



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, 24 October 2018 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 22 October 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 John Fifita of the Uniting 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 Presentation

Presentation to Mount Isa City Council Staff in recognition of Service.

Item 6 Previous Council Meeting Minutes

6.1 10 October 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 10 October 2018, as received, be confirmed.

Item 7 Development and Land Use – Cr George Fortune

7.1 95 Camooweal Street – Material Change of Use for a Church

File P08-17 & 06150-00000-000

Provided by Planning Officer, Jason Newell

SUMMARY

Proposal

Council has received an application for Material Change of Use to convert the retail warehouse/shop into a church at 95 Camooweal Street, Mount Isa.

Date Received

26.06.2018

Property Description

Lot 75 on plan MPH13990

Address

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95 Camooweal Street, Mount Isa City

Site Area	Zoning
1012m ²	Commercial Centre Planning Area

Current Use

Retail

Concurrence Agencies

Department of Transport and Main Roads (DTMR)

Consultation (internal/external)

- Engineering Services (Director)
- Development & Land Use (Manager)
- Land Use
- Technical Services
- Environmental Health
- Waste
- Plumbing
- Local Laws

Status

Applicant applied for full fee waiver	14 April 2018
Request for fee waiver tabled at Council Ordinary Meeting	9 May 2018
Applicant issued notice that Council declined fee waiver	18 May 2018
Application Received	26 June 2018
Council issued Confirmation Notice	11 July 2018
DTMR issued Confirmation Notice	16 July 2018
DTMR issued Request for Further Information	24 July 2018
Council issued Request for Further Information	8 August 2018
Applicant Responded to Request for Further Information	12 September 2018
Applicant commenced Public Notification	18 September 2018
DTMR issued Decision Notice of Approval	27 September 2018
Applicant Concluded Public Notification	8 October 2018
Memo tabled at Council Informal Briefing Session	17 October 2018

Matters for Consideration

- Development proposes a total of six (6) carparking bays; four (4) tandem bays located in front of the building and two (2) located at the rear of the site. Given the vehicles parked in the four (4) tandem bays are required to reverse to exit the property, this will provide for an unsafe manoeuvre for pedestrian traffic due to the location of the building entry/exit. Council planning officers are recommending the proposed four (4) tandem bays are not approved and vehicles attending the Church be required to park on-street. To this end, the recommended approval has placed restrictions on the number of people attending the Church at any one time given that the location is within the CBD and on-street carparking is for the utilisation of all surrounding businesses.
- One (1) formal submission received objecting to the development and a number of informal comments on social media regarding insufficient on-street parking for all users.
- Unable to achieve the planning scheme recommended on-site landscaping to be visible from the street frontage due to the property setback being completely sealed.

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Recommendation

That Council consider resolving the following:

THAT Council APPROVE the Material Change of Use for a Church at 95 Camooweal Street, described as Lot 75 on plan MPH13990 subject the following conditions:

NUMBER	CONDITION	TIMING
PLANNING		
General		
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>	<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>
3.	The rear 109m ² of the building can only be used for storage and ancillary church activities and is not to be used for church services without obtaining Council approval;	<i>As specified</i>
Amenity		
4.	All lighting is to be designed in a way so as not to cause a nuisance to the surrounding residential properties;	<i>At all times</i>
5.	The applicant shall provide ongoing maintenance of all landscaping to ensure it is neat and tidy and not overgrown and/or unsightly for the life of the development .	<i>For the life of the development</i>
6.	The applicant is to install two planter boxes adjacent to each side of the front entry to the church of minimum length of 2m to form a dedicated pedestrian access.	<i>Prior to commencement of use</i>
7.	Church Services shall be capped at 20 people at any one time and other church activities are capped at 30 people at any one time (due to insufficient on-site carparking).	<i>As specified</i>
Signage		
8.	Advertising signage shall comply with the relevant town planning, building and Local Law requirements and obtain the necessary approvals. Where no building permit is required, the advertising signage shall comply with the manufacturer's specifications/standards and must be securely fastened to the building.	<i>At all times</i>
9.	Any advertising/notice boards proposing to be placed on the footpath will require approval to be obtained from	<i>At all times</i>

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	Mount Isa City Council;	
10.	Where the Advertising Signage is damaged beyond repair or where it is stolen or becomes illegible, the applicant shall take immediate action to remove or make good the signage, upon written notice to that effect by the Mount Isa City Council;	<i>For the life of the development</i>
11.	Upon cessation of the Church, the advertisement must be removed and the site made good within thirty (30) days of the last day on which the Church operated.	<i>At all times</i>
Environmental Health		
12.	<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 maintained to required standard level 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>
Access & Services		
13.	<i>Prior to commencement of use (and then to be maintained)</i> , vehicle access ways, driveways and carpark areas are to have a durable, dust free surface.	<i>Prior to commencement of use (and then to be maintained),</i>
14.	At all times, vehicles accessing the site must enter and exit in a forward motion. Under no circumstances are vehicles to obstruct or undertake any manoeuvres within the footpath/road reserve area.	<i>At all times</i>
15.	At all times, parking between the building façade and the road reserve boundary is prohibited.	<i>At all times</i>
16.	A designated refuse storage area is to be screened from the street by a 1.8m visually impermeable screen (placement at the rear of a building which is not visible from the street is also acceptable), surfaced with an impervious material and is to be accessible by a hose-cock for washing down.	<i>Prior to commencement of use</i>
COMPLIANCE WITH CONDITIONS		
17.	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>Within 1 month of commencement of use</i>

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Item 8 Environmental Management – Cr Paul Stretton

8.1 Water and Sewer Report Monthly Reports –September 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 September 2018, Water and Sewer Monthly Report.

8.2 Waste Management Monthly Reports – September 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 September 2018, Waste Management Monthly Report.

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

8.4 Local Laws Report Monthly Reports – September 2018

Folder ID 5977

Provided by Acting Coordinator Local Laws, Emma Murray

Recommendation

That Council consider resolving the following:

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

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

9.1 Customer Service Monthly Report – September 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 September 2018, Customer Service Monthly Report.

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9.2

Corporate and Financial Services – September 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 September 2018, Corporate and Financial Services Monthly Report.

Item 10

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 11

Closed Business

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

11.1

Tenders – P2018/13 (1 x Single Axel Truck Mounted Jetpatching Unit)

Folder ID 5701

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".

11.2

Asphalt Works – Various City Streets (2018/19)

Folder ID 5701

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".

11.3

Organisational Structure

Folder ID 4664

Provided by Acting Deputy Chief Executive Officer, Mark Crawley

Reason for Confidentiality

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

(b) "industrial matters affecting employees".

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11.4

Rating Concessions for Assessment 01854-00000-000

Folder ID 4981

Provided by Manager Compliance and Utilities Services, Stephen Wagner

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".

11.5

Changes to Fees and Charges – Waste Disposal and Recycling

Folder ID 6084

Provided by Manager Compliance and Utilities Services, Stephen Wagner

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.



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.