



# Minutes of the Ordinary Meeting Of the Mount Isa City Council Wednesday, 14 March 2018 Unconfirmed Minutes

**Location:** Council Chambers, 23 West Street, Mount Isa

**Commenced:** 12:00 pm

**Attendees:**

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**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

**Executive** Mrs S Ibardolaza - Chief Executive Officer  
Mr M Crawley - Acting Deputy Chief Executive Officer  
Mrs K Pegler - Acting Director Corporate and Financial Services  
Mr E Cianetti - Director Engineering Services  
Mr M Salmon - Director Compliance and Utilities Services

**Staff** Nil

**Minutes Clerk** Sandy Hansen - Executive Assistant-Engineering Services

**Apologies** Nil

## Item 1 Mayor's Welcome / Attendance and Apologies

Her Worship Mayor Cr Joyce McCulloch opened the meeting and welcomed all those present.

## Item 2 Council of Clergy Opening Prayer

The Council of Clergy Representative Natalie Steele, from the Salvation Army opened the meeting with a prayer.

## Item 3 Public Forum

File Meetings I/R 1253114

Nil

## 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.

*Madam Mayor, Cr Joyce McCulloch declared a Material Personal Interest for Confidential Item 13.2*

**Item 5 Presentations**

Madam Mayor, Cr Joyce McCulloch recognised and congratulated the staff on their years of service to the Council and the community and presented a certificate and gift to each staff member.

Debbie Crosato	10 Years of Service	Corporate and Financial Services
Kerrie Dempsey	10 Years of Service	Engineering Services
Sharon Ibardolaza	10 Years of Service	Chief Executive Officer
Donna Real	10 Years of Service	Compliance & Utilities Services

*Council adjourned briefly at 12.10pm and re adjourned at 12.30pm*

**Item 6 Previous Council Meeting Minutes**

**6.1 28 February 2018 Ordinary Meeting Minutes**

**File Meetings I/R 1252947**

**Chair Mayor, Cr Joyce McCulloch**

**Moved** Cr MacRae

**Seconded** Cr Tully

**THAT** the Minutes of the Ordinary Meeting held on 28 February 2018, as received, be confirmed.

**VOTE** CARRIED

**OM01/03/18**

**Item 7 Development and Land Use – Cr George Fortune**

**7.1 MOUNT ISA AMATEUR NETBALL ASSOCIATION – Application for Restricted Liquor Permit over area described as part of Lot 6 on plan RD228**

**File 05244-50000-000 I/R LL01-17**

Mount Isa Amateur Netball Association (Association) wishes to make application to the Office of Liquor and Gaming Regulations for a Restricted Liquor Permit; under section 13 of this application Council's endorsement is required.

**Moved** Cr Fortune

**Seconded** Deputy Mayor Cr Barwick

**THAT** Council endorse the Mount Isa Amateur Netball Association's application for a Restricted Liquor Permit for trading hours of Monday 6:00pm – 8:00pm subject to the following two (2) conditions:

1. On-site consumption only; **and**
2. No take-away alcohol allowed.



VOTE CARRIED

OM02/03/18

**Item 8 Works and Camooweal – Cr Mick Tully**

- 8.1 **Engineering Services, Monthly Report – February 2018**  
File Monthly Reports I/R 808039  
Provided by Director Engineering Services, Emilio Cianetti

Moved Cr Tully  
Seconded Deputy Mayor Cr Barwick

**THAT** Council receives and accepts the February 2018 Engineering Services Monthly Report.

VOTE CARRIED

OM03/03/18

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

- 9.1 **Parks and Gardens Monthly Report – February 2018**  
File Monthly Reports I/R 808039  
Provided by Director Engineering Services, Emilio Cianetti

Moved Cr Ferris  
Seconded Cr Fortune

**THAT** Council receives and accepts the February 2018, Parks and Gardens Monthly Report.

VOTE CARRIED

OM04/03/18

- 9.2 **Library Monthly Report – February 2018**  
File Monthly Reports I/R 790514  
Provided by Coordinator Library Services, Astrid Hancock

Moved Cr Ferris  
Seconded Cr Stretton

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

VOTE CARRIED

OM05/03/18

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

Nil

**Item 11 Ordinary Meeting Business**

- 11.1 **Corporate Plan 2018-2023**  
File 2150 Corporate Planning I/R 891866  
Provided by Acting Deputy Chief Executive Officer, Mark Crawley

Moved Cr MacRae  
Seconded Cr Ferris

**THAT** Council Adopt the Corporate Plan 2018 – 2023 as presented in accordance with section 165(3) of the *Local Government Act 2009*.



VOTE CARRIED

OM06/03/18

11.2

**Tennant Creek Mount Isa Cross Border Commission, Economic Development Strategy 2017-2020 and Transport Logistic Centre**

File Meetings I/R TBA

Provided by Acting Deputy Chief Executive Officer, Mark Crawley

Council has been advised previously of the Tennant Creek Mount Isa Cross Border Commission (TCMICBC), an initiative identified as one of the 30 initiatives in the Economic Development Strategy 2017-2020 and that the Mayor and CEO attended a meeting in Tennant Creek in September 2017 to progress this initiative.

**Moved** Cr Tully

**Seconded** Cr Fortune

**THAT** Council Approve the Economic Development Strategy 2017-2020 containing 30 separate initiatives categorised under the five strategic pathways of leading, partnering, diversifying, expanding and positioning for the future; **and**

Endorse the 30 initiatives identified in the Economic Development Strategy and continue to progress these initiatives when timing suits; **and**

Approve the Mount Isa City Council's participation in the Tennant Creek Mount Isa Cross Border Commission (TCMICBC) in accordance with the initiative identified in the Economic Development Strategy 2017-2020 and the Terms of Reference developed for such Commission; **and**

Endorse and Approve the Transport and Logistic Centre Feasibility Study prepared by The Centre for International Economics on behalf of Council and MITEZ; **and**

Approve the attendance of the Mayor, Deputy Mayor and CEO at the meetings scheduled, from time to time, for the commission. (Typically three time per annum, including once in Mount Isa)

VOTE CARRIED

OM07/03/18

**Item 12 General Business**

**File:** Meetings I/R 1253114

**Cr MacRae** Updated Council on the success of the recent Queens Baton Relay and thanked all emergency Services, Mount Isa City Council Staff and Councillors for their contributions.

**Cr Ferris** Congratulated all involved in the successful running of the Queens Baton Relay.

**Cr Tully** Congratulated Mr Emilio Cianetti, Director of Engineering Services and his department on the upkeep of the bridges during the recent flooding event.

**Cr Fortune** Updated Council on the success of the recent Yalambie Clean Up Day, as part of Clean Up Australia Day. He congratulated Pastor Keith and his Team from the Mount Isa Christian Outreach Centre who worked tirelessly on the initiative.

**Director Engineering Services, Emilio Cianetti** Congratulated all involved in the recent activation of the Local Disaster Management Group. Council worked well with the



Emergency Services around the clock and successfully supported the Community during the recent rain.

**Acting Director Corporate & Financial Services, Karen Pegler** Congratulated the recipients of their 10 Year Service.

**Deputy Mayor, Cr Phil Barwick** Informed Council that had attended the Breakfast of Champions, a Safe Communities initiative and the Wicked Health Problems Conversation held in conjunction with Mount Isa Centre for Rural and Remote Health and James Cook University. He congratulated these groups on their strategic view of the deeper issues in our community.

*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.

**Moved** Cr Tully  
**Seconded** Cr Fortune

**THAT** pursuant to *Section 275 of the Local Government Regulation 2012*, Council resolved that the meeting be closed to the public at 12.47pm

**VOTE** CARRIED **OM08/03/18**

**Moved** Cr Ferris  
**Seconded** Deputy Mayor Cr Barwick

**THAT** pursuant to *Section 275 of the Local Government Regulation 2012*, Council re-open the meeting to the public at 12.54pm

**VOTE** CARRIED **OM09/03/18**

**13.1**

**Ordinary Meeting Resolutions Report**

**File Meetings I/R 1253114**

**Provided by** Acting Chief Executive Officer, Sharon Ibardolaza

**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."

**Moved** Cr Stretton  
**Seconded** Cr MacRae

**THAT** Council formally receive the Ordinary Meeting Resolution report.

**VOTE** CARRIED **OM10/03/18**



#### DECLARATION Material Personal Interest

Prior to any consideration of Item 13.2; Madam Mayor Cr Joyce McCulloch declared a possible perceived Material Personal Interest (as defined in *section 172 of the Local Government Act 2009*) due to a family member having ownership of a horse paddock. The Mayor left the meeting at 12.59 pm.

*Deputy Mayor, Cr Phil Barwick assumed the Chair.*

13.2

#### **FUTURE TENURE – Over the areas described as parts of Lot 73 on SP265806, Lot 72 on SP134707 and Lot 2 on RD148**

**File** 01979-50000-000, 01993-40000-000, 01979-83000-000 **I/R** 745034

**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.”*

**Moved** Cr Fortune

**Seconded** Cr Ferris

#### **TENURE OPTION 1**

**THAT** Council AGREE to offer the eligible formal paddock holders Trustee Permit Agreements for a term of three (3) years, with distribution of the vacant paddocks to be at the at the discretion of the Chief Executive Officer.

#### **AND**

**THAT** Council APPROVE the Agreements to include, but not be limited to, the following:

#### Eligibility Criteria

1. Applicant must be over 18 years of age; **and**
2. Horse paddock must be held in an individual name (ie not a business name); **and**
3. One (1) only Council paddock allocated per family unit (*‘family unit’ is defined as a specific group of people that may be made up of partners, children, parents, aunts, uncles, cousins and grandparents who reside at the same address*); **and**
4. Applicant must permanently reside in Mount Isa with proof of residency required to accompany the application for a trustee permit (being a resident electricity account and current driver’s license); **and**
5. Applicant must provide evidence that they own the horse to be located on the paddock (evidence must include – Description, photographs and branding of horse(s) proposed to be accommodated on one (1) paddock); **and**
6. Applicant will be subject to Council’s credit assessment process.

#### Terms and Conditions

Where the applicant is successful in meeting the above listed eligibility criteria, the tenure agreement shall include the following terms and conditions (but not limited to):

1. Mandatory Standard State and Council terms and conditions;
2. Only horses owned by the agreement holder shall be housed in the paddock with no sub-letting or agisting of horse paddock;



3. The horse paddock must be returned to Council upon paddock being vacated by the agreement holder (which will be either advertised for tender if trustee lease agreed to, or allocated to the next person on the horse paddock waiting list if trustee permits are agreed to);
4. Horses and their progeny only;
5. No business shall be operated from paddock;
6. The agreement holder shall agree to abide by all relevant legislation and policies pertaining to horses, including the Biosecurity Act;
7. The agreement holder shall be responsible for the day to day care of the animal and that the holder must abide by the Animal Care and Protection Act 2001 (ACPA) at all times. Any breach will result in termination of the agreement and Council may report the incident to responsible authorities;
8. The agreement holder will be required to pay all legal fees related to the establishment of or enforcement of tenure terms (including but not limited to any costs incurred to recover outstanding debts related to Permit);
9. Rental fees to be determined by Chief Executive Officer and rental fee to be inclusive of GST and subject to a Council cost index (CCI) on the anniversary of the agreement inception;
10. All fees shall be paid 12 months in advance;
11. Council will not enter into any arrangements to pay by instalment;
12. Agreement will not be executed until payment for the invoice is received in full.

**AND**

**RENT & OTHER CHARGES**

**THAT** Council agree to charge for year 1 rent based on charging methodology

**Option A**

**PLUS** an effluent levy charged per square metre

**PLUS** legal costs and state government charges

Subsequent years: as for year 1 plus an increase based on the Council cost index

**AND**

THAT Council AGREE for surplus larger paddocks to be subdivided to maximise the number of paddocks for use and allocate a budget for any additional fencing costs.

**VOTE**

**DEFEATED**

**Division of the Vote**

FOR – Councillors Jean Ferris, George Fortune, Paul Stretton

AGAINST – Councillors Peta MacRae, Mick Tully, Deputy Mayor, Cr Phil Barwick & Casting Vote  
Deputy Mayor, Cr Barwick as the Acting Chair

**MOTION TABLED**

**Moved** Cr MacRae

**Seconded** Cr Tully

**TENURE OPTION 1**

**THAT** Council AGREE to offer the eligible formal paddock holders Trustee Permit Agreements for a term of three (3) years, with distribution of the vacant paddocks to be at the at the discretion of the Chief Executive Officer.



**AND**

**THAT** Council APPROVE the Agreements to include, but not be limited to, the following:

**Eligibility Criteria**

7. Applicant must be over 18 years of age; **and**
8. Horse paddock must be held in an individual name (ie not a business name); **and**
9. One (1) only Council paddock allocated per family unit (*'family unit' is defined as a specific group of people that may be made up of partners, children, parents, aunts, uncles, cousins and grandparents who reside at the same address*); **and**
10. Applicant must permanently reside in Mount Isa with proof of residency required to accompany the application for a trustee permit (being a resident electricity account and current driver's license); **and**
11. Applicant must provide evidence that they own the horse to be located on the paddock (evidence must include – Description, photographs and branding of horse(s) proposed to be accommodated on one (1) paddock); **and**
12. Applicant will be subject to Council's credit assessment process.

**Terms and Conditions**

Where the applicant is successful in meeting the above listed eligibility criteria, the tenure agreement shall include the following terms and conditions (but not limited to):

13. Mandatory Standard State and Council terms and conditions;
14. Only horses owned by the agreement holder shall be housed in the paddock with no sub-letting or agisting of horse paddock;
15. The horse paddock must be returned to Council upon paddock being vacated by the agreement holder (which will be either advertised for tender if trustee lease agreed to, or allocated to the next person on the horse paddock waiting list if trustee permits are agreed to);
16. Horses and their progeny only;
17. No business shall be operated from paddock;
18. The agreement holder shall agree to abide by all relevant legislation and policies pertaining to horses, including the Biosecurity Act;
19. The agreement holder shall be responsible for the day to day care of the animal and that the holder must abide by the Animal Care and Protection Act 2001 (ACPA) at all times. Any breach will result in termination of the agreement and Council may report the incident to responsible authorities;
20. The agreement holder will be required to pay all legal fees related to the establishment of or enforcement of tenure terms (including but not limited to any costs incurred to recover outstanding debts related to Permit);
21. Rental fees to be determined by Chief Executive Officer and rental fee to be inclusive of GST and subject to a Council cost index (CCI) on the anniversary of the agreement inception;
22. All fees shall be paid 12 months in advance;
23. Council will not enter into any arrangements to pay by instalment;
24. Agreement will not be executed until payment for the invoice is received in full.

**AND**



## **RENT & OTHER CHARGES**

**THAT** Council agree to charge for year 1 rent based on charging methodology **Option B PLUS** an effluent levy charged per square metre  
**PLUS** legal costs and state government charges  
Subsequent years: as for year 1 plus an increase based on the Council cost index  
**AND**

THAT Council AGREE for surplus larger paddocks to be subdivided to maximise the number of paddocks for use and allocate a budget for any additional fencing costs.

**VOTE** CARRIED **OM11/03/18**

*Madam Mayor returned to the Chamber at 1.10pm and reassumed the Chair.*

13.3

### **Buchanan Park Projects – Rodeo Arena Area and Stock Yards**

**File** 1013 Buchanan Park Development **I/R** 1254317

**Provided by** Director Engineering Services, Emilio Cianetti

#### ***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 Fortune

**Seconded** Deputy Mayor Cr Barwick

**THAT** Council approves the commencement of the upgrade/repair work amounting to a total estimated value of \$188,200 for Buchanan Park and Council reallocate the budget accordingly.

**VOTE** CARRIED **OM12/03/18**  
Against Cr Tully

13.4

### **Economic Development Advisory Services - Tender**

**File** 4520 Economic Development **I/R** 1225847

**Provided by** Chief Executive Officer, Sharon Ibardolaza

#### ***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** Deputy Mayor Cr Barwick

**THAT** Council approves a 2 year (plus optional 1 year extension) contract to DeltaPearl Partners for \$100,000 + GST per annum.

**VOTE** CARRIED **OM13/03/18**



*There being no further business the meeting closed at 13.11pm*

Signed by the Chair of the Ordinary Meeting  
held on Wednesday, 28 March 2018.

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Her Worship Mayor Cr Joyce McCulloch  
Mayor of Mount Isa