

MINUTES

General Committee Meeting

Monday, 13 September 2021

10am

Council Chambers, 9 Pelican Street, Tewantin

Committee: Crs Frank Wilkie (Chair), Karen Finzel, Joe Jurisevic, Amelia Lorentson, Clare Stewart, Brian Stockwell, Tom Wegener

“Noosa Shire – different by nature”

1 ATTENDANCE & APOLOGIES

COUNCILLORS

Cr Frank Wilkie (Chair)
Cr Karen Finzel
Cr Amelia Lorentson
Cr Clare Stewart
Cr Brian Stockwell
Cr Tom Wegener

EXECUTIVE

B de Chastel, Chief Executive Officer
A Dow, Acting Director Environment & Sustainable Development

APOLOGIES

Cr Joe Jurisevic

The meeting commenced at 10.02am.

2 CONFIRMATION OF MINUTES

Committee Resolution

Moved: Cr Lorentson

Seconded: Cr Stockwell

The Minutes of the General Committee Meeting held on 16 August 2021 be received and confirmed.

Carried unanimously.

3 PRESENTATIONS

Nil.

4 DEPUTATIONS

Nil.

11 NOOSA RIVER OYSTER ECOSYSTEM RESTORATION PROJECT – ANNUAL REPORT NO. 2

The following material was presented to the meeting in relation to this item:

- Cr Wilkie – YouTube Clip - <https://www.youtube.com/watch?v=VTuBbuUro4g>

Committee Recommendation

Moved: Cr Wilkie

Seconded: Cr Stockwell

That Council note the report by the Environmental Services Manager to the General Committee Meeting dated 13 September 2021 and approve the *Noosa River Oyster Project: Annual Report No. 2* (provided as Attachment 1 to the report) as meeting the requirements of the Alliance & Funding Agreement.

For: Crs Wilkie, Stockwell and Wegener

Against: Crs Stewart, Lorentson and Finzel

Carried on the casting vote of the Chair.

7 PROPOSED NEW LEASE – SHOP 8 SUNRISE NEIGHBOURHOOD SHOPPING CENTRE**Committee Recommendation**

Moved: Cr Lorentson

Seconded: Cr Stewart

That Council note the report by the Property Advisor – Commercial Property to the Services & Organisation Committee Meeting dated 7 September 2021 regarding the lease of Shop 8, Sunrise Neighbourhood Shopping Centre and:

- Agree to enter a commercial lease of the premises to Tro Management Australia Pty Ltd, for a ten (10) year term, as generally outlined in the report;
- Agree to an initial rent-free period of 12 months;
- Authorise the CEO to award up to 5 subsequent lease extensions each of 3 years, subject to the lessee complying with the terms of the lease, and
- Note that capital investment of up to \$700,000 will be required to be considered in budget review 2 or 3 to fund the expansion works required once a lease is finalised.
- Request the Chief Executive Officer to look at potential options (both short and long term) for the ongoing future enhancement of the shopping centre site to improve its commercial return and its role in the Sunrise Beach area.

Carried unanimously.

5 ITEMS REFERRED FROM COMMITTEES

- 1 MCU17/0563.02 & OPW17/0597.02 - OTHER CHANGE TO A DEVELOPMENT APPROVAL FOR A MATERIAL CHANGE OF USE FOR 2 X MULTIPLE HOUSING TYPE 2 - DUPLEXES AND OPERATIONAL WORKS (ENGINEERING WORKS AND LANDSCAPING) TO INCLUDE SHORT TERM ACCOMMODATION AT 30 & 32 THE COCKLESHELL, NOOSAVILLE**

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Wegener

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 7 September 2021 regarding Application No. MCU17/0563.02 & OPW17/0597.02 for an Other Change to a Development Approval for a Material Change of Use for 2 x Multiple Housing - Type 2 Duplex and Operational Works (Access, Stormwater, and landscaping) to include Short-term accommodation situated at 30 & 32 The Cockleshell Noosaville and:

A. Refuse the application for the following reasons:

1. The proposal is not consistent with 3.2.4 Housing to meet diverse needs of the community and 3.3.3 Housing Choice (n) of the Strategic Framework, as it will further erode the permanent housing in the area, impacting permanent resident amenity.
2. The proposal is not consistent with 6.3.2.2 Purpose and Overall Outcomes (2)(a) and (h) of the Medium Density Residential Zone Code as:
 - a. The proposal is located in an area that it is not predominantly home to permanent residents, with many properties being used for visitor accommodation and/or properties permitted under historical development approvals for visitor accommodation.
 - b. The proposal seeks to establish a new short-term visitor accommodation facility within 2 recently approved dual occupancies and is not located within a well-established resort or holiday units.
3. The proposal is not consistent with 7.2.4.2 Purpose and Overall Outcomes (2)(t) and Performance Outcome PO21 of the Noosaville Local Plan Code as:
 - a. Additional visitor accommodation in the area is likely to result in detrimental impacts on the residential amenity of permanent residents.
 - b. While the code seeks to maintain visitor accommodation in the area, it does not seek to increase the extent of visitor accommodation within the area to the detriment of permanent residents.
4. The proposal is not consistent with 9.3.5.2 Purpose and Overall Outcomes (1) and (2)(f) of the Visitor Accommodation Code as:
 - a. The proposed visitor accommodation is not appropriately located and integrated with permanent residents in the area given the number and density of properties currently being used for visitor accommodation and/or permitted for visitor accommodation.
 - b. The proposed visitor accommodation is likely to detract from the amenity enjoyed by residents.
5. There is no need for additional short term accommodation in the area.

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

For: Crs Stockwell, Wegener and Wilkie

Against: Crs Stewart, Lorentson and Finzel

Carried on the casting vote of the Chair.

2 **MCU21/0087 - DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE – SHORT TERM ACCOMMODATION AT 51 TINGIRA CRESCENT, SUNRISE BEACH**

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Stewart

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 7 September 2021 regarding Application No. MCU21/0087 for a Development Permit for Material Change of Use at 51 Tingira Crescent, Sunrise Beach, and:

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

PLANNING

When Conditions must be Complied With

1. The approved use must not commence until a building approval has been obtained for all works carried out to the dwelling and for any additional outbuildings.
2. 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

3. 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.

<u>Plan No.</u>	<u>Rev.</u>	<u>Plan/Document Name</u>	<u>Date</u>
<u>BC07</u>	<u>-</u>	<u>Ground Floor Plan, prepared by White Designs</u>	<u>09/03/2010</u>
<u>BC07</u>	<u>-</u>	<u>First Floor Plan, prepared by White Designs</u>	<u>09/03/2010</u>

Currency

4. This development approval lapses if the use has not happened by **16 September 2027**, unless an application to extend the currency period is approved by Council.

Nature and Extent of Approved Use

5. The total number of bedrooms on the site must not exceed 4.
6. No more than 8 guests may occupy the premises at any time.
7. All outdoor areas, including balconies, decks, pool and the like, must not be used after 9pm each night.

8. The premises must not be used as a party house, with no events, functions or parties (e.g. bucks parties, hen's parties, raves, or wedding receptions for example) permitted on site.

Amenity

9. The operation of the approved use must not detrimentally affect the residential amenity (including but not limited to noise, overlooking, light spill or odour) enjoyed by surrounding residents or cause a nuisance, including a noise nuisance.

Car Parking

10. Existing car parking on site, as detailed on the approved plans, must be maintained and kept available for users of the short term accommodation.
11. 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.

Waste Management

12. Waste storage and disposal facilities must be provided in accordance with *Planning Scheme Policy 9, Waste Management*, including an external imperviously paved area correctly sized for all refuse and recycling containers and suitably screened from public places and neighbouring properties.
13. Waste containers must:
- a. At all times be regularly cleaned and maintained in a clean, tidy, sanitary and hygienic condition.
 - b. Be placed on the kerb side frontage of the premises, for the collection of general waste from the container; and
 - c. Not be placed on the kerb side frontage for longer than 24 hours before or after the scheduled collection day for the collection of waste in the container.

Contact Person

14. Prior to the commencement of the use written confirmation must be provided to Council confirming:
- a. the name and telephone number of the contact person (which may include the name and contact details of an individual, letting agency, property manager, security firm or the like) for the purposes of the operation of the short stay letting at the premises; and
 - b. that the contact person is available 24 hours a day, 7 days a week; and
 - c. that the contact person resides within 20 minutes travel time (by vehicle) of the premises; and
 - d. that the contact person is to be responsible for the supervision and management of the premises, including addressing complaints about the use of the premises for short stay letting and visitor queries.
15. A sign must prominently and permanently display in letters and numbers not less than 50mm in height, a current up to date written notice detailing the contact person's phone number, and a statement that the contact person is responsible for the supervision and maintenance of the premises. The sign must not exceed 0.2m², be displayed at the front of the premises and be visible to members of the public at all times.

Code of Conduct

16. A code of conduct must be developed and provided to all users and occupants of the short term accommodation, including any website or social media used to promote the use of the premises for short term accommodation.
17. The code of conduct must advise all users of the premises:
- a. That the use of the premises must not:
 - i. detrimentally affect the residential amenity (including but not limited to noise, overlooking, light spill or odour) enjoyed by residents in the vicinity of the premises; or
 - ii. cause a nuisance (including a noise nuisance);
 - iii. display unacceptable behavior including:
 - a. loud aggressive behaviour;
 - b. yelling, screaming, arguing; or
 - c. excessively loud cheering, clapping and singing.
 - iv. create a level of noise above the acceptable levels described by Queensland Government legislation for environmental protection (noise).
 - b. That a user of the premises must not sleep or camp on the premises in a tent, caravan, campervan or similar facility.
 - c. That each vehicle used by a user of the premises must:
 - i. be stored in a manner that does not cause a nuisance or inconvenience to adjoining premises; and
 - ii. be parked within the parking facilities at the premises where provided.
 - d. That each user of the premises must store general waste (including the separation of recyclable waste) produced as a result of the ordinary use or occupation of the premises in a waste container.
 - e. That each user of the premises must ensure that the premises, including the grounds of the premises, are kept in a safe and tidy condition.
 - f. That pets occupying the premises must be managed and not cause a nuisance (including a noise nuisance).
 - g. The nature and extent of the approved use as detailed in conditions numbers 4 to 7 of this development approval.
18. The Code of Conduct must be displayed in a prominent location at the premises so that it can be viewed by guests.

Complaints Management

19. The contact person must maintain a record of all complaints received, identifying how each complaint has been resolved or addressed within a reasonable time.
20. The contact person must respond to all complaints within 30 minutes of notification of a complaint.

21. The contact person, must keep and maintain a register of the use of the premises for short stay letting or home hosted accommodation, and record in the register, each of the following:
- a. on each occasion on which the premises are used, or occupied, for short stay letting or home hosted accommodation on a commercial basis:
 - i. the number of adults who are users of the premises; and
 - ii. the number of minors, an individual who is under 18, who are users of the premises.
 - b. the dates when each person's use, or occupation, of the premises for short stay letting or home hosted accommodation began and ended.
22. The contact person, must make available, for inspection by Council, within 5 business days of receipt of a written request given at any time, each of:
- a. the written record of complaints referred to in condition 19; and
 - b. the register referred to in condition 21
- B. Find the following matters relevant to the assessment and sufficient reason to approve the application:
- 1. The proposed short term accommodation is consistent with previous approvals granted in the High and Medium Density Residential Zone.
 - 2. The proposed short term accommodation is identified as a consistent use in the Medium Density Residential Zone by the Noosa Plan 2020.
- C. Note the report is provided in accordance with Section 63(5) of the *Planning Act 2016*.

For: Crs Stockwell, Stewart, Lorentson and Finzel

Against: Crs Wegener and Wilkie

Carried.

3 MCU20/0155 - REPRESENTATIONS TO DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR SHORT TERM ACCOMMODATION AT 75 WILLIAMS ROAD, KIN KIN

Committee Recommendation

Moved: Cr Wilkie

Seconded: Cr Stewart

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 7 September 2021 regarding representations made in relation to Application No. MCU20/0155 for a Development Permit for Material Change of Use - Short-term accommodation situated at 75 Williams Rd, Kin Kin and agree to delete condition 23.

Carried unanimously.

4 MCU20/0149 - REPRESENTATIONS TO DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE FOR SHORT TERM ACCOMMODATION 29 FERGUSON STREET, SUNSHINE BEACH

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Lorentson

That Council note the report by the Coordinator Planning to the Planning & Environment Committee Meeting dated 7 September 2021 regarding representations made in relation to Application No. MCU20/0149 for a Development Permit for Material Change of Use - Short-term accommodation situated at 29 Ferguson St Sunshine Beach and:

A. Refuse to delete condition 3 for the following reasons:

1. The proposed maximum 2 metre variation to the front setback is not consistent with PO12 and PO14 of the Medium Density Residential Zone Code as:
 - a. It is not consistent with the predominant character of the surrounding area.
 - b. It has a form and architectural scale that dominates the streetscape.

B. Agree to amend condition 3 to read as follows:

3. The building must be setback a minimum of 6m from the front boundary to Ferguson Street except for the roofed which may be setback 4m or the same as the roof of the existing building as validated by survey by a registered surveyor, whichever is the greater. A copy of the survey plan identifying the setback of the existing building roof must be provided to Council prior to commencing construction. ~~terrace which may be setback 5 metres from the front boundary.~~

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

D. That Council support this relaxation of front setback based on the following grounds:

- a. The setback will be no worse than that which currently exists.
- b. The design is consistent with Strategic Outcome 3.3.1 (f) in that the "Development is designed to suit the subtropical climate; to incorporating materials that are recycled or have low levels of embodied energy; and to be energy, water and waste efficient."
- c. The proposal is not inconsistent with the built form and character of the street that features a range of built form within the front 6m setback.

For: Crs Stockwell, Stewart, Lorentson and Finzel

Against: Crs Wilkie and Wegener

Carried.

5 MCU17/0002.02 & OPW17/0035.02 - APPLICATION FOR AN OTHER CHANGE TO A DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE –SHORT TERM ACCOMMODATION & OPERATIONAL WORKS AT 14 ANN ST NOOSAVILLE

Committee Recommendation

Moved: Cr Wegener

Seconded: Cr Wilkie

That Council note the report by the Development Planner to the Planning & Environment Committee Meeting dated 7 September 2020 regarding Application No. MCU17/0002.02 & OPW17/0035.02 for an Other Change to a Development Approval for Material Change of Use - Short-term accommodation, situated at 14 Ann Street, Noosaville and:

A. Refuse the application for the following reasons:

1. The proposal is not consistent with 3.2.4 Housing to meet diverse needs of the community and 3.3.3 Housing Choice (n) of the Strategic Framework, as it will further erode the permanent housing in the area, impacting permanent resident amenity.
2. The proposal is not consistent with 6.3.2.2 Purpose and Overall Outcomes (2)(a) and (h) of the Medium Density Residential Zone Code as:
 - a. The proposal is located in medium density residential neighbourhood that is predominately used for short term accommodation uses. The introduction of additional short term accommodation within a duplex is not consistent with the purpose of the zone.
 - b. The proposal seeks to establish a new short-term visitor accommodation facility within a recently approved dual occupancy and is not located within a well-established resort or holiday units.
3. The proposal is not consistent with 7.2.4.2 Purpose and Overall Outcomes (2)(t) and Performance Outcome PO21 of the Noosaville Local Plan Code as:
 - a. Additional visitor accommodation in the area is likely to result in detrimental impacts on the residential amenity of permanent residents.
 - b. While the code seeks to maintain visitor accommodation in the area, it does not seek to increase the extent of visitor accommodation within the area to the detriment of permanent residents.
4. The proposal is not consistent with 9.3.5.2 Purpose and Overall Outcomes (1) and (2)(f) of the Visitor Accommodation Code as:
 - a. The proposed visitor accommodation is not appropriately located and integrated with permanent residents in the area given the number and density of properties currently being used for visitor accommodation and/or permitted for visitor accommodation.
 - b. The proposed visitor accommodation is likely to detract from the amenity enjoyed by residents.
5. There is no need for additional short term accommodation in the area.

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

For: Crs Stockwell, Wegener and Wilkie

Against: Crs Stewart, Finzel and Lorentson

Carried on the casting vote of the Chair.

The meeting adjourned at 11.55am

The meeting resumed at 12.05pm

SERVICES & ORGANISATION COMMITTEE

6 GO NOOSA PEAK PERIOD TRAFFIC MANAGEMENT – CHRISTMAS 2021/22 & EASTER 2022

The following material was presented to the meeting in relation to this item:

- Cr Lorentson – image - refer to Attachment 1

Motion

Moved: Cr Stockwell

Seconded: Cr Finzel

That Council note the report by the Project Officer – Transport Innovation to the Services & Organisation Committee Meeting dated 7 September 2021, and:

- Subject to TransLink agreement, approve the use of free travel on the temporary 065 Go Noosa Loop bus from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.
- Subject to TransLink agreement, approve the use of free travel on the temporary 064 Peregrine Beach to Noosa Heads bus from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.
- Subject to TransLink agreement, approve the use of free travel on TransLink routes 626, 627, 628, 629 and 632 from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.
- Delegate authority for the CEO to cancel, stand down and recommence free bus services based on the professional advice from Council's COVID Safety Team and seeking the input from Noosa Chamber of Commerce, Tourism Noosa, the Transport Strategy Steering Group and Hinterland Business Representatives including advice and information from the Queensland Government recommended COVID Safe Public Transport Plan as to suggested best practice and policy guidelines as their primary Terms of Reference.
- Approve the continued promotion of the Noosa Ferry in Go Noosa marketing as an alternative mode of travel.
- Approve the use of the Noosa AFL ground, The J car park and Noosa Junction Transit Centre as Park & Ride locations.
- Approve the use of Variable Message Signs (VMS) at strategic locations from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022 for the purpose of informing motorists of car parking availability and alternative travel options to the Hastings Street precinct.
- Approve the use of traffic control in the Hastings Street precinct and surrounding areas to manage pedestrian, bus and vehicle movements from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.
- Approve the use of wayfinding signage in the Hastings Street precinct, Noosa Junction and Noosaville from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022 for the purpose of informing motorists of car parking availability and alternative travel options to the Hastings Street precinct.
- Approve the temporary conversion of 4 parallel car parks on the southern side of Hastings Street from the Hastings Street roundabout to 36 Hastings Street for other uses including, bicycle and scooter parking, and increased footpath, from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.

Amendment No. 1**Moved: Cr Lorentson****Seconded: Cr Wilkie**

That Item E be amended to read:

- E. Approve the ~~continued~~ promotion of alternative transport options including the Noosa Ferry, e-scooter, e-bike and bike providers in Go Noosa marketing as ~~an~~ good alternative modes of travel.

Carried unanimously.**Amendment No. 2****Moved: Cr Lorentson****Seconded: Cr Stewart**

That Item K be added as follows:

- K. Approve the implementation of a Bus/e-bike Priority Lane Pilot ("Local Loop") for Easter 2022, subject to business association approvals and other relevant stakeholders. The "Local Loop" will turn Noosa Drive and Noosa Parade into a one-way road with 2 lanes (one a dedicated e-bike and bus priority-lane, the other for cars only), starting at the roundabout outside Noosa Reef hotel and ending at the BP Petrol Station in Noosaville. The purpose is to increase bus usage and frequency, and to bring locals back into Hasting Street during peak times by giving them easy access.

For: Cr Lorentson**Against: Crs Stockwell, Wegener, Stewart, Finzel and Wilkie****Lost.****Amendment No. 3****Moved: Cr Stewart****Seconded: Cr Wilkie**

That Item K be added as follows:

- K. That the concept of a one way "Local Loop" from Noosa Drive to Noosa Parade be referred to the Transport Steering Group to encourage bus usage and frequency.

Lost unanimously.**Amendment No. 4****Moved: Cr Lorentson****Seconded: Cr Wilkie**

That Item K be added as follows:

- K. That the concept of a one way "Local Loop" from Noosa Drive to Noosa Parade be referred a councillor workshop to encourage bus usage and frequency.

Carried unanimously.

Committee Recommendation**Moved: Cr Stockwell****Seconded: Cr Finzel**

That Council note the report by the Project Officer – Transport Innovation to the Services & Organisation Committee Meeting dated 7 September 2021, and:

- A. Subject to TransLink agreement, approve the use of free travel on the temporary 065 Go Noosa Loop bus from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.
- B. Subject to TransLink agreement, approve the use of free travel on the temporary 064 Peregrine Beach to Noosa Heads bus from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.
- C. Subject to TransLink agreement, approve the use of free travel on TransLink routes 626, 627, 628, 629 and 632 from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.
- D. Delegate authority for the CEO to cancel, stand down and recommence free bus services based on the professional advice from Council's COVID Safety Team and seeking the input from Noosa Chamber of Commerce, Tourism Noosa, the Transport Strategy Steering Group and Hinterland Business Representatives including advice and information from the Queensland Government recommended COVID Safe Public Transport Plan as to suggested best practice and policy guidelines as their primary Terms of Reference.
- E. Approve the ~~continued~~ promotion of alternative transport options including the Noosa Ferry, e-scooter, e-bike and bike providers in Go Noosa marketing as ~~an~~ good alternative modes of travel.
- F. Approve the use of the Noosa AFL ground, The J car park and Noosa Junction Transit Centre as Park & Ride locations.
- G. Approve the use of Variable Message Signs (VMS) at strategic locations from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022 for the purpose of informing motorists of car parking availability and alternative travel options to the Hastings Street precinct.
- H. Approve the use of traffic control in the Hastings Street precinct and surrounding areas to manage pedestrian, bus and vehicle movements from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.
- I. Approve the use of wayfinding signage in the Hastings Street precinct, Noosa Junction and Noosaville from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022 for the purpose of informing motorists of car parking availability and alternative travel options to the Hastings Street precinct.
- J. Approve the temporary conversion of 4 parallel car parks on the southern side of Hastings Street from the Hastings Street roundabout to 36 Hastings Street for other uses including, bicycle and scooter parking, and increased footpath, from 11 December 2021 - 23 January 2022 and 2 - 18 April 2022.
- K. That the concept of a one way "Local Loop" from Noosa Drive to Noosa Parade be referred to a councillor workshop to encourage bus usage and frequency.

Carried unanimously.

6 REPORTS DIRECT TO GENERAL COMMITTEE

- 8 SPS21/0290 – REQUEST TO APPLY SUPERSEDED PLANNING SCHEME – COMMERCIAL BUSINESS TYPE 1 OFFICE, TYPE 2 MEDICAL AND RETAIL BUSINESS TYPE 4 - SHOWROOM AT 28 EENIE CREEK ROAD, NOOSAVILLE (LOT 2)**

Committee Recommendation

Moved: Cr Stockwell

Seconded: Cr Wegener

That Council note the report by the Coordinator Planning to the General Committee Meeting dated 13 September 2021 regarding Application No. SPS21/0290 for a Request for Superseded Planning Scheme - Commercial Business Type 1 Office, Type 2 Medical and Retail Business Type 4 - Showroom at 28 Eenie Creek Road, Noosaville and refuse the Request to apply the Superseded Planning Scheme for the following reasons:

1. The introduction of the Noosa Plan 2020 has not resulted in an adverse planning change to the property pursuant to the Planning Act 2016.
2. An application for the proposed development under the Superseded Planning Scheme is unlikely to be supported by Council given it conflicts with the outcomes sought for the site.

Carried unanimously.

- 9 SPS21/0291 – REQUEST TO APPLY SUPERSEDED PLANNING SCHEME – COMMERCIAL BUSINESS TYPE 1 OFFICE AND TYPE 2 MEDICAL AT 28 EENIE CREEK ROAD, NOOSAVILLE (LOT 22)**

Committee Recommendation

Moved: Cr Stewart

Seconded: Cr Wegener

That Council note the report by the Coordinator Planning to the General Committee Meeting dated 13 September 2021 regarding Application No SPS21/0291 for a Request for Superseded Planning Scheme - Commercial Business Type 1 Office and Commercial Business Type 2 Medical at 28 Eenie Creek Road, Noosaville and agree to accept the application under the Superseded Planning Scheme.

Carried unanimously.

- 10 MCU21/0013 & OPW21/0031 - APPLICATION FOR MATERIAL CHANGE OF USE – MULTIPLE DWELLING UNITS X 19, FOOD AND DRINK OUTLET, INDOOR SPORT AND RECREATION, HEALTH CARE SERVICE, OFFICE AND OPERATIONAL WORKS FOR STORMWATER MANAGEMENT, ACCESS, PARKING, EARTHWORKS AND FRONTAGE WORKS AT 30-32 DOONELLA ST, TEWANTIN**

Motion

Moved: Cr Lorentson

Seconded: Cr Stewart

That Council note the report by the Development Planner to the General Committee Meeting dated 13 September 2021 regarding Application No. MCU21/0013 & OPW21/0031 for a Material Change of Use - Multiple dwelling units (Small Dwelling units x 19), Food and Drink outlet, Indoor Sport and Recreation, Health Care Service, Office

and Operational Works for Stormwater Management, Access, Parking, Earth Works & Frontage works, situated at 30 and 32 Doonella St, Tewanin and defer the matter to the next Council meeting, subject to the applicant extending the decision period, to allow the Deed of Agreement to be revised to exclude the following 2 requirements:

1. Maintenance of all units 12-15 on one title;

2. Payment of a bond to secure compliance with the Deed of Agreement.

A. Refuse the application for the following reasons:

1. The proposal does not comply with Overall Outcomes 7.2.3.2 (2) (e), (h) & (j) and PO8, PO9, PO11 of the Tewanin Local Plan Code as:

1.1 The proposal is predominantly residential dwelling units and will therefore erode the availability of centre zoned land for commercial activities and the ability to provide employment into the future.

1.2 The proposal does not provide sufficient business opportunities consistent with that required for the Tewanin town centre.

1.3 The proposal includes retail activities fronting Doonella Street.

2. The proposal does not comply with Overall Outcome 6.4.2.2 (2) (a), (d), (e) & (m) and PO1, PO2, PO39 of the District Centre Zone Code as:

2.1 The proposal provides limited potential to provide services and employment consistent with the District Centre's role and function.

2.2 The development does not provide sufficient commercial floor area to contribute positively to the economic activity and vibrancy required of a centre zone.

2.3 The development is primarily residential and does not satisfactorily support the predominant business function of the centre.

2.4 The proposed Food and Drink Outlet has the potential to adversely impact on the amenity of the surrounding residential uses.

3. The proposed development is not consistent with the proposed planning scheme amendments to provide for social housing and therefore does not offer any significant community benefit that would warrant approval of the development.

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

Amendment No. 1

Moved: Cr Stockwell

Seconded: Cr Wilkie

That the above motion be amended to read as follows:

That Council note the report by the Development Planner to the General Committee Meeting dated 13 September 2021 regarding Application No. MCU21/0013 & OPW21/0031 for a Material Change of Use - Multiple dwelling units (Small Dwelling units x 19), Food and Drink outlet, Indoor Sport and Recreation, Health Care Service, Office and Operational Works for Stormwater Management, Access, Parking, Earth Works & Frontage works, situated at 30 and 32 Doonella St, Tewanin and defer the matter to the next Council meeting, subject to the applicant extending the decision period, to allow further negotiations on the Deed of Agreement.

For: Crs Stockwell, Wilkie, Lorentson, Stewart and Finzel

Against: Cr Wegener

Carried.

Committee Recommendation**Moved: Cr Lorentson****Seconded: Cr Stewart**

That Council note the report by the Development Planner to the General Committee Meeting dated 13 September 2021 regarding Application No. MCU21/0013 & OPW21/0031 for a Material Change of Use - Multiple dwelling units (Small Dwelling units x 19), Food and Drink outlet, Indoor Sport and Recreation, Health Care Service, Office and Operational Works for Stormwater Management, Access, Parking, Earth Works & Frontage works, situated at 30 and 32 Doonella St, Tewantin and defer the matter to the next Council meeting, subject to the applicant extending the decision period, to allow further negotiations on the Deed of Agreement.

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

- ~~1. The proposal does not comply with Overall Outcomes 7.2.3.2 (2) (e), (h) & (j) and PO8, PO9, PO11 of the Tewantin Local Plan Code as:
 - ~~1.1 The proposal is predominantly residential dwelling units and will therefore erode the availability of centre zoned land for commercial activities and the ability to provide employment into the future.~~
 - ~~1.2 The proposal does not provide sufficient business opportunities consistent with that required for the Tewantin town centre.~~
 - ~~1.3 The proposal includes retail activities fronting Doonella Street.~~~~
- ~~2. The proposal does not comply with Overall Outcome 6.4.2.2 (2) (a), (d), (e) & (m) and PO1, PO2, PO39 of the District Centre Zone Code as:
 - ~~2.1 The proposal provides limited potential to provide services and employment consistent with the District Centre's role and function.~~
 - ~~2.2 The development does not provide sufficient commercial floor area to contribute positively to the economic activity and vibrancy required of a centre zone.~~
 - ~~2.3 The development is primarily residential and does not satisfactorily support the predominant business function of the centre.~~
 - ~~2.4 The proposed Food and Drink Outlet has the potential to adversely impact on the amenity of the surrounding residential uses.~~~~
- ~~3. The proposed development is not consistent with the proposed planning scheme amendments to provide for social housing and therefore does not offer any significant community benefit that would warrant approval of the development.~~

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

For: Crs Stockwell, Wilkie, Lorentson, Stewart and Finzel

Against: Cr Wegener

Carried.

The meeting adjourned at 2.15pm.

The meeting resumed at 2.21pm.

12 FINANCIAL PERFORMANCE REPORT – AUGUST 2021**Committee Recommendation****Moved: Cr Stewart****Seconded: Cr Finzel**

That Council note the report by the Manager Financial Services to the General Committee Meeting dated 13 September 2021 outlining August 2021 year to date financial performance against budget, including changes to the financial performance report with the inclusion of key financial sustainability indicators.

Carried unanimously.**13 JOINING THE COUNCIL OF MAYORS (SEQ)****Committee Recommendation****Moved: Cr Stewart****Seconded: Cr Finzel**

That Council note the report by the Chief Executive Officer to the General Committee Meeting dated 13 September 2021 and

- A. Agree to make application to the Council of Mayors (SEQ) for membership of that Regional Organisation of Councils;
- B. Note that the annual subscription will be advised by the Council of Mayors (SEQ) if our application for membership is successful and that funding for the annual subscription would be referred to Budget Review 2 for consideration.

Carried unanimously.**14 YUROL RINGTAIL CONSERVATION PROJECT – GREENFLEET AND KABI KABI INCLUSION****Committee Recommendation****Moved: Cr Stockwell****Seconded: Cr Finzel**

That Council note the report by the Chief Executive Officer to the General Committee Meeting dated 13 September 2021 regarding the Yurol Ringtail Conservation Project and

- A. Note that the Yurol Ringtail Conservation Project is well ahead of schedule;
- B. Note that the negotiations with the State Government, Greenfleet, Kabi Kabi and other project partners to bring on new project partners have been successfully completed;
- C. Authorise the CEO to finalise and sign variations to the existing agreements to give effect to the changes as set out in Part 4 the report by the CEO; and
- D. Accept the offer by the outgoing CEO to continue to act as Chairperson on the Transition Committee on a volunteer basis.

Carried unanimously.**7 CONFIDENTIAL SESSION**

Nil.

Attachment 1 to Item 6 – Cr Lorentson

