

SUBMISSION AGAINST / FOR A PROPOSED DEVELOPMENT

This form has been provided to assist you in lodging a submission with respect to a development application. It is not essential that you use this form. A signed letter is acceptable. However, State legislation states that only a 'properly made submission' will be considered. A 'properly made submission' **MUST** –

- Be in written form (dot point is acceptable)
- State clearly your objections to, or support for the proposed development
- Be made to Douglas Shire Council (the Assessment Manager)
- Be received during the notification period
- State the name, residential or business address, and be signed by, each person who made the submission (Sch 3 of the *Sustainable Planning Act 2009*) (SPA)

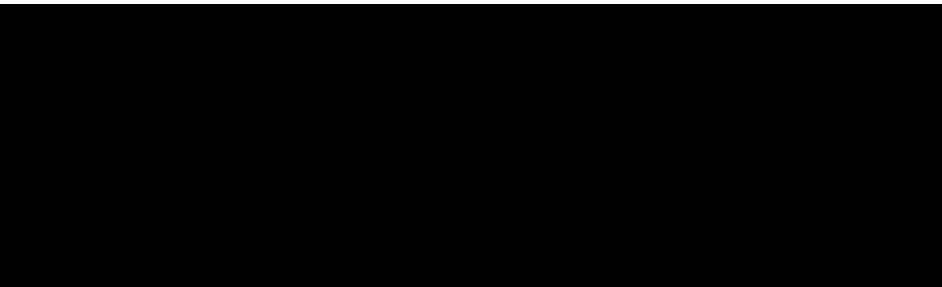
Proposal: PORT DOUGLAS WAVE PARK - NORTH BREAK
 Applicant: DAVID MGRABEN, GRABEN PTY LTD, 40 GARY HUNT DESIGN
 Application No: CA/2021/4239/1 (1028000)
 Address of Development: 5640 CAPTAIN COOK HWY, MOWBRAY

Grounds for Submission: SEE ATTACHED

DOUGLAS SHIRE COUNCIL	
CA 2021/4239	
Date	13 DEC 2021
Attention	NRB
Information	

Please attach more pages if required

Details of Submitter/s



SUBMISSION AGAINST / FOR A PROPOSAL

DOUGLAS SHIRE COUNCIL

Submissions can be:

Lodged at the
Customer Services
Centre at the Council
Administration Centre
68166 Federal Street

OR

Mailed to:

Chief Executive Officer
Douglas Shire Council
PO Box 723
Mowbray QLD 4873

Emailed to:

council@dsdip.qld.gov.au
1906748

Fax to:

(07) 41013 2902

By email to competitors:

Please contact the
Customer Services
Centre on
(07) 41013 2902

Submissions are **not** confidential. Submissions are made available for viewing or purchase through the public scrutiny process [s 306 of the SPA]. For more information see www.dsdip.qld.gov.au.

Wave park submission

AND RESORT

I wish to lodge a submission against the proposed development for a Wave Park on the Cook Highway south of the Mowbray River for the following reasons;

. The adjoining land to the north west is zoned as a National and State Environmental Significance Habitat which means it has a high conservation value; as do the Estuarine Conservation Zones adjacent to the Mowbray River. The impact caused by the building, Running and maintenance of the massive wave park will have a detrimental effect on this habitat. These mangrove breeding zones are absolutely vital to the health and viability of fisheries and other marine life.

. The adjoining rich Mowbray River habitat is also highly significant and will also undoubtedly be affected by this development. The uncontrollable pond overflow and other impacts from the developments during floods, tidal surges and cyclone destruction of infrastructure cannot be under-estimated. The " Best case scenarios' put forward in the Application will be unrealistic in these circumstances.

These conservation zones all come under the bilateral migratory bird agreements with Japan (JAMBA), China (CAMBA) and the Republic of Korea (ROKAMBA), establishing biodiversity conservation rules, as the whole of the Mowbray River area falls within the East Asian Australasian Flyway Path.

. The noise level emanating from this wave machine is expected to be as loud as that in previous wave parks built in Australia which reach up to 60 decibels (See Appendix 2). The noise of the machine is expected to be significant for hundreds of metres. This will impact negatively on both the surrounding habitat and residential neighbours.

. The land designated for this development is known to be a floodplain. The soil has the normal level of salt inundation for most cane land adjoining the mangroves in the Shire, indicating tide levels which push the sea water onto this land in particular circumstances. As a resident of Mowbray Valley for the past 49 years I have observed this area to be flooded on several occasions.

. While the development proposal states that this land is degraded and not suitable for productive farming it is no different to a large proportion of the farming land in the Shire which adjoins the mangroves. It is zoned Rural and is supposed to remain Rural.

. Douglas Shire already has a major problem with sewage disposal in low-lying settlements such as Wonga. Further development in such areas with a high water table next to the ocean will create further such situations which the ratepayers then have to pay the cost of containing or remedying. Even if the council demands a connection to the main sewerage line, which currently finishes several kilometers north at the Mowbray River Rd turnoff, who will foot the bill for this massive expense? Surely not the ratepayers . This question needs to be addressed openly to the public and especially the ratepayers.

. The underlying commercial viability of this project seems highly dubious given the distance from town for tourists to access it, and a high cost of entry fees indicated by those charged in existing wave parks, i.e. \$69 for a one hour activity for a child. This will certainly not be an activity financially accessible to most locals.

. Port Douglas residents and business owners have been crying out for a splash pool in

Port Douglas to provide a suitable recreational activity for locals and visitors alike; however the council has not been able to plan such a facility despite the fact that nearly every other town of the same size in North Queensland has a water-park. A water-park for everybody should surely take precedence ahead of this rather over ambitious and very inappropriate development of a wave park.

. Surely the only commercially viable, if hidden, excuse for this development is the residential permits which will be acquired.

.This development should not be approved on land zoned as Rural; and adjacent to highly significant habitat areas which are designated as: Estuarine Conservation Zones, and National and State Environmental Significant Habitat.

.Approval for this development would set a dangerous precedent which goes against all the environmental values of the Douglas Shire. Approval for this development would set a dangerous precedent which goes against all the hard-earned and highly valued environmental values for which the Douglas Shire has become widely known and respected. Furthermore it is questionable as to whether overall this Wave Park proposal is environmentally sustainable (See Appendix 1.).

Conclusion

To approve this development in this location would be wrong in so many ways. Tourists come to North Queensland for the reef and the rainforest, and if they want to access surf such an artificial facility should be built next to the water ski park in Smithfield where the existing infrastructure could be utilised and there would be a sufficient demand for a commercial success.

North Queensland has more than enough failed tourist attractions which leave a huge eyesore and a vast amount of environmental damage which can never be rectified.

Why should the residents and ratepayers of the Douglas Shire be expected to take on another risk with the proposed wave park.

APPENDIX

1. <https://www.surfer.com/features/are-wave-pools-sustainable/>

“But in an era where climate change is fueling arctic wildfires, Atlantic superstorms and global sea-level rise, any surfer who still values natural aquatic playgrounds should be asking about the environmental impacts of these surf parks. While it may be a simple question, the answer is, of course, very complicated.

Constructing a surf park is an incredibly resource-intensive undertaking even if everything is done “right”. The cost of constructing a wave pool (including the surrounding facility) falls in the range of anywhere from 20 to 200 million dollars.”

“When it comes to addressing the environmental sustainability of a surf park, there is a wide range of criteria that needs to be met. Things like wastewater treatment, waste management, reducing harmful emissions, minimizing use of toxic substances (i.e pesticides, swimming pool disinfectants, etc) and more are all factors that go into creating a comprehensive sustainability picture. ‘

“The main shortcoming across the industry at this stage is the lack of a clear and comprehensive approach to sustainability “

2.<https://www.watoday.com.au/national/western-australia/melville-wave-park-noise-will-smash-company-s-estimates-noise-expert-20180615-p4zlt2.html>

“Noise from a wave park planned for Melville will be as much as 10 times higher at residents’ windows than what the company estimated in the state environmental approval process, a University of Western Australia scientist says. “

“He said the modelling contained fundamental errors and may have underestimated the noise by as much as 10 decibels, meaning the level of noise could be 10 times what Urbnsurf had predicted at residents' homes.

This meant some neighbours could experience up to 60 decibels, well over the 42 specified in WA law.

He also estimated likely noise levels on the most ecologically sensitive side of Alfred Cove Nature Reserve to be above 50 decibels, which he said would be damaging to wildlife. “

13 December 2021

To: The Assessment Manager, Douglas Shire Council.

Email: enquiries@douglas.qld.gov.au

Submission against proposed development of North Break Port Douglas

Proposal: Combined Application (Wave Park)

Applicant: Graben Pty Ltd

Application Number: CA 2021 _ 4239/1

Address of Development: 5640 Captain Cook Highway, Mowbray

I wish to lodge a submission against the proposed development of a Wave Park and Resort at 5640 Captain Cook Highway, Mowbray, comprising a wave park and ancillary facilities, a 164-room hotel, 90 self-contained units, a village precinct, a tourist park with up to 30 cabins and a helipad.

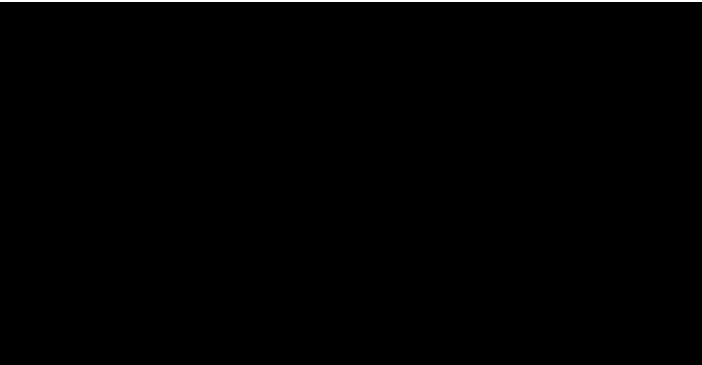
I do not support the proposed development for the following reasons:

- This does not fit at all with the natural amenity of the proposed location nor that of the Douglas Shire. This natural amenity is both extremely important to the locals who call this place our home, but furthermore acts as a key feature to attract tourists to the area. A wave park will dramatically change the feel of Port Douglas in a negative detracting way, rather than positive.
- Inadequate environmental assessment of impacts on the surrounding sensitive coastal and estuarine habitats. These include the effects of increased artificial light and noise, vehicular access and human intrusion, as well as the flow-on impacts of changed ground and surface water patterns.
- Its location on a low-lying site is highly vulnerable to storm surge and rising sea-levels
- It is inconsistent with the area's rural zoning which local residents have fought hard to maintain, and have themselves had to abide strictly by when building in the area. A development of this size will irreversibly change the character of this area.
- The impact of increased traffic and more tourists in the wider area of Mowbray's quiet rural and bush settings.
- The social benefits for shire residents remains highly questionable due to the cost of amenities, the insular nature of the park as well as the opportunity cost of acting as a potential detractor for the area for tourists.
- The development will put further pressure on the shire's limited potable water resources.
- There is little evidence of the proposal's actual commercial viability.

I believe an additional issue may arise in that there are two similar sounding proposals which is currently creating confusion among local residents between the Port Douglas Splash Park proposal – a community-oriented swimming facility for general public use; and

the Wave Park proposal – a large scale high-density commercial development. This is likely to affect the number of submissions received about this proposal which is highly concerning.

Yours sincerely,



SUBMISSION AGAINST PROPOSED DEVELOPMENT of PORT DOUGLAS WAVE PARK – NORTHBREAK

Att: Douglas Shire Council Planning Assessment Manager

Proposal: PORT DOUGLAS WAVE PARK – NORTHBREAK

Applicant: David Imgraben, Graben Pty Ltd c/o Hunt Design

Application No: CA 2021 _ 4239/1

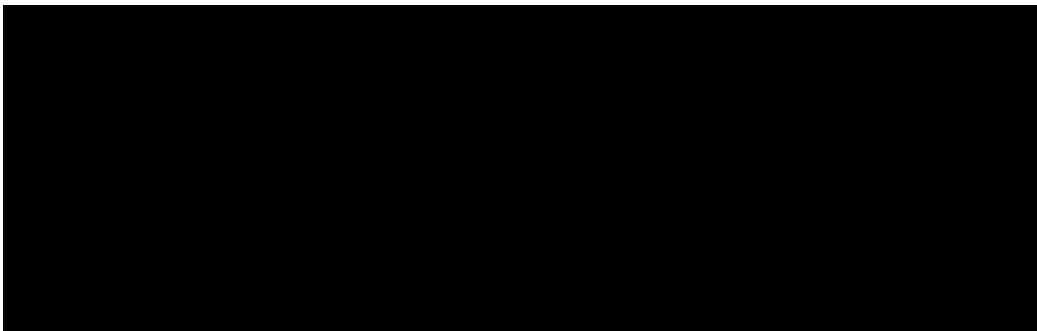
Address of Development: 5640 CAPTAIN COOK HIGHWAY MOWBRAY, QLD

Grounds for Submission: I wish to lodge an objection to the proposed Northbreak Port Douglas Wave Park primarily based on the inappropriate location in a rural zone adjoining High Conservation Value land.

- Considering the location was originally chosen for its proximity to the Mowbray River with the intention of extracting water for the park (rejected by Council), the site should no longer be essential to the build. The low-lying site is highly vulnerable to storm surge and rising sea-level.
- The scale and type of project is not in keeping with the character of the Shire and its natural ecological values so hard fought for by community and promoted by DSC. An artificial, noise-producing, exclusive wave park is anathema to the 'rainforest meets the reef' World Heritage listed environment that draws locals and tourists alike to the area.
- If a massive commercial development with no relevance to rural zoning is permitted, it sets an irrevocable precedence.
- There is clearly local confusion between the Wave Park proposal and the long-awaited and locally supported splash park, even amongst Council staff. The Wave Park will be an expensive, limited option for many tourists and locals alike with a suggested starting price of around \$70 per hour for children, even higher rates for adults, and prices increasing with wave 'grade'. A local splash park will be about inclusion, affordability and access for both locals and tourists.
- Existing residents in the vicinity of the Wave Park will be subject to excessive, prolonged noise from both the Wave Park and the heli pads on site, by the applicants own admission, with the amphitheatre created by the hills of Mowbray amplifying sound.
- It is hard to reconcile the project will be reliant on town water (even if much of the water transfer is proposed for the wet season) when rate payers face ongoing water restrictions.
- The Cultural Heritage values of this area seem to have been dismissed due to the property being freehold. This entirely disregards the age-old indigenous history associated with the Mowbray River and surrounds. At the very least our indigenous communities should be afforded the respect of consultation.
- There is no evidence of a study done to determine the need or desire for a wave park in FNQ.

In conclusion, while I don't object to the Wave Park proposal in principle, I strenuously object to its proposed location and question its relevance in this Shire. Perhaps the developers should revisit Cairns as a far more credible option in terms of market appeal, appropriate location, and long-term viability.

Details of Submitter:



From: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

Dear Douglas Shire Mayor, Councillors and relevant staff,

I am writing to express my concerns about the development application (CA 2021-4239) for the proposed Resort and Wave Park at Mowbray. They are as follows:

Excessive size and bulk of the proposed development comprised of a large hotel, shopping complex, cabins, helipad, wave pool, lagoon pool etc and the visual and noise related impact of this on an area that has previously been cane farm with some natural vegetation.

Environmental impact due to its proximity to the Mowbray River, including the mouth, estuary and the surrounding mangroves and paperbark forests along the coastal fringe; runoff, waste disposal, contaminated water etc.

Potential damage to coastal waters and reefs including the Great Barrier Reef and the delicate and unique ecosystems associated with these.

That the project is not consistent with the environmental intent of Council and that it does nothing to contribute to the aesthetic or environmental values of this sensitive and precious area.

With the exception of the wave pool these facilities already exist at Port Douglas, Craiglie and in the Mowbray Valley and I am not convinced there is evidence that more are required. If there is evidence that they are required surely they could be sited at a far less intrusive or environmentally appropriate location.

Associated water requirements for such a venture: Port Douglas already has town water constraints and this development would add considerably to the region's water requirements. The use of this volume of bore water would have significant impact.

I am unclear for the justification of yet another helipad in the area creating significant noise and intrusion.

Traffic: the resort and its associated activities will increase traffic and create further noise, hazard, potential road widening and more natural vegetation destruction.

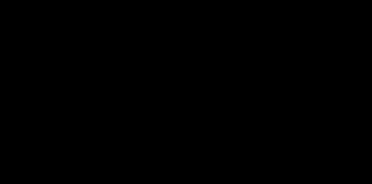
Proximity to proposed walking trail. This trail is selling itself on environmental and aesthetic credentials. The vista across the Mowbray valley and meandering river to the sea is beautiful and entirely representative of the coastal views associated with the wet tropics. This development will forever mar that view for trail users and also residents of the Mowbray valley.

Potential impact on native fauna; noise, lighting, disruption of bird and bat flight paths.

I am not against appropriate the development of activities that further the economic viability of the Shire but I feel that this proposal is completely inconsistent with the area as an ecotourism or high end destination for the discerning traveller or families wishing to explore and experience that natural world the regions offers.

Yours sincerely,
[REDACTED]

Resident, Douglas Shire



13 December 2021

Chief Executive Officer
Douglas Shire Council

Via email: enquiries@douglas.qld.gov.au

RE: Development Application MCUI 2021_4239 5640 Captain Cook Highway Mowbray - Combined Application (Wave Park)

Dear Sir/Madam,

I am writing to express my strong objection to the above development application.

I list my following concerns:

- No commitment to or strategies to minimise carbon emissions
- Expanding urban footprint by stealth
- Where is the water coming from and going to?
- Impact on river flow and water quality
- No evidence of demand for a Far North Queensland surfing destination
- Mega resort/ amusement park is not in keeping with eco-destination marketing
- Loss of rural agricultural land and scenic values
- Unconvincing social benefit for residents due to cost of access to amenities
- Considerable social impost on residents due to influx of workers with no provision for accommodation and resultant drain on community resources.
- Construction phase likely to impose noise and dust nuisances, traffic congestion and social disharmony
- High hazard storm surge and tidal erosion area
- Adverse impact on spectacled flying fox foraging habitat
- Potential ongoing noise nuisance from helicopter pad.
- Parking for vehicles appears to be insufficient for projected users.

Yours Truly,





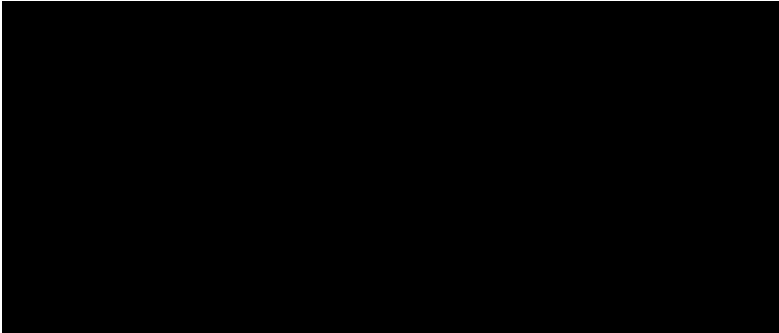
Dear Douglas Shire Mayor, Councillors and relevant staff,

I am writing to express my concerns about the development application (CA 2021-4239) for the proposed Resort and Wave Park at Mowbray. They are as follows:

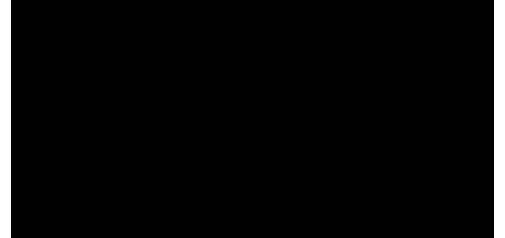
- Excessive size and bulk of the proposed development comprised of a large hotel, shopping complex, cabins, helipad, wave pool, lagoon pool etc and the visual and noise related impact of this on an area that has previously been cane farm with some natural vegetation.
- Environmental impact due to its proximity to the Mowbray River, including the mouth, estuary and the surrounding mangroves and paperbark forests along the coastal fringe; runoff, waste disposal, contaminated water etc.
- Potential damage to coastal waters and reefs including the Great Barrier Reef and the delicate and unique ecosystems associated with these.
- That the project is not consistent with the environmental intent of Council and that it does nothing to contribute to the aesthetic or environmental values of this sensitive and precious area.
- With the exception of the wave pool these facilities already exist at Port Douglas, Craiglie and in the Mowbray Valley and I am not convinced there is evidence that more are required. If there is evidence that they are required surely they could be sited at a far less intrusive or environmentally appropriate location.
- Associated water requirements for such a venture: Port Douglas already has town water constraints and this development would add considerably to the region's water requirements. The use of this volume of bore water would have significant impact.
- I am unclear for the justification of yet another helipad in the area creating significant noise and intrusion.
- Traffic: the resort and its associated activities will increase traffic and create further noise, hazard, potential road widening and more natural vegetation destruction.
- Proximity to proposed walking trail. This trail is selling itself on environmental and aesthetic credentials. The vista across the Mowbray valley and meandering river to the sea is beautiful and entirely representative of the coastal views associated with the wet tropics. This development will forever mar that view for trail users and also residents of the Mowbray valley.
- Potential impact on native fauna; noise, lighting, disruption of bird and bat flight paths.

I am not against appropriate the development of activities that further the economic viability of the Shire but I feel that this proposal is completely inconsistent with the area as an ecotourism or high end destination for the discerning traveller or families wishing to explore and experience that natural world the regions offers.

Yours sincerely,



Resident, Douglas Shire



13 December 2021

Chief Executive Officer
Douglas Shire Council

Via email: enquiries@douglas.qld.gov.au

RE: Development Application MCUI 2021_4239 5640 Captain Cook Highway Mowbray - Combined Application (Wave Park)

Dear Sir

Douglas Shire Sustainability Group Inc. (DSSG) is an incorporated association active in the Douglas Shire since 2005, in support of sustainability in this region.

DSSG is a community-based environmental advocacy organisation whose objects are:

- To promote and encourage the adoption of the principals of ecologically sustainable development to all sectors of the community throughout the Douglas Shire;
- To the protection and conservation of the unique environment in the Douglas Shire and its surrounds, including the Great Barrier Reef, the Wet Tropics and World Heritage areas;
- To promote social, economic and environmental balance;
- To promote and support environmentally sustainable practices, education and great environmental awareness amongst visitors to and residents of the Douglas Shire;
- To recognise and promote the sustainable practices of the traditional owners of the Douglas Shire; and
- To promote and encourage the adoption of the principals of ecologically sustainable development to all sectors of the community throughout the Douglas Shire.

We do not support, and make the following comments about, the application **MCUI 2021_4239**

BACKGROUND

This development application seeks:

- Development Permit for Material Change of Use for a Resort Complex, (comprising Outdoor Sport and Recreation, Short-term Accommodation, Food and Drink Outlet: Shop, Tourist Park, Air Services and Caretaker's Accommodation);
- Development Permit for Reconfiguration of a Lot (1 Lot into 4 Lots and Common Property); and
- Preliminary Approval for Operational Works (Advertising Devices).

The proposal involves establishment of a Resort Complex (NorthBreak), comprising a number of elements, including:

- A wave park;
- Ancillary facilities including a freshwater swimming lagoon and aquapark;
- A hotel complex, comprising a maximum of 164 room short-term / hotel accommodation units;
- A village precinct, comprising shops, food and drink outlets;
- A self-contained short term accommodation precinct, comprising a maximum of 90 self-contained dwelling units (that may be attached and/or detached);
- A tourist park, comprising self-contained cabins (a maximum of 30 cabins);
- A Helipad; and
- Caretaker's residence.

The proposal also includes a Reconfiguration of a Lot (ROL) components, which seeks a Development Permit to provide for the creation of a tiered Body Corporate scheme comprising a principal scheme with four (4) lots, including:

- Lot 1 – Hotel Precinct;
- Lot 2 – Wave Park Precinct;
- Lot 3 – Surf Camp Precinct;
- Lot 4 – Self-contained Residential Accommodation Precinct; and
- Common property

There is clear evidence that many local residents and businesses do not support the development. Concerns have been raised about noise and dust, other environmental issues and the negative impact on housing stock and services during the construction phase.

Residents are also concerned at the scale of the development proposal, likening it to Gold Coast theme park developments. Many residents want a lagoon pool development but do not support a 'mega' themed resort of this scale, as it does not complement the existing lifestyle and tourism offerings.

SUMMARY OF ISSUES OF CONCERN

- No commitment or strategies to minimise carbon emissions or respond to climate change impacts such as sea level rise.
- Expanding urban footprint by stealth
- The source of water for the swimming lagoon is a storage reservoir and roof harvesting, however it relies on technology that is still under development.
- Impact on river flow and water quality has not been assessed.
- No evidence of demand for a Far North Queensland surfing destination
- Mega resort/ amusement park is not in keeping with eco-destination marketing
- Loss of rural agricultural land and scenic values
- Unconvincing social benefit for residents due to cost of access to amenities
- Considerable social impost on residents due to influx of workers with no adequate provision for accommodation and resultant drain on community resources.
- Construction phase likely to impose noise and dust nuisances, traffic congestion and social disharmony
- High hazard flood and storm tide inundation
- Erosion prone area in a coastal management district
- Adverse impact on spectacled flying fox foraging habitat
- Potential ongoing noise nuisance from two helicopter pads to be used for short stay guests.
- Parking for vehicles appears to be insufficient for projected users.

SUSTAINABILITY

The developer says that the whole project “will be a poster child for sustainable development. Water harvesting, solar power generation, use of natural materials, low energy consumption building solutions and recycling waste are all examples of the many fundamental drivers in the design and operation of NorthBreak.... The very essence of NorthBreak is a celebration of nature and offering a remarkable experience to enjoy the ability to surf every day in pristine conditions.”¹

DSSG submits this is very scant information – amounting to ‘the vibe’. There is no technical data on emissions, on water collection and storage or on power needs, for example. This is an insufficient response that demonstrates no commitment to the concept of sustainability.

The construction of a wave pool is very resource intensive – the use of massive amounts of concrete will have a significant greenhouse gas emission. Will recycled concrete be used?

Water usage is unsustainable in our Shire - we already experience water shortages. Evaporation in this climate will be huge. Is the water plan for this project sustainable?

The power required to run a wave pool will require significant fossil fuel usage, contributing to carbon emissions². What is the estimated demand for power for this project and how much will be provided by fossil fuel?

When it comes to addressing the environmental sustainability of a surf park, there is a wide range of criteria that needs to be met. Things like wastewater treatment, waste management, reducing harmful emissions, minimizing use of toxic substances (i.e. pesticides, swimming pool disinfectants, etc.) and more are all factors that go into creating a comprehensive sustainability picture³.

DSSG is of the view this project demands certification for sustainability standards, for example STOKE certification⁴. Such a heavy environmental impact should not be greenwashed.

PLANNING SCHEME

DSSG is of the view that approval of this development proposal will effectively expand the urban footprint by stealth. By providing significant long term accommodation options within a strata titled ‘gated community’ development, it is exacerbating existing and planned ‘urban sprawl’ south of Port Douglas.

The Douglas Shire Planning Scheme is deliberate in its intent to constrain urban development by restricting land use. A particular characteristic of the built environment in Douglas Shire is that each of the Shire’s communities are contained within well-defined urban boundaries, designated towns, villages and other settlement areas. There is clear sense of town and country, where the settlement edges are not blurred by expanding suburbia.⁵

There is a limited supply of unconstrained land in the Shire, making decisions about land use and future urban growth, extremely important. The capacity for the Shire to continue to grow is also constrained by the need to provide a reliable and adequate water supply, and in the road capacity of the Captain Cook Highway to cater for increase traffic volumes. Both of these represent thresholds, beyond which significant and expensive infrastructure upgrades would be required.

3.2.2.1 Planning stewardship

¹ [Downloaded-Information-request-response-with-Appendix-I-M-U-V_ca-2021_4239.pdf \(douglas.qld.gov.au\)](#) page 18

² [How much energy do wave pools use to make waves? \(wavepoolmag.com\)](#)

³ [Are Wave Pools Sustainable? - SURFER Magazine](#)

⁴ [STOKE - Sustainability Certification \(stokecertified.com\)](#)

⁵ [Part-3-Strategic-Framework_2.pdf \(douglas.qld.gov.au\)](#) page 12 Built environment and heritage

(1) The planning scheme has a very important role to play in ensuring that growth in Douglas Shire is aimed at minimising human impact on the environment while continuing to support economic progress and social well-being. Essentially this entails strong stewardship and the pursuit of planning strategies that: (a) conserve the Shire's natural environment and outstanding biodiversity values; (b) utilise the region's natural resources efficiently, in particular water and energy, while reducing waste; (c) ensure the region's atmosphere remains clear and clean; (d) contain urban growth to a defined footprint and promote the best use of land that is allocated for that purpose (e) support development of a diverse thriving economy that complements the region's green and environmentally responsible image. (f) provide opportunities that ensure everyone is able to participate, live, work and benefit in the healthy cohesive environment that the Shire promotes⁶

3.2.2.2 Reinforcing Douglas Shire's sense of place and identity

....(3) During the life of this planning scheme, the Shire will continue to grow while retaining the unique characteristics of individual communities and building upon these qualities through local variation in development requirements. This will be done through the Local Plans which are tailor-made to suit local needs. Amongst other things, each local plan will: (a) identify the qualities that make the individual place special, including environmental and built form characteristics; (b) promote gateway treatments, nodes of activity, viewing corridors and landmark sites; (c) define an urban / rural interface boundary to reinforce the sense of town and country. (4) In addition, tourism activity will need to be Shire-appropriate with a discerning preference for nature-based tourism that has a direct association with the environmental and rural characteristics of the Shire, as opposed to large-scale attractions that have little connection to local context, particularly those that can be found anywhere. (5) Port Douglas will retain its lively tropical tourism 'buzz' as a premier tourist destination. Development will be carefully planned to achieve sensitive incremental change, rather than instant, over-scaled development projects, that have little local context or character.⁷

Natural hazards and the impacts of climate change will determine the location, scale and intensity of land use activities. Development will achieve an acceptable or tolerable level of risk based on a fit for purpose risk assessment⁸

Cleared country such as this lot, marginal for Cane production, isn't wasteland far better off being converted to resort development. Reverting any cleared land to the processes of natural or assisted restoration should override all inappropriate council development approvals within defined flood/storm inundation zoning. What is the future council liability for having, in the face of overwhelming evidence, still permitted flood/storm surge-vulnerable construction?

Douglas Shire is located on a narrow coastal plain between the Great Dividing Range and the Coral Sea. The lush green backdrop provides a dramatic green frame to the Shire's diverse tourist areas, townships, rural lands and rural communities. This green frame adds significantly to the Shire's much admired high quality scenic amenity. In addition, the sugar cane fields contribute significantly to the Shire's scenic amenity and sense of place on the plains below the green frame. Great care is required to protect the Shire's natural and rural settings given the vital contribution they make to the Shire's identity and to the everyday experiences of residents and visitors alike⁹.

Rural Zone Code

The property is currently zoned rural. The development application is for a change of use. The proposal does not meet key criteria for retention of Rural Zoning.

PO1 requires: The height of buildings is compatible with the rural character of the area and must not detrimentally impact on visual landscape amenity.

Acceptable Outcome 1.1 Dwelling houses are not more than 8.5 metres in height. Note – Height is inclusive of roof height. AO1.2 Rural farm sheds and other rural structures are not more than 10 metres in height. The structures proposed are clearly not within this height range – The PO is not met.

⁶ [Part-3-Strategic-Framework_2.pdf \(douglas.qld.gov.au\)](#) page 15

⁷ [Part-3-Strategic-Framework_2.pdf \(douglas.qld.gov.au\)](#) page 16

⁸ [Part-3-Strategic-Framework_2.pdf \(douglas.qld.gov.au\)](#) page 20 Strategic Outcomes

⁹ [Part-3-Strategic-Framework_2.pdf \(douglas.qld.gov.au\)](#) page 28 Scenic amenity

PO4 requires: The establishment of uses is consistent with the outcomes sought for the Rural zone and protects the zone from the intrusion of inconsistent uses.

The Acceptable Outcomes specifically exclude resort development, hotel, and food and drink outlet, high impact activity, office, parking, accommodation, shopping centre etc.

The applicant responds that the development is proposed for the Rural Zone on the grounds that the proposal contains elements that would be potentially inconsistent with residential development. The subject site is located in close proximity to Wangetti Trail and natural areas, which the proposed development seeks. Assessment of the Agricultural Land Classification (Appendix F) deemed the land to not constitute high quality agricultural land.

In other words the applicant selected Rural Zone for convenience.
The Performance Outcome is not met.

PO7 requires: The minimum lot size is 40 hectares, unless (a) the lot reconfiguration results in no additional lots (e.g. amalgamation, boundary realignments to resolve encroachments); or (b) the reconfiguration is limited to one additional lot to accommodate: (i) Telecommunications facility; (ii) Utility installation. There are no acceptable outcomes.

The applicant responds that the proposed Reconfiguration of a Lot component, whilst resulting in lots below the minimum lot size, is simply to enable the provision of four (4) precincts as depicted on Drawing No. DA-01.11, provided for reference is Appendix D. The applicant proposes the a tiered Community Titles Scheme, comprising a Principal Scheme containing the four (4) lots administered under a Principal Body Corporate.

In other words, the Rural Zone is selected for convenience
The Performance Outcome is not met.

TOURISM PRODUCT

It is clear that Douglas Shire Council is keen to support the project.

The economic value case is highly pitched, but is reliant on the creation of a new market. The development is described by the applicants as¹⁰ “catering to the tropical north Queensland surf market....potential to cater for locals and tourists who will pay for an experience that cannot be obtained elsewhere in the region in a tropical environment that is more comfortable than winter surfing in the southern parts of Australia.”

DSSG can find no evidence that a ‘tropical north Queensland surf market’ exists. The current focus of the Douglas tourism marketing is on world class environment experiences and eco-friendly destinations. A mega themed resort/ fun park is not complementary to that vision.

The development is projected to host 128,680 visitor nights annually across the range of accommodation¹¹. Annual daily rate is estimated at \$348 for the hotel, \$80 for the surf camp, \$341 for the self-catering villas¹². The estimate is 72% occupancy rate for the hotel, 65% for the surf camp, and 50% for the villas¹³.

DSSG is concerned this is an unrealistic estimate. At some time after development approval is obtained, and before completion, we can envisage a significant downgrading of the economic case and the scale of this development – potentially a stranded asset.

¹⁰ [PR148361 Surf Port Douglas V1.0 210315 Report.pdf](#) page 9

¹¹ [PR148361 Surf Port Douglas V1.0 210315 Report.pdf](#) page 5

¹² [PR148361 Surf Port Douglas V1.0 210315 Report.pdf](#) page 18 and 19

¹³ [PR148361 Surf Port Douglas V1.0 210315 Report.pdf](#) page 18 and 19

SOCIAL CONSIDERATIONS

The social benefits of the development are described as including¹⁴:

- *Enhanced recreational options for residents and tourists and Healthy lifestyle through water based exercise.*

The tickets to the surf pool are estimated at \$48 each and for the aqua-park at \$25 each¹⁵. This seems beyond the reach of many existing residents.

- *Increased housing stock which will assist residential population growth objectives.*

It is unclear how short term accommodation (maximum 6 months for villa) assists with housing stock in the Shire.

- *Diversified tourism offering (off peak potential)*

The best estimates by the developer are for 50% occupancy/ use in low season.

- *Social development by offering opportunity for enhanced social engagement*

It is unclear how this will occur.

DSSG is unconvinced this development will offer many social benefits for the Douglas Shire community. In its construction phase (estimated at up to 4 years) the project is likely to place extreme pressure on local housing stock and services such as health and education. It will also increase traffic congestion on the one access road through the Shire. A large temporary workforce (mostly male) will impact on the social experience for residents.

ENVIRONMENTAL CONCERNS

DSSG sees two main environmental concerns with this application:

1. Water

The developer proposes to source water from a number of sources including connection to Council's reticulated network, harvesting and treatment of stormwater and re-use of treated effluent for use in landscaping. To avoid restrictions on use of Council water supply, the developer wishes to secure access to water from the Mowbray River.

"We acknowledge that any future proposal to source water from the Mowbray will require a range of additional approvals relating to issues such as tenure, use of Crown land and licencing to draw water from the Mowbray, and commit that we would, should the need arise, pursue those approvals prior to any extraction occurring. However, as the current proposal is not reliant upon this source, it is not intended to seek these approvals as part of the pending Development Application – the project simply needs access to this POTENTIAL water source should a future need arise"¹⁶.

DSSG is of the view that such a tenuous access to the significant volumes of water required for the project undermines confidence in its ultimate success. The drain on the Shire's scarce water supply is unsustainable.

We understand the resort will be connected to the Council wastewater system. Is this where the water from the pools will be flushed? Is there any risk of waste water, containing chemicals, being discharged into the Mowbray River or onto 4 mile beach and into the GBR lagoon?

2. Erosion

SARA has concerns the proposed development may not be able to demonstrate compliance with PO1 and PO4 and the associated Purpose Statement of State Code 8.

PO1 - Development does not occur in the erosion prone area unless the development: 1. is one of the following types of development: a. coastal-dependent development; or b. temporary, readily relocatable or able to be abandoned; or c. essential community infrastructure; or d. redevelopment of an existing

¹⁴ [PR148361_Surf Port Douglas V1.0_210315_Report.pdf](#) page 16

¹⁵ [PR148361_Surf Port Douglas V1.0_210315_Report.pdf](#) page 18 and 19

¹⁶ [Letter \(douglas.qld.gov.au\)](#) page 3

permanent building or structure that cannot be relocated or abandoned; and 2. cannot feasibly be located elsewhere.

Development is generally not supported within the erosion prone area in the coastal management district, to ensure that this area is retained in its natural state to allow coastal processes to naturally occur and to avoid increasing the risk to people and infrastructure.

Compliance with PO1 requires the proponent to demonstrate why the development must be located in the erosion prone area and why it cannot be located on a more landward part of the lot or in another location. The application should demonstrate why the proposed development cannot feasibly be located elsewhere outside of the erosion prone area.

This has not been demonstrated.

PO4 – Development does not significantly increase the risk or impacts to people and property from coastal erosion. Locating the proposed development within the erosion prone area is regarded as increasing the risk to people and property from coastal erosion. The proposal is likely increasing the exposure of the community to the risks associated by the proposed development in the erosion prone area.

The development application is required to demonstrate why it is not possible to locate the development further landward. It should further be demonstrated how the risk of erosion is mitigated through design, maintenance or the installation of coastal protection structures, to minimise the risk associated with the proposed development to people and property.

This has not been demonstrated.

8.2.3 Coastal environment overlay code

PO3 requires: Development identifies erosion prone areas (coastal hazards)

No acceptable outcomes are provided

PO4 Erosion prone areas are free from development to allow for natural coastal processes.

The applicant has not attempted to address this performance outcome. It is clear the development does not meet this PO.

The applicant has paid scant regard to the Coastal Environment Overlay Code.

8.2.4 Flood and storm tide hazard overlay code

Lot 123 on SR687 is further mapped wholly within the high and medium storm tide hazard area. Notably inland areas including Mowbray River Road have previously been inundated during large storm events.

The coastal risk Australia modelling shows this site will be largely underwater in 2100.¹⁷

Achieving insurance for this mega project in such a scenario will be very difficult.

In relation to the Flood and Storm Tide Hazard Overlay Code and its relevance to the subject, site investigations and assessments have revealed that a significant proportion of the site is: • mapped as being within the “High Hazard Storm Tide” area; and • mapped as being within the 100-year ARI flood study area.

Performance Outcome 1 requires: “PO1 Development is located and designed to: ensure the safety of all persons; minimise damage to the development and contents of buildings; provide suitable amenity; minimise disruption to residents, recovery time, and rebuilding or restoration costs after inundation events”

Acceptable Outcomes include: “AO1.3 New buildings are: (a) not located within the overlay area”.

DSSG submits this Performance Outcome is not met. The buildings are located within the Floodplain Overlay area.

¹⁷ [Coastal Risk Australia](#)

The applicant relies on responses provided in the commissioned Flood Study prepared by JBP. DSSG if of the view careful attention should be paid to the assessment and proposed responses, as identified by the SARA. DSSG is concerned at the “proposed rehabilitation works in adjoining waterways”.

In addition, we are concerned about:

3. Mangroves and estuarine river regional ecosystems

The section of the Mowbray River adjacent to the site is mapped as Great Barrier Reef World Heritage area and Estuarine Conservation Zone. Most of the site (including the Amber waterway) is mapped as intermittently connected, where the canal waterway is mapped as very frequently connected. The canal waterway was observed to have numerous fish present during the wet season survey and is likely to provide fish passage during the wet season.¹⁸

DSSG is concerned the development will negatively impact on the existing canal. Although the developer indicates the canal will not be removed, it is reasonable to expect damage as a result of significant earthworks and construction on site.

Protection of the canal should be a condition of the development.

A plan mapping the extent of marine plants shows that based on the current layout approximately 0.1965ha of marine plants will be impacted. The notional offset area is 0.786 ha based on the Department of Environment Science Offset Calculator or a financial offset of \$29,475.00.

The developer believes that “given the proposed vegetation rehabilitation across the site it may be possible to provide an on ground offset area instead of paying the notional financial offset. The footprint of the proposed development has been sited to avoid marine plants where feasible, and offset where not. The proposed offset areas is substantially above the notional offset required in the DES Offset Calculator demonstrating not just the mitigation but net ecological improvement for marine plant habitat across the site.”¹⁹

Replacing the impacted marine plants with the same species, should be required as offset.

The MSES report identified the potential for damage to the habitat of the spectacled flying fox.

The developers must ensure that planting provides foraging opportunities for the spectacled flying fox and other native species. It is anticipated that good planting will encourage roosting by key tropical rainforest-supporting species such as Rainbow and Scaly-breasted lorikeets and Shining starlings. DSSG encourages the developers to outline their proposed response to roosting at the site.

²⁰ *Spectacled Flying-fox may forage within the project site, with the ability to disperse to adjacent areas of high-quality, intact habitat. Therefore, it is considered that the proposal may potentially adversely affect habitat critical to the survival of the species.*

4. Noise and dust nuisance

The proposed development includes two helipads. The applicant advises us that the Helipads are proposed as short term stay and drop off services like that currently operating at Mirage Country Club in Port Douglas, allowing private and existing tour operators to be able to pick up and drop off from the development. Whilst highly desirable from the point of view of guests wishing to arrive by air, the helipads are not a critical component. ..The Helipads will have limited use during daylight hours. The frequency is not expected to

¹⁸ [App-G-PR148361-Waterway-Determination-Report-v2.0-7042021-Report_ca-2021_4239.pdf \(douglas.qld.gov.au\)](#)
page 18 - 21

¹⁹ [App-G-PR148361-Waterway-Determination-Report-v2.0-7042021-Report_ca-2021_4239.pdf \(douglas.qld.gov.au\)](#)
page 28

²⁰ [Report \(douglas.qld.gov.au\)](#)page 193

cause unacceptable noise impacts. The arrival and departure paths from the helipads avoid flying directly over the resort and accommodation precincts²¹.

In our view this is not an acceptable response. If the flight path is not flying over the resort, it must be flying over the river and sea.

According to the Helicopter Association International (HAI), the sound of a helicopter flying at 500 feet is about 87 decibels. At 1,000 feet, the sound drops to 78 decibels. For comparison, a vacuum cleaner is about 75 decibels while a power lawn mower is about 90 decibels. (Neither of those make infrasound). The noise levels are much higher on take-off and landing. Apart from houses and businesses within the vicinity, people using the area nearby for recreation will be exposed to the full impact.

In addition, a helicopter does not go straight up when it takes off. It gains altitude flying forward at an angle. We are not informed of the regulated flight heights, but it is safe to assume there will be a considerable area exposed to the noise of helicopters at a much lower height. See video below.

[Helicopters Landing & Taking Off "Raw Sound" - YouTube](#)

DSSG is concerned there is no acoustic impact study, no restrictions on numbers of flights or on time of day for flights.

In accordance with 9.4.3 Environmental performance code, Performance Outcome 2 requires: "Potential noise generated from the development is avoided through design, location and operation". The Acceptable Outcomes include: "AO1 Development does not involve activities that would cause noise related environmental harm or nuisance". The applicant has responded: "Complies. The applicant has sought to locate the proposed development within the Rural Zone, partially to avoid impacts of the proposal upon adjoining sensitive receptors".

DSSG is very concerned at the impact on the environmental values of the area caused by noise of helicopters. In our view this is clearly not compliant with the Code. There is no report provided in accordance with an Environmental management plan per Planning Scheme Policy SC6.4.

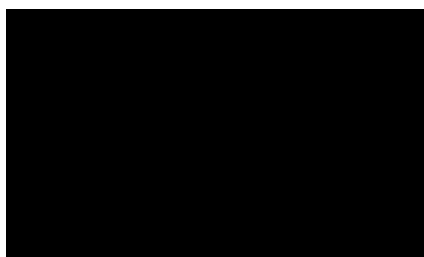
The helipads should not be approved.

9.4.3 Environmental performance code

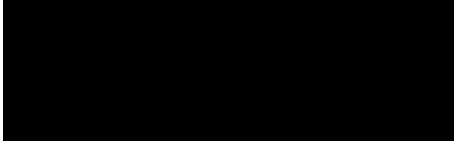
Performance Outcome 3 requires: "PO3 Potential airborne particles and emissions generated from the development are avoided through design, location and operation of the activity". Acceptable Outcomes are: "AO3.1 Development does not involve activities that will result in airborne particles or emissions being generated. AO3.2 The design, layout and operation of the development activity ensures that no airborne particles or emissions cause environmental harm or nuisance".

DSSG is concerned at dust nuisance during construction, and dust impact from helicopters. 'Rotor downwash' is a commonly ignored phenomenon that occurs during helicopter hover in close proximity to a ground surface. It has the potential to cause significant damage to nearby vehicles and objects, as well as people. It is not clear what impact this activity has on the natural environment, over time.

[Helicopter Rotor Downwash – Excessive wind, FOD and brownouts, what are the risks? - JJ Ryan Consulting](#)



²¹ [Downloaded-Information-request-response-with-Appendix-I-M-U-V_ca-2021_4239.pdf \(douglas.qld.gov.au\)](#) page 8



2 December 2021

Douglas Shire Council
PO Box 723
MOSSMAN QLD 4873

Dear Sir/Madam

Re: **Support for Surf Park**

On behalf of the Port Douglas Surf Life Saving Club, I advise that our Club supports the development of the Surf Park to be named "North Break Port Douglas".

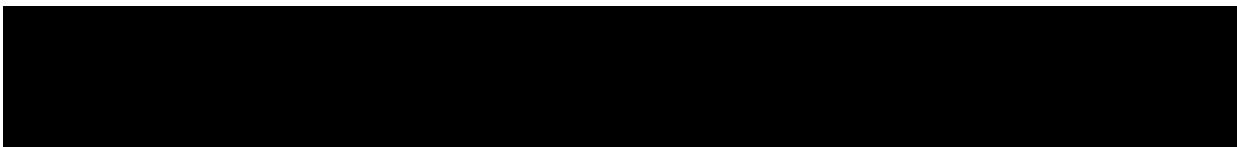
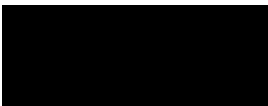
Apart from the apparent benefits to the Shire with employment opportunities and increased visitor numbers, we are aware, following recent discussions with Mr Imgraben and Mr Hunt, that our Club will be able to use the facilities by arrangement.

This will have the benefit of allowing us to enjoy an aquatic environment that is free of stingers and crocodiles. We will be able to carry out Nipper and Junior training, craft and swim training, Age Manager training, annual Proficiency training and for the first time the Little Lifesavers program, which is an important recruitment program run by southern clubs in our off season from November to April.

We envisage that there will be specific benefits to our Club members including the opportunities for those members aged 14 years and upwards who have gained their Surf Rescue Certificates and Bronze Medallions to gain part time employment in the water safety arena.

Our Club wholeheartedly supports this project which appears to be very well planned and perfectly located.

Yours Faithfully,



"Our aim is to operate a successful community sporting organisation, building participation in surf sports, and through this participation, increase the strength and capabilities of the Club as a lifesaving organisation"

Sent: Monday, 13 December 2021 2:26 PM
To: Enquiries
Subject: RE: Submission against proposed development of North Break Port Douglas

ATTN: The Assessment Manager, Douglas Shire Council. Email: enquiries@douglas.qld.gov.au
Submission against proposed development of North Break Port Douglas

Proposal: Combined Application (Wave Park)
Applicant: Graben Pty Ltd
Application Number: CA 2021 _ 4239/1
Address of Development: 5640 Captain Cook Highway, Mowbray

I would like to submit my opposition to the proposed North Break Wave Park and Resort at 5640 Captain Cook Highway, Mowbray, comprising a wave park and ancillary facilities, a 164-room hotel, 90 self-contained units, a village precinct, a tourist park with up to 30 cabins and a helipad.

Our Douglas shire has a unique setting in the world where two world heritage listed areas meet. It is internationally known and marketed for its natural attractions – as the meeting place of the Great Barrier Reef and Wet Tropics World Heritage areas. Visitors enter the region via a breathtakingly beautiful scenic drive. As they round Yule Point the vista opens to the sweeping Mowbray Valley hills, open cane fields and the gateway to Port Douglas. A high-density resort/wave park at this location is at odds with the area's amenity and scenic values, and is not in keeping with the region's reputation as an eco-destination known for its natural values.

This land has been zoned rural and I first and foremost strongly oppose any rezoning as this will have a huge detrimental effect and sets a precedent opening the floodgate to more development in this now pristine landscape as you enter our shire. A development of this size will irreversibly change the character of this area.

I appreciate the design concept and the environmental considerations and proposals associated with the design of this development as well as the planned revegetation, but again it is the wrong location. In addition, many locals think it is only a wave park and aren't aware that a huge resort is attached to it and/or they are confusing it with the much needed Splash Water Park in town which I fully support as this amenity would be open and affordable to all families, both locals and visitors alike. In contrast, North Break Wave Park will be too expensive at ~ \$69 -\$160 per hour for many locals to use.

Wrong Location

- Low-lying sites, like the one proposed by the wave park, are extremely vulnerable to storm surges and rising sea-levels. Council's *Climate Hazard Adaptation Strategy (CHAS)* objectives explicitly include the need to minimize such impacts on tourism, and limit impacts on assets and infrastructure (including new developments).
 - New environmental modeling predicts that much of the proposed wave park will be underwater by 2100. This finding is based on the latest Coastal Risk Australia interactive mapping tool which predicts coastal flooding resulting from climate change. It contains updated information from the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report Update 2021 (see coastalrisk.com.au/viewer). This data is more recent than Council's CHAS modeling which we understand has been used by the proponent to inform the assessment.
 - Council has a moral obligation to protect the community and its ratepayers from approving developments in such high-risk locations which are known to be highly vulnerable to inundation.
 - As mentioned above the Douglas Shire Planning Scheme zones the proposed wave park's location as rural. A high-density resort is inconsistent with Council's scheme and in opposition to the local residents who fought hard to maintain the zoning as 'rural'.
 - The high-density development and artificial aspect of a wave park in FNQ is not in keeping with the natural experience provided by the Wangetti Trail.
 - The wave park will incur ongoing costs to the community associated with extending sewerage and water supplies which will ultimately be borne by the Council and ratepayers.
- As I understand the original reason for this location was to be able to top up the pools from the Mowbray River/ocean with an onsite desalination plant in very dry times when their on site water storage is insufficient which they believe is adequate but of course remains to be seen. However, since this was rejected and as the proposed park no longer has access to the Mowbray River for its water supply, there is no sound reason for the development to be located at this site.
- No evidence has been provided of a commercially viable demand for an artificial surfing destination among FNQ's natural attractions; and there is no evidence of the proposal's long-term viability.
- If the venture should fail, there is potential for a publicly visible and large-scale environmental eye-sore on the otherwise scenic location.

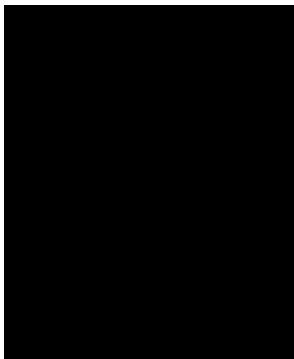
Environmental Impacts

- The effects of light, noise, traffic and increased human use will negatively impact the surrounding coastal, estuarine and foreshore habitats. The hours of operation in the proposal are until 8pm.
- We purchased our property in 1995 on Sherrington Road because it was zoned rural residential and because of the magnificent, uninterrupted sweeping views north toward Mossman and beyond. This development would have a huge negative impact on me personally both visually and with increased noise from helicopters flying overhead and noise generated from the wave machine. The lights which they hope to obscure by the 3 story hotel will change my outlook forever in addition to the increased dust, noise of heavy machinery and increased traffic during the ~ two year build .
- The adjoining land is designated as areas of national and state environmental significance and falls within the East Asian Australasian Flyway Path covered by international bilateral migratory bird agreements.
 - The hard infrastructure is likely to significantly impact ground and surface water patterns with flow-on impacts to surrounding areas, potentially further impacting estuarine and foreshore habitats and the Great Barrier Reef.
 - The proposal does not adequately acknowledge the cultural heritage values of the Mowbray delta and explain how these values in adjoining areas will be protected from flow-on impacts.

Lack of Public Consultation and impact of "overflow" into the community

- It is disappointing that the application has been advertised for public comment at the end of the year and at the start of the Christmas holiday period.
- Few residents have seen the roadside notice which is poorly placed in a 100kph zone and obscured from southbound and northbound traffic
- The proposal will impact patterns of use in the Mowbray area, with increased traffic and more tourists in this quiet rural setting.
- The social benefits for residents remain questionable due to the cost of amenities.
- Why should a private commercial development be allowed to put further pressure on the shire's limited resource of potable water, especially when residents often face water restrictions?

Kind regards,





Email: enquiries@douglas.qld.gov.au

Dear Sir/Madam,

Re: Submission against proposed development of North Break, Port Douglas

I oppose the proposed development titled Combined Application (Wave Park) applied for by Graben Pty Ltd (Application number: CA 2021 _ 4239/1) to be located at 5640 Captain Cook Highway, Mowbray.

I am against the development for the following reasons:

1. The proposed development will irreversibly change the character of the area

- Douglas Shire is internationally known and marketed as the gateway to two natural World Heritage areas - the Great Barrier Reef and Wet Tropics region. Visitors enter the shire via a breathtakingly beautiful scenic drive. As they round Yule Point the vista opens to the green sloping hills of the Mowbray Valley, its green cane fields and the entrance to Port Douglas.

A high-visibility, high-density resort with an artificially powered wave park placed at the entrance to the area is at odds with the experience of natural beauty and undermines the shire's reputation as an eco-destination.
- Creating a high density resort/apartments/theme park/'village' in a rural zone is inconsistent with the intent of the Douglas Shire Planning Scheme. The current zoning should not be changed. Residents have fought hard to maintain this zoning to retain the aesthetic, scenic and amenity values of this area. The current zoning appropriately reflects and protects these values. I do not believe the proposed buffer zone will adequately mitigate the visual and amenity impacts of a development of this scale. The proposal will also impact patterns of use in the Mowbray area bringing increased traffic and more tourists into the surrounding quiet rural setting.

2. It is inappropriate to approve development of new infrastructure on a site already at risk of cyclonic storm surges and known to be at extreme risk of inundation by rising sea-levels in coming decades

- The proposed site is at the mouth of the Mowbray river immediately adjacent mangroves which back on to a low-lying coastal shoreline. The development proposal would see infrastructure knowingly built in a storm surge area particularly vulnerable to seasonal cyclonic activity.
- Furthermore, new modelling predicts that much of the wave park will be underwater in 2100 (see Figure 1). The Coastal Risk Australia interactive mapping tool shows predicted coastal flooding resulting from climate change. It contains updated information from the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report Update 2021 (see coastalrisk.com.au/viewer). The IPCC is the world's authority on climate change. This data

supersedes Council's CHAS modelling and hazard mapping which I understand was used by the proponent to inform the assessment it has submitted.

- Council's Climate Hazard Adaptation Strategy (CHAS) objectives explicitly include the need to minimise climate change impacts on future tourism, and the shire's assets and infrastructure including new developments. The development is inconsistent with meeting this objective and with Council's Resilient Coast Strategic Plan (2019-2029) that aims to pro-actively manage the impact of coastal hazards now and into the future.
- Approval of the wave park is not only inconsistent with Council's own policies but ignores its own moral obligation to protect the community and its ratepayers from approving developments in high-risk locations vulnerable to inundation. Furthermore, it is questionable whether the proposal will be insurable under these circumstances. Who will bear the costs when natural events overtake the park's ability to function?

3. The environmental impacts of the proposed development on adjoining and nearby areas have not been appropriately assessed

- The applicant has failed to consider the impact of increased light, noise, traffic and human activity on the surrounding coastal, estuarine and foreshore habitats. These areas support a range of species including coastal birds, fish and other wildlife. The site is next to areas of national and state environmental significance.
- The development's hard infrastructure will affect ground and surface water patterns. Flow-on impacts will potentially affect estuarine and foreshore habitats that adjoin the Great Barrier Reef World Heritage Area. As a local I know the site well. The area is frequently water-logged and the proposed filling and creation of lagoons will divert and alter water patterns from an area that is essentially a 'sponge'. This sponge is naturally filtering water before it enters waters of the Great Barrier Reef. Diversion of water is likely to alter erosion, sedimentation and the potential stability of estuary banks and riparian vegetation.
- The proposed rehabilitation of sections of the site, although commendable, does not mitigate or out-weigh the impacts on the adjoining area which contains many sensitive habitats and species.
- Noise from the high-density development as well as the machine-driven generation of waves is likely to impact near-by human residents too. The applicant's response to further information says the: 'the surf park itself which generates its own noise from breaking waves ... will mask the helicopter operations to some extent'. As a Mowbray resident, we're very aware of how the already existing highway noise travels throughout the valley bounced along by its natural amphitheatre of hills and gullies. Such noises will irreversibly change what is currently a much quieter rural setting.
- The proposal also does not adequately acknowledge the cultural heritage values of the Mowbray delta or explain how these values, located in adjoining areas, will be protected from flow-on impacts. I understand that the Mowbray River – Yule Point area is significant to local Traditional Owner groups.

4. Justifications for selecting this site do not stack up

The current site was selected for a number of reasons. I believe, these include: having access to water from the Mowbray river; being far enough away from urban areas to mitigate the impacts of light, noise and traffic; convenient proximity to the Wangetti trail; and repurposing the use of poor quality agricultural land. These justifications, however, do not stand up to scrutiny.

- Although the developer's original plan was to draw water from the Mowbray River, the proposal now intends to access the Shire's potable water supply to fill its lagoon and supply the development. Placing it next to the Mowbray River to facilitate access to a water supply is no longer justified.
- The high-density development and artificial aspect of a wave park in FNQ is not in keeping with the natural experience provided by the Wangetti Trail. The rationale for linking a high-density large-scale tourist development (including a 164 room hotel complex and 90 self-contained units) to that of the Wangetti Trail is questionable.
- The justification for not placing the proposed development near urban areas – light, noise and traffic impacts – also justify not placing it immediately adjacent a sensitive foreshore area or in a rural and scenic setting where residents have fought hard to retain these qualities.
- I appreciate the site is 'not considered high quality agricultural land', however, I am sure that much of the agricultural land in the shire falls into this category.

5. Poor community consultation

There appears to be little awareness within the community of the scale of this development and that the wave park is linked to a hotel complex, units, tourist park, village precinct and a helipad. I believe, there is also confusion between two seemingly similar sounding proposals – the 'wave park' and the 'splash park' – but with very different ramifications.

There also appears to be little awareness that the wave park proposal is currently open for public comment. As a Mowbray resident I wasn't even aware that submissions were open until I was told by a resident who lives next door to the proposed site. This is despite the fact, that I drive past the site almost daily. On re-checking the area, I found a there was a public notification sign but it is difficult to see (see **Figure 2**).

6. Safeguards for the future

We have many examples of failed developments in the region and I am concerned that there are no safeguards in place should the development fail during or following construction. This is such a vulnerable location subject to coastal hazards and with risks that will only increase over time (storm tides, sea-level rise).

There is no sound marketing research providing evidence of a demand for an artificial surfing destination in FNQ (this is not what attracts people to the region); and no evidence has been given on the long-term commercial viability of the proposal.

I do not believe any development should be approved in such a vulnerable and high risk location. The costs to mitigate these risks will only continue to increase over time and we may end up with a very ugly abandoned development at the gateway to our beautiful shire.

Yours sincerely,

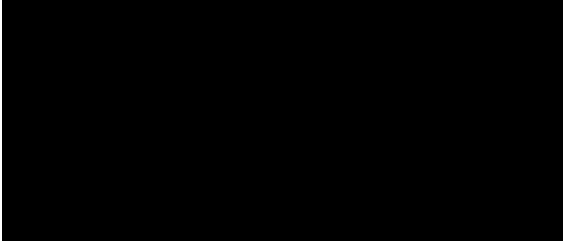


Figure 1. Screenshot from [Coastal Risk Australia 2100](#)

This mapping tool predicts coastal flooding from climate change using data from the IPCC sixth assessment report update in 2021. The Douglas *Climate Hazard Adaptation Strategy* and coastal hazard maps were produced in 2018 and do not have the benefit of this latest data.

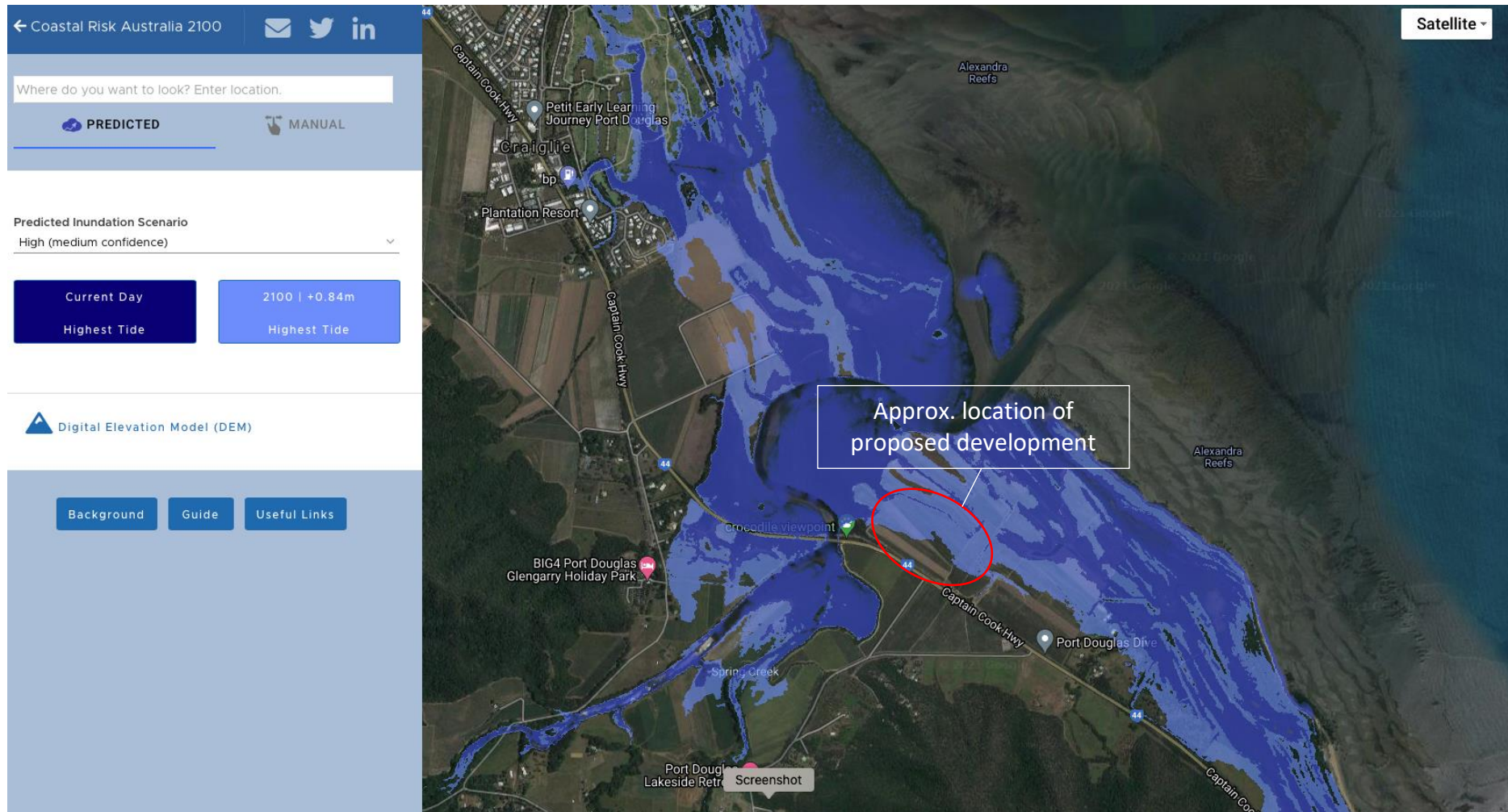
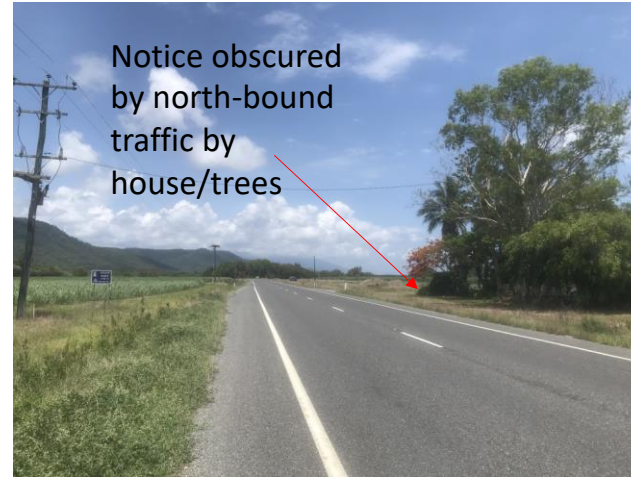
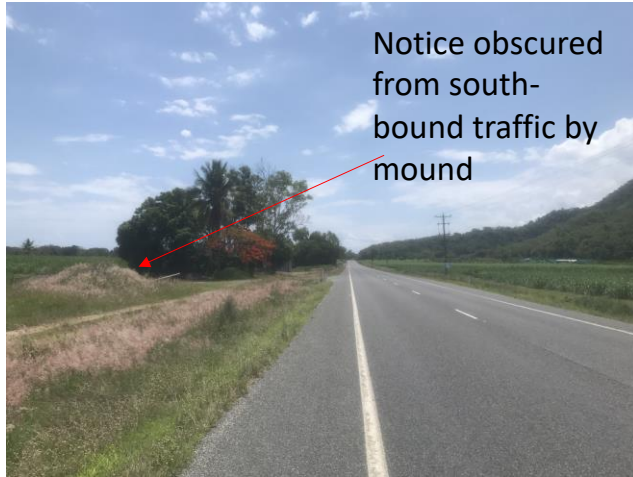


Figure 2. Public notice for submissions is poorly placed making it difficult to see



The public notice is set back from highway and is obscured by a mound and trees/house. This is 100km/hour zone making it very easy to miss.

From: [REDACTED]
Sent: Monday, 13 December 2021 4:30 PM
To: Enquiries
Subject: Submission against proposed development of North Break Port Douglas

To: The Assessment Manager, Douglas Shire Council.

Submission against proposed development of North Break Port Douglas

Proposal: Combined Application (Wave Park)

Applicant: Graben Pty Ltd

Application Number: CA 2021 _ 4239/1

Address of Development: 5640 Captain Cook Highway, Mowbray

I wish to lodge a submission against the proposed development of a Wave Park and Resort at 5640 Captain Cook Highway, Mowbray, comprising a wave park and ancillary facilities, a 164-room hotel, 90 self-contained units, a village precinct, a tourist park with up to 30 cabins and a helipad.

I do not support the proposed development for the following reasons:

- The negative impact it will have on the region's amenity and scenic values at the gateway to the shire.
- Its location on a low-lying site is highly vulnerable to storm surge and rising sea-levels
- It is inconsistent with the area's rural zoning which local residents have fought hard to maintain. A development of this size will irreversibly change the character of this area.
- Inadequate environmental assessment of impacts on the surrounding sensitive coastal and estuarine habitats. These include the effects of increased artificial light and noise, vehicular access and human intrusion, as well as the flow-on impacts of changed ground and surface water patterns.
- The impact of increased traffic and more tourists in the wider area of Mowbray's quiet rural and bush settings.
- The social benefits for shire residents remain questionable due to the cost of amenities.
- The development will put further pressure on the shire's limited potable water resources.
- There is little evidence of the proposal's actual commercial viability.

Additionally, there are two similarly sounding but dramatically different proposals vying for public attention at this time. There is confusion among local residents between the Port Douglas Splash Park proposal – a community-oriented swimming facility for general public use; and the Wave Park proposal – a large scale high-density commercial development. This is likely to affect the number of submissions received about this proposal.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Monday, 13 December 2021 9:01 AM
To: Enquiries
Subject: Attention Environment & Planning Department re Development Application CA 2021_4239

Attention: Paul Hoyer
Manager Environment & Planning
Douglas Shire Council

Dear Mr Hoyer,

RE Development Application CA 2021_4239

I am writing as a resident of Douglas Shire to comment on the plans for proposed development with details as below:

Property Address: CA 2021_4239 5640 Captain Cook Highway Mowbray
Applicant Name & Address: Graben Pty Ltd, C/- RPS Australia East Pty Ltd, PO Box 1949, CAIRNS QLD 4870
Proposed Development: Combined Application (Wave Park)
Level of Assessment: Impact

Public Notification: Yes! make reference to your letter to the proponent on 17th August 2021 in which you have described the constraints of the development application in terms of its assessment INFORMATION REQUEST (Given under Section 12 of the Development Assessment Rules)
Council refers to your development application that was received on 12/07/2021. The development application seeks a Development Permit for Resort Complex, Outdoor Sport & Recreation, Short-term Accommodation, Food & Drink Outlet, Shop, Tourist Park, Helipads & Caretaker's Residence to be undertaken generally as indicated in the Master Plan Diagrams submitted with the Application.

The Master Plan Diagrams are high level concept plans provided at a scale which convey the overall development intent but are not suitably detailed to facilitate an assessment of the proposal. Floor plans and elevations are provided for the Resort Hotel however these plans would appear to be preliminary in nature and lack detail as to what is taking place or proposed around the Resort Hotel and Wave Park.

Similar comments apply to the proposed Tourist Park which is conceptually represented on the Master Plan without further detail provided.
Similar comments apply to the access and parking arrangements. The scale of the Master Plan illustrating parking and access arrangement don't allow an assessment to be undertaken. As an example, it is understood the parking areas are intended to be covered spaces with solar panels. The report advises compliance is achieved with the 40m setback from the State-controlled road and refers to the Architectural Plans. This would not appear to be the case.

There are numerous examples whereby insufficient detail is provided to enable an assessment to be undertaken. This is particularly evident when reviewing the responses to the assessment benchmarks in the applicable codes.

It appears that the proponent attempted to address these concerns raised by Douglas Shire Council Environment & Planning in terms of the lack of detail presenting constraints for assessment purposes in a followup communication late October/early November (undated communications).

However this followup communication did not address other concerns generated by referral to Queensland state government departments and agencies: namely:

Matters of Interest for all selected Lot Plans Coastal management district
Matters of Interest by Lot Plan Lot Plan: 123SR687 (Area: 402200 m2)
Coastal area - erosion prone area
Coastal area - medium storm tide inundation area
Coastal area - high storm tide inundation area
Queensland waterways for waterway barrier works
Regulated vegetation management map (Category A and B extract)
State-controlled road Area within 25m of a State-controlled road

Therefore I am writing to Douglas Shire Council Environment & Planning to state as a local resident that:

Firstly, in my opinion, the matters of interest as mentioned above are of primary concern given the location of this proposed development that:

is adjacent to the Mowbray River that flows into the Great Barrier Reef lagoon, and adjoins mangroves (crocodile habitat).

Any erosion would contribute to the volume of silt contained in runoff from the Mowbray River in the Wet Season floods. This could detrimentally impact coral reefs and beaches. Storm tide inundation could exacerbate the same.

Secondly, in my opinion, the location of the above proposed development is adjacent to the Wangetti Walking Trail that is currently being constructed between Palm Cove and Port Douglas. However the concept of the Wave Park is antagonistic to the overarching concept of the nature-based experience of the Wangetti Walking Trail.

Thirdly, the Development Application does not demonstrate any sensitivity to the surrounding environment nor does its Wave Park development concept enhance the natural surrounds. For all three reasons above, the Wave Park as outlined in this Development Application is not a sustainable development concept or a sustainable development.

Douglas Shire has claimed the fame of being Australia's first ECO Destination Certified region and states that:

the Douglas Shire has demonstrated a strong, well-managed commitment to sustainable practices and provides high-quality nature-based tourism experiences within the region.

If this development application is approved, it will negate the ECO Destination certification.

For all of the reasons above, I am totally opposed to this Development Application.

Yours sincerely,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Sunday, 12 December 2021 12:14 PM
To: Enquiries
Subject: Fw: Port Douglas Wave Park

From: [REDACTED]
Sent: Sunday, 12 December 2021 12:05 PM
Subject: Port Douglas Wave Park

From: [REDACTED]
Subject: Port Douglas Wave Park

From J [REDACTED]
[REDACTED]
[REDACTED]

Regarding the proposal for the new wave park, we need to register our disapproval for this project.

Where is all the water needed to run this going to come from ? How sustainable is running this huge project going to be. Where are all the workers going to live ? Surely there's not sufficient parking planned.

We believe it would be a total blot on the landscape bringing no benefit to local people and are firmly against the project.

Thank you. [REDACTED]

 Virus-free. www.avg.com

From: [REDACTED]
Sent: Monday, 13 December 2021 4:31 PM
To: Enquiries
Subject: ATTN: The Assessment Manager, Douglas Shire Council.

Submission against proposed development of North Break Port Douglas

Proposal: Combined Application (Wave Park)
Applicant: Graben Pty Ltd
Application Number: CA 2021 _ 4239/1
Address of Development: 5640 Captain Cook Highway, Mowbray

I wish to lodge a submission against the proposed development of a Wave Park and Resort at 5640 Captain Cook Highway, Mowbray, comprising a wave park and ancillary facilities, a 164-room hotel, 90 self-contained units, a village precinct, a tourist park with up to 30 cabins and a helipad.

I do not support the proposed development for the following reasons:

- The negative impact it will have on the region's amenity and scenic values at the gateway to the shire.
- Its location on a low-lying site is highly vulnerable to storm surge and rising sea-levels
- It is inconsistent with the area's rural zoning which local residents have fought hard to maintain. A development of this size will irreversibly change the character of this area.
- Inadequate environmental assessment of impacts on the surrounding sensitive coastal and estuarine habitats. These include the effects of increased artificial light and noise, vehicular access and human intrusion, as well as the flow-on impacts of changed ground and surface water patterns.
- The impact of increased traffic and more tourists in the wider area of Mowbray's quiet rural and bush settings.
- The social benefits for shire residents remain questionable due to the cost of amenities.
- The development will put further pressure on the shire's limited potable water resources.
- There is little evidence of the proposal's actual commercial viability.

Additionally, there are two similarly sounding but dramatically different proposals vying for public attention at this time. There is confusion among local residents between the Port Douglas Splash Park proposal – a community-oriented swimming facility for general public use; and the Wave Park proposal – a large scale high-density commercial development. This is likely to affect the number of submissions received about this proposal.

Yours sincerely,

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

From: [REDACTED]
Sent: Tuesday, 30 November 2021 6:30 PM
To: Enquiries
Subject: Application reference: CA 2021_4239/1

Good afternoon,

We just wanted to throw our full support behind this application. The proposed surf park and resort will help attract new people to our region and help reposition Port Douglas as an amazing destination for adventure seekers, rather than just a resort town next to the reef and rainforest.

This attraction will bring people to Port Douglas that may have never considered visiting the region. They will come from all over the world!

We know that many of the Port Douglas Gran Fondo Festival participants and their families will visit and enjoy this venue and it will provide another reason for them to visit Port Douglas. We wish the developers behind this amazing venture all the very best and happy to talk to anyone about our support of the proposal.

Regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

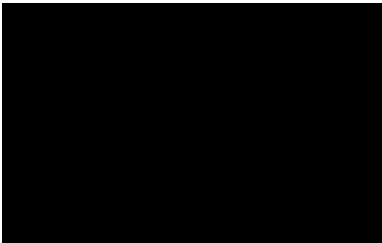
[REDACTED]

Urban growth should be restricted to places that are generally areas more difficult to farm and that have limited natural beauty such as Townsville. But frankly, above, I believe. Australia needs to stop growing in population and development. I don't want to live in a city. I don't want to live in a country that only has pockets of natural beauty. I want to live in a country with healthy ecosystems undisturbed by human abuse and disregard for other life forms. Human lifestyles these days are ultimately 95% pollution. Having recently decided to try going plastic free I went to the supermarket for my first shop and found almost nothing I could buy that didn't include plastic. A few fruits and vegetables, one brand of toilet paper and the odd cardboard box of things like bicarb soda. Literally everything else contains plastic. And when you realise that everyone in that supermarket will be taking home anywhere between 25% and 40% of plastic in their shopping, that's a disturbing realisation.

With more people and more development, we are simply doing harm and we are destroying the natural beauty of the shire.

A few weeks ago, on my drive back from Townsville, I took a detour via Paronella Park and was told by the information centre in Tully that this road was once the A1 highway. It was a delightful drive. Driving that route was a small tangible reminder of what has been lost all over the region.





8 December 2021

Douglas Shire Council
PO Box 723
Mossman, Qld 4873

Sent via email to: enquiries@douglas.qld.gov.au

Dear Sir / Madam

Submission in Support: NorthBreak Resort Development, 5640 Captain Cook Highway, Mowbray, QLD

The proposed NorthBreak Resort is the type of development that the region needs to rebuild the tourism economy post Covid.

This type of development is consistent with the strategy outlined by the Queensland Governments Tourism Recovery Panel. They are looking for “opportunities for new products and experiences, including shovel ready projects capable of spurring investment, rejuvenation and visitation”. It is also consistent with the strategic direction of the Federal Governments “Thrive 2030 – The reimagined Visitor Economy”.

The really unique part of the proposed development is the creation of a world class surfing wave in Port Douglas. This will attract domestic and international visitors to the region who may otherwise have travelled to Bali. This will broaden the appeal of the Port Douglas region and support the rebuild of the visitor economy.

The combination of the perfect winter climate and a world class surfing resort will differentiate Port Douglas from South-East Queensland.

Our region has had an incredibly tough two years, collectively we need to support visionary projects such as this for the many benefits it will bring.

Kind Regards,



12 December 2021

To: The Assessment Manager, Douglas Shire Council. Email: enquiries@douglas.qld.gov.au

Submission against proposed development of North Break Port Douglas

Proposal: Combined Application (Wave Park)

Applicant: Graben Pty Ltd

Application Number: CA 2021 _ 4239/1

Address of Development: 5640 Captain Cook Highway, Mowbray

I wish to lodge a submission against the proposed development of a Wave Park and Resort at 5640 Captain Cook Highway, Mowbray, comprising a wave park and ancillary facilities, a 164-room hotel, 90 self-contained units, a village precinct, a tourist park with up to 30 cabins and a helipad.

Loss of Amenity and Scenic Values

Douglas shire is internationally known and marketed for its natural attractions – as the meeting place of the Great Barrier Reef and Wet Tropics World Heritage areas.

Visitors enter the region via a breathtakingly beautiful scenic drive. As they round Yule Point the vista opens to the sweeping Mowbray Valley hills, open cane fields and the gateway to Port Douglas. A high-density resort/wave park at this location is at odds with the area's amenity and scenic values, and is not in keeping with the region's reputation as an eco-destination known for its natural values.

Wrong Location

- It is extremely poor practice to site developments on such low-lying coastal land adjacent to the mouth of a river. Low-lying sites, like the one proposed by the wave park, are extremely vulnerable to storm surges and rising sea-levels. Council's *Climate Hazard Adaptation Strategy (CHAS)* objectives explicitly include the need to minimise such impacts on tourism, and limit impacts on assets and infrastructure (including new developments).
- New environmental modelling predicts that much of the proposed wave park will be underwater by 2100. This finding is based on the latest Coastal Risk Australia interactive mapping tool which predicts coastal flooding resulting from climate change. It contains updated information from the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report Update 2021 (see coastalrisk.com.au/viewer). This data is more recent than Council's CHAS modelling which we understand has been used by the proponent to inform the assessment.
- Council has a moral obligation to protect the community and its ratepayers from approving developments in such high-risk locations which are known to be highly vulnerable to inundation.
- The Douglas Shire Planning Scheme zones the proposed wave park's location as rural. A high-density resort is inconsistent with Council's scheme and in opposition to the local residents who fought hard to maintain the zoning as 'rural'.
- The high-density development and artificial aspect of a wave park in FNQ is not in keeping with the natural experience provided by the Wangetti Trail. As the proposed park no longer requires access to the Mowbray River for its water supply, there is no sound reason for the development to be located at this site.
- The wave park will incur ongoing costs to the community associated with extending sewerage and water supplies. These will ultimately be borne by the Council and ratepayers.
- No evidence has been provided of a commercially viable demand for an artificial surfing destination among FNQ's natural attractions; and there is no evidence of the proposal's long-term viability. If the venture should fail, there is potential for a publicly visible and large-scale environmental eye-sore on the otherwise scenic location.

Environmental Impacts

- The effects of light, noise, traffic and increased human use will negatively impact the surrounding coastal, estuarine and foreshore habitats.
- The adjoining land is designated as areas of national and state environmental significance and falls within the East Asian Australasian Flyway Path covered by international bilateral migratory bird agreements.
- The hard infrastructure is likely to significantly impact ground and surface water patterns with flow-on impacts to surrounding areas, potentially further impacting estuarine and foreshore habitats and the Great Barrier Reef.
- The proposal does not adequately acknowledge the cultural heritage values of the Mowbray delta and explain how these values in adjoining areas will be protected from flow-on impacts.

Noise Impacts

- By the developer's own admission, the wave park will be so noisy that helicopter flights will largely be masked by the sound of breaking waves.
- Residents of the Mowbray Valley know from experience that noise from the highway carries up the valley and is amplified particularly with the prevailing south-easterly winds. In calm conditions residents hear cane harvesters operating and vessels heading out to sea.

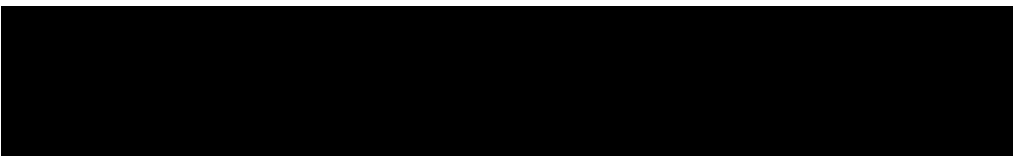
Lack of Public Consultation

- It is disappointing the application has been advertised for public comment at the end of the year and at the start of the Christmas holiday period.
- Few residents have seen the roadside notice which is poorly placed in a 100kph zone and obscured from northbound traffic.
- There is widespread confusion between the Port Douglas Splash Park and the wave park proposal which includes a hotel, units, village precinct, a tourist park and helipad. While the splash park is likely to provide free or low cost access to safe swimming facilities for the community; the wave park represents a much larger infrastructure development with proposed fees starting at around \$70 an hour - beyond the reach of most local families.

Community Costs and Concerns

- The proposal will impact patterns of use in the Mowbray area, with increased traffic and more tourists in this quiet rural setting.
- The social benefits for residents remain questionable due to the cost of amenities.
- Why should a private development be allowed to put further pressure on the shire's limited resource of potable water, especially when residents often face water restrictions?

Yours sincerely,



12 December 2021

To: The Assessment Manager, Douglas Shire Council. Email: enquiries@douglas.qld.gov.au

Submission against proposed development of North Break Port Douglas

Proposal: Combined Application (Wave Park)

Applicant: Graben Pty Ltd

Application Number: CA 2021 _ 4239/1

Address of Development: 5640 Captain Cook Highway, Mowbray

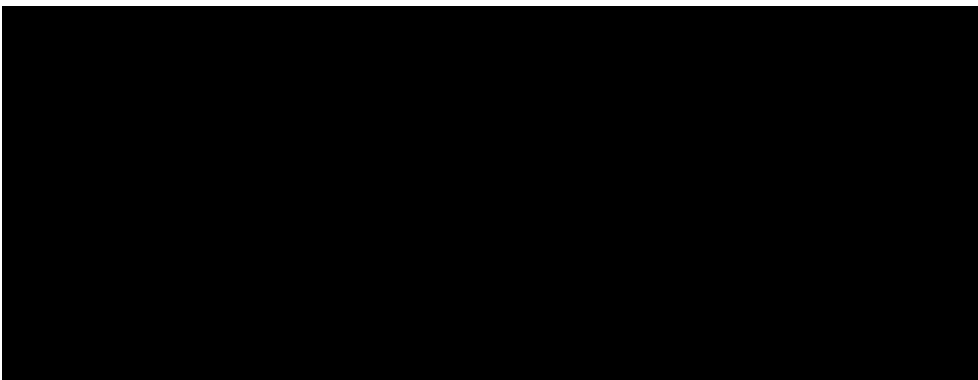
I wish to lodge a submission against the proposed development of a Wave Park and Resort at 5640 Captain Cook Highway, Mowbray, comprising a wave park and ancillary facilities, a 164-room hotel, 90 self-contained units, a village precinct, a tourist park with up to 30 cabins and a helipad.

I do not support the proposed development for the following reasons:

- The negative impact it will have on the region's amenity and scenic values at the gateway to the shire.
- Its location on a low-lying site is highly vulnerable to storm surge and rising sea-levels
- It is inconsistent with the area's rural zoning which local residents have fought hard to maintain. A development of this size will irreversibly change the character of this area.
- Inadequate environmental assessment of impacts on the surrounding sensitive coastal and estuarine habitats. These include the effects of increased artificial light and noise, vehicular access and human intrusion, as well as the flow-on impacts of changed ground and surface water patterns.
- The impact of increased traffic and more tourists in the wider area of Mowbray's quiet rural and bush settings.
- The social benefits for shire residents remain questionable due to the cost of amenities.
- The development will put further pressure on the shire's limited potable water resources.
- There is little evidence of the proposal's actual commercial viability.

Additionally, there are two similarly sounding but dramatically different proposals vying for public attention at this time. There is confusion among local residents between the Port Douglas Splash Park proposal – a community-oriented swimming facility for general public use; and the Wave Park proposal – a large scale high-density commercial development. This is likely to affect the number of submissions received about this proposal.

Yours sincerely,



Submission against proposed development of the Wave Park at Mowbray

13 December 2021

To: The Assessment Manager, Douglas Shire Council. Email: enquiries@douglas.qld.gov.au

Proposal: Combined Application (Wave Park)

Application Number: CA 2021 _ 4239/1

Applicant: Graben Pty Ltd

Address of Development: 5640 Captain Cook Highway, Mowbray

I wish to lodge a submission against the proposed development of a Wave Park and Resort at 5640 Captain Cook Highway, Mowbray.

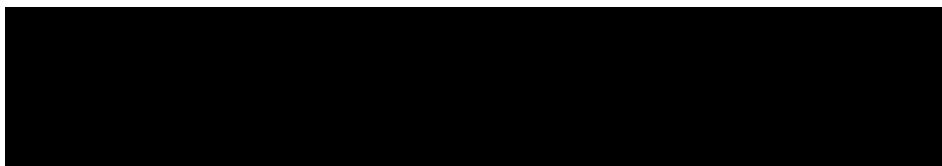
I believe the design is just a fantasy placed in an impressive natural setting, and as such really opposite to the sensibilities of this region. Can we have something else more natural? Or build such a resort in another location. Closer to a built up and urban area?

I believe that the building of this resort at this location will add many more people to the region which will urbanise the lives of those who live there including the Mowbray valley. I have not seen this addressed in the proposal, but effects of the resort on the quality of the lives of locals should be the highest priority.

In terms of economics, I have concerns that;

- The economic forecast for this resort does not account for probable tottering market due to travel costs, climate change, competing attractions. This was the case for the AQUIS resort proposal for Cairns in the 2010s, and I believe that the same mindset here. Such a mindset allows unsustainable proposals to go ahead which affects residents through higher real estate prices, rents, business loans to grow but leave the borrower over extended and so on. I ask the Assessment Manager to be sure that this economic stress will not be passed onto local residents.
 - If it is a high risk, then perhaps the proposal should not go ahead until the risk is addressed.
- Port Douglas resorts and businesses may well be disadvantaged as many visitors may stay at Wave Park, and then possibly move onto Cape Tribulation, by passing Port Douglas town.
 - Has this competition and possible loss to Port Douglas businesses been raised by the proposers and considered by people of Port Douglas?
- Finally, I believe that the cost to use the wave park is about \$50 to \$100 plus per hour. Please correct me if this is wrong. However, if this the case, then I believe that those proposing the wave park are likely misleading local residents, because many local residents are in favour of the wave pool because they would like to send their kids there. However, actually due to high cost, most residents will not be able to be regularly use the wave pool.
 - If this misleading is happening, then perhaps popular support by local resident families should be reviewed and discounted because perhaps many of them do not know that high costs will reduce their family's use of the wave park, and if they did, then their support would be less.
 - If this misleading is being done, then can we ask that the the proposers make a public statement about such high costs, so local residents and Council can reconsider such support before decisions are made.

Yours sincerely,



13 December 2021

To: The Assessment Manager,

Douglas Shire Council. Email: enquiries@douglas.qld.gov.au

Submission against proposed development of North Break Port Douglas

Proposal: Combined Application (Wave Park)

Applicant: Graben Pty Ltd

Application Number: CA 2021 _ 4239/1

Address of Development: 5640 Captain Cook Highway, Mowbray

I wish to lodge a submission against the proposed development of a Large Resort and Wave Park at 5640 Captain Cook Highway, Mowbray, comprising a wave park and ancillary facilities, a 164-room hotel, 90 self-contained units, a village precinct, a tourist park with up to 30 cabins and a helipad.

Loss of Amenity and Scenic Values

Visitors entering the region via a breathtakingly beautiful scenic drive as they round Yule Point the vista opens to the sweeping Mowbray Valley hills, open cane fields and the gateway to Port Douglas whilst still in the largely "North Queensland" scenery they have a chance to view crocodiles from the viewing platform on the South side of the Mowbray River enjoy the birdlife surrounding the river and with the new Wangetti trail being constructed perhaps go for a short peaceful walk up the Mowbray Valley. Now imagine this with a high-density resort/wave park at this location, the sound of wavepool hydraulics and crashing waves, helicopters taking off and general added noise created by more traffic and more people in the area I believe this is at odds with the area's amenity and scenic values, and is not in keeping with the region's reputation as an eco-destination known for its natural values.

The Douglas shire is world renowned for its natural attractions – as the meeting place of the Great Barrier Reef and Wet Tropics World Heritage areas.

Environmental Impacts

- The effects of light with the wave park being open until 8pm, noise from the wave park machine, traffic and increased human use will negatively impact the surrounding coastal, estuarine and foreshore habitats.
- The hard infrastructure is likely to significantly impact ground and surface water patterns with flow-on impacts to surrounding areas, potentially further impacting estuarine and foreshore habitats and the Great Barrier Reef. During the wet season a huge amount of water will be falling onto the impermeable surfaces of the development, although it has been noted that water will be captured in a reservoir, further studies need to be undertaken as the run off from the chlorinated pools and the addition of a large amount of fresh water (not containing nutrients as it would had it fallen on the land) into the brackish water of the Mowbray river mouth is likely to impact habitat.
- The proposal does not adequately acknowledge the cultural heritage values of the Mowbray delta and explain how these values in adjoining areas will be protected from flow-on impacts.

Noise Impacts

- By the developer's own admission, the wave park will be so noisy that helicopter flights will largely be masked by the sound of breaking waves.
- I myself have stayed with friends in the Mowbray Valley and know from experience that noise from the highway carries up the valley and is amplified particularly with the prevailing south-easterly winds. In calm conditions I have heard cane harvesters operating and vessels heading out to sea. Earlier in 2021 I heard the power box where the Osprey nests spark and catch on fire in the middle

of the night that's how much a small noise like that carries, the noise from this development will effect everyone in the valley.

Wrong Location

- When asked as to why this was the chosen location answers such as “Other areas that were thought of would have an impact on the surrounding residential areas”. As mentioned in points above this will have a large impact on not only residential properties close to the resort and wave park but will also stretch up the valley with southerly winds carrying the noise.
- It is extremely poor practice to site developments on such low-lying coastal land adjacent to the mouth of a river. Low-lying sites, like the one proposed by the Resort and wave park, are extremely vulnerable to storm surges and rising sea-levels. The “catchment area” itself is located at the lowest point to the site less than a metre above current high tide heights. Council’s *Climate Hazard Adaptation Strategy (CHAS)* objectives explicitly include the need to minimise such impacts on tourism, and limit impacts on assets and infrastructure (including new developments).
- New environmental modelling predicts that much of the proposed wave park will be underwater by 2100. This finding is based on the latest Coastal Risk Australia interactive mapping tool which predicts coastal flooding resulting from climate change. It contains updated information from the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report Update 2021 (see coastalrisk.com.au/viewer). This data is more recent than Council’s CHAS modelling which we understand has been used by the proponent to inform the assessment.
- Council has a moral obligation to protect the community and its ratepayers from approving developments in such high-risk locations which are known to be highly vulnerable to inundation.
- The Douglas Shire Planning Scheme zones the proposed wave park’s location as rural. A high-density resort is inconsistent with Council’s scheme and in opposition to the local residents who fought hard to maintain the zoning as ‘rural’.
- The high-density development and artificial aspect of a wave park in FNQ is not in keeping with the natural experience provided by the Wangetti Trail. As the proposed park no longer requires access to the Mowbray River for its water supply, there is no sound reason for the development to be located at this site.
- The wave park will incur ongoing costs to the community associated with extending sewerage and water supplies. These will ultimately be borne by the Council and ratepayers.
- No evidence has been provided of a commercially viable demand for an artificial surfing destination among FNQ’s natural attractions; and there is no evidence of the proposal’s long-term viability. If the venture should fail, there is potential for a publicly visible and large-scale environmental eye-sore on the otherwise scenic location.

Lack of Public Consultation

- It is disappointing the application has been advertised for public comment at the end of the year and at the start of the Christmas holiday period.
- Few residents have seen the roadside notice, which is poorly placed in a 100kph zone and obscured, from north and southbound traffic. I also noticed the sign had been removed at 3.30pm before close of business on today’s date 13th December 2021 which is the date when submissions were due.
- There is widespread confusion between the Port Douglas Splash Park and the wave park proposal which includes a hotel, units, village precinct, a tourist park and helipad. While the splash park is likely to provide free or low cost access to safe swimming facilities for the community; the wave park represents a much larger infrastructure development with proposed fees starting at around \$70 an hour - beyond the reach of most local families.


Community Costs and Concerns

- The proposal will impact patterns of use in the Mowbray area, with increased traffic and more tourists in this quiet rural setting.
- The social benefits for residents remain questionable due to the cost of amenities.

- Why should a private development be allowed to put further pressure on the shire's limited resource of potable water, especially when residents often face water restrictions?

Yours sincerely,





The Assessment Manager
Douglas Shire Council
PO Box 723
Mossman. Qld. 4873.

30 November 2021

Re: Wave Park Submission

Submission Reference CA 2021-4239

Applicant: Graben Pty Ltd
c/o RPS Australia East Pty Ltd
PO Box 1949 Cairns

Location: 5640 Captain Cook Hwy
Mowbray. Via Port Douglas. Qld 4877

Application: Combined application (Wave Park)

Dear Sir/Madam,

I write in support of the development application for this project.

Having reviewed the proposal, I consider this project can become a dynamic game-changer for the Douglas Shire.

Tourism remains the key driver of our economic base and the broad market mix attracted to a Wave Park in the tropics will not only support our existing tourism infrastructure but importantly, help invigorate our positioning and attract new markets. For years locals have looked for a summer water offering, and while the new Splash Park is a welcome addition, a Wave Park will be a drawcard that helps us retain our residents long term.

As a region we need to continue to evolve and refresh, and that means bringing in appropriate development that complements our environmental credentials and inspires both new and return visitation. The key benefits I see are:

- A major attraction that will support and complement the future Wangetti Trail product as well as strengthening the pulling power of existing tourism offerings
- Brings a new demographic/psychographic to the Douglas Shire with the potential to target multiple market segments (eg FIT surfers, families, surf schools, intra and interstate visitors)
- All-year attraction - we particularly need water-based summer attractions that drive longer and shoulder-season stays

The group appear to have addressed environmental issues appropriately, and are working on a Net Zero emissions principle which is key for any new development in Douglas.

Overall, I believe this attraction could become an anchor tourism product for the region in the same way that Skyrail has become key to the Cairns area - quickly becoming a "must do" for visitors and locals. I whole-heartedly give my support to its endorsement by council.

