



STATE DEVELOPMENT, NATURAL RESOURCES AND AGRICULTURAL INDUSTRY DEVELOPMENT COMMITTEE

Members present:

Mr CG Whiting MP (Chair)
Mr DJ Batt MP
Mr JE Madden MP
Mr BA Mickelberg MP
Ms JC Pugh MP
Mr PT Weir MP

Staff present:

Dr J Dewar (Committee Secretary)
Ms C Furlong (Assistant Committee Secretary)

PUBLIC BRIEFING—CONSIDERATION OF SUBORDINATE LEGISLATION NO. 212 OF 2018, ECONOMIC DEVELOPMENT (ALBERT STREET CROSS RIVER RAIL PDA) AMENDMENT REGULATION 2018

TRANSCRIPT OF PROCEEDINGS

MONDAY, 1 APRIL 2019

Brisbane

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The committee met at 11.38 am.

ELLIOTT, Ms Tooley, General Manager, Planning and Economic Development, Cross River Rail Delivery Authority

HOUSTON-JONES, Ms Desiree, Executive Director, Planning Services, Economic Development Queensland, Department of State Development, Manufacturing, Infrastructure and Planning

LEACH, Mr Tom, Planning Manager, Planning and Urban Design, Economic Development Queensland, Department of State Development, Manufacturing, Infrastructure and Planning

SILVESTER, Mr Peter, Director, Interface Operations, Cross River Rail Delivery Authority

CHAIR: We will now commence the public briefing on the consideration of subordinate legislation No. 212 of 2018, which relates to the Albert Street Cross River Rail PDA. I welcome representatives from the Department of State Development, Manufacturing, Infrastructure and Planning and the Cross River Rail Delivery Authority.

I remind members of the committee of the instructions under schedule 3 and schedule 8 of the standing orders that Public Service employees may be called upon to provide factual and technical background to government legislation and administration; however, a committee shall not ask an officer or a department to give opinions on matters of policy.

The committee's proceedings are proceedings of the Queensland parliament and are subject to the standing rules and orders of the parliament. I ask everyone present to turn off their mobile phones or switch them to silent mode. I also ask that if witnesses take a question on notice today they provide the information to the committee by 10 am on Monday, 8 April 2019.

We will give you both a chance to talk about your particular issues. We will start with the department. Would you like to make an opening statement?

Ms Houston-Jones: Thank you for the opportunity to provide this briefing regarding the Economic Development (Albert Street Cross River Rail PDA) Amendment Regulation 2018. Officers from Economic Development Queensland, EDQ, within the Department of State Development, Manufacturing, Infrastructure and Planning and the Cross River Rail Delivery Authority, the delivery authority, join me today to answer questions regarding the regulation. The delivery authority will also give a further opening statement to ensure that a complete picture is given to the committee with regard to the nature of this priority development area, or PDA. In my opening statement I would like to cover the objectives of the regulation and its relationship to the Economic Development Act 2012, or ED Act, how it applies and the elements of the consultation so far.

The object of this regulation is to amend the Economic Development Regulation 2013 to declare the Albert Street Cross River Rail PDA and make an interim land use plan, commonly referred to as ILUP, for the area. The Albert Street Cross River Rail PDA was declared and an ILUP made by the regulation on 13 December 2018. As the name suggests, the ILUP is the interim planning instrument for the PDA until a development scheme is in effect. This must be in effect within 12 months of the PDA declaration. The ILUP replaces the applicable local government planning scheme in the area and provides a planning framework for development applications to be assessed against during this period.

In declaring a PDA, regard must be given to the purpose of the ED Act. The main purpose of the ED Act is to facilitate economic development, and development for community purposes, in the state. This purpose is achieved primarily by establishing the Minister for Economic Development Queensland MEDQ, to plan, carry out, promote or coordinate activities to facilitate economic development, and development for community purposes, in the state; and to provide for a streamlined

planning and development framework for particular parts of the state declared as PDAs under the ED Act to facilitate economic development, and development for community purposes, in or for those parts.

PDAs are parcels of land within Queensland identified for specific, accelerated development with a focus on economic growth, or development for community purposes. Across the whole of Queensland there are currently 32 PDAs, stretching from Townsville in the north to Toowoomba and Roma in the west and the Gold Coast in the south. These include Townsville City Waterfront PDA, Mackay Waterfront PDA, Toowoomba Railway Parklands PDA and several in Brisbane. Some of these are of particular note as they also help facilitate other significant state government projects including Queen's Wharf Brisbane and the Herston Quarter.

There are a number of key benefits of a PDA. One benefit includes fast-tracking the planning process to deliver market certainty and community outcomes on the ground in an expedited fashion. Enabling development to reach the market sooner also helps to stimulate economic, community and social development and growth. This outcome is primarily achieved by reducing the plan preparation and development assessment time frames. It should, however, be noted that this is not at the expense of community consultation. Consultation is an important component of this process and the community and key stakeholders continue to provide input at key stages in the planning process.

Regard must also be given to other requirements when declaring a PDA. These include any proposed development for land in the area, the economic and community benefit to the state that may be gained by the proposed development and the impact the Planning Act 2016 may otherwise have on the delivery of the proposed development if it were to apply.

In helping to facilitate the Cross River Rail project, the Albert Street Cross River Rail PDA undoubtedly meets the ED Act's main purpose to facilitate economic development, and development for community purposes, in the state. The declaration of the PDA also addresses several key local development matters including appropriate integration and interface between the future Albert Street Cross River Rail station and over-station development. The Brisbane City Plan 2014, the planning instrument under the Planning Act that would otherwise have applied to the area, does not anticipate a rail station in this location, including relevant design considerations.

The PDA enables the applicable development requirements to be tailored to match the circumstance. However, it is important to note that the ILUP reflects relevant provisions of the Brisbane City Plan 2014 City Centre Neighbourhood Plan to the greatest extent practicable. The overarching vision of the ILUP is that development will maximise its location adjacent to the Albert Street Cross River Rail station at the key Brisbane city centre intersection of Albert and Mary streets. This will be achieved by delivering high-quality built form and public realm that contributes to a sense of arrival and creates a new landmark destination within the Brisbane city centre.

The ILUP also establishes rules around development assessments such as public notification requirements for future development applications. Further, the ILUP includes a wide range of PDA-wide criteria that detail requirements around urban design and built form, streetscape and public realm, land use, community safety, and service infrastructure. The ILUP also establishes a level of assessment for development in the PDA and infrastructure requirements. These will be further developed during the course of preparing the proposed development scheme for the PDA.

Although the head of power to declare a PDA is provided for in the ED Act, the purpose of the Cross River Rail Delivery Authority Act 2016 includes establishing the delivery authority to plan, carry out, promote or coordinate activities to facilitate economic development and development for community purposes in a Cross River Rail PDA. To assist the delivery authority to carry out these functions, the Cross River Rail Delivery Authority Bill 2016 also amended the Economic Development Act to provide the ability to delegate functions and powers from the MEDQ under the Economic Development Act to the delivery authority. Subsequent to declaration of the Albert Street Cross River Rail PDA and at the delivery authority's request, the MEDQ delegated some functions and powers to the delivery authority, including plan preparation and development assessment. The delivery authority is now responsible for driving and planning the planning process for the PDA, including preparing the development scheme and undertaking any community consultation, including public notification.

Prior to declaration of the Albert Street Cross River Rail PDA, the delivery authority consulted with key stakeholders including EDQ, Brisbane City Council and other relevant state agencies. Brisbane City Council worked very closely with the delivery authority and EDQ to draft the ILUP, and council officers were broadly supportive of the ILUP content. EDQ and the delivery authority continue to work with Brisbane City Council on the preparation of the proposed development scheme for the

area. Key stakeholders including the local business community, and the general public will have an opportunity to provide further feedback on the proposed development scheme for the PDA during the 30-business-day statutory public notification period.

The MEDQ maintains a role in approving the proposed development scheme for public notification, but the consultation process will be managed by the delivery authority. Public notification of the proposed development scheme will occur during the course of this year. During the submission period, all stakeholders and the community will be invited to lodge a submission. Under the requirements of the ED Act, these submissions are then reviewed in detail by the delivery authority and the development scheme amended if appropriate. A submissions report and final development scheme are then prepared by the delivery authority and approved by MEDQ prior to the expiry of the interim land use plan, or ILUP. The development scheme is then given effect through a regulation. Mr Chair, this concludes my opening statement. I will now hand over to the delivery authority. We are happy to take any questions the committee may have.

CHAIR: Thank you.

Ms Elliott: Good morning, Mr Chair and members of the committee. Thank you for the opportunity to provide further information about the importance of the economic development Albert Street Cross River Rail PDA and its amendment regulation 2018 for the delivery of the Cross River Rail project. The Cross River Rail Delivery Authority was established under the Cross River Rail Delivery Authority Act 2016. The act sets out the delivery authority's main functions and powers, including functions to plan, carry out, promote or coordinate activities to facilitate economic development and development for community purposes in a Cross River Rail PDA and to facilitate the effective, efficient delivery of the Cross River Rail project.

The Cross River Rail project will be delivered in partnership with the private sector through two major infrastructure packages of work—the Tunnel, Stations and Development, or TSD, public-private partnership, PPP, and the Rail, Integration and Systems alliance. Bidding for these major works packages has now closed and evaluation of bidder proposals is well underway.

The TSD PPP package includes an over-station development opportunity above the new underground Albert Street station. Proponents participating in the competitive procurement process have been tasked with providing proposals that support Albert Street station, contribute to a sense of arrival at a new landmark destination in the Brisbane CBD and ensure station development is designed to manage high-volume pedestrian movements from the new station to the wider CBD.

The Albert Street station and over-station development will become a key arrival point into the heart of the CBD. It will also contribute to delivering Brisbane City Council's Albert Street vision of creating the green spine, which will ultimately link the City Botanic Gardens to the Roma Street Parklands. The Albert Street station location encompasses two core areas of land on either side of Albert Street, with frontages onto Mary Street. Due to the highly constrained nature of the Albert Street station site, any over-station development works will need to be highly integrated with the Albert Street station's foundations and station infrastructure. This requirement introduces a substantial degree of statutory approval complexity and potential statutory approval interface risk for delivering the Cross River Rail project.

The delivery authority requested the Minister for Economic Development Queensland declare the Albert Street Cross River Rail PDA under the Economic Development Act 2012 in order to discharge the delivery authority's functions under the Cross River Rail Delivery Authority Act 2016, to support achievement of the desired outcomes of the Albert Street station and to manage project delivery interface risks. The delivery authority worked closely with key local government and state planning stakeholders to prepare documentation to support the Albert Street Cross River Rail PDA application. This included preparing for the minister's consideration a draft interim land use plan that would apply to the Albert Street Cross River Rail PDA. The delivery authority considers this collaborative approach critical to ensuring that the expertise and knowledge of all parties could be incorporated into the preparation of the PDA application.

The delivery authority works closely with Brisbane City Council under a memorandum of understanding. This collaborative arrangement ensures that the Cross River Rail project delivers transformative outcomes for the city and unlocks the revitalisation of inner-city precincts. Under the MOU, the delivery authority and BCC have agreed to work collaboratively and in partnership to ensure the seamless integration between the Cross River Rail project and council's management of public utility services, roads, reserves and other facilities; to work in partnership to progress the Cross River Rail project in a timely manner; to cooperate on issues associated with design, delivery and implementation of the project; to cooperate in relation to managing the impacts of the project on BCC

assets and operations; to work in partnership to ensure integrated planning for, and adjacent to, Cross River Rail infrastructure; and to provide the necessary support, expertise and practical assistance where appropriate.

To effectively manage the operation of the MOU and work through interface matters, working groups have been established with key officers of the delivery authority and BCC. These working groups ensure matters relating to the Cross River Rail project are resolved as far as practicable, aligning project delivery outcomes and benefits to match the expectations of the Queensland government and Brisbane City Council, consistent with the Cross River Rail business case, the Transport Plan for Brisbane and Connecting Brisbane, the Brisbane City Centre Master Plan 2014 and relevant neighbourhood plans and any other applicable state government policies or plans.

The working groups are categorised by work streams to provide for the efficient utilisation of delivery authority and BCC resources. Specific to the briefing today, precinct and planning matters are addressed through a precinct working group. This working group was established in May 2018 and has been meeting weekly since July 2018 to progress precinct and planning matters, including those related to the preparation of materials to support the delivery authority's request for a declaration of the Albert Street Cross River Rail PDA.

CHAIR: Ms Elliott, we are running up against time, so I might ask you to quickly wrap up. We will then have time for two quick questions.

Ms Elliott: Sure. Through this collaboration, the ILUP that is now in place reflects to the greatest extent possible the relevant provisions of the Brisbane City Plan 2014 and the City Centre Neighbourhood Plan. This is notwithstanding some departures to address the unique requirement of accommodating the underground Albert Street station and over-station development into the plan. The delivery authority is also continuing to engage with Albert Street traders to prepare the Cross River Rail project's delivery phase, and this engagement will continue through the delivery phase. This concludes my opening statement. We are happy to take any questions the committee may have.

CHAIR: Thank you. We will have time for two brief questions. You have talked about collaboration and consultation especially with Brisbane City Council, and the public consultation will be happening after the PDA is prepared. Can you quickly run through the process of what we would be looking at for that public consultation?

Mr Silvester: At the moment we are preparing a draft development scheme, in consultation with Brisbane City Council and Economic Development Queensland. That builds on the current interim land use plan, and that process will be underway for a little while yet. The next step for us then is to undertake engagement with state agencies and check state interests. From that point we will be ready for the Minister for Economic Development Queensland to consider the proposed development scheme for the Cross River Rail PDA. Then the minister will determine whether or not it is ready for public consultation. From that point we will enter public consultation for a period of 30 business days, seek submissions, finalise the submission report, amend the proposed development scheme in response to submissions for the Minister for Economic Development Queensland's consideration and then the minister will recommend making the development scheme, and that has to be in place by 13 December this year.

CHAIR: Thank you. Is there a question from the other side?

Mr WEIR: I will defer to the member for Glass House, but I might request that we extend for 10 minutes since we have—

CHAIR: No, we will not have that amount of time.

Mr WEIR: Go to the member for Glass House and then we will see if I can ask a question.

Mr POWELL: Sorry, Mr Chair, but I want to clarify. I have six very simple questions.

CHAIR: You have two minutes.

Mr POWELL: Given the fact that 18 minutes has been taken up by the briefing, am I able to lodge those on notice for a further response, please?

CHAIR: You can write to us and we will consider that.

Mr POWELL: Okay. Can I assume that the state owns the properties encompassed by the PDA?

Ms Elliott: It does.

Mr POWELL: When did the state purchase those properties?

Ms Elliott: They have been negotiated over the last year since September 2017. There are 11 properties. Nine were taken by negotiation, the other two under a notice of intention to resume.

Mr POWELL: What was the process of informing the owners or the tenants of those properties?

Ms Elliott: There has been ongoing stakeholder engagement with the owners and stakeholders since September 2017, and they have received letters and ongoing weekly engagement with them to try to negotiate the purchase of their land.

Mr POWELL: Is there any legal requirement of those owners to notify other potential bidders for those properties?

CHAIR: You can take that one on notice.

Mr POWELL: Just to clarify, you mentioned in two of the instances letters of intent were provided. Clearly those owners were not predisposed to sell their property in the first instance to you by negotiation. Were they required under law to show that letter of intent to potential other purchasers of those properties?

Ms Elliott: I would have to take that on notice.

CHAIR: We have that one question on notice. Last one.

Mr POWELL: You mentioned that you try to be cognisant of proposed developments in the adjacent areas. At what stage are neighbouring developments or future developments notified of the intent to resume these properties and declare a PDA?

Ms Houston-Jones: I might defer that question—

CHAIR: On notice?

Ms Houston-Jones: It is okay, Mr Chair. I will defer to Peter.

CHAIR: So you will take that one on notice?

Mr Silvester: Yes.

CHAIR: All right; thank you. The time for this briefing has now expired. There are two questions on notice and responses will be due by 10 am on Monday, 8 April. That concludes this briefing. On behalf of the committee, I want to thank all representatives who have participated today. Thank you to our Hansard reporters and thank you to our secretariat. A transcript of these proceedings will be available on the committee's parliamentary web page in due course. I declare this public briefing closed.

The committee adjourned at 12.01 pm.