



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 September 2018 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 24 September 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.

26 September 2018

Ordinary Meeting Agenda

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 Laurilso-Ahu of the Lutheran 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 September 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 12 September 2018, as received, be confirmed.

Item 7 Development and Land Use – Cr George Fortune

7.1 43 WEST STREET – Development Application for Building Work Not Associated with a Material Change of Use for Additions to Outdoor Recreation Area of Existing Institution

File 05684-10000-000 & P14-17

Provided by Cadet Planning Officer, Connor Ahnfeldt

SUMMARY

Proposal

A development application has been received by Council for Building Work Not Associated with a Material Change of Use for Additions to the Outdoor Recreation Area of an Existing Institution at 43 West Street, Mount Isa.

Date Received

26 July 2018

26 September 2018

Ordinary Meeting Agenda

Property Description

Lot 1 on plan MPH4553

Address

43 West Street, Mount Isa

Site Area

2,428m²

Zoning

Commercial Centre

Current Use

Salvation Army Church, Youth Hall and Administration Office

Concurrence Agencies

Not Applicable

Consultation (internal/external)

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

Status

Application Properly Made:	26 July
2018	
Confirmation Notice Issued:	9 August
2018	
Report Prepared for Council Workshop:	17
September 2018	

Matters for Consideration

- Playground Cannot Achieve 6m Road Boundary Setback
- Playground Proposed in Close Proximity to Sewer

Recommendation

That Council consider resolving the following:

THAT Council APPROVE the Development Application P14-17 for Building Work Not Associated with a Material Change of Use for Proposed Covered Deck, Basketball Half Court, Children's Playground and Shade Structures at 43 West Street, Mount Isa, described as Lot 1 on plan MPH4553 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</i></p>	<i>At all times</i>

26 September 2018

Ordinary Meeting Agenda

	<i>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	All areas of the site not paved, landscaped, or covered in softfall shall be grassed. Grassed and landscaped areas are to be maintained to Council satisfaction to ensure they are neat and tidy at all times and not overgrown or unsightly;	<i>At all times</i>
ENVIRONMENTAL HEALTH		
General		
4	<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>At all times</i>
Waste		
5	<p>Construction and demolition waste – All waste generated as a result of the demolition of existing building structures and construction of existing building structures and construction of a new structures must be effectively controlled and contained entirely within boundaries of the site before disposal. All waste is to be disposed of in accordance with the <i>Environmental Protection</i></p>	<i>During Construction</i>

26 September 2018

Ordinary Meeting Agenda

	(Waste Management) Regulation 2000.	
Noise		
6	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>
7	Noise impacts from proposed use of facility i.e. basketball court is prevented/maintained to require standard level at noise sensitive receptors.	<i>At all times</i>
Air		
8	Light nuisance from proposed use of facility i.e. basketball court is prevented from causing light ingress to the nearest sensitive receptors.	<i>At all times</i>
Land		
9	Mount Isa falls within an area with an Area Management Advice for Lead. The children's play area must be appropriately landscaped to reduce the risk of lead contamination.	<i>At all times</i>
TECHNICAL SERVICES		
10	Prior to undertaking the works , submit a written request to build over or close to Council sewer main in accordance with the 'Mount Isa City Council Building Over or Close to Council Sewer Requirements for Development Applications Policy' and obtain Council approval.	<i>Prior to undertaking the works</i>
11	At all times , ensure all playground and sporting equipment complies with the relevant Australian Standards and Building Codes, including but not limited to AS/NZZ 4685 and AS/NZS 4422. All play equipment must also have all required building and safety approvals prior to use	<i>As specified</i>
12	Prior to commencement of works , obtain all relevant building approvals for the Deck/Roof, and Shade Sails.	<i>Prior to commencement of works</i>
13	In the case where earthworks meet	<i>At all times</i>

26 September 2018

Ordinary Meeting Agenda

	the threshold of 'Non-minor earthworks' as described in the 'City of Mount Isa Planning Scheme', the applicant will be required to ensure they comply with all performance criteria from the 'City of Mount Isa Planning Scheme, Earthworks Code', however, further development approval will not be required.	
14	In the case where earthworks meet the threshold of 'Non-minor earthworks which affect privacy' as described in the 'City of Mount Isa Planning Scheme', the applicant will be required to submit an additional Development Application.	<i>At all times</i>

Item 8 Environmental Management – Cr Paul Stretton

8.1 Water and Sewer Report Monthly Reports –August 2018

Folder ID 5977

Provided by Manager Compliance and Utilities Services, Stephen Wagner

Recommendation

That Council consider resolving the following:

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

8.2 Waste Management Monthly Reports – August 2018

Folder ID 18570

Provided by Manager Compliance and Utilities Services, Stephen Wagner

Recommendation

That Council consider resolving the following:

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

8.3 Environmental Health Services Monthly Reports – August 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 August 2018, Environmental Health Services Monthly Report.

8.4 Local Laws Report Monthly Reports – August 2018

Folder ID 5977

Provided by Manager Compliance and Utilities Services, Stephen Wagner

Recommendation

That Council consider resolving the following:

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

26 September 2018

Ordinary Meeting Agenda

Item 9 Finance and Administration – Deputy Mayor, Cr Phil Barwick

- 9.1 **Customer Services Monthly Report – August 2018**
Folder ID 4755
Provided by Customer Services Coordinator, Kate Thony

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the August 2018, Customer Services Monthly Report.

- 9.2 **Corporate and Financial Services Monthly Report – August 2018**
Folder ID 9487
Provided by Manager Corporate and Financial Services, Karen Pegler

Recommendation

That Council consider resolving the following:

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

Item 10 Ordinary Meeting Business

- 10.1 **Complaints about a Public Official Policy**
Folder ID 14991
Provided by Corporate Governance Officer, Andrea Lee

It is a requirement under the *Crime and Corruption Act 2001* that Council have a policy outlining how complaints that involve, or may involve corrupt conduct by the Chief Executive Officer (CEO) will be dealt with.

Recommendation

That Council consider resolving the following:

THAT Council adopt the updated 'Complaints about a Public Official Policy V2' effective from 26 September 2018.

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 **Community Grants and Sponsorship Round 2 August 2018**
Folder ID 5098
Provided by Chief Executive Officer, Sharon Ibarrolaza

Reason for Confidentiality

26 September 2018

Ordinary Meeting Agenda

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".

12.2 **21 HILARY STREET – Material Change of Use for Swim School (Education and Training Facility)**

Folder ID P13-17 & 001140-000000-0000

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".

12.3 **31 DEMPSEY STREET – Retrospective Road Boundary Clearance Dispensation for 9m x 6m Garage with 9m x 3m Attached Awning**

Folder ID 03402-00000-000 & D01-18

Provided by Cadet Planning Officer, Connor Ahnfeldt

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".

12.4 **11 BUCKLEY AVENUE – Road Boundary Clearance Dispensation Application for 9m x 6m Open Carport**

Folder ID 03591-00000-000 & D02-18

Provided by Cadet Planning Officer, Connor Ahnfeldt

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".

12.5 **Purchase of iCasework Case Management Software**

Folder ID 5180

Provided by Chief Executive Officer, Sharon Ibardolaza

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".

26 September 2018 Ordinary Meeting Agenda

12.6

Request to Waiver Water Notice Charges Assessment 04489-60000-000

Folder ID 4981

Provided by Manger Corporate and 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.