



# MINUTES

## Ordinary Meeting

**Thursday 19 May 2022**

**5pm**

**Council Chambers, 9 Pelican Street, Tewantin**

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

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*“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 (via Microsoft Teams)  
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 (via Microsoft Teams)  
L Jensen, Acting Director Environment & Sustainable Development

**APOLOGIES**

Nil.

The meeting commenced at 5.00pm.

**2. CONFIRMATION OF MINUTES****Council Resolution**

**Moved:** Cr Finzel

**Seconded:** Cr Lorentson

The Minutes of the Ordinary Meeting held on 21 April 2022 be received and confirmed.

**Carried unanimously?**

**3. MAYORAL MINUTES**

Nil

**4. PETITIONS**

Nil.

**5. NOTIFIED MOTIONS**

Nil.

**6. PRESENTATIONS**

Nil.

**7. DEPUTATIONS**

Nil.

## 8. CONSIDERATION OF COMMITTEE REPORTS

### PLANNING & ENVIRONMENT COMMITTEE MEETING REPORT – 10 MAY 2022

#### 1 PROPOSED LEASE TENANCY FOR PEREGIAN DIGITAL HUB

That Council note the report by the Digital Hub Director to the Planning & Environment Committee Meeting dated 10 May 2022 regarding the commercial lease of office space at the Peregian Digital Hub and

- A. Agree to enter a commercial lease of the unit 3b premises of 45m<sup>2</sup> to TP Collab Trading Pty Ltd. for a one year term with a three year extension option, as generally outlined in the report;
- B. Authorise the CEO or delegate to execute any subsequent lease extension, subject to the lessee complying with the terms of the lease.

#### 2 ECONOMIC DEVELOPMENT GRANT PROGRAM APPLICATION BY NOOSA CHAMBER OF COMMERCE & INDUSTRY INC.

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

#### 3 132002.220285.E – APPLICATION FOR A MINOR CHANGE TO A DEVELOPMENT APPROVAL FOR SHIRE BUSINESS CENTRE AT 28 EENIE CREEK ROAD, NOOSAVILLE

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 10 May 2022 regarding 132002.220285.E to make a minor change to an existing approval for Shire Business Centre situated at Noosa Civic 28 Eenie Creek Road, Noosaville and:

- A. Approve the change.
- B. Amend condition 5 to read as follows:

##### Scale and Types of Uses

1. 5 The uses allowed on the subject site and the scale of those uses are as follows:
  2. 5.1 The shop floor space for the Retail Centre shall not exceed 18,000m<sup>2</sup>, TUA. The uses nominated on the approved plans shall generally accord with the following TUA's:
    - Supermarket (Shop) 3,500 m<sup>2</sup>
    - Mini-Major (Shop) 1,200 m<sup>2</sup>
    - Discount Department Store (Shop) 6,500 m<sup>2</sup>
    - Speciality Retail (Shop) & Professional Offices 6,800 m<sup>2</sup>
    - Restaurants 200 m<sup>2</sup>
    - Centre Manager 115 m<sup>2</sup>
    - Staff Areas 50 m<sup>2</sup>
    - Public Toilets 150 m<sup>2</sup>

- Service Station 100 m<sup>2</sup>
3. 5.2 The uses allowed in the Retail Centre are:
- Shops
  - Professional Offices
  - Commercial Premises
  - Commercial Services
  - Restaurants
  - Service Station
  - Service Shops
  - Fast Food Premises
  - Medical Centre
  - Outdoor Entertainment, and
  - Special Purposes
4. 5.3 The Showroom/Homemaker floor space for the showroom component shall not exceed 7,000m<sup>2</sup> TUA. The uses allowed in the Showroom component are:
- Showroom
  - Commercial Premises
  - Commercial Services
  - Medical Centre
  - Professional Offices
  - Warehouse
  - Educational Establishment, and
  - Special Purposes
5. 5.4. The commercial and business floor space for the Commercial and Business component shall not exceed 5,000m<sup>2</sup> TUA. The uses allowed within the Commercial and Business component are:
- Commercial Premises
  - Commercial Services
  - Medical Centre
  - Professional Offices
  - Warehouse
  - Educational Establishment, and
  - Special Purposes
- 5.4(a) 82m<sup>2</sup> of tenancy BB-03 (as detailed on the Site Plan, Overall Site Plan and Retail Site Plan) may be used as Fast Food Premises

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

#### 4 PLANNING APPLICATIONS DECIDED BY DELEGATED AUTHORITY – MARCH 2022

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 in relation to the application by Altum Properties Group listed as Item 28 in this report and Altum Properties No.9 P/L TTE, which is listed as item 32 in this report. I have a friendship with Leigh and Rob McCreedy, who are associated with the applicant. As a result, of my conflict of interest I will now leave the meeting room while the matter is considered and voted on.*

Cr Stewart left the meeting.

Cr Wilkie, Deputy Mayor, assumed the Chair due to the conflict of interest declaration made by Cr Stewart.

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

*I, Cr Finzel, inform the meeting that I have a declarable conflict of interest in this matter in relation to the application by Altum Properties Group listed as Item 28 in this report and Altum Properties No.9 P/L TTE, which is listed as item 32 in this report. I have known Leigh McCreedy, who is associated with the applicant, in a volunteer capacity and who was involved with my 2020 election campaign with Future Noosa, which is no longer an entity. As a result of my conflict of interest I will now leave the meeting room while the matter is considered and voted on.*

Cr Finzel left the meeting.

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

*I, Cr Stockwell, inform the meeting that I have a declarable conflict of interest in this matter in relation to the application by Altum Properties Group listed as Item 28 in this report and Altum Properties No.9 P/L TTE, which is listed as item 32 in this report. On 24 February 2020 I sought a review by the Independent Council Election Observer (ICEO) as to the public claims of the Future Noosa Team, of which Leigh McCreedy was publicly identified as a Campaign Manager. Leigh McCreedy is associated with the applicant. Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias because Council's consideration of this application is not to approve or reject it, it is only for noting of a decision that has already been made by staff. 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.*

#### **Council Resolution**

**Moved: Cr Jurisevic**

**Seconded: Cr Wegener**

That Council note the declarable conflict of interest by Cr Stockwell and determine that it is in the public interest that Cr Stockwell participates and votes on this matter because Council believes that a reasonable person could not have a perception of bias because the ICEO review was advisory service, not a statutory process, and Cr Stockwell's queries at that time were in the public interest and neither he nor Ms McCreedy stood to personally gain or lose from that advice and therefore a reasonable person would trust that the final decision is made in the public interest.

**Carried unanimously.**

Cr Stockwell did not vote on the above motion.

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 in relation to the application by MC Bain which is listed as item 33 in this report. I have a 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 Jurisevic****Seconded: Cr Wegener**

That Council note the report by the Development Assessment Manager to the Planning & Environment Committee Meeting dated 10 May 2022, regarding planning applications that have been decided by delegated authority.

**Carried unanimously.**

Crs Stewart, Finzel and Lorentson returned to the meeting.

Cr Stewart resumed the Chair.

**5 NOOSA THREATENED FAUNA SPECIES RECOVERY ROAD MAP**

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

**6 VEGETATION ASSESSMENT PROJECT UPDATE**

That Council note the report by the Environment Officer, Vegetation Assessment to the Planning & Environment Committee Meeting dated 10 May 2022 providing an update on the vegetation assessment project.

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

That the report of the Planning & Environment Committee dated 10 May 2022 be received and the recommendations therein be adopted except where dealt with by separate resolution.

**Carried unanimously.**

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**SERVICES & ORGANISATION COMMITTEE MEETING REPORT – 10 MAY 2022****1 3D HAZARD MAPPING TOOL – APPOINTMENT OF SIMTABLE™**

That Services & Organisation Committee Agenda Item 1 be referred to the General Committee for further consideration.

**2 CAPITAL PROGRAM DELIVERY STATUS – 31 MARCH 2022**

That Council note the report by the Infrastructure Planning, Design & Delivery Manager to the Services & Organisation Committee Meeting 10 May 2022 providing an update on the delivery of the 2021/2022 capital program as at 31 March 2022.

**Council Resolution**

**Moved:** Cr Jurisevic

**Seconded:** Cr Finzel

That the report of the Services & Organisation Committee dated 10 May 2022 be received and the recommendations therein be adopted.

**Carried unanimously.**

**GENERAL MEETING COMMITTEE REPORT – 16 MAY 2022****1 ECONOMIC DEVELOPMENT GRANT PROGRAM APPLICATION BY NOOSA CHAMBER OF COMMERCE & INDUSTRY INC.**

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

*I, Cr Finzel, inform the meeting that I have a prescribed conflict of interest in this matter. In March 2020, Ms Pamela Sweetapple who is the Secretary of the Noosa Chamber of Commerce donated \$2630.33 to my 2020 Election Campaign where I was one of three candidates that ran as a group known as 'Future Noosa' (which is no longer an entity). As a result of my prescribed conflict of interest, I will leave the meeting room while the matter is considered and voted on.*

Cr Finzel left the meeting.

**Procedural Motion**

**Moved: Cr Stewart**

**Seconded: Cr Jurisevic**

That Item be taken off the table for further debate.

**Carried unanimously.**

**Motion (from General Committee Meeting dated 16 May 2022)**

**Moved: Cr Wilkie**

**Seconded: Cr Wegener**

That Council note the report by the Project Officer, Economic Development, to the Planning & Environment Committee Meeting dated 10 May 2022 and approve the Noosa Chamber of Commerce & Industry Inc. application to the Economic Development Grants Program in the amount of \$7,500 as follows:

- A. \$7,500 initial payment to be made to provide support to the Chamber to prepare:
1. Defined project plans that provide the pathway from objectives to outcomes;
  2. KPI's including membership and funding targets;
  3. Removal of potential duplication with existing projects; and
  4. An updated grant application with the above supporting information and a strong focus on deliverables aligned with Pillars 2 and 5 of the Roadmap and Strategic Plan; and
  5. Grant approval to include the proper disclosure of all funds to align with all other recipients of Noosa Shire Council Grant Funding at each stage
- B. Request a report to a future Council Meeting on the assessment of the updated application.

**Lost unanimously.**

**Motion**

**Moved: Cr Stewart**

**Seconded: Cr Wilkie**

That Council note the report by the Project Officer, Economic Development, to the Planning & Environment Committee Meeting dated 10 May 2022 and approve the Noosa Chamber of



Commerce & Industry Inc. application to the Economic Development Grants Program in the amount of \$30,000, to be paid in two instalments, with the following conditions:

- A. Payment 1 (June 2022) - \$15,000 Paid upon agreement with the Chamber on:
  - 1. Defined project plans that provide the pathway from objectives to outcomes;
  - 2. KPI's including membership and funding targets;
  - 3. Removal of potential duplication with existing projects;
- B. Payment 2 (October 2022) - \$15,000 upon presentation of a Progress Report including
  - 1. KPI's as agreed;
  - 2. Outcomes achieved to date and how this translates to community benefit;
  - 3. Copies of Minutes of the Chamber Committee Meeting to ensure governance and Committee management in order;
- C. Monthly Progress meetings with Chamber representatives and Economic Development staff in the first six months of the project, and then quarterly for the remainder of the grant program.

#### **Amendment No. 1**

**Moved:** Cr Stockwell

**Seconded:** Cr Jurisevic

That Item A, 1. be amended to read:

- 1. Defined project plans that provide the pathway from objectives to outcomes and a strong focus on deliverables aligned with Pillars 2 and 5 of the Roadmap and Strategic Plan; and

**Carried unanimously,**

#### **Amendment No. 2**

**Moved:** Cr Jurisevic

**Seconded:** Cr Wegener

That Item D be added to read:

- D. That the CEO arrange a workshop to provide Councillors with the final draft funding agreement and address any concerns prior to any funding being dispersed.

**Carried unanimously.**

#### **Council Resolution**

**Moved:** Cr Stewart

**Seconded:** Cr Wilkie

That Council note the report by the Project Officer, Economic Development, to the Planning & Environment Committee Meeting dated 10 May 2022 and approve the Noosa Chamber of Commerce & Industry Inc. application to the Economic Development Grants Program in the amount of \$30,000, to be paid in two instalments, with the following conditions:

- A. Payment 1 (June 2022) - \$15,000 Paid upon agreement with the Chamber on:
  - 1. Defined project plans that provide the pathway from objectives to outcomes and a strong focus on deliverables aligned with Pillars 2 and 5 of the Roadmap and Strategic Plan; and
  - 2. KPI's including membership and funding targets;
  - 3. Removal of potential duplication with existing projects;
- B. Payment 2 (October 2022) - \$15,000 upon presentation of a Progress Report including

1. KPI's as agreed;
  2. Outcomes achieved to date and how this translates to community benefit;
  3. Copies of Minutes of the Chamber Committee Meeting to ensure governance and Committee management in order;
- C. Monthly Progress meetings with Chamber representatives and Economic Development staff in the first six months of the project, and then quarterly for the remainder of the grant program.
- D. That the CEO arrange a workshop to provide Councillors with the final draft funding agreement and address any concerns prior to any funding being dispersed.

**For:** Crs Stewart, Wilkie, Lorentson, Jurisevic and Stockwell

**Against:** Cr Wegener

**Carried.**

Cr Finzel returned to the meeting.

## 2 NOOSA THREATENED FAUNA SPECIES RECOVERY ROAD MAP

That Council note the report by the Fauna Management Project Officer to the Planning & Environment Committee Meeting dated 10 May 2022 regarding the *Draft Fauna Threatened Species Road Map* developed by the Fauna Management Project Officer and note that

- A. The Road Map will be subject to an ongoing consultation program prior to finalisation;
- B. Deliverables of the Road Map will be subject to future funding requests under Council's commitment to 'significant implementation' of the *Noosa Environment Strategy* by 2023.

## 3 3D HAZARD MAPPING TOOL – APPOINTMENT OF SIMTABLE™

That Council note the report by the Disaster Management Officer to the Services and Organisation Committee Meeting dated 10 May 2022 and agree to enter into a medium sized\* contractual arrangement with Simtable™ for the provision of a 3D hazard simulation tool for a trial period of two (2) years, in accordance with section 235 (a) of the *Local Government Regulation 2012*. At the end of the 2 year trial, officers will assess the merits of the 3D Hazard Mapping Tool in supporting disaster management activities and whether to continue using it long term. Funding of ongoing costs will then be considered through future budget processes to determine whether general revenue, grants or other funding is applied.

*\*medium sized contractual arrangements are valued between \$15,000 and \$200,000, exc. GST*

## 4 NOOSA DRIVE PATHWAY PROJECT REFERENCE GROUP - APPOINTMENT OF COUNCILLORS TO REFERENCE GROUP

That Council note the report by the Infrastructure Planning, Design and Delivery Manager to the General Committee Meeting dated 16 May 2022 regarding the establishment of the Noosa Drive Pathway Project Reference Group and appoint Councillor Wilkie as Chair and Councillor Lorentson as a member of the Group.

**5 2122Q125 – CONTRACT FOR PROJECT MANAGEMENT SERVICES FOR 2022 FLOOD RECOVERY AND RECONSTRUCTION**

That Council note the report by the Disaster Reconstruction Coordinator to the General Committee Meeting dated 16 May 2022 and award Contract number 2122Q125 to Erscon Engineering Consultants (Erscon), under *Section 234 – Exception for LGA arrangement*, of the *Local Government Regulation 2012*, to provide Project Management Services to lead the Disaster Recovery Funding Arrangements (DRFA) activities as per the guidelines outlined by the Queensland Reconstruction Authority (QRA), for a term of 27 Months to the (maximum) value of \$2,100,000.00 GST exclusive as follows:

- A. \$2,000,000 for Project Management services that will exist until the DRFA acquittal date of September 30, 2024. These costs will be recoverable under the guidelines of the DRFA so Council will not have to fund this cost; and
- B. \$100,000 for submission administration that will exist until the DRFA acquittal date of September 30, 2024. These costs are not recoverable under the guidelines of the DRFA and will need funding by Council. It is proposed that the Disaster Management Reserve restricted cash be used to fund this activity.

**6 MCU21/0151 – APPLICATION FOR MATERIAL CHANGE OF USE – TELECOMMUNICATIONS FACILITY SITUATED AT 25 RAILWAY PDE, POMONA**

In accordance with Chapter 5B of the Local Government Act 2009, Cr Finzel 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 I have an NBN tower located on my property and receive income from NBN via a lease arrangement. It could be viewed that I have an interest in mobile phone networks and NBN towers however as the application is by Telstra and it does not indicate NBN or Optus infrastructure I do not believe a reasonable person could believe I have a perception of bias. 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.*

**Council Resolution**

**Moved:** Cr Stewart  
**Seconded:** Cr Jurisevic

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

**Carried unanimously.**

Cr Wegener did not vote on the above motion.

**Council Resolution**

**Moved:** Cr Jurisevic  
**Seconded:** Cr Finzel

That Council note the report by the Development Planner to the General Committee Meeting dated 16 May 2022 regarding Application No. MCU21/0151 for a Development Permit for Material Change of Use - Telecommunications Facility situated at 25 Railway Pde Pomona and:

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

**When Conditions Must Be Complied With**

1. Unless otherwise stated, all works required by the conditions of this Decision Notice must be completed 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.	Sheet No.	Plan/Document Name	Date
QC100259	S0	Site specific notes, prepared by Telstra	18.06.2021
QC100259	S1	Site Layout and Access, prepared by Telstra	18.06.2021
QC100259	S1-1	Site Layout, prepared by Telstra	18.06.2021
QC100259	S1-2	Site Setout Plan – Option 1, prepared by Telstra	18.06.2021
QC100259	S3	East Elevation, prepared by Telstra	18.06.2021
QC100259	G4	Site Earthing – Option 1, prepared by Telstra	18.06.2021
QC100259	G4-1	Earthing Scenario 3, prepared by Telstra	18.06.2021
QC100259	G4-4	Trench Details, prepared by Telstra	18.06.2021
QC100259	E2	AC Power Connection, prepared by Telstra	18.06.2021
QC100259	T2	Concrete Foundation Details, prepared by Telstra	18.06.2021
QC100259	T2-1	Equipment Platform – H Frame Detail, prepared by Telstra	18.06.2021
QC100259	T8	Compound Fence and Gate Details, prepared by Telstra <b>(as annotated by Council)</b>	18.06.2021
501-PL	A	Landscape Concept Plan, prepared by Urbis	21.12.2021

### Nature and Extent of Approved Use

3. The maximum height of the satellite dish must not exceed the maximum height as reflected in the approved plans with respect with the finished ground level and the natural ground level.
4. No lights are permitted to be attached to the telecommunications facility, except where required for hazard lighting purposes or similar.

### Currency Period

5. The Currency Period for this development approval lapses if the use has not happened by **19 May 2028**, unless an application to extend the currency period is approved by Council.

### Health and Safety

6. The development must not, at any time during the life of the development, result in human exposure to environmental electromagnetic emissions exceeding the current regulations, standards and/or recommendations of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA). The carrier of the infrastructure must provide, at any time upon request by Council, written certification to demonstrate compliance with this condition. The written certification must assume:
- a maximum number of users over the lifetime of the structure;
  - full power usage;
  - a maximum down tilt of antennae.

### Colours and Finishes

7. The development must be finished in pale eucalypt or the like in order to visually blend into the landscape.
8. Associated fencing (and gate) as shown on the approved plans must be visually unobtrusive and must be camouflaged through the use of colours, materials and screening vegetation to blend the fence into the visual landscape.

**Site maintenance**

9. The site must be kept tidy and well maintained at all times for the life of the development.

**Cessation of Use**

10. The facility must be removed from the site upon cessation of the use.

**Noise**

11. Written certification is required from a suitably qualified person confirming that sound pressure levels from all mechanical plant and equipment comply with the following:
  - a. Air-conditioning and equipment
    - 7am to 10pm: Maximum level allowable = background + 5dB(A)
    - 10pm to 7am: Maximum level allowable = background + 3dB(A)
12. The certification must be submitted to Council, which certifies that operational noise from any fixed plant and equipment complies with the requirements of this Decision Notice.

**Vegetation Retention**

13. Existing trees on the site must be retained, except where required to be removed to accommodate the approved use.
14. Existing vegetation in the road reserve must be retained, unless written authorisation from Council is granted for the clearing.

**Landscaping Works**

15. The development site must be landscaped generally in accordance with the approved plans and include additional landscaping to enhance the amenity of the site. The works must be undertaken in accordance with an Operational Works approval and the Noosa Plan and Planning Scheme Policy PSP2 - Landscaping for the Pomona area and must include in particular:
  - a. the works shown on the approved Landscape Concept Plan, and in addition include the following:
    - i. 1 x 45L pot size street tree per 8m of road frontage (minimum 7 trees);
    - ii. Screen planting (minimum 20L pot size) along side boundaries planted at maximum 3 metre centres with a maximum 3 metre height at maturity; and
    - iii. Screen planting (minimum 20L pot size) planted at maximum 3 metre centres with a maximum 3 metre height at maturity that screens buildings and structures visible from the street (exclusive of access driveways). Planting must be as close to the buildings and infrastructure as practicable for maximum screening.
16. 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.
17. The site must be regularly maintained at all times with all landscape works maintained generally in accordance with the approved design for the life of the development.

**Damage to infrastructure**

18. Any damage to footpaths, street plantings, natural vegetation/trees kerb and channel, bridges or roadways must be repaired or reinstated to at least pre-existing conditions.

**Stormwater Drainage**

19. Stormwater runoff from the development must be disposed of on-site without causing scour or damage to the subject site or any adjoining property.
- B. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.
- C. Advise the applicant to remove the demountable building (the former exchange building) or obtain building approval within 90 days of the date of this approval.
- D. Find the following matters relevant to the assessment and sufficient reason to approve the application:
1. The proposal is minor in nature and is co-located within a site with existing telecommunication facilities.
  2. The proposal can be conditioned to comply with the amenity and character elements sought by the Overall Outcomes in the Noosa Plan 2020.

**Carried unanimously.**

**7 OPW22/0029 DEVELOPMENT APPLICATION FOR OPERATIONAL WORKS (PRESCRIBED TIDAL WORKS – NOOSA RIVER OYSTER HABITAT RESTORATION) FOR NOOSA RIVER**

**Council Resolution**

**Moved:** Cr Jurisevic

**Seconded:** Cr Wegener

That Council note the report by Coordinator Engineering to the General Committee Meeting dated 16 May 2022 regarding Application No. OPW22/0029 for Operational Works (Prescribed Tidal Works – Noosa River Oyster Habitat Restoration for Noosa River and

- A. Approve the application in accordance with Referral Agency Conditions provided by SARA on 7 April 2022 and the following conditions:

**Approved Plans**

1. Phase 1 – Pilot Phase is only approved as part of this development approval.
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
NROR-2021-00	A	General Notes & Site Selection	09/07/2021
NROR-2021-01	-	Restoration Zones	20/05/2021
NROR-2021-02	A	Module Designs	09/07/2021
NROR-2021-03	A	Goat Island Restoration Site	09/07/2021
NROR-2021-04	A	Tewantin Island Restoration Site	09/07/2021
NROR-2021-05	A	Noosa Sound West Restoration Site	09/07/2021
NROR-2021-06	A	Noosa Sound East Restoration Site	09/07/2021

**Currency Period**

3. The development approval lapses if the works have not been substantially started by **19 May 2024**, unless an application to extend the currency period is approved by Council.

**General Conditions**

4. All works must be undertaken in accordance with the Noosa Oyster Restoration Project – Project Restoration Plan prepared by The Nature Conservancy dated January 2022.

5. All works must be undertaken in accordance with Maritime Safety Queensland (MSQ) and Department of Agriculture and Fisheries (DAF) requirements relating to signage and aids to navigation as detailed in the Noosa Oyster Restoration Project – Project Restoration Plan (Section 7) prepared by The Nature Conservancy dated January 2022.
6. All works must be undertaken in accordance with DAF requirements relating to notifications, marking of approved boundary areas and restoration of marine plants/tidal profiles that are temporarily impacted as a result of the works as detailed in the SARA Decision Notice.
7. All works must be undertaken in accordance with Best Practice Erosion and Sediment Control (BPESC) guidelines for Australia (International Erosion Control Association).
8. All works must be undertaken in accordance with Sections 6.1 and 6.4 of Noosa Oyster Ecosystem Restoration Project - Project Restoration Plan prepared by The Nature Conservancy Australia dated January 2022.
9. All works must be undertaken in accordance with the current Queensland Acid Sulfate Soil Technical Manual: Soil management guidelines, prepared by the Department of Science, Information Technology, Innovation and the Arts, 2014.
10. All materials used for construction works must be clean materials to ensure that the works do not contaminate the waterway.
11. All structures must be designed and constructed such that they are free standing within the waterway and are not connected to or behind the revetment wall.
12. All structures must have no detrimental effects on stormwater drains and/or easements.
13. In the event of collapse or failure of structural integrity of the oyster restoration substrates, the works must be removed from the waterway or reconstructed in accordance with this development approval.
14. All works must be undertaken in accordance with an approved Construction Environmental Management Plan (CEMP) which consolidates the commitments and management measures described in the Noosa Oyster Ecosystem Restoration Project – Project Restoration Plan including, but not limited to:
  - a. A Site Management Plan which describes environmental management measures at the proposed load out site including details of stockpile management;
  - b. An Erosion and Sediment Control Plan (ESCP) in accordance with BPESC guidelines;
  - c. A Marine Plant and Water Quality Monitoring Plan designed to monitor the composition of marine plant assemblages at habitat restoration sites and appropriate sites upstream and downstream; and
  - d. A Marine Biosecurity Management Plan for construction vessels.The CEMP should be submitted to Council for approval 20 business days prior to the commencement of works.
15. A monitoring report must be provided to Council on a six-monthly basis for the first year (and annually for the following 4 years) following completion of construction works which details the results of restoration monitoring and evaluation, including adaptive management measures taken and the success or otherwise of those measures.
16. Upon completion of construction works, any construction debris or waste must be removed from site and disposed of appropriately.

17. Lighting associated with the construction phase must be designed, installed, operated and maintained in accordance with Section 3 of AS4282 Control of the Obtrusive Effects of Outdoor Lighting.
  18. Wastewater and sillage must only be disposed of at approved pumpout facilities.
  19. Any construction and post construction activity must not impact on the condition of the waterway, and is to be conducted so as not to breach the Environmental Protection Act EPA (1994) and the Environmental Protection (Water) Policy 2009.
  20. Certification by a Registered Professional Engineer of Queensland that states that the oyster habitat restoration substrates are constructed in accordance with best practice methods and is structurally sound must be submitted to Council. This certification must be submitted to Council within three (3) months of the completion of the works.
  21. After completion, the proposed works must be maintained in a sound state of repair in accordance with the approved plans
- B. Note the report is provided in accordance with Section 63(5) of the Planning Act 2016.
- For:** Crs Wilkie, Jurisevic, Wegener and Stockwell  
**Against:** Crs Finzel, Lorentson and Stewart

**Carried.**

## **8 FINANCIAL PERFORMANCE REPORT – APRIL 2022**

That Council note the report by the Financial Services Manager (Acting) to the General Committee Meeting dated 16 May 2022 outlining April 2022 year to date financial performance against budget, including changes to the financial performance report with the inclusion of key financial sustainability indicators.

## **9 OPERATIONAL PLAN PROGRESS REPORT – THIRD QUARTER 2021-22**

That Council note the report by the Chief Executive Officer to the General Committee Meeting dated 16 May 2022 regarding the 2021-22 Operational Plan and:

- A. Note the progress report for the 2021-22 Operational Plan to 31 March 2022 provided as Attachment 1; and
- B. Note the status of Council's Key Performance Indicators provided as Attachment 2.

### **Council Resolution**

**Moved:** Cr Wilkie

**Seconded:** Cr Finzel

That the report of the General Committee dated 16 May 2022 be received and the recommendations therein be adopted except where dealt with by separate resolution.

**Carried unanimously.**



**9. ORDINARY MEETING REPORTS****1 COUNCILLOR REPRESENTATION ON VARIOUS BOARDS, EXTERNAL ORGANISATIONS AND WORKING GROUPS 2022****Council Resolution****Moved: Cr Jurisevic****Seconded: Cr Wilkie**

That Council note the report by the Chief Executive Officer to the Ordinary Meeting dated 19 May 2022 and make the following Councillor appointments (noting that these supersede any prior appointments):

- A. Appoint Cr Stewart - Mayor as Chair and Cr Jurisevic as Deputy Chair to the Local Disaster Management Group;
- B. Appoint the Cr Jurisevic as Chair to the Local Disaster Recovery Committee;
- C. Appoint Cr Stewart - Mayor, Cr Wegener and Cr Stockwell to the Case Management Working Group;
- D. Appoint Cr Wegener to the Environment Levy Working Group;
- E. Appoint Cr Finzel as Chair of the Regional Arts Development Fund Committee (RADF);
- F. Appoint Cr Wilkie to the Rufous Street Project Control Group;
- G. Appoint Cr Finzel as Chair of the Noosa Heritage Reference Group;
- H. Appoint the Cr Wilkie as Chair and Cr Stewart - Mayor and Cr Jurisevic to the Capital Works Executive;
- I. Appoint Cr Wilkie as Chair and Cr Stewart - Mayor and Cr Lorentson to the Transport Strategy Steering Group;
- J. Appoint Cr Stewart – Mayor, as Chair, and Cr Wilkie to the CEO Performance Review Committee;
- K. Appoint Cr Stewart - Mayor and Cr Lorentson to the Teewah and Cooloola Working Group;
- L. Appoint Cr Wilkie and Cr Finzel as Council's representatives for the Hinterland Playground Reference Group;
- M. Appoint the Cr Wilkie as Chair and Cr Finzel and Cr Stockwell to the Noosa Biosphere Trails PCG;
- N. Appoint Cr Stewart - Mayor as Chair and Cr Stockwell and Cr Wegener to the Climate Change Response Plan Group;
- O. Appoint the Wilkie as Chair, and Cr Finzel and Cr Lorentson to the Climate Change Adaption Plan Project Control Group;
- P. Appoint Cr Stewart - Mayor to the Noosa River Stakeholder Advisory Committee;
- Q. Appoint the following Councillors to the Management Committee for the Memorandum of Understanding (MOU) with the Sunshine Coast University (SCU):
  - 1. Cr Finzel until December 2022;
  - 2. Cr Lorentson from January 2022 until August 2023; and
  - 3. Cr Wegener from September 2023 until March 2024;
- R. Appoint Cr Lorentson as Council's Observer on the Tourism Noosa Board;
- S. Appoint Cr Wegener to the Noosa Biosphere Reserve Foundation Board;

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- T. Appoint Cr Jurisevic to the Northern SEQ Regional Roads and Transport Group;
  - U. Appoint Cr Wegener to the Mary River Catchment Coordinating Committee with Cr Jurisevic as proxy;
  - V. Appoint Cr Stewart - Mayor as Council's representative to the State Government Peer to Peer Economy and Short-Term Letting Industry Reference Group;
  - W. Appoint Cr Wilkie as Council's representative to the Sunshine Coast Airport Community and Aviation Forum;
  - X. Appoint Cr Stockwell to the Climate Emergency Australia Strategic Advisory Group;
  - Y. Appoint Cr Stewart - Mayor to the Council of Mayors (SEQ);
  - Z. Appoint Cr Jurisevic as Council's representative and Cr Wegener as Proxy to the Council of Mayors (SEQ) Waste Working Group;
  - AA. Appoint Cr Stewart - Mayor to the Council of Mayors (SEQ) SEQ 2032 Legacy Working Group;
  - BB. Appoint all councillors to attend the Councillor Discussion Forums;
  - CC. Appoint the following Councillors to the Regional Sporting complexes:
    - 1. Cr Finzel as Council's representative on the Cooroy Sports Complex Committee;
    - 2. Cr Jurisevic as Council's representative Tewantin Sports Complex Committee;
  - DD. Appoint Cr Lorentson on the Noosa World Surfing Reserve Committee;
  - EE. Appoint Cr Wilkie be the Council's representative on the Cooroy Futures Group;
  - FF. Appoint Cr Stewart – Mayor and Cr Wegener to the Audit and Risk Committee.

**Carried unanimously.**

**10. CONFIDENTIAL SESSION**

Nil.

**11. PUBLIC QUESTION TIME****1. BRIAN O'CONNOR****Question 1.**

With just a few parcels of land available at the Cooroy Business Park and industrial park and the council actively examining these sites for affordable housing, will Noosa Council undertake a study into the likely take-up of available commercial land in the Noosa Hinterland over the next 10 years, with a view to ascertaining where to locate and rezone suitable additional and flood-free land for rural enterprise and commercial activities so as to grow and diversify the local economy?

**Response by Leo Jensen, Acting Director Environment & Sustainable Development**

Council is not actively examining the sites you mention for housing. Council will be undertaking an Employment Land Review next year. This study will look at supply and demand for employment land across the Shire. The study will consider the changing trends in employment land both commercial and industrial. The exact timing for this study is not yet determined.

**Question 2:**

Noosa Council regularly must deal with complaints about inappropriate backyard businesses creating nuisance for neighbours or wanting to expand in-situ. When the council acts on complaints, or refuses expansion, what is to happen to these businesses or where can they relocate? Similarly, work-from-home desktop computer businesses and so-called 'next-generation' digital start-ups look to co-locate to a business hub offering creative and practical synergies of co-habitation. What is Noosa Council doing to facilitate this type of job-creation economic activity in the hinterland, where a younger cohort of people is moving for lifestyle and a relatively cheaper mortgage?

**Response by Leo Jensen, Acting Director Environment & Sustainable Development**

The last few years has shown how easily many people can work from home, and likewise many residents choose to purchase a high proportion of their goods over the internet having them delivered. Most home-based businesses cause very little impact or concern and can continue and are supported in the Noosa Plan. There are vacancies in the various town centres with underdeveloped sites remaining. There remains flood-free undeveloped industrial land in Cooroy. Council also has established the Peregian Digital Hub which attracts people to it from all over the Shire. Start-ups do not need to be a tenant of the Hub to benefit from the range of programs and ecosystem support available for those working in the digital sector in the Shire. This includes the Digital Tribes Networks, and a number of professional development events regularly hosted at the Hub (both in person and online). Council is satisfied that there are opportunities available should home-based businesses outgrow their premises.

**12. NEXT MEETING**

The next Ordinary Meeting will be held on 16 June 2022 at the Council Chambers, 9 Pelican Street, Tewantin commencing at 5pm.

**13. MEETING CLOSURE**

The meeting closed at 5.56pm.