



MINUTES

Ordinary Meeting

Thursday, 21 December 2017

6pm

Council Chambers, 9 Pelican Street, Tewantin

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

“Noosa Shire – different by nature”

1 ATTENDANCE & APOLOGIES**COUNCILLORS**

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

EXECUTIVE

B de Chastel, Chief Executive Officer
M Shave, Director Corporate Services
K Rawlings, Director Environment & Sustainable Development
D Iezzi, Director Executive Services
C Billingham, Director Infrastructure Services

APOLOGIES

Councillor J Glasgow

The meeting commenced at 6pm.

2 CONFIRMATION OF MINUTES**Council Resolution**

Moved: Cr Wilkie
Seconded: Cr Jurisevic

The Minutes of the Ordinary Meeting held on 16 November 2017 be received and confirmed.

Carried.

3 MAYORAL MINUTES

Nil.

4 PETITIONS

Nil.

5 NOTIFIED MOTIONS

Nil.

6 CONSIDERATION OF COMMITTEE RECOMMENDATIONS**PLANNING & ENVIRONMENT COMMITTEE RECOMMENDATIONS**

12 DECEMBER 2017 - Crs Joe Jurisevic (Chair), Ingrid Jackson, Brian Stockwell and Tony Wellington

Other Councillors in attendance: Cr Frank Wilkie

6 MCU14/0102.07 MATERIAL CHANGE OF USE AND OPERATIONAL WORK MINOR CHANGE APPLICATION AND OPW17/0570 SUPERSEDED PLANNING SCHEME REQUEST FOR OPERATIONAL WORKS SIGNAGE AT 139 EUMUNDI NOOSA ROAD, NOOSAVILLE

Cr Stockwell declared a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to his being a referee of Football Qld that is sponsored by one of the tenants the site. Cr Stockwell believed he could consider the item impartially and in the public interest and therefore remained in the meeting for the debate and decision on this matter.

Moved: Cr Wilkie
Seconded: Cr Pardon

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 12 December 2017 and:

- A. Refuse Application MCU14/0102.07 for a Development Permit for Material Change of Use - Change to Development Approval, situated at 139 Eumundi Noosa Rd Noosaville for the following reasons:
1. The proposed sign does not comply with the Overall Outcomes of the Advertising Devices Code.
- B. Refuse a Request to Accept, Assess and Decide a development application (The Noosa Plan, 16 September 2013) Development Application for Operational Works – Signage, (OPW17/0570) situated at 139 Eumundi Noosa Rd Noosaville for the following reasons:
1. The proposed sign does not comply with the Overall Outcomes of the Advertising Devices Code;
 2. The proposed sign detracts from the desirable characteristics of the part of the site in which it is located;
 3. The proposed sign is inconsistent with other signs in the Noosa Shire.
- C. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.
- D. Request that the applicant remove the existing concrete mount on the Walter Hay Drive frontage.

Carried.

Cr Stockwell voted for 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 12 December 2017 be adopted except where dealt with or held over by separate resolution.

Carried.

1 PROPOSED NEW COUNCIL POLICY CLIMATE CHANGE RESPONSE

That Council note the report by the Program Coordinator Climate Change Adaptation to the Planning & Environment Committee Meeting dated 12 December 2017 and approve the Climate Change Response Policy as set out in Attachment 1 to the Report.

2 DELEGATE FOR THE MARY RIVER CATCHMENT COORDINATING COMMITTEE

That Council note the report by the Environment Officer (Rivers and Coast) to the Planning & Environment Committee Meeting dated 12 December 2017 and appoint Councillor Brian Stockwell as Council's delegate on the Mary River Catchment Coordinating Committee (MRCCC).

3 MCU16/0098.01 & OPW16/0183 - PERMISSIBLE CHANGE TO AN EXISTING APPROVAL FOR MATERIAL CHANGE OF USE FOR INDUSTRIAL BUSINESS TYPE 2 - NOOSA CHOCOLATE FACTORY, ANCILLARY CAFE & DWELLING UNIT AND ASSOCIATED OPERATIONAL WORKS AT 21 VENTURE DRIVE, NOOSAVILLE

Item not dealt with by Planning & Environment Committee. Referred to General Committee for a further report.

4 MCU14/0008.03 PRE-REQUEST RESPONSE FOR A MINOR CHANGE TO THE EXISTING APPROVAL FOR MATERIAL CHANGE OF USE FOR MULTIPLE HOUSING TYPE 4 CONVENTIONAL AND VISITOR ACCOMMODATION TYPE 4 CONVENTIONAL, SITUATED AT 226 DAVID LOW WAY, PEREGIAN BEACH

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 12 December 2017 regarding Application No. MCU14/0008.03 for a Pre-request Response for a Minor Change to the Existing Approval for a Material Change Of Use for Multiple Housing Type 4 – Conventional and Multiple Housing Type 4 – Visitor Accommodation, situated at 226 David Low Way, Peregian Beach 4573 and:

- A. Agree to support the amendment of conditions 2 and 8 of the Development Permit to read as follows:

Approved Plans

2. Development authorised by this approval must be undertaken generally in accordance with the Approved Plans listed below, unless otherwise amended by the conditions of approval.

| Plan No. | Rev. | Plan Name, prepared by | Date |
|---------------------------------|------|--|----------|
| Approved Plan/s – December 2017 | | | |
| - | - | Peregian Beach Villas – Unit 6 Balcony Detail | 09-11-17 |
| Approved Plan/s – March 2014 | | | |
| A.01.1 | K | Site Plan, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.2 | G | Renders, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.3 | G | Renders, prepared by Hinton Steel Frames | 20-03-14 |
| Units 1, 2 & 3 | | | |
| | | Perspectives - Units 1, 2,& 3, prepared by Hinton Steel Frames | N.D |
| A.01.2 | H | Ground Floor, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.3 | H | First Floor, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.4 | H | Elevations, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.5 | H | Elevations, prepared by Hinton Steel Frames | 20-03-14 |
| Units 4 & 5 | | | |
| | | Perspectives - Units 4 & 5, prepared by Hinton Steel Frames | N.D |
| A.01.2 | I | Ground Floor, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.3 | I | First Floor (annotated), prepared by Hinton Steel Frames | 20-03-14 |
| A.01.4 | I | Elevations, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.5 | I | Elevations, prepared by Hinton Steel Frames | 20-03-14 |
| Units 6 & 7 | | | |
| | | Perspectives - Units 6 & 7, prepared by Hinton Steel Frames | N.D |
| A.01.2 | H | Ground Floor, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.3 | H | First Floor, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.4 | H | Elevations, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.5 | H | Elevations, prepared by Hinton Steel Frames | 20-03-14 |
| Units 8 & 9 | | | |
| | | Perspectives - Units 8 & 9, prepared by Hinton Steel Frames | N.D |
| A.01.2 | J | Ground Floor, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.3 | J | First Floor, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.4 | J | Elevations, prepared by Hinton Steel Frames | 20-03-14 |
| A.01.5 | J | Elevations, prepared by Hinton Steel Frames | 20-03-14 |

8. All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as shutters, louvres, glass panelling or the like unless otherwise shown on the approved plans.

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

5 MCU16/0130 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE FOR A HARDWARE AND GARDEN & LIFESTYLE CENTRE AT 101 EUMUNDI NOOSA ROAD, NOOSAVILLE

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 12 December 2017 regarding Application No. MCU16/0130 for a Development Permit for Material Change of Use for Retail Business Type 6 – Hardware and Retail Business Type 7 – Garden & Lifestyle Centre, situated at 101 Eumundi Road, Noosaville and:

- A. Issue a Development Permit for Material Change of Use for Retail Business Type 6 – Hardware and Retail Business Type 7 – Garden & Lifestyle Centre in accordance with the conditions contained in the Planning & Environment Agenda dated 12 December 2017.
- B. Find the following grounds sufficient to support the proposal:
 - 1. The land enjoys existing use rights for various uses including some industrial uses with the potential to generate off site impacts. The proposed development seeks approval for a reduced range of uses able to operate from the site which are considered more compatible in the area; and
 - 2. The development offers various improvements to the site and provides an improved interface between adjoining residential uses. The proposed building renovations and landscaping outcomes collectively improve the visual amenity of the site and are considered an overall community benefit.

7 MCU17/0530 DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE ENTERTAINMENT & DINING BUSINESS TYPE 1 FOOD & BEVERAGE AT 34 MAPLE ST COOROY

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 12 December 2017 regarding Application No. MCU17/0530 for a Development Permit for Material Change of Use - Entertainment & Dining Business Type 1 Food & Beverage situated at 34 Maple St Cooroy and:

- A. Approve the application in accordance with the conditions contained in the Planning & Environment Committee Agenda dated 12 December 2017.
- B. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.

8 MCU16/0153 PLANNING & ENVIRONMENT COURT APPEAL 4066 OF 2017 REFUSAL OF DEVELOPMENT APPLICATION MULTIPLE HOUSING TYPE 4 CONVENTIONAL UNITS, VISITOR ACCOM TYPE 4 CONVENTIONAL UNITS & SHARED MULTIPLE HOUSING & VISITOR ACCOM 215 DAVID LOW WAY PEREGIAN BEACH

That Council note the report by the Manager Development Assessment to the Planning & Environment Committee Meeting dated 12 December 2017 regarding Planning & Environment Court Appeal 4066 of 2017 and agree to defend the appeal.

9 DEVELOPMENT ASSESSMENT FEES & CHARGES VARIATIONS FOR 1 APRIL 2017 TO 30 SEPTEMBER 2017

That Council note the report by the Manager, Development Assessment to the Planning & Environment Committee Meeting dated 12 December 2017 regarding the waiver or partial waiver of development application charges for 1 April 2017 to 30 September 2017 as detailed in the Report.

10 RECYCLING WEEK 2017

That Council note the report by the Project Officer to the Planning & Environment Committee Meeting dated 12 December 2017 providing an overview of activities during National Recycling Week 2017.

SERVICES & ORGANISATION COMMITTEE RECOMMENDATIONS**12 DECEMBER 2017 – Crs Frank Pardon (Chair), Tony Wellington & Frank Wilkie****Apology: Cr Jess Glasgow***Other Councillors in attendance: Crs. Brian Stockwell, Joe Jurisevic, Ingrid Jackson****The following Recommendations from the Services & Organisation Committee were adopted without discussion or further amendment.*****Council Resolution****Moved: Cr Pardon****Seconded: Cr Jurisevic**

The Services & Organisation Committee recommendations dated 12 December 2017 be adopted.

Carried.**1 DRAFT NOOSAVILLE FORESHORE LAND USE MASTER PLAN*****Item not dealt with by Services & Organisation Committee. Referred to General Committee due to the significance of the issue.*****2 REGISTER OF PREQUALIFIED SUPPLIERS FOR THE SUPPLY OF TRADE SERVICES AND GENERAL MAINTENANCE/ ASSISTANCE SERVICES - 1718T026**

That Council note the report by the Procurement and Contracts Advisor to the Services & Organisation Committee Meeting dated 12 December 2017 and:

- A. Approve the establishment of Panel Arrangement 1718T026 - Register of Prequalified Suppliers (RPQS) - Supply of Trade Services and General Maintenance/ Assistance Services as noted in Tables 1 and 2 of the report for an initial period of one (1) year commencing 22 January 2018; and
- B. Authorise the Chief Executive Officer to approve three (3) optional periods of up to one (1) year each; with discretion to exclude suppliers who have not satisfactorily provided services in the preceding period, and with each new period to include the supplier's updated pricing.

3 1718T040 NOOSA RIVER HOLIDAY PARK AMENITIES CONSTRUCTION TENDER

That Council note the report by the Project Officer to the Services & Organisation Committee Meeting dated 12 December 2017 and award tender 1718T040 Noosa River Holiday Park - Amenities Construction to Midson Construction (Qld) Pty Ltd for the lump sum price of \$936,298 (excluding GST).

4 BOREEN POINT CAMPGROUND MANAGEMENT CONTRACT 1314T001 - PROPOSED OPTION

That Council note the report by the Property Manager to the Services & Organisation Committee Meeting dated 12 December 2017 and authorise the CEO to exercise the option to extend the current management agreement for the Boreen Point Campground to Crimmins Enterprises Pty Ltd aft The Crimmins Trust for a further one (1) year period commencing 7 April 2018.

5 NOOSA HOLIDAY PARKS FEES AND CHARGES

That Council note the report by the Property Officer to the Services & Organisation Committee Meeting dated 12 December 2017 and:

- A. Set fees and charges for the Noosa Holiday Parks to apply until the end of the July 2019 Queensland school holidays; and
- B. Adopt the Proposed General Cost Recovery Fees and Commercial Charges schedule for Noosa Holiday Parks for the period ending Monday 17 July 2019 as detailed in the tables contained within the report.

6 NOOSA COUNCIL ORGANISATIONAL STRUCTURE AND POSITION ESTABLISHMENT

That Council note the report by the Director Executive Services to the Services & Organisation Committee Meeting dated 12 December 2017 and:

- A. Note the changes made to the organisational structure and position establishment since 1 July 2017; and
- B. Approve the changes which will result in an increase in the permanent position establishment of the organisation (as outlined in Attachment 2 to the report).

7 ANNUAL REVIEW OF DELEGATIONS OF AUTHORITY

That Council note the report by the Governance Officer to the Services & Organisation Committee Meeting dated 12 December 2017 and:

- A. Pursuant to section 257 of the *Local Government Act 2009*, agree to delegate the powers of the Local Government to the Chief Executive Officer outlined in the Delegations of Authority provided at Attachment 1 with the exception of the powers relating to the compulsory acquisition of land pursuant to the *Acquisition of Land Act 1967*; and
- B. Pursuant to section 257 of the *Local Government Act 2009*, agree to delegate the powers of the Local Government to the Chief Executive Officer outlined in the Delegations of Authority provided at Attachment 2.

8 2016-17 BUDGET WRAP UP

That Council note the report by the Director Corporate Services to the Services & Organisation Committee Meeting dated 12 December 2017 providing a summary of Council's financial performance against the 2016/17 budget.

9 TOURISM NOOSA 2016-17 ANNUAL REPORT

That Council note the report by the Chief Executive Officer to the Services & Organisation Committee Meeting dated 12 December 2017 regarding Tourism Noosa's annual report for the 2016/17 financial year (including the 2016/17 financial statements) as provided at Attachment 1 to the report.

GENERAL COMMITTEE RECOMMENDATIONS

18 DECEMBER 2017 – Crs. Frank Wilkie (Chair), Ingrid Jackson, Joe Jurisevic, Frank Pardon, Brian Stockwell and Tony Wellington.

Apology: Cr Jess Glasgow

2 DRAFT NOOSAVILLE FORESHORE LAND USE MASTER PLAN

Moved: Cr Jackson
Seconded: Cr Pardon

That Council note the report by the Property Advisor to the Services & Organisation Committee Meeting dated 12 December 2017 and agree to adopt the Draft Noosaville Foreshore Land Use Master Plan and proceed to further community consultation, as detailed in the report.

Carried.

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

Council Resolution

Moved: Cr Stockwell
Seconded: Cr Jurisevic

The General Committee recommendations dated 18 December 2017 be adopted except where dealt with or held over by separate resolution.

Carried.

1 MCU16/0098.01 & OPW16/0183 - PERMISSIBLE CHANGE TO AN EXISTING APPROVAL FOR MATERIAL CHANGE OF USE FOR INDUSTRIAL BUSINESS TYPE 2 - NOOSA CHOCOLATE FACTORY, ANCILLARY CAFE & DWELLING UNIT AND ASSOCIATED OPERATIONAL WORKS AT 21 VENTURE DRIVE, NOOSAVILLE

Refer Item 3 below.

3 FURTHER REPORT MCU16 0098 01 & OPW16 0183 PERMISSABLE CHANGE TO AN EXISTING APPROVAL FOR INDUSTRIAL BUSINESS TYPE 2 NOOSA CHOCOLATE FACTORY, ANCILLARY CAFE & DWELLING UNIT AND ASSOCIATED OPERATIONAL WORKS AT 21 VENTURE DRIVE, NOOSAVILLE

That Council note the Report by the Manager Development Assessment to the Planning & Environment Committee Meeting dated 12 December 2017 and the Further Report to the General Committee Meeting dated 18 December 2017 regarding Application No. MCU16/0098.01 and OPW16/0183 for a Permissible Change to the Existing Approval for a Material Change of Use for Industrial Business Type 2 – Noosa Chocolate Factory, Entertainment and Dining Business Type 1 – Food & Beverage, Ancillary Dwelling Unit and associated Operational Works, situated at 21 Venture Drive, Noosaville and:

A. Amend condition 2 and 5 of approval MCU16/0098.01 to read as follows:

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.

| <i>Plan No.</i> | <i>Rev.</i> | <i>Plan/Document Name</i> | <i>Date</i> |
|-----------------|-------------|---|-------------|
| DA200-01 | D | Ground Floor, drawn by Tim Stewart Architects | 26.10.17 |
| DA200-02 | B | Mezzanine Floor, drawn by Tim Stewart Architects | 24.10.17 |
| DA300-01 | B | Building Elevations (Eastern & Northern), drawn by Tim Stewart Architects | 24.10.17 |
| DA300-02 | B | Building Elevations (Western & Southern), drawn by Tim Stewart Architects | 24.10.17 |

5. *The outdoor dining area must not exceed 40m².*

- B. Amend condition 28 of approval OPW16/0183 to read as follows:

Approved Plans

28. *Development undertaken in accordance with this operational works 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 |
|-------------------------|-------------|--|-------------|
| C001 Job No: SC-5734 | A | <i>Drawing Index and Standard Notes, prepared by Empire Engineering</i> | 18/08/2016 |
| C020 Job No: SC-5734 | A | <i>Siteworks and Drainage Plan, prepared by Empire Engineering</i> | 18/08/2016 |
| C025 Job No: SC-5734 | A | <i>Siteworks and Drainage Sections and Details, prepared by Empire Engineering</i> | 18/08/2016 |
| C030 Job No: SC-5734 | A | <i>Pavement Plan, prepared by Empire Engineering</i> | 18/08/2016 |
| C040 Job No: SC-5734 | A | <i>Sign and Linemarking Plan, prepared by Empire Engineering</i> | 18/08/2016 |
| PP01 | B | <i>Planting Plan, prepared by Exhibit Green Landscape Architects</i> | 21/11/17 |

- C. Add new condition 64 to approval OPW16/0183 to read:

64. *The landscape plan must be amended prior to the commencement of the use to provide for:*

- a. *The landscaping strip to the Venture Drive frontage to be at least 2.0 metres in width and include 2 *Elaeocarpus reticulatus* (Blueberry Ash), a mixture of large and medium sized shrubs and ground covers native to the locality.*
- b. *A schedule of plants which provides for meaningful buffers and screening throughout the site resulting in a mix of trees, large shrubs, small shrubs, ground cover, grasses and sedges native to the locality.*

- D. Delete condition 29 of approval OPW16/0183.

4 COUNCILLOR REPRESENTATION ON THE TRANSPORT STRATEGY STEERING GROUP (AND ASSOCIATED WORKING GROUPS) AND THE AUDIT & RISK COMMITTEE

That Council note the report by the Chief Executive Officer to the General Committee Meeting dated 18 December 2017 and agree to:

- A. Appoint the Mayor, Cr Jackson and Cr Jurisevic as members of Council's Transport Strategy Steering Group;
- B. Appoint Cr Stockwell as a member of the Noosa style Shuttle Bus and Park & Ride Service Working Group;
- C. Appoint Cr Wilkie as a member of the Car Parking Management Working Group;
- D. Appoint Cr Pardon as a member of the Walk-and-Ride to Schools Program Working Group;
- E. Appoint Cr Glasgow as a member of the Priority Transport Lanes Working Group; and
- F. Remove Cr Jackson and appoint Cr Jurisevic as a member of the Audit and Risk Committee.

5 FINANCIAL PERFORMANCE REPORT - NOVEMBER 2017

That Council note the report by the Manager Financial Services to the General Committee Meeting dated 18 December 2017 outlining the November year to date financial performance against budget.

6 PEREGIAN BEACH DIGITAL HUB - IMPLEMENTATION PLAN

That Council note the report by the Economic Development Manager to the General Committee Meeting dated 18 December 2017 and;

- A. Adopt the Peregian Beach Digital Hub Establishment Phase Implementation Plan – December 2017 provided at Attachment 1;
- B. Approve the engagement of a project resource to facilitate the implementation plan;
- C. Approve the undertaking of an Expression of Interest process for tenancy of the Digital Hub;
- D. Note that, following the EOI process, a further report will be provided to Council, presenting a revised financial model and the intended tenancy mix.

7 ORDINARY MEETING REPORTS

Nil.

8 CONFIDENTIAL SESSION

Nil.

9 NEXT MEETING

The next Ordinary Meeting will be held on 18 January 2018 at the Council Chambers, 9 Pelican Street, Tewanin commencing at 6pm.

10 MEETING CLOSURE

The meeting closed at 6.07pm