



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 Camooweal Town Hall, Barkly Highway, Camooweal, on Wednesday, 14 November 2018 commencing at 10:00 am.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 12 November 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

Nil

Item 6 Previous Council Meeting Minutes

6.1 24 October 2018 Ordinary Meeting Minutes

Folder ID 6435

Chair Councilor, George Fortune

Recommendation

That Council consider resolving the following:

THAT the Minutes of the Ordinary Meeting held on 24 October 2018, as received, be confirmed.

Item 7 Development and Land Use – Cr George Fortune

7.1 Development and Land Use – Quarterly Report – July to September 2018 (QTR1)

Folder ID 42235

Provided by Development and Land Use Manager, Gayle Houston

Recommendation

That Council consider resolving the following:

THAT Council receives and accepts the July to September, Development and Land Use – Quarterly Report.

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- 7.2 Application for Surrender and Re-issue of Permit to Occupy, Land Described as Lot A on Crown Plan AP13530, Land Adjoining 19 Buckley Avenue, Mount Isa**
File 03799-00000-000 F/ID 40778
Provided by Senior Land Use Officer, Donna Real

Summary

Council has received a request from the Department of Natural Resources, Mines and Energy for Council's views or requirements in relation to an Application for Surrender and Re-issue a Permit to Occupy* over an area described as Lot A on Crown Plan AP13530 over land described as Lot 31 on CP M75889.

As Lot 31 on CP M75889 is a Reserve for Park and Drainage under Council's trusteeship, the State has also requested Council's consideration as to whether Council would prefer to take direct control of the use of the area, its terms and conditions, including receiving the rental or permit fee.

Recommendation

That Council consider resolving the following:

THAT Council SUPPORT the surrender and reissuing by the Department of Natural Resources, Mines and Energy for the Permit to Occupy over the area described as Lot A on Crown Plan AP13530 for a yard extension.

- 7.3 Application for Priority Purchase of Unallocated State Land, described as Lot 4 on USL47860, adjoining 207 Duchess Road, Mount Isa**
File 01862-00000-000 F/ID 41681
Provided by Senior Land Use Officer, Donna Real

SUMMARY

Council has received a request from the Department of Natural Resources, Mines and Energy for Council's views or requirements in relation to an Application for Priority Purchase of Unallocated State Land (USL) described as Lot 4 on USL47860. The State has advised that the applicant is the adjoining owner to the east, being 207 Duchess Road, formally described as Lot 1 on MPH4535

Recommendation

That Council consider resolving the following:

THAT Council SUPPORT the application to freehold the area described as Lot 4 on USL47860 subject to the following:

1. The portion of Unallocated State Land described as Lot 4 on USL47860 shall be amalgamated into Lot 1 on MPH4535 (207 Duchess Road) so as not to create a stand-alone freehold parcel; and
2. The owner shall obtain any necessary development permit(s) and approval(s) for the existing buildings/structures located on Lot 4 on USL47860 within twelve (12) months from the date of purchase; and
3. The property shall be surveyed to indicate a clear boundary between the lot and the Leichhardt River.

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7.4

2B RYAN ROAD – Development Application for a Material Change of Use for Spray Painting and Panel Repair Workshop

File P03-18 & 06938-10000-000

Provided by Planning Officer, Jason Newall

Proposal

Council has received an application for a spray painting and panel workshop at 2B Ryan Road, Mount Isa, described as Lot 3 on plan MPH30968.

Date Received

06.09.2018

Property Description

Lot 3 on plan MPH30968

Address

2B Ryan Road, Mount Isa

Site Area

1304m²

Zoning

Industrial

Current Use

Council Approved Motor Vehicle Workshop

Concurrence Agencies

N/A

Consultation (internal/external)

- Development and Land Use (Manager)
- Legal Advice
- Technical Services
- Land Use
- Environmental Health
- Plumbing
- Waste

Status

Council received application	6 September 2018
Council issued Confirmation Notice	19 September 2018
Council issued Request for Further Information	3 October 2018
Council received applicant response to RFI	16 October 2018
Council tabled memo at informal briefing session	7 November 2018

Matters for Consideration

- There is an existing Council approval for Motor Vehicles Workshop to operate from the site with its own conditions.
- No proposed site office for the Industry use, however this new operation is proposed to be complementary to the existing use with all business being directly related.
- Waste disposal occasionally requires refuse trucks for large bins to enter the site forward and reverse back onto the verge.
- No landscaping buffer between 2B Ryan Road and 201 Miles Street, which both properties are zoned industrial, 2B Ryan Road is used industrial purposes, 201 Miles street is only used for residential purposes.
- No proposed landscaped areas separating parking areas, building areas and site boundaries.

Recommendation

That Council consider resolving the following:

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THAT Council APPROVE the Development Application for a Material Change of Use for a Spray Painting and Panel Repair Workshop, 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>	
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 gates shall open inwards onto the subject property and not outwards onto the road reserve/verge;	<i>At all times</i>
4.	The spray painting and panel repair workshop must be operated in conjunction with the existing motor vehicle workshop. Should the spray painting and panel repair workshop become a standalone use, the applicant must make a change application to Council to incorporate appropriate car parking arrangements for the standalone use.	<i>At all times</i>
Amenity		
5.	All outdoor lighting shall comply with AS4282-1987 <i>Control of the obtrusive effects of outdoor lighting</i> and be designed in a way so as not to cause a nuisance to the surrounding properties and traffic;	<i>At all times</i>
6.	All refuse bins shall only be placed on the Council's verge for collection days and removed from the verge as soon as practicable.	<i>At all times</i>
Landscaping		
7.	The owner shall install the landscaping in accordance with the Council approved Site Plan	<i>Prior to the commencement of use and then maintained for the life of the development</i>
8.	The owner shall install an automatic water irrigation system to all landscaping to promote healthy robust growth;	<i>Prior to the commencement of use</i>
9.	The owner/developer shall adequately maintain the landscaping and irrigation system in accordance with the approved landscaping plan and ensure it is neat and tidy at	<i>Prior to the commencement of use</i>

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	all times and not overgrown and/or unsightly;	
10.	A designated refuse storage area is to be screened from the street by a 1.8m visually impermeable screen, surfaced with an impervious material and is to be accessible by a hose-cock for washing down.	<i>Prior to commencement of use</i>
Signage		
11.	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>
12.	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>
ENVIRONMENTAL HEALTH		
General		
13.	The operator must achieve the 'general environmental duty' to mitigate any environmental harm and/or nuisance described under the Environmental Protection Act 1994. (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 (b) there is no discharge to air of contaminants that may harm the environment or create a nuisance from the operation of the activity (c) noise nuisance is prevented or minimised at noise sensitive places (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.	<i>At all times</i>
14.	The activities must not cause environmental nuisance at a nuisance sensitive place	<i>At all times</i>
15.	Storage of chemicals and fuels in bulk or in containers greater than 15 litres must be within a secondary containment system and releases from the containment system controlled in a manner that prevents environmental harm.	<i>At all times</i>
16.	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>At all times</i>
17.	The activities must be undertaken in accordance with written procedures that: a) identify potential risks to the environment from the	<i>At all times</i>

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	<p>activity during routine operations and emergencies</p> <p>b) Establish control measures that minimise the potential for environmental harm</p> <p>c) Ensure plant and equipment is maintained and operated in proper and effective condition</p> <p>d) Ensure that staff are trained and aware of their obligations under the Environmental Protection Act 1994</p> <p>Ensure that reviews of environmental performance are undertaken at least annually.</p>	
Waste		
18.	All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite.	<i>At all times</i>
Air		
19.	The activity must be conducted within a fully enclosed facility with an appropriately designed and sized air treatment system.	<i>At all times</i>
20.	Emissions, including combustion gases, released from vents or stacks must achieve sufficient dispersion to prevent environmental harm.	<i>At all times</i>
21.	Prevent the emission of noise that causes, or is likely to cause, environmental nuisance at any nuisance sensitive or commercial place.	<i>At all times</i>
Water		
22.	Stormwater contaminated by the activity must be managed to minimise or prevent any adverse impacts on the values of the receiving environment	<i>At all times</i>
Land		
23.	<p>Contaminants from the activities must not be released to land. Examples of methods that could be used to manage contaminants include:</p> <ol style="list-style-type: none"> 1. Using an impervious groundsheet to catch drips during maintenance of vehicles. The groundsheet should be large enough to catch any spill from the particular vehicle or component being worked on; 2. using dry methods in cleaning the groundsheet; 3. Using a waste oil collection tray during oil changes; and 4. Collecting wastewater and other liquids from cleaning and disposing of properly. 	<i>At all times</i>
ENGINEERING		
Access, Carparking & Manoeuvring		
24.	<i>At all times</i> , vehicle access to the site is such that vehicles can enter and leave the site in forward gear	<i>At all times</i>
25.	<i>Prior to commencement of use (and then to be maintained)</i> , provide the following as indicated on the	<i>As specified</i>

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	<p>approved plans of layout:</p> <ul style="list-style-type: none"> a) A pavement (including associated drainage) to any new areas where motor vehicles will be driven or parked. Vehicle access and carpark areas are to have a durable, dust free surface. b) Crossovers shall be installed at all proposed accesses to the site. All crossovers shall be designed and constructed in accordance with the IPWEAQ standard drawings for commercial driveways c) The internal driveways and car parks are to be designed to comply with AS/NZS 2890.1 (Off-street Car Parking). d) Disabled car parking shall be provided in accordance with AS 1428.1-2009. e) Manoeuvring on-site for all vehicles utilising the site including service and maintenance vehicles. <p>The internal driveways and car parks are to be delineated and signed in accordance with the Manual of Uniform Traffic Control Devices and Austroads.</p>	
26.	<p>Prior to commencement of use (and then to be maintained), parking bays 3, 6 & 8 as indicated on plan 'MT18-0117-1' shall be delineated and signed as 'Employee Only'</p>	As specified
27.	<p>Prior to construction/use (and then to be maintained), any and all verge development (excepting those allowable under Council's 'Road Reserve' Policy shall;</p> <ul style="list-style-type: none"> a) Be approved by Council via a 'Works on Council Property' Application; b) Be at the developer/ owner's expense c) Be maintained to a satisfactory standard at all times d) Not encroach or obstruct the road carriageway <p>AND</p> <p>Council reserves the right to demolish/remove any verge development at any time, should there be a requirement to do so.</p>	
COMPLIANCE WITH CONDITIONS		
28.	<p>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.</p>	Prior to commencement of use

Item 8 Beautification, Parks/Gardens and Library – Cr Jean Ferris

8.1

Library Monthly Report – October 2018

Folder ID 4650

Provided by Coordinator Library Services, Astrid Hancock

Recommendation

That Council consider resolving the following:

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THAT Council receives and accepts the October 2018, Library Monthly Report.

Item 9 Community Development, Sports/Recreation and Youth – Cr Peta MacRae

- 9.1 **Promotions and Development Monthly Report – October 2018**
Folder ID 4650
Provided by Promotion and Development Coordinator, Jasmine Barber

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the October 2018, Promotions and Development Monthly Report.

Item 10 Finance and Administration – Deputy Mayor, Cr Phil Barwick

- 10.1 **Corporate and Financial Services Monthly Report – October 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 October 2018, Corporate and Financial Services Monthly Report.

- 10.2 **2018-2019 Annual Operational Plan Update**
Folder ID 4987
Provided by Manager Corporate and Financial Services, Karen Pegler

Recommendation

That Council consider resolving the following:

THAT Council adopt the first quarter 2018-19 Annual Operational Plan as presented.

Item 11 Ordinary Meeting Business

- 11.1 **Adoption of Sport and Recreation Strategy**
Folder ID 5874
Provided by Chief Executive Officer, Sharon Ibardolaza

Recommendation

That Council consider resolving the following:

THAT Council adopt the Sport and Recreation Strategy 2018-2027

- 11.2 **Proposed Ordinary Meeting Dates – January to June 2019**
Folder ID 6431
Provided by Chief Executive Officer, Sharon Ibardolaza

Recommendation

That Council consider resolving the following:

THAT Council APPROVE the proposed Ordinary Meeting dates for January 2019 to June 2019.

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- 11.3** **Adjustment to 28.02.2018 Minutes Due to Clerical Error**
Folder ID 6436
Provided by Executive Assistant Engineering Services, Merlita Perry

Recommendation

That Council consider resolving the following:

THAT the Ordinary Minutes of February 28, 2018 be adjusted on the Council website and bound book to show the correct summary and

- 11.4** **Splashes Aquatic Centre Grand Re-Opening**
Folder ID 4591
Provided by Promotion and Development Coordinator, Jasmine Barber

Recommendation

That Council consider resolving the following:

THAT Council approve the cost of FREE Pool Entry for the purposes of the Splashes Aquatic Centre Grand Re-Opening to be held in 2018 plus associated event costs.

- 11.5** **Late Item** **2017/18 Annual Report**
Folder ID
Provided by Chief Executive Officer, Sharon Ibardolaza

Recommendation

That Council consider resolving the following:

THAT Council formally receives and accepts the 2017/18 Annual Report as amended.

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** **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".

- 13.2** **Final Audit Management Report 2017/2018**
Folder ID 4959
Provided by Manager Corporate and Financial Services, Karen Pegler

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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".

13.3

2018 Mayor's Spring Charity Evening

Folder ID 4580

Provided by Community Liaison Officer, Rebecca Campbell

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".

13.4

Organisational Structure

Folder ID 4464

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".

13.5

Rating Concessions – Water Meter Access Charges – Downsized Meters

Folder ID 4980

Provided by Manager 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".

13.6

Work Health and Safety Contract

Folder ID 5541

Provided by Acting Human Resources Coordinator, Clair McMahon

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".

13.7

Strategic Policies – Rates and Charges Debt Recovery Police v3

Folder ID 4999

Provided by Manager Corporate and Financial Services, Karen Pegler

Reason for Confidentiality

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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".

13.8

Mount Isa Street Safe Project (CCTV) 2018/2019

Folder ID 42319

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".

13.9

101-103 West Street, Mount Isa, Described as Lot 1 on SP214922 and Lot 10 on MPH21935 – Former Council Sanitation Depot

File 42247 / 05704-00000-000

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

38 WILLIAM AVENUE - Request to Change Conditions of Approval for Development Permit S18-11 for Material Change of Use for 2 x 3 Bedroom Units (Multiple Dwelling Type A)

File 00434-00000-000 & S18-11 I/R 677131

Provided by Cadet Planning Officer, Conner 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".

13.11 **Late Item** **2018-2019 Amended Budget**

File 4967

Provided by Manager Corporate and Financial Services, Karen Pegler

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.