



GENERAL CARRARA / MERRIMAC FLOOD HAZARD DEPTHS 100 YEAR ARI STORM EVENT



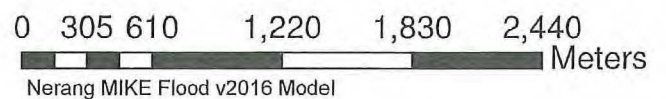
Legend

NERANG 100YEAR DEPTH (m)

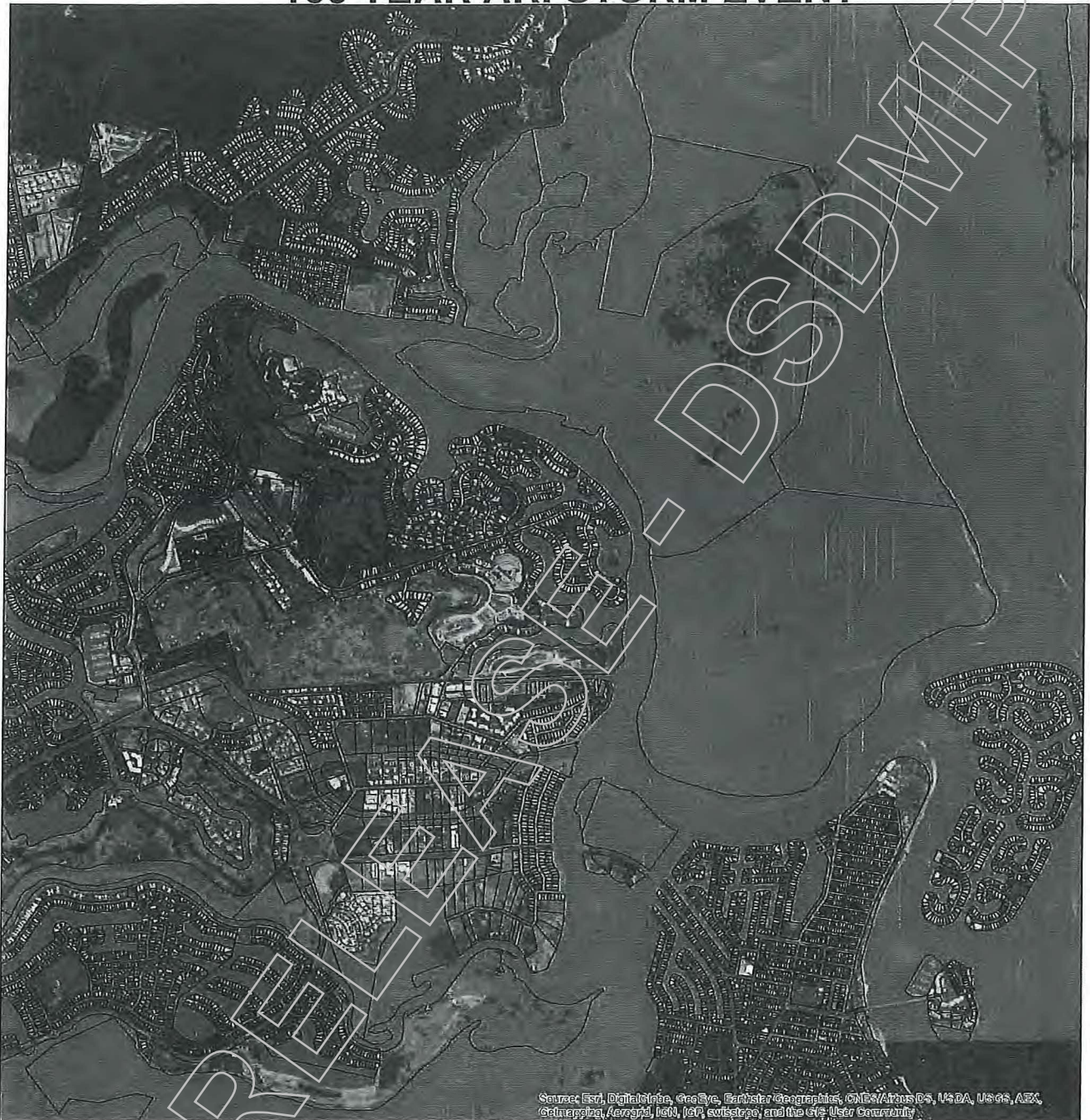
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 **ARCADIS** Design & Consultancy
for natural and built assets



GENERAL HOPE ISLAND/ PARADISE POINT FLOOD HAZARD DEPTHS 100 YEAR ARI STORM EVENT



Legend	
COOMERA 100YEAR DEPTH (m)	
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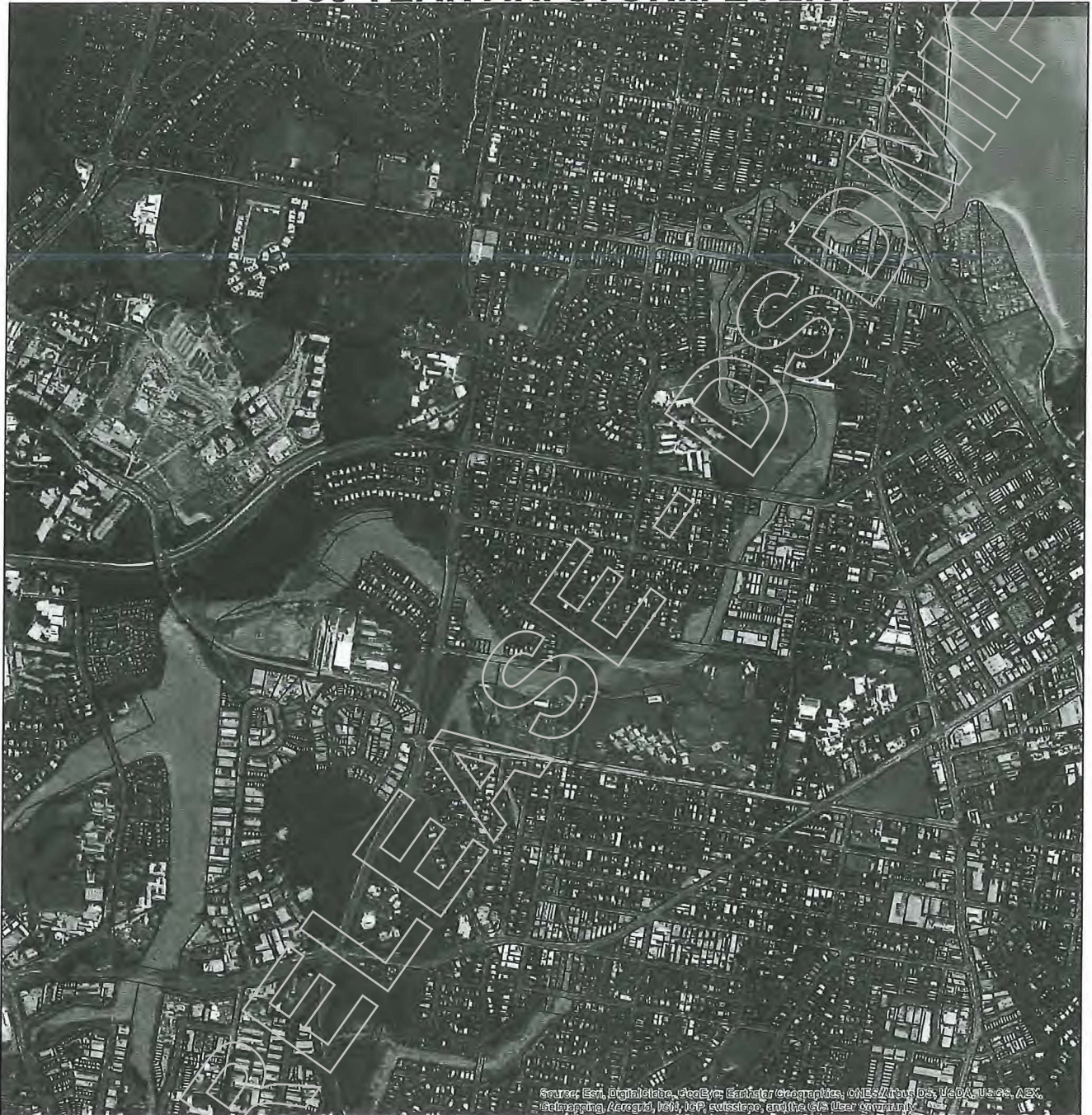


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0 330 660 1,320 1,980 2,640
Meters



CoomeraM21_2008 Model

GENERAL SOUTHPORT/ LABRADOR FLOOD HAZARD DEPTHS 100 YEAR ARI STORM EVENT



Legend

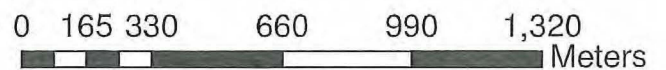
100 YEAR LODERS CREEK DEPTH (m)

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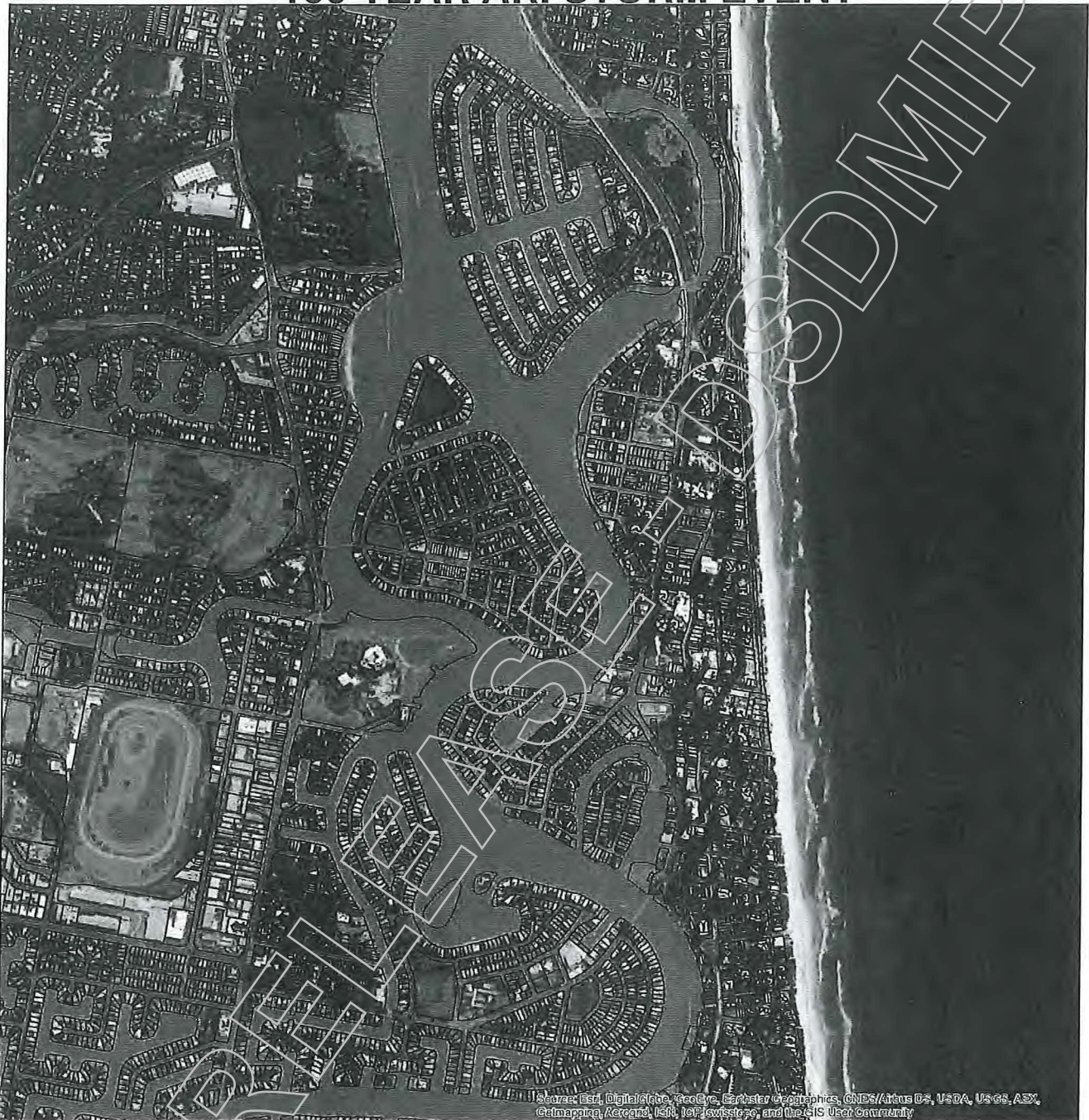
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Loders MIKE Flood v2016 Model

GENERAL SURFERS PARADISE AREA FLOOD HAZARD DEPTHS 100 YEAR ARI STORM EVENT



Legend

NERANG 100YEAR DEPTH (m)

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0 195 390 780 1,170 1,560
Meters

Nerang MIKE Flood v2016 Model

MINISTER FOR STATE DEVELOPMENT, MANUFACTURING, INFRASTRUCTURE AND PLANNING
Executive correspondence action sheet

DATE RECEIVED MO <u>20/1</u> /2018	DATE RECEIVED DEPT ___/___/2018	DATE DUE MO ___/___/2018	DEPT REF MC18/..... <u>4/11</u>
Author:	Company:		
Response required		Other	
<input type="checkbox"/> Minister signatory	CONSTITUENT? <input type="checkbox"/>	<input type="checkbox"/> Decision brief	
<input type="checkbox"/> DG or CG signatory	Draft to MO first for approval? <input type="checkbox"/>	<input type="checkbox"/> Noting brief	
<input type="checkbox"/> DDG signatory		<input type="checkbox"/> Meeting brief	
<input checked="" type="checkbox"/> Dept signatory (ED or Director)		<input type="checkbox"/> Dot points	
<input type="checkbox"/> Dept for appropriate action		<input type="checkbox"/> Dept to call and resolve	
<input type="checkbox"/> Referral to (agency).....(DLO to action)		<input type="checkbox"/> Other.....	
<input type="checkbox"/> No response necessary – file & note		<input type="checkbox"/>	
Contact person (for response)	Min <input type="checkbox"/>	COS <input type="checkbox"/>	Dept officer <input checked="" type="checkbox"/> Other <input type="checkbox"/>
Response time	5 days <input type="checkbox"/>	10 days <input type="checkbox"/>	15 days <input type="checkbox"/> MALPI <input type="checkbox"/> business days from receipt. Note Planning responsible for due date

Minister's Office comments/drafting instructions

27/1 J.C.

Approved by:.....Joe..... Date: 22/1/18

DLO USE

BU	Lead	Copy/consult	BU	Lead	Copy/consult
ODG	<input type="checkbox"/>	<input type="checkbox"/>	Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>
EID	<input type="checkbox"/>	<input type="checkbox"/>	IPP	<input type="checkbox"/>	<input type="checkbox"/>
IP	<input type="checkbox"/>	<input type="checkbox"/>	EDQ	<input type="checkbox"/>	<input type="checkbox"/>
MPP	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BQ	<input type="checkbox"/>	<input type="checkbox"/>
RED	<input type="checkbox"/>	<input type="checkbox"/>	SB	<input type="checkbox"/>	<input type="checkbox"/>
BSP	<input type="checkbox"/>	<input type="checkbox"/>	QRA	<input type="checkbox"/>	<input type="checkbox"/>
CCG	<input type="checkbox"/>	<input type="checkbox"/>	N/A	<input type="checkbox"/>	<input type="checkbox"/>

DLO comments/drafting instructions
Departmental response please

Sch. 4(4)(6) - Disclosing person

Lead area must ensure consultation occurs with other business units and departments if/as necessary to ensure a 'whole of portfolio' brief or response is provided.

Approved by:..........
Date: 22/1/18

Approved by Director-General/Coordinator-General signature & date:/...../18

MCI8/111

Rebecca Reynolds

From: donotreply_webcontactform@cabinet.qld.gov.au
Sent: Saturday, 20 January 2018 9:09 PM
To: State Development
Subject: City of Gold Coast Temporary Planning Amendment - Flood Plane
Importance: High

Cabinet Contact email for Cameron Dick MP Minister for State Development, Manufacturing, Infrastructure and Planning

Subject: City of Gold Coast Temporary Planning Amendment – Flood Plane Title:

Sch. 4(4)(6) - Disclosing personal informa

Sch. 4(4)(6) - Disclosing personal information

Dear Minister,

I live at Emerald Lakes on the Gold Coast a very successful development in which many people live work and recreate.

This estate is but one example of development that can occur in flood plains with minimal to no impact on flood conveyance or levels.

Gold Coast City Council is seeking your approval to restrict or curtail development within the flood plains even though there are various design solutions that can allow development in such areas without any undue adverse impact on others.

Housing affordability is a major issue and further reduction of developable land on the Gold Coast will further restrict supply and thus raise costs for much needed housing.

You as Minister must be extremely wary of granting your approval without properly considering the likely impact on land availability and housing affordability.

Brisbane is a prime example of a City that has significant development within land potentially impacted in Q100 events yet nonetheless functions well as a City. Admittedly there are at times these rare large events where damage occurs but it would be madness to prevent development on the basis of the minor statistical occurrence of such events. That is not to say we should be reckless and we do need to be sensible but a complete ban as proposed without proper consideration of the design solutions is not in the State interest and thus should be rejected by you

MINISTER FOR STATE DEVELOPMENT, MANUFACTURING, INFRASTRUCTURE AND PLANNING
Executive correspondence action sheet

MO REF MO/17/ 26	DEPT REF F17/	DEPT REF MC17/ MC17/233	DEPT REF MBN17/
DATE RECEIVED MO 18/12/2017	DATE RECEIVED DEPT ___/___/2017		DATE DUE MO ___/___/2017

Response required		Other	
<input type="checkbox"/>	Minister signatory	<input type="checkbox"/>	Decision brief
<input checked="" type="checkbox"/>	DG or CG signatory	<input type="checkbox"/>	Noting brief
<input type="checkbox"/>	DDG signatory	<input type="checkbox"/>	Meeting brief
<input type="checkbox"/>	Dept to respond	<input type="checkbox"/>	Dot points
<input type="checkbox"/>	Referral to (agency).....	<input type="checkbox"/>	Dept to call and resolve
<input type="checkbox"/>	No response necessary – file & note	<input type="checkbox"/>	Other.....

Contact person (for response) Minister COS Dept officer Other

Response time	Copy to (actioned by Minister's Office)		
<input type="checkbox"/> Urgent (5 days)	<input type="checkbox"/> Minister	<input type="checkbox"/>	<input type="checkbox"/> Chief of Staff
<input checked="" type="checkbox"/> Standard (10 days)	<input type="checkbox"/> Senior Media Advisor	<input type="checkbox"/>	<input type="checkbox"/> Policy Advisor
<input type="checkbox"/> Complex (15 days)	<input type="checkbox"/> Caucus Liaison	<input type="checkbox"/>	<input type="checkbox"/> Executive Assistant
<input type="checkbox"/> Statutory / other.....	<input type="checkbox"/> DG/CG	<input type="checkbox"/>	<input type="checkbox"/> Other.....

Minister's Office comments/drafting instructions

Prepared by: *JK* *9/1*

DLO USE						DLO comments/drafting instructions
BU	Allocate	Copy	BU	Allocate	Copy	
ODG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OCG	<input type="checkbox"/>	<input type="checkbox"/>	Dept response 10/11 Prepared by:
EID	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
IP	<input type="checkbox"/>	<input type="checkbox"/>	IPP	<input type="checkbox"/>	<input type="checkbox"/>	
MPP	<input type="checkbox"/>	<input type="checkbox"/>	EDQ	<input type="checkbox"/>	<input type="checkbox"/>	
RED	<input type="checkbox"/>	<input type="checkbox"/>	BQ	<input type="checkbox"/>	<input type="checkbox"/>	
BSP	<input type="checkbox"/>	<input type="checkbox"/>	SB	<input type="checkbox"/>	<input type="checkbox"/>	

Approved by Director-General/Coordinator-General date:

Virginia Bruce

From: donotreply_webcontactform@cabinet.qld.gov.au
Sent: Monday, 18 December 2017 4:11 PM
To: StateDevelopment@ministerial.qld.gov.au
Attachments: 20171218_TLPI no. 5 Walker Submission+Annexures_FINAL.pdf
Importance: High

Cabinet Contact email for Cameron Dick MP Minister for State Development, Manufacturing, Infrastructure and Planning



Please find attached a submission to the Minister on the City of Gold Coast Temporary Local Planning Instrument No.5

RTI RELEASE - D



18 December 2017

Hon Cameron Dick MP
Minister for State Development, Manufacturing, Infrastructure & Planning
PO Box 15009
CITY EAST QLD 4002



Dear Minister

CITY OF GOLD COAST TEMPORARY LOCAL PLANNING INSTRUMENT NO. 5 (MINIMUM LAND ABOVE DESIGNATED FLOOD LEVEL AND RESIDENTIAL RISK REDUCTION)

1.0 INTRODUCTION

- 1.1 I write with reference to the City of Gold Coast (*Council*) *Temporary Local Planning Instrument No.5 (Minimum Land above Designated Flood Level and Residential Risk Reduction) 2017* (TLPI No.5) and Council's resolution on 8 December 2017 to refer it to the Minister for approval.
- 1.2 Walker Robina Pty Ltd (*Walker*) strongly objects to the approval and adoption of the TLPI No.5 and requests the Minister rejects it for the following reasons:
- There is no significant risk of serious adverse cultural, economic, environmental or social consequences to the local government area as Council's Flood Code adequately controls development within a flood plain.
 - There is no urgency to deliver this TLPI. The standard planning scheme amendment process, within sections 18 to 22 of the *Planning Act 2016 (Qld) (PA)* should have occurred.
 - The making of the TLPI No. 5 will adversely affect State interests.
 - Council's attempt to rush through a TLPI aimed at defeating existing development applications that otherwise had a good prospect of approval has resulted in a gross denial of natural justice for Walker, other developers and landowners. The process undertaken lacks transparency, accountability and due process.
 - In Walker's view, the making of this TLPI is a misuse of the TLPI provisions and is tantamount to vexatious behaviour. It is our understanding that the TLPI recommended by Council has been prepared in part to stop our Development Application.
- 1.3 The reasons outlined above are expanded in the following sections.

2.0 TLPI NO. 5 (MINIMUM LAND ABOVE DESIGNATED FLOOD LEVEL AND RESIDENTIAL RISK REDUCTION)

- 2.1 At a meeting on 8 December 2017, Council resolved to endorse TLPI No. 5 and refer it to the Minister for approval. Council states that the purpose of TLPI No. 5 is to prevent the potential loss of the City's flood resilience and enable the sustainable mitigation of flood hazard on land included on City Plan's Flood overlay map. Council's position is that the provisions seek to strengthen its commitment to ensure development in flood affected areas is safe and resilient.
- 2.2 Council's website says TLPI No. 5 amends the operation of the City Plan Flood overlay code to ensure:
- Residential uses are only exposed to medium or less flood hazard; and
 - Reconfiguration of Lot applications (*ROLs*) provide sufficient land at or above the Designated Flood Level.
- 2.3 In itself this is an admirable goal, however, there are far reaching consequences which are not addressed.
- 2.4 Council proposes an earlier commencement date i.e. they have sought to have it apply to all relevant applications lodged on or after the 8 December 2017. It will also apply to applications lodged prior to this date which made under the PA and are currently being assessed; or made under the *Sustainable Planning Act 2009 (Qld) (SPA)* currently being assessed that have not reached the decision stage.
- 2.5 The Council report, agenda and minutes discussing the TLPI are not publicly available therefore, it is not possible to understand Council's justification for implementing the TLPI with such urgency.
- 2.6 Council has not issued a practice note explaining the background, purpose or intended effect of TLPI No. 5. Council held a presentation to industry on the 14 December 2017. However, Council did not provide clarity at this presentation, and in fact, this presentation highlighted that Council had not worked through the proposed TLPI in any detail.
- 2.7 TLPI No. 5 seeks to impose principles and standards to development assessment that do not appear to have been formulated on a factual basis and lacked relevant engineering input, thereby prohibiting Walker's development.

3.0 BACKGROUND TO WALKER'S CONCERNS

About Walker Corporation

- 3.1 Walker is Australia's largest private diversified development company with over 50 years' experience. We have delivered over 1,000 projects nationally and internationally. Today, Walker has a project pipeline of \$25 billion of work to complete in the next 15 years. Walker has always been driven by a desire to deliver great places to live, work and play.

- 3.2 Walker has a 20-year history of development in Queensland including residential projects at Hope Island, Brisbane, Ipswich and Gladstone, office towers in Brisbane and industrial warehousing and logistics facilities in Moreton Bay and Ipswich.

The Breakwater Road, Robina Project

- 3.3 The Breakwater Road Site encompasses 73 hectares of land listed in table 1 and illustrated at Annexure 1.

Table 1: The Breakwater, Robina Site

Address	Property Description	Land owner
138-152 Highfield Drive, Merrimac	Lot 3 on RP851086	State Government, entrusted to Council as reserve land
154-170 Highfield Drive, Merrimac	Lot 2 on RP223566*	Baymill Investments Pty Ltd
172-182 Highfield Drive, Robina	Lot 902 on SP108453*	Baymill Investments Pty Ltd
0 Breakwater Road, Merrimac	Lot 1 on SP190865*	
0 Robina Town Centre Drive, Robina	Lot 997 on SP100222	State Government, entrusted to Council as reserve land
261a Robina Town Centre, Robina	Lot 741 on SP215167	State Government, entrusted to Council as reserve land

*These properties were subject to the Guragunbah State Planning Regulatory Provision (SPRP). However, since the commencement of the *Planning Act 2016* they are known as the 'Guragunbah Area' as per the definition in the *Planning Regulation 2017*

- 3.4 Walker has an agreement with the owners of lots 1, 2 and 902 to develop the land and has a letter of offer and Owner's Consent from the Department of Natural Resources and Mines (DNRM) for proposed works within lots 3, 741 and 997.
- 3.5 On 30 June 2017 Walker lodged a development application under the SPA over the Breakwater, Robina site with the City of Gold Coast Council seeking approval for:
- S.242 Preliminary Approval for a Material Change of Use of premises to vary the effect of City Plan (*Version 3*) to facilitate the development of a master planned residential community in accordance with the Breakwater Plan of Development;
 - Preliminary Approval for the Reconfiguration of a Lot to create the management lots; and
 - Operational Works (change to ground level) for bulk earthworks.
- 3.6 The proposal presents an opportunity for the highest and best use of the land and introduces a master plan which enhances the interface with surrounding open space areas, supports management of the Guragunbah flood plain and provides a quality infill development with valuable access to the Robina centre and railway. It includes 2,000 dwellings and 1,000 m² of commercial activity space, with opportunities for other uses such as medical and education. 35.8 hectares of the site have been earmarked for public open space. A copy of the master plan for the site is provided at Annexure 2.

3.7 The Breakwater Road project will result in numerous community benefits:

- Provide 2,000 new homes for an estimated 3,700 people that are close to the future Central Park, sporting facilities, Robina Town Centre, Hospital, and Rail Station and the Pacific Motorway.
- Connect the Merrimac and Robina communities to those facilities with new roads, bicycle ways and walking trails.
- Directly contribute a \$1.2 billion boost to the state economy post 2018 Commonwealth Games.
- Indirectly contribute \$1.8 billion when flow-on effects are included.
- Save the government \$120 million on infrastructure that it would have to spend building new 'greenfield' suburbs.
- Create an estimated average 293 jobs per year while it's being built.
- Foster healthy and active lifestyles with over 35 hectares landscaped public parkland, sports facilities, natural areas and lakes, with cycle ways and walking trails for recreation and for travel to schools, shops, work, the Train Station and future Central Park development.
- Reduce reliance on car travel, which is good for the environment and also for household budgets.
- Include new road connections, alternate routes and improved access for the existing community, the Hospital, the Raptors sporting club and the All Saints Anglican School.
- Improve regional water quality with rehabilitated wetlands for treating stormwater.
- Reduce flooding on adjoining low lying land, including school playing fields and council parklands and the Robina Hospital car park.
- Improve access to existing inaccessible or under used public reserves to the north and south of the site.
- Efficiently use land that is currently vacant, degraded, and full of weedy coral tree.
- Include 3.2 hectares of restored bushland and protect large native trees on Snake Hill and scattered through the site.
- Include 14.2 hectares of restored and rehabilitated wetlands and 15 hectares of lakes that will improve natural water way quality and provide habitat.
- Provide new road connections to existing communities and key urban facilities (M1 to Hospital) that will be available during more extreme flooding.

3.8 Walker has undertaken extensive consultation with Council staff, the Mayor, Councillors, staff from DNRM, representative from All Saints School, Robina Hospital, Robina Raptors and the local community, during the preparation of the DA and post lodgement. This consultation was to facilitate openness and ensure there is understanding about the type of development proposed and the willingness of Walker to work with Council and the community to provide a suitable development outcome. A summary of this consultation is provided at **Annexure 3**.

- 3.9 At no point during this consultation on our development application was Walker or any of our consultants informed that Council would prohibit development in the floodplain. Our approach to the Breakwater Project was to undertake a certain amount of cut and fill to provide roads up to the flood level without impacting upon flood storage. The built form would also be above the flood level, expressed as buildings on podiums with landscaped undercroft areas. We have prepared a detailed and thorough application in good faith, in accordance with the legislation and planning controls that currently apply.
- 3.10 On 14 July 2017, Council issued an acknowledgement notice. On 11 August 2017, an information request was issued.
- 3.11 Walker has referred the application to the relevant agencies.
- 3.12 Walker is in the process of preparing detailed responses to Council and the Department of State Development, Infrastructure and Planning (DSDIP) information requests. Our response submission was due to be finalised and submitted at the end of January 2018. In preparing the DA and the response, Walker has spent over \$2million.

Impact on TLPI No. 5 on the Breakwater Road Project

- 3.13 The Breakwater Road development application was properly made under the SPA on 30 June 2017. As such, it will be assessed under the SPA (see section 288, PA).
- 3.14 Section 317(1) of the SPA states that, in assessing an application, the assessment manager may give the weight it is satisfied is appropriate to the planning instrument that came into effect after the application was made, but before the day the decision stage for the application started.
- 3.15 Our understanding of the impact of the TLPI, based upon advice from our hydraulic engineering expert is that, it will effectively preclude any residential development on the Breakwater Road site, or elsewhere in the floodplains of the Gold Coast. Only limited flood fringe development where depths are less than 0.6m (presumably on the DFE but not stated) and velocities are below 0.8 m/s.
- 3.16 Further, TLPI No. 5 seeks to impose principles and standards to development assessment that lack an evidence base and, therefore suffer from basic lack of certainty and clarity. It patently ignores proven engineering performance solutions that can enable the sustainable mitigation of flood hazard on land included on the City of Gold Coast City Plan's flood overlay – such as those incorporated in the design of the Breakwater Road Project.

4.0 WALKER'S CONCERNS ABOUT TLPI NO. 5

4.1 Section 23 of the PA states that a local government may make a TLPI in the following circumstances:

- (a) there is significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area; and
- (b) the delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk; and
- (c) the making of the TLPI would not adversely affect State interests.

4.2 None of the circumstances are present in the case of TLPI No. 5.

Significant risk of serious adverse cultural, economic, environmental or social conditions happening in the local government area

4.3 The concept of significant risk of adverse cultural, economic, environmental or social conditions happening implies that the chance of a severe widespread irreversible negative outcome is imminent. This is not the case in relation to developing flood affected land within the Gold Coast local government area.

4.4 The Gold Coast has extensive areas affected by floodwater inundation, and development has progressed in these areas competently and safely since the introduction Guragunbah (Merrimac/Carrara Floodplain) Hydraulic Masterplan which set the framework for floodplain development within the Gold Coast City Area generally. The master plan has been in place for nearly 20 years.

4.5 Council's City Plan contains a Flood Code. Engineering expert advice is that this code adequately addresses development within flood affected areas. Existing development applications on land that is flood affected must be prepared in accordance with the requirements of this code.

4.6 A range of flood resilient development, including but not limited to podium development has been approved by Council and subsequently built across the Gold Coast. These developments are able to function effectively. These projects provide examples of benchmark floodplain development and engineering within the floodplain environment.

4.7 The Breakwater Road Project, as designed, complies with Council's Flood Code and best practice:

- Flood free road access is provided from existing high land into the floodplain;
- There is no flood storage loss internally;
- No conveyance issues externally; and
- Flood resilient and RPEQ certified development scheme consisting of podium decks with landscaped under crofts extending over the floodplain in accordance with extensive hydraulic modelling and sensitivity testing.

4.8 There is no demonstrated "significant risk of serious adverse cultural, economic, environmental or social conditions happening".

- 4.9 The Breakwater Road Project and other projects have demonstrated compliance with the Flood code and are best practice, and thus do not carry risk or threat to public safety because they are properly engineered.

The delay involved in using the process in sections 18 to 22 to make or amend another local planning instrument would increase the risk

- 4.10 As demonstrated above, there is clearly no significant risk of an adverse event occurring. As there is no risk, Council should have pursued a formal amendment to their City Plan in accordance with sections 18-22 of the PA.
- 4.11 Bypassing this process by rushing through a TLPI aimed at defeating existing development applications that otherwise had a good prospect of approval undermines trust in governance and deters investment because due process is not followed.
- 4.12 Walker has spent more than \$2million preparing the documentation supporting the Breakwater Road Project. There have been numerous meetings with Council officers and Councillors prior to and during the course of the application to ensure that all of the issues were handled through mutual agreement. At no point during this process did Council inform Walker that it had major concerns about the proposed development within the floodplain, which would preclude the development from occurring.
- 4.13 The existing planning scheme is capable of preventing or controlling the serious environmental harm or serious adverse conditions referred to in section 23 of the PA.
- 4.14 We note that a number of existing developments are in place or approved that are of a similar nature to that now being precluded if TLPI No. 5 comes into effect.
- 4.15 In Walker's view, the making of this TLPI is a misuse of the TLPI provisions. The adoption of the TLPI would delay development applications and assessment for up to two years. It is too blunt an instrument and does not meet the test of urgency required under state legislation.

The making of the TLPI would not adversely affect State interests

- 4.16 A state interest is defined under the PA as follows:

State interest means an interest that the Minister considers—

- (a) affects an economic or environmental interest of the State or a part of the State; or
(b) affects the interest of ensuring this Act's purpose is achieved.

- 4.16 As TLPI No. 5 will essentially preclude any residential development on a flood plain on the Gold Coast, if the TLPI is approved and the Breakwater Road Site sterilised, it will impact upon the state interests outlined in table 2.

Table 2: The Breakwater, Robina state interests

State Planning Policy (SPP) themes	Relevant State Interests	Impact on State Interest
Liveable communities and housing	Housing supply and diversity Liveable communities	<ul style="list-style-type: none"> • The TLPI No. 5 sterilises development of the Guragunbah Area. With limited land supply available the Urban Footprint, this will unnecessarily restrict land supply on the Gold Coast and prevent the development of land in areas that are accessible and well connected to services, employment and infrastructure. • The Breakwater Road Project is consistent with the Shaping SEQ Regional Plan, it focuses infill development around the Principal Regional Activity Centre of Robina, Robina Hospital, the major transport node at the Robina Railway Station and Robina Stadium. This maximises the effective use of existing infrastructure, services and facilities. If sites such as Breakwater Road are sterilised, there will be a heightened reliance on greenfield land supply on the urban fringe. • The Breakwater Road Project addresses the impacts and challenges of climate change through the effective design and siting of buildings, the integration of transport and land use planning, and the delivery of quality urban design. • If the TLPI is approved a range of positive outcomes will be foregone including loss of opportunity for: <ul style="list-style-type: none"> o diverse affordable housing options that will make a significant contribution (2,000 dwellings) to assisting in meeting the Gold Coast's SEQ Regional Plan housing targets o affordable key worker accommodation options at a location in close proximity to the Robina Hospital, major schools and the heavy rail network o transit oriented development outcomes that will reduce reliance on the private car and minimise the carbon footprint of urban development o significant new, high quality public open spaces that connect residents to nature and new pedestrian and cycle networks connecting the western side of Mudgeeraba Creek to the Robina centre.
Economic growth:	Development and construction	<ul style="list-style-type: none"> • Planning for development and construction supports a major employment industry for Queensland. The TLPI removes certainty for the property industry. • If approved the TLPI will delay development applications and investment for up to two years. • A range of economic benefits will be foregone if the Breakwater Road Project is sterilised by the TLPI: <ul style="list-style-type: none"> o The Breakwater Road Project investment is forecast to be \$725.6 million. o The peak construction employment is 485 FTE positions in 2021/22, with an average across the construction period of 293 FTE positions per year. o Over 15 years, the direct economic contribution of the project equates to \$1.2 billion of gross state project (discounted at 7%). o 56% or \$660 million of this contribution is due to the expenditure of the residents that will live in the proposed development, while 44% or \$516 million is attributable to expenditure during construction. o When the flow-on impacts of this expenditure are taken into account the total economic contribution over 15 years exceeds \$1.8 billion. o The economic contribution of the project will result in fiscal benefits to government through payroll tax of \$21.8 million. o The infill location of the development is estimated to save government approximately \$120 million (discounted at 7%) in avoided infrastructure costs, such as power, water and sewage connections, and social infrastructure such as schools and hospitals, that may be required for an urban fringe development.

State Planning Policy (SPP) themes	Relevant State Interests	Impact on State Interest
Environment and heritage	Biodiversity	<p>The Breakwater Road Site is in a degraded and disturbed condition characterised by:</p> <ul style="list-style-type: none"> • disturbance to riparian ecosystems, including drainage modification and historical clearing of riparian vegetation; • substantial weed invasion and the absence of native vegetation recruitment, leading to an ecosystem absent of any native fauna habitat; • historical, large scale clearing of native vegetation and fauna habitat; • the presence of introduced and pest plant and animal species; and • the use of the site for cattle grazing. <p>The Breakwater Road Project proposes ecological restoration of approximately 32.1 hectares of the site and the inclusion of the following areas:</p> <ul style="list-style-type: none"> • 3.2 ha of bushland habitat; • 14.7 ha of lacustrine habitat; • 11.3 ha of palustrine habitat; and • 2.9 ha of riverine habitat. <p>This opportunity to enhance biodiversity of the site and habitat connectivity will be lost if TLPI No. 5 is approved.</p>
Safety and resilience to hazards	Natural hazards, risk and resilience	<ul style="list-style-type: none"> • The planning system sets out to ensure that risks associated with natural hazards, including the projected impacts of climate change, are avoided or mitigated to protect people and property and enhance the community's resilience to natural hazards. The SPP advocates for an integrated, evidence based planning process that is one component of an integrated disaster management strategy. • In making this TLPI, Council has taken a drastic position with no regard for innovative approaches to achieving development outcomes that mitigate flood risk to people and property and other risk management strategies such as community education and awareness. • It is also noted that the Project will provide flood free access to the M1 for Robina Hospital, which will be foregone if the development cannot proceed because of the TLPI.
Infrastructure	Infrastructure integration	<p>The Breakwater Road Project will maximise the benefits of past and ongoing investment in infrastructure and facilities through optimal land use-transport integration and contribution to a land use pattern that encourages sustainable transport options.</p>

5.0 CONCLUSION

- 5.1 Clearly, TLPI No. 5 has not been prepared in accordance with the process outlined within section 23 of the PA.
- 5.2 Council has failed to demonstrate there is a significant adverse risk, that a delay undertaking a formal planning scheme amendment would increase the risk and that there is no impact upon state interests.
- 5.3 It appears that the purpose of TLPI No. 5 is to defeat development applications, based upon unsubstantiated information and preclude development that has been legitimately made and would otherwise have good prospects of approval. The Breakwater Road proposal is based upon sound hydraulic information. Council's actions are contrary to the intent of the legislation. Their action ignores the myriad of innovative, performance-based solutions that can achieve the desired outcome in terms of resilience and safety.

- 5.4 It is requested the Minister use his discretion to:
- Review and request more information on the intent of TLPI No. 5 and the evidence base for its urgency; and
 - Review and request more information on the impact of TLPI No. 5 upon state interests.
- 5.5 If the Minister considers the circumstances around the preparation TLPI No. 5 to be outside the intent of the PA, we ask that he not approve TLPI No. 5.
- 5.6 If the Minister decides to approve TLPI No. 5, we ask that he delay the commencement of TLPI No. 5. Due to the pervasive impact of TLPI no. 5, it should only be applicable to new development applications lodged after the commencement date and not be given weight in the assessment of development applications that were lodged prior to the TLPI's commencement.
- 5.7 Walker would like to thank the Minister for his time reviewing our objection. We are available to discuss this in person and if you have any further questions please do not hesitate to contact me on [REDACTED] or via email [REDACTED]@walkercorp.com.au.

Yours sincerely

[REDACTED]

Walker Corporation Pty Ltd

ANNEXURES: 1. Breakwater Robina Site
2. Breakwater Robina Masterplan
3. Consultation Summary

cc:

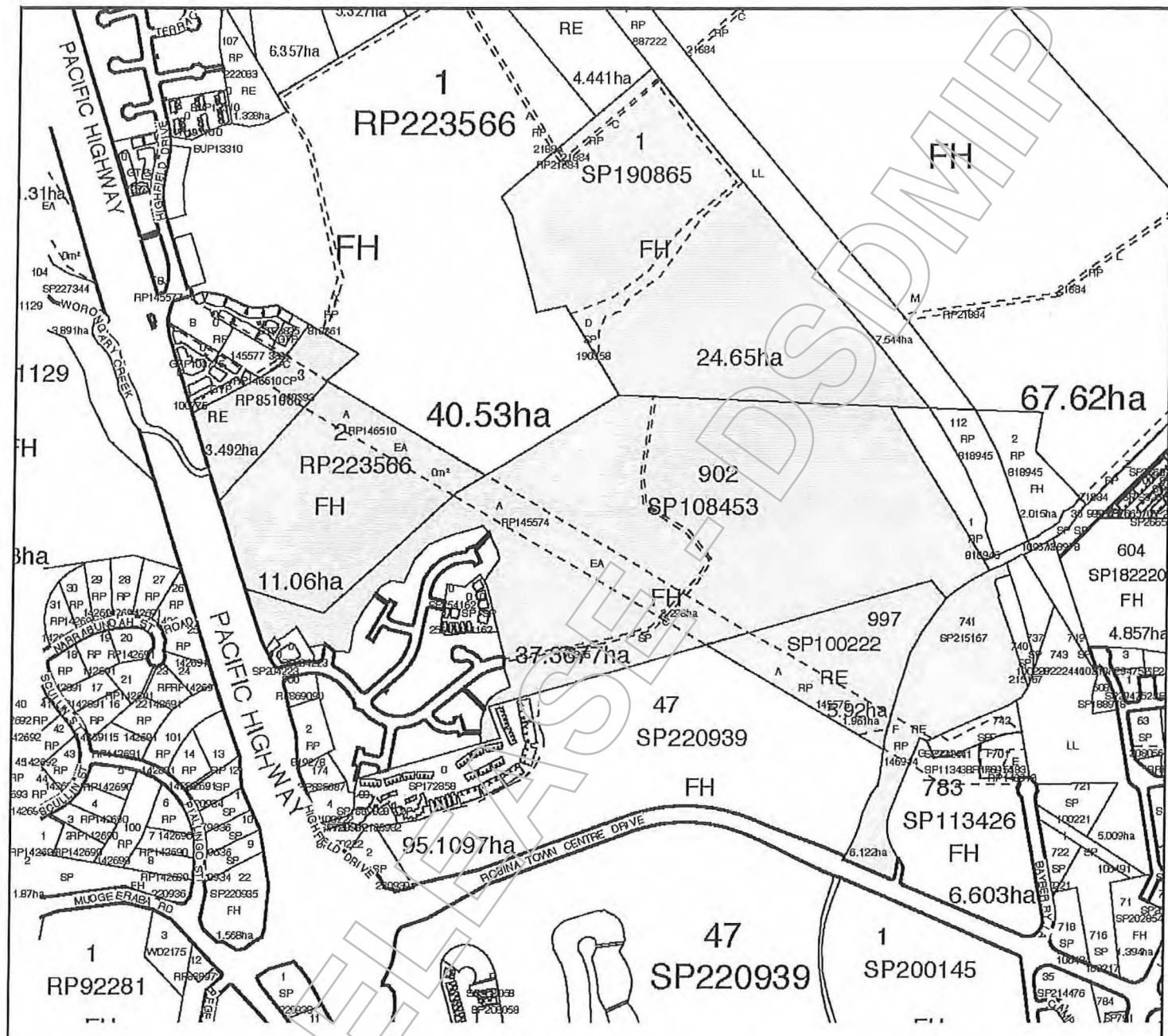
[REDACTED]
Manager Planning & Development Services – SEQ South
Department of Infrastructure, Local Government and Planning

Annexure 1

Breakwater Road, Robina Site

RTI RELEASE - DSDMIP





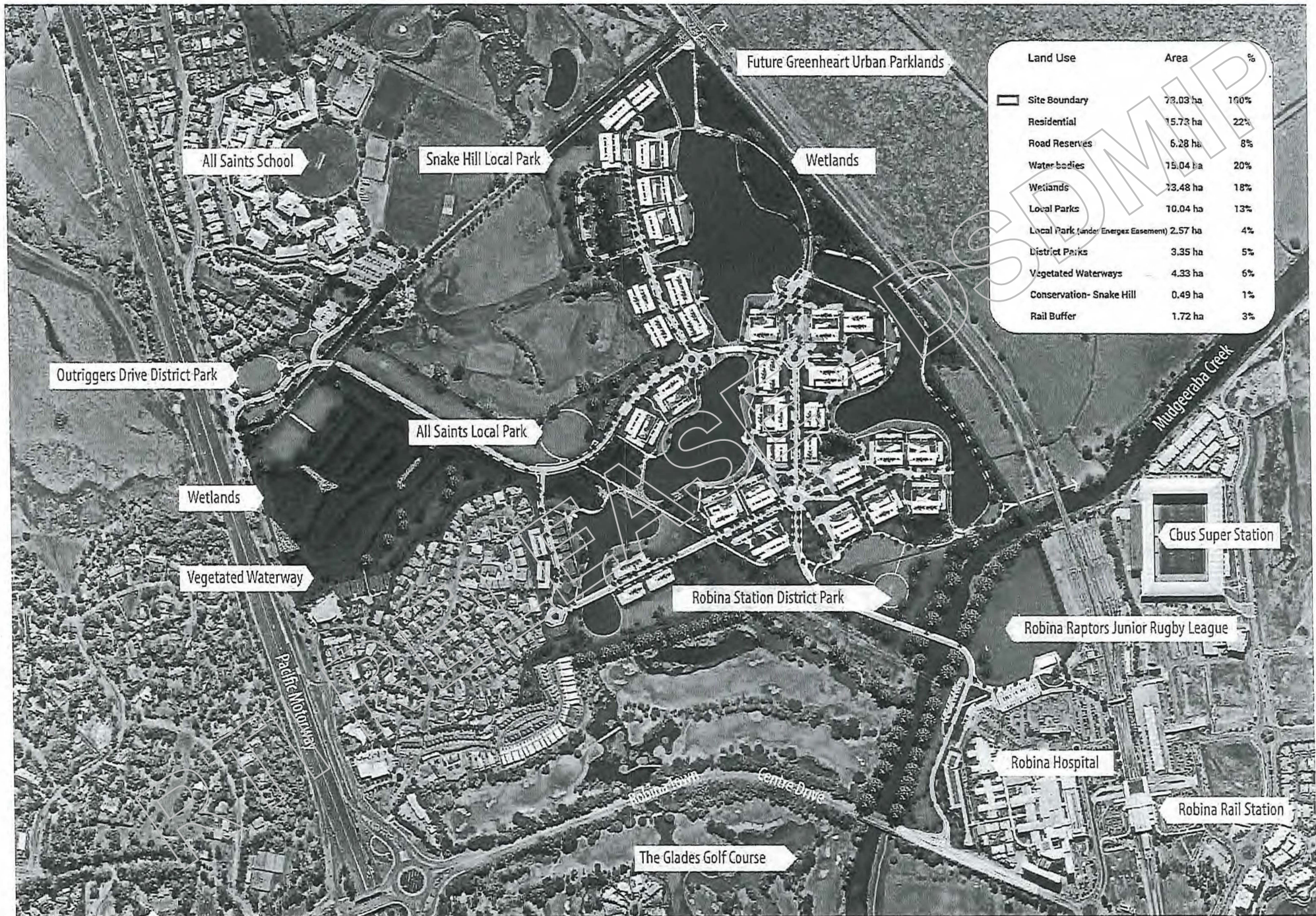
DESCRIPTION	OWNER	AREA (hectares)
Lot 3 RP 851086	State	3.492
Lot 997 SP 100222	State	5.92
Lot 741 SP 215167	State	6.122
Lot 1 SP 190865	[REDACTED]	24.65
Lot 2 RP 223566	Baymill Investments Pty Ltd	11.06
Lot 902 SP 108453	Baymill Investments Pty Ltd	37.3677
TOTAL		88.6117

Annexure 2

Breakwater Road, Robina Master Plan

RTI RELEASE - DSDMIP





BREAKWATER ROBINA

**UNLOCK
GREENHEART**



**50 HECTARES
PUBLIC OPEN SPACE
& PARKLAND**

**IMPROVED
UPSTREAM
WATER
QUALITY**



**NEW ROADS
WITH BETTER
FLOOD
IMMUNITY**



**NEW
TRANSPORT
NETWORK
CONNECTIONS**



**ADJOINING
ROBINA
REGIONAL
ACTIVITY
CENTRE**



**DESIRABLE
PROXIMITY TO**



**3700
NEW RESIDENTS**

**IMPROVED
CONNECTIVITY**
MERRIMAC → ROBINA → GREEN HEART



**2000
DWELLINGS
73 HECTARE
SITE**

**50 HECTARES
COMMUNITY
OPEN
SPACE**

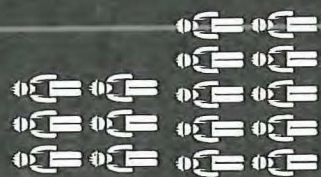
**1.2
BILLION
GSP**

**DIRECT
CONTRIBUTION
& FLOW ON
BENEFITS**

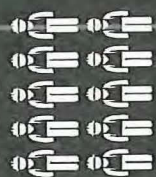
**120
MILLION**

**SAVING
IN GOVERNMENT
INFRASTRUCTURE
COMPARED TO
GREENFIELD
DEVELOPMENT**

**AVERAGE
293
JOBS**
DURING CONSTRUCTION



**PEAKING
485
JOBS**
DURING CONSTRUCTION



**STRATEGIC
LOCATION FOR
DENSITY
UNDER SEQ
REGIONAL PLAN**



**DELIVERS
INFRASTRUCTURE
CONTRIBUTES
TO EXISTING
& FUTURE
INFRASTRUCTURE**



Annexure 3

Consultation Summary

RTI RELEASE - DSDMIP



Consultation Summary

Subject	Date	Meeting Attendees
Breakwater, Robina Project Overview	26/04/2016	Cr Bob La Castra & Walker
Breakwater, Robina Project Overview	16/06/2016	Mayor Tom Tate & Walker ([REDACTED] & [REDACTED])
Breakwater, Robina Project Overview	27/06/2016	Council & Walker
Breakwater, Robina Project Overview	27/06/2016	Cr Hermann Vorster & Walker
Preliminary Discussions Walker Corp proposal at Breakwater Dr, Robina	13/07/2016	Council & Walker
Breakwater Site - Robina - Access to Council Trustee Parkland	22/07/2016	Council & Walker
Breakwater, Robina Project Overview & Hospital Car park	1/08/2016	Walker and Robina Hospital (Gold Coast Hospital and Health Service)
Breakwater, Robina Project Overview	11/08/2016	Mayor Tom Tate & [REDACTED]
Breakwater, Robina Project Overview	21/08/2016	Cr Cameron Caldwell & Walker
Breakwater - Pre Lodgement with Council	13/12/2016	Council & Walker
Meeting major project 154 Highfield Drive Merrimac	13/12/2016	Council & Walker
2nd meeting, Hydraulics Prelodgement meeting 154 Highfield Drive Merrimac File No PN158804/16	30/01/2017	Council & Walker
3rd Prelodgement meeting Traffic 154 Highfield Drive Merrimac File No PN158804/16	31/01/2017	Council & Walker
Meeting Town Planning Prelodgement Meeting 154 Highfield Drive Merrimac File No PN158804/16	31/01/2017	Council & Walker
Prelodgement meeting Environmental, Parks, Open Space 154 Highfield Drive Merrimac File No PN158804/16	2/02/2017	Council & Walker
Prelodgement meeting Gold Coast Water and Subdivision 154 Highfield Drive Merrimac File No PN158804/16	8/02/2017	Council, GC Water & Walker
Community Information Evening - Northern Connection Road - CANCELLED	30/03/2017	Walker & local community
Meeting with Walker re proposed new roads	11/04/2017	Walker & Robina Raptors
Meeting with Walker re proposed new roads	11/04/2017	Walker and Robina Hospital (Gold Coast Hospital and Health Service)
Breakwater Road on State Land Community Consultation (rescheduled)	12/04/2017	Walker & local community
Meeting with Walker re proposed new roads	12/04/2017	Walker & All Saints Anglican School
Meeting with Peter Bell, Peter Saba and George Quinn of Walker regarding Breakwater Project, Robina for Walker	26/04/2017	Cr Bob La Castra & Walker
CR Bob La Castra - Update on Community Consultation	26/04/2017	Cr Bob La Castra & Walker
Meeting to discuss hydraulics Walker Breakwater project - Breakwater Drive Robina	6/06/2017	Council & Walker
Walker Breakwater Project - planning, community benefits (open space) and infrastructure agreements	22/06/2017	Council & Walker
Meeting with Robina Raptors Rugby League Club about Walker update	27/06/2017	Walker & Robina Raptors
Meeting with All Saints Anglican School about Walker update	27/06/2017	Walker & local community
Discussion Walker preliminary approval application, Breakwater Rd Robina	27/06/2017	Council & Walker
[REDACTED] - Walker preliminary approval application, Breakwater Rd Robina	28/06/2017	Cr Hermann Vorster & Walker
Discussion - Walker Corp Application (Breaker Road, Robina)	4/10/2017	Council & Walker
Meeting re Walker application - Breakwater Robina	19/10/2017	Council & Walker
rescheduled - To discuss Open Space - Walker Breakwater 154 Highfield Drive Merrimac PN158804/01/DA5	12/12/2017	Council & Walker

MINISTER FOR STATE DEVELOPMENT, MANUFACTURING, INFRASTRUCTURE AND PLANNING
Executive correspondence action sheet

MO REF MO/18/	DEPT REF F18/	DEPT REF MC18/ 111	DEPT REF MBN18/
DATE RECEIVED MO 02/01/2018	DATE RECEIVED DEPT ___/___/2018		DATE DUE MO ___/___/2018

Response required		Other	
<input type="checkbox"/>	Minister signatory	<input type="checkbox"/>	Decision brief
<input type="checkbox"/>	DG or CG signatory	<input type="checkbox"/>	Noting brief
<input type="checkbox"/>	DDG signatory	<input type="checkbox"/>	Meeting brief
<input checked="" type="checkbox"/>	Dept to respond	<input type="checkbox"/>	Dot points
<input type="checkbox"/>	Referral to (agency).....	<input checked="" type="checkbox"/>	Dept to call and resolve
<input type="checkbox"/>	No response necessary – file & note	<input type="checkbox"/>	Other.....

Contact person (for response) Minister COS Dept officer Other

Response time	Copy to (actioned by Minister's Office)		
<input type="checkbox"/> Urgent (5 days)	<input type="checkbox"/> Minister	<input type="checkbox"/>	<input type="checkbox"/> Chief of Staff
<input type="checkbox"/> Standard (10 days)	<input type="checkbox"/> Senior Media Advisor	<input type="checkbox"/>	<input type="checkbox"/> Policy Advisor
<input type="checkbox"/> Complex (15 days)	<input type="checkbox"/> Caucus Liaison	<input type="checkbox"/>	<input type="checkbox"/> Executive Assistant
<input type="checkbox"/> Statutory / other.....	<input type="checkbox"/> DG/CG	<input type="checkbox"/>	<input type="checkbox"/> Other.....

Minister's Office comments/drafting instructions
 TO B.K
 can we listen to their concerns.
 Prepared by: *see 9/1*

DLO USE						DLO comments/drafting instructions
BU	Allocate	Copy	BU	Allocate	Copy	
ODG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OCG	<input type="checkbox"/>	<input type="checkbox"/>	
EID	<input type="checkbox"/>	<input type="checkbox"/>	Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
IP	<input type="checkbox"/>	<input type="checkbox"/>	IPP	<input type="checkbox"/>	<input type="checkbox"/>	
MPP	<input type="checkbox"/>	<input type="checkbox"/>	EDQ	<input type="checkbox"/>	<input type="checkbox"/>	
RED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BQ	<input type="checkbox"/>	<input type="checkbox"/>	
BSP	<input type="checkbox"/>	<input type="checkbox"/>	SB	<input type="checkbox"/>	<input type="checkbox"/>	

Prepared by:

Approved by Director-General/Coordinator-General date:

Virginia Bruce

From: Robert Gardiner <Robert.Gardiner@dilgp.qld.gov.au>
Sent: Wednesday, 3 January 2018 12:13 PM
To: State Development
Subject: FW: Gold Coast City Council TLPI - Letter
Attachments: Oxmar Letter to Minister.pdf

From: Executive Correspondence DILGP
Sent: Tuesday, 2 January 2018 3:12 PM
To: Robert Gardiner <Robert.gardiner@ministerial.qld.gov.au>; Robert Gardiner <Robert.Gardiner@dilgp.qld.gov.au>; DSD DLO <DLO@dsd.qld.gov.au>
Cc: Sophie Smith <Sophie.Smith@dilgp.qld.gov.au>
Subject: FW: Gold Coast City Council TLPI - Letter

For action/correspondence sheeting please.

Davina

From: Planning Group Correspondence
Sent: Tuesday, 2 January 2018 2:50 PM
To: Executive Correspondence DILGP <executivecorrespondence@dilgp.qld.gov.au>
Subject: FW: Gold Coast City Council TLPI - Letter

Good Afternoon,

Here is another one, can you please log the attached as ministerial incoming corro?

Thanks,
Sophie



**Queensland
Government**

Sophie Smith
Correspondence Officer
Planning Group
Department of State Development,
Manufacturing, Infrastructure and Planning

P [REDACTED]
Level 13, 1 William Street, Brisbane QLD 4000
PO Box 15009, City East QLD 4002
www.dsdmip.qld.gov.au

From: Adam Norris
Sent: Friday, 22 December 2017 3:43 PM
To: Planning Group Correspondence <PlanningGroupCorrespondence@dsdip.qld.gov.au>
Cc: Isaac Harslett <Isaac.Harslett@dilgp.qld.gov.au>
Subject: FW: Gold Coast City Council TLPI - Letter

Good afternoon,

Please find attached another letter to the minister submitted via email today.

Regards



Queensland
Government

Adam Norris
Principal Planning Officer
Planning and Development Services (SEQ South)
Department of State Development,
Manufacturing, Infrastructure and Planning

P [REDACTED]
Level 1, 7 Short Street, Southport QLD 4215
PO Box 3290, Australia Fair QLD 4215
www.dsdmip.qld.gov.au

From: [REDACTED]@oxmarproperties.com.au
Sent: Friday, 22 December 2017 3:38 PM
To: Adam Norris <Adam.Norris@dilgp.qld.gov.au>
Subject: FW: Gold Coast City Council TLPI - Letter

Hi Adam,
Please see email below sent to Kim Kirstein.

Kind Regards,



OXMAR PROPERTIES



web: www.oxmarproperties.com.au



From: Kim Kirstein [<mailto:Kim.Kirstein@dilgp.qld.gov.au>]
Sent: Friday, 22 December 2017 3:18 PM
To: [REDACTED]@oxmarproperties.com.au
Subject: Automatic reply: Gold Coast City Council TLPI - Letter

Thank you for your email. I am not in the office until Monday 29 January 2018.

For urgent matters please contact, Adam Norris on [REDACTED] or email adam.norris@dilgp.qld.gov.au.

Kim Kirstein
Manager (Mon, Tues, Thurs, Fri)

Department of Infrastructure, Local Government and Planning
Level 1, 7 Short Street, Southport
p [REDACTED] e. kim.kirstein@dilgp.qld.gov.au

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RTI RELEASE - DSDMIP



OXMAR PROPERTIES

Suite 5 Level 2 Homemaker City
Cnr Gympie & Zillmere Roads Aspley
PO Box 842 Aspley Qld 4034
P 3263 4977 - F 3263 4966
office@oxmarproperties.com.au
www.oxmarproperties.com.au

Friday 22nd December 2017

Hon Cameron Dick MP
Minister for State Development, Manufacturing, Infrastructure and Planning
PO Box 15009
CITY EAST QLD 4002

Dear Minister

Re: City of Gold Coast Temporary Local Planning Instrument No. 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017
Submission Objecting to the Proposed Introduction of this Instrument

Reference is made to the City of Gold Coast's recent introduction of the *Temporary Local Planning Instrument No. 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017* (from herein, the TLPI), which was formally released to the public on Friday 8 December 2017.

We thank you for the opportunity to present a submission objecting to the contents of this TLPI.

By way of background, Oxmar Properties is a highly-credentialed property developer with over 30 years of experience delivering a range of projects across Queensland. For further information on our company, please feel free to visit the website, www.oxmarproperties.com.au/about-us/

We have recently acquired a site situated on the southern side of the Link Way at Mudgeeraba, which consists Lot 42 on SP184241, Lot 30 on SP270379, Lot 24 on SP868214 and Lot 25 on SP270379. The development site measures 60.44ha in size and is proposed to be improved through the construction of 1776 residential units and other residential accommodation facilities, which has a value of over \$350 million intended to be invested into the local development and construction sectors.

After extensive review of the contents of this TLPI, we are gravely concerned that the proposed regulatory controls for development projects within the floodplain will have an extremely adverse effect on the development prospects of this site, in addition to a range of other investment opportunities that we are presently considering across the City.

Specifically focusing on the Link Way Project, the following details the extensive work that we have undertaken to date to assure that the project satisfies our Company's pledge, being "to develop consistently high quality residential environments, which enhance the lives of the people who live there and the community as a whole":

1. Oxmar Properties have engaged extensively with Gold Coast City Council (GCCC) regarding the nature and style of development suitable for the site and to meet residential demands clearly expressed by the community.
2. Oxmar Properties have facilitated a number of pre-lodgement meetings with GCCC Officers and affected Local Area Councillors to discuss the Project.
3. Oxmar Properties have engaged a team of specialist technical consultants and are expected to be in a position to lodge a formal Development Application with the GCCC in January 2018. We have expended several hundred thousand dollars to date to get to this point.
4. In selecting their consulting team for the Project, Oxmar Properties engaged Burchills Engineering Solutions as their technical engineering services firm, whom have several decades of specialist experience working on development and planning in the floodplains across the City. Burchills has undertaken best practice Flood Emergency Management planning and design that has been the cornerstone of the iterative development of the Project's overall proposal scheme.
5. Oxmar Properties notes that construction of the Project will both enhance the local environment and will reduce the flood impacts on adjacent GCCC community infrastructure. Further, the proposed upgrade to Link Way will provide flood free access to the shopping centre for new residents and the broader community.

In summary, Oxmar Properties wishes to emphasise that the regulations contained within the TLPI would render approximately half of the likely development yield from the Link Way Project as not being achievable. This would result in a significant negative economic impact being felt on the local construction industry, whilst also exacerbating population growth and housing affordability issues being felt across the City.

Oxmar Properties' primary concerns brought about by the introduction of the TLPI relates to the process by which it has been introduced, specifically:

- Overall, the lack of consultation with industry stakeholders and affected parties regarding the contents and the release of the TLPI is of concern.
- No independent engineering or planning assessment appears to have been undertaken, with several potential unintended consequences of the TLPI being observed.
- The lack of transition period created by the introduction of the TLPI prejudices developers with significant financial exposure in current and pending development applications.
- No guidance on the application of the TLPI has been provided, which results in uncertainty surrounding how the instrument affects development projects across the floodplain.
- Council's information briefing (provided with only 24 hours' notice) was unclear in its guidance when numerous typical example development cases were discussed.

- There remains questions as to whether the State Government's 0.8m sea level rise figure has been used to support the introduction of the TLPI. This is a separate issue which will be addressed via updated flood mapping, which is yet to be released by Council.

Oxmar Properties firmly believe that the State Government, working with Council, should seek to establish a collaborative working group including government and industry stakeholders to advance discussions around how flood-resilient development should be sustainably located and designed across the City.

We kindly request that this submission is read in conjunction with other objections that have been presented from other industry stakeholders, including those from Burchills Engineering Solutions, whom we have engaged as our engineering consulting services firm for the Link Way Project. Their submission was issued on Tuesday, 19 December 2017.

We look forward to working in collaboration with government and industry stakeholders to advance discussions around how flood-resilient development should be sustainably located and designed across the City.

Should you have any queries or require any additional information relating to the above, please do not hesitate to contact [REDACTED] or via mobile, [REDACTED]

Yours faithfully

A large rectangular area is completely redacted with a solid grey fill, obscuring the signature and any text that might have been present.

cc: Kim Kirstein
Manager Planning & Development Services – SEQ South
Department of Infrastructure, Local Government and Planning

MINISTER FOR STATE DEVELOPMENT, MANUFACTURING, INFRASTRUCTURE AND PLANNING
Executive correspondence action sheet

MO REF MO/17/		DEPT REF F17/		DEPT REF MC17/ <i>MC 4/3</i>		DEPT REF MBN17/	
DATE RECEIVED MO <i>21 DEC 2017</i>		DATE RECEIVED DEPT <i>31/1/2018</i>				DATE DUE MO <i>1/1/2017</i>	
Response required				Other			
<input checked="" type="checkbox"/>	Minister signatory		CONSTITUENT? <input type="checkbox"/>	<input type="checkbox"/>	Decision brief		
<input type="checkbox"/>	DG or CG signatory			<input type="checkbox"/>	Noting brief		
<input type="checkbox"/>	DDG signatory			<input type="checkbox"/>	Meeting brief		
<input type="checkbox"/>	Dept to respond			<input type="checkbox"/>	Dot points		
<input type="checkbox"/>	Referral to (agency).....			<input type="checkbox"/>	Dept to call and resolve		
<input type="checkbox"/>	No response necessary – file & note			<input type="checkbox"/>	Other.....		
Contact person (for response)		Minister <input type="checkbox"/>	COS <input type="checkbox"/>	Dept officer <input type="checkbox"/>	Other <input type="checkbox"/>		
Response time			Copy to (actioned by Minister's Office)				
<input type="checkbox"/>	Urgent (5 days)		<input type="checkbox"/>	Minister	<input type="checkbox"/>	Chief of Staff	
<input checked="" type="checkbox"/>	Standard (10 days)		<input type="checkbox"/>	Senior Media Advisor	<input type="checkbox"/>	Policy Advisor	
<input type="checkbox"/>	Complex (15 days)		<input type="checkbox"/>	Caucus Liaison	<input type="checkbox"/>	Executive Assistant	
<input type="checkbox"/>	Statutory / other.....		<input type="checkbox"/>	DG/CG	<input type="checkbox"/>	Other.....	
Minister's Office comments/drafting instructions <i>to Barnaby Kerdel.</i> <i>incorporate into briefing</i> <i>re TLPI</i> <i>+ response.</i>							
Prepared by: <i>g/c</i> <i>2/1</i>							
DLO USE							
BU	Allocate	Copy	BU	Allocate	Copy	DLO comments/drafting instructions	
ODG	<input checked="" type="checkbox"/>	<input type="checkbox"/>	OCG	<input type="checkbox"/>	<input type="checkbox"/>		
EID	<input type="checkbox"/>	<input type="checkbox"/>	Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
IP	<input type="checkbox"/>	<input type="checkbox"/>	IPP	<input type="checkbox"/>	<input type="checkbox"/>		
MPP	<input type="checkbox"/>	<input type="checkbox"/>	EDQ	<input type="checkbox"/>	<input type="checkbox"/>		
RED	<input checked="" type="checkbox"/>	<input type="checkbox"/>	BQ	<input type="checkbox"/>	<input type="checkbox"/>		
BSP	<input type="checkbox"/>	<input type="checkbox"/>	SB	<input type="checkbox"/>	<input type="checkbox"/>		
Prepared by: <i>L. Lloyd</i>							
Approved by Director-General/Coordinator-General date:							

21 DEC 2017

Property Council of Australia
ABN 13 008 474 422

Level 6, 300 Queen Street
Brisbane QLD 4000

T. +61 7 3225 3000

E. info@propertycouncil.com.au

propertycouncil.com.au

[@propertycouncil](#)

18 December 2017

Hon Cameron Dick MP
Minister for State Development, Infrastructure and Planning
Minister for Manufacturing
PO Box 15009
CITY EAST QLD 4002

Dear Minister 

Gold Coast Temporary Local Planning Instrument No 5

We write with regard to the City of Gold Coast's resolution to prepare and endorse *Temporary Local Planning Instrument No 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017*. We understand Council has sent this draft TLPI for your endorsement, and requested the approval of its retrospective commencement from 8 December, 2017.

The Property Council has significant concerns with content of the TLPI, and opposes its proposed retrospectivity.

TLPIs are intended to address situations where there is a significant risk of serious adverse cultural, economic, environmental or social conditions, and the delay involved in using the regular process to make or amend another planning instrument would increase the risk.

The Property Council questions the need for a TLPI to be introduced to deal with the issue of flood risk, when Council already has the capacity to undertake regular reviews and updates to its planning instruments. It is unclear why flood risk would need to be addressed through the urgent action of introducing a TLPI, or why this instrument would need to be back-dated to 8 December.

If approved, the TLPI will not only affect those development applications lodged on or after 8 December, it will also impact those applications that have been lodged in accordance with the existing requirements, and are currently under assessment by Council.

For many applications, if the TLPI is approved, this will mean that previously conforming developments will no longer be acceptable to Council. This will require either significant resources to review and redesign development options, or a significant financial loss should development no longer be permitted.

It is worth noting that no consultation was undertaken with the community or development industry prior to Council's resolution to prepare and endorse the TLPI.

Changes to permissible development will have implications both for jobs and the local economy, as well as for affordability on the Gold Coast.

ShapingSEQ- the 2017 iteration of the South-East Queensland Regional Plan- identifies that over the next 15 years, the Gold Coast will need to provide more than 20,000 dwellings through

expansion of the existing urban area, in order to accommodate the region's expected population growth.

With the Gold Coast local government area already experiencing a shortfall in land supply, and with it, an increase in the cost of housing, unexpected and unaccounted for changes to the planning framework will only serve to further exacerbate these issues.

Council's stated intention in pursuing TLPI no 5 is to 'prevent the potential loss of the City's flood resilience and enable the sustainable mitigation of flood hazard'.

The Property Council contends that Council's current planning framework- through its City Plan Flood Overlay Code- already sets adequate parameters for development on flood-affected sites, providing benchmarks that ensure the safety and resilience of new dwellings.

The introduction of TLPI No 5 will have significant, negative impacts on proposed developments on the Gold Coast, while providing no resultant benefit to the City's 'resilience' and ability to 'mitigate flood hazard' beyond the current planning framework.

The Property Council therefore urges you to refuse Council's request for the retrospective approval of TLPI No 5, and instead require Council to undertake consultation with the community and development industry, should it seek to undertake further changes to its planning requirements.

If you have any further questions regarding the Property Council or this submission, please do not hesitate to contact me on [redacted] or [redacted] propertycouncil.com.au

Yours sincerely

Sch. 4(4)(6) - Disclosing personal informa

[redacted]

[redacted]

Queensland Executive Director

RTI

MINISTER FOR STATE DEVELOPMENT, MANUFACTURING, INFRASTRUCTURE AND PLANNING
Executive correspondence action sheet

MO REF MO/17/	DEPT REF F17/	DEPT REF-MC17/ <i>MC 18/44</i>	DEPT REF MBN17/
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<input type="checkbox"/> DG or CG signatory		<input type="checkbox"/> Noting brief	
<input type="checkbox"/> DDG signatory		<input type="checkbox"/> Meeting brief	
<input type="checkbox"/> Dept to respond		<input type="checkbox"/> Dot points	
<input type="checkbox"/> Referral to (agency).....		<input type="checkbox"/> Dept to call and resolve	
<input type="checkbox"/> No response necessary – file & note		<input type="checkbox"/> Other.....	

Contact person (for response) Minister COS Dept officer Other

Response time		Copy to (actioned by Minister's Office)	
<input type="checkbox"/> Urgent (5 days)		<input type="checkbox"/> Minister	<input type="checkbox"/> Chief of Staff
<input type="checkbox"/> Standard (10 days)		<input type="checkbox"/> Senior Media Advisor	<input type="checkbox"/> Policy Advisor
<input type="checkbox"/> Complex (15 days)		<input type="checkbox"/> Caucus Liaison	<input type="checkbox"/> Executive Assistant
<input type="checkbox"/> Statutory / other.....		<input type="checkbox"/> DG/CG	<input type="checkbox"/> Other.....

Minister's Office comments/drafting instructions

3/1/18 TO B.K.

Prepared by:..... *BF 3/1*

DLO USE

BU	Allocate	Copy	BU	Allocate	Copy	DLO comments/drafting instructions	
ODG	<input type="checkbox"/>	<input type="checkbox"/>	OCG	<input type="checkbox"/>	<input type="checkbox"/>		Prepared by..... Sch. 4(4)(6) - Disclosing person
EID	<input type="checkbox"/>	<input type="checkbox"/>	Planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
IP	<input type="checkbox"/>	<input type="checkbox"/>	IPP	<input type="checkbox"/>	<input type="checkbox"/>		
MPP	<input type="checkbox"/>	<input type="checkbox"/>	EDQ	<input type="checkbox"/>	<input type="checkbox"/>		
RED	<input type="checkbox"/>	<input type="checkbox"/>	BQ	<input type="checkbox"/>	<input type="checkbox"/>		
BSP	<input type="checkbox"/>	<input type="checkbox"/>	SB	<input type="checkbox"/>	<input type="checkbox"/>		
ODG	<input type="checkbox"/>	<input type="checkbox"/>	OCG	<input type="checkbox"/>	<input type="checkbox"/>		

Approved by Director-General/Coordinator-General date:

Virginia Bruce

From: DSD DLO <DLO@dsd.qld.gov.au>
Sent: Wednesday, 20 December 2017 4:59 PM
To: StateDevelopment@ministerial.qld.gov.au
Subject: Objection to City of Gold Coast's Introduction of Temporary Local Planning Instrument No. 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017
Attachments: Burchills CoGC TLPI No. 5 Submission Objection.pdf

Good Afternoon

Please find attached received from Executive correspondence group DILGP for action.



**Queensland
Government**

Regards

Linda Lloyd

Departmental Liaison Officer
Cabinet Services

Department of State Development, Manufacturing,
Infrastructure and Planning

P [REDACTED] M [REDACTED] Sch. 4(4)(6) - Disclos
E dlo@dsd.qld.gov.au
Level 36, 1 William Street, Brisbane QLD 4000
PO Box 15009, City East QLD 4002
www.statedevelopment.qld.gov.au

From: Executive Correspondence DILGP
Sent: Wednesday, 20 December 2017 4:56 PM
To: DSD DLO <DLO@dsd.qld.gov.au>
Cc: Planning Group Correspondence <PlanningGroupCorrespondence@dsdip.qld.gov.au>; Teresa Luck <Teresa.Luck@dilgp.qld.gov.au>
Subject: FW: Objection to City of Gold Coast's Introduction of Temporary Local Planning Instrument No. 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017

Hi Linda

For action please/printing and an executive correspondence action coversheet.

David Attrill has asked me to forward this to you. I will also forward to you other correspondence I received from Planning and Infrastructure groups once it is received.

Thanks
Davina Suttie

Davina Suttie
Manager (Executive Services Unit)
Cabinet and Executive Services | Strategy, Governance and Engagement
Department of Local Government, Racing and Multicultural Affairs
P: [REDACTED] | E: Davina.Suttie@dilgp.qld.gov.au | W: www.dilgp.qld.gov.au

From: Planning Group Correspondence
Sent: Wednesday, 20 December 2017 10:18 AM
To: Executive Correspondence DILGP <executivecorrespondence@dilgp.qld.gov.au>
Subject: FW: Objection to City of Gold Coast's Introduction of Temporary Local Planning Instrument No. 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017

Good Morning,

Can we please get the attached letter to Minister Dick added to the source and assigned back to Planning Group?

Thanks,
Sophie



Queensland
Government

Sophie Smith
Correspondence Officer
Planning Group
Department of State Development,
Manufacturing, Infrastructure and Planning

Level 13, 1 William Street, Brisbane QLD 4000
PO Box 15009, City East QLD 4002
www.dsdmip.qld.gov.au

From: Thomas Holmes
Sent: Wednesday, 20 December 2017 10:08 AM
To: Planning Group Correspondence <PlanningGroupCorrespondence@dsdip.qld.gov.au>
Cc: Isaac Harslett <Isaac.Harslett@dilgp.qld.gov.au>; Adam Norris <Adam.Norris@dilgp.qld.gov.au>; Trent Stanton <Trent.Stanton@dilgp.qld.gov.au>
Subject: FW: Objection to City of Gold Coast's Introduction of Temporary Local Planning Instrument No. 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017

Hi Team,

Do you mind creating a workflow for this correspondence and assigning to myself for action.

The corro is regarding a proposed TLPI by the council and relates to a recent HIB – WR17/51109. We are yet to receive the proposed amendment.

We are expecting a number of these objections. Is there any sort of approval that we need to make a standard response?

It is addressed to the new minister and sent via our office.

Regards,

Thomas Holmes
Senior Planning Officer
Planning and Development Services
Department of Infrastructure, Local Government and Planning
Level 1, 7 Short St, Southport QLD 4215
p. [REDACTED] e. thomas.holmes@dilgp.qld.gov.au

From: Kim Kirstein
Sent: Tuesday, 19 December 2017 3:12 PM
To: Thomas Holmes <Thomas.Holmes@dilgp.qld.gov.au>
Cc: Tim Pearson <Tim.Pearson@dilgp.qld.gov.au>; Dominique Gallagher <Dominique.Gallagher@dilgp.qld.gov.au>; Isaac Harslett <Isaac.Harslett@dilgp.qld.gov.au>
Subject: FW: Objection to City of Gold Coast's Introduction of Temporary Local Planning Instrument No. 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017

FYA and inclusion in the AR once the Planning Minister receives the instrument for approval.

Kim

Kim Kirstein
Manager – Planning and Development Services (SEQ South) (Mon, Tues, Thurs, Fri)

Department of Infrastructure, Local Government and Planning
Level 1, 7 Short Street, Southport
P. [REDACTED] M. [REDACTED] E. kim.kirstein@dilgp.qld.gov.au

Please consider the environment before printing this email.

From: [REDACTED] [\[REDACTED\]@burchills.com.au](mailto:[REDACTED]@burchills.com.au)
Sent: Tuesday, 19 December 2017 2:56 PM
To: Kim Kirstein <Kim.Kirstein@dilgp.qld.gov.au>
Cc: [REDACTED] [\[REDACTED\]@burchills.com.au](mailto:[REDACTED]@burchills.com.au)
Subject: Objection to City of Gold Coast's Introduction of Temporary Local Planning Instrument No. 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017

Good afternoon Kim,

I trust that all is well.

Reference is made to the City of Gold Coast's recent introduction of the *Temporary Local Planning Instrument No. 5 (Minimum Land Above Designated Flood Level and Residential Risk Reduction) 2017*, which was formally released to the public on Friday 8 December 2017. After extensive review of the contents of this new Instrument, we are gravely concerned that the proposed regulatory controls for development projects within the floodplain will have an extremely adverse effect on the development and construction sectors across the City.

On behalf of Burchills Engineering Solutions [REDACTED] please find attached a submission that we have compiled objecting to this new piece of legislation.

We kindly request that yourself and your colleagues in the Queensland Government review the contents of this submission, and in due course, provide us with feedback on how the points raised within our submission have been considered.

Please feel free to give me a call if you would like to discuss any aspects of the submission in further detail. Also, we are more than happy to meet with yourself and your colleagues to discuss the contents of our submission in further detail.

We look forward to hearing from you.

Many regards,

[REDACTED]

PO Box 3766, Australia Fair, Southport Qld 4215
Level 2, 26 Marine Parade, Southport Qld 4215



Please note the Burchills Office will be closed from midday on Friday 22nd December 2017 and reopens on Monday 8th January 2018. Our team look forward to partnering with you again in the year ahead. Wishing you and your family a very Merry Christmas!



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RTI RELEASE - DSDMIP

