



MINUTES

Ordinary Meeting

Thursday 21 April 2022

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

Councillor C Stewart, Mayor (Chair)
Councillor F Wilkie
Councillor K Finzel
Councillor J Jurisevic
Councillor A Lorentson
Councillor B Stockwell
Councillor T Wegener

EXECUTIVE

S Waters, Chief Executive Officer
L Sengstock, Director Infrastructure Services
K Contini, Director Community Services
D Iezzi, Director Executive Services
T Grauf, Acting Director Corporate Services

APOLOGIES

L Jensen, Acting Director Environment & Sustainable Development

The meeting commenced at 5.00pm.

2. CONFIRMATION OF MINUTES**Council Resolution**

Moved: Cr Lorentson

Seconded: Cr Finzel

The Minutes of the Ordinary Meeting held on 17 March 2022 be received and confirmed.

Carried unanimously.

Council Resolution

Moved: Cr Wilkie

Seconded: Cr Finzel

The Minutes of the Special Meeting held on 30 March 2022 be received and confirmed.

Carried unanimously.

3. MAYORAL MINUTES**4. PETITIONS**

1 PETITION: BEACH EROSION

Refer to Attachment 1

Council Resolution

Moved: Cr Stewart

Seconded: Cr Finzel

That the online petition submitted by Eastern Beach Protection Association signed by 1500 people regarding concerns about storm water and sewage eroding our beaches, be received, and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

2 PETITION: PARKING IN WARD STREET

Refer to Attachment 2

Council Resolution

Moved: Cr Wilkie

Seconded: Cr Stewart

That the petition submitted by signed by over 100 people regarding concerns about parking in Ward Street be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

5. NOTIFIED MOTIONS**1 NOTIFIED MOTION – CR BRIAN STOCKWELL PLANNING SCHEME AMENDMENTS - GRASSTREE COURT SUNRISE BEACH****Council Resolution**

Moved: Cr Stockwell

Seconded: Cr Wilkie

That Council:

- A. Consider the following Zoning Map changes as part of the current suite of planning scheme amendments being prepared for State government review and subsequent public comment, due to the presence of environmental values of state significance, high bushfire hazard and the critical shortage of social housing:
 1. Remove the listing of “3. Residential Care Facility” from Schedule 2 Map 14 over Lot 9 SP322789;
 2. Add a range of social housing use definitions to the existing listing of “3. Residential Care Facility” from Schedule 2 Map 14 over Lot 6 SP322789; and
- B. Request the CEO to include these matters in a future report to Council on the Planning Scheme Review.

For: Crs Stockwell, Wilkie, Jurisevic, Stewart and Wegener

Against: Crs Lorentson and Finzel

Carried.

6. PRESENTATIONS

Nil.

7. DEPUTATIONS

Nil.

8. CONSIDERATION OF COMMITTEE REPORTS**1 PLANNING & ENVIRONMENT COMMITTEE MEETING REPORT – 12 APRIL 2022****1 MCU21/0194 APPLICATION FOR MATERIAL CHANGE OF USE FOR ROADSIDE STALL AT 201 MARY RIVER ROAD, COOROY**

That Planning & Environment Committee Agenda Item 1 be referred to the General Committee for a further report which includes:

- A. A set of conditions that would allow Council to approve those uses that can be lawfully conducted as a Roadside Stall on the grounds that:
1. It meets the Strategic Intent of the Planning scheme which supports rural tourism and further acknowledging those aspects of the use are consistent with the aim to facilitate: “The evolution of traditional agriculture and the emergence of new sectors are supported by encouraging opportunities for value adding to occur before agricultural produce leaves the farm gate or leaves the region” and staff be requested to liaise with the applicant to ascertain their position.
 2. The use contributes to the overall outcome 2 (h) of the Rural Zone that envisages that “The establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated in a manner that does not significantly compromise the rural productivity or ecological values of the land.”
- B. Wording to append to the conditions of approval an advisory note that would indicate to the applicants that Council would be amenable to considering an application for a Low Use Commercial activity on the road reserve immediately in front of the premises for the running of mobile coffee bus on the grounds that such a use is consistent with the Commercial Use of Community Land Policy that requires the commercial use activity to enhance the visitor and local experience of Noosa Shire.

2 51901.4116.01 - MINOR CHANGE TO AN EXISTING APPROVAL FOR (DUAL OCCUPANCY) AT 1/22 & 2/22 KINGFISHER DR PEREGIAN BEACH

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

3 MCU21/0083 - APPLICATION FOR A MATERIAL CHANGE OF USE – MULTIPLE DWELLINGS (8 X DWELLING UNITS) AT 25 AND 27 TOOLAR STREET, TEWANTIN

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

4 MCU17/0076.01 – APPLICATION FOR AN OTHER CHANGE TO A DEVELOPMENT APPROVAL FOR MULTIPLE HOUSING TYPE 2 DUPLEX TO INCLUDE SHORT-TERM ACCOMMODATION & OPERATIONAL WORKS AT 1/25 EDWARD STREET, NOOSAVILLE

That Planning & Environment Committee Agenda Item 4 be referred to the General Committee for further consideration.

5 OPW21/0133 – APPLICATION FOR OPERATIONAL WORK (PRESCRIBED TIDAL WORKS) AT 10-12 RAVENWOOD DRIVE NOOSA HEADS

That Planning & Environment Committee Agenda Item 5 be referred to the General Committee for further consideration.

6 NOOSA RIVER OYSTER ECOSYSTEM RESTORATION PROJECT UPDATE

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

7 PLANNING APPLICATIONS DECIDED BY DELEGATED AUTHORITY – FEBRUARY 2022

That Council note the report by the Development Assessment Manager to the Planning & Environment Committee Meeting dated 12 April 2022 regarding planning applications that have been decided by delegated authority.

Council Resolution

Moved: Cr Stockwell

Seconded: Cr Wegener

That the report of the Planning & Environment Committee dated 12 April 2022 be received and the recommendations therein be adopted except where dealt with by separate resolution.

Carried unanimously.

2 SERVICES & ORGANISATION COMMITTEE MEETING REPORT – 12 APRIL 2022**1 CONTRACT NO. T000064 – COOROY BELLI CREEK ROAD BRIDGE REPLACEMENT**

That Council note the report by the Project Manager to the Services & Organisation Committee Meeting dated 12 April 2022 and

- A. Award Contract No. T000064 Cooroy Belli Creek Road Bridge Replacement to Ark Construction Group Pty Ltd for the lump sum price of \$1,011,420.09 (excl. GST); and
- B. Approve the total project budget of \$1,393,530 which includes project management, superintendent costs and other project allowances to be allocated between the 2021/22 and 2022/23 budgets for the construction spanning across both financial years.

2 REGISTER OF PRE-QUALIFIED SUPPLIERS OF BUSINESS AND MARKETING SERVICES

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

I, Cr Stewart, inform the meeting that I have a declarable conflict of interest in this matter as I am a personal client of Insight Social Media which is one of the 35 service providers that are proposed to be appointed to the panel for Digital Strategy and Marketing (refer Attachment 3). Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias because I believe I have had no influence on the operational decision of Council Officers to engage Insight Social Media. Therefore, I will choose to remain in the meeting room. However, I will respect the decision of the meeting on whether I can remain and participate in the decision.

Cr Wilkie assumed the Chair for the purpose of considering the conflict of interest declaration by Cr Stewart.

Council Resolution

Moved: Cr Wilkie

Seconded: Cr Lorentson

That Council note the declarable conflict of interest by Cr Stewart and determine that it is in the public interest that Cr Stewart participates and votes on this matter because Council believes that Cr Stewart had no influence on the operational decision of Council Officers to engage Insight Social Media and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried unanimously.

Cr Stewart did not vote on the above motion.

Cr Stewart resumed the Chair.

Council Resolution

Moved: Cr Stockwell

Seconded: Cr Jurisevic

That Council note the report by the Project Officer to the Services & Organisation Committee Meeting dated 12 April 2022 and

- A. Select the recommended respondents (provided in Attachment 3) to be Pre-qualified Suppliers for Council's Register of Pre-qualified Suppliers of Business and Marketing Services, identified as arrangement T000046, for an initial term of twelve (12) months;
- B. Approve the CEO to delegate the authority to extend the panel arrangement for three (3) further periods of twelve (12) months each, at the sole discretion of Council and subject to the performance of the suppliers under the panel; and

- C. Delegate authority to the CEO to enter into arrangements with other local governments in Queensland, on such terms as the CEO deems appropriate, to allow for those other local governments to enter into contractual arrangements with the suppliers appointed by Council to the Register of Pre-qualified Suppliers of Business and Marketing Services, as if those other local governments had themselves selected the suppliers to be a pre-qualified suppliers of business and marketing services.

Carried unanimously.

3 T00043 – ICT MANAGED SERVICES – TENDER AWARD

That Council note the report by the ICT Manager to the Services and Organisation Committee Meeting dated 12 April 2022 and

- A. Award Contract T00043 Provision of Telecommunications and Cloud Managed Services to the following Contractors for an initial term of three (3) years:
1. Separable Portion 1 – Managed Network Services to Nexon Asia Pacific Pty Ltd (Nexon);
 2. Separable Portion 2 – Managed Unified Communications Services to Optus Networks Pty Ltd (Optus);
 3. Separable Portion 3 – Managed Telephony and Services to Optus Networks Pty Ltd (Optus);
 4. Separable Portion 4 – Managed Azure Services to Codify Pty Ltd (Codify).
- B. Approve the CEO to delegate the authority to extend the Contract for up to three further periods of twelve (12) months each, subject to the performance of the suppliers under the Contract.

4 NOOSA SHIRE COUNCIL SPECIALISED SUPPLIER LIST

That Council note the report by the Procurement & Contracts Advisor to the Services & Organisation Committee Meeting dated 12 April 2022 and add SEEK Limited and LinkedIn Corporation to the current Specialised Supplier list for the remaining term of the list's validity period, being to 21 October 2022.

5 NOOSA RIVER HOLIDAY PARK – PROPOSED INTERIM MANAGEMENT AGREEMENT

That Council note the report by the Property Advisor – Commercial Property to the Services & Organisation Committee Meeting dated 12 April 2022 and authorise the CEO to enter into an extension to the current interim management agreement with Anvera Pty Ltd trading as Dineen Tourism Management commencing 1 May 2022 to 16 October 2022.

Council Resolution

Moved: Cr Jurisevic

Seconded: Cr Wegener

That the report of the Services & Organisation Committee dated 12 April be received and the recommendations therein be adopted except where dealt with by separate resolution.

Carried unanimously.

3 GENERAL MEETING COMMITTEE REPORT – 19 APRIL 2022**1 MCU21/0194 APPLICATION FOR MATERIAL CHANGE OF USE FOR ROADSIDE STALL AT 201 MARY RIVER ROAD, COOROY**

Refer to further report at Item 7.

3 MCU21/0083 - APPLICATION FOR A MATERIAL CHANGE OF USE – MULTIPLE DWELLINGS (8 X DWELLING UNITS) AT 25 AND 27 TOOLAR STREET, TEWANTIN

That Council note the report by the Project Coordinator Planning to the Planning & Environment Committee Meeting dated 12 April 2022 regarding, Application No. MCU21/0083 for a Development Permit for Material Change of Use - Multiple dwelling, situated at 25 & 27 Toolar St Tewantin and note that the applicant has stopped the decision period pursuant to the Planning Act 2016.

4 MCU17/0076.01 – APPLICATION FOR AN OTHER CHANGE TO A DEVELOPMENT APPROVAL FOR MULTIPLE HOUSING TYPE 2 DUPLEX TO INCLUDE SHORT-TERM ACCOMMODATION & OPERATIONAL WORKS AT 1/25 EDWARD STREET, NOOSAVILLE**Council Resolution**

Moved: Cr Stockwell

Seconded: Cr Jurisevic

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 12 April 2022 regarding Application No. MCU17/0076.01 and OPW17/0224.01 for an Other Change to a Development Permit for Material Change of Use – Multiple Housing Type 2 Duplex & Short-term accommodation & Operational Works, situated at 1/25 Edward St Noosaville and:

A. Refuse the application for the following reasons:

1. The proposal is not consistent with 3.2.4 Housing to meet diverse needs of the community and 3.3.3 Housing Choice (n) of the Strategic Framework, as it will further erode the permanent housing in the area, impacting permanent resident amenity.
2. The proposal is not consistent with 6.3.2.2 Purpose and Overall Outcomes (2)(a) and (h) of the Medium Density Residential Zone Code as:
 - a. The proposal is located in an area that has a substantial number of properties being used for visitor accommodation and/or properties permitted for visitor accommodation. The introduction of additional short-term accommodation within a duplex is not consistent with the purpose of the zone.
 - b. The proposal seeks to establish a new short-term visitor accommodation facility within a recently approved dual occupancy and is not located within a well-established resort or holiday units.
3. The proposal is not consistent with 7.2.4.2 Purpose and Overall Outcomes (2)(t) and Performance Outcome PO21 of the Noosaville Local Plan Code as:
 - a. Additional visitor accommodation in the area is likely to result in detrimental impacts on the residential amenity of permanent residents.

- b. While the code seeks to maintain visitor accommodation in the area, it does not seek to increase the extent of visitor accommodation within the area to the detriment of permanent residents.
 - 4. The proposal is not consistent with 9.3.5.2 Purpose and Overall Outcomes (1) and (2)(f) of the Visitor Accommodation Code as:
 - a. The proposed visitor accommodation is not appropriately located and integrated with permanent residents in the area given the number and density of properties currently being used for visitor accommodation and/or permitted for visitor accommodation.
 - b. The proposed visitor accommodation is likely to detract from the amenity enjoyed by residents.
 - 5. There is no need for additional short-term accommodation in the area.
 - 6. The proposal does not comply with Performance Outcome PO12 of the Visitor Accommodation Code and Performance Outcome PO6 of the Driveway and Parking Code as insufficient car parking is proposed on site to address the likely parking demands on site.
- B. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.

For: Crs Jurisevic, Stockwell; Wegener and Jurisevic

Against: Crs Lorentson, Stewart and Finzel

Carried.

5 OPW21/0133 – APPLICATION FOR OPERATIONAL WORK (PRESCRIBED TIDAL WORKS) AT 10-12 RAVENWOOD DRIVE NOOSA HEADS

That Council note the report by the Development Engineer to the Planning & Environment Committee Meeting dated 12 April 2022 regarding OPW21/0133 application for Operational Works (Prescribed Tidal Works) and request a further report for the Ordinary Meeting providing an alternative motion for approval.

6 NOOSA RIVER OYSTER ECOSYSTEM RESTORATION PROJECT UPDATE**Motion****Moved: Cr Wilkie****Seconded: Cr Wegener**

That Council note the report by the Environmental Services Manager (Acting) to the Planning and Environment Committee Meeting concerning the Noosa River Reef Shellfish Restoration Project dated 12 April 2022 and;

- A. Note the 6 monthly report for the project submitted in accordance with the Alliance & Funding Agreement between Noosa Council and The Nature Conservancy;
- B. Authorise the CEO to commence negotiations with The Nature Conservancy regarding the Noosa River Reef Restoration Alliance and Funding Agreement and report back to Council on the outcomes; and
- C. Note that a separate detailed report and considerations will be presented to Council regarding the findings of the Current and Historical Distribution of Seagrass in the Noosa Estuary Report presented by The Nature Conservancy.

Amendment No.1**Moved: Cr Lorentson****Seconded: Cr Stewart**

That item D, E, F be added to read:

- D. Seek to consult with stakeholders, including the Noosa River Advisory Group and the broader community to gauge overall community support for the renewal of the Noosa River Alliance and Funding Agreement (NRAFA);
- E. Authorise the CEO to consult with Council's Audit and Risk Committee and seek advice that arrangements are appropriate and in alignment with Council's risk and compliance management framework;
- F. Request the CEO to provide a further report on the outcomes of the consultation to help inform and guide future negotiations.

For: Crs Lorentson, Finzel and Stewart**Against:** Crs Stockwell, Jurisevic, Wilkie and Wegener**Lost.****Amendment No 2.****Moved: Cr Stewart****Seconded: Cr Lorentson**

That item D be added to read;

- D. Review the procurement and administrative processes to instigate the project, risks associated with the project and how these are to be mitigated and incorporated into Key Performance Indicators and any other matters that the Council should be made aware of in entering into the agreement.

For: Crs Stewart, Finzel, Lorentson and Jurisevic**Against:** Crs Wilkie, Stockwell and Wegener**Carried.**

Amendment No. 3**Moved:** Cr Stockwell**Seconded:** Cr Jurisevic

That item E be added to read:

- E. That the CEO be requested to keep a full record of staff time and costs and ancillary expenses associated with the conduct of the review and include these costs as part of the report back to Council.

Carried unanimously.**Amendment No.4****Moved:** Cr Finzel**Seconded:** Cr Stewart

That items be F, G & H be added to read:

- F. Authorise the CEO as per the TNC Alliance Funding Agreement Clause 20.5 - . "Amendments to this agreement may be proposed by either Party at any time in writing to the other Party. The terms of any amendments shall be negotiated by appointed contact officers and given effect by written agreement signed by both parties";
- G. Contact the TNC in writing with a request to see the receipts and financials as per the Noosa Shire Council 'Project Acquittal Form'; and
- H. Contact the TNC to commence in writing negotiations for inclusion within the current TNC Alliance Funding Agreement and/or any future TNC Alliance Funding Agreements to include the proper disclosure of all funds spent to include but not limited to: all receipts and financials to align with the Noosa Shire Council acquittal guidelines/policy to accurately show who each supplier/contractor/receiver of funds/receipts etc., to align with all other recipients of Noosa Shire Council Funding without prejudice the need to request in writing the information if Council wishes to see it as per the current 'Project Acquittal Form'.

For: Crs Finzel, Stewart, Jurisevic and Lorentson**Against:** Crs Wilkie, Wegener and Stockwell**Carried.**

Council Resolution**Moved:** Cr Wilkie**Seconded:** Cr Wegener

That Council note the report by the Environmental Services Manager (Acting) to the Planning and Environment Committee Meeting concerning the Noosa River Reef Shellfish Restoration Project dated 12 April 2022 and;

- A. Note the 6 monthly report for the project submitted in accordance with the Alliance & Funding Agreement between Noosa Council and The Nature Conservancy;
- B. Authorise the CEO to commence negotiations with The Nature Conservancy regarding the Noosa River Reef Restoration Alliance and Funding Agreement and report back to Council on the outcomes; and
- C. Note that a separate detailed report and considerations will be presented to Council regarding the findings of the Current and Historical Distribution of Seagrass in the Noosa Estuary Report presented by The Nature Conservancy.
- D. Review the procurement and administrative processes to instigate the project, risks associated with the project and how these are to be mitigated and incorporated into Key Performance Indicators and any other matters that the Council should be made aware of in entering into the agreement.
- E. That the CEO be requested to keep a full record of staff time and costs and ancillary expenses associated with the conduct of the review and include these costs as part of the report back to Council.
- F. Authorise the CEO as per the TNC Alliance Funding Agreement Clause 20.5 - "Amendments to this agreement may be proposed by either Party at any time in writing to the other Party. The terms of any amendments shall be negotiated by appointed contact officers and given effect by written agreement signed by both parties";
- G. Contact the TNC in writing with a request to see the receipts and financials as per the Noosa Shire Council 'Project Acquittal Form'; and
- H. Contact the TNC to commence in writing negotiations for inclusion within the current TNC Alliance Funding Agreement and/or any future TNC Alliance Funding Agreements to include the proper disclosure of all funds spent to include but not limited to: all receipts and financials to align with the Noosa Shire Council acquittal guidelines/policy to accurately show who each supplier/contractor/receiver of funds/receipts etc., to align with all other recipients of Noosa Shire Council Funding without prejudice the need to request in writing the information if Council wishes to see it as per the current 'Project Acquittal Form'.

For: Crs Finzel, Wilkie, Stockwell, Jurisevic and Wegener**Against:** Crs Stewart and Lorentson**Carried.****Council Resolution****Moved:** Cr Stewart**Seconded:** Cr Wilkie

That the meeting be adjourned at 7.28pm.

Carried unanimously.

Council Resolution**Moved:** Cr Stewart**Seconded:** Cr Wilkie*That the meeting resume at 7.35pm.***Carried unanimously.****7 FURTHER REPORT - MCU21/0194 FOR MATERIAL CHANGE OF USE APPLICATION FOR A ROADSIDE STALL AT 201 MARY RIVER ROAD, COOROY**

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 12 April 2022 and the further report to the General Meeting dated 19 April 2022 regarding Application No. MCU21/0194 for a Material Change of Use for a Roadside Stall situated at 201 Mary River Road, Cooroy 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
22-02/01	B	<i>Roadside Stall Visualisation and Site</i> , prepared by Beverley Jorgensen Building Designer	28/02/2022
22-02/02	B	<i>Site – Callout 1</i> , prepared by Beverley Jorgensen Building Designer	28/02/2022

Currency Period

3. This development approval lapses if the use has not happened by **21 April 2028**, unless an application to extend the currency period is approved by Council.

Nature and Extent of Approved Use

4. The approved use must only involve the sale of fresh or processed produce produced on the site and surrounding properties, including:
 - a. Honey that is produced on site from beehives
 - b. Eggs that are produced onsite
 - c. Fruit, vegetables and herbs that are grown on site and on nearby properties in the Cooroy Hinterland
 - d. Bottled juices from the fruit and vegetables available for sale.
5. Food and drink must not be prepared and sold for consumption on the premises. No on-site dining is permitted.
6. The approved use must be operated by a permanent resident or residents of the detached house on the site. A maximum of two (2) employees are permitted.

7. The approved use must not exceed 40m².
8. The approved use must not operate outside the hours of 5:30am to 1:00pm Monday to Friday, and 7:30am to 4:00pm on Saturday and Sunday.

Car Parking

9. A minimum of three (3) car parking spaces must be provided and marked on site and made available and accessible at all times while the use is open for business.
 10. All car parking areas and access driveways must be constructed with a suitable formation and maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.
 11. Directional signage must be provided to direct visitors and customers to the car parking spaces provided on site.
- B. Advise the applicant that they may wish to make an application for a Low Use Commercial Activity to permit the operation of a mobile coffee bus on the road reserve immediately adjacent the roadside stall.
- C. Find the following matters relevant to the assessment and sufficient reason to approve the application:
1. The proposal meets the Strategic Intent of the Planning scheme which supports rural tourism and further acknowledging those aspects of the use are consistent with the aim to facilitate: “The evolution of traditional agriculture and the emergence of new sectors are supported by encouraging opportunities for value adding to occur before agricultural produce leaves the farm gate or leaves the region”
 2. The use contributes to the overall outcome 2 (h) of the Rural Zone that envisages that “The establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated in a manner that does not significantly compromise the rural productivity or ecological values of the land.”
- D. Advise the applicant that if they wish to continue to operate the stall as a coffee shop an application is required for a food and drink outlet. The application should be lodged within 6 months and during this time the use may continue to operate from the site subject to the use not causing any significant impacts on the area.
- E. That CEO be requested to prepare a set of amendments to the Noosa Plan 2020 that facilitate a broader range of small scale rural enterprises directly related to the production of local food, beverages, arts and crafts in order to provide opportunities for home-based business and related uses that are of a scale suitable for assessment as accepted or code assessable development.

8 RAL21/0033 DEVELOPMENT APPLICATION FOR RECONFIGURATION OF A LOT (1 LOT INTO 8 LOTS) AT 60 GLENRIDGE DRIVE COOROIBAH

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

I, Cr Lorentson, inform the meeting that I have a declarable conflict of interest in this matter due to my personal relationship with the applicant Mark Bain and the Bain Family who are family friends. We have attended social events together, and our children have attended school together. As a result of my conflict of interest, I will leave the meeting room while the matter is considered and voted on.

Cr Lorentson left the meeting.

Council Resolution

Moved: Cr Stockwell

Seconded: Cr Stewart

That Council note the report by the Development Planner to the General Committee Meeting dated 19 April 2022 regarding Application No. RAL21/0033 for a Reconfiguring a Lot (1 into 8 lots) at 60 Glenridge Drive Cooroibah and note that the applicant has stopped the decision period pursuant to the Planning Act 2016.

Carried unanimously.

Cr Lorentson returned to the meeting.

9 PEREGIAN BEACH SURF LIFESAVING CLUB – NEW LEASE REQUEST**Council Resolution**

Moved: Cr Lorentson

Seconded: Cr Stewart

That Council note the report by the Property Manager to the Services & Organisation Committee Meeting dated 12 April 2022 and

- A. Authorise the CEO to enter into negotiations for a 10-year lease to Peregian Beach SLSC Inc. over Lot 165 MCH5180 (the whole building and surrounds) for Surf Lifesaving Purposes at Peregian Beach as generally outlined in the report subject to the Lessee:
1. Publishing annual reporting of progress toward establishment of the new Peregian Beach SLSC for the first three years of operations;
 2. Setting aside a suitable area for Surf Lifesaving Queensland to oversee Noosa Shire contract lifeguard operations as per the Surf Lifesaving Queensland Sunshine Coast Branch proposal;
 3. Agreeing that opportunities for ratepayer financial support will be by application through Council's community grants program and no commitment is provided by Council for direct ratepayer financial support
 4. Agreeing that building maintenance will be at Council's discretion subject to its independent assessment and asset maintenance planning;
- B. Note Peregian Beach Surf Lifesaving Club Inc's. request to operate the Peregian Beach Markets from May 2022 and authorise the CEO to issue the appropriate permit once Council has received a properly made application and undertaken its normal assessment process;
- C. Agree to consider as part of the 2022-2023 budget deliberations the allocation of \$71,000 per annum plus CPI (for a total of three years) to fund SLSQ contract lifeguard services on Saturdays and public holidays in the surf lifesaving patrol season (September to May)

for the purposes of providing lifesaving service continuity at Peregian Beach;

- D. Agree to consider as part of the 2022-2023 budget deliberations the allocation of \$90,000 to re-paint the clubhouse building; and
- E. Apply the exception to the requirement for tendering of the lease under *Section 236 (1) (b) (ii)* of the *Local Government Regulation 2012* as the lease is to a community organisation.

Carried unanimously.

10 FINANCIAL PERFORMANCE REPORT – MARCH 2022

That Council note the report by the Financial Services Manager (Acting) to the General Committee Meeting dated 19 April 2022 outlining March 2022 year to date financial performance against budget, including changes to the financial performance report with the inclusion of key financial sustainability indicators.

Council Resolution

Moved: Cr Wilkie

Seconded: Cr Lorentson

That the report of the General Committee dated 19 April 2022 be received and the recommendations therein be adopted except where dealt with by separate resolution.

Carried unanimously.

9. ORDINARY MEETING REPORTS**1 FURTHER REPORT FOR OPW21/0133 - OPERATIONAL WORK (PRESCRIBED TIDAL WORKS) AT 10-12 RAVENWOOD DRIVE NOOSA HEADS****Council Resolution****Moved: Cr Wegener****Seconded: Cr Stockwell**

That Council note the report by the Development Engineer to the Planning & Environment Committee Meeting dated 12 April 2022 and the General Committee Meeting dated 19 April 2022 and Ordinary Meeting dated 21 April 2022 regarding OPW21/0133 application for Operational Works (Prescribed Tidal Works) at 10-12 Ravenwood Drive, Noosa Heads and:

A. Refuse the application for the following reasons:

1. The proposal is contrary to PO1, PO9, PO13, and PO19 of the Waterways Works Code as it:
 - 1.1 will lead to cluttering and adverse amenity impacts on the character and amenity of the waterway and adjoining lots;
 - 1.2 includes works outside the prolongation of boundaries of the lot;
 - 1.3 will result in berthed vessels encroaching over the prolongation of boundaries of the lot;
 - 1.4 when all vessels are moored, prevents the jet skis from leaving its dry storage pontoon;
 - 1.5 will result in adverse amenity impacts and potential conflicts with users of the neighbouring jetty and put at risk users' safety.

B. Advise the applicant that the jetty must be modified to comply with the approved plans of development.

C. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.

For: Crs Wegener, Stockwell, Finzel and Wilkie

Against: Crs Lorentson, Stewart and Jurisevic

Carried.

GENERAL COMMITTEE RECOMMENDATION (MISSED IN EARLIER RECOMMENDATIONS)**2 51901.4116.01 - MINOR CHANGE TO AN EXISTING APPROVAL FOR (DUAL OCCUPANCY) AT 1/22 & 2/22 KINGFISHER DR PEREGIAN BEACH**

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

I, Cr Wilkie, inform the meeting that I have a declarable conflict of interest in this matter in relation to the application in Item 5 – 51901.4116.01 as the applicants, Sharon and Morrie Barnes were on my list of campaign volunteers for the 2020 LG Elections. I choose to remain in the meeting room. However, I will respect the decision of the meeting on whether I can remain and participate in the decision.

Council Resolution

Moved: Cr Stewart

Seconded: Cr Stockwell

That Council note the declarable conflict of interest by Cr Wilkie and determine that it is in the public interest that Cr Wilkie participates and votes on this matter because Council believes that he does not stand to receive a personal benefit or loss in relation to this matter and do not have a close personal relationship with Sharon and Morrie Barnes and therefore a reasonable person would trust that the final decision is made in the public interest.

For: Crs Stewart, Stockwell, Wegener, Finzel and Lorentson

Against: Crs Jurisevic

Carried.

Cr Wilkie did not vote on the above motion.

Council Resolution

Moved: Cr Stockwell

Seconded: Cr Finzel

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 12 April 2022 regarding Application No. 51901.4116.01 to make a minor change to an existing approval for a Dual Occupancy at Brolga Place 1/22 & 2/22 Kingfisher Dr, Peregian Beach and:

A. Refuse the change for the following reasons:

1. The proposal does not comply with Overall Outcome 2 (c), Performance outcomes PO9, PO10, PO11, PO12 and PO14 of the Medium Density Residential Zone code in Noosa Plan 2020 as the proposed changes will:
 - a. Exceed the maximum site cover and gross floor area sought for the area;
 - b. Contribute to the buildings bulk and scale, are not compatible with the site's small area and will dominates the streetscape; and
 - c. Reduce the extent of landscape area provided for the site.
2. The proposal does not comply with Acceptable outcome AO12.1 and corresponding Performance outcome PO12 (a) and (f) of the Medium Density Residential Zone code in Noosa Plan, as the proposed setback to the front boundary will:
 - a. Bring the existing deck further forward of the adjoining premises (20 Kingfisher Dr) affecting their amenity; and
 - b. Not be consistent with the predominant character of the streetscape.

3. The proposal is contrary to the Overall outcome (2) (b) and (c) and Performance Outcomes PO4 & PO10 (b), & (e) of the Dual Occupancy and Multiple Dwelling Code in Noosa Plan 2020 as:

- a. The existing building is of a bulk and scale that is not consistent with the existing character sought for the area and the proposed changes will contribute additional bulk and scale;
- b. The development does not contribute to the streetscape as the proposed changes will encroach further into the front setback; and
- c. The proposed changes will reduce the extent of, and opportunities for landscape areas on site.

B. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.

Carried unanimously.

10. CONFIDENTIAL SESSION

Nil

11. PUBLIC QUESTION TIME

Nil

12. NEXT MEETING

The next Ordinary Meeting will be held on 19 May 2022 at the Council Chambers, 9 Pelican Street, Tewantin commencing at 5pm.

13. MEETING CLOSURE

The meeting closed 8.18pm.

Attachment 1

Eastern Beaches Protection Association Inc. IA60190

14 March 2022

The Chief Executive Officer
Noosa Council,
PO Box 141,
TEWANTIN Qld 4565

Dear Sir

We hereby respectfully lodge the **attached** e-petition to Noosa Council and request it be presented to the whole of Council.

The e-petition was lodged at <https://www.change.org/p/noosa-council-stop-noosa-council-directing-stormwater-and-allowing-treated-sewage-from-eroding-our-beach> where petitioners could click in a web interface (see **attached**).

Our concern is that Council is currently directing stormwater and treated sewage onto our beaches, which is causing significant erosion and contaminating our native fauna and beaches right now.

As Trustees of our public foreshores, Noosa Council is required to protect and maintain the health of our creeks and the beach dunes. By allowing the erosion and contamination of the beaches, they are not only failing in their duties but actively causing significant damage.

Yours sincerely,



On behalf of
Management Committee.
Eastern Beaches Protection Association Inc



Eastern Beaches Protection Association Inc.
PO Box 184, Noosa Heads 4567
info@easternbeachesprotectionassociation.com
www.ebpa.com.au

SCANNED
REGISTERED

Box: 3164 R: PERM

3/14/22, 2:32 PM

Petition · Stop Noosa Council directing Stormwater and allowing Treated Sewage from Eroding our Beach - Change.org

At 2,500 signatures, this petition is more likely to get picked up by local news!



Stop Noosa Council directing Stormwater and allowing Treated Sewage from Eroding our Beach

1,638 have signed. Let's get to 2,500!

At 2,500 signatures, this petition is more likely to get picked up by local news!



Eastern Beaches Protection Association Inc started this petition to Noosa Council and 2 others

The Noosa Council is stating that climate change and increasing rain events will result in significant erosion to our beaches.

Yet, it is currently directing Stormwater and Treated Sewage onto our beaches, which is causing significant erosion and contaminating our native fauna and beaches right

Take the next step!

Attachment 2

Noosa Council
Att: Counsellor Wilkie – to pass on
9 Pelican Street
TEWANTIN 4565

20 April 2022



[Redacted]
TEWANTIN 4565

Dear Noosa Council

I reside at [Redacted] Tewantin. Ward Street is recognised as the street to live in in Tewantin. The residents, large amount of pedestrian traffic and street traffic of people coming to enjoy Ward Park, the Tewantin shops and the Marina is testament to this.

There has been a car parked in front of [Redacted] Street occupying the same parking place since The Australia Day weekend 26 January 2022. This car now has a cover over it and is being stored in a public parking spot.

We are concerned for the safety of passersby entering Ward Street from Ward Park. Our vision is greatly restricted when reversing our car out of our drive due to this car permanently parked. The large amount of motorised scooters, children on bikes and pedestrians that come from the park up Ward Street, some at great speed, have us concerned that one day we will not see them in time.

We have a disabled child living 3 doors up from us who has a disability bus collecting her Monday to Friday to take her to a school for special needs. This bus has difficulty in turning in a full circle at the end of our cul-de-sac.

The garbage trucks also struggle to turn in the turning bay allotted at the end of our cul-de-sac. They are amazing drivers.

On garbage collecting days we have to place our bins on our neighbours front lawn as there is no safe place to put our bins out the front of our own house for collection.

We would like to request Noosa Council to consider lengthening the yellow line to include the front of 6 Ward Street as a 'No Standing Zone'. As this one car space is monopolised by the same car permanently it will not be missed if included as a No Standing Zone.

Enclosed we have a petition of the residents and local traffic who agree with us and would all like to see the above request given great consideration.

Many Thanks

[Redacted signature block]



Box: 3167 R: Perth

Noosa Shire Council
9 Pelican Street
TEWANTIN LD 4565



Ward Street is recognised as the street to live in in Tewantin. The residents and the large amount of pedestrian traffic and street traffic of people going to enjoy Ward Park, the Tewantin shops and the Marina. Parking is limited in Ward Street as it is a cul-de-sac. There has been a car parked in the same parking place since The Australia Day weekend 26 January. This car now has a cover over it and is being stored in a public parking spot. We would like to request that the council look into this problem

