

5.8. COUNCIL LANDOWNER CONSENT - 69 TEA TREE RD DIWAN - COW BAY PRIMARY HEALTH CARE CENTRE

REPORT AUTHOR	Sara Roberts, Team Leader Property Services
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DEPARTMENT	People and Community Services

RECOMMENDATION

That Council:

- 1. Provides landowner consent for any development applications associated with a Material Change of Use (Health Care Services with ancillary staff accommodation and helipad) for the Cow Bay Primary Health Care Centre;**
- 2. Consents to the development application, once submitted, being determined by delegated authority; and**
- 3. Delegates authority to the Chief Executive Officer under s257 of the *Local Government Act 2009* to finalise all matters in relation to the above.**

EXECUTIVE SUMMARY

Representatives from Queensland Health have advised Council staff that they are finalising plans for development applications associated with the new Cow Bay Primary Health Care Centre. While the matter of the land tenure is being resolved, it is recommended that Council provide consent as the landowner to Queensland Health for any development applications required to facilitate the progression of the project.

Further, the recommendation to Council confirms the ability for the Chief Executive Officer to determine the development application by delegated authority which is consistent with the existing exercise of powers delegated to the Chief Executive Officer under the Delegations Register.

BACKGROUND

On 28 June 2022, the former Minister for Health and Ambulance Services, the Honourable Yvette D'Ath, announced the construction of a new \$14.8 million dollar Cow Bay Primary Health Centre. Council officers have subsequently met with representatives from Queensland Health on multiple occasions to discuss the project.

At the Ordinary Council Meeting on 23 January 2023, Council unanimously resolved to provide in-principle support for the investigation into the transfer of a parcel of land for the construction of the new health facility. Councillors were briefed at a workshop on 16 May 2023 of the proposed architectural and concept plans.

COMMENTS

Queensland Health have indicated their intent to purchase the land from Council on which the new facility will be built. By providing landowner consent to progress the development applications at this stage, construction will be able to commence at the earliest possible time.

In relation to assessment of the proposal under the Planning Scheme, the Material Change of Use for Health Care Services is code assessable development and can be approved under existing delegation arrangements. It is not yet clear how Queensland Health will proceed with the acquisition of the land. However, should they opt to submit a Reconfiguration of a Lot application, the above recommendation would allow the Chief Executive Officer to approve the application without the need for a further Council resolution.

PROPOSAL

That Council:

1. Provides landowner consent for any development applications associated with a Material Change of Use (Health Care Services and ancillary staff accommodation and helipad) for the Cow Bay Primary Health Care Centre;
2. Consents to the development application, once submitted, being determined by delegated authority; and
3. Delegates authority to the Chief Executive Officer under s257 of the *Local Government Act 2009* to finalise all matters in relation to the above.

FINANCIAL/RESOURCE IMPLICATIONS

There are no financial implications for Council in providing consent or approving the development applications under delegated authority.

RISK MANAGEMENT IMPLICATIONS

The risk of not providing consent may result in delays in the construction of the facility, particularly factoring in the high rainfall received and associated challenges of conducting operational and building works in the Diwan area.

SUSTAINABILITY IMPLICATIONS

- Economic:** While the awarding of tenders for construction will be at the discretion of Queensland Health, there may be opportunities for local contractors to be employed as part of the project.
- Environmental:** To reduce the impact of erosion of the site, earthworks should ideally commence before the wet season. The recommendation will improve the opportunity for this to occur.
- Social:** By providing consent and streamlining the approval process, it will provide some assurance to the community north of the Daintree River of continued and improved health services in the area.

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2019-2024 Initiatives:

Theme 4 - Inclusive Engagement, Planning and Partnerships

In delivering for our communities, economy and environment, Douglas Shire will ensure open and transparent engagement and communication. We will develop robust strategic plans and we will partner with our community and key stakeholders.

Goal 3 - We will recognise the critical role that our partners play in planning and delivering vital programs and services.

Operational Plan 2022-2023 Actions:

New project arisen during the financial year.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Custodian Council owns and manages infrastructure, facilities, reserves, resources and natural areas. In fulfilling its role as custodian, Council will be mindful of the community, the economy, the environment, and good governance.

CONSULTATION

Internal: Planning
Councillor Workshop held 16 May 2023

External: Queensland Health

COMMUNITY ENGAGEMENT

Nil

ATTACHMENTS

Nil