

Development Watch Inc

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

NOTICE OF SUBMISSION

Application No: MCU21/0465
Proposal: Development Permit for Material Change of Use for
service station and associated commercial businesses
Street Address: 479-561 David Low Way, Pacific Paradise
Real Property Description: Lot 5 SP215175

Development Watch Inc. (DW) is a volunteer community group whose primary focus is advocating respect for the Planning Scheme for Coolum and surrounding areas. We also advocate for sustainable and sensible development. As the name suggests it's an organisation that reviews development applications on the community's behalf. It is not against development but wishes to call out inappropriate developments when they are proposed. In so doing, it looks to Council to take a stand against development that fundamentally is not in accord with the Strategic Framework or in conflict with the wishes of residents in the area of the development.

Clear signals to project proponents and their service providers on what is appropriate, how the Strategic Framework and supporting plans and policies should be interpreted and the alignment of development with community views and expectations would, we believe, lead to less anxiety and fewer legal actions in the courts.

Based on the information available and the demonstrated wishes of the local community DW strongly objects to the creation of any commercial development on the Maroochy River flood plain.

THE PROPOSAL CONFLICTS WITH THE PLANNING SCHEME

THE PROPOSAL DOES NOT COMPLY WITH THE RURAL ZONE CODE

The Subject site is zoned rural and should remain zoned rural due to constraints with flooding.

In the recent past the region has experienced significant flooding issues caused at least in part by climate change. It is appropriate for authorities to be focused on these and future threats and how development aids or hinders flood protection, community recovery and human safety. In this regard we congratulate Council in taking a stand on climate change including the refocusing of its organisational structure and outlook. It is also to be congratulated on securing Biosphere status for the region and its continued support for the Blue Heart initiative.

SEQRP Local conditions deeming sites unsuitable for development

The South East Queensland Regional Plan 2005-2026 (SEQRP) includes the subject site in the ***“Inclusion*** defined Urban Footprint area.¹ However, the SEQRP qualifies such inclusions by stating, ***of land in the Urban Footprint does not imply that all such lands can be developed for urban purposes”***.² It then amplifies this by saying, ***“Land in the Urban Footprint may otherwise be unsuitable for urban development for a range of more local reasons, including constraints such as flooding, land slope, scenic amenity, and protection of biodiversity values of state, regional or local significance.”***³

The SEQRP delegates to local government the determining of desired use of land with these constraints.⁴ Council has an right and indeed an obligation to exercise its authority to determine the use of constrained sites. This development proposal conflicts with Council’s stated position on the development of land.⁵

FLOOD HAZARD OVERLAY CODE CONFLICTS

This land is a flood plain.

This development proposal conflicts with the Flood Hazard Overlay Code.

Allowing a development of this nature on the Maroochy River flood plain would be a recipe for an environmental catastrophe. Should this development flood and leach toxic substances the consequential damage to the water quality of the Maroochy River would be insurmountable.

¹ SEQRP, Map 2, SEQ regional land use categories, page 14

² SEQRP, page 16

³ SEQRP, page 16

⁴ SEQRP, page 16

⁵ Sunshine Coast Growth Management Position Paper (GMPP), Sunshine Coast Regional Council, July 2008, Table, page 37, designates the subject site as ***“Major Area within the Urban Footprint Not Intended for Urban Development”***

There have been circumstances in the past where fuel depots and service stations have experienced flood inundation and underground tanks have either dislodged or leaked fuel. The site in question will at some stage experience a flooding or rise in water table event. This will pose an immediate and substantial risk to the surrounding area and indeed the Maroochy River catchment as a whole.

INAPPROPRIATE CREEP AND PRECEDENCE

The ongoing creep of development onto recognised flood plains maybe argued by individual developers to be warranted and that project based mitigating strategies can be put in place.

However and critically, when looked at strategically such developments have a cumulative effect in real terms on both stormwater/flood management and environmental degradation. Such development approvals can also set a totally inappropriate and dangerous precedence in the approval processes.

CLIMATE CHANGE

The community is more aware of climate change from what they not only see nationally and internationally but what they see at their own local level. They are experiencing firsthand unwanted and direct impacts on their lives and properties.

Recent rain-bombs, east coast lows, water egress during tidal surges and higher tides, coastal loss and passage bar movements all reinforce our climate is changing. Now is not the time to give away any buffer or reserve that we have in protecting our residents against flooding.

Every parcel of land is a critical environmental resource and while not wanting to negatively impact on appropriate development it must be suitably located and constructed. Raising site levels and filling to 1% AEp floods levels only pushes the issue "next door". Indeed science is now questioning the very relevance of such levels as a planning tool against future and more frequent flood events. We need to adopt a Best Practice approach to planning processes and interpretations, due to our coastal location. We need be at the forefront of world class protection and planning.

The proponent argues the land in question will have relatively a small percentage of site coverage. However building structures are only one element of coverage and the site will have significant apron and driveway/parking under concrete or bitumen tarmac causing direct runoff and accumulation of flow. All this adds to intensity of any event and its subsequent impact on downstream and upstream landholdings. In the last six months local residents have reported water over the David Low Way immediately in front of site and such water remained over the area for a considerable period of time.

OTHER CONCERNS:-**THERE IS NO NEED FOR THIS DEVELOPMENT**

There are two service stations already located within 1.5 kilometres of this site. The first is on David Low Way in the township of Pacific Paradise. The second is near the Coles supermarket at Pacific Paradise. There are also several fuel outlets servicing the broader area from Bli Bli through to Marcoola and Cooloom. As such, DW questions the need for a further outlet.

Also in this regard, there have been several other service station projects approved between Cooloom and Pacific Paradise in the past and they have never come to actual fruition. One could assume ultimately the lack of progress was due to a lack of demonstrated need. One such service station was on Cooloom-Yandina Road. That approval has now lapsed. It is understood another approval was given on David Low Way near the Airport and that approval is apparently yet to be taken up.

Any commercial development on this site will impact the local businesses already in existence i.e. the service stations and the commercial development in the township of Pacific Paradise. It could also be argued that a fuel and café/food outlet of the scale proposed would be better suited for a highway location. The David Low Way and the Motorway, although significant regional roads in themselves, are not travel routes between major geographically distant cities. The facility proposed is clearly at a scale well beyond the needs of the area. The concept of a driver/reviver highway type model servicing what is really predominately a residential catchment area seems a total over reach in terms of need and scale and would be detrimental to existing businesses

EXISTING INFRASTRUCTURE

The scope of the development proposal then draws into question the suitability of existing infrastructure to cater for such a large development and also how this infrastructure would cater for any future stages or expansions should they be envisaged. This is particularly so for the current road system, not only in the immediate area, but within several kilometres of the proposed development. For example feeder infrastructure, such as the Bli Bli Bridge is already under strain with constant congestion at peak times. In addition, consideration needs to be given to the experiences at the Cooloom roundabout and how traffic performs when volumes increase or are focused and channelled into poorly performing road systems.

SUMMARY

DW strongly objects to the proposal. In particular any development should not occur on the Maroochy River flood plains. There is no proven need for such a facility to countenance special consideration of community benefit. Furthermore and importantly any approval (with mitigation conditions or not) would be totally against the philosophy of such initiatives of the Blue Heart initiative and fly in the face of our Biosphere listing. The visual amenity of the area should be maintained and the rural zoning not amended

Finally it is noted that Adams+Sparks Town Planning has applied, on behalf of the proponent, to extend the Referral Response Period by 3 months. Should this extension of time be granted, DW requests that the Public Submission deadline also be extended to allow residents and other parties like DW sufficient time to provide any additional commentary on issues raised by SARA or the proponent.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lynette Saxton', is placed over a light blue rectangular background.

Lynette Saxton
President, Development Watch Inc.