

Newsletter for June, 2013

Power Pde court case..... . Gillion has now filed an appeal against Judge Robertson's judgment of 3rd May. On 14th June, Judge Rackemann ordered that Gillion's Outline of Argument in support of this Appeal must be delivered by Monday, 17th June at 9.30 am. There is little doubt that Gillion will be given leave by the Court of Appeal to proceed with its appeal. The hearing date will be about 4 to 5 months from now and the appeal itself will likely take a half day only, and certainly less than one full day. It will be argued only on the legal issues, so no further evidence will be heard. It is expected that the Court of Appeal will take its usual one to three months to deliver its judgment.

On Friday, Gillion had its Enforcement Order stayed for a further period, and the tankers are continuing to operate as per the last month. It was considered futile to oppose this application. Council's solicitor informed the Court that Council did not oppose, nor consent, to the continued stay. A point was made about the lengthy operation of the Stay since 2010.

If Gillion succeeds in this appeal, the ramifications for the mountain are huge. The Save our Water group, TMPA and the Eagle Heights Village Assn are continuing on with the battle, and any support would be gratefully accepted. (Water Fighting Fund, BSB 084263m Acc 125098160.....or purchase a ticket/s in the Kia Car Art Union from Windswept & Interesting, Alison at Kendall Real Estate or Norelle norelle@creativeasset.com.au or ph. 5545 2852.

Bateke Road industrial water extraction Development ApplicationAfter a mammoth effort by a number of people distributing pro formas, mainly through the southern half of the mountain and Eagle Heights, we expect a large number of objections to this application.

Whilst Council is working its way through the required procedure prior to the Director making his recommendation to a Council meeting, submissions are sought from any concurrence agencies connected with the application. One of these of course is the Dept. of Transport & Main Roads. In its response (available on line) the Department requires conditions to attach to any development approval by council for the application. The Dept's Statement of Reasons states "Heavy vehicles associated with the proposed development are not permitted to use state controlled road Eagle Heights Road and Henri Robert Drive." It adds "at all times" and "the addition of heavy vehicles may make the state controlled road unsafe, to ensure the safety and efficiency of the state controlled road network is not compromised the haulage route has been limited".

Over to Council.....

Key Resource areas.........The draft State Planning Policy contains notice of large areas of Scenic Rim to be reserved for mining and or quarrying. This has caused a lot of angst in the broad shire community. Over 4,000 residents shire wide responded to Council's draft Scenic Rim Community Plan that their foremost concerns were the environment and their semi-rural lifestyle. With South East Queensland growing at an alarming rate, there is no doubt that basalt etc. associated with road building will be required from these proposed mine sites in the not too distant future.

TMPA a decade ago was involved in the Mundoolun quarry court case. We sought to have suitable conditions in place, such as restricting expansion without a further Development Application, revegetation and some control over noise and dust. This mine, off the end of Beacon Road, extracts only sand. The whole site abuts Tamborine National Park, and the base of the mountain. Here we have layers of basalt. It is the basalt that is required for road base (not sand), and at the time it was feared basalt at this mine site could be a consideration in the future. Extraction of basalt requires blasting.

So with large tracts of rural land across the shire targeted for mining according to the K R A's, plus the inevitable extra truck movements, it is understandable residents there are concerned. Properties within the 1000m "buffer" radius of the key resource areas will have severe restrictions on any development and use of land, whether or not a quarry ultimately gains approval.

Council's submission regarding these K R A's suggests that it is "sitting on the fence", regardless of the very strong message it has received from the broad community. And with the state mining boom now on the downside, it is not difficult to foresee the emergence of Coal Seam Gas, particularly in the Boonah area, rearing its head. Council's stance is a worry,

For Tamborine Mountain residents, this scenario has an ominous edge. With the state's "develop at all cost" policy – new procedures short cutting development applications, the watering down of environmental restrictions, down grading of national parks and even the "crush its spirit" dismantling of DERM - we have fears about hanging on to our very unusual much envied semi-rural lifestyle.

Old. Local Government Reform Alliance (OLGRA).... After the state-wide discontent with the unfortunate amalgamation process many shires were unable to gain de-amalgamation. This newly formed Alliance of a network of discontented shires, plus action groups and individuals throughout the state, seeks to primarily address the problems associated with distant, poorly informed and motivated large regional councils which no longer can describe themselves as "local". The Alliance's objective is to try to get councils to better serve its distinct separate communities throughout the state. It is early stages yet, and TMPA is tuning in with a mind to perhaps eventually joining.

Jeanette Lockey,
President, TMPA