



FRIENDS OF BUDDINA LTD.

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The BEACHFRONT BUDDINA legal challenge

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For Immediate Release

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On Friday 22 October 2021, Judge Long delivered his decision on the controversial 2019 approval by the Sunshine Coast Regional Council of the “*The Beachfront Buddina*” development. Judge Long found in favour of Council and the developers, dismissing our application. He provided his reasons later that day. This is the link to judgement: <https://www.sclqld.org.au/caselaw/QPEC/2021/57>

Friends of Buddina are considering their options and will determine their response after analysing the judgement document. The proposed development remains an intensive high-density development beachside, within metres of the nesting habitat of endangered loggerhead turtles and on land located in the State declared erosion prone area; land which had previously been recommended for resumption.

During the legal process, Council and the developer sought to delay legal action through amendments to the approval conditions relating to Turtle lighting. The legal process was suspended for several months from April to July 2020 allowing Council to process their approval of changes which was followed by further associated delays, also resulting in additional costs.

Although this judgement is disappointing, we take away the significant wins that we achieved along the way through improved conditions applied to the development approval and improved conditions applied to the operational works approval.

The approval amendments made by Council in July 2020, although delaying the legal process, not only improved the turtle lighting approval conditions, but created enforceable outcomes at:

- (i) construction and
- (ii) ongoing for the life of the building.

The outcome being that future unit owners will, from that point in time onwards, always be liable for penalties. These penalties apply to each incident where a unit owner fails to comply with the approval conditions, such as overriding automated light controls or not ensuring the blinds are closed by 8pm during turtle nesting season! In making this decision, Council created a **HUGE WIN** for the endangered loggerhead turtles and the Buddina Community, by amending their original approval conditions.

This **HUGE WIN** happened BEFORE our case was even heard in Court - that’s the power of community action and standing up where Council decision-making does not reflect community expectations and where that decision-making appears to preference developers, threatening our lifestyle and our amenity together with disregard for the protection the environment and its biodiversity.

YES, together we HAVE made a difference!

Further details are available on our website: <https://www.friendsofbuddina.com/legalcase>