



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, 8 August 2018 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 6 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 David Quilty of the Isa Community 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 25 July 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 25 July 2018, as received, be confirmed.

6.2 27 July 2018 Special Meeting Minutes

Folder ID 6435

Chair Mayor, Cr Joyce McCulloch

Recommendation

That Council consider resolving the following:

THAT the Minutes of the Special Meeting held on 27 July 2018, as received, be confirmed.

Item 7 Development and Land Use – Cr George Fortune

7.1 **Late Item** 3 CAMPBELL STREET – Development Application for Material Change of Use for Additional Duplex to Rear of Existing Dwelling House (Multiple Dwelling Type A)

File 03213-00000-000 & P11-17

Provided by Cadet Planning Officer, Connor Ahnfeldt

Recommendation

That Council consider resolving the following:

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THAT Council APPROVE the development application for a Material Change of Use for an Additional Duplex at the rear of an Existing Dwelling House (Multiple Dwelling Type A) at 3 Campbell Street, Mount Isa, described as Lot 25 on plan MPH21970 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, Division2, 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 specifications and satisfaction;	<i>At all times</i>
Amenity		
4	Hardwired outdoor lighting shall be installed to each individual unit's pedestrian entry for security and night-time identification;	<i>Prior to the commencement of use</i>
5	<i>Prior to commencement of use</i> , the owner/developer shall install hard-wired bollard lighting along the full length of the driveway for security and safety of pedestrian traffic. Outdoor lighting is to be designed in a way so as not to cause a nuisance to the adjoining properties. The owner/developer shall provide ongoing maintenance of the bollard lighting.	<i>Prior to the commencement of use and to be maintained</i>
6	Each approved private open space area and associated privacy screening must be constructed and maintained in accordance with plan, Title: Site Plan, Job No. 17-009, dated: June 2018, for the <i>life of the development</i> ;	<i>Prior to commencement of use and to be maintained</i>
7	Each approved clothes drying area must be constructed and maintained in accordance with plan, Title: Site Plan, Job No. 17-009, dated: June 2018, for the <i>life of the development</i> ;	<i>Prior to commencement of use and to be maintained</i>
8	Each approved refuse storage are shall be accessible by a water tap for washing down, All refuse storage areas must be	<i>Prior to commencement of use and to be</i>

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	constructed and maintained in accordance with plan, Title: Site Plan, Job No. 17-009, dated: June 2018, for the <i>life of the development</i> ;	<i>maintained</i>
9	Mailboxes shall be contained in a single structure on the street frontage adjoining the main pedestrian entry to the site and maintained for the <i>life of the development</i>	<i>Prior to the commencement of use and to be maintained</i>
10	The four (4) sealed, onsite carparking spaces as per plan, Title: Site Plan, Job No. 17-009, dated: June 2018, shall be provided and maintained for the <i>life of the development</i> ;	<i>Prior to the commencement of use and to be maintained</i>
Landscaping		
11	Landscaping is to be provided in accordance with the plan Title: Site Plan, Job No. 17-009, dated: June 2018 and is to be installed prior to the commencement of use. The owner/developer shall adequately maintain the landscaping to Council's satisfaction to ensure it is neat and tidy at all times and not overgrown and/or unsightly	<i>Prior to the commencement of use</i>
12	The owner/developer shall grass the verge for the full length of the property frontage along Campbell Street. The verge shall be maintained to Council satisfaction to ensure it is neat and tidy at all times and not overgrown or unsightly;	<i>Prior to the commencement of use and to be maintained</i>
13	An automatic water reticulation system is to be installed to all landscaping as per the approved plan and including the grassed verge. The owner/developer is to contact Council to arrange an inspection to ensure compliance with this condition prior to the commencement of use. The automatic water reticulation system must be maintained to all landscaping to promote and sustain healthy robust growth to Council satisfaction for the life of the development;	<i>Prior to the commencement of use and to be maintained</i>
14	The responsibility of the ongoing maintenance of all landscaping and irrigation system is to be nominated and form part of the requirements in any Community Management Statement for the development;	<i>As specified</i>
15	An application for Works on Council Property shall be submitted to Council and approval obtained for any additional works proposed on Council's verge including the creation or alteration of driveways;	<i>Prior to commencement of works</i>

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ENVIRONMENTAL HEALTH		
16	<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>(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</p> <p>(b) 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>(c) noise nuisance is prevented or minimised at noise sensitive places</p> <p>(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.</p>	<i>During Construction</i>
17	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.	<i>During Construction</i>
18	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.	<i>During Construction</i>
Waste		
19	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> Destination of the waste.	<i>During Construction</i>
20	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>
21	Any asbestos containing material handled during construction and demolition must be handled according to the provisions of the "How to Manage and Control Asbestos in the Workplace Code of Practice 2011"	<i>During Construction</i>

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Air		
22	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>
23	Preventing noise nuisance Prevent/ minimise the emission of noise that causes, or is likely to cause, environmental nuisance at any 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>
PLUMBING		
Building Over or Close to Council Sewer		
24	Where structures are proposed within 1.2m of a Council sewer main a <i>Build Over or Close to Council Sewer</i> Application shall be submitted to Council and approval obtained prior to any works over or near a Council sewer main.	<i>As required</i>
25	A Plumbing Compliance Assessment Application shall be submitted to Council and approval obtained for all proposed plumbing work undertaken as part of the development. A Plumbing Compliance Assessment Application shall also be submitted, and approval obtained, in relation to building over or close to a Council sewer as required.	<i>Prior to the commencement of use</i>
TECHNICAL SERVICES		
Stormwater		
26	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>
Earthworks		
27	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	<i>Prior to commencement of works</i>

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	retaining checked and certified by a Registered Professional Engineer of Queensland (RPEQ) and obtain Council's approval. 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.	
Compliance with Conditions of Approval		
28	The owner/developer shall contact Council to arrange a compliance inspection of the property to assess compliance with the Assessment Manager's Conditions of Approval and the approved plans.	<i>Prior to commencement of use</i>

Item 8 Works and Camooweal – Cr Mick Tully

- 8.1 **Engineering Services, Monthly Report - July 2018**
File ID 4650
Provided by Director Engineering Services, Emilio Cianetti

Recommendation

That Council consider resolving the following:

THAT Council receives and accepts the July 2018 Engineering Services Monthly Report.

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

- 9.1 **Parks and Gardens Monthly Report – July 2018**
Folder ID 5512
Provided by Director Engineering Services, Emilio Cianetti

Recommendation

That Council consider resolving the following:

THAT Council receives and accepts the July 2018 Parks and Gardens Monthly Report.

- 9.2 **Library Monthly Report – July 2018**
Folder ID 4650
Provided by Coordinator Library Services, Astrid Hancock

Recommendation

That Council consider resolving the following:

THAT Council receives and accepts the July 2018 Library Monthly Report.

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

- 10.1 **Promotions & Development Monthly Report – July 2018**
Folder ID 4639
Provided by Promotions & Development Coordinator, Jasmine Barber

Recommendation

That Council consider resolving the following:

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THAT Council receives and accepts the July 2018 Promotions & Development Monthly Report.

Item 11 Ordinary Meeting Business

11.1 Gymnastics Club – Relocation Review

Folder ID 4664

Provided by Acting Deputy Chief Executive Officer, Mark Crawley

At the request of Mayor Joyce and Cr MacRae a review commenced for a business case to relocate the two Gymnastics groups, the Fitness group and Dance studio to utilise the facilities at Buchanan Park.

Recommendation

That Council consider resolving the following:

THAT Council note the contents of the report provided by the Acting Deputy Chief Executive Officer and await the release of the Sport and Recreation Strategy to progress further.

11.2 MICCOE Review

Folder ID 4664

Provided by Acting Deputy Chief Executive Officer, Mark Crawley

A review of the operations of the Council Owned Enterprises has been carried out and is now provided to Council and the MICCOE Board for consideration.

Recommendation

That Council consider resolving the following:

THAT Council note the content of the Acting Deputy Chief Executive Officer's review and resolve to endorse the following recommendations: -

1. That Council retains the company Mount Isa City Council Owned Enterprises Pty Ltd; and
That the number of Directors remain at nine members, four of those members being sought from the community and the remaining being Councillors; and
That a new Company Secretary be sought.
2. That Council continue to develop the Tourism (and Events) Strategy for consideration and adoption by Council and that the operations and annual Business Strategy for MICCOE is aligned with the overall strategy developed and adopted by Council; and
That Council holds the Business Manager accountable for the delivery and performance of MICCOE against the agreed (adopted) annual Business Strategy; and
That additional governance arrangements (sourced from AICD) be incorporated into the operations of MICCOE, i.e. Board Calendar, Officers Reports for consideration, etc.; and
That all work performed by Council on behalf of MICCOE is collated and charged in accordance with the Service Level Agreement (SLA).
3. That processing of the financial transactions continues at MICCOE.
4. That the physical property assets remain under the control of Council and are not transferred to MICCOE; and
That a schedule of "urgent" maintenance issues be identified and presented to Council for consideration.

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5. That MICCOE continues to lease the properties from Council and undertake the maintenance, including payment of rates and charges, upkeep and any upgrades required are to be negotiated with Council and approved as part of the annual budget process.
 6. That the senior staff of MICCOE, namely the Business Manager is engaged by MICC with the operational staff being engaged by MICCOE
 7. That the current arrangements continue; and
- That an older utility due for replacement from the Council fleet be transferred to MICCOE for use by the Groundsman.
- That in the first instance a Business Case is prepared assessing the suitability of the landscaping operations as a beneficial enterprise or to treat the landscaping activities as a prescribed business activity and whether or not to apply the code of competitive conduct and presented to Council for further discussion and consideration.

Item 12 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 13 Closed Business

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

13.1 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".*

13.2 Request to Waiver Water Notice Charges Assessment 00800-00000-000

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".*

13.3 Request to Waiver Water Notice Charges Assessment 01278-00000-000

Folder ID 4981

Provided by Manager Corporate & Financial Services, Karen Pegler

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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".

13.4

Request to Waiver Water Notice Charges Assessment 03401-00000-000

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".

13.5

Request to Waiver Water Notice Charges Assessment 04327-93000-000

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".

13.6

Request to Waiver Water Notice Charges Assessment 06347-00000-000

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".

13.7

1 FIFTEENTH AVENUE – Request for Extension Currency Period for Material Change of Use (1 x 2 Bedroom Transportable Dwelling Unit)

Folder ID S28-13 & 03528-40000-000

Provided by Planning Officer, Jason Newell

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".

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13.8 2 NANDINA STREET – Request for Extension of Currency Period for Material Change of Use (1 x 2 Bedroom Transportable Dwelling Unit)

Folder ID S27-13 & 03528-50000-000

Provided by Planning Officer, Jason Newell

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".*

13.9 ISA HIGHLANDERS DANCING ASSOCIATION - Tenure renewal over the area described as Area "S" on SP272581 part of Lot 6 on plan RD228

Folder ID 05244-30000-000 I/R 1187823

Provided by Senior Land Use Officer, Donna Real

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".*

13.10 Declared Service Area for the Retail Water and Sewer Service

Folder ID 6165

Provided by Team Leader Water and Sewer, 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".*

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.