

## ATTACHMENT 1

### State Interest Assessment Redland City Council - Major Amendment – Southern Thornlands Potential Future Growth Area Amendment (proposed amendment) Request for Further Information

State Interest	Component of proposed amendment	Department of State Development, Infrastructure, Local Government and Planning's (the department) comment	Council Response
<b>Request for further information and request for changes</b>			
<i>Implementation of proposed amendment</i>			
<p>Purpose of the Act <i>The purpose of this Act is to establish an <b>efficient, effective, transparent, integrated, coordinated, and accountable system of land use planning (planning), development assessment and related matters that facilitates the achievement of ecological sustainability.</b></i></p> <p>SPP Guiding principles Integrate: <i>Plans include a performance-based assessment of development against a clear hierarchy of policies linked to the achievement of realistic and long-term strategic planning.</i></p> <p>Efficient: <i>Support the efficient determination of appropriate development</i></p>	<p>Drafting (proposed section 3.2.7) and proposed Figure 3.2.7</p>	<p><b>Comment:</b> The intention of this proposed amendment is to establish a higher order intent within the strategic framework which will underpin further land use investigations to determine matters such as lot size and suitability. However, it is unclear how the proposed amendment will function in a development application setting.</p> <p>For example, it is noted that the area's zoning will remain rural. As such, subdivision in this area where the lots will be less than 100 hectares is considered prohibited development under the Planning Regulations 2017 (planning regulations). This is because the area will remain in a non-urban zone and therefore not comply with the excluded development definition.</p> <p>Other examples of prohibited development under the planning regulations include:</p> <ul style="list-style-type: none"> <li>• urban activities where they exceed the thresholds</li> <li>• clearing of regulated vegetation without a section 22 under the <i>Vegetation Management Act 1999</i></li> <li>• interfering with koala habitat.</li> </ul> <p>As such, the department raises serious concerns about the implementation of the amendment, as proposed, as most of the future development will be prohibited.</p> <p>Accordingly, the department is not satisfied that the guiding principles under the <i>State Planning Policy 2017</i> (SPP) and the efficient and effective purpose of the <i>Planning Act 2017</i> (the planning act) has been appropriately addressed for the proposed amendment.</p> <p><b>Request:</b> Provide further information that demonstrates how this proposed amendment will positively contribute towards achieving the development intentions and actions for this area. This includes how development can be regulated through the planning regulations.</p> <p>Alternatively, please amend the proposed amendment appropriately.</p> <p>It is noted that the department cannot support a proposed amendment if it conflicts with the guiding principles or the purpose of the planning act.</p>	
<i>Proposed precincts</i>			
<p>SPP Guiding Principles – Efficient: <i>Support the efficient determination of appropriate development</i></p> <p>Development and construction – Policy (1) <i>A sufficient supply of suitable land for residential, retail,</i></p>	<p>Supporting material, drafting (proposed section 3.2.7) and proposed Figure 3.2.7</p>	<p><b>Comment:</b> As previous advised over the last several years, the department cannot support a rural residential zoning in this location. This is because it conflicts in several ways with the intention of the grow goal under <i>ShapingSEQ</i>.</p> <p>For example, the proposed rural residential zoning conflicts with the area's designation as a potential future growth area. It is noted that potential future growth areas are to be protected from further fragmentation that would prejudice their ability to accommodate future urban development. Whilst rural residential is compatible with low density residential uses, it is noted that rural residential is not identified as an <i>urban area</i> under the planning regulations. As such, this proposed precinct would not be considered intended for future urban development and thus would not comply with this designation.</p>	

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commercial, industrial and mixed use development is identified that considers:  
(a) ...anticipated demand

ShapingSEQ  
Goal 1: Grow  
Element 1: Efficient land use  
Urban development uses land and infrastructure efficiently.

In addition, Strategy 5 in this goal stipulates new rural residential development are only to be located in *the Rural Living Area, or in the Urban Footprint where land is unsuitable for urban use (Map 2)*. It is noted that this area is in neither designation. Furthermore, *ShapingSEQ* ensures that new rural residential communities are restricted to areas previously designated as existing or future rural residential to limit *the impact of its inefficient use of land on other values, functions and opportunities in SEQ* (page 102). To the department's knowledge, this area has not been previously identified for future rural residential purposes in any planning schemes

Whilst the department acknowledges the council's assessment in *SIR Document 3\_Review of State (SPP) and Regional Interests (SEQRP)*, it is not sufficiently compelling to outweigh the conflicts under the *ShapingSEQ*.

Accordingly, the department is not satisfied that this state interest has been appropriately addressed for the proposed amendment.

**Request:**

Amend proposed section 3.2.7 and proposed figure 3.2.7 - future land use intent to remove the rural residential precinct.

**Comment:**

As advised in the State Planner's letter dated 11 March 2021, there remains a recorded shortfall of industrial employment land in the Redlands when compared to what is required to accommodate the *ShapingSEQ* employment planning baselines.

The 2021 Land Supply and Development Monitoring (LSDM) report shows that the Redlands is below the minimum 15 years of supply sought by *ShapingSEQ* for planned industrial employment, and it does not appear that the proposed industrial precincts would make up the shortfall. Further, with the passage of time, it is likely that the 2022 LSDM report will show further utilisation resulting in developable industrial land in Redlands falling below 36 hectares. This would therefore also be below CDM Smith's *Economic Feasibility Assessment for Southern Thornlands Potential Future Growth Area* conclusion that 35.4 hectares of new industrial land is sufficient to provide the growth in industrial employment required to 2041.

Nonetheless, it is understood that the council will consider the specific findings of the Industrial Land Supply Review (ILSR) in a separate report and that further amendments to City Plan may be required to accommodate the medium to longer term supply deficit. It is unclear why this will occur separate to this proposed amendment.

Accordingly, the department is not satisfied that these state interests have been appropriately addressed in the proposed amendment.

**Request:**

Provide further demonstration as to how the amount of proposed industrial area is adequate towards achieving the 2041 industrial land requirements. It is recommended that this includes a completed industrial land study which will provide a broader analysis of industrial land availability in the Redlands.

Agricultural Land Classification Class A and B

SPP  
Guiding principle – Integrate:  
Supporting material, drafting (proposed section 3.2.7) and proposed Figure 3.2.7

**Comment:**

It is unclear how the proposed amendment considered the Agricultural Land Classification (ALC) Class B land located within the proposed amendment area.

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*The zoning of land reflects and responds to the characteristics of the land that constrain its use.*

Agriculture –  
Policy (2):  
*Agricultural Land Classification (ALC) Class A and Class B land is protected for sustainable agricultural use by:*  
*(a) avoiding fragmentation of ALC Class A or Class B land into lot sizes inconsistent with the current or potential use of the land for agriculture*  
*(b) avoiding development that will have an irreversible impact on, or adjacent to, ALC Class A or Class B land*  
*(c) maintaining or enhancing land conditions and the biophysical resources underpinning ALC Class A or Class B land.*

*ShapingSEQ*  
Goal 4: Sustain  
Element 6: Natural economic resources.  
Strategy 1:  
*Conserve agricultural areas, including those which provide communities with an affordable supply of fresh food, food security and export earning potential (Map 5d and Table 11b).*

It is noted that the background planning study (*SIR Document 7b\_Planning Report and appendices (Jan 19 2022 Version)*) identified the ALC Class B land and noted it should be protected from more intense forms of urban development by locating future development elsewhere. However, the proposed amendment does not appear to have had regard to this as both the proposed mixed industry and business area precinct and rural residential precinct intersect with the ALC Class B land mapping.

Furthermore, the supporting material, in particular *SIR Document 3\_Review of State (SPP) and Regional Interests (SEQRP)*, has not included an assessment or response against the agricultural state interests in the SPP or *ShapingSEQ*.

Under *ShapingSEQ*, Redlands is identified as having a *strong and vibrant rural economy with a mix of agricultural and horticultural uses* (page 114). Records show that poultry was worth approximately \$45.5 million in the Redlands area in 2018/19 while nurseries contributed an estimated \$73 million in the same period. These are clearly important sectors for the economy and need to be appropriately considered in any future land use considerations.

Accordingly, the department is not satisfied that these state interests have been appropriately addressed for the proposed amendment.

**Request:**

Provide further information that demonstrates how the ALC Class B land was considered in this proposed amendment. This should include sound justification as to why this land should be used for non-rural purposes.

In addition, further information is required as to how it is intended to mitigate the loss of ALC Class B land should this resource be used for non-rural purposes.

*Matters of state environmental significance*

Guiding principle – Integrate: <i>The zoning of land reflects and responds to</i>	Supporting material, drafting (proposed section 3.2.7) and proposed Figure 3.2.7	<b>Comment:</b> It is not clear if the proposed amendment was informed by the most up to date mapping of matters of state environmental significance (MSES). It is noted that the current SPP mapping identifies greater areas of some MSES than what is identified in figure 10
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*the characteristics of the land that constrain its use.*

Biodiversity – Policy (2): *Matters of state environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised.*

Policy (3): *Matters of local environmental significance are identified and development is located in areas that avoid adverse impacts; where adverse impacts cannot be reasonably avoided, they are minimised*

Policy (4): *Ecological processes and connectivity is maintained or enhanced by avoiding fragmentation of matters of environmental significance.*

Policy (5): *Viable koala populations in South East Queensland are protected by conserving and enhancing koala habitat extent and condition*

ShapingSEQ  
Goal 4: Sustain  
Element 2: Biodiversity  
*The regional biodiversity network is protected and enhanced to support the natural environment and*

within the background planning study (*SIR Document 7b\_Planning Report and appendices (Jan 19 2022 Version)*). The differing MSES of particular concern include:

- Mapped MSES – Wildlife habitat (koala habitat areas – core)
- Mapped MSES – Regulated vegetation (category C)
- Mapped MSES – Regulated vegetation (essential habitat)
- MSES definition - waterways that provide for fish passage under the *Fisheries Act 1994*

If out of date mapping was used, factually incorrect information would have been utilised in the underlining constraints analysis (figure 31) informing the Land suitability analysis (Part 7) in the background planning study. This in turn would ultimately create an incorrect baseline for the proposed amendment's plan drafting (e.g proposed figure 3.2.7 - future land use intent).

Accordingly, the department is not satisfied that the following state interests have been appropriately addressed for the proposed amendment:

- Guiding principle – integrate
- Policy 2 under state interest – biodiversity
- Policy 4 under state interest – biodiversity.

**Request:**

Please confirm that the current version of the SPP mapping for MSES was used in the any background reports and studies which informed the proposed amendment.

If this is not the case, please revise the relevant sections under the *SIR Document 7b\_Planning Report and appendices (Jan 19 2022 Version)* and provide an updated version.

In addition, please incorporate the revised results accordingly into the proposed amendment, in particular the proposed figure 3.2.7 - future land use intent. Provide evidence as to how this has been achieved.

**Comment:**

A key finding of the background planning study was to prioritise the protection and conservation of ecologically significant areas (page 6). Further on, it suggested that *these areas are not considered suitable for more intense forms of urban development and should be prioritised for protection, forming part of the future open space and conservation network.*

However, the proposed amendment, in particular proposed future land use intent figure, has not identified any ecologically significant areas where their protection is prioritised over urban development. This is despite the area containing several MSES as well as being located in a koala priority area, which prohibits development from interfering with koala habitat (discussed above).

Whilst the council's response in *SIR Document 3\_Review of State (SPP) and Regional Interests (SEQRP)* is acknowledged, the department disagrees that these matters should be deferred to future detailed structure planning when there is an ability to protect and/or plan for them upfront. This is particularly the case in scenarios where future development in certain koala habitat areas will be prohibited regardless of the proposed precinct.

On the other hand, clearing of significant regulated vegetation will likely be considered *exempted clearing works* in the precincts that are defined as urban area under the

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<p>contribute to a sustainable region.</p>	<p>planning regulations. This is despite the council's comment that <i>assigning the entire area to a precinct does not indicate it is all 'developable'</i>.</p>
<p>Goal 4: Sustain Element 3: Koala conservation <i>A network of interconnected koala habitat is maintained to sustain SEQ's koala population over the long-term.</i></p>	<p>Accordingly, the department is not satisfied that Policies 2, 4 and 5 under state interest – biodiversity has been appropriately addressed for the proposed amendment.</p> <p><b>Request:</b> Amend proposed figure 3.2.7 - future land use intent to include a new precinct with the purpose of protecting the area's significant environmental values, including associated connectivity and necessary buffering (recommended 50 metres).</p> <p>Alternative, please provided further information demonstrating how the proposed amendment, as submitted, achieves this state interest policies.</p>
<p><i>Aboriginal cultural heritage</i></p>	
<p>SPP Cultural Heritage – Policy (1): <i>Matters of Aboriginal cultural heritage and Torres Strait Islander cultural heritage are appropriately conserved and considered to support the requirements of the Aboriginal Cultural Heritage Act 2003 and the Torres Strait Islander Cultural Heritage Act 2003.</i></p>	<p>Supporting material and drafting (proposed section 3.2.7)</p>
<p>ShapingSEQ Goal 4: Sustain Element 1: Aboriginal and Torres Strait Islander peoples <i>Aboriginal and Torres Strait Islander peoples are engaged and their culture is respected and reflected in planning for the region.</i></p>	<p><b>Comment</b> It is not clear how the proposed amendment appropriately addresses policy 1 of the state interest – cultural heritage. This is because no reference has been made to matters of Aboriginal cultural heritage in:</p> <ul style="list-style-type: none"> <li>the proposed amendment</li> <li>the submitted review of state and regional interest, <i>SIR Document 3_Review of State (SPP) and Regional Interests (SEQRP)</i>.</li> </ul> <p>Whilst it is acknowledged this proposed amendment does not include changes to the existing cultural heritage assessment benchmarks (section 3.5.1.3 Strategic Framework and section 8.2.7 Heritage Overlay Code), matters of Aboriginal cultural heritage should highlight as a consideration as part of future planning processes. However, the proposed amendment does not provide any consideration or supporting requirements for the conservation of these matters. This is despite section 5.9 Heritage within the submitted supporting planning report, <i>SIR Document 7a_CDM Smith Economic Feasibility Assessment (EFA) &amp; Industrial Land Supply Review (ILSR)</i>, noting these matters should be considered in any future planning processes.</p> <p>Accordingly, the department is not satisfied that Policy 1 under state interest – cultural heritage has been appropriately addressed for the proposed amendment.</p> <p><b>Request</b> Amend the proposed final paragraph of section 3.2.7 in the proposed amendment to include the requirement to conserve matters of Aboriginal cultural heritage.</p> <p>Alternative, please provided further information demonstrating how the proposed amendment, as submitted, achieves this state interest policy.</p>
<p><i>Environmental management register</i></p>	
<p>SPP Guiding principle – Integrate: <i>The zoning of land reflects and responds to the characteristics of the land that constrain its use.</i></p>	<p>Drafting (proposed section 3.2.7) and proposed Figure 3.2.7</p>
	<p><b>Comment</b> Three parcels of land within the proposed amendment are included on the Environmental Management Register (EMR). These are:</p> <ul style="list-style-type: none"> <li>Lot 3 on RP89552</li> <li>Lot 2 on RP14837</li> <li>Lot 6 on RP108514.</li> </ul> <p>These lots are proposed to be included in the following future land use intent precincts:</p> <ul style="list-style-type: none"> <li>Rural residential</li> <li>Transport uses</li> </ul>

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<p>Emissions and Hazardous Activities Policy (4): <i>Sensitive land uses are protected from the impacts of previous activities that may cause risk to people or property including:</i> ... <i>(c) contaminated land.</i></p>	<ul style="list-style-type: none"> <li>Storage and large scale home based business enterprise.</li> </ul> <p>It is understood that the current <i>Redland City Plan 2018</i> (city plan) includes assessment benchmarks to regulated development to prevent contamination. However, it is unclear how the proposed amendment will manage conflicts between future sensitive land uses and contaminated land.</p> <p>Accordingly, the department is not satisfied that Policy 4 under state interest – emissions and hazardous activities has been appropriately addressed for the proposed amendment.</p> <p><b>Request</b> Please provided the following information:</p> <ul style="list-style-type: none"> <li>how the investigations and studies underpinning the proposed amendment factored the EMR lands</li> <li>whether the EMR lands are considered suited to rehabilitation and/or remediation</li> <li>whether the proposed future land use intent precincts for the EMR lands limit the exposure of people or property to risk from contaminated land</li> <li>whether the planning and development outcomes of the proposed amendment ensure that sensitive land uses are protected from the impacts of contaminated land through the city plan.</li> </ul>
<p><i>Queensland's Housing Principles for Inclusive Communities</i></p>	
<p>SPP Drafting (proposed section 3.2.7) Housing supply and diversity Policy (3): <i>A diverse, affordable and comprehensive range of housing options in accessible and well-serviced locations, is facilitated through:</i> ... <i>(c) considering incentives to promote affordable and social housing outcomes, particularly in areas in close proximity to services and amenities.</i></p>	<p><b>Comment</b> It is unclear how the proposed amendment addresses the Queensland's Housing Principles for Inclusive Communities. These principles aim to significantly improve the lives of people with disability and older people who face greater barriers in accessing safe, accessible and affordable housing. In particular, they state that:</p> <ul style="list-style-type: none"> <li>appropriate housing provides pathways to independence and enables social and economic participation through alternatives to group homes and high density of people with disability.</li> <li>housing needs to align with the goals and principles of Universal Design and include assistive technology where appropriate, while being flexible enough to be allocated or sold to people with or without disability.</li> </ul> <p>These principles have been developed to achieve the inclusive community objective of the Queensland Housing Strategy 2017-2027 and the requirements for affordable and diverse housing under the SPP and <i>ShapingSEQ</i>.</p> <p>Accordingly, the department is not satisfied that the abovementioned state interests have been appropriately addressed for the proposed amendment.</p>
<p>Liveable communities Policy (1) <i>High quality urban design and place making outcomes are facilitated and promote:</i> <i>(a) affordable living and sustainable and complete communities</i></p>	<p><b>Request</b> Provide further information to demonstrate how the proposed amendment complies with the Queensland's Housing Principles for Inclusive Communities.</p>
<p><i>ShapingSEQ</i></p>	

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Goal 1: Grow  
Element 4: Housing diversity  
*Housing diversity meets the changing make-up of our population, community needs and lifestyles, and provides choice and affordability.*

Goal 4: Sustain  
Element 8: Fairness  
*Communities are places where people can access transport, education, jobs, services, green space, and family and friends in a way that is fair and equitable to all.*

Element 11: Affordable living  
*Communities have access to affordable living options which take into account the cost of housing, transport and associated infrastructure costs*

**Provision of advice**

*School network planning*

SPP  
Liveable communities Policy (5)  
*Community facilities and services, including education facilities (state and non-state providers), health facilities, emergency services, arts and cultural infrastructure, and sport, recreation and cultural facilities are well-located, cost-effective and multi-functional.*

Drafting (proposed section 3.2.7) and proposed Figure 3.2.7

**Advice**

It is requested that local governments directly contact the Department of Education when managing population growth through planning scheme amendment. This is to ensure that existing schools have appropriate capacity or new schools are planned to cater for the growing population.

- The Department of Education contacts details are:
- Phone: 13 74 68
  - Email: MetroExecServices@qed.qld.gov.au

ShapingSEQ  
Goal 4: Sustain  
Element 7: Health and wellbeing

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*Communities are designed and supported by social infrastructure and natural assets to provide healthy, liveable places that promote mental and physical wellbeing*

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