

The Assessment Manager,  
Cooloola Shire  
P.O. Box 155  
Gympie Qld 4570

Re: DA 09724

Dear Manager,

We ask that this application be refused.

### 1. **Need for facility**

There is no need demonstrated for a variation to the Shire's current plans and zoning. Rainbow Shores Stage 1 still has lots of room for development and the town of Rainbow Beach itself should be developed. The application should be refused on this ground alone.

The applicant appears to argue that the lease promises development rights. The lease is a document involving the Queensland government and Rainbow Shores. The Cooloola Shire is not a primary party to the lease and if the Queensland government had wished the development to proceed as a matter of right it would not have approved the town plan that does not have the lease area having automatic development rights.

The lease actually makes it very clear that the proposal to rezone land should be dealt with in the same way as any proposal. *"The onus of obtaining all necessary changes in Town Plan zonings and approvals from the appropriate authorities for development proposals envisaged in respect of the leased land shall rest with the lessee..."* Development Lease 17568227 Para 3

### 2. **Environmental Impacts**

The area is largely in its original condition. A small section of the lease running across the NW corner has been sandmined. Within the area there are a wide variety of plants and animals including the Black Breasted Button Quail. While the applicant argues that the natural communities are just below the endangered levels and that there will be minimum impact on the environment from the development, it is ridiculous to assert that having dwellings, roads and infrastructure for 6000 people and having 6000 people on this area will not substantially destroy the natural community. The importance of the area is also as a bridge between areas north and south of the development. The vegetation in front of the development can not act as this bridge as it will be traversed by tracks so people can get to the beach and these will have a lot of traffic. This area is also different from the more inland sections and would not be suitable for many birds and animals. The same problem arises to the west of Inskip Avenue as much of this is regrowth on old sandmining areas. This western area also changes to mangrove flats very quickly.

The area, if developed will also be a source of pollution for the area. The applicant may control things in the initial stages to some extent. But 20 years on who will enforce a no fertilizer, no foreign species, no lawn, no pesticide regime on 6000 people? This is apart from the noise and visual pollution of such a large scale development and unavoidable impacts such as rubber on roads washing into the environment.

The area is sand. It is fairly permeable and effects will not be able to be isolated from the environment.

### 3. **Planning**

The basic plan is to have a linear development away from other population centres. This is against all modern town planning practice. It may have been considered suitable when the lease was issued but the proposal must be considered on the best practice at this time. And this is worst practice. It should be rejected on this basis alone. Planning on a regional level already includes the best practice model. The Draft Wide Bay Regional Plan for 2006 to 2026 is in Draft form and includes:

- compact, not linear, developments
- development contiguous with existing urban areas

as fundamental principles for development (P45 Wide Bay Burnett Regional Plan 2006-2026 – Draft) The proposal is for linear development not contiguous with existing urban areas.

It would seem that the applicant is trying to get in before bad practice becomes totally recognised as unsupportable. However, even though the Regional Plan is still in draft form, previous regional planning and planning practice generally support the proposition that this is a bad plan and should be rejected.

#### **4. Water Supply**

The applicant has employed a consultant who found that there was enough water in the current licenses (except at peak times) This will come as a surprise - that a consultant supported the interests of the person who paid his fees. To calculate this we need to work out how much each person uses, how much water we have and how many people there will be. The water supply is fixed. But the number of people that current approvals allow is a calculation that has variables as does the amount of water each person needs.

In 1996 Cooloola Shire showed that current zonings allowed for equivalent of between 18,377 and 17,970 persons for water supply. This is around 13 -15000 people but the actual population is not the only important factor in water supply. Industry uses water and its equivalent has been calculated in 1996 as a total of around 18,000 people. (Fax from Cooloola Shire Council 29/8/96) Since then there has been a large expansion of areas zoned for development at Cooloola Village and a lot of changes in all areas of the Cooloola Coast. Nearly all these changes allowed by council have increased the population density.

The amount of water that each person needs is about 3 litres per day for drinking. Anything above that is a calculation that is prone to error or distortion. The best calculation of future needs is current use and current use is also hard to calculate as we don't know how many people are using the Coast's water supplies. But we have an actual count every four years with the census. If we use the population on Census night and the 24 hours either side for consumption we should find a per person figure. I am informed that this is higher than other calculations on historical use on the Cooloola Coast.

The consultant starts with historical figures and then adds layers of supposition. Do we plan so that an occupancy rate of 50% will have enough water but that 90% means we are short. Do restrictions on plants allowed ensure that less water is used? Will a second system for non potable water reduce consumption? In 20 years time, if the consultant has not guessed correctly, do we have to set up an expensive alternate supply of water and charge all ratepayers a lot extra?

Shortly after the Cooloola Shire calculated the numbers, the State government engaged on a consultation with the Cooloola Coast communities on future directions for development. The basis was that there a water supply constraint and the cost could only have one more large development. Did Cooloola Village, Rainbow Beach, Tin Can Bay or Rainbow Shores Stage 2 get the go ahead? We were told that only one of these could go ahead. Since that time Cooloola Village has had a big development approved, there has been growth in the numbers in each of the settlements and the consultant now says that we can have both Rainbow Shores Stage 2 and Rainbow Beach expansion as well. If Mr Beattie employs these consultants they should be able to solve the water problems of Brisbane without Traveston.

An approval of the proposal would limit development at Rainbow Beach and close off all other applications for development that involved changes in density (even if the consultant is correct)

The water that is available can be better used.

I submit that the council should not approve the development until a second consultant, employed by the Council and paid for by the developer examines the water supply problem. There is a reasonable basis for questioning the report available from the consultant given the history of the matter.

#### **5 Erosion Prone Area**

At the time of approval of Stage 1 there was a setback of 150 from the toe of the frontal dune as an Erosion Prone Area. I asked both the Council and the Beach Protection Authority if this calculation allowed for Greenhouse Effect and the rise in sea level and increase in frequency and intensity of storms. They said that an extra 40m was needed to allow for Greenhouse and that in future 190 m would be required on the Inskip Peninsula. I was surprised and disturbed to find that the Beach Protection Authority had accepted a consultant's report from the developer and adjusted the distance back to 145 m.

I have been told by the Coastal Licensing people at EPA that I can not have access to the consultant's report and I am currently investigating my options to obtain the report and reasons why the Queensland government does not believe in the Greenhouse Effect and will not take a precautionary approach to its likely effects.

I would suggest that, once again, Council needs to be sure that 145m is adequate and to ensure that the previous Beach Protection Authority and EPA have not made a mistake. One would normally expect that it would be reasonable for Council to base a decision on information from a Qld government instrumentality. However as the decision to reduce the erosion prone area is totally unexpected given our increased knowledge of Greenhouse it would be appropriate for Council to make further inquiries.

In addition to this, council has local knowledge of the erosion on beaches in this area. Even over the past month a previously reasonably stable area 50m wide and 300m long disappeared from the northern shore of the Inskip Peninsula. (Photo Attached) This happened over two nights of high tide with very little wind. Additionally the shoreline of the lease area is continually eroding and there are high sandcliffs along the 4.5 Km of the lease particularly in the northern section.(Photos attached) It has been noticeable that there has not been any substantial deposition of sand in this area over the last 20 years. Council would be aware that the erosion and deposition of sand is a cyclic phenomena on our coast but it is noticeable that over the last 20 years there has only been erosion on the lease area. This should lead council to seek a re-evaluation of the erosion prone area for the public good and to ensure that Council is not liable in the event that the erosion continues on its present course.

I have not yet received further aerial photos of the areas so that I can quantify the extent of the erosion over recent years but I will forward them as an addendum to this objection as soon as I receive them.

Council will be aware that Erosion Prone Areas are relevant to all types of land however held. Council may be aware that the boundaries of the lease held by the developer extend into the current Erosion Prone area, even at 145m, as it measured from the toe of the current frontal dunes. While the lease was granted at 150m from the frontal dunes at the time of the lease, there has been substantial erosion since then.

## **6 Traffic Projections**

Currently Inskip Avenue carries the traffic from Fraser Island, Inskip Recreation Area and Rainbow Shores Stage 1 which is partly developed. At peak times the road is full but generally moves freely. The traffic from Fraser and Inskip is not likely to decrease. Stage 1 traffic will increase by 4 times when fully developed at peak times and the traffic from Stage 2 will have over 6 times the current traffic of Stage 1. While stage 1 has two alternative routes, stage 2 has to all go on one road. In addition, further development, such as a golf course, will generate traffic on its own. One would also hope that the council's effort in getting Bullock Point rehabilitated are successful and this becomes a tourist destination in itself.

All this will be on one road. In time, the beach would have to be closed to traffic in front of stage 2 so even a partial diversion of the traffic along there is not possible.

A road that is currently full at peak times can not carry 3 or 4 times as much traffic. It will be a giant parking lot at peak times.

The consultant paid by the applicant addresses the traffic problem by starting from current traffic flows and then projecting the increase calculated only by the traffic generated from stage 2. There are several problems in the report.

\*Information on current traffic flow is not adequate for base projections.

\*There is inadequate allowance for increase from stage 1.

\*There are totally inadequate projections from increase in traffic due to already approved zonings and development.

\*There is insufficient allowance for traffic generated from Stage 2

It is interesting that the applicant says that the development would assist the commercial growth of Rainbow Beach but that their traffic report has traffic numbers generated from a substantial dependence on commerce within the Stage 2 development.

Any person who has been on Inskip Avenue at peak times would know that the road can't carry the full development of stage 1 (a lot of which will come from the northern access of that stage) and another 6000 people in stage 2 as well as the current traffic. The traffic that currently uses the beach will add to the problem and the result will be total gridlock.

For a tourism area relying on Fraser Island, Inskip and laid back local tourism this will be catastrophic.

## **7 Use of Beach**

The best asset that the Cooloola Coast has, apart from the friendly and relaxed atmosphere, is the beach.

Currently the beach in front of this proposal is used by people passing through who enjoy the experience of driving on a beach. In this area it is a valued opportunity but for many visitors it is totally unique. Currently we can offer this experience without leaving the mainland.

The beach is also used by people fishing who can go to the gutters and move about chasing fish. The driving and fishing experience is valued both by locals and visitors.

A measure of how much it is valued by locals is the consternation that greeted the closure of the beach to traffic in front of Stage 1. Now, the developer promises that he will not seek the closure of the beach in front of Stage 2. He knows that the prospect of having another 4.5 Km of beach closed to traffic would put nearly all rainbow Beach residents offside. Of course it doesn't matter if Rainbow Shores requests the closure or not. If there are 6000 people (or even 1000 people) living in Stage 2 and using the beach, council will have to close the beach to traffic. Does the developer really believe that a surf club can operate in Stage 2 effectively with traffic driving through the patrolled area?

Approval of the application means closure of the beach to traffic.

But the use of the beach is not restricted to beach traffic. Fishing is possible as is exercise, exploring, training etc. without vehicular traffic. The only way that I have seen that effectively makes a beach open to the visiting public and residents alike is to have an esplanade between the development and the beach. The esplanade should not be a high speed through road but an access road. Residents have to walk across a road but that is a small price to pay for public access and parking that is available so that people can enjoy their beach. In stage 1 the developer rejected the prospect of an esplanade and so was able to advertise "Absolute Beachfront". What happened was pretty much "Exclusive Beachfront" Does anyone use those pokey car parks that are meant to provide public access?

The applicant points to stage 1 as a sign for stage 2. His larger points of access proposed will not be much different from stage 1. An esplanade covering the whole of the 4.5 Km is required and it should be a low speed access road.

The reason that this development is proposed is because it is near the beach. The beach is the valuable part. It belongs to all of us. Any development will benefit by removing some access for the public and giving increased access to the buyers of the properties in the development.

Council should refuse the application unless it is satisfied that public will have excellent access to the beach.

## **8. Public Safety**

The applicant stated in their submission to the federal Government that the land had a maximum height of 5m. AHD (Submission to Department of Environment and Heritage P.12 signed by Andreas Krauchi 7/11/06) This means that there is little between the highest point on the lease and the lowest point that council will allow for building. Apart from concentrating building on some areas or requiring massive amounts of fill (which would be very bad environmentally), the lack of higher area means that there is nowhere to go.

One day a cyclone will hit the area. If it is at a high tide with the cyclonic surge and high winds, the devastation will be terrible. Campers at Inskip Point would also be exposed but we only need a whisper of a cyclone coming and the tents start coming down and the people moving out from the campground. Permanent accommodation is different. People rely on the premise that Council would not have allowed building here if there was a problem. People would tend to stay for a while and then seek to flee when the cyclone was close and they realised the extent of the problem.

I believe that this situation would be catastrophic. Even if the buildings remained intact with vertical rain, the sea level rising, the shoreline rapidly eroding, windblown foam and winds over 150km/hour hurling trees and bits of tree around, the people who tried to reach safety towards Rainbow Beach could be cut off just south of Stage 1 where there is a clearing in a low area running through to the beach. The road would become impassable. There would be no escape. Apart from being bad planning, a linear development with one access road is the disaster in "disaster planning".

The same argument applies to any disaster. One of the disadvantages of leaving an area "natural" is that fire is a natural part of the environment in Australia. The more trees that you leave on a property the greater is your fire danger. This developer is planning chip mulching and natural bush and no lawns. That's good, except it is a fire hazard. The roads are going to be as narrow as possible. That's good except that they don't make good firebreaks if they are narrow. Old large trees are going to be left with their natural hollows etc. Great, except that they become fire chimneys. In stage 1 the developer built very close to the Erosion Protection Area. When a bushfire problem was "discovered" after the buildings were completed, the developer had to clear some of the Erosion Prone Area to protect the buildings and occupants. Of course EPA's should not be cleared but this was by way of an emergency and it was purely co-incidental that the clearing improved the sight lines for his buildings.

This time, with the benefit of hindsight, we can ensure fire safety and protect the Erosion Protection Area. Council should insist that there be a fire protection area and access for fire vehicles between the development and the Erosion Prone Area. (What about an esplanade?) That would help in minor bushfire dangers.

But no tinkering can assist with helping in a major fire. If we have good growth for a season, a dry winter, hot strong NW winds in Oct/Nov and a natural environment as proposed by the applicant, a fire could destroy the development. Access for assistance or escape is by one road which has heavy bush on both sides. The proposal is a recipe for disaster and should be totally rejected.

The lease requires the developer to make a minimum of not less than 14 Ha for a school, not less than 5 Ha for a public hospital site and around a Ha for other public building sites. This is in addition to any area that the Shire may require for public use for parks or recreation purposes. Although the lease has these requirements, I have been informed that neither the Education or the Health Departments would build a facility there because of the danger.

## **9 Flooding**

Rainbow Shores has had some difficulty in the past with my description of flooding. Evidently it wasn't flooding. It was merely that the water table rose above the ground level and caused some temporary interference with traffic and facilities. What happened soon after Rainbow Shores Stage 1 had built the first lot of roads, underground power and buildings, was that it rained a lot. It does sometimes at Rainbow Beach. It rained so much that it put water on the ground faster than it could percolate through the sandmass and escape. Once again, this is a feature of the area. In areas where this is likely to happen you normally see old stands of paperbarks. We had warned the developer of this but we were told that it was all good high land that doesn't flood.

The excess water lay on top of the ground for several days to a maximum depth of 1.2 m. A Video is available if council is interested. Rainbow Shores had to construct a surface drain under the road in an attempt to remove the surplus water and try to prevent a repeat.

In stage 2 stands of paperbarks that can be seen from the road. I have been unable to investigate the matter so far. Council should investigate the matter and any development should take the natural hydrology into account.

## **10 General**

The proposed development does not fit the area. When massive development was first planned for the Inskip Peninsula 16 years ago, our first thought was that it was in the wrong place. Development should be at Rainbow Beach. The link between Fraser Island and Cooloola should be kept as a natural area with public use to take pressure from the other areas.

This is still so.

There is no need for the development. It will have adverse environmental impacts. It is bad planning. There is not enough water for it. It would restrict appropriate development in other areas. It is prone to erosion. It will cause great traffic problems. It will restrict public access to the beach. It is unsafe because of its internal features and the access to it. And areas within will have problems with inundation.

The social and economic base of the town of Rainbow Beach should not be destroyed by the creation of a larger town on 5m high dunes of sand at the end of a single road in an erosion prone area.

We request that Council refuse the application.

Reg Lawler  
Chairperson  
13/12/06