14.3 03/21 - MAJOR AMENDMENT - MINJERRIBAH (SITE-SPECIFIC LAND USES)

Objective Reference: **A13285766**

Authorising Officer: **Brooke Denholder, General Manager Community & Customer Services**

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

Report Author: **Janice Johnston, Principal Strategic Planner**

Attachments:
1. **Ministerial Direction of 27 July 2021**
2. **Letter of 11 September 2025**
3. **Letter of 2 May 2026**

PURPOSE

To provide an update on 03/21 – Major Amendment – Minjerribah (Site-Specific Land Uses) and to note the proposed actions to inform the community of recent Ministerial correspondence.

BACKGROUND

The significant history to the 03/21 – Major Amendment – Minjerribah (Site-Specific Land Uses) amendment is summarised as follows:

4 July 2011: The Federal Court of Australia made two Native Title consent determinations recognising the Quandamooka People's Native Title rights and interests over land and waters on Minjerribah and Moreton Bay. Following the consent determinations, both Council and the State Government finalised separate confidential Indigenous Land Use Agreements (ILUAs) with the Quandamooka Yoolooburrabee Aboriginal Corporation (QYAC).

8 September 2020: The former Planning Minister issued a letter to Council advising of his intention to make a Temporary Local Planning Instrument (TLPI).

11 September 2020: The former Planning Minister advised Council that in accordance with section 26(3) of the *Planning Act 2016*, he was considering exercising his Ministerial powers to require Council to amend City Plan to reflect the TLPI and that Council may, on or before 28 September 2020, make a submission on this matter.

14 September 2020: TLPI No. 02 of 2020 Quandamooka Land Aspirations Area (TLPI 02/2020) was gazetted, effective for a period of two years. The TLPI suspended the operation of the Redland City Plan over 25 lots on Minjerribah (North Stradbroke Island) and applied alternative zones and assessment benchmarks to these properties.

28 September 2020: The Councillor for Division 2 made a submission to the then Planning Minister on behalf of Councillors regarding the TLPI and the Minister's Notice of Intention to direct Council to amend City Plan.

7 October 2020: Council considered a report on the TLPI at a General Meeting and proposed Ministerial Direction (Item 14.5). The report highlighted Council's limited involvement in the planning investigations and work undertaken by the State Government to give effect to its commitments made in its ILUA with the Quandamooka People. Council subsequently resolved to authorise the Chief Executive Officer to send the report to the State Government and seek a response on the issues raised relating to community consultation, zoning/land use conflicts, and coordinated strategic and infrastructure planning for Minjerribah.

27 July 2021: The then Planning Minister issued a Ministerial Direction for Council to amend the Redland City Plan to align with the TLPI 02/2020. A copy of this Ministerial Direction is attached to this report as Attachment 1.

18 August 2021: Council considered a report (Item 14.2) at a General Meeting and resolved to note the Ministerial Direction and submit a draft amendment to the Chief Executive administering the *Planning Act 2016*. Council also resolved to seek a State Government commitment to undertake coordinated community consultation and provide funding for island infrastructure and development costs.

18 November 2021: Council submitted a draft amendment to the State Government for review.

18 March 2022: Council received a Chief Executive Notice, issued under section 18 of the *Planning Act 2016*. The notice sets out the key steps and timeframes for completing the amendment process.

21 March 2022: Council formally submitted the proposed amendment for State Interest Review in accordance with the Chief Executive Notice.

28 April 2022: The State Government issued Council with an approval from the State Planner to proceed to public consultation subject to conditions.

23 May 2022: In accordance with the Chief Executive Notice, Council resolved at a Special Meeting to commence public consultation on the amendment.

31 May to 11 July 2022: Council undertook public consultation on the amendment. At the close of public consultation, 528 submissions had been received, the majority of which raised concerns with the proposed amendment. Only four of the 528 submissions fully supported the proposed amendment.

14 September 2022: TLPI 02/2020 lapsed and was remade via the gazettal of TLPI 01/2022, effective for a period of one year, ending 13 September 2023.

14 September 2022: A report outlining the outcomes of public consultation was considered at a General Meeting of Council (Item 15.2). The report outlined significant concerns raised during consultation and noted that Council officers are unable to adequately address the concerns due to:

- The lack of background information/studies provided by the State Government to support the zone changes proposed by the TLPI; and
- Council being unable to make changes in response to submissions that would result in the amendment being inconsistent with the TLPI/Ministerial Direction.

Council resolved to seek further information from the State Government to address the concerns raised during public consultation, by issuing a pause notice to the Department of State Development, Infrastructure, Local Government and Planning.

29 September 2022: The pause notice was issued to the State Government.

13 September 2023: TLPI 01/2022 lapsed and was remade (and altered) via the gazettal of TLPI 01/2023, effective for a period of two years, until 13 September 2025.

11 September 2025: The Acting Minister for State Development, Infrastructure and Planning, via formal written correspondence to the Mayor of Redland City Council, advised of the Queensland Government's decision not to remake TLPI 01/2023. The correspondence outlined the reasons for this decision, as provided in Attachment 2.

13 September 2025: TLPI 01/2023 ceased to have effect.

15 October 2025: Council considered a report on the amendment at a General Meeting (Item 15.3). With no response to the pause notice provided by the State Government and the TLPI no longer in effect, Council resolved to write to the Honourable Jarrod Bleijie, Deputy Premier, Minister for State Development, Infrastructure and Planning, and Minister for Industrial Relations (the Deputy Premier) requesting:

- A formal response to the pause notice issued by Council in September 2022.
- Advice on whether the Ministerial Direction requiring Council to prepare and progress the amendment will be withdrawn.

4 November 2025: A letter was issued to the Deputy Premier in accordance with the 15 October 2025 resolution.

ISSUES

On 2 May 2026, the Deputy Premier wrote to Council's Chief Executive Officer in response to the 4 November 2025 letter. The letter confirms that '*the Ministerial Direction issued by the former Planning Minister no longer serves a purpose or has effect, given the Temporary Local Planning Instrument No. 01 of 2023 – Quandamooka Land Aspiration Area lapsed on 13 September 2025*'. Refer to Attachment 3.

This amendment was commenced pursuant to the Ministerial Direction. Noting the Ministerial correspondence of 2 May 2026, in the absence of the Ministerial Direction, Council has no authority to continue with the amendment. With the amendment at an end, officers will update Council's website (City Plan amendments webpage and the amendment Your Say page) with the Ministerial correspondence and inform people who made a properly made submission of the Deputy Premier's advice.

STRATEGIC IMPLICATIONS

Legislative Requirements

As outlined in the background section of this report, this major amendment process was initiated by a Ministerial Direction issued to Council on 27 July 2021. With the Deputy Premier's advice of 2 May 2026 that the Ministerial Direction no longer has effect, Council has no authority to continue the amendment.

Risk Management

Council was progressing the amendment in accordance with the Ministerial Direction of 27 July 2021. As the Ministerial Direction no longer has effect, Council has no authority to continue the amendment.

Financial

The only actions to undertake, arising from the recommendations of this report, relate to informing the community of the Ministerial correspondence. There will be minimal costs involved to undertake these actions, primarily relating to staff time. These costs will be drawn from the existing operational budget of the City Planning and Assessment Group.

People

The staff resourcing required to facilitate informing the community of the Ministerial correspondence will be primarily drawn from the Strategic Planning Unit of the City Planning and Assessment Group.

Environmental

There are no environmental implications arising from the recommendations in this report.

Social

The intent of the former TLPI was to facilitate development on land within the Quandamooka Land Aspirations Area. The three versions of the TLPI were effective for a combined period of five years. As identified in the Acting Minister for State Development, Infrastructure and Planning's correspondence of 11 September 2025, no development applications were lodged with Council under the TLPIs. It is partly for this reason that the State Government decided not to remake the TLPI in 2025. As noted in this correspondence, development applications can still be lodged with Council over these sites (where not prohibited under State legislation) without the TLPI or amendment in effect. There is also opportunity for the Quandamooka People to engage with Council in the preparation of the city's new planning scheme.

Human Rights

There are no identified human rights impacts arising from the recommendations in this report.

Alignment with Council's Policy and Plans

The amendment was undertaken to address a Ministerial Direction and as such does not necessarily align with Council's policies and plans.

CONSULTATION

Consulted	Consultation Date	Comments/Actions
Service Manager Legal Services	May 2026	Legal services provided advice on the implications of the letter from the Deputy Premier, Minister for State Development, Infrastructure and Planning, and Minister for Industrial Relations of 2 May 2026.

OPTIONS

Option One

That Council resolves as follows:

1. To note the advice of the Deputy Premier, Minister for State Development, Infrastructure and Planning, and Minister for Industrial Relations dated 2 May 2026, confirming that the Ministerial Direction no longer has effect.
2. To update Council's website and Your Say page and contact each individual that made a properly made submission to advise that the amendment has concluded.

Option Two

That Council resolves to note this report but take no further action at this time.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION 2026/156

Moved by: **Cr Rowanne McKenzie**
Seconded by: **Cr Jason Colley**

That Council resolves as follows:

1. **To note the advice of the Deputy Premier, Minister for State Development, Infrastructure and Planning, and Minister for Industrial Relations dated 2 May 2026, confirming that the Ministerial Direction no longer has effect.**
2. **To update Council's website and Your Say page and contact each individual that made a properly made submission to advise that the amendment has concluded.**

CARRIED 9/0

Crs Wendy Boglary, Peter Mitchell, Lance Hewlett, Shane Rendalls, Julie Talty, Rowanne McKenzie, Tracey Huges, Jason Colley and Paul Bishop voted FOR the motion.

Crs Jos Mitchell and Paul Gollè were absent from the meeting.

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

In accordance with section 26(6) of the *Planning Act 2016* (the Planning Act) I direct the Redland City Council (the council) to amend the *Redland City Plan 2018* (the planning scheme) in accordance with section 18 of the Planning Act to reflect Temporary Local Planning Instrument No. 2 of 2020 – Quandamooka Land Aspirations Area (the TLPI).

The amendments resulting from this action must ensure that:

- the current mapping in the planning scheme for each of the following Quandamooka Land Aspirations Area sites is amended to reflect the zone (or zones) that is identified in Attachment B of the TLPI for that site:
  - Lot 195 on SP304082
  - Lot 2 on SP304067
  - Lot 4 on SP304067
  - Lot 5 on SP304067
  - Lot 11 on AP19788
  - Lot 1 on AP19791
  - Lot 1 on SP311530
  - Lot 2 on SP311530
  - Lot 1 on SP299987
  - Lot 1 on SP307583
  - Lot 2 on D90450
  - Lot 1601 on D90417
  - Part of Lot 202 on SP304078
  - Part of Lot 132 on SP164081
  - Lot 3 on SP315396
  - Lot 16 on SP277801
  - Lot 7 on SP315396
  - Part of Lot 130 on SP315396
  - Lot 9 on SP315396
  - Lot 10 on SP315396
  - Lot 10 on SP304081
  - Lot 10 on SP305449
  - Lot 3 on SP304083
  - Lot 1 on SP304077
  - Lot 6 on SP308438
- the current categories of development and assessment for each Quandamooka Land Aspirations Area site are amended to reflect the categories of development and assessment prescribed in Attachment B of the TLPI, that is:
  - **code assessable development**, for development that is accepted development for the current zone in the planning scheme, including where it is accepted development because it is compliant with requirements (accepted subject to requirements)

- **as per the planning scheme**, for development that is assessable development for the current zone in the planning scheme and
- **accepted development**, for operational work that is the clearing of native vegetation to establish an Asset Protection Buffer

- the current assessment benchmarks for each Quandamooka Land Aspirations Area site are amended to reflect the assessment benchmarks prescribed in Attachment B of the TLPI, that is:
  - the current assessment benchmarks listed in each table of assessment in the planning scheme relevant to each Quandamooka Land Aspirations Area site and
  - the Quandamooka Land Aspirations Bushfire Management Code, as contained at Attachment C of the TLPI

- the current definitions list in the planning scheme is amended to include the terms 'APZ', 'Asset Protection Buffer', 'Quandamooka Land Aspirations Area', 'Suitably Qualified Person' and 'Minjerribah Township Fire Management Strategy', consistent with that prescribed in the TLPI

- the above amendments are given effect to and, reflected in, all relevant provisions of the planning scheme.

The stated period within which the council must take the action is as follows:

- The council must give notice of its proposed amendments to the planning scheme under section 18(2) of the Planning Act to the Chief Executive administering the Planning Act within six months of the date of this notice.

- The amendments to the planning scheme must be made within two years of the date that the TLPI took effect.

Dated this 27th **day of** July **2021**

STEVEN MILES MP
DEPUTY PREMIER
Minister for State Development, Infrastructure,
Local Government and Planning

The Hon Jarrod Bleijie MP
Deputy Premier
Minister for State Development,
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Minister for Industrial Relations

DELIVERING FOR QUEENSLAND | Queensland Government

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11 SEP 2025

Mayor Jos Mitchell
Redland City Council
mayor@redland.qld.gov.au

Dear Mayor Mitchell

I am writing to inform you of my decision not to remake Temporary Local Planning Instrument (TLPI) No. 01 of 2023 – Quandamooka Land Aspiration Area (TLPI 01/2023).

As you are aware, this planning instrument, and its predecessors, have suspended provisions of the *Redlands City Plan 2018* (the planning scheme) for the Quandamooka Land Aspirations (the QLA) Area on North Stradbroke Island (Minjerribah) since September 2023.

My decision had regard to advice from the Department of State Development, Infrastructure and Planning (the Department) that the remaking TLPI 01/2023 would not achieve alignment with section 23(1) of the *Planning Act 2016* (Planning Act). I was also advised that no development applications over the QLA Area appear to have been lodged with the Redland City Council (the Council) since TLPIs were first introduced in September 2020.

Therefore, I have come to the view that TLPI 01/2023 is no longer an effective planning tool to:

- justify the continued suspension of the planning scheme from operating as contemplated by the Council for the Redlands community under the Planning Act
- advancing land aspirations for the Quandamooka people.

TLPI 01/2023 will lapse on 13 September 2025 reinvigorating relevant provisions under the planning scheme to apply over the QLA sites. Development applications can still be made to the Council to achieve the land use aspirations under the current planning scheme.

I am also advised that the Council has resolved to prepare a new planning scheme following a review under section 25 of the Planning Act. The Department will work collaboratively with the Council and State agencies in the early preparation of the new planning scheme to ensure a smooth transition when the new planning scheme is submitted for approval to proceed to public consultation.

Preparation of the new planning scheme also presents an opportunity for the Quandamooka People to engage directly with your Council to further their aspirations.

If you require any further information regarding this matter, please contact my Deputy Chief of Staff, Mr Reith Parker, by email at deputy.premier@ministerial.qld.gov.au or by telephone on (07) 3719 7100.

Yours sincerely

ROS BATES MP
Acting Minister for State Development, Infrastructure and Planning
Acting Minister for Industrial Relations

The Hon Jarrod Bleijie MP
Deputy Premier
Minister for State Development,
Infrastructure and Planning
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Our ref: MC26/2228

Your ref: A12578141

2 MAY 2026

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Ms Louise Rusan
Chief Executive Officer
Redland City Council
louise.rusan@redland.qld.gov.au

Dear Ms Rusan Louise,

Thank you for your letter of 4 November 2025 about the Redland City Council (the Council) issued Pause Notice for the 03/21 Major Amendment – Minjerribah (site specific land uses) planning scheme amendment.

I can confirm that the Ministerial Direction issued by the former Planning Minister no longer serves a purpose or has effect, given the Temporary Local Planning Instrument No. 01 of 2023 – Quandamooka Land Aspiration Area lapsed on 13 September 2025.

I am advised the Council resolved to prepare a new planning scheme following a review under section 25 of the *Planning Act 2016*. The Department of State Development, Infrastructure and Planning (the Department) will continue to work collaboratively with the Council and State agencies in the early preparation of the new planning scheme and throughout the plan making process.

I have asked for Mr Pradesh Ramiah, Manager, Planning Services in the Department, to assist you with any further queries. You may wish to contact Mr Ramiah on (07) 5644 3210 or by email at seqsouthplanning@dsdip.qld.gov.au.

Yours sincerely

JARROD BLEIJIE MP
DEPUTY PREMIER
Minister for State Development, Infrastructure and Planning
Minister for Industrial Relations