

MINUTES

Special Meeting

Thursday 12 September 2019

10.30am

Council Chambers, 9 Pelican Street, Tewantin

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

“Noosa Shire – different by nature”

1 ATTENDANCE & APOLOGIES

COUNCILLORS

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

EXECUTIVE

C Billingham, Acting CEO
K Rawlings, Director Environment and Sustainable Development

APOLOGIES

Nil

The meeting commenced at 10.30am.

2. REPORTS**1 PROPOSED CHANGES CONSIDERED SIGNIFICANT TO NEW NOOSA PLAN FOR FURTHER CONSULTATION****Council Resolution****Moved: Cr Wellington****Seconded: Cr Glasgow**

That the operation of the Standing Orders or any relevant provision thereof be suspended to allow Council to discuss Item 3.

Carried unanimously.

CLOSURE OF THE MEETING TO THE PUBLIC**Council Resolution****Moved: Cr Jackson****Seconded: Cr Pardon**

That the meeting be closed to the public pursuant to section 275(1)(g) of the Local Government Regulation 2012 for the purpose of discussing Item 3.

Carried unanimously.

Procedural Motion**Moved: Cr Wellington****Seconded: Cr Wilkie**

That whilst in closed session Council also consider the confidential matters in the Further Report to Item 1.

Carried unanimously.

RE-OPENING OF THE MEETING TO THE PUBLIC**Council Resolution****Moved: Cr Wilkie****Seconded: Cr Jackson**

That the meeting be re-opened to the public.

Carried unanimously.

Council Resolution**Moved: Cr Wellington****Seconded: Cr Jackson**

That Standing Orders be resumed.

Carried unanimously.

Procedural Motion**Moved: Cr Wellington****Seconded: Cr Pardon**

That Item 1 lay on the table in order to deal with Item 3.

Carried unanimously.

3. CONFIDENTIAL: NOT FOR PUBLIC RELEASE - LEGAL REVIEW AND ADVICE ON COASTAL PROTECTION OVERLAY**Council Resolution****Moved: Cr Glasgow****Seconded: Cr Jurisevic**

That Council note the report by the Principal Strategic Planner to the Special Meeting dated 12 September 2019 regarding the legal review and advice on the draft New Noosa Plan provisions for managing coastal hazards and coastal protection overlay, and:

- A. Note the confidential legal review and advice provided to Council, provided at Attachment 1 to the report; and
- B. Complete the Coastal Hazards Adaptation Plan at which time Council can make further amendments to the Noosa Plan if required.

Carried unanimously.

Procedural Motion**Moved: Cr Wellington****Seconded Cr Jackson**

That Item 1 be taken from the table.

Carried unanimously.

1 PROPOSED CHANGES CONSIDERED SIGNIFICANT TO NEW NOOSA PLAN FOR FURTHER CONSULTATION**Motion****Moved: Cr Pardon****Seconded: Cr Glasgow**

That Council note the report by the Director Environment & Sustainable Development to the Special Meeting dated 12 September 2019 and the further report to the Special Meeting dated 12 September 2019 and:

- A. Endorse the proposed changes to the draft New Noosa Plan considered significant, outlined in Confidential Attachments 1 and 2, and Attachments 3 and 4, and undertake further public notification of these changes for a period of 40 days in accordance with the Section 18(3) Notice from the Chief Executive Department of State Development Infrastructure Manufacturing and Planning, regarding making a planning scheme under the Planning Act 2016;
- B. Endorse the proposed changes to the draft New Noosa Plan considered significant, outlined in Confidential Attachment 1 to the further report and undertake further public notification of these changes for a period of 40 days in accordance with the Section 18(3) Notice from the Chief Executive Department of State Development Infrastructure Manufacturing and Planning, regarding making a planning scheme under the Planning Act 2016;
- C. Authorise the CEO to remove the confidentiality associated with Confidential Attachments 1 and 2 to the original report and Confidential Attachment 1 to the further report at 8.30am 16 September 2019, at which time public notification of the significant changes to the draft New Noosa Plan begins;
- D. Authorise the CEO to make minor changes to the draft New Noosa Plan prior to public notification;
- E. Note Attachment 5 outlining the proposed process and activities for public notification of the significant changes to the draft New Noosa Plan.

Amendment 1**Moved:** Cr Stockwell**Seconded:** Cr Wilkie

That Item A be changed to read:

- A. Endorse the proposed changes to the draft New Noosa Plan considered significant, outlined in Confidential Attachments 1 and 2 and Attachment 4, but with a change to Attachment 3 which makes impact assessable short term accommodation inconsistent in the low density residential zone, and undertake further public notification of these changes for a period of 40 days in accordance with the Section 18(3) Notice from the Chief Executive Department of State Development Infrastructure Manufacturing and Planning, regarding making a planning scheme under the Planning Act 2016;

*Meeting adjourned at 12.25pm**The meeting resumed at 2.40pm***For:** Crs Glasgow, Stockwell, Wellington and Wilkie**Against:** Crs Jackson, Jurisevic and Pardon**Carried.****Council Resolution****Moved:** Cr Pardon**Seconded:** Cr Glasgow

That Council note the report by the Director Environment & Sustainable Development to the Special Meeting dated 12 September 2019 and the further report to the Special Meeting dated 12 September 2019 and:

- A. Endorse the proposed changes to the draft New Noosa Plan considered significant, outlined in Confidential Attachments 1 and 2 and Attachment 4, but with a change to Attachment 3 which makes impact assessable short term accommodation inconsistent in the low density residential zone, and undertake further public notification of these changes for a period of 40 days in accordance with the Section 18(3) Notice from the Chief Executive Department of State Development Infrastructure Manufacturing and Planning, regarding making a planning scheme under the Planning Act 2016;
- B. Endorse the proposed changes to the draft New Noosa Plan considered significant, outlined in Confidential Attachment 1 to the further report and undertake further public notification of these changes for a period of 40 days in accordance with the Section 18(3) Notice from the Chief Executive Department of State Development Infrastructure Manufacturing and Planning, regarding making a planning scheme under the Planning Act 2016;
- C. Authorise the CEO to remove the confidentiality associated with Confidential Attachments 1 and 2 to the original report and Confidential Attachment 1 to the further report at 8.30am 16 September 2019, at which time public notification of the significant changes to the draft New Noosa Plan begins;
- D. Authorise the CEO to make minor changes to the draft New Noosa Plan prior to public notification;
- E. Note Attachment 5 outlining the proposed process and activities for public notification of the significant changes to the draft New Noosa Plan.

For: Crs Glasgow, Jurisevic, Pardon, Stockwell, Wellington and Wilkie**Against:** Cr Jackson**Carried.**

2 PROPOSED LOCAL LAW AMENDMENTS – SHORT STAY LETTING**Council Resolution****Moved: Cr Pardon****Seconded: Cr Jackson**

That Council note the report by the Planner to the Special Meeting dated 12 September 2019 regarding Proposed Local Law Amendments – Short Stay Letting and:

- A. Propose to make:
 - 1. Administration (Amendment) Local Law (No. 2) 2019 as provided at Attachment 1; and
 - 2. Administration (Amendment) Subordinate Local Law (No. 2) 2019 as provided at Attachment 2;
- B. In accordance with Council's Local Law Making Policy:
 - 1. Consult with relevant government entities about the overall State interest in Administration (Amendment) Local Law (No. 2) 2019 in accordance with the *Local Government Act 2009* ("the Act"), section 29A(3) and delegate authority to the Chief Executive Officer to make changes in response to State comments; and
 - 2. Consult with the public about Council's proposal to make Administration (Amendment) Local Law (No. 2) 2019 and Administration (Amendment) Subordinate Local Law (No. 2) 2019;
- C. Pursuant to section 257 of the Act, delegate to the Chief Executive Officer its powers under section 38 of the Act and section 15 of the *Local Government Regulation 2012* to decide—
 - 1. How the public interest test of Administration (Amendment) Local Law (No. 2) 2019 contained in Attachment 1 and Administration (Amendment) Subordinate Local Law (No. 2) 2019 contained in Attachment 2 is to be conducted; and
 - 2. The matters with which the public interest test report in relation to the local law and subordinate local law must deal; and
 - 3. The consultation process for the public interest test and how the process is to be used in the public interest test;
- D. Waiver the proposed application fee for a short stay letting approval under the proposed Local Law for a period of 6 months starting from the date of commencement of the Local Law for short stay letting.
- E. Authorise the CEO to make minor amendments to the documents prior to public notification.

Carried unanimously.

3 MEETING CLOSURE

The meeting closed at 4.04pm.