



MINUTES

Planning & Environment Committee Meeting

Tuesday, 9 March 2021

9.30am

Council Chambers, 9 Pelican Street, Tewantin

Committee: Crs Brian Stockwell (Chair), Karen Finzel, Clare Stewart, Tom Wegener

“Noosa Shire – different by nature”

1 ATTENDANCE & APOLOGIES**COUNCILLORS**

Cr Brian Stockwell (Chair)

Cr Karen Finzel

Cr Tom Wegener

Cr Clare Stewart

Cr Wilkie (*non-Committee Councillor*)

Cr Lorentson (*non-Committee Councillor*)

EXECUTIVE

B de Chastel, Chief Executive Officer

A Dow, Acting Director Environment and Sustainable Development

The meeting commenced at 9.32am.

2 CONFIRMATION OF MINUTES**Committee Resolution**

Moved: Cr Stewart

Seconded: Cr Wegener

The Minutes of the Planning & Environment Committee Meeting held on 9 February 2021 be received and confirmed.

Carried unanimously.

3 PRESENTATIONS

Nil.

4 DEPUTATIONS

Nil.

5 REPORTS FOR CONSIDERATION OF THE COMMITTEE

1 MCU20/0119 - APPLICATION FOR MATERIAL CHANGE OF USE FOR SHORT TERM ACCOMMODATION AT 1/20 NANNYGAI STREET, NOOSAVILLE

Committee Recommendation

Moved: Cr Wegener

Seconded: Cr Stockwell

That Planning and Environment Committee Agenda Item 1 be referred to the General Committee due to the significance of the issue.

Carried unanimously.

2 51987.44.02 – MINOR CHANGE TO A DEVELOPMENT APPROVAL FOR ENTERTAINMENT AND DINING BUSINESS - TYPE 1 FOOD & BEVERAGES AND A RETAIL BUSINESS - TYPE 2 SHOP & SALON – 6 THOMAS STREET, NOOSAVILLE

Committee Recommendation

Moved: Cr Stewart

Seconded: Cr Wegener

That Planning and Environment Committee Agenda Item 2 be referred to the General Committee for further consideration.

Carried unanimously.

3 MCU20/0078 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR TOURIST PARK AT 154 HOLTS ROAD, COOROY

Committee Recommendation

Moved: Cr Stewart

Seconded: Cr Stockwell

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 9 March 2021 regarding Application No. MCU20/0078 for a Development Permit for Material Change of Use - Tourist park situated at 154 Holts Rd Cooroy 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
		Site Map – Plan of Cooroy No Worries RV Stop at Lot 2 on RP 893989	09.10.2020

Nature and Extent of Approved Use

3. No more than 20 Recreational Vehicles (RV's, caravans, motorhomes or the

like) may stay at the site at any one time.

4. Visitor stays shall not exceed 7 consecutive nights.
5. Wastewater from communal ablutions, laundry, kitchen facilities, and the like, must be directed to holding tanks for disposal offsite. Appropriate plumbing approvals must be held for the associated wastewater system.
6. No on-site release of grey water is permitted.
7. The storage of vehicles (RV's, caravans, motorhomes or the like) must not exceed a total of three at any one time.

Visitor Education

8. Visitors must be advised of the following requirements:
 - a. No on-site release of grey water or other waste
 - b. Location of nearest dump point and potable water supply
 - c. All dogs must be on a leash when walked in the area and must be restrained at all times during the stopover period
 - d. Owners must pick up and collect their dogs' faeces
 - e. Consideration be given for residents and road users when walking in the area
 - f. Noise must be minimised after 8.30pm

Street Identification

9. The street address of the development must be clearly visible from the Holts Road frontage of the site by the provision of a street number.
10. Access to the site must be clearly signed with a sign of up to 4m².

Site Access and Driveways

11. Sealed access driveways must be provided from Holts Road to all parking and manoeuvring areas of the development. The driveways must be generally in accordance with Council standard drawing RS-056 and maintained by the property owner

Car Parking

12. 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.
13. Directional signage must be provided to direct visitors and customers to the car parking spaces provided on site.

Stormwater Drainage

14. Stormwater runoff from the development must be disposed of on-site without causing scour or damage to the subject site or any adjoining property.
15. Stormwater drainage works and water quality devices and measures must be provided and maintained generally in accordance with the Stormwater Quality Management Plan included in the Stormwater Drainage for No 154 Holts Rd Cooroy Report dated 26 September 2014, Ref No: 1432 IWMP.doc, prepared by Callaghan & Toth. Particular attention must be given to the construction and maintenance regime of the two proposed Sediment Basins.

Earthworks and Retaining Walls

16. All earthworks and associated batters must be contained entirely within the

subject site unless written permission from the respective landowner(s) is provided to Council. All earthworks must be undertaken in accordance with the provisions of Australian Standard AS3798: Guidelines on Earthworks for Commercial and Residential Developments.

Erosion and Sediment Control

17. The property owner must ensure non-essential, short or long term, exposure of soil is prevented by minimising the duration of soil exposure to adverse weather conditions and effectively turf or stabilise any exposed area without delay and prior to rainfall occurring.
18. The property owner must ensure sediment does not leave the site or enter onto adjoining properties or the dam on the site due to surface runoff or on tyres of vehicles and/or machinery.
19. The property owner must implement appropriate approved erosion and sediment control measures throughout the life of the development.

Damage to Services and Assets

20. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner at the following times:
 - a. where the damage would cause a hazard to pedestrian or vehicle safety, immediately; or
 - b. where otherwise, upon completion of the works associated with the development.

Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.

Waste

21. The developer must provide adequate waste storage and disposal facilities.
 22. Refuse bins must not be placed on the existing road formation of Holts Road. A suitably sized all-weather pad shall be constructed adjacent the driveway entrances to provide for waste bin collection.
 23. Public bins must be provided throughout the site to reduce littering. Bins provided must be for refuse and recycling and be decanted into the bulk bins by the site operators.
- B. Find the following matters relevant to the assessment and sufficient reason to approve the application:
1. The development will help to address a significant need for low-cost accommodation for self-contained RV travellers in the Noosa area.
 2. The development will provide economic and community benefit by facilitating visitation to the Noosa hinterland.
 3. The site's location near the Bruce Highway is appropriate to cater for self-contained RV traveller's needs.
 4. The development is suitably screened to surrounding properties and will not result in adverse impacts on water quality entering Lake Macdonald
- C. Advise the applicant that:
1. Vehicles (RV's, caravans, motorhomes or the like) stored on the site must not exceed 3 at any one time and that any excess vehicles must be removed from the site within 3 months of the date of this decision.

2. A future application is required to obtain approval to store more than 3 vehicles.
- D. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.

Carried unanimously.

4 COM20/0139 - PLANNING & ENVIRONMENT COURT APPEAL NO D199 OF 2020 - ENFORCEMENT NOTICE ISSUED TO THE PROPERTY OWNER OF 347 EASTERN BRANCH RD, KIN KIN

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Wegener

That Council note the report by the Manager Development Assessment to the Planning & Environment Committee Meeting dated 9 March 2021 and seek to resolve Planning & Environment Court Appeal No. D199 of 2020 with the owner, ~~where~~ if agreement can be reached on satisfactory sediment and erosion controls for the earthworks undertaken.

Carried unanimously.

5 NOOSA TRAIL MASTERPLAN

Committee Recommendation

Moved: Cr Wegener

Seconded: Cr Finzel

That Planning & Environment Committee Agenda Item 5 be referred to the General Committee due to the significance of the issue.

Carried unanimously.

7 PROPOSED LOCAL LAW AMENDMENT – SHORT STAY LETTING – REVISED VERSION FOLLOWING PUBLIC CONSULTATION

In accordance with Chapter 5B of the Local Government Act 2009, Cr Stockwell provided the following declaration to the meeting of a **prescribed** conflict of interest in this matter:

I, Cr Stockwell inform the meeting that I have a prescribed conflict of interest in this matter as I am the owner of Lot 45 Noosa Lakes Resort at 3 Hilton Terrace, Tewantin. I am also the Body Corporate Chair. The draft Local Law for Short Stay Letting identifies the resort as one of proposed exempt sites (as identified in Attachment 7 of the Committee Agenda). The draft Local Law therefore has a different impact on me to the majority of short stay accommodation owners. Some would say beneficially, others the reverse, I have a Prescribed Conflict of Interest. As a result of my conflict of interest, I will leave the meeting room while the matter is considered and voted on.

Committee Resolution

Moved: Cr Stewart

Seconded: Cr Wegener

That Cr Finzel be appointed as Acting Chairperson of the meeting for this item for the purpose of considering the conflict of interest declaration by Cr Stockwell.

Carried unanimously.

Committee Recommendation**Moved: Cr Wegener****Seconded: Cr Stewart**

That Planning & Environment Committee Agenda Item 7 be referred to the General Committee due to the significance of the issue.

Carried unanimously.

Cr Stockwell re-joined the meeting and resumed the chair.

6 POTENTIAL AMENDMENTS TO NOOSA PLAN 2020 RELATING TO HOUSING CHOICE AND AFFORDABILITY**Committee Recommendation****Moved: Cr Stewart****Seconded: Cr Stockwell**

That Planning & Environment Committee Agenda Item 6 be referred to the General Committee due to the significance of the issue.

Carried unanimously.

8 DRAFT CLIMATE CHANGE RESPONSE PLAN**Committee Recommendation****Moved: Cr Wegener****Seconded: Cr Finzel**

That Planning & Environment Committee Agenda Item 8 be referred to the General Committee due to the significance of the issue.

Carried unanimously.

6 REPORTS FOR NOTING BY THE COMMITTEE**9 PLANNING APPLICATIONS DECIDED BY DELEGATED AUTHORITY****Committee Recommendation****Moved: Cr Stewart****Seconded: Cr Stockwell**

That Council note the report by the Development Assessment Manager to the Planning and Environment Committee Meeting dated 9 March 2021 regarding planning applications that have been decided by delegated authority.

Carried unanimously.

10 UPDATE ON NOOSA PLAN 2020 IMPLEMENTATION & MINISTER'S CONDITIONS**Committee Recommendation****Moved: Cr Stockwell****Seconded: Cr Wegener**

That Council note the report by the Principal Strategic Planner to the Planning & Environment Committee Meeting dated 9 March 2021 providing a progress update on the implementation of Noosa Plan 2020 and progress towards meeting the Minister's conditions, noting that the first paragraph of item 3.2 in the report contained an error and should read:

3.2 The remaining component states that by 24 December ~~2021~~ 2020, Council is to *complete the coastal hazards adaption plan (CHAP) and identify any necessary amendments to the Noosa Plan 2020 to fully integrate the SPP state interest for natural hazards, risk and resilience (Erosion prone areas).*

Carried unanimously.**11 PEREGIAN DIGITAL HUB – HALF YEAR REPORT TO 31 DECEMBER 2020****Committee Recommendation****Moved: Cr Stewart****Seconded: Cr Finzel**

That Council note the report by the Acting Director Environment and Sustainable Development to the Planning and Environment Committee meeting dated 09 March 2021 providing a half year report on the performance and activities of The Digital Hub for the period 1 July 2020 to 31 December 2020.

Carried unanimously.**12 ENVIRONMENT AND SUSTAINABLE DEVELOPMENT DEPARTMENT UPDATE – 2ND QUARTER 2020-21****Committee Recommendation****Moved: Cr Finzel****Seconded: Cr Stockwell**

That Council note the report by the Acting Director Environment and Sustainable Development to the Planning and Environment Committee Meeting dated 9 March 2021 providing an update on operations of the Environment and Sustainable Development Department for the period 1 October 2020 to 31 December 2020.

Carried unanimously.**7 CONFIDENTIAL SESSION**

Nil.

The meeting closed at 12.24pm.