



REPA NEWSLETTER



RURAL ENVIRONMENT PLANNING ASSOCIATION INC.

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December 2012

Season's greetings to all. The REPA Committee hopes that everyone will have a safe and enjoyable holiday season, a Merry Christmas and a Happy New Year. Again this year, we have **calendars** for sale. They have been designed and produced by several local environmental groups and printed locally by Westside Printing and Office Supplies. We are very pleased with the result. The calendars are available from Jenny Hacker at 41 Gap Creek Road, Kenmore Hills, phone 3374 1468 at a cost of \$12.50 each. See attached/enclosed order form.



REPA has been very busy recently; there is a proposal to extend the Aged Care facility at the Brookfield Village and there are no less than six Development Applications involving koala habitat in Moggill. Two of these have been refused and have now gone to Appeal in the Planning and Environment Court, two others should be decided upon shortly, and the last two have only been lodged recently. More details are given below.

Brookfield Village, 139 and 139A Gold Creek Road, DA A003482236

Queensland Baptist Care has applied to redevelop their existing aged persons accommodation facility at the Brookfield Village to encompass a 96 bed Residential Aged Care building and 102 Independent Living Units. This proposal was only lodged on 1 November and, according to their documentation, is Code Assessable (which means that there will be no opportunity to Appeal against any decision). Furthermore, again according to their documentation, it is to be expected that the application will be assessed within 60 business days from the date of lodgement. This would mean that a decision will be likely in early February. REPA has been advised that residents have held a meeting to review this proposal and a second on Monday, 3 December, at the Brookfield Hall.

REPA recognises that the Brookfield Village is an integral part of the Brookfield community and provides important and necessary facilities, but it is felt that the nature of the current proposal is not in keeping with the surrounding neighbourhood. REPA also recognises that facilities need to be of a certain scale in order to be economically viable. Nevertheless, in REPA's opinion, it is felt that a more innovative design could provide a preferable outcome. This applies both to the Residential Aged Care Building and the layout of the Independent Living Units.

The relevant documents (plans and reports) may be seen at Cr de Wit's office or on the Council's web-site at <http://pdonline.brisbane.qld.gov.au/MasterView/masterplan/enquirer/default.aspx>. You have to agree to the conditions, go "Application Enquiry" and enter the DA number which is A003482236. Submissions can be made, and would hopefully have some influence on the final outcome.

Development Proposals in Moggill

There are now six development proposals in Moggill involving koala habitat. REPA has serious concerns regarding the effects that these will have on local native wildlife, particularly the koala. The koala is now federally listed as Vulnerable in Queensland under the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). Additionally, one of the properties, the former Moggill Country Club land, is subject to serious flooding by the Brisbane River. The other five properties are in a State designated Koala Assessable Development Area (**KADA**), which imposes certain restrictions on development, particularly development which involves removal of koala habitat. The principal issues of these six properties are addressed individually in the order of the status of their development proposals.

3334 Moggill Road, Moggill, Appeal BD 3383 of 2012 (DA A002844867)

Brisbane City Council (**BCC**) refused this application for 26 lots on 5.59 ha on 31 July 2012. The applicant appealed on 29 August 2012 in the Planning and Environment (**P&E**) Court against this refusal (Appeal 3383/12). REPA and a local resident are Co-respondents, in support of BCC, the Respondent. So far nothing further has happened with this case. The proposal would result in the removal of good koala habitat and the construction of an internal roadway across a creek.

Moggill Country Club (108 & 126 Weekes Road, Moggill), Appeal BD 4072 of 2012 (DA A002171615)

BCC has also refused this application for 49 lots on 19.23 ha. It was refused on 19 September 2012 on grounds including: -

- Impact on area of high natural significance and koala habitat. Removal of parkland dedication along Brisbane river.
- Flooding risk (the area was seriously flooded in 2011).
- Poor or non-existent pedestrian and cycle connectivity and distance from public transport.

The applicant subsequently appealed to the P&E Court (Appeal 4072/12) on 18 October 2012. REPA has again elected to be a Co-respondent as also have three others. The applicant, now the Appellant, amended his appeal on 16 November, removing the clause “*the respondent should pay the appellant’s costs of and incidental to the appeal*” which was included in the initial Appeal. This earlier clause would in all likelihood have discouraged potential Co-respondents from involvement in the case.

33 & 47 Matfield Street and 3593 Moggill Road, Moggill, DA A0032684888

REPA made a submission to BCC on 16 October objecting to this proposal to subdivide 3 into 56 lots on 12.38 ha. There are 10 submissions altogether. BCC has yet to make a decision on this application. REPA’s grounds for objection included: -

- Failure of the proposal to preserve koala habitat
- Failure of the proposal to contribute to ecological sustainability in respect of
 - Roads across waterways
 - Removal of Plunkett Mallee, a protected species under the *Nature Conservation Act 1992*
 - Insufficient protection for various listed species under BCC’s Natural Assets Planning Scheme Policy.
- Failure to meet the reasonable expectations of the community (removal of koala habitat, waterway disturbance etc)

66 & 80 Witty Road, Moggill, DA A003204855

REPA also made a submission on 23 October objecting to this proposal to subdivide 2 lots into 67 on 15.63 ha. BCC has not made a decision on this application either. There are five submissions altogether. REPA’s grounds for objection were very similar to those for the adjacent previous site.

106 & 134 Priors Pocket Road, DA A003460001

This Development Application for subdivision of 2 lots into 53 on 9 ha was lodged on 2 October. It has similar issues to the previous sites as it comprises good koala habitat and the vulnerable Plunkett Mallee is present on-site. The layout is an improvement on those for the previous sites as it does not incorporate internal roadways that cross waterways and the waterway land is in only a few large lots. BCC has issued an information request in which it considers that there are too many lots and has asked the applicant to modify the proposal.

90 – 106 Priors Pocket Road, DA A003465407

This block is adjacent to the previous one and shares some of the application documents. The Application is for subdivision of the 4 ha into 18 lots and was lodged on 11 October. The proposed lot 11 is large, 2.35 ha, and encompasses the waterway area. BCC has not yet issued an information request.

Karana Waters land

As advised in the last Newsletter, both Appeals have been withdrawn. The land is now for sale under instructions from the receivers and managers, as advertised in the Courier Mail of 2 November 2012.

SPOLA Bill 2012

The *Sustainable Planning and Other Legislation Amendment (SPOLA) Bill 2012* was introduced to the Queensland Parliament on 13 September 2012. It contained a clause which effectively proposed that the loser of a case in the Planning and Environment Court would have to pay the costs of the other party as well as their own costs. This caused considerable concern, not only amongst community groups but within local government as well. REPA made a submission to the State Development, Infrastructure and Industry Committee on the issue and was subsequently invited to appear as a witness at the public hearing on 25 October 2012. This invitation was accepted and Jenny Hacker spoke to the issue, along with some 35 other invitees.

The Parliamentary Committee recommended that the critical words “but follow the event” be removed from the relevant clause. But when the Bill was presented for the 2nd reading on 13 November additional sub clauses were added, leaving the question of costs to the discretion of the Court and imposing certain conditions. The Bill was then passed on its third reading. It is expected to be enacted before the end of the year.

REPA Walk – Sunday 23 September

Nine REPA members very much enjoyed a pleasant walk in the Anstead Bushland. First we went up to the top lookout to study the signage. On the way there, we met members of the Pullen Pullen Creeks Catchment Groups as they finished their working bee, so they were able to tell us about their revegetation plans. Then down to the old basalt quarry, where we admired the new look-out and viewed some of the equipment used when the quarry was operating. We finished with a leisurely lunch back by the main entrance where we were grateful for the shade of the shelter sheds.

New City Plan

REPA has been advised that the new draft City Plan should be on Council’s web-site on Wednesday 5 December. It is expected that it will include the new Moggill / Bellbowrie Neighbourhood Plan.

Happy Christmas to all

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