



Minutes of the Ordinary Meeting Of the Mount Isa City Council Wednesday, 24 October 2018 Unconfirmed Minutes

Location: Council Chambers, 23 West Street, Mount Isa

Commenced: 12:00 pm

Attendees:

Councillors Cr George Fortune (Chair)
Cr Jean Ferris
Cr Mick Tully
Cr Paul Stretton
Cr Peta MacRae

Executive Mr M Crawley - Acting Deputy Chief Executive Officer
Mr J Hart - Director Compliance and Utilities Services

Staff Ms J Barber - Coordinator Promotions and Development
Mr S Wagner - Manager Compliance and Utilities Services
Mrs M Perry - Executive Assistant Technical Services

Minutes Clerk Mrs C Baxter - Executive Assistant Executive Services

Apologies Her Worship Mayor Cr Joyce McCulloch
Deputy Mayor Cr Phil Barwick
Mrs S Ibardolaza - Chief Executive Officer
Mr E Cianetti - Director Engineering Services
Ms K MacClure - Director Corporate and Financial Services

Item 1 Mayor's Welcome / Attendance and Apologies

Councillor George Fortune opened the meeting and welcomed all those present and welcomed Mr Jake Hart, Director Compliance and Utilities Services to Council and to his first Ordinary Meeting.

Item 2 Council of Clergy Opening Prayer

Gary Dunstan of C3 Church opened the meeting with a prayer.

Item 3 Public Forum

Suspension of Standing Orders

Standing Orders were suspended at 12.03pm

Member of the Public – Mr Barry Byrne

Mr Byrne enquired about the level of involvement and assistance was Council providing to the Lake Moondarra Fishing Classic.



Mr Mark Crawley, Acting Deputy Chief Executive Officer advised that Council usually sponsors the Lake Moondarra Fishing Classic but this year the organisers decided not to apply for sponsorship. However, the Fishing Classic has engaged the services of Council to hang their promotional banners, and deliver bins and sand to the site.

Mount Isa City Council staff and elected members are looking forward to attending and supporting the event, and the team is currently in training for the Dragon Boat Regatta.

Mr Byrne requested an update regarding the Container Refund Scheme.

Mr Stephen Wagner, Manager Compliance and Utilities Services advised Queensland's Container Refund Scheme is set to begin 1 November, with the Mount Isa City Council Refuse Tip a nominated drop off point for the community. Mount Isa City Council is confident that the scheme will have a significant impact on the community from environmental benefits to social enterprise opportunities.

Member of the Public – Ms Danielle Slade

Ms Slade thanked Council for implementing a concession policy on water access charges for owner occupied residential properties in differential rating categories 1, 2, 4 and 5 who have a water meter larger than 20mm.

Ms Slade enquired if Mount Isa City Council is continuing to review residents and businesses that find themselves in financial hardship due to the recently implemented water charges.

Councillor George Fortune encouraged residents to contact Council directly to discuss their individual circumstances.

Member of the Public – Mr Paul Dank

Mr Dank enquired about his properties circumstances in relation to the implemented water charges.

Councillor George Fortune advised Council is unable to discuss individual circumstances and suggested Mr Dank speak with Mr Mark Crawley, Acting Deputy Chief Executive Officer who can assist with his enquiry.

Resumption of Standing Orders

Standing Orders were resumed at 12.10pm

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.

Nil

Item 5 Presentations

Cr George Fortune presented to Mr Gary Gibbs in recognition of 20 years of service with Mount Isa City Council.



Item 6 Previous Council Meeting Minutes

6.1 10 October 2018 Ordinary Meeting Minutes

Folder ID 6435

Chair Deputy Mayor, Cr Phil Barwick

Moved Cr Tully

Seconded Cr Ferris

THAT the Minutes of the Ordinary Meeting held on 10 October 2018, as received, be confirmed.

VOTE CARRIED

OM12/10/18

Item 7 Business Development and Town Planning – 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

95 Camooweal Street, Mount Isa City

Site Area

1012m²

Zoning

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.

Moved Cr Ferris
Seconded Cr MacRae

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,</i>	<i>At all times</i>

	<i>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.	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 Mount Isa City Council;	<i>At all times</i>
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.	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> .	<i>At all times</i>

	<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>	
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>

VOTE CARRIED

OM13/10/18

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

Moved Cr Stretton

Seconded Cr MacRae

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

VOTE CARRIED

OM14/10/18



8.2 Waste Management Monthly Reports – September 2018

Folder ID 18570

Provided by Manager Compliance and Utilities Services, Stephen Wagner

Moved Cr Stretton

Seconded Cr Ferris

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

VOTE CARRIED

OM15/10/18

8.3 Environmental Health Services Monthly Reports – September 2018

Folder ID 5456

Provided by Senior Environmental Health Officer, Priviledge Mapiye

Moved Cr Stretton

Seconded Cr Tully

THAT Council formally receives and accepts the September 2018, Environmental Health Services Monthly Report.

VOTE CARRIED

OM16/10/18

8.4 Local Laws Report Monthly Reports – September 2018

Folder ID 5977

Provided by Acting Coordinator Local Laws, Emma Murray

Moved Cr Stretton

Seconded Cr MacRae

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

VOTE CARRIED

OM17/10/18

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

Moved Cr Ferris

Seconded Cr MacRae

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

VOTE CARRIED

OM18/10/18

9.2 Corporate and Financial Services – September 2018

Folder ID 9487

Provided by Manager Corporate and Financial Services, Karen Pegler

Moved Cr Ferris



Seconded Cr Stretton

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

VOTE CARRIED

OM19/10/18

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.

- 10.1** **Cr MacRae** congratulated the Mayor and Council Staff on the success of the Mayor's Spring Charity Evening. The night was well attended and raised money for the Special Care Unit at the Hospital.
- 10.2** **Cr Ferris** shared the positive feedback she received from residents regarding Council's prompt action to clearing away debris from car accidents and thanked Mr Emilio Cianetti, Director Engineering Services and his staff for their work.
- 10.3** **Cr Stretton** congratulated the Mount Isa APEX Club and the various community groups on the success of the Rock Pop Mime Show. It's a great community event that was well attended.
- 10.4** **Cr Fortune** introduced Council's new **Director Compliance and Utilities Services, Mr Jake Hart** welcoming him to his new role.
- 10.5** **Cr Fortune** encouraged the community to attend the Lake Moondarra Fishing Classic commencing the 26 October to 28 October. The event will feature the new addition of Markets this year on the Saturday night.

Council Adjourned 12.26pm
Council Reconvened 12.44pm

Item 11 Closed Business

Moved Cr Stretton

Seconded Cr Ferris

THAT pursuant to *Section 275 of the Local Government Regulation 2012*, Council resolved that the meeting be closed to the public at 12:45pm

VOTE CARRIED

OM20/10/18

Moved Cr Ferris

Seconded Cr Tully

THAT pursuant to *Section 275 of the Local Government Regulation 2012*, Council re-open the meeting to the public at 12:52pm

VOTE CARRIED

OM21/10/18



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".*

Moved Cr Tully

Seconded Cr Stretton

THAT item 11.1 lie on the table and be re-presented to Council at a later time.

VOTE CARRIED

OM22/10/18

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".*

Moved Cr Stretton

Seconded Cr Ferris

THAT Council award works for the supply and laying of asphalt to various projects identified in the 2018/19 capital works budget to Fulton Hogan.

VOTE CARRIED

OM23/10/18

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".*

Moved Cr Tully

Seconded Cr Stretton

THAT item 11.3 lie on the table and be re-presented to Council at a later time.

VOTE CARRIED

OM24/10/18



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"*.

Moved Cr Ferris

Seconded Cr Tully

THAT Council, pursuant to Part 10 of Local Government Regulation 2012, Council resolves to offer a concession to Assessment 01854-00000-000. The concessional access charge will be the same as for a 20mm water meter irrespective of the actual water meter size. Council grants this remission on the basis that to require the ratepayer to pay the full charges in these circumstances would result in hardship.

VOTE CARRIED

OM25/10/18

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"*.

Moved Cr Stretton

Seconded Cr MacRae

THAT Council amend the Register of Commercial Fees and Charges 2018/2019 to incorporate the recycling of various waste streams, as per attachment 1.

VOTE CARRIED

OM26/10/18

There being no further business the meeting closed at 1pm

Signed by the Chair of the Ordinary Meeting
held on Wednesday, 24 October 2018.

Councillor George Fortune