



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, 10 April 2019 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 8 April 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 Merlin Manners of the Anglican Church 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 March 2019 Ordinary Meeting Minutes

Folder ID 6435

Chair Mayor, Cr Joyce McCulloch

Executive Summary

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

Officer's Recommendation

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

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

7.1 – Application to Purchase Unallocated State Land (USL)

Folder ID 655212

Provided by Senior Land Use Officer, Donna Real

Executive Summary

Council has received a request from the Department of Natural Resources, Mines and Energy for Council's views or requirements in relation to an application to purchase Unallocated State Land (USL) described as Lot 1 on Crown Plan USL47862.

OFFICER'S RECOMMENDATION

THAT Council SUPPORT the application to purchase Unallocated State Land for the purpose of freehold described as Lot 1 on Crown Plan USL47862 subject to the following conditions:

1. The Unallocated State Land described as Lot 1 on Crown Plan USL47862 shall be amalgamated into Lot 2 on Crown Plan MPH22029 (121 Duchess Road) so as not to create a stand-alone freehold parcel; and
2. The property shall be surveyed to indicate a clear boundary between the lot and the Leichhardt River; and
3. The owner shall obtain any necessary development permit(s) and approval(s) for any existing buildings/structures located on Lot 1 on Crown Plan USL47862 within six (6) months from the date of the purchase.

7.2 – Renewal of Special Lease 8/52237

Folder ID 33437

Provided by Senior Land Use Officer, Donna Real

Executive Summary

The Department of Natural Resources, Mines and Energy has requested Council's views or requirements in relation to an application for renewal of Special Lease 8/52237 land described as Lot 3 on Crown Plan WO29. The State has also requested confirmation on whether the Reserve is still required for its gazetted purpose, and whether Council as Trustee would be prepared to offer the current lessee (on expiry) a Trustee Lease or Trustee Permit over the subject area. Should entering into a Council Trustee Lease or Trustee Permit not be considered an option, Council's views or requirements to the granting of a new Term Lease over the subject area are required.

OFFICER'S RECOMMENDATION

1. That Council advise the Department of Natural Resources Mines and Energy that Council CONFIRMS that Lot 3 on Crown Plan WO29 is still required by Council as a Reserve for its gazetted purpose; and
2. Council SUPPORTS the renewal of Special Lease 8/52237 by the Department of Natural Resources Mines and Energy subject to protecting Council's rights of the Reserve's predominate gazetted purpose, being gravel extraction.

7.3 – State Request for Freehold or Lease Tenure Option

Folder ID 43840

Provided by Senior Land Use Officer, Donna Real

Executive Summary

Council resolved to allow the surrender and re-issue of a Permit to Occupy over Unallocated State Land described as Lot 41 on Crown Plan MPH40048. The Department of Natural Resources, Mines and Energy has now requested Council's views or requirements in relation to other tenure options, being Freeholding or leasing of the subject area.

OFFICER'S RECOMMENDATION

THAT Council advise the Department of Natural Resources Mines and Energy that Council SUPPORTS freeholding or leasing of Lot 41 on Crown Plan MPH40048 subject to any future development of the subject land obtaining all necessary approvals/permits prior to the commencement of any works.

7.4 – Isa Hotel – Request to Change Existing Approval (DP I42-07) to Extend Deck and Reduce Onsite Carparking AND Request to Change Existing Approval (DP S45-11) to amend Condition 5

Folder ID 13282

Provided by Senior Land Use Officer, Donna Real

Executive Summary

Council has received a Change Application to Development Permit No. I42-07 to allow a reduction of four (4) carparking spaces to accommodate a southern extension to the existing deck located between the Isa Hotel and Red Earth Boutique Hotel. Development Permit No. I42-07 imposed a carparking condition requiring a total of fifty (50) carparking spaces to be provided; the applicant is requesting approval to reduce the number to forty-six (46) carparking spaces to service the Isa Hotel with a total of sixty-six (66) to service both the Isa Hotel and the adjoining Liquor Warehouse.

OFFICER'S RECOMMENDATION

That Council AGREE to change Condition 3 and subsequently Condition 4 of Development Permit No. I42-07 for a Material Change of Use for an Extension to Existing Tourist Accommodation at 11 Miles Street, Mount Isa, with the following:

3. The owner/developer shall provide a minimum of forty-six (46) off-street carpark in the accordance with AS2890.1 -2004 Parking Facilities – Off Street Parking. The carpark is to be sealed and line-marked to

Council satisfaction and shall comply with Australian Standards AS2890.1 -2004 Parking Facilities – Off Street Parking;

4. As the development is an integrated development (via Development Permit No. S45-11), an easement shall be created over the combined total of sixty-six (66) carparking spaces and access driveways servicing both the Isa Hotel and the shop. The easement(s) shall benefit both the Isa Hotel (described as Lot 30 on SP259037) and the adjoining shop (described as Lot 31 on SP259037); and

The easement document(s) shall be amended where required to reflect these changes; Timing – Prior to the commencement of any construction works.

AND

The additional following conditions are to be included in the approval:

17. A final floor plan/drawing shall be provided for Council approval and where the Rodeo Drive streetscape is proposing changes, an elevation plan/drawing shall also be provided to Council for approval – Timing: Prior to the commencement of any works;
18. Prior to the commencement of works, the applicant/developer shall comply with all requirements prescribed in the Queensland Development Code MP1.4 – Building over or near relevant infrastructure and the Building Code of Australia in relation to building near Council's Stormwater infrastructure located in the proposed location of the development. – Timing: As specified;
19. Applicant shall undertake a 'Dial Before You Dig' application prior to commencing works – Timing: As specified.
20. The operator must achieve the 'general environmental duty' to mitigate any environmental harm and/or nuisance described under the Environmental Protection Act 1994.
 - (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 – Timing: At All Times.
21. Construction and demolition waste – All waste generated because 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 Environmental Protection (Waste Management) Regulation 2000. – Timing: During Construction
22. 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 Environmental Protection Act 1994, i.e. on a business day or Saturday, between 6.30am and 6.30pm. – Timing: During Construction;
23. Noise impact from proposed use of facility is prevented/ maintained at required standard level at noise sensitive receptors. – Timing: At All Times.

AND

That Council AGREE to amend Condition 5 of Development Permit No. S45-11 for a Material Change of Use for a Liquor Shop at 11 Miles Street, Mount Isa, with the following:

5. As the development is an integrated development, an easement shall be created over the combined total of sixty-six (66) carparking spaces and access driveways servicing both the Isa Hotel and the shop. The easement(s) shall benefit both the Isa Hotel (described as Lot 30 on SP259037) and the adjoining shop (described as Lot 31 on SP259037); and

The easement document(s) shall be amended where required to reflect these changes; Timing – Prior to the commencement of any construction works.

Item 8 - Works and Camooweal - Cr Mick Tully

8.1 - Engineering Services, Monthly Report – March 2019

File ID 4650

Provided by Director Engineering Services, Emilio Cianetti

Executive Summary

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

Officer Recommendation

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

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

9.1 - Parks and Gardens Monthly Report – March 2019

Folder ID 5512

Provided by Director Engineering Services, Emilio Cianetti

Executive Summary

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

Officer's Recommendation

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

9.2 - Library Monthly Report – March 2019

Folder ID 4650

Provided by Coordinator Library Services, Lois Huston

Executive Summary

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

Officer's Recommendation

THAT Council receives and accepts the March 2019 Library Monthly Report.

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

10.1 - Promotions and Development Monthly Report – March 2019

Folder ID 4650

Provided by Promotions and Development Coordinator, Jasmine Barber

Executive Summary

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

Officer's Recommendation

THAT Council receives and accepts the March 2019 Promotions and Development Monthly Report

Item 11 - Environmental Management - Cr Paul Stretton

Late Item 11.1 – Mount Isa City Council Waste Management Waste Levy Strategy

Folder ID 6097

Provided by Manager Compliance and Utilities Services, Stephen Wagner

Executive Summary

The Queensland Government's Waste Levy takes effect from 1 July 2019. This levy relates to all waste going to landfill and offers an incentive to reduce waste production and increase recycling. Alternative options for implementation have been considered in detail to minimise the financial costs to ratepayers and better environmental outcomes for the community with the most viable presented in this report.

Officer's Recommendation

THAT Council further investigate implementing the waste levy with a view to promote recycling and reducing waste generated in Mount Isa in such a way as to minimise the cost for both Council and the general community by applying the full waste levy fee of \$75.00 plus GST for tip face deliveries and a 60% reduction of a waste levy equivalent fee to all material delivered to and accepted by the recycling zones.

Furthermore, that Council accepts, in principle, the new approach of handling in Camooweal and the decommissioning of the Camooweal refuse facility due to the Waste levy implications and costs.

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

12.1 – Corporate and Financial Services Monthly Report – March 2019

Folder ID 4755

Provided by Acting Manager Corporate and Financial Services, James Gauvin

Executive Summary

March 2019 Corporate and Financial Services Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the March 2019, Corporate and Financial Services Monthly Report

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.

Item 15 – Confidential Reports

Nil Reports Presented for Consideration

Meeting close