



16 May 2018

Gladstone Regional Council
PO Box 29
GLADSTONE QLD 4680

ATTENTION: Shaunte Farrington

Dear Shaunte,

RE: TIMING OF WORKS FOR BICYCLE PATH CONSTRUCTION ALONG TANNUM SANDS ROAD, TANNUM SANDS (DA/20465/2006)

We write on behalf of *RMBL Investments Ltd* with respect to the approval granted over the abovementioned land on 10 July 2014 for the Reconfiguration of a Lot. The approved development altered to the intended outcome for the proposal. Pursuant to Sections 78 & 81 of the *Planning Act 2016*, we have requested a Minor Change to the subject approval to resolve the following:

As described in Council's notice dated 20 November 2017, **Special Condition 6** of the Approval Package requires a bikeway along Tannum Sands Road to be constructed within the first two (2) years of signing and sealing Stage 1A of the development. Consequently, this requires actioning and a Minor Change has been requested to rectify this issue.

Due to significant market downturn and economic volatility in the region since the application was first lodged, the saleability of the lots has been greatly reduced. We therefore request that this issue be resolved by extending the construction date of the bike path until 30 Jun 2021 as detailed in *Appendix 1 - Schedule of Works*, or alternatively by the sale of the 90th allotment, whichever comes sooner.

Please find specific details of the requested changes requested below:

1. Nature of Proposed Changes (Conditions)

Special condition 6 states the following:

Condition 31 of the Modified Decision Notice dated 28 November 2012 for the Preliminary Approval overriding the Planning Scheme requires the Developer construct a bikeway along Tannum Sands Road to connect the development to Silverton Drive. The route of the bike path shall be along the eastern side of Tannum Sands Road from Broadacres Drive to Applin Place where upon it crosses Tannum Sands Road to run along the western side of Tannum Sands Road to link up with the bikeway at Silverton Drive. A formalised road crossing shall be constructed across Tannum Sands Road in the vicinity of the northern end of Applin Place and constructed at the first stage of the development.

The construction and completion of the bikeway along Tannum Sands Road is required within the first two (2) years of signing and sealing of Stage 1A of the development, as there are concerns that the construction of the bikeway along Broadacres Drive onto Tannum Sands Road (as required by Special Condition 5) will lead to inexperienced riders riding on the shoulder

of Tannum Sands Road in a 100km/h speed zone. The road shoulder also narrows off significantly, and has vertical geometry issues in the vicinity of Pacific Ranch. Another key point is that riders will have to cross Tannum Sands Road at some point, as the attractors for cyclists are on the opposite of Tannum Sands to the development, and this should occur in safe manner at the best location.

Council acknowledges that the cost of a fully sealed bikeway constructed to the required standard is significant, as is the life of a young person. Priority must be given to safety, in particular the construction of an off road track and a cyclist crossing of Tannum Sands Road.

We seek to amend the condition to link the timing of construction to either the Schedule of Works as detailed in Appendix 1, or the sale of the 90th allotment, whichever comes sooner. The Schedule of Works outlines key milestones in the preparation, design and construction of the bicycle path. Under this option, the construction of the bicycle path will be finalised by 30 June 2021.

We request that the condition be amended as follows:

Condition 31 of the Modified Decision Notice dated 28 November 2012 for the Preliminary Approval overriding the Planning Scheme requires the Developer construct a bikeway along Tannum Sands Road to connect the development to Silverton Drive. The route of the bike path shall be along the eastern side of Tannum Sands Road from Broadacres Drive to Applin Place where upon it crosses Tannum Sands Road to run along the western side of Tannum Sands Road to link up with the bikeway at Silverton Drive. A formalised road crossing shall be constructed across Tannum Sands Road in the vicinity of the northern end of Applin Place and constructed at the first stage of the development.

*The construction and completion of the bikeway along Tannum Sands Road is required **by 30 June 2021 OR before the settlement of sale of the 90th lot to be sold in Stage 1 of the development, whichever comes sooner. Note: this denotes the 90th lot to be sold from the developer in Stage 1, and does not refer to the sale of Lot 90.** ~~within the first two (2) years of signing and sealing of Stage 1A of the development, as there are.~~ **The reasoning for this is because there are** concerns that the construction of the bikeway along Broadacres Drive onto Tannum Sands Road (as required by Special Condition 5) will lead to inexperienced riders riding on the shoulder of Tannum Sands Road in a 100km/h speed zone. The road shoulder also narrows off significantly, and has vertical geometry issues in the vicinity of Pacific Ranch. Another key point is that riders will have to cross Tannum Sands Road at some point, as the attractors for cyclists are on the opposite of Tannum Sands to the development, and this should occur in safe manner at the best location.*

Council acknowledges that the cost of a fully sealed bikeway constructed to the required standard is significant, as is the life of a young person. Priority must be given to safety, in particular the construction of an off road track and a cyclist crossing of Tannum Sands Road.

2. Minor Change under Planning Act 2016

The changes to the development approval outlined in the above section are identified as meeting the benchmark for a minor change to a development approval in accordance with Schedule 2 of the Planning Act 2016. Schedule 2 of the Act has been previously addressed in the Request for Minor Change Letter.

Should you wish to discuss the project further, please do not hesitate to contact our office on 3361 9999.

Yours faithfully

TOWN PLANNING ALLIANCE

A handwritten signature in black ink, appearing to read 'Alex Tonkin', written over a light grey rectangular background.

Alex Tonkin
SENIOR PLANNER

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Appendix 1 – Schedule of Works

BIKE PATH CONSTRUCTION – SCHEDULE OF WORKS		2018				2019				2020				2021				2022	
TASK	SUB-TASK	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	
Operational Works	Request Fee Proposals for Civil Engineering and Surveying	30-Jun																	
	Engage Civil Engineer and Surveyor		15-Aug																
	Civil design for Bicycle Path			31-Dec															
	Preparation and lodgement of Operational Works application				28-Feb														
	Assessment and approval of Operational Works application					31-Jul													
Tendor	Advertise/Expressions of Interest						31-Oct												
	Tendor documents produced							28-Feb											
	Tendor documents reviewed and Award Contract								30-Jun										
Construction	Construction of Bicycle Path												30-Jun						
	On maintenance period																	30-Jun	