

Newsletter.....August, 2020

Whilst some of our organizations have been cautiously reopening a little, TMPA, whose meetings are open to everyone, is still in temporary lockdown. However, we hope to open our meetings before long, albeit to a limited number of attendees.

After a very brief quiet spell we were again confronted with numerous seemingly threatening development applications. The management committee has been able to handle these with email conversations although three big ones coming at the same time really stretched our resources. TMPA, together with other residents have made submissions to Council.

1-11 Eagles Retreat Place

This development application was written up in the 2nd July issue of the Scenic News under the title "Council asleep at the Wheel". It is a splendid example of how Council officers can be caught by "innovative solutions" commonly used by developers to circumvent seemingly prohibitive regulations.

Seeking how to maximize profit from a very steep rainforest block on the unstable eastern escarpment, this developer sought the aid of one of the agencies well versed in coming up with answers.

Briefly, an application for a house on this site was refused by Council, no doubt because of the steep unstable terrain. The developer then obtained a Tribunal approval, thus over riding Council's decision.

On 5th February the developer applied for a Minor Change to build a tennis court.

On 19th March Council issued a Decision Notice approving the tennis court.

Also on 19th March the developer put in a development application to build 14 cabins.

On 20th March the developer applied for operation works to clear vegetation to accommodate the tennis court.

On 21st April, clearing of vegetation was approved by Council.

A Core Koala Habitat overlay covering this area was activated by the State on 7th February. The application for a tennis court was submitted two days earlier.

Because Council approved the tennis court, it was legally bound to eventually approve removal of 43 mature trees.

The plan for the 14 cabins (19/3) showed that three of the cabins were situated on the tennis court site.

The developer had been in negotiations with Council regarding the cabins since July 2017.

Since a robust response from residents regarding the imminent felling of the trees, many documents have disappeared from Council's DAP-Online site including all documents associated with the original cabins application.

Council might have more prudently sought to delay any approvals until they fully explored the mangled web of development applications. There is a large list of these plus the applicant company has changed its name several times. Clearly, some tricky manoeuvring has been taking place.

Neighbours have reported koalas in their trees.

There is currently a parliamentary petition in place for koala protection habitat.

Click this link to open the E-Petition:

<https://www.parliament.qld.gov.au/work-of-assembly/petitions/petition-details?id=3378>.

52-60 Wilson Road – (Coles earthmoving)

This is an application for Material Change of Use (Home Occupation – storage of Earthmoving Equipment).

An application for this residential site made in 2001 was approved by Beaudesert Shire Council. Approval was given for storage of a maximum of one truck, one excavator and three skid steer loaders. As this is residential land and in keeping with its long established practice of considering future repercussions, TMPA objected to this application. Several councillors asked that their dissent be recorded in the minutes.

Population growth on Tamborine Mountain took off in the 1990's. Blind Freddie could have seen that such an industry would grow exponentially in the coming years and should not have been positioned in a residential area.

And grow it did. Over the past eighteen years its earthmoving capacity has expanded to now three trucks including a large semi-trailer size truck, ten five meter trailers, heavy earth moving equipment such as excavators, low loader, bobcat plus gravel, rocks, earth materials, heaps of dust, noise issues and fuel fumes.

Council issued a "show cause" notice on 20th May, 2019 noting that site usage has substantially expanded and is now operating in non-compliance with conditions outlined in the original notice. It issued an Enforcement Notice in October for non-compliance with approval TP/1221. The applicant now seeks approval for the site's increased activity.

Why is this application of serious concern not only to surrounding residents and TMPA but also to the wider community?

Under the new Planning Scheme, the site is designated Rural Residential. In earlier Planning Schemes this very large area was zoned Village Residential. In keeping with the strategy of distinguishing the north end of the mountain from the south, Planning Schemes recognized that because nearly all the infrastructure is situated in the northern end of the mountain, denser sub-division and smaller lots should be situated there.

Consequently, to maintain a valued rural character for the mountain, blocks for residential use in the south end have remained larger. Except for the Golf Course Estate, all residential blocks in the south end are one acre or more.

Planning advice is that this application is Inconsistent Development for a rural residential locality. The original approval was for a small scale *Home Occupation* and anything larger would have come under *Heavy Vehicle Parking, Storage and/or Maintenance Area*. Heavy vehicle parking under the Scheme was not permitted in any residential and rural residential zones.

The use has substantially expanded, is not subordinate to the dwelling or residential function and operates as an independent and substantial use of an industrial nature. The original approval made no mention of the site being used for operation of a commercial business. "Storage" means laying up for future use. However, daily use of this equipment and associated vehicles moving in and out of the property more appropriately comes under the title of a commercial business of an industrial nature. Neighbours' properties are negatively affected.

If this goes through it will create an undesired precedent which can impact on a very large number of residential sites. More people who have sought a quiet semi-rural lifestyle would lose aesthetic value, amenity and enjoyment of their properties due to industrial activity close by. People would find their properties devalued..

Also, if widespread industrial activity and associated businesses in this large residential area takes off, degradation of the mountain's rural character will likely take place.

Any approval of industrial activity in amongst residential sites opens the door for unknown further similar applications. Had this been in place earlier on we probably would have lost the Gillion commercial water extraction court cases. The Gillion site sits in the same zoning area and allowed industrial activity there meant we would have had little chance of stopping the extraction in a residential street.

Whilst the welcome twelve month water Moratorium is in place, we do not know what the future holds especially if the State government remains satisfied with its status quo stance. Next year the water extraction site on Bateke Road, currently dormant, will most probably again attempt to establish off mountain water commercial water extraction action if only by an indirect route. And who knows what else is in the wings.

Tamborine Mountain attracts one to two million visitors each year. A commercial business in residential areas opens the door for a raft of possibilities. And judging by the extreme interpretations used by lawyers in court cases, any sanction of business activity on this residential site could go anywhere.

This matter is scheduled for the next council meeting next week, 19th August. If anyone is concerned that industrial activity might pop up next door or close to them, phone Thor Nelson, Team Leader Development Assessment, SRRC, - 5540 5435, or thor.n@scenicrim.qld.gov.au

Round World Pethers Pty. Ltd., (28b Geissmann Street)

This development application seeks to add ten more cabins to the existing ten. This establishment is accessed via a gravel unsealed road. Much of the site is mapped as Category B, remnant vegetation. It is further identified as containing Of Concern Regional Eco systems.

Geissmann Street functions as a residential/rural residential access road. Doubling the number of cabins potentially doubles traffic on a very quiet street. Neighbours are objecting to the already existing large dust problem caused by the gravel road. The dust settles on neighbouring roofs and works its way into water tanks. This enterprise has been bought by a large consortium which now owns the land through to Beacon Rd.

Water on Tamborine Mountain

Due to the unusually wet winter, the mountain has escaped the water shortages which usually occur around August. For many years our annual garden club festivals have experienced problems with water supply in maintaining our open gardens leading up to the September festivals. Ironically, in this season of water abundance, our Springtime on the Mountain festival has been cancelled due to the pandemic.

The Minister for Natural Resources, Mines & Energy, Dr. Anthony Lynham, has written confirming the Moratorium on new bores allowing time for QUT to provide better sciences upon which to base any future management options. To inform these considerations, DNRME undertook a tour of key sites on the mountain in January and officials have met with senior officials at Scenic Rim Regional Council, commercial water extractors and water carting operators, Coca-Cola Amatil representatives, a lead representative from QUT and key personnel from the bottled water industry. A key focus of the discussions has been greater public transparency in industry information, in particular with regard to volumes of water extracted.

Further, he states that QUT is in the process of updating the groundwater science for Tamborine Mountain with funding from Council and in-kind support from DNRME including through the installation and monitoring of gauge boards that have been recording streamflows at key locations on the mountain. The study is expected to be finalized early in 2021 and will provide an enhanced understanding of the groundwater resource.

Our State member Jon Krause has also taken a keen interest in the mountains water problems and has met with representatives of TMPA. He supports the Moratorium insofar as the State has finally acted on concerns raised over a long period about management of groundwater on the mountain. He advises that he wrote to the Minister in November and December 2019 about our water issues but did not receive any replies. Mr. Krause remains concerned that this action by the State may not actually increase the availability of water supply for local mountain residents, an issue that will arise again if dry conditions continue to occur.

Other matters.....**Beaudesert**

Up till the 1990's, Beaudesert had a large thriving meat processing industry. This was bought by a larger company and moved to Ipswich. Since then, Beaudesert has, in effect, "died".

However, in expectation of a population increase there, Council's Beaudesert Town Centre Revitalization project is moving ahead with grand projects costing eye watering sums of money. Nevertheless, dissatisfaction there is growing and the proposed removal of the library out of the popular attractive Jubilee Park is not going down well. Here residents could combine library visits with extensive use of the well equipped and maintained park – probably the best in the whole shire. Council hopes the proposed big new library will compensate.

By comparison, Tamborine Mountain's library is 315m². The current one in Beaudesert is 432m² plus a 72m² deck. The proposed new Beaudesert library will be 1800m².

The expensive high cost "arts centre" built next door to Council chambers has low artist use and could have landed in a more appropriate place. Which section of the shire is home to a large colony of artists?

Another Mongard project is going to beautify the township's main street at an unbelievable cost. This is reminiscent of the mountain's Main Street make over at a cost nearly five times higher than an estimate to achieve about the same result.

The Mongard landscape architectural firm is set to design an amphitheatre to replace the town's saleyards which are used by local producers. Business (for Mongard) is booming.

Undoubtedly Beaudesert needs a facelift, but at what cost?

Customer Sentiment Survey

In line with outsourcing all sorts of things, Council has engaged consultants to make a survey of 8,000 Scenic Rim residents and to issue a report to Council on how residents feel about them. This will give Council an understanding from the customer's perspective. Unfortunately this survey is confidential which makes one wonder just what it is people have said about Council.

Issue has been taken with the term "customer". Although it might make Council dizzy from its stratospheric heights, it is actually the residents who pay them for their services.

There is also something called a Customer Charter Commitment.
And as if that isn't enough Council has a Refresh and Refocus Strategy.

With over 400 on Council staff plus all the associated consultants Council is certainly doing its bit to keep the State job numbers high.

Meanwhile, reports have come in from residents across the shire asking why on earth do we have councillors.

Take care everyone and stay safe,

Jeanette