Pause Notice

03/21 Major Amendment – Minjerribah (Site Specific Land Uses)

This notice is issued by Redland City Council under Part B, Section 2 of the Chief Executive Notice (CE Notice) of 18 March 2022 for the 03/21 – Major Amendment – Minjerribah (Site Specific Land Uses) Amendment.

Council has undertaken steps 7 and 8 within Part C of the CE Notice which involved undertaking public consultation and considering submissions.

This pause notice is issued to allow time for the Department of State Development, Infrastructure, Local Government and Planning (the Department) to provide additional information to Council and the community. Given this information is required to enable the community to make informed and considered submissions, it is considered that public consultation (step 7 of the CE Notice) should be repeated once this further information has been provided by the Department and made publicly available.

Further information required

Through the public consultation process, individual members of the community and community groups have raised significant concerns with the existing Temporary Local Planning Instrument (TLPI) and proposed amendment, with some calling for both documents to be placed on hold while their concerns are addressed.

These concerns are outlined in the public consultation report attached to this pause notice.

As indicated in the public consultation report, Council also has reservations with progressing the amendment without further information. Through the amendment process, no background studies have been provided to support the amendment. Such studies would include:

- Planning studies;
- Infrastructure studies;
- The Minjerribah Township Fire Management Strategy prepared by Ten Rivers;
- The Queensland Fire and Emergency Services individual site assessments;
- Any natural hazard studies relating to flooding and storm tide, landslide, erosion, etc;
- Environment/ecological studies or assessments of the subject lots in the Major Amendment and surrounding areas of impact, including koala study and fauna/flora surveys.

Such information is considered critical for both Council and the community in understanding why the 25 lots have been proposed for a change of zone and are suitable for further development. It is noted that many of these sites have significant values and constraints (as identified in both State and local government mapping) which will impact on their ability to be developed in accordance with their new zone category. This is of particular concern to Council given it is Council who will be the assessment manager for applications lodged over these sites. Council holds significant reservations in relation to how the aspirations of the Quandamooka People and the purpose of the TLPI will be achieved without further detail being provided by the Department which addresses how the conflict between future development and the constraints and values of these sites may be addressed.

Particular concerns are held in relation to infrastructure requirements. It is unclear what work has been completed by the Department to ensure the new development areas are able to be provided with necessary infrastructure and services. A detailed technical analysis should be provided which details infrastructure demand and servicing options and that the provision of infrastructure and services to these areas are to be provided at no cost to Council or the broader Redlands Coast community.

Further information is also requested relating to the future tenure of the land. This is required so that Council can determine the financial implications of new development, given the inability to issue rates over State owned land.

Note that these concerns have been outlined in greater detail in the attached General Meeting report.

Timeframe for pause notice

The pause notice has been issued with a timeframe of 90 business days. The intention of this timeframe is to provide 30 business days for the Department to provide the information to Council, and 60 business days for Council to prepare for and undertake public consultation. The amendment process would then restart at step 8 (consideration of submissions).

Note – The CE Notice indicates that this pause notice should identify the date upon which the timeframe will restart. This is not possible given the pause notice will take effect from the day after the notice is given. The date upon which timeframe will restart is 90 business days after the pause notice is given.

Note – Public consultation will only be repeated where the Department provides information which assists in addressing the concerns raised by the community (as outlined in the public consultation report). Where no information is provided by the Department, or Council determines that the information provided does not address the issues raised to date (as outlined in the public consultation report), then public consultation will not be repeated. Instead, Council will reconsider undertaking step 11 of the CE Notice (Council requests adoption of the proposed amendment) during the remaining time under the pause notice.

Other matters

As identified in the attached General Meeting report, changes are proposed to the amendment to correct a drafting error.

Additionally, as identified in the General Meeting report, Council recommends additional changes be incorporated into the amendment to limit the clearing of asset protection buffers until such time as development applications have been lodged and approved on the lots.

It is considered that the two changes should be incorporated into the proposed major amendment prior to further public consultation being undertaken.