



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, 13 March 2019 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 11 March 2019
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 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 - 27 February 2019 Ordinary Meeting Minutes

Folder ID 6435

Chair Mayor, Cr Joyce McCulloch

Executive Summary

Minutes of the Ordinary Meeting held 27 February 2019 presented to Council to be confirmed.

Officer's Recommendation

THAT the Minutes of the Ordinary Meeting held on 27 February 2019, as received, be confirmed.

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

7.1 - Renewal of Special Lease 13/52050

File 45960

Provided by Senior Land Use Officer, Donna Real

Executive Summary

Department of Natural Resources, Mines and Energy has requested Council's views or requirements in relation to an application for renewal of Special Lease 13/52050 land described as Lot 34 on Crown Plan RD135. Also, the date to which the rates are up-to-date and the present zoning.

Officer's Recommendation

THAT Council SUPPORT this application for Renewal of Special Lease 13/52050, land described as Lot 34 on Crown Plan RD135 and advise the State that should the lease area be reduced in size or forfeited in the future, that Council be afforded the option to provide comments with regards to the future use of this lot.

Additionally, that Council advise the State that the rates are paid up until January 2019, and that the area is currently zones Low Density Residential under the *City of Mount Isa Planning Scheme 2006* (as amended 2015)

7.2 - Development Application for Building Work Not Associated with a Material Change of Use for an Extension to an Existing Day-Care and Kindergarten

Folder ID 96463

Provided by Cadet Planning Officer, Connor Ahnfeldt

Executive Summary

Council has received a development application for Building Work Not Associated with a Material Change of Use for an extension to the existing day-care and kindergarten at 101 Miles Street, Mount Isa.

Officer's Recommendation

THAT Council APPROVE the development application for Building Work Not Associated with a Material Change of Use for an extension, consisting of a 12.4m x 7.9m detached classroom with 7.4m x 2.7m attached patio, at the rear of the existing day-care and kindergarten at 101 Miles Street, Mount Isa, described as Lot 2 on plan MPH30004 subject to conditions:

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 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 specifications and satisfaction;	<i>At all times</i>
3.	All external walls within 3m of the property boundaries are to have a Fire Resistance Level (FRL) of 90/90/90. Please note that Council does not consider the construction of fire-rated walls on property boundaries to be an accepted method of achieving fire-separation within residential areas;	<i>At all times</i>
4.	All areas disturbed as part of construction, but not occupied by the proposed building are to be paved or grassed;	<i>At all times</i>
5.	The owner/developer is responsible for ensuring that the structure and all overhangs, including gutters and downpipes, are contained entirely within Lot 2 on plan MPH30004;	<i>At all times</i>
PLUMBING		
6.	A <i>Build Over or Close to Council Sewer</i> Application shall be submitted to Council and approval obtained prior to any works over or near a Council sewer main.	<i>Prior to commencement of works</i>
ENVIRONMENTAL HEALTH		
General		
7.	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> .	<i>At all times</i>

	<p>(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</p> <p>(b) 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>(c) 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>	
Waste		
8.	Construction and demolition waste – All waste generated as a result of the demolition of existing building structures or 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		
9.	<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>
Land		
10.	Mount Isa falls within an area with an Area Management Advice for Lead. Hence, the areas that come in contact with children must be appropriately landscaped to reduce the risk of lead contamination.	<i>At all times</i>
TECHNICAL SERVICES		
11.	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>
12.	At all times, ensure compliance with the Queensland Development Code MP1.4 in relation to the building near the Stormwater Drainage pipe, directly adjacent the proposed extension location.	<i>At all times</i>
13.	<p>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.</p> <p>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.</p>	<i>Prior to commencement of works</i>
COMPLIANCE WITH CONDITIONS		

14.	The owner/developer shall 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 commencement of use</i>
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7.3 - Material Change of Use for Unit Above Office and Caretaker Dwelling for Office use

Folder ID 43613

Provided by Planning Officer, Jason Newell

Executive Summary

Council has received an application to convert an existing Caretaker's Dwelling into a Multiple Dwelling unit and reconfiguring a portion of the building (downstairs area) to become the new Caretaker's Dwelling.

Officer's Recommendation

THAT Council APPROVE the development application for a Material Change of Use for Dwelling Unit Above Office and Caretaker Dwelling for Office use at 22 Gray Street, described as Lot 1 on plan RP892038 subject to the following conditions:

NUMBER	CONDITION	TIMING
PLANNING		
General		
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. For clarity, any change to the development that is 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</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 specifications and satisfaction.	<i>At all times</i>
3.	All gates shall open inwards onto the subject property and not outwards onto the road reserve/verge.	<i>At all times</i>
4.	A combined letterbox is to be installed along the front of the site.	<i>Prior to commencement of use</i>
5.	The resident of Caretakers Dwelling must be gainfully employed by the office use or property management.	<i>For the life of the development</i>
6.	The rumpus room is to be used as living area	<i>At all times</i>

	only. At no time is it to be used as a bedroom.	
7.	All on-street parking used in relation for this development must comply with Mount Isa City Council Local Laws No.5 (Parking) and Mount Isa City Council Subordinate Local Laws No. 5 (Parking).	<i>At all times</i>
Amenity		
8.	All outdoor lighting shall comply with <i>AS4282-1987 Control of the obtrusive effects of outdoor lighting</i> and be designed in a way so as not to cause a nuisance to the surrounding properties and traffic.	<i>At all times</i>
9.	The developer/owner shall install high quality 50% permeable screening at the across the full length of the front of the allotment and maintain the screening to a high standard for the life of the development.	<i>Prior to commencement of use</i>
10.	All clothes drying areas are to be surfaced either with turf or an impervious material and must screened from public view.	<i>At all times</i>
Landscaping		
11.	Landscaping in the retained planter boxes along the front the development is to be revitalised.	<i>Prior to the commencement</i>
12.	The developer is responsible for adequately maintaining all landscaping to Council's satisfaction. All costs associated with this condition shall be at the developer/owner's expense.	<i>For the life of the development</i>
13.	The owner shall install an automatic water irrigation system to all landscaping to promote healthy robust growth.	<i>Prior to the commencement of use</i>
14.	The owner/developer shall maintain all landscaping and irrigation system to promote healthy growth in accordance with the approved landscaping 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>
Environmental Health		
15.	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 create a nuisance from the operation of the activity (b) there is no discharge to air of contaminants (c) that may harm the environment or create a nuisance from	<i>At all times</i>

	<p>the operation of the activity</p> <p>(d) 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. At all times</p>	
16.	<p>Construction/demolition waste – All waste generated because of the proposed development 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.</p>	<i>During Construction</i>
17.	<p>Any asbestos containing material handled during construction/demolition must be handled according to the provisions of the <i>“How to Manage and Control Asbestos in the Workplace Code of Practice 2011”</i></p>	<i>During Construction</i>
18.	<p>Prevent/ minimise the emission of noise that causes, or is likely to cause, environmental nuisance at any 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>
ENGINEERING		
Waste		
19.	<p><i>Prior to commencement of use</i>, complete the following as per the approved plans</p> <ul style="list-style-type: none"> (a) screened from the street and adjoining properties by a visually impermeable screen at least 1.8m high; and (c) surfaced with an impervious material and provided with a hose-cock for washing down; and (d) separated from dwelling units by a distance of at least 3m except in the case of a duplex); (e) separated from adjoining residential premises by a distance of at least 3m. 	<i>Prior to commencement of use</i>
Vehicle Access		
20.	<p>Provide, construct and delineate or sign (as required) the following requirements as indicated on the approved plans of layout:</p> <ul style="list-style-type: none"> a) Construct a hardstand for nominated areas where heavy vehicles will be driven and parked. Construct a pavement of minimum local access street classification standards (including associated drainage) to all areas 	<i>Prior to commencement of use and then maintain</i>

	<p>where light motor vehicles will be driven or parked. Light vehicle access and carpark areas are to have 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 & Exit shall be clearly signed 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>	
21.	Wheelstops are to be installed in front of the dwellings and office to prevent vehicles driving into pedestrian area	<i>Prior to commencement of use and then maintained</i>
COMPLIANCE WITH CONDITIONS		
22.	The owner/developer shall 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 commencement of use</i>

Item 8 - Works and Camooweal - Cr Mick Tully

8.1 - Engineering Services, Monthly Report – February 2019

Folder ID 4650

Provided by Director Engineering Services, Emilio Cianetti

Executive Summary

February 2019 Engineering Services Monthly Report presented to Council for information and consideration.

Officer Recommendation

THAT Council receives and accepts the February 2019 Engineering Services Monthly Report.

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

9.1 - Parks and Gardens Monthly Report – February 2019

Folder ID 5512

Provided by Director Engineering Services, Emilio Cianetti

Executive Summary

February 2019 Parks and Gardens Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the February 2019 Parks and Gardens Monthly Report.

9.2- Library Monthly Report – February 2019

Folder ID 4650

Provided by Acting Coordinator Library Services, Tracey Kowalski

Executive Summary

February 2019 Library Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the 1 February 2019, Library Monthly Report.

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

10.1- Promotions and Development Monthly Report – February 2019

Folder ID 4650

Provided by Promotions and Development Coordinator, Jasmine Barber

Executive Summary

February 2019 Promotions and Development Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the February 2019, Promotions and Development Monthly Report

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 may adjourn briefly prior to commencing Closed Business

Item 15 – Confidential Reports

15.1 – City Streets Bitumen Resurfacing Works – Tender Package 1819-5002-0000 (2018/19)

Folder ID 96569

Provided by Director Engineering Services, Emilio Cianetti

Executive Summary

As part of Council's ongoing and annual resealing program, bitumen sealing tenders for approximately 62,450 sqm of city-based streets and roads were called on 19 January 2019 and the tenders were closed at 4pm on 15 February 2019.

Reason for Confidentiality

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

(e) *"contracts proposed to be made by it".*

Late Item 15.2 – Animal Management Facility Administration Building – Design & Construct Tender Package

Project ID 201805181000

Provided by Director Engineering Services, Emilio Cianetti

Executive Summary

Mount Isa City Council called for tender submissions for the Design and Construction of Council's Animal Management Facility's new Administration Building, including all services. Submissions were called on the 22 January 2019 and closed at 5:00pm on 14 February 2019.

Reason for Confidentiality

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

(e) *"contracts proposed to be made by it".*

Meeting close