset for Municipal Infrastructure Works – Parks and Open Space, and Transport (off-road pathways).

Jemna Cheripuram

PRINCIPAL ENGINEER (RIPLEY PDA)

I concur with the recommendations contained in this report.

Greg Potter

MANAGER, DEVELOPMENT PLANNING

I concur with the recommendations contained in this report.

Brett Davey

GENERAL MANAGER (PLANNING AND REGULATORY SERVICES)

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Doc ID No: A10718574

This matter has been determined to be of a significant nature and approval has been given to refer this report to the Infrastructure, Planning and Assets Committee as a supplementary item.

ITEM: 11

SUBJECT: 6257-2023-PDAEE PROVISIONAL OFFSET FOR MUNICIPAL INFRASTRUCTURE

WORKS - TRUNK TRANSPORT - UPGRADE OF RIPLEY ROAD AND PROVIDENCE

PARADE INTERSECTION TO A SIGNALISED INTERSECTION

AUTHOR: PRINCIPAL ENGINEER (RIPLEY PDA)

DATE: 26 SEPTEMBER 2024

EXECUTIVE SUMMARY

This report seeks Committee approval of a Provisional Offset claim submitted by AW Bidco 6 Pty Ltd for costs associated with the upgrade of the Ripley Road/Providence Parade intersection to a signalised intersection.

RECOMMENDATION/S

That Council, as the Minister Economic Development Queensland (MEDQ)
Delegate, issues a Provisional Offset notice to AW Bidco 6 Pty Ltd for Municipal
Infrastructure Works – Trunk Transport for the upgrade of Ripley
Road/Providence Parade to a signalised intersection to the value of \$7,475,485
(indexed to July 2024 dollars, and including a 2% Economic Development
Queensland (EDQ) administration fee) as endorsed by EDQ.

RELATED PARTIES

Developer: AW Bidco 6 Pty Ltd

• Applicant: ASC Consult Pty Ltd – Mr Adrian Sains <u>adrian@acsconsult.com.au</u>

IFUTURE THEME

Vibrant and Growing

PURPOSE OF REPORT/BACKGROUND

<u>Applications in the Ripley Valley Priority Development Area</u>

Development applications located within the Ripley Valley Priority Development Area (Ripley Valley PDA) are required to be submitted to the Minister of Economic Development Queensland (MEDQ) for assessment and decision. On 30 September 2013 the development assessment decision making powers for the Ripley Valley PDA was delegated to Ipswich City Council (Council) for all assessment functions. Since then, Council has been deciding

applications in the Ripley Valley PDA pursuant to the *Economic Development Act 2012* as the MEDQ Delegate.

Ripley Valley PDA Offsets

Trunk infrastructure to be delivered in the Ripley Valley PDA is governed by the *Ripley Valley Priority Development Area Development Charges and Offset Plan*, commonly referred to as "the DCOP". On and from the date the DCOP took effect, the DCOP prevails over other instruments concerning charges, credits, offsets, and refunds in the Ripley Valley PDA.

Where a PDA development approval requires the applicant to provide a Land Contribution or Works Contribution, the applicant may lodge an application to the MEDQ for the following types of offset claim:

- 1. **Provisional Offset** where the applicant seeks to vary the scope, timing or cost of infrastructure land and works. Having decided the request, the MEDQ must give a notice to the applicant stating:
 - a) whether a Provisional Offset will be given for the contribution
 - b) if a Provisional Offset is to be given:
 - i. the Provisional Offset Value for the Works Contribution
 - ii. the Provisional Offset Value for the Land Contribution, or
 - iii. the Provisional Offset Value for the Implementation Works Contribution.

A Provisional Offset has a currency period of two (2) years from the date of decision.

- 2. **Final Offset** for a Works Contribution, Land Contribution, or an Implementation Works Contribution. Having decided the request, the MEDQ must give notice to the applicant stating:
 - a) Whether a Final Offset will be given for the contribution
 - b) Which Development Charge Type (ie. sub-regional charge, balance municipal charge, implementation charge) the Final Offset Value will be offset against
 - c) If a Final offset is to be given:
 - i. The timing of the offset accrual,
 - ii. The Final Offset Value for the Works Contribution,
 - iii. The Final Offset Value for the Land Contribution,
 - iv. The Final Offset value for the Implementation Works Contribution, or
 - d) Where an applicant's offset claim has not been accepted, the MEDQ will provide written notice of reasons for rejecting the applicant's request.

The applicant's request for Infrastructure Offset Claims and/or Refunds are referred to Economic Development Queensland (EDQ) for assessment. Once EDQ has assessed the application, EDQ notifies Council of the endorsed Offset Value and the relevant component/s

of the Development Charge Type. Council, as the MEDQ Delegate, then gives notice to the applicant of the application outcome.

Locality Plan

The applicant is seeking a Provisional Offset claim related to the Stockland "Providence Secondary Urban Centre East" development. Refer to **Figure 1** below for a locality plan detailing the related developments and the approximate Works Contribution extent associated with the applicant's Provisional Offset claim.

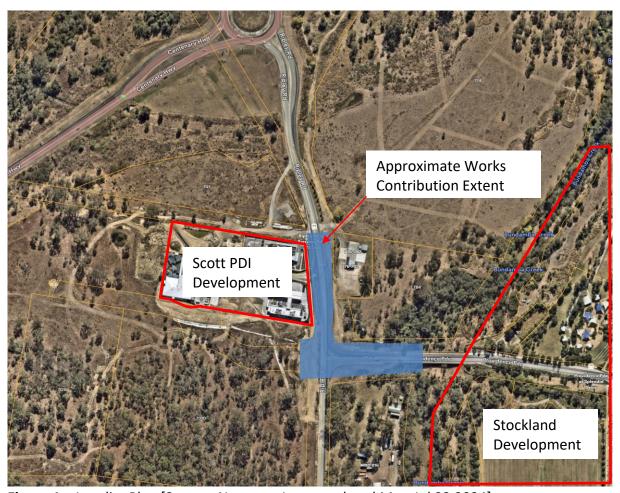


Figure 1 – Locality Plan [Source: Nearmap Imagery dated Mon Jul 22 2024]

Relevant PDA Development Permits

The intersection of Ripley Road and Providence Parade is currently a T-intersection. Priority is given to traffic along Ripley Road by the stop sign and line on Providence Parade. Refer to **Figure 2** below for an aerial photograph of the current intersection configuration.



Figure 2 – Current Configuration of Ripley Road/Providence Parade Intersection [Source: Nearmap Imagery dated Mon Jul 22 2024]

AW Bidco 6 Pty Ltd has submitted a claim for Provisional Offset for Municipal Infrastructure Works – Trunk Transport for the upgrade of the Ripley Road/Providence Parade intersection to a signalised intersection. Details of the PDA development permit relevant to this Provisional Offset claim is presented in **Table 1** below.

PDA Development Permit	Developer	Details of Works Contribution	Proposed Scope
40/2015/MAPDA/J	Stockland	(a) The applicant must submit for compliance assessment endorsement a signalised intersection design for the intersection of Ripley Road and Providence Parade. The design must be aligned with the short/medium term transport demands for the Ripley Valley Priority Development Area and accommodate the forecast traffic volumes from the latest 2026 and 2031 EDQ Ripley Valley Aimsun model. Should the required intersection layout be unachievable within the existing road reserve or property controlled by the developer, the developer must use their best endeavours to secure any additional property required. Should the additional property not be forthcoming, the developer must design an alternate (reduced) signalised intersection design that can be contained within the existing road reserve. This alternate (reduced) intersection design must be prepared in consultation with the MEDQ Delegate and maximise intersection capacity while minimising redundant/throw away works. NOTE: The value of creditable/offsetable works associated with an alternate (reduced) intersection design would be reduced to works that integrate/align with the full interim intersection layout, identified in point 1 above.	
		(b) The applicant must upgrade the Ripley Road and Providence Parade intersection generally in accordance with the design endorsed pursuant to (a) above. NOTE: In order to limit the disruption to existing residents located within the development, the applicant may seek to vary the timing of this condition if a continuous link for the full length of Barrams Road between Greenview Avenue and Cumner Road has not yet been provided at the lot trigger point.	

Table 1 – Related PDA Development Approval

The following development applications have been submitted and endorsed/acknowledged in relation to Ripley Road/Providence Parade intersection upgrade requirements presented in **Table 1**:

a. **4890/2022/PDAEE** – Compliance Endorsement for roadworks and stormwater drainage. Refer to Figure 3 below for the layout plan from the endorsed drawing set.

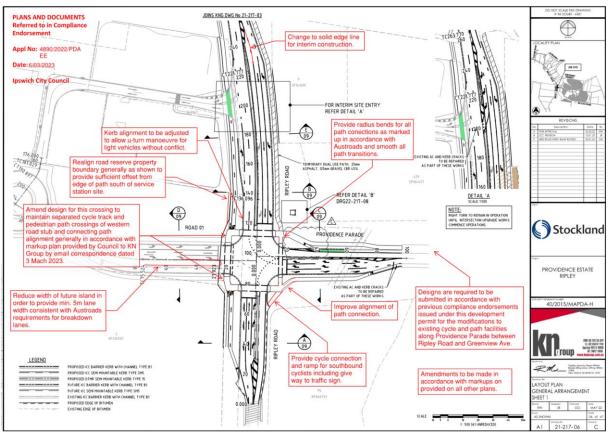


Figure 3 – Endorsed Plans for the Upgrade of Ripley Road/Providence Parade Intersection

b. **4685/2023/PDAEE** – Pre-Construction Acknowledgement for the intersection upgrade as detailed on the RPEQ certified drawings. The layout plan detailing the extent of works from this drawing set is detailed in **Figure 4** below.

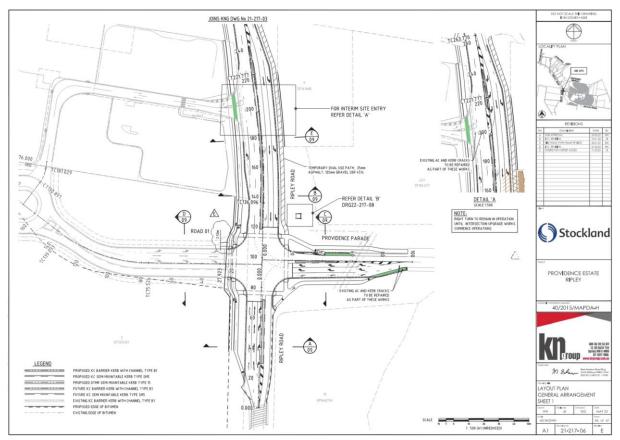


Figure 4 – RPEQ Certified Layout Plan for the Upgrade of Ripley Road/Providence Parade Intersection

It is noted that at the date of this report the traffic signal design has not been submitted to Council for Compliance Assessment and Endorsement.

Applicant's Provisional Offset Claim

A request by AW Bidco 6 Pty Ltd (the applicant) C/- ACS Consult Pty Ltd was received on 4 July 2024 for a Provisional Offset claim for the upgrade of the intersection of Ripley Road/Providence Parade to a signalised intersection. The applicant proposes that the scope of works as detailed in **Figure 5** below is to satisfy the requirements for the Ripley Road upgrade imposed as conditions of approval.

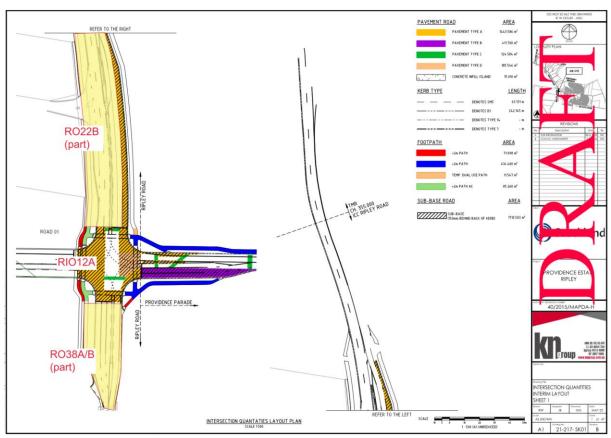


Figure 5 – Scope of Works Proposed by Applicant

The applicant's claim for Provisional Offset Municipal Infrastructure Works – Trunk Transport is in relation to the upgrade works presented in **Figure 4** above. The extent of Works Contribution submitted in support of the applicant's Provisional Offset claim is detailed in **Figure 5** above. A comparison of the extent of works presented in Figures 4 & 5 indicates that they are generally consistent.

Assessment by EDQ

The applicant's request for Provisional Offset for Municipal Infrastructure Works – Trunk Transport was referred to EDQ for assessment on 10 August 2023.

EDQ's endorsement of the applicant's request for Provisional Offset for Municipal Infrastructure Works – Trunk Transport was received on 30 July 2024, for \$7,475,485 (indexed to July 2024 dollars) (including a 2% administration fee). A summary of EDQ's endorsement is detailed in **Table 2** below.

Offset Type	DCOP (June 2022) ID	Offset Description	Applicant's Claim (July 2023 dollars)	EDQ Endorsed Provisional Offset (July 2024 dollars)
Municipal Charge	RI012A	Signalised Intersection	\$4,127,573	\$1,128,106
Municipal Charge	RIO12B (Part)	Signalised Intersection	Included under RI012A	\$567,517

Municipal Charge	R022B (Part)	4-Lane Ultimate Urban Arterial Road	\$2,205,379	\$3,397,640
Municipal Charge	R038A (Part)	2-Lane Interim Urban Arterial	\$492,420	\$1,557,786
Municipal Charge	R030B (Part)		\$246,210	\$473,125
Municipal Charge	EXR1 (existing road – Providence Parade)		Included under RI012A	\$351,311
Total			\$7,071,582	\$7,475,485.00

Table 2 – EDQ Assessment of Applicant's Claim

Reference is made to the *Ripley Valley Priority Development Area Development Charges and Offset Plan (July 2024)* and the following noted:

- a. DCOP ID R030B is not identified; and
- b. DCOP ID EXR1 has a delivery status of "complete", and the EDQ endorsed value for this infrastructure exceeds the DCOP offset amount (\$176,284.98).

Ripley Valley PDA Offset/Refund Notices

Council's Planning and Regulatory Services (PRS) Department implemented a business process in 2019 to identify the Delegate for the approval of Ripley Valley PDA Offset/Refund applications, based on the EDQ endorsed claim value:

- a. Up to \$500,000.00 Manager, Engineering, Health & Environment (EHE);
- b. From \$500,000.00 up to and including \$2,000,000.00 General Manager, Planning & Regulatory Services (PRS);
- c. From \$2,000,000.00 up to and including \$5,000,000.00 Chief Executive Officer, Ipswich City Council; and
- d. Greater than \$5,000,000.00 Council.

This report has been prepared to seek the Committee's approval to issue a MEDQ Delegate Notice to AW Bidco 6 Pty Ltd for Provisional Offset for Municipal Infrastructure Works – Trunk Transport associated with the upgrade of Ripley Road/Providence Parade intersection to a signalised intersection, to the value of \$7,475,485 as detailed in **Table 2** above.

LEGAL IMPLICATIONS

This report and its recommendations are consistent with the following legislative provisions: *Economic Development Act 2012*

Ripley Valley Priority Development Area Development Charges Offset Plan (DCOP)

POLICY IMPLICATIONS

Not applicable

RISK MANAGEMENT IMPLICATIONS

As the MEDQ Delegate, Council is required to issue a notice to advise the applicant of the outcome of the assessment of the submitted application for Provisional Offset.

FINANCIAL/RESOURCE IMPLICATIONS

There are no direct financial or resource implications of this decision.

COMMUNITY AND OTHER CONSULTATION

Not applicable.

CONCLUSION

That Council, as the MEDQ Delegate, issues a Provisional Offset notice to AW Bidco 6 Pty Ltd for Municipal Infrastructure Works – Trunk Transport for the works associated with the upgrade of the Providence Parade/Ripley Road intersection (to a signalised intersection) to the value of \$7,475,485 (indexed to July 2024 dollars, and including a 2% EDQ administration fee).

HUMAN RIGHTS IMPLICATIONS

HUMAN RIGHTS IMPACTS

NON-DISCRETIONARY DECISION

As the MEDQ Delegate, Council has an obligation under the *Economic Development Act 2012* to issue a notice to the applicant advising of the outcome of the assessment of the applicant's request for Provisional Offset for Municipal Infrastructure Works – Trunk Transport.

Jemna Cheripuram

PRINCIPAL ENGINEER (RIPLEY PDA)

I concur with the recommendations contained in this report.

Greg Potter

MANAGER, DEVELOPMENT PLANNING

I concur with the recommendations contained in this report.

Brett Davey

GENERAL MANAGER (PLANNING AND REGULATORY SERVICES)

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