



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 August 2018 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 20 August 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 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

Isa Street Parade Float Winners Presentation.

Item 6 Previous Council Meeting Minutes

6.1 **8 August 2018 Ordinary Meeting Minutes**

Folder ID 6435

Chair Mayor, Cr Joyce McCulloch

Recommendation

That Council consider resolving the following:

THAT the Minutes of the Ordinary Meeting held on 8 August 2018, as received, be confirmed.

Item 7 Development and Land Use – Cr George Fortune

7.1 **SUNSET STATE SCHOOL – Development Application for Material Change of Use for Air Quality Monitoring Station (Use Not Defined)**

File 02366-00000-000 & P12-17

Provided by Cadet Planning Officer, Connor Ahnfeldt

SUMMARY

Proposal

A development application has been received by Council for a Material Change of Use for an Air Quality Monitoring Station over part of Sunset State School at 30 Hercules Road, Mount Isa, described as Lot 1 on plan SP158999.

Date Received

16.05.2018

Property Description

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Lot 1 on plan SP158999

Address

30 Hercules Road, Sunset

Site Area

Area Proposed for Air Monitoring Station: 34m²

Total Site Area: 47,040m²

Zoning

Residential (Low Density Sub-area)

Current Use

State Primary School

Concurrence Agencies

Nil

Consultation (internal/external)

- Manager Development and Land Use
- Land Use
- Plumbing
- Waste Management
- Technical Services
- Local Laws
- Environmental Health

Status

Application Lodged:	16 May 2018
Confirmation Notice Issued:	5 June 2018
Start of Public Notification Period:	6 July 2018
End of Public Notification Period:	26 July 2018
Report Prepared for Council Workshop:	9 August 2018

Matters for Consideration

- Zero Boundary Setback Proposed on Abel Smith Parade
- 10m Telescopic Sampling Mast Proposed

Recommendation

That Council consider resolving the following:

THAT Council APPROVE the development application for a Material Change of Use for an Air Quality Monitoring Station (Use Not Defined) over part of 30 Hercules Road, Mount Isa, described as Lot 1 on plan SP158999 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 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>	At all times
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	At all times

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	Council specifications and satisfaction;	
3	The applicant must ensure all the development's buildings and structures are contained entirely within the boundaries of the fenced 5.34m x 6.365m area, shown on the approved Site Plan (Dwg No. 1803801);	<i>At all times</i>
4	Any gates situated along the road boundary must open inwards into the fenced enclosure and not outwards onto Council's road reserve/verge;	<i>At all times</i>
ENVIRONMENTAL HEALTH		
5	Construction works must comply with <i>Environmental Protection Act 1994</i> , Policies and Guidelines. Construction activities must meet the general environmental duty to prevent environmental harm by undertaking practical and reasonable steps to achieve positive environmental outcomes. Provisions include: a) Duty to notify environmental harm b) Contravention of a noise standard c) Depositing prescribed contaminants to land and water d) Emissions to air	<i>Prior to commencement of use</i>
6	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 disposed of in accordance with the <i>Environmental Protection (Waste Management) Regulation 2000</i>	<i>Prior to commencement of use</i>
TECHNICAL SERVICES		
7	The proposed site must be secure at all times and public safety must be ensured in the use of security fencing.	<i>At all times</i>
8	The owner/developer shall meet the requirements of the Queensland Fire Service for provision of fire fighting for the development.	<i>At all times</i>
9	<i>Prior to commencement of use</i> , damage to existing kerb and channel, footpath, stormwater reticulation, roadway or other public assets that may occur during any works associated with the approved development is to be reinstated by the applicant/developer to Council's satisfaction at applicant's expense.	<i>Prior to commencement of use</i>
10	<i>While site/building works is occurring</i> , the following construction requirements shall be complied with: a) No structure/vehicle/machinery shall cause hazards to traffic/pedestrians/residents. b) If kerb and channel are to be cut then, all edges shall be saw cut. c) Maintain a minimum clear distance of 1000mm between the edges of concrete driveway to any existing structure e.g. Ergon Energy's electric pole, street signage etc. d) Any new kerb and	<i>While site/building works is occurring</i>

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	channel/driveway/footpath/cross-over shall not obstruct or alter the stormwater flow. e) The proposed driveway shall not pose a tripping hazard to the pedestrians. The level of the new driveway should tie in with the level of the existing footpath.	
11	<i>Prior to commencement of use (and then to be maintained)</i> , 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>
12	Provide appropriate dust suppression measures onsite and on access road to prevent dust nuisance;	<i>At all times</i>

Item 8 Environmental Management – Cr Paul Stretton

- 8.1 Water and Sewer Report Monthly Reports –July 2018**
Folder ID 5977
Provided by Acting Water and Sewer Team Leader, Isaac Ryan

Recommendation

That Council consider resolving the following:

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

- 8.2 Waste Management Monthly Reports – July 2018**
Folder ID 18570
Provided by Environmental Compliance and Administration Officer, Caitlin Pfrunder

Recommendation

That Council consider resolving the following:

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

- 8.3 Environmental Health Services Monthly Reports – July 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 July 2018 Environmental Health Services Monthly Report.

- 8.4 Local Laws Report Monthly Reports – July 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 July 2018 Local Laws Monthly Report.

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8.5

Authorised Persons Electronic Recording

Folder ID 14992

Provided by Acting Manager Local Laws, Stephen Wagner

Mount Isa City Council recognises the important role Authorised Persons, within the Local Laws Department; perform while attending dog attack incidents as well as permit/yard inspections. Council has reviewed the current Electronic Recording and BYOD Usage Policy and has implemented a more detailed framework around the wearing of electronic recording devices (body cameras) for Authorised Persons and the way Council will store the footage recorded to ensure it is kept secure.

Recommendation

That Council consider resolving the following:

THAT Council adopt Authorised Persons Electronic Recording Strategic Policy.

Item 9

Finance and Administration – Deputy Mayor, Cr Phil Barwick

9.1

Customer Service Monthly Report – July 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 July 2018 Customer Service Monthly Report.

9.2

Corporate & Financial Services Report – July 2018

Folder ID 4755

Provided by Manager Corporate & Financial Services, Karen Pegler

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the July 2018 Corporate & Financial Services Monthly Report.

Item 10

Ordinary Meeting Business

10.1

2017-2018 Annual Operational Plan Update

Folder ID 2200

Provided by Manager Corporate & Financial Services, Karen Pegler

Under *Section 174 (3) of the Local Government Regulation 2012*, the Chief Executive Officer must present a written assessment to Council, on a quarterly basis, of progress towards implementing the annual operational plan.

Recommendation

That Council consider resolving the following:

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

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10.2

Request to Waive Fees – Splashez Aquatic Centre

Folder ID 4981

Provided by Acting Deputy Chief Executive Officer, Mark Crawley

Council have received a request from Cootharinga North Queensland, a registered charity organisation, for permission to use Splashez Aquatic Centre and also a request to waive any associated facility fees for use of the facility for the CEO Challenge.

Recommendation

That Council consider resolving the following:

OPTION 1:

THAT Council grant Cootharinga North Queensland permission to use Splashez and waive any associated facility fees and operating costs of Splashez Aquatic Centre for the purpose of the CEO Challenge on 17 November 2018.

AND

THAT Council approves collection of gold coin entry fees at Splashez Aquatic Centre during the CEO Challenge and donates all funds raised to Cootharinga North Queensland.

OR

OPTION 2:

THAT Council decline the request.

Item 11 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 12 Closed Business

THAT pursuant to *Section 275 of the Local Government Regulation 2012*, Council may resolve that the meeting be closed to the public.

12.1

Approval to Remove Concession Assessment #04431-00000-000

Folder ID 4981

Provided by Manager Corporate & Financial Services, Karen Pegler

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".

12.2

Reservoir No.3a Design and Construction

Folder ID 6124

Provided by Project Manager, Tyr Ibardolaza

Reason for Confidentiality

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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".*

12.3

Mount Isa City Council Subordinate Local Law No.1 (Administration) 2018

Folder ID 5388

Provided by Acting Manager Local Laws, Stephen Wagner

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".*

12.4

Mount Isa City Council Subordinate Local Law No.2 (Animal Management) 2018

Folder ID 5388

Provided by Acting Manager Local Laws, Stephen Wagner

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".*

12.5

Mount Isa City Council Subordinate Local Law No.3 (Community and Environmental Management) 2018

Folder ID 5388

Provided by Acting Manager Local Laws, Stephen Wagner

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".*

12.6

Mount Isa City Council Subordinate Local Law No.4 (Local Government Controlled Areas, Facilities and Roads) 2018

Folder ID 5388

Provided by Acting Manager Local Laws, Stephen Wagner

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".*

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12.7 Mount Isa City Council Subordinate Local Law No.5 (Parking) 2018

Folder ID 5388

Provided by Acting Manager Local Laws, Stephen Wagner

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".*

12.8 Purchase of 2 x Single Axel Water Trucks, 12 x Light Fleet Vehicles and Sale of Council Surplus Equipment by Tender

Folder ID 5667

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".*

12.9 Late Item Request to Waiver Water Notice Charges Assessment 00608-00000-000

Folder ID 4981

Provided by Manager Corporate & Financial Services, Karen Pegler

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".*

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.