



# Minutes of the Ordinary Meeting Of the Mount Isa City Council Wednesday, 11 March 2020 Unconfirmed Minutes

**Location:** Council Chambers, 23 West Street, Mount Isa

**Commenced:** 12:00 pm

**Attendees:**

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**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

**Executive** Mrs S Ibardolaza - Chief Executive Officer  
Mr V Watson - Executive Manager  
Ms K MacClure - Director Financial and Corporate Services  
Mr J Hart - Director Compliance and Utilities Services

**Staff** Ms J Barber - Coordinator Promotions and Development

**Minutes Clerk** Mrs C Baxter - Senior Executive Assistant Executive Services

**Apologies** Mr E Cianetti - Director Engineering Services

## Item 1 - Mayor's Welcome / Attendance and Apologies

Her Worship Mayor Cr Joyce McCulloch opened the meeting and welcomed all those present.

## Item 2 - Council of Clergy Opening Prayer

Cr Fortune opened the meeting with a prayer.

## Item 3 - Public Forum

Nil.

## 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 Fortune declared a perceived conflict of interest in Item 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 as he is related to a resident.



## Item 5 - Presentations

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.

**Moved** Deputy Mayor Cr Barwick  
**Seconded** Cr Ferris

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

**VOTE** CARRIED

OM01/03/20

## Item 7 - Business Development and Town Planning – Cr George Fortune

Cr Fortune left the Council Chambers at 12:01pm due to the declared perceived conflict of interest in Item 7.1, taking no part in the debate or decision on the matter.

### 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
<b>PLANNING</b>		
<b>General</b>		
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	<i>At all times</i>

	<p>otherwise.</p> <p><i>For clarity, any change to the development that is not generally 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>	
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 bathroom 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	<i>For the life of the development</i>



	collection as soon as practicable for the <i>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 number and shall be maintained in an eligible and good order condition;	<i>For the life of the development</i>
<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.	<p>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>.</p> <p>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</p> <p>there is no discharge to air of contaminants that may harm the environment or create a nuisance from the operation of the activity</p> <p>noise nuisance is prevented or minimised at noise sensitive places</p> <p>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>	<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 reported as soon as practicable but no later than 24 hours, after becoming aware of the release;	<i>During Construction</i>
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.	<p>Prevent/ minimise the emission of noise that causes, or is likely to cause, environmental nuisance at any nuisance 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>
<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>Prior to commencement of works</i>



	<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>	
<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 a durable, dust free surface. This requires all surfaces to be sealed, concreted or paved. b) All crossovers shall be constructed in accordance with IPWEAQ standard drawings for commercial driveways; c) The internal driveways and car parks are to be designed to comply with AS/NZS 2890 (Off-street Car Parking) unless otherwise approved; d) The internal paved areas are to be signed and delineated in accordance with the Manual of Uniform Traffic Control Devices and Austroads; e) Entry & Exit shall be clearly signed as per the Manual of Uniform Traffic Control Devices and Austroads or other relevant standards; and f) Ensure vehicle access to the site is such that vehicles can enter and leave the site in forward gear.	<i>Prior to commencement of works</i>
<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>



COMPLIANCE WITH CONDITIONS		
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>

**Moved** Cr MacRae  
**Seconded** Cr Tully

**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:

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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.	Developer shall install a frosted window in each of the bathroom along the north facing wall to break up the proposed blank façade (similar to example below)	<i>Prior to the commencement of use</i>

	 <p>OR provide an alternative solution for Council's approval</p>	
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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>
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	<ul style="list-style-type: none"> <li>h) All crossovers shall be constructed in accordance with IPWEAQ standard drawings for commercial driveways;</li> <li>i) The internal driveways and car parks are to be designed to comply with AS/NZS 2890 (Off-street Car Parking) unless otherwise approved;</li> <li>j) The internal paved areas are to be signed and delineated in accordance with the Manual of Uniform Traffic Control Devices and Austroads;</li> <li>k) Entry &amp; Exit shall be clearly signed as per the Manual of Uniform Traffic Control Devices and Austroads or other relevant standards; and</li> <li>l) Ensure vehicle access to the site is such that vehicles can enter and leave the site in forward gear.</li> </ul>	
<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>

**VOTE** CARRIED

**OM02/03/20**

Cr Fortune returned to the Council Chambers at 12.02pm

**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.

**Moved** Cr Tully

**Seconded** Cr Ferris

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

**VOTE** CARRIED

**OM03/03/20**



**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.

Moved Cr Ferris  
Seconded Cr Fortune

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

**VOTE** CARRIED

OM04/03/20

**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.

Moved Cr Ferris  
Seconded Cr Stretton

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

**VOTE** CARRIED

OM05/03/20

**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.

Moved Cr MacRae  
Seconded Deputy Mayor Cr Barwick

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



VOTE CARRIED

OM06/03/20

**Item 11 - Environmental Management – Cr Paul Stretton**

Nil Reports Presented for Consideration.

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

Nil Reports Presented for Consideration.

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

Nil Reports Presented 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.*

Nil

Council Adjourned 12:09 pm  
Council Reconvened 12:17 pm

**Close of Meeting**

Moved Cr Fortune  
Seconded Cr Tully

**THAT** pursuant to Section 275 of the *Local Government Regulation 2012*, Council resolved that the meeting be closed to the public at 12:18pm 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

OM07/03/20

**Opening of Meeting**

Moved Cr Fortune  
Seconded Cr Ferris

**THAT** pursuant to *Section 275 of the Local Government Regulation 2012*, Council re-open the meeting to the public at 12:19pm.

VOTE CARRIED

OM08/03/20



**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.

**Officer's Recommendation**

**THAT** Council:

- 1 Make and adopt the Mount Isa City Council Charges Resolution (No.3) 2020; and
- 2 The Charges Resolution and adopted charges will take effect on 11 March 2020.

**Moved** Cr Fortune  
**Seconded** Deputy Mayor Cr Barwick

**THAT** Council:

- 1 Make and adopt the Mount Isa City Council Charges Resolution (No.3) 2020; and
- 2 The Charges Resolution and adopted charges will take effect on 11 March 2020.

**VOTE** CARRIED

OM09/03/20

***There being no further business the meeting closed at 12:20pm.***

Signed by the Chair of the Ordinary Meeting  
held on Wednesday, 25 March 2020.

\_\_\_\_\_  
Her Worship Mayor Cr Joyce McCulloch  
Mayor of Mount Isa