

SAVE OUR FORESHORE INC.

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12 February 2019

Mr Bruce Davidson

Interim CEO, Whitsunday Regional Council

Proserpine QLD 4800

Dear Bruce,

Save Our Foreshore would like to lodge the following with respect to the Agenda Item below for tomorrow's Ordinary General Meeting:

12. Planning and Development Services

12.2 20181552 - DEVELOPMENT APPLICATION FOR PRELIMINARY APPROVAL FOR MATERIAL CHANGE OF USE TO VARY THE WHITSUNDAY REGIONAL COUNCIL PLANNING SCHEME, SHUTE HARBOUR ROAD, SHUTE HARBOUR, SHUTE HARBOUR MARINA DEVELOPMENT PTY LTD OFFICER'S RECOMMENDATION

Council resolves to approve the application for Preliminary Approval for Material Change of Use to Vary the Whitsunday Regional Council Planning Scheme, made by Shute Harbour Marina Development Pty Ltd, on L: 22 SP: 208207 T: PT TL239765, L: 23 SP: 208207 T: PT TL239765 and located at Shute Harbour Road, Shute Harbour, Subject to the conditions outlined in Attachment 1.

Save Our Foreshore Inc (SOF) has a well documented history of opposing this proposal. SOF wishes to advise Council that the reasons for this opposition, provided in our responses to the EIS, other correspondence and the petition of some 2700 signatures, are even more relevant today.

This is a 1980's proposal that is totally unrealistic in today's world given our, now extensive, knowledge of climate change and environmental impacts on an already stressed inner and outer reef system.

Four major issues for the community are:

1. Climate change
2. Water Quality and environmental impacts on an already stressed reef system
3. Insurance and liability risks
4. No proven need for either built form or marina berths

1. CLIMATE CHANGE:

Council states:

The application has been assessed against the provisions of the Planning Act 2016 and the Whitsunday Regional Council Planning Scheme 2017. The proposal is considered to be consistent with the higher-order outcomes in the Planning Scheme and with approvals given by the State Government. The application is recommended for approval in accordance with the drawings and documents submitted, subject to reasonable and relevant conditions

SOF maintains an evidence based position by experts (response to the EIS) that the location for this development is inappropriate and inherently at risk from climate change.

Statements and claims made by the proponent in the EIS are speculative and not based on fact or reality. If anything, they give a false sense of security as did Port Hinchinbrook (below).

As anyone who has lived and worked in the marine industry in a cyclone region knows, claims of marinas being guaranteed safe shelters are misleading. To build one such as Shute Harbour's proposal with this as justification is self-serving and only in the developer's interest.



Hinchinbrook Marina post Cyclone Yasi

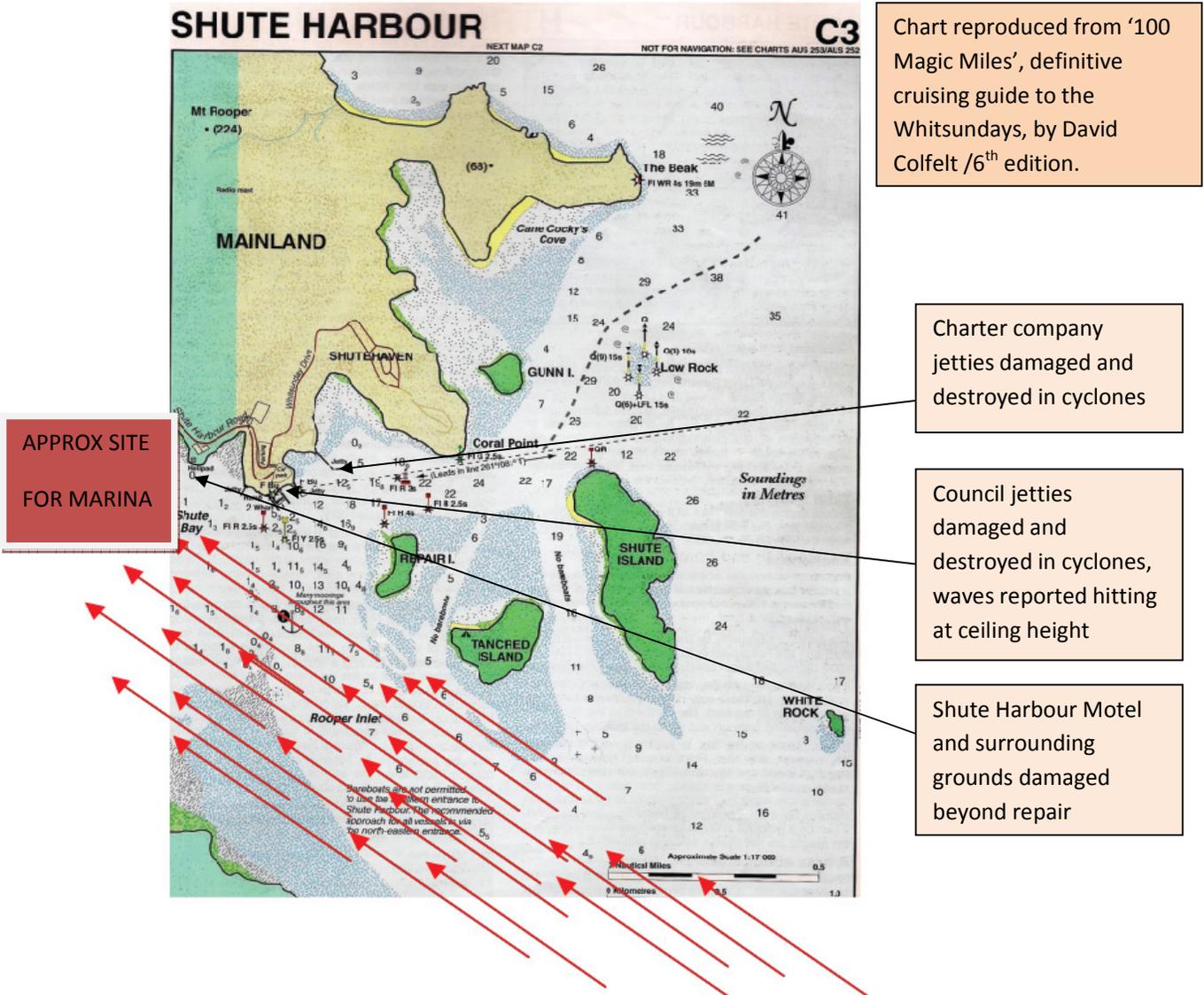
CLAIM: Strategic directions – Sustainability, Climate Change and Natural Hazards

The applicant advises the development is ‘strategically located to provide natural weather protection which will provide for marine safety in extreme cyclonic events.’

There is no evidence to support this statement, which is repeated several times in the proponents’ material. The opposite is closer to the truth: Shute Harbour Jetty and Shute Harbour Motel – both of which are located eastwards of the proposed development site and benefit from some protection by being in the lee of the 3 islands in the entrance to the bay – were seriously damaged in cyclone Ului (2010) and destroyed in cyclone Debbie (2017).

- A business owner on the jetty reported ‘waves to ceiling height’.
- Neither cyclone reached Category 5.

Instead, the proposed marina development site is completely open to the full force of south easterly winds and wave action. There is NO BASIS to any claim that it is ‘strategically located’ to provide protection in extreme cyclonic events. See chart below.



WIND & WAVE DIRECTION TOWARDS MARINA SITE FULLY EXPOSED TO EXTREME WEATHER AND PREVAILING WIND FROM THE SOUTH EAST.

2. WATER QUALITY AND ENVIRONMENT:

The 2017 (most recent) Mackay Whitsunday Reef Catchments Report Card shows the Whitsunday waters scoring a **D=POOR** for water quality in the inner Whitsundays. From the first report card in 2014, this continues a deteriorating trend and decline in coral, water quality and seagrass. Shameful for a Reef Guardian Council and a region dependent on marine based tourism.

- A concrete breakwater, pounded by waves (and rebound) from the prevailing SE winds blowing into Shute Harbour, spells the death knell for any remaining water quality for the inner Whitsunday Islands and their resorts.
- The on-going dredging and dumping needed in Shute Harbour to maintain depth for vessel access is not addressed in any way that meaningfully deals with the long term issue. It's a well-known fact that the rate of siltation of Whitsunday marinas and access channels is under-played in development applications. Locations to safely dump the (acid sulphate) maintenance dredge spoil is an on-going problem.
- If the Great Barrier Reef were likened to a piece of tapestry, then building a development like this – essentially a suburb on the seabed - would be like pulling another thread on the unravelling of the ecosystem as a whole.
- For a Reef Guardian Council, any more net loss of mangrove forests and fish breeding habitats – as proposed - at a time when inner reefs and outer reefs are suffering from increased stresses (water quality deterioration and sea temperature rises) should be unacceptable.

3. INSURANCE & LIABILITY RISKS:

LOCAL PLANNING MATTERS

1. Strategic Framework

Liveable communities and housing

1. Is the project even insurable?

In today's economic climate and with climate change upon us, would the insurance industry have an appetite for this type of development? While this of course is a private commercial decision by the developers, all the indicators are that caution should be adhered to by decision makers.

2. *The applicant puts forward that the subject site is strategically located in an area that provides a natural harbour that is safe for marine vessels, particularly during cyclone events and is dependent upon the coastal location of Shute Harbour. Its accessibility and proximity to Whitsunday Islands is advantageous, but also necessary to support the required infrastructure.*

- a) The claim that it is in an area that provides a natural harbour that is safe for marine vessels particularly during cyclone events is well and truly proven incorrect. Shute Harbour has sustained massive damage to its infrastructure and hundreds of boats have been lost or damaged in the past two recent cyclone events. Neither of which reached Cat 5 strength.

- b) After some 30 years and multiple ownerships over the lease, the proposal is still unfunded and is potentially uninsurable given the known impacts of climate change, sea level rise and the increased frequency and severity of storm events.
- c) While this is of course a private commercial decision, not a council issue, Council must take into account the potential for this to become another “Hinchinbrook” disaster, where residents of the private commercial marina and residential development called on Council/ratepayers to foot the bill for their severely damaged development, built in an unsuitable location against all the advice of experts.
- d) The proposal includes a “Retirement Resort’ and community cyclone shelter:
- *In addition, a community cyclone shelter is to be incorporated within the Marina Plaza and will be constructed and equipped to latest standards to respond to cyclone disaster in the region.*
 - *‘Co-located residential and tourist uses that are part of an integrated development proposal (e.g. mixed-use development) incorporating a marina, if these uses are located directly landward of the marina and appropriately protected from natural hazards’;*
 - *‘The development ensures that it mitigates risk to people and property by incorporating 2% AEP sea level rise in terms of wave force and storm surge levels, as well as best practice construction standards to manage the risk.’*
 - *‘The revetment, breakwater and marina designs have incorporated a 2% AEP sea level rise and wave force factors. Storm surge levels have been modelled to inform the final land design levels and the construction of the breakwater and marina will be constructed to highest standards to ensure maximum resilience to natural hazards and climate change’*
 - **The location and decision to dredge, create land and build in the storm surge zone is an inherently unsustainable way to provide housing.**
 - SOF believes that more stringent controls than 2% AEP should be in place for community emergency services facilities, especially in what is an isolated location with no access for emergency service vehicles (and limited if any helicopter service) in a severe weather event. There is only one road in and out.
 - The proposal places people (elderly in a retirement development) and property at risk in the storm surge zone.
 - Community cyclone shelter for 1000 people: Shute Harbour/Shute Haven residents have always provided for themselves in the event of cyclones. This is unlikely to benefit the ‘community’, being more likely a facility for the use of people within the development who have not already evacuated from a dangerous site.
 - SOF understands that the marina wall will be built to withstand a Category 3 cyclone – however we believe this may have been updated and we would ask Council to clarify this.
 - Liability: there are now international precedents with citizens taking action against decision makers who fail to take climate change into account in decision making. What risks are there for this community of ratepayers should this proposal fail – as did Port Hinchinbrook?

4. NO PROVEN NEED FOR EITHER BUILT FORM OR MARINA BERTHS:

The Terms of Reference for this project required that the proponent prove demand for both berths and built form. On several occasions via EIS, SEIS etc it has been shown beyond question that this need simply does not exist. The proponent has in the past provided figures and statistics that do not add up. In spite of this the CG has seen fit to ignore the evidence. Today, some six years after the CG signed off on the project, this lack of demand still exists.

Much of Port of Airlie, which has not been able to attract a buyer since receivership (the Receivers are the owners) is vacant blocks, the marina infrastructure yet to be completed. Abel (I) Pt Marina, after being in receivership twice since 1989, is a rare exception having been bought by a single private investor (at a fire sale price). It was also built in the only natural deeper water site in the area so didn't require the dredging costs of the others.

There is a non-functioning marina at Laguna Quays (State significant development, like Shute Harbour). And the best location of all, where the benefits would also be greatest, Bowen, has a marina approved but no developer.

SOF believes that the many speculative and unsubstantiated claims of the proposal's benefits are far outweighed by Shute Harbour left in its natural state, where people visiting the area and residents can enjoy a natural, undeveloped environment, incredible unimpeded island views, all surrounded by National Parks. There will be a net loss of public accessibility to their natural environment for personal enjoyment, whether boating, fishing, crabbing, walking or fossicking on the foreshores.

The real benefit to the local community, the local economy and the global environment will be in retaining amazing views, by improving the region's water quality through not destroying the seabeds and natural coastline; by leaving the mangrove forests, fish breeding habitats and seagrass to carry out their environmental functions, all of which support the long term survival of the reefs and in turn, the tourism industry and its jobs.

We believe approval has been and will continue to be a grave mistake both on the part of our Whitsunday Councillors and the Queensland State government.

Sincerely,



Suzette Pelt

President

Save Our Foreshore is an association registered under the Incorporated Association Act. It is a community organisation created by citizens of the community of Whitsunday in 2004 having a particular interest in ensuring that public access to the coast and amenity of coastal public lands are preserved and enhanced for the long term benefit of their ecological, scenic and recreational values as enjoyed by the Whitsunday community and visitors to the area