

Annual Report

September, 2013

Several weeks ago a heavily vandalized directional plaque, having been restored to its former glory, was presented to the Historical Society so that it could be on permanent public display. It recorded a monumental effort by a small community to establish a road link from the mountain to the coast. It reads “The road from here to the bridge at the foot of the mountain was opened up by Tamborine Mountain Progress Association in 1958 with money and help supplied by local residents and interested people. It became known as the “do it yourself road”. It was taken over by the shires in 1960 and gazetted a main road in 1964”

**In 2015, Tamborine Mountain Progress Association will be one hundred years old.** In the early days, being a relatively remote community, residents looked after and guided their own affairs, and indeed, Tamborine Mountain was a separate shire until 1948. It has been this regular community input over the decades, spearheaded by its central organization, which has shaped an area quite unique in the country.

When the population was small it was relatively easy to muster activities shared by the broad community. But by the nineties when resident numbers started to grow at a fast rate, TMPA’s available working force started to spend more and more time on planning matters. These underpinned the mountain’s desired character. A new Development Control Plan which reinforced the mountain’s characteristics was implemented in 1997.

To enable residents to challenge development applications which breach the Plan, many pro formas containing formal points supporting the local amenity have been provided over the years. This advice often came from outside experts. Residents could then have an input without paying for similar advice sought by developers to satisfy their financial goals. Further inhibiting residents in participating in this process was the need to travel to Beaudesert and make sense of very large development applications. TMPA was able to provide this service. This line of action worked and we still have a nice place in which to live.

**This past year** has been relatively free of multiple court cases. During the term of the previous Council, we were dealing with three court cases at the same time. One was with Council, whilst the other two were challenges to Council decisions. They were - the giant supermarket (designed for 12,000 people) built in the wrong place (*for a full amazing history of the supermarket visit the TMPA section of [www.scenicrateratepayersassoc.org.au](http://www.scenicrateratepayersassoc.org.au)*); St Bernards re-development, and of course the infamous Hyacinth case.

**St Bernards** re-development is just sitting there. Nothing has happened regarding the two shopping sections and neither of the two built “cabins” (of approximately 30) has been sold.

Similarly, nothing much is happening at the **Hyacinth** site. There has been a possible buyer with plans for a more acceptable land sub-division, but nothing is firm yet. It should not be forgotten that this Association spent about six months trying to alert Council that there was something clearly wrong with final plans vastly different from the original approval. Finally in court, the Association won nearly the whole of the contested arguments but Council, with added expense, managed to salvage a small tiny lot subdivision totally in breach of the main zone codes. Council won this segment on the premise that it could do anything it liked. It has never been explained why the Mayor and CEO gave grossly inaccurate information to an enquiry by the State Government. Council wasted about \$300,000 of ratepayer monies.

Thankfully, there was no election this past year.

We did however have the battle against the **industrial sized water extraction** development application. Selling water off the mountain has been a concern for residents for a very long time. It came to a head with the application for industrial size water extraction in quiet leafy Power Parade. This was originally a small business operating to supply locals when their water ran out.

On 3rd May a judgement in favour of Council and residents was handed down. This long saga has now gone to the Supreme Court although the Gillion tanker is still operating, with set conditions. Numerous complaints from residents have been lodged regarding the tanker (879QRE) operating during peak school zones, thus allegedly breaching one of the conditions. Gillion has replied that DTMR advised that school peak times are 8-8.30am and 3-3.30 pm thus allowing the tanker to negotiate heavy school traffic at, e.g. 8.33 am. Council believes these are breaches and will be bringing the matter up in court on 6th September.

For such an important mountain matter with long term consequences, one could well wonder what if.....

- A neighbour (a qualified town planner and local policeman) had not pursued Council to take action regarding the expanding water extraction activities
- Neighbours had not spent time and money propping up Council in a battle to have a court judgement declare the water extraction at this site “unlawful” .
- Subsequently, Council bureaucrats had not published on its website a flawed report recommending approval to declare an “unlawful” business “lawful” (*a detailed report listing flaws in the report was compiled by ex-Councillor and engineer Phil Giffard. He urged Council to remove the item and produce a better one. Prior to an election, Councillors chose not to accept Council’s recommendation but the item stayed on the website*)
- Neighbours and other residents, including TMPA had not participated in the drawn out appeal in the Planning and Environment Court (*which was won last May.*)
- Gillion did not have at least nineteen permit extensions allowing her to continue operations

**Bateke Road** - Another water extraction business (Pure Mountain Pty. Ltd.) has applied to increase its activities lawfully to the same industrial level being applied for by Gillion Pty. Ltd. These tankers are also using Henri Robert Drive posing further risks on this very steep road. Council is probably waiting for the outcome of the Gillion case before it makes a decision on the application.

Towards the end on 2012 the hoary old chestnut, **the cableway**, reared its head again. Touted by Gold Coast businesses as the answer to their tourism push, this issue saw for and against articles in local and Gold Coast media for several months. For the mountain, the problems are the same as ten years ago. There is no suitable infrastructure here – no reticulated water or toilets and the mountain roads cannot cope with bus traffic required to ferry visitors on or off the mountain. Kuranda already had reticulated water, a scenic railway to complete a round trip and also is serviced by a four lane highway. The issue has been quiet for some time although in the current Gold Coast media, there is a move afoot to install a cableway from Burleigh to Springbrook.

**Kerry quarry** - The Association supported residents in quiet rural Kerry in their fight against very large expansion of a quarry there. Again, with elections looming and many cross shire objections, Councillors voted to reject the development application. Surprisingly, the developer did not appeal although there was much money at stake. The recent draft State Planning Policy lists a number of large areas to be reserved for mining and or quarrying. The Kerry quarry, now named Erin View, is one such site, although now even greater than the size asked for in the earlier application. Councillor Nigel Waistell has publicly opposed both this and the other greenfield site, Markwell Creek, but he is the only member of Council to do so at this time. It appears that any development application would come before the Council itself, although with expected heavy mining and government pressure, it would seem the residents face a never ending battle to preserve their chosen lifestyles.

The Council is currently upgrading the **shire's planning scheme**. Representatives of six organizations have met to formulate input into the plan and a response agreed to by all parties resulted in a submission to Council on 26th July. The broad aim of the 1997 Development Control Plan remains valid. This seeks to ensure that land use is ecologically sustainable and preserve the natural environment qualities, semi-rural lifestyle and amenity within the Tamborine Mountain Area. Council is to issue Direction Papers and a forum for Tamborine Mountain is scheduled for end of September.

The importance of a **Local Area Plan** is reflected in the outcome of the Gillion appeal in the Planning and Environment court. The refusal of this appeal was based strongly on its non-compliance with the planning scheme.

The TMPA will need to check that the new Plan is in keeping with the aspirations of the community and that there are no surprises. The last thing we want is to have a plan which leans to a one size fits all formula. This plan should underpin our desired local character and lifestyle, but this is not always how it works. Tamborine Mountain, with its scenic views and high quality land has long been a magnet for undesirable development proposals. So far people power has played a significant role and the Local Area Plan has been the best formal weapon available to the community. But there are serious problems ahead.

Over the years, at public responses and forums, consistent community concerns have been for the **environment, a population cap and water**.

**Water** – a big step in regulating this expanding off mountain business activity is currently being played out in the courts. We are all hopeful of seeing some better results in the not too distant future.

**Population Cap** (via adherence to the Local Area Plan) - here we have a problem with the nature of the Council we have inherited. We have a secretive Council whose main policy is for the Council to look good, if only superficially. Effectively it is run by distant bureaucrats with little understanding or sensitivity to the values of this community. Add to this the Mayoral policy of Board of Directors/corporate style of governance (as against representative government) then the strength of the community voice becomes greatly diminished.

Residents are tired of repeating the same thing over and over. Their aspirations for this area are contained in thousands of messages lodged in Council. The Hyacinth case alone has a separate large folder solely for resident objections and a flick through this leaves one in no doubt about resident views. Yet as each development application comes through, even when residents put in a strong response, Council will often allow breaches of the Local Area Plan, giving the developer his approval. Why?

Whilst we have two strong Councillors, a regular two to five voting split is unsatisfactory for the mountain, especially when it comes to our own local affairs. This is not a situation peculiar to Scenic Rim. Correspondence from Noosa associations and individuals shows a similar Council split and is exactly why the district fought for and won de-amalgamation from the regional Sunshine Coast Council.

With developers now heavily cashed up and determined to win through, battles such as we have had are becoming more expensive and out of the reach for most residents. This Association will continue to monitor breaches of our Plan, but we now have one more handicap.

Since establishing the **Tamborine Mountain News** in 1958 to disseminate news and coordinate activity to build the Oxenford Road, the Association either owned and/or managed production of the paper. The paper did, however, always have editorial independence. Looming possible mountain threats could always be quickly published to inform residents. Pro formas were quick to appear and residents have always strongly responded. Indeed, many regional experts have stated that the mountain community is well known for making its voice heard.

The paper was sold last September and now functions as a commercial enterprise. With a small profit margin the paper apparently has been unable to ignore Council demands on what it publishes. A Council motion that Council places paid advertisements mainly in papers that it likes appeared some time ago. However, even earlier, pressure was being applied to media outlets to run only Council doctored releases (from its media department). Criticism was to be avoided. When the TM News was put together by volunteers this was not a problem, as the editors could decide what to run according to content and available space. The editor of the Daily Star took a very dim view of Council interference in his publication and complained to the media regulation authorities.

Consequently, TMPA, which has regularly disrupted the comfort zone of Council mandarins, is now an organization to keep at arms length. Regular columnist, ex-Councillor and engineer Phil Giffard, was dropped like a hot potato. With the T.M. News having no definite editorial policy, we can no longer rely on the paper to provide satisfactory information, particularly regarding possible threats to the mountain's relaxed, semi-rural lifestyle.

As the current State Government policy is to facilitate all development applications, we may be in for a rocky ride.

As far as the **environment** is concerned, we face even more problems. Many development applications attract concurrence agency participation. Often it is the State Government Department of Natural Resources (DERM) which monitors the environmental aspects of development applications. Under the current develop-at-any-cost pressure by State Government (to cut "green tape") it is expected decisions by this department will be greatly watered down.

Also, DERM has been effectively neutered as various sections of environment management are now lodged in separate different departments. They have to struggle for support against competing activities. The parks people have been split off into at least four places, and now need to compete with "sport", "racing" "fisheries" and "forestry" etc.

The **Nature Conservation Act** which has been in place for sixty years or so, has always had enshrined as its cardinal principle the permanent preservation of natural values. This has now been changed so that when options for eco-tourism facilities are being examined, neither the cardinal principle nor a reasonable alternative need be taken into account.

It has been estimated that over 51 million people visited National Parks in Queensland in the past year. The peaceful enjoyment of nature obviously means a lot to a great many people. Allowing horse riding, mountain biking and other such adventure tourist activities to use pristine National Parks is like killing off the goose that laid the gold egg. We have a number of National Parks here, and we are very close to the Gold Coast tourist destination. Not a good sign.

So, whilst no doubt there will be a struggle for the Association to play an effective role in the future, as a registered community purpose organization we are bound to keep trying. Hopefully we will have a major win, maybe in the water saga, before too long.

I take this opportunity to thank the TMPA executive and management for their dedicated input and all the members and friends for their continued support. Who knows.....together we just might make that difference in preserving most of what we are lucky enough to have here. It is worth the effort.

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President,  
Tamborine Mountain Progress Association