



Minutes of the Ordinary Meeting Of the Mount Isa City Council Wednesday, 23 May 2018 Unconfirmed Minutes

Location: Council Chambers, 23 West Street, Mount Isa

Commenced: 12:00 pm

Attendees:

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

Executive Mrs S Ibardolaza - Chief Executive Officer
Mr M Crawley - Acting Deputy Chief Executive Officer
Mr E Cianetti - Director Engineering Services

Staff Nil

Minutes Clerk Miss C Gall - Executive Assistant

Apologies Cr Peta MacRae

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 Steve Griffiths of the Baptist Church opened the meeting with a prayer.

Item 3 Public Forum

Suspension of Standing Orders

Standing Orders were suspended at 12.02pm

Member of the Public – Neil Ning

Mr Ning addressed the Council and followed up on a letter he had submitted regarding his property 51 Hillary Street, Mount Isa. Mr Ning requested that Council consider re-zoning the property from commercial to residential as he was finding it difficult listing it for sale.



Mayor McCulloch thanked Mr Ning for his correspondence and for addressing the Councillors. Mayor McCulloch advised that Sharon Ibardolaza, Chief Executive Officer will be in contact to arrange a meeting to discuss further regarding this Town Planning Matter.

Member of the Public – Barry Byrne

Mr Byrne asked the following questions:

- What are the current lake levels?
- What are current water restrictions?
- What if, Mount Isa doesn't receive adequate rain for the remainder of the year, will Council consider tightening said restrictions?

Mayor McCulloch responded:

- Lake levels advised by Mount Isa Water Board as at 22nd May:
 - Lake Moondara 63.68%
 - Lake Julius 94.42%
- Level 2 Water Restrictions are in place with the correct details being amended on the website.
 - 6 Hours per day
 - Even number houses water on even days of the months
 - Odd number houses water on odd days of the months
 - All houses can water on 31st of Month
 - Sprinklers, micro spray and drip systems – 6am to 9am & 6pm to 9pm
- If the region doesn't receive adequate rainfall there are many considerations to take in when making any type of decision but the water restriction structure is there if required.

Mr Byrne then invited Councillors to the Queen's Birthday Morning Tea being held on Monday June 11 at 10am at the Mount Isa City Library – this event is to celebrate the Queens Official Birthday and the 65th Anniversary of her coronation.

Member of the Public – Neil Ning

Mr Ning enquired about the Solar Plant at Lake Julius.

Mayor McCulloch advised Mr Ning that it is not a Council Project and is being managed by Mount Isa Water Board. They have a submission with State Government that is awaiting approval.

Resumption of Standing Orders

Standing Orders were resumed at 12.11pm

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

Nil



Item 6 Previous Council Meeting Minutes

6.1 9 May 2018 Ordinary Meeting Minutes

Folder ID 6433

Chair Deputy Mayor, Cr Phil Barwick

Moved Cr Ferris

Seconded Deputy Mayor Cr Barwick

THAT the Minutes of the Ordinary Meeting held on 9 May 2018, as received, be confirmed.

VOTE CARRIED

OM23/05/2018

Item 7 Business Development and Town Planning – Cr George Fortune

7.1 10 DUCHESS ROAD – Development Application for Building Work Not Associated with a Material Change of Use for Covered Patio

File 01831-10000-000, 01831-20000-000 & P09-17 CRCA/RJS

Provided by Cadet Planning Officer, Connor Ahnfeldt

Moved Cr Fortune

Seconded Cr Ferris

THAT Council APPROVE the development application for Building Work Not Associated with a Material Change of Use for a 17.2m x 1.9m Covered Patio at Units 1 and 2, 10 Duchess Road, described as Lot 0-4 on plan GTP70470 subject to the following conditions of approval.

NUMBER	CONDITION	TIMING
PLANNING		
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>	At all times
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;	At all times

3	Where building regulations require additional fire-separation measures to allow this structure to be erected, be advised that Council does not consider the construction of fire-rated walls on the property boundary to be acceptable within a residential area and other means of achieving the required fire-protection must be utilised;	<i>As required</i>
4	The Covered Patio is to remain open without walls or doors and shall not be enclosed at any time;	<i>At all times</i>
5	<p>A solid northern boundary fence to a minimum height of 1.8m above ground level shall be provided to ensure the development provides a reasonable level of privacy for the adjoining residential property.</p> <p>Where additional screening is required to maintain the privacy of the adjoining property, the screening shall comply with Chapter 2 of the <i>Queensland Residential Design Guidelines</i>.</p>	<i>At all times</i>
6	The applicant is responsible for ensuring that the structure and all overhangs are contained entirely within Lots 1 and 2 on plan GTP70470;	<i>At all times</i>
ENGINEERING		
7	Prior to commencement of use (and then to be maintained), stormwater runoff from roof and paved areas of the site are to be collected internally and directed to a legal point of discharge. Ensure non-worsening of the existing flow regime to properties that are upstream and downstream of the site.	<i>As specified</i>
8	Prior to commencement of works, (for any proposed filling or excavation that falls under non-minor or earthworks which affects privacy, as defined in the City of Mount Isa Planning Scheme) submit a detailed earthworks plan including associated retaining checked and certified by a	<i>Prior to commencement of works</i>

	<p>Registered Professional Engineer of Queensland (RPEQ) and obtain Council's approval.</p> <p>Note: 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.</p>	
ENVIRONMENTAL HEALTH		
General		
9	<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> <p>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>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>noise nuisance is prevented or minimised 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>	<i>During Construction</i>
10	<p>Any release must be reported by telephone to the DES's Pollution Hotline or council. Any such release must be reported as soon as practicable but no later than 24 hours, after becoming aware of the release.</p>	<i>During Construction</i>
11	<p>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.</p>	<i>During Construction</i>
Waste		
12	<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</p>	<i>During Construction</i>

	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 (Waste Management) regulation 2000</i>	
13	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>
14	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		
15	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.	<i>During Construction</i>
16	Preventing noise nuisance Prevent the emission of noise that causes, or is likely to cause, environmental nuisance at any nuisance sensitive or commercial place.	<i>During Construction</i>

VOTE CARRIED

OM24/05/18

Item 8 Works and Camooweal – Cr Mick Tully

8.1 Local Government Infrastructure Plan for Public Consultation

Folder ID 20853

Provided by Asset Management Officer, Geraldine Skelly

Moved Cr Tully

Seconded Deputy Mayor Cr Barwick

THAT Council prepare a Local Government Infrastructure Plan in accordance with the requirements of the *Sustainable Planning Act 2009*;

AND



THAT Council endorse the Draft Local Government Infrastructure Plan be submitted to the Minister for State Development for the First State Interest Review in accordance with Statutory Guideline “Making and amending local planning instruments”;

AND

THAT Council review and amend the Declared Water Supply and Sewerage service area for the City of Mount Isa and the Town of Camooweal in accordance with the *Water Supply (Safety and Reliability) Act 2008*;

AND

THAT Council endorse the Draft Local Government Infrastructure Plan; and once written consent has been received by the Minister for State Development, Manufacturing, Infrastructure and Planning (the Minister), Council to commence public consultation in accordance with the Minister’s Guidelines and Rules.

VOTE CARRIED

OM25/03/18

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

NIL

Item 10 Environmental Management – Cr Paul Stretton

10.1 Water and Sewer Report Monthly Reports – April 2018

Folder ID 5977

Provided by Director Compliance and Utilities Services, Michael Salmon

Moved Cr Stretton

Seconded Cr Tully

THAT Council receives and accepts the April 2018 Water and Sewer Monthly Reports.

VOTE CARRIED

OM26/03/18

10.2 Waste Management Monthly Reports - April 2018

Folder ID 18570

Provided by Director Compliance and Utilities Services, Michael Salmon

Moved Cr Stretton

Seconded Cr Ferris

THAT Council receives and accepts the April 2018 Waste Management Monthly Reports.

VOTE CARRIED

OM27/03/18

10.3 Environmental Health Services Monthly Reports - April 2018

Folder ID 5456

Provided by Senior Environmental Health Officer, Priviledge Mapiye

Moved Cr Stretton

Seconded Deputy Mayor Cr Barwick



THAT Council receives and accepts the April 2018 Environmental Health Services Monthly Reports.

VOTE CARRIED

OM28/03/18

10.4

Local Laws Report Monthly Reports - April 2018

Folder ID 5977

Provided by Acting Manager Local Laws, Stephen Wagner

Moved Cr Stretton

Seconded Cr Fortune

THAT Council receives and accepts the April 2018 Local Laws Monthly Report.

VOTE CARRIED

OM29/03/18

Item 11

Finance and Administration – Deputy Mayor, Cr Phil Barwick

11.1

Customer Service Monthly Report - April 2018

Folder ID 4755

Provided by Customer Service Coordinator, Kate Thony

Moved Deputy Mayor Cr Barwick

Seconded Cr Ferris

THAT Council receives and accepts the April 18 Customer Service Monthly Report.

VOTE CARRIED

OM30/03/18

11.2

2017-2018 Annual Operational Plan Update

Folder ID 4672

Provided by Manager Corporate & Financial Services, Karen Pegler

Moved Deputy Mayor Cr Barwick

Seconded Cr Fortune

THAT Council adopt the third quarter 2017-18 Annual Operational Plan as presented.

VOTE CARRIED

OM31/03/18

11.3

Corporate and Financial Services Report – April 2018

Folder ID 4996

Provided by Manager Corporate and Financial Services, Karen Pegler

Moved Deputy Mayor Cr Barwick

Seconded Cr Ferris

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

VOTE CARRIED

OM32/03/18



Item 12 Ordinary Meeting Business

12.1 Draft NWQROC Strategic Plan

Folder ID 4837

Provided by Chief Executive Officer, Sharon Ibardolaza

Moved Cr Fortune

Seconded Deputy Mayor Cr Barwick

THAT Council endorse Council's membership to the NWQROC for 2018/19;

AND

THAT Council endorse the Draft NWQROC Strategic Plan as presented;

VOTE CARRIED

OM33/03/18

12.2 Code of Conduct for Councillors and Councillors Acceptable Request Guidelines Policy

Folder ID 14991

Provided by Corporate Governance Officer, Andrea Lee

Moved Deputy Mayor Cr Barwick

Seconded Cr Ferris

THAT Council adopt the Code of Conduct for Councillors V2;

AND

THAT Council adopt the Councillor Acceptable Request Guidelines Policy V2

VOTE CARRIED

OM34/03/18

12.3 Public Interest Disclosure Policy

Folder ID 5018

Provided by Corporate Governance Officer, Andrea Lee

Moved Deputy Mayor Cr Barwick

Seconded Cr Tully

THAT Council adopt the Public Interest Disclosure Policy V2

VOTE CARRIED

OM35/03/18

Item 13 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.

- 13.1** **Cr Ferris** updated Council on the 'National Simultaneous Storytime' that was held at the Mount Isa City Library at 10am on 23rd May. The same story was read across the country at the same time. Mount Isa City Library rescheduled their regular program so they could participate.



Cr Ferris also updated Council on the 'Wild Australia' exhibit that is currently showing at the Mount Isa Civic Centre. She had been told that a relative of one of the people pictured had visited the display and was pleased by the local community connection. Cr Ferris encouraged the community to attend.

- 13.2** **Cr Stretton** shared with Council the positive feedback he had received regarding the new footpaths that have been installed on both Marian Street, May Street and Simpson Street. He congratulated Director Engineering Services, Emilio Cianetti and his team for overseeing the works that are being completed by external contractors on behalf of Council and also Department of Main Roads.
- 13.4** **Cr Tully** enquired about the various lights being repaired around the City. Director Engineering Services, Emilio Cianetti confirmed the works are being carried out by Ergon at Council's request to ensure areas remain well lit.
- 13.5** **Cr Barwick** advised Council that the "Scrap Metal Art" competition has now officially launched. Applications can be obtained at Council with the theme being 'The Spirit of Rodeo'. Junior sculptors, aged 12 to 17 can win \$500 in prize money and \$1000 is on offer for the winner of the open section. There are a range of guidelines and conditions to enter but Council hopes to display pieces in the long term, subject to engineering conditions.
- 13.6** **Chief Executive Officer, Sharon Ibardolaza** updated Council on the Legislative Changes within Local Government. Specifically, the changes in how Council needs to report on material personal interests and conflicts of interest. The Department will also be releasing various model procedures and will be visiting to provide training.

Council Adjourned 12.36pm
Council Reconvened 12.45pm

Item 14 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 12:46pm

VOTE CARRIED

OM36/03/18

Moved Cr Ferris
Seconded Cr Fortune

THAT pursuant to *Section 275 of the Local Government Regulation 2012*, Council re-open the meeting to the public 1pm.

VOTE CARRIED

OM37/03/18

- 14.1** **Ordinary Meeting Resolutions Report**
Folder ID 6435
Provided by 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.”*

Council formally received the Ordinary Meeting Resolution report as tabled.

14.2

Replacement of Medium Truck Fleet

Folder ID 5668

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 Fortune

THAT Council accepts the offer from Tony Ireland ISUZU (Townsville) for the supply of a new Isuzu FXD 165-350 Auto LWB 9.8L T/D 6spd with Rydweld Tipper Body (16,000kg GVM) for the amount of \$132,915.11. (GST Inclusive) and inclusive of Trade In for Unit 319;

And

THAT Council accepts the offer from Tony Ireland ISUZU (Townsville) for the supply of a new Isuzu FXZ 240-350 Auto MWB 9.8L T/D Cab Chassis with Allytech Chassis Mounted Water Tank (26,000kg GVM) for the amount of \$173,943.14 (GST Inclusive) and inclusive of Trade In for Unit 318;

And

THAT Council accepts the offer from Tony Ireland ISUZU (Townsville) for the supply of a new Isuzu FXZ 240-350 Auto MWB 9.8L T/D Cab Chassis with RydWeld Tipper Body with electric retractable dust cover (26,000kg GVM) for the amount of \$153,419.96 (GST Inclusive) and inclusive of Trade In for Units 320.

And

THAT Council accepts the offer from Tony Ireland ISUZU (Townsville) for the supply of a new Isuzu FXZ 240-350 Auto MWB 9.8L T/D Cab Chassis with RydWeld Tipper Body with electric retractable dust cover (26,000kg GVM) for the amount of \$208,419.96 (GST Inclusive) and without Trade In.

And

THAT Council approves the short fall of \$200,000 in the 2017/18 Plant Replacement budget to be funded through the Capital Works budget under - expenditure and savings achieved through additional funding availability for the 2017/18 financial year.

VOTE CARRIED

OM38/05/18



14.3 **Tender 1718-5100-0007a Precast Materials (Supply and Delivery) - Isa Street Bridge Construction Project**

Document ID 1718-5100-0007 Isa Street Bridge Construction
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 Fortune
Seconded Cr Tully

THAT Council award the contract for Tender No. 1718-5100-0007(a) – Precast Materials (Supply and Delivery) for the Isa Street Bridge Replacement Project to Rocla for the amount of \$1,057,969.00 (Inc. GST.)

VOTE CARRIED

OM39/05/18

14.4 **Lot 2 on RD148**

Document ID 01979-50000-000, 01993-40000-000, 01979-83000-000 I/R 745034
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 Deputy Mayor Cr Barwick
Seconded Cr Fortune

THAT Council AGREES to existing permittee being offered a trustee permit over Lot 2 on RD148 subject to his agreement to pay the applicable fee(s) and meeting the set eligibility criteria and terms and conditions. Where the existing permittee DECLINES the offer, Council offer an alternative large paddock subject to the permittee(s) satisfying the set eligibility criteria and terms and conditions.

VOTE CARRIED

OM40/15/18

There being no further business the meeting closed at 1.03pm



Signed by the Chair of the Ordinary Meeting
held on Wednesday, 13 June 2018.

Her Worship Mayor Cr Joyce McCulloch
Mayor of Mount Isa