



MINUTES

Planning & Environment Committee Meeting

Tuesday, 10 August 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 Amelia Lorentson (*non-Committee Councillor*)
Cr Frank Wilkie (*non-Committee Councillor*)

EXECUTIVE

B de Chastel, Chief Executive Officer
A Dow, Acting Director Environment & Sustainable Development

The meeting commenced at 9.30am.

2 CONFIRMATION OF MINUTES**Committee Resolution**

Moved: Cr Finzel
Seconded: Cr Wegener

The Minutes of the Planning & Environment Committee Meeting held on 6 July 2021 be received and confirmed.

Carried unanimously.

3 PRESENTATIONS

Nil.

4 DEPUTATIONS

Nil.

5 REPORTS FOR CONSIDERATION OF THE COMMITTEE**1 MCU17/0530 - REQUEST REIMBURSEMENT OF 50% OF THE COST OF DECOMMISSIONING TANKS IN ROAD RESERVE AT 34 MAPLE STREET, COOROY****Committee Recommendation****Moved: Cr Stewart****Seconded: Cr Wegener**

That Council note the report by the Manager Development Assessment to the Planning & Environment Committee Meeting dated 10 August 2021 and agree to reimburse 50% of the cost of decommissioning the underground tanks in the road reserve at 34 Maple Street, Cooroy to Madill Motors Pty Ltd being \$5,075.12.

Carried unanimously.**2 MCU17/0025.01 AND OPW17/0095.01 - APPLICATION FOR EXTENSION TO CURRENCY PERIOD FOR A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES - INDUSTRIAL BUSINESS TYPE 1 - WAREHOUSE AND OPERATIONAL WORKS APPROVAL (ADVERTISING DEVICES) AT 62 – 66 RENE STREET, NOOSAVILLE****Committee Recommendation****Moved: Cr Stewart****Seconded: Cr Stockwell**

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 10 August 2021 regarding Application No. MCU17/0025.01 for an extension to the currency period for a Development Permit for Material Change of Use for Industrial Business Type 1 Warehouse and OPW17/0095 for Operational Works (Advertising Devices) situated at 62 and 64-66 Rene Street, Noosaville and:

- A. Approve the extension to the currency period to 21 December 2022.
- B. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.

Carried unanimously.**3 MCU21/0071 – APPLICATION FOR A MATERIAL CHANGE OF USE – FOOD AND DRINK OUTLET AND SHOP AT 1/10 THOMAS STREET, NOOSAVILLE****Committee Recommendation****Moved: Cr Wegener****Seconded: Cr Finzel**

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 10 August 2021 regarding Application No. MCU21/0071 for a Development Permit for a Material Change of Use - Food and drink outlet and Shop situated at Noosaville Plaza 10 and 1/10 Thomas St, Noosaville and:

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

PLANNING

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
3-10THOM-L1	C	<i>Site Proposal Plan</i> , prepared by Neil Blamey	26 May 2021
3-10THOM-L2	A	<i>Landscape Plan</i> , prepared by Neil Blamey	26 May 2021

Nature and Extent of Approved Use

3. The approved use must not operate outside the hours of:
 - a. 6am to 10pm Monday to Thursday
 - b. 6am to 12am Friday and Saturday
 - c. 9am to 10pm Sunday or any public holiday
4. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
5. Service vehicle movements associated with the approved use (including loading and unloading) must not occur outside the hours of 7am to 6pm Monday to Saturday and not at all on Sundays or public holidays. The requirements of this condition must be included in the Community Management Statement for any body corporate for the subject site.
6. The outdoor dining area must not exceed 24m² as shown on the approved plans.

Building Appearance

7. All mechanical equipment and other service infrastructure located on the site must be:
 - a. located not less than 2 metres from a property boundary
 - b. fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties. Where screened by landscaping, landscaping beds must be at least 1.5 metres wide.

No part of the site may be used for outdoor storage of materials unless specified on the Approved Plans or the conditions of this Decision Notice.

Currency Period

8. This development approval lapses if the use has not happened by **20 August 2027**, unless an application to extend the currency period is approved by Council.

Performance Bond

9. Security in the form of a cash bond or trading bank guarantee to the sum of **\$5,000** must be submitted to Council, to secure performance of all conditions of this approval, prior to the commencement of the use. 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.

Water & Sewer Connections

10. An underground connection to reticulated water and sewerage must be provided to the development site in accordance with the standards and requirements of Northern SEQ Distributor–Retailer Authority (Unitywater).

Landscaping Works

11. The development site must be landscaped. The works must be undertaken in accordance with the Noosa Plan for that specific area and must include in particular:
 - a. the works shown on the Approved Plans including species and spacing as detailed on the Landscape Plan.
 12. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.
 13. All landscape works must be maintained generally in accordance with the approved design for the life of the development.
- B. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.
- C. Agree to enter into an Infrastructure Agreement with the applicant that provides for contributions in lieu of one (1) on-site car parking space.

Carried unanimously.

4 MCU21/0054 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE – SHORT TERM ACCOMMODATION AT 30 KINGFISHER DRIVE, PEREGIAN BEACH

Committee Recommendation

Moved: Cr Stewart

Seconded: Cr Finzel

That Planning & Environment Committee Agenda Item 4 be referred to the General Committee due to the significance of the issue.

Carried unanimously.

5 MCU21/0079 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE – SHORT TERM ACCOMMODATION AT 4 TEAL STREET, PEREGIAN BEACH

Committee Recommendation

Moved: Cr Stewart

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.

6 UPDATE TO INFRASTRUCTURE CHARGES RESOLUTION

Committee Recommendation

Moved: Cr Wegener

Seconded: Cr Stockwell

That Council note the report by the Infrastructure Assessment Coordinator to the Planning & Environment Committee Meeting dated 10 August 2021 and adopt the “Noosa Shire Council Charges Resolution (No.6) 2021” provided as Attachment 1 to the report, to replace the “Noosa Shire Council Charges Resolution (No.5.1) 2020” and take effect on 20 August 2021.

Carried unanimously.

7 CLIMATE CHANGE RESPONSE PLAN AND COMMUNITY CONSULTATION SUBMISSIONS

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Finzel

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

Carried unanimously.

8 NOOSA TRAIL MASTERPLAN UPDATE

The following material was presented to the meeting in relation to this item:

- *Cr Finzel – Map - refer to Attachment 1*

Committee Recommendation

Moved: Cr Finzel

Seconded: Cr Stewart

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

Carried unanimously.

9 FRYING PAN PUBLIC FORESHORE INFRASTRUCTURE

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

I, Cr Wegener, inform the meeting that I have a declarable conflict of interest in this matter as a personal friend of mine, Yeska Mass, owns property near the Frying Pan and regularly ties her boat up to one of the jetty structures mentioned in the report. As a result of my conflict of interest I will now leave the meeting room while the matter is considered and voted on.

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Stewart

That Planning & Environment Committee Agenda Item 9 be referred to the General Committee for further consideration.

Carried unanimously.

Cr Wegener re-joined the meeting.

6 REPORTS FOR NOTING BY THE COMMITTEE**11 NOOSA RIVER STAKEHOLDER ADVISORY COMMITTEE UPDATE****Committee Recommendation**

Moved: Cr Wegener

Seconded: Cr Stockwell

That Council note the report by the Principal Environment Officer to the Planning & Environment Committee Meeting dated 10 August 2021 providing an update on outcomes of the recently formed Noosa River Stakeholder Advisory Committee.

Carried unanimously.

10 PLANNING APPLICATIONS DECIDED BY DELEGATED AUTHORITY – JUNE 2021**Committee Recommendation**

Moved: Cr Stewart

Seconded: Cr Finzel

That Council note the report by the Development Assessment Manager to the Planning & Environment Committee Meeting dated 10 August 2021 regarding planning applications that have been decided by delegated authority.

Carried unanimously.

12 ENVIRONMENT AND SUSTAINABLE DEVELOPMENT DEPARTMENT UPDATE – 4TH QUARTER 2020-21**Committee Recommendation****Moved: Cr Wegener****Seconded: Cr Stewart**

That Council note the report by the Acting Director Environment and Sustainable Development to the Planning and Environment Committee Meeting dated 10 August 2021 providing an update on operations of the Environment and Sustainable Development Department for the period 1 April to 30 June 2021.

Carried unanimously.

7 CONFIDENTIAL SESSION

Nil.

The meeting closed at 11.58am.

ATTACHMENT 1

