



Minutes of the Ordinary Meeting Of the Mount Isa City Council Wednesday, 15 January 2020 Unconfirmed Minutes

Location: Council Chambers, 23 West Street, Mount Isa

Commenced: 12:00 pm

Attendees:

Councillors Deputy Mayor Cr Phil Barwick (Chair)
Cr George Fortune
Cr Jean Ferris
Cr Paul Stretton
Cr Peta MacRae

Executive Mrs S Ibardolaza - Chief Executive Officer
Mr E Cianetti - Director Engineering Services
Ms K MacClure - Director Financial and Corporate Services
Mr J Hart - Director Compliance and Utilities Services

Staff Ms J Barber - Coordinator Promotions and Development
Mrs G Houston - Manager Development and Land Use
Ms G Hollyman - Asset Management Officer Engineering Services

Minutes Clerk Mrs C Baxter - Senior Executive Assistant Executive Services

Apologies Her Worship Mayor Cr Joyce McCulloch
Cr Mick Tully

Item 1 - Mayor's Welcome / Attendance and Apologies

Deputy Mayor Barwick opened the meeting and welcomed all those present.

Item 2 - Council of Clergy Opening Prayer

The Council of Clergy Representative Mandy McKenzie of the Victory of Life opened the meeting with a prayer.

Item 3 - Public Forum

Member of the Public – Barry Byrne

Mr Byrne enquired if Council is satisfied with the new Isa Street Bridge and what was the breakdown in funding?

Deputy Mayor Barwick advised Council is very happy with the new bridge and the feedback received from community has been positive. Not only is the bridge wider and higher, it has an increased capacity to more than 160 tonnes. The wider approaches and the new roundabout have also been very well received.



Mr Byrne enquired what the current lake levels were and will Council be considering tighter water restrictions.

Deputy Mayor Barwick advised that Lake Moondarra is currently at 46.4% and Lake Julius is at 73.3%. These percentages are still a distance from the trigger for the next restriction. The introduction to permanent level 2 water restrictions almost 5 years ago has worked well in conserving the water supply.

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.

Cr MacRae declared a perceived conflict of interest in Item 13.1 – Riversleigh Community and Scientific Advisory Committee (RCSAC) Representative Nomination as she is the nominated representative for this committee.

Item 5 - Presentations

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.

Moved Cr Stretton
Seconded Cr Ferris

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

VOTE CARRIED

OM01/01/20

Item 7 - Business Development and Town Planning – 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.

Moved Cr Fortune
Seconded Cr Ferris

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.

VOTE CARRIED

OM02/01/20

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

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 Council 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>	<i>At all times</i>
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;	<i>At all times</i>
3.	Disabled provisions, including disabled access arrangements, are to be provided in accordance with the relevant Australian Standards.	<i>At all times</i>
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 (c) noise nuisance is prevented or minimised at noise sensitive places (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.	<i>At all times</i>
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.	Prevent/ minimise the emission of noise that causes or is likely to cause environmental nuisance at sensitive or	<i>During Construction</i>

	commercial place. 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.	
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.	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. Refuse may not cause nuisance to adjacent properties in form of odour, vermin etc.;	<i>At all times</i>
9.	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: a) No vehicles using the site are able to park or set down within the road reserve or over the footpath 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 c) Signage is erect to ensure vehicles give way to pedestrians d) All vehicles utilizing the site have sufficient space for maneuvering as per the AS/NZS 2890 e) Signage is erected to clear designate the 'flow through' driveway area as 'drop off only';	<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.	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; 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.	<i>Prior to the commencement of use</i>



Moved Cr Fortune
Seconded Cr MacRae

THAT Council 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>	<i>At all times</i>
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;	<i>At all times</i>
3.	Disabled provisions, including disabled access arrangements, are to be provided in accordance with the relevant Australian Standards.	<i>At all times</i>
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> . (e) 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 (f) there is no discharge to air of contaminants that may harm the environment or create a nuisance from the operation of the activity (g) noise nuisance is prevented or minimised at noise sensitive places (h) 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.	<i>At all times</i>
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</i>	<i>During Construction</i>

	<i>Management) Regulation 2000.</i>	
Noise		
6.	Prevent/ minimise the emission of noise that causes or is likely to cause environmental nuisance at sensitive or commercial place. 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.	<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.	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. Refuse may not cause nuisance to adjacent properties in form of odour, vermin etc.;	<i>At all times</i>
9.	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: f) No vehicles using the site are able to park or set down within the road reserve or over the footpath g) 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 h) Signage is erect to ensure vehicles give way to pedestrians i) All vehicles utilizing the site have sufficient space for maneuvering as per the AS/NZS 2890 j) Signage is erected to clear designate the 'flow through' driveway area as 'drop off only';	<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.	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;	<i>Prior to the commencement of use</i>



	Compliance with the Assessment manager's Conditions of Approval and Approved plans shall be achieved prior to the commencement of use of the seven additional Accommodation Units.	
--	--	--

VOTE CARRIED

OM03/01/20

Manager Development and Land Use Gayle Houston left Chambers at 12:17pm.

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 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.

Moved Cr Ferris
Seconded Cr MacRae

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.

VOTE CARRIED

OM04/01/20

Asset Management Officer Engineering Services Geraldine Hollyman left Chambers at 12:20pm.

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

Cr MacRae left the Council Chambers at 12:20pm due to a declared perceived conflict of interest in Item 13.1, taking no part in the debate of decision on the matter.

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.

Moved Cr Fortune
Seconded Cr Stretton

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.

VOTE CARRIED

OM05/01/20

Cr MacRae returned to Chambers at 12:22pm.

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.

Nil

Council Adjourned 12:22 pm
Council Reconvened 12:31 pm

Close of Meeting

Moved Cr Ferris
Seconded Cr Fortune

THAT pursuant to Section 275 of the *Local Government Regulation 2012*, Council resolved that the meeting be closed to the public at 12:32pm for discussion of the following matters:

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

VOTE CARRIED

OM06/01/20

Opening of Meeting

Moved Cr Stretton
Seconded Cr Ferris

THAT pursuant to *Section 275 of the Local Government Regulation 2012*, Council re-open the meeting to the public at 12:33pm.

VOTE CARRIED

OM07/01/20



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.

Officer's Recommendation

THAT Council APPROVE the request for an extension of twelve (12) months of the Currency Period for the Development Permit for a Material Change of Use for Multiple Dwellings (16 Units and Manager's Residence) and Development Permit for Operational Works (excavation for filling that affects privacy) at 30 Mullan Street, Mount Isa, described as Lot 2 on plan SP206660.

Moved Cr Fortune
Seconded Cr Ferris

THAT Council APPROVE the request for an extension of twelve (12) months of the Currency Period for the Development Permit for a Material Change of Use for Multiple Dwellings (16 Units and Manager's Residence) and Development Permit for Operational Works (excavation for filling that affects privacy) at 30 Mullan Street, Mount Isa, described as Lot 2 on plan SP206660.

VOTE CARRIED

OM08/01/20

There being no further business the meeting closed at 12:34pm.

Signed by the Chair of the Ordinary Meeting
held on Wednesday, 29 January 2020.

Her Worship Mayor Cr Joyce McCulloch
Mayor of Mount Isa