

TMPA news email...22-10-23

As a consequence of losing the SDA Holdings (Eagles Retreat Pl.) appeal, the Tamborine Mountain Progress Association is in its final stages of being wound down by the liquidator. Unless there are further questions by the liquidator to the mountain of information supplied by the committee, that is it.

Besides the SDA Holdings appeal, TMPA was also appealing the **Onsens (Gillespie) (bathhouse) development application on Main Western Road**. The flyer sent out to all households last year (attached) produced enough funds to hire the Colin Biggers & Paisley firm of environmental lawyers to lead us into this also complex case. This firm untangled the unsatisfactory start by the developer's lawyers and Council. Money collected was paid but most of the large bill was donated to us pro bono.

What they also did was locate for us a court registered "expert" town planner, Sean Cullen, who aligned with our position. Sean set out an excellent initial submission opposing this development application.

Whilst the contract with Sean was with TMPA, now wound down, we urgently needed to retain him o/a neighbours but also for opposing this dangerous precedent establishing commercial development on residential land, anywhere on the plateau. TMPA followed legal requirements for transfer of the contract to Co-Respondent Amanda Hay fronting a number of residents. The judge has now granted this transfer.

Council changed its initial position of refusal to one now supporting the developer on the grounds the development is for "nature based tourism". This situation has resulted from the appalling sub-standard reports presented to Council at its April meeting. These thirty odd pages lauded how wonderful "nature based tourism" would be – all for the west of the shire. It was as if Tamborine Mountain did not exist.

To compound the problem the mayor at that meeting refused to link N B T to town planning. What this means is that Council can approve virtually any D A as N B T – besides any view, a fruit tree or a bee hive on the property ticks the box if the developer says he is going to give suitable "demonstrations" etc. Without any definition, N B T can be a stopover on the way to an environmental place.

Council's Planning Manager report to councillors asked them not to oppose the development once the deemed refusal appeal had started using quotes from supporting submissions but not stating these were not properly made, and even from off the mountain. It ignored the approx. 350 properly made objections from Tamborine Mountain residents.

This is another critical precedent setting D A which we need to oppose if our current lifestyle is to be protected. We need to keep Sean Cullen on board. Following the joint meeting stage of the town planners he remains firm in his grounds to oppose the development. His account now stands at \$19,000.

As TMPA no longer has a bank account, Amanda Hay has set up a separate account in her name to be used only for legal and court matters. It is purely for donations.

Donations, no matter how modest (they all add up) can be made to:

BSB 814282

account no. 30063911 adding surname

Appointing a barrister will be a consideration for any surplus funds.

Thank you for any assistance you can give us.....Jeanette