



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, 23 May 2018 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 21 May 2018

Copied to: Staff required to attend.

Local Government Principles

- (a) transparent and effective processes, and decision-making in the public interest; and
- (b) sustainable development and management of assets and infrastructure, and delivery of effective services; and
- (c) democratic representation, social inclusion and meaningful community engagement; and
- (d) good governance of, and by, local government; and
- (e) ethical and legal behaviour of councillors and local government employees.

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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 Steve Griffiths of the Baptist 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 9 May 2018 Ordinary Meeting Minutes

Folder ID 6435

Chair Deputy Mayor, Cr Phil Barwick

Recommendation

That Council consider resolving the following:

THAT the Minutes of the Ordinary Meeting held on 9 May 2018, as received, be confirmed.

Item 7 Development and Land Use – Cr George Fortune

7.1 10 DUCHESS ROAD – Development Application for Building Work Not Associated with a Material Change of Use for Covered Patio

File 01831-10000-000, 01831-20000-000 & P09-17 CRCA/RJS

Provided by Cadet Planning Officer, Connor Ahnfeldt

Proposal

A development application has been received by Council for Building Work Not Associated with a Material Change of Use to construct an 17.2m x 1.9m Covered Patio at Units 1 and 2, 10 Duchess Road, Mount Isa.

Date Received

23.04.2018

Property Description

Lots 0-4 on plan GTP70470

Address

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10 Duchess Road, Mount Isa

Site Area

1,018m²

Zoning

Residential – Medium Density Sub-area

Current Use

Four (4) Units (Multiple Dwelling Type A)

Concurrence Agencies

Nil

Consultation (internal/external)

- Manager Development and Land Use
- Plumbing
- Technical Services
- Environmental Health

Status

Application Lodged as Development Application: 23 April 2018

Report Prepared for Council Workshop: 11 May 2018

Matters for Consideration

- Proposal to be evaluated for ability to achieve Performance Criteria 1 of the Residential Planning Area Code.

Recommendation

That Council consider resolving the following:

THAT Council APPROVE the development application for Building Work Not Associated with a Material Change of Use for a 17.2m x 1.9m Covered Patio at Units 1 and 2, 10 Duchess Road, described as Lot 0-4 on plan GTP70470 subject to the following conditions of approval.

NUMBER	CONDITION	TIMING
PLANNING		
1	<p>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.</p> <p><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></p>	At all times
2	<p>The owner/developer shall bear the cost of all alterations necessary to public utility mains, services or installations necessitated by this approval and</p>	At all times

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	such works shall be to Council specifications and satisfaction;	
3	Where building regulations require additional fire-separation measures to allow this structure to be erected, be advised that Council does not consider the construction of fire-rated walls on the property boundary to be acceptable within a residential area and other means of achieving the required fire-protection must be utilised;	<i>As required</i>
4	The Covered Patio is to remain open without walls or doors and shall not be enclosed at any time;	<i>At all times</i>
5	A solid northern boundary fence to a minimum height of 1.8m above ground level shall be provided to ensure the development provides a reasonable level of privacy for the adjoining residential property. Where additional screening is required to maintain the privacy of the adjoining property, the screening shall comply with Chapter 2 of the <i>Queensland Residential Design Guidelines</i> .	<i>At all times</i>
6	The applicant is responsible for ensuring that the structure and all overhangs are contained entirely within Lots 1 and 2 on plan GTP70470;	<i>At all times</i>
ENGINEERING		
7	Prior to commencement of use (and then to be maintained), stormwater runoff from roof and paved areas of the 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>As specified</i>
8	Prior to commencement of works, (for any proposed filling or excavation that falls under non-minor or earthworks which affects privacy, as defined in the City of Mount Isa Planning Scheme) submit a detailed earthworks plan including associated retaining checked and certified by a	<i>Prior to commencement of works</i>

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	<p>Registered Professional Engineer of Queensland (RPEQ) and obtain Council's approval.</p> <p>Note: 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.</p>	
ENVIRONMENTAL HEALTH		
General		
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> <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>During Construction</i>
10	<p>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.</p>	<i>During Construction</i>
11	<p>A contaminant must not be placed in a position where it could reasonably be expected to move or wash into a roadside gutter, stormwater drain or waters or contaminating the land/earth.</p>	<i>During Construction</i>
Waste		
12	<p>Construction and demolition waste – All waste generated as a result of the demolition of existing building structures and construction of new structures must be effectively controlled and contained entirely within the boundaries of the site before disposal. All waste is to be</p>	<i>During Construction</i>

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	disposed of in accordance with the <i>Environmental Protection (Waste Management) regulation 2000</i>	
13	Any spills of wastes, contaminants or other materials must be cleaned up as quickly as practicable to avoid any earth/land contamination. Spills must not be cleaned up by hosing, sweeping or otherwise releasing such wastes, contaminants or other materials to any stormwater drainage system, roadside gutter or waters.	<i>During Construction</i>
14	Any asbestos containing material handled during construction and 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>	<i>During Construction</i>
Air		
15	Dust nuisance 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>
16	Preventing noise nuisance Prevent the emission of noise that causes, or is likely to cause, environmental nuisance at any nuisance sensitive or commercial place.	<i>During Construction</i>

Item 8 Works and Camooweal – Cr Mick Tully

8.1 Local Government Infrastructure Plan for Public Consultation Folder ID 20853 Provided by Asset Management Officer, Geraldine Skelly

By legislation, Mount Isa City Council is required to have an adopted Local Government Infrastructure Plan (LGIP) in place prior to 1 July 2018 to continue to levy infrastructure charges or impose conditions about infrastructure on applicable development approvals. In accordance with Planning Legislation, Council has prepared a LGIP to proceed to public consultation

Recommendation

That Council consider resolving the following:

THAT Council prepare a Local Government Infrastructure Plan in accordance with the requirements of the *Sustainable Planning Act 2009*;

AND

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THAT Council endorse the Draft Local Government Infrastructure Plan be submitted to the Minister for State Development for the First State Interest Review in accordance with Statutory Guideline “Making and amending local planning instruments”;

AND

THAT Council review and amend the Declared Water Supply and Sewerage service area for the City of Mount Isa and the Town of Camooweal in accordance with the *Water Supply (Safety and Reliability) Act 2008*;

AND

THAT Council endorse the Draft Local Government Infrastructure Plan; and once written consent has been received by the Minister for State Development, Manufacturing, Infrastructure and Planning (the Minister), Council to commence public consultation in accordance with the Minister’s Guidelines and Rules.

Item 9 Community Development, Sports/Recreation and Youth – Cr Peta MacRae

NIL

Item 10 Environmental Management – Cr Paul Stretton

10.1 Water and Sewer Report Monthly Reports – April 2018

Folder ID 5977

Provided by Director Compliance and Utilities Services, Michael Salmon

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the April 2018, Water and Sewer Monthly Report.

10.2 Waste Management Monthly Reports – April 2018

Folder ID 18570

Provided by Director Compliance and Utilities Services, Michael Salmon

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the April 2018, Waste Management Monthly Report.

10.3 Environmental Health Services Monthly Reports – April 2018

Folder ID 5456

Provided by Senior Environmental Health Officer, Priviledge Mapiye

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the April 2018, Environmental Health Services Monthly Report.

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- 10.4 **Local Laws Report Monthly Reports – April 2018**
Folder ID 5977
Provided by Acting Manager Local Laws, Stephen Wagner

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the April 2018, Laws Monthly Report.

Item 11 Finance and Administration – Deputy Mayor, Cr Phil Barwick

- 11.1 **Customer Service Monthly Report – April 2018**
Folder ID 4755
Provided by Customer Service Coordinator, Kate Thony

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the April 2018, Customer Service Monthly Report.

- 11.2 **2017-2018 Annual Operational Plan Update**
File TBA
Provided by Manager Corporate & Financial Services, Karen Pegler

Recommendation

That Council consider resolving the following:

THAT Council adopt the third quarter 2017-18 Annual Operational Plan as presented.

- 11.3 **Late Item** **Corporate and Financial Services Report – April 2018**
File Monthly Reports
Provided by Manager Corporate and Financial Services, Karen Pegler

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the April 2018, Corporate and Financial Services Monthly Report.

Item 12 Ordinary Meeting Business

- 12.1 **Draft NWQROC Strategic Plan**
File TBA
Provided by Chief Executive Officer, Sharon Ibarrolaza

Council is currently a member of the North West Queensland Regional Organisation of Councils (NWQROC). The NWQROC have been reviewing the strategic direction and have compiled a draft document.

Recommendation

That Council consider resolving the following:

Option 1:

THAT Council endorse Council's membership to the NWQROC for 2018/19;

OR,

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Option 2:

THAT Council decline membership to the NWQROC for 2018/19;

AND,

Option 1:

THAT Council endorse the Draft NWQROC Strategic Plan as presented;

OR

Option 2:

THAT Council notify the NWQROC executive officer of the proposed amendments (*insert*) to the Draft NWQROC strategic plan.

12.2

Code of Conduct for Councillors & Councillors Acceptable Request Guidelines Policy **Folder ID 14991**

Provided by Corporate Governance Officer, Andrea Lee

It is a requirement under the *Local Government Act 2009* that a Local Government must adopt guidelines covering how a Councillor may ask for information or advice to carry out their responsibilities under the Local Government Act. This policy has been removed from the existing Councillor Code of Conduct and is now a standalone policy.

The Code of Conduct for Councillors has been reviewed and updated and is to be considered the “procedure” prescribed in s176(4) of the Local Government Act.

Recommendation

That Council consider resolving the following:

THAT Council adopt the Code of Conduct for Councillors V2;

AND,

THAT Council adopt the Councillor Acceptable Request Guidelines Policy V2

12.3

Public Interest Disclosure Policy

Folder ID 5018

Provided by Corporate Governance Officer, Andrea Lee

Mount Isa City Council recognises the important role Council Officers and members of the public can play in the identification of maladministration, fraud, corrupt conduct and misuse of public resources. Council has reviewed the current PID Policy and implemented a more detailed framework to more effectively identify, process and report on Public Interest Disclosures and to ensure those making public interest disclosures are properly protected.

Recommendation

That Council consider resolving the following:

THAT Council adopt the Public Interest Disclosure Policy V2

Item 13

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.

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Council may adjourn briefly prior to commencing Closed Business

Item 14	Closed Business
	THAT pursuant to <i>Section 275 of the Local Government Regulation 2012</i> , Council may resolve that the meeting be closed to the public.

- 14.1 Ordinary Meeting Resolutions Report**
Folder ID 6435
Provided by Chief Executive Officer, Sharon Ibardolaza

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 government or someone else, or enable a person to gain a financial advantage.”

- 14.2 Replacement of Medium Truck Fleet**
Folder ID 5668
Provided by Director Engineering Services, Emilio Cianetti

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.”

- 14.3 Tender 1718-5100-0007a Precast Materials (Supply and Delivery) - Isa Street Bridge Construction Project**
Document ID 1718-5100-0007 Isa Street Bridge Construction
Provided by Director Engineering Services, Emilio Cianetti

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.”

- 14.4 Lot 2 on RD148**
Document ID 01979-50000-000, 01993-40000-000, 01979-83000-000 I/R 745034
Provided by Chief Executive Officer, Sharon Ibardolaza

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.



Public Forum Note

Public Participation in Council Meetings and Engagement Activities

The Queensland Government has introduced the Information Privacy Act 2009 (the Act) which applies to the Queensland public sector. The Act contains a number of privacy principles which set out how agencies may and must handle personal information (including the collection, security, use and disclosure of such information). Personal information means any information from which your identity is apparent or can reasonably be ascertained.

Personally identifiable information will be collected during this Council Meeting / Community Conversations Session for the purpose of recording the proceedings.

Council Minutes / Notes are published on Council's Website.

If you do not wish to have your identity noted in the record (minutes/notes), please advise the Chair (Mayor) at the start of your discussion.

Any personal information collected will only be used for the purpose for which you provide it. Council will not disclose any personal information to third parties without your prior consent, unless required to do so by law.

Further information on the Mount Isa City Council's privacy efforts can be viewed at the Mount Isa City Council website at www.mountisa.qld.gov.au.