



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, 26 June 2019 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 24 June 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 Gary Dunstan of the C3 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 - 12 June 2019 Ordinary Meeting Minutes

Folder ID 6435

Chair Mayor, Cr Joyce McCulloch

Executive Summary

Minutes of the Ordinary Meeting held 12 June 2019 presented to Council to be confirmed.

Officer's Recommendation

THAT the Minutes of the Ordinary Meeting held on 12 June 2019, as received, be confirmed.

Item 7 - Development and Land Use - Cr George Fortune

7.1 - P14-18 - Development Application for Building Work Not Associated with a Material Change of Use for 30m x 15m Colorbond Steel Shed

Folder ID 98606

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 a 30m x 15m Shed at 15 Breakaway Drive, Mount Isa.

Officer's Recommendation

THAT Council APPROVE the Development Application for Building Work Not Associated with a Material Change of Use for a 30m x 15m Colorbond Steel Shed at 15 Breakaway Drive, Mount Isa, described as Lot 11 on plan RP907589, subject to the following conditions of approval:

NUMBER	CONDITION	TIMING
PLANNING		
1.	The development shall be carried out generally in accordance with the approved plans and drawings attached	<i>At all times</i>

	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>	
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.	Ensure water run-off from the roof of the Shed is directed onto own property and does not cause ponding or a nuisance to adjoining properties;	<i>At all times</i>
4.	The outermost projection point of the roofline of the 30,000mm x 15,000mm Shed is to terminate at least 1,500mm from the side (western) boundary and 30,000mm from the front (southern) boundary;	<i>At all times</i>
PLUMBING		
5.	A Form 1 for plumbing compliance shall be submitted to Council for any proposed plumbing works in the Shed.	<i>At time of lodgment of the building application</i>
ENVIRONMENTAL HEALTH		
General		
6.	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		
7.	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>
Construction and Demolition Waste		
8.	All waste generated as a result of the demolition of existing 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 disposed of in accordance with the <i>Environmental</i>	<i>During Construction</i>

	Protection (Waste Management) regulation 2000 Destination of the waste.	
TECHNICAL SERVICES		
Earthworks		
9.	<p>Prior to commencement of works, if applicable, for any proposed filling or excavation that classify as 'non-minor earthworks which affect privacy', the applicant shall be required to gain further approval for 'operational works' under the City of Mount Isa Planning Scheme' Part 4.</p> <p>Definitions</p> <p>Non-minor earthworks – Filling, trenching or backfilling to depth that is in excess of the maximum thresholds prescribed for minor earthworks as separately defined</p> <p>Minor earthworks – Filling to a depth of less than 100mm over an area of less than 500m² or trenching and backfilling to a depth of less than 1m</p> <p>Earthworks which affect privacy – Earthworks which involve the filling of land where</p> <ul style="list-style-type: none"> a) the land is either <ul style="list-style-type: none"> (ii) if in the rural residential planning area, within 50m of an allotment boundary; and b) the filling is to a height which either <ul style="list-style-type: none"> (i) is less than 1.6m below the lowest point on the top of any pre-existing fence which encloses the area of the earthworks, or (ii) if there is no pre-existing fence enclosing the area of the earthworks, is greater than 0.3m above natural ground level at any point. <p>Note: Although no earthworks have been proposed this condition has been included should any filling or excavation be identified or required during the detailed design/BA stage.</p>	Prior to commencement of works
Erosion and Sediment Control		
10.	Minimise on-site erosion and the release of sediment or sediment laden stormwater from the site and works areas at all times in accordance with IECA Australasia Best Practice Erosion and Sediment Control Guidelines (November 2008) and to the satisfaction of Council.	While site/building works is occurring and until all exposed soil areas are permanently stabilised against erosion
Vehicle Parking		
11.	Provide appropriate dust suppression measures onsite and on access road to prevent dust nuisance;	At all times

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 – May 2019

Folder ID 5977

Provided by Team Leader Water and Sewerage Services, Luke Bradshaw

Executive Summary

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

Officer's Recommendation

THAT Council receives and accepts the May 2019 Water and Sewer Monthly Report

11.2 – Waste Management Monthly Report – May 2019

Folder ID 18570

Provided by Waste Management Team Leader, Sam Wylie

Executive Summary

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

Officer's Recommendation

THAT Council receives and accepts the May 2019 Waste Management Monthly Report

11.3 – Environmental Health Services Monthly Report – May 2019

Folder ID 5456

Provided by Environmental Health Coordinator, Priviledge Mapiye

Executive Summary

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

Officer's Recommendation

THAT Council receives and accepts the May 2019 Environmental Health Services Monthly Report

11.4 – Local Laws Monthly Report – May 2019

Folder ID 5977

Provided by Acting Manager Local Laws, Emma Murray

Executive Summary

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

Officer's Recommendation

THAT Council receives and accepts the May 2019 Local Laws Monthly Report

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

12.1 – Customer Service Monthly Report – May 2019

Folder ID 4755

Provided by Customer Service Coordinator, Rhiannon Young

Executive Summary

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

Officer's Recommendation

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

12.2 – Corporate and Financial Services Monthly Report – May 2019

Folder ID 4755

Provided by Acting Manager Corporate and Financial Services, James Gauvin

Executive Summary

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

Officer's Recommendation

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

12.3 – Amendment to Sundry Debt Recovery Policy

Folder ID 4755

Provided by Senior Revenue Officer, Tina Munokoa

Executive Summary

Previously Council has charged interest on overdue sundry debtors. A review has found this approach to be expensive to administer and minimal recoveries of interest charges are made while the staff time involved can be extensive. Bad debts in sundry debtors are very low so the risk of removal of interest is very low, and it is not standard practice in the industry to charge sundry debtor interest.

Officer's Recommendation

THAT Council adopt the updated Sundry Debt Recovery Policy (V6) as presented.

12.4 – Amendment to Rates and Charges Debt Recovery Policy

Folder ID 4755

Provided by Senior Revenue Officer, Tina Munokoa

Executive Summary

Due to an amendment in *Section 133* of the *Local Government Regulation 2012* for interest charges on overdue rates and charges, Council's Rates and Charges Debt Recovery Policy has been amended and is required to be adopted prior to 1st July 2019.

Officer's Recommendation

THAT That Council approve the amendments to the Rates and Charges Debt Recovery Policy as per *Section 133* of the *Local Government Regulation 2012* and adopt Version 4 to be effective from 1st July 2019.

12.5 – Tip Tokens

Folder ID 4755

Provided by Acting Manager Corporate and Financial Services, James Gauvin

Executive Summary

Historically, Council has provided tip tokens to the community to encourage the disposal of larger items of waste and to foster a cleaner environment. With the introduction of the State Government's Waste Levy the current way tip tokens are provided is no longer financially viable as it could cost Council over \$600,000 per year.

The proposed system will allow tip tokens to still be provided to residential ratepayers but done so in a more secure manner and only for use for domestic waste disposal.

Officer's Recommendation

THAT Council make six tip tokens available for each residential property in Mount Isa with each token equaling the value of one gate fee entry for a car, trailer, van or utility to the Waste Management Facility in 2019/20 for MSW disposal only.

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

13.1 – Workplace Health and Safety Monthly Report – May 2019

Folder ID 99131

Provided by Work Health and Safety Advisor, Trevor Rethamel

Executive Summary

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

Officer's Recommendation

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

13.2 - Updated Administrative Action Complaints Policy

Folder ID 14991

Provided by Corporate Governance Officer Andrea Lee

Executive Summary

The Administrative Action Complaints Policy has been reviewed and updated as follows:

- The CEO will no longer be involved in assessing complaints;
- A new clause around how complaints of fines and infringement notices will be managed under the updated policy; and
- A new clause detailing how Council will manage unreasonable complainant conduct.

Officer's Recommendation

THAT Council adopt the updated Administrative Action Complaints Policy Version 2.

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

LATE 15.1 – Amendment to Fees and Charges Schedule 2019/2020

Folder ID 99020

Provided by Acting Manager Corporate & Finance Services – James Gauvin

Executive Summary

It has been identified that some additional fees and charges are required for animal control and waste management. These have only been able to be identified since the adoption of the original fees and charges. The changes relate to deemed weights for vehicles between a car size up to 4.5 tonnes, and also for additional animal fees.

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".*

15.2 – S14-12 Request to Extend Currency Period for Material Change of Use for Multiple Dwellings (3 x 3 Bedroom Units)

Folder ID 14902

Provided by Planning Officer, Jason Newell

Executive Summary

Council has received a request to extend the currency period by two (2) years for the Development Permit for Material Change of Use for Multiple Dwellings (3 x 3 Bedroom Units) at 1 Seventh Avenue, described as Lot 1 on plan MPH33546.

Reason for Confidentiality

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

(g) *"any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act".*

15.3 - State Interest Review response of the draft planning scheme

Folder ID 95311

Provided by Manager Development & Land Use, Gayle Houston

Executive Summary

The Department of Housing & Public Works (DHPW) has raised a concern that a detached secondary dwelling house is nominated as impact assessable development in a Low Density Residential zone.

Reason for Confidentiality

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

(g) *"any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act".*

15.4 – Financial Hardship Request Assessment 00545-00000-000

Folder ID 4755

Provided by Senior Revenue Officer, Tina Munokoa

Executive Summary

The property owner for assessment 00545-00000-000 is requesting a waiver of current interest charges accrued on their outstanding rates and charges amount, a hold of interest charges for a period of two years for the current outstanding rates and charges, and an extended payment period of two years for the current rates and charges due to Financial Hardship

Reason for Confidentiality

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

(d) *"rating concessions".*

15.5 – Update of Community Grants Policy

Folder ID 5098

Provided by Community Development Officer, Petra Osinski

Executive Summary

The Sponsorship, Funding, Grants and Donations Policy was due for review in August 2016. A review has updated the Community Grants Programme and the Major Events Sponsorship Programme with only minor changes. Two additional programmes have been identified as being required to effectively meet Council's community support and donation ambitions. These are to provide small, in-kind donations to non-profit community and sporting groups, and also to provide donations to help cover the costs of the introduction of the waste levy for those organisations.

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".*

15.6 – Amended Budget Report

Folder ID 4755

Provided by Acting Manager Corporate and Financial Services, James Gauvin

Executive Summary

The financial performance of Council has been reviewed for the 2018/19 financial year. There are a number of variances between actual performance and Council's current adopted budget. This report authorises an amendment to the current year budget to align it with expected end of year results.

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