



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, 25 March 2020 commencing at 12:00 pm.

Council Meeting Agenda is attached.

Sharon Ibardolaza
Chief Executive Officer

Dated: 20 March 2020

Copied to: Staff required to attend.

*Local Government Regulation 2012, Chapter 8 Administration
Part 2 Local government meetings and committees*

274 Meetings in public unless otherwise resolved

A meeting is open to the public unless the local government or committee has resolved that the meeting is to be closed under section 275.

275 Closed meetings

(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss—

- (a) the appointment, dismissal or discipline of employees;
- (b) industrial matters affecting employees; or
- (c) the local government's budget; or
- (d) rating concessions; or
- (e) contracts proposed to be made by it; or
- (f) starting or defending legal proceedings involving the local government; or
- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or (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.

(2) A resolution that a meeting be closed must state the nature of the matters to be considered while the meeting is closed.

(3) A local government or committee must not make a resolution (other than a procedural resolution) in a closed meeting.

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 - 11 March 2020 Ordinary Meeting Minutes

Folder ID 6435

Chair Mayor, Cr Joyce McCulloch

Executive Summary

Minutes of the Ordinary Meeting held 11 March 2020 presented to Council to be confirmed.

Officer's Recommendation

THAT the Minutes of the Ordinary Meeting held on 11 March 2020, as received, be confirmed.

Item 7 - Development and Land Use - Cr George Fortune

7.1 - P03-19 – Development Application for a Material Change of Use for a Motor Repair Workshop

File 101663

Provided by Cadet Planning Officer, Conner Ahnfeldt

Executive Summary

Council has received a Development Application for a Material Change of Use for a Seven (7) Bay Vehicle Service Facility, with Ancillary Parts Sales and Storage, at 50-54 Marian Street, Mount Isa.

Officer's Recommendation

THAT Council APPROVE the Development Application for a Material Change of Use for a Seven (7) Bay Motor Repair Workshop, with Ancillary Parts Sales at 50-54 Marian Street, Mount Isa, described as Lots 1-3 on plan MPH4557 subject to the following Conditions of Approval:

NUMBER	CONDITION	TIMING
PLANNING		
General		
1.	The development shall be carried out generally in accordance with the approved plans and drawings	<i>At all times</i>

	<p>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 Council pursuant to a 'change application' under Chapter 3, Part 5, Division 2, Subdivision 2 of the Planning Act 2016;</i></p>	
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 owner/developer is required to amalgamate the allotments, described as Lot 1 on Crown Plan MPH4557, Lot 2 on Crown Plan MPH4557 and Lot 3 on Crown Plan MPH4557, within one (1) year from the commencement of use and provide Council with formal evidence of same;	<i>As specified</i>
Amenity		
4.	The southern and eastern elevation of the proposed building shall incorporate a variety of colours and materials to break-up the bulk of the building and complement the existing streetscape. The use of advertising signage on these elevations is permitted subject to Council Advertising Device approval;	<i>Prior to the commencement of works</i>
5.	All external utility services and equipment, including air-conditioners, antennas and ventilation equipment shall be obscured from the Marian and East Street frontages;	<i>At all times</i>
6.	Refuse storage areas are to be surfaced with an impervious material and must be accessible by a hose-cock (tap) for washing down. All refuse bins and designated areas shall be kept in a clean and tidy condition	<i>At all times</i>
7.	All outdoor lighting shall comply with AS4282-1987 Control of the obtrusive effects of outdoor lighting and be designed in a way so as not to cause a nuisance to the surrounding residential properties and traffic	<i>At all times</i>
Fencing & Gates		
8.	The owner/developer shall install a 1.80m high Colorbond fence to the northern and western boundaries of the proposed development. The fence shall be constructed on a 200mm concrete base to provide a total height above finished ground level of 2.00m. The northern face of the northern boundary fence shall be painted in the Colobond colour "Classic Cream" to match the Shed on the adjoining property at 52 Hilary Street	<i>Prior to the commencement of use</i>
9.	The owner/developer shall install a 50% visually permeable fence with a maximum height of 1.80m to the East Street frontage of the development – behind the 1.50m landscaping strip. Except where otherwise indicated in these conditions all fencing shall be finished in a colour complementary to the colour scheme of the proposed building. The use of barbed wire, razer wire, or electric fencing in boundary fences is not permitted	<i>Prior to the commencement of use</i>
10.	All gates shall open inwards onto the subject property and not outwards onto the road reserve/verge	<i>At all times</i>

Carparking		
11.	The thirty-four (34) sealed, onsite carparking spaces as per the approved Site Plan (Project No. MAL-219-ISA, Dwg. No. CD-102, Dated: November 2019), shall be provided and maintained for the life of the development;	<i>Prior to the commencement of use and to be maintained</i>
12.	<p>The owner/operator is to implement the Valet Parking, Pick-Up/Drop-Off and Two-Shift work schedule processes as identified in Section 4.4 of the Planning Report to ensure that all customer and staff vehicles associated with the business can be wholly and safely accommodated on-site at all times;</p> <p>Reason: The proposed carparking arrangement is approved on the basis that the above operating practices will ensure the thirty-four (34) on-site carparks can wholly and safely accommodate the maximum number of vehicles anticipated to be on-site at any one time</p>	<i>At all times</i>
Landscaping		
13.	Landscaping is to be provided in the locations as shown on the approved Site Plan (Project No. MAL-219-ISA, Dwg. No. CD-102, Dated: November 2019) 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>
14.	The owner/developer shall grass the verge for the full length of the property frontages along Marian and East Streets. The verges 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>
15.	An automatic water reticulation system is to be installed to all landscaping as per the approved Site Plan including the grassed verges. 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 for the life of the development</i>
ENGINEERING		
General		
16.	All paved surfaces shall be slip resistant, stable and trafficable in all weather conditions	<i>At all times</i>
Access, Grades, Manoeuvring and Carparks		
17.	<p>Provide, construct and delineate or sign (as required) the following requirements:</p> <p>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.</p> <p>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. Any existing crossovers not forming part of the new development shall be removed and kerb, channel and footpath (where existing) to be reinstated to</p>	<i>Prior to commencement of use and then maintained for the life of the development</i>

	<p>Council specifications at the owner/developer's expense</p> <p>c) The internal driveways and car parks are to be designed to comply with AS/NZS 2890.1 (Off-street Car Parking), including providing disabled bays.</p> <p>d) Manoeuvring on-site for all vehicles utilising the site including service and maintenance vehicles.</p> <p>e) 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>	
Stormwater		
18.	Prepare and submit a Stormwater Management Plan checked and certified by a Registered Professional Engineer of Queensland (RPEQ) and obtain Council's approval	<i>Prior to the commencement of works</i>
19.	Stormwater runoff is to be collected internally and directed to a lawful point of discharge. Ensure a non-worsening of the existing flow regime to properties that are upstream and downstream of the site	<i>At all times</i>
20.	Complete stormwater civil works associated with the development in accordance with the approved Stormwater Management Plan	<i>Prior to the commencement of building works</i>
Water		
21.	Any works on existing Council water network shall be undertaken by Council at the applicant/owner's expense	<i>At all times</i>
22.	One (1) single water meter shall service the development; all additional meters shall be removed from the development site. All works shall be in accordance with Council's Water Meter Policy	<i>Prior to the commencement of use</i>
23.	The owner/developer shall ensure that the requirements of the Queensland Fire Service for provision of fire-fighting services for the development is met. All cost associated with this are to be at the owner/developer's expense. Location of any additional infrastructure that has not been identified on the approved plans will require Council's consent;	<i>Prior to the commencement of building works</i>
Sewerage		
24.	Any works on existing Council sewer network shall be undertaken by Council at the applicant/owner's expense	<i>Prior to the commencement of works</i>
25.	<p>Prior to the commencement of works, remove the existing sewer property connections and provide a new connection to the sewer located on-site and provide internal reticulation to service the development.</p> <p>Prior to undertaking the works, a separate Plumbing and Drainage Application and approval is required in accordance with the <i>Plumbing and Drainage Act 2002</i></p>	<i>As specified</i>
26.	A separate Plumbing and Drainage Application and approval is required for the washdown bay water treatment system in accordance with the <i>Plumbing and Drainage Act 2002</i>	<i>Prior to the commencement of works</i>
27.	Where structures are proposed within 1.5m 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>

28.	The existing manhole shall be at the same level as the finished surface level and completed to Council satisfaction at the owner/developer's cost	<i>Prior to commencement of use</i>
Civil Works		
29.	Identify and locate other underground services through 'Dial Before You Dig 1100' for any relevant requirements. Do not bury any service pits under any circumstances	<i>Prior to the commencement of works</i>
30.	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	<i>At all times</i>
31.	Where earthworks result in a ground surface level at the boundary of an allotment which differs by more than 100mm from the ground surface level at the corresponding location on an adjoining allotment, a retaining structure is to be provided, either to retain the new work to prevent collapse or raveling onto adjoining land, or to retain the pre-existing earth material on adjoining land to prevent collapse	<i>Prior to the commencement of building works</i>
32.	All retaining structures over 1 metre in height and associated footings must be designed and certified by a Registered Professional Engineer of Queensland (RPEQ) and obtain a building permit/approval	<i>Prior to commencement of building works</i>
33.	Prior to commencement of building works complete all civil works (including all earthworks, foundations and retaining structures) associated with the development	<i>Prior to the commencement of building works</i>
ENVIRONMENTAL HEALTH		
34.	<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> <ul style="list-style-type: none"> 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>
35.	The activities must not cause environmental nuisance at a nuisance sensitive place	<i>At all times</i>
36.	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>
37.	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>
38.	The activities must be undertaken in accordance with written procedures that:	<i>At all times</i>

	<p>a) identify potential risks to the environment from the 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 <i>Environmental Protection Act 1994</i></p> <p>e) Ensure that reviews of environmental performance are undertaken at least annually</p>	
Waste		
39.	All waste generated in carrying out the activity must be reused, recycled or lawfully disposed of offsite	<i>At all times</i>
40.	<p>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 Regulation 2019</i></p>	<i>During construction</i>
41.	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>
42.	Any asbestos containing material handled during construction and demolition must be handled according to the provisions of the <i>"How to Manage and Control Asbestos in the Workplace Code of Practice 2011"</i>	<i>During Construction</i>
Air		
43.	The activity must be conducted within a fully enclosed facility with an appropriately designed and sized air treatment system	<i>At all times</i>
44.	Emissions, including combustion gases, released from vents or stacks must achieve sufficient dispersion to prevent environmental harm	<i>At all times</i>
45.	<p>Noise Nuisance: Prevent the emission of noise that causes, or is likely to cause, environmental nuisance at any nuisance 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</p>	<i>During Construction</i>
46.	<p>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</p>	<i>During Construction</i>
Water		
47.	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>

48.	The oil separator must be serviced frequently to ensure wastewater meets Council's Wastewater Release Criteria before being released to the sewerage system	<i>At All times</i>
Land		
49.	Contaminants from the activities must not be released to land. Examples of methods that could be used to manage contaminants include: a) 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; b) using dry methods in cleaning the groundsheet; c) Using a waste oil collection tray during oil changes; and d) Collecting wastewater and other liquids from cleaning and disposing of properly.	<i>At all times</i>
COMPLIANCE WITH CONDITIONS		
50.	The owner/developer shall obtain written confirmation from all referral agencies for this Development Permit/Approval confirming compliance of their Conditions of Approval and provide to Council	<i>Prior to commencement of use and prior to Condition 51 below</i>
51.	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 the commencement of use</i>

Item 8 - Works and Camooweal - Cr Mick Tully

Nil Reports for Consideration

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

Nil Reports for Consideration

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

Nil Reports for Consideration

Item 11 - Environmental Management - Cr Paul Stretton

11.1 - Water and Sewer Report Monthly Report – February 2020

Folder ID 5977

Provided by Manager Compliance and Utilities Services, Stephan Wagner

Executive Summary

February 2020 Water and Sewer Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the February 2020 Water and Sewer Monthly Report

11.2 – Waste Management Monthly Report – February 2020

Folder ID 18570

Provided by Team Leader Waste Management, Sam Wylie

Executive Summary

February 2020 Waste Management Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the February 2020 Waste Management Monthly Report.

11.3 – Environmental Health Services Monthly Report – February 2020

Folder ID 5456

Provided by Coordinator Environmental Health, Priviledge Mapiye

Executive Summary

February 2020 Environmental Health Services Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the February 2020 Environmental Health Services Monthly Report.

11.4 – Local Laws Monthly Report – February 2020

Folder ID 5977

Provided by Manager Compliance and Utilities Services, Stephan Wagner

Executive Summary

February 2020 Local Laws Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the February 2020 Local Laws Monthly Report.

Item 12 - Finance and Administration - Deputy Mayor, Cr Phil Barwick

12.1 – Customer Service Monthly Report – February 2020

Folder ID 4755

Provided by Coordinator Customer Service, Rhiannon Young

Executive Summary

February 2020 Customer Service Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the February 2020 Customer Service Monthly Report.

12.2 – Corporate and Financial Services Monthly Report – February 2020

Folder ID 4755

Provided by Manager Corporate and Financial Services, Philip Mason

Executive Summary

February 2020 Corporate and Financial Services Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the February 2020 Corporate and Financial Services Monthly Report.

Item 13 – Executive Services – Chief Executive Officer, Sharon Ibardolaza

13.1 – Workplace Health and Safety Monthly Report – February 2020

Folder ID 99131

Provided by Work Health and Safety Advisor, Trevor Rethamel

Executive Summary

February 2020 Workplace Health and Safety Monthly Report presented to Council for information and consideration.

Officer's Recommendation

THAT Council receives and accepts the February 2020 Workplace Health and Safety Monthly Report.

Item 14 - 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 15 – Confidential Reports

15.1 – Amendment of Fees and Charges Schedule 2019/20

Folder ID 97031

Provided by Director Corporate and Finance Services, Karren MacClure

Executive Summary

A recent review of Splashez Aquatic Centre fees and charges schedule has been undertaken and an update is proposed for Council consideration.

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".*

15.2 – P05-19 – Development Application for a Reconfiguration of a Lot for a Boundary Realignment

Folder ID 105535

Provided by Cadet Planning Officer, Connor Ahnfeldt

Executive Summary

Council has received a Development Application for a Reconfiguration of a Lot to realign the common boundary of 103 and 107 West Street, Mount Isa to coincide with the existing fenceline.

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".*

Meeting close