

# Economic Development (Southern Thornlands PDA) Amendment Regulation 2025

Explanatory notes for SL 2025 No.18

made under the

*Economic Development Act 2012*

## General Outline

### Short title

*Economic Development (Southern Thornlands PDA) Amendment Regulation 2025*

### Authorising law

Sections 37, 38 and 176 of the *Economic Development Act 2012* (ED Act).

### Policy objectives and the reasons for them

The policy objective of the *Economic Development (Southern Thornlands PDA) Amendment Regulation 2025* (Amendment Regulation) is to amend the *Economic Development Regulation 2023* (ED Regulation) to declare the Southern Thornlands Priority Development Area (PDA). Section 3 of the ED Act provides that the main purpose of the ED Act is to facilitate economic development, development for community purposes, the provision of diverse housing, including, for example, social housing and affordable housing, and the provision of premises for commercial or industrial uses. Section 4 of the ED Act, provides that the main purpose of the ED Act is achieved primarily by:

- establishing the Minister for Economic Development Queensland (MEDQ) to plan, carry out, promote or coordinate activities to facilitate the main purpose of the Act, and
- providing for a streamlined planning and development framework for particular parts of the state (declared as PDAs under the ED Act) to facilitate the main purpose of the Act
- providing for MEDQ to undertake strategic leadership and coordination of place renewal areas.

Section 37(1) of the ED Act provides that a regulation may declare a part of the state to be a PDA. Section 37(2)(a) of the ED Act, provides that in making a declaration, regard must be had to the main purpose of the ED Act. Under section 37(2)(b)(i) and (ii) of the ED Act, regard must also be had to the main purpose of the Act, and any proposed development for land in the area. Further, under section 37(2)(b)(iii) of the ED Act, regard must be had to the impact the

*Planning Act 2016* (Planning Act) may have on the delivery of the proposed development if the Amendment Regulation were not made.

Once a PDA is declared, schedule 6 of the *Planning Regulation 2017* prohibits the Redland City Plan from making PDA-related development assessable under the Planning Act. To regulate development from the time the PDA is declared until a detailed development scheme is finalised, section 38(2) of the ED Act, provides that the MEDQ must make an interim land use plan (ILUP) regulating development in the entire area proposed to be declared under the Amendment Regulation. Section 38(3) of the ED Act provides the MEDQ with the ability to make more than one ILUP for the PDA. The MEDQ has made only one ILUP for the PDA under section 38(2). Section 40AB of the ED Act provides that an ILUP for a PDA to expire 12 months after it commences unless the MEDQ under section 37(3) and (4) recommended that the Amendment Regulation for the PDA state a longer period (up to 24 months). The MEDQ has recommended an expiry period for the ILUP under section 37(3) and (4) that is 18 months from the date of declaration of the Southern Thornlands PDA.

## **Achievement of policy objectives**

Investigations, undertaken to inform ShapingSEQ 2023 South East Queensland Regional Plan, indicated that there is limited residential capacity in the Redland Local Government Area (LGA) to 2046. Further, there is an identified need to align housing stock in the Redland LGA more closely with current and future residents' needs for housing through diversifying the available housing stock.

To address this need, ShapingSEQ 2023 includes Southern Thornlands in the Urban Footprint Expansion Area and establishes an intent for the land to be developed for both housing diversity and supply as well as needed land for business and industry. ShapingSEQ 2023 notes that the land has been included in an SEQ development area to ensure that out of sequence development does not occur until detailed land use and infrastructure planning for the site is undertaken.

Further, ShapingSEQ 2023 notes that development of the area for housing and employment provision is subject to resolution of the following matters:

- Indigenous cultural value considerations
- Capacity for affordable and efficient staged expansion of public transport networks
- Land fragmentation to ensure efficient delivery of infrastructure.
- State interests relating to agricultural land identified on portions of the area.
- Accessibility to required infrastructure including the reticulated wastewater network.
- Mitigation and/or management of significant environmental values including MSES such as vegetation protection requirements and identified koala habitat through appropriate environmental assessments.

The Amendment Regulation will declare a PDA over the Southern Thornlands Urban Footprint expansion area. Declaration of the area as a PDA provides a pathway for the MEDQ to undertake an integrated land use and infrastructure planning process for the area that addresses the specific matters set out ShapingSEQ 2023 and ensures that out of sequence development does not occur.

Section 38(2) of the ED Act provides that MEDQ must make an ILUP regulating development in the entire area proposed to be declared as a PDA.

The ILUP is a temporary PDA development instrument that regulates development in the PDA from the date of declaration until replaced by a PDA development scheme. Section 37(3) of the ED Act provides for a declaration regulation to state an expiry date for an interim land use plan. The Amendment Regulation provides that the ILUP will expire on 4 October 2026 (being 18 months following PDA declaration) unless a development scheme is made prior. The expiry date is required for the proper and orderly planning, development and management of the PDA and to provide sufficient time to prepare a development scheme for the PDA.

## **Consistency with policy objectives of authorising law**

Declaring the Southern Thornlands PDA by the Amendment Regulation achieves the main purpose of the ED Act to facilitate economic development, and development for community purposes by providing for a streamlined planning and development framework for the proposed development of the Southern Thornlands PDA.

## **Inconsistency with policy objectives of other legislation**

There is no inconsistency with policy objectives of other legislation.

## **Benefits and costs of implementation**

The ED Act provides a coordinated and comprehensive framework for efficient delivery of appropriate outcomes with net benefit and potential flow on benefits to the community and broader area. The PDA declaration will provide a streamlined planning framework that help accommodates the future housing and employment needs of the Redland LGA. Government costs related to the PDA declaration will be sourced from the existing Department of State Development and Infrastructure and Planning budget and recouped over time from development activity within the PDA.

## **Consistency with fundamental legislative principles**

The Amendment Regulation has been drafted considering the fundamental legislative principles outlined in section 4 of the Legislative Standards Act 1992 and is consistent with these principles.

## **Consultation**

There is no requirement for public consultation under the ED Act prior to the declaration of a PDA. The development scheme for the PDA will be subject to public notification. A community engagement strategy will be prepared to guide the preparation and public notification of the development scheme for the PDA.