



Agenda Notice

Mayor Her Worship Mayor Cr Joyce McCulloch (Chair)

Councillors Deputy Mayor Cr Phil Barwick
Cr George Fortune
Cr Jean Ferris
Cr Mick Tully
Cr Paul Stretton
Cr Peta MacRae

Notice is hereby given that the Ordinary Meeting of the Mount Isa City Council will be held at the Council Chambers, 23 West Street, Mount Isa on Wednesday, 15 January 2020 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 13 January 2020
Copied to: Staff required to attend.

*Local Government Regulation 2012, Chapter 8 Administration
Part 2 Local government meetings and committees*

274 Meetings in public unless otherwise resolved

A meeting is open to the public unless the local government or committee has resolved that the meeting is to be closed under section 275.

275 Closed meetings

(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss—

- (a) the appointment, dismissal or discipline of employees;
- (b) industrial matters affecting employees; or
- (c) the local government's budget; or
- (d) rating concessions; or
- (e) contracts proposed to be made by it; or
- (f) starting or defending legal proceedings involving the local government; or
- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

(2) A resolution that a meeting be closed must state the nature of the matters to be considered while the meeting is closed.

(3) A local government or committee must not make a resolution (other than a procedural resolution) in a closed meeting.

Agenda Contents

Item 1 - Opening of the Meeting / Attendance and Apologies

Chair to open the meeting, welcoming those in attendance.
Chair to make note of attendance and apologies for the record of the minutes.

Item 2 - Council of Clergy Prayer

Council of Clergy Representative Mandy McKenzie of the Victory of Life to provide the meeting with a prayer.

Item 3 - Public Forum

The business of the Agenda is suspended by the Chair to give the public in attendance the opportunity to address the Council.

Item 4 - Conflict of Interest / Material Personal Interest

Councillors are invited to declare any interests in relation to the Agenda, including any late items presented. Councillor interests are noted against the relevant items by the Minutes Clerk for action during the meeting.

Item 5 - Deputations

Nil

Item 6 - Previous Council Meeting Minutes

6.1 – 11 December 2019 Ordinary Meeting Minutes

Folder ID 6435

Chair Mayor, Cr Joyce McCulloch

Executive Summary

Minutes of the Ordinary Meeting held 11 December 2019 presented to Council to be confirmed.

Officer's Recommendation

THAT the Minutes of the Ordinary Meeting held on 11 December 2019, as received, be confirmed.

Item 7 - Development and Land Use - Cr George Fortune

7.1 - Draft City of Mount Isa Planning Scheme – Public Consultation

File 95311

Provided by Manager Development and Land Use, Gayle Houston

Executive Summary

Mount Isa City Council is proposing to adopt a new Planning Scheme and once in effect will apply across the entire local government area. This new planning scheme will replace the existing City of Mount Isa Planning Scheme 2006, which commenced 1 August 2006. As part of this process, Council was required to undertake public consultation of the draft scheme. This report addresses the advertising of the scheme and the submissions received.

Officer's Recommendation

THAT Council:

1. Endorses the responses to each submission;

AND

2. Instructs officers to update the draft planning scheme in accordance with the recommendations in Andrews Town Planning's Report to Mount Isa City Council, Mount Isa Planning Scheme 2020 – Response to Submissions following Public Consultation" dated 10 January 2020;

AND

3. Submits the updated draft Planning Scheme to the Minister of State Development, Manufacturing, Infrastructure & Planning seeking approval to adopt.

7.2 - P04-19 – Development Application for a Material Change of Use for Seven (7) Additional Accommodation Units at Existing Tourist Accommodation Facility

File 102241

Provided by Cadet Planning Officer, Connor Ahnfeldt

Executive Summary

Council has received a Development Application for a Material Change of Use for Seven (7) Additional Accommodation Units at an Existing Tourist Accommodation Facility at 2-4 West Street, Mount Isa.

Officer's Recommendation

THAT APPROVE the Development Application for a Material Change of Use for Seven (7) Additional Accommodation Units at an Existing Tourist Accommodation Facility at 2-4 West Street, Mount Isa, described as Lot 1 on plan SP196633, subject to the following conditions of approval:

NUMBER	CONDITION	TIMING
PLANNING		
1.	The development shall be carried out generally in accordance with the approved plans and drawings attached to this approval except where conditions of this approval dictate otherwise. <i>For clarity, any change to the development that is not generally in accordance with the approved plans and drawings must be approved by Council pursuant to a 'change application' under Chapter 3, Part 5, Division 2, Subdivision 2 of the Planning Act 2016;</i>	At all times
2.	The applicant/developer shall bear the cost of all alterations necessary to public utility mains, services or installations necessitated by this approval and such works shall be to Council specifications and satisfaction;	At all times
3.	Disabled provisions, including disabled access arrangements, are to be provided in accordance with the relevant Australian Standards.	At all times
ENVIRONMENTAL HEALTH		
General		
4.	The operator must achieve the 'general environmental duty' to mitigate any environmental harm and/or nuisance described under the <i>Environmental Protection Act 1994</i> . (a) there is no discharge to land or water of contaminants that may harm the environment or create a nuisance from the operation of the activity (b) there is no discharge to air of contaminants that may harm the environment or create a nuisance from the operation of the activity	At all times

	<p>(c) noise nuisance is prevented or minimised at noise sensitive places</p> <p>(d) Waste production and disposal must be minimised and waste must be managed so it does not harm the environment or create a nuisance from the operation of the activity.</p>	
Waste		
5.	Construction and demolition waste – All waste generated as a result of the demolition of existing building structures and construction of a new structures must be effectively controlled and contained entirely within boundaries of the site before disposal. All waste is to be disposed of in accordance with the <i>Environmental Protection (Waste Management) Regulation 2000</i> .	<i>During Construction</i>
Noise		
6.	<p>Prevent/ minimise the emission of noise that causes or is likely to cause environmental nuisance at sensitive or commercial place.</p> <p>All work must be undertaken within the prescribed timeframe as mentioned in <i>Environmental Protection Act 1994</i>, i.e. on a business day or Saturday, between 6.30am and 6.30pm.</p>	<i>During Construction</i>
Technical Services		
7.	Prior to commencement of use and then to be maintained, stormwater runoff from roof and paved areas of the development site are to be collected internally and directed to a legal point of discharge. Ensure non-worsening of the existing flow regime to properties that are upstream and downstream of the site;	<i>Prior to commencement of use and then to be maintained</i>
8.	<p>Refuse storage areas are to be screened from the street and adjoining properties by a visually impermeable screen, surfaced with an impervious material and are to be accessible by a cock-hose for washing down.</p> <p>Refuse may not cause nuisance to adjacent properties in form of odour, vermin etc.;</p>	<i>At all times</i>
9.	<p>Vehicular access to the site shall be installed, delineated and signed in accordance with AS/NZS 2890 and IPWEA standard drawing RS-051 and ensure that:</p> <p>a) No vehicles using the site are able to park or set down within the road reserve or over the footpath</p> <p>b) Any damage caused to Council Infrastructure (namely footpath and kerbing) by vehicles utilizing the site is rectified in a timely manner at the owner/developer's expense</p> <p>c) Signage is erect to ensure vehicles give way to pedestrians</p> <p>d) All vehicles utilizing the site have sufficient space for maneuvering as per the AS/NZS 2890</p> <p>e) Signage is erected to clear designate the 'flow through' driveway area as 'drop off only';</p>	<i>Prior to commencement of use and then to be maintained</i>
10.	Refuse and service vehicles must be able to enter and exit the site in a forward motion and shall be able to be fully contained within the site before commencing activities (i.e. loading/unloading);	<i>At all times</i>
11.	Paved surfaces are slip-resistant, stable and trafficable in all weather conditions.	<i>At all times</i>

COMPLIANCE WITH CONDITIONS		
12.	<p>The owner / developer is to contact Council to arrange a compliance inspection of the property to assess compliance with the Assessment Manager's Conditions of Approval and the Approved Plans;</p> <p>Compliance with the Assessment manger's Conditions of Approval and Approved plans shall be achieved prior to the commencement of use of the seven additional Accommodation Units.</p>	<i>Prior to the commencement of use</i>

Item 8 - Works and Camooweal - Cr Mick Tully

8.1 - Proposed Local Government Infrastructure Plan for Adoption

File 20853

Provided by Asset Management Officer, Geraldine Hollyman

Executive Summary

Mount Isa City Council received no submissions for the proposed Local Government Infrastructure Plan ('LGIP') during the public consultation period and therefore intends to proceed with the endorsement of the proposed LGIP in accordance with *Statutory Guideline 01/16 – Making and amending local planning instruments*.

Officer's Recommendation

THAT Council endorses the following process to adopt the proposed Local Government Infrastructure Plan ('LGIP') in accordance with *Statutory Guideline 01/16 – Making and amending local planning instruments*:

1. Council will proceed with the proposed LGIP and confirms that no changes have been made that renders the proposed LGIP to be significantly different from the version which has undertaken public consultation (version 11);
2. Council will engage the appointed reviewer "Integran Pty Ltd" to conduct a second compliance check of the proposed LGIP and give to the appointed reviewer the relevant LGIP documents;
3. Upon completion of the second compliance check for the proposed LGIP, Council write to the Minister for State Development, Manufacturing, Infrastructure and Planning (the 'Minister') to seek approval to adopt the proposed LGIP;

AND

4. Once formal correspondence to adopt the proposed LGIP is received from the Minister, Council officers will arrange a report to be prepared which outlines compliance with any conditions imposed by the Minister for Council consideration.

Item 9 - Beautification, Parks/Gardens and Library - Cr Jean Ferris

Nil reports for consideration

Item 10 - Community Development, Sports/Recreation and Youth - Cr Peta MacRae

Nil reports for consideration

Item 11 - Environmental Management - Cr Paul Stretton

Nil reports for consideration

Item 12 - Finance and Administration - Deputy Mayor, Cr Phil Barwick

Nil reports for consideration

Item 13 – Executive Services – Chief Executive Officer, Sharon Ibardolaza

13.1 – Riversleigh Community and Scientific Advisory Committee (RCSAC) Representative Nomination

Folder ID 5045

Provided by Chief Executive Officer, Sharon Ibardolaza

Executive Summary

Mount Isa City Council is a standing member of the Riversleigh Community and Scientific Advisory Committee (RCSAC) and is required to nominate a representative. Cr Peta MacRae is the current representative and an active member of the committee.

Officer's Recommendation

THAT Council nominate Cr Peta MacRae to represent Mount Isa City Council on the Riversleigh Community and Scientific Advisory Committee for 2020;

AND

THAT Council reviews this appointment subsequent to the Local Government Elections in March 2020.

Item 14 - General Business

Folder ID 6435

Councillors are required to declare any conflict of interests or material interests in relation to items raised during General Business as they occur.

Council may adjourn briefly prior to commencing Closed Business

Item 15 – Confidential Reports

15.1 – Request to Extend Currency Period for Material Change of Use (16 Units and a Manager's Residence) and Operational Works (excavation for filling which affects privacy) – S34-12 & S25-13

Folder ID 10017 & 14502

Provided by Planning Officer, Jason Newell

Executive Summary

Council has received a request to extend the currency period of both the Material Change of Use for Multiple Dwellings (16 Units and a Manager's Residence) and associated Operational Works (Excavation or filling which affects privacy) for an additional twelve (12) months at 30 Mullan Street, Mount Isa.

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 275(1)(g) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following

(g) "any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act".

Meeting close