



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, 22 May 2019 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 20 May 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 Keith Christie of the Christian Outreach 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 - 8 May 2019 Ordinary Meeting Minutes

Folder ID 6435

Chair Deputy Mayor, Cr Phil Barwick

Executive Summary

Minutes of the Ordinary Meeting held 8 May 2019 presented to Council to be confirmed.

Officer's Recommendation

THAT the Minutes of the Ordinary Meeting held on 8 May 2019, as received, be confirmed.

Item 7 - Development and Land Use - Cr George Fortune

7.1 - P12-18 Material Change of Use for Telecommunication Facility – Additions to Existing Facility

File 97297

Provided by Planning Officer, Jason Newell

Executive Summary

Council has received an application to install additional telecommunication equipment to an existing telecommunication tower.

Officer's Recommendation

THAT Council APPROVE the Material Change of Use for Telecommunications Facility (Additions to Existing Facility) on Lot 3 o plan CP847156 subject to the following 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>At all times</i>

	<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>	
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>
3.	All buildings and works are to be contained within the lot.	<i>At all times</i>
ENGINEERING		
4.	Installation and maintenance of services shall meet all standards set out in the 'City of Mount Isa Planning Scheme' Engineering Works and Services Policy, Australian Standards, Building Code of Australia and all relevant legislation.	<i>At all times</i>
5.	Access between the road corridor and the proposed facility shall be restricted to the portion of land entrusted to the applicant by the owner and shall not adversely impact surrounding rural uses such as cattle grazing.	<i>At all times</i>
6.	The facility shall be fenced with security fencing to a minimum standard described in IPWEAQ standard drawing number GS-041 'Fencing - Chain wire security fencing'.	<i>At all times and then to be maintained</i>
NUMBER	CONDITION	TIMING
7.	The access track to the facility shall be sufficiently maintained to allow safe access for operators and maintenance crews to service the facility.	<i>At all times</i>
8.	The applicant/operator shall ensure that the access crossover from the road carriageway is constructed and maintained to the requirements described in IPWEAQ standard drawing RS-056 'Driveways - Rural Driveway'.	<i>At all times</i>
ENVIRONMENTAL HEALTH		
9.	<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> <ul style="list-style-type: none"> (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 	<i>At all times</i>

	(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.	
10.	All waste generated as a result of the construction of the structures must be effectively controlled and disposed of in accordance with the <i>Environmental Protection (Waste Management) Regulation 2000</i> .	<i>During Construction</i>
11.	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>

7.2 - P11-18 Development application for a Material Change of Use for Telecommunication Facility – Additions to Existing Facility

File 97276

Provided by Planning Officer, Jason Newell

Executive Summary

Council has received an application to install additional telecommunication equipment to an existing telecommunication tower.

Officer's Recommendation

THAT Council APPROVE the Material Change of Use for Telecommunications Facility (Additions to Existing Facility) on Lot 2 on plan CP847155 subject to the following 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 specification.	<i>At all times</i>
3.	All buildings and works are to be contained within the lot.	<i>At all times</i>
ENGINEERING		
4.	Installation and maintenance of services shall meet all standards set out in the 'City of Mount Isa Planning Scheme' Engineering Works and Services Policy,	<i>At all times</i>

	Australian Standards, Building Code of Australia and all relevant legislation.	
5.	Access between the road corridor and the proposed facility shall be restricted to the portion of land entrusted to the applicant by the owner and shall not adversely impact surrounding rural uses such as cattle grazing.	<i>At all times</i>
6.	The facility shall be fenced with security fencing to a minimum standard described in IPWEAQ standard drawing number GS-041 'Fencing - Chain wire security fencing'.	<i>At all times and then to be maintained</i>
NUMBER	CONDITION	TIMING
7.	The access track to the facility shall be sufficiently maintained to allow safe access for operators and maintenance crews to service the facility.	<i>At all times</i>
8.	The applicant/operator shall ensure that the access crossover from the road carriageway is constructed and maintained to the requirements described in IPWEAQ standard drawing RS-056 'Driveways - Rural Driveway'.	<i>At all times</i>
ENVIRONMENTAL HEALTH		
9.	<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> <ul style="list-style-type: none"> (e) 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 (f) there is no discharge to air of contaminants that may harm the environment or create a nuisance from the operation of the activity (g) noise nuisance is prevented or minimised at noise sensitive places (h) 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>
10.	All waste generated as a result of the construction of the structures must be effectively controlled and disposed of in accordance with the <i>Environmental Protection (Waste Management) Regulation 2000</i> .	<i>During Construction</i>
11.	<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>

7.3 - P10-18 Development application for Building Work Not Associated with a Material Change of Use for construction of a 17.0m x 7.4m Colourbond Steel Shed

File 97196

Provided by Planning Officer, Jason Newell

Executive Summary

Council has received an application for the construction of a shed for private use.

Officer's Recommendation

THAT Council APPROVE the Development Application for Building Work Not Associated with a Material Change of Use for a 17.0m x 7.4m Colourbond Steel Shed Located at 8 Eliana Boulevard, Mount Isa, described as Lot 18 on plan RP907589, subject to the following conditions:

NUMBER	CONDITION	TIMING
ENVIRONMENTAL HEALTH		
General		
G -1	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>
Noise		
N – 1	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 <i>Environmental Protection Act 1994</i> , i.e. on a business day or Saturday, between 6.30am and 6.30pm.	<i>During Construction</i>

Item 8 - Works and Camooweal - Cr Mick Tully

Nil Reports Presented for Consideration

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

Nil Reports Presented for Consideration

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

Nil Reports Presented for Consideration

Item 11 - Environmental Management - Cr Paul Stretton

11.1 - Water and Sewer Report Monthly Report – April 2019

Folder ID 5977

Provided by Team Leader Water and Sewerage Services, Luke Bradshaw

Executive Summary

April 2019 Water and Sewer Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the April 2019, Water and Sewer Monthly Report.

11.2 – Waste Management Monthly Report – April 2019

Folder ID 18570

Provided by Waste Management Team Leader, Sam Wylie

Executive Summary

April 2019 Waste Management Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the April 2019, Waste Management Monthly Report.

11.3 – Environmental Health Services Monthly Report – April 2019

Folder ID 5456

Provided by Environmental Health Coordinator, Priviledge Mapiye

Executive Summary

April 2019 Environmental Health Services Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the April 2019, Environmental Health Services Monthly Report.

11.4 – Local Laws Monthly Report – April 2019

Folder ID 5977

Provided by Acting Manager Local Laws, Emma Murray

Executive Summary

April 2019 Local Laws Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the April 2019, Local Laws Monthly Report.

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

12.1 – Customer Service Monthly Report – April 2019

Folder ID 4755

Provided by Acting Customer Service Coordinator, Rhiannon Young

Executive Summary

April 2019 Customer Service Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the April 2019, Customer Service Monthly Report.

12.2 – Corporate and Financial Services Monthly Report – April 2019

Folder ID 4755

Provided by Acting Manager Corporate and Financial Services, James Gauvin

Executive Summary

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

Officer's Recommendation

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

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

13.1 – Proposed Ordinary Meeting Dates – July to December 2019

Folder ID 6431

Provided by Chief Executive Officer, Sharon Ibardolaza

Executive Summary

Section 257 and 258 of the Local Government Regulation 2012 prescribes the frequency and location of local government meetings. Mount Isa City Council must meet at least once a month. Approval is sought for the proposed Council Ordinary Meeting dates from July to December 2019, with respect to public holiday date conflicts.

Officer's Recommendation

THAT Council APPROVE the proposed Ordinary Meeting dates for July 2019 to December 2019 as presented.

Day	Date	Time	Location
Wednesday	10 July, 2019	12 Noon	Council Chambers
Wednesday	24 July, 2019	12 Noon	Council Chambers
Wednesday	28 August, 2019	12 Noon	Council Chambers
Wednesday	11 September, 2019	12 Noon	Council Chambers
Wednesday	24 September, 2019	12 Noon	Council Chambers
Wednesday	9 October, 2019	12 Noon	Council Chambers
Wednesday	26 October, 2019	12 Noon	Council Chambers
Wednesday	13 November, 2019	10am	Camooweal Town Hall
Wednesday	27 November, 2019	12 Noon	Council Chambers
Wednesday	11 December, 2019	12 Noon	Council Chambers

13.2 – Appointment of Audit and Risk Management Committee

Folder ID 4958

Provided by Chief Executive Officer, Sharon Ibardolaza

Executive Summary

As per the Audit and Risk Management Committee Charter (V5), Council is required to appoint an Audit and Risk Management Committee. The primary objective of the committee is to assist Council in fulfilling its corporate governance role and oversight responsibilities relating to accounting and reporting practices imposed under the *Local Government Act 2009*, *Local Government Regulation 2012*, better practice, and other relevant legislation.

Officer's Recommendation

THAT Council appoint the Deputy Mayor Phil Barwick, Councillor Mick Tully, Corporate Governance Officer Andrea Lee as Committee Members to the Audit and Risk Management Committee as per the Audit and Risk Management Charter (V5).

13.3 – Workplace Health and Safety Monthly Report – April 2019

Folder ID 99131

Provided by Work Health and Safety Advisor, Trevor Rethamel

Executive Summary

April 2019 Workplace Health and Safety Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the April 2019, Workplace Health and Safety Monthly Report.

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 – On-Selling 13 Black Star Crescent, Lot 7 SP 186730, Assessment 06867-30700-000

Folder ID 18807

Provided by Acting Manager Corporate and Financial Services, James Gauvin

Executive Summary

Request to On-Sell property described as Lot 7 SP186730, Assessment 06867-30700-000.

Initial covenant still exists and as such improvement on the land has not been completed an approval must be received from Council prior to on-sell the property.

Council has agreed to previous requests to on-sell Healy Heights lots with standard conditions attached. It is therefore recommended that Council agree to the property owner's request so that similar treatment of request to on-sell remain consistent.

Reason for Confidentiality

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

(h) *"other business for which a public discussion would be likely to prejudice the interests of the local goverment or someone else, or enable a person to gain a financial advantage".*

15.2 – Community and Sporting Groups Waste Levy implications

Folder ID 6078

Provided by Manager Compliance and Utilities Services, Stephan Wagner

Executive Summary

Council officers are currently progressing through the Waste Levy Implementation Plan and are seeking direction in regards to the application of the Levy to Community, Sporting and Educational entities.

Reason for Confidentiality

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

(h) *"other business for which a public discussion would be likely to prejudice the interests of the local goverment or someone else, or enable a person to gain a financial advantage".*

15.3 – Proposed 2019-2020 Fees and Charges

Folder ID 18807

Provided by Acting Manager Corporate and Financial Services, James Gauvin

Executive Summary

In accordance with the requirements of the *Local Government Act 2009*, the proposed 2019/20 Commercial Fees and Charges Register and the 2019/20 Cost Recovery Fees Register are to be reviewed and adopted.

Generally, a 3% increase has been applied to most fees and charges in line with Council's cost increases, although a comprehensive review has been undertaken which has resulted in the decrease of some charges to meet the needs of the community.

Reason for Confidentiality

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

(c) *"the local government's budget".*

Meeting close