

OSCAR Inc. Submission to Sunshine Coast Regional Council Amendments Package

4 December 2020

Amendment Title

Additional South East Queensland Regional Plan (SEQRP) 2017 Sites and Other Zoning Matters.

The purpose and general effect of the proposed planning scheme amendment is to:-

- a. make zoning changes and local plan area boundary changes relating to specific sites located at Bli Bli, Chevallum, Forest Glen, Landsborough and Yandina, in order to:
 - i. respond to changes to the Urban Footprint under the *South East Queensland Regional Plan 2017*; and
 - ii. better reflect existing development approvals or desired future land uses;
- b. amend local plan provisions, where relevant, to provide more detailed planning outcomes in response to zoning and local plan area boundary changes; and
- c. amend the growth management boundaries to reflect zoning changes.

Overall comments

OSCAR is extremely disappointed that this package of amendments has been released for community comment at this time of the year. Our grounds for such a statement include:

1. The Draft Coastal Hazard Adaptation Strategy (CHAS), a document that SCRC has developed in consultation with community representatives was released on an SCRC unanimous council vote on 9 November for broader community engagement. This document is a once in a generation document with time-limitations from the state and should **NOT** have had to compete with other council projects.
2. Individuals, community groups and peak/umbrella groups do their best to participate in all council engagement processes. Having this amendments package open for consultation along with The CHAS (referenced above), the Corporate Plan, the Heritage Plan, Waste Strategy initial consultation, Community Survey does the Council no credit in understanding the Principles of Community Engagement to which they aspire. Using COVID-19 delays as an excuse is not acceptable either. Council must acknowledge that community groups and individuals have also been impacted and probably to a greater extent by the COVID-19 pandemic. Many groups have been unable to meet at all while others have been restricted to electronic meetings where they have been unable to meet face to face.
3. Given the minimum amount of time available for comment and the conflicts with other SCRC engagement activities and the fact that community groups work to be both democratic and thoughtful in their comment, having so many engagement processes at the one time make it difficult for them to apply their values and rules.
4. The local government elections in March 2020 saw an almost 50% turnover in councillors. Their induction and working arrangements were also severely impacted by COVID-19. The community expects their councillors to be well informed on EVERY item on the Council's agenda. In fact under the Local Government Act 2009 a Councillor should not be voting on matters before council unless they are fully informed re the matters including time to undertake additional research or seek further information We are aware of the demands on them dealing with the normal business of Council as well as the plethora of other topics and issues for Council, including SCRC response to COVID-19. Council has a duty of care not only to its staff but also its councillors. Expecting them to take on all the current engagement initiatives as well as the core business of council and work alongside and be available to their communities through these engagement initiatives could be seen as an unreasonable expectation.
5. Nothing in this amendments package is of such importance for it to have to have been released for community consultation at this time in the Local Government (LG) calendar. Much of what is proposed is as a result of the development of SEQRP2017 (Shaping SEQ) which identifies potential land supply out until 2041.

6. Information has been released in the media that indicates that there is currently 15 years of available land supply on the Sunshine Coast.
7. A new Planning Scheme development is planned over this term of Council. The contents of this package should be included in that process. There is nothing so important in this package that could not have been part of that process. The Planning Scheme process is established to give surety to both the community and developers. The PS process also has statutory timeframes and processes where major amendments such as those included in this package can be made. We suggest that neither surety of development to either community or developer has been provided in relation to the matters as part of this package.
8. If comment on this package is of such vital importance that it had to be released at this time then the time allowed should have been more than the statutory time frame. Council has this option but unfortunately rarely if ever takes it.

Response to specific components of the proposed Amendment Package

Landsborough Amendment – OSCAR supports the submission made by our member group Landsborough Area Community Association Inc. (LACA) with the following addition:

“East of the boundary of the proposed development there is a SCRC watershed. Water ends up in the creek and from there in to Coochin Creek and then in to Pumicestone passage. With heavy rain the high tide will come up and when it goes down all the pollution it picks up will go to Coochin Creek. Council will have to address how they will manage the storm water as this is an environmentally sensitive area.”

Yandina Amendment - Similarly OSCAR supports the submission made by the Yandina and District Community Association Inc. (YADCA) and endorses their concerns with the process and timing of this package of Amendments.

Bli Bli amendment - OSCAR also supports a number of our member groups, particularly Development Watch Inc. and Twin Waters West and Surrounds Inc. in their submissions relating to the proposed Bli Bli amendment. As indicated by Development Watch, a group which normally confines its activities to the Coolum District, the Bli Bli amendment could be seen as setting a precedent that has relevance to other locations across the coast.

Although not having a member group in the Bli Bli district we understand that there is considerable angst among both residents and business at Bli Bli central and residents at Parklakes, where this amendment is proposed.

If one wished to be cynical one might assume that this proposed amendment has been released for consultation in order to avoid scrutiny under the Draft CHAS and/or the new Planning Scheme.

We note this Amendment comprises approximately 9 parcels of land totalling around 60 hectares.

OSCAR has a number of concerns relating to the proposed amendment at Bli Bli.

Site constraints and related Coastal Hazard Adaptation Strategy information

A starting point for examination of the proposed amendment is the recently released *Draft Coastal Hazard Strategy* (CHAS) (SCRC Nov. 2020)

1. The Draft Coastal Hazard Adaptation Strategy (CHAS) was released by council for comment on 9 November 2020. The impact of coastal hazards into the future has been identified as: (Fact Sheet 4 February 2020)
 - *Storm Tide inundation – Sea level rise will increase the apparent severity and frequency of storm tide inundation to occur further inland.*
 - *Increased storm intensity will add to the magnitude of storm tide events and the extent of inundation*
2. Supplement A of the Strategy outlines the focus of the strategy, what the strategy will provide and how the strategy will be used as well as definitions, details of the characteristics of our coast and coastal hazards and information about the Adaptation Framework. The section “How will the Strategy be used” section states that: *“the strategy will provide a range of short and long-term actions to **avoid**, (our emphasis) mitigate and manage the impacts of coastal hazards”* and one of its outputs will inform *Statutory Planning (future land-use zoning)*.

3. Fact Sheet 5 (April 2020) indicates that in adapting to coastal hazards may include:
 - *identifying appropriate areas for development and new critical infrastructure*
 - *identify appropriate land uses for inundation and erosion prone areas (sporting fields, open space, parks and conservation)*
4. Fact sheet 6 of October 2020 outlines the Adaptation Framework of
 - *monitor, maintain and prepare*
 - *mitigate*
 - *transition (altering landuse) and will include localized planned retreat of assets or alternate planning approaches.*
5. One of the case studies included in the Draft CHAS considers the role and importance of the Maroochy River floodplain. This site sits within the Maroochy floodplain and subject to increased inundation.

The land is currently zoned rural and is extremely constrained in that it is subject to, amongst other overlays, the following:

- Flood Hazard Overlay
- Acid Sulfate Soils Overlay
- Biodiversity, Waterways and Wetlands Overlay
- Height of Buildings and Structures Overlay
- Scenic Amenity Overlay
- Landslide Hazard and Steep Land Overlay.
- Almost 50% of the land has been mapped by Council as falling within the Flood Hazard Overlay in the Planning Scheme 2014.

Flood Hazard Overlay

Given the constraints on the proposed site and the information and updated mapping included in the draft CHAS one would suggest that SCRC should apply the Precautionary Principle and avoid development in the areas covered by this overlay, particularly on the floodplain areas. This is a human health and safety and socioeconomic issue now and into the future. The map provided indicates a retention basin in part of the northern section of the site. Given the need for such a feature at this point in time, OSCAR asks the question – What will the future “mitigation” be?

Biodiversity, Waterways and Wetlands Overlay

OSCAR would want SCRC to ensure that full and comprehensive assessment has been undertaken in relation to areas of environmental significance on the site. Anecdotal information from the area is that there are important vegetation areas on the site. They are also concerned that significant clearing has occurred under and operational works permit.

The CHAS makes reference to the role of wetlands in carbon sequestration and vegetation retreat and is part of the “transition process”. It would be a loss to future generations if this amendment reduced the capacity and opportunity of the floodplain to serve the purpose for which it was intended.

Other significant issues related to the Bli Bli amendment proposal

Social Impact assessment and Cultural Heritage assessment

It is our understanding that the Gubbi Gubbi First Nations People’s submission will be including a request to the SCRC to undertake a social impact assessment, along with a cultural heritage assessment to sensitively inform planning and management of this special area (ie assessing a range of values of the area including social values, historical values, traditional values, scientific, environmental and archaeological values, and spiritual and aesthetic values).

Traffic impacts of the proposal

It is OSCAR’s understanding that there are many local Bli Bli residents and others who travel through Bli Bli to Nambour regularly (from north of the Maroochy River locations including: Peregian Springs, Coolum, Yaroomba,

Marcoola, Mudjimba and Pacific Paradise) who are very concerned with the additional traffic this amendment will place in Bli Bli. This includes that David Low Way bridge which currently has a 20 tonne weight limit on it. We appreciate that the bridge is a State responsibility, but we feel that SCRC has every right to withhold any amendment proposal until there is resolution re the condition/replacement of the bridge. Not only are there concerns relating to the weight limitations but also the width of the bridge, particularly when larger (but under the weight limit) vehicles are crossing while cars are queued on the bridge waiting for 2 sets of traffic lights to change. Adding another potential 5000 residents accessing this area is most concerning.

Business concerns and economic analysis

The Amendment proposal has included a local shopping centre precinct within the proposal. We appreciate that this is an attempt to reduce the traffic in the David Low Way at Bli Bli. A supermarket site is identified. In the interests of ensuring that the designated space allowance is adhered to, what economic analysis has SCRC undertaken to establish the viability of such a centre so that a developer does not decide in the future that the space allowance is insufficient and subsequently approaches SCRC attempting to increase the floor area.

We would also seek advice that the building of a supermarket at this site does not place SCRC in a potential legal challenge and cost to ratepayers and businesses in relation to excessive competition with businesses in the existing David Low Way Shopping Centre who may have established businesses without the knowledge of potential competition from the proposed shopping centre as per this Amendment.

Conclusion relating to the whole amendment package

OSCAR makes the following recommendations re the amendment package, that:

1. Given that Sunshine Coast Regional Council has not identified any “need” through a Needs Analysis and the many unresolved and serious issues have been identified, that the whole package be withdrawn and included in any changes and the process of development of the new Planning Scheme.

However, should SCRC go ahead with the amendments, the following issues MUST be addressed by removal or modification prior to consideration by Council and sending back to the State Government

2. Yandina amendment - only those areas supported in the YADCA submission be included in the final amendment.
3. The issues raised by LACA in relation to land subdivision, size of blocks be considered seriously and that the issues relating to run off and potential pollution of environmentally sensitive areas be considered and addressed before the package is finalised.
4. That changes to the Bli Bli proposed amendment that the issues raised by OSCAR regarding the importance of the recently released CHAS and implications for not only Bli Bli but other areas on the Maroochy floodplain be addressed with the Precautionary Principle applied.
5. That a Social Impact Assessment and Cultural Heritage Assessment be undertaken in relation to the Bli Bli proposal and that the Gubbi Gubbi people are engaged in that process on their terms.
6. That a traffic analysis of the Bli Bli proposal be undertaken prior to submitting any final amendment to Council.
7. That an economic analysis of the viability of the commercial centre and relevant shops/supermarket be undertaken to give confidence to the community that there will not be negative impacts on existing businesses.

OSCAR thanks Sunshine Coast Regional Council for the opportunity to respond to the Amendments package. We also appreciate the officer time in the OSCAR online discussion session- thank you.