



MINUTES

Ordinary Meeting

Thursday, 20 August 2020

5pm

Council Chambers, 9 Pelican Street, Tewantin

**Crs Clare Stewart (Chair), Karen Finzel, Joe Jurisevic, Amelia Lorentson,
Brian Stockwell, Tom Wegener, Frank Wilkie**

“Noosa Shire – different by nature”

1 ATTENDANCE & APOLOGIES**COUNCILLORS**

Councillor C Stewart, Mayor
Councillor J Jurisevic
Councillor A Lorentson
Councillor B Stockwell
Councillor T Wegener
Councillor F Wilkie

EXECUTIVE

B de Chastel, Chief Executive Officer
M Shave, Director Corporate Services
K Contini, Director Community Services
K Rawlings, Director Environment & Sustainable Development
D Iezzi, Director Executive Services
C Billingham, Director Infrastructure Services

APOLOGIES

Councillor K Finzel

The meeting commenced at 5.00pm.

Council Resolution

Moved: Cr Stewart

Seconded: Cr Wilkie

That the operation of the Standing Orders or any relevant provision thereof be suspended to allow Council to consider an item of General Business.

Carried unanimously.

Council Resolution

Moved: Cr Stockwell

Seconded: Cr Wilkie

That Noosa Council express its sincere condolences on the passing of former Councillor, Heather Melrose, and to acknowledge Heather's significant contribution to the Noosa Community.

Carried unanimously.

Council Resolution

Moved: Cr Stewart

Seconded: Cr Wilkie

That Standing Orders be resumed.

Carried unanimously.

2 CONFIRMATION OF MINUTES**Council Resolution****Moved: Cr Jurisevic****Seconded: Cr Wegener**

The Minutes of the Ordinary Meeting held on 16 July 2020 be received and confirmed.

Carried unanimously.

3 MAYORAL MINUTES

Nil

4 PETITIONS**1 PETITION: REQUEST FROM THE 'KEEP NOOSA 5G FREE' COMMUNITY INTEREST GROUP TO APPLY A MORATORIUM TO THE ROLL OUT OF 5G TELECOMMUNICATIONS INFRASTRUCTURE IN THE NOOSA REGION****Council Resolution****Moved: Cr Lorentson****Seconded: Cr Wilkie**

That the petition tabled by Cr Lorentson requesting that Council to apply a moratorium to the roll out of 5G telecommunications infrastructure in the Noosa Region be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

5 NOTIFIED MOTIONS

Nil.

6 PRESENTATIONS

Nil.

7 DEPUTATIONS

Nil.

8 CONSIDERATION OF COMMITTEE RECOMMENDATIONS**PLANNING & ENVIRONMENT COMMITTEE RECOMMENDATIONS****11 AUGUST 2020 - Crs Brian Stockwell (Chair), Karen Finzel, Clare Stewart and Tom Wegener***Other Councillors in attendance: Cr Wilkie****The following Recommendations from the Planning & Environment Committee were adopted without discussion or further amendment.*****Council Resolution****Moved: Cr Wegener****Seconded: Cr Lorentson**

The Planning & Environment Committee recommendations dated 11 August 2020 be adopted.

Carried unanimously.

1 MCU19/0117 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR VISITOR ACCOMMODATION - TYPE 3 AT 500/90 BEACH ROAD, NOOSA NORTH SHORE

That Planning & Environment Committee Agenda Item 1 be referred to the General Committee for further consideration.

2 CLIMATE CHANGE RESPONSE PLAN

That Planning & Environment Committee Agenda Item 2 be referred to the General Committee due to the significance of the issue.

3 PLANNING & ENVIRONMENT COURT APPEAL NO D102 OF 2020 - REFUSAL OF ANCILLARY DWELLING UNIT AT 1/33 GATEWAY DRIVE, NOOSAVILLE

That Planning & Environment Committee Agenda Item 3 be referred to the General Committee for further consideration.

4 DEVELOPMENT ASSESSMENT FEES & CHARGES VARIATIONS FOR 1 JANUARY 2020 TO 30 JUNE 2020

That Council note the report by the Manger Development Assessment to Planning & Environment Committee Meeting dated 11 August 2020 regarding waiver or partial waiver of development application fees for 1 January 2020 to 30 June 2020 as detailed in the Report.

5 ENVIRONMENT AND SUSTAINABLE DEVELOPMENT DEPARTMENT UPDATE - 4TH QUARTER 2019-20

That Council note the report by the Director Environment and Sustainable Development to the Planning and Environment Committee Meeting dated 11 August 2020 providing an update on operations of the Environment and Sustainable Development Department for the period 1 April to 30 June 2020.

SERVICES & ORGANISATION COMMITTEE RECOMMENDATIONS

11 AUGUST 2020 - Crs Joe Jurisevic (Chair), Amelia Lorentson, Frank Wilkie and Clare Stewart

Other Councillors in attendance: Cr Karen Finzel and Cr Tom Wegener (items 6 – 10)

The following Recommendations from the Services & Organisation Committee were adopted without discussion or further amendment.

Council Resolution

Moved: Cr Jurisevic

Seconded: Cr Wilkie

The Services & Organisation Committee recommendations dated 11 August 2020 be adopted.

Carried unanimously.

1 APPOINTMENT OF 2021 SHOW HOLIDAY

That Council note the report by the Chief Executive Officer to the Services & Organisation Committee Meeting dated 11 August 2020 and request the Chief Executive Officer to write to the Office of Industrial Relations requesting the appointment of Friday, 10 September 2021 as a Show Holiday for the Noosa Shire.

2 TENDER CONSIDERATION PLAN - COUNCIL FACILITY DESIGN AND CONSTRUCTION

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 11 August 2020 and:

- A. Resolve to prepare a Tender Consideration Plan for the procurement of Design and Construction services for a temporary accommodation house, under section 230 of the Local Government Regulation 2012 and;
- B. Delegate authority to the Chief Executive Officer to:
 1. Prepare, finalise and adopt the plan; and
 2. Enter into contract/s, within the Chief Executive Officer's financial delegation, in order to achieve the objectives of the Tender Consideration Plan.

3 COMMUNITY SERVICES DEPARTMENT UPDATE - 4TH QUARTER 2019-20

That Council note the report by the Director Community Services to the Services & Organisation Committee meeting dated 11 August 2020 providing an update on the operations of the Community Services Department for the period 1 April to 30 June 2020.

4 CORPORATE SERVICES DEPARTMENT UPDATE - 4TH QUARTER 2019-20

That Council note the report by the Director Corporate Services to the Services & Organisation Committee Meeting dated 11 August 2020 providing an update on operations of the Corporate Services Department for the period 1 April to 30 June 2020.

5 NOOSA HOLIDAY PARKS UPDATE REPORT TO 30 JUNE 2020

That Council note the report by the Property Advisor Commercial Property to the Services & Organisation Committee Meeting dated 11 August 2020 providing an update on operations of the Noosa Holiday Parks Business Activity to 30 June 2020.

6 EXECUTIVE SERVICES DEPARTMENT UPDATE - 4TH QUARTER 2019-20

That Council note the report by the Director Executive Services to the Services & Organisation Committee Meeting dated 11 August 2020 providing an update on operations of the Executive Services Department for the period 1 April to 30 June 2020.

7 CAPITAL PROGRAM DELIVERY STATUS - 30 JUNE 2020

That Council note the report by the Asset Planning Manager to the Services & Organisation Committee Meeting dated 11 August 2020 providing an update on the status of the 2019/20 Capital Works Program and note that the anticipated 2019/20 Financial Year capital expenditure final result will be \$25.9M, equivalent to 84% of the \$30.8m capital works budget.

8 INFRASTRUCTURE SERVICES DEPARTMENT UPDATE - 4TH QUARTER 2019-20

That Council note the report by the Director Infrastructure Services to the Services & Organisation Committee Meeting dated 11 August 2020 providing an update on operations of the Infrastructure Services Department for the period 1 April to 30 June 2020.

9 OPERATIONAL PLAN PROGRESS REPORT - 4TH QUARTER 2019-20

That Services & Organisation Committee Agenda Item 9 be referred to the General Committee due to the significance of the issue.

10 YEAR IN REVIEW – 2019-20

That Services & Organisation Committee Agenda Item 10 be referred to the General Committee due to the significance of the issue.

GENERAL COMMITTEE RECOMMENDATIONS

17 AUGUST 2020 - Crs Frank Wilkie (Chair), Joe Jurisevic, Amelia Lorentson, Clare Stewart, Brian Stockwell and Tom Wegener

Apology: Cr Karen Finzel

1 MCU19/0117 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR VISITOR ACCOMMODATION - TYPE 3 AT 500/90 BEACH ROAD, NOOSA NORTH SHORE

Cr Lorentson declared a perceived conflict of interest in this matter (as defined in section 175D of the Local Government Act 2009) due to her personal relationship with the applicant Mark Bain of Teatree Property Pty Ltd and the Bain family, who are family friends that have attended social events together and whose children both attended school together and surfed together as part of the Noosa Board Riders Club. During the election Cr Lorentson had an election sign at Gympie Tce Petrol Station with the approval of the business owner and Mark Bain was the landlord of the property. Mr Bain also appeared in one of Cr Lorentson's videos circulated during the election campaign. Cr Lorentson left the meeting room for the debate and decision on this matter.

Council Resolution

Moved: Cr Stockwell

Seconded: Cr Jurisevic

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 9 June 2020 regarding Application No. MCU19/0117 for a Development Permit for Material Change of Use - Visitor Accommodation - Type 3 Rural, situated at Beach Road Holiday 500/90 Beach Road, Noosa North Shore and:

A. Refuse the application for the following reasons:

1. The proposed development is not for Visitor Accommodation - Type 3 Rural as defined under the Noosa Plan because:
 - a) a Detached house and Entertainment and Dining Business Type 2 Recreation, amusement & fitness are proposed on the site;
 - b) alternatively a Detached house and an undefined use is proposed;
 - c) the proposed lagoon/wave pool does not constitute an 'ancillary use'; and
 - d) the proposal does not have a direct connection with the environmental or scenic values of site.
2. The proposed development is for:
 - a) a Detached house, being an inconsistent use in the Visitor Mixed Use Zone under the Noosa North Shore Locality Plan and requiring impact assessment; and
 - b) Entertainment and dining business - Type 2 Recreation, amusement & fitness, being an inconsistent use in the Visitor Mixed Use Zone under the Noosa North Shore Locality Plan and requiring impact assessment or
 - c) Alternatively an undefined use requiring impact assessment.
3. The proposal does not comply with the Strategic Framework and Community Vision or the Desired Environmental Outcomes of The Noosa Plan for visitor facilities and tourism in Noosa, as:
 - a) the proposed accommodation does not support a range of accommodation styles on the Noosa North Shore, is limited to one dwelling unit and is likely to undermine the planning scheme's strategy to limit visitor accommodation on the Noosa North Shore to key identified sites contrary to 1.7.8 c) of the

- Strategic Framework and 3.1.3 k) of the Desired Environmental Outcomes; and
- b) the proposed lagoon/wave pool is at odds with the natural setting, is not low key and does not facilitate education and interpretation of the natural environment, and instead relies on built infrastructure as the tourist attraction contrary to 1.7.8 d) of the Strategic Plan and 3.1.3 k) of the Desired Environmental Outcomes.
4. The proposal does not comply with the Overall Outcomes a), e), g), h), r), s), u), and oo) and Specific Outcomes O1 and O9 of the Noosa North Shore Locality Code, as the proposal:
 - a) is not directly related to recreational experiences offered in the locality, which are based around the area's natural environment;
 - b) is not consistent with maintaining the locality's remote setting and undeveloped character being an area largely dedicated to conservation;
 - c) is likely to adversely impact on the amenity of visitors and residents on the Noosa North Shore;
 - d) is not secondary to its open space setting with a very low intensity and scale of operation;
 - e) will undermine the ability of the North Shore to offer visitor accommodation;
 - f) is likely to require a large number of water tankers to initially fill and continue to top up the wave pool which will impact on other ferry users and residents along the road access; and
 - g) would result in significant adverse impacts on biodiversity, native vegetation, native fauna habitat, landscape quality, and ground water quality as a result of clearing, excavation and waste water disposal.
 5. The proposal does not comply with the Overall Outcomes a) and c) and Specific Outcomes O3, and O35 of the Visitor Accommodation Code, as the proposal:
 - a) is not of a scale and nature complementary and respectful to its surroundings, has not been designed to integrate with the natural landscape setting and will result in adverse environmental impacts;
 - b) is not compatible with and does not promote the natural environment.
 6. The proposal does not comply with the Overall Outcomes a), b) c), d) and g) and Specific Outcomes O1, O3, O4, O7, O8, O11, O14, O15, O16, O18 and O19 of the Biodiversity Overlay Code, as the proposal would result in significant adverse impacts on the natural environment as a result of:
 - a) clearing of threatened species habitat of high value regrowth vegetation;
 - b) the potential to pollute a wetland with high ecological values through waste water disposal.
 7. The development proposal is inconsistent with the 2020 Noosa Plan, in which the land is zoned tourist accommodation, the provisions of which seek to restrict the subject land for visitor accommodation and to preserve the amenity of the area and natural vegetation in a similar manner to the 2006 Noosa Plan.
 8. Since the time of lodgement of the development application the State mapping has been updated, the subject land being now mapped as a koala priority area and core koala habitat area in which development is prohibited under the *Planning Regulation 2017* to the extent it interferes with koala habitat.

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9. There is no significant economic or town planning need for the proposed development.
10. There are no discretionary matters which would warrant approval of the proposed development.
- B. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.
- C. Note the application was lodged under the Noosa Plan 2006, which was superseded by the Noosa Plan 2020, which commenced on 31 July 2020. All references to the 'Noosa Plan' or 'the planning scheme' within the assessment report is in reference to the now superseded Noosa Plan 2006.

For: Crs Wilkie, Wegener, Stockwell, Jurisevic

Against: Cr Stewart

Carried.

Cr Lorentson returned to the meeting.

2 CLIMATE CHANGE RESPONSE PLAN

Council Resolution

Moved: Cr Stockwell

Seconded: Cr Jurisevic

That Council note the report by the Principal Strategic Planner to the Planning & Environment Committee Meeting on the Climate Change Response Plan dated 11 August 2020 and

- A. Approve the Project Plan provided at Attachment 1;
- B. Approve the Community and Stakeholder Engagement Plan provided at Attachment 2 to the report, with the addition of a further community engagement outcome to be listed in the "Aims of the Plan" as follows:
- "To achieve greater Council, community and industry commitment to the implementation of the plan as a result of meaningful collaboration during its development."
- and other such minor amendments as are determined appropriate by the Project Control Group to achieve this outcome; and
- C. Approve the updated Climate Emergency Response Plan PCG Charter provided at Attachment 3 to the report.

Carried unanimously.

The following Recommendations from the General Committee were adopted without discussion or further amendment.

Council Resolution

Moved: Cr Wilkie

Seconded: Cr Stewart

The General Committee recommendations dated 17 August 2020 be adopted except where dealt with or held over by separate resolution.

Carried unanimously.

3 PLANNING & ENVIRONMENT COURT APPEAL NO D102 OF 2020 - REFUSAL OF ANCILLARY DWELLING UNIT AT 1/33 GATEWAY DRIVE, NOOSAVILLE

That Council note the report by the Manager Development Assessment to the Planning & Environment Committee Meeting dated 11 August 2020 regarding Planning & Environment Court Appeal No. D102 of 2020 and agree to defend the appeal.

4 OPERATIONAL PLAN PROGRESS REPORT - 4TH QUARTER 2019-20

That Council note the report by the Chief Executive Officer to the Services & Organisation Committee Meeting dated 11 August 2020 providing an update on progress with the implementation of the Operational Plan to 30 June 2020 and details of Council's Key Performance Indicators.

5 YEAR IN REVIEW – 2019-20

That Council note the report by the Chief Executive Officer to the Services & Organisation Committee Meeting dated 11 August 2020 providing a review of Council's progress in the 2019/20 financial year towards achieving the five key focus areas set out in Council's Corporate Plan and thank Council staff for their efforts in the last twelve months to progress so many significant projects and providing outstanding service to our community.

6 BUDGET REVIEW 1 (BR1) FOR THE 2020/21 FINANCIAL YEAR

That Council note the report by the Manager Financial Services to the General Committee Meeting dated 17 August 2020 and approve the proposed changes to the budget for the 2020/21 financial year as outlined in the Revised Budget Financial Statements attached to the report.

7 FINANCIAL PERFORMANCE REPORT – JULY 2020

That Council note the report by the Manager Financial Services to the General Committee Meeting dated 17 August 2020 outlining July 2020 year to date financial performance against budget, including performance against key financial sustainability indicators.

8 FIRE MANAGEMENT ACTIONS UPDATE

That Council note the report by the Environment Services Manager and Economic Development Manager to the General Committee Meeting dated 17 August 2020 providing an update on fire management actions currently underway to enhance community safety.

9 CONFIDENTIAL: NOT FOR PUBLIC RELEASE - RAL17/0504 PLANNING & ENVIRONMENT COURT APPEAL NO D61 OF 2018 REFUSAL OF APPLICATION TO RECONFIGURE A LOT (1 INTO 4 LOTS) AT 135 LAKE WEBYA DRIVE, NOOSAVILLE

That Council note the report by the Manager Development Assessment to the General Committee Meeting dated 17 August 2020 and agree to settle Planning & Environment Appeal No. D61 of 2018 generally in accordance with the following conditions:

When Conditions Must be Complied With

1. Unless otherwise stated, all conditions of this development approval must be complied with prior to the plan sealing and the creation of the proposed lots. Compliance with the conditions of approval is required at all times.

Approved Plans & Documents

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
60669	E	Plan of Development (Proposed Community Title Subdivision of Lot 1 on RP36729) by Murray & Associates	31 July 2020
60669	E	Plan of Development (Proposed Community Title Subdivision of Lot 1 on RP36729) – Aerial by Murray & Associates	31 July 2020
17623-SK100	F	Preliminary Plan of Development (Sheet 1 of 2) by TOD	6 August 2020
Figure 4		Bushfire Mitigation Plan by Land and Environment Consultants (LEC) To be revised pursuant to condition 26	31 July 2019
		Flood Emergency Management Plan by Water Technology	27 February 2020
		Bushfire Management Plan to be approved pursuant to condition 26	
		Vegetation Management Plan to be approved pursuant to condition 39	
		Draft Covenant	22 June 2020

3. All lot numbering on the subdivision plan to be submitted to Council for compliance assessment must remain as shown on the Approved Plans.
4. The development must be undertaken and operated in a manner that causes no detrimental effect upon the amenity of the neighbourhood by reason of the creation of excessive noise, lighting nuisance or other emissions.

Currency Period

5. The Currency Period for this development approval lapses if all conditions have not been complied with, and the plan of survey lodged with Council for endorsement by 30 August 2024, unless an application to extend the currency period is approved by Council.

Plan of Development

6. All future dwellings on proposed Lots 1, 2 & 4 must be sited and constructed in accordance with the approved building envelopes and dwelling controls as shown on the Approved Plans. A copy of the approved Plan of Development and other management plans (referred to in this development approval) and maximum building height requirements must be included in any contract of sale for the proposed lots, together with a clause which requires all dwellings to be constructed in accordance with the development approval.
7. The Applicant must prepare a metes and bounds building envelopes plan indicating building pad areas for the proposed lots. The areas must be in accordance with Plan of Development, Drawing No. 17623-SK100, Revision F prepared by TOD Engineers and Project Managers, dated 6 August 2020. The plan must be submitted in both hard copy and digital format (dwg) on GDA 94 zone 56 coordinates. The Applicant must submit the plan to Council for approval prior to the endorsement of the Plan of Survey.

8. Dwellings and outbuildings are to be located within the building envelopes provided for the proposed lots consistent with Plan of Development, Drawing No. 7623-SK100, Revision F prepared by TOD Engineers and Project Managers, dated 6 August 2020.
9. Dwellings must not exceed a maximum building height of 9 metres measured from the natural ground level as defined by the Noosa Plan 2006.
10. The Body Corporate is responsible for maintaining the access to the proposed lots in accordance with the Plan of Development, Drawing No. 7623-SK100, Revision F prepared by TOD Engineers and Project Managers, dated 6 August 2020.

Onsite Civil Works

11. Prior to sealing of the plan of survey, proposed Lots 1, 2 & 4 are to be filled to provide suitable building pads and access in accordance with the Plan of Development, Drawing No. 7623-SK100, Revision F prepared by TOD Engineers and Project Managers, dated 6 August 2020. The works required are to be in accordance with the following:
 - a) the building pad on proposed Lot 4 is to be located not less than 4m from the southern boundary;
 - b) the building pads within proposed Lots 1, 2 & 4 are to achieve a minimum reduced level of RL 2.600m (AHD) and battered down to natural ground;
 - c) the access driveway from Lake Weyba Drive to each of the proposed lots is to be constructed in accordance with the Plan of Development, Drawing No. 7623-SK100, Revision F prepared by TOD Engineers and Project Managers, dated 6 August 2020, including the provision of 5.5m wide passing bays as shown;
 - d) the access driveway is to achieve a minimum reduced level of RL 1.5m (AHD);
 - e) roadside flood height gauge boards are to be installed within the common property to indicate depth of floodwaters to residents and occupiers of the site in metres (AHD);
 - f) the filling works undertaken for the raised building pads and access driveways shall be designed to prevent ponding within the proposed lots and on adjacent properties;
 - g) all civil works within the site are to be certified by a Registered Professional Engineer of Queensland (RPEQ).

Flood Emergency Management Plan

12. The Applicant is to notify all prospective purchasers of the proposed lots that the site is subject to flooding hazard and provide them with a copy of the Flood Emergency Management Plan (FEMP) dated 27 February 2020 prepared by Water Technology.
13. The FEMP (and associated procedures) must be complied with at all times. The Body Corporate and the owners of the proposed lots, including successive landowners, are responsible for implementing the FEMP.
14. All owners and occupiers of the proposed lots, including successive landowners, are to be provided with a copy of the FEMP (and procedures for the purposes of implementing the FEMP), for which the Body Corporate is responsible.
15. The Body Corporate is responsible for maintaining and providing suitable information packs/kits to all owners and occupiers of the proposed lots. The information packs must include details in relation to the flooding hazard, the FEMP and emergency flood procedures. A copy of the information packs/kits must be submitted to Council prior to the sealing of the survey plan.
16. The Applicant and the owners of the proposed lots are not permitted to undertake works within the proposed lots that would undermine the operation and implementation of the FEMP.

17. Prior to sealing of the plan of survey, the Applicant is to install a flood height gauge and siren, between 0.5m and 0.75m AHD, at a suitable low point on the common property to indicate depth of flooding to residents and occupiers of the site as required by the FEMP. The gauge and siren will be installed to Bureau of Meteorology (BOM) specifications. This is to allow for site specific flood monitoring in conjunction with reviewing the BOM weather warnings consistent with the FEMP, in particular Table 3-2.
18. The Body Corporate is responsible for the ongoing operation, management, maintenance (which includes replacement) and testing of the flood height gauge and siren (on an annual basis) and will enter into a contract with a suitable service contractor to maintain the flood height gauge and siren to BOM specifications. The Body Corporate is responsible for ensuring such maintenance contract is in force at all times.
19. The Body Corporate is responsible for advising all owners of the proposed lots of the requirement for a service contract and of funding arrangements associated with the ongoing operation, management and maintenance of the flood height gauge and siren required to be constructed within the common property. The Body Corporate is responsible for ensuring there are adequate funds at all times to operate, manage and maintain the flood height gauge and siren.
20. All dwellings must be constructed in accordance with the minimum floor level requirements, with the minimum habitable floor level above the probable maximum flood level of 3.43m (AHD).
21. The Body Corporate is responsible for the overall communication, implementation, and periodic update of the FEMP. A regular review of the FEMP shall be undertaken (at least once every two years), which is regarded as an essential part of the risk awareness-raising process.
22. The Body Corporate is responsible for ensuring that there is an active procedure for notifying the owners and occupiers of the proposed lots of the potential for a flood and a heavy rainfall event, and developing, maintaining and implementing emergency flood procedures, in accordance with the FEMP.
23. The Body Corporate is responsible for advising the owners and occupiers of the proposed lots that they are responsible for ensuring they have enough food, water, and medical supplies to shelter in place for a minimum of three days.

External Road Works

24. Prior to sealing of the plan of survey, the Applicant is to upgrade part of Lake Weyba Drive fronting the proposed development and extending to the north as shown on the Plan of Development, Drawing No. 7623-SK100, Revision F prepared by TOD Engineers and Project Managers, dated 6 August 2020.
25. The new roadwork will achieve a minimum reduced level of RL 1.5m (AHD) when travelling to the north for approximately 23.2m, starting from the southern edge of the access driveway, as shown on the Plan of Development, Drawing No. 7623-SK100, Revision F prepared by TOD Engineers and Project Managers, dated 6 August 2020.
26. The roadwork will transition over a distance of approximately 11.3m to match the existing pavement to the south of the access driveway, as shown on the Plan of Development, Drawing No. 7623-SK100, Revision F prepared by TOD Engineers and Project Managers, dated 6 August 2020.

Bushfire Management Plan

27. The Applicant is required to prepare a Bushfire Management Plan (BMP) in accordance with Section 12 of the Joint Expert Report of bushfire experts prepared by Robert Janssen and Rob Friend dated 12 August 2019 (**the JER**) and revise Figure 4 "Bushfire Mitigation Plan" from the JER to reflect the amended lot layout. The BMP and Figure 4 is to be submitted with a development application for operational work. Council's

approval of the BMP must be obtained prior to sealing of the plan of survey. The BMP is to be prepared by a suitably qualified and experienced bushfire expert and shall include the following requirements.

28. At the time of registering the plan of survey, a covenant is to be registered on proposed Lots 1, 2 and 4 in Council's favour generally in accordance with the draft covenant.
29. The approved BMP (and the bushfire mitigation measures for implementing the approved BMP) must be complied with at all times.
30. A fire trail will be established inside the perimeter of the Bushfire Protection Zone as shown on Figure 4. The design specifications for the fire trail are:
 - a) minimum formed width of 4m (the access gate from the common property driveway must also provide this clearance);
 - b) located inside a 6m wide vegetation clearing with minimum vertical clearance of 4m to overhanging tree branches;
 - c) surface rating of 6.5 tonnes for rural fire-fighter appliances;
 - d) all weather surface, e.g. gravel, concrete or bitumen, etc.;
 - e) 6m wide by 8m deep turnaround bay near the northern end; and
 - f) established as an access easement that is granted in favour of the Queensland Fire and Rescue Service and Noosa Shire Council.

Ecological

31. The Applicant is required to prepare a Vegetation Management Plan (VMP). The VMP is to clearly identify the extent of all development works, and particularly trees to be retained and removed. The VMP is to be submitted with a development application for operational work. The VMP must be implemented prior to sealing of the plan of survey. The VMP is to be prepared by a suitably qualified and experienced ecologist and address the following:
 - a) provide arborists advice seeking to minimise the loss of trees in close proximity to development works;
 - b) the fire-trail within proposed Lot 1 is to be constructed to minimize tree removal, and must avoid impacts to eucalypts where possible;
 - c) a fauna spotter be on site during tree clearing works;
 - d) any necessary removal of any gums (eucalypts) are to be replaced at a ratio of 3:1 (i.e. replant 3 trees for every 1 removed). This compensatory planting is to be provided in the western portion of proposed Lot 1 and beyond the fire trail (a planting plan which identifies planting locations and species is to be prepared);
 - e) weed management is to be undertaken on the western portion of proposed Lot 1;
 - f) the natural regeneration of the western part of the site (i.e. outside the bushfire management area) shall be allowed to occur;
 - g) any boundary fencing for proposed Lot 1 must be fauna friendly;
 - h) erosion control measures (standard best practice) to be implemented where necessary for any earthworks;
 - i) installation of four nest boxes (e.g. 1 x glider, 1 x possum and 2 x parrot) is required in trees within the western portion of the site to compensate for the lack of hollows in the local landscape.

Community Management Statement

32. The community management statement for the proposed development must, at all times,

contain provisions requiring strict compliance by the owners and occupiers of the proposed lots with the approved FEMP and the maximum building height requirements. The community management statement must be submitted to the Council at the time of sealing of the plan of survey.

Owners responsible for Body Corporate

33. The owners of the proposed lots, including successive landowners must, jointly and severally, ensure that the requirements of these conditions to be carried out by the Body Corporate or for which the Body Corporate is responsible, are complied with.

Water & Sewer Connections

34. An underground connection to reticulated water and sewerage must be provided to each lot in accordance with the standards and requirements of Northern SEQ Distributor–Retailer Authority (Unitywater).
35. A Certificate of Completion from the Northern SEQ Distributor–Retailer Authority (Unitywater) must be submitted to Council that certifies an underground connection to reticulated water and sewerage has been provided to each lot OR the development site (for MCUs).

Boundary Encroachments

36. Certification must be submitted from a Licensed Surveyor which certifies that:
 - a) the setback/s to any new boundaries for any existing buildings remaining on the site comply with the relevant provisions of the planning scheme and the Building Act 1975, unless varied by the development approval;
 - b) the constructed access and manoeuvring areas (including associated fill batters and retaining walls) are fully contained within common property, including the 6m wide by 8m deep turnaround bay required to facilitate efficient access and egress for emergency services;
 - c) the fire trail and easement are established inside the perimeter of the Bushfire Protection Zone on proposed Lot 1;
 - d) all utility services and connections (e.g. electricity, telecommunications, water, sewerage) are wholly located within the lot they serve or alternatively included within an easement;
 - e) all retaining walls and structures are fully contained within the lot they retain; and
 - f) any fill, including fill batters, are wholly contained within the subject site and not on adjacent properties.

Electricity and Telecommunication Services

37. Underground reticulated electricity and telecommunication services must be provided to each lot in accordance with an approval for Operational Works and the standards and requirements of the relevant service provider.
38. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary conduits, pits and pipes to accommodate the future connection of optic fibre technology telecommunications.
39. Certification must be submitted to Council from all relevant service providers which certifies that the development has met the requirements of this Decision Notice and all applicable legislation at the time of construction.

9 ORDINARY MEETING REPORTS

Nil.

10 CONFIDENTIAL SESSION

Nil.

11 PUBLIC QUESTION TIME

Nil.

12 NEXT MEETING

The next Ordinary Meeting will be held on 17 September 2020 at the Council Chambers, 9 Pelican Street, Tewanin commencing at 5pm.

13 MEETING CLOSURE

The meeting closed at 5.17pm.