

Re: Draft Temporary Local Planning Instrument No. 1 of 2024

Feedback has been invited in respect of the above-named TLPI and this is my submission in that regard.

This submission has been written in a template format by residents of Arundel Hills. This template has been made available for use by those of us who don't have the knowledge, skills or time to navigate the complexity of the TLPI and everything it proposes and assumes. My submission, based on the template, is one of the few ways I can make my concern known to the Minister for Housing, Local Government and Planning on an issue of very high importance to me. I agree with all the points of submission in this letter and confirm it is an accurate expression of my views. I expect that my submission will be given the same weight by decision-makers as any other submission and will not be discounted simply because it is based on a template.

I object, in the strongest possible to terms, to the plans described in the TLPI. The reasons for my objection are set out below.

Misapprehensions, Wishful Thinking and Imprecise Definitions

Based on the contents of the TLPI itself and pronouncements made by the Minister in various media channels (both social and broadcast), it is clear that some of the thinking that underlies this TLPI is misconstrued. The Minister is on record as saying that Gold Coast has more golf courses per capita than any other part of Australia. That is simply not true. Brief research shows that both the Sunshine Coast and the Mornington Peninsular have more golf provision per capita than Gold Coast does. There may be other such well-provisioned areas for golf in Australia, but time precludes more detailed research.

The Minister has also made reference to the development at Parkwood golf course as an example of City of Gold Coast council allowing development on golf course land. This is a false equivalence. The development at Parkwood was of a nature that is permitted on Sports and Recreation zoned land and that is why it was allowed to go ahead. The golf course there remains operational, the land remains predominantly green and the Sports and Recreation zoning still applies. The development proposed in the TLPI could not be more different from that.

As part of its assessment of the original Development Application for the site, City of Gold Coast Council commissioned a report which showed that, with the growing population of the City, demand for golf will soon outstrip supply. And even if the site is not returned to use as a golf course, the assessment by the Council of the original DA also highlighted that the City is already short of green space.

The TLPI talks of "supporting innovative carparking solutions and carshare models to reduce dependency on individual car ownership". Whilst this is a laudable aim, the TLPI gives no details of what those models might be. There is no reference to any research to show that such innovation is effective in a location such as the subject site which is more than walking distance away from the nearest services of many types and is serviced by a single bus route offering just two buses per hour in each direction. To imagine that levels of individual car ownership will be reduced by such measures is simply wishful thinking. If the "innovation" proves to be ineffective there will be more cars owned by residents than are allowed for in the TLPI. Those cars would need to park somewhere, but there would be nowhere practical for that to happen.

The TLPI's definition of affordable housing states that it should be "appropriate to the needs of households with low to moderate incomes if the members of the households will spend no more

than 30% of gross income on housing costs". However, it does not define what "low to moderate incomes" actually means. There is no way to evaluate this aim in terms of hard numbers and therefore no way to assess whether the TLPI is realistic in its aims.

The TLPI includes provision for publicly accessible sports and recreation land in Precinct 3, without giving any details of who would own that land, how it would be cared for and who would be responsible for providing and maintaining the sports and recreation facilities on that land.

A worse scheme than that originally proposed

The development originally proposed for the site (known by City of Gold Coast Council reference MCU/2023/84) was rejected by the Council in the longest and most comprehensive rejection that anyone involved in the process could remember being applied to any Development Application. This was done on the basis of the multiplicity of ways that the plan was found to be non-compliant with the various regulations, plans, codes and overlays that are the basis for judging any DA, together with the clear community objections to the proposal.

The scheme proposed in the TLPI would, if subjected to the same tests, be rejected even more fulsomely. It is understood that part of the purpose of the TLPI is to suspend, for a specific site, the normal framework by which development plans are judged, including in this case the abandonment of the site's Sports and Recreation zoning. However, the creation of the TLPI does not change the facts on the ground. The normal planning framework is not arbitrary. It has evolved over many years to represent best practice in ensuring that those developments which are permitted provide the best possible outcomes for the community as a whole. Simply abandoning that framework to suit current political expediency is unacceptable.

Some examples of the ways in which the scheme proposed in the TLPI would be worse than that originally proposed are listed below:

- The greater number of dwellings and higher number of occupants will, inevitably, create higher levels of traffic, greater demand on infrastructure, more load on local schools, etc.
- The greater density of dwellings will increase the degree to which the development on the subject site will act as an urban heat island, changing the climate of the local area.
- The so-called "gentle density" will not be at all gentle for those faced with a building of up to six storeys replacing the current green views from their adjacent properties. For them it will be "brutal density". Whilst it is understood that nobody owns a view, the Council assessment of the original DA made the point that those who bought properties adjacent to the golf course had (and continue to have) a reasonable right to expect that the land would remain undeveloped, given that it is zoned for Sports and Recreation use.
- The effect of more people in more dwellings on the local flora and fauna will inevitably be more detrimental. The subject site is acknowledged to be koala habitat. While the TLPI proposes some rehabilitation work, from her previous role with responsibility for the Environment, the Minister must surely be aware that rehabilitation is at the bottom of the list of the ways in which development can protect the interests of this endangered species. In addition, the wildlife corridor in the original DA, which is more extensive than that in the TLPI, was judged to be insufficient. Clearly the TLPI does not make sufficient provision for the protection of wildlife. Nor will it in any way protect the native vegetation on the site, including black butt trees.
- The Council assessment of the original DA also took account of the effect that the loss of amenity would have on local residents, including on their mental health and wellbeing. The

scheme proposed in the TLPI would have an even more detrimental effect in that regard. The proposed housing is of a nature that is entirely out of character with the existing housing in Arundel.

The list above merely gives the most obvious examples of the ways in which the scheme proposed in the TLPI will have worse outcomes than the scheme that was previously comprehensively rejected. It may not be an exhaustive list, but time restrictions do not permit more detailed analysis.

The summary position though is that you can look at every point made in the rejection of MCU/2023/84 and say that they still apply to the scheme proposed in the TLPI, often to a much greater degree.

A dangerous precedent

The City of Gold Coast Council and the wider community are very alert to the possibility of privately-owned golf courses being treated as potential “land banks” for development. If this TLPI is allowed to proceed, it would set a dangerous precedent. Golf course owners may well be tempted to cease operations and allow the land to become derelict, chasing the pot of gold that development would deliver to them. If this development is allowed because housing needs are pressing, then it would be hard to argue against any other such development in the foreseeable future. Should the Minister decide to proceed with this TLPI, that decision would have the potential to threaten privately-owned Sports and Recreation facilities – golf or otherwise – across the whole of Queensland.

In conclusion

Compared to the amount of time taken to draft the TLPI, the amount of time allowed for consultation is very short. That inhibits the ability of the community to do a detailed point-by-point analysis of the shortcomings of the TLPI, although many are so patently obvious when judged against the normal planning standards applied to MCU/2023/84 that they do not need to be repeated here.

The creation of this TLPI is a political decision. The Minister has the power in legislation to act this way and so there is nothing that the community or City of Gold Coast Council can do to stop that from happening.

However, I would ask the minister to consider that simply changing the rules to permit development where it was previously impermissible does not alter any of the detrimental effects that have already been identified in respect of developing the site. Given this, and the fact that there are also some fundamental misunderstandings underlying the justification for this choice, I would ask the Minister to not proceed with this TLPI.