

Development Watch Inc

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30 June 2023

To: The Chief Executive Officer
Sunshine Coast Regional Council
BY EMAIL

AMENDED NOTICE OF SUBMISSION

Application No: MCU22/0033

Proposal: Preliminary Approval for a Material Change of Use of Premises (including a Variation Request to vary the effect of the Sunshine Coast Planning Scheme 2014)

Street Address: 91 and 61-65 Thomas Rd, 951 Yandina Bli Bli Rd, 67-89 Thomas Rd, 45, 117, 59 and Lot 3 Lefoes Rd, Bli BI

INTRODUCTION

Development Watch Inc. (DW) is a volunteer community group whose primary focus is advocating respect for the Planning Scheme for Coolum and surrounding areas. Coolum and surrounds currently have some of the only remaining vital riverine floodplains on the Sunshine Coast.

DW has consistently over the years opposed development on vital Maroochy River floodplains. DW submits that riverine floodplains should be left to perform their natural function of storing flood waters.

DW's stance on floodplain development has been reinforced by the catastrophic flooding events which occurred across the country in 2022 when areas on riverine floodplains, and in some cases, new residential developments, were severely impacted by flooding. Many Governments have since been forced to buy back (and still are), properties that were flooded,

Flooding will only worsen with the affects of climate change. However, those affects are only predictions and the future is really unknown.

This Development Application (DA) not only seeks intensive development on the Maroochy River floodplain but it does so on rural land.

CONFLICTS WITH THE STATE PLANNING POLICY (SPP)

SPP - NATURAL HAZARDS, RISKS AND RESILIENCE

The introduction to the Queensland SPP on Natural Hazards, Risks and Resilience states –

“The financial, social and human costs placed on all levels of government, industry and the community, to respond to and recover from natural disasters, justifies the restriction of development in vulnerable areas. There is a shared responsibility to manage the impact these natural hazards may have on people, property, the economy, the environment and infrastructure.”

“The effects of climate change are projected to impact on the extent, frequency and intensity of natural hazards. For example, projected sea level rises will increase the extent of coastal hazards, progressively cause the permanent inundation of low lying land and extend the risk of storm tide inundation to new areas.”

The Maroochy River is tidal and is subject to storm tide inundation.

The SPP itself states –

*“(4) Development in bushfire, **flood**, landslide, **storm tide inundation** or erosion prone natural hazard areas:*

- (a) Avoids the natural hazard area; or*
- (b) Where it is not possible to avoid the natural hazard area ... development mitigates the risks”¹*

In the first instance the preference is for development in natural hazard areas to be avoided. In this case it is possible to avoid the natural hazard area. This land is on a riverine floodplain. It is zoned rural. Council therefore can easily ensure development in the natural hazard area is avoided by refusing this Development Application.

CONFLICTS WITH THE SUNSHINE COAST PLANNING SCHEME 2014

SUNSHINE COAST PLANNING SCHEME STRATEGIC FRAMEWORK

In the Strategic Framework of the SCPS 2014 Theme 1 – Settlement Pattern 3.35 Element 4 – Housing diversity and affordable living 3.3.5.1 Specific outcomes (f) states -

*“(f) Housing is designed to provide **safe and secure living environments, promote community health and wellbeing and reduce social isolation.**”²*

¹ <https://dsdmipprd.blob.core.windows.net/general/spp-july-2017.pdf>

² <https://assets-us-01.kc-usercontent.com/c631baf8-1b46-001f-580c-d0001b68b4a8/b95a7edc-da19-4e9e-bb73-91e8f0c600c8/2A8B1991-5283-44FA-8898-A8E3DC05D1DD>

Constructing housing on a riverine floodplain will not achieve this outcome.

RURAL ZONED LAND

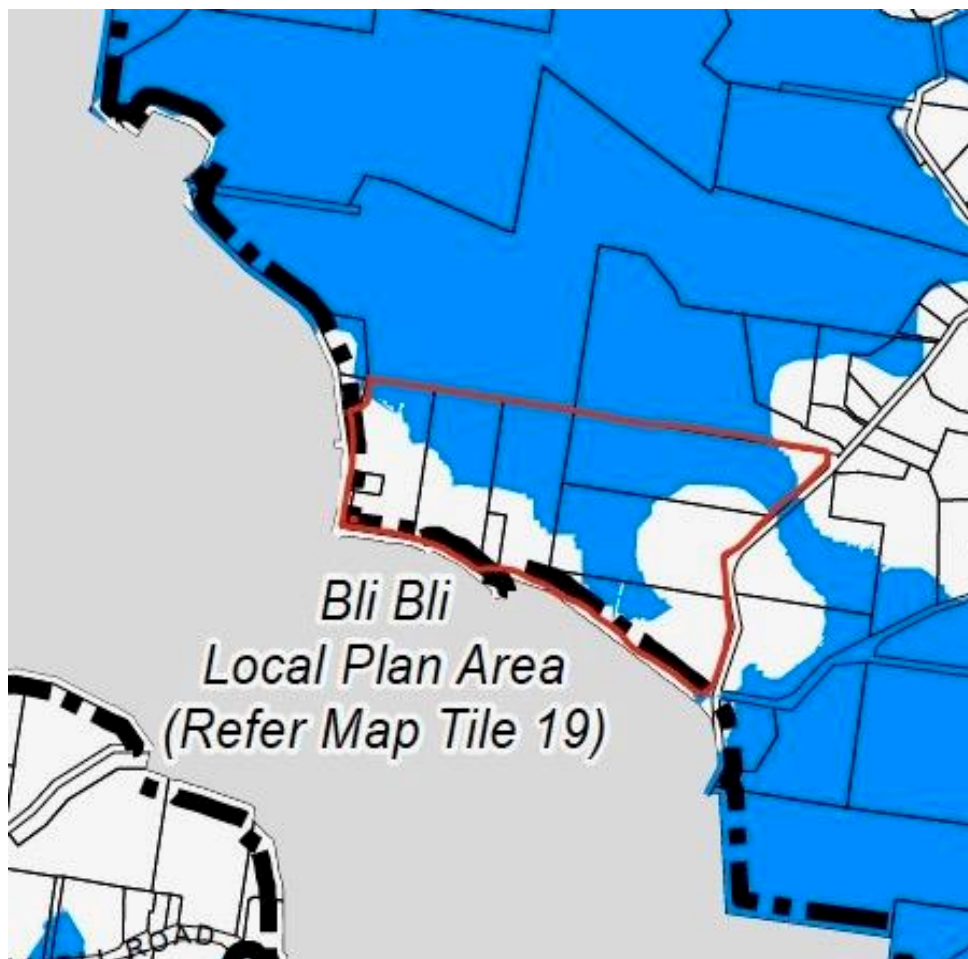
This land is zoned rural and therefore only rural/agricultural activities are permitted.

URBAN FOOTPRINT

Whilst the land appears to be in the urban footprint, not all land in the urban footprint is suitable to be developed.

FLOODING

This proposal is for an intense residential and commercial development on 7 lots of rural/agriculture land. More than half of this land appears to sit on the Maroochy River floodplain. The site is surrounded to the north by floodplains and has the Maroochy Wetlands Sanctuary to the east.. Here is an extract from OVM20G Flood Hazard Overlay Map from the Sunshine Coast Planning Scheme.



Below is a photograph provided by an existing Parklakes resident showing the outlook from her property during the 2022 floods. These floodplains were doing what they were meant to do ie. storing floodwaters.



Development of this land will remove vital flood storage for the Maroochy River floodplain. In the event of a catastrophic event, this could result in a risk of flooding at the development site itself and/or it could contribute to worsening of flooding in other already developed areas downstream of the Maroochy River eg. the Bli Bli township and Bradman Avenue, Maroochydore.

The provision of a Flood Impact Assessment and a constructed water body by a developer is now not sufficient to guarantee against flooding.

Here are some examples why –

In 2017 the Sunshine Coast Regional Council constructed the Sunshine Coast Solar Farm on a Maroochy River floodplain at Yandina Road, Coolum.

In a document entitled “Solar Farm Faqs” (**Attachment 1**) Council said –

“What measures have been taken to protect the solar farm infrastructure from potential flooding?”

A comprehensive flood study, based on the most up-to-date information, was undertaken by an industry leading consultancy in conjunction with council. The infrastructure solution developed has been specifically tailored for cane land sites.”

In the floods in February 2022, part of the solar farm went under water and was out of action. Council’s comment in the Courier Mail on 9 March 2022 was “*prior to building the solar farm a comprehensive flood study, based on the 2014 Maroochy River Flood model was completed by a leading consultancy and the council*” (**Attachment 2**) Clearly, this flood study was outdated after only 5 years.

Further in the recent floods last year a Retirement Village and Aged Care Facility at Yeronga that had been constructed on a flood plain in 2006 (after Brisbane City Council approved a Planning Scheme Amendment to allow the development), flooded and elderly residents had to be evacuated. **(Attachment 3)**

Climate Change has been scientifically proven. What is not known definitively is what Climate Change will throw at us as a community in the future. It is frightening to see recent flood events across the country and how past modelling needs substantial review. Whilst DW has the utmost respect for experts, even experts do not truly know what the future holds.

So whilst the experts say an artificial flood water storage system like a lake can prevent flooding, there is no guarantee this will be sufficient to store floodwaters in the future from intense events such as cyclones and rain bombs particularly if they coincide with a high or king tides.

An Article by the Bureau of Meteorology headed “**Flood Warning System for the Maroochy and Mooloolah Rivers**” subheading “**Flood Risks**”³ states –

*“The Maroochy and Mooloolah River systems are susceptible to episodes of rapid flooding which can cause considerable damage to public and private property throughout the catchment. **Continuing increases in population have accentuated the potential flood risk to life and property**, and this trend is unlikely to abate given the current growth in the area.” [Emphasis added]*

Further, in an Article in the Conversation it says:

“When a developer converts flood-prone land into homes, they own the consequences a flood might bring to them. But when that building is sold, liability for flood damages is transferred to the new owner. It is common to portray such owners as naive or irresponsible, but they’re purchasing a home approved by the council on the basis of expert modelling.

The home owner pays their rates, like everyone else, and has every right to assume professionals have determined the safety of the development. When large-scale floods hit, those owners are as entitled as anyone to government assistance and relief.

This final act of goodwill – extremely difficult for any government to refuse – effectively shifts the costs of disaster mitigation, relief, and recovery to the Australian taxpayer. As John Handmer has argued, “flood risk is characterised by private sector profit while the costs are borne by the public sector, individuals and small business.”⁴

Finally, on flooding, although it is not a formal planning instrument the CHAS, embraced by Council after significant input from experts and community representatives, has highlighted the risks facing the Sunshine Coast arising from increased flooding and adverse weather events. Clearly what we

³ <http://www.bom.gov.au/qld/flood/brochures/maroochy/maroochy.shtml#PreviousFlooding>

⁴ <https://theconversation.com/to-stop-risky-developments-in-floodplains-we-have-to-tackle-the-profit-motive-and-our-false-sense-of-security-184062>

have experienced in the past across the floodplains of the Maroochy River during weather events will not only occur again but will have the clear probability of worsening. There are not sufficient engineering solutions available for developments on known and acknowledged flood plains, to cater for rain bombs, cyclones and catastrophic weather events. Existing and future communities and ratepayers should not be responsible for enhancing the profits of developers over good planning. Burdening future residents with the social disruption, possible loss of life and severe negative economic impacts are outcomes that governments across all jurisdictions should consider very seriously. The Sunshine Coast Regional Council has a clear obligation to protect its community and uphold the current Town Plan.

BIODIVERSITY, WATERWAYS AND WETLANDS

You will see from the map below that this land is in close proximity to the Maroochy Wetlands Sanctuary.



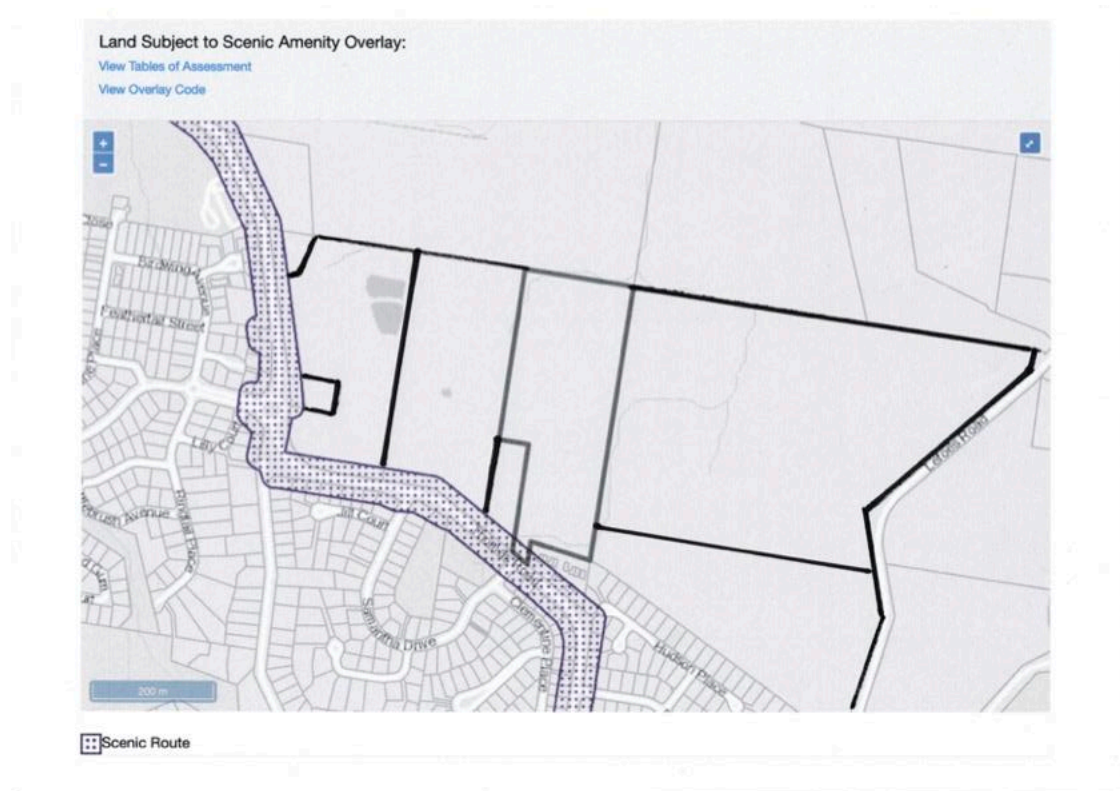
Any off-flow from this development into the Wetlands Sanctuary will contain contaminants which will adversely affect the viability of the wetlands.

ACID SULPHATE SOILS

A constructed water body is proposed. This will result in the excavation of soil or sediment containing ASS.

SCENIC AMENITY

The main road which runs parallel to this proposed development is a scenic route.



The scenic amenity will be obliterated on this section of the scenic route.

NEED

Whilst there is a shortage of social and affordable housing in Australia, there is no need great enough to warrant develop on vital riverine floodplains.

This proposal provides an Emergency Evacuation Plan which is evidence that people in this development could be at risk. There is ample development within the designated growth areas still to occur on the Sunshine Coast without placing people at risk by developing a floodplain and consequently removing vital flood storage from the Maroochy River catchment.

AMENDMENT TO THE SUNSHINE COAST PLANNING SCHEME 2014

The developer seeks to amend the Sunshine Coast Planning Scheme 2014 to allow the development. This will result in a change to the current Planning Scheme which will not only be a very expensive process for Council (and ultimately ratepayers) but it will create a precedent for future development on floodplains.

COMMUNITY EXPECTATION

The community's expectation is that the State Planning Policy, the SEQRP and the Sunshine Coast Planning Scheme 2014 will be upheld.

CONCLUSION

In all of these circumstances we ask that Council refuse this Development Application.

Yours sincerely,



Lynette Saxton
President, Development Watch Inc.

cc. Marc Cornell

cc. Cr Maria Suarez