

Gail Podberscek

1 April 2011

The Commissioner  
Queensland Floods Commissioner

Dear Commissioner

I wish to submit details of my experience regarding the Sunshine Coast Regional Council's **approval of extensive residential development located on highly flood prone land.**

Within the Integrated Planning Act, the clause related to '**injurious affection**' (allowing for compensation to the developer should Council 'change' earlier designated use of land), results in current approvals of development proposals first applied for as long ago as 1985 – often prior to the identification of highly flood prone locations.

Should Council refuse these proposals, the developer is highly likely to succeed in an appeal in the courts. The Council knows this and will most often approve the development 'by default'.

**I believe Queensland is the only state in Australia whose planning laws incorporate this clause.**

I have lived on the Sunshine Coast for 10 years now, and across that time have prepared many submissions in objection to the approval of extensive residential development on fragile wetlands (which often contain valuable, even threatened natural ecosystems). All have been approved, regardless.

Sites include: the banks of the Maroochy River at Bli Bli (highly flood prone, tidal, fish breeding grounds, suspected endangered wild life, important indigenous cultural elements). And most recently (and appallingly), the location of 4,500 residents on a small area of land with extensive areas of constructed waterway containing huge volumes of water, on the volatile estuary of Bells Creek, at Pelican Waters nearby where I live in Caloundra.

It appears developers' '**flood protection solution**' - to excavate enormous quantities of acid sulphate soils, or huge volumes of farmland to build sites up above '100 year levels' - continues to be grounds enough for approval. The results are extensive residential communities located on the flood plain here; even in the light of recent climate events far outside expectations.

I have seen no consideration given to cumulative impacts of development, consequences of displaced floodwaters or flow-on effects on established residential communities as a result of landscape changes to increase land height.

**In this submission I would like to specifically address the proposal for development mentioned above at Pelican Waters, recently granted preliminary approval by Sunshine Coast Regional Council on 23 February, 2011:** 'Mixed Use Master Planned Residential Community at Pelican Waters South. On land at Bledisloe Boulevard and Harbourlights Way, Pelican Waters. Reference: Caloundra City Plan 2004: File 2009/51-00022'.

- The Pelican Waters development covers land south of Caloundra Road, bounded by Bells Creek. **The waterway is currently migrating north** through natural erosion

towards existing residences at least 1m per year. Through impacts of recent flood water, this progress has escalated. As a result, 25 metre buffers to the creek required for early stages of the development some time ago are now more like 25 'feet' in places.

- The proposal plans to locate 50% of the population projected for the entire Pelican Waters development on 15% of the land area (approximately 4,500 individuals), including in a 10-storey housing/commercial use 'tower' located on a constructed island.
- There will be **limited egress** out of this locality, including adjoining Diamond Head, should storm surge from the Pumicestone Passage occur simultaneous to extreme rain event here.
- The northern end of Bribie Island nearby is at imminent risk **of the ocean breaking through into the Pumicestone Passage**, further compounding ocean impacts on the Bells Creek estuary.
- **Extensive ground water drainage networks** currently, effectively direct storm-water from the catchment into the Pumicestone Passage. As part of the project's construction works, these networks will be fractured by a hard-side lake and canal system deep enough to facilitate ocean-going vessels, permanently introducing huge volumes of water onto the site.

The Pumicestone Passage, part of the Moreton Bay Marine Park and an internationally recognised Ramsar Conservation site will collect storm-water runoff from the entire Pelican Waters development.

In my view, no cumulative consideration of either projected storm-water volume, or impact of runoff from the expansion of development on the Pelican Waters site onto neighbouring residential areas (including where I live) have **been adequately considered in light of unexpected, unknown future weather events**. Minor un-anticipated flooding of both Pelican Waters and Golden Beach residential communities has already recently occurred.

I recently suggested to a local councillor that '**The Precautionary Principle**' – a planning process cautioning against approval of the proposal due to risk of damage to life and property occurring as a result of the development going ahead – be adopted. He dismissed this as not enough grounds to refuse the proposal, and 'the developer had waited long enough'.

The planning process appears to not give weight to elements such as disaster mitigation, or even important environmental concerns (often present in flood prone landscapes). There is no connection between various government departments with roles as 'concurrency agencies' – as a result, no broad, comprehensive picture of impacts within and outside of the site are considered holistically.

In my view, current planning processes need serious examination to ensure safety of life and property from future flood effect in this region. Thank you for accepting my submission.

Yours sincerely

Gail Podberscek

Gail Podberscek

[REDACTED]  
4 April 2011

The Commissioner  
Queensland Floods Commissioner

Dear Commissioner

I would be grateful if you would also consider this small addendum to my earlier submission (attached). This important point (inferred therein) warrants a separate, more direct and detailed statement.

Towards **securing appropriately sited residential development** from flood impact and as an important step to sustain future conservation and preservation of our unique wetland ecosystems and wildlife, **flood plains be established state-wide as nature reserves.**

Presently many of our unique natural environments and crucial habitat are being destroyed as a matter of course through lack of weight within the planning process. Our waterways are struggling.

An additional benefit would be to raise the **'edge' this state has traditionally held in some places as valuable 'eco-tourism' attractors** as the vital tourism industry in this region struggles to survive.

These natural environments are especially attractive to tourists travelling from places already lost to development, who are often visitors with money to spend, and will likely spread the word of positive, unique experiences through word of mouth and personal e-networks.

Across the past 20 years, our wildlife has diminished in some areas to the point of extinction, but as we have seen here in the Pumicestone Passage (currently under severe threat), can regenerate if given the opportunity and with careful, adequately resourced management.

For governments to focus on conserving our natural resources, at the same time securing our residential communities from flood and ocean surge effect, many rewarding, sustainable jobs could be created.

Thank you for consideration of my submissions.

Yours sincerely

**Gail Podberscek**  
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