



AGENDA

Ordinary Meeting

Thursday, 24 September 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 27 August 2015 be received and confirmed.

3 MAYORAL MINUTES

4 NOTIFIED MOTIONS

Nil.

5 CONSIDERATION OF COMMITTEE RECOMMENDATIONS**INFRASTRUCTURE & SERVICES COMMITTEE RECOMMENDATIONS****15 SEPTEMBER 2015 - Crs Sandy Bolton (Chair), Bob Abbot, Frank Pardon****Apology: Cr Noel Playford***Other Councillors in Attendance: Cr Jurisevic, Cr Wellington***1 FREE HOLIDAY BUSES 2015-16**

That Council note the report by the Project Officer to the Infrastructure & Services Committee Meeting dated 15 September 2015 and

- A. Provide Free Holiday Buses during the periods 26 December 2015 to 3 January 2016 and 25 March to 3 April 2016.
- B. Accept TransLink's quotation of \$40,614 (excl GST) for the Christmas Free Holiday buses for Routes 626,627,628,629 and 632.
- C. Authorise the CEO to accept TransLink's impending quotation for the Easter Free Holiday buses for Routes 626,627,628,629 and 632.
- D. Accept Sunbus's quotation for a shuttle between Peregian Beach and Noosa Heads.
- E. Accept Sunbus's quotation to provide one passenger assistant on selected dates.
- F. Approve a marketing budget of \$8,500 for the Christmas and Easter Free Holiday Buses.
- G. Include the Boreen Point–Tewantin Flexilink service and Council Cabs in the Free Holiday Buses services.
- H. Approve the use of Noosa Heads Lions Park as a car park for the period 26 December 2015 to 10 January 2016 and 25 March to 3 April 2016 to be managed by the Tewantin-Noosa Lions Club.
- I. Approve 60% of the Lions Park car parking revenue be provided to the Tewantin-Noosa Lions Club.

2 GYMPIE TERRACE, NOOSAVILLE - FOOTPATH RECONSTRUCTION AT WILLIAM STREET - UPDATE

That Council note the report by the Design Coordinator and Project Manager to the Infrastructure & Services Committee Meeting dated 15 September 2015 and

- A. Agree that the project proceed to tender stage based on the concept of constructing a raised concrete shared zone as a replacement of failed footpath to William Street, Noosaville; and
- B. Approve additional funds of \$159,770 from the unallocated renewal fund through the budget review process.

3 DRAFT NOOSA SOCIAL STRATEGY

That Council note the report by the Community Development Coordinator to the Infrastructure and Services Committee Meeting dated 15 September 2015 and

- A. Approve the "Draft Noosa Social Strategy" for the purpose of public exhibition and comment; and
- B. Request the Chief Executive Officer to collate and consider feedback received as part of the consultation undertaken for further consideration of the Noosa Social Strategy by Council.

4 THE J BUSINESS PLAN 2015 - 2018 REPORT

Item not dealt with by Infrastructure & Services Committee. Referred to General Committee for consideration.

Reason for referral – Cr Pardon disagrees with the recommendation.

5 LOCAL LAWS UPDATE REPORT TO 31 JULY 2015

That Council note the report by the Acting Local Laws Manager to the Infrastructure & Services Committee Meeting dated 15 September 2015 providing an update on the activities of the Local Laws Branch activities for the period ending 31 August 2015.

6 BUTTER FACTORY ARTS CENTRE MANAGEMENT

Item not dealt with by Infrastructure & Services Committee. Referred to General Committee for consideration.

Reason for referral – Cr Playford disagrees with the recommendation. Crs. Pardon & Bolton requested a further report providing additional financial information.

7 WASTE MANAGEMENT - ANNUAL REPORT 2014/15 INCLUDING UPDATE TO 31 JULY 2015

That Council note the report by the Waste Coordinator to the Infrastructure and Services Committee Meeting dated 15 September 2015 providing an update on the Waste Management Section's performance over the 2014/15 period and an update on the activities to 31 July 2015.

8 ENVIRONMENTAL HEALTH - ANNUAL REPORT 2014/15 INCLUDING UPDATE TO 31 JULY 2015

That Council note the report by the Acting Co-ordinator Environmental Health to the Infrastructure & Services Committee Meeting of 15 September 2015 providing an update on the Environmental Health Section performance for 2014/15 and an update on activities to 31 July 2015.

Recommendation

The Infrastructure & Services Committee recommendations dated 15 September 2015 be adopted except where dealt with or held over by separate resolution.

PLANNING & ORGANISATION COMMITTEE RECOMMENDATIONS**15 SEPTEMBER 2015 – Crs. Joe Jurisevic (Chair), Tony Wellington, Frank Wilkie****Apology: Cr Noel Playford***Other Councillors in Attendance: Cr Abbot***1 DEVELOPMENT COMPLIANCE STATISTICS JANUARY TO JULY 2015**

That Council note the report by the Manager, Planning & Environment to the Planning & Organisation Committee Meeting dated 15 September 2015 providing development compliance statistics for January to July 2015.

2 CHANGE TO AN EXISTING APPROVAL FOR INDUSTRIAL BUSINESSES, SERVICE STATION, CONVENIENCE SHOP AND FOOD OUTLET & OPERATIONAL WORKS (SIGNAGE) AT 139 EUMUNDI NOOSA RD & 30 LIONEL DONOVAN DRIVE, NOOSAVILLE - MCU14/0102 & OPW15/0051

That Council approve the request to change a development approval for a Material Change of Use and Operational Works (Signage), Application No MCU14/0102 and OPW15/0051, situated at 139 Eumundi Noosa Road & 30 Lionel Donovan Drive, Noosaville, in accordance with the following:

- A. Agree to Change Conditions 2, 6, 23, 24 of the Material Change of Use to read as follows:
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
DA-01-01	K	Site layout, prepared by Powe Architects	14/08/2015
DA-01-02	F	Site – Roof & Signage Location Plan, prepared by Powe Architects	14/08/2015
DA-02-01	E	Floor Plans, prepared by Powe Architects	14/08/2015
DA-02-02	C	Floor Plans, prepared by Powe Architects	14/08/2015
DA-03-01	D	Elevations, prepared by Powe Architects	14/08/2015
DA-03-02	D	Sections, prepared by Powe Architects	14/08/2015
SD-01	F	Landscape Concept Plan and Section, prepared by DFS Group	05/08/2015
SD-02	F	Landscape Concept Plan and Elevation, prepared by DFS Group	05/08/2015
SD-03	F	Design Intent & Suggested Plant Palette, prepared by DFS Group	05/08/2015

6. The approved Gross Floor Area of the Entertainment and Dining Business – Type 1 – Café is 151m².

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23. A minimum of 62 car parking spaces and 8 motorcycle spaces and 1 waiting bay in front of the Entertainment and Dining business 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:
- provision of vandal resistant public lighting with intensities to satisfy the requirements of Australian Standard AS1158: Public Lighting Code
 - a minimum of 3 disabled parking spaces within the total
 - vehicle queuing for the drive through must be generally in accordance with the approved plans.
24. All car parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times. In this regard a 'Keep Clear' zone must be line marked near the Lionel Donovan Drive access in accordance with the approved plans.
- B. Agree to Change Condition 8 of the Operational Works (Signage) to read as follows:
- All sign illumination must be switched off between 11:00pm and sunset of the following day except if a service station or an Entertainment and Dining business illuminated sign which may remain on during trading hours.
- 3 APPLICATION TO EXTEND THE RELEVANT PERIOD OF A DEVELOPMENT PERMIT FOR VISITOR ACCOMMODATION TYPE 4 (21 GUEST LODGES) AT 30 BEACH ROAD, NOOSA NORTH SHORE - 132007.742.05 (07/0742)**
- Item not dealt with by Planning & Organisation Committee. Referred to General Committee for consideration*
- Reason for referral – Requested by the Mayor**
- 4 APPLICATION TO EXTEND THE RELEVANT PERIOD FOR VISITOR ACCOMMODATION TYPE 4 (20 GUEST LODGES) AT 30 BEACH ROAD, NOOSA NORTH SHORE - 132008.1779.01**
- Item not dealt with by Planning & Organisation Committee. Referred to General Committee for consideration*
- Reason for referral – Requested by the Mayor**
- 5 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR WELLBEING TYPE 2 SOCIAL (MENS SHED) AT SCHOOL ROAD, POMONA - MCU5/0058**
- That Council note the report by the Development Planner to the Planning & Organisation Committee Meeting dated 15 September 2015 regarding Application No. MCU15/0058 for a Development Permit for Material Change of Use for Well Being Type 2 (Men's Shed) situated at School Street, Pomona and:
- Approve the application in accordance with the ~~following~~ conditions contained in the Planning & Organisation Committee Agenda dated 15 September 2015.
 - Find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:
 - The Men's Shed will provide an important social service to support Pomona's village and rural community.
 - The Men's Shed will not adversely impact on the amenity of nearby residential uses.

6 FURTHER REPORT FOR 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 further report by the Development Planner to the Planning & Organisation Committee Meeting dated 15 September 2015 for 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 and:

- A. Approve the application in accordance with the ~~following~~ conditions contained in the Planning & Organisation Committee Agenda dated 15 September 2015.:
- B. Execute the infrastructure agreement with the applicant for the payment of contributions in lieu of off-street parking for 3 car park spaces totalling \$68,187 (subject to indexation); and
- C. Give notice to the property owner that the unapproved works must be removed to the reasonable satisfaction of Council within 6 months.

7 PLANNING & ENVIRONMENT COURT APPEAL 3126/2015 FOR A REQUEST TO CHANGE CONDITIONS OF A DEVELOPMENT APPROVAL FOR A MIXED USE DEVELOPMENT AT 90 GOODCHAP STREET, NOOSAVILLE - 132007.12.6 (07/0012)

That Council note the report by the Development Planner to the Planning & Organisation Committee Meeting dated 15 September 2015 regarding Planning & Environment Court Appeal 3126/2015 and agree to defend the appeal.

8 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A MIXED USE SHOPPING CENTRE EXPANSION AND OPERATIONAL WORKS AT 28 EENIE CREEK ROAD, NOOSAVILLE (MCU14/0106 & OPW15/0001)

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

Reason for referral – Significance of issue

9 P & E COURT APPEAL D121/15 FOR A DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A MIXED USE DEVELOPMENT (SERVICE STATION, SHOP, FAST FOOD RESTAURANT, CAR WASH, SELF STORAGE FACILITY AND TOURIST PARK) AT 125 MYALL STREET COOROY - MCU14/0056

That Council note the report by the Coordinator Planning to the Planning & Organisation Committee Meeting dated 15 September 2015 regarding Planning & Environment Court Appeal D 121/15 and agree to defend the appeal.

10 QUEENSLAND FISHERIES MANAGEMENT REVIEW 2014

That Council note the report by the Environment Officer (Rivers and Coast) to the Planning & Organisation Committee Meeting dated 15 September 2015 regarding the Queensland Fisheries Management Review and request the CEO to arrange a meeting between the Minister for Agriculture and Fisheries, the Mayor and Cr Pardon to discuss the content of Council's submission and the recommendations made within that submission.

11 FINANCIAL PERFORMANCE REPORT AUGUST 2015

That Council note the report by the Manager Financial Services to the Planning & Organisation Committee Meeting dated 15 September 2015 providing the August 2015 monthly financial performance report for the 2015/16 financial year.

12 REGISTER OF PRE-QUALIFIED SUPPLIERS FOR TRADE SERVICES AND GENERAL MAINTENANCE - 1415T001

That Council note the report by the Procurement and Contracts Advisor to the Planning & Organisation Committee Meeting dated 15 September 2015 and:

- A. Establish a register of prequalified suppliers (RPQS) for trade services and general maintenance for those suppliers listed in Attachment 1 for a term of 1 year commencing 25 September 2015; and
- B. Authorise the Chief Executive officer to approve options to extend the RPQS:
 - 1. For 3 terms of up to 12 months each;
 - 2. For a potential completion date of the RPQS of 24 September 2019.

13 JULY 2015 RATE LEVY

That Council note the report by the Manager Revenue Services to the Planning & Organisation Committee Meeting dated 15 September 2015 providing an overview of the July 2015 Rate Levy.

14 COOROY RV STOPOVER PERMIT FEE - AMENDMENT TO GENERAL COST RECOVERY AND COMMERCIAL FEES AND CHARGES 2015-16

That Council note the report by the Executive Officer to the Planning & Organisation Committee Meeting dated 15 September 2015 and amend the Schedule of Cost Recovery Fees and Commercial Charges to include a \$10 per vehicle/per night permit fee pursuant to the *Local Government Act* Section 97 (2) (a), for users of the Cooroy RV Stopover located off 17 Mary River Road, Cooroy.

15 MEMBERSHIP CHANGE TO AUDIT AND RISK COMMITTEE

That Council note the report by the Chief Executive Officer to the Planning & Organisation Committee Meeting dated 15 September 2015 and note the resignation of Mayor Playford from the Audit and Risk Committee and appoint Councillor [Wilkie](#) to that Committee.

16 COUNCIL MEETING SCHEDULE 2016

That Council note the report by the Personal Assistant to the Chief Executive Officer to the Planning & Organisation Committee Meeting dated 15 September 2015 and approve the Council meeting dates for January – March 2016 as set out in Attachment 1 to the report.

17 NOOSA CARBON REDUCTION & ENERGY EFFICIENCY PLAN

That Council note the report by the Sustainability Project Officer to the Planning & Organisation Committee Meeting dated 15 September 2015 and:

- A. Agree to the development of a Carbon Reduction & Energy Efficiency Plan;
- B. Undertake a community engagement process to develop the Carbon Reduction & Energy Efficiency Plan as proposed in Attachment 1 attached to the report; and
- C. Refer the proposed budget for this project for inclusion in the next budget review.

18 CUSTOMER SERVICE CHARTER

That Council note the report by the Customer Service Coordinator to the Planning & Organisation Committee Meeting dated 15 September 2015 and adopt the proposed Customer Service Charter provided at Attachment 1 to the report [incorporating minor changes to the paragraph structure as discussed at the meeting.](#)

19 CONFIDENTIAL - NOT FOR PUBLIC RELEASE: ENVIRONMENT LEVY - POTENTIAL LAND PURCHASE

That Council note the report by the Principal Environment Officer to the Planning & Organisation Committee Meeting dated 15 September 2015 and authorise the Chief Executive Officer to commence negotiations for the purchase of the two parcels of land identified in Map 1 shown in the report, based on current valuations.

20 CONFIDENTIAL - NOT FOR PUBLIC RELEASE: ENVIRONMENT LEVY - REQUEST TO PURCHASE NOOSA NORTH SHORE LAND

That Council note the report by the Principal Environment Officer to the Planning & Organisation Committee Meeting dated 15 September 2015 and:

- A. Thank Noosa Parks Association for their offer to contribute funds to the purchase of Noosa North Shore land;
- B. Advise Noosa Parks that the lot is not suitable for acquisition because of the existing easement and current use of the site; and
- C. Advise Noosa Parks Association that Council would be interested in considering the joint purchase of other environmentally significant land parcels of interest.

Recommendation

The Planning & Organisation Committee recommendations dated 15 September 2015 be adopted except where dealt with or held over by separate resolution.

GENERAL COMMITTEE RECOMMENDATIONS

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

1 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR A MIXED USE SHOPPING CENTRE EXPANSION AND OPERATIONAL WORKS AT 28 EENIE CREEK ROAD, NOOSAVILLE (MCU14/0106 & OPW15/0001)

Cr Wellington declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to him being a submitter against a similar application (by a different applicant) on the same site. Cr Wellington 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 Council note the report by the Coordinator Planning to the Planning & Organisation Committee Meeting dated 15 September 2015 and refuse Application No. MCU15/0106 & OPW15/0001 for a Development Permit for Material Change of Use for a mixed use shopping centre expansion and associated Operational Works situated at 28 Eenie Creek Road, Noosaville for the following reasons:

1. The development conflicts with the South East Queensland Regional Plan's Desired Regional Outcome for employment because it will not diversify Noosa's economy and sterilises land to be retained for long-term non-retail opportunities.
2. The development fundamentally conflicts with The Noosa Plan's intent for the site to provide for long-term non-retail employment growth and diversification.
3. The development will have undesirable economic impacts on existing commercial centres.
4. The applicant has not demonstrated an economic need for additional retail development in the Shire Business Centre.
5. The development will have unacceptable impacts on traffic safety and traffic operations on Noosa's road network.
6. The development will necessitate expensive and disruptive traffic signals at two or more critical intersections within the network, which, without the subject development, can operate satisfactorily until well beyond 2026 with only minor upgrades to the existing roundabout-based system. Introduction of new signalised intersections to the local road network is contrary to Noosa's desired low-key network character and planning intent and is not acceptable.
7. The development is not consistent with the assumptions stated in Noosa's Local Government Infrastructure Plan for future development of the Noosa Business Centre. The applicant's proposed contributions toward intersection upgrades do not satisfactorily address the development's likely traffic impacts and any additional costs of upgrading the traffic network should be to the development and not the community.
8. The development will not provide sufficient on-site parking to accommodate design peak parking demands reasonably expected to be generated and will have adverse impact on the convenience of use of the Noosa Business Centre.
9. The development is likely to compromise the future development of a bus interchange critical to the future management of traffic and transport demands for the entire Business Centre.
10. The applicant has not demonstrated sufficient grounds exist to overcome the development's statutory planning conflicts.

2 BUTTER FACTORY ARTS CENTRE MANAGEMENT

Cr Pardon declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his potential personal business interests in the site. Cr Pardon left the meeting room for the debate and decision on this matter.

Cr Wellington declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his regular attendance at Cooroy Lower Mill Board meetings in an ex-officio capacity. Cr Wellington 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 Council note the report by the Special Projects Officer to the Infrastructure and Services Committee Meeting dated 15 September 2015 and the Further Report to the General Committee Meeting dated 21 September 2015 and:

- A. Adopt Option A (as set out in the report to the Infrastructure and Services Committee Meeting dated 15 September 2015) and authorise the CEO to enter into an agreement with the Cooroy Lower Mill Board to operate the Butter Factory Arts Centre on a 12 month trial basis, commencing 1 January 2016; and
- B. Provide a 12 month operating subsidy of \$120,279 to the Cooroy Lower Mill Board on the basis that the Board provide six monthly acquittals.

3 THE J BUSINESS PLAN 2015 – 2018 REPORT

That Council note the report by the Community Facilities Manager to the Infrastructure & Services Committee meeting dated 15 September 2015 and:

A. Request to the CEO to convene a Councillor Workshop to allow further discussion on The J Business Plan 2015-2018; and

B. ~~approve~~ Defer consideration of the ~~The J~~-Business Plan ~~2015-2018~~ to a future Council meeting.

4 APPLICATION TO EXTEND THE RELEVANT PERIOD OF A DEVELOPMENT PERMIT FOR VISITOR ACCOMMODATION TYPE 4 (21 GUEST LODGES) AT 30 BEACH ROAD, NOOSA NORTH SHORE - 132007.742.05 (07/0742)

Cr Wellington declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his involvement in the fit-out of the eco-centre which formed part of a related application near the subject site. Cr Wellington 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 Council approve the request to extend the relevant period for a Development Permit for Material Change of Use of Premises - Visitor Accommodation Type 4 (Western Development Zone Stage 3A sub stage (i)), Application No 132007.742.05, situated at 30 Beach Road, Noosa North Shore for a period of 4 years to expire on 13 December 2019 and amend condition 24 to read as follows:

24. The Development Permit for a Material Change of Use of premises lapses if the use has not happened by 13 December 2019, unless an application to extend the currency is approved by Council.

5 APPLICATION TO EXTEND THE RELEVANT PERIOD FOR VISITOR ACCOMMODATION TYPE 4 (20 GUEST LODGES) AT 30 BEACH ROAD, NOOSA NORTH SHORE - 132008.1779.01

Cr Wellington declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his involvement in the fit-out of the eco-centre which formed part of a related application near the subject site. Cr Wellington 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 Council approve the request to extend the relevant period for a Preliminary Approval for a Material Change of Use for Visitor Accommodation Type 4 (Western Development Zone Stage 3A sub stage [ii]), Application No 132008.1779.01, situated at 30 Beach Road, Noosa North Shore for a period of 2 years to expire on 6 June 2017 and amend condition 4 to read as follows:

4. The Preliminary Approval for a Material Change of Use of premises lapses on the **6 June 2017** if the total development is not complete by that date, unless otherwise extended by Council.

Recommendation

The General Committee recommendations dated 21 September 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 22 October 2015 at the Council Chambers, 9 Pelican Street, Tewanin commencing at 6pm.

10 MEETING CLOSURE