

QUESTION ONE

Name: Jack Stansfield – Airlie Beach 4802

Question 1:

Mr Acting Mayor and Councillors,

I was relieved to see you previously all asked for further advice before making a decision on the proposed development. I can only believe that comprehensive responses would have shown this is too big a building, on too small a street and that traffic and safety issues would have shown up to be a major issue.

Traffic & Safety

I know firsthand what the traffic is like now turning onto Shute Harbour Road at any time of the day and in particular the delays that occur at the start and finish of the working day. The present cul-de-sac at the end of Shingley Drive is not big enough to allow buses to turn around without reversing. It is not good.

The first traffic study given to the State appears seriously biased. Council recognised this and ask for a corrected one. The State department did not. Even the replacement survey does not take into consideration all of the traffic that will be generated, but still projects more than double the traffic SARA judged our safety on.

While the State awaits further referral from Council before they will re-assess the intersection to Shute Harbour Rd, The Shingley intersection into the link and the rest of Shingley Drive is Council's responsibility to keep myself and other people safe.

I certainly do not see how a diagram that shows I would face the potential of a head on collision with a bus, every day, justifies the developer not having to widen the road to Council's minimum safety width, where the bus could turn without having to cross onto the wrong side of the road.

I note clause 19.2 of today's agenda says "Any alteration necessary to public utility installations resulting from the development or in connection with the development, must be at full cost to the developer" One would hope they have allowed for the road upgrades that would be required if this huge development was approved on our small street. On the basis of Traffic and Safety issues this proposal should not go ahead.

Height

Height seems pretty self-explanatory; this proposal is over three times the maximum height allowed. Council's own report says "it is critical to the assessment that the green ridgelines are not exceeded from a Sub-regional context" yet the developers own report shows it would still exceed the ridgeline from the view of every one of the 15,000 plus cars that travel Shute Harbour Road every day.

On the basis of height this proposal should not go ahead

In addition to height and traffic, I still see other major areas of concern:

- The many apparent flaws of the Needs Analysis Review by Norling Consultants.
- The Geotechnical reporting contradicting Council's report from 2019.
- and the numerous zoning Breaches of the Whitsunday Planning Scheme.

The Needs Analysis does not even meet the minimum requirements of Council's planning Scheme Policy, yet it has been given the weight to overrule the entire planning scheme. This report is highly speculative, it appears totally bias and even conflicts with a report done by the same consultant, on the same supposed need. On this fact alone, the proposed development should be rejected by all Councillors

Geotechnical

While safety on the roads is obviously of concern, there is still the real risk of landslide on this steep site.

As with the traffic report, the first geotechnical report was deemed inaccurate and yet again, the replacement geotechnical report still appears very questionable.

In 2019, Cardno produced the Whitsunday Landslide Study showing the site as a "MODERATE AND HIGH LANDSLIDE RISK" area. When the same consultants were paid by the developer, they say there is a "VERY LOW RISK". I have to wonder which one to believe.

The inadequacy of the geotechnical report when dealing with real potential for loss of life should cause the proposed development to be rejected by all councillors.

Zoning

This proposal wants to put a 12 storey 46 metre high commercial development in a 4 storey 12 metre high residential zone. Council's own zone code comprises of 32 elements and this development wants to breach nearly every one of them.

Our planning scheme says the proposed development should be rejected and I hope all Councillors agree.

There are other areas of concern but time precludes detailing them.

Urban Sync Town Planners a NQ company prepared and submitted a clearly professional report on behalf of a local company which was submitted in June last year. It has very different conclusions to that of the proposer and the planning department concluding with 6 sound reasons why the proposed development should be rejected.

Therefore, my question to council is: How can this proposed development be approved when it cannot pass muster on every aspect mentioned above?

QUESTION TWO

Name: Phil Bryant – Airlie Beach 4802

Good morning, Mayor and Councillors,

This block of land has already had approval for a more modest development that is in line with the character of the area, and less disruptive. You are being asked to approve a completely different development based on the advice provided to you.

I'm pretty shocked at that advice. I thought the role of the planning dept was to provide impartial advice based on the framework of the local planning scheme.

Instead they have relied on reports provided by **and** paid for by the developer. These reports (apart from being a very dull read) appear to me to be full of holes, inconsistencies, mistruths and do not provide all the information the guidelines stipulate. They seem completely biased, yet appear to have been accepted as good excuse to ignore the local communities wishes **and** ignore the planning scheme.

The traffic report says only a small increase in traffic on a small road already getting busy. Really? A development that is bigger than all the current developments down that road put

together, plus a function centre and three dining establishments. With staffing levels much higher than the neighbours, since its claimed to be a 'premium hotel' yet no dedicated staff parking. The only outcome we could be sure of is that Peak hour traffic would **more than** double.

The visual assessment supplied mostly long distance shots, carefully crafted to hide the true impacts of what we would have to face every day. But just stop and think what will you see as you drive along Shute Harbour road – the main thoroughfare all tourists must travel. A huge 12 storey building towering above the hill. Most will call it an eyesore.

The needs analysis. From what I can see the **ONLY** justification for ignoring the planning scheme; ignoring the 1000+ submissions made. It makes the case that more tourist accommodation is needed, but does not justify why such a large building is needed. It assumes the economic impact of a code compliant development is zero. This is patently absurd. They state this is because it would mainly occupied by permanent residents, yet elsewhere in the same report they state the adjacent developments are over 50% tourist accommodation.

Another example of the inconsistencies – 422 Shute Harbour Road is rejected because it is too far from the town, yet this development is 3 times further! The matrix assessment is very distorted; an alternative analysis scores a compliant development at **88%** 85% against the proposed development at only **78%**–75%.

Most importantly the report fails to identify any reason why the proposed development cannot be accommodated with-in the Whitsunday Regional Council Planning Scheme 2017. The council owned site at Waterson Way is twice the size and would allow the same number of rooms in half the height, making it code compliant. This, or many other larger blocks of land would be a much better location.

Specifically regarding the height on the 7th of September Council wrote to the developer saying:

"In relation to the height of the building, the information provided does not support a radical departure from the outcomes of the Low-medium Density Zone Code."

yet the revised proposal is still a radical height! 3 times the limit specified in the local planning scheme and I still cannot see any reliable information that supports this height.

A report that seems to have been ignored is the one from an independent expert from Urban Sync planning that makes very different conclusions. They clearly state "there are no justifiable planning grounds or demonstrated reasons for the development to be completed at this building height".

Whatever you decide, a court case seems inevitable. But the questionable supplied information and the financial needs of the developer, should not be factors in your decision.

So my question is:

Why are councillors basing their decision upon developer financed reports that are incomplete, inaccurate and do not comply with guidelines.

Name: Clay Bauman – Cannonvale 4802

I am here today to ask for your consideration of what the planning department calls reasonable.

They have reported to you that this 12 storey high-rise is a “medium density structure”, what does this mean for the rest of our medium density residential zones?

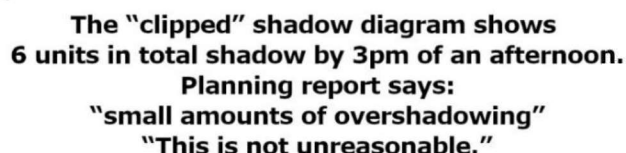
Will it become open slather for high-rises to start going up next door to residential homes?

The planning department is judging the shadows cast from this high-rise on a report, where the shadows are so large, they carry right off the edge of the diagram. So there is no way of knowing the true extent of the effect on neighbours.

Yet it already shows that 6 Shingley Beach Resort apartments will be in shadow by 3pm of an afternoon. These people will go from sunset views to no sunshine at all. Your planning department says this is not unreasonable.

So my question for today is, how many Whitsunday residents and ratepayers have to lose their direct sunlight to a high-rise before our planning scheme would act to protect them?

Please see the attached image for reference.



A response will be provided to the customers in due course and included in the next available Ordinary Council Meeting agenda under the business arising section.