

19.5 SOUTHERN THORNLANDS POTENTIAL FUTURE GROWTH AREA RESPONSE TO MINISTERIAL DIRECTION

Objective Reference:

Authorising Officer: Louise Rusan, General Manager Community & Customer Services

Responsible Officer: David Jeanes, Group Manager City Planning & Assessment

Report Author: Stephen Hill, Service Manager Strategic Planning

Attachments:

1. Minister's Letter 20200623
2. Minister's Letter 20200723
3. Letter to the Minister - Southern Thornlands Potential Future Growth Area
4. Letter to the Minister - Status of the planning investigation for the Southern Thornlands
5. Summary of City Plan submissions report for Thornlands Future Growth Investigation Area

The Council is satisfied that, pursuant to Section 275(1) of the *Local Government Regulation 2012*, the information to be received, discussed or considered in relation to this agenda item is:

- (g) any action to be taken by the local government under the *Planning Act*, including deciding applications made to it under that Act
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

PURPOSE

The purpose of this report is to consider a Ministerial Direction Notice, dated 23 July 2020, pursuant to section 26 of the *Planning Act 2016*.

BACKGROUND

- *ShapingSEQ* commenced on 11 August 2017 and identified 10 Potential Future Growth Areas (PFGAs), including Southern Thornlands. The Southern Thornlands PFGA is located outside the Urban Footprint and inside the Regional Landscape and Rural Production Area.
- The *Redland City Plan 2018* (City Plan) was adopted by Council on 6 July 2018 and came into effect on 8 October 2018.
- The strategic framework of the City Plan identifies Southern Thornlands as a future urban growth investigation area and notes that a further investigation will be required into physical constraints and values, including koala habitat, ecological functions, natural hazards, scenic quality and infrastructure requirements and costs and alternative growth strategies before the suitability of this area for development can be determined.
- *ShapingSEQ* makes provision for further investigation of the Southern Thornlands area. Specifically, metro sub-regional direction 14 at page 114 of *ShapingSEQ* (Outcome 14) recognises this and requires Council to investigate this area in the short-term including its potential as a future employment area. The investigation must determine its appropriate use,

with the intent of the area defined, and then be appropriately reflected in the planning scheme by the end of 2019.

- Council did not allocate funds for the Southern Thornlands investigation in its 2019–2020 annual budget. However, at the General Meeting on 9 October 2019 (Item 19.3 refers) Council considered a confidential report on the Southern Thornlands and resolved as follows:
 1. *To endorse the spatial extent of the Southern Thornlands Potential Future Growth Area investigation area as shown in Attachment 1.*
 2. *To endorse the scope of work to be undertaken to complete the Southern Thornlands Potential Future Growth Area investigation in accordance with Attachment 2, subject to budget allocation.*
 3. *To maintain this report and its attachments as confidential until a City Plan amendment is released for public consultation, or in the event the Southern Thornlands Potential Future Growth Area Study does not require any amendment to the City Plan, until Council has prepared a communication plan to inform the community of the outcomes of the study.*
 4. *To respond to the Minister for State Development, Manufacturing, Infrastructure and Planning and provide a copy of the Southern Thornlands Potential Future Growth Area Investigation Project Plan.*
- Council wrote to the Minister on 25 February 2020 confirming that at its General Meeting on 12 February 2020, Council adopted the 2019-20 Annual Budget Review and allocated funds to undertake further investigations of the Southern Thornlands PFGA. The letter also advised that technical investigations into the suitability of the Southern Thornlands PFGA for urban use had commenced and were expected to be completed by the end of the 2019-20 financial year.
- On 23 June 2020 the Treasurer and Minister for Infrastructure and Planning (the Planning Minister) wrote to Council advising that he was considering exercising his powers under section 26 of the *Planning Act 2016* to require Council to take actions as set out in an enclosed draft Ministerial Direction Notice (refer to Attachment 1). The draft Ministerial Direction Notice required Council to:
 - *Complete the investigation of the Southern Thornlands Potential Future Growth Area as required by the South East Queensland Regional Plan 2017 titled ShapingSEQ dated August 2017, at paragraph 14 on page 114, by 14 August 2020.*
 - *Provide a written report to me with respect to the investigation (the investigation report), by 30 August 2020.*
 - *The investigation report is to be accompanied by a statement from the council that identifies whether the council considers any amendments should be made to the Redland City Plan 2018 as a result of the investigation, and the reasons for the council's position on this.*
- Council provided a written response to the Minister's letter on 29 June 2020 (refer to Attachment 4).

- On 23 July 2020 the Planning Minister wrote a further letter to Council advising that he had deemed it necessary to exercise his powers under section 26 of the *Planning Act 2016* to require Council to take the actions as set out in an enclosed Ministerial Direction Notice (refer to Attachment 2).
- The Ministerial Direction Notice directs Council, in accordance with section 26 of the *Planning Act 2016* to:
 - *write to landowners in the Southern Thornlands area (the relevant landowners), shown in Figure 1 of the Project Plan dated September 2019 and included with the letter to me dated 23 October 2019, by 29 July 2020 informing them of your investigation, enclosing the Project Plan and asking for views by 14 August 2020 and inviting them to a landowner forum about the investigation*
 - *between 31 July 2020 and 11 August 2020 hold a forum with landowners, in a manner that is consistent with the Queensland Government's COVID-19 restrictions in effect at the time, providing an update of the investigations completed to date and granting participants an opportunity to ask questions at the forum*
 - *complete the investigation of the Southern Thornlands Potential Future Growth Area as required by the South East Queensland Regional Plan 2017 titled ShapingSEQ dated August 2017, at paragraph 14 on page 114, by 16 September 2020*
 - *provide a written report to me with respect to the investigation (the investigation report), by 25 September 2020*
 - *the investigation report is to be accompanied by a statement from the council that identifies how the council has responded to landowner views, whether the council considers any amendments should be made to the Redland City Plan 2018 as a result of the investigation, and the reasons for the council's position on this.*
- Council responded to the Planning Minister's Ministerial Direction Notice by letter dated 29 July 2020 (refer to Attachment 3). The letter notes a Council report will be presented to the General Meeting on 5 August 2020 to determine Council's position on the release of the Project Plan.

ISSUES

As noted in the letter to the Planning Minister, a number of detailed planning investigations of the Southern Thornlands PFGA, as required by Shaping SEQ, have now been completed. These investigations include consideration of land use planning constraints and opportunities, infrastructure servicing and delivery and an independent economic feasibility assessment by CDM Smith.

In addition, the briefing of Councillors on the outcomes of the investigations has commenced and a formal report considering the future land use of the Southern Thornlands PFGA is planned to be tabled at an ensuing General Meeting. Recognising these circumstances it is expected Council will be able to satisfy the Minister's Direction to finalise its investigation of the Southern Thornlands PFGA by 16 September 2020 and provide a written report to the Minister with respect to the investigation by 25 September 2020.

As noted earlier in this report, the Ministerial Direction Notice also directed Council to take actions with respect to public consultation.

While the intent of the Direction to ensure that landholders within the Southern Thornlands PFGA are afforded an opportunity to provide their input on the strategic direction for the area is acknowledged, there are concerns that undertaking these public consultation actions at this time will result in duplication and fragmentation of the usual public consultation process and potentially delay the incorporation of recommendations of the investigation into City Plan.

Upon completion of the investigation into the Southern Thornlands PFGA, it is anticipated that Council will prepare an amendment to City Plan to incorporate the findings of the investigation. As part of this process, public consultation will be conducted in accordance with the Statutory Guideline 01/16 (Making and amending local planning instruments).

This will ensure not only landholders within the Southern Thornlands PFGA but the whole Redlands community is afforded the opportunity to provide their input on the strategic planning investigations undertaken for the area. This is considered essential recognising the strategic location, size and importance of the subject area in the City. The level of interest in the study area is reflected in the outcomes of the public consultation undertaken on the City Plan where 91 submissions and 3217 proformas were received from residents from across the City in regards to the Southern Thornlands area (Attachment 5 provides an extract of the relevant summary report in response to the submissions received).

STRATEGIC IMPLICATIONS

Legislative Requirements

Any future amendment to the planning scheme will be prepared in accordance with the *Planning Act 2016* and the MGR.

Risk Management

The risks involved in this decision have been generally identified in the issues section of this report. If a major amendment to the planning scheme is required in the future, mandatory public consultation requirements (as per the MGR) will ensure the community is given the opportunity to provide feedback on any proposed changes.

If Council does not undertake the actions required by the Direction Notice there is a risk that the Minister may exercise his powers under section 26(7) of the *Planning Act 2016*, which provides:

'If the local government does not take the action, the Minister may—

- (a) take the action; and*
- (b) recover any expense the Minister reasonably incurs in taking the action from the local government as a debt.'*

Financial

Financial resourcing required will be drawn from the existing budget for the Strategic Planning Unit of the City Planning and Assessment Group.

People

The staff resourcing required to facilitate the potential options are primarily drawn from the Strategic Planning Unit of the City Planning and Assessment Group.

Environmental

Environmental matters have been discussed, where relevant.

Social

Social matters have been discussed, where relevant.

Human Rights

There are no known human rights issues associated with this report.

Alignment with Council's Policy and Plans

The recommended option will align with the Wise Planning and Design goals contained in Council's Corporate Plan and the Redlands 2030 Community Plan. This includes undertaking land use planning to manage population growth and making efficient use of land within the urban footprint.

CONSULTATION

| Consulted | Consultation Date | Comments/Actions |
|-----------------|-------------------|--------------------------------|
| General Counsel | 28 July 2020 | Provided external legal advice |

OPTIONS

Option One

That Council resolves as follows:

1. To note the Minister's Direction Notice as outlined in Attachment 2.
2. To confirm that a further report will be tabled at a General Meeting of Council on or prior to 16 September 2020, which considers the outcomes of the planning investigations of the Southern Thornlands Potential Future Growth Area (PFGA).
3. To submit a written report confirming whether any amendments are proposed to be made to the City Plan as a result of the planning investigations of the Southern Thornlands Potential Future Growth Area to the Planning Minister on or prior to 25 September 2020.
4. For the reasons outlined in this report, write to the Planning Minister requesting the Direction Notice be repealed or amended to remove the public consultation actions.
5. To maintain this report and attachments as confidential until such time as a Major Amendment (Southern Thornlands PFGA) is released for public consultation or Council resolves not to proceed with a proposed amendment, subject to maintaining the confidentiality of legally privileged, private and commercial in-confidence information.

Option Two

That Council resolves as follows:

1. To note the Minister's Direction Notice as outlined in Attachment 2.
2. To confirm that a further report will be tabled at a General Meeting of Council on or prior to 16 September 2020, which considers the outcomes of the planning investigations of the Southern Thornlands Potential Future Growth Area (PFGA).
3. To submit a written report confirming whether any amendments are proposed to be made to the City Plan as a result of the planning investigations of the Southern Thornlands Potential Future Growth Area to the Planning Minister on or prior to 25 September 2020.
4. To endorse the public release of the confidential Southern Thornlands Potential Future Growth Area Project Plan.
5. To undertake the public consultation actions.
6. To maintain this report and attachments as confidential until such time as a Major Amendment (Southern Thornlands PFGA) is released for public consultation or Council resolves not to

proceed with a proposed amendment, subject to maintaining the confidentiality of legally privileged, private and commercial in-confidence information.

OFFICER'S RECOMMENDATION

That Council resolves as follows:

- 1. To note the Minister's Direction Notice as outlined in Attachment 2.**
- 2. To confirm that a further report will be tabled at a General Meeting of Council on or prior to 16 September 2020, which considers the outcomes of the planning investigations of the Southern Thornlands Potential Future Growth Area (PFGA).**
- 3. To submit a written report confirming whether any amendments are proposed to be made to the City Plan as a result of the planning investigations of the Southern Thornlands Potential Future Growth Area to the Planning Minister on or prior to 25 September 2020.**
- 4. For the reasons outlined in this report, write to the Planning Minister requesting the Direction Notice be repealed or amended to remove the public consultation actions.**
- 5. To maintain this report and attachments as confidential until such time as a Major Amendment (Southern Thornlands PFGA) is released for public consultation or Council resolves not to proceed with a proposed amendment, subject to maintaining the confidentiality of legally privileged, private and commercial in-confidence information.**



The Hon. Cameron Dick MP
Treasurer
Minister for Infrastructure and Planning

Our ref: MBN20/44

1 William St Brisbane
GPO Box 611 Brisbane
Queensland 4001 Australia
Telephone 07 3719 7200
Email treasurer@ministerial.qld.gov.au
Website www.treasury.qld.gov.au

ABN 90 856 020 239

Mr Andrew Chesterman
Chief Executive Officer
Redland City Council
PO Box 21
CLEVELAND QLD 4163

Email: andrew.chesterman@redland.qld.gov.au

Dear Mr Chesterman

Andrew,

I refer to the various discussions and correspondence between the State and the Redland City Council (the council) about the status of the planning investigation for the Southern Thornlands Potential Future Growth Area (PFGA).

I continue to have strong ongoing concerns about the lack of long-term, strategic planning being undertaken by the council to manage growth to meet the future needs of the city.

While *ShapingSEQ* provides for a considered and effective growth management framework for the South East Queensland region, it is critical that the council appropriately plan for future housing and employment within a local context.

In doing so, the council must engage with the community and undertake the necessary land use planning and long-term growth management studies that respond to the community's vision for the city and reflect the regional outcomes of *ShapingSEQ*.

As you are aware *ShapingSEQ* required the council to investigate this area in the short-term, including its potential as a future employment area. The investigation was required to determine its appropriate use, with the intent of the area defined, and then be appropriately reflected in the planning scheme, by the end of 2019.

While investigations of the Southern Thornlands PFGA have now commenced, the council has failed to comply with Outcome 14, which required the investigations to be undertaken and reflected in the planning scheme by the end of 2019.

I would again like to reinforce the need for this action under *ShapingSEQ* to be completed as part of the council's contribution to managing growth in South East Queensland.

To this end, I notify the council that I am considering exercising my powers under section 26 of the *Planning Act 2016* (the Planning Act) to require the council to take the actions set out in the draft Ministerial Direction notice enclosed with this letter (**Enclosure 1**).

If I decide to make the direction, I anticipate, as set out in the draft Ministerial Direction, that the council would complete the necessary investigation by 14 August 2020 and then report to me by 30 August 2020.

In accordance with section 26(3) of the Planning Act, I advise that the council may, within 10 business days of the date of this letter, make a submission to me about the council taking the action.

After I have considered any submissions made as required under this notice, I will consider what further actions I may take in accordance with section 26(4) of the Planning Act.

My decision to consider exercising my power under section 26 of the Planning Act is based on the reasons enclosed with this letter (**Enclosure 2**).

In making my decision to consider exercising my powers based on the reasons provided in **Enclosure 2**, I have had regard to the facts and circumstances identified in this notice and **Enclosure 2**, and the briefing note provided to me by Queensland Treasury.

If you have any questions about my advice to you, please contact my office on (07) 3719 7200 or email treasurer@ministerial.qld.gov.au.

Yours sincerely



CAMERON DICK MP
Treasurer
Minister for Infrastructure and Planning

23 / 06 / 2020

Enc (2)

MINISTERIAL DIRECTION TO THE REDLAND CITY COUNCIL UNDER SECTION 26 OF THE *PLANNING ACT 2016*

I direct, in accordance with section 26 of the *Planning Act 2016*, the Redland City Council (the council) to:

- complete the investigation of the Southern Thornlands Potential Future Growth Area as required by the South East Queensland Regional Plan 2017 titled *ShapingSEQ* dated August 2017, at paragraph 14 on page 114, by 14 August 2020
- provide a written report to me with respect to the investigation (the investigation report), by 30 August 2020
- the investigation report is to be accompanied by a statement from the council that identifies whether the council considers any amendments should be made to the *Redland City Plan 2018* as a result of the investigation, and the reasons for the council's position on this.

Dated this XX day of XXXXX 2020

CAMERON DICK MP
Treasurer
Minister for Infrastructure and Planning

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I direct, in accordance with section 26 of the *Planning Act 2016*, the Redland City Council (the council) to:

- complete the investigation of the Southern Thornlands Potential Future Growth Area as required by the South East Queensland Regional Plan 2017 titled *ShapingSEQ* dated August 2017, at paragraph 14 on page 114, by 14 August 2020
- provide a written report to me with respect to the investigation (the investigation report), by 30 August 2020
- the investigation report is to be accompanied by a statement from the council that identifies whether the council considers any amendments should be made to the *Redland City Plan 2018* as a result of the investigation, and the reasons for the council's position on this.

Dated this XX day of XXXXX 2020

CAMERON DICK MP
Treasurer
Minister for Infrastructure and Planning



The Hon. Cameron Dick MP
Treasurer
Minister for Infrastructure and Planning

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Our Ref: MC20/3211
Your Ref: DB/SH

Mr Andrew Chesterman
Chief Executive Officer
Redland City Council
PO Box 21
CLEVELAND QLD 4163

Email: andrew.chesterman@redland.qld.gov.au

Dear Mr Chesterman

I refer to my letter of 23 June 2020 advising of my intention to exercise my powers under Section 26 of the *Planning Act 2016* (the Planning Act) to require Redland City Council (the council) to investigate the Southern Thornlands Potential Future Growth Area (PFGA).

I have considered the council's response dated 29 June 2020, confirming the council has progressed investigation of the Southern Thornlands PFGA, and noting the council's view that a Ministerial Direction is unnecessary.

While I acknowledge that the council has progressed investigation of the Southern Thornlands PFGA, I continue to have strong ongoing concerns about the lack of long-term, strategic planning being undertaken by the council to manage growth to meet the future needs of the city, and the failure to comply with Outcome 14 of *ShapingSEQ*.

To ensure that this action under *ShapingSEQ* is completed in a timely manner, as part of the council's contribution to managing growth in South East Queensland, I have deemed it necessary to exercise my powers under section 26 of the Planning Act to require the council to take the actions set out in the enclosed Ministerial Direction notice.

I have included a requirement in my direction for the council to write to landowners in the Southern Thornlands area by 29 July 2020 informing them of the investigation and asking for their views by 14 August 2020. In addition, the council must hold a forum with landowners to provide an update on the progress of the investigation and allow time for questions. The council should ensure that this forum is held in a manner that is consistent with the Queensland Government's COVID-19 restrictions in effect at the time. I was clear in my previous correspondence that it is critical for the council to consult with Southern Thornlands landowners and I have now included this in my direction.

I note in the council's submission, it is requested that where a Ministerial Direction is issued, that an extension in timeframe of six days be granted for completion of the investigation in order to allow a council decision to be made.

Given the requirement included in the Ministerial Direction about consultation with landowners, I have moved back the timeframes to provide a reasonable period for landowners to be engaged and for the council to complete the investigation.

Please be advised that I have agreed to extend the timeframe for completion of the investigation until 16 September 2020, and the final date to write to me about the investigation is now 25 September 2020.

If you have any questions about my advice to you, please contact my office on (07) 3719 7200 or email treasurer@ministerial.qld.gov.au.

Yours sincerely



CAMERON DICK MP
Treasurer
Minister for Infrastructure and Planning

23 / 07 / 2020

Enc

MINISTERIAL DIRECTION TO THE REDLAND CITY COUNCIL UNDER SECTION 26 OF THE *PLANNING ACT 2016*

I direct, in accordance with section 26 of the *Planning Act 2016*, the Redland City Council (the council) to:

- write to landowners in the Southern Thornlands area (the relevant landowners), shown in Figure 1 of the Project Plan dated September 2019 and included with the letter to me dated 23 October 2019, by 29 July 2020 informing them of your investigation, enclosing the Project Plan and asking for views by 14 August 2020 and inviting them to a landowner forum about the investigation
- between 31 July 2020 and 11 August 2020 hold a forum with landowners, in a manner that is consistent with the Queensland Government's COVID-19 restrictions in effect at the time, providing an update of the investigations completed to date and granting participants an opportunity to ask questions at the forum
- complete the investigation of the Southern Thornlands Potential Future Growth Area as required by the South East Queensland Regional Plan 2017 titled *ShapingSEQ* dated August 2017, at paragraph 14 on page 114, by 16 September 2020
- provide a written report to me with respect to the investigation (the investigation report), by 25 September 2020
- the investigation report is to be accompanied by a statement from the council that identifies how the council has responded to landowner views, whether the council considers any amendments should be made to the *Redland City Plan 2018* as a result of the investigation, and the reasons for the council's position on this.

Dated this 23rd day of July 2020



CAMERON DICK MP

Treasurer

Minister for Infrastructure and Planning

MINISTERIAL DIRECTION TO THE REDLAND CITY COUNCIL UNDER SECTION 26 OF THE *PLANNING ACT 2016*

I direct, in accordance with section 26 of the *Planning Act 2016*, the Redland City Council (the council) to:

- write to landowners in the Southern Thornlands area (the relevant landowners), shown in Figure 1 of the Project Plan dated September 2019 and included with the letter to me dated 23 October 2019, by 29 July 2020 informing them of your investigation, enclosing the Project Plan and asking for views by 14 August 2020 and inviting them to a landowner forum about the investigation
- between 31 July 2020 and 11 August 2020 hold a forum with landowners, in a manner that is consistent with the Queensland Government's COVID-19 restrictions in effect at the time, providing an update of the investigations completed to date and granting participants an opportunity to ask questions at the forum
- complete the investigation of the Southern Thornlands Potential Future Growth Area as required by the South East Queensland Regional Plan 2017 titled *ShapingSEQ* dated August 2017, at paragraph 14 on page 114, by 16 September 2020
- provide a written report to me with respect to the investigation (the investigation report), by 25 September 2020
- the investigation report is to be accompanied by a statement from the council that identifies how the council has responded to landowner views, whether the council considers any amendments should be made to the *Redland City Plan 2018* as a result of the investigation, and the reasons for the council's position on this.

Dated this 23rd day of July 2020



CAMERON DICK MP

Treasurer

Minister for Infrastructure and Planning

29 July 2020

Your Ref: MC20/3211
Our Ref: FM/AC/PC
File No:A4749909 (Word)
Contact: Office of the CEO

By email: treasurer@ministerial.qld.gov.au
The Honourable Cameron Dick MP
Treasurer
Minister for Infrastructure and Planning
GPO Box 611
Brisbane Qld 4011

Dear Minister

Southern Thornlands Potential Future Growth Area - Direction under section 26 of the *Planning Act 2016* (Qld)

Thank you for your letter dated 23 July 2020, which enclosed a direction (**Direction**) pursuant to section 26 of the *Planning Act 2016* (Qld) (**Planning Act**), directing Council to complete its investigation of the Southern Thornlands Potential Future Growth Area (**Southern Thornlands PFGA**), and provide a written report to you with respect to the investigation.

I appreciate that Council and the State Government share a common goal to complete the investigation into the future of this important area and to ensure that the community are genuinely consulted in planning for any future land use vision for this area.

As noted in our previous correspondence dated 29 June 2020, Council has completed a number of detailed planning investigations of the Southern Thornlands PFGA, as required by Shaping SEQ. These investigations include consideration of land use planning constraints and opportunities, infrastructure servicing and delivery and an independent economic feasibility assessment by CDM Smith.

I can confirm Council officers have commenced briefing Councillors on the outcomes of the investigations and I expect Council will consider a final report on the future land use of the Southern Thornlands PFGA at an ensuing General Meeting. If Council resolves to undertake a major amendment to City Plan I expect it will formally request an early confirmation of state interests in accordance with Part 4 Section 16.2 of the Ministers Guideline and Rules under the *Planning Act 2016*.

Recognising these circumstances I can advise Council will, in accordance with your Direction, ensure a written report is provided to you with respect to the investigation (the investigation report), by 25 September. As required, the investigation report will be accompanied by a statement from Council that identifies whether the Council considers any amendments should be made to the *Redland City Plan 2018* (City Plan) as a result of the investigation, and the reasons for the Council's position on this.

The Direction also directs Council to undertake the following action:

“write to landowners in the Southern Thornlands area (the relevant landowners), shown in Figure 1 of the Project Plan dated September 2019 and included with the letter to me dated 23 October 2019, by 29 July 2020 informing them of your investigation, enclosing the Project Plan and asking for views by 14 August 2020 and inviting them to a landowner forum about the investigation...”

The direction to write to landowners with a copy of the project plan dated September 2019 puts me in a difficult position, as Council had previously resolved to maintain this Project Plan as a confidential document, and it would therefore be contrary to the local government principles in the *Local Government Act 2009* (Qld) for Council to provide that document to the public. This is particularly the case where there is a separate and formal public notification process under Statutory Guideline 01/16.

In this regard I have asked for a Council report to be prepared and presented at our next General Meeting on 5 August 2020 to determine Council's position on the release of the Project Plan.

Reflecting on the public consultation actions in the Direction, while Council appreciates the intention underpinning the Direction, Council officers hold some concerns that these actions will result in duplication and fragmentation of the usual public consultation process, while potentially slowing the adoption of the incorporation of recommendations of the investigation into Council's Planning Scheme. Additionally, given the potential strategic importance of this potential growth area, a City-wide consultation process would be preferable, with this consultation delivered in accordance with the Statutory Guideline 01/16 (Making and amending local planning instruments).

Yours faithfully



Andrew Chesterman
Chief Executive Officer
REDLAND CITY COUNCIL

c.c. Rachel Hunter, Under Treasurer, Queensland Treasury Infrastructure and Planning

c.c. Kerry Doss, Deputy Director General, Queensland Treasury

29 June 2020

Your Ref: MBN20/44
Our Ref: DB/SH
Contact: Dean Butcher
Phone: (07) 3829-8714

The Honourable Cameron Dick MP
Treasurer
Minister for Infrastructure and Planning
GPO Box 611
BRISBANE QLD 4001

Dear Minister

**RE: Status of the planning investigation for the Southern Thornlands
Potential Future Growth Area (PFGA)**

I write in response to your letter dated 23 June 2020 advising Council of your intention to exercise powers under section 26 of the *Planning Act 2016* if Council does not complete the actions outlined in your draft Ministerial Direction notice (enclosure 1).

I acknowledge the concerns raised in your correspondence and wish to advise that Council has significantly progressed investigations of the Southern Thornlands PFGA, as required by *ShapingSEQ*.

Details on the current status of the investigations and a response to the matters raised in your letter are outlined below.

Current status

As outlined in enclosure 2 of your correspondence, the ability to progress investigations on the Southern Thornlands PFGA was initially delayed by Council's decision not to allocate funds for the Southern Thornlands investigation in its 19/20 annual budget.

It is also worth noting that in October 2018, Council sought to defer further investigation of the Southern Thornlands area pending finalisation of the Rural Enterprise Industry Sector Strategy and Action Plan. I can confirm that *Rural Enterprises Industry Sector Plan 2019-2024* was endorsed by Council at its General Meeting on 17 July 2019, serving as a precursor for the future decision to allocate funds for the investigation of the PFGA at its Annual Budget Review on 12 February 2020.

Following confirmation of a budget allocation, Council commenced preparation of a planning investigation to examine planning constraints and opportunities within the PFGA. In addition, Council engaged economic consultants CDM Smith in March to prepare an economic feasibility assessment (EFA) for the Southern Thornlands PFGA. The assessment is nearing completion and will inform a future decision by Council on whether land within the PFGA is required to accommodate employment generating or other uses in Redland City to 2041.

/...2.

Officers expect this report will be finalised by 30 June 2020, with subsequent Councillor briefings to occur in July. At this stage a briefing with Councillors is expected to take place on 21 July 2020. Council officers will also be available to provide your officers with a briefing and update on the project during July. A formal Council resolution on the future of the PFGA will be sought from Council following the briefings, the timing of which is discussed in further detail below.

Exercising power under section 26 of the *Planning Act 2016*

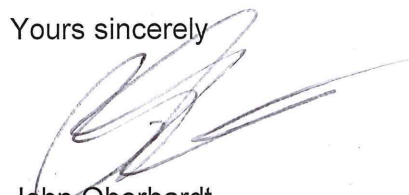
In your correspondence, you have stated that if you decide to exercise your powers under section 26 of the *Planning Act 2016*, you anticipate that you would require Council to complete the necessary investigation by 14 August 2020, with a report to you due by 30 August 2020. While Council officers are confident that the planning investigations will be completed well in advance of these timeframes and that issuing a Ministerial Direction notice is unnecessary, the following feedback should be taken into account if you make a decision to pursue this course of action.

To allow sufficient time for the elected members of Council to consider the findings of the significant investigations undertaken and any subsequent recommendations by Council officers in the associated Council report, please consider extending the initial timeframe required to complete the investigations from 14 August 2020 to 20 August 2020. This will give officers the opportunity to present the report at either of the two scheduled general meeting dates in August (Wednesday 5 August or Wednesday 19 August), with negligible impacts on timeframes. The nominal due date for reporting to you on this matter is considered appropriate.

I trust the information provided in this letter provides assurances to you that Council is committed to fulfilling its obligations under *ShapingSEQ* in a timely manner and that issuing a Ministerial Direction will not be necessary.

Should you or your officers require any further information or wish to confirm a suitable briefing date, please contact Council's Acting Principal Strategic Planner, Dean Butcher on (07) 3829-8714 or by email at: Dean.Butcher@redland.qld.gov.au

Yours sincerely



John Oberhardt
Acting Chief Executive Officer
Redland City Council



Redland CITY PLAN

Draft Redland City Plan Submission Report



Housing



Economy



Safety



Environment



Infrastructure



Redland
CITY COUNCIL

1.4 Thornlands Future Growth Investigation Area

Area Details

Submissions have been grouped together to create a defined precinct for consideration, referred to as Thornlands Future Growth Investigation Area.



Grounds of Submission

Support for urban or future urban designation

- Urbis report identifies a shortfall of urban zoned land for projected population growth to 2041.
- Greenfield areas should be opened up to release the pressure on existing urban areas and reduce the need for infill.
- Necessary to meet dwelling targets in the Regional Plan.
- The suitability of this area for urban development has already been proven in past planning studies conducted on behalf of Council.
- Existing areas for urban expansion are constrained, and therefore more urban areas are needed to accommodate population growth.
- Land is unsuitable for rural uses (poor soil conditions, fragmented land) and poultry uses have closed down.
- Land is relatively unconstrained – areas of minimal slope, significant existing cleared areas.
- Should go further and outline planning principles for the development of this area, to allow structure planning to occur.
- Land should be placed in Emerging Community Zone, as this will provide more weight to having a structure planned process, without ad hoc decision-making.
- Unclear on the extent of the Future Growth Area.
- The Future Growth Area star has no statutory weight and provides no certainty to landowners or the general public.
- Economic and social benefits resulting from the urban growth area – e.g. construction jobs and injection into the local economy.
- Good access to commercial and community services.
- Residential amenity is significantly impacted by Boundary Road. More appropriate for it to be commercial/ industrial.

- Good access to road infrastructure.
- The owners in this area want to develop, thereby reducing the impact of fragmentation.
- Springacre Road area makes sense as a sequential extension of urban residential area to the east.
- Employment grounds:
 - Employment areas should be planned in conjunction with any expanded residential development areas.
 - Prefer that the area be designated for employment – i.e. in order to meet goal of 60% containment (currently about 40%).
 - To reduce traffic impacts from people travelling to work outside Redland City.
 - Attract and retain younger people in Redland City.
 - Geographically in the centre of Redland City, therefore well-located to service the Redland population with employment opportunities.

Objection to future urban designation

- Urbis report demonstrates that there is sufficient land supply for population growth to 2041, excluding this area.
- Redlands 2030 Community Plan demonstrated that the community seeks to limit population growth in the City.
- Surrounding roads will not support the additional traffic.
- Insufficient planning for infrastructure to service these areas, noting that Council and the State government cannot afford to service these areas.
- Will destroy valuable bushland habitat.
- Detracts from the scenic value of the area.
- Ignores the Rural Futures Strategy, which seeks to accommodate peri-urban uses in this area.
- Displaces and discourages rural activities and rural enterprise from Redland City.
- New urban areas should not be earmarked in a planning scheme, without first being investigated and designated as part of the Regional Plan.
- Rural residential development will maintain lifestyle and scenic value, while allowing for unviable rural properties to transition and make efficient use of the land.

Analysis

Land supply

The proposed City Plan provides sufficient land for urban purposes to meet future population growth to 2041 without the need to expand the urban footprint into the area south of Boundary Road.

*Note: For further discussion on land supply refer to sub-category **1.1 Population and Growth**.*

Future growth investigation area designation

The primary purpose of this designation is to ensure that the area is not prejudiced by incompatible or pre-emptive development before a full and proper planning investigation has occurred that establishes the appropriate land use characteristics of the area; whether that be urban or non-urban. While this area has a long planning history and has been the subject of several employment investigations, a proper land use investigation of the area has not been undertaken to date. It is therefore considered premature to place the area in an urban zone, without first establishing its need, suitability and viability and then, its extent and land use profile. A future report will be presented to Council considering the need, suitability and viability of this area as an integrated employment area.

South East Queensland regional planning framework

The SEQ Regional Plan is the legal mechanism that establishes the extent of the regulatory urban footprint for the City. Both the existing and draft SEQ Regional Plans identify the area within the Regional Landscape and Rural Production Area. Any proposal to re-zone the area for urban purposes would be in conflict with the regional plan. The draft SEQ Regional Plan identifies this area as a Potential Future Growth Area to be investigated as a future employment area. This draft designation aligns with the designation in the Strategic Framework of the proposed City Plan.

Considering that the future of this area relies on future planning investigations, retaining this land within the Rural Zone in the proposed City Plan is the preferred option.