



Minutes of the Ordinary Meeting Of the Mount Isa City Council Wednesday, 10 April 2019 Unconfirmed Minutes

Location: Council Chambers, 23 West Street, Mount Isa

Commenced: 12:00 pm

Attendees:

Mayor Her Worship Mayor Cr Joyce McCulloch (Chair)

Councillors 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 Corporate and Financial Services

Staff Ms L Jameson - Media Officer
Ms J Barber - Coordinator Promotions and Development
Mr J Gauvin - Acting Manager Corporate and Financial Services

Minutes Clerk Mrs C Baxter - Executive Assistant Executive Services

Apologies Deputy Mayor Cr Phil Barwick
Cr Mick Tully
Mr J Hart - Director Compliance and Utilities 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

Councillor Jean Ferris opened the meeting with a prayer.

Item 3 - Public Forum

Suspension of Standing Orders

Standing Orders were suspended at 12:07pm

Member of the Public – Danielle Slade

Ms Slade voiced her concerns regarding Mount Isa City Council's purchasing and procurement decisions and implied Council is under performing regarding Natural Disaster Relief and Recovery Arrangements (NDRRA Funding).



Mayor Joyce McCulloch invited Director Engineering Services, Mr Emilio Cianetti to respond to Ms Slade's concerns.

Director Engineering Services, Mr Emilio Cianetti explained that Mount Isa City Council adheres to strict purchasing and procurement policies and assured Ms Slade the consultancy fees in question is on the lower end of the hourly rate for experienced project managers. An independent assessment has determined these figures are significantly less than other councils pay for project management of flood damage.

Director Engineering Services, Mr Emilio Cianetti explained that that NDRRA Funding is based on damage sustained to the region and awarded on an as needed basis. Less funding equates to less damage sustained to the region.

Resumption of Standing Orders

Standing Orders were resumed at 12:15pm

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.

Nil

Item 5 - Presentations

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.

Moved Cr Stretton
Seconded Cr Fortune

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

VOTE CARRIED

OM01/04/19

Item 7 - Business Development and Town Planning – 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.

Moved Cr Fortune
Seconded Cr Ferris

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.

VOTE CARRIED

OM02/04/19

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.

Moved Cr Fortune
Seconded Cr Ferris



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

THAT 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.

VOTE CARRIED

OM03/04/19

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.

Moved Cr Fortune
Seconded Cr MacRae

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.

VOTE CARRIED

OM04/04/19

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 Planning Officer, Jason Newell

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 carparks 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.

Moved Cr Fortune
Seconded Cr Ferris

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 carparks 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.

VOTE CARRIED

OM05/04/19

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.

Moved Cr Stretton
Seconded Cr Fortune

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

VOTE CARRIED

OM06/04/19

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.

Moved Cr Ferris
Seconded Cr MacRae



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

VOTE CARRIED

OM07/04/19

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.

Moved Cr Ferris
Seconded Cr Fortune

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

VOTE CARRIED

OM08/04/19

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.

Moved Cr MacRae
Seconded Cr Ferris

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

VOTE CARRIED

OM09/04/19

Item 11 - Environmental Management – Cr Paul Stretton

11.1 – Mount Isa City Council Waste Management Waste Levy Strategy

Folder ID 6097

Provided by Acting Manager Corporate and Financial Services, James Gauvin

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.

Moved Cr Stretton
Seconded Cr Fortune

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.

VOTE CARRIED

OM10/04/19

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.

Moved Cr Fortune
Seconded Cr Ferris

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

VOTE CARRIED

OM11/04/19

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



There being no further business the meeting closed at 12:47pm.

Signed by the Chair of the Ordinary Meeting
held on Wednesday, 8 May 2019.

Her Worship Mayor Cr Joyce McCulloch
Mayor of Mount Isa