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SUMMARY REPORT

Informing the development of the Inskip Peninsula Master Plan

DECEMBER 2013

+ Better Outcomes for
People and Places

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EXECUTIVE SUMMARY

Following the decision made by the Queensland Planning and Environment Court on the *Rainbow Shores P/L v Gympie Regional Council & Ors (2013) QPEC 26* appeal, the Queensland Government (through the Department of State Development, Infrastructure and Planning, DSDIP) has commissioned a review and scoping project where key points arising from the judgment are to be utilised to update and revise the development of a master plan for Inskip Peninsula.

Whilst the Rainbow Shores appeal relates to a development application made over land upon which a development lease was granted (known as the RS2 site, located on the northern part of Inskip Peninsula), the driver of this project has been to identify lessons learned from the judgement and apply them, in a best practice planning exercise, to the entire Peninsula.

This project has been informed by a review of the judgement to the Rainbow Shores appeal, review of relevant background material (including the draft Inskip Peninsula Master Plan), outcomes of two workshops held with internal stakeholders, and the expertise and assessment of a multi-disciplinary consultancy team (led by Buckley Vann and including BMT WBM, Macroplan Dimasi and Bligh Tanner).

There were several reasons why the Judge dismissed the appeal, however a review of the judgement revealed two key matters that were given determinative weight as:

- (1) the absence of a demonstrated need for the proposed development – the court found no economic (market demand), community or planning need for the proposed development that existed within a reasonable timeframe; and
- (2) the design, scale and intensity of the proposal would result in unacceptable impacts on the environmental values of the site.

Key points and lessons learned from review of the judgement include:

- It is critical that land use direction for future development on Inskip Peninsula be informed by an assessment of need, market demands and drivers of tourism uses in the region;
- In the context of establishing need, it is relevant to consider the potential for areas that are relatively unconstrained and appropriately zoned to respond to market demand and deliver development within a reasonable planning horizon;
- A point of difference between the proposed development and existing or planned/approved development, may assist in establishing need;
- The timetable for proposed development (need and delivery) should be within a reasonable planning horizon (generally not exceeding 20 years);
- Areas suitable for development on Inskip Peninsula are to be derived through the resolution of competing and conflicting issues;
- Development on Inskip Peninsula should be sensitive and responsive to the area's environmental values and coastal context;
- The inclusion of a significant community benefit as part of the proposal did not serve to justify approval of the RS2 proposal and did not change the judge's decision to dismiss the appeal;
- Regional Ecosystem (RE) 12.2.5 which occurs over the RS2 site is a threshold RE (close to being classified as 'Of Concern');

- The level of investigation, particularly in the northern section of the RS2 site, appears to have been limited;
- Although the proposed development was deemed inappropriate for the RS2 site, the RS2 site was not identified as being unsuitable for development leaving open the question of what development may be acceptable on the RS2 site.

Building on the review of the court decision, an assessment of the gaps in information required to inform future land use and planning was performed and includes:

- an assessment of the capacity for Inskip Peninsula to accommodate projected growth to assess the adequacy of land supply on the Peninsula;
- should development be proposed on environmentally sensitive land (constrained by environmental values and zoning), an applicant must support their proposal with:
 - an assessment of need, market demand and community benefit;
 - site specific environmental assessments that site development in locations that minimise impacts to the environmental values identified by the court; and
 - increased effort in designing environmentally sensitive development;
- assessment of the coastal hazards across the entire Peninsula to identify areas best suited to short, medium and long term (20+ years) development; and
- consideration of the options for managing wastewater generated by new development on the Peninsula.

Two workshops were conducted for the project that brought together key state agency representatives and the consulting team to discuss the findings of the court and establish some guiding principles and the key issues to be addressed. The outcomes of the workshops included:

- future development proposals should be based on a demonstrated opportunity that exists within a reasonable timeframe;
- to support a master plan the following actions are recommended:
 - assess growth projections against land zoned for future development to determine the adequacy of land supply on Inskip Peninsula; and
 - identify the most suitable areas to accommodate any future economic development opportunities beyond the projected growth for the peninsula;
- master planning should use best practice principles that did not consider land ownership or leasing arrangements;
- the existing guiding land use planning principles for Inskip Peninsula should be revised to incorporate the findings of the legal review of the Rainbow Shores appeal; and
- Inskip Peninsula possesses significant tourism potential

Based on the assessments above the project has identified the following recommendations:

1. the court decision should be used to refresh the set of best practice land use planning principles established by previous planning studies to guide future development on the Peninsula;

2. an assessment of the capacity of Inskip Peninsula to accommodate projected growth;
3. finalise a master plan that identifies the most suitable areas for future development on the Peninsula that considers:
 - the contribution and function of Rainbow Beach, Carlo Point and Rainbow Shores Stage 1 site (RS1);
 - existing land uses and infrastructure networks (including wastewater disposal and water use requirements);
 - potential native title claims; and
 - progress on the rehabilitation the old sand mill site (“hot sands” site).

1.0 BACKGROUND

1.1 Introduction

In November 2013, a Buckley Vann lead team (including BMT WBM, Macroplan Dimasi and Bligh Tanner) was engaged by the Queensland government through the Department of State Development, Infrastructure and Planning (DSDIP) to undertake a review project aimed at informing the development of a master plan for the Inskip Peninsula.

In 2008 and 2009, various technical studies and reports were commissioned by the Queensland government to inform the preparation of a planning study and draft master plan for Inskip Peninsula.

Inskip Peninsula contains land which is Reserve and State land tenure (unallocated state land – USL). It also contains freehold land within Carlo Point and Rainbow Beach, and land granted for a development lease, currently held by Rainbow Shores Pty Ltd.

One of the development lease areas, Lot 22 on MCH803497, known as Rainbow Shores Stage 2 (RS2), was the subject of a development application (for a preliminary approval for an integrated resort and residential development), which was refused by Gympie Regional Council (as directed by DERM), and subsequently appealed.

Following the court decision on the Rainbow Shores appeal (*Rainbow Shores P/L v Gympie Regional Council & Ors [2013] QPEC 26*), the DSDIP are seeking a comprehensive review of the previous planning studies/reports against the key findings of the (Rainbow Shores appeal) court decision to assist in informing and finalising the development of a master plan for Inskip Peninsula.

This project intends for the findings and outcomes of the current studies and reports to be reviewed against or considered within the context of the judgment of the Rainbow Shores appeal. It requires the following matters to be resolved so that key stakeholders can have clarity and certainty about the future of Inskip:

- identify key conclusions made in the judgement of the Rainbow Shores appeal that will influence, or has implications for, the veracity of the previous studies and the development of possible land use options for Inskip Peninsula;
- identify information gaps to establish where (if any) additional investigation is required;
- critique the draft master plan options included in the Inskip Master Plan Study (March 2009) in light of the key findings from the Rainbow Shores appeal; and
- based on the above, prepare recommendations for a finalised or revised master plan.

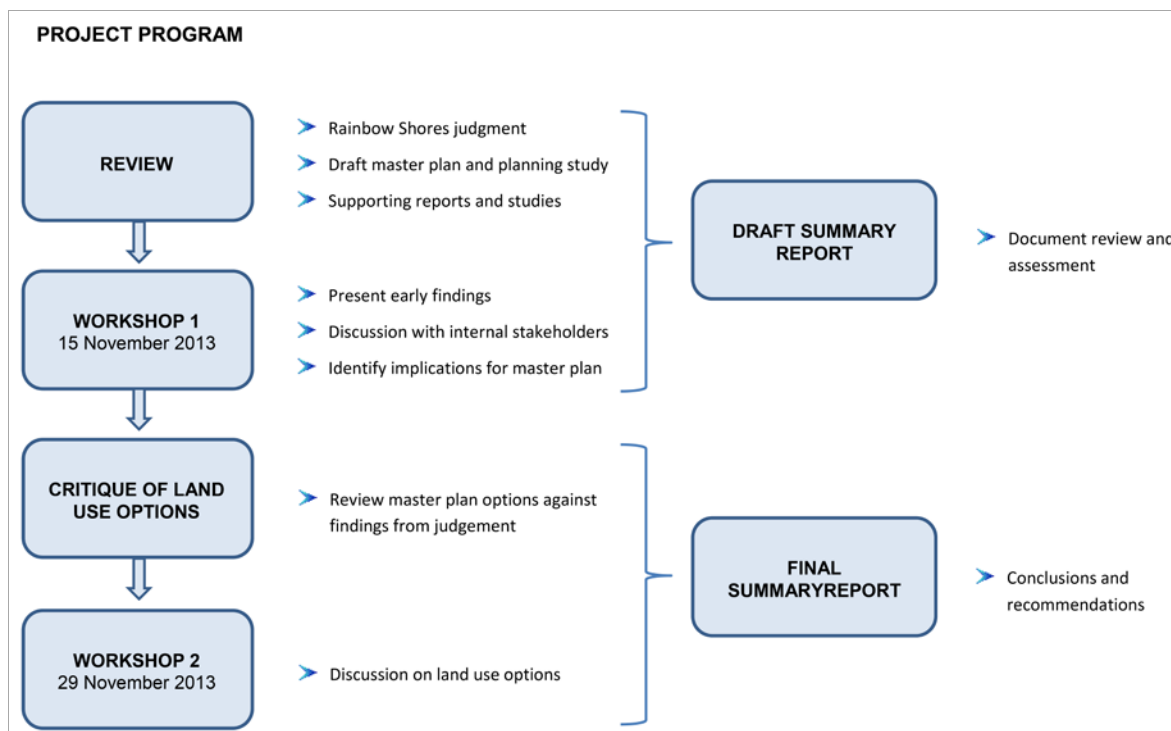
Figure 1.1 below identifies the Inskip Peninsula study area for the project, which incorporates the Rainbow Shores development lease sites (RS1 and RS2), Rainbow Beach, Carlo Point, and various features such as the old sand mill site, the waster water treatment plant and the airport strip).

Figure 1.1 – Overview Map of Inskip Peninsula



1.2 Project Program

This project involved a combination of review, workshop and reporting tasks, as outlined in the flow chart below.



The list of documents reviewed as part of this project is included at **Appendix 1**.

The key output of this project is a summary report which identifies the key points from the judgement of the Rainbow Shores appeal that will have implications for future land use options. The report considers the previous studies, reports and the draft Inskip Peninsula Master Plan in light of the key points from the judgement and identifies implications for master planning the Inskip Peninsula. Key outcomes of the report include suggested new and updated guiding principles and advice in relation to information/knowledge gaps and the process/ sequence of next steps for revising the draft master plan. The final version of the summary report has been informed by workshop outcomes and feedback provided by DSDIP following their review of the draft report.

1.3 Workshop 1 Outcomes

In workshop 1, the early findings of the review task were presented to a State agency stakeholder group. A record of the material presented and details discussed in the workshop are provided at **Appendix 2**.

Key outcomes of the workshop included an agreement amongst the stakeholders that:

- the key driver of the master plan project is that it be undertaken as an objective exercise in best practice land use planning; and
- land use planning should be based on an assessment of tourism opportunities and associated needs of the Peninsula across a range of economic, social and environmental desired outcomes as outlined by the Gympie Regional Council Planning Scheme and other relevant plans and strategies for the region.

1.4 Workshop 2 Outcomes

The focus of workshop 2 was to discuss the information gaps and recommendations for additional work, confirm the suggested process and sequence of next steps in developing a new or updated master plan for Inskip Peninsula, and present new additional guiding principles that would complement the current set of principles in the draft Master Plan (2009).

A record of the main areas of discussion from workshop 2 is included at **Appendix 3**. Key workshop outcomes included:

- discussion regarding the scope and methodology for an economic needs/opportunities assessment providing greater clarity on what would be appropriate at a master plan level; and
- refinement of the guiding principles, including the acknowledgement that some of the principles are more detailed, providing guidance at a site specific or development specific level, rather than at a strategic, Peninsula wide level.



2.0 KEY POINTS FROM THE RAINBOW SHORES APPEAL JUDGEMENT

2.1 Introduction

The decision made by the Queensland Planning and Environment Court to dismiss the Rainbow Shores appeal reinforces the need for development applications to consider the potential impact of future coastal hazards.

However, the development proposal as outlined in the Plan of Development for the RS2 land was considered to be inadequate in its current form by the Court for a number of other reasons.

Each of these substantive issues identified from the judgment are discussed below.

2.2 Significant Points from the Judgement

2.2.1 Key points relating to need

There were numerous reasons why the appeal was dismissed, however, the most significant is the absence of need for the proposed development within a reasonable timeframe.

The judgement found there is no sufficient economic (market demand), community or planning need, within a reasonable planning horizon, for the extent or type of development (ie. tourist facilities, permanent residential and associated retail, commercial and community facility components) proposed on the RS2 site.

There are a number of implications arising from the appeal in respect of establishing need for a land use which are relevant for possible future development on Inskip Peninsula, including:

- (i) It is important to consider what can be achieved in the subject area on land relatively unconstrained and appropriately zoned for development.

The judgement confirms it is relevant to consider that there is sufficient land, already zoned in the undeveloped parts of Rainbow Shores Stage 1 (RS1, which is located to the south of RS2) to accommodate growth in tourist uses and future demand for permanent residential accommodation:

“...There is sufficient capacity within RS1 to support the construction of as much tourist development as might be justified within the next two decades or more. The development might also be used, at least in part, by residents....” (para 239(d)).

There is capacity for up to 700 units on the RS1 site which, if developed, would be absorbed over a very long period (the judgement suggest 40 years).

The amount of developable land remaining within RS1 could support a range of land use options consistent with residential or short stay accommodation or something completely different.

- (ii) If the proposed land use is already provided for in the subject area, there needs to be a (market) demand to justify increasing the supply of that land use, or alternatively, there should be a point of difference between the existing and proposed product, which would attract a different market.

The residential component proposed within RS2 is largely consistent with that provided by RS1. As such it is likely to attract a similar limited amount of market demand as the RS1 area.

The proposed development of RS2 did not produce much in the way of tourism amenity. The commercial facilities proposed were limited and may not have been viable given the limited local population and the presence of existing commercial facilities at Rainbow Beach.

The tourism facilities proposed were focused on additional short stay accommodation supply. There is no evidence of current or future need for these uses.

A point of difference in type, style and design of development was not put forward for RS2. It is expected that only uses that are inconsistent with the existing development at RS1, such as an eco-resort or large scale resort, would be considered prior to the completion of RS1.

- (iii) Consideration needs to be given to the timing of when development is needed and can be delivered. The timetable for proposed development should be within a reasonable timeframe.

The original timetable for need and delivery of the RS2 proposal was a 20 year planning horizon. Throughout the course of the appeal, this timeframe was found to be unsupportable and was subsequently abandoned.

Ultimately, a timeframe in excess of 45 years was identified as being a realistic development period for the tourist facility components of the RS2 proposal, which the Court found to be well beyond a reasonable planning horizon for the demonstration of need.

In respect of the 45 year development period, Judge Rackemann states at paragraph 248 of the judgement:

"...it is, in my view, impracticable to "crystal ball gaze" in order to grant a preliminary approval which sets an appropriate planning regime for development of RS2 over such a lengthy period of time. During such a period the relevant planning schemes and other statutory documents would be expected to be subject to multiple reviews. Other relevant changes of circumstance could obviously occur. Without attempting to be exhaustive, those changes could be in relation to population growth and distribution, market needs and trends, the condition and conservation significance status of the flora and fauna on site and scientific knowledge in relation to matters including the extent of likely coastal hazards. Indeed, there have already been changes in some of these respects during the assessment of the subject application and subsequent appeal to this Court..."

As noted in the judgement, it is inappropriate to plan for a development now that may not occur for 30 to 40 years or more. It may also be inappropriate to attempt to define now, at a time when there is limited market growth and opportunity, the future land uses across the site. A more appropriate approach would be to define some broad planning principles for the site and revisit specific opportunities at a time that markets support development and growth.

The significance of establishing need (and the determinative weight given to it in the appeal) for the proposed development is clear when, at paragraph 365 of the judgement, Judge Rackemann confirms that even a smaller, reduced in scale, more environmentally responsive proposal is unlikely to be considered acceptable, given the lack of need for the proposed development:

“... It is, in any event, unlikely that a responsive downscaling of the proposal would alter the ultimate conclusion, given my findings otherwise, including with respect to the lack of need for the tourist-oriented aspects of the proposal....”

2.2.2 Key points relating to environmental values

In addition to the absence of need for the proposed development, another key matter Judge Rackemann gave determinative weight was the significant adverse impact the proposal would have on the environmental values of the site.

Applicable planning (statutory) documents such as the State Coastal Management Plan 2001 and the Gympie Regional Council Planning Scheme required the development potential of RS2 to be established through the resolution of competing or conflicting issues, such as the coastal environmental values of the site, the site's susceptibility to natural hazards and the requirement to demonstrate need for further urban development.

Under these documents, development of the RS2 site needed to be:

- cognisant of the site's environmental values and to occur in a sensitive way; and
- outside of, and not have significant impact on, an area of high ecological significance in any coastal management district.

Despite this, the design of the proposal was not found to be environmentally sensitive or responsive (that is, it was not driven by environmental consideration or in accordance with the principles of ecologically sensitive design (ESD)).

“...The proposed pattern of development across the site shows no sign of having been conceived by reference to any particular environmental attributes or values. Development is proposed to be spread across the site in what was described as a ‘cookie cutter’ approach....” (para 258)

The proposal did not demonstrate that the areas to accommodate development are not in conflict with the environmental values of the site.

In particular, some key points arising from the judgement, relating to the significance of the site's environmental values include:

- (1) while considered to be ‘Of Least Concern’ under the VMA , Regional Ecosystem (RE) 12.2.5 which occurs over the RS2 site is a threshold RE (close to being classified as ‘Of Concern’), an outstanding example of an intact ecosystem that is in good condition (low incidence of weeds) and has a size and scale that is of itself sufficient to generate significance;
- (2) the plan of development (POD) was considered by the Court to be insensitive to the flora and fauna values that exist on the site and no offset was presented for the proposed loss of vegetation which ultimately equated to almost 60% clearing of the site once all of the evidence was presented;

- (3) a key feature of the ultimate design included 'green fingers' that retained vegetation between and among the urban form. It was recognised by the Court that this land use form introduced much greater potential for edge effects on the vegetation and diminished the value of the retained vegetation and its ability to support fauna values;
- (4) the design and approach ignored the corridor functions the RS2 site provides (both north-south and east-west) with the view that adjacent land to the south (green belt) and to west provided adequate corridor function. It should be noted that this corridor function is likely driving the site's 'State' significance under the Biodiversity Assessment and Mapping Methodology (BAMM) as well as its essential habitat value for protected species;
- (5) the level of investigation particularly in the northern section of RS2 appears to have been limited – it was not included in previous BAMM report. As such, in general there was poor understanding of how species of conservation significance used the RS2 site (for instance breeding habitat for the Black Breasted Button Quail was seen as important but unmapped).

Based on the above, the flora and fauna values were concluded to be a major constraint to development of RS2.

2.2.3 Key points relating to coastal and flood hazards

Key constraints on the site from a coastal and flooding hazard perspective included:

- erosion hazard (as indicated by the presence of the erosion prone area for the site);
- storm tide hazard (associated with flooding from the sea that could occur either from the Ocean or estuary side of the Peninsula); and
- flood hazard (from overland or catchment flooding).

Each are discussed below.

2.2.3.1 Erosion prone area

A strip of land along the eastern margin of RS2 is contained within the erosion prone area. The long standing policy of the Queensland government within undeveloped areas of the coast within erosion prone areas is that they should be retained undeveloped in order to allow coastal processes to occur unhindered. Associated land use in such areas should be for beach protection and coastal management purposes with no permanent development. Any structures installed should be temporary or relocatable.

The correct interpretation of the width of the erosion prone area for the RS2 area (which was recognised by the Court) is a distance of 175m from the toe of the frontal dune which is effectively the seaward edge of the vegetation. The extent of the constraint is approximately 30 ha and is shown in **Figure 2.1**. In general terms, the POD was unsympathetic to this constraint and proposed development in this area. Failure to consider this constraint was considered as being relevant by the Judge in the appeal decision.

The erosion prone area is a major constraint that affected a small part of the RS2 site (around 30 hectares) but also relates to part of the land that has very high value and importance to the development, as it runs along the eastern (seaward) alignment of the lot and would provide tourism and residential uses closer access to the foreshore.

Figure 2.1 – Extent of the Erosion Prone Area over RS 2



2.2.3.2 Storm tide inundation

The storm tide level for the ocean beach side of the Peninsula was set in *Coastal Hazards and Flood Modelling Report*, BMT WBM (2008) at a design level of 5.05m AHD. The storm tide design levels nominated for the western coastline of the Peninsula were identified as 3.2m AHD and did not present risks to the RS2 development.

Dunes in the central and southern part of RS2 were identified in *Coastal Hazards and Flood Modelling Report* (BMT WBM 2008) as being 6 m and as such presented very minimal risk of overtopping. However the evidence presented as part of the appeal indicates the dune height in the northern coastline of the RS2 area (outside the original study area of BMT WBM 2008 report) was only 3.5 to 4.5 m so a risk of overtopping and associated storm tide impacts (e.g. flooding from the sea) based on the defined Storm Tide event were considered to be relevant by the Court. This was assessed by the co-respondent's expert as potentially constraining 3 hectares of the site initially but with up to 17 hectares of constrained area when considering the implications of climate variability.

It is unclear how the areas of potential storm tide inundation risk were assessed and concluded noting the Exhibits presented to the Court were not available to the study team. However, plotting storm tide inundation levels over LiDAR data for the Peninsula validate some level of impacts in the northern area of RS2. **Figure 2.2** below, digital elevation model, shows the slightly lower dune heights on the northern end of the RS2 site, even though it is outside of the planning area. **Figure 2.3**, inundation extent, shows a more accurate inundation risk and storm tide design levels for the ocean and inlet which have been adopted.

Assuming the risk of storm tide inundation on the northern portion of RS2 is confirmed, this is a potential major constraint but also potentially able to be mitigated through augmentation of the dune, installation of some other protection measure or otherwise modifying the land use of the development in the hazard area to be cognisant of future risk (e.g. recreational reserve or similar area where flooding impacts are not unacceptable).

Figure 2.2 – Digital elevation model

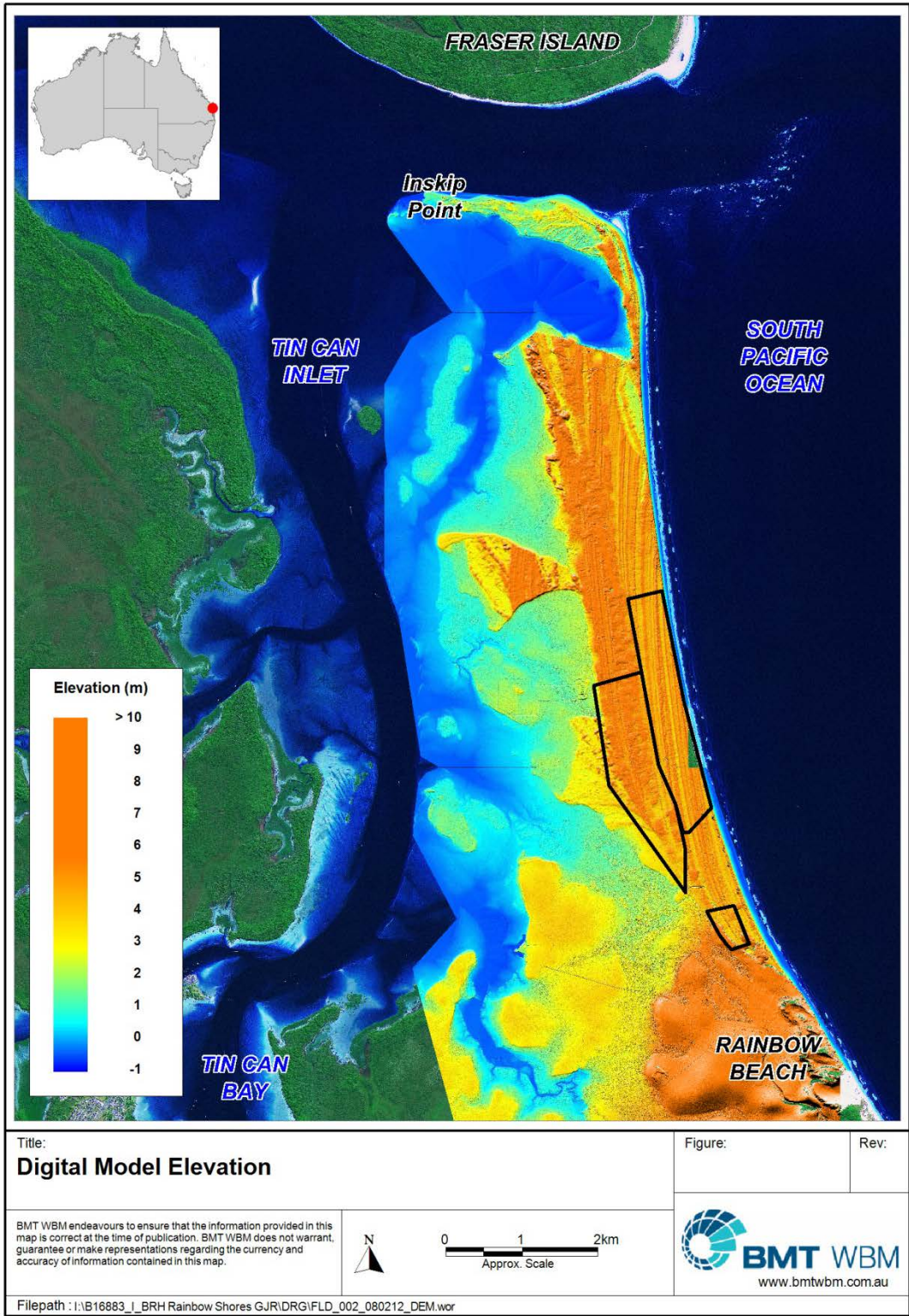
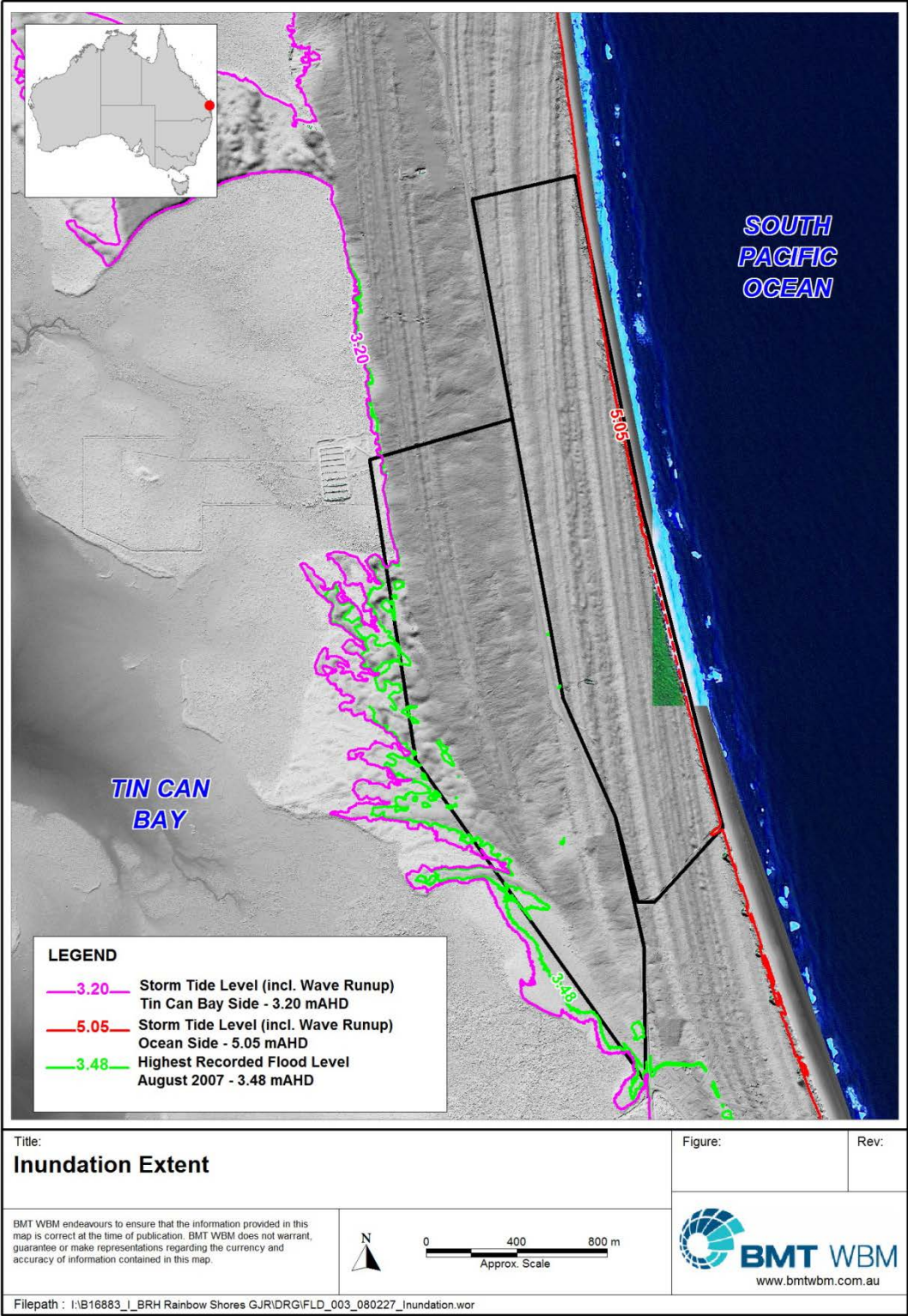


Figure 2.3 – Inundation extent



2.2.3.3 Flooding

Overland and catchment related flooding received very little coverage in the appeal decision. This reflected the low risk of flooding in RS2 and lack of natural waterways on the site.

Recommendations to manage flooding risk on the Peninsula were outlined in the Coastal Hazards and Flood Modelling Report (BMT WBM 2008) and reflected in the 2009 draft Master Plan (Parsons Brinkerhoff, PB). Although no inundation from creek flooding or rainfall runoff is expected, ponding may occur in low lying areas of the Peninsula as has happened in the past.

Measures for managing this risk include ensuring:

- all buildings being constructed away from low lying areas;
- buildings are constructed above the highest known ponding of water level in the area (3.5m AHD); and
- an appropriate drainage system is implemented as part of development to drain potential residual ponding water toward infiltration areas.

2.2.4 Parameters of the development lease

The parameters of the development lease over RS2 set an expectation in respect of land use direction and the extent of lease area potentially capable of accommodating development, which is at odds with the site constraints and statutory requirements applicable to the land.

The judgement (at paragraph 7) describes that the 30 year development lease for the 200 hectare RS2 site is granted for business, residential, tourism and recreational purposes.

A development lease does not permit development to occur. The onus is on the lessee to obtain relevant permits to initiate/activate development. Despite the requirement to comply with applicable statutory provisions (in order to support a development approval), the development lease adds a layer of implied consent which, for the RS2 site:

- identifies land use direction, not based on need; and
- indicates that presumably, at least part of the 200 hectare site is suitable for development.

Key points arising from the judgement reveal a proposed land use (type, extent and intensity) must respond to a need, and not all of the RS2 site will be suitable for accommodating urban development. These key points are inconsistent with the expectation of the development lease, which creates a tension that should be addressed, particularly in respect of considering an application to renew the lease.

It is relevant to acknowledge that the development lease was granted in 1984 when different statutory provisions and framework applied. The degree of tension between the expectations of the development lease and what is envisaged for the RS2 site did not always exist.

The Department of Natural Resources and Mines (NRM) now issue term leases instead of development leases. Term leases have a shorter timeframe within which the lessee can obtain approvals and utilise the land.

2.2.5 Key points relating to infrastructure and servicing

The key servicing issue addressed in the judgement was the question of the sustainability of treated effluent disposal by irrigation within the RS2 lands. The appellant had offered a 'whole of community' wastewater solution, including expansion of the Rainbow Beach Sewage Treatment Plant (STP) and use of all treated water from Rainbow Beach, RS1 and RS2 within the RS2 development for toilet flushing, garden use and irrigation of landscaping and open space. Of key concern was the potential for long-term irrigation to adversely impact on the groundwater beneath the site. Based on Expert Advice the court found that the effluent disposal and groundwater issues had been adequately addressed and did not provide a basis for refusal. However, the court recognised that the proposals would be subject to further approvals prior to implementation and that the conceptual design needed to be translated into a consistent detailed design supported by a credible management plan.

Water supply and stormwater drainage services were not addressed in the judgement as these were not considered to be significant concerns.

2.2.6 Relevance of a proposed community benefit

A significant community benefit was proposed by the appellant to assist Gympie Regional Council's existing problems with wastewater treatment and effluent disposal in the subject area. In the event of the RS2 development proceeding, the appellant was prepared to upgrade Council's sewage treatment works and reuse treated wastewater (by way of residential toilet flushing and garden use, and landscape and open space irrigation) generated by both the RS2 development and the whole Rainbow Beach and RS1 community, on the RS2 site. This was acknowledged as a significant community benefit and the appellant relied upon it as a benefit that they considered would justify approval of the proposal.

Judge Rackemann acknowledged the problems facing Council with sewage treatment and disposal, but indicated that the proposed community benefit did not change his view that approval of the subject application was undesirable. The proposed community benefit did not outweigh the determinative weight Judge Rackemann gave:

- (i) the absence of need for the proposal; and
- (ii) the significant adverse impacts the proposal would have on the environmental values of the site.

In moving forward, it is important to note that the value and relevance of a proposal including a significant community benefit is in its contribution toward resolving competing and conflicting issues. It does not, however, stand alone as being able to override or outweigh non-compliance with other significant issues.

3.0 CONSIDERATION OF PREVIOUS STUDIES, REPORTS & STATUTORY DOCUMENTS

3.1 Introduction

The Inskip Peninsula has been the subject of several technical reports, studies and the development of a draft master plan. The outcome of the recent Rainbow Shores appeal potentially shifts the thinking, direction and priorities for land use, coastal planning and the delivery of infrastructure.

The review task on this project therefore involves making sense of the available material and undertaking a strategic overview desktop analysis approach to:

- fairly review the technical documents; and
- identify key findings, issues, information gaps, conflicts or shortfalls in reporting having regard to the outcome and of the appeal and key points from the judgement.

The following section provides comment on the documents reviewed and the knowledge or information gaps identified.

3.2 Background Studies and Reports

A number of documents that support the development of the Inskip Peninsula master plan were reviewed (see the list provided at **Appendix 1**). Comment on these documents, in light of the key points arising from the Rainbow Shores appeal judgement, follows.

Document	Comments
Gympie Regional Council Planning Scheme 2013	<p>With exception to Rainbow Beach town, the strategic direction for Inskip Peninsula identified by the Strategic Plan map is Rural. Rainbow Beach town is identified as a combination of Urban Areas and New Urban Areas (see map included at Appendix 4).</p> <p>The majority of the Peninsula has been included in the rural designation in recognition of the area's natural setting and environmental values. Specific outcomes for non-rural uses considered relevant to Inskip Peninsula include:</p> <p><i>“(d) Opportunities to establish tourism activities in rural areas respect the natural and rural setting;</i></p> <p><i>(e) Eco and rural-based tourism development is established at an appropriate scale that mitigates impacts on the rural values and avoids impacts on the environmental and scenic values of the area;” (3.4.3 (4)).</i></p> <p>Rainbow Beach is identified as a coastal settlement described as “a significant seaside resort town” where it’s main role is to “support beach visits and camping”. Tourist activity at Rainbow Beach is described as ‘low key’ (mainly limited to shops, food and beverage outlets).</p> <p>Significant increases in population and tourist growth at Rainbow Beach is not anticipated, unless there is improved access to the Sunshine Coast (through an upgrade to Cooloola Way), which is not currently planned. An assumption which flows into the planning assumptions and growth projections informing the Priority Infrastructure Area (PIA) boundaries and the Priority Infrastructure Plan (PIP).</p> <p>The PIP is included in the <i>Gympie Regional Council Planning Scheme 2013</i> at Part 4, and is a statutory document that coordinates and integrates land use and infrastructure planning, so that trunk infrastructure is planned and provided in an efficient and orderly manner.</p> <p>The PIP identifies (among other things) projections for urban growth, which are based on planning assumptions. The PIP provides the following information for the Rainbow Beach Priority Infrastructure Area (PIA) (see map of this area included at Appendix 5):</p> <ul style="list-style-type: none"> ▪ existing and projected population (Table 4.2 of the PIP); ▪ existing and projected dwellings and land area (Table 4.3 of the PIP); ▪ existing and projected employment (Table 4.4 of the PIP);

Document	Comments
	<p>and</p> <ul style="list-style-type: none"> existing and projected non-residential floor space and land area (Table 4.5 of the PIP). <p>The planning assumptions for the Rainbow Beach area would need to be reviewed as part of a high level assessment of the availability of land on the Peninsula for urban purposes.</p> <p>A summary of specific outcomes providing strategic direction relevant to the study area include:</p> <ul style="list-style-type: none"> undeveloped sites within urban areas are developed in an orderly fashion, to the best of their potential (and before non-urban areas are considered for development). This is relevant in the case of undeveloped land zoned for urban purposes at Rainbow Beach and Carlo Point (see zoning maps included at Appendix 6) and consideration of growth projections for the Peninsula. (In the context of differentiating urban areas from non-urban areas, it is noted that the zoning maps at Appendix 6 indicate much of the Peninsula is included in The Environmental Management and Conservation Zone); centre activities at Rainbow Beach will operate at a local level; the key economic driver for future growth at Rainbow Beach is identified as tourism; Carlo Point is intended to accommodate maritime development and supporting activities; development is not placed at risk from coastal hazards and is compatible with environmental values. <p>Undeveloped urban land at Inskip Peninsula includes land zoned for Tourist Accommodation, Residential Living and Residential Choice. The planning scheme therefore has recognised through its zoning categories, the intention (and potential) to provide for additional residential and tourism uses on Inskip Peninsula.</p>

Document	Comments
Cultural Heritage Report	<p>The Queensland State government commissioned a non indigenous cultural heritage study to be undertaken of the RS2 area in 2007.</p> <p>The study involved desktop research, consultation and limited site surveys. There are two historic heritage sites located adjacent to RS2 (these comprise the remains of shipwrecks and the remains of sandmining machinery). No non indigenous cultural heritage places were found on the RS2 site.</p> <p>Opportunities exist to incorporate non indigenous cultural heritage areas within new development, so that the history of Rainbow Beach and sandmining can be captured.</p> <p>Non indigenous cultural heritage appears to pose few constraints to further development on Inskip Peninsula, however, given a key driver of the study was investigating the RS2 site, it would be relevant to revisit this matter once greater clarity on site suitability for future development is determined.</p>
Wide Bay Marine Infrastructure Strategy Valuation Report Valuation Addendum Issues Experienced by Tourism Development Projects Final Report	<p>The <i>Wide Bay Marine Infrastructure Study</i> was completed by GHD for the Department of Tourism, Regional Development and Industry in April 2008. The objective of this study was to “<i>identify and prioritise relevant public and private sector marine infrastructure needs and opportunities and responsibilities as are necessary to facilitate the ecologically sustainable development, management, efficient operation and marketability of boating in the Study Area</i>”. The study area referred to in this study spans from Tin Can Bay north along the coastline to Seventeen Seventy.</p> <p>Much of the assessment, analysis and findings presented in this report are specific to marine recreation, utilisation and needs and are largely irrelevant with respect to the current consideration of development opportunities and need for the Inskip Peninsula area.</p> <p>There was an economic report completed by Economic Associates in June 2007 as input to this overall study. This document presents some assessment and analysis which is more relevant to the considerations of this current study however it is limited and based on now outdated data. The analysis in this report which is of relevance to this current study, such as tourism visitation data, is based predominantly on 2006 data which given recent events such as the Global Financial Crisis and the appreciation of the Australian Dollar, this data is no longer relevant.</p>

Document	Comments
	<p>In summary, this study provides very specific analysis related to marine infrastructure which is expected to be of limited assistance given recent marine related approvals at Carlo Point and Tin Can Bay (Fraser Straits). In addition, much of the data presented and analysed within this study is no longer relevant based on changes in international markets and impacts and will need to be updated for advancing the development of a new or updated master plan for Inskip Peninsula.</p> <p><u><i>Valuation and Issues in Tourism Documents</i></u></p> <p>The <i>Valuation Report</i> and <i>Valuation Addendum</i> (2009, prepared by State Valuation Services) and the <i>Issues Experienced by Tourism Development Projects Final Report</i> (June 2013, DSDIP) were reviewed, however they did not provide any relevant information relating to the consideration of need.</p> <p>The <i>Issues Experienced by Tourism Development Projects Report</i> might have some useful information, but until a project is proposed and supported by a needs assessment, there is no way to determine whether any of the response or recommendations in this report will be relevant.</p>
<p>Fauna and Flora Assessment</p> <p>Coastal Hazards and Flood Modelling Report</p>	<p><u><i>Flora and Fauna</i></u></p> <p>The BAMB <i>Flora and Fauna Report</i> (2008) reviews RE mapping for the Peninsula and provides a more detailed mapping and associated habitat descriptions for its study area as well as identifying species records and suitable habitat for terrestrial species of conservation significance under Federal and State legislation.</p> <p>Eight REs were present within the study area comprising eleven distinct vegetation communities. All of these vegetation communities are characterised as 'of least concern' but provide essential habitat for species.</p> <p>Two flora species (<i>Acacia bauera</i> and <i>Boronia rivularis</i>) were recorded on the study site and are threatened under the <i>Nature Conservation Act 1992</i>. Some of the key fauna species of interest on the Peninsula include: acid frogs (including the EPBC listed Wallum sedgefrog), the Black Breasted Button Quail, Ground Parrot, and endemic reptile species such as the Cooloola Blind Snake and Skink.</p> <p>The report attributes the use of different habitats within the study area with each of these species of conservation significance, but still represents a fairly high level assessment (a mix of desktop and field techniques including spotting and trapping). The report's</p>

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	<p>study area did not include the full extent of the RS2 site (excludes the northern section of the land), but did include consideration of the Carlo Point area and corridor between Carlo Point and Rainbow Beach township. Carlo Point, consistent with the Ramsar designation for Great Sandy Straits, contains habitat for migratory birds of conservation significance.</p> <p><u>Coastal hazards</u></p> <p>The 2008 BMT WBM <i>Coastal Hazards and Flood Modelling Study</i> outlines for its study area, storm tide and flooding risks and includes modelled flooding and storm tide design levels and siting guidelines for future development to avoid or minimise risks from these hazards. This includes - for both issues (flooding and storm tide) - the consideration of future climate change. The study concluded that the risk of combined flood and storm tided inundation was not considered applicable to the study area. As outlined previously, a limitation of the study is that its study area does not extend over the entire Peninsula (it did not include the northern part of the RS2 area). This was significant in the Rainbow Shores case on the basis that dune areas in the Northern part of the RS2 land were considered to be inadequate to prevent storm tide overtopping on that part of the site.</p>
<p>Water Supply Report</p> <p>Wastewater Treatment Report</p> <p>Coastal Hazards and Flood Modelling Report</p>	<p><u>Water Supply</u></p> <p>Rainbow Beach receives its water supply from groundwater bores associated with the Cooloola Sand Mass. <i>The Inskip Peninsula Water Assessment Report</i> was prepared by Parsons Brinkerhoff (PB) for the Department of Infrastructure and Planning (DIP) in November 2008. The report concluded that, with the implementation of water efficiency measures, the estimated water demand from a population of 11,240 people (Rainbow Shores, RS1 and RS2) was within the current water extraction licence allocation for Rainbow Beach. The water allocation is defined in the 2006 <i>Mary Basin Catchment Water Resource Plan</i> (WRP).</p> <p>The existing groundwater source should therefore have adequate capacity for additional development on the Peninsula. Additional infrastructure in the form of new bores, collection pipelines and water treatment facilities will be required to supply the water to the development areas. Opportunities exist to reduce demand by water conservation, wastewater recycling, roofwater harvesting and (possibly) stormwater harvesting. The location of new bores on the Peninsula is to be in compliance with the <i>Water Resource (Mary Basin) Plan 2006</i> and assessed against the potential for salt water intrusion into the groundwater aquifer.</p>

Document	Comments
	<p>The 2008 <i>Water Assessment Report</i> is considered to be appropriate as the basis for developing the master plan. However, further assessment of demands would be required once the extent of development is confirmed to determine specific infrastructure requirements.</p> <p><u>Wastewater</u></p> <p>The 2008 <i>Inskip Peninsula Water Assessment Report</i> and the February 2009 <i>Wastewater Treatment and Discharge Study Report</i> addressed wastewater treatment and effluent disposal requirements for the Peninsula. The reports addressed treatment capacity and minimum irrigation area requirements. In principle, these findings remain valid, however, in detail they have been superseded by the extensive and more detailed analyses undertaken by the RS2 appellant as part of the Expert Witness process. This included an extensive review of options, detailed modelling to confirm the storage / irrigation area balance to provide a sustainable scheme and detailed groundwater modelling. Unfortunately, these reports are currently not publicly available for review.</p> <p>It is important to note that effluent management is a significant constraint on the Peninsula because of the environmental sensitivity of the area and limited opportunities for land based reuse. Future development may be limited by effluent management opportunities. Future growth will require an augmented STP, maximum reuse of treated water (dual reticulation, public open space, golf course) with possibly an ocean release or suitable alternative for management of excess wet weather flows. Other considerations include the high rainfall, seasonality of population (and therefore wastewater flow and recycled water demand), low historical growth rates, high initial capital cost and the practical feasibility of irrigation proposals (implementation and management).</p> <p><u>Stormwater</u></p> <p>The <i>Coastal Hazards and Flood Modelling Rainbow Shores Area Stage 2 - Final Report</i> was prepared by BMT WBM in April 2008 on behalf of the DIP. We are not aware of any more recent reports. The report recommended that stormwater at the Rainbow Shores site be managed using accepted Water Sensitive Urban Design (WSUD) techniques to address salient stormwater quantity and quality issues.</p> <p>Drainage on the Peninsula is generally directly into the sands and there are few clear drainage lines. However, there is potential for</p>

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	<p>local inundation during high rainfall / high groundwater events and the BMT WBM report recommended a minimum developable floor level which is nominated in the Planning Scheme.</p> <p>The work undertaken to date is considered to be adequate for master planning purposes, though clearly significant investigation and design will be required for any development to meet minimum design and environmental protection requirements. The impact of effluent irrigation on stormwater quality should also be addressed though this is not considered to be significant.</p>
Inskip Peninsula Master Plan Submission	<p>An outcome of the Inskip Peninsula Planning Study and draft Master Plan is a preferred master plan option, which is a plan identifying an area nominated as being suitable for accommodating future development.</p> <p>The preferred option (which was based on master plan option 3 – maximise conservation of remnant vegetation) identifies a development precinct which differs to the geographical location of the RS2 site.</p> <p>The purpose of the submission was to demonstrate how the RS2 proposal could be accommodated within the preferred master plan option.</p> <p>There is no substantial difference to the details of the proposed development, in respect of type, scale, intensity and extent.</p> <p>The key points of the judgement indicate the proposed RS2 development should be established based on the demonstration of need and resolution of competing and conflicting issues. The proposal, as represented in the submission, does not accord with this and as such, is not useful in advancing the development of a master plan for Inskip Peninsula.</p>
Proposed Carlo Point Marina Terms of Reference Carlo Point Marina – Supporting Material for a Terms of Reference	<p>The proposed Carlo Point Marina development is subject to an environmental impact assessment procedure (as per chapter 5, Part 8 of the <i>Integrated Planning Act 1997</i>), which requires the applicant to prepare an Environmental Impact Statement (EIS) for the development.</p> <p>The terms of reference (ToR) for the EIS have been prepared by the Queensland government (through the then Department of Infrastructure & Planning, DIP), which set out the requirement for information on the proposal, operation and management of the proposed development, design, impacts on the subject site and surrounding area, assessment against applicable statutory documents, etc.</p> <p>The ToR has been tailored to apply to issues associated with</p>

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	<p>coastal development, marine infrastructure and the subject site's local and regional context. It also identifies a list of specialist technical studies that might need to be submitted as part of the EIS, in support of the proposal. Of particular note, is the potential inclusion of a study on marina and tourism accommodation demand.</p> <p>The supporting material for the Carlo Point Marina ToR (prepared by Cardno) provides the following information in respect of the proposal:</p> <ul style="list-style-type: none"> ▪ justification as opposed to need, for the proposal stems from the <i>Wide Bay Marine Infrastructure Study</i> (GHD, 2008), which identified Carlo Point (within the context of the broader Snapper Creek catchment) as an "Additional Investigation Site" for the provision of additional wet berths for which there is a current demand and shortage in the catchment¹; ▪ the proposed marina will incorporate marina related commercial uses, amenities for marina users and a range of tourist accommodation, parking areas and parkland. <p>The Carlo Point Marina proposal is a relevant and significant consideration for the development of the Inskip Peninsula master plan, given:</p> <ul style="list-style-type: none"> ▪ the geographical characteristics of Carlo Point (as the gateway to Fraser island and the Great Sandy National Park) make the area a popular tourist destination; ▪ its intention to provide for residential, tourism and commercial uses, will need to be considered in the context of establishing need for further development elsewhere on the Peninsula; ▪ the area contains environmental values (including the presence of migratory bird species of conservation significance), is surrounded by sensitive environments (including matters of National environmental significance in the form of the Great Sandy Ramsar wetland), is in a coastal management district and an erosion prone area, thereby demonstrating similar characteristics to the balance of the Peninsula; and ▪ the Gympie Regional Council Planning Scheme has zoned some land at Carlo Point as Residential Choice, which indicates some acceptance of further future urban development in this area. Again, this is relevant in respect of

¹ It is not clear however, what impact marina expansion at Tin Can Bay may have had on this assessment of "demand and shortage".

Document	Comments
	<p>considering issues of need and demand in the context of assessing opportunities for future tourism uses in the Peninsula.</p> <p>At the time of drafting this report, preparation of the supporting application material, in response to the ToR, has not been advanced.</p>

3.3 Inskip Peninsula Planning Study & Draft Master Plan

The *Draft Inskip Peninsula Master Plan* (January 2009) and the *Inskip Peninsula Planning Study* (March 2009) were prepared by Parsons Brinkerhoff for the Queensland State government.

The Planning Study is a supporting document to the Inskip Peninsula Master Plan. It is the culmination of various technical studies and reports (discussed above in section 3.2 of this report), providing a review of data, summary of key findings and forms the basis for the development of master plan options.

The Planning Study highlights that opportunities for additional urban development are limited. The form, scale, density and intensity of future development will be constrained by the Regional Ecosystems (REs), land subject to coastal hazards/ erosion prone areas, and infrastructure capacity (ie. water supply demand, the condition of the existing wastewater treatment plant and the capacity to treat and dispose of wastewater).

The Planning Study concludes that areas previously disturbed by mining activity and/or other prior land uses on the Peninsula that involved vegetation clearing have reduced habitat value and should be considered for urban development in preference to areas of remnant vegetation. These areas are understood to occur at the contaminated site (Lot 23) that occurs on the coast adjacent to the township as well as areas of regrowth vegetation along the interior of the Peninsula up to and including the airstrip.

The draft Master Plan provides guidance for potential development on Inskip Peninsula and ensures protection of its natural environmental values. It includes a summary of key issues, attributes, values, opportunities and constraints, which informed the development of a set of guiding principles that were used to assess master plan options, and ultimately determine a preferred master plan option.

In light of the key points arising from the Rainbow Shores appeal judgement, the following comments are made in respect of both the Planning Study and draft Master Plan:

(1) Direction in respect of future land uses is as follows:

- both documents indicate a need for future development to provide for social infrastructure (such as medical and emergency services, surf life saving services and entertainment activities) capable of accommodating seasonal demand;
- the Planning Study identifies nature-based, cultural and eco-tourism uses as appropriate for the Peninsula; and
- the draft Master Plan refers to nature based recreation opportunities.

The judgement highlights that, in the case of development proposed on the RS2 site, land use direction is to be the subject of a needs assessment.

(2) An underlying consideration of both the Planning Study and the draft Master Plan is the RS2 site. This is apparent in respect of the size of area nominated for a new development precinct within the Master Plan options. In recognition of the size of the existing development lease area for the RS2 site (which is 200 hectares), all of the master plan options provide for a new development precinct (that is, the proposed location for the Rainbow Shores development) to be in the order of 200 hectares.

The guiding principles for the master plan seem to be at odds with the extent and configuration of area nominated for a development precinct, in each of the master plan options.

The Rainbow Shores judgement indicates that not all of the 200 hectares is suitable for accommodating development in light of environmental values that need to be preserved, protected, buffered, as well as areas needed for bushfire management, irrigation, protection from potential storm surge inundations, etc.

An updated iteration of the master plan should confirm the areas appropriate on Inskip peninsula for future development.

- (3) The proposed vision for Inskip Peninsula could be refined to better reflect the findings of background studies and reports. The vision states:

“To preserve the unique and fragile environmental values of Inskip Peninsula and balance future urban development in the region”

Rather than mention urban development, the vision could be updated to reference tourism activities.

Also, the master plan can only guide limited development opportunities. Use of the word ‘balance’ in the context of the vision seems at odds with the intention to protect and preserve the environmental values of the area.

- (4) The guiding principles included in both the Planning Study and draft Master Plan stem from consideration of Inskip Peninsula’s values, opportunities and constraints. A copy of the guiding principles is included at **Appendix 7**.

In light of the key points arising from the Rainbow Shores appeal judgement, the guiding principles could to be updated to provide greater clarity on:

- land use and development direction (following the assessment of need, demand and opportunities for future tourism uses in Inskip Peninsula);
- opportunities for environmental offsets, as a means of resolving competing or conflicting issues;
- requirements for within a new development precinct (that is, including allowances for protecting environmental values, providing for buffers and wastewater irrigation areas), which would better manage expectations on the extent and configuration of land potentially suitable for development;
- appropriate form, scale and intensity of development (following the assessment of need, demand and opportunities for future tourism uses in Inskip Peninsula);
- the role and opportunities and constraints of other areas within Inskip Peninsula, such as Rainbow Beach, Carlo Point and Bullock Point; and
- the resolution of existing and future municipal works and infrastructure needs, including land for essential public services, such as waste transfer station, water treatment plant and works depot.

In light of the key points arising from the judgement, the Planning Study and draft Master Plan should be updated to respond to information gaps (as discussed below), take into consideration the entire Peninsula (thereby acknowledging other areas providing opportunities in residential and tourism uses, such as Rainbow Beach and Carlo Point), refresh the guiding principles and

vision for the master plan accordingly, and address potential temporary/interim uses for the study area (in the event that need or opportunity for future uses cannot be established within a reasonable planning horizon).

3.4 Information Gaps

3.4.1 Information gaps relating to need

Review of the judgement reveals there seemed to be little presented in the way of detailed evidence to justify economic, planning or community need in respect of the proposed development. Furthermore, of the evidence and assumptions that were presented and detailed in the judgement, much was challenged and subsequently abandoned under cross examination.

On this basis, and given the significant determinative weight given to it by Judge Rackemann, understanding projected demand and growth is a crucial information gap that must be addressed. This would require a detailed assessment based on current and up to date datasets to assess the level of projected urban growth for the Inskip Peninsula area.

The clarification of the demand for, and projected growth of, urban development is critical and should be addressed as a matter of priority. Establishing need for the type and intensity of land use suitable for Inskip Peninsula will serve as a foundation upon which to help drive the master plan.

To justify and support a development proposal on the RS2 site (or any other site on the Peninsula), an economic analysis of need (including consideration of community need and planning need) should address current and future tourism uses in the region. The analysis should identify:

- whether there is a market demand for other uses, such as (permanent) residential and associated commercial/retail uses;
- characteristics of a land use that would provide a point of difference to the type and style of development that is (and can be) provided at RS1;
- the full development potential and remaining capacity of the RS1 site, as well as undeveloped, appropriately zoned land at Carlo Point and Rainbow Beach. Planning for this remaining capacity should be considered prior to RS2 as it provides a more efficient land sequencing outcome and a better use of infrastructure;
- timeframes that support market demand. Future development in the Inskip Peninsula should be envisaged and needed within a reasonable planning timeframe. Otherwise, consideration could be given to interim or temporary uses that would not jeopardise future opportunities in tourism uses;
- the economic values of Inskip Peninsula. Tourism uses on the Peninsula rely upon its natural and environmental values. There are limited large beachfront sites such as RS2 that have the potential to deliver substantial economic and community benefits. Unsubstantiated land use direction or over development of Inskip Peninsula may threaten, or result in the loss of, values; and
- local and regional issues affecting need, such as employment opportunities, growth rates and amenity factors affecting critical mass.

At a strategic, master plan level, consideration of projected demand relates primarily to identifying whether there is sufficient land on the Peninsula to accommodate projected growth, and whether growth projections remain current. Such an assessment would ascertain whether there is a need to identify additional land on the Peninsula for a new development precinct.

3.4.2 Information gaps relating to environmental values

Some of the key knowledge gaps that should be investigated at a Peninsula-wide level for flora and fauna values include:

- clarifying the extent and condition of previously cleared or mined lands noting there would be a preference to develop these areas over remnant areas, assuming such land is not provided as essential habitat for flora or fauna species of conservation significance;
- further assessment of how vegetation communities within the Peninsula are likely to be used by species of conservation significance, particularly if it is intended to clear and develop any of the following:
 - remnant vegetation communities on RS2 or elsewhere on the Peninsula;
 - foreshore and intertidal areas and their biodiversity significance at Carlo Point; and
 - wallum swamp and low lying heathland to the west of the existing Rainbow Beach township (as this habitat is likely to support acid frogs and other species of significance);
- the above assessment should also be considered in the context of informing a more practical approach to identification of fauna corridors on the Peninsula noting that future development will likely have some level of impact on such values and retained vegetation will need to be managed to ensure corridor functions can be retained and buffered from on-going use and activities.

There needs to be a greater understanding established on how biodiversity values on the Peninsula may be affected by future climate change such that future planning is cognisant of potential future risks.

3.4.3 Information gaps relating to coastal and flood hazards

Some of the key knowledge gaps that need to be filled at a Peninsula-wide level for coastal and flood hazards include:

- re-assessing the latest LiDAR data (including, if required, some level of field verification) to confirm the storm tide risk of the Peninsula and if the storm tide vulnerability along the ocean coast (particularly in the northern section of RS2 as identified by the Court decision) is warranted; and
- extending the scope and geographic coverage of the *Coastal Hazards and Flood Modelling Report* (BMT WBM, 2008) report to other potential development areas within the Peninsula (noting the original study did not include the full extent of RS2) from which to confirm/verify the erosion risk, storm tide inundation risk and flood risk of development sites of various master plan options.

3.4.4 Information gaps relating to infrastructure and servicing

There are no information gaps with respect to water supply that would impact on development of the master plan provided the scale of development does not exceed previously proposed levels.

Wastewater management constraints and requirements for the Peninsula have been investigated in detail though the most up to date information is not currently publicly available having been prepared as part of the expert witness process supporting the appeal to the Planning and Environment Court. Access to the Joint Experts Reports and supporting reports should be requested as these include the most complete and up to date information on soils and groundwater conditions, effluent irrigation and groundwater modelling and storage / irrigation area balances. Areas that will require additional consideration as part of the master planning process include effluent disposal including the proposed uses of recycled water, the availability of sufficient and suitable land area for irrigation and options for managing excess effluent during low demand or wet weather periods.

No significant information gaps have been identified with respect to stormwater management.

3.4.5 Information gaps relating to design issues

The RS2 development did not propose (through its design, management or operation) to deliver a development that was sensitive to its environment. Greater emphasis and guidance could be provided in an updated iteration of the master plan for Inskip Peninsula, on ensuring development is ecologically sustainable and designed to be environmentally responsive (particularly if the master plan nominates a new development precinct in an environmentally sensitive area).

Additional work that provides greater guidance and direction in respect of development achieving an environmentally responsive design and the intention for any future development to be “low intensity” (see purpose of the Environmental Management and Conservation Zone Code (3)(b) of the Gympie Regional Council Planning Scheme 2013), would be best undertaken following the resolution of an assessment of need and opportunity for additional tourism uses on Inskip Peninsula.



4.0 IMPLICATIONS FOR FUTURE DEVELOPMENT IN INSKIP PENINSULA

4.1 Implications for Master Planning Inskip Peninsula in light of the Rainbow Shores Appeal Judgment

Review of the judgement and the existing reports, studies and draft Master Plan for Inskip Peninsula reveal there are:

- several information gaps that need to be addressed in order to finalise and progress the development of a master plan (as well as provide greater clarity on site suitability for development and other requirements, such as the protection of environmental values, buffers and irrigation areas); and
- opportunities to update and add to the draft Master Plan's guiding principles and vision to better inform envisaged environmental and development outcomes.

Directly relevant to this, is developing an appropriate process and sequence for addressing information gaps and progressing additional works so that information is obtained in a logical order.

The following process and sequence of next steps is recommended:

- (1) As part of this review project, prepare updated (and where relevant, additional) guiding principles that would support and inform the vision for the master plan.
- (2) Undertake an analysis to determine whether there is a need for additional land on the Peninsula to be made available for future development, which would include an assessment of growth projections.
- (3) Carry out concurrently:
 - (a) a strategic assessment of Native Title to scope the degree to which this might be an issue or constraint on sites. This would inform the (site suitability) options identification and then potentially assist in informing options analysis.
 - (b) a technical study which will quantify the suitability of the old sand mill site ("hot sands" site) for a future, intended use. It will be important to ensure that, if this site is identified as an "option", it can in fact be used for a future urban purpose following remediation. This will be critical in informing the master planning, but also in "marketing" the site to potential stakeholders and ultimately the future "market" of the use, that is, the buyers. On this basis, a formal, technical report by a specialist is needed to give credibility to this assessment.
- (4) Should the outcome of investigations carried out at step (2) above indicate that additional land is needed on Inskip Peninsula to accommodate future projected growth, then the next critical step will be identifying the most suitable area on the Peninsula to accommodate the development.

In response to (2) above, the next step will therefore be to undertake a broad geographical site suitability assessment to identify possible options for locating future development (based on a set of criteria that is specific for the land use identified through the analysis of need).

Accordingly, the outcome of this step will be the identification and analysis of site suitability options for locating future development.

- (5) Once the broad site suitability options have been identified, the next level of detailed, technical work can be undertaken, which will assist in determining a preferred location for future development. This would involve more site specific assessments (environmental and infrastructure related) so that there is greater clarity on areas of opportunities and constraints, and competing or conflicting issues can be resolved. As part of this process, it is recommended that the joint expert reports (JER) from the Rainbow Shores appeal be accessed, as it is understood these reports contain the most up-to-date information, particularly in respect of infrastructure issues.
- (6) The vision and guiding principles for the master plan can be further informed by the outcomes of (2) and (5) above, and therefore finalised as a last step. Additional guidance in respect of suitable or appropriate scale, extent and intensity of development would be valuable, particularly in respect of servicing.

4.2 Implications for the RS2 Site in light of the Rainbow Shores Appeal Judgement

The majority of the key points arising from the judgement translate into key lessons for a development proposal that could be made over any part of Inskip Peninsula. As such, they are generally not specific to the RS2 site and rather, can be utilised in developing a master plan for the entire Inskip Peninsula.

The key points from the judgement, that are specific to RS2 include:

- not all of the RS2 site is suitable to accommodate urban development; and
- the proposed development (type, scale, extent and intensity) was not suited to the site constraints and values.

On account of the information gaps and mismatch between the proposal and statutory requirements applicable to the RS2 site, it is unclear as to the degree to which part or none of the site is appropriate for accommodating future development.

On this basis, the RS2 site should be included in any further investigations into site suitability for possible future development. The entire RS2 site cannot be discounted yet, as an option for the location of a new development precinct.

4.3 Implications for Carlo Point

Carlo Point currently supports a public boat ramp, a car park, the Rainbow Waters Holiday Park (providing camping and caravan sites, villas and cabins), and a small marina complex, which caters for yacht charters, fishing boat hire, deep sea fishing charters and dolphin feeding tours.

The potential, and opportunities and constraints of Carlo Point should be taken into consideration when assessing need and demand for further development on Inskip Peninsula.

The planning study and draft master plan do not adequately consider:

- the role of Carlo Point;
- the proposed marina development at Carlo Point (and that it includes tourism and residential components); and
- despite being constrained by on-site and adjacent environmental and coastal values, Carlo Point contains land zoned for Residential Choice².

The proposed Carlo Point Marina site is surrounded by sensitive environments including (but not limited to):

- Great Sandy Strait Ramsar Wetlands (Tin Can Inlet);
- Great Sandy Marine Park;
- Tin Cay Inlet and Kauri Creek Declared Fish Habitat Areas;
- Hervey Bay - Great Sandy Strait Dugong Protection Area "A";
- The Great Sandy National Park (Cooloola Section); and
- Of Least Concern Regional Ecosystems.

As such, any development of this area is likely to require a referral (and likely controlled action approval) under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) as well as potential revocation of the fish habitat area and marine park for prospective marine works such as dredging and reclamation (both of which are proposed as part of the Carlo Point marine proposal).

These values further underpin the importance of determining the need and appropriate role and function of Carlo Point on the Peninsula acknowledging that the site may need to be 'activated' by tourism developments elsewhere on the Peninsula to provide appropriate access to tourism and recreational activities in the Great Sandy Strait region. This will need to be considered as part of the master planning exercise.

Development at Carlo Point and any remaining undeveloped land at Rainbow Beach zoned for urban purposes (including the balance of RS1), might have the ability to absorb any potential demand for tourism and residential uses in the region within a reasonable planning horizon (such as 20 years).

² The Residential Choice zone intends to provide for a range and mix of dwelling types including dwelling houses and multiple dwellings supported by community uses and small-scale services and facilities that cater for local residents. Dwelling density in this zone is not to exceed 1 bedroom per 100m².

5.0 CONCLUSIONS & RECOMMENDATIONS

5.1 Development of Additional Guiding Principles

Three guiding principles related to environmental values are outlined in draft 2009 Inskip Peninsula Master Plan and accompanying planning study (prepared by PB) – a copy is provided at **Appendix 7**.

Opportunity exists to update the guiding principles:

- (i) now, as part of this scoping and review project, based on consideration of the key points arising from the Rainbow Shores appeal and the background review of relevant material; and
- (ii) later, following the sequence of next steps discussed at section 4.1 of this report, which will benefit from being informed by, and tailored to, the results and outcomes of specific assessments and studies.

Proposed edits and additional guiding principles, and supporting site and development specific principles that reflect the lessons learnt during this scoping and review project, are included at **Appendix 8**.

5.2 Additional Work to Inform the Master Plan

Based on the review of the judgment to the Rainbow Shores appeal, an assessment of economic need has been identified as an important consideration for future development on Inskip Peninsula, particularly where development is proposed in environmentally sensitive areas.

Demonstrating need, market demand and opportunity for a specific proposed development is the responsibility of an applicant or prospective developer.

Addressing need at a strategic, master plan level, would firstly involve identifying the growth in population and residential and non-residential uses projected for Inskip Peninsula, and ascertaining whether there is sufficient land available to accommodate the projected growth. The output of such analysis would be the determination of whether:

- (i) there is sufficient land (undeveloped, appropriately zoned and least constrained) available to accommodate projected growth and therefore the master plan would not need to identify any new areas to accommodate future development within a reasonable planning horizon; or
- (ii) there is insufficient land (undeveloped, appropriately zoned and least constrained) available to accommodate projected growth and therefore the master plan would need to identify an additional area(s) to accommodate future uses; or
- (iii) there is more than sufficient land available to accommodate projected growth and therefore the master plan does not need to identify any new areas to accommodate future development beyond a reasonable planning horizon.

To review the projected growth of the Inskip Peninsula, it is recommended that an assessment be undertaken to:

- Revisit the planning assumptions upon which the current planning scheme growth projections are based (having regard to a planning horizon of 20 years hence or 2034, in line with the 'reasonable' planning horizon identified in the appeal), in order to confirm or revise the basis of growth projections (noting that the Strategic Framework (Part 3) of the Planning Scheme does not anticipate much growth at Rainbow Beach, *"There are no current influences suggesting any change to current growth trends "* (page 9). This assessment would include a review of the *Priority Infrastructure Plan, Supporting Information, 2012*, prepared by Gympie Regional Council;
- If required, revisit the growth projections incorporated within the PIP, to:
 - review and confirm the projected population for residential development;
 - review and confirm the projected floor space for non-residential development; and
- assess the capacity of currently designated urban land within and outside the Rainbow Beach PIA on Inskip Peninsula to accommodate growth projections within the planning horizon.

The results of the above assessment will provide high level, strategic direction for the future of Inskip Peninsula, and serve to inform the vision and other components of the master plan.

Appendix 1

List of Documents Reviewed

List of documents to support the development of Inskip Peninsula master plan

Document Name	Document file name	Year	Prepared or	Contractor
Inskip Peninsula Master Plan Documents				
Cultural Heritage Report February	ERM Final Report 13 Feb 2008	2008	Department of Infrastructure and Planning	ERM
Fauna and Flora Assessment	Final Flora and Fauna Assessment Report_27_03_08 (sml file)	March 2008	Department of Infrastructure and Planning	Biodiversity Assessment and Management Pty Ltd
Coastal Hazards and Flood Modelling Report	BMT WBM Final Report 2 April 2008	April 2008	Department of Infrastructure and Planning	BMT WBM
Water Supply Report	FINAL Inskip Peninsula Water Assessment Report November 2008	November 2008	Department of Infrastructure and Planning	Parsons Brinkerhoff
Inskip Peninsula Draft Master Plan	Draft Inskip Peninsula Master Plan Jan 2009	January 2009	Department of Infrastructure and Planning	Parsons Brinkerhoff
Wastewater Treatment Report	FINAL Wastewater Treatment and Discharge Study Report Februa	February 2009	Department of Infrastructure and Planning	Parsons Brinkerhoff
Inskip Peninsula Planning Study	Inskip Peninsula Planning Study March 2009	March 2009	Department of Infrastructure and Planning	Parsons Brinkerhoff
Inskip Peninsula Master Plan Submission	086006 N06 005 Inskip Point Master Plan Content (with figure	March 2009	Incoll Development and Project management (on behalf of Rainbow Shores)	Humphries Reynolds Perkins
Valuation Report	Inskip Peninsula - Rainbow Shores Formal Valuation Report FI	April 2009	Department of Infrastructure and Planning	State Valuation Services
Valuation Addendum	Inskip Peninsula - Rainbow Shores Valuation Addendum FINAL	May 2009	Department of Infrastructure and Planning	State Valuation Services
Inskip Peninsula Draft Master Plan	Inskip Peninsula Draft Master Plan Overview 20052009	May 2009	Department of Infrastructure and Planning	
Rainbow Shores Court Decision	QPEC Rainbow Shores decision	June 2013	P&E Court	-
Cardno Wide Bay Marine Infrastructure Strategy				
Wide Bay Marine Infrastructure Strategy	355548DSDfinalfinal (Plus appendices)	April 2008	Department of Tourism Regional development and Industry	GHD
Documents relevant to Carlo Point				
Issues Experienced by Tourism Development Projects Final Report	Attachment 1 – Issues associated with Tourism Development Projects.pdf	June 2013	DSDIP	-
Carlo Point Marina- Supporting Material for a ToR	Carlo Point ToR_(V1) 2.pdf	Sept 2009	Messrs L&J Dickinson	Cardo
Proposed Carlo Point Marina ToR	Carlo Point terms of Reference 24 November 2009	Nov 2009	Department of Infrastructure and Planning	-
Documents relevant to Local Context				
Gympie Regional Council Planning Scheme	-	July 2013	Gympie Regional Council	-

Appendix 2

Minutes of Workshop 1

WORKSHOP 1: Presentation of Early Findings from Review Task Development of Inskip Peninsula Master Plan Project

KEY POINTS FROM MEETING

Date of Meeting: Friday 15 November 2013

Venue: DSDIP office
Level 1, 63 George Street, Brisbane
Room 1b

Attendees: Internal Stakeholders:
Bill MacFarlane – DSDIP
Michelle Riley – DSDIP
Dominique Gallagher – DSDIP
John Lane – EHP
Paul Roff – EHP
Ros Hooper – NRM
Ken Sherwood – NRM
Mike Hartley – Gympie Regional Council (GRC)
Apologies: Mark Saunders – DSDIP

Consultancy Team:
David Corkill – Buckley Vann
Jennifer Morrissy – Buckley Vann
Greg Fisk – BMT WBM
Daniel Parker – Macroplan Dimasi
David Hamlyn-Harris – Bligh Tanner

■ STATUTORY PLANNING
STRATEGIC PLANNING
URBAN DESIGN

Item	Discussion/Outcome
Material from power point presentation - Presentation of key points arising from the judgement to the Rainbow Shores appeal	<ul style="list-style-type: none"> ▪ There is tension between the expectations of the development lease and the site constraints (statutory requirements) of the land. ▪ The importance of establishing need for proposed land use. ▪ In the context of establishing need, it is relevant to consider what can be achieved in developing the balance of RS1. ▪ In the context of establishing need for the proposed development, there was no significant point of difference in residential product between that provided in RS1 and that proposed for RS2. ▪ Consideration needs to be given to the timing of when development is needed and can be delivered. The timetable for proposed development should be within a reasonable timeframe. ▪ Identifying areas appropriate for development should be derived via the resolution of competing or conflicting outcomes. ▪ Design flaws - There were various deficiencies in the design of the proposal. ▪ The significant community benefit proposed by the appellant to assist Gympie Regional Council's existing problems with the treatment and disposal of effluent in the subject area, did not outweigh the determinative weight Judge Rackemann gave: <ul style="list-style-type: none"> a. the absence of need for the proposal; and b. the significant adverse impacts the proposal would have on the environmental values of the site.

Item	Discussion/Outcome
<p>Material from power point presentation -</p> <p>Implications for future development in Inskip Peninsula</p>	<ul style="list-style-type: none"> ▪ Need for further development in the Inskip Peninsula is to be established or proven. ▪ Consideration needs to be given to the full development potential and capacity of the RS1 site. ▪ Future development in the Peninsula should provide a point of difference to the type and style of development that is (and can be) provided at RS1. The focus and direction for the type of tourism proposed needs to be nature based, eco-tourism and related to recreation. Additional guidance for achieving and delivering this is needed. ▪ Future development in the Inskip Peninsula should be envisaged and needed within a reasonable planning timeframe. Otherwise, consideration could be given to interim or temporary uses that would not jeopardise future opportunities in tourism uses. ▪ The area identified for development should be least constrained by environmental values and outside erosion prone areas and areas subject to storm tide inundation. ▪ Not all of the RS2 site will be suitable to accommodate urban development. ▪ Additional guidance in respect of suitable or appropriate scale, extent and intensity of development would be valuable, particularly in respect of servicing. For example, wastewater management must be a primary planning consideration for the Peninsula and appropriate management measures/areas must be integrated into development proposals from the start. Adding them on at the end as a “servicing “requirement will not work.
<p>Points raised in discussion</p>	<ul style="list-style-type: none"> ▪ Confirmation that the study area for the project is the whole of the Peninsula. In this respect, consideration also needs to be given to Rainbow Beach; ▪ The role of offsets contributing to resolving competing or conflicting issues needs to be considered. EHP are looking for land to be managed, either on the development site or land adjacent; ▪ In the context of considering biodiversity, the policy direction involves the protection of ecological processes; ▪ Guiding principles could further address offsets to be provided at a whole of Peninsula level; ▪ Effluent disposal is a significant constraint on the scale and intensity of development on the Peninsula and needs to be resolved prior to, or in conjunction with, development options analysis. It cannot follow options analysis and selection. The importance of identifying a “whole of community solution” to address existing problems with effluent disposal was a key point raised during the appeal; ▪ Council would like an area nominated for irrigation purposes (such as a golf course area) as part of the master plan process; ▪ In light of the key points raised by the judgement, need/demand for further development on the Peninsula must be established as a priority. Answering the question of need/demand would provide information in respect of proposed use(s), scale, intensity, geographical and servicing requirements, etc for a land use, which would then inform identifying the best location for the use on the Peninsula; ▪ Reporting as part of this scoping exercise, will therefore provide direction in respect of recommended process, sequence of steps, confirm further work needed and provide additional guiding principles;

Item	Discussion/Outcome
	<ul style="list-style-type: none"> ▪ The Peninsula in its entirety is to be considered when assessing and determining the most suitable location for future development. As part of that process, if (all or any part) the RS2 site is found to be unsuitable for further development, the rationale must be documented; ▪ Native Title needs to be considered as a potential constraint to development. Native title has been extinguished over RS1 and RS2.
Points raised in discussion around addressing the issue of need	<ul style="list-style-type: none"> ▪ An assessment of need must look at the entire Peninsula from a regional perspective; ▪ The assessment would identify what is affecting need and demand for residential and tourism uses in the area; ▪ The question was raised around what land use would the needs/market demand assessment focus on; ▪ In respect of (permanent) residential uses – we know this can be provided in RS1 – for the foreseeable planning horizon; ▪ In respect of tourism uses, the question that needs to be answered is “what type of tourism product would be viable for the broader region?”; ▪ Whilst the judgement makes reference to eco-tourism, this type of development is low intensity and has limited facilities and services associated with them; ▪ It is worth exploring (through the need/ market demand assessment), whether a traditional/ mainstream style tourism product would better respond to the drivers. An eco-tourism use may not be viable; ▪ Data needs to be gathered on the socio-economic and demographic profile of the people using Rainbow Beach and the broader Inskip Peninsula area. This will help answer the question of what elements of a tourism facility will drive demand; ▪ Other tourism facilities in the area need to be taken into account (eg. the connection into Fraser Island, Carlo Point, Rainbow Beach, etc).
Discussion sum up	<ul style="list-style-type: none"> ▪ Rehabilitation of old sand mine site is due to be completed by end of 2016/ start of 2017; ▪ NRM are providing more information on the native title constraints over the old mine site; ▪ Council would like for the master plan to have a vision for the entire Inskip Peninsula area, including Rainbow Beach; ▪ Council also has issues that it would like to be considered or resolved through the master planning process, such as effluent irrigation, waste management, works depot is currently on USL; ▪ MH will correspond with BMc on these matters; ▪ The next workshop will include discussion on: <ul style="list-style-type: none"> ○ Process and sequencing of next steps; ○ Principles; ○ Information gaps; and ○ Options for development areas. ▪ Next workshop – 29/11/13 (BMc to coordinate).

Appendix 3

Minutes of Workshop 2

WORKSHOP 2: Presentation of Key Outputs from Draft Summary Report Development of Inskip Peninsula Master Plan Project

KEY POINTS FROM MEETING

Date of Meeting: Friday 29 November 2013

Venue: DSDIP office
Level 7, 63 George Street, Brisbane
Room 7C

Attendees: Internal Stakeholders:
Bill MacFarlane – DSDIP
Mark Saunders – DSDIP
Dominique Gallagher – DSDIP
Paul Roff – EHP
Ros Hooper – NRM
Ken Sherwood – NRM
Mike Hartley – Gympie Regional Council (GRC)
Michelle Riley – DSDIP (by telephone conference call)

Apologies: John Lane – EHP

Consultancy Team:
David Corkill – Buckley Vann
Jennifer Morrissy – Buckley Vann
Greg Fisk – BMT WBM
Daniel Parker – Macroplan Dimasi
David Hamlyn-Harris – Bligh Tanner

STATUTORY PLANNING
STRATEGIC PLANNING
URBAN DESIGN

Item	Discussion/Outcome
Feedback on notes from Workshop 1	No further comments provided.
Information gaps relating to need and the proposed methodology and scope of works for an economic needs assessment	<ul style="list-style-type: none"> No substantial evidence was submitted, or referred to in the Rainbow Shores appeal judgement, relating to economic need for the proposed RS2 development and therefore an assessment of need is the biggest information gap. DP explains the areas that would be investigated as part of an economic impact assessment. There is agreement that an assessment of need is an obvious information gap, however, what is unclear to DSDIP, is the level of detail to which the master plan should address need (as opposed to the level of detail that an applicant would reasonably be expected to address). DP agrees that the master plan should address need at a high, strategic level to: <ul style="list-style-type: none"> establish firstly, whether there is a demand or need for a specific land use type; identify the viability of different types of land uses (ie, land uses that would have high and low opportunities); define the type of tourism product that would be most suitable (considering a range of factors); assess a range of different tourism products as part of the investigations, such as tourism products that are cost driven, activity driven, “drive-time” tourism, etc. ultimately gain greater clarity around the characteristics of the tourism product (such as scale, intensity, locational requirements, associated uses that would support the tourism product, etc), which would then inform other matters the master plan intends to address, such as site suitability, size of site, infrastructure and servicing options, design requirements, etc.

Item	Discussion/Outcome
Discussion on need, continued ...	<ul style="list-style-type: none"> • BMc confirms he would like to see examples of what type of information could be presented in an economic needs assessment for tourism uses/products. • BMc asked for a clear scope, with an indication on outcomes and clarity on the level on analysis that is appropriate for the master planning process. • There was general agreement that the appropriate sequence of next steps is to: <ul style="list-style-type: none"> i. Carry out the assessment of need, to establish whether there is a need for further development; ii. Undertake the necessary assessment in order to identify an appropriate site on the Peninsula for the land use (where the need can be met); and iii. It was acknowledged that, as an element of the master planning exercise, consideration of the RS2 site would be required.
Discussion on infrastructure and servicing – information gaps and additional work	<ul style="list-style-type: none"> • DHH advised the key point is that effluent disposal is acknowledged as a constraint to development (in respect of scale and intensity). • Accordingly, there is a need for an effluent disposal solution. • There is no need to be prescriptive now (or as part of the master plan) regarding what the effluent disposal solution is. • As part of the master planning process, we just need to consider various options. • It is important that effluent disposal be considered upfront, early in the planning phase of a proposed development. • Perhaps the economic needs assessment report could consider whether there is a need for a golf course or other use capable of providing land based effluent disposal (which would have a dual purpose of recreation activity and irrigation area). • DHH confirms the size of the irrigation area needed is directly related to the scale and intensity of the proposed development. • DHH advises that, as far as information gaps, it is just necessary to get the latest information which was prepared as evidence to the Rainbow Shores appeal. DHH recommends DSDIP obtain a copy of the relevant exhibits and joint expert reports.
Discussion on environmental values – information gaps and additional work	<ul style="list-style-type: none"> • GF advises we need to understand at a site level, the extent of constraints. • The habitat needs to be identified and development should be designed around it. • There is a need to understand what the north-south and east west corridors are, how they function, what species use the corridor, etc. • A landscape level, biodiversity investigation is needed. • PR asks about whether marine species has been addressed. GF confirms the BAAM report did not look into marine species. • PR considers it would be appropriate to do a marine species assessment in the event that an ocean outfall is proposed. • For the purposes of informing possible offsets, there is a need to understand the current condition of values, so that in directing the management of land, the values can be maintained and enhanced. • DHH mentions that ground water is an environmental value, and the impacts development may have on ground water need to be considered.

Item	Discussion/Outcome
Discussion on coastal and flood hazards – information gaps and additional work	<ul style="list-style-type: none"> GF and BMc discuss DSDIP query regarding design level quoted in 2008 BMT WBM <i>Coastal Hazards and Flood Modelling Report</i> (which was also accepted by the Court). A design level of 5.05AHD takes into account wave run up. BMc understood DEHP held a view that the level was unnecessarily high. GF to resolve with DEHP (Sel Sultmann). Can the matter of a single agreed height of storm surge be determined with EHP as regulator? PR confirms it is best to refer to climate vulnerability as the single SPP will remove reference to climate change driven sea level rise (SLR). The draft summary report (at section 2.2.3.2 mentions the 0.8 SLR. BMc asks PR whether we can quote the court or not? PR to provide further advice on whether we can refer to the 0.8 SLR. In relation to erosion prone areas, GF advises the study needs to be updated to pick up on the entire Peninsula. Need to extend and check the WBM model across the entire Peninsula.
Discussion on design issues – information gaps and additional work	<ul style="list-style-type: none"> Design issues or flaws (such as those faced by the RS2 proposal) could be addressed through guiding principles. The principles could be drafted to avoid problems like the green fingers, edge effects, etc. DHH advises that it would also be valuable to build in consideration of integrating water reuse (water sensitive urban design principles).
Discussion on process and recommended sequence of next steps	<ul style="list-style-type: none"> RH confirms that further advice from NRM has been prepared, relating to the implications of Native Title over unallocated state land on Inskip Peninsula. RH to discuss this further with BMc. KS confirms that it is NRM's intention for the "hot sands" site to be removed from the contaminated land register following remediation.
Discussion on proposed new guiding principles	<ul style="list-style-type: none"> There is agreement to the intent of the proposed new guiding principles. It was suggested that some of the principles could be re-worded and refined so they are less prescriptive. BMc suggests it would be useful for the guiding principles to have a hierarchy or order of what needs to be achieved.
Discussion on project deliverables	<ul style="list-style-type: none"> Draft summary report to be updated and finalised following receipt of feedback from internal stakeholder review. As a separate, stand alone report – include discussion on guiding principles. Include the current guiding principles (as per the draft master Plan document, PB), and the proposed new guiding principles. Explain the rationale for their inclusion, consider how they work/sit with the PB guiding principles, discuss the hierarchy approach: <ul style="list-style-type: none"> Overarching principles; Site specific principles; Development specific principles.

Appendix 4

Strategic Plan Map – Gympie
Regional Council Planning Scheme 2013



Gympie Regional Council Planning Scheme Strategic Plan Map

Legend

- Airport
- District Centre
- Investigation area
- Extractive
- Major infrastructure
- Principal Centre
- Industrial Development
- Railway station
- Natural Corridor
- Infrastructure Corridor
- Railway
- Main Roads
- Proposed Highway
- Rural
- New Urban Area
- Urban Area
- Rural Residential
- Nature Conservation
- Waterbodies & Waterways
- Local Government Boundary
- WBMTA

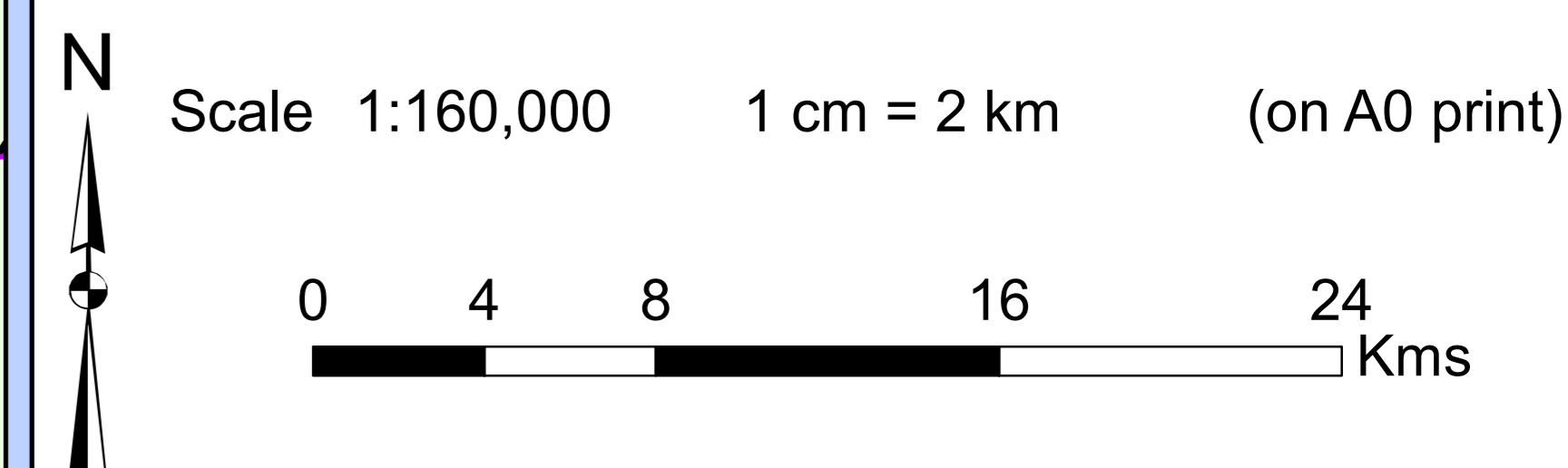
Note Commonwealth land is not subject to the Planning Scheme provision.

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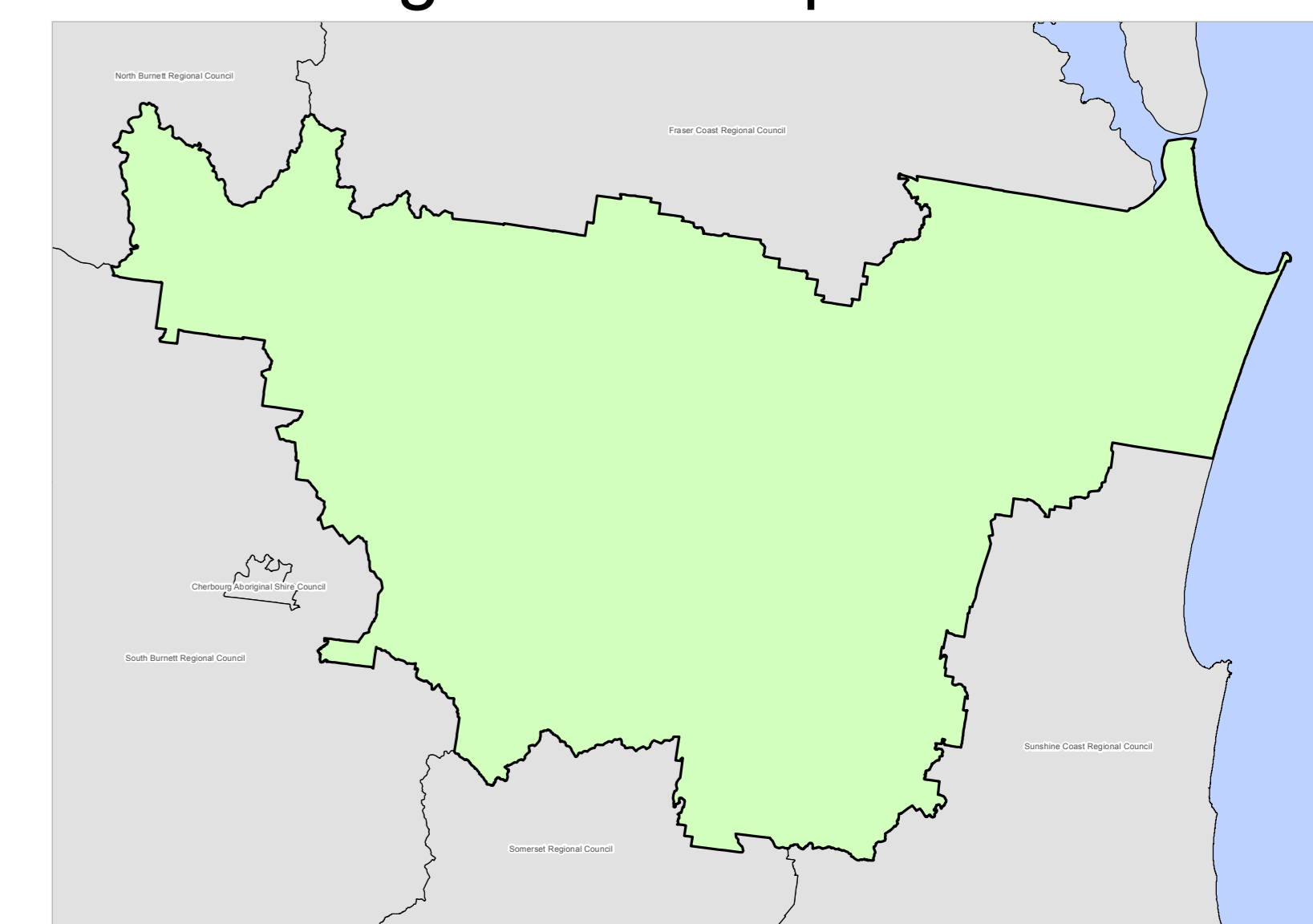
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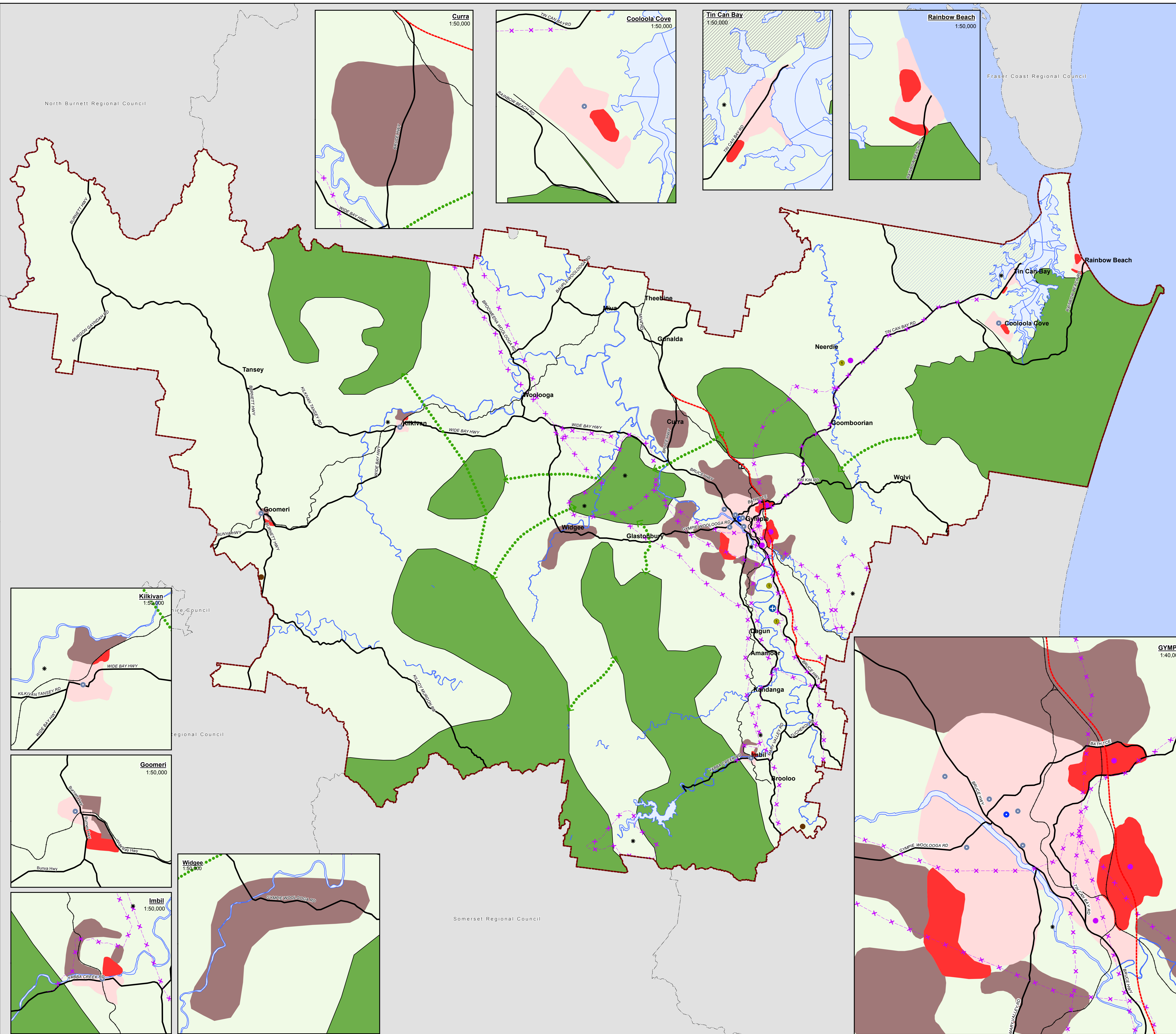


Strategic Plan Map Overview



Strategic Plan Map 1

Date: 12-06-2013



Appendix 5

Rainbow Beach Priority
Infrastructure Area Map



Legend

- Priority Infrastructure Area Boundary
 - Planning Scheme Boundary
 - Property Boundary
- Gympie Regional Council
Planning Scheme Zones - Oct 2012
- Residential category**
- Character residential
 - Residential living
 - Rural residential
 - Residential choice
- Centre zones category**
- Principal centre
 - District centre
 - Local centre
 - Specialised centre
- Recreation category**
- Sport and recreation
 - Open space
- Industry category**
- Low impact industry
 - Medium impact industry
 - High impact industry
 - Waterfront and marine industry
- Other category**
- Community purposes
 - Environ. conser & mgmt
 - Limited dev. (constrained land)
 - Township
 - Rural
 - Road



Scale: 1:15,000
Date: 04/05/2013
Revision F

Gympie Regional Council
Priority Infrastructure Area
Rainbow Beach

Map PIA-CS-6

Appendix 6

Zoning Maps – Gympie Regional
Council Planning Scheme 2013



Gympie Regional Council Planning Scheme Zone Map

ZONES

Residential zones category

- Character Residential
- Residential Living
- Rural Residential
- Residential Choice
- Tourist Accommodation

Centre zones category

- Principal Centre
- District Centre
- Local Centre
- Specialised Centre

Recreation category

- Open Space
- Sport and Recreation

Industry category

- High Impact Industry
- Low Impact Industry
- Medium Impact Industry
- Industry Investigation area
- Waterfront and Marine Industry

Other zones category

- Community Purposes
- Extractive Industry
- Environmental Management and Conservation
- Limited Development (Constrained Land)
- Township
- Rural

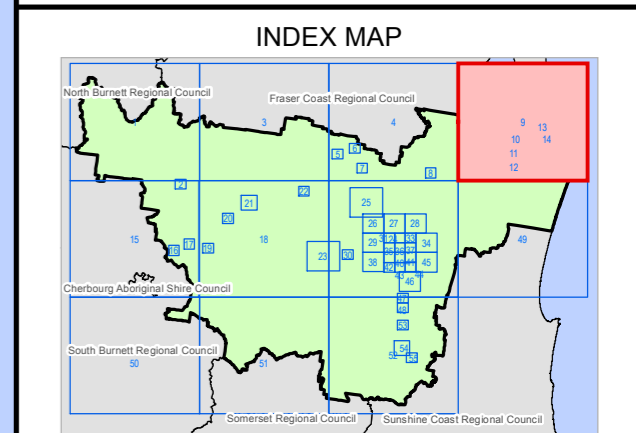
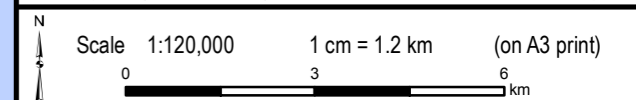
Legend

- Proposed Highway
- DCDB ver. 05 June 2012
- Waterbodies & Waterways
- Zone Precinct Boundary
- Suburb or Locality Boundary
- Local Government Boundary
- Road

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Zoning Plan Map 9



Gympie Regional Council Planning Scheme Zone Map

ZONES

Residential zones category

Character Residential

Residential Living

Rural Residential

Residential Choice

Tourist Accommodation

Centre zones category

Principal Centre

District Centre

Local Centre

Specialised Centre

Recreation category

Open Space

Sport and Recreation

Industry category

High Impact Industry

Low Impact Industry

Medium Impact Industry

Industry Investigation area

Waterfront and Marine Industry

Other zones category

Community Purposes

Extractive Industry

Environmental Management and Conservation

Limited Development (Constrained Land)

Township

Rural

Road

Proposed Highway

DCDB ver. 05 June 2012

Waterbodies & Waterways

Zone Precinct Boundary

Suburb or Locality Boundary

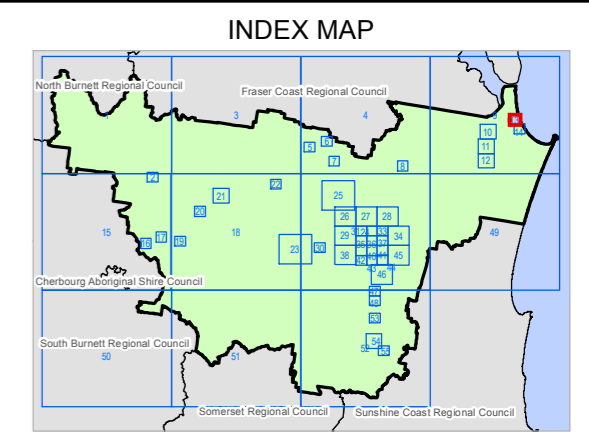
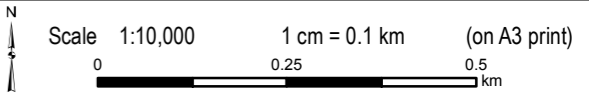
Local Government Boundary

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Gympie Regional Council Planning Scheme Zone Map

ZONES

Residential zones category

Character Residential

Residential Living

Rural Residential

Residential Choice

Tourist Accommodation

Centre zones category

Principal Centre

District Centre

Local Centre

Specialised Centre

Recreation category

Open Space

Sport and Recreation

Industry category

High Impact Industry

Low Impact Industry

Medium Impact Industry

Industry Investigation area

Waterfront and Marine Industry

Other zones category

Community Purposes

Extractive Industry

Environmental Management and Conservation

Limited Development (Constrained Land)

Township

Rural

Road

Proposed Highway

Zone Precinct Boundary

Suburb or Locality Boundary

Local Government Boundary

DCDB ver. 05 June 2012

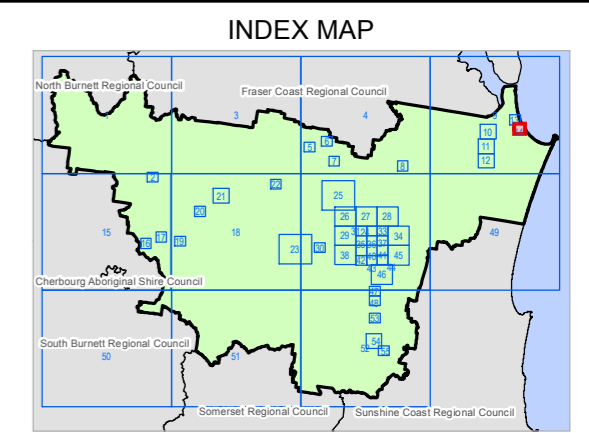
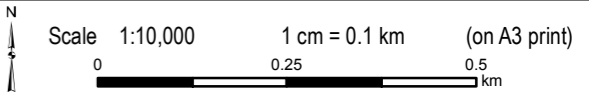
Waterbodies & Waterways

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Map Grid of Australia (MGA) Zone 56 Geodetic Datum of Australia (GDA) 1994

Note: The Gympie Regional Council Planning Scheme was adopted on 12 June 2013 and took effect 1 July 2013



Appendix 7

Guiding Principles from
draft Inskip Peninsula Master Plan

6. Option development and testing

6.1 Guiding principles for Master Plan

A review of the values, opportunities and constraints provided the following set of guiding principles for the Master Plan. These guiding principles were used to develop and assess Master Plan options (sections 6.2–6.4) and to determine the preferred option for the Master Plan (section 6.5).

Guiding principle 1

Inskip Peninsula is managed to protect nature conservation values

- 1.1 Settlement pattern minimises environmental fragmentation between Fraser Island World Heritage Area and Cooloola Section of the Great Sandy National Park.
- 1.2 Settlement pattern maximises protected areas.
- 1.3 Settlement pattern maximises buffering distance and minimises interface between developed and environmentally sensitive areas.
- 1.4 The type and intensity of new development is consistent with the World Heritage Area status of the neighbouring areas and the current role of Inskip Peninsula as a locality providing nature-based recreation opportunities.
- 1.5 Urban development of the Peninsula complies with the environmental management requirements as established in the relevant legislative and regulatory frameworks.

Guiding principle 2

Cumulative impacts of development on the environment are minimised

- 2.1 Location of development minimises impact on the areas of essential habitat and remnant vegetation.
- 2.2 Location of development minimises the likelihood of the potential issues associated with:
 - erosion and accretion pertaining to the natural cycles of beach and dune system
 - impacts of the development on coastal areas, including beaches, dunes and near shore waters, that provide feeding, nesting and breeding sites for fauna
 - potential inundation from extreme natural events.
- 2.3 The intensity of new development is such as to minimise cumulative impacts on Inskip Peninsula, including impacts on aesthetics, conservation and landscape values.

Guiding principle 3

Infrastructure needs are met without compromising other values

- 3.1 Settlement pattern provides land for community uses and infrastructure purposes, including marine infrastructure.

- 3.2 Urban development is provided with essential infrastructure that has capacity to accommodate peak seasonal demand.
- 3.3 A range of visitor accommodation types are provided to support the Peninsula's role as the southern gateway to Fraser Island.
- 3.4 Wastewater treatment and disposal system is designed to minimise cumulative impacts on low nutrient environment of the Peninsula, including impacts associated with stormwater run-off and nutrient enrichment.

6.2 Master Plan options

The following sections present three Master Plan options for Inskip Peninsula. All options were developed in the context of the guiding principles, opportunities and constraints identified for the Master Plan area.

As such, all options have a number of commonalities, including:

- given the topography of the Peninsula (i.e. concentration of low-lying areas along the western shoreline) and the multiple environmental values associated with the Tin Can Inlet all future development opportunities were restricted to the eastern side of the Peninsula
- in recognition of the existing development lease, all Master Plan options accommodated a new development precinct with the total area in the order of 200 ha. The anticipated use of this precinct is for tourism and recreation purposes
- all options identified location for the following areas:
 - *Protected Areas* — established to assign areas for nature conservation. The exact location of these areas differs in each Master Plan option
 - *Urban Areas* — established to identify areas that are already established or designated for future development. Existing urban areas include Carlo Point, the township of Rainbow Beach, and Rainbow Shores Stage 1
 - *Recreational Areas* — established to provide areas for nature-based recreation including camping, bushwalking and bird watching. The proposed recreation areas extend along the coastline towards the northern point of Inskip Peninsula
 - *Strategic Land Purposes* — established to allocate land to the future community and government interests of Inskip Peninsula. Among others, included in this designation are existing infrastructure sites of:
 - water treatment plant
 - solid waste transfer station
 - airstrip.
 - *Marine Infrastructure* — designated over Carlo Point and Bullock Point jetties and adjacent landward servicing areas. This precinct was established in response to the needs and recommendations identified in the *Wide Bay Marine Infrastructure Study* (2007).

Accordingly, the following discussion focuses on the different approaches adopted in the three Master Plan options to accommodate future development opportunities.

Appendix 8

Proposed updated guiding principles

Guiding principles

The *Draft Inskip Peninsula Draft Master Plan* (2009), aims to provide strategic direction for Inskip Peninsula through the following components:

- a vision;
- guiding principles;
- a precinct plan;
- key management strategies; and
- recommendations on future actions.

The guiding principles included in both the Planning Study and draft Master Plan (2009) stem from consideration of Inskip Peninsula's values, opportunities and constraints. The guiding principles were used to develop and assess master plan options and determine a preferred master plan option.

The scoping and review project has identified opportunities to update the guiding principles:

- now, as part of this project, based on consideration of the key points arising from the Rainbow Shores appeal and background review of relevant material; and
- later, following the sequence of next steps discussed at section 4.1 of the Summary Report (2013), which will benefit from being informed by, and tailored to, the results and outcomes of specific assessments and studies.

Key points and lessons learned from the review and scoping project have application across three planning elements which are interrelated.

- (i) **Process and Sequence of next steps** - Firstly, some of the lessons give clear direction on tasks that need to be undertaken to inform the master planning exercise. As such they are required inputs to the master planning process. They include for example a high level assessment of the availability of land suitable for future urban purposes that includes consideration of the future status and role of Rainbow Beach, Carlo Point, the Rainbow Shores precinct (particularly the balance of RS1) and Bullock Point.
- (ii) **Early input into an updated set of guiding principles** - Secondly there are lessons learnt which feed directly into some master planning guiding principles, including:
 - Development should occur in an orderly manner, such that undeveloped, appropriately zoned and relatively unconstrained land is developed first, before other environmentally sensitive and constrained areas. This involves integrating into the master planning process, consideration of Rainbow Beach, RS1 and Carlo Point capacity in accommodating future growth and development of the Peninsula;
 - Future development is designed to avoid areas with natural constraints and accommodate adequate areas for protecting environmental values, buffers and wastewater irrigation areas;
 - Where competing and conflicting issues require resolution, opportunities for environmental offsets are facilitated;
 - Future development minimises demand on waste water infrastructure and contributes to the resolution of existing and future municipal works and infrastructure needs, including land for essential public services, such as waste transfer station, water treatment plant and works depot;
 - Consideration of existing infrastructure networks are integrated into the master planning process.

(iii) **Detailed design guidance for a development proposal** - Finally, the lessons learnt have also told us that any development that flows from the master plan into the statutory documents will need to have certain characteristics. As such, guidance in respect of the design of a development will be valuable. This would cover details including direction for development to be environmentally sensitive, of a scale in keeping with the existing community, maximise wastewater reuse potential through design, offset ecological impacts, and ensure development activity responds appropriately to site based natural constraints.

In moving forward to update the guiding principles based on the key points and lessons learned during the review and scoping project, the adoption of a structure or hierarchy of principles is recommended in order to distinguish strategic guiding principles from more detailed, development driven or site specific principles.

The draft Master Plan (2009) includes 3 broad guiding principles supported by a number of specific outcome statements. These principles are reproduced in the table below, with proposed additional guiding principles and suggested edits (refinements) highlighted in track changes.

<p><i>Guiding principle 1</i> Inskip Peninsula is managed to protect nature conservation values</p> <p>1.1 Settlement pattern minimises environmental fragmentation between Fraser Island World Heritage Area and Coolool National Park.</p> <p>1.2 Settlement pattern maximises protected areas.</p> <p>1.3 Settlement pattern maximises buffering distance and minimises interface between developed and environmentally sensitive areas.</p> <p>1.4 The type and intensity of new development is consistent with the World Heritage Area status of the neighbouring areas and the current role of Inskip Peninsula as a locality providing nature-based recreation opportunities.</p> <p>1.5 Urban development of the Peninsula complies with the environmental management requirements as established in the relevant legislative and regulatory frameworks.</p> <p><u>1.6 Development should occur in an orderly manner, so that undeveloped, appropriately zoned and relatively</u></p>	<p><i>Guiding principle 2</i> Cumulative impacts of development on the environment are minimised</p> <p>2.1 Location <u>and nature</u> of development minimises impact on the areas of essential habitat and remnant vegetation.</p> <p>2.2 Location <u>and nature</u> of development minimises the likelihood of the potential issues associated with:</p> <ul style="list-style-type: none"> ▪ erosion and accretion pertaining to the natural cycles of beach and dune system ▪ <u>direct or indirect</u> impacts of the development on coastal areas, including beaches, dunes and <u>marine habitats located within</u> near shore waters, that provide feeding, nesting and breeding sites for fauna <u>(including avifauna, fisheries and marine megafauna such as turtles)</u> ▪ <u>impacts on groundwater systems beneath the Peninsula and at the interface with adjacent coastal and estuarine waters</u> ▪ potential <u>erosion or</u> 	<p><i>Guiding principle 3</i> Infrastructure needs are met without compromising other values</p> <p>3.1 Settlement pattern provides land for community uses and infrastructure purposes, including marine infrastructure.</p> <p>3.2 Urban development is provided with essential infrastructure that has capacity to accommodate peak seasonal demand.</p> <p>3.3 A range of visitor accommodation types are provided to support the Peninsula's role as the southern gateway to Fraser Island.</p> <p>3.4 Wastewater treatment and disposal system is designed to minimise cumulative impacts on <u>the</u> low nutrient environment of the Peninsula, including impacts associated with stormwater run-off and nutrient enrichment<u>the groundwater below, and stormwater runoff from the development area.</u></p> <p><u>3.5 Wastewater reuse and/or disposal is addressed as a primary planning consideration because the availability of suitable land and the necessity to develop practically</u></p>
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<p><u>unconstrained land is developed first, before other environmentally sensitive and constrained areas.</u></p>	<p><u>inundation of developed areas from extreme natural events and future climate variability-</u></p> <p>2.3 The intensity of new development is such as to minimise cumulative impacts on Inskip Peninsula, including impacts on aesthetics, conservation and landscape values.</p> <p><u>2.4 Where vegetation and natural areas are retained within or adjacent to developed areas, they are to be secured for conservation through a development commitment and be designed and managed to maintain their environmental values in perpetuity, cognisant of future climate variability.</u></p> <p><u>2.5 Unavoidable, residual impacts to vegetation communities and essential habitat as a result of proposed development should be offset through measures and activities that build habitat resilience, through habitat restoration and/or enhancement actions. These offset activities should be focussed on and occur preferentially on the Peninsula or else in neighbouring areas or systems.</u></p>	<p><u>implementable systems have the potential to be significant constraints to the scale of development that can be achieved.</u></p> <p><u>3.6 Water Sensitive Urban Design (WSUD) principles are adopted in the design of the development to manage the rate and quality of runoff to protect groundwater and surface receiving water quality. This should include consideration of roofwater harvesting as a potable water substitution and runoff reduction measure.</u></p>
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A number of development or site specific lessons learnt could be drafted into new principles that would support and accompany the broad guiding principles, as identified below. Resolution of the exact wording and role of these matters would be best undertaken following the completion of further studies required to develop that master plan.

1 – Site suitability, layout and design

- 1.1 Detailed survey and identification of national, State and local biodiversity values should be undertaken at a site scale to inform the layout and design of future development.
- 1.2 Development must demonstrate an ecologically sustainable and sensitive approach to the environmental values of the Peninsula. Such an approach will recognise:
 - a preference for more intense development in areas of previous or current disturbance over intact, predominantly natural areas

- habitat values provided by regional ecosystems (including regrowth areas) for flora and fauna species of conservation significance as well as a diversity of common wildlife species
- the importance of vegetated areas as a wildlife corridor both in a north-south direction (connecting Cooloola to the Fraser Island World Heritage Area) as well as an east-west direction (between the Great Sandy Straits Ramsar site and the ocean foreshore, beaches and dune systems).

2 – Coastal and flooding matters

- 2.1 Future development (other than structures that are temporary or relocatable) should not occur in undeveloped erosion prone areas within a coastal management district as defined for the Peninsula by the Department of Environment and Heritage Protection.
- 2.2 Future development should maintain or enhance natural processes and the protective function of landforms and vegetation that can mitigate risks associated with the natural hazard.
- 2.3 Future development must take into account the risk of current and future storm tide inundation based on the design levels outlined in the *Coastal Hazards and Flood Modelling Report* (BMT WBM 2008) and in accordance with Department of Environment and Heritage Protection coastal hazard mapping.
- 2.4 Future development should be sited and designed in accordance with best practice guidance for avoiding flood risk as outlined in *Coastal Hazards and Flood Modelling Report* (BMT WBM 2008).
- 2.5 Development should be planned and constructed in such a way to protect the natural and built environment (including infrastructure) and human health from the potential adverse impacts of acid sulfate soils by:
 - (a) identifying areas with high probability of containing acid sulfate soils, and
 - (b) providing preference to land uses that will avoid or minimise the disturbance of acid sulfate soils, and
 - (c) including requirements for managing the disturbance of acid sulfate soils to avoid or minimise the mobilisation and release of contaminants.