



MINUTES

Ordinary Meeting

Thursday, 15 December 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
Councillor F Wilkie
Councillor K Finzel
Councillor J Jurisevic
Councillor A Lorentson
Councillor B Stockwell
Councillor T Wegener

EXECUTIVE

S Waters, Chief Executive Officer
K Contini, Director Community Services
D Iezzi, Director Executive Services
K Rawlings, Director Environment & Sustainable Development
T Grauf, Acting Director Corporate Services
L Sengstock, Director Infrastructure Services
L Jensen Acting Director Environment & Sustainable Development

APOLOGIES

Nil

Council Resolution

Moved: Cr Stewart

Seconded: Cr Finzel

That the operation of the Standing Orders or any relevant provision thereof be suspended to allow Council to offer our condolences to Western Downs Council, Qld Police Service and the families of the fallen who lost their lives in a tragic siege event which unfolded at Wieambilla this week.

Carried unanimously.

Council Resolution

Moved: Cr Stewart

Seconded: Cr Finzel

That Standing Orders be resumed.

Carried unanimously.

2. CONFIRMATION OF MINUTES**Council Resolution**

Moved: Cr Lorentson

Seconded: Cr Wilkie

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

Carried unanimously.

3. MAYORAL MINUTES

Nil

4. PETITIONS

1 PETITION: HIBISCUS RETIREMENT COMMITTEE REQUEST REMOVAL OF FLYING FOXES (FRUIT BATS)

Refer to Attachment 1

Council Resolution

Moved: Cr Stewart

Seconded: Cr Finzel

That the petition with 87 signatories submitted by the Residents Committee of Hibiscus Retirement Resort at 71 St Andrews Drive Tewartin requesting that Council facilitate the removal of flying foxes encroaching the Retirement Village (Sections 2/3), be received and referred to the Chief Executive Officer to determine appropriate action.

Carried unanimously.

5. NOTIFIED MOTIONS

1 INDEPENDENT REVIEW OF BURGESS CREEK

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

Cr Stockwell – excerpt from document - refer to Attachment 2

Motion

Moved: Cr Lorentson

Seconded: Cr Stewart

That Council authorise the Chief Executive Officer to seek an independent review of Burgess Creek Wastewater Treatment Plant outflows into the Burgess Creek Catchment by a suitable Engineering and Environmental Firm and provide a report to Council detailing at a minimum:

- A. A review of historical water quality data including water quality volumes;
- B. A review of the permit and equivalent person capacity of the plant;
- C. Environmental impact of Waste Water Treatment Plant outflows into the Burgess Creek catchment against the historical Environmental Impact Statement; and
- D. Any other matters deemed appropriate for reporting by the appointed firm.

Amendment No.1

Moved: Cr Stockwell

Seconded: Cr Jurisevic

That the motion be replaced as follows:

That the matter be referred to budget deliberations and that staff convene another meeting of the combined Integrated Water Quality Program's stakeholder network and seek their recommendations as to the priorities for water quality investigations and investment in the shire in the next financial year.

For: Crs Stockwell, Wilkie and Jurisevic

Against: Crs Wegener, Lorentson, Stewart and Finzel

Lost.

Amendment No.2

Moved: Cr Wilkie
Seconded: Cr Jurisevic

That the motion be replaced as follows:

That Council authorise the CEO to bring forward a report to Council on water quality issues affecting Burgess Creek Catchment detailing at a minimum:

- A. *Review of historical water quality data including water discharge volumes;*
- B. *A review of the permit and equivalent person capacity of the plant;*
- C. *Environmental impact of Wastewater Treatment Plant outflows into the Burgess Creek catchment against the historical Environmental Impact Statement; and*
- D. *Any other matters deemed appropriate for reporting.*

And if Councillors believe after review of information that another source of truth is required then an independent review of Burgess Creek wastewater treatment flow be done by a suitable engineering and environmental firm.

Carried unanimously.

Council Resolution

Moved: Cr Lorentson
Seconded: Cr Stewart

That Council authorise the CEO to bring forward to Council a report on Water Quality Issues affecting Burgess Creek Catchment detailing at a minimum:

- A Review of historical water quality data including water discharge volumes;
- B. A review of the permit and equivalent person capacity of the plant;
- C. Environmental impact of Wastewater Treatment Plant outflows into the Burgess Creek catchment against the historical Environmental Impact Statement; and
- D. Any other matters deemed appropriate for reporting.

And if Councillors believe after review of information that another source of truth is required then an independent review of Burgess Creek wastewater treatment flow be done by a suitable engineering and environmental firm

Carried unanimously.

6. PRESENTATIONS

Nil.

7. DEPUTATIONS

Nil.

8. CONSIDERATION OF COMMITTEE REPORTS**1 PLANNING & ENVIRONMENT COMMITTEE MEETING REPORT 6 DECEMBER 2022****ATTENDANCE & APOLOGIES****COUNCILLORS**

Cr Tom Wegener (Chair)
Cr Karen Finzel
Cr Clare Stewart
Cr Brian Stockwell

Cr Amelia Lorentson (*non-Committee Councillor for Items 1-4*)
Cr Frank Wilkie (*non-Committee Councillor for Items 1 & 2*)

EXECUTIVE

S Waters, Chief Executive Officer
L Jensen, Acting Director Environment and Sustainable Development

APOLOGIES

Nil

COMMITTEE RECOMMENDATIONS TO COUNCIL**1 MCU22/0060 - PLANNING & ENVIRONMENT COURT APPEAL NO BD2147 OF 2022 – APPLICATION FOR A DUAL OCCUPANCY AT 6 MARGIT CRESCENT, SUNRISE BEACH**

That Council note the report by the Acting Manager Development Assessment to the Planning & Environment Committee Meeting dated 6 December 2022 in relation to Planning & Environment Court Appeal BD2147 of 2022 and approve the defence of the appeal.

2 SSL22/0815 - PLANNING & ENVIRONMENT COURT APPEAL NO D136 OF 2022 – APPLICATION FOR SHORT STAY LETTING UNDER LOCAL LAW NO. 1 & SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2015 FOR 365 DAVID LOW WAY, PEREGIAN BEACH

That Council note the report by the Acting Manager Development Assessment to the Planning & Environment Committee Meeting dated 6 December 2022 in relation to Planning & Environment Court Appeal D136 of 2022 and approve the defence of the appeal.

3 SSL22/1774 - PLANNING & ENVIRONMENT COURT APPEAL NO D156 OF 2022 – APPLICATION FOR SHORT STAY LETTING UNDER LOCAL LAW NO. 1 & SUBORDINATE LOCAL LAW NO. 1 (ADMINISTRATION) 2015 FOR 1/18 EDWARD ST, NOOSAVILLE

That Council note the report by the Acting Manager Development Assessment to the Planning & Environment Committee Meeting dated 6 December 2022 in relation to Planning & Environment Court Appeal D156 of 2022 and approve the defence of the appeal.

4 CLIMATE CHANGE RESPONSE GRANTS – ROUND TWO 2022/23

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, Frank Wilkie, inform the meeting that I have a declarable conflict of interest in this matter. The Climate Change Response Grant application by ZEN Inc. - to investigate community views on paid visitor parking, Cycling and Walking Strategy Priorities and Shade Tree planting - lists a range of organisations as being in support, including the not-for-profit volunteer organisation the Peregian Beach Community Association. In early 2020, I received a \$750 electoral donation from Susan Francis, partner of PBCA president Barry Cotterell. Although this grant is not recommended for approval, even if it were approved, no fair or reasonable person would perceive that I, Ms Francis or Mr Cotterell could gain any personal or material benefit from this project grant being awarded to ZEN Inc. or that I could not make a decision in the public interest on this matter. Therefore, I will respect the decision of the meeting on whether I can remain and participate in the decision.

Council Resolution

Moved: Cr Lorentson

Seconded: Cr Jurisevic

That Council note the declarable conflict of interest by Cr Wilkie and determine that Cr Wilkie stays and participates on this matter because Council believes that neither Cr Wilkie, Ms Francis or Mr Cotterell could gain any personal or material benefit from this project grant being awarded to ZEN Inc and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried unanimously.

Crs Wilkie and Stockwell did not vote on the above motion.

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 Brian Stockwell inform the meeting that I have a declarable conflict of interest on the Climate Change Response Grant application by ZEN Inc. - to investigate community views on paid visitor parking, Cycling and Walking Strategy Priorities and Shade Tree planting - lists a range of organisations as being in support, including the not-for-profit volunteer organisation the Peregian Beach Community Association. Susan Francis donated \$500 to my 2020 Election Campaign. Ms Francis' partner Mr Barry Cotterell is the President of the Peregian Beach Community Association (PBCA). PBCA has an interest in this Grant. Although this grant is not recommended for approval, even if it were approved, no fair or reasonable person would perceive that I, Ms Francis or Mr Cotterell could gain any personal or material benefit from this project grant being awarded to ZEN Inc. or that I could not make a decision in the public interest on this matter. 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 Wegener

Seconded: Cr Jurisevic

That Council note the declarable conflict of interest by Cr Stockwell and determine that Cr Stockwell participates and votes on this matter because Council believes that neither Cr Stockwell, Ms Francis or Mr Cotterell could gain any personal or material benefit from this project grant being awarded to ZEN Inc. and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried unanimously.

Crs Wilkie and Stockwell did not vote on the above motion.

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, also inform the meeting that I have a further declarable conflict of interest in this matter in relation to the application by the Cooran Community Garden which is auspiced by Noosa District Landcare due to my long-standing connection with the organisation as one of the inaugural members of the unincorporated group dating back to the 1980s and a current ordinary member. Although I have a declarable conflict of interest and this grant is not recommended for funding, I do not believe a reasonable person could have a perception of bias considering the community nature of this relationship. 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 Stockwell and determine that Cr Stockwell participates and votes on this matter because Council believes that Cr Stockwell, could not gain any personal or material benefit from this project grant being awarded to Cooran Community Garden (auspiced by NDLC) and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried unanimously.

Crs Wilkie and Stockwell did not vote on the above motion.

Council Resolution

Moved: Cr Wegener
Seconded: Cr Stewart

That Council note the report by the Carbon Reduction Project Officer to the Planning & Environment Committee Meeting dated 6 December 2022 and

- A. Approve the Climate Change Response Grants recommendations as outlined in this report; and
- B. Retain available grant funds for the next funding round scheduled to be released in early 2023.

Carried unanimously.

5 PLANNING APPLICATIONS DECIDED BY DELEGATED AUTHORITY REPORT–OCTOBER 2022

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 regards to Item 27 of the Delegated Authority report 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 Wilkie
Seconded: Cr Stewart

That Council note the report by the Acting Manager, Development Assessment to the Planning & Environment Committee Meeting dated 6 December 2022 regarding planning applications that have been decided by delegated authority.

Carried unanimously.

Cr Lorentson returned to the meeting.

Council Resolution

Moved: Cr Stockwell
Seconded: Cr Lorentson

That the report of the Planning & Environment Committee dated 6 December 2022 be received and the recommendations therein be adopted except where dealt with by separate resolution.

Carried unanimously.

2 SERVICES & ORGANISATION COMMITTEE MEETING REPORT 6 DECEMBER 2022**ATTENDANCE & APOLOGIES****COUNCILLORS**

Cr Joe Jurisevic (Chair)
Cr Amelia Lorentson
Cr Clare Stewart
Cr Frank Wilkie

Cr Finzel (*non-Committee Councillor*)

EXECUTIVE

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

APOLOGIES

Nil.

COMMITTEE RECOMMENDATIONS TO COUNCIL**1 FREE WEEKEND BUS TRIAL – EXTENSION**

That Services & Organisation Committee Agenda Item 1 be referred to the General Committee due to the significance of the issue.

2 CONTRACT NO. T000057 – REGISTER OF PRE-QUALIFIED SUPPLIERS FOR PROVISION OF FLEET MECHANICAL REPAIRS AND MAINTENANCE SERVICES

That Council note the report by the Fleet Supervisor to the Services & Organisation Committee Meeting dated 6 December 2022 and

- A. Award Contract No. T000057 for a Register of Pre-Qualified Suppliers for Provision of Fleet Mechanical Repairs and Maintenance Services for a period of twelve (12) months commencing on 1 January 2023 to the following suppliers:
- Better Engineering;
 - Bridgestone Australia Ltd;
 - Enzed Sunshine Coast;
 - Hastings Deering (Australia) Limited;
 - Hinterland Heavy Diesel Services;
 - Kingy's Diesel Industries;
 - Mechanicare Noosa;
 - Noosa Car & Truck Air & Electrics Pty Ltd;
 - Noosa Exhaust & Mechanical;
 - Paulger Engineering; and
 - Pirtek Fluid Systems Pty Ltd.
- B. Authorise the CEO to approve the appointment of new suppliers to the Register of Pre-Qualified Suppliers (ROPS) as a result of 'refresh' processes conducted during the term of the ROPS, at the sole discretion of Council and in accordance with Section 232 of the Local Government Regulation 2012; and

- C. Subject to satisfactory performance of the suppliers, authorise the CEO to approve the option to extend the contract at the expiry of the initial term for a further four (4) terms of up to twelve (12) months each, ending on 31 Dec 2027.

3 CONTRACT AWARD – CN00271 MICROSOFT ENTERPRISE AGREEMENT SOFTWARE LICENSING

That Services & Organisation Committee Agenda Item 3 be referred to the General Committee due to significance of the issue.

4 2022 – 2023 COMMUNITY GRANTS PROGRAM – COMMUNITY PROJECT GRANTS (ROUND TWO)

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 6 December 2022 and approve Round Two 2022-23 Community Project Grants.

5 2022 – 2023 COMMUNITY PROGRAM FUNDING – COMMUNITY PROJECT GRANTS (ROUND TWO) - EQUIPMENT

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 6 December 2022 and approve Round Two 2022-23 Community Project Grants – Equipment provided in Attachment 1 to this report.

6 2022 – 2023 COMMUNITY PROGRAM FUNDING – COMMUNITY PROJECT GRANTS (ROUND TWO) - EVENTS

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 6 December 2022 and approve Round Two 2022-23 Community Project Grants – Events provided in Attachment 1 to this report.

7 2022 – 2023 COMMUNITY PROGRAM FUNDING – COMMUNITY PROJECT GRANTS (ROUND TWO) - INFRASTRUCTURE

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 funding recommendation to Tewantin Noosa Cricket Club. My son plays at Tewantin Noosa Cricket Club and he is a member of the club. 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 do not stand to receive a personal benefit or loss in relation to this funding. 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.

Council Resolution

Moved: Cr Wilkie

Seconded: Cr Jurisevic

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 does not stand to receive a personal benefit or loss in relation to this funding and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried unanimously.

Crs Stewart and Wegener did not vote on the above motion.

Cr Stewart resumed the Chair.

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

I, Cr Wegener, inform the meeting that I have a prescribed conflict of interest in this matter in relation to the application by Permaculture Noosa as I am the President of this Association. As a result of my conflict of interest, I will now leave the meeting room while the matter is considered and voted on.

Cr Wegener left the meeting.

Council Resolution

Moved: Cr Stockwell

Seconded: Cr Lorentson

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 6 December 2022 and approve Round Two 2022-23 Community Project Grants – Infrastructure provided in Attachment 1 to this report.

Carried unanimously.

Cr Wegener returned to the meeting.

8 2022 – 2023 COMMUNITY PROGRAM FUNDING – COMMUNITY PROJECT GRANTS (ROUND TWO) – PROGRAM/PROJECTS

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 funding recommendation to YouTurn Limited. I am the Patron of the not for profit, YouTurn Limited which works in the areas of Child Safety, Homelessness and Mental Health. Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias because I have no decision-making role at YouTurn – the role of Patron is to promote and highlight the valuable work they do, and I do not stand to receive a personal benefit or loss in relation to this funding. 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.

Council Resolution

Moved: Cr Wilkie

Seconded: Cr Finzel

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 does not stand to receive a personal benefit or loss in relation to this funding and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried unanimously.

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 grant application by Noosa Australian Football Club Inc (No.5 of attachment 1). which was not recommended by staff for funding. For complete transparency and prudence I declare that the President of the Noosa Australian Football Club Inc Bruce Davidson assisted me on my 2020 campaign 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 do not stand to receive a personal benefit or loss in relation to this application, particularly as there was no funding recommended. 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 Wilkie****Seconded: Cr Finzel**

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 does not stand to receive a personal benefit or loss in relation to this application particularly as the grant was not recommended for funding 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 Wilkie****Seconded: Cr Jurisevic**

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 6 December 2022 and approve Round Two 2022-23 Community Project Grants – Program/Projects provided in Attachment 1 to this report.

Carried unanimously.**9 REGIONAL ARTS DEVELOPMENT FUND (RADF) – GRANT RECOMMENDATIONS 2022-23**

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 6 December 2022 and approve the Regional Arts Development Fund recommendations for Round 18 as outlined in Attachment 1 to the report.

Council Resolution**Moved: Cr Stewart****Seconded: Cr Finzel**

That the report of the Services & Organisation Committee dated 6 December 2022 be received and the recommendations therein be adopted except where dealt with by separate resolution.

Carried unanimously.

3 GENERAL COMMITTEE MEETING REPORT 12 DECEMBER 2022**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.

COMMITTEE RECOMMENDATIONS TO COUNCIL**1 FREE WEEKEND BUS TRIAL – EXTENSION**

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.

2 CONTRACT AWARD – CN00271 MICROSOFT ENTERPRISE AGREEMENT SOFTWARE LICENSING

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

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

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.

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

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 Ostrusive 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

5 NOOSA REEF HEALTH MONITORING PROGRAM

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.

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

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.

Cr Wilkie assumed the Chair.

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, current Vice President of Sunshine Coast Sports Aviators, submitters to this report. Mr Cookman assisted with my 2016 campaign as my representative at Pomona booth for up to 4 hours on Election Day. 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.

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. 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 Lorentson left the meeting.

Motion**Moved: Cr Finzel****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, noting the proposal aligns with Noosa's Planning Scheme intent and the 'Overall Outcomes' desired for the site's Environmental Management and Conservation zoning under the Noosa Plan 2020.
- B. Authorise the CEO to write to the Department of Resources advising that Council:
1. Will not unreasonably withhold its support to relinquish 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 Item B 1. be amended to read as follows:

1. Supports the relinquishment of the trusteeship_of Lot 7 on MCH4562 to allow the Department of Environment and Science to be appointed as the new trustee;

Carried unanimously.

Council Resolution**Moved: Cr Finzel****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, noting the proposal aligns with Noosa's Planning Scheme intent and the 'Overall Outcomes' desired for the site's Environmental Management and Conservation zoning under the Noosa Plan 2020.
- B. Authorise the CEO to write to the Department of Resources advising that Council:
1. Supports the relinquishment of the 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.

Carried unanimously.

Cr Stewart, Jurisevic and Lorentson returned to the meeting.

Cr Stewart resumed the Chair.

7 FINANCIAL PERFORMANCE REPORT – NOVEMBER 2022

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.

Council Resolution

Moved: Cr Lorentson

Seconded: Cr Jurisevic

That the report of the General Committee dated 12 December 2022 be received and the recommendations therein be adopted except where dealt with by separate resolution.

Carried unanimously.

9. ORDINARY MEETING REPORTS**4 FURTHER REPORT - CONTRACT AWARD CN00271 MICROSOFT ENTERPRISE AGREEMENT SOFTWARE LICENSING****Council Resolution****Moved: Cr Stockwell****Seconded: Cr Stewart**

That Council note the report by the ICT Manager to the Services & Organisation Committee Meeting dated 6 December 2022, and the further report to the Ordinary Meeting dated 15 December 2022 and:

- A. Award contract CN00271 for Microsoft Enterprise Agreement Software Licensing to Data#3 Pty Ltd for a three-year term in accordance with Section 234 – Exception for LGA arrangement of the Local Government Regulation 2012;
- B. Note the corrected annualised cost of the contract is \$539,387.29 (ex-GST) as clarified in this further report, which supersedes the original proposed cost tabled in the 6 December report to Services and Organisation Committee Meeting of \$535,997.26 (ex GST);
- C. Note that this cost is calculated based on current demand and schedule of rates, with a typical cost is \$866 (ex GST) per user or device per year inclusive of Microsoft Windows, Office 365 cloud productivity suite including online file storage and file sharing, Microsoft Teams telephony, and bundled information protection, personal computer anti-virus, mobile device management and security capabilities including multi-factor authentication; and
- D. Authorise the CEO to negotiate the final annual fees and schedule of rates with Data#3 for Microsoft licenses obtained for the duration of the contract between 12/12/2022 and 31/12/2026 (inclusive) updated to reflect new staff (users) or additional Microsoft software utilised.

Carried unanimously.

10. CONFIDENTIAL SESSION

Nil.

11. PUBLIC QUESTION TIME

Nil

12. NEXT MEETING

The next Ordinary Meeting will be held on 19 January 2023 at the Council Chambers, 9 Pelican Street, Tewantin commencing at 5pm.

13. MEETING CLOSURE

The meeting closed at 7.40pm.

Attachment 1



Hibiscus Retirement Resort Noosa Outlook
Resident's Committee
71 St Andrews Drive
Tewantin QLD 4565

24 November 2022

The Manager,
Environmental Services Dept
Noosa Council
Tewantin Q 4565



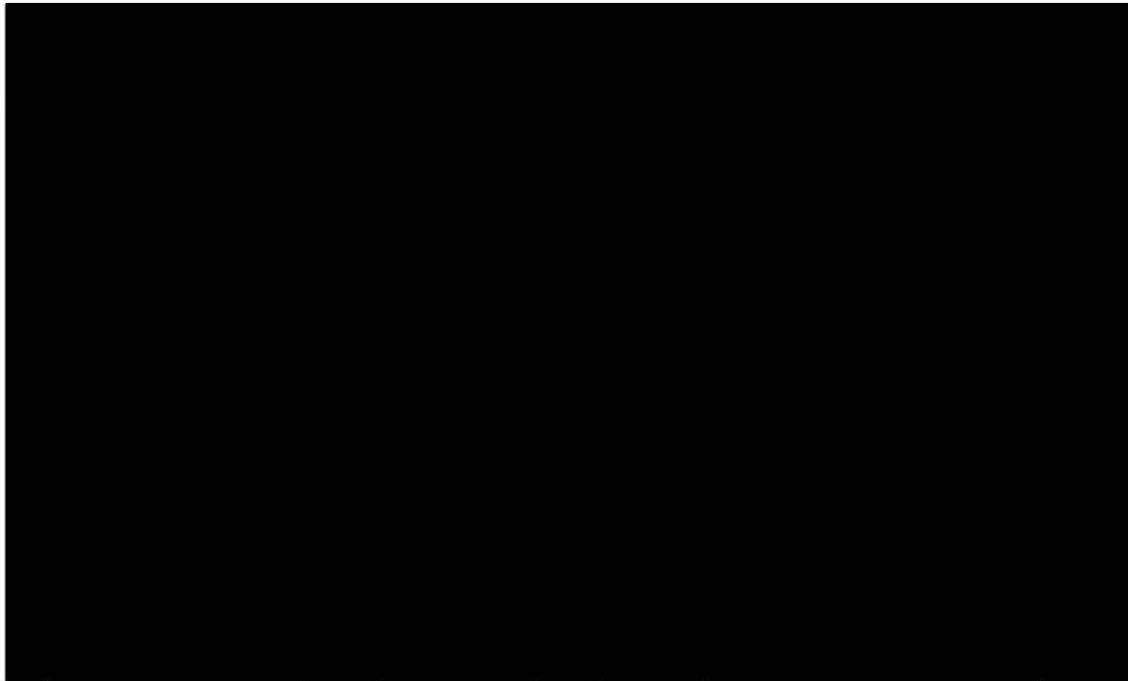
Dear Sir,

The Residents' Committee is requesting, on behalf of our Residents, that you facilitate the removal of Flying Foxes (Fruit Bats) encroaching our Retirement Village in Tewantin, in particular, Sections 2 and 3.

These vermin are affecting the health and well-being of our elderly Residents.

Yours faithfully,

The Undersigned.



Box: 3161 R: 10485
21.48

Cr Stockwell - Attachment 2 - Notified motion

Situation Analysis of Water Quality Monitoring in the Noosa Shire

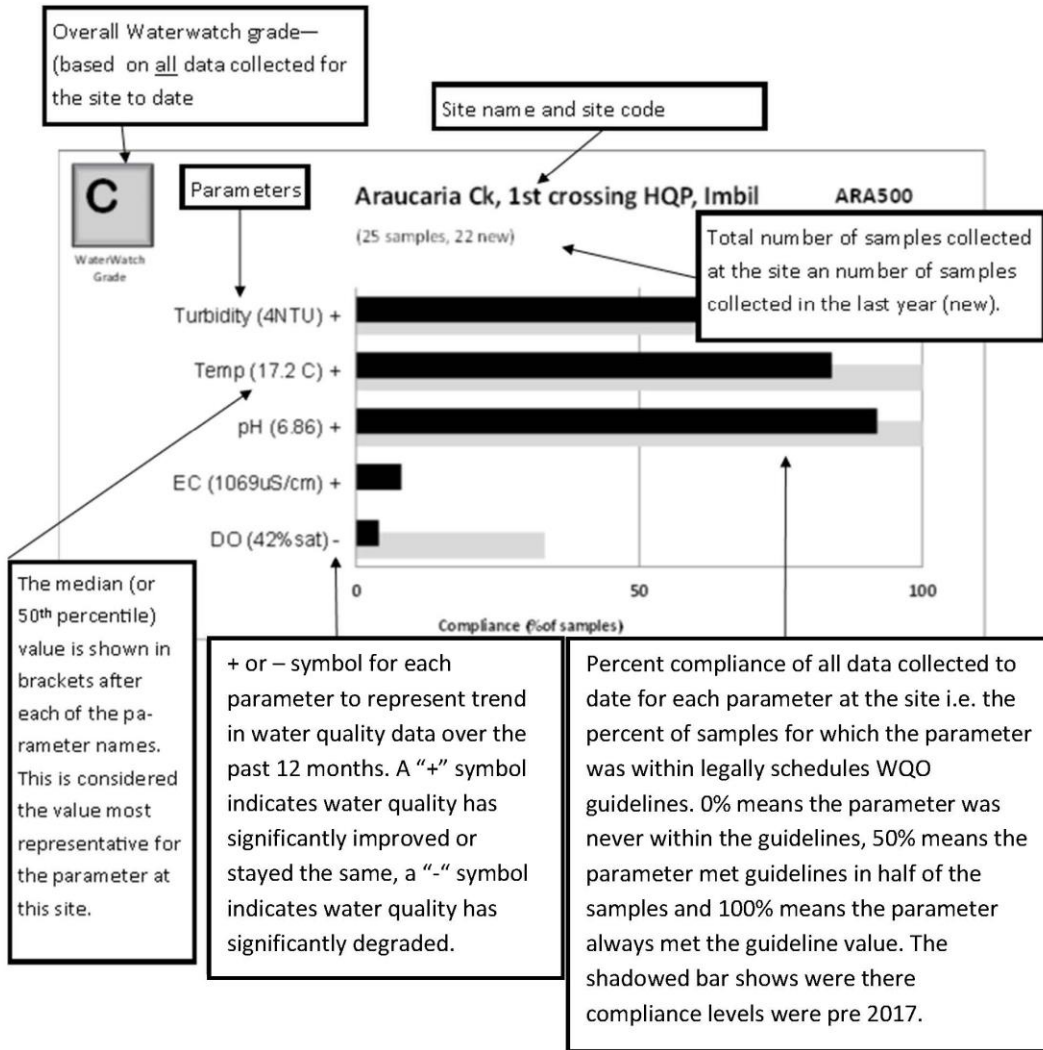
FEBRUARY 2021 – V3.1



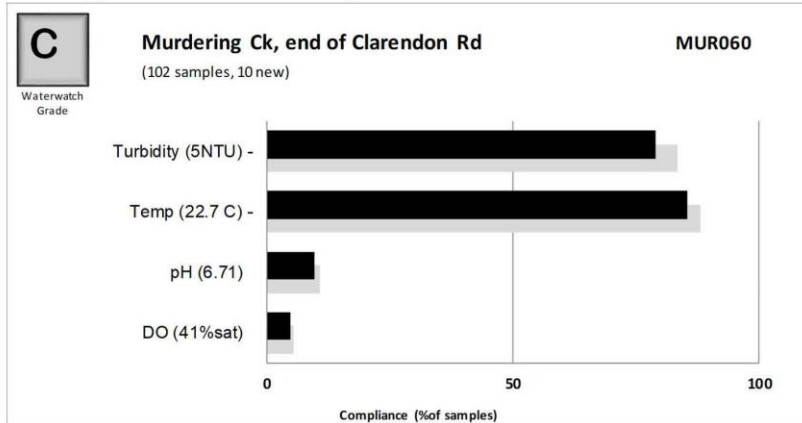
Prepared by: Brad Wedlock and Jess Dean
MARY RIVER CATCHMENT COORDINATING COMMITTEE

9.2 Results – site report cards

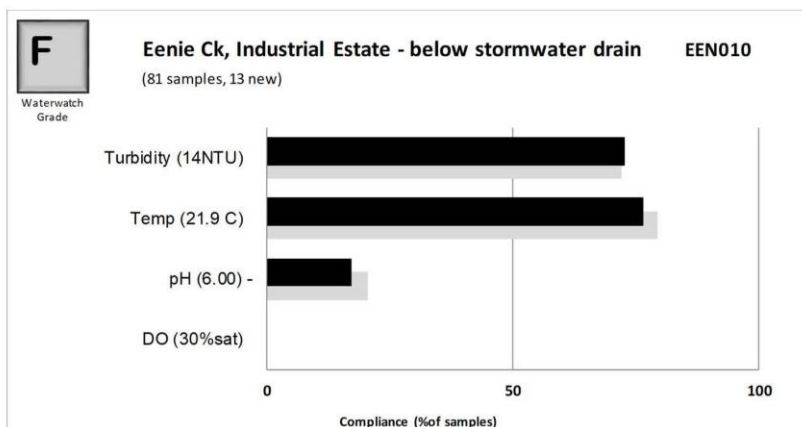
The long-term data from each site is analysed and presented as a graphical report card. These graphs present the long-term median value of each parameter and the level of compliance with the relevant guidelines across all the individual samples from that site. The illustration and descriptions below show where this information can be found on the report cards and how to interpret the graphs.



9.2.0 Upper Noosa River Estuary

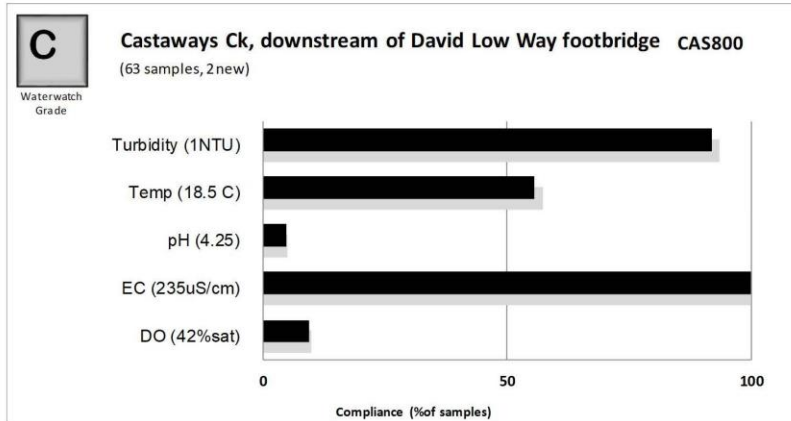


- Upper Estuary water type used;
- Monitoring commenced in 2005, good sample size;
- Turbidity compliance is good, although declined since 2017;
- Temperature compliance has decreased since 2017, temperature ranges from 11 to 30 degrees;
- Dissolved oxygen compliance is low, with median value of 41% saturation, with a wide % saturation (8 – 159%) variation which may indicate a water quality issue;
- pH compliance is low, with a recorded range from 5.2 to 8.4 which could indicate a water quality issue.

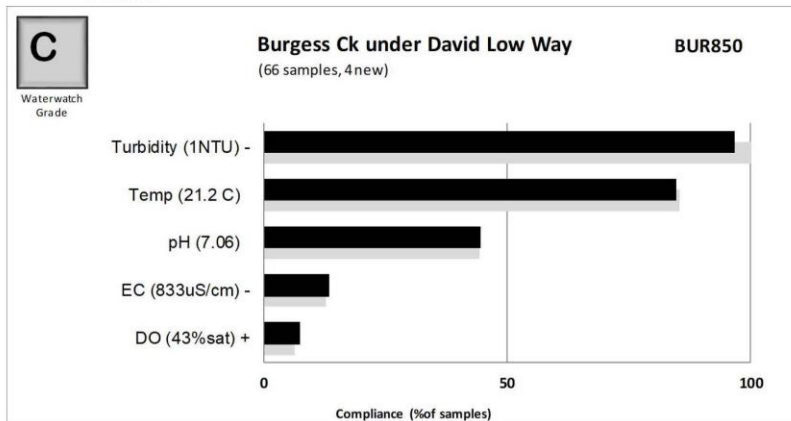


- This site is mapped by the Department of Environment and Science (DES) as Wallum tannin-stained freshwater water type however the water quality displays characteristics of the Upper Estuary water type (owing to EC levels recorded; average of 14,056 uS/cm);
- Monitoring commenced in 2005, good sample size;
- Dissolved oxygen is non-compliant, with median value of 41% saturation, with overall low % saturation (4 – 73%) which indicates a water quality issue;
- pH compliance is very low, with a recorded range from 3.5 to 8.3 which indicates a water quality issue.

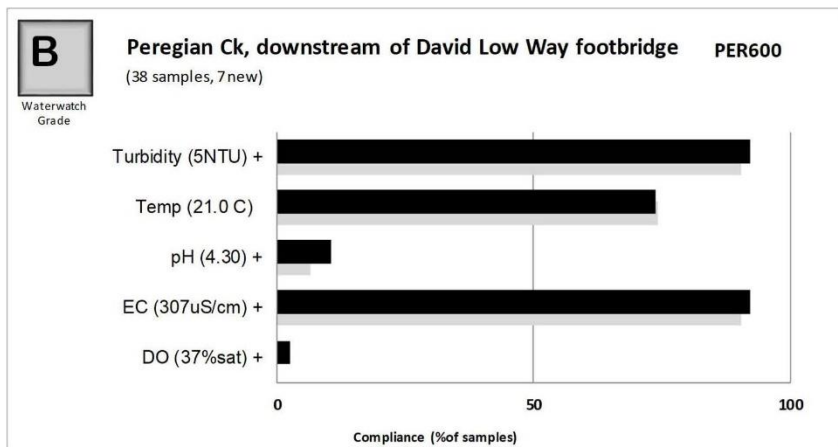
9.2.1 Wallum tannin-stained freshwater



- Wallum tannin-stained freshwater water type used (as mapped by DES), however the “Eastern sandplain water type” from the Mary Catchment may be more suitable due to pH values recorded;
- pH compliance is low, however the recorded range is 3.7 to 5.1 which indicates a naturally acidic water type closer to the “Eastern sandplain water type”;
- Monitoring commenced in 2010, good sample size;
- Excellent turbidity and electrical conductivity compliance;
- Dissolved oxygen is non-compliant, with median value of 42% saturation, with overall low % saturation (21 - 112%) which indicates a water quality issue potentially from stormwater runoff.

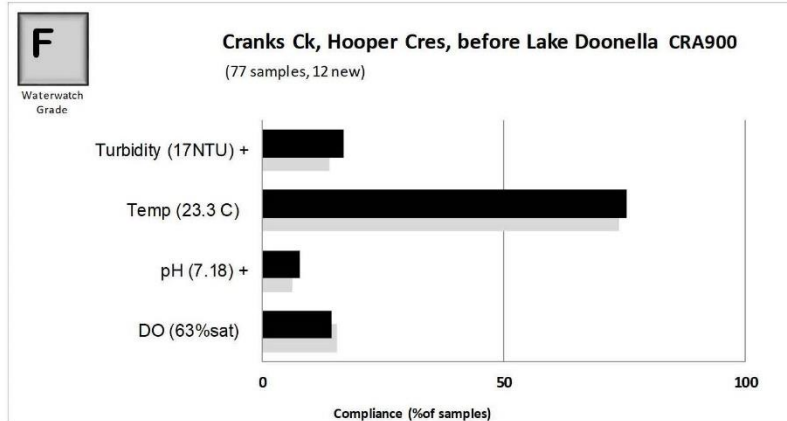


- Wallum tannin-stained freshwater water type;
- Monitoring commenced in 2010, good sample size;
- Excellent turbidity compliance, although compliance declined since 2017;
- Dissolved oxygen is non-compliant, with median value of 43% saturation, with overall low % saturation (9 - 94%) which indicates a water quality issue potentially from stormwater runoff;
- pH compliance is low, the recorded range is 5.9 to 7.8;
- EC compliance is low due to majority of results >500uS/cm. The EC level is high for Noosa Catchment waterways. Compliance also declined since 2017.



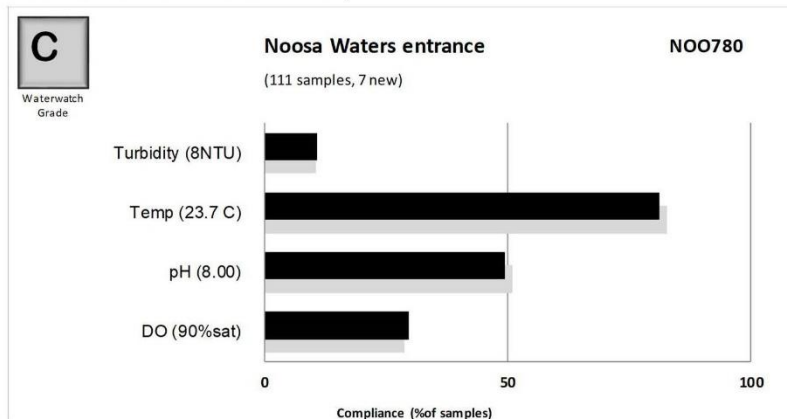
- Wallum tannin-stained freshwater water type used (as mapped by DES), however the “Eastern sandplain water type” from the Mary Catchment may be more suitable due to pH values recorded;
- pH compliance is low, with the majority of records from 2.82 to 4.6;
- Monitoring commenced in 2010, good sample size;
- Excellent turbidity and electrical conductivity compliance, with significant improvement since 2017;
- Dissolved oxygen is virtually non-compliant, with median value of 37% saturation, with overall low % saturation (17 - 70%).

9.2.2 Middle Estuary



- Middle Estuary water type used;
- Monitoring commenced in 2010, good sample size;
- Turbidity compliance has improved since 2017, however the median value is relatively high (turbidity has spiked at 200 NTU);
- Dissolved oxygen has low compliance with a median value of 63% saturation, no records above 90% saturation in recent years;
- pH compliance has improved but is still relatively poor, with the range from 5.6 to 8.6.

9.2.3 Lower Noosa River Estuary



- Lower Estuary water type used;
- Monitoring commenced in 2005, good sample size;
- Turbidity guidelines for the lower estuary are very low (0-4 NTU), consequently turbidity levels do not have to be excessive to be non-compliant. Turbidity has peaked at 30 NTU, which is relatively low;
- Dissolved oxygen has a median value of 90% saturation, with a wide % saturation (53 – 123%) variation which may indicate a water quality issue;
- pH values recorded range from 5.4 to 9.0 which could indicate a water quality issue.