

RECOMMENDATIONS ONLY – NOT THE FINAL DECISION OF COUNCIL

GENERAL COMMITTEE MEETING

12 NOVEMBER 2018

GENERAL COMMITTEE MEETING - LIVE RECORD MEETING NOTES**12 NOVEMBER 2018 – Crs. Frank Wilkie (Chair), Jess Glasgow, Ingrid Jackson, Joe Jurisevic, Frank Pardon and Brian Stockwell, Tony Wellington****1 MCU18/0102 DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE FOR VISITOR ACCOMMODATION TYPE 4 CONVENTIONAL (122 BEDS) AT 16 MARY STREET, NOOSAVILLE****Committee Recommendation****Moved: Cr Stockwell****Seconded: Cr Jurisevic**

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 6 November 2018 regarding Application No. MCU18/0102 for a Development Permit for Material Change of Use - Visitor Accommodation - Type 4 Conventional (122 beds) situated at 14-16 Mary Street Noosaville and defer consideration of the matter to the Ordinary Meeting dated 15 November to allow staff to bring forward a further report with amended conditions of approval to include conditions which approve the height of the building as proposed by the applicant, allow operation of the internal pool and café area until 10pm at night, that condition the operation to install a sound monitoring system and 24hr onsite management to maintain statutory requirements in terms of noise nuisance and allow Council the opportunity to review compliance of that noise condition in 12 months, and reduce the extent of acoustic fencing.

Carried.**2 NOOSA SPIT SHORELINE EROSION INVESTIGATION - SHORELINE EROSION MANAGEMENT PLAN****Moved: Cr Stockwell****Seconded: Cr Wellington**

That Council note the report by the Project Coordinator – Flooding, Coastal and Foreshore to the Services & Organisation Committee Meeting dated 6 November 2018 and support the completion of a Shoreline Erosion Management Plan for Noosa Spit and Noosa Main Beach subject to funding being provided in Budget Review 2.

Amendment**Moved: Cr Pardon****Seconded: Cr Jurisevic**

That Council note the report by the Project Coordinator – Flooding, Coastal and Foreshore to the Services & Organisation Committee Meeting dated 6 November 2018 and support the urgent completion of a Shoreline Erosion Management Plan for Noosa Spit and Noosa Main Beach subject to funding being provided in Budget Review 2.

Carried.

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That Council note the report by the Project Coordinator – Flooding, Coastal and Foreshore to the Services & Organisation Committee Meeting dated 6 November 2018 and support the urgent completion of a Shoreline Erosion Management Plan for Noosa Spit and Noosa Main Beach subject to funding being provided in Budget Review 2.

Carried.**3 REFUGEE WELCOME ZONE****Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Jackson**

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 6 November 2018 and agree to declare Noosa Shire as a Refugee Welcome Zone by signing The Refugee Council of Australia's Refugee Welcome Zone Declaration.

Carried.**4 ANNUAL REPORT****Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Glasgow**

That Council note the report by the Director Executive Services to the Services & Organisation Committee Meeting dated 6 November 2018 and:

- A. Adopt the '2017/18 Annual Report' (provided at Attachment 1 to the report) incorporating the 2017/18 Audited Financial Statements; and
- B. Authorise the Chief Executive Officer to make any required minor amendments to the document prior to publication.

Carried.

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5 FURTHER REPORT MCU18/0094 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE, MULTIPLE HOUSING TYPE 4 (4 DWELLING UNITS), 15 GARNET STREET, COOROY

Committee Recommendation

Moved: Cr Jurisevic

Seconded: Cr Stockwell

That Council note the further report by the Development Planner to the General Committee Meeting dated 12 November 2018 regarding Application No. MCU18/0094 for a Development Permit for Material Change of Use for Multiple Housing - Type 4 Conventional. (4 Dwelling Units) situated at 15 Garnet St, Cooroy and approve the application in accordance with following the 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
A10	G	Ground – Site Plan, drawn by <i>Morriarchi Architecture</i>	29 October 2018
A11	F	Level 1 – Roof – Site Plan, drawn by <i>Morriarchi Architecture</i>	29 October 2018
A12	C	Townhouse Type A (3 bed) – Floor Plans, drawn by <i>Morriarchi Architecture</i>	3 July 2018
A13	C	Townhouse Type B (2 bed) – Floor Plans, drawn by <i>Morriarchi Architecture</i>	3 July 2018
A14	B	Landscape Plan, drawn by <i>Morriarchi Architecture</i>	29 October 2018
A20	F	Elevations, drawn by <i>Morriarchi Architecture</i>	30 October 2018
A30	F	Sections, drawn by <i>Morriarchi Architecture</i>	29 October 2018
A80	G	Perspective Images, drawn by <i>Morriarchi Architecture</i>	30 October 2018
A81	B	Finishes	30 October 2018

Nature and Extent of Approved Use

3. This approval is for 1 x 3 bedroom unit and 3 x 2 bedroom units. The TV/Study room is not permitted to be fully enclosed for use as a bedroom.

Building Height

4. The maximum height of the development must not exceed 8 metres above the finished ground level and the natural ground level.

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Performance Bond

5. Security in the form of a cash bond or trading bank guarantee to the sum of **\$20,000** must be submitted to Council, to secure performance of all conditions of this approval, prior to pre-start meeting. 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.

Street Identification

6. The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and, where appropriate, the building name.

Building Appearance

7. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.

Fencing and Walls

8. Any street fencing must be set back an average of 1 metre from the front property boundary. Any fencing on the front boundary must either:
 - a. not exceed a maximum height of 1.2m
 - b. be of open construction.
9. The area of land between the fence and the front property boundary must be densely landscaped to screen any fencing from the street.

Clothes Drying Areas

10. Each dwelling unit must be provided with access to an outdoor clothes line which is screened from public view.

Protection of Privacy

11. To ensure privacy is protected between adjoining properties, the windows located on the upper western building face of the building must either:
 - a. have a minimum window sill height or 1.5 metres above floor level;
 - b. be fitted with translucent glazing;
 - c. be fitted with a fixed external screen.
12. Any proposed Community Management Statement required for the development pursuant to the *Body Corporate and Community Management Act 1997* must be submitted to Council for endorsement at the same time as submission of the Building Format Plan (or similar) to Council for compliance assessment.
13. All clauses and by-laws of the proposed Community Management Statement must accord with the requirements of this Decision Notice.

Retention of mango tree

14. The existing mango tree located in the north eastern corner on the site must be retained.

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15. An Arborist Report (or part thereof) prepared by a qualified person* and endorsed through an Operational Works approval must provide recommendations for the design of civil works, including retaining walls, to accommodate the retention of the Mango tree.
16. The Mango tree identified for retention in the conditions of this approval must be maintained in good health during construction and operational use for the expected life of the tree.

*(Refer to Advisory Note)

Landscaping Works

17. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval and the Noosa Plan Planning Scheme Policy PSP 3 – Landscaping Plants and Guidelines and must include in particular:
 - a. The works shown on the approved Landscape Concept Plan using predominately local native species;
 - b. The provision of 6 x 100L local native street trees to the road frontages suitable for the location and sight lines.
 - c. Retention of the mango tree within the north eastern corner of the lot within a mulched garden setting.
18. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.
19. All landscape works must be maintained generally in accordance with the approved design for the life of the development.

ENGINEERING

External Works

20. A 2.0m wide concrete footpath must be provided within the road verge for the entire length of the frontage of the site to Wattle Street. The path must generally match with the existing grassed verge without causing a trip hazard. The works must be undertaken in accordance with an Operational Works approval and must include/address the following:
 - a. Be in compliance with IPWEAQ standard drawing SEQ R-065 *Concrete Pathway Construction Details*;
 - b. Be extended to smoothly tapered and join with the existing path along Garnet Street.

Reinstatement Works

21. Any redundant driveway and/or kerb layback must be removed, and the kerb line and verge area reinstated and landscaped to match the existing kerb and/or verge treatments. Grassed verge areas to be reinstated must be provided with 100 mm topsoil and turf, and must be maintained by the developer until established.

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22. Any redundant private pathway to the property must be removed, and verge area reinstated and landscaped to match the verge treatments.
23. Any damaged kerb and channel along the frontage of the site must be repaired to the reasonable satisfaction of Council's representative.

Site Access and Driveways

24. A sealed access driveway must be provided from Garnet Street to all parking and manoeuvring areas of the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular:
 - a. Driveway crossovers in accordance with IPWEAQ standard drawings R-049 and R-050 to grades prevent vehicles from scraping and/or bottoming whilst also allowing for compliant grades for the footpath and pedestrians movements along the footpath and the grassed verge without any step or trip hazard.

Car Parking

25. Car parking must be provided within the site generally as shown on the approved plans. The works must be undertaken in accordance with an Operational Works approval and must be in compliance with the provisions of AS/NZS 2890.1-2004 with allowance for standard vehicle to enter and leave the site in a forward gear and with a minimum head clearance (headroom) at any point of 2.2m.
26. All car parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.

Stormwater Drainage

27. The site must be provided with a stormwater drainage system connecting to a lawful point/s of discharge in Garnet Street and/or Wattle Street. The works must be undertaken in accordance with an Operational Works approval in compliance with the relevant sections of Queensland Urban Drainage Manual and supported by a detailed stormwater drainage design prepared and certified by a suitably qualified and experienced Registered Professional Civil Engineer (RPEQ).
28. The development of the site must not worsen existing drainage conditions on other properties by diverting stormwater runoff or cause additional stormwater ponding on any other property.
29. Stormwater runoff from the development must be disposed of on-site without causing scour or damage to the subject site or any adjoining property.

Earthworks and Retaining Walls

30. All earthworks must be carried out in compliance with an Operational Works Development Permit.
31. All earthworks and associated batters/retaining walls must be contained entirely within the subject site unless written permission from the respective landowner(s) is provided to Council.
32. All earthworks must be undertaken in accordance with the provisions of Australian Standard AS3798: *Guidelines on Earthworks for Commercial and Residential Developments*, Council's codes and relevant government regulations and guidelines. Certification must be provided by an RPEQ and submitted to Council prior to the issue of the Certificate of Classification for the building.

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- 33. The development works must not adversely impact on the stability of the subject site, any other property or private/ public structure and the long term health of the existing mango tree as shown on the landscape plan A14 Rev B.
- 34. Earthworks and development works carried out on site must not affect the structural integrity of any of the existing fences or structures that border the site. Fences that are affected shall be replaced prior to the Building Certifier issuing the Certificate of Classification.

Telecommunication Services

- 35. Unless otherwise stipulated by telecommunications legislation at the time of construction, the development must be provided with all necessary conduits, pits and pipes to accommodate the future connection of optic fibre technology telecommunications.

Carried.

6 132007.2446.03 REQUEST TO CHANGE AN EXISTING APPROVAL FOR MATERIAL CHANGE OF USE FOR VISITOR ACCOMMODATION TYPE 4 CONVENTIONAL (HOSTEL ACCOMMODATION) AT 102 AND 106 PACIFIC AVENUE SUNSHINE BEACH

Committee Recommendation

Moved: Cr Jurisevic

Seconded: Cr Pardon

That Council note the report by the Coordinator Planning to the General Committee Meeting dated 12 November 2018 regarding Application No. 132007.2446.03 to make a change to an existing approval for Material Change of Use for Visitor Accommodation Type 4 Conventional (Hostel Accommodation) - additional 21 beds situated at 102 and 106 Pacific Ave, Sunshine Beach and:

- A. Approve the change.
- B. Include the following additional conditions:

When Conditions must be Complied With

- 64. 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

- 65. 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
18101-01	P	Site Plan, <i>by PJ concepts and design</i>	09.07.2018
18101-02	P	Landscape Plan, <i>by PJ concepts and design</i>	09.07.2018
18101-03	P	Floor Plan – Lot 106, <i>by PJ concepts and design</i>	09.07.2018
18101-04	P	Elevations –Sheet 1, <i>by PJ concepts and design</i>	09.07.2018
		Noise barrier plan	

Nature and Extent of Approved Use

66. An additional 21 beds are approved for the Visitor Accommodation Type 4 – Conventional (visitor hostel). The total number of beds approved are 69 and one manager's unit.
67. The approved accommodation units must be used for short term visitors only. The approved units must not be occupied by persons for the purpose of permanent accommodation.
68. Amplified music must not be audible at the boundaries of the site between 10pm and 7am.

Landscaping

69. The development site must be landscaped. The works must be undertaken in accordance with an Operational Works approval, the Planning Scheme Policy 3 Landscaping Plants and Guidelines for Sunshine Beach and must include in particular:
 - a. the works generally shown on the approved site plan including:
 - i. A minimum 1.0 metre wide landscaping strip along the northern side boundary of the subject site, exclusive of the access driveway, generally uncompromised by infrastructure items designed such that vegetated screening will be provided within 3 years of the plantings occurring.
 - ii. A minimum 2.0 metre wide landscaping strip along the full extent of the eastern boundary designed such that vegetated screening will be provided within 3 years of the plantings occurring.
 - iii. Vegetated screening of any electrical transformers, bin storage areas and the like from the road frontage
 - iv. Provision of 1 street tree within the road reserve for every 8 metres of road frontage including landscaping to the crossover works
 - v. Trees on the northern boundary must be retained to provide visual screening of the development. Where civil works impact on the capacity to retain the tree, the tree may be removed and replaced with a tree of a minimum pot sized 100 litres.
70. All landscape works must be established and maintained in accordance with the approved design for the life of the development, and in a manner that ensures healthy, sustained and vigorous plant growth. All plant material must be allowed to grow to full form and be refurbished when its life expectancy is reached.

Performance Bond

71. 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.

Water & Sewer Connections

72. An underground connection to reticulated water and sewerage must be provided to the development site in accordance with the standards and requirements of Northern SEQ Distributor–Retailer Authority (Unitywater).
73. A Certificate of Completion from the Northern SEQ Distributor–Retailer Authority (Unitywater) must be submitted to Council that certifies an underground connection to reticulated water and sewerage has been provided to the development site.

Building Appearance

74. All air conditioning units or other mechanical equipment must be located at ground level, or otherwise fully enclosed or screened such that they are not visible from the street frontages nor adjoining properties.
75. All deck and balcony areas above ground floor must not be enclosed by permanent fixtures such as shutters, louvres, glass panelling or the like, except where required to satisfy any privacy condition of this Decision Notice.

Advertising Devices

76. Advertising devices must comply with the requirements of the Advertising Devices Code.
77. Construction signage, including that on hoardings, shade cloth and cranes but not including statutory safety signage, shall not exceed a total of 4m² to each of the site's street frontages.

Fencing and Walls

78. Any street fencing must be setback an average of 1 metre from the front property boundary. Any fencing on the front boundary must either:
 - a. not exceed a maximum height of 1.2m
 - b. be of open construction.
79. The area of land between the fence and the front property boundary must be densely landscaped to screen any fencing from the street.

Clothes Drying Areas

80. Each rooming unit must be provided with access to an outdoor clothes line which is screened from public view.

Protection of Privacy

81. To ensure privacy is protected between adjoining properties, any window/s, deck or the like that overlooks or has the potential to overlook the private open space or habitable room windows of neighbouring properties must either:
 - a. have a minimum window sill height or 1.5 metres above floor level
 - b. be fitted with translucent glazing
 - c. be fitted with a fixed external screen

Communal Recreation Areas

82. Communal recreation area/s must be provided as shown on the approved plans.

Amalgamation of Lots

83. Lot 164 on RP 94566 and Lot 163 on RP 897370 must be amalgamated prior to the commencement of use.

ENVIRONMENTAL HEALTH**Amenity**

84. The development must be undertaken and operated in a manner that causes no detrimental effect upon the amenity of the neighbourhood by reason of the creation of excessive noise, lighting, air-borne hazards, atmospheric pollutants (including dust or odours) nuisance or any other emissions in accordance with the nuisance provisions of the Environmental Protection Act 1994.

Noise Nuisance

85. Noise emission from mechanical equipment shall comply with the following requirements:
- a. Air-conditioning and Refrigeration
 - i. 7am to 10pm: Maximum background + 5dB(A)
 - ii. 10pm to 7am: Maximum background + 3dB(A)
 - b. Pumps
 - i. 7am to 7pm: Maximum background + 5dB(A)
 - ii. 7pm to 10pm: Maximum background + 3dB(A)
 - iii. 10pm to 7am: No audible noise.
86. Submission of written certification from a suitably qualified person confirming that the noise levels from all mechanical equipment comply when measured at either the residential boundary or outside the most exposed part of an affected building, whichever is the closest to the equipment.
- The assessment and certification is required immediately after installation of the equipment and prior to any occupation of the building, and in a format approved by Council. All equipment should be operating at the same time to test the overall noise level created.
87. Entertainers or speakers used to amplify noise must not be located in any of the outdoor recreational areas.
88. Prior to the use of the building situated at 106 Pacific Avenue for the purpose of visitor accommodation noise barrier fencing must be erected in accordance with the approved *Noise barrier plan*.
89. Between the hours of 9pm to midnight the night manager must have the reception phone with them. From midnight the phone must be diverted to a security team response number.

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90. The courtyard of the manager's unit situated at 106 Pacific Avenue must not be used between the hours of 9.00pm and 6.00am.
91. The pool and associated deck area must not be used between the hours of 9.00pm and 7.00am.

Outdoor Lighting Devices

92. Lighting associated with the use must be designed, sited, installed and tested to comply with Table 2.1 & 2.2 of Australian Standard AS4282-1997 "Control of the obtrusive effects of outdoor lighting" using a control level of 1.
93. Certification must be submitted to Council from a qualified person which certifies that all outdoor lighting devices comply with the requirements of this Decision Notice at the time of commissioning.

For the purpose of certifying outdoor lighting devices for the development, a qualified person is:

- a. Registered Professional Engineer of Queensland;
- b. an environmental or electrical design consultant with a minimum of 3 years current experience in the field of outdoor lighting.

WASTE

94. The developer must provide waste storage and disposal facilities in accordance with Planning Scheme Policy No. 9 "Waste Management Multi-Dwellings and Commercial and Industrial Premises". The facilities must include an external impervious area correctly sized for all refuse and recycling containers and suitably screened from public places and neighbouring properties. A bin wash area is required with a cold-water tap, hose and drain outlet connected to sewer, via a bucket trap. The drain outlet must be designed to prevent storm water entry to the sewerage system. This can be achieved with a nib wall 50mm high and up to 700mm x 700mm wide (max 0.5m²), or alternatively the waste area can be roofed, or any other design approved by Council.
95. Refuse containers must be provided in accordance with the requirements of the Environmental Protection (Interim Waste) Regulation 1996 and (Waste Management) Regulation 2000, for the storage and collection of refuse.
96. Bins must be provided throughout the site to reduce littering. All bins provided must be for refuse and recycling and be decanted into the bulk bins by the site operators.

ENGINEERING

Site Access and Driveways

97. A sealed access driveway must be provided from Pacific Avenue to all parking and manoeuvring areas of the development. The new works proposed to access No 106 must be undertaken in accordance with an Operational Works approval and must include in particular:
 - a. a driveway crossover generally in accordance with Council's Standard Drawings RS-051 and the associated addendum

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- b. the works must match neatly with existing road and verge/footpath features. Additional works beyond the driveway may be required to provide an acceptable transition to existing road and verge/footpath profiles

Car Parking

98. A minimum of an additional 2 car parking spaces must be provided and marked on the site. The works must include dimensions, crossfalls and gradients in accordance with Australian Standard AS2890: Parking Facilities for the relevant user class
99. All car parking areas and access driveways must be maintained exclusively for vehicle parking and manoeuvring and kept in a tidy and safe condition at all times.
100. Directional signage must be provided to direct visitors and customers to the car parking spaces provided on site.

Pedestrian and Bicycle Facilities

101. Pedestrian and bicycle facilities must be provided for the development. The works must be undertaken in accordance with an Operational Works approval and must include in particular the replacement of the existing bitumen sealed path in the frontage of No. 106 Pacific Avenue with a concrete path and must extend to the existing driveway in the frontage of 108 Pacific Avenue. The new path must be the same width as the existing path.

Stormwater Drainage

102. Stormwater runoff from the development must be connected to the existing stormwater drainage systems within the sites.

Damage to Services and Assets

103. Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner at the following times:
 - a. where the damage would cause a hazard to pedestrian or vehicle safety, immediately; or
 - b. where otherwise, upon completion of the works associated with the development.

Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.

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

Carried.

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7 FINANCIAL PERFORMANCE REPORT - OCTOBER 2018**Committee Recommendation****Moved: Cr Stockwell****Seconded: Cr Glasgow**

That Council note the report by the Manager Financial Services to the General Committee Meeting dated 12 November 2018 outlining October 2018 year to date financial performance against budget.

Carried.**8 BUDGET REVIEW 2 (BR2) FOR THE 2018/19 FINANCIAL YEAR****Committee Recommendation****Moved: Cr Glasgow****Seconded: Cr Pardon**

That Council note the report by the Manager Financial Services to the General Committee Meeting dated 12 November 2018 and approve the proposed changes to the budget for the 2018/19 financial year as outlined in the Revised Budget Financial Statements attached to the report.

Carried.

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