



Committee Secretary
State Development, Natural Resources and Agricultural Industry Development Committee
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Redlands2030 submission: Economic Development and Other Legislation Amendment Bill 2018

Redlands2030 Inc. is an incorporated not-for-profit association advocating good governance and community participation in government decisions about matters and issues affecting the Redlands.

Redlands2030 welcomes the opportunity to make a submission to the Committee about the Government's proposals to amend the Economic Development Act 2012 and other legislation.

Parliament should reform or abolish the Economic Development Act

The thrust of our submission is that the Economic Development Act 2012 is misconceived legislation which weakens the community's rights to be engaged in decisions about town planning and development approval. This Act is prone to suboptimal outcomes.

Instead of tinkering with this legislation, it should be substantially reformed or abolished.

Listen to affected communities

We suggest that the Committee hold public hearings in areas affected by Priority Development Areas (PDAs) which have been designated under the Economic Development Act, such as Cleveland, Redland Bay and Carseldine.

The Economic Development Act

The Economic Development Act allows the State Government to excise areas from being subject to 'normal' planning laws (Planning Act 2016) where the primary decision maker is the local council.

The Economic Development Act allows the Government to make planning and development approval decisions with less transparency than if they were subject to local council decision making under the Planning Act. The community has virtually no right of appeal against state government decisions about PDAs.

It is the sort of legislation one might expect to see in a third world country without democratic values, where economic growth (for some) is valued over community rights.

On 28 November 2012, speaking about the Economic Development bill, then Opposition spokesperson Jackie Trad said: "This is an outrageous abuse and concentration of power."

Establishing a corporation sole (Minister for Economic Development Queensland) to make planning and approval decisions was described by Ms Trad as: "...nothing more than the LNP making a power grab to buy up land to develop it at its will and to give it away to its developer mates."

"This is all about empowering the white shoe brigade and not local government or community groups" said Ms Trad. She described the bill as "... the second strike in this government's agenda to serve the white shoe brigade."

Ms Trad suggested "financially powerful property developers" had undue influence on the government in its preparation of the legislation. She questioned "why the bill was rammed through with minimal public scrutiny and consultation" and said "There is no justification provided by this [LNP] government for broadening the scope for the removal of local community appeal rights..."

"The opposition cannot support elements of what is rushed and poorly conceived legislation that has been drafted with woefully inadequate consultation and that is targeted at two sets of interests, those of powerful mining companies and wealthy developers, to the detriment of the rest of the community. The Deputy Premier [at the time this was Jeff Seeney] commented earlier that the community supported this bill. I challenge the Deputy Premier to go to the communities that will be affected by this legislation and hold community meetings, not closed room meetings with three, four or eight people" said Ms Trad.¹

But when the Labor Party formed government in early 2015, all of the Economic Development Act's flaws and shortcomings were not addressed. Why not?

Surely such poorly conceived legislation which constitutes an "outrageous abuse and concentration of power" needs substantial reform, not minor tinkering.

Surely it is necessary for legislation conceived with "woefully inadequate consultation" to be reviewed comprehensively, with exemplary consultation, including meetings with affected communities. Some of the communities affected by the Economic Development Act are mentioned below.

We suggest the Committee might find it very instructive to meet with local residents in these communities who are concerned about their neighbourhoods being significantly disturbed and transformed, without genuine community consultation, because of the Economic Development Act.

Cleveland (Toondah Harbour PDA)

In mid-2013, over five years ago, a PDA was declared around Toondah Harbour in Cleveland where ferries depart for North Stradbroke Island. Development in this area was proposed ostensibly as a way of achieving an upgrade to the ferry terminal but current plans for 3,600 apartments on dredged Ramsar wetlands have outraged local residents and environmentalists.

Public consultation about a draft development scheme in 2014, managed for the State Government by Redland City Council, was flawed and deceptive. The public notice period was sprung on the community during the summer holiday period. Technical reports including important information about environmental issues, were withheld from the community.

¹ Queensland Parliament. Record of Proceedings, November 28 2012, pp. 2902-2929


Once the development scheme was approved, in May 2014, the State government and Redland City Council moved with surprising speed to pick a preferred developer whose plans for development were completely different to and more impactful than the plans which had been waved briefly in front of the community during public ‘consultation’.

When the revised project’s scale was publicly unveiled, in late 2015, it became apparent that environmental impacts had not been properly considered when the original PDA boundaries were determined. Most of the area proposed for development overlaps protected wetlands in the Moreton Bay Ramsar site, triggering the need for Federal Government environmental approvals.

If proper planning processes had been followed from the beginning, this fundamental flaw would have been picked up much earlier and a far more appropriately scaled project might already be under way. It’s a great example of what happens if planning is managed secretly and incompetently (or worse) without normal checks and balances.

The view of Redlands2030 and many in the community is very clear. The State Government should ‘stop the port’ and just ‘fix the port.’

It’s also important that lessons are learned from foolish mistakes made with the Toondah PDA, and planning laws are changed to prevent such debacles from reoccurring.

The story about wildly inappropriate plans for development on wetlands in the Toondah Harbour PDA is documented in a [video](#) by Peter Wear which can be viewed here: 

Redland Bay (Weinam Creek PDA)

Not content with stuffing up one PDA, in 2013 the Redland City Council doubled its bets and punted on also getting a windfall outcome at Weinam Creek in Redland Bay, where ferries depart for inhabited islands in southern Moreton Bay (Russell, MacLeay, Lamb and Karragara).

As was the case with the Toondah PDA, the quality of up front planning by the Council and State Government was inadequate. The choice of preferred developer (same entity that got the Toondah gig) proved to be wrong.

In May 2018, Redland City Council confirmed that its ‘preferred developer’ was not interested in development at Weinam Creek. The community had been strung along by the Council for years with expectations of improved facilities but such talk proved to have been fanciful.

Instead of revoking the PDA and reverting to business as usual, the Council (through its secretive property development company the Redland Investment Corporation) is now pushing ahead with its own plans for development of housing and public car parks on flood prone land (Moores Farm).

Residents who might rightfully expect an opportunity to have a say about these plans will find that under the Economic Development Act they have no say, if the Council’s proposed development is consistent with the original development scheme approved back in 2014.

This is of great concern to residents in Redland Bay who live near Moores Farm, but it also concerns island residents and visitors who may get inadequate car parking facilities located a considerable distance from the ferry terminal.

As with the Toondah Harbour PDA, there are lessons to be learned about the importance of following good planning process with plenty of genuine community consultation. Inadequate checks and balances in the Economic Development Act make planning failure more likely to occur.

Carseldine Urban Village (Fitzgibbon PDA)

The Carseldine Urban Village site is state land in the Fitzgibbon Priority Development Area (PDA), formerly a campus of the Queensland University of Technology (QUT).

Since the Government announced in 2016 plans to “re-purpose” the site for urban development, local residents have been actively opposing the 900 home development with petitions, submissions and demonstrations coordinated by the [Save Our Carseldine](#) (SOC) community action group.

In November 2017, during the last State election campaign, MP for Aspley Tracey Davis (LNP) [said](#) that her party would stop plans for the Carseldine Urban Village because “There are real concerns about overdevelopment, loss of green space and congestion.”

“Carseldine residents were offered nothing but tokenistic information sessions that were designed to get the outcome that the government wanted, not what locals wanted”, she said.²

Brisbane City Council concerns about PDAs

In August 2018 the State Government announced that it was declaring PDAs in two new areas within the Brisbane City Council local government area at Yeronga (3 hectares) and Oxley (19 hectares).

Other PDAs in Brisbane City Council’s local government area include: Northshore Hamilton (300 hectares), Bowen Hills (107 hectares), Fitzgibbon including Carseldine (294 hectares), Woolloongabba (10 hectares), Queen’s Wharf (26 hectares) and Herston Quarter (6 hectares),

Brisbane City Council planning chairman Matthew Bourke was [reported](#) in the Brisbane Times as saying the council did not support PDAs and infrastructure designations because this: “takes large chunks of the city out and creates islands, where you have development going on that doesn’t have the significant necessary infrastructure.”³

Queensland’s planning laws need reform

Community groups in south east Queensland acting together as the South East Queensland Alliance (including Redlands2030, Gecko, OSCAR and Brisbane Residents United) are advocating that Queensland’s planning laws (including the Planning Act 2016 and the Economic Development Act 2012) need substantial reform to put community interest first, through:

² Michelle Smith and Renee McKeown, “LNP commits to stop Carseldine Urban Village development”, Bayside and Northern Suburbs Star, 8 November 2017 Retrieved from:

[REDACTED]

³ Ruth McCosker, “Council city planning boss worried state-led development will create 'islands'”, Brisbane Times, 29 August 2018, Retrieved from: [REDACTED]

1. Enhancing community amenity, heritage and neighbourhood character
2. Providing green and open spaces in SEQ at world's best practice standard
3. Integrating land and transport planning to avoid transport congestion
4. Conserving koala and other wildlife habitat
5. Ensuring adequate provision of infrastructure and services to support development
6. Increasing certainty to communities in relation to development compliance with designated building heights, density, setbacks, off-street parking and private community space
7. Making most developments subject to genuine public scrutiny and objection
8. Requiring all development to declare their public and community benefits in terms other than jobs creation.
9. Requiring full transparency of council and government decision-making including genuine community consultation
10. Protecting the community from impacts of climate change

E-petition 2989-18 - [Reform of Queensland Planning Legislation](#) about the need for planning reform is collecting thousands of signatures and will be presented to Parliament in February 2019.

Conclusion

Redlands2030 submits that the Economic Development Act is harming communities and leading to poor planning outcomes. This legislation needs to be thoroughly reviewed and reformed.

This could best be done in conjunction with a root and branch review of Queensland's planning laws to ensure that the community interest is put first, with a strong emphasis on good planning practices based on genuine community consultation.

We would be happy to elaborate on any of the points made in this submission, if requested to do so by the Committee.

Chris Walker
Secretary
Redlands2030 Inc.

12 October 2018