



Minutes of the Ordinary Meeting Of the Mount Isa City Council Wednesday, 25 July 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
Cr Peta MacRae

Executive Mrs S Ibardolaza - Chief Executive Officer
Mr E Cianetti - Director Engineering Services

Staff Ms J Barber - Promotion & Development Coordinator
Mrs K Pegler - Manager Corporate & Financial Services
Mr S Wagner - Team Leader Water & Sewerage

Minutes Clerk Mrs C Baxter - Executive Assistant Executive Services

Apologies Mr M Crawley - Acting Deputy Chief Executive Officer

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 Mick Lowcock of the Catholic Church opened the meeting with a prayer.

Item 3 Public Forum

Suspension of Standing Orders

Standing Orders were suspended at 12.04pm

Mayor McCulloch invited member of the public, Danielle Slade to speak.



Ms Slade thanked the Mayor for contacting her earlier in the day and then enquired about the financial impact the new water rating charges may have on residents in relation to the Living with Lead Alliance encouragement to ensure grass coverage and low dust.

Ms Slade also enquired if Council can guarantee that residents won't be out of pocket financially during the first term of the new water allocation unless they go into excess.

Mayor McCulloch summarised that the Council data indicates the average household consumes 490 kilolitres per annum. Almost 70% of households will not be financially impacted if they continued to consume at the same rate and therefore the lead concerns wouldn't be any different to the current situation.

Mayor McCulloch invited Kim-Maree Burton to speak but she declined at this stage.

Member of the Public – Mr Harrison

Mr Harrison enquired if residents will be able to disregard current water restriction times if the new user pay system is adopted.

Mayor McCulloch explained Mount Isa is a Water Wise City and indicated that Council could explore revised watering times.

Mr Harrison sought clarification regarding the new rating system and how the charges are calculated.

Chief Executive Officer, Sharon Ibardolaza had previously advised that as a consequence of a recent legal decision, Council had to make changes to the current charging system.

Member of the Public – Laurie Ferguson

Mr Ferguson also sought clarification and indicated he would be paying \$300 more for water in his personal situation.

Mayor McCulloch explained that's only if he were to use the 950KL allocation and Council rejects claims the system was a 'money grab' and advised Council has projected a zero increase in its water revenue.

Member of the Public – Mr King

Mr King raised concerns, that as a pensioner, any increase would affect his quality of life.

Mayor McCulloch encouraged Mr King, and all other residents who had similar concerns, to meet with Council's revenue department to ensure a full understanding of their own personal circumstances.

Chief Executive Officer, Sharon Ibardolaza explained that the new rating system involves a 2 part tariff. A residential property, with a 20mm connection, will be charged an access fee of \$1,130. Fifty percent of the \$1,130 will be charged in the first bill and the remaining 50% will be charged in the second rates notice early next year. Chief Executive Officer, Sharon Ibardolaza stated that depending on what quantity a household consumes from 1 July to 31 December, 2018 – that consumption will be charged at 87 cents per kilolitre to 950KL. Water charges are now something residents can control.

Mr King queried that if he were to sell his property, would he receive an access charge rebate.



Chief Executive Officer, Sharon Ibardolaza explained that this would be completed through the seller's solicitor at time of sale, which doesn't change from the current process.

Member of the Public – Jason Raine

Mr Raine queried the different sized water meters and the access fee charges associated.

Team Leader Water & Sewerage, Stephen Wagner explained that access charges differ due to the different infrastructure requirements which includes different pipework etc. Mr Wagner stated there were a total of 6,840 meters in Mount Isa with 91% (6,215 meters) being 20mm connections, 4% are 25mm meters – and of that, 45% (of the 25mm connections) are on unit developments. Council encourages residents to confirm what meters they have.

Member of the Public – Russell Holdsworth

Mr Holdsworth enquired what would cost be if a resident requested a 20mm water meter be fitted to their property and whether there would be a community forum regarding the new rating system.

Mayor McCulloch advised there won't be a specific community forum. Council were directed to make these changes due to a legal decision.

Member of the Public – Kate Lavell

Ms Lavell enquired about the effect on investment property owners and felt they were not given sufficient notice to ensure required water saving tapware be fitted to their properties.

Mayor McCulloch reiterated that unfortunately Council were also not provided much notice to implement the changes.

Member of the Public – Erik Nielsen

Mr Nielsen enquired why Mount Isa City Council has to have a user pay system just because other Councils do.

Mayor McCulloch explained that Local Governments run similar programs due the local government legislation.

Member of the Public – Ed Jansen

Mr Jansen enquired about water charges to vacant lots.

Chief Executive Officer, Sharon Ibardolaza advised that Council has set the access charges due to high fixed costs of \$10.7 million that Council is charged by the Water Board and Sunwater that needs to be spread across 7,000 water assessment notices.

Member of the Public – Mrs Ardry

Mrs Ardry enquired why residents don't have a choice regarding the user pay system as some people use the allocation and others don't.

Chief Executive Officer, Sharon Ibardolaza explained that the Local Government legislation stipulates how Councils can charge for water. Council has considered different options to ensure we are implementing a system that is simpler and fairer while still being compliant with legislation.



Member of the Public – Peter Scarborough

Mr Scarborough enquired why Mount Isa's access fee is higher than other Council's like Charters Towers.

Councillor Mick Tully explained residents in those situations will pay less on the access fee but more in water consumption charges.

Member of the Public – Rod Jolly

Mr Jolly enquired about sporting and not for profit community groups and how will they be affected by the water rating changes.

Chief Executive Officer, Sharon Ibardolaza explained that Council has considered sporting groups and have applied a 75% concession to their access charges. Council's data indicates that the majority of these groups will benefit from the new system.

Procedural Motion

Cr Ferris called to adjourn the Ordinary Meeting.

Moved Cr Ferris
Seconded Cr MacRae

THAT Council adjourn the Ordinary Meeting for 15 minutes.

VOTE CARRIED

OM19/07/18

Resumption of Standing Orders

Standing Orders were resumed at 12:34pm

Council Adjourned 12.34pm
Council Reconvened 1.00pm

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 11 July 2018 Ordinary Meeting Minutes

Folder ID 6435

Chair Mayor, Cr Joyce McCulloch

Moved Cr Ferris
Seconded Cr Tully



THAT the Minutes of the Ordinary Meeting held on 11 July 2018, as received, be confirmed.

VOTE CARRIED

OM20/07/18

Item 7 Business Development and Town Planning – Cr George Fortune

- 7.1** **Development and Land Use Quarterly Report – June 2018**
File 4200 Town Planning General, Monthly Reports I/R 894998
Provided by Manager, Development and Land Use, Gayle Houston

Moved Cr Fortune
Seconded Cr MacRae

THAT Council receives and accepts the June 2018, Development and Land Use Quarterly Report.

VOTE CARRIED

OM21/07/18

- 7.2** **TELSTRA – Renewal of Term Lease 0/220877 as Lot 1 on SP162831**
File 07302-30000-000 I/R SA011-17
Provided by Senior Land Use Officer, Donna Real

The Department of Natural Resources, Mines and Energy is in the process of investigating the Term Lease renewal over the area described as Lot 1 on SP162831 and has requested Council's views, comments or requirements that may affect the future use of the lot.

Moved Cr Fortune
Seconded Deputy Mayor Cr Barwick

THAT Council supports the renewal of Term Lease 0/220877 over the area described as Lot 1 on SP162831 for telecommunication purposes.

AND

THAT Council request the Department of Natural Resources, Mines and Energy to include provisions in the lease agreement that access to the leased land will not be the responsibility of Mount Isa City Council the and lessee must obtain all relevant and necessary permits and approvals.

VOTE CARRIED

OM22/07/18

Item 8 Environmental Management – Cr Paul Stretton

- 8.1** **Water and Sewer Report Monthly Reports - June 2018**
Folder ID 5977
Provided by Acting Team Leader Water and Sewer, Isaac Ryan

Moved Cr Stretton
Seconded Cr Tully

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

VOTE CARRIED

OM23/07/18



8.2

Waste Management Monthly Reports - June 2018

Folder ID 18570

Provided by Environmental Compliance and Administration Officer, Caitlin Pfrunder

Moved Cr Stretton

Seconded Deputy Mayor Cr Barwick

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

VOTE CARRIED

OM24/07/18

8.3

Environmental Health Services Monthly Reports - June 2018

Folder ID 5456

Provided by Senior Environmental Health Officer, Priviledge Mapiye

Moved Cr Stretton

Seconded Cr Ferris

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

VOTE CARRIED

OM25/07/18

8.4

Local Laws Report Monthly Reports - June 2018

Folder ID 5977

Provided by Acting Manager Local Laws, Stephen Wagner

Moved Cr Stretton

Seconded Deputy Mayor Cr Barwick

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

VOTE CARRIED

OM26/07/18

Mayor McCulloch invited Cr Stretton for comments to the reports. Cr Stretton thanked the departments under his portfolio and congratulated them on a successful financial year.

Mayor McCulloch invited Acting Manager Local Laws, Stephen Wagner to update Council on the status of the animal management facility.

Item 9

Finance and Administration – Deputy Mayor, Cr Phil Barwick

9.1

Corporate and Financial Services Monthly Report – June 2018

Folder ID 4755

Provided by Manager Corporate & Financial Services, Karen Pegler

Moved Deputy Mayor Cr Barwick

Seconded Cr MacRae

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

VOTE CARRIED

OM27/07/18



9.2

Water Charges Remission Policy

Folder ID 4981

Provided by Manger Corporate & Financial Services, Karen Pegler

Due to the simplifying of the water methodology which is effective 1 July 2018, Council has identified the need for an additional Strategic Policy. This policy recognises that council has identified a limited number of circumstances where it would cause hardship to require the ratepayer to pay the full charges.

Moved Cr Fortune

Seconded Deputy Mayor Cr Barwick

THAT Council adopts the Water Charges Remission Policy V1 as presented effective as of 1 July, 2018

VOTE CARRIED

OM28/07/18

Mayor McCulloch invited Deputy Mayor for comments to the reports. Deputy Mayor, Cr Barwick provided further clarification to the Water Charges Remission Policy and the circumstances it encompasses.

Deputy Mayor, Cr Barwick also updated Council with an end of financial year summary.

Item 10 Ordinary Meeting Business

10.1

Local Government Infrastructure Plan for Proceeding to Second Compliance Check and Ministerial Approval

Folder ID 20853

Provided by Asset Management Officer, Geraldine Skelly

By legislation, Mount Isa City Council is required to have an adopted Local Government Infrastructure Plan (LGIP) in place prior to continue to levy infrastructure charges or impose conditions about infrastructure on applicable development approvals. In accordance with Planning Legislation, Council has completed public consultation as adopted by Council on the 23rd of May 2018.

Moved Cr Ferris

Seconded Cr Tully

THAT Council endorse the Proposed Local Government Infrastructure Plan for submission to the appointed reviewer for the second compliance check.

AND

THAT Once, the appointed reviewer has provided the completed checklist and a written statement signed by the appointed reviewer, Council write to the Minister for State Development, Manufacturing, Infrastructure and Planning (the Minister) to seek approval to adopt the Proposed Local Government Infrastructure Plan in accordance with the Minister's Guidelines and Rules.

VOTE CARRIED

OM29/08/18



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| Item 11 | General Business |
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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.

- 11.1** **Cr MacRae** updated Council on her trip, with Deputy Mayor Phil Barwick and Chief Executive Officer Sharon Ibardolaza to Julia Creek to meet with TEQ in relation to upcoming grants for the Riversleigh Centre.
- 11.2** **Cr Ferris** commented the beatification of the CBD continues to be well received by members of the public.
- 11.3** **Deputy Mayor, Cr Barwick** reminded the community that the public consultation period is still open for the proposed new Subordinate Local Laws.
- 11.4** **Director of Engineering, Emilio Cianetti** updated Council on the CCTV upgrade and advised Council has also been successful in obtaining funding for further footpath upgrades.
- 11.5** **Mayor, Cr McCulloch** informed Council of the busy schedules for upcoming events and meetings and requested Councillors to assist in attending these events as the Mayor may not be able to attend due to other commitments.

Mayor McCulloch reminded Councillors of the Street Party which is taking place on Wednesday, 8th August and encouraged all to participate. Further, other events occurring are Quamby Rodeo, Mount Isa Rodeo Ball, Mount Isa Rodeo and Mailman Express.

Mayor McCulloch allowed member of the public Kim-Maree Burton to express her concerns.

Ms Burton enquired what consultation Council undertook with the pioneers and elderly community of Mount Isa in relation to the water rating changes.

Mayor McCulloch reiterated that Ms Burton's question was previously answered during the public forum session at the beginning of this Ordinary Meeting.

DECLARATION: Conflict of Interest

Cr Mick Tully declared a perceived conflict of interest in this matter (as defined in *section 173 of the Local Government Act 2009*) due to an extended family member's association with the development by providing a quotation in relation to works on site and dealt with the perceived conflict of interest by leaving the meeting room and taking no part in the debate or decision on the matter.

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|---------------------------|------------------------|
| Council Adjourned | 1:24pm pm |
| Council Reconvened | 1:40pm pm |
| Item 12 | Closed Business |

Moved Cr Ferris
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 1.42pm.

VOTE CARRIED

OM30/07/18



Moved Deputy Mayor Cr Barwick
Seconded Cr Fortune

THAT pursuant to *Section 275 of the Local Government Regulation 2012*, Council re-open the meeting to the public at 1.45pm.

VOTE CARRIED

OM31/07/18

Cr Mick Tully left the Chamber 1:46pm

12.1

89 WEST STREET, described as Lot 2 on SP214922 – Infrastructure Charges

Folder ID 05703-00000-000 & S10-16 I/R 419901, 501254, 1049108

Provided by Manager Development & Land Use, Gayle Houston &
Team Leader Water & Sewerage, Stephen Wagner

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".

Moved Deputy Mayor Cr Barwick
Seconded Cr Ferris

THAT Council AGREE to:

Authorise the Chief Executive Officer to decide between the options relating to the direction that will be followed to ensure the desired outcome is achieved, after a new evaluation is completed on Council budgeted pricing and Contractor Quotations, to carry out the said work.

VOTE CARRIED

OM32/07/18

Cr Mick Tully re-entered the Chamber at 1:48pm

12.2

100 SUNSET DRIVE – Crematorium – Application for Renewal of Term Lease

Folder ID 01950-75000-000 I/R 751197

Provided by Senior Land Use Officer, Donna Real

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 Deputy Mayor Cr Barwick
Seconded Cr Fortune



Term Lease Renewal

THAT Council advise the Department of Natural Resources, Mines and Energy that Council's preference is for the land tenure to remain as a Term Lease subject to the following:

The Lessee use the Land for Crematorium and associated uses only; and In the event the Lessee ceases to use the Land for a Crematorium and associated uses, the Lease will be forfeited or cancelled.

AND

Freehold Offer

THAT Council advise the Department of Natural Resources, Mines and Energy that should an application to freehold be made, Council requires the following to form part of the State's freeholding offer:

The Applicant shall enter into a covenant with the Mount Isa City Council to exclude the use of the lot for industrial purposes; and is subject to successful negotiation with Council, execution and registration of the said covenant.

AND

THAT Council requests any balance land which is not included in the tenure agreement with the Applicant to be returned to a reserve for the purposes of a buffer between the cemetery and the adjacent industrial activities.

VOTE CARRIED

OM33/07/18

There being no further business the meeting closed at 1.49pm.

Signed by the Chair of the Ordinary Meeting
held on Wednesday, 8 August 2018.

Her Worship Mayor Cr Joyce McCulloch
Mayor of Mount Isa