



# **MINUTES**

## **Ordinary Meeting**

**Thursday, 20 July 2017**

**commencing at 6pm**

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

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

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*“Noosa Shire – different by nature”*

**1 ATTENDANCE & APOLOGIES**

**COUNCILLORS**

Councillor T Wellington, Mayor  
Councillor F Wilkie, Deputy Mayor  
Councillor J Glasgow  
Councillor J Jurisevic  
Councillor B Stockwell

**EXECUTIVE**

B de Chastel, Chief Executive Officer  
A Rogers, Director Community Services  
M Shave, Director Corporate Services  
D Iezzi, Director Executive Services  
C Billingham, Director Infrastructure Services

**APOLOGIES**

Councillor I Jackson  
Councillor F Pardon

The meeting commenced at 6.01pm.

**2 CONFIRMATION OF MINUTES**

**Council Resolution**

**Moved:** Cr Stockwell  
**Seconded:** Cr Glasgow

The Minutes of the Ordinary Meeting held on 15 June 2017 be received and confirmed.

**Carried.**

**3 MAYORAL MINUTES**

Nil.

**4 PETITIONS**

Nil.

**5 NOTIFIED MOTIONS**

Nil.

**6 CONSIDERATION OF COMMITTEE RECOMMENDATIONS****AUDIT & RISK COMMITTEE RECOMMENDATIONS**

**16 JUNE 2017 – Cr Wellington, Cr Jackson, Scott Williams, Cameron Jagers (attended via teleconference)**

*External attendees:* Denis Byram (Queensland Audit Office); Natasha McCraw & Robyn Cooper (Crowe Horwath, via teleconference for item 6).

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

**Council Resolution**

**Moved: Cr Jurisevic**

**Seconded: Cr Stockwell**

The Audit & Risk Committee recommendations dated 16 June 2017 be adopted.

**Carried.**

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**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 16 June 2017 detailing the 2016/17 final external audit plan, interim management report and other related matters.

**2 INTERNAL AUDIT AND ACTION ITEMS UPDATE**

That Council note the report by the Governance Advisor to the Audit & Risk Committee Meeting dated 16 June 2017 and:

- A. Adopt the Internal Audit Plan 2017/18 as provided at Attachment 1 to the report with the inclusion of the following additional items:
  1. TechnologyOne User Access Review (to be considered as a future Internal Audit beyond 2017/18); and
  2. Development Assessment Processes (to be considered in 2018/19).
- B. Note the Internal Audit Report 'Internal Audit of Investment of Surplus Funds Processes' of April 2017 prepared by Crowe Horwath, provided at Attachment 2 to the report;
- C. Note the Internal Audit Report 'Internal Audit of Procure to Pay Processes' of June 2017 prepared by Crowe Horwath, provided at Attachment 3 to the report; and
- D. Note the Register of Action Items provided at Attachment 4 to the report.

**3 2016-17 SHELL FINANCIAL STATEMENTS**

That Council note the report by the Financial Accountant to the Audit & Risk Committee Meeting dated 16 June 2017 regarding the draft 2016/17 shell financial statements.

**4 REVIEW OF ASSET VALUATION FOR 2016-17 FINANCIAL STATEMENTS**

That Council note the report by the Financial Accountant to the Audit & Risk Committee Meeting dated 16 June 2017 and note the approach to be applied for asset valuation purposes for the 2016-17 financial statements.

**5 RISK MANAGEMENT UPDATE**

That Council note the report by the Governance Advisor to the Audit & Risk Committee Meeting dated 16 June 2017 providing an update on Risk Management.

**6 ANNUAL INSURANCE UPDATE**

That Council note the report by the Governance Advisor to the Audit & Risk Committee Meeting dated 16 June 2017 providing an update on Council's Insurance Program.

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**PLANNING & ENVIRONMENT COMMITTEE RECOMMENDATIONS****11 JULY 2017 – Crs. Joe Jurisevic (Chair), Brian Stockwell and Tony Wellington****Apology: Cr Ingrid Jackson***Other Councillors in attendance: Nil.****The following Recommendations from the Planning & Environment Committee were adopted without discussion or further amendment.*****Council Resolution****Moved: Cr Jurisevic****Seconded: Cr Glasgow**

The Planning &amp; Environment Committee recommendations dated 11 July 2017 be adopted.

**Carried.**

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**1 MCU17/0020 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR ANIMAL HUSBANDRY TYPE 1 (AQUACULTURE) AT 3 SANDERS STREET, NOOSAVILLE**

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 11 July 2017 regarding Application No. MCU17/0020 for a Development Permit for Animal Husbandry Type 2 (Intensive Aquaculture) situated at 3 Sanders Street, Noosaville and:

- A. Approve the application in accordance with the conditions contained in the Planning & Environment Committee Agenda dated 11 July 2017.
- B. Find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:
  - 1. The aquaculture use is similar in nature to an industrial processing operation and is appropriately located within an existing industrial premise.
  - 2. The development is compatible with and will not negatively impact on the existing businesses in the area.

**2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR ENTERTAINMENT AND DINING TYPE 2 (RECREATION, AMUSEMENT AND FITNESS) AT 4/1 RENE STREET, NOOSAVILLE (MCU17/0034)*****Item not dealt with by Planning & Environment Committee. Referred to General Committee for consideration.*****Reason for referral – Planning & Environment Committee suggest amendments to permitted patron numbers and required car parking spaces.**

**3 MCU16/0066 & OPW16/0133 - REPRESENTATIONS TO CONDITIONS - DEVELOPMENT APPROVAL FOR MATERIAL CHANGE OF USE FOR A SERVICE STATION, CONVENIENCE SHOP AND FOOD OUTLET AND OPERATIONAL WORKS FOR SIGNAGE AT 6 TAYLOR COURT, COOROY**

That Council note the report by the Development Planner to the Planning and Environment Committee Meeting dated 11 July 2017 regarding representations to conditions of approval for Development Permit for Material Change of Use of Premises comprising Retail Business Type 5 - Vehicle Uses (Service Station), Entertainment & Dining Business Type 1 - Food & Beverages (Fast Food Outlet), Retail Business Type 2 – Shop (Convenience Retail) and Operational Works for signage on vacant industrial land on the corner of Taylor Court and Holts Road, Cooroy, and

- A. Approve the request to change conditions 2 and 27 e) to read as follows:
  - 2. *Development undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table unless otherwise amended by these conditions.*

Plan No.	Rev.	Plan/Document Name	Date
DA-02	P5	Site Plan, prepared by Red Dog Architects	19/10/2016
DA-05	P5	North Elevation, prepared by Red Dog Architects	19/10/2016
DA-06	P5	South Elevation, prepared by Red Dog Architects	19/10/2016
DA-07	P5	East & West Elevations, prepared by Red Dog Architects	19/10/2016
DA-08	P5	Signage Plan, prepared by Red Dog Architects	19/10/2016

27. *The site must be provided with a stormwater drainage system connecting to a lawful point of discharge. The works must be undertaken in accordance with an Operational Works approval and the Queensland Urban Drainage Manual, and must include in particular:*

- e) *A stormwater quality treatment system. The stormwater treatment must generally be in accordance with the Stormwater Management Plan for Highway Service Centre Cooroy, project number 161968 by Covey Associates, dated October 2016 except where alteration to the inclusion of proprietary water quality treatment devices are necessary to achieve the following objectives as predicted in MUSIC modelling in accordance with the Water by Design MUSIC modelling guidelines.*

	State Planning Policy	SEQ Water Development Guidelines: Development Guidelines for Water Quality Management in Drinking Water Catchments (SEQ Water 2012)
<b>Total Suspended Solids</b>	80% reduction compared to an unmitigated development	No increase in pollutant loads compared to a Vacant Industrial Allotment
<b>Total Phosphorous</b>	60% reduction compared to an unmitigated development	

<b>Total Nitrogen</b>	45% reduction compared to an unmitigated development	
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*Where proprietary water quality treatment devices are included within the stormwater quality treatment strategy, evidence of a signed contract for a minimum period of 10 years for maintenance of the proprietary stormwater quality treatment device must be provided to Council prior to commencement of use.*

B. Delete condition 27 k).

**4 152006.1999.01 APPLICATION FOR EXTENSION TO THE RELEVANT PERIOD RELATING TO DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (52 LOTS & PARK) FOR 191 HOLLETT ROAD, NOOSAVILLE**

*Item not dealt with by Planning & Environment Committee. Referred to General Committee for consideration.*

Reason for referral – Awaiting receipt of legal advice.

**5 PLANNING AND ENVIRONMENT COURT APPEAL D59 OF 2017 REFUSAL OF DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE (DETACHED HOUSE X 19) AT 90 BEACH ROAD NOOSA NORTH SHORE**

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 11 July 2017 regarding Planning and Environment Court Appeal D59 of 22 May 2017 and agree to defend the appeal.

**6 LOCAL GOVERNMENT INFRASTRUCTURE PLAN (STORMWATER NETWORK PFTI & SOW)**

That Council note the report by the Infrastructure Assessment Coordinator to the Planning & Environment Committee Meeting dated 11 July 2017 regarding the review of the Stormwater network required for the new Local Government Infrastructure Plan (LGIP) under The Noosa Plan 2006 and approve:

- A. The Plans for Trunk Infrastructure (PFTI) Maps provided in Attachment 2 to the report noting the service catchments being limited to the Priority Infrastructure Area (PIA) area for preparing the SOW model;
- B. The Stormwater Network Future Projects for including in the LGIP Schedule of Works (SOW) provided in Attachment 1 noting that the base costs estimates will be refined following completion of the excel SOW Model; and
- C. Note that further amendments will be made to the SOW and incorporated in a subsequent LGIP to be prepared for the new Planning Scheme that reflects Council's further network planning.

**7 LOCAL GOVERNMENT INFRASTRUCTURE PLAN (TRANSPORT NETWORK PFTI & SOW)**

That Council note the report by the Infrastructure Assessment Coordinator to the Planning & Environment Committee Meeting dated 11 July 2017 regarding the review of the Transport network required for the new Local Government Infrastructure Plan (LGIP) under The Noosa Plan 2006 and approve:

- A. The Plans for Trunk Infrastructure (PFTI) Maps provided in Attachment 2 to the report noting that the locality sub-catchments will be combined into two larger transport catchments for the Noosa Coastal Area and the Noosa Hinterland Area when preparing the SOW model;
- B. The Transport Network Future Projects for including in the LGIP Schedule of Works (SOW) provided in Attachment 1 noting that the base costs estimates will be refined following completion of the excel SOW Model; and
- C. Note that further amendments will be made to the SOW and incorporated in a subsequent LGIP to be prepared for the new Planning Scheme that reflects Council's further network planning.

**8 INVESTIGATION OF STORMWATER POLLUTION IN NOOSAVILLE INDUSTRIAL AREA**

That Council note the report by the Coordinator Environmental Health to the Services and Organisation Committee Meeting dated 11 July 2017 providing an update on the investigation of stormwater pollution in the Noosaville Industrial Area and:

- A. Continue to work in partnership with relevant industries to facilitate dissemination of information on environmental compliance and sharing of knowledge within various industry groups; and
- B. Request staff to prepare amendments to the *Noosa Shire Council Local Law No 1 (Administration) 2015* to be considered by Council at a future date, that:
  1. Make the operation of industrial premises a 'prescribed activity' which requires approval and sets out relevant environmental conditions;
  2. Introduce a risk based annual inspection program of industrial premises to monitor compliance with the environmental conditions of the approval; and
  3. Provide for the recovery of fees for undertaking the risk based annual inspection program and approval process.

**9 DEVELOPMENT ASSESSMENT - FEES & CHARGES VARIATIONS FOR 1 OCTOBER 2016 TO 31 MARCH 2017**

That Council note the report by the Manager, Planning & Environment to the Planning & Environment Committee Meeting dated 11 July 2017 regarding the waiver or partial waiver of development application charges for 1 October 2016 to 31 March 2017 as detailed in the report.

**10 BUILDING STATISTICS - 2016/17 YEAR**

That Council note the report by the Building and Plumbing Officer to the Planning & Environment Committee Meeting dated 11 July 2017 providing the annual statistics on building applications for the 2016/17 year.



**SERVICES & ORGANISATION COMMITTEE RECOMMENDATIONS****11 JULY 2017 – Crs Jess Glasgow (Acting Chair), Tony Wellington & Frank Wilkie****Apologies: Cr Frank Pardon***Other Councillors in Attendance: Crs Jurisevic and Stockwell***APPOINTMENT OF CHAIRPERSON****Moved: Cr Wilkie****Seconded: Cr Wellington**

That the Committee appoint Cr Glasgow as the Acting Chairperson for the meeting.

**Carried.**

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**4 COUNCIL SUPPORT FOR MARRIAGE EQUALITY****Council Resolution****Moved: Cr Glasgow****Seconded: Cr Stockwell**

That Council note the report by the Director Community Services to the Services &amp; Organisation Committee Meeting dated 11 July 2017 and agree to formally support the motion passed at the 2016 Australian Local Government Association's Assembly that called on:

*"the Federal Government and the Federal Parliament to treat with dignity and respect all members of the community regardless of gender or sexuality by supporting changes to the marriage act to achieve marriage equality for same sex couples."***Carried.*****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 &amp; Organisation Committee recommendations dated 11 July 2017 be adopted except where dealt with or held over by separate resolution.

**Carried.**

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**1 PROPOSAL BY BOOMERANG ALLIANCE FOR A PLASTIC FREE NOOSA*****Item not dealt with by Services and Organisation Committee. Referred to General Committee for consideration.*****Reason for referral – Requested by Cr Stockwell to investigate the matter further.**

**2 SOCIAL STRATEGY IMPLEMENTATION UPDATE 2016-2017**

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 11 July 2017 on the Social Strategy Implementation Plan after twelve (12) months of operation and

- A. Request the Chief Executive Officer provide Council with an update and a revised action plan after a further twelve (12) months of operation;
- B. Agree to review the 2006 Social Charter, part of which will be to ensure that it has sufficient focus on social justice and inclusiveness; and
- C. Agree that in 2018 the focus for the Community Round Table will be to seek to address issues of homelessness and affordable housing within the Shire.

**3 DRAFT SPORT AND ACTIVE RECREATION PLAN**

That Council note the report by the Community Development Officer to the Services & Organisation Committee Meeting dated 11 July 2017 and

- A. Approve the "Draft Sport and Active Recreation Plan" provided at Attachment 1 to the report for the purpose of community consultation; and
- B. Request the Chief Executive Officer to collate and consider feedback received as part of the consultation undertaken for further consideration of the Noosa Sport and Active Recreation Plan by Council.

**5 POMONA MID-TOWN RAIL CROSSING - SUPPORT FOR RETENTION**

That Council note the report by the Director Infrastructure Services to the Services & Organisation Committee Meeting dated 11 July 2017 and authorise the CEO to write to Queensland Rail supporting the Pomona Community in their wish to retain the existing mid-town rail crossing and have it upgraded to improve safety.

**6 PARK ROAD BOARDWALK - EXPRESSIONS OF INTEREST**

That Council note the report by the Project Manager to the Services & Organisation Committee Meeting dated 11 July 2017 and authorise staff to call for Expressions of Interest for the Design and Construction of the Park Road Boardwalk from Little Cove to Noosa National Park.

**7 COMMUNITY ORGANISATIONS TENURE RENEWAL PROGRESS UPDATE**

That Council note the report by the Property Officer to the Services & Organisation Committee Meeting dated 11 July 2017 and

- A. Note Attachment 1 *Expired Community Tenure Agreements and Renewal Status*;
- B. Authorise the CEO to enter into tenure renewal negotiations with all community organisations noted in Attachment 2 to the report in accordance with the Community Purpose Land and Infrastructure Tenure Policy; and
- C. Apply the exception to the requirement for tendering of the leases under *Section 236 (1) (b) (ii) of the Local Government Regulation 2012* as the leases are to community organisations.

**GENERAL COMMITTEE RECOMMENDATIONS**

17 JULY 2017 – Crs. Frank Wilkie (Chair), Joe Jurisevic, Brian Stockwell and Tony Wellington.

Apologies: Crs. Glasgow, Jackson and Pardon

**2 152006.1999.01 APPLICATION FOR EXTENSION TO THE RELEVANT PERIOD RELATING TO DEVELOPMENT PERMIT FOR RECONFIGURATION OF A LOT (52 LOTS & PARK) FOR 191 HOLLETT ROAD, NOOSAVILLE**

*Cr Glasgow declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) as he had made initial inquiries about purchasing this site as part of an investment group but did not proceed any further with that approach. Cr Glasgow advised that he has no current interests in the site however due to his previous inquiries, Cr Glasgow left the meeting room for the debate and decision on this matter.*

**Council Resolution**

**Moved: Cr Jurisevic**  
**Seconded: Cr Stockwell**

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 11 July 2017 regarding Application No. 152006.1991.01 for an Extension to the Relevant Period for Development Permit to Reconfigure a Lot (52 lots and park), situated at 191 Hollett Road Noosaville and request staff to prepare an amended report for consideration at the Ordinary Meeting on 20 July 2017.

**Carried.**

*Cr Glasgow re-joined the meeting.*

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

**Council Resolution**

**Moved: Cr Wilkie**  
**Seconded: Cr Jurisevic**

The General Committee recommendations dated 17 July 2017 be adopted except where dealt with or held over by separate resolution.

**Carried.**

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**1 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR ENTERTAINMENT AND DINING TYPE 2 (RECREATION, AMUSEMENT AND FITNESS) AT 4/1 RENE STREET, NOOSAVILLE (MCU17/0034)**

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 11 July 2017 regarding Application No. MCU17/0034 for a Development Permit for Material Change of Use of Premises for an Entertainment and Dining Use Type 2 – Recreational, Amusement and Fitness (Yoga Studio) situated at 4/1 Rene Street, Noosaville and defer consideration of the matter to the Ordinary Meeting dated 20 July 2017 so that discussions can occur with the applicant relating to the changes of conditions.

**3 PROPOSAL BY BOOMERANG ALLIANCE FOR A PLASTIC FREE NOOSA**

That Council note the report by the Manager Waste and Environmental Health to the Services & Organisation Committee Meeting dated 11 July 2017 regarding a proposal by Boomerang Alliance to implement a community led project for a Plastic Free Noosa and in response to the proposal from Boomerang Alliance, Council:

- A. Agree to support Boomerang Alliance in their project to reduce plastic in the Noosa environment through a "Plastic Free Noosa" program;
- B. Provide a letter of support to accompany their application for a government grant to assist with funding the project; and
- C. Request staff investigate the options available to require community and corporate events on public land (where food and beverage is provided) to be plastic free (as defined by the Responsible Plastic Guide – Noosa) including the option of permit conditions requiring event organisers and vendors to comply with appropriate "Plastic Free" practices;
- D. Inform Boomerang Alliance that the Council's participation will be limited in the initial six months of the program as Council's resources are involved in the implementation of a new waste management contract and the roll out of the Garden Waste Recycling Service from 1 September 2017.

**4 TRANSPORT STRATEGY RESOURCING**

That Council note the report by the Director Infrastructure Services to the General Committee Meeting dated 17 July 2017 and adopt changes to Council's organisational structure that provides an increase of one Project Manager position for a three year fixed term in the Infrastructure Planning, Design and Delivery Branch for the purpose of advancing the implementation of the Transport Strategy.

**5 FINANCIAL PERFORMANCE REPORT - JUNE 2017 INTERIM POSITION**

That Council note the report by the Director Corporate Services to the General Committee Meeting dated 17 July 2017 providing results of interim 2016/17 financial performance against budget.

**6 OPERATIONAL PLAN PROGRESS REPORT - 4TH QUARTER 2016-17**

That Council note the report by the Chief Executive Officer to the General Committee Meeting dated 17 July 2017 providing an update on progress with the implementation of the Operational Plan to 30 June 2017 and details of Council's Key Performance Indicators.

**7 YEAR IN REVIEW 2016-17**

That Council note the report by the Chief Executive Officer to the General Committee Meeting dated 17 July 2017 providing a review of Council's progress in the 2016/17 financial year towards achieving the priorities set out in the Council's Corporate Plan.

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**7 ORDINARY MEETING REPORTS****1 152006.1999.01 - FURTHER REPORT - APPLICATION FOR EXTENSION TO THE RELEVANT PERIOD RELATING TO DEVELOPMENT PERMIT TO RECONFIGURE A LOT (52 LOTS & PARK) FOR 191 HOLLETT ROAD, NOOSAVILLE**

*Cr Glasgow declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) as he had made initial inquiries about purchasing this site as part of an investment group but did not proceed any further with that approach. Cr Glasgow advised that he has no current interests in the site however due to his previous inquiries, Cr Glasgow left the meeting room for the debate and decision on this matter.*

**Council Resolution**

**Moved: Cr Stockwell**

**Seconded: Cr Jurisevic**

That Council note the report by the Coordinator Planning to the Planning & Environment Committee dated 11 July 2017 and the further report to the Ordinary Meeting dated 20 July 2017 and refuse Application No. 152006.1999.01 for an extension to the Relevant Period for a Development Permit to Reconfigure a Lot (52 lots and park) situated at 191 Hollett Road, Noosaville for the following reasons:

1. The approval is not consistent with the South East Queensland Regional Plan as the development would result in the creation of an urban settlement within an area where the intent is to protect the landscape and the capacity for rural production.
2. The approval is not consistent with the Noosa Plan 2006 as the proposed urban development is not located within an established village and would result in fragmentation of land holdings outside of areas already allocated for such purpose by the Noosa Plan. The development is also partly located within the Riparian Buffer area identified for protection by the Biodiversity Overlay
3. The approval is contrary to the South East Queensland Koala Conservation State Planning Regulatory Planning Provisions as the development will result in the removal of non-juvenile koala habitat trees.
4. Different bushfire hazard mapping to that used for the initial approval applies as the State Planning Provisions came into effect after the original approval and results in a higher hazard rating. The higher hazard rating may require changes to setback/buffer areas and an amended subdivision layout. An updated bushfire management plan has not been submitted to enable an assessment of the current bushfire hazard.
5. Significant time has lapsed since the ecological assessment reports were originally submitted and the information in these reports is now outdated. Updated ecological reports have not been submitted.
6. The community is unlikely to be aware of the proposal given the significant time that has lapsed, the Noosa Plan's current zoning and no works have commenced on site.

**Carried.**

*Cr Glasgow re-joined the meeting.*

**2 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR ENTERTAINMENT AND DINING TYPE 2 (RECREATION, AMUSEMENT AND FITNESS) AT 4/1 RENE STREET, NOOSAVILLE (MCU17/0034)**

**Council Resolution**

**Moved:** Cr Wellington

**Seconded:** Cr Wilkie

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 11 July 2017 regarding Application No. MCU17/0034 for a Development Permit for Material Change of Use of Premises for an Entertainment and Dining Use Type 2 – Recreational, Amusement and Fitness (Yoga Studio) situated at 4/1 Rene Street, Noosaville and:

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

**PLANNING**

**When Conditions must be Complied With**

1. Unless otherwise stated, all conditions of this Decision Notice must be complied with prior to the use commencing, and then compliance maintained at all times while the use continues.

**Approved Plans**

2. Development undertaken in accordance with this approval must generally comply with the approved plans of development. The approved plans are listed in the following table unless otherwise amended by these conditions.

Plan No.	Rev.	Plan/Document Name	Date
AR01-102	-	Upper Floor	21/04/2017
AR01-101	-	Site Plan	21/04/2017

**Nature and Extent of Approved Use**

3. The maximum number of participants attending a class is limited to 12 people during 9am – 5pm Monday to Friday, and 9am – 2pm Saturday.
4. The approved use must not operate outside the hours of 6am to 9pm Monday to Sunday.

**Car Parking**

5. A minimum of 5 car parking spaces must be provided and line-marked on the site and made available and accessible at all times while the use is open for business.

- B. Find the following are sufficient grounds to justify the decision despite the conflict with the Planning Scheme:

1. Fitness centres and the like are generally floor area intensive and require tenancies within industrial units that are most readily found in the Industry Zone;
2. The Overall Outcomes of the Noosaville Locality Code acknowledge that some sport and recreation uses are acceptable in the Industry Zone;
3. The fitness centre is of a similar size and scale to other approved Entertainment & Dining Business's Type 2 within the Noosaville Industrial area.

**Carried.**

**8 CONFIDENTIAL SESSION**

Nil.

**9 NEXT MEETING**

The next Ordinary Meeting will be held on 17 August 2017 at the Council Chambers, 9 Pelican Street, Tewanin commencing at 6pm.

**10 MEETING CLOSURE**

The meeting closed at 6.39pm.