



MINUTES

**Ordinary Council Meeting
Wednesday, 19 July 2023**

Order Of Business

1	Opening of the Meeting/Acknowledgement of Country	4
2	Prayer	4
3	Apologies/Leave of Absence	4
4	Public Participation	4
5	Confirmation of Previous Meeting Minutes.....	5
5.1	Minutes of the Special Meeting held on 21 June 2023.....	5
5.2	Minutes of the Ordinary Meeting held on 21 June 2023.....	5
5.3	Minutes of the Special Meeting held on 29 June 2023.....	5
6	Actions from Previous Council Meetings	5
6.1	Outstanding Actions From Previous Council Meetings As At 19 July 2023.....	5
7	Declarations of Conflicts of Interest.....	6
8	Mayoral Minute.....	6
	Mayor Slade reminded residents, with regards to crime, to please contact the Queensland Police Service to respond to the matter. Mayor advised residents not to risk their own or other members of the public's safety by confronting or engaging with persons undertaking crime.	
	Mayor wished to show support of the Matilda's playing in tomorrow night's Women's World Cup, being hosted in Australia.	
9	Reading and Consideration of Correspondence	6
	Nil	
10	Executive Services Reports	6
10.1	Update of Register of Delegations - Council to CEO	6
10.2	Audit and Risk Committee - Appointment of Chairperson.....	6
10.3	MICCOE Adoption of Documentation and EOI - CHAIR	6
11	Corporate and Community Services Reports	7
11.1	Finance Overview Report - June 2023	7
11.2	2023-24 Procurement Policy and Financial Delegations Register.....	7
11.3	Splasherz Overview Report- June 2023	7
11.4	Environmental and Biosecurity Overview Report - May 2023 and June 2023.....	7
11.5	Development and Land Use FY22/23 Quater Four (4) Overview Report	8
11.6	Economic Development Overview Report - June 2023.....	8
11.7	Community Development Overview Report - June 2023	8
11.8	North Queensland Sports Foundation 2023 North Queensland Sportstar Awards - Councillor Delegation	8
11.9	PCYC - Request to change scope of approved grant - RUBY program	9
11.10	Merchandise Allocation	9
11.11	Regional Arts Development Fund Round 3	9
12	Infrastructure Services Reports.....	9

12.1	Major Projects Overview Report June 2023	9
12.2	Waste Management Overview Report - May and June 2023.....	9
12.3	Request for Variation to Contract MICC RFT - Primary Clarifiers Repair/Replacement	10
13	General Business.....	10
	Nil	
	The meeting adjourned at 10:26am, and resumed at 10:43am.	
14	Consideration of Confidential Business Items	10
14.1	Appointment of Interim Chief Executive Officer	11
14.2	Notice of Intention to Sell Land for Overdue Rates and Charges.....	12
14.3	Acquisition of Property - Assessment # 04992-34000-000	12
14.4	Request to Waive Infrastructure Charges for the Material Change of Use of a Health Care Centre at 6 Burke Street, Mount Isa, described as Lot 11 on plan MPH13992	13
14.5	Concession to Waiver and Write-Off Rates & Charges for Property Assessment 07196-00000-000.....	13

**MINUTES OF MOUNT ISA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 23 WEST STREET, MOUNT ISA
ON WEDNESDAY, 19 JULY 2023 AT 9AM**

PRESENT: Crs Slade, Barwick, Fortune, MacRae

IN ATTENDANCE: Tim Rose (Acting CEO), Chiley Luangala (Director Corporate and Community), Stephen Jewell (Director, Infrastructure Services)

1 OPENING OF THE MEETING/ACKNOWLEDGEMENT OF COUNTRY

Mayor Slade opened the meeting at 9:00am.

2 PRAYER

Pastor George of the Uniting Church gave a prayer.

3 APOLOGIES/LEAVE OF ABSENCE

RESOLUTION OM01/ 07/23

Moved: Cr Peta MacRae

Seconded: Cr George Fortune

THAT Council receive and accept the following Councillors' leaves of absence and apologies Cr Tully, Cr Coghlan and Cr Stretton.

CARRIED 4

4 PUBLIC PARTICIPATION

Peter Bolger asked what Council is doing to address youth crime issues in Mount Isa and the impact this is having on Mount Isa's tourist reputation.

Peter also asked how much the flood warning signs cost Council or if funding was sourced. He stated that the signs may be operating in error and asked, in such event, who do the public contact to rectify.

Stephen Jewell advised the signs were funded by QRA, approx. \$600k., that the only cost to Council was the project management. The signs are currently not fully commissioned, and this would have been evident in the recent rain event, where the signs were remotely operated. When complete, the signs will operate automatically, to read causeway levels and activate on set level parameters.

In relation to Peter's first question, the Mayor advised caravan parks are unfortunately being targeted. Tourist's complacency is creating favourable conditions for opportunistic thieves. The Mayor recited the Mayoral Minute from 14 December 2022.

Aubrey Liyanage advised Council that he is encountering less tourists and they are deterred from stopping in Mount Isa due to crime and the closure of free camping areas in Camooweal.

5 CONFIRMATION OF PREVIOUS MEETING MINUTES**5.1 MINUTES OF THE SPECIAL MEETING HELD ON 21 JUNE 2023****RESOLUTION OM02/ 07/23**

Moved: Cr Phil Barwick

Seconded: Cr Peta MacRae

THAT the Minutes of the Special Meeting held on 21 June 2023 be confirmed as a true and correct record.

CARRIED 4

5.2 MINUTES OF THE ORDINARY MEETING HELD ON 21 JUNE 2023**RESOLUTION OM03/ 07/23**

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT the Minutes of the Ordinary Meeting held on 21 June 2023 be confirmed as a true and correct record.

CARRIED 4

5.3 MINUTES OF THE SPECIAL MEETING HELD ON 29 JUNE 2023**RESOLUTION OM04/ 07/23**

Moved: Cr Phil Barwick

Seconded: Cr Peta MacRae

THAT the Minutes of the Special Meeting held on 29 June 2023 be confirmed as a true and correct record.

CARRIED 4

6 ACTIONS FROM PREVIOUS COUNCIL MEETINGS**6.1 OUTSTANDING ACTIONS FROM PREVIOUS COUNCIL MEETINGS AS AT 19 JULY 2023****RESOLUTION OM05/ 07/23**

Moved: Cr George Fortune

Seconded: Cr Peta MacRae

THAT Council receives and notes the outstanding actions from previous Council Meetings as at 19 July 2023.

CARRIED 4

7 DECLARATIONS OF CONFLICTS OF INTEREST

Deputy Mayor Cr Barwick declared a conflict of interest relating to item 14.4 and advised of his intent to leave the Chamber when the item is considered.

Acting CEO Tim Rose declared a conflict of interest relating to item 14.1 and advised of his intent to leave the Chamber when the item is considered.

8 MAYORAL MINUTE

Mayor Slade reminded residents, with regards to crime, to please contact the Queensland Police Service to respond to the matter. Mayor advised residents not to risk their own or other members of the public's safety by confronting or engaging with persons undertaking crime.

Mayor wished to show support of the Matilda's playing in tomorrow night's Women's World Cup, being hosted in Australia.

9 READING AND CONSIDERATION OF CORRESPONDENCE

Nil

10 EXECUTIVE SERVICES REPORTS

10.1 UPDATE OF REGISTER OF DELEGATIONS - COUNCIL TO CEO

RESOLUTION OM06/ 07/23

Moved: Cr Phil Barwick

Seconded: Cr Peta MacRae

THAT Council adopt the updated Register of Delegations – Council to CEO V5.

CARRIED 4

10.2 AUDIT AND RISK COMMITTEE - APPOINTMENT OF CHAIRPERSON

RESOLUTION OM07/ 07/23

Moved: Cr Peta MacRae

Seconded: Cr George Fortune

THAT Council appoint Kerry Philips to the position of Independent Chair for the Audit and Risk Committee for the remainder of term of this Council and for a period of two (2) years with the option of a further two years upon satisfactory review, and

That Mr Geoff King be thanked for his service as the Independent Chair.

CARRIED 4

10.3 MICCOE ADOPTION OF DOCUMENTATION AND EOI - CHAIR

RESOLUTION OM08/ 07/23

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT Council adopt the recommended changes to the Constitution of the Mount Isa City Council Owned Enterprises Pty Ltd and

THAT Council adopt the Mount Isa Council Owned Enterprises (MICCOE) Board Charter and

THAT Council call for Expression of Interest to fill the role of the (MICCOE) Independent Chair

In Favour: Crs Phil Barwick, George Fortune and Peta MacRae

Against: Cr Danielle Slade

Absent: Crs Paul Stretton, Mick Tully and Kim Coghlan

CARRIED 3/1

11 CORPORATE AND COMMUNITY SERVICES REPORTS

11.1 FINANCE OVERVIEW REPORT - JUNE 2023

RESOLUTION OM09/ 07/23

Moved: Cr Phil Barwick

Seconded: Cr Peta MacRae

THAT Council receives and accepts the June 2023 Finance Overview Report as presented.

CARRIED 4

11.2 2023-24 PROCUREMENT POLICY AND FINANCIAL DELEGATIONS REGISTER

RESOLUTION OM10/ 07/23

Moved: Cr Phil Barwick

Seconded: Cr Peta MacRae

THAT Council adopts the 2023/24 Procurement Policy version 13 with the Financial Delegations Register version 6 as presented.

CARRIED 4

11.3 SPLASHEZ OVERVIEW REPORT- JUNE 2023

RESOLUTION OM11/ 07/23

Moved: Cr Peta MacRae

Seconded: Cr George Fortune

THAT Council receives and accepts the June 2023 Splashez Overview Report as presented.

CARRIED 4

11.4 ENVIRONMENTAL AND BIOSECURITY OVERVIEW REPORT - MAY 2023 AND JUNE 2023

RESOLUTION OM12/ 07/23

Moved: Cr George Fortune

Seconded: Cr Phil Barwick

THAT Council receives and accepts the May 2023 and June 2023 Environmental and Biosecurity Overview Report as presented.

CARRIED 4

11.5 DEVELOPMENT AND LAND USE FY22/23 QUATER FOUR (4) OVERVIEW REPORT

RESOLUTION OM13/ 07/23

Moved: Cr George Fortune

Seconded: Cr Phil Barwick

THAT Council receives and accepts the Development and Land Use Section's FY22/23 Quarter Four (4) Overview Report.

CARRIED 4

11.6 ECONOMIC DEVELOPMENT OVERVIEW REPORT - JUNE 2023

RESOLUTION OM14/ 07/23

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT Council receives and accepts the June 2023 Economic Development Overview Report as presented.

CARRIED 4

11.7 COMMUNITY DEVELOPMENT OVERVIEW REPORT - JUNE 2023

RESOLUTION OM15/ 07/23

Moved: Cr Peta MacRae

Seconded: Cr Phil Barwick

THAT Council receives and accepts the June 2023 Community Development Overview Report as presented.

CARRIED 4

11.8 NORTH QUEENSLAND SPORTS FOUNDATION 2023 NORTH QUEENSLAND SPORTSTAR AWARDS - COUNCILLOR DELEGATION

RESOLUTION OM16/ 07/23

Moved: Cr George Fortune

Seconded: Cr Phil Barwick

THAT Council delegates Cr Peta Macrae and Cr Paul Stretton to assess the local nominations for the 2023 North Queensland Sportstar Awards and select the relevant nominees per category, as Councils submission to The North Queensland Sports Foundation.

CARRIED 4

11.9 PCYC - REQUEST TO CHANGE SCOPE OF APPROVED GRANT - RUBY PROGRAM**RESOLUTION OM17/ 07/23**

Moved: Cr Peta MacRae

Seconded: Cr Phil Barwick

THAT Council approves a change of scope to the PCYC RUBY (Rise Up Be Yourself) Program to permit the utilisation of previously approved community grant funds to upskill a PCYC employee to enable the delivery of the program.

CARRIED 4

11.10 MERCHANDISE ALLOCATION**RESOLUTION OM18/ 07/23**

Moved: Cr Peta MacRae

Seconded: Cr George Fortune

THAT Council approves for the Chief Executive Officer to approve any distribution of merchandise.

CARRIED 4

11.11 REGIONAL ARTS DEVELOPMENT FUND ROUND 3**RESOLUTION OM19/ 07/23**

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT Council endorses the RADF Committee recommendation to approve Rachael Wright ART to receive \$3,550.00 (Excl. GST) under Round 3 of the 2022-23 RADF funding for her project "Regional Resin Art Workshops".

CARRIED 4

12 INFRASTRUCTURE SERVICES REPORTS**12.1 MAJOR PROJECTS OVERVIEW REPORT JUNE 2023****RESOLUTION OM20/ 07/23**

Moved: Cr George Fortune

Seconded: Cr Peta MacRae

THAT Council receives and accepts the June 2023 Major Projects Overview Report.

CARRIED 4

12.2 WASTE MANAGEMENT OVERVIEW REPORT - MAY AND JUNE 2023**RESOLUTION OM21/ 07/23**

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council receives and accepts the May 2023 and June 2023 Waste Management Overview Report as presented.

CARRIED 4

12.3 REQUEST FOR VARIATION TO CONTRACT MICC RFT - PRIMARY CLARIFIERS REPAIR/REPLACEMENT

RESOLUTION OM22/ 07/23

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council accepts the quote from Re-Pump Australia Pty Ltd and accepts a variation of \$708,090 (excl. GST) to the contract MICC RFT - Primary Clarifiers Repair/Replacement in accordance with section 235 (b) of the *Local Government Regulation 2012*.

CARRIED 4

13 GENERAL BUSINESS

Nil

The meeting adjourned at 10:26am, and resumed at 10:43am.

14 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

RESOLUTION OM23/ 07/23

Moved: Cr Danielle Slade
Seconded: Cr Peta MacRae

THAT Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 254J of the Local Government Regulation 2012:

14.1 Appointment of Interim Chief Executive Officer

This matter is considered to be confidential under Section 254J - a of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the appointment, discipline or dismissal of the chief executive officer.

14.2 Notice of Intention to Sell Land for Overdue Rates and Charges

This matter is considered to be confidential under Section 254J - h of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967.

14.3 Acquisition of Property - Assessment # 04992-34000-000

This matter is considered to be confidential under Section 254J - g of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

14.4 Request to Waive Infrastructure Charges for the Material Change of Use of a Health Care Centre at 6 Burke Street, Mount Isa, described as Lot 11 on plan MPH13992

This matter is considered to be confidential under Section 254J - c of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with the local government's budget.

14.5 Concession to Waiver and Write-Off Rates & Charges for Property Assessment 07196-00000-000

This matter is considered to be confidential under Section 254J - d of the Local Government Regulation, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with rating concessions.

CARRIED 4

At 10:46am, Acting CEO left the meeting due to a conflict of interest in relation to item 14.1 and remained out of the Chamber whilst the item was discussed.

At 11:08am, Acting CEO returned to the meeting.

At 11:32am, Cr Barwick left the meeting due to a conflict of interest in relation to item 14.4 and remained out of the Chamber whilst the item was discussed.

At 11:35am, Cr Barwick returned to the meeting.

RESOLUTION OM24/ 07/23

Moved: Cr Danielle Slade

Seconded: Cr Phil Barwick

THAT Council moves out of Closed Council into Open Council.

CARRIED 4

At 11:40am, Acting CEO left the meeting due to a conflict of interest in item 14.1 and remained out of the Chamber whilst the item was discussed and resolved.

14.1 APPOINTMENT OF INTERIM CHIEF EXECUTIVE OFFICER**RESOLUTION OM25/ 07/23**

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT Council appoint Mr Tim Rose as Acting Chief Executive Officer for a period of 12 months from 20 July 2023 and the Mayor be authorised to enter into a contract of employment and,

THAT the delegation to the CEO to appoint an Acting CEO during a vacancy in the position pursuant to section 195 (a) of the Local Government Act be revoked.

CARRIED 4

At 11:42am, Acting CEO returned to the meeting.

14.2 NOTICE OF INTENTION TO SELL LAND FOR OVERDUE RATES AND CHARGES**RESOLUTION OM26/ 07/23**

Moved: Cr Phil Barwick

Seconded: Cr Peta MacRae

THAT Council resolves to:

- (a) sell the land in the below Schedule pursuant to section 140(2) of the *Local Government Regulation 2012*; and
- (b) delegate to the Chief Executive Officer its power to:
 - a. give a Notice of Intention to Sell the land to all interested parties under section 140(3) of the *Local Government Regulation 2012*; and
 - b. take all further steps required under sections 141, 142, 143, 144, 145 and 146 of the *Local Government Regulation 2012* to effect the sale of the land.

Schedule

Assessment No.	Description
00032-00000-000	LOT 2 ON SURVEY PLAN 206660
00697-00000-000	LOT 12 ON CROWN PLAN MPH7994
01959-00000-000	LOT 9 ON CROWN PLAN MPH22085
04260-00000-000	LOT 23 ON CROWN PLAN MPH22068
03124-00000-000	LOT 14 ON CROWN PLAN M758194
04405-00000-000	LOT 5 ON CROWN PLAN MPH21950
04793-00000-000	LOT 31 ON CROWN PLAN MPH21963
06195-00000-000	LOT 115 ON CROWN PLAN MPH13991
06682-00000-000	LOT 118 ON CROWN PLAN MPH40095

CARRIED 4

14.3 ACQUISITION OF PROPERTY - ASSESSMENT # 04992-34000-000**MOTION**

Moved: Cr Phil Barwick

THAT Council

APPROVE the purchase of the residential freehold property at 23 Emmalyn Close at the offer price of \$425k and approve capital renovation budget of \$15k and approve legal fees estimate of \$5k for relevant property transfers and searches.

The motion lapsed for want of a seconder.

At 11:45 am, Cr Phil Barwick left the meeting due to a conflict of interest in relation to item 14.4.

The Mayor declared that due Cr Barwick declaring an interest in this item, the Council was without a quorum and Cr Barwick was asked to return to the meeting.

At 11:46 am, Cr Phil Barwick returned to the meeting.

Acting CEO advised that due to loss of quorum, as per section 150EU 2(a) of the *Local Government Act 2009*, this matter can be delegated to the CEO under section 257(b) of the Act. Cr Barwick can participate in the resolution for this delegation, as per section 150EU(4) of the Act:

(4) A councillor does not contravene section 150EK(1), 150EM(2), 150EQ(2)(a) or (3)(a) or 150ES(5) by participating in a decision, or being present while the matter is discussed and voted on, for the purpose of delegating the matter or making a decision under subsection (2)(b) or (c).

14.4 REQUEST TO WAIVE INFRASTRUCTURE CHARGES FOR THE MATERIAL CHANGE OF USE OF A HEALTH CARE CENTRE AT 6 BURKE STREET, MOUNT ISA, DESCRIBED AS LOT 11 ON PLAN MPH13992

RESOLUTION OM27/ 07/23

Moved: Cr Peta MacRae

Seconded: Cr George Fortune

THAT under section 257(b) of the *Local Government Act 2009*, Council delegate the authority to the Acting CEO to decide item 14.4 'Request to waive infrastructure charges for the material change of use of a health care centre at 6 Burke Street, Mount Isa, described as Lot 11 on Plan MPH13992'.

CARRIED 4

14.5 CONCESSION TO WAIVER AND WRITE-OFF RATES & CHARGES FOR PROPERTY ASSESSMENT 07196-00000-000

RECOMMENDATION

THAT Council approves a concession to Waiver and Write-Off Rates & Charges of \$909.71, for Property Assessment 07196-00000-000, for the Period 01-01-2023 to 30-06-2023, under *Sections 119, 120 (1) (a) & (c), 121(a) and 122 (1)(a) of the Local Government Regulation 2012*, due to financial hardship.

RESOLUTION OM28/ 07/23

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT the above matter lay on the table.

CARRIED 4

There being no further business the Meeting closed at 11.49am.

The minutes of this meeting were confirmed at the Council Meeting held on 23 August 2023.

.....
CHAIRPERSON