



AGENDA

Ordinary Meeting

Thursday, 4 June 2015

commencing at 6pm

Council Chambers, 9 Pelican Street, Tewantin

**Crs Noel Playford (Chair), Bob Abbot, Sandy Bolton, Joe Jurisevic,
Frank Pardon, Tony Wellington, Frank Wilkie**

“Engagement with our community to protect and enhance our lifestyle”

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1 ATTENDANCE & APOLOGIES

2 CONFIRMATION OF MINUTES

The Minutes of the Ordinary Meeting held on 7 May 2015 be received and confirmed.

3 MAYORAL MINUTES

Nil.

4 NOTIFIED MOTIONS

Nil.

5 CONSIDERATION OF COMMITTEE RECOMMENDATIONS**AUDIT COMMITTEE RECOMMENDATIONS****25 MAY 2015 – Cr Playford, Cr Wellington, Scott Williams, Cameron Jagers**

External attendees: Debra Stoltz and Denis Byram (Queensland Audit Office)
Robyn Cooper and Craig Cornish (Crowe Horwath)

1 QUEENSLAND AUDIT OFFICE BRIEFING NOTE

That the Audit Committee note the briefing note and draft Client Strategy provided by the Queensland Audit Office to the Audit Committee meeting dated 25 May 2015.

2 INTERNAL AUDIT

That the Audit Committee note the report by Council's Internal Auditors, Crowe Horwath to the Audit Committee meeting dated 25 May 2015 titled "*Internal Audit of Payroll, Overtime and Time in Lieu*".

3 2014/15 SHELL FINANCIAL STATEMENTS

That the Audit Committee note the report by the Manager Financial Services to the Audit Committee Meeting dated 25 May 2015 and note the format of the draft shell financial statements as outlined in Attachment 1.

4 REVIEW OF 2015/16 INVESTMENT POLICY

That the Audit Committee note the report by the Manager Financial Services to the Audit Committee Meeting dated 25 May 2015 and note that the issues raised at the Audit Committee meeting will be considered by staff prior to a report providing the 2015/15 Investment Policy is presented to Council for consideration~~draft Investment Policy as outlined in Attachment 1.~~

5 RISK MANAGEMENT PROGRAM AND BUSINESS CONTINUITY MANAGEMENT

That the Audit Committee note the report by the Governance Advisor to the Audit Committee Meeting dated 25 May 2015 providing an update regarding Council's Risk Management Program and note the draft Business Continuity Management Policy as outlined in Attachment 2.

6 FRAUD AND CORRUPTION PREVENTION

That the Audit Committee note the report by the Governance Advisor to the Audit Committee Meeting dated 25 May 2015 providing an update on Council's Fraud Risk Management Framework and note the draft Fraud and Corruption Prevention Policy as outlined in Attachment 1.

7 INSURANCE RENEWAL PROCESS 2015/16

Cr Playford declared a conflict of interest (as defined in section 173 of the Local Government Act 2009) in Item 7, Insurance Renewal Process 2015/16 due to his position as Chair of both Local Government WorkCare (LGW) and Local Government Mutual Liability (LGM). Cr Playford believed he could consider this item impartially and in the public interest and therefore remained in the meeting room for the debate and decision on this matter.

That the Audit Committee note the report by the Governance Advisor to the Audit Committee Meeting dated 25 May 2015 providing an update on Council's insurance renewal process for 2015/16 and ~~agree note~~ that for the 2015/16 insurance period, Council ~~has invited will invite two three~~ written quotes for the brokerage of insurances, ~~which are not covered under the Local Government Workcare and Local Government Mutual membership schemes.~~

8 DELEGATIONS REVIEW

That the Audit Committee note the report by the Governance Advisor to the Audit Committee Meeting dated 25 May 2015 providing an update on Council's Annual Delegations Review process.

9 REVIEW OF INTERNAL AUDIT POLICY AND AUDIT COMMITTEE CHARTER

That the Audit Committee note the report by the Governance Advisor to the Audit Committee Meeting dated 25 May 2015 ~~requesting that the providing copies of the adopted current Internal Audit Policy as provided at Attachment 1 and the Audit Committee Charter as provided at Attachment 2 be reviewed and discussed further at the Committee meeting to identify any potential improvements and note that amended documents will be referred back to the next Audit Committee Meeting reflecting the changes suggested at the meeting.~~

Recommendation

The Audit Committee recommendations dated 25 May 2015 be adopted except where dealt with or held over by separate resolution.

INFRASTRUCTURE & SERVICES COMMITTEE RECOMMENDATIONS**26 MAY 2015 - Crs Sandy Bolton (Chair), Bob Abbot, Frank Pardon, Noel Playford***Other Councillors in Attendance: Cr Joe Jurisevic***1 CAPITAL PROGRAM DELIVERY STATUS MAY 2015**

That Council note the report by the Asset Planning Coordinator to the Infrastructure & Services Committee Meeting dated 26 May 2015 providing an update on the status of the projects being delivered in the 2014/15 Capital Works Program.

2 DISASTER MANAGEMENT AND PUBLIC ORDER REPORT TO 30 APRIL 2015

That Council note the report by the Disaster Management and Public Order Manager to the Infrastructure & Services Committee Meeting dated 26 May 2015 providing an update on the activities of the Disaster Management & Public Order Branch activities for the period ending 30 April 2015.

3 TENDER FOR COOROY COFFEE SERVICE CONTRACT 1415T025

That Council note the report by the Libraries and Galleries Manager to the Infrastructure & Services Committee Meeting dated 26 May 2015 and award Contract 1415T025 for the Cooroy Library Coffee Service to United Synergies for an initial two (2) year period commencing on 1 July 2015 (or nearest practical date to this) and expiring on 30 June 2017 with options for two extensions of up to one (1) year each.

4 TENDER 1415T003 - SALE OF RECOVERED STEEL AND BATTERIES

That Council note the report by the Manager Waste and Environmental Health to the Infrastructure & Services Committee meeting dated Tuesday 26 May 2015 and award Contract 1415T003 Sale of Recovered Metals and Batteries to Sims Group Australia Holdings Ltd in accordance with tendered prices as detailed in the tender submission for an initial contract period of 2 years and the exclusive right to extend the contract for two one year extensions.

Recommendation

The Infrastructure & Services Committee recommendations dated 26 May 2015 be adopted except where dealt with or held over by separate resolution.

PLANNING & ORGANISATION COMMITTEE RECOMMENDATIONS

26 MAY 2015 – Crs. Joe Jurisevic (Chair), Noel Playford, Tony Wellington, Frank Wilkie

Other Councillors in Attendance: Crs. Pardon, Abbot and Bolton

- 1 MATERIAL CHANGE OF USE APPLICATION FOR INDUSTRIAL BUSINESSES, SERVICE STATION, CONVENIENCE SHOP AND FOOD OUTLET (TRADIES CAFE) AT 139 EUMUNDI NOOSA RD & 30 LIONEL DONOVAN DV, NOOSAVILLE - MCU14/0102 & OPERATIONAL WORKS APPLICATION FOR SIGNAGE - OPW15/0051**

Item not dealt with by Planning & Organisation Committee. Referred to General Committee for consideration.

Reason for referral – Significance of issue

- 2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR INDUSTRIAL BUSINESS TYPE 2 PRODUCTION, ALTERATION, REPACKAGING AND REPAIRING SITUATED AT 178 EUMUNDI NOOSA RD, NOOSAVILLE - MCU14/0083**

That Council note the report by the Development Planner to the Planning & Organisation Committee Meeting dated 26 May 2015 regarding Application No. MCU15/0083 for a Development Permit for Material Change of Use – Type 2 Production, alteration, repackaging and repairing, situated at 178 Eumundi Noosa Road, Noosaville and approve the application in accordance with the conditions contained in the Planning & Organisation Committee Agenda dated 26 May 2015.

- 3 APPLICATION FOR BUILDING WORKS WITHIN 4.5 METRE SETBACK SITUATED AT 14 THE PENINSULA, NOOSAVILLE - PBA15/0003**

That Council note the report by the Development Planner to the Planning & Organisation Committee Meeting dated 26 May 2015 regarding Application No. PBA15/0003 for a Development Permit for Building Works Assessable against a Planning Scheme situated at 14 The Peninsula, Noosaville and approve the application in accordance with the following conditions:

When Conditions must be Complied With

1. Unless otherwise stated, all conditions of this Decision Notice must be complied with at all times while the use continues.

Approved Plans

2. Development undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table unless otherwise amended by these conditions.

Plan No.	Rev.	Plan/Document Name	Date
WD.203	P8	Landscape Plan, prepared by Carole Tretheway Designs as annotated by Council	27.04.2015
WD.601	P8	Sections, prepared by Carole Tretheway Designs	27.04.2015
WD.601	P8	Sections, prepared by Carole Tretheway Designs	27.04.2015

Performance Bond

3. Security in the form of a cash bond or trading bank guarantee to the sum of **\$1,500** must be submitted to Council, to secure performance of all conditions of this approval, within 14 days after this Development Approval takes effect. The cash bond or trading bank guarantee will be returned on performance of the conditions of approval less any costs incurred by Council in respect of enforcing performance of this permit. Council reserves the right to call upon the bond or guaranteed sum to effect compliance with conditions.

Setback to the Canal

4. The land area within 4.5 metres from the centre of the revetment wall must be maintained in accordance with the following requirements:
 - a. a minimum of 25% of the area must be planted with shrubs
 - b. a maximum of 25% of the area must be under hard pavement and the balance must be turf or ground covers
 - c. any new trees planted must not have a mature height that exceeds 3 metres
 - d. all land within 1 metre from centre of the revetment wall must not be planted with shrubs, and instead must be provided with either turf, ground cover.
 - e. any side boundary fencing within 4.5 metres of the revetment wall must taper down to a maximum height of 1.2 metres at the revetment wall, and must have a height not exceeding 1.5 metres at a distance of 2.25 metres from the revetment wall.
5. The area between the retaining wall and house must remain as soft landscaping except for where the main stairs are located.

Advice

6. The maintenance and integrity of the revetment wall is the responsibility of the property owner.

4 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A COMMERCIAL BUSINESS TYPE 3 VETERINARY AT 28 EENIE CREEK RD, NOOSAVILLE MCU15/0017

That Council note the report by the Coordinator Planning to the Planning & Organisation Committee Meeting dated 26 May 2015 regarding Application No. MCU15/0017 for a Development Permit for a Material Change of Use for a Commercial Business – Type 3 Veterinary situated at 28 Eenie Creek Rd Noosaville and:

- A. Approve the application in accordance with the following conditions:

When Conditions must be Complied With

1. Unless otherwise stated, all conditions of this Decision Notice must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

Approved Plans

2. Development undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table unless otherwise amended by these conditions.

Plan No.	Rev.	Plan/Document Name	Date
PB2.1	B	Construction Plan, prepared by the Petalcard Design	15 December 2014

Nature and Extent of Approved Use

3. No external use areas are approved by this development permit.

Amenity

4. The development must not create detrimental impacts on the amenity of the area due to the creation of excessive noise, odour nuisance or other emissions.
- B. Find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:
1. The development allows co-location with an existing associated pet supply showroom and is complementary to that business.
 2. The development is generally consistent with the planning scheme intent for the Noosa Business Centre to be a multi-function employment centre.
 3. The development will not unduly impact on the available showroom space available within the Noosa Business Centre.

5 REQUEST TO CHANGE A CONDITION OF A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A HOME BASED BUSINESS TYPE 3 - SIGNIFICANT SCALE (QUAD BIKE TOURS) AT 298 TABLELANDS ROAD, COORAN MCU12/0012.01

Item not dealt with by Planning & Organisation Committee. Referred to General Committee for consideration.

Reason for referral – Cr Pardon disagrees with recommendation

6 MATERIAL CHANGE OF USE APPLICATION FOR RETAIL BUSINESS TYPE 2 - SHOP & SALON SITUATED AT 15 NOOSA DR, NOOSA HEADS - MCU14/0053

Item not dealt with by Planning & Organisation Committee. Referred to General Committee for consideration.

Reason for referral – Cr Wilkie disagrees with recommendation

7 MATERIAL CHANGE OF USE APPLICATION FOR A SELF-CONTAINED RV STOP SITUATED AT 17 MARY RIVER RD, COOROY - MCU15/0003

Item not dealt with by Planning & Organisation Committee. Referred to General Committee for consideration.

Reason for referral – Cr Bolton disagrees with recommendation

8 KOALA HABITAT PROTECTION - NOOSA PLAN AMENDMENTS

That Council note the report by the Principal Strategic Planner to the Planning & Organisation Committee Meeting dated 26 May 2015 on proposed amendments to the Noosa Plan relating to koala habitat protection; and

1. Agree to the proposed amendments to bring the scheme in line with State requirements for koala habitat protection and koala offsets; and
2. Agree to the inclusion of a new koala habitat area map into The Noosa Plan to identify koala habitat that needs consideration as part of development applications involving vegetation clearing.

9 FINANCIAL PERFORMANCE REPORT - APRIL 2015

That Council note the report by the Manager Financial Services to the Planning & Organisation Committee Meeting dated 26 May 2015 providing the April 2015 monthly financial performance report for the 2014/15 financial year.

10 LEASE AGREEMENTS FOR SUNRISE SHOPS - SHOPS 3, 4, AND 7

That Council note the report by the Property Officer, Property and Facilities to the Planning & Organisation Committee Meeting dated 26 May 2015; and

- A. Approve the new lease agreement to Sunrise Beach Hair Artistry for Shop 3, Sunrise Neighbourhood Shopping Centre for 3 years commencing 9 June 2015 (with a 3 year option);
- B. Approve the new lease agreement to Tom Wilkinson Dental Pty Ltd for Shop 4, Sunrise Neighbourhood Shopping Centre for 5 years commencing 1 July 2015 (with a 5 year option);
- C. Approve the new lease agreement with Meats at Sunrise Pty Ltd for Shop 7, Sunrise Neighbourhood Shopping Centre for 5 years commencing 8 June 2015 (with a 5 year option); and
- D. Apply the exception to the requirement for tendering of these leases under section 236 (1) (c) (iii) of the *Local Government Regulation 2012* as the lease renewals are to existing tenants.

11 LIVING SMART EVALUATION 2015

That Council note the report by the Sustainability Project Officer to the Planning & Organisation Committee Meeting dated 26 May 2015 and agree to discontinue Council's involvement in the Living Smart Program, as outlined in Option A in the report.

12 REPEALING NOOSA COUNCIL LOCAL LAWS

That Council note the report by the Governance Advisor to the Planning & Organisation Committee Meeting dated 26 May 2015 and:

- A. Make the Proposed Noosa Shire Council Local Law (Repealing) Local Law (No.1) 2015 (as set out in Attachment 1 to the report) to commence operation on 30 June 2015;
- B. Authorise the CEO to advertise the new Repealing Local Law in the Government Gazette Notice currently being prepared for Council's new suite of Local Laws as adopted at the Ordinary Meeting held on 7 May 2015, and provide the Minister of Infrastructure, Local Government and Planning with a copy of the Repealing Local Law within 14 days of it being published in the Gazette;
- C. Repeal the current Delegation of Authority by the Council to Chief Executive Officer (CEO) titled Local Laws on 30 June 2015, and authorise the new Delegation of Authority titled Local Laws (as set out in Attachment 2 to the report) to commence on 1 July 2015.

13 CONTACT WITH LOBBYISTS POLICY AND GUIDELINE

That Council note the report by the Governance Advisor to the Planning & Organisation Committee Meeting dated 26 May 2015 and:

- A. Repeal the Contact with Lobbyists CEO Guideline that transferred to the Noosa Council from the Sunshine Coast Regional Council under the *Local Government (De-amalgamation Implementation) Regulation 2013* and adopt the Noosa Council Contact with Lobbyists Policy provided at Attachment 1 (incorporating minor punctuation and grammatical changes);
- B. Note the Contact with Lobbyists Organisational Guideline provided at Attachment 2, which is to be authorised and amended by the CEO (as required); and
- C. Note the Contact with Lobbyists Flowchart provided at Attachment 3.

Recommendation

The Planning & Organisation Committee recommendations dated 26 May 2015 be adopted except where dealt with or held over by separate resolution.

GENERAL COMMITTEE RECOMMENDATIONS

1 JUNE 2015 - Crs Frank Wilkie (Chair), Bob Abbot, Sandy Bolton, Joe Jurisevic, Frank Pardon, Noel Playford and Tony Wellington

1 FURTHER REPORT – MCU APPLICATION FOR INDUSTRIAL BUSINESSES, SERVICE STATION & CONVENIENCE SHOP & FOOD OUTLET (TRADIES CAFÉ) AT 139 EUMUNDI NOOSA RD & 30 LIONEL DONOVAN DV, NOOSAVILLE – MCU14/0102 & OPERATIONAL WORKS APPLICATION FOR SIGNAGE – OPW15/0051

That Council note the report by the Development Planner to the General Committee Meeting dated 1 June 2015 and:

A. Approve the application for a Material Change of Use (MCU14/0102) and Operational Works (OPW15/0051) for Signage at 139 Eumundi Noosa Rd and 30 Lionel Donovan Drive, Noosaville, subject to conditions ~~and grounds~~ for approval contained in the Planning and Organisation Committee Agenda dated 26 May 2015 with amendments to the Material Change of Use conditions 6, 8, 23, 68, 69, 84 and 91 to read as follows:

Nature and Extent of Approved Use

6. The approved Gross Floor Area of the Entertainment and Dining Business Type 1 – Café ~~—‘tradies café’~~ is 90m² 137m² and 43m² 35m² of outdoor dining. ~~In this regard the plans must be amended to meet this condition.~~
8. The Entertainment and Dining Business Type 1 – Café may operate 24 hours ~~is approved as a ‘tradies café’ and must not operate outside the hours of 5am to 6pm Monday to Sunday.~~

Car Parking

23. A minimum of 65–67 car parking spaces and 8 motorcycle spaces must be provided and marked on the site. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - a. provision of vandal resistant public lighting with intensities to satisfy the requirements of Australian Standard AS1158: *Public Lighting Code*
 - b. a minimum of 3 disabled parking spaces within the total.

Operational

68. A Safety Management Plan must be developed and implemented for the operation and maintenance of the UPSS that includes both tanks and piping. The plan must include systems and procedures for preventing and monitoring for spills and leaks, and the appropriate response plan to these events. The management system must incorporate the following components:
 - a. objectives and targets to comply with all relevant legislation
 - b. hazard identification and risk assessment
 - c. details of the UPSS design and installation details (tank sizes, contents, location of all relevant infrastructure)
 - d. list of industry standards complied with for the design, installation and operation of the system
 - e. plans of the system and site
 - f. leak prevention measures
 - g. loss monitoring procedures
 - h. system maintenance procedures
 - i. emergency spillage response plan
 - j. loss investigation and notification procedures

- k. record keeping
- l. training requirements and records
- m. information on ownership and occupation of both the site and the UPSS, including specific contractual/franchise arrangements, defined responsibilities and relevant contact details
- n. procedures for the immediate rectification and remediation of any detected contamination

The safety management plan must be fully documented and made available onsite at the service station. The plan must be submitted to council prior to use of the service station. All testing and monitoring results must be documented accordingly and provided to Council upon request.

69. An Emergency Spillage Response Plan for spilt fuels and other hazardous materials must be developed as part of the Safety Management Plan and implemented at the service station. The plan will establish procedures to respond to identified hazards and to contain and dispose of spilt chemicals. All spilt materials must be contained to prevent the spread of the material, the affected area cleaned, and the material recycled, reused or disposed of in a manner that prevents contamination or further contamination of the ground surface, ground waters or soil. The plan must include but not be limited to the following matters:
- a. all actions to be taken by staff upon discovery of an incident
 - b. activation of emergency shut-off systems
 - c. use of spill clean-up kits
 - d. covering of drain entrances and bunding of impacted waterways
 - e. notification of emergency services where necessary
 - f. an accurate set of drainage plans which identify all containment and treatment systems and all potential points of access to Council stormwater infrastructure. Drainage plans must clearly trace the flow of any potential spillage and shall identify the location of the outlet point (e.g. creek, river, etc). A copy of the drainage plan must be placed in the two (2) HAZMAT boxes for the use of emergency responders
 - g. a flow chart providing an overview of actions to be taken in the event of a spill must be prepared and posted in a clearly visible location. It must include a list of emergency telephone numbers
 - h. notification of Council as soon as practicable where a spill presents actual or potential environmental harm (e.g. a spill that leaves the property and enters stormwater or natural drainage systems). In this regard notification must also include but not be limited to the following:
 - i. the time the registered operator of the activity became aware of the release;
 - ii. the suspected cause of the release;
 - iii. the potential environmental harm and or environmental nuisance caused, threatened, or suspected to be caused by the release; and
 - iv. actions taken to prevent any further release and to mitigate any environmental harm and or environmental nuisance caused by the release.

Leak detection for fuel tanks

84. All reasonable and practicable measures must be taken to prevent loss of containment from the UPSS. An approved leak detection system must be installed and operated at sufficient frequency, sensitivity and reliability to provide a high level of confidence that a release of a petroleum product will be detected in sufficient time for a response to be implemented before an unacceptable risk is posed to human health, property or the environment. As a minimum standard, all UPSSs are required to be monitored using a system that:
- a. can detect a leak from any portion of the UPSS
 - b. uses equipment that has been installed, calibrated and commissioned in accordance with the manufacturer's instructions
 - c. is capable of detecting a leak at a rate of 0.76 litres per hour or more, with at least 95% accuracy and a probability of false detection of 0.05 or less (USEPA)
 - d. has been certified by an independent third party consistent with the current USEPA protocols and system of verification
 - e. reports with a frequency of not less than monthly and provided to Council upon request
 - f. is operated by a suitably trained person.
91. The ground water in the monitoring wells must be tested for petroleum contamination immediately after either:
- a. the discovery whether by routine test or otherwise that ground water may be contaminated by petroleum originating from the property
 - b. the discovery whether pursuant to the loss monitoring procedure for the system or otherwise that the system has a leak.

B. Find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:

1. The convenience shop will fulfil a demonstrated need for convenience shopping within the area.
2. The convenience shop is well located on Noosa's major road network to capture some escape expenditure by servicing the convenience needs of the travelling public.
3. The café is suitably located to meet the convenience needs of the workers of the industrial estate and the travelling public, and provide an all hours food venue for the Noosa area.

2 REQUEST TO CHANGE A CONDITION OF A DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE FOR A HOME BASED BUSINESS TYPE 3 – SIGNIFICANT SCALE (QUAD BIKE TOURS) AT 298 TABLELANDS ROAD, COORAN MCU12/0012.01

Cr Wellington declared a conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to him being a submitter against the original application. Cr Wellington left the meeting room for the debate and decision on the matter.

That Council note the report by the Coordinator Planning to the Planning & Organisation Committee Meeting dated 26 May 2015 regarding Application No. MCU12/0012.01 for a request to change a condition of an existing Development Permit for a Material Change of Use – Home based business Type 3 – Significant Scale (Quad Bike Tours) situated at 298 Tablelands Rd Cooran and: ~~agree to delete Condition 16.~~

- A. Refuse to delete Condition 16.
- B. Amend Condition 16 to align with the lapsing date of the Department of Environment & Heritage Protection permit for a Commercial Activity within Woondum National Park to read as follows:
 - 16. This development approval lapses on 31 March 2018, unless application is made and approved by Council for extension.

Cr Wellington re-joined the meeting.

3 MATERIAL CHANGE OF USE APPLICATION FOR RETAIL BUSINESS TYPE 2 – SHOP & SALON SITUATED AT 15 NOOSA DR, NOOSA HEADS – MCU14/0053

That Council note the report by the Development Planner to the Planning & Organisation Committee Meeting dated 26 May 2015 and defer consideration for of Application No. MCU14/0053 for a Development Permit for Material Change of Use for a Retail Business Type 2 – Shop & Salon, situated at 15 Noosa Drive, Noosa Heads in accordance with the applicant's request to further discuss the proposed removal of certain structures to reduce site cover and car parking requirements with Council and:

- A. ~~Refuse the application for the following reasons:~~
 - ~~The proposed development does not meet the Overall and Specific Outcomes of the Driveways and Car Parking code as sufficient car parking is not provided on site to accommodate the number of vehicles likely to be generated by the development.~~
 - ~~The proposed development does not meet the Overall and Specific Outcomes of the Noosa Heads Locality Code as the proposals exceeds the 45% site cover requirement for Visitor Mixed Use Zone, having a 65% site cover.~~
- B. ~~Give notice to the property owner that the unapproved building works on site must be demolished within 6 months of Council's decision.~~

4 MATERIAL CHANGE OF USE APPLICATION FOR A SELF-CONTAINED RV STOP SITUATED AT 17 MARY RIVER RD, COOROY – MCU15/0003

That Council note the report by the Development Planner to the Planning & Organisation Committee Meeting dated 26 May 2015 regarding Application No. MCU15/0003 for a Development Permit for a Self-Contained RV Stop & Waste Dump Point situated at 17 Mary River Road, Cooroy and:

- A. Approve the application subject to the conditions and grounds for approval contained in the Planning & Organisation Committee Agenda dated 26 May 2015 with the deletion of condition 11 and amendments to conditions 13 and 16 to read as follows:
 - 13. To ensure the safety of visitors, the site must be managed by ~~an on-site~~ a caretaker.
 - 16. The vehicle access road, passing bays, access driveways and waste dump point must be constructed generally in accordance with the approved plans. These works must be completed prior to the commencement of the use.
- B. Reaffirm Council's position that the Combined Coastal Car Club and Cooroy Horse & Pony Club's needs for use of the site will be given priority, with the area in front of club house and the first access driveway only used on an as needs basis after consultation with the Combined Coastal Car Club.

5 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A LIFEGUARD STORAGE SHED AT NOOSA SPIT RECREATION RESERVE, CLAUDE BATTON DRIVE, NOOSA HEADS – MCU15/0036

That Council note the report by the Coordinator Planning to the General Committee Meeting dated 1 June 2015 regarding Application No. MCU15/0036 for a Development Permit for a Material Change of Use for an Emergency Service – Type 2 “Shed” (Lifeguard Storage) situated at Noosa Spit Recreational Reserve, Claude Batton Drive, Noosa Heads and:

- A. Approve the application in accordance with the following conditions:

When Conditions must be Complied With

1. Unless otherwise stated, all conditions of this Decision Notice must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

Approved Plans

2. Development undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table unless otherwise amended by these conditions.

Plan No.	Rev.	Plan/Document Name	Date
14712-S1 Sheet 1 of 6	A	General Notes and Drawing Index by TOD Consulting Engineers	DEC
14712-S2 Sheet 2 of 6	A	General Notes by TOD Consulting Engineers	DEC
14712-S3 Sheet 3 of 6	A	Footing Plan by TOD Consulting Engineers	DEC
14712-S4 Sheet 4 of 6	A	Floor Plan by TOD Consulting Engineers	DEC
14712-S5 Sheet 5 of 6	A	Roof Plan by TOD Consulting Engineers	DEC
14712-S6 Sheet 6 of 6	A	Elevations by TOD Consulting Engineers	DEC

Nature and Extent of Approved Use

3. The approved use is for a storage facility and associated washdown area only. The shed is not to be manned or otherwise used for other purposes.
4. The existing storage facility on neighbouring land (Lot 114 MCH839107) must be removed and the area made good to return it to public open space within 12 months of the commencement of the use.

Amenity

5. The shed shall be finished in natural colours that blend with the vegetated setting and minimise its visibility.
6. Advertising signage must not be placed on the shed.

Landscaping

7. A minimum of 20 x tubestock native dunal species must be planted and established in the area adjacent the shed on completion of construction. Recommended species are:

Tree/Shrubs

Casuarina glauca
Casuarina equisetifolia
Cupaniopsis anacardioides
Alectryon coriaceus
Banksia integrifolia
Banksia aemula
Elaeocarpus reticulatus
Hibiscus tiliaceus

Ground covers

Austromyrtus dulcis
Carpobrotus glaucescens
Hibbertia scandens

- B. Find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:
1. The lifeguard storage shed is appropriately sited beside existing foreshore infrastructure to provide critical support to the community use of the area's beach and marine environment.
 2. The use strongly aligns with the planning scheme intent for active recreation within the Open Space Recreation zone.
 3. The use replaces an existing facility on adjacent land, which is to be demolished and returned to community open space.

6 REGIONAL ARTS DEVELOPMENT FUND ROUND 2 GRANT RECOMMENDATIONS – 2014/2015

Cr Jurisevic declared a conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his potential participation in one of the projects being considered for RADF funding. Cr Jurisevic left the meeting room for the debate and decision on the matter.

Cr Wilkie declared a conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his membership on the Noosa Arts Theatre Management Committee. Cr Wilkie left the meeting room for the debate and decision on the matter.

Cr Wellington chaired the meeting for this item in the absence of Cr Wilkie.

That Council note the report by the Community Development Coordinator to the General Committee Meeting dated 1 June 2015 and approve the Regional Arts Development Fund recommendations for Round 2 2014-15, as outlined in Attachment 1 to the report.

Cr Wilkie and Cr Jurisevic re-joined the meeting. Cr Wilkie resumed the role of Chair.

7 NOOSA AQUATIC CENTRE BOARDWALK CAFÉ CONTRACT 1415T035

That Council note the report by the Noosa Aquatic Centre Coordinator to the General Committee Meeting dated 1 June 2015 and award Contract 1415T035 to Smiths of Doonan Family Trust for the lease of the Noosa Aquatic Centre Boardwalk Café for an initial two (2) year period commencing on 1 July 2015 and expiring on 30 June 2017 with a further one (1) year option for the annual sum of \$60,000 (excluding GST) subject to annual CPI All Groups Brisbane adjustments.

8 TENDER FOR REFURBISHMENT OF NOOSA COMMUNITY CARE FACILITY

That Council note the report by the Noosa Community Care Coordinator to the General Committee Meeting dated 1 June 2015 and award contract no 1415T019 to Midson Construction for the amount of \$204,307.11 excluding GST for the delivery of construction works related to the Noosa Community Care refurbishment program.

9 QUEENSLAND TREASURY CORPORATION (QTC) FINANCIAL SUSTAINABILITY REVIEW

That Council note the report by the Director Corporate Services to the General Committee Meeting dated 1 June 2015 detailing the outcomes of the Queensland Treasury Corporation (QTC) financial sustainability review of Council's long term financial plan and request the CEO to make a copy of the QTC report available on Council's website.

10 NOOSA NORTH SHORE BEACH CAMPGROUND – PROPOSED OPTION

That Council note the report by the Property and Facilities Manager to the General Committee Meeting dated 1 June 2015 and authorise the exercise of the option to extend the current management agreement for the Noosa North Shore Beach Campground for a further one (1) year period commencing 1 August 2015.

11 NOOSA RIVER HOLIDAY PARK – PROPOSED INTERIM AGREEMENT

That Council note the report by the Property and Facilities Manager to the General Committee Meeting dated 1 June 2015 and authorise the CEO to enter into an interim management agreement for the Noosa River Holiday Park with Anvera Pty Ltd trading as Dineen Tourism Management Park Pty Ltd for 6 months commencing on 1 September 2015.

Recommendation

The General Committee recommendations dated 1 June 2015 be adopted except where dealt with or held over by separate resolution.

6 ORDINARY MEETING REPORTS

Nil.

7 PETITIONS

8 CONFIDENTIAL SESSION

9 NEXT MEETING

The next Ordinary Meeting will be held on 2 July 2015 at the Council Chambers, 9 Pelican Street, Tewanin commencing at 6pm.

10 MEETING CLOSURE