



MINUTES

General Committee Meeting

Monday, 12 December 2022

10am

Council Chambers, 9 Pelican Street, Tewantin

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

“Noosa Shire – different by nature”

1. ATTENDANCE & APOLOGIES

COUNCILLORS

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

EXECUTIVE

S Waters, Chief Executive Officer
L Jensen, Acting Director Environment and Sustainable Development
T Grauf, Acting Director Corporate Services
L Sengstock, Director Infrastructure Services

APOLOGIES

Nil.

The meeting commenced at 10.01am

2. CONFIRMATION OF MINUTES

Committee Resolution

Moved: Cr Lorentson

Seconded: Cr Finzel

The Minutes of the General Committee Meeting held on 14 November 2022 be received and confirmed.

Carried unanimously.

3. PRESENTATIONS

Nil.

4. DEPUTATIONS

Nil.

5. ITEMS REFERRED FROM COMMITTEES**PLANNING & ENVIRONMENT COMMITTEE**

Nil

SERVICES & ORGANISATION COMMITTEE**1 FREE WEEKEND BUS TRIAL – EXTENSION****Motion****Moved: Cr Lorentson****Seconded: Cr Stewart**

That Council note the report by the Project Officer to the Services & Organisation Committee Meeting dated 6 December 2022; and

- A. Subject to Translink agreement, approve the continuation of free weekend bus services on Translink routes 626, 627, 628, 629 and 632 between 13 February 2023 and 13 February 2024;
- B. Fund the cost of free weekend bus services from the Sustainable Transport Levy; and
- C. Continue to negotiate with Translink on their ticketing systems with the aim to allow other routes that enter and depart the Noosa Shire to be included.
- D. Advocate to the State Government of Queensland Minister for Transport, that Noosa Shire Council Local Government Area be considered as a future trial site for fully subsidised public transport.

Amendment No.1**Moved: Cr Stockwell****Seconded: Cr Jurisevic**

That D be amended to read:

- D. Thank the State Government of Queensland Minister for Transport for his Governments ongoing support of subsidised public transport and advocate that Noosa Shire Council Local Government Area be considered as a future trial site for fully subsidised public transport.

Carried unanimously.

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

That Council note the report by the Project Officer to the Services & Organisation Committee Meeting dated 6 December 2022; and

- A. Subject to Translink agreement, approve the continuation of free weekend bus services on Translink routes 626, 627, 628, 629 and 632 between 13 February 2023 and 13 February 2024;
- B. Fund the cost of free weekend bus services from the Sustainable Transport Levy; and
- C. Continue to negotiate with Translink on their ticketing systems with the aim to allow other routes that enter and depart the Noosa Shire to be included.
- D. Thank the State Government of Queensland Minister for Transport for his Governments ongoing support of subsidised public transport and advocate that Noosa Shire Council Local Government Area be considered as a future trial site for fully subsidised public transport.

Carried unanimously.

2 CONTRACT AWARD – CN00271 MICROSOFT ENTERPRISE AGREEMENT SOFTWARE LICENSING**Committee Recommendation****Moved: Cr Jurisevic****Seconded: Cr Stockwell**

That Services & Organisation Committee Agenda Item 3 be referred to the Ordinary Meeting for a further report.

Carried unanimously.

6. REPORTS DIRECT TO GENERAL COMMITTEE**3 MCU21/0154.01 – APPLICATION FOR A MINOR CHANGE TO DEVELOPMENT APPROVAL FOR HOME BASED BUSINESS (SMALL SCALE MEAT PROCESSING) AT 82 PATTERSON DRIVE, TINBEERWAH****Committee Recommendation****Moved: Cr Jurisevic****Seconded: Cr Stockwell**

That Council note the report by the Development Planner Lisa Pienaar to the General Meeting dated 12 December 2022 regarding Application No. MCU21/0154.02 for a minor change to the development approval for a Home-based business (Small Scale Meat Processing) situated at 82 Patterson Drive, Tinbeerwah and:

A. Approve the application and agree to change conditions 5, 7, 14 and 18 as follows:

5. The facility is not permitted to process more than ten (10) carcasses per week, with harvesting to occur a maximum of one evening a week.
7. Meat processing must not occur outside the hours of 8:00am to 5:00pm Monday to Friday, with a maximum of 2 deliveries from the site permitted on Saturday and Sunday and public holidays.
14. No commercial deliveries or collections are permitted on site, other than 1 collection per week, made between Monday to Friday 9am to 4pm via a small, refrigerated van.
18. To minimise the potential impacts of the operator's vehicle and refrigerated trailer returning to and departing from the site, the operator must:
 - a. Dim vehicle lights at night time when departing and returning to the site (if safe and practical to do so).
 - b. Keep mechanical equipment associated with the refrigeration and cooling of the trailer turned off until the vehicle has left the subject site.
 - c. Only deliver harvested animals to the site a maximum of 1 day per week.

B. Amend condition 19 to read:

The access handle must be densely landscaped with native plants and shrubs to provide a dense screen of vegetation between the driveway and neighbouring residents. The landscape garden bed along the southern boundary adjacent Lot 61RP886676 pool area must be enhanced with supplementary planting being eight (8), "Syzygium australe" or "Syzygium luehmanii" with a minimum plant stock size of 45 litres at a density of 1 plant per metre. All supplementary planting works must be undertaken 1 month from the date of this approval.

C. Amend condition 21 to read:

This permit lapses on **17 December 2024** unless written consent is provided by Council to extend the approval. In assessing an extension, Council will have regard to any complaints received from nearby residents concerning breaches of the development approval conditions, and any other relevant matters.

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

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

Against: Cr. Lorentson

Carried.

4 OPW21/0133 – PLANNING & ENVIRONMENT COURT APPEAL NO. D68 of 2022 – APPLICATION FOR OPERATIONAL WORKS – PRESCRIBED TIDAL WORKS AT 10-12 RAVENWOOD DVE, NOOSA HEADS

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Jurisevic

That Council note the report by the Acting Manager Development Assessment to the General Committee Meeting dated 12 December 2022 regarding Planning & Environment Court Appeal No. D68 of 2022 and agree to settle the appeal generally in accordance with the following conditions:

PLANNING

Approved Plans

1. The prescribed tidal works must be maintained in accordance with this approval and 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
1046.08 Drawing 01	A	<i>Site Plan, Jetty As Constructed</i> prepared by Suncoast Studio	9 September 2021
1046.08 Drawing 02	A	<i>Plan View and Elevations, Jetty As Constructed</i> prepared by Suncoast Studio	9 September 2021
21-5381AA		<i>Plan showing location of joint jetty at Lots 158 & 159 on N21859</i> prepared by Max Watterson and Associates	12 April 2021

Site Specific Conditions

2. The full extent of the existing jetski dock located on the canal bank in the frontage of No 10 Ravenwood Drive (Lot 159 N21859) must be wholly removed within 1 month of the date of this decision.

General Conditions

3. All structures must be maintained such that they are free standing within the waterway and are not connected to or behind the revetment wall
4. All structures must have no detrimental effects on stormwater drains and/or easements.
5. A rigid handrail must be maintained on at least one side of the walkway. The handrail must be maintained as an open design and in accordance with the approved plans.
6. No posts or vertical supports of the proposed jetty are to extend vertically from the structure unless they provide necessary support for the handrail.
7. No boatlifting devices are to be attached or moored at the jetty structure for the purpose of elevating a vessel above the water without Council approval.
8. There must be no electrical reticulation system carrying electricity in excess of 24 volts beyond the revetment wall unless all switches and power outlets are positioned above the 1%AEP flood level.
9. Lighting associated with the use must be designed, installed, operated, and maintained in accordance with Section 3 of AS4282 Control of the Obtrusive Effects of Outdoor Lighting.
10. The jetty is to be used for private purposes only with no commercial operations to be undertaken.
11. Boat repair activities are not permitted on site.

12. Wastewater and sullage must only be disposed of at approved pumpout facilities.
13. The mooring facility must not be utilised for live-aboard purposes.
14. Any post construction activity is not to 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.
15. Certification by a Registered Professional Engineer of Queensland that states that the jetty is structurally sound and safe for the intended use must be submitted to Council. This certification must be submitted to Council within 1 month of the works being completed.
16. A final inspection and approval of the works by Council's Inspector is required. Please contact Council's Development Assessment Branch on 5329 6500 to arrange the inspection.
17. This approval lapses where the works have not been completed within two (2) years of the date of issue of the approval.
18. After completion the proposed works must be maintained in a sound state of repair

Carried unanimously.

5 NOOSA REEF HEALTH MONITORING PROGRAM

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Jurisevic

That Council note the report by the Principal Environment Officer – River Strategy and Engagement to the General Committee Meeting dated 12 December 2022 and approve the addition of Reef Check Australia to Council's Specialised Supplier List.

Carried unanimously.

6 NOOSA NORTH SHORE AIRCRAFT LANDING GROUND RESERVE – REQUEST TO RELINQUISH COUNCIL TRUSTESHIP

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 Mr David Cookman, Vice President of Sunshine Coast Sports Aviators (who are a submitter to this issue), donated \$500 on 17 March 2020 to my 2020 election campaign and also put up corflutes for me during this campaign. Mr Cookman receives a small financial benefit from the Club's use of the fields in his capacity as one of their paid part time flight trainers for club members. 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 room.

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 David Cookman, Vice President of Sunshine Coast Sports Aviators, submitters to this report. Mr

Cookman approached me after a Meet the Candidates night and asked for some election campaign posters to advertise on his properties. I did not know Mr Cookman or have any relationship with him prior to meeting him that night. Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias because I do not consider that I have a close personal relationship with Mr Cookman. 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.

Committee Resolution

Moved: Cr Stockwell

Seconded: Cr Wegener

That Council note the declarable conflict of interest by Cr Lorentson and determine that it is in the public interest that Cr Lorentson participates and votes on this matter because Council believes that Cr Lorentson does not have a close personal relationship with Mr Cookman and that Mr Cookman's activities during the election are consistent with general participation in local democracy the value of which is less than the statutory benchmark of \$500 and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried unanimously.

Cr Lorentson & Jurisevic did not vote on the above motion

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

I, Cr Jurisevic, inform the meeting that I have a declarable conflict of interest in this matter in relation to David Cookman, Vice President of Sunshine Coast Sports Aviators, submitters to this report. Mr Cookman assisted with my 2016 campaign as my representative at Pomona booth. Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias because I do not consider that I have a close personal relationship with Mr Cookman. It is now my understanding Mr Cookman may receive a small financial benefit from the Club's use of the fields in his capacity as one of their paid part time flight trainers for club members. As a result of my conflict of interest I will now leave the meeting room while the matter is considered and voted on.

Cr Jurisevic left the meeting room

Motion

Moved: Cr Finzel

Seconded: Cr Lorentson

That Council note the report by the Property Manager to the General Committee Meeting dated 12 December 2022 and

- A. Note the formal request from the Department of Resources regarding the Department of Environment and Science's desire to formally acquire Lot 7 on MCH4562 for inclusion in the Great Sandy National Park on the Noosa North Shore; and
- B. Authorise the CEO to write to the Department of Resources advising that Council:
 1. Will not unreasonably withhold its support to relinquish trusteeship of Lot 7 on MCH4562 to allow the Department of Environment and Science to be appointed as the new trustee;
 2. Requests the Department of Environment and Science consult with the community and the resident clubs being the Sunshine Coast Sports Aviators Inc. and the Noosa Model Flyers Inc. regarding future use of the landing ground reserve, as outlined in the Department of Resources' formal correspondence to Council; and
 3. Requests the Department of Environment and Science consider feedback noted in Attachments 6-8 to the report regarding the suitability of the landing ground reserve for flying activities and emergency operations when determining future use of the landing ground reserve.

Amendment No. 1**Moved: Cr Stockwell****Seconded: Cr Wilkie**

That Council note the report by the Property Manager to the General Committee Meeting dated 12 December 2022 and

- A. Note the formal request from the Department of Resources regarding the Department of Environment and Science's desire to formally acquire Lot 7 on MCH4562 for inclusion in the Great Sandy National Park on the Noosa North Shore; and
- B. Authorise the CEO to write to the Department of Resources advising that Council:
 1. Has evaluated this property consistent with the requirements of section 16 of the Land Act 1994 as part of its recent Planning Scheme Review. As a result of this evaluation Council has zoned the property for "Environmental Management and Conservation". It is noted that:
 - a. The overall desired outcomes for this zone include:
 - i. Land identified as ecologically important areas, water catchments, beach protection or coastal management areas or natural areas with historical or cultural values are protected from development;
 - ii. Development avoids and mitigates against adverse impacts on the values and processes within ecologically important areas;
 - iii. Where a demonstrated community need exists, low scale, low impact structures with a small building footprint such as viewing decks, shelters and Environment Facilities that provide for the appreciation, conservation and interpretation of ecologically important areas or areas of cultural or heritage value may develop where consistent with the management intent or plan for the area;
 - iv. Low impact outdoor sport and recreation activities such as walking trails, canoe trails and the like may develop where a demonstrated community need exists and such activities do not adversely affect the ecological values of the area;
 - v. Low impact telecommunication facilities and utility installations occur only where they cannot locate in another appropriate zone, are compatible with, and do not impact on, the values and process within ecologically important areas and are designed to minimise the visual impacts on the scenic amenity of the area;
 - vi. Buildings and structures are designed to maximise energy efficiency and water conservation;
 - vii. Activities undertaken by recognised traditional owners in accordance with traditional owner custom and practice may be considered; and
 - viii. Development responds to land constraints including topography, bushfire and flooding.
 - b. In light of this evaluation Council adopted a position in s.3.3.6 Transport and Movement of the Strategic Framework of the Noosa Plan 2020 wherein it states that the "Use of the Noosa North Shore airstrip will not be expanded and the airstrip will ultimately be closed."
 2. That Council

- a. has already adopted the position that the highest and best use of the site is for conservation; and
 - b. considers the most efficient and effective management and protection regime to achieve the outcomes desired by the Noosa Plan 2020 is to add the lot to the broader conservation estate;
 - c. therefore supports the relinquishment of its trusteeship of Lot 7 on MCH4562 to allow the Department of Environment and Science to be appointed as the new trustee on the understanding that this should facilitate all remnant vegetation, wetlands, fauna habitats and areas of cultural significance are added to the adjacent National Park or protected under a similar tenure.
- C. Requests the Department of Environment and Science consult with the community and the resident clubs being the Sunshine Coast Sports Aviators Inc. and the Noosa Model Flyers Inc. regarding future use of the landing ground reserve, as outlined in the Department of Resources' formal correspondence to Council; and
- D. Requests the Department of Environment and Science consider feedback noted in Attachments 6-8 to the report regarding the suitability of the landing ground reserve for flying activities and emergency operations when determining future use of the landing ground reserve.

Procedural Motion

Moved: Cr Stockwell

Seconded: Cr Wegener

That General Committee Agenda Item 6 be deferred to the Ordinary Meeting for further consideration.

Carried unanimously.

Cr Stewart and Cr Jurisevic returned to the meeting.

7 FINANCIAL PERFORMANCE REPORT – NOVEMBER 2022

Committee Recommendation

Moved: Cr Stewart

Seconded: Cr Lorentson

That Council note the report by the Manager Financial Services (Acting) to the General Committee Meeting dated 12 December 2022 outlining November 2022 year to date financial performance against budget, including changes to the financial performance report with the inclusion of key financial sustainability indicators.

Carried unanimously.

7. CONFIDENTIAL SESSION

Nil.

Meeting closed at: 12.56pm