

## ANNUAL REPORT - September, 2018

The year has produced its usual lively monthly meetings with never a shortage of new topics to discuss. Numerous issues kept popping up and reports from our Councillors, Nigel Waistell and Nadia O'Carroll kept members up to date on Council matters.

These monthly meetings produced a variety of topics such as problems with a number of large sheds, unsatisfactory parking arrangements at the Palm Grove car park, the closure of NAB and the regular appearance of a proposed cableway to the hinterland. We received a grant from the Gambling Committee Fund to help produce newsletters and quarterly inserts in local papers. Members updated the meetings with activities such as the Observatory Project and the Main Street "Revitalization" Project.

The Biosphere project to focus on the constantly threatened environmental values of Tamborine Mountain was launched. Domain names have been registered and a committee has been formed. Noosa has achieved UNESCO recognized Biosphere status although the Mayor of Noosa states that this is a P R exercise only without any teeth. Pre amalgamation, TMPA had endeavoured to gain "Iconic Status" but unlike Noosa and Port Douglas was unsuccessful. Whilst these titles do not carry binding legal status, the public recognition helps to maintain community awareness and input to environmental and lifestyle threats.

However, a big noticeable change in the monthly agendas came in December when the Guanaba Experience court case was no longer a major issue for discussion. Having tenaciously battled on for four years, TMPA's Appeal in the Planning & Environment Court against Council's decision to approve this inappropriate Development Application finally reached the trial stage at the end of September, 2017.

Whilst we were unlucky to strike a truly unsympathetic judge at the final trial, the decision to pay for six good experts (Planning, Environment, Need, Bushfire, Traffic, Noise) to originally set the stage for the Appeal actually paid off. Over time the omissions in the original Development Application and the following convoluted course of inappropriate and questionable bursts of growth in the development application saw much band-aiding & patches being applied in an endeavour to correct and progress the proposed project. In the end, all this patching and changing didn't really solve the problem. There were too many short comings that had to be addressed.

It should be noted that many of the conditions were set after the May 2017 mediation session (with about thirty four lawyers & experts present) when it was obvious that the required detailed homework had been done mainly by our team of six experts. The teams from the developer, Council, SARA and Main Roads were awakened to glaring omissions and problems.

In the interests of being able to negotiate further conditions to some extent and to avoid a costs application, TMPA agreed to discontinue the case at the end of the September trial. With all conditions finalized at the end of November, ***over one thousand pages of conditions had been set.***

Faced with huge costs, even before opening, the developer has now sold and there are indications that the buyer will not be pursuing the sporting activities of Guanaba Experience. The land remains Conservation Protection, and identified features such as protected species, bush fire hazards, and an identified critically endangered rain forest area are now established by the court as attaching to this area.

The Progress Association wishes to thank the generous donors without whom we couldn't have launched the fight for the best possible outcome for Guanaba Gorge.

Gillion Pty. Ltd. (Power Pde.) – commercial water extraction.....People are constantly expressing amazement that this case is still running. The time line in the July 2017 Newsletter brought forth gasps of amazement. Well,... September, 2018 -- it is still running.

The trial in the Planning & Environment Court of the second round development application was heard at the end of September, 2017. Further submissions were made in November. The final judgment, due early in the year, was delayed because of a Brisbane appeal which the judge felt could have a bearing on the case. Consequently, further submissions were made in May. We now await the final judgment.

Over the past few years our worrying problems concerning commercial water extraction were discussed with representatives of the Department of Natural Resources. This reached the stage where comprehensive scientific data regarding the state of our aquifer was needed for State Government to seriously consider the community's concerns. Currently they are happy with "the status quo". For the required scientific data Griffith University's Dr. Lucy Redding is now overseeing a PhD student who is surveying water resources on the mountain. Some bore monitors have been installed, with more to come. Council is pitching in \$60,000 which is half the projected cost of \$120,000.

TMPA supported Council in another Appeal (Guerin v SRRC & Ors) regarding a division of a lot into two at the south end of the mountain. Two mediation sessions were held (November and January) and the trial (over three days) occurred in March. Council engaged a prominent outside expert town planner who took the strong view that further subdivision in the south end of the mountain was contrary to the planning scheme. This was upheld by the judgment in April which dismissed the Appeal. It reinforced the point that there was to be no further subdivision in the Mount Tamborine area (south), particularly in the Village Residential area.

TMPA lodged a submission to a development application for a wedding/events venue on Alpine Terrace, across the road from St. Bernards. This is in conflict with the Planning Scheme and the prospect of unwelcome noise and adverse effects on the quiet rural local amenity drew more than thirty objections. There are approximate thirteen wedding venues on the mountain.

Monthly Saturday afternoon entertainment sessions have been organized by Hilary Furlong using the Zamia Theatre and other venues. Topics have varied from details of the Biochar Initiative to the screening of the film "40,000 Horsemen" and scientific research on Baffin Island in the Arctic. .

The receipt of greatly increased land valuations in March created much concern in the community. Amanda Hay, with some very hard work, was able to help about 200 residents with responses which objected to unfair and inappropriate large increases. The Department of Natural Resources was very co-operative during the process and there were some reductions, but generally there was little change to the original notices.

We are waiting to view the new Planning Scheme which is still with the State department. When it is returned there will be eight weeks in which to view it and make comments. Careful scrutiny is essential.

This will be the first time a Local Area Plan has not been formulated beginning with a survey of residents' aspirations, likes and dislikes. Even the first Plan, the Development Control Plan of 1983, rose from the results of TMPA's broad questionnaire lodged with every household. Residents even then were concerned about keeping the semi-rural environment, preserving a small population, resisting "gold coast" type tourist attractions, and even establishing a Tree Preservation order for the mountain.

Similarly, the 1997 Development Control Plan had an initial input from the results of another questionnaire which each household received. This was a very detailed survey which covered e.g. reasons for choosing Tamborine Mountain, outstanding features of the natural environment, levels of support for environmental controls, worst features of the built environment and many more items. There was even a Tamborine Mountain visitors' survey which showed most visitors were attracted by the scenic drive, visiting National Parks and they considered the Mountain's views and clean air to be outstanding attractions.

To add to all this information the State Government initiated the Landscape Assessment of Tamborine Mountain in 1995 to help put together a Development Control Plan bearing in mind the outstanding unique features of the mountain.

These separate studies were all incorporated into the 1997 Development Control Plan. It is why TMPA refers to this Plan as the best indication of the aspirations of the residents who live here. The 1997 Plan was rewritten in a different format in 2007. Although basically the same, this revised highly complex version is generally considered by lawyers and planners as extremely difficult to navigate.

To this day, we have found that people off the mountain find it impossible to understand the different ethos and values of people who live here. . As the upcoming new Planning Scheme has been developed from the top down, with reputedly the State having seventy five per cent of the say, the soon to be revealed Plan, ostensibly for comment and criticism, is expected with a good measure of foreboding. .

The senior bureaucracy in Council has recently seen some changes. We have a new CEO, Jon Gibbons. The Senior Strategic Manager, Tony Magner and Senior Town Planner, Scott Turner have resigned. This means that with new people in these key positions, previously relatively poor relations here have a good chance of improving. The previous CEO was highly critical of any sources of perceived adverse publicity to the Council. This meant that he often clashed with the editorial staff of the T.M. News with its connection to TMPA. The T.M. News of course was sold in 2012. but the relationship remained poor. Tony Magner, who came across from Boonah with John Brent at amalgamation time, saw TMPA as a threat to the “reputation” of Council, and was instrumental in the attempt to close down the association after the notorious Hyacinth case. Scott Turner was appointed at the time of amalgamations and held many different planning values to Tamborine Mountain residents whose valid submission points were often routinely dismissed as “irrelevant”.

We look forward to new and improved relations with Council and the restructuring within Council should improve services to the constituents they serve.

I would like to thank the members and everyone else who has supported TMPA’s activities over the past year. Thanks go to the Management Committee and Executive for continued and often arduous input – Jennifer Peat (Secretary), Amanda Hay (Treasurer), Roly Lindenmayer, Stuart Wright, David Sandiford, Debbie Lindemann, Hilary Furlong, Derek Swanborough, Peter Wilson and David Henderson. Together we can take comfort that our efforts have continued to make Tamborine Mountain a better place in which to live.

Jeanette Lockey  
Hon. President,  
Tamborine Mountain Progress Association