



## 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, 11 March 2020 commencing at 12:00 pm.*

Council Meeting Agenda is attached.

Sharon Ibardolaza  
Chief Executive Officer

**Dated:** 9 March 2020

**Copied to:** Staff required to attend.

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*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 Natalie Steele of the Salvation Army 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 - 26 February 2020 Ordinary Meeting Minutes**

Folder ID 6435

Chair Mayor, Cr Joyce McCulloch

#### **Executive Summary**

Minutes of the Ordinary Meeting held 26 February 2020 presented to Council to be confirmed.

#### **Officer's Recommendation**

**THAT** the Minutes of the Ordinary Meeting held on 26 February 2020, as received, be confirmed.

## Item 7 - Development and Land Use - Cr George Fortune

### **7.1 - Laura Johnson Home – Request to Change Existing Approval (DP S12-13) for the construction of two (2) x one (1) bedroom Duplexes near the Lucy Street entrance**

File 10477

Provided by Planning Officer, Jason Newell


#### **Executive Summary**

Council has received a Request to Change the Existing Approval at the Laura Johnson Home. The purpose of this change is to permit the construction of two (2) x one (1) bedroom duplexes which will be used as a greater incentive to attract and retain senior health professionals.

#### **Officer's Recommendation**

**THAT** Council AGREE to Change the Existing Development Approval (S12-13) to include the construction of 2 x one (1) Bedroom Duplexes at 29 Clarke Street, described as Lot 1 on plan SP259044, subject the following conditions:

NUMBER	CONDITION	TIMING
PLANNING		
General		

1.	<p>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.</p> <p><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></p>	<i>At all times</i>
2.	The owner/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 specification;	<i>At all times</i>
<b>Amenity</b>		
3.	Way finding signage shall be erected alerting visitors to the location of visitor car parks available for the duplexes;	<i>At all times</i>
4.	<p>Developer shall install a frosted window in each of the bathrooms along the north facing wall to break up the proposed blank façade (similar to example below)</p>  <p>OR provide an alternative solution for Council's approval</p>	<i>Prior to the commencement of use</i>
5.	Hardwired outdoor lighting shall be installed to each individual unit's pedestrian entry for security and night-time identification;	<i>Prior to commencement of use and maintained for the life of the development</i>
6.	All clothes drying areas shall be surfaced either with an impervious material or grassed;	<i>Prior to the commencement of use and maintained at all times</i>
7.	Services and utilities such as air conditioners, hot water systems, garbage bin storage areas and clothes lines are not to be visible from public view;	<i>At all times</i>
8.	All wheelie bins shall be placed at the onsite collection point on collection days and removed from the onsite collection as soon as practicable for the <b>life of the development</b> .	<i>For the life of the development</i>
9.	Any proposed mailboxes shall be erected in a single contained structure on the Lucy Street frontage adjoining the main pedestrian entry to the site, clearly indicating the street	<i>For the life of the development</i>

	number and shall be maintained in an eligible and good order condition;	
<b>Private Open Space Areas</b>		
10.	Each private open space area shall maintain a minimum area as indicated on the approved plans;	<i>At all times</i>
11.	No utilities (eg air-conditioner condenser units, clotheslines, hot water systems, etc) shall be installed within the designated private open space areas of each individual unit;	<i>At all times</i>
12.	A 1.8m high privacy screening fence to each individual private open space area shall be installed and maintained in good condition;	<i>Prior to commencement of use and maintained for the life of the development</i>
<b>Landscaping</b>		
13.	All landscaping shall be installed in accordance with the approved drawings.  Additionally, landscaping of the Lucy Street frontage shall be installed to provide visual attractiveness to the street façade (as indicated in red on the approved plans);	<i>Prior to commencement of use and ongoing maintenance for the life of the development</i>
14.	An automatic water irrigation system for all approved landscaping shall be installed to promote sustainability;	<i>Prior to commencement of use and ongoing maintenance for the life of the development</i>
15.	The owner/developer shall adequately maintain the landscaping and irrigation system in accordance with the approved plan and ensure it is neat and tidy at all times and not overgrown and/or unsightly.	<i>For the life of the development</i>
<b>ENVIRONMENTAL HEALTH</b>		
16.	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>
17.	Any release must be reported by telephone to the DES's Pollution Hotline or Council. Any such release must be	<i>During Construction</i>

	reported as soon as practicable but no later than 24 hours, after becoming aware of the release;	
18.	Construction waste – All waste generated as a result of the construction must be effectively controlled and contained entirely within the 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> Destination of the waste;	<i>During Construction</i>
19.	The release of dust and/or particulate matter resulting from the activity must not cause environmental nuisance at any nuisance sensitive or commercial place;	<i>During Construction</i>
20.	Prevent/ minimise the emission of noise that causes, or is likely to cause, environmental nuisance at any nuisance 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>
<b>ENGINEERING</b>		
<b>Earthworks</b>		
21.	Prior to works commencing, for any proposed 'non-minor earthworks which effect privacy' (as described in the City of Mount Isa Planning Scheme), the developer/applicant shall be required to submit a detailed earthworks plan checked and certified by a RPEQ and obtain Council's approval.  <i>Note: Although the developer/applicant is not proposing any 'non-minor earthworks which effect privacy' this condition has been included should any additional filling or excavation be identified or required during the detailed design/BA stage</i>	<i>Prior to commencement of works</i>
<b>Filling and Excavation</b>		
22.	All fill material to be placed on the site is to comprise only natural earth and rock and is to be free of contaminants and noxious, hazardous, deleterious and organic materials;	<i>At all times</i>
23.	For excavation, no contaminated material is disturbed or excavated;	<i>At all times</i>
<b>Retaining Structures</b>		
24.	Retaining structures/walls which are equal to or more than 1 metre in height from the natural surface level are to be constructed in accordance with a design certified by a RPEQ (including associated footings); and once constructed, shall obtain RPEQ certification;	<i>Prior to commencement of works</i>
<b>Access, Grades, Manoeuvring, Carparks and Signs</b>		
25.	A total of six (6) carparking spaces shall be provided and designated for the four (4) units;	<i>Prior to commencement of works</i>
26.	Provide, construct and delineate and/or sign (as required) the following requirements: a) Construct a pavement (including associated drainage) to any new areas where motor vehicles will be driven or parked. Vehicle access and carpark areas are to have	<i>Prior to commencement of works</i>

	<p>a durable, dust free surface. This requires all surfaces to be sealed, concreted or paved.</p> <p>b) All crossovers shall be constructed in accordance with IPWEAQ standard drawings for commercial driveways;</p> <p>c) The internal driveways and car parks are to be designed to comply with AS/NZS 2890 (Off-street Car Parking) unless otherwise approved;</p> <p>d) The internal paved areas are to be signed and delineated in accordance with the Manual of Uniform Traffic Control Devices and Austroads;</p> <p>e) Entry &amp; Exit shall be clearly signed as per the Manual of Uniform Traffic Control Devices and Austroads or other relevant standards; and</p> <p>f) Ensure vehicle access to the site is such that vehicles can enter and leave the site in forward gear.</p>	
<b>Stormwater</b>		
27.	All 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>
<b>COMPLIANCE WITH CONDITIONS</b>		
28.	The owner/developer shall contact Council to arrange a compliance inspection of the property to assess compliance with the Development Permit's Conditions of Approval and approved plans.	<i>Prior to the commencement of use</i>

#### **Item 8 - Works and Camooweal - Cr Mick Tully**

##### **8.1 - Engineering Services, Monthly Report – February 2020**

**Folder ID** 4650

**Provided by** Coordinator Technical Services, Elizabeth Byers

##### **Executive Summary**

February 2020 Engineering Services Monthly Report presented to Council for information and consideration.

##### **Officer Recommendation**

**THAT** Council receives and accepts the February 2020 Engineering Services Monthly Report.

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

##### **9.1 - Parks and Gardens Monthly Report – February 2020**

**Folder ID** 5512

**Provided by** Coordinator Technical Services, Elizabeth Byers

##### **Executive Summary**

February 2020 Parks and Gardens Monthly Report presented to Council for information and consideration.

##### **Officer's Recommendation**

**THAT** Council receives and accepts the February 2020 Parks and Gardens Monthly Report.

##### **9.2- Library Monthly Report – February 2020**

**Folder ID** 4650

**Provided by** Coordinator Library Services, Lois Huston

##### **Executive Summary**

February 2020 Library Monthly Report presented to Council for information and consideration.

#### Officer's Recommendation

**THAT** Council receives and accepts the February 2020 Library Monthly Report.

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

#### 10.1- Promotions and Development Monthly Report – February 2020

Folder ID 4650

**Provided by** Coordinator Promotions and Development, Jasmine Barber

#### Executive Summary

February 2020 Promotions and Development Monthly Report presented to Council for information and consideration.

#### Officer's Recommendation

**THAT** Council receives and accepts the February 2020 Promotions and Development Monthly Report

### 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

Nil reports for consideration.

### 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 – Adoption and Commencement of the Mount Isa City Council Charges Resolution (No.3) 2020

Folder ID 20853

**Provided by** Planning Officer, Jason Newell

#### Executive Summary

On 27 November 2019, Council resolved to levy Infrastructure Charges at 50% of Schedule 16 - (Maximum) Prescribed Amount of the Planning Regulation 2017. The Charges Resolution has since been finalised and is required to be adopted so Council can commence levying infrastructure charges on developments lodged after the commencement date.

#### 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*