



MINUTES

Ordinary Meeting

Thursday, 15 September 2016

commencing at 6pm

Council Chambers, 9 Pelican Street, Tewantin

**Crs Tony Wellington (Chair), Jess Glasgow, Ingrid Jackson, Joe Jurisevic,
Frank Pardon, Brian Stockwell, Frank Wilkie**

“Engagement with our community to protect and enhance our lifestyle”

1 ATTENDANCE & APOLOGIES**COUNCILLORS**

Councillor T Wellington, Mayor
Councillor J Glasgow
Councillor I Jackson
Councillor J Jurisevic
Councillor F Pardon
Councillor B Stockwell
Councillor F Wilkie

EXECUTIVE

B de Chastel, Chief Executive Officer
A Rogers, Director Community Services
M Shave, Director Corporate Services
M Drydale, Director Planning & Infrastructure

APOLOGIES

Nil.

The meeting commenced at 6.00pm

2 CONFIRMATION OF MINUTES**Council Resolution**

Moved: Cr Jurisevic
Seconded: Cr Glasgow

The Minutes of the Ordinary Meeting held on 18 August 2016 be received and confirmed.

Carried.

3 MAYORAL MINUTES

Nil.

4 NOTIFIED MOTIONS

Nil.

5 CONSIDERATION OF COMMITTEE RECOMMENDATIONS**AUDIT & RISK COMMITTEE RECOMMENDATIONS****26 AUGUST 2016 – Cr Wellington, Cr Jackson, Scott Williams, Cameron Jagers***External attendees:* Denis Byram (Queensland Audit Office)

The following Recommendations from the Audit & Risk Committee were adopted without discussion or further amendment.

Council Resolution**Moved: Cr Jackson****Seconded: Cr Pardon**

The Audit & Risk Committee recommendations dated 26 August 2016 be adopted.

Carried.

1 QUEENSLAND AUDIT OFFICE BRIEFING NOTE

That Council note the Briefing Note provided by the Queensland Audit Office (QAO) to the Audit & Risk Committee meeting dated 26 August 2016 providing an update on recent audit activity and other related matters.

2 INTERNAL AUDIT PLAN 2016/17 AND INTERNAL AUDIT POLICY REVIEW

That Council note the report by the Governance Advisor to the Audit & Risk Committee Meeting dated 26 August 2016 and:

- A. Adopt the Internal Audit Plan 2016/17 as provided at Attachment 1 to the report; and
- B. Note Council's current Internal Audit Policy and Internal Audit Charter provided at Attachment 2 for the purpose of the prescribed annual review.

3 DRAFT FINANCIAL STATEMENTS - 2015/16

That Council note the report by the Manager Financial Services to the Audit & Risk Committee Meeting dated 26 August 2016 regarding the draft general purpose financial statements for the period ended 30 June 2016.

4 ICT TECHNICAL GAP ANALYSIS AND SECURITY IMPROVEMENT PROGRAM AUDIT

That Council note the report by the Director Corporate Services to the Audit & Risk Committee Meeting dated 26 August 2016 providing an overview of the recent ICT Technical Gap Analysis and Security Improvement Program audit.

5 IMPLEMENTATION OF INTERNAL AND EXTERNAL AUDIT RECOMMENDATIONS

That Council note the report by the Governance Advisor to the Audit & Risk Committee Meeting dated 26 August 2016 providing an update on the organisation's progress on implementing recommendations from the Queensland Audit Office and completed Internal Audits.

6 DISASTER MANAGEMENT UPDATE

That Council note the report by the Disaster Management & Special Projects Officer to the Audit & Risk Committee Meeting dated 26 August 2016 providing an update on Council's Disaster Management Operations for 2016/17.

7 RISK MANAGEMENT UPDATE

That Council note the report by the Governance Advisor to the Audit & Risk Committee Meeting dated 26 August 2016 providing an update on Council's Risk Management Program.

8 GOVERNANCE UPDATE

That Council note the report by the Governance Advisor to the Audit & Risk Committee Meeting dated 26 August 2016 providing an update on Council Governance matters.

PLANNING & ENVIRONMENT COMMITTEE RECOMMENDATIONS

6 SEPTEMBER 2016 – Crs Joe Jurisevic (Chair), Ingrid Jackson, Brian Stockwell, Tony Wellington

Other Councillors in Attendance: Crs. Wilkie, Pardon & Glasgow

6 NOOSA PARKLANDS PARK MANAGEMENT PLAN

Cr Jurisevic declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to both his residence in Noosa Parklands and his membership of the Local Bushland Care Group associated with the Noosa Parklands area. 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.

Council Resolution

Moved: Cr Pardon
Seconded: Cr Stockwell

That Council note the report by the Principal Environment Officer to the Planning & Environment Committee Meeting dated 6 September 2016 and

- A. Thank the submitters for their comments on the Draft Plan;
- B. Adopt the Noosa Parklands Park Management Plan; and
- C. Note that any additional costs, over existing budgets, to implement the Plan, will be subject to future budget deliberations.

Carried.

Cr Jurisevic voted in favour of the motion.

The following Recommendations from the Planning & Environment Committee were adopted without discussion or further amendment.

Council Resolution

Moved: Cr Jurisevic
Seconded: Cr Jackson

The Planning & Environment Committee recommendations dated 6 September 2016 be adopted except where dealt with or held over by separate resolution.

Carried.

1 MCU15/0109 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR MULTIPLE HOUSING - TYPE 4 CONVENTIONAL (44 UNITS) AT RESORT DRIVE, NOOSA HEADS

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 6 September 2016 regarding Application No. MCU15/0109 for a Development Permit for a Material Change of Use for Multiple housing Type 4 - Conventional (44 units) situated at Resort Drive, Noosa Heads and:

- A. Approve the application in accordance with the conditions contained in the Planning & Environment Committee Agenda dated 6 September 2016 with an amendment to conditions 25, 28 and 49 to read as follows:

25. The development must be carried out in accordance with section 7.0 of the Bushfire Hazard Assessment and Management Plan (document ref. AA1345BFIRE Rev.3) dated July 2016 prepared by Duke Environmental listed within this Decision Notice.
28. External works, pathways, must be provided in accordance with an Operational Works approval, unless already constructed, and must include in particular:
- A new 2.0 metre wide concrete pathway must be constructed along the full length of the eastern boundary lines for Lot 6 SP178340 (this property) and Lot 3 SP 221524 (the adjoining site) generally within the created pathway reserve and to alignment protects existing trees.
 - A new concrete pathway must be constructed within the unformed road reserve south to the site. This pathway must connect to the pathway along the eastern boundary and connect to the existing cul-de-sac end of Resort Drive, and shall be 2.0m wide and reduced to a minimum width of 1.5 meter where necessary to protect existing vegetation.

The pathways must be designed and constructed in accordance with relevant standards and best engineering practice using method/s of construction that minimising impact on natural flora and fauna and maintenance needs also ensuring pedestrian safety.

This condition is imposed pursuant to s665 of the *Sustainable Planning Act 2009* being non-trunk infrastructure.

49. Where stormwater runoff from the site will enter the Noosa Springs Lake System, Quarterly monitoring is required of stormwaters directed from the development to the Noosa Springs Lake System. Monitoring must be undertaken by a suitably qualified person using NATA accredited methods for the following parameters.
- Nitrite plus Nitrate as N (NO_x)
 - Total Kjeldahl Nitrogen (TKN)
 - Total Nitrogen as N (TKN + NO_x)
 - Total Nitrogen as N
 - Total Phosphorus as P
 - Reactive Phosphorus as P (Dissolved)
 - Reactive Phosphorus – Filtered

Water quality monitoring results must be retained in electronic form by the property owner for a minimum of 5 years and must be made available to Noosa Council on request. This monitoring must continue until notified by Noosa Council that it is no longer needed.

- B. Authorise Council's Chief Executive Officer to Execute the Voluntary Vegetation Offset Agreement.

2 REC16/0015 - APPLICATION FOR A DEVELOPMENT APPROVAL FOR A RECONFIGURATION OF A LOT (1 LOT INTO 2 LOTS AND ACCESS EASEMENT) SITUATED AT 2 DAVID LOW WAY, CASTAWAYS BEACH

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 6 September 2016 regarding Application No. REC16/0015 for a Development Permit for Reconfiguring a Lot (1 lot into 2 lots and Access Easement) situated at 2 David Low Way, Castaways Beach and issue a Preliminary Approval in accordance with the conditions contained in the Planning & Environment Committee Agenda dated 6 September 2016.

3 OPW16/0016 - APPLICATION FOR DEVELOPMENT PERMIT FOR OPERATIONAL WORKS - PRESCRIBED TIDAL WORKS (DECK)

That Council note the report by the Coordinator Engineering to the Planning & Environment Committee Meeting dated 6 September 2016 regarding application OPW16/0016 for a Development Permit Operational Works – Prescribed Tidal Works (Deck) and defer consideration of the application to a future Council meeting to allow staff to hold further discussions with the applicant on their future plans for the facility.

4 132003.221152.5 CHANGE TO AN EXISTING APPROVAL FOR MATERIAL CHANGE OF USE FOR A DWELLING TO INCLUDE AN UNROOFED DECK AND RETAINING WALL ADDITIONS AT 12 PARK ROAD, NOOSA HEADS

That Council note the report by the Development Planner to the Planning and Environment Committee dated 6 September 2016 regarding Application No. 132003.221152.5 for a request to change a Development Permit for Material Change of Use for a dwelling house to include a retaining wall and unroofed deck, situated at 12 Park Road, Noosa Heads and:

- A. Approve the change with additional Conditions 47, 48, 49, 50, 51 and 52 being included as follows:

Additional Conditions September 2016

47. Development undertaken in accordance with this approval must 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
MB_12PR_01	F	<i>Cover Sheet</i> , prepared by Myles Baldwin Design	08.07.16
MB_12PR_02	F	<i>Landscape Plan</i> , prepared by Myles Baldwin Design	08.07.16
MB_12PR_03	D	<i>Elevation / Section</i> , prepared by Myles Baldwin Design	08.07.16
MB_12PR_08	B	<i>Sewer Setback Detail</i> , prepared by Myles Baldwin Design	08.07.16
MB_12PR_09	B	<i>Existing Plants</i> , prepared by Myles Baldwin Design	08.07.16

48. The Approved Plans must be amended to incorporate a minimum 2 metre setback for all structures to the Park Road boundary. The amended plans must be submitted to Council prior to the issue of any Development Permit for Operational Works*. *(Refer to Advisory Note)
49. The 2 metre setback must be densely landscaped in accordance with Planning Scheme Policy PSP3 Landscaping Plants and Guidelines and an Operational Works Approval and must in particular include:
- existing native trees including but not limited to trees 61, 62, 181, 171 and 175 retained in accordance with an Arborist Report prepared by a suitably qualified person.
 - under storey plants that grow to a minimum height of 4m
 - four (4) 100lt endemic native trees planted at equal spacing along the length of the structure.

50. Security in the form of a cash bond or trading bank guarantee to the sum of **\$10,000** must be submitted to Council, to secure performance of all conditions of this approval, prior to the issue of a Development Permit for Operational Works. The cash bond or trading bank guarantee will be returned on performance of the conditions of approval less any costs incurred by Council in respect of enforcing performance of this permit. Council reserves the right to call upon the bond or guaranteed sum to effect compliance with conditions.
 51. The works must comply with the terms of Easement B on RP 177551.
 52. The works must be carried out generally in accordance with the Construction Management Plan, prepared by TOD Engineers and Project Managers, dated July 2016 and the Slope Stability Assessment – Proposed Deck, Project No. 16072-001-Rev0, prepared by Tectonic Geotechnical & Environmental Engineers, dated 14 April 2016.
- B. Advise the applicant to cease pruning the trees in the road reserve in front of the subject site.

5 PROPOSAL TO PREPARE A NEW PLANNING SCHEME

That Council note the report by the Planning Scheme Project Manager to the Planning & Environment Committee Meeting dated 6 September 2016 in relation to the proposal to prepare a New Planning Scheme and:

- A. Endorse the document The Noosa Plan 2006 - Ten Year Review as provided at Attachment 1 to the report;
- B. Propose to prepare a new Planning Scheme for the whole of Noosa Shire;
- C. Authorise the Chief Executive Officer to prepare a Statement about State Interests; and
- D. Advise the Minister of this decision.

7 GREEN PAPER ON FISHERIES MANAGEMENT REFORM IN QUEENSLAND

That Council note the report by the Environment Officer (Rivers and Coast) to the Planning & Environment Committee Meeting dated 6 September 2016 regarding release of the *Green Paper on fisheries management reform in Queensland* and defer consideration of the matter to the Ordinary Meeting dated 15 September 2016.

SERVICES & ORGANISATION COMMITTEE RECOMMENDATIONS**6 SEPTEMBER 2016 – Crs. Frank Pardon (Chair), Jess Glasgow, Tony Wellington & Frank Wilkie***Other Councillors in Attendance: Crs. Jurisevic & Jackson***5 COOROY BUTTER FACTORY - UPDATE ON FIRST SIX MONTHS OF OPERATIONS UNDER MANAGEMENT BY THE COOROY FUTURE GROUP**

Cr Pardon declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his ex-officio membership on the Cooroy Future Group Inc. 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 Wilkie
Seconded: Cr Jurisevic

That Council note the report by the Manager Libraries & Galleries to the Services & Organisation Committee Meeting dated 6 September 2016 and:

- A. Authorise the CEO to enter into an agreement with the Cooroy Future Group Inc to operate the Butter Factory Arts Centre for a three-year period with a three-year option, commencing 1 January 2017. This agreement to be in accordance with Council's Community Leasing Policy and subject to continued satisfactory performance by the Group in the second half of 2016 calendar year;
- B. Provide funding of \$61,042 (ex GST) to the Cooroy Future Group Inc to support operations to the six-month period to June 2017;
- C. Refer future funding arrangements to the 2017/18 budget process pending the final outcome of the twelve-month trial; and
- D. Council extends its congratulations to the Cooroy Future Group on their success thus far in operating the Cooroy Butter Factory.

Carried.

Cr Pardon voted in favour of the motion.

The following Recommendations from the Services & Organisation Committee were adopted without discussion or further amendment.

Council Resolution

Moved: Cr Wilkie
Seconded: Cr Glasgow

The Services & Organisation Committee recommendations dated 6 September 2016 be adopted except where dealt with or held over by separate resolution.

Carried.

1 CONSTRUCTION OR MAINTENANCE OF UNCONSTRUCTED ROADS POLICY

That Council note the report by the Civil Operations Manager to the Services & Organisation Committee Meeting dated 6 September 2016 and adopt the Construction or Maintenance of Unconstructed Roads Policy as provided at Attachment 1 to the report.

2 ASSET MANAGEMENT CAPABILITY ASSESSMENT AND ROADMAP

That Council note the report by the Asset Planning Coordinator to the Services & Organisation Committee Meeting dated 6 September 2016 providing an update on the asset management capability assessment and:

- A. Adopt the asset management roadmap (as provided at Attachment 1 to the report) as the asset management improvement plan for staff to commence implementation, and
- B. Support the implementation of the asset management initiatives and activities across the organisation, including those defined in the Noosa Council asset management roadmap.

3 NOOSA LOCAL DISASTER MANAGEMENT PLAN 2016/17

That Council note the report by the Disaster Management & Special Projects Officer to the Services & Organisation Committee Meeting dated 6 September 2016 and:

- A. Repeal the Noosa Local Disaster Management Plan 2015/16 and adopt the Noosa Local Disaster Management Plan 2016/17 as provided at Attachment 1 to the report, and.
- B. Devolve responsibility for updating and approving the operational appendices of the Local Disaster Management Plan 2016/17 to the Noosa Local Disaster Management Group.
- C. Adopt the list of members and advisors for the Noosa Local Disaster Management Group as provided at Attachment 2 to the report.

4 1516T089 COUNCIL OWNED HEATING, VENTILATION & AIRCONDITIONING MAINTENANCE

That Council note the report by the Building and Plumbing Manager to the Services & Organisation Committee Meeting dated 6 September 2016 and:

- A. Award tender (1516T089) for the whole of region maintenance of Council owned heating, ventilation and air-conditioning systems to Gealy's Air-conditioning and Refrigeration for the initial term lump sum price of \$48,923 excluding GST; and
- B. Award the contract for an initial term of 12 months, with consideration to extend the contract up to four (4) terms of up to twelve (12) months each.

6 1516T108 ICT MANAGED SERVICES

That Council note the report by the ICT Manager to the Services & Organisation Committee Meeting dated 6 September 2016 and

- A. Award Contract 1516T108 ICT Managed Services to the following Contractor:
 - 1. Portion A – Managed Infrastructure as a Service to Nexon Asia Pacific;
 - 2. Portion B – Managed Unified Communications Services to Nexon Asia Pacific;
 - 3. Portion D – Managed Network to Nexon Asia Pacific;
- B. Award the Contract for an initial term of three (3) years, with the option to extend the Contract for up to a further period of twelve (12) months; and
- C. Note Portion C – Managed Call Centre System had not been awarded.

7 UPDATE ON COUNCIL ICT SECURITY

That Council note the report by the ICT Manager to the Services & Organisation Committee Meeting dated 6 September 2016 providing an update on Council's ICT security measures.

8 RATE LEVY - JULY 2016

That Council note the report by the Manager Revenue Services to the Services & Organisation Committee Meeting dated 6 September 2016 providing an overview of the outcomes from the July 2016 rate levy.

GENERAL COMMITTEE RECOMMENDATIONS

12 SEPTEMBER 2016 - Crs Frank Wilkie (Chair), Jess Glasgow, Joe Jurisevic, Frank Pardon, Brian Stockwell and Tony Wellington. Apology – Cr Jackson

The following Recommendations from the General Committee were adopted without discussion or further amendment.

Council Resolution

Moved: Cr Pardon
Seconded: Cr Jackson

The General Committee recommendations dated 12 September 2016 be adopted.

Carried.

1 1516T035 ROAD RESURFACING AND REHABILITATION - TENDER ACCEPTANCE

That Council note the report by the Civil Operations Technical Officer to the General Committee Meeting dated 12 September 2016 and:

- A. Award contract 1617T029 Road Resurfacing 2016 to the following contractors:
- i. Portion A – Road Reseal & Rehabilitation Programme: Downer EDI Works Pty Ltd
 - ii. Portion B – Mill and Fill Pavement Repairs: Allroad Surfaces Pty Ltd & Downer EDI Works Pty Ltd
 - iii. Portion C – Bitumen Sealing: Downer EDI Works Pty Ltd
- B. Award the contract for an initial period of up to twelve (12) months, with an option to extend for a further two (2) terms of up to twelve (12) months each.

2 FINANCIAL PERFORMANCE REPORT - AUGUST 2016

That Council note the report by the Manager Financial Services to the General Committee Meeting dated 12 September 2016 providing the August YTD monthly financial performance report for the 2016/17 financial year.

6 ORDINARY MEETING REPORTS**1 GREEN PAPER ON FISHERIES MANAGEMENT REFORM IN QUEENSLAND – FURTHER REPORT****Council Resolution****Moved: Cr Pardon****Seconded: Cr Wilkie**

That Council note the report by the Environment Officer (Rivers and Coast) to the Planning & Environment Committee Meeting dated 6 September 2016 and the further report to the Ordinary Meeting dated 15 September 2016 regarding the release of the Green Paper on Fisheries Management Reform in Queensland and agree to make a submission to the Green Paper as follows:

- A. Note that Noosa Council is not opposed to commercial or recreational fishing *per se*, but rather, wants to ensure that such activities can be carried out in a genuinely sustainable fashion for the benefit of future generations; and
- B. Council supports overall ecosystem based management and locality-based fisheries councils; and
- C. Council supports the target of a minimum 60% unfished populations; and
- D. Council requests that ecological risk assessments be prioritised both on fisheries at highest risk and ecosystems of conservation value; and
- E. Council supports the encouragement of indigenous input into decision making processes; and
- F. Council believes that more resources need to be applied to fishing management across Queensland and that consideration may be given to a user pays model; and
- G. With consideration of historical fisheries research by Dr Ruth H Thurston, ongoing empirical research by the University of the Sunshine Coast, and anecdotal evidence, Noosa Council has concerns regarding the impact of current and historical fishing activities on the marine biodiversity and abundance in the Noosa estuary and river system as well as the surrounding ocean beaches; and
- H. Considering the current research projects in the Noosa River system and nearshore environment, Noosa Council aims to be a pilot program for ecosystem based management as a demonstration of best practice; and
- I. Council has particular concerns regarding the impact of the licensed mullet fishing activities on Teewah Beach (Noosa North Shore) with regards to by-catch, wastage and also mullet being targeted whilst gravid specifically for their roe; and
- J. Council requests that the Department of Agriculture & Fisheries give consideration to reducing commercial netting on Teewah Beach between the Noosa River mouth and Double Island Point by way of declaring a net free zone and/or a buy-back of commercial fishery licenses and/or not re-issuing any licenses due for expiry and Council would commit to working in partnership with the State Government on a process to achieve this outcome including community and industry engagement and consideration of resource commitments; and
- K. Council requests that the Department of Agriculture & Fisheries give consideration to the overall sustainability of fishing and prawning in the Noosa estuary and river system, on the understanding that current research and projects such as Noosa Biosphere Reserve Foundation's Bring Fish Life Back are attempting to both reinstate marine biodiversity and also monitor that biodiversity; and

- L. That Council has particular concerns for the potential environmental impact of prawn beam trawling in the Noosa River system and therefore requests that the Department of Agriculture & Fisheries give consideration to whether prawn beam trawling is having an adverse impact on the marine environment in the Noosa River, particularly the river floor and seagrass beds, thus adversely impacting on overall biodiversity, and further consider whether appropriate licenses should be bought back or at least not renewed; and
- M. Council requests that the Department of Agriculture & Fisheries give consideration to one or more total fishing exclusion zones at specific sites to allow replenishment of overall biodiversity and Council would commit to working in partnership with the State Government on a process to achieve this outcome including community and industry engagement plus consultation with appropriate researchers; and
- N. Council requests the Department of Agriculture & Fisheries give consideration to the reduction in bag limits for recreational fishing.

Carried.

7 PETITIONS

Nil.

8 CONFIDENTIAL SESSION

Nil.

9 NEXT MEETING

The next Ordinary Meeting will be held on 20 October 2016 at the Cooroy Sports Hub (Cooroy Bowls Club), 6 Opal Street, Cooroy commencing at 6pm.

10 MEETING CLOSURE

The meeting closed at 6.29pm.