

How council was leaned on over development site

By Nathan Evans

COUNCIL has released an “extraordinary” letter in which a state bureaucrat calls on councillors to rezone a Noosa Hill development site to help out a developer.

The letter, penned by a senior state planning director, requested the council rezone former tourism chief Phillip Harding’s Noosa Hill development site from detached housing and open space conservation to attached housing to reflect a 2006 approval for for 30 units – yet to be built – granted despite clashes with several planning schemes.

The request sparked a storm last month. Councillor Vivien Griffin said it was extraordinary for the state to go into bat for a developer.

The letter states: “Following the department’s investigations and liaisons with council, it has been determined that the ministerial approval could be reflected in the council’s planning scheme with minimal risk to council.

“This could be achieved by the approved building footprint for the development being rezoned to the attached housing zone by way of a planning scheme amendment.”

Veteran town planner and former Noosa Council strategic planner

Following the department’s investigations and liaisons with the Council, it has been determined that the Ministerial approval could be reflected in the council’s planning scheme with minimal risk to the Council. This could be achieved by the approved building footprint for the development being rezoned to the attached housing zone by way of a Planning Scheme Amendment with the remainder of the site remaining in the open space conservation zone (please refer to the attached plan). Please note that if the rezoning to the attached housing zone only applied to the approved building footprint, the concerns expressed by the Council about potential future changes in the development footprint could be avoided whilst maintaining the conservation values on the site. We also

We seek your advice as to when the Council is able to initiate a planning scheme amendment, to reflect the requested zoning change for the Attunga Heights site, as outlined above. I would appreciate this advice by 22 May 2009.

Bradlan Nelson

Executive Director

Southern Region Division, Planning Group

EXTRAORDINARY: Part of the letter to councillors.

Paul Summers joined with local planning watchdog Tony Wellington in branding an any planning scheme change to reflect the development, a dangerous precedent.

“The fact is the application should not have been approved in the first instance but was, and by entrenching it in the planning scheme as a change in zoning it suggests land of that level of constraint is appropriate for development,” Mr Summers said.

“It is the completely wrong de-

cision to take and we’ve spent a lot of time getting rid of those sorts of zoning decisions in the late 1980s.”

Mr Wellington said the matter warranted an investigation.

“What we have here is a private developer persuading the Department of Infrastructure and Planning to lean on Council,” he said.

“This undue influence is to amend Council’s planning scheme to suit a specific development project – a development that was recommended by Council staff for

refusal due to a gross lack of compliance with the planning scheme. There has been no community debate, and this recent process has gone on behind closed doors.”

The state government called in the development under community pressure three years ago, but upheld the former Noosa Council’s 2006 decision to approve it – despite planning staff fears over stability of the site and conflict with several Noosa town planning documents.

Mr Summers said he was concerned the minister may demand council now amend the planning scheme to reflect the development, leaving council’s hands tied.

Cr Griffin upheld her earlier claims the request was out of the ordinary. Council has refused to amend the planning scheme in response to the request but has agreed to address it as part of a wider planning scheme review due for completion before 2012.

Noosa MP Glen Elmes said a major State Government clean-out was needed.

“The way governments go about business in Queensland should be reviewed,” he said. “If people think there is something wrong with this particular exercise they should be able to raise concerns with a royal commission.”