



AGENDA

Ordinary Meeting

Thursday, 20 December 2018

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**

"Noosa Shire – different by nature"

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1 ATTENDANCE & APOLOGIES**2 CONFIRMATION OF MINUTES**

The Minutes of the Ordinary Meeting held on 15 November 2018 be received and confirmed.

3 MAYORAL MINUTES

I hereby give notice of my intention to move the following motion at the Ordinary Meeting on Thursday, 20 December 2018:

1 PURCHASE OF 24 COOROY NOOSA ROAD, TEWANTIN – LOT 375 SP151415 (FORMER TEWANTIN TAFE SITE)

That Council note the Mayoral Minute provided to the Ordinary Meeting dated 20 December 2018, and:

- A. Agree for Council staff to continue negotiations with the Queensland Government regarding the former Tewantin TAFE site located at 24 Cooroy Noosa Road, Tewantin;*
- B. If those negotiations are successful, authorise the Chief Executive Officer to purchase the site for a sum not greater than \$1.7 million (ex GST);*
- C. Agree to fund such purchase from Environment Levy Reserves and General Cash Reserves with apportionment of such funding to be determined as part of the Budget Review 3 process; and*
- D. Request the Chief Executive Officer to provide a report to a future Council meeting on potential options for future use of the site.*

BACKGROUND

In February 2002 the Queensland Government (the State) gave notice of the designation of land situated at 24 Cooroy Noosa Road, Tewantin for the purposes of “community infrastructure – education facilities”. The designation was at the time made under section 2.6.1(1) of the *Integrated Planning Act 1997* (the Act). Section 2.6.11 of the Act also required Council to note the designation on its planning scheme.

In 2004 a purpose built Technical and Further Education (TAFE) campus was constructed on the site. The land comprises 11.04 hectares with approximately 1.56 hectares utilised for the campus footprint. The remaining 9.48 hectares of land area is heavily vegetated with much of it considered to have high biodiversity environmental value.

As the site was subject to a Ministerial designation for “community infrastructure – education facilities”, no development application was required for the TAFE. Ministerial designations will ordinarily lapse after six years unless extended. It is understood that the Ministerial designation for community infrastructure on this site has lapsed and therefore the land is now subject to the Noosa Planning Scheme.

The site is situated opposite the Noosa Outlook residential estate roundabout and is surrounded by the Tewantin Noosa Golf Club, Tewantin Cemetery and the Tewantin Sports Complex. The buildings on the site are set well back from the road frontage, surrounded by dense vegetation and are accessed by a bitumen sealed driveway.

The Tewantin TAFE had a short history, opening in 2006 and then being closed by the Liberal National Party Government in 2014. It is understood that a key driver for the closure of the Tewantin TAFE (and a number of other TAFE facilities across the state) was asset underutilisation and an agenda to rationalise training assets.

The Tewantin TAFE in particular had experienced reducing student numbers from a start of approximately 700 down to 200 when it was closed. As a result, courses were transferred from Tewantin to Nambour and Mooloolaba campuses.

It has also been noted that the location of the Tewantin TAFE site may not have been appropriate, particularly for undergraduate type courses, as the location is removed from social and supporting facilities such as coffee shops etc.

The former TAFE facility comprises 4 main buildings (blocks A through D) linked via covered areas and walkways, a work shed, with the facility supported by onsite road and water / wastewater infrastructure. Vehicle access is available via a boom gate at the Cooroy Noosa Road frontage and a bitumen sealed driveway (with 95 car parks on site).

The net floor space of the 4 main buildings is approximately 1,822m². An aerial view of the site appears below.



Site Planning and Environmental Considerations

Noosa Plan 2006

The site is located in the Tewantin and Doonan Locality and is included in the Community Services Zone. The land to the east containing the Tewantin Cemetery is also included in the Community Services Zone, with a small portion to the north being included in the Open Space Conservation Zone. The land currently enjoys existing use rights for an educational establishment, to the extent that it was developed for the purposes of a TAFE.

The Tewantin and Doonan Locality assessment table identifies a wide range of code and impact assessable uses noted against the "Community" use zone.

Environmental Considerations

The site is identified by the Noosa Plan's biodiversity overlay as containing vegetation worthy of environmental protection due to its remnant status and its endangered classification under the *Vegetation Management Act 1999*. The vegetation on the western portion of the site contains 'endangered' vegetation with a wallum wetland area and the eastern portion of the site is considered 'least concern' vegetation, mainly due to a change in land zone.

The site is also mapped as containing koala habitat area under the biodiversity overlay. The site is mapped under the *Nature Conservation Act 1992* as high risk for protected plant species. High risk areas represent areas where endangered, vulnerable or near threatened plants are known or likely to exist. Any clearing in a high-risk area may require a flora survey and / or a clearing permit from the state. A Council site inspection confirmed the presence of endangered vegetation ecosystem over the majority of the site (excluding the TAFE footprint and golf course encroachment to the west).

The natural hazard overlay identifies the site as medium to high potential bushfire intensity.

The site contains regulated vegetation including endangered regional ecosystem and of concern regional ecosystem.

The site is mapped as essential habitat for koalas, wallum rocketfrogs and glossy black cockatoos.

Any potential development of the site that results in vegetation clearing may require referral to the State for assessment and could result in vegetation offset requirements including replanting or monetary payment.

LIKELY DEMAND OR USE OF THE SITE

Following the initial approach from the State regarding sale of the site in March 2018, Council's Project Officer (former Noosa Council Director of Business, David Thomas) investigated what opportunities may exist within Council and the external market for the ongoing use of the site. This investigation was reported to Council in the agenda of the Special Meeting of 31 August 2018.

The investigation canvassed the need for the site for current or future Council operations, current demand or likely need for the facility by community groups, and any likely commercial or other interests to lease the site in an anchor role. Since then, no further significant investigation has occurred, although a range of possible uses have been put forward by various interested parties.

Potential Council Use

Uses for the facility that could potentially align with Council's Corporate and Operational Plan objectives (including adopted strategies and plans) have been discussed across the various Departments within Council.

Of the range of options available to Council, most would not be viable. In particular, suggestions appearing in the local press suggesting that Council should relocate its main operations from Pelican Street, Tewantin to the TAFE site would not be viable because:

1. The land on which the bulk of the Tewantin building rests is not owned by Council, but rather by the State. Council occupies the site under arrangement with the State, but Council would not be the beneficiary of any sale or development of the Pelican Street site.
2. Moving Council's main operations out of the Tewantin CBD would have a devastating impact on the viability of many traders in the Tewantin CBD. After all, Council is the largest employer in the area, and its many employees avail themselves of food, retail and professional services in the Tewantin CBD.

Potential Community Group use

Council's Community Development and Property branches previously advised that there are currently no active discussions with any group seeking tenure arrangements within a Council facility (with recent demand considered low). With respect to the availability of floor space in Council controlled facilities in Tewantin, spare capacity current exists in both the recently completed Tait Duke Cottage, as well as facilities at the Tewantin Sports Complex.

With respect to casual space available in other local Council facilities, capacity exists in the nearby Wallace Park estate, in particular the Noosa Leisure Centre (three meeting rooms), with further meeting rooms now also available in the upgraded Noosaville Library. Meeting rooms are also currently available for use by not-for-profit community groups at Cooroy Library, free of charge.

In the end, Council must consider the overarching financial ramifications of purchase of the TAFE site. Making the site available to community groups – even if there was demand – would be unlikely to assist in covering the purchase, renovation and ongoing maintenance of this facility. Community use would only be viable in part of the complex if there was sufficient income being generated in the rest of the complex to cover costs.

Other Uses

Population and demographic projections indicate that, given the size and location of the Tewantin TAFE site, commercial appetite may exist with respect to some form of aged care / retirement village development in the near future.

Council may also be open to making the site available for light industrial or commercial uses, should an appropriate business case be made.

Based on a resolution of Council in mid-2016, Council's preference was to see the site utilised for education purposes. Expansion of education opportunities is a focus of Council's Local Economic Plan. Whilst recognising the limitations of the TAFE site in terms of access and proximity to other facilities, it may nevertheless be considered suitable for educational use such as adult education or specific vocational training.

PURCHASE OF THE FACILITY

The Department of Employment, Small Business and Training made contact with Council in March 2018 to discuss whether Council had any interest in purchasing the site. Following this contact, information was obtained and developed as part of Council's due diligence investigations in the following areas:

1. Site infrastructure;
2. Site planning, land use options and environmental considerations;
3. Building condition assessment;
4. Potential site demand (commercial and community); and
5. Financial analysis and whole of life cost implications.

At a Special Meeting of Council on 31 August this year, the following resolution was passed:

That Council note the report by the Director Corporate Services and Project Officer to the Special Meeting dated 31 August 2018 regarding potential uses for the former Tewantin TAFE site located at 24 Cooroy Noosa Road, Tewantin and agree for Council staff to continue negotiations with the Queensland Government regarding the future of the site, noting that any final decision regarding possible purchase will come to Council for determination.

Shortly thereafter, the sale of the facility transferred from the Department of Employment, Small Business and Training to the Department of State Development's Property Queensland division. Council made regular contact with this team.

It is understood that the State undertook a further valuation of the site to see whether this would align with Council's own valuation. At this point, negotiations stalled as Council waited on further advice from the State.

After a period of time, Member for Noosa, Sandy Bolton MP, made representations to expedite the negotiation process. This effort resulted in contact being made by the State last Friday, 14 December 2018. Council's Director Corporate Services was thus informed that the State would welcome a purchase offer from Noosa Council.

Furthermore, it is understood that this offer could be significantly less than the market value contained in the valuations performed for both the State and Council.

By purchasing the site, Council is able to control the likely future use of the site. If Council were to pass up the opportunity to purchase the site, the State would likely go to the open market to secure a sale. This could result in a development that was in conflict with Council's planning intent for the site and/or in conflict with the environmental constraints on the site, in either case potentially resulting in legal costs should the matters end up in appeal.

The possibility exists for Council to purchase the site and recoup all costs through Council on-selling the land, with possible subdivision or binding covenants protecting the vegetation and habitat where required.

Alternatively, an appropriate business case may be made for Council to retain the ownership of the site and thus leasing part or all for a range of uses. Again this would ensure that at-risk vegetation was protected and the final use was of broad community and local economic benefit.

No decision is required on this use aspect at this stage.

Valuations and Funding

Council has received a valuation of the property of \$1.97 million. It is understood that the State government has also received a valuation for a slightly higher amount. These valuations are based on market values for the property in its current condition.

It is also understood from negotiations that the State Government is willing to accept a lower amount on the basis that the property has been vacant for nearly 4 ½ years and that it wishes to resolve this matter sooner rather than later. It is also understood that the State Government would like to see the property transferred to the local government and that no conditions would be imposed in relation to future use (including no conditions relating to whether or not the Council can on-sell all or part of the property). In short, the State Government is looking for a quick resolution of this issue and is willing to sell the property to our Council at a reasonable price. Final conditions and details have not been resolved but negotiations indicate that the State government will be willing to sell the property to Council for \$1.7 million.

In terms of funding, part of the property contains significant environmental land with the balance of the property containing improvements (roads, buildings etc). Based on our valuations, part of the property value relates to the environmental land with part relating to the remaining land and improvements. On this basis, it would be proposed that funding of the property would be apportioned with part of the funding from the Environment Levy and part from general cash reserves. This apportionment can be determined as part of the Budget Review 3 process.

CONCLUSION

An opportunity is currently before the Noosa Council to secure the former Tewantin TAFE site. If purchased at an extremely good price, there are a range of opportunities for Council to recoup costs for ratepayers and to facilitate use of the site for broad community benefit.

This is a highly strategic site, and one of the last large blocks available in Tewantin. Much of the land also has considerable environmental value that is worthy of protection.

Arguably, Council has a far better opportunity, and greater investment in, identifying a beneficial future use of the site, and working towards that use, than does the State. Any movement towards use of the site would be better than the absurd impasse of the past 4 years, where the facility has generally been idle.

Of course there are some risks associated with Council purchasing the site. In the short-term, there will be costs associated with developing business cases for its use. There are also ongoing maintenance, insurance and depreciation costs which Council will have to consider as it develops business cases for the use of the facility.

It is, nevertheless, worth noting that, thanks to excellent fiscal management, Noosa Council is in a strong financial position at present, with solid cash reserves and comparatively low debt. Therefore, the financial risk would not be so great to in any way jeopardise Council's overall financial position.

An investment of this kind presents a range of opportunities for Council to progress a significant site and facility in the best interests of the community, whilst acknowledging that some risk exists around the ultimate financial outcome of the investment.

There has been considerable community interest in the future of the site, and the moth-balling of the facility remains a source of frustration for many residents.

Council is guided by its Financial Sustainability Policy, and must therefore make appropriate financial decisions that are reasonable and which ensure sufficient resources are available to maintain the existing high levels of service. Arguably, the purchase of the former Tewanin TAFE site will not conflict with these aims.



.....
Cr Tony Wellington

18 December 2018

.....
Date

4 PETITIONS

5 NOTIFIED MOTIONS

Nil.

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

13 NOVEMBER 2018 - Cr Tony Wellington, Cr Joe Jurisevic, Scott Williams, Cameron Jagers (attended via teleconference)

External attendees: Carolyn Dougherty (Queensland Audit Office)

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 13 November 2018.

2 INTERNAL AUDIT UPDATE, AUDIT POLICIES REVIEW, ACTION ITEMS UPDATE, AND FRAUD AND CORRUPTION CONTROL UPDATE

That Council note the report by the Governance Advisor to the Audit & Risk Committee Meeting dated 13 November 2018 providing an update on Council's Internal Audit Plan, Internal Audit Policy and Audit and Risk Committee Charter Policy Review, Fraud and Corruption Control Policy Review and Fraud and Corruption Control Plan:

- A. Note the draft Internal Audit Scopes provided by Crowe Horwath to review Council's Risk Management Framework (Attachment 1) and Business Continuity Management (Attachment 2);
- B. Note the QAO 2018 Final Management Report provided at Attachment 3 and Register of Action Items provided at Attachment 4 providing an update on the organisation's progress in implementing previous internal audit and external audit recommendations;
- C. Note the Queensland Rural and Industry Development Authority Noosa Grant Review provided at Attachment 5;
- D. Adopt the updated Internal Audit Policy provided at Attachment 6;
- E. Adopt the updated Audit and Risk Committee Charter provided at Attachment 7;
- F. Adopt the updated Fraud and Corruption Prevention Policy provided at Attachment 8 with the following amendment – delete the 'Reporting Requirement' table on page 65 of the Audit & Risk Committee Agenda and replace with the following; and

<u>Recording and Notification Requirements</u>
<ul style="list-style-type: none"> • <u>Written record keeping requirements prescribed by s307A of the Local Government Regulation 2012</u>
<ul style="list-style-type: none"> • <u>Where applicable in accordance with s307A of Local Government Regulation 2012 provide notification to the Minister of Local Government, the Auditor General, a Queensland Police Officer, or the Crime and Corruption Commission.</u>
<ul style="list-style-type: none"> • <u>Pursuant to s38 of the Crime and Corruption Act 2001, where the CEO reasonably suspects that a complaint, or information or matter, involves, or may involve, corrupt conduct, the Crime and Corruption Commission must be notified.</u>

- G. Note the updated Fraud and Corruption Control Plan provided at Attachment 9.

3 RISK MANAGEMENT AND GOVERNANCE UPDATE

That Council note the report by the Governance Advisor to the Audit & Risk Committee Meeting dated 13 November 2018 providing an update on Risk Management and Governance matters.

Recommendation

The Audit & Risk Committee recommendations dated 13 November 2018 be adopted except where dealt with or held over by separate resolution.

PLANNING & ENVIRONMENT COMMITTEE RECOMMENDATIONS**11 DECEMBER 2018 - Crs Brian Stockwell (Chair), Ingrid Jackson and Tony Wellington****Apology: Cr Jess Glasgow***Other Councillors in attendance: Crs. Frank Wilkie & Frank Pardon***1 MCU17/0046.01 & OPW17/0160 - PLANNING & ENVIRONMENT COURT APPEAL NO 2843 OF 2018 - DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR DUPLEX DWELLING AT 38 PARK CRESCENT, SUNSHINE BEACH****Committee Recommendation****Moved: Cr Jackson****Seconded: Cr Wellington**

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 11 December 2018 regarding Planning & Environment Court Appeal No. 2843 of 2018 and agree to settle the appeal on the basis of revised Plan No. TP02 (Revision C) titled Street Parking Diagram, prepared by NDF Architects and ~~with the imposition of~~ generally in accordance with the following new condition 63:

63. *The parking areas adjacent to the northern and southern boundaries of the subject land are to remain open and no structures are to be constructed thereon with a height greater than 1.30 metres above the level of the car parking deck.*

Carried.**2 51987.2951.01 - MINOR CHANGE TO A DEVELOPMENT APPROVAL FOR ADDITIONS TO A DETACHED HOUSE TO INCLUDE A SWIMMING POOL, DECK AND OTHER STRUCTURES SEAWARD OF THE COASTAL BUILDING LINE SITUATED AT 42 SEAVIEW TERRACE, SUNSHINE BEACH****Committee Recommendation****Moved: Cr Jackson****Seconded: Cr Wellington**

That Planning & Environment Committee Agenda Item 2 be referred to the General Committee for further consideration.

Carried.**3 MCU16/0133.01 - REQUEST TO CHANGE A DEVELOPMENT APPROVAL FOR INDUSTRIAL BUSINESS TYPE 2 AND ENTERTAINMENT AND DINING BUSINESS TYPE 1 FOOD & BEVERAGE AND ANCILLARY DWELLING UNIT SITUATED AT 19 VENTURE DRIVE, NOOSAVILLE****Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Jackson**

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 11 December 2018 regarding Application No. MCU16/0133.01 to make a minor change to an existing approval for Industrial Business Type 2 and Entertainment and Dining Business Type 1 Food & Beverage and Ancillary Dwelling Unit situated at 19 Venture Dr, Noosaville and:

- A. Refuse the change for the following reasons:
1. The proposal does not constitute a minor change as the development is a substantially different development.
 2. The development is operating as an Entertainment and Dining Business Type 3 – Bar which is not approved and introduces a new land use to the premises.
 3. The proposal results in the Entertainment and Dining Business being the primary use on site and not subordinate to the industrial business.
 4. The proposed scale of the Entertainment and Dining Business does not comply with the Noosaville Locality Code as the use is more suited to a commercial zone and does not protect industrial land for industrial purposes.
 5. The proposal is significantly deficient of onsite car parking and overflow car parking on street will adversely impact on the surrounding road network.
- B. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.

Carried.

4 GAMBLING ALLIANCE REFORM GROUP

Committee Recommendation

Moved: Cr Wellington

Seconded: Cr Jackson

That Planning & Environment Committee Agenda Item 4 be referred to the General Committee due to the significance of the issue.

Carried.

5 NOOSA FISHING FUTURES - A SUSTAINABLE FISHERIES DIRECTIONS PAPER

Committee Recommendation

Moved: Cr Jackson

Seconded: Cr Wellington

That Planning & Environment Committee Agenda Item 5 be referred to the General Committee for further consideration.

Carried.

Recommendation

The Planning & Environment Committee recommendations dated 11 December 2018 be adopted except where dealt with or held over by separate resolution.

SERVICES & ORGANISATION COMMITTEE RECOMMENDATIONS

11 DECEMBER 2018 – Crs Joe Jurisevic (Chair), Frank Pardon, Tony Wellington & Frank Wilkie

Other Councillors in attendance: Cr Ingrid Jackson

1 2018-19 COMMUNITY GRANTS PROGRAM FUNDING - COMMUNITY PROJECT GRANTS (ROUND TWO)

Committee Recommendation

Moved: Cr Wellington

Seconded: Cr Wilkie

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 11 December 2018 regarding recommended Round 2 2018/2019 Community Project Grants and a proposed 6 month funding arrangement under the Community Alliance category.

Carried.

2 2018-19 COMMUNITY GRANTS PROGRAM FUNDING - COMMUNITY PROJECT GRANTS (ROUND TWO) - PROGRAMS

Committee Recommendation

Moved: Cr Wilkie

Seconded: Cr Wellington

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and approve the 2018/2019 Round Two Community Project Grants – Programs provided in Attachment 1 to the report.

Carried.

3 2018-19 COMMUNITY GRANTS PROGRAM FUNDING - COMMUNITY PROJECT GRANTS (ROUND TWO) - EVENTS

Committee Recommendation

Moved: Cr Pardon

Seconded: Cr Wilkie

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and approve the 2018/2019 Round Two Community Project Grants – Events provided in Attachment 1 to the report.

Carried.

4 2018-19 COMMUNITY GRANTS PROGRAM FUNDING - COMMUNITY PROJECT GRANTS (ROUND TWO) - EQUIPMENT**Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Pardon**

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and approve the 2018/2019 Round Two Community Project Grants – Equipment provided in Attachment 1 to the report.

Carried.**5 2018-19 COMMUNITY GRANTS PROGRAM FUNDING - COMMUNITY PROJECT GRANTS (ROUND TWO) - INFRASTRUCTURE****Committee Recommendation****Moved: Cr Wilkie****Seconded: Cr Wellington**

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and approve the 2018/2019 Round Two Community Project Grants – Infrastructure provided in Attachment 1 to the report.

Carried.**6 2018-19 COMMUNITY GRANTS PROGRAM FUNDING - COMMUNITY PROJECT GRANTS (ROUND TWO) - ENVIRONMENT****Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Pardon**

That Services & Organisation Committee Agenda Item 6 be referred to the General Committee for further consideration.

Carried.**7 2018-19 COMMUNITY GRANTS PROGRAM FUNDING - ALLIANCE AGREEMENT WITH ZERO EMISSIONS NOOSA INC****Committee Recommendation****Moved: Cr Wilkie****Seconded: Cr Pardon**

That Council note the report by the Environmental Services Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and approve 6 months Alliance funding to Zero Emissions Noosa Inc. as provided in Attachment 1 to the report.

Carried.

8 REGIONAL ARTS DEVELOPMENT FUND - GRANT RECOMMENDATIONS - 2018-19**Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Wilkie**

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and approve the Regional Arts Development Fund recommendations for 2018-19 as outlined in Attachment 1 to the report.

Carried.**9 NOOSA FM LEASE AT THE J****Committee Recommendation****Moved: Cr Pardon****Seconded: Cr Wilkie**

That Services & Organisation Committee Agenda Item 9 be referred to the General Committee for further consideration.

Carried.**10 NOOSA CULTURAL PLAN 2019 - 2023 - FINAL****Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Pardon**

That Council note the report by the Manager, Libraries and Galleries to the Services and Organisation Committee dated 11 Dec 2018 and:

- A. Repeal the Cultural Development Policy of 2012, and adopt the Noosa Cultural Plan 2019 – 2023, provided at Attachment 1 of this report, and authorise the CEO to make any required minor amendments to the document prior to publication; and
- B. Endorse the proposed Noosa Cultural Plan – 2019 Action Plan, subject to consideration of any resourcing requirements being determined as part of the 2019/20 budget process.

Carried.**11 DRAFT COMMUNITY HEALTH AND WELLBEING PLAN 2019-2024****Committee Recommendation****Moved: Cr Wilkie****Seconded: Cr Pardon**

That Council note the report by the Coordinator Environmental Health to the Services & Organisation Committee Meeting dated 11 December 2018 and:

- A. Approve the Draft Community Health and Wellbeing Plan 2019-2024, included at Attachment 1 of this report, for the purposes of community consultation subject to any minor amendments to the document approved by the Chief Executive Officer; and
- B. Request the Chief Executive Officer to collate and consider the feedback for the purposes of developing a final Noosa Community Health and Wellbeing Plan for the future consideration of Council.

Carried.

12 NOOSA HOLIDAY PARKS FEES AND CHARGES**Committee Recommendation****Moved: Cr Wilkie****Seconded: Cr Pardon**

That Council note the report by the Property Officer to the Services & Organisation Committee Meeting dated 11 December 2018 and:

- A. Set fees and charges for the Noosa Holiday Parks to align with the cessation of the end of the July 2020 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 12 July 2020 as detailed in the tables contained within the report.

Carried.**13 PROPOSAL FOR LIVE VIDEO STREAMING OF COUNCIL MEETINGS****Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Pardon**

That Services & Organisation Committee Agenda Item 13 be referred to the General Committee due to the significance of the issue.

Carried.**14 AUSTRALIAN TOURISM COUNCILS ADVOCACY GROUP****Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Pardon**

That Council note the report by the Chief Executive Officer to the Services & Organisation Committee Meeting dated 11 December 2018 and:

- A. Agree to join the Australian Tourism Councils Advocacy Group at a cost of \$1,000 with funding to be sourced from existing budgets; and
- B. Review Council's membership of that Group after 12 months.

Carried.**15 LOCAL GOVERNMENT LEGISLATIVE REFORM****Committee Recommendation****Moved: Cr Wilkie****Seconded: Cr Pardon**

That Council note the report by the Governance Advisor to the Services & Organisation Committee Meeting dated 11 December 2018 and:

- A. Adopt the Model Meeting Procedures provided at Attachment 2 to the report;
- B. Adopt the updated Standing Orders for Noosa Shire Council 2014 (provided at Attachment 3 to the report) to remove any inconsistencies with the new Model Meeting Procedures;

- C. Note that the CEO will undertake a comprehensive review of the Model Meeting Procedures and Noosa Shire Council Standing Orders 2014 in early 2019;
- D. Repeal the current Noosa Council Councillor Code of Conduct to be superseded by the Councillor Code of Conduct prescribed by the Department of Local Government, Racing and Multicultural Affairs provided at Attachment 4 to the report;
- E. Agree that each Councillor will sign a declaration to abide by the new Councillor Code of Conduct at all times; and
- F. Adopt the Investigation Policy provided at Attachment 5.

Carried.

16 ROAD INFRASTRUCTURE ASSET MANAGEMENT PLAN

Committee Recommendation

Moved: Cr Pardon

Seconded: Cr Jurisevic

That Services & Organisation Committee Agenda Item 16 be referred to the General Committee due to the significance of the issue.

Carried.

17 GUMTREE DRIVE PEDESTRIAN BRIDGE - LONG-TERM OPTIONS

Committee Recommendation

Moved: Cr Jurisevic

Seconded: Cr Wilkie

That Services & Organisation Committee Agenda Item 17 be referred to the General Committee for further consideration.

Carried.

18 PEAK PERIOD TRAFFIC MANAGEMENT PLAN 2018/2019 - AMENDMENTS

Committee Recommendation

Moved: Cr Wellington

Seconded: Cr Pardon

That Council note the report by the Project Officer – Transport to the Services & Organisation Meeting dated 11 December 2018, and;

- A. Rescind Council's resolution dated 18 October 2018 titled 'Peak Period Traffic Management Plan - Traffic Control 2018/2019';
- B. Approve the use of free holiday buses for TransLink Routes 626, 627, 628, 629 and 632 and the Boreen Point - Tewantin Flexilink and Council Cabs from 26 December 2018 to 6 January 2019;
- C. Approve the use of Transit Australia Group's (Sunbus) shuttle service between Peregrin Beach and Noosa Heads from 26 December 2018 to 6 January 2019;
- D. Approve the use of Queensland school holiday free buses for TransLink Routes 626, 627, 628, 629 & 632 from 15-25 December 2018 and 7-28 January 2019;
- E. Approve the use of Queensland school holiday free buses for Transit Australia Group's (Sunbus) shuttle service between Peregrin Beach and Noosa Heads from 15-25 December 2018 and 7-28 January 2019;

- F. Approve the use of an Information Management System at four key entry points to Noosa during the Queensland school holiday period from 15 December 2018 to 28 January 2019 for the purpose of informing motorists of alternative travel modes and car parking availability;
- G. Approve the use of traffic control in the Hastings Street precinct to prioritise bus and pedestrian movements during the period 26 December 2018 to 13 January 2019 and the weekends of the Queensland School holidays (15-16 December 2018, 22-23 December 2018, 19-20 January 2019 and 26-27-28 January 2019).
- H. Approve the temporary conversion of 16 parallel car parks on the southern side of Hastings Street from the Hastings Street roundabout to the Sofitel Hotel to other uses including bicycle and scooter parking, from 15 December 2018 to 28 January 2019;
- I. Approve the establishment of a 12-month ride sharing App for Hastings Street staff including the dedication of five "Rideshare carpool only" bays in Noosa Heads Lions Park & five "Rideshare carpool only" bays in Noosa Woods; and
- J. Approve the use of Noosa Heads Lions Park as a paid public car park during the period 26 December 2018 to 13 January 2019 and the weekends of the Queensland School Holidays (15-16 December 2018, 22-23 December 2018, 19-20 January 2019 and 26-27-28 January 2019), to be managed by the Tewantin-Noosa Lions Club at rate of \$20 per car per day with a 60/40 percent share of the car parking revenue to be provided to Noosa Council and the Tewantin Noosa Lions Club respectively.

Carried.

19 2017/18 BUDGET WRAP UP

Committee Recommendation

Moved: Cr Wellington

Seconded: Cr Wilkie

That Council note the report by the Director Corporate Services to the Services & Organisation Committee Meeting dated 11 December 2018 providing a summary of Council's financial performance against the 2017/18 budget.

Carried.

20 TOURISM NOOSA 2017/18 ANNUAL REPORT

Committee Recommendation

Moved: Cr Wellington

Seconded: Cr Wilkie

That Council note the report by the Chief Executive Officer to the Services & Organisation Committee Meeting dated 11 December 2018 regarding Tourism Noosa's Annual Report for the 2017/18 financial year (including the 2017/18 financial statements) as provided at Attachment 1 to the report.

Carried.

Recommendation

The Services & Organisation Committee recommendations dated 11 December 2018 be adopted except where dealt with or held over by separate resolution.

GENERAL COMMITTEE RECOMMENDATIONS

17 DECEMBER 2018 - Crs. Frank Wilkie (Chair), Ingrid Jackson, Joe Jurisevic, Frank Pardon, Brian Stockwell and Tony Wellington

Apology: Cr Jess Glasgow

1 **51987.2951.01 - MINOR CHANGE TO A DEVELOPMENT APPROVAL FOR ADDITIONS TO A DETACHED HOUSE TO INCLUDE A SWIMMING POOL, DECK AND OTHER STRUCTURES SEAWARD OF THE COASTAL BUILDING LINE SITUATED AT 42 SEAVIEW TERRACE, SUNSHINE BEACH**

Committee Recommendation

Moved: Cr Jackson

Seconded: Cr Jurisevic

That debate on the motion now before the meeting be deferred to the Ordinary Meeting of 20 December 2018.

~~That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 11 December 2018 regarding Application No. 51987.2951.01 to make a minor change to an existing approval for additions to a detached house to include a swimming pool, deck and other structures seaward of the coastal building line situated at 42 Seaview Tce, Sunshine Beach and:~~

~~A. Refuse the change for the following reasons:~~

- ~~1. The proposal is in conflict with the assessment benchmarks of the State Planning Policy as it proposes development in an Erosion Prone Area and Natural Hazard Area.~~
- ~~2. Development seaward of the Coastal Building Line is contrary to the building setbacks contained in the Planning Scheme and the setback provided under State Code 8; Coastal Development and Tidal Works of the State development assessment provisions.~~
- ~~3. Recent modelling carried out by the Council indicates significant erosion is likely to occur in the future which may threaten life and property should the proposed development proceed.~~
- ~~4. The proposal does not comply with the Planning Scheme in force at the time of the original approval, given the extent of excavation and vegetation removal in a sand dune area.~~
- ~~5. The proposal does not comply with the Natural Resources Overlay Code for Coastal Protection as it has the potential to adversely impact on natural coastal processes.~~
- ~~6. Given the site is affected by the Coastal Building Line and is located in a highly vulnerable erosion prone area, the proposed 6m setback is not sufficient to minimise the risk of erosion.~~
- ~~7. The proposal does not comply with the Biodiversity Overlay Code as vegetation is proposed to be removed within the Environmental Protection Overlay placing the integrity and resilience of the foreshore at risk.~~
- ~~8. The proposal is contrary to the Overall Outcomes for the Eastern Beaches Locality as it does not protect the dunal area and natural environment nor maintain the safety of people and works.~~

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

Carried.

2 GAMBLING ALLIANCE REFORM GROUP**Committee Recommendation****Moved: Cr Wellington****Seconded: Cr Stockwell**

That Council note the report by the Chief Executive Officer to the Planning & Environment Committee Meeting dated 11 December 2018 and:

- A. Agree to join the Gambling Alliance Reform Group as Queensland's first member Council of that organisation; and
- B. Subsequently write to other Queensland local governments inviting them to join the Gambling Alliance Reform Group if they are supportive of the recently adopted LGAQ policy position of defining electronic gaming machines as a land use, and permit planning schemes to address both the land use as well as the social impacts of electronic gaming machines on communities.

Carried.**3 NOOSA FISHING FUTURES - A SUSTAINABLE FISHERIES DIRECTIONS PAPER****Committee Recommendation****Moved: Cr Jurisevic****Seconded: Cr Jackson**

That Council note the report by the Environmental Services Manager to the Planning & Environment Committee Meeting dated 11 December 2018, and:

- A. ~~subject to availability of funding,~~ Agree to the preparation of a Noosa Fishing Futures research-based directions paper, with the primary objective of long term sustainable fisheries management of the Noosa River, estuaries and beaches;
- B. Refer the funding of the Noosa Fishing Futures research-based directions paper to Budget Review 3; and
- C. Request the Chief Executive Officer to seek quotations from suitably qualified consultants in accordance with Council's procurement policy and appoint a consultant following the assessment of those quotations and further, request the Chief Executive Officer to report the outcome of that procurement process to a future Council meeting

Carried.**4 2018-19 COMMUNITY GRANTS PROGRAM FUNDING - COMMUNITY PROJECT GRANTS (ROUND TWO) - ENVIRONMENT**

Cr Stockwell declared a perceived conflict of interest in this matter (as defined in section 175D of the Local Government Act 2009) due to both his long standing (25 year) association with the Mary River Catchment Coordinating Committee and the fact that he has also previously subcontracted an officer of the organisation as part of his private consultancy business. Cr Stockwell believed that he could consider this item impartially and in the public interest and requested to remain in the meeting room to participate in the debate and vote on this matter.

Pursuant to section 175E(4) of the Local Government Act 2009, the remaining Councillors gave consideration to whether the conflict was a real conflict or perceived conflict and whether Cr Stockwell may participate in the meeting for the debate and vote on this matter or whether he must leave the meeting for the debate and vote on this matter.

Committee Recommendation**Moved:** Cr Wilkie**Seconded:** Cr Pardon

That Councillors note the perceived conflict of interest declaration of Cr Stockwell and resolve that this represents a perceived conflict of interest in this matter and Cr Stockwell may remain in the meeting room to participate in the debate and vote on this matter.

Carried.

Cr Stockwell did not vote on the above motion.

Committee Recommendation**Moved:** Cr Wellington**Seconded:** Cr Jurisevic

That Council note the report by the Community Development Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and approve the 2018/2019 Round Two Community Project Grants – Environment provided in Attachment 1 to the report and include an additional condition to the grant for Noosa & District Landcare Group Inc and Reef Check Foundation that requires them to communicate and coordinate where possible their actions with other local community natural resource management and environmental groups and Council to achieve integrated outcomes

Carried.

Cr Stockwell voted in favour of the motion.

5 NOOSA FM LEASE AT THE J**Committee Recommendation****Moved:** Cr Pardon**Seconded:** Cr Jurisevic

That Council note the report by the Community Facilities Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and agree to:

- A. Extinguish the current Noosa FM lease at The J and replace it with a new 2 year lease (based on Council's standard lease terms and conditions) with the option of further three x 1-year terms at Council's discretion and an annual rental of ~~\$10,500~~ 6,000 pa (plus CPI increases);
- B. Apply the exception to the requirement for the tendering of the lease under Section 236 (1) (b) (ii) of the Local Government Regulation 2012, as the lease is to a community organisation;
- C. Consider any financial implications of this new lease arrangement in BR3, and
- D. Reconsider Council's position of providing both a rental subsidy and a Community Alliance grant to Noosa FM, when Noosa FM's 3-year Community Alliance funding comes up for renewal in the 2019/20 community grants round.

Carried.

6 PROPOSAL FOR LIVE VIDEO STREAMING OF COUNCIL MEETINGS**Committee Recommendation****Moved: Cr Jackson****Seconded: Cr Pardon**

That Council note the report by the Chief Executive Officer to the Services & Organisation Committee Meeting dated 11 December 2018 and:

- A. Agree to live video stream Council Ordinary Meetings and meetings of the General Committee using technology identified in option 3 of the report by the Chief Executive Officer, namely one fixed high definition camera and three omnidirectional microphones at an approximate cost of \$2,100 with that funding to be incorporated into Budget Review 3;
- B. Agree to make such recordings available on Council's website for future viewing in addition to being live streamed;
- C. Note that such recordings are not the final record of the meeting and that the meeting minutes are the official record of the meeting;
- D. Approve the recording of these meetings pursuant to section 38 of Council's Standing Orders and request the Chairpersons of those meetings to announce at the beginning of each meeting that such recording is occurring;
- E. Note that for those Ordinary Council meetings that are held in the community twice per year, depending on the location, live video streaming may not be possible but that recording should occur and subsequently be published via the Council website;
- F. Request the Chief Executive Officer to provide a report to Council after six months to review the technology and practices of the live video streaming and for Council to determine at that stage whether to extend the live video streaming technology to the Committee Room and/or the other committees; and
- G. Request the Chief Executive Officer to take such necessary action to implement the live video streaming as soon as practical.

Carried.

7 ROAD INFRASTRUCTURE ASSET MANAGEMENT PLAN**Committee Recommendation****Moved: Cr Pardon****Seconded: Cr Jackson**

That Council note the report by the Asset Planning Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and adopt the Road Infrastructure Asset Management Plan as a document that specifies the activities, resources and asset classes to achieve Noosa Council's asset management objectives.

Carried.

8 GUMTREE DRIVE PEDESTRIAN BRIDGE - LONG-TERM OPTIONS

Cr Stockwell declared a real conflict of interest in this matter (as defined in section 175D of the Local Government Act 2009) due to his contracting services to SEQwater for undertaking land asset classifications including identifying the suitability of land for recreational purposes, including land in this locality owned by SEQwater. Cr Stockwell left the meeting room for the debate and decision on this matter.

Committee Recommendation

Moved: Cr Jurisevic

Seconded: Cr Pardon

That Council note the report by the Asset Planning Manager to the Services & Organisation Committee Meeting dated 11 December 2018 and:

- A. Agree to the removal of the Gumtree Drive Pedestrian bridge by the end of the 2018/2019 financial year and make provision for the costs of that removal and the geotechnical investigations to determine the suitability for a replacement bridge in Budget Review 3;
- B. Agree to replace the bridge with a steel framed recycled products bridge and refer that project for consideration during the 2019/20 budget process as part of the Council's 10-Year Capital Works Program.

Carried.

Cr Stockwell returned to the meeting.

9 MCU16/0044.01 - REQUEST TO CHANGE AN EXISTING APPROVAL FOR MATERIAL CHANGE OF USE FOR OFFICES, NEW COMMUNITY HOUSE, RESTAURANT & SPORT AND RECREATION USES AND BOUNDARY REALIGNMENT AT 253 & 255 DAVID LOW WAY AND 5-7 RUFIOUS ST, PEREGIAN BEACH

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Jurisevic

That Council note the report by the Development Planner to the General Committee Meeting dated 17 December 2018 regarding Application No. MCU16/0044.01 to make a minor change to an existing approval for Commercial Business Type 1 Office, Entertainment & Dining Business Type 1 Food & Beverages, Wellbeing Type 2 - Social and Open Space Type 1 Sport & Recreation situated at 253 & 255 David Low Way and 5-7 Rufous St, Peregian Beach and request staff to bring forward amended conditions of approval to the Ordinary Meeting of 20 December 2018 that increase the skillion roof pitch to 5 degrees and requires external treatments to be of natural materials in locations identified for timber look aluminium.

~~A. Approve the change.~~

~~B. Amend condition 2 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
SD-A 4.2		Site Plan, prepared by Sparks Architecture	
SD-A 4.2.1		Site Plan -- Stage 1, prepared by Sparks Architecture	
<i>Community House</i>			

GC-10	01	Site and Roof, prepared by Flexure Architecture and Urban Design	12 November 2018
GC-10	01	Ground, prepared by Flexure Architecture and Urban Design	12 November 2018
GC-10	01	Basement, prepared by Flexure Architecture and Urban Design	12 November 2018
GC-10	01	North Elev., prepared by Flexure Architecture and Urban Design	12 November 2018
GC-10	01	West Elev., prepared by Flexure Architecture and Urban Design	12 November 2018
GC-10	01	East Elev., prepared by Flexure Architecture and Urban Design	12 November 2018
GC-10	01	Section 1, prepared by Flexure Architecture and Urban Design	12 November 2018
GC-10	01	View 3, prepared by Flexure Architecture and Urban Design	12 November 2018
GC-10	01	View 3, prepared by Flexure Architecture and Urban Design	12 November 2018
<i>Digital Hub</i>			
SD-B1.1		Ground Floor Plan, prepared by Sparks Architecture	
SD-B1.2		First Floor Plan, prepared by Sparks Architecture	
SD-B1.3		Roof Plan, prepared by Sparks Architecture	
SD-B2.1		North Elevation, prepared by Sparks Architecture	
SD-B2.2		East Elevation, prepared by Sparks Architecture	
SD-B2.3		South Elevation, prepared by Sparks Architecture	
SD-B2.4		West Elevation, prepared by Sparks Architecture	
SD-B3.1		North Elevation, prepared by Sparks Architecture	
SD-B4.1		Perspective, prepared by Sparks Architecture	

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

Carried.

10 FINANCIAL PERFORMANCE REPORT - NOVEMBER 2018

Committee Recommendation

Moved: Cr Jackson

Seconded: Cr Jurisevic

That Council note the report by the Manager Financial Services to the General Committee Meeting dated 17 December 2018 outlining November 2018 year to date financial performance against budget.

Carried.

11 NOOSA COUNCIL ORGANISATIONAL STRUCTURE AND POSITION ESTABLISHMENT**Committee Recommendation****Moved: Cr Jurisevic****Seconded: Cr Pardon**

That Council note the report by the Director Executive Services to the General Committee Meeting dated 17 December 2018 detailing the changes made to the organisational structure and position establishment since 1 July 2018 and approve the new organisational structure provided at Attachment 2 to the report

Carried.**Recommendation**

The General Committee recommendations dated 17 December 2018 be adopted except where dealt with or held over by separate resolution.

7 ORDINARY MEETING REPORTS

Nil.

8 CONFIDENTIAL SESSION

9 NEXT MEETING

The next Ordinary Meeting will be held on 17 January 2019 at the Council Chambers, 9 Pelican Street, Tewanin commencing at 6pm.

10 MEETING CLOSURE