

**IN THE PLANNING AND ENVIRONMENT COURT**

**REGISTRY:** BRISBANE  
**APPEAL No.** 1625 of 2000

Between: SAVE OUR RIVERFRONT BUSHLAND **Appellant**  
And: BRISBANE CITY COUNCIL **Respondent**  
And: WINGATE PROPERTIES PTY LTD  
and  
QUEENSLAND CEMENT LIMITED **Co-Respondents**

**NOTICE OF APPEAL**

Take notice that **SAVE OUR RIVERFRONT BUSHLAND** hereby appeals to the Planning and Environment Court at its next sittings, against the decision of the Respondent to approve the application by the Co-Respondents for making a material change of use and for the reconfiguration of a lot subject to conditions and in lieu thereof seeks the following orders or judgement:

- A. The Appeal be allowed;
- B. The application be refused; and
- C. Such further or consequential orders as the Court considers appropriate.

**PARTICULARS OF THE DECISION THE SUBJECT OF THE APPEAL**

The street address of the relevant land is 531 Seventeen Miles Rocks Road, Seventeen Miles Rocks.

The real property description is Lot 201 on Plan M.3184, Lots 1 and 3 on RP 69819, Lot 2 on RP 95505, Lot 2 on RP 209098, Lot 200 on RP 811574 and Lot 7 on RP 882949.

The decision appealed was made by Brisbane City Council, by its delegate, on 8 June 1999 upon the following application:

Maker - **Mr Stephen Williams, Wingate Properties Pty Ltd  
48 Wharf Street, Kangaroo Point, Qld 4169**

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**Notice of Appeal  
Filed by the Appellant**

Save Our Riverfront Bushland (SORB)  
c/- 3 Bibras St, Westlake, Qld 4074  
Contact person: Ed Parker  
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Subject of Application - **Development approval for the purpose of making a Material Change of Use and Reconfiguration of a Lot**

The appeal is against the whole of the decision.

## **PARTICULARS OF THE APPELLANT**

Name: **Save Our Riverfront Bushland**  
Residential or business address: **c/- 3 Bibras Street, Westlake, Qld 4074**  
Solicitor's name and firm name: Not applicable  
Solicitor's business address: Not applicable  
Address for service: **c/- 3 Bibras Street, Westlake, Qld 4074**  
DX number: Not applicable  
Telephone: **0419 750 682 mob, 3403 9471 BH, 3376 1389 AH**  
Facsimile: **3279 6379**  
Email address: **eparker@bigpond.net.au**

## **GROUNDINGS OF APPEAL**

The grounds of Appeal are as follows:-

1. The proposed development:
  - (a) Conflicts with the Strategic Plan for the City of Brisbane and there are not sufficient planning grounds to justify approving the application despite the conflict;
  - (b) Conflicts with the Western Gateway Local Area Outline Plan for Preferred Land Uses and there are not sufficient planning grounds to justify approving the application despite the conflict;
  - (c) Conflicts with the intent of the Non Urban Zone;
  - (d) Conflicts with the intent of the Future Urban Zone
  - (e) Is contrary to good town planning principles and practice;
  - (f) Is contrary to various Planning Policies including the Non Urban Zone Policy (Planning Policy No. 5.02), Future Urban Zone Policy (Planning Policy No. 6.01) and Natural Areas Policy (Planning Policy No. 19.07);
  - (g) Will have an adverse impact on the environment;
  - (h) Will have an adverse impact on the scenic and landscape characteristics of the site and the surrounding area;
  - (i) Will not advance the purpose of the *Integrated Planning Act 1997* (Qld) which is to seek to achieve ecological sustainability; and
  - (j) Is not needed.

Signature of party: (signed)

Description of signatory: Secretary, Save Our Riverfront Bushland

Dated: 20 April 2000

This Notice of Appeal is to be served on:       The Respondent  
The Brisbane City Council

and:   The Co-Respondents  
Wingate Properties Pty Ltd  
and  
Queensland Cement Limited

and:   The Submitters

If you intend to contest this appeal you should file an entry of appearance in the Court within 10 days of your being served.

It is intended to effect service of this notice of appeal on the Brisbane City Council, the Co-respondents and the Submitters.