

# **Palmview Urban Development Investigation Areas**

Consultation Report  
July 2018 – June 2019



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#### **Acknowledgements**

Council wishes to thank all contributors and stakeholders  
involved in the development of this document.

#### **Disclaimer**

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# 1. Purpose

The purpose of this consultation report is to provide a summary of the consultation that has occurred with respect to the Palmview Urban Development Investigation Areas (Figure 1) following Council's Draft Determination on 19 July 2019. Any meetings and briefings that occurred prior to the Draft Determination have not been documented in this report.



Figure 1 Palmview Urban Development Investigation Areas

## 2. Background

### 2.1 Consultation

#### *Palmview Structure Plan*

The preparation of the Palmview Structure Plan included extensive consultation with the Sunshine Coast Council community, State government, the landowners within the Palmview Structure Plan Area and Council from 2008 to 2010. The land considered to be suitable for urban development was determined after consideration of constraints such as flooding and ecological values, along with consideration of community needs and wider community benefits. The consultation resulted in relevantly the predominant land use areas as identified in the Palmview Structure Plan being adopted and gazetted in 2010.

Subsequent negotiations and amendments to the Palmview Structure Plan and the *Palmview Structure Plan Area Infrastructure Agreement 2010 (Consolidation No 2) (Palmview IA)*, which also included community consultation, did not result in any changes to the predominant land use areas.

#### *Consultation prior to Draft Determination*

Landowner B presented its proposal for the future use of Investigation Area B (North) to the Chief Executive Officer, Councillor Dickson and the Group Executive, Liveability and Natural Assets on 23 October 2017.

A Councillor workshop was held on 27 November 2017 to provide a briefing on the background to the Palmview Urban Development Investigation Areas, the Urban Development Investigation Process and the next steps in the process.

The outcomes of the preliminary findings in respect of the Draft Determination were discussed with Council at a second workshop held on 31 May 2018. Councillor Dickson and Councillor Baberowski were briefed prior to this workshop.

Sippy Downs and District Community Association representatives had been meeting with the consultant for Landowner B since January 2017 regarding the proposal for Investigation Area B (North) and have inspected the site. Landowner B presented their proposal at the Sippy Downs and District Community Association AGM on the 13 September 2017.

### 2.2 Process

#### *Urban Development Investigation*

During the 2014/2015 renegotiation of the Palmview IA, Landowner B and Landowner C negotiated a process for Council to consider further areas suitable for urban development on the basis that the Landowners believed Council's flooding and ecological studies to be inaccurate. Council's previous investigations concluded that the Urban Development Investigation Areas were not suitable for urban development.

Under Special Condition 2 of the Palmview IA, the Landowners were to provide Council with the results and the technical basis for the results of the Urban Development Investigation (**Urban Development Investigation Process**), which includes an investigation of the ecologically important areas and flood hazard.

The Landowners provided their Urban Development Investigation Results for Investigation Area B (North), Investigation Area B (South) and Investigation Area C on 1 April 2017 and provided

additional information (on request) in November and December 2017 for Investigation Area C and Investigation Area B respectively (**Further Information**).

### *Urban Development Investigation Process*

Having received the Urban Development Investigation Results, Council determined a process for the Urban Development Investigation which was stated in a Notice of Prescribed Notification sent to the Landowners on 5 June 2017, which was subsequently amended in July 2017 following consultation with Landowner B and Landowner C (as indicated in **Figure 2**).

Following Council making a Draft Determination with respect to the Urban Development Investigation at the 19 July 2018 Ordinary Meeting, a Notice of Draft Determination and Draft Assessment Report was provided to Landowner B and Landowner C on 30 July 2018. The Landowners were advised that they could make a submission on the Draft Determination in accordance with the Urban Development Investigation Process by 1 October 2018 (**Landowners' Submissions**), after which Council would make its Final Determination. The Landowners were also offered the opportunity for a briefing on the technical basis for the Draft Determination.

The Urban Development Investigation Process was further amended on 25 September 2018 to include an independent expert peer review. The revised process was set out in a Notice of Prescribed Notification sent to the Landowners on 30 July 2018 (as indicated in **Figure 3**).

## Consideration of an Urban Development Investigation

Version: 2.0  
Date: 4 July 2017

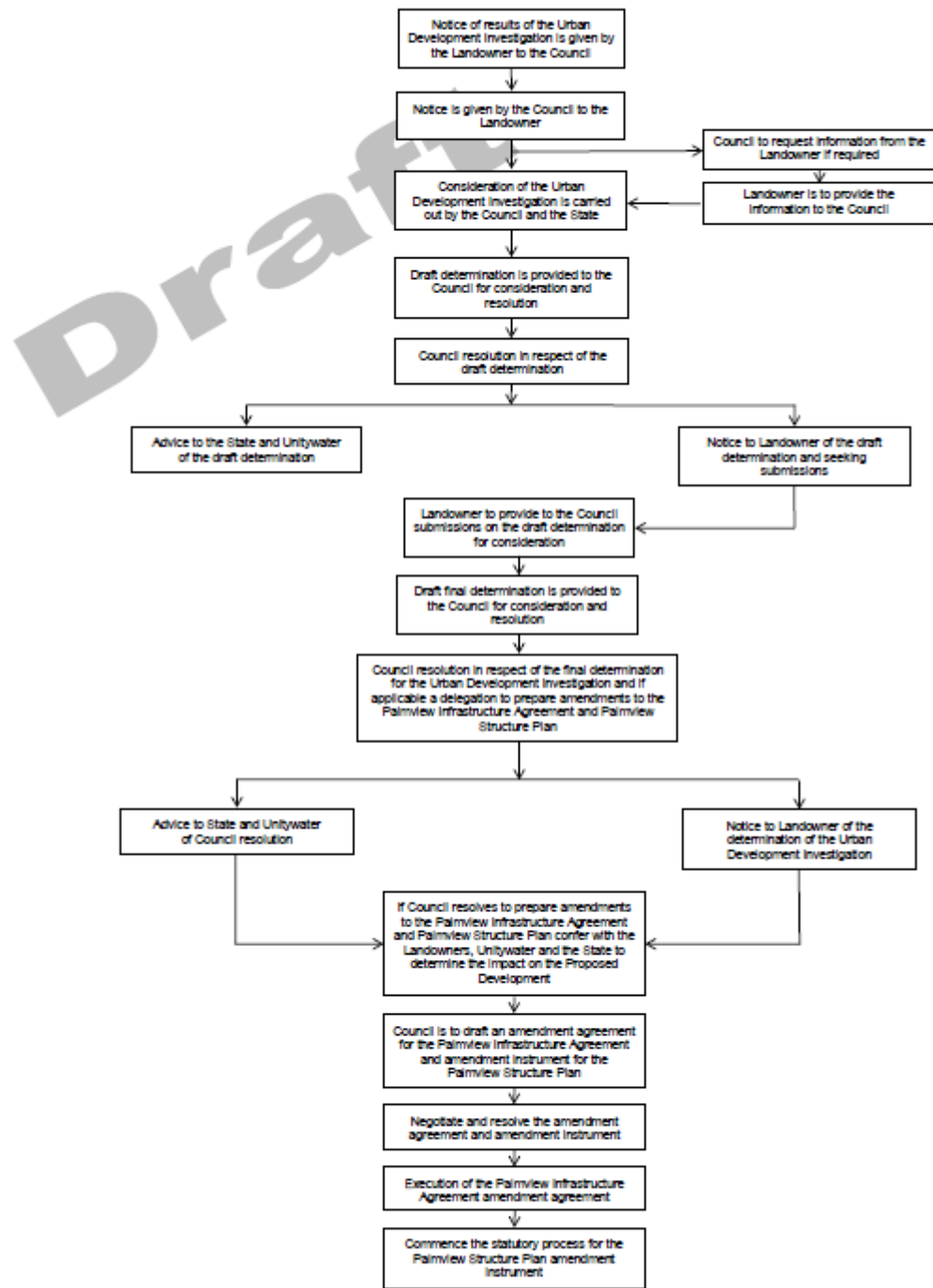


Figure 2: Consideration of an Urban Development Investigation (4 July 2017)

### Consideration of an Urban Development Investigation

Version: 23.0  
 Date: 25 September 2018 4 July 2017

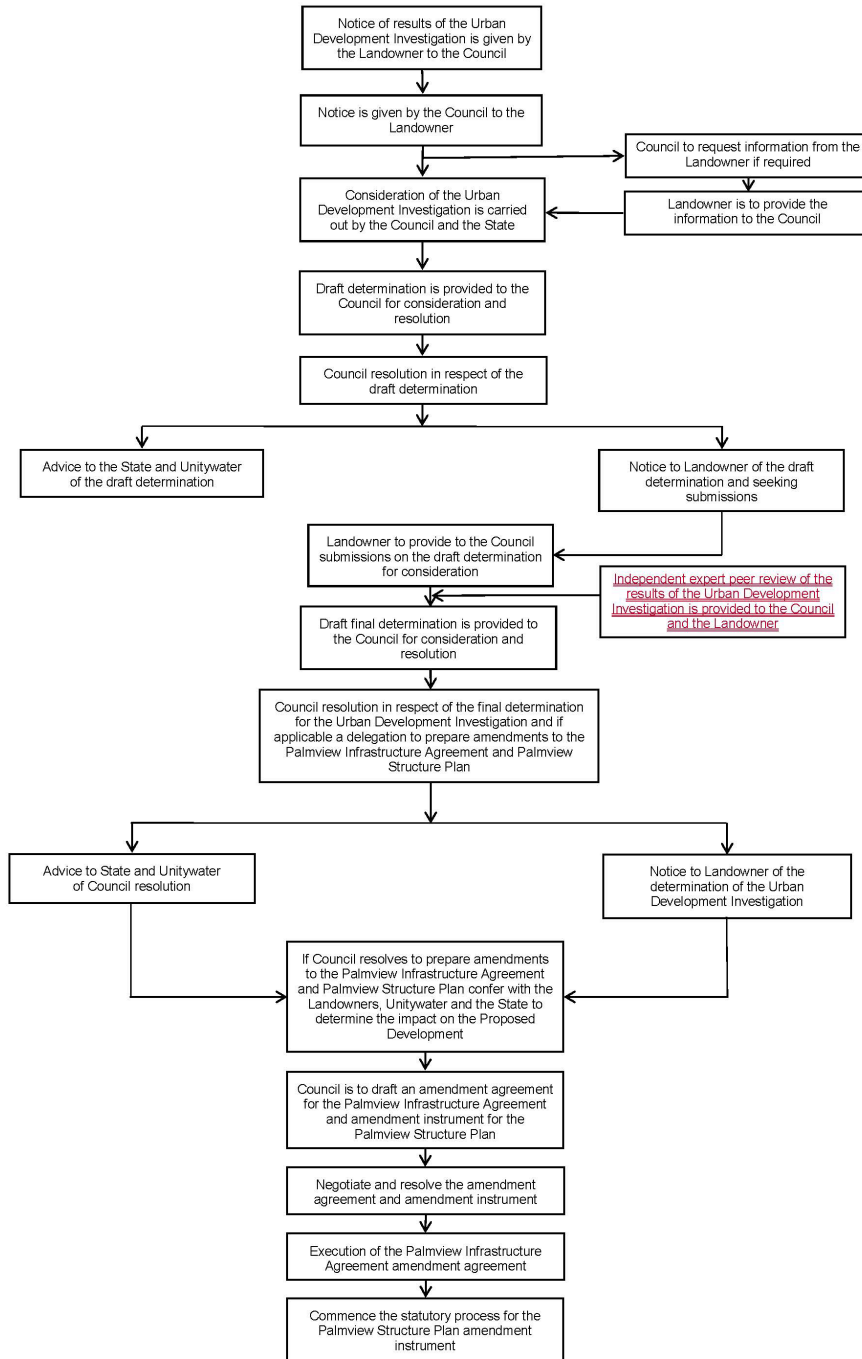


Figure 3: Consideration of an Urban Development Investigation (25 September 2018)



### 3. Consultation

The determination in respect of the Urban Development Investigation is required to be made in accordance with the contractual arrangements set out in Special Condition 2 of the Palmview IA.

Only two of the three Landowners in the Palmview Structure Plan Area are a party to Special Condition 2 regarding the Urban Development Investigation, being Landowner B (Living Choice Australia) and Landowner C (McCafferty/Peet).

Council has determined a process (**Figure 3**) for the carrying out of its responsibilities under Special Condition 2 of the Palmview IA which includes that the relevant Landowner may make a submission in respect of the Draft Determination, being the Landowners' Submissions.

Whilst others may make representations to the Council in respect of the Draft Determination, Council is required to exercise its responsibilities in accordance with the Palmview IA.

If Council determines that any part of an Urban Development Investigation Area is suitable for urban development the parties are to confer and, if they agree it is necessary, are to negotiate changes to the Palmview IA. A planning scheme amendment may also need to be prepared, which would be subject to public notification and State government approval.

#### 3.1 Landowner briefings

On 31 July 2018, an offer was made to Landowner B and Landowner C, at the time the Draft Determination was issued, for Council to provide a briefing on the technical basis for the Draft Determination and Draft Assessment Report.

- Landowner B was briefed by Council's assessment team and an officer from the Department of State Development, Manufacturing, Infrastructure and Planning (**DSDMIP**) on 17 August 2018.
- Landowner C (Mr McCafferty/Peet) was briefed by Council's assessment team and an officer from the DSDMIP on 30 August 2018. The delay in the briefing to Landowner C arose due to Landowner C (McCafferty) being overseas and unavailable to meet prior to this date. Mr McCafferty did not end up attending the briefing.
- A briefing of Landowner B and Landowner C and their consultants by the DSDMIP and the Department of Environment and Science (**DES**) took place on 14 September 2018 after the first meeting proposed for 7 September 2018 was cancelled by the Landowners.

#### 3.2 Stakeholder briefings

On 31 July 2018, Council offered to Avid, Unitywater, Organisation Sunshine Coast Association of Residents (**OSCAR**), Sippy Downs and District Community Association (**SDDCA**) and Sunshine Coast Environment Council (**SCEC**) for Council to provide a briefing on the technical basis for the Draft Determination and the Draft Assessment Report.

OSCAR and SCEC accepted the offer for a briefing, and it was held on 17 August 2018.

The SDDCA declined a briefing on the basis that they instead sought a meeting between Council officers, Landowner B, SDDCA and OSCAR to try and reach a resolution with respect to Investigation Area B (North).

Advice from Council's legal advisors was that the process set out and agreed to in the contractual arrangements of the Palmview IA required assessment of the results of the Urban Development Investigation in accordance with Special Condition 2 of the Palmview IA. As such, the meeting proposed for 14 September 2018 could not be a workshop to reach a resolution, however the views expressed at the meeting could be one of a number of inputs to be considered by Council before making the Final Determination with respect to the Urban Development Investigation.

Unitywater was provided with a briefing over the phone on 29 August 2018.

### **3.3 Landowner/Stakeholder meetings with Council (Elected Representatives/Officers)**

Landowners, their consultants and key stakeholders have met with a number of Councillors and Council officers since the Draft Determination in July 2018. These meetings are documented below, however, there may have been other meetings/site visits that have taken place between the Landowners, key stakeholders and Councillors that officers are not aware of.

- James Brownsworth (Integrated Planning Solutions (**IPS**)) met with Patricia Jensen, Manager Development Services on 30 July 2018 regarding concerns about the Urban Development Investigation Process and the Council officers' consideration of the Urban Development Investigation.
- James Brownsworth (IPS representing Landowner B) and Sheree Lyons (IPS representing the Landowner B) met with Michael Whittaker (Chief Executive Officer) and Leah Bancroft (Project Coordinator) on 10 August 2018 with respect to Area B (North).

At that meeting it was agreed that a further briefing be scheduled with the Chief Executive Officer, Councillor Dickson and Councillor Baberowski (subject to availability), Landowner B's representatives, SDDCA and OSCAR. This was scheduled for 14 September 2018 and then at the request of the SDDCA and Landowner B it was rescheduled to 19 October 2018.

The SDDCA and Landowner B representatives requested for this to be a roundtable discussion/workshop for the purpose of reaching an agreed solution and asked for the invitation to be extended to the Mayor and all Councillors.

Advice from Council's legal advisors was that the process set out and agreed to in the contractual arrangements of the Palmview IA required assessment of the results of the Urban Development Investigation in accordance with Special Condition 2 of the Palmview IA. As such, the meeting proposed for 14 September 2018 could not be a workshop but the views expressed at the meeting could be one of a number of inputs to be considered by Council before making the Final Determination with respect to the Urban Development Investigation.

- A meeting was held on 11 September 2018 between the Mayor, IPS (James Brownsworth and Sheree Lyons), Landowner C (Mr McCafferty), Councillor Dickson, Councillor Baberowski in relation to Investigation Area C. At the meeting Landowner C and IPS were encouraged to make a full submission containing all of Landowner C's material in respect of the Urban Development Investigation for Investigation Area C by 1 October 2018. It was also indicated that there may be the opportunity for Landowner C to present at a workshop after making their submission and prior to a Final Determination being made. This opportunity was provided on 8 October 2018.

- Landowner C (Peet) met with Councillor Baberowski and Mr Paul Gallagher, Principal Project Planner, on 24 October 2018 to provide an overview of the presentation it made to Councillors at the 8 October 2018 workshop in relation to Investigation Area C.
- IPS organised site visits of Investigation Area B with the Mayor on 12 December 2018. A further site visit was organised by IPS for the Chief Executive Officer, Acting Group Executive Liveability and Natural Assets and Council officers on 13 February 2019.
- IPS met with Councillor Baberowski and Council officers on 21 January 2018 after requesting the rescheduling of the meeting 3 times. At that meeting, IPS presented more detailed concept plans for Investigation Area B (North).
- Landowner B (Living Choice Australia) requested a meeting with the Chief Executive Officer to discuss Palmview and other Living Choice Australia projects. The meeting was held on 3 April 2019 with Group Executive Liveability and Natural Assets and Group Executive Customer Engagement and Planning Services also in attendance.
- Landowners requested the opportunity to meet with Council's assessment team to discuss matters raised during the site inspection on 13 February 2019 in relation to offsite flood impacts and in relation to its representations on the Peer Review Reports. These meetings with IPS, Peet and its respective consultants took place on 20 and 21 March 2019 in relation to the flood hazard assessment. The meetings with IPS, Peet and its respective consultants in relation to the ecological assessment took place on 22 March 2019. Both meetings were attended by the Council officers involved in the assessment of the Urban Development Investigation.
- Landowner C (Peet) met with the Chief Executive Officer Group Executive Liveability and Natural Assets and Group Executive Customer Engagement and Planning Services on 2 May 2019.

### 3.4 Presentations to Council

#### 8 October 2018

On 8 October 2018, Landowners and key stakeholders were given the opportunity to present to Council in relation to the Landowners' Submissions and the representations on the Draft Determination respectively or to proceed with the meeting scheduled for 19 October 2018. The Landowners and key stakeholders decided to present to Council on 8 October 2018.

Presentations were made by:

- Landowner C (Mr McCafferty and Peet) in relation to Investigation Area C.
- Ben Crosby, Sheree Lyons and James Brownsworth (IPS representing Landowner B) presented in relation to Investigation Area B (North) and Investigation Area B (South).
- Matthew Druce representing SDDCA presented in relation to Investigation Area B (North).
- Narelle McCarthy and Jill Chamberlain representing the Sunshine Coast Environment Council and Wildlife Preservation Society presented in relation to Investigation Area B (North), Investigation Area B (South) and Investigation Area C.

An outcome of the presentation to Council was that Landowner B, as part of their submission to Council, was to provide evidence that the proposed community facilities do not provide public health risks, particularly with regard to mosquitos. This information has never been provided.

### **3.5 Landowner Meetings with State Government**

Officers from the DES and the DSDMIP were taken on-site by IPS on 16 January 2019.

Landowners provided supplementary information to the State government to address matters that were the focus of discussions at the site visit and to provide a brief summary of the relevant parts of the proposals that were detailed in the Landowners' Submissions. This supplementary information was provided to the State government on 28 February 2019, and provided to Council on 6 March 2019.

The advice provided by the State government is included in the Final Assessment Report.

### **3.6 Meetings with Council Officers/Legal advisors**

A “without prejudice” meeting was held at the request of Landowner C (Peet), Peet’s consultants and legal advisors (HWL Ebsworth) on 22 October 2018 with regard to the Urban Development Investigation Process. The meeting included Warren Bunker, Group Executive Liveability and Natural Assets, Leah Bancroft, Project Coordinator, and Council’s external legal advisors.

### **3.7 Landowner Submissions**

#### **Submission period**

The close of the submission period indicated in the Notice sent to Landowners with the Draft Determination was 1 October 2018.

The submission period on the Draft Determination was extended at the request of the Landowners and their legal representatives a number of times: to 2 October, 11 October and then to 29 October 2018.

All Landowners were advised in writing of the extensions to the submission period. The key stakeholders were also informed.

#### **Landowner B Submission**

The Landowner’s Submission from Landowner B for Investigation Area B (North) and Investigation Area B (South) was provided to Council on 29 October 2018.

Following a meeting with Councillor Baberowski on 21 January 2019, further detailed concepts for Investigation Area B (North), which had been presented at the meeting, were provided to Council on 5 February 2019.

Supplementary information was provided by Landowner B to the DSDMIP on 1 March 2019, following the site visit on 16 January 2019. This information was provided to Council on 6 March 2019.

#### **Landowner C Submission**

The Landowner’s Submission from Landowner C for Investigation Area C was provided to Council on 29 October 2018.

Supplementary information was provided to the DSDMIP on 1 March 2019, following the site visit on 16 January 2019. This information was provided to Council on 6 March 2019.

### 3.8 Consultation with respect to the briefs for the Peer Review Report

On 12 September 2018, Connor O'Meara (legal representatives for Landowner B) provided to the Chief Executive Officer a letter from Council to Ben Crosby dated 23 April 2015, which related to a peer review of the results of the Urban Development Investigation. (**Attachment 1**)

On 25 September 2018, a Notice of Prescribed Notification advising of a revised Urban Development Investigation Process to include a Peer Review Report (Figure 3) was sent to Landowner B and Landowner C. This Notice also sought comment on the draft briefs to the peer reviewer (ecological assessment) and peer reviewer (flood hazard assessment) by 2 October 2018.

Landowners sought three separate extensions of time to comment on the briefs for the Peer Review Reports: 11 October, 29 October 2018 and then to 5 November. These extensions were granted.

Final revised briefs to the peer reviewers were provided to the Landowners on 13 November 2018, seeking final comment by 14 November 2018.

Landowner C provided comments by 14 November 2018, and Landowner B provided some comments but advised that they would provide additional comments by 20 November 2018. Additional comments were provided by this date.

At the request of the Landowners, CVs for the peer reviewers were provided on 22 November 2018.

On 21 December 2018, Council advised the Landowners that all comments provided by Landowner B and Landowner C with respect to the briefs to the peer reviewers had been considered and advised that the briefs had now been delivered to the respective peer reviewers. The peer reviewers were Adrian Caneris, BAAM Ecology (in respect of the ecological assessment) and Mark Babister, WMA Water (in respect of the flood hazard assessment).

### 3.9 Peer Review Report

The ecology peer reviewer undertook a site inspection of Investigation Area B (North), Investigation Area B (South) and Investigation Area C on 17 January 2019. In respect of Investigation Area C, representatives from Peet and the Council's Project Coordinator were also present. In respect of Investigation Area B (North) and Investigation Area B (South), representatives from IPS and the Council's Project Coordinator were also present.

The flood hazard peer reviewer undertook a site inspection on 27 December 2018 and in February 2019 from publicly accessible locations only.

The Peer Review Reports in respect of ecology were provided to Council and the Landowners on 7 February 2019. The Peer Review Reports in respect of flood hazard were provided to Council and the Landowners on 14 February 2019.

Landowner C (Peet) sent an email to the flood hazard peer reviewer on 7 March 2019 which contained some statements regarding the Peer Review Report for flood hazard in respect of Investigation Area C, such direct communication being contrary to the spirit of the independent expert peer review process.

### 3.10 Landowner's Representations on Peer Review Reports

Landowners, in a letter from Council dated 12 March 2019, were advised that Council would receive and consider representations with respect to the Peer Review Reports (**Landowners' Representations**). This was not provided for in the Urban Development Investigation Process however Council thought that it was reasonable for the Landowners to be afforded the opportunity to make such representations. The Landowners' Representations were to be provided by 18 March 2019.

Landowner C provided its Landowner's Representation on the Peer Review Reports on 18 March 2019.

Landowner B sought an extension of time to provide its Landowner's Representation on the Peer Review Reports and was given to the 29 March 2019.

Landowner B provided its Landowner's Representation on the Peer Review Reports on 4 April 2019.

Council sought clarification with respect to the Landowner's Representation in relation to Investigation Area B (South) on 8 April 2019. Landowner B's consultants responded on 10 April 2019.

Council has responded to the Landowners' Representations in the Final Assessment Report.

## 4. Key stakeholders

Key stakeholders for the Urban Development Investigation include Avid and Unitywater as parties to the Palmview IA, along with the former owner of Investigation Area B due to his ongoing association with Investigation Area B (North) and Investigation Area B (South).

In addition, key community stakeholders include Sippy Downs and District Community Association (SDDCA), Organisation Sunshine Coast Association of Residents (OSCAR) and Sunshine Coast Environment Council (SCEC).

Key stakeholders were provided with a copy of the Draft Determination and Draft Assessment Report on 31 July 2018. Each stakeholder was offered the opportunity for a briefing on the technical basis for the Draft Determination.

The key stakeholders were advised that Landowner B and Landowner C had until 1 October 2018 to make their Landowner's Submission in accordance with the Urban Development Investigation Process. The key stakeholders were also advised that other persons may make representations to the Council in respect of the Draft Determination, however Council is required to exercise its responsibilities in accordance with the Palmview IA.

### 4.1 Representations

#### Avid

Avid provided their representation on the Draft Determination on 27 September 2018.

Avid's representation stated that the Urban Development Investigation Process was more extensive than what they envisaged from the Palmview IA. They considered the introduction of the Peer Review Reports considerably extended the timeframe to achieve a satisfactory resolution to the Urban Development Investigation, thus potentially delaying the renegotiation of the Palmview IA.

Avid noted that due to the significant cost to review the material and make a meaningful representation, they did not wish to make a representation, but reserved their rights under the Palmview IA, in particular in respect of compliance with Special Condition 2.

#### Unitywater

Unitywater provided its representation on the Draft Determination on 27 September 2018.

Unitywater's representation indicated they had no in-principle objection to the development of the Urban Development Investigation Areas subject to:

- the Landowner/developer identifying the impact of the additional loading on the existing water and sewerage infrastructure; and
- to the extent that the additional water and sewer loads require augmentation, upsizing or bringing forward of the existing infrastructure, that the Landowner/developer would be required to obtain the necessary approvals and would be required to fund and complete the works at their cost.

#### Sippy Downs and District Community Association (SDDCA)

SDDCA representatives have been meeting with the consultant for Landowner B since January 2017 regarding Landowners B's proposal for the use of Investigation Area B (North). Landowner B

presented their proposal at the SDDCA AGM on 13 September 2017 and again at the AGM on 29 August 2018

SDDCA provided its representation on the Draft Determination on 29 October 2018.

The SDDCA representation supports the development proposal for Investigation Area B (North) but makes no comment on Investigation Area B (South) or Investigation Area C.

The SDDCA representation indicated that it believes that a decision not to accept the offer to provide a community ready sports field and community facility at no expense to Council, that cannot be delivered elsewhere in Sippy Downs, is:

- not in the public interest;
- stops the delivery of sustainable development;
- displays mismanagement of assets and infrastructure;
- rejects the delivery of effective services;
- ignores social inclusion and meaningful community engagement; and
- is not good governance of and by local government.

The representation considers the proposed development in Investigation Area B (North) is part of Sippy Downs rather than Palmview and would provide a much needed and currently non-existent base for the SDDCA and other non-profit and youth organisations.

The SDDCA believes the proposal for the development of Investigation Area B (North) provides an overriding community benefit with the proposed community facilities precinct and no standard housing, and as such should not be preserved for ecological corridors when buffers will provide adequate links.

The SDDCA believes that if Council considered the land ecologically important it should have been purchased.

The representation contends that a comparison between the proposed community facility land in Sippy Downs and the proposal in respect of Investigation Area B (North) is not valid, as the Sippy Downs' town centre site of 1,500sqm comprising a library and meeting rooms is not comparable to the Investigation Area B (North) site proposed to comprise 13,000sqm for open space for recreation, dog park, BBQ area and community building with multi-use meeting rooms. The SDDCA would like both facilities.

The SDDCA supports the Landowner's offer to provide the land and \$2.5m for community facilities or their offer to construct the community facility.

The SDDCA states that existing shortfalls and many community aspirations identified in the Sippy Downs Parks Master Plan could be met by approving this proposal.

The representation indicates that over 200 residents have signed a letter of support.

The SDDCA believe that hydrology issues should be site specific and cite examples of recent approvals in flood prone land in Twin Waters and Pelican Waters where community benefit has only been for surrounding residents rather than the broader community.



## Sunshine Coast Environment Council (SCEC)

SCEC provided its representation on the Draft Determination on 29 October 2018.

The SCEC representation supported the recommendation in the Draft Determination that Investigation Area B (North), Investigation Area B (South) and Investigation Area C be retained for conservation purposes on the basis of their ecological and hydrological functions.

SCEC considers the area to have significant biodiversity and ecological values which provide a range of functions including forming important wildlife and habitat corridors. They also consider the parcels provide a vital role for flood storage and mitigation. In addition, SCEC is concerned that any change to the hydrological regime, as would occur under Landowner B's proposal, in particular for Investigation Area B (North), would cause detrimental consequences and adversely impact on the Lower Mooloolah River Environmental Reserve (LMRER).

SCEC are particularly concerned about impacts on the LMRER not just because of its 'in-situ' environmental values but also because it is a receiving site for biodiversity and environmental offsets for the Sunshine Coast Airport Expansion Project and the Caloundra to Sunshine Motorway project which involve federally listed Critically Endangered Ecological Communities and other nationally and state listed species which cannot be compromised.

SCEC also states that the three Urban Development Investigation Areas collectively offer landscape-scale conservation outcomes by providing connectivity to existing protected areas such as the Mooloolah River National Park, and additionally, these areas through regeneration and enhancement would have a role as climate refugia.

SCEC believes it is of great importance to retain and enhance these parcels for conservation and flood storage/conveyance as the Sunshine Coast is experiencing escalating and compounding liveability pressures and loss of environmental values.

The SCEC representation also included additional assessment information from State government data sources and regulatory documents.

## Organisation Sunshine Coast Association of Residents (OSCAR)

OSCAR provided its representation on the Draft Determination on 29 October 2018.

The OSCAR representation supported the recommendations in the Draft Determination that Investigation Area B (North), Investigation Area B (South) and Investigation Area C be retained for conservation purposes on the basis of their ecological and hydrological functions.

They acknowledge the SDDCA concerns about the shortfall in community facilities but believe the environmental value, along with OSCAR's consistent opposition to development on flood prone land anywhere in the local government area, outweigh the legitimate desires of the Sippy Downs community.

OSCAR also indicate their concern about the cost to ratepayers to create a 'fit-for-purpose' community facility, even with the offer from Landowner B to finance such a facility.

OSCAR also raised concerns about:

- the lack of time between the Council report with respect to the Draft Determination being publicly released and the Ordinary Meeting at which the Draft Determination was made by Council; and
- the lack of a meeting where all stakeholders were present and able to express their views at the same time, believing it would have been beneficial to them.

### Wildlife Preservation Society Queensland (WPSQ)

WPSQ provided its representation on the Draft Determination on 28 October 2018.

The WPSQ representation does not support the development of the Urban Development Investigation Areas.

The representation notes the Palmview Structure Plan and Palmview IA have already defined those areas that are suitable for development and those that should be protected for their ecological values or because they are subject to inundation. The WPSQ believe that the consultants for the Landowners have failed to demonstrate that the areas are not ecologically important and are not prone to significant inundation.

The WPSQ believes Council has a unique opportunity to preserve a large tract of land with significant environmental values (including flora and fauna linkages), as well as areas of floodplain to contain and slow the velocity of flood waters entering the Mooloolah River.

The WPSQ supports the recommendation made in the Draft Determination to not support urban development of any of the Urban Development Investigation Areas, thus preserving the values, including the passive recreational opportunities, these areas will provide.

Refer to **Attachment 2** for representations

## 5. Correspondence

There has been considerable correspondence between the consultants representing Landowner B and Landowner C to Council requesting copies of information used by Council in making the Draft Determination and asking Council and the State to demonstrate the methodology for the assessment of ecological importance and flooding.

The information requested by Landowner B and Landowner C was provided in August 2018. Council officers have reconfirmed with the Landowners that under Special Condition 2 of the Palmview IA, the onus is on the Landowners, not Council, to demonstrate that the Urban Development Investigation Areas are not an ecologically important area or a flood hazard.

There has also been considerable correspondence in relation to the Landowner's contentions that the Urban Development Investigation Process was flawed and the peer reviewers were not reasonably independent.

Council has responded in writing to each of these contentions.

## **6. Councillor Workshops**

9 May 2019

A workshop was held with Council on 9 May 2019 to provide an overview of the consultation undertaken since the making of the Draft Determination, the Landowners' Submissions, the findings in the Peer Review Reports, the Landowners' Representations and the Council officers' consideration of the results of the Urban Development Investigation.

**Attachment 1. Crosby Letter**



Officer: Leah Bancroft  
Direct Telephone: 5420 8933  
Response Address: Locked Bag 72, SCMC Q 4560  
Email: [leah.bancroft@sunshinecoast.qld.gov.au](mailto:leah.bancroft@sunshinecoast.qld.gov.au)  
Our Reference: ECM

12 March 2014

Mr Peter Crosby and Ben Crosby  
PO Box 499  
NAMBOUR QLD 4560

Dear Peter and Ben

### **Future Direction for the Palmview Structure Plan Area**

I refer to your request in respect of the status of discussions on the Palmview Structure Plan proposed amendments.

As requested by the Palmview landowners, a team was established to advance the process of reviewing the Palmview Structure Plan and Infrastructure Agreement in parallel with the formal Planning Scheme preparation process.

Discussions commenced on the 22 January 2013 to establish the process and scope of the potential amendments to the Palmview planning framework and Infrastructure Agreement envisaged by the Palmview landowners so that this could be reported to the Council for its consideration.

To-date, Palmview stakeholder meetings have been held on the 22 January, 15 February, 27 February, 6 March, 29 May 2013 and 23 January 2014. Initial stakeholder meetings have progressed well with "in-principle" officer support for some of the positions put forward by the landowners. A meeting is being held between Council and the Palmview stakeholders on the 13 March 2014 to try and achieve consensus discussions in relation changes to the Palmview Structure Plan and Infrastructure Agreement.

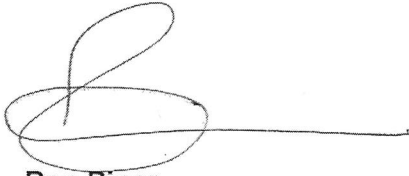
However, until the whole package of amendments to the planning scheme and to the existing Infrastructure Agreement have been tabled and put to Council for consideration, these cannot be committed to.

Council has also had discussions with officers from the Department of State Development, Infrastructure and Planning in respect of how to reduce the timeframe for the planning scheme amendment process for the Palmview area once we have the information to progress. Again, there is "in-principle" support from officers to reduce the timeframes where possible, on the basis of having the relevant information provided by the landowners in a timely manner.

Council remains committed to working with the Palmview landowners to progress the review of the Palmview Structure Plan and Infrastructure Agreement.

If you have any queries in relation to this matter, please do not hesitate to contact Leah Bancroft, Project Coordinator on telephone number 5420 8933.

Yours sincerely

A handwritten signature in black ink, consisting of a large, stylized 'R' followed by a horizontal line extending to the right.

**Ron Piper**  
**Manager - Major Urban Developments Branch**  
**Sunshine Coast Regional Council**

CC: Mr McCafferty  
Mr Harper



**Attachment 2. Representations**





Mailing Address:  
PO Box 953, Caboolture QLD 4510  
Customer Service Centres:  
33 King Street, Caboolture QLD 4510  
6-10 Maud Street, Maroochydore QLD 4558  
1300 0 UNITY (1300 086 489)  
[www.unitywater.com](http://www.unitywater.com)  
ABN: 89 791 717 472

Our ref: A5292101

Attention Ms Leah Bancroft  
Project Coordinator-Specialist Advisor  
Urban Growth Projects  
Sunshine Coast Council  
Locked Bag 72  
Sunshine Coast Mail Centre QLD 4560

Email: [Leah.Bancroft@sunshinecoast.qld.gov.au](mailto:Leah.Bancroft@sunshinecoast.qld.gov.au)

27 September 2018

Dear Leah

**Palmview Infrastructure Agreement  
Draft Determination of Urban Development Investigation Areas  
Within the Palmview Structure Plan Area**

In relation to the above, Unitywater has no in-principle objection to the development of these Urban Development Investigation Areas subject to;

1. The development of these areas will increase water and sewerage loads on what is now existing infrastructure provided under the Infrastructure Agreement. The proponent does need to identify the impact that this additional loading will have.
2. To the extent that the additional water and sewerage loads within these investigation areas requires augmentations to the existing infrastructure, or the upsizing or bring forward of future infrastructure, we would require the relevant party to obtain the necessary approvals and to fund and complete these works at their cost.

If you have any queries, please contact the undersigned

Yours sincerely

Michael Lukin  
**Network Planning Manager**

**3 October 2018**

Leah Bancroft  
Sunshine Coast Council  
Locked Bag 72, SCMC  
Email: [leah.bancroft@sunshinecoast.qld.gov.au](mailto:leah.bancroft@sunshinecoast.qld.gov.au)  
Caloundra, QLD 4560

Dear Leah,

**Re: Palmview, Urban Investigation Areas**

Thank you for the opportunity for AVID to make a submission/representations with respect to the Palmview Urban Investigation Area (UIA) process. I note the process for the urban investigation (in notices from Council, the most recent one dated 26 September 2018) is more extensive than what is in the Palmview Infrastructure Agreement (PIA).

In light of this and the significant cost to review the material and make a meaningful submission AVID does not wish to make a submission or representation in accordance with Council's email below. However, AVID reserves its rights under the PIA, in particular compliance with special condition 2.

AVID is concerned the extensive processes (beyond what is anticipated by the PIA), compounded by the introduction of the Independent Expert Peer review means the timeframe to achieve a satisfactory resolution to the UIA has extended – potentially materially.

As AVID has pointed out previously, we are very concerned about the PIA not reflecting the Bruce Highway connection and its effect on subsequent PRIP road links. AVID has reviewed the likely design, approval and construction timeframes to deliver SRL1 in accordance with the PIA. Based on the current sales environment AVID may need to commence design work of SRL1 in approximately 6 months to ensure completion in accordance with PIA obligations.

In Council's letter to AVID dated 28 August 2018 (Notice re: PAI) – three specific items were raised as cause for Council to delay the renegotiation of the PIA – one of which being the UIA. In light of UIA delays, AVID would like Council to reconsider its preference to delay the PIA renegotiations.

It is now a pressing issue that the PIA be amended (in accordance with special condition 8) to address the Department of Infrastructure, Local Government and Planning – Concurrence agency response – preliminary approval only (with conditions) issued 16 September 2016 (State concurrence approval) timing for Bruce Highway connection.

I await your response.

Yours sincerely

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

**Anthony Demiris**  
Development Manager  
AVID Property Group Pty Ltd



PO Box 275 Caloundra Qld 4551  
Phone: 0410 662 707  
[sunshine@wildlife.org.au](mailto:sunshine@wildlife.org.au)

28 October 2018

**Further Submission regarding Palmview Urban Development  
Investigation Areas**

To Leah Bancroft -Project Coordinator-Specialist Advice, Mayor, CEO, and all Councillors

Please find hereunder our comments on the ongoing discussions re the above.

The Palmview Structure Plan and Infrastructure Agreement have already defined those areas which are suitable for development, those areas which should be protected/preserved for their critical ecological values and those areas which are subject to inundation.

This was intended to provide defined boundaries to all parties.

The areas' vegetation has been classified as worthy of protection due to its high biodiversity and conservation value, let alone the fact that it provides critical habitat and movement corridors for wildlife.

The State Department of Environmental Protection, as it then was, also confirmed that the three areas now under discussion contain many high biodiversity and conservation values that are considered important at a State level, and is therefore against development of Area A North, Area B South or Area C.

For example, Investigation Area B contains over 90% of intact remnant regional ecosystems, including a large portion of endangered heath communities. These communities are becoming extremely rare all along the coast, where they once flourished.

Area B also has a diverse number of threatened species, and contains many what are known as Matters of State Environment Significance (MNES) values.

The State and Council agreed, during preparation and negotiation of the Palmview Structure Plan and Infrastructure Agreement that, in order to provide certainty to all parties, because buffers to some "Ecologically Important Areas" had already been reduced from 100 metres to 50 metres, a road edge would be maintained along these areas and there would be the securing of 483.4 hectares (originally 615 hectares) for ecological protection and rehabilitation.

The majority of the land is also flood prone as stated in the Report, (we understand that some areas can be inundated up to 2 metres), as the land forms part of the Mooloolah River flood plain, the purpose of which is, and has always been, to contain and slow the velocity of flood waters prior to entering the Mooloolah River during and after periods of heavy rainfall or extreme weather conditions.

By preserving these areas, the flood plain will be maintained, diversion of flows away from the Lower Mooloolah River Environmental Reserve will continue, and future increased flood levels will be prevented.

In order for development to occur here, if such were to be permitted, there would have to be extensive filling undertaken to raise the land above flood levels. This would inevitably exacerbate flood problems elsewhere in the area.

The purpose of the Report to Council is to present measures designed to prevent such scenarios, maintain amenity for future residents and preserve areas of environmental significance.

We understand that consultants for the land holders were not required to discuss alternative scenarios, but to justify why they were asking for changes to their development approvals under the Palmwoods Structure Plan and Infrastructure Agreement decided by both State and Council.

For example, it is our opinion that the suggested site for the proposed sporting fields is unsuitable. It is low-lying, prone to inundation, and likely be liable to plagues of mosquitoes, not conducive to enjoyable sporting activities.

We suggest that the consultants have not provided sufficient demonstration to show that areas which they would like to be able to develop are not of Ecologically Significant Importance nor prone to significant inundation

As already mentioned, these Important Ecological Areas are also crucial for the provision and preservation of habitat and movement corridors for native wildlife, as well as linkages to other vegetated areas along the coast and towards the hinterland.

Future residents of the area are also likely to enjoy the open “green” passive recreational opportunities that these areas will provide.

We are of the opinion that there is adequate area available for development in the existing approval, and this presents an ideal opportunity to preserve and enhance existing areas of significant ecological vegetation and habitat, and maintain vegetated linkages into the future.

The main focus of the Report was to preserve and enhance existing areas of environmental significance, maintain the flood plain to avoid further inundation and provide amenity to future residents.

At the Ordinary Meeting of Council on 19 July 2018, the Officers' recommendations were for all the Investigation Areas to be retained, due to the fact that they contain critically Important Ecological Vegetation and biodiversity values and have the ability to deliver habitat connectivity and wildlife movement and maintain flood storage for the Mooloolah River flood plain.

We are in full agreement with this recommendation.

We feel that Council has the unique opportunity here to preserve a large tract of land with significant environmental values, as well as areas of floodplain in order to mitigate inundation, while also providing critical vegetated linkages, wildlife corridors, to other areas along the coast and up to the hinterland for the benefit of many species of wildlife.

Yours faithfully,

Jill Chamberlain OAM  
Vice President





Recognising and upholding excellence in local government

Mail: PO Box 105  
Coolum Beach QLD 4573  
Mobile: 0417 577 881  
Email: [president@oscar.org.au](mailto:president@oscar.org.au)

29 October 2018

Leah Bancroft  
Project Coordinator - Specialist Advice  
Urban Growth Projects  
Sunshine Coast Regional Council

Email: [leah.bancroft@sunshinecoast.qld.gov.au](mailto:leah.bancroft@sunshinecoast.qld.gov.au)

**Subject: PALMVIEW URBAN DEVELOPMENT INVESTIGATION AREA**

OSCAR continues to concur with the information contained in the 20 July 2018 Assessment Report for the Palmview Urban Development Investigation Areas, following the 19 July 2018 Ordinary meeting where the Draft Determination and associated Officer's recommendations were supported by majority vote of Councillors; we particularly draw attention to the Executive Summary from the Officer's report and its concluding paragraph: *"It is recommended that Urban Development Investigation Areas B North, B South and Area C be retained for conservation purposes under the Palmview Structure Plan."*

We agree with the recommendation to keep the parcels as Ecologically Important Areas and for hydrological functions ie flood mitigation/storage and conveyance.

We note, and respect, the views of the Sippy Downs and Districts Community Association and believe that community has been let down in relation to the historical provision of community and sporting facilities (we concede this is not solely the fault of Council). We are also not convinced that Council has presented sufficient evidence for OSCAR to be persuaded that the provision of equivalent facilities can be achieved within Sippy Downs and we believe that this community has the right to expect such facilities.

Nevertheless, we remain of the view that the environmental values of the area, coupled with OSCAR's consistent opposition to development on flood prone land anywhere in the LGA, outweigh the legitimate desires of the Sippy Downs community. We also remain concerned about the cost to ratepayers, associated with creating a "fit for purpose" community facility if this development was to proceed, even allowing for the contribution of the landowners to the financing of such facilities.

We appreciate the fact that the Council has included OSCAR as a stakeholder in this process and has kept us well informed. We do have concerns about the process however. These relate firstly, to the lack of sufficient time between the draft determination report being publically released and the Councillor vote at their Ordinary Meeting giving the community little opportunity for consideration of the report's content and to provide feedback to their elected representatives and secondly, to the lack of a meeting at which all stakeholders were present and able to express their views at the same time. OSCAR would have found such an opportunity to be valuable and perhaps it is still possible that this could occur if the other stakeholders view this as desirable.

Yours sincerely

Greg Smith  
**President – OSCAR Inc (Organisation Sunshine Coast Association of Residents)**



*Sippy Downs & District Community Association Inc*

29 October 2018

Leah Bancroft Project Coordinator - Specialist Advice Urban Growth Projects Sunshine Coast  
Regional Council

Email: leah.bancroft@sunshinecoast.qld.gov.au

Subject: PALMVIEW URBAN DEVELOPMENT INVESTIGATION AREA

### **Introduction**

The Sippy Downs & District Community Assoc In (SDDCA) must commence by saying that it is extremely disappointing that a meeting, at which **all** stakeholders were present to enable transparent exploration of potential concerns and issues did not occur as agreed and consequential of the one and only meeting between core stakeholders (Area B North Owner, IPS, SDDCA, SCC CEO & Planning Staff), in October 2017.

The SDDCA has held separate meetings with OSCAR and SCEC and a meeting of all stakeholders would have been advantageous to all.

We acknowledge that SCC was prepared to meet in a round table format which was later changed to a 10 minute presentation by stakeholders. We accepted this change, however we believed that all stakeholders would be present for all presentations, as has occurred in the past when the SDDCA made a presentation to Council on Palmview. It was extremely disappointing that stakeholders were excluded from presentations by others.

Under section 4(2) of the LGA09, Council and Councillors are legislatively bound to:

- deliver transparent and effective processes and decision-making in the public interest
- deliver sustainable development and management of assets and infrastructure, and delivery of effective services
- deliver democratic representation, social inclusion and meaningful community engagement
- ensure good governance of, and by, local government

Council officer's decision to reject an offer of a community ready sports field and facility, at no expense to council, that cannot be delivered anywhere else in Sippy Downs is:

**NOT** in the public interest, **STOPS** the delivery of a sustainable development and **DISPLAYS MISMANAGEMENT** of assets and infrastructure, **REJECTS** the delivery of effective services, **IGNORES** social inclusion and meaningful **COMMUNITY ENGAGEMENT** and **IS NOT** good governance of, and by, local government.



*Sippy Downs & District Community Association Inc*

### **SDDCA history re Palmview Planning Process:**

The SDDCA has been involved in the planning process for the Palmview development since 2009.

We have executed submissions; lodged petitions; given evidence at a parliamentary committee hearing; hosted several public meetings attended by hundreds of residents and had countless meetings with all levels of government, landowners and stakeholders.

We volunteered 1000's of hours over this time and note the current proposal for community facilities on Area B North is not only of direct relevance to our community but an opportunity that should not be passed up.

### **Geographical location:**

This proposed development is located directly across the road from the Flame Tree Pocket subdivision and is north of Sippy Creek in the suburb of Sippy Downs falling inside Council Division 6, unlike the remainder of the Palmview development which is in Council Division 1.

Simply put Area B North is part of Sippy Downs, not Palmview despite being included in the Palmview IA.

### **Community Need & Desire:**

A survey of residents conducted by the SDDCA over 10 years ago listed community facilities as the number 1 priority.

We were aware of the late Peter Crosby's desire to provide community facilities for Sippy Downs on his land.

It is concerning to note that during the debate at Council's Ordinary Meeting (OM) on this subject, one of the Councillors present stated "it is not our role to rectify historical shortfalls" (referring to lack of community facilities in Chancellor Park Estate).

Whilst it is not the fault of the current council, it is the role of the current Council to manage and improve the livability of residents, more so when the funding of such a project is at no cost to the ratepayer.



*Sippy Downs & District Community Association Inc*

This development would provide a much needed and currently non-existent base for the SDDCA and other local non-profit and youth organisations to service the local community.

If approval is not given, Sippy Downs will never have its own dedicated community and sports facilities as there are no other parcels of land large enough to accommodate such facilities.

Surely people who volunteer so much their time deserve Council's support?

### **UIA process:**

The 201 ha of former Juniper land was purchased by council for ecological protection for \$7 million.

If Area B North has been deemed a more ecologically important corridor than the former Juniper land, why was this parcel not purchased at the same time or at least ruled out for development?

Upon learning that Area B North was deemed an Urban Investigation area, the SDDCA's expectation was always that it would potentially be developed, and we were very pleased with the proposal of a community facilities precinct with no standard housing.

We now have a never to be repeated opportunity to have historical shortfall addressed which is an exceptional opportunity.

Does 'investigation' not mean exploring all avenues?

### **Purchase of environmentally significant land:**

Council recently announced spending of some \$7 million on environmentally significant land across the region, a practice we commend with the exception of putting resumption of land for environmental purposes before public interest as is the case in this instance.

We already have the 201ha of former Juniper land, adjoining the Mooloolah River National Park!

The SDDCA believes that the 50ha Area B North Parcel of land provides an overriding community benefit and should not be preserved for ecological corridors, when large buffers to be retained will provide that link.



*Sippy Downs & District Community Association Inc*

### **Comparison with Community land at Sippy Downs Town Centre:**

The SDDCA sees that these parcels of land are apples and oranges and cannot truly be compared.

Council recently announced that the Sippy Downs Town Centre community land has been transferred to Council's ownership and \$50,000 had been secured for community consultation to investigate potential joint ventures with businesses and other groups, as construction cannot and will not happen without private partners and most likely state and federal grants.

We note the land has not yet been cleared and is currently heavily populated with mature trees which will have to be cleared. There is no current timeline for delivery due to budgetary constraints.

The two facilities are completely different with the town centre site planned for a library and meeting rooms and Area B North for open space recreation, dog park, BBQ area, large common open space, and community building with multi-use meeting rooms.

The land designated for community use at the town centre is 1500m<sup>2</sup>. The land designated for community facilities in UIA B North is over 13000m<sup>2</sup> plus a full-size sport playing field.

Council officers at one stage asked which do we want? Representing a community association that has been established for 15 years and still has no facilities of their own, the answer is both.

### **Landowners offer to deliver community facilities at no expense to council**

We acknowledge that the land owner is seeking development rights for a retirement village/aged care or P-12 school, to fund the 2.5-million-dollar community sports field and facility.

This is also supported by the community.

Council officers have commented that Sippy Downs residents can use the community facilities that will be constructed in Palmview.

This acknowledgement of the shortfall of facilities in Sippy Downs has not gone unnoticed, nor has the suggestion that Sippy Downs locals should travel to a different suburb and a different council division to use facilities that as we understand developer contributions have provided for approximately 16000 new residents of Palmview.

We had heard council officers state that that it was not a good offer. Has there been another example of an offer of land + \$2.5 million for community facilities?



*Sippy Downs & District Community Association Inc*

Further to this point, as we understand it thanks to the transparency of IPS sharing their presentation material with us addressing councils concern about perceived additional the cost to ratepayers, associated with creating a 'fit for purpose' community facility if this development was to proceed, even allowing for the contribution of the landowners to the financing of such facilities", the presentation to Council, from IPS stated:

Even though the development footprint area has reduced from the original proposal, the land owner still proposes the same financial contribution of \$2.5M to construct the planned community facilities. Evidence of costings from reputable consultants will be provided.

In response to Council's concerns that this financial contribution was not considered adequate, the land owner would be willing to construct the community facility and return any surplus money to Council to use for other community projects in Sippy Downs.

This shows the land owner's confidence in the costings.

### **Sippy Downs Parks Master Plan:**

The SDDCA assisted council in promoting the Draft Sippy Downs Parks Master Plan holding a free sausage sizzle to engage residents to complete the round 2 survey form. The results were announced at the SDDCA AGM in August.

The findings acknowledged a lack of community facilities in Sippy Downs.

It identified need for an additional off-leash dog park after plans to expand the existing small park were scrapped due to objection from neighbouring residents. We believe Area B Nth would be an ideal location for a dog park as it is away from the lakes system and would service the other end of Chancellor Park estate.

Under the Parks Master Plan these will not be delivered for some 3 to 7 years depending on funding and approval.

Many more of the aspirations detailed in the Parks Master Plan could be met by approving the proposed Community Facilities Precinct.



*Sippy Downs & District Community Association Inc*

### **Evidence of support:**

Cr Christian Dickson advised that he would like evidence that the Sippy Downs community supported this proposal.

At the SDDCA AGM on the 29 August, a proforma letter of support was launched and some 200 residents have completed a signed letter of support.

A high level of support for this proposal is clearly demonstrated. The SDDCA was pleased to be relaying a proactive opportunity for community involvement.

The SDDCA assisted with door knocking of Red Cedar Street which borders the proposed development. There were no objections received when it was explained that the vegetation buffer would be retained, and any construction would be a minimum of 300m from their houses.

### **Draft determination:**

At the Council OM in July, Councillors voted to firstly NOT support more time than the 3.5 days allocated between the draft report being released and Councillors voting.

A majority of Councillors then further voted to support the officer's recommendation for UIA Area B North be retained to deliver habitat connectivity.

We find it confounding that Councillor Christian Dickson holding the planning portfolio, and being the divisional Councillor for the subject area, did not have his recommendation taken seriously.

There were statements made that gave the impression that this offer had been on the table during the initial Palmview planning process with a reference given that 'if we can't make a decision after 10 years....'

The SDDCA Executive finds this statement misleading as the review process for the UIA has only been underway for just 15 months from March 17 to July 18

I reiterate that the proposal for a Community Facilities Precinct is the most exciting opportunity that has been presented since the inception of the SDDCA in 2003 and our divisional Councillor is well aware of community support.



*Sippy Downs & District Community Association Inc*

## **Community Need & Application of Planning Scheme | Precedents**

We believe, as council does (as shown by a number of recent development approvals) that hydrology issues should be site specific. As such we are perplexed by council's position that a community ready sports field and facility cannot occur at the Palmview Area B North site because falls partially in a Q100 flood zone.

A council media release stated, "It is important to emphasise that all local government planning schemes undergo regular reviews in response to emerging issues, changed circumstances and legislative reforms." The SDDCA Agrees.

Council have approved development on flood prone areas and have justified their decision by stating that "Preliminary flood modelling undertaken for the land has indicated no worsening of flood impacts on adjacent communities and in fact a likely improvement in existing flood conditions for those communities."

Innovative Planning Solutions has been very open and transparent in their engagement with the SDDCA and provided us with a copy of their presentation to Council. Below is an extract:

*"Flooding matters have been comprehensively addressed. The land owner has always been transparent that the land is flood prone as defined by the Structure Plan, however detailed flood reporting has been prepared that demonstrates there will be no material impact on flooding conditions upstream or downstream of the land as a result of the proposal. This flood reporting also demonstrates an increase in flood plain storage of 48,000m<sup>3</sup> (as a result of the provision of a flood conveyance channel). This represents a significant benefit when compared to the land being left in its current undeveloped condition. The findings of this recent flood reporting have also been reviewed by pre-eminent hydraulic expert Neil Collins and confirm that its findings are technically sound."*

*"Council's draft determination was based on landscape assessment and a literature review of reporting that is 14 years old. Our data is based on 2018 ecological assessments. Council's 2004 assessments actually required detailed site assessment as individual developments evolved within the Palmview Structure Plan area and that is exactly what we have provided."*

Some examples of Council's recent application of "community benefit" in development approvals like Pelican Waters & Twin Waters where it would appear "community" benefit was primarily for golf club members, not the broader community and where "community" benefit is a flood refuge facility that can service the existing residents of Twin Waters!?





*Sippy Downs & District Community Association Inc*

Compare this to the UIA proposal for Sippy Downs:

- An increase in flood plain storage of 48,000m<sup>3</sup>.
- Community benefit to address the historical shortfall of community and sporting facilities in Sippy Downs.
- Community facilities to include community building/sports clubhouse with mixed use meeting rooms for community activities.
- Appropriate car parking.
- Full-size sports playing field.
- Land dedication for above and minimum of \$2.5 million contributed by the land owner for construction of facilities.

### **Summary:**

- All stakeholders, including council and both core and fringe/regional stakeholders have acknowledged with us in writing the need for provision of community facilities in Sippy Downs to address what is a lengthy shortfall.
- Residents are aware that \$7 million of ratepayers' money was used to purchase one 201 ha parcel of Juniper land for ecological protection.
- Residents are aware the 50ha lot was deemed an Urban Investigation Area which the landowner is offering development ready land plus \$2.5 million for community facilities and Council are not supporting this.
- We are aware that the original concept presented has been altered to address ecological and hydrology concerns, so we hope that your draft determination, will not affect your final decision.
- We acknowledge that the historical shortfall of community facilities is not the fault of this Council, but it is in your power to fix it.

29 October 2018

Ms Leah Bancroft  
Project Coordinator - Specialist Advice  
Urban Growth Projects  
Sunshine Coast Council  
Via email: [leah.bancroft@sunshinecoast.qld.gov.au](mailto:leah.bancroft@sunshinecoast.qld.gov.au)

Cc: Mayor Mark Jamieson, All Councillors, CEO Michael Whittaker, Warren Bunker, James Ruprai, Patricia Jensen, Paul Gallagher

Dear Ms Bancroft, Mayor Jamieson, Councillors, Mr CEO, Group Leaders and Senior Strategic Planning staff

**Submission on the Draft Determination Notice (dated 30 July 2018) under the Palmview Urban Structure Plan Infrastructure Agreement 2010 (Consolidation No. 2) – Palmview Urban Investigation Areas**

Established in 1980, the Sunshine Coast Environment Council (SCEC) is the peak environmental advocacy organisation for the Sunshine Coast region. SCEC currently represents 64 member groups predominantly working in the areas of natural resource management, conservation, environmental restoration and protection and sustainability. This membership represents a collective of almost 10,000 individuals with a further 4000 people as SCEC supporters.

**COMMENT AND RECOMMENDATIONS**

SCEC strongly supports the Draft Determination of Urban Development Investigation Areas within the Palmview Structure Plan Area 20 July 2018 (Post Ordinary Meeting) and it's underpinning recommendations relevant to each parcel (i.e. Area B North, Area B South and Area C) in their entirety.

This document clearly sets out the review process (arising from the *Palmview Structure Plan Area Infrastructure Agreement 2010 (Consolidation No. 2)* and the extent of assessments by Council staff and the State. Notably, the Infrastructure Agreement (Consolidated No. 2.) entered into by all parties provided a mechanism for the landowners to demonstrate the parcels did not contain ecological values or were flood prone. And if they were flood prone (which they largely are) there was a demonstrated overriding public benefit. It did not seek alternatives or concept options.

This extensive analysis and assessment, which has considered a range of issues, has resulted in the conclusion; *"It is recommended that Urban Development Investigation Areas B North, B South and Area C be retained for conservation purposes under the Palmview Structure Plan."*

SCEC strongly agrees with this assessment and the imperative to retain these parcels as 'Ecologically Important Areas' and for flood storage and hydrological functions. These areas have

significant biodiversity and ecological values which have provide a range of functions, including forming important wildlife and landscape corridors.

As floodplain, these parcels also provide a vital role for flood storage and mitigation. Any change to the ecology and hydrological regime, as would occur in the landowner proposal (specifically for Area B North), would create detrimental consequences and adversely impact the Mooloolah Lower Mooloolah River Environmental Reserve (LMRER).

Apart from its' insitu environmental values, the LMRER is the 'receive site' for biodiversity and environmental offsets arising from a number of major projects in the region e.g. the Sunshine Coast Airport Expansion Project and the CR2SM project. The success of conservation outcomes for federally listed Critically Endangered Ecological Communities (e.g. Lowland Rainforest of Subtropical Australia-LRSA) and other nationally and state listed species in formative, establishment stages within this site cannot be compromised by incompatible land-use/s. For example, the EPBC condition for the LSRA offset which is a very complex and specific ecological community, compliance is 10 years.

These parcels collectively offer landscape-scale conservation outcomes by providing connectivity to existing Protected Areas such as the Mooloolah River National Park. This strategically located NP covers an area of 830.9 hectares and is bordered by the Mooloolah River to the east, Claymore and Dixon Roads to the west, and the Lower Mooloolah River Environmental Reserve to the south.

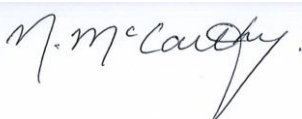
As the ecological integrity and functionality as a wildlife corridor improves over time through regeneration and enhancement of Area B North, Area B South and Area C, its' additional role as climate refugia will be critical.

Notably, the Ecosystem Services Valuation has been calculated as being up to \$140,000 per ha based on wetland and riverine values

SCEC considers it timely and of great importance to retain and enhance these parcels for conservation and flood storage/conveyance purposes, particularly as the Sunshine Coast experiences escalating and compounding liveability pressures and loss of environmental values.

Finalising the currently Draft Determination represents a crucial opportunity to establish and secure a significant long-term natural asset for the entire Sunshine Coast region. It is one of the single most important investments in contemporary times to deliver immeasurable benefits for the health, well-being and amenity of our communities, visitors and environment.

Yours sincerely



Narelle McCarthy  
Liaison and Advocacy

## Summary of Additional Assessment Information derived from State data sources and Regulatory documents

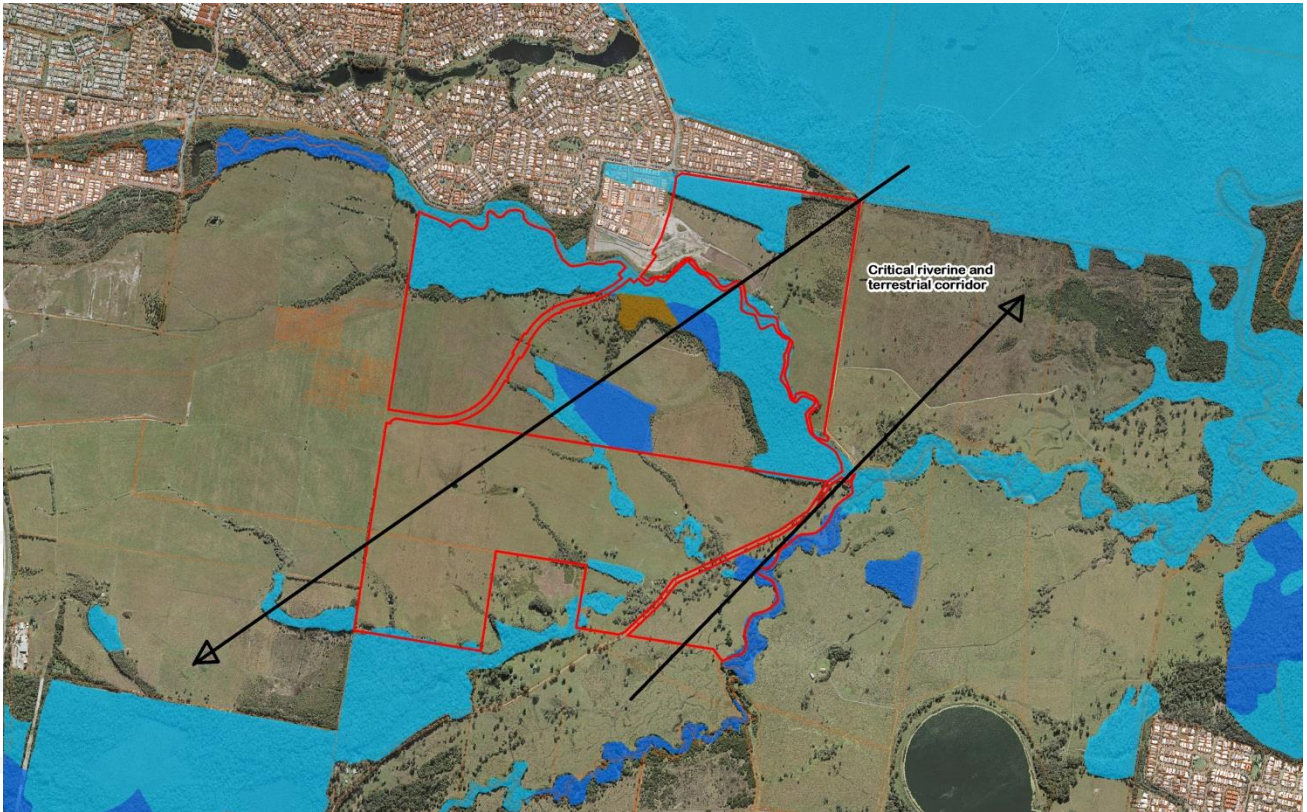
### For: Lot Plan 201SP287474, Lot Plan 347SP287466 and Lot Plan 346SP287465

- Adjacent to the Mooloolah River
- Adjoins Mooloolah River National Park in the NE corner, Palmview Regional Park in the SW (500m)
- Adjacent Lower Mooloolah River Environmental Reserve to the E
- Critical linkage connecting Parks along waterways and remnants
- Contains Lowland Rainforest Endangered Ecological Community (Matters of National Environmental Significance)
- Matters of State Environmental Significance
  - Contains Regulated Vegetation intersecting a watercourse
  - Contains High Ecological Significance wetlands
  - Contains Wildlife Habitat
  - Contains Regulated Vegetation
- Core Riverine Areas (SEQ NRM Plan)
- Nature Conservation Assets (SEQ NRM Plan)
- Lowland Coastal Assets (SEQ NRM Plan)
- **Ecosystem Services Valuation - up to \$140,000 per ha based on wetland and riverine values**
- Contains Essential Habitat (QG v4)
- Contains Core Remnant Vegetation and Stepping Stones (SEQ NRM Plan)
- Known cultural values immediately to the south (200m)



○ **recommend cultural heritage assessment for potential sites on property**

- Contains Riverine and Floodplain Ecosystems (QG Wetlands)
- Located on Floodplains (SEQ Geology - Qa-SEQ, Clay, silt, sand, gravel; flood plain alluvium)
- Contains Surface Expression of Groundwater (GDE), Alluvial aquifers with near-permanent flow - SEQ
- Contains Subsurface Presence of Groundwater (GDE)
- Contains Palustrine and Riverine Wetland Systems (QG Wetlands)
- Acid Sulfate Soils Risk - Acidic soil in top 0.5m, low probability of ASS
- Adjacent to Key Resource Areas (Meridan Plains)
- Land zones 3 - Alluvium, River and Creek Flats
- Contains Christmas bells (*Blandfordia nobilis*) (Endangered)
- EPBC and NCA listed species within 1km - short-beaked echidna, Mt. Emu she-oak, Latham's snipe, swamp stringybark, tiny wattle, wallum froglet
- Remnant status Endangered and No concern forest types
- Regional Biodiversity Hotspot associated with Mooloolah River and lowland forest / wetland system
- Contains Vulnerable and Poorly Conserved forest types
- Contains High Ecological Significance - Terrestrial and Wetland Areas (QG HES)
- Contains State Habitat for EVNT taxa, and State Biodiversity Significance (QG BPAv4.1)
- Contains State and Regional Biodiversity Corridor Vegetation (QG BPA)
- Contains Climate Refuges and Adaptation Zones 5/9 criteria (SEQ NRM Plan)



Meridan Downs State Biodiversity Values Map





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