

Environmental Defenders Office of Northern Queensland Inc.



TAYLOR POINT ONCE AGAIN SPARED THE DEVELOPER'S AXE – STAGE SET FOR ANOTHER COURT APPEAL

Cairns - In a rather stunning turnabout, the Cairns Regional Council voted to reject developer Robert Prettejohn's long-standing application to build 30+ luxury homes on pristine Taylor Point, an undeveloped rocky headland located 21 kms north of Cairns and the last undeveloped headland in the region. In rejecting Prettejohn's development proposal, Council also rejected its Planning Department's recommendation that the development be approved, as well as the Department of Environment and Resource Management's ("DERM") recommendation, as concurrence agency, that the project should be approved.

Prettejohn's development application was originally lodged in August 2004 and represented the latest effort to develop Taylor Point, which has been the subject of at least 2 appeals in the Planning & Environment Court since efforts to develop the property began in the mid-1980s. The history of those efforts is somewhat sordid and complicated. It includes the Anglican Church's efforts to sell the property to developers despite the wishes of the widow who bequeathed the property to the Church in 1969 for use as a camp for disadvantaged youth. That history also includes direct intervention by former State minister, Russ Hinz, to adopt a Special Facilities overlay that would allow construction of a 252-unit tourist resort on the Point.

Council's vote today was a stunning turnabout because less than 2 weeks before today's vote, it looked as though approval of the development was a "done deal". Although DERM's approval recommendation was issued on 2 February 2010, no word of the State's recommendation was given to the public for months. Instead, the public learned of Council's Planning Department's recommendation that the development should be approved just 2 days before the project was to be discussed at the Council's 23 June 2010 meeting. Recognizing the sensitivity and history of the proposal, Council deferred the matter for 2 weeks in order to give the public at least an opportunity to respond to the Planning Department's recommendation. Yet another "Save Taylor Point" meeting was held only on 1 July, with dozens of development opponents in attendance – as well as Councilor Sno Bonneau and Council Planner, Simon Clark. However, over the next few days more than 500 signatures to a petition calling on Council to defer the matter for another 2 weeks were collected and delivered to Council on 7 July 2010. Intensive lobbying of councilors against the proposal also took place.

At the 7 July 2010 Council meeting, Cr Bonneau moved that the Planning Department's recommendation should be approved, seconded by Cr Margaret Cochrane. Cr Bonneau spoke at length in support of approval. However, the motion was opposed by Cr Julia Leu who likewise spoke at length against the development's approval. Some heated debate among councilors followed. At the end of the debate, however, Cr Bonneau's motion was defeated on a 6:4 vote (Crs Bonneau, Cochrane, Blake and Gregory voting for approval; Crs Leu, Forsyth, Cooper, Pyne, Lesina and Lansky voting against approval). Cr Leu then offered a motion to refuse the development application and set forth several grounds for refusal, including the proposed development's inconsistency with the Council's Hillslopes Development Control Plan and State Planning Policies. On an identical 6:4 vote, Cr Leu's motion (seconded by Cr Forsythe) was adopted, setting the stage for at least a third developer's appeal to the Court.