

Counter Response By The Gold Coast Combined Chamber to Council's Investigation into Tiplers

This is a live document subject to addition as the result of further investigation comes to light

In his response to our questions, CEO Dale Dickson referred to Bold Futures, Sustainable City Futures, the Stradbroke Island Master Plan and the Tiplers Passage Master Plan, all substantial documents that most people would find difficult to wade through let alone absorb. In essence, a substantial amount of these documents deals with sustainable environmental management and conservation.

The Chamber submits its counter response as follows:

Council's agenda of greening our city at the expense of potential or established tourism sites or attractions requires close scrutiny and challenge, as is the case of Tiplers. While the Chamber recognises and supports responsible environmental management there are circumstances where a case-by-case study is required to formulate balance in accommodating the needs of the community that also represents an indivisible part of the environment council seeks to protect.

With 99.9% of South Stradbroke landmass remaining, landmass that unlike the Tiplers site was not a re-vegetated sand mining lease, there was ample opportunity for council to establish an eco-tourism site for considerably less than what Tiplers will finally cost ratepayers. There was also we believe no compelling need to fundamentally change the popular amenities of this well-established tourism destination.

While the Tiplers site may well be appropriate as a destination for accessing the island from a nature based recreation perspective, it also makes sound economic sense that the reestablishment of commercial facilities and amenities add additional benefits from the perspective of income generation, additional incentives to visit and employment. The two applications are not contradictory.

Costs

The Chamber accepts council's response regarding the costs related to the initial purchase, however, the explanation regarding ongoing costs, the use of council staff and the application of interest as part of the bottom line is somewhat perplexing and creative. To service the loan, ratepayers will pay \$3 per annum for possibly 15 years, a cost to them. How then can this component be set aside as part of the overall cost? The explanation as stated is unsatisfactory.

Valuations

If we accept the valuation at the time of purchase was appropriate, then it must also be considered what the valuation of the property is at this time.

With the predominant commercial application removed and the considerable time lapse since closure, any reestablishment of those facilities will come at significant cost in both construction and promotion to win back patronage.

As the site is leasehold the real value of any structure or surrounding environment is its ability to generate income. Council's current application is limited in this respect; therefore without

considerable capital injection and commercial risk, the current valuation would be considerably less than council's purchase price. These are some of the reasons that the Chamber has been consistent in pointing out that council is inexperienced in the complexities of commercial enterprise and should not engage in them.

Council's Future Intentions

On the surface, the Expressions of Interest for the Redevelopment of the Tipplers Precinct presents a way forward, however the Chamber has issue with the methodology in the use of a restrictive tender process. In particular part 9.1 that prevents proponents from advertising or causing to be advertised their concept.

Here we have a council under fire for a lack of transparency over a highly contentious issue where they appear once again to be locking the doors and denying proponents their right of choice to publicly share their vision or intellectual property. This is counterproductive. A wiser choice would be to open up the process and allow the community to judge what is in its best interest. Excluding the community as part of the decision-making process brought council and the community into conflict in the first place.

Stakeholder Consultation

In his response, Mr. Dickson again refers to a number of aforementioned council documents.

This was the essence of our question 18.

His response to this question was "You would need to provide evidence of the statement or statements to which you refer that I may properly answer your question".

The issue regarding consultation pertains to council's purchase and fundamental change to what Tipplers previously offered patrons.

In his Division 3 Newsletter, local area councillor Grant Pfoor wrote that there had been extensive consultation and listed the participants. The implication of the article was that this consultation process dealt with the current issue while in reality it applied to the Tipplers Passage Master Plan that had nothing to do with council's purchase or change of the site. The two are unrelated although council would have us believe they are. The chamber fails to see a relevant connection.

Mr Dickson's response would suggest there is a flaw in the line of communication between the councillors and the executive. Councillor Pfoor's Newsletter also validates the Chamber's charge that council is releasing misleading information.

While council has indicated there would be further consultation on the future of Tipplers, it is a retrospective step. Consultation with relevant stakeholders is long overdue. These stakeholders should include representatives from the Chamber, the Marine Action Group, Marine Queensland, associated tourism providers, the boating fraternity, adjoining leaseholders, the community, and environmental organizations.

Focus of the consultation process should not be exclusive to environmental issues but rather in achieving a balance where a broad range of community facilities pursuits and amenities can coexist to deliver what the community rather than council wants.

Media Comments

While we may all take issue with the media from time to time, its response to the Tiplers issue is an expression of public sentiment and outrage to council's decision. If council takes issue with the general reporting it should look to itself in its failure to adequately engage with the public, and consider that some councillors have perpetuated community anger by inflammatory public statements that border on arrogance.

The Chamber makes no apology in challenging them.

It has been publicly stated by various councillors including the Mayor that they are concerned that Tiplers may be taken over by elitist special interest groups, another misdirection, the Chamber's observation is that the largest special interest group is the broad community that is opposed to council's position.

CMC Investigation

While Mayor Clarke and councillor Pfoor are understandably relieved by the outcome of the CMC investigation, it was never an issue of the Chamber; there was never a question on our part of criminal intent or action.

From the perspective of the Chamber's issues with the Tiplers saga, the CMC inquiry was irrelevant. Mayor Clarke and councillor Pfoor should take little comfort in that outcome when they consider the Chamber's determination to pursue a just resolution to the matter that is the real issue at hand.

Question 3.

The allegation of anti social behaviour due to the excess consumption of alcohol is raised often as a key element that determined council's decision. Council has repeatedly been asked to substantiate these claims and to date has failed to do so. Denial of these claims by staff, management and patrons of the former resort as well as no record of such a complaint or referral to Police or State Liquor Licensing available, leads the Chamber to pose a similar request for evidence from Mr Dickson.

If such evidence were to be found, it would then be difficult to determine if such alleged behaviour was due to the consumption of alcohol supplied on the licensed premises or that brought and consumed by private boat owners either within or without the licensed area.

The Liquor act provides penalties for the inappropriate management of alcohol consumption by a licensee and the Chamber supports the oversight of that department in administering those regulations.

Question 4

Refers to questions 1, 2 and 3 and the Chamber thought that was apparent, however we trust this clarifies the question.

Question 5

Who refers to the person, not their position, therefore in answering the question does Mr. Dickson mean Warren Rowe?

Question 6.

While Mr. Dickson does have a point, it may have been simpler for him to ask Mayor Clarke and forward his response to the Chamber.

Question 7.

Council's expression of interest demonstrates the guidelines and conditions imposed on proponents. The thrust of the Chamber's question is does not council follow the same principles and guidelines or as expressed in a leaked email 'find a lazy 7 million' which is hardly an appropriate statement when dealing with public funds nor does it instil a confidence in council's seriousness in implementing good business practice.

Question 8.

Considering that no application for development was actually lodged and that council saw conceptual plans only, council's reaction seemed overplayed. There was ample time to assess any formal proposal and seek alternatives other than purchasing the property. According to information received by the Chamber any formal proposal would have had difficulty in gaining approval and that this was relayed to council officers. The Chamber will pursue this information and verify its authenticity.

We are however aware that officer Louise Robb in her report indicated that there was no need to purchase the property as there were already controls in place. This information led to question 13.

Question 9.

No contest.

Question 10.

No contest

Question 11.

Refer to question 8.

Question 12.

No contest.

Question 13.

Refer to paragraph 2 of question 8.

Question 14.

Refer to question 3.

Question 16.

No contest.

Question 17.

Refer to paragraphs 2, 3 and 4 of this counter response. The emphasis in the use of the site has changed from recreational to conservation denying a unique statement in social interaction that defined Tipplers and set it aside from any other venue and experience to be found in our city. Subsequent public reaction to council's decision indicates that the Tipplers experience should have been preserved.

The Chamber has received information from a reliable source that the information from Mr. Dickson in answer to question 17 is incorrect.

Below is the information supplied:

The lease for Tall Ships was extended on a year-to-year basis until an appeal was finalised, it did not expire. The appeal was against Department of Natural Resources for a shortened renewal period that Council insisted on to attempt to prevent development. Further the, site may not have structures at this point but it was always used in accordance with the lease for Tourism Purposes. Tall Ships have been held up for more than 5 years with development due to Council delaying the Master Plan.

There was NO consultation with stakeholders regarding that property changing to Conservation. The last draft seen by the leaseholder before a new plan went to Council showed the site as Tourism as it was in the current scheme. Somehow it changed to Conservation with no warning nor submission from stakeholders.

I would suggest that a junior Officer has misled Mr. Dickson in his response to this question. The entire response to the Chamber's request for an investigation is inadequate and dodges the questions, including Council's compliance with the Green Levy resolution.

Question 18.

Refer to Stakeholder's Consultation.

Question 19.

Refer to Stakeholder's Consultation.

Question 20.

Refer to Council's Future Intentions.

Question 21.

Refer to Costs.

I trust this counter response makes the Chambers position on Tipplers clear and outlines our determination to seek a just and broadly accepted resolution to the issue. Preferably we can enter into productive dialogue with council and jointly with relative stakeholders find an accommodating way forward.

Bob Janssen

President Gold Coast Combined Chamber Of Commerce Inc.