



Gecko Environment Council Assn Inc. ABN 90 689 258 843
Gecko House, 139 Duringan Street, Currumbin QLD 4223
📞 +61 7 5534 1412 📧 office@gecko.org.au 🌐 gecko.org.au

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Committee Secretary State Development, Natural Resources and Agricultural Industry
Development Committee
Parliament House
George Street
Brisbane Qld 4000

Email: sdnraidc@parliament.qld.gov.au

Dear Sir/ Madam

**Re: Submission on Economic Development and Other Legislation Amendment Bill
2018**

Thank you for the opportunity to participate in this consultation.

Gecko Environment Council (Gecko) is a not for profit environmental organisation founded in 1989 and is the peak regional body. Our mission statement is “To actively promote, conserve and restore the natural environment and improve the sustainability of the built environment of the Gold Coast region in partnership with our Member Groups and the wider community and where appropriate, nationally.

Over many years Gecko has considered the impacts of planning and development legislation on the natural environment, biodiversity and sustainability. The subject Bill is of great interest to our members as it has been the springboard for a planning framework that increasingly ignores the needs of the environment, fails to protect our natural systems and the native species found there and is reducing the quality of life of our citizens. The proposed amendments appear to make only minor and changes to a piece of legislation that in our opinion is well overdue for a complete overhaul.

Gecko offers strong support for the submission by our colleagues Redlands 2030 on the subject Bill which we believe requires an extensive review and amendment. As Redlands 2030 states “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.”

We note that Redlands 2030 has extensively quoted former Opposition spokesperson Jackie Trad who spoke strongly against the Act when introduced. We endorse those remarks.

We offer further comment below.

Background

Gecko has for several years conducted regular meeting with representatives from local community groups to address matters of concern relating to development decisions impacting on our environment and lifestyle. These concerns were raised in 2016 with then Planning Minister and Deputy Premier Jackie Trad. A natural progression was for Gecko to initiate the South East Queensland Alliance, commencing in February this year meeting with community groups from Redlands, Sunshine Coast and Brisbane and other planners and legal experts who all share the same dismay at the poor planning decisions being made by local Councils. Our strategies have included individual and joint approaches to then Minister for Development and Deputy Premier Jackie Trad Dick and subsequently with Minister Dick, culminating with a meeting with Senior Policy Advisor Stephanie Challen.

Gecko has also lodged an e-petition with the government on behalf of the SEQ Alliance seeking a Reform of Queensland Planning Legislation which has rapidly received over 3,000 signatures. The requests in this petition include:

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

Inception of the Economic Development Act 2012

The Economic Development Bill 2012 (Qld) was introduced into the Queensland Parliament on Thursday 1 November 2012. The purpose of the proposed Act was to facilitate economic development and development for community purposes in Queensland.

This piece of legislation was hastily passed on 11 December 2012, just over a month later, which did not afford sufficient time for public comment or adequate committee or parliamentary scrutiny. While the provisions of the Bill may have served the interests of the development industry, a view was formed that other sectors of the community were disadvantaged. In reviewing the impacts of a suite of legislative reform passed over the same time frame, including the Environmental Protection (Greentape Reduction) and Other Legislation Amendment Act 2012 (Qld), 2012, the Sustainable Planning and Other Legislation Amendment Act 2013, (Qld) 2012, the Economic Development Act 2012, (Qld) 2012, and, in 2014, the Regional Planning Interests Act 2014 (Qld), author Phillipa England¹ suggested that

“opportunities for consultation, transparency and accountability have diminished while the scope for unchecked discretionary decision-making has significantly expanded.”

Gold Coast has only one PDA area at this time at Southport, which has not caused any major problems to the community as yet, though it was proposed that a second casino could be developed there on land currently used for community activities such as tennis, bowls and general parkland. However should there be a development which concerns the community in this area they will be very constrained in making objections under this Bill/Act. The Gold Coast community which has opposed a cruise terminal on The Spit for decades, has also great concerns that a PDA could be used to foist the terminal on the community at The Spit. Gecko members also strongly support Redlands 2030 opposition to the Toodah Harbour PDA and have made an objection under the EPBC Act. This development, also a legacy of the Newman Government should have been prohibited long ago.

Public dissatisfaction with the impact of this legislation has grown since that time and the further introduction of the Planning Act 2016 has only carried forward this reduced level of scrutiny of development applications. Gecko and other community groups are calling for a review of planning legislation and we suggest a starting point should be the entire Economic Development Act.

A small rectangular box containing a handwritten signature in black ink that reads "C O Adam".

Reference

England, Philippa. Regulatory Obesity, the Newman Diet and Outcomes for Planning Law in Queensland (January 23, 2015). Available at SSRN: [REDACTED]

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