



MINUTES

Ordinary Meeting

10am, Monday, 20 January 2014

Council Chambers, 9 Pelican Street, Tewantin

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1 ATTENDANCE & APOLOGIES**ATTENDANCE****COUNCILLORS**

Councillor N Playford, Mayor
Councillor B Abbot
Councillor S Bolton
Councillor J Jurisevic
Councillor F Pardon
Councillor T Wellington
Councillor F Wilkie

EXECUTIVE

B Davidson, Acting Chief Executive Officer
D Iezzi, Acting Chief of Staff
M Drydale, Acting Director Community Infrastructure
A Rogers, Acting Director Community & Development
M Shave, Acting Director Organisational Services

APOLOGIES

Nil.

The meeting commenced at 10.01 am.

2 CONFIRMATION OF MINUTES**Council Resolution**

Moved: Cr Pardon
Seconded: Cr Wellington

The Minutes of the Ordinary Meeting held on 13 January 2014 be received and confirmed.

Carried.

3 MAYORAL MINUTES

Nil.

4 NOTIFIED MOTIONS

Nil.

5 CONSIDERATION OF COMMITTEE RECOMMENDATIONS

Nil.

6 ORDINARY MEETING REPORTS

EXECUTIVE OFFICE

6.1 APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

Council Resolution

Moved: Cr Jurisevic
Seconded: Cr Wilkie

That Council note the report by the Chief of Staff to the Ordinary Meeting dated 20 January 2014 and approve the appointment of Mr Victor Bruce Davidson as Acting Chief Executive Officer of Noosa Council from 14 January 2014 until the commencement of the new permanent Chief Executive Officer on 3 February 2014.

Carried.

6.2 COUNCILLOR SUPERANNUATION

Council Resolution

Moved: Cr Pardon
Seconded: Cr Jurisevic

That Council receive the report by the Chief of Staff to the Ordinary Meeting dated 20 January 2014 and in accordance with Section 226 of the Queensland *Local Government Act 2009*, authorise the payment of superannuation contributions for councillors of up to 12% on the condition that councillors:

- a) Contribute an amount of up to 6% from their salaries and council contributes a proportionate amount of up to 12% to a nominated superannuation fund;
- b) Make contributions through an arrangement by way of a formal request to Council; and
- c) Nominate the preferred superannuation fund, and where no nomination has occurred the superannuation payments be made to LG Super.

Carried.

6.3 NOOSA BISOPHERE RESERVE – REVIEW OF MANAGEMENT MODEL

Council Resolution

Moved: Cr Abbot
Seconded: Cr Bolton

That Council agree to the process steps 1 to 3 outlined in the report to the Ordinary Meeting dated 20 January 2014 to review the Noosa Biosphere Reserve management arrangements to maximise the potential for community involvement in Noosa Biosphere Reserve projects, activities and initiatives and further, Council appoint Cr Pardon and Cr Wellington as Directors to the Noosa Biosphere Limited Board.

Carried.

COMMUNITY & DEVELOPMENT**6.4. DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR SHOPPING CENTRE AT 5-7 RUFIOUS STREET, PEREGIAN BEACH – PLANNING & ENVIRONMENT COURT APPEAL (MULTISPAN) – MCU13/0092**

Cr Wilkie declared a conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to him previously making a personal submission against the Development Application, prior to his election as Councillor. Cr Wilkie left the meeting room for the debate and decision on this matter.

Cr Jurisevic declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his new pending membership of the Peregian Beach Community Association who have previously made a submission against the Development Application. Cr Jurisevic believed he could consider this item impartially and in the public interest and therefore remained in the meeting room for the debate and decision on this matter.

Cr Pardon declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to a friend's ownership of a retail store near to, and in possible competition to, the proposed development site. Cr Pardon believed he could consider this item impartially and in the public interest and therefore remained in the meeting room for the debate and decision on this matter.

Council Resolution

Moved: Cr Wellington
Seconded: Cr Bolton

That Council advise the Planning & Environment Court that, were it in a position to determine the application, would REFUSE Application No. MCU13/0092 for a Development Permit for Material Change of Use (Entertainment & dining Type 1 - Food & beverages, Commercial Type 1 – Office, and Retail business Type 2 - Shop & Salon) situated at 5-7 Rufous St, Peregian Beach for the following reasons:

1. the proposed development does not comply with the Overall Outcomes of The Noosa Plan's Eastern Beaches Locality, Business Uses, Community Uses, Driveways and Carparking, and Transport, Roads & Drainage Codes
2. the proposed development would effectively form a second shopping centre at Peregian Beach, is likely to adversely impact on the role and function of the Peregian Beach village and presents a poor unappealing urban design outcome
3. the proposal will alienate land intended for open space recreation purposes and the applicant has not demonstrated that the community would not be disadvantaged by the loss of open space recreation land
4. the development would have unacceptable impacts on traffic operations and traffic safety at the intersection of Woodland Drive and David Low Way, and in Rufous Street
5. traffic generated by the development proposed would have significant adverse impacts on the amenity of existing residences nearby and
6. the proposed development raises significant conflicts with The Noosa Plan and there are insufficient grounds to justify the conflict with planning scheme, particularly as there is no exceptional or urgent need for the proposal, with the level of need undermined by the site's location and the community's clear objection.

Carried.

(Cr Wilkie was absent for the vote on this item. Crs. Jurisevic and Pardon voted in favour of the motion).

Cr Wilkie rejoined the meeting.

7 PETITIONS

Nil.

8 CONFIDENTIAL SESSION

Cr Jurisevic declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his past position as an Executive Member of the Noosa Residents and Ratepayers Association who have previously made a submission against the Development Application. Cr Jurisevic believed he could consider this item impartially and in the public interest and therefore remained in the meeting room for the debate and decision on this matter.

CLOSURE OF THE MEETING TO THE PUBLIC

Council Resolution

Moved: Cr Wellington
Seconded: Cr Jurisevic

That the meeting be closed to the public pursuant to section 275 (1)(f) of the Local Government Regulation 2012 for the purpose of discussing *Item 8.1 - Confidential Item: Not For Public Release - Masters Home Improvement Store & Showroom For Noosa Business Centre – Planning & Environment Court Appeal (Hydrox) – MCU12/0051.*

Carried.

RE-OPENING OF MEETING TO THE PUBLIC

Council Resolution

Moved: Cr Wellington
Seconded: Cr Pardon

That the meeting be re-opened to the public.

Carried.

8.1 CONFIDENTIAL ITEM: NOT FOR PUBLIC RELEASE - MASTERS HOME IMPROVEMENT STORE & SHOWROOM FOR NOOSA BUSINESS CENTRE – PLANNING & ENVIRONMENT COURT APPEAL (HYDROX) – MCU12/0051

Council Resolution

Moved: Cr Wellington
Seconded: Cr Wilkie

That Council note the report by the Coordinator, Development Assessment to the Ordinary Meeting dated 20 January 2014 and consistent with the decision made by the Sunshine Coast Council on 22 August 2013 to defend the appeal, this Council resolve to continue to defend the appeal.

Carried.

(Cr Jurisevic voted in favour of the motion).

9 NEXT MEETING

The next Ordinary Meeting will be held on Thursday, 6 February 2014 in the Council Chambers, 9 Pelican Street, Tewantin commencing at 6pm.

10 MEETING CLOSURE

The meeting closed at 11.25 am.

To be confirmed on 6 February 2014.

CHAIR