

Press Release

November, 2019

Court action by Friends of Buddina Ltd

The controversial development proposal for a 7 storey high-rise, high-density development at Buddina was approved by Council, initially in April 2019 and subsequently modified in September 2019.

The site is located 100% in a State declared erosion prone area and only 30 metres from the beach which provides the most significant nesting habitat on the Sunshine Coast for endangered loggerhead turtles.

On the basis of expert legal advice, Friends of Buddina Ltd applied to the Planning and Environment Court Maroochydore in November 2019 for:-

1. A Declaration that Council's Approval is invalid, and of no legal effect; and
2. An Order that the Decision be set aside; and the Development Application MCU18/0190 be referred back to Council to reconsider according to law.

As a code assessed development, the community have no right of objection or standing that would give a Right to Appeal. HOWEVER, when legal or jurisdictional errors are made, an application to the Court can be made and this is the approach we have undertaken.

Our current Court Application is based on "errors of law", and or, "failure to follow due process". This matter was mentioned in court at Maroochydore in late November 2019 and a Review date was set for late February 2020.

As we approach the Court Review Date, fund-raising to support this legal challenge on behalf of our Community continues to be priority for Friends of Buddina. Keep in contact with the fund-raising team via our Facebook page or directly by email to:

friendsofbuddina.promo@gmail.com