

# TAMBORINE MOUNTAIN PROGRESS ASSOCIATION

“Protecting the quality of living on Tamborine Mountain”

## ANNUAL REPORT - September, 2016

During the past year TMPA’s activities have been dominated by two court cases. Not surprisingly, the Gillion Pty Ltd. (commercial water extraction) court case has marched on relentlessly, whilst the Guanaba Experience court case launched by TMPA one year ago is still to move forward.

However, the big change came after Council elections in March. As with many small communities throughout the State, amalgamation of shires in 2008 adversely affected Tamborine Mountain. The notion of the mountain’s distinct character was lost in the new enlarged Council’s deliberations. Over eight years the gradual transfer of power and decision making to unelected distant Council bureaucrats meant that decisions were being taken by people who did not have an incentive to think outside the square to embrace widely diverse communities’ aspirations..

**Elections**.....Following a long tradition, TMPA, again together with the Eagle Heights Village Association, held a ‘Meet the Candidates’ function in the Zamia Theatre on 6th March. Five mayoral candidates and three candidates standing for Division One outlaid their credentials and visions for the shire and Tamborine Mountain. Afternoon tea was served afterwards when residents could chat to the candidates.

The elections brought about a seismic change in the role of mayor. John Brent’s dictatorial style, and consequently that of Council’s in general, was replaced by an energized Greg Christensen with a fresh approach and a strong vision for the shire’s future. To shape this he has been meeting with groups and organizations to better understand the diverse communities and their needs and expectations. A big change indeed. Our two Councillors remained in their respective positions.

Council meetings today present a far friendlier style. Whilst time will tell whether the upper bureaucrats absorb the notion of serving the electorate rather than the image of Council, there is ground to be optimistic.

To say that TMPA is quite pleased with this change in Council direction would be an understatement. As a community organization it supports and facilitates the aspirations of the broad mountain community – i.e. assisting people to have their say rather than just accepting upper level dictates. . Over the years questionnaires, responses to development applications & of course the basis of the 1997 Development Control Plan have all regularly indicated that people here prefer a particular lifestyle with values very different (proportionately) from any other area of similar size.

Currently our Local Area Plan was established by working from the bottom up. Questionnaires to each household established a good local basis which then had input from local, then State governments. The clearly set out 1997 DCP was rewritten in 2007 in a State Government required format. Unfortunately, as expressed by planners, lawyers, experts & not to mention the bewildered public, this Plan is a nightmare to negotiate. Ambiguities and subjective judgements are the main cause of the courts being clogged up with people arguing from both ends of the spectrum.

Over the past two years new plans for all the shires are being developed. A draft plan for Scenic Rim was uncharacteristically fast forwarded to State Government for its input before even the State Government had decided on its required guidelines. Consultations were held, but as this means only a handful of people come out to put forward their views, this could lead to skewed results.

The task ahead is to carefully examine the Draft Plan when it comes for public review. We don’t want to be caught with any surprises similar to the 2007 revision when a new category was slipped in “because it worked well in London”. Mayor Greg Christensen is adamant that changes can be made, both for Tamborine Mountain and the shire in general. TMPA will notify residents when the Plan is out for viewing.

In the same vein, we need to check what State Government is doing with the South East Queensland Regional Plan. This overrides the local Plan where there is an inconsistency. Bearing in mind what happened when the State Plan was first put out, close scrutiny needs to take place here as well as at that time we were nearly stuck with practically wall to wall quarter acre blocks. You'd think it would be easy – high plateau, no reticulated water, minimum but basic infrastructure and lots of green stuff. This seems to be a totally alien concept. Hence the need to be on full alert.

For TMPA, significant changes in Plans at both levels could present problems. To date decisions to become involved in perceived threats to the mountain's character rested on the Local Area Plan as a base guideline. It is the best formal indicator of the aspirations of the broad community. It is to be hoped that the new Plans closely align with the basic principles of current Plans. Loopholes and ambiguities spell big dollars for not only the residents but also Council. We will be keeping in close contact with the Environmental Defender's Office for professional advice and direction.

A 'think tank' was held at St. Bernards on 16th April and many suggestions were put forward and discussed. These will form a basis for advice to Council over the next year or so of TMPA's aspirations for change within its culture and processes.

### **Gillion Pty. Ltd. (Power Pde) – commercial water extraction**

Moving on from twelve months ago when Gillion's instant Appeal against Council's refusal (May 2015) drew in TMPA and 108 residents as Co-Respondents, the various stages of the court process has progressed at a snail's pace. Various court attendances saw revisions of the required timetable; documents were exchanged; further particulars were exchanged; experts met after reports were written; and a combined report was eventually issued. The next step, the required mediation session, is set for Friday September 9th. What we will be on guard for is any compromise with useless conditions being set. It looks like the case will go on to the trial stage.

What needs to be avoided is a precedent which gives the green light not only for the established commercial operators, but to others waiting in the wings.

**Other water issues**.....The Annual Report twelve months ago contained the following paragraph:

*With a view to having Tamborine Mountain considered a Ground Water Protection Management area by the State Government, several meetings have been held with representatives of the Director General on behalf of the Minister for Natural Resources. With our two Councillors in the lead we are making some headway. Unfortunately the process is far too slow but other alternatives are not available.*

This remains the position today. That is not to say people haven't made great efforts to move the issue forward. Our Councillors, Mayor, and the core working group which includes several skilled professionals have all slogged to make a difference. However, to date the Director General is maintaining his position of being satisfied with the "status quo".

Whilst the drivers themselves are considerate where possible, the tankers on our mountain roads are still an issue. TMPA is also watching with interest the SRRC v. Robert water court case where there have been alleged breaches of conditions set by Council. This had resulted after Council monitored tanker movements there. All this is costly for Council (with our rates), but to do nothing is even worse.

### **Guanaba Experience development**

Prompted by six strong experts' reports and strong community objections, TMPA filed an appeal against Council's approval of this inappropriate development proposal twelve months ago. More than two hundred residents formally supported this move. The case came before Court in December.

The developer's self referral to the Federal Department of the Environment (EPBC) just prior to the beginning of court procedures effectively stalled progress with the case. The EPBC's requirement for an additional biodiversity report by the developer took many months to hatch and this was open for public comment in July. Many people, including TMPA, put in lengthy and well researched submissions. As these were forwarded to the developer for his comments then submission the Federal Department of Environment, TMPA will be checking to confirm all residents' submissions have been dealt with and forwarded as required.

Since then the Save Guanaba sub-group has been busy collecting signatures for a petition to the Federal Minister for the Environment to reject the development in order to protect ecological communities and species of national significance.

The next court appearance was set for September 16th, but it will be no surprise if this is deferred once again.

### **Other issues and activities**

Other development applications dealt with were 43 Justine Ave (glamping tents) and tourist cabins in Alpine Terrace. As the Justin Avenue D A fell within the Local Area Plan, TMPA's submission covered the lack of detail in the plans. The Alpine Terrace cabins were Impact Inconsistent so TMPA's recommendation for refusal was based on insufficient detail in the plan sketches, siting of the cabins, size of the function facility & effluent disposal not sufficiently dealt with.

TMPA notified Council that apparent commercial activities in two large sheds in Eagle Heights were creating much angst in the area. These were approved under private certification and are having a detrimental effect on local amenity.

A fund raising working group has been established and is in its infancy. It was agreed that TMPA needs considerable funds to take on cases on behalf of the community. Whilst the latter has been very supportive and funds have been raised regularly, people shouldn't have to cough up every time some developer sees dollars in a development which negatively impacts on the local character and amenity. Here we look to a new Council firmer in its adherence to the Planning Scheme.

I wish to thank the many people who have helped with the Association's activities. Joining me and our hard working Secretary, Jennifer Peat, were Stuart Wright, Treasurer and Management Committee members, (Super Sleuth) Amanda Hay, David Henderson and Peter Wilson. Invaluable work has been done by the core Guanaba group, David and Lesley Sandiford, Jason Gray and Sarah Hanley and for this we sincerely thank them.

Thanks go out to the Association members and the many hundreds of people who have stood firm in their protection of Tamborine Mountain's qualities. It is the reason TMPA keeps going. All this goes to show how a sizeable community in spite of sitting next to two cities & being under constant development pressure has managed with great difficulty to retain a relaxed, environmentally friendly area valued by residents and visitors alike.

Jeanette Lockey  
Hon. President, TMPA