



MINUTES

**Ordinary Council Meeting
Thursday, 19 May 2022**

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**MINUTES OF MOUNT ISA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 23 WEST STREET, MOUNT ISA
ON THURSDAY, 19 MAY 2022 AT 9AM**

PRESENT: Crs Slade, Barwick, Fortune, MacRae, Tully, Coghlan

IN ATTENDANCE: David Keenan (Chief Executive Officer), Chiley Luangala (Director Corporate and Community), Renee Wallace (Director Infrastructure Services)

1 OPENING OF THE MEETING/ACKNOWLEDGEMENT OF COUNTRY

Her Worship Mayor Cr Slade opened the meeting and welcomed all those present. Mayor Cr Slade provided the meeting with an acknowledgement of country. Mayor Cr Slade advised this Ordinary Meeting is being recorded in accordance with Council's 'Recording of Council Meeting' Policy.

2 PRAYER

Deputy Mayor Cr Phil Barwick provided the meeting with a prayer.

3 APOLOGIES/LEAVE OF ABSENCE

APOLOGY

RESOLUTION OM01/ 05/22

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT the apology received from Cr Stretton be accepted and leave of absence granted.

CARRIED

4 PUBLIC PARTICIPATION

NIL

5 CONFIRMATION OF PREVIOUS MEETING MINUTES

5.1 MINUTES OF THE ORDINARY MEETING HELD ON 27 APRIL 2022

RESOLUTION OM02/ 05/22

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT the Minutes of the Ordinary Meeting held on 27 April 2022 be received and the recommendations therein be adopted.

CARRIED

5.2 MINUTES OF THE LAKE MOONDARRA ADVISORY COMMITTEE HELD ON 17 MARCH 2022

RESOLUTION OM03/ 05/22

Moved: Cr George Fortune
Seconded: Cr Mick Tully

THAT the Minutes of the Lake Moondarra Advisory Committee held on 17 March 2022 be received and the recommendations therein be adopted:

- **LMACC01/03/22** THAT Mr Guy Mears be appointed as Chair for the Lake Moondarra Advisory Committee.

CARRIED

6 ACTIONS FROM PREVIOUS COUNCIL MEETINGS

Nil

7 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Kim Coghlan declared a declarable conflict of interest in Item 11.7 Concession to Waiver and Write-Off Rates & Charges and reserve lease / trustee permit fees for 36 Identified Non-Profit Sporting Clubs & Community Organisations as defined in Council's Revenue Statement for the 2022/2023 & 2023/2024 Financial Period as she is the president of Mount Isa Touch Football Association. Cr Kim Coghlan advised of her intent to leave the meeting chamber and any area set aside for the public for the duration of the discussion, debate and vote in relation to the agenda item.

Mayor Cr Danielle Slade declared a declarable conflict of interest in Item 11.7 Concession to Waiver and Write-Off Rates & Charges and reserve lease / trustee permit fees for 36 Identified Non-Profit Sporting Clubs & Community Organisations as defined in Council's Revenue Statement for the 2022/2023 & 2023/2024 Financial Period as she is board member of the Mount Isa Irish Club. Mayor Cr Danielle Slade advised that although she has a declarable conflict she did not believe a reasonable person could have a perception of bias as the item is in relation to Tony White Oval, which is not connected to town water. She advised her intent to remain in the meeting.

MOTION

RESOLUTION OM04/ 05/22

Moved: Cr Kim Coghlan
Seconded: Cr Peta MacRae

THAT Mayor Cr Danielle Slade remain and participate in the decision for Item 11.7 Concession to Waiver and Write-Off Rates & Charges and reserve lease / trustee permit fees for 36 Identified Non-Profit Sporting Clubs & Community Organisations as defined in Council's Revenue Statement for the 2022/2023 & 2023/2024 Financial Period.

CARRIED

Cr Mick Tully declared a declarable conflict of interest in Item 11.7 Concession to Waiver and Write-Off Rates & Charges and reserve lease / trustee permit fees for 36 Identified Non-Profit Sporting Clubs & Community Organisations as defined in Council's Revenue Statement for the 2022/2023 & 2023/2024 Financial Period as he is the past president of Mount Isa Race Club and a current

Committee Member. Cr Mick Tully advised of his intent to leave the meeting chamber and any area set aside for the public for the duration of the discussion, debate and vote in relation to the agenda item.

Cr Peta MacRae declared a declarable conflict of interest in Item 14.3 Councillor request for General Business Item as she is involved in a related confidential matter. Cr Peta MacRae advised of her intent to leave the meeting chamber and any area set aside for the public for the duration of the discussion, debate and vote in relation to the agenda item.

Chief Executive Officer, David Keenan declared a declarable conflict of interest in Item 14.3 Councillor request for General Business Item as he is the subject of the report. Chief Executive Officer, David Keenan advised of his intent to leave the meeting chamber and any area set aside for the public for the duration of the discussion, debate and vote in relation to the agenda item.

Cr Mick Tully requested it be noted that he believed Mayor Cr Danielle Slade has a declarable conflict in Item 14.3 Councillor request for General Business. Mayor Cr Danielle Slade advised that she did not believe she has a conflict of interest in the matter.

PROCEDURAL MOTION

RESOLUTION OM05/ 05/22

Moved: Cr Kim Coghlan

Seconded: Cr Phil Barwick

THAT Due to a lack of quorum Item 11.7 Concession to Waiver and Write-Off Rates & Charges and reserve lease / trustee permit fees for 36 Identified Non-Profit Sporting Clubs & Community Organisations as defined in Council's Revenue Statement for the 2022/2023 & 2023/2024 Financial Period this item is deferred to a later meeting.

CARRIED

8 MAYORAL MINUTE

Nil

9 READING AND CONSIDERATION OF CORRESPONDENCE

9.1 CORRESPONDENCE REPORT - APRIL 2022

RESOLUTION OM06/ 05/22

Moved: Cr Mick Tully

Seconded: Cr Phil Barwick

THAT Council receives and accepts the April 2022 Correspondence Report.

CARRIED

10 EXECUTIVE SERVICES REPORTS**10.1 MEDIA AND COMMUNICATIONS OVERVIEW REPORT - MARCH AND APRIL 2022****RESOLUTION OM07/ 05/22**

Moved: Cr Peta MacRae

Seconded: Cr George Fortune

THAT Council receives and accepts the March and April 2022 Media and Communications Overview Report.

CARRIED

10.2 ALGA 2022 NATIONAL GENERAL ASSEMBLY 19-22 JUNE 2022**RESOLUTION OM08/ 05/22**

Moved: Cr George Fortune

Seconded: Cr Mick Tully

THAT Council is represented at the Australian Local Government Association (ALGA), the National General Assembly (NGA) to be held in Canberra from 19 to 22 June 2022 by Deputy Mayor Phil Barwick and Cr Peta MacRae.

CARRIED

11 CORPORATE AND COMMUNITY SERVICES REPORTS**11.1 LOCAL LAWS OVERVIEW REPORT - MARCH 2022 AND APRIL 2022****RESOLUTION OM09/ 05/22**

Moved: Cr George Fortune

Seconded: Cr Phil Barwick

THAT Council receives and accepts the March 2022 and April 2022 Local Laws Overview Report as presented.

CARRIED

11.2 FINANCE OVERVIEW REPORT - APRIL 2022**RESOLUTION OM10/ 05/22**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council receives and accepts the April 2022 Finance Overview Report as presented.

CARRIED

11.3 WASTE MANAGEMENT OVERVIEW REPORT - MARCH 2022 AND APRIL 2022**RESOLUTION OM11/ 05/22**

Moved: Cr George Fortune

Seconded: Cr Peta MacRae

THAT Council receives and accepts the March 2022 and April 2022 Waste Management Overview Report as presented.

CARRIED

11.4 SPLASHEZ OVERVIEW REPORT - APRIL 2022**RESOLUTION OM12/ 05/22**

Moved: Cr Kim Coghlan

Seconded: Cr Peta MacRae

THAT Council receives and accepts the April 2022 Splashez Overview Report as presented.

CARRIED

11.5 ENVIRONMENTAL AND BIOSECURITY OVERVIEW REPORT - MARCH 2022 AND APRIL 2022**RESOLUTION OM13/ 05/22**

Moved: Cr George Fortune

Seconded: Cr Peta MacRae

THAT Council receives and accepts the March 2022 and April 2022 Environmental and Biosecurity Overview Report.

CARRIED

11.6 PROPOSAL TO RENAME THE XSTRATA ENTERTAINMENT CENTRE AT BUCHANAN PARK**RESOLUTION OM14/ 05/22**

Moved: Cr Phil Barwick

Seconded: Cr Kim Coghlan

THAT Council approves changing the name of the Xstrata Entertainment Centre to Mount Isa Mines Entertainment Centre.

CARRIED

11.8 BUDGET YEAR ENDING 30 JUNE 2022 MARCH QUARTER REVIEW**RESOLUTION OM15/ 05/22**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council receives and accepts the Budget Year Ending 30 June 2022 March Quarter Review as presented.

CARRIED

12 INFRASTRUCTURE SERVICES REPORTS**12.1 MAJOR PROJECTS OVERVIEW REPORT****RESOLUTION OM16/ 05/22**

Moved: Cr Mick Tully

Seconded: Cr Kim Coghlan

THAT Council receives and accepts the April 2022 Major Projects Overview Report as presented.

CARRIED

12.2 WORKS AND OPERATIONS OVERVIEW REPORT**RESOLUTION OM17/ 05/22**

Moved: Cr Mick Tully

Seconded: Cr Kim Coghlan

THAT Council receives and accepts the April 2022 Works and Operations Overview Report

CARRIED

13 GENERAL BUSINESS

Nil

Council Adjourned: 10:12am

Council Reconvened: 10:25am

14 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**RESOLUTION OM18/ 05/22**

Moved: Cr Phil Barwick

Seconded: Cr Kim Coghlan

THAT Council considers the confidential report(s) listed below in a meeting closed to the public at 10:26am in accordance with Section 254J of the Local Government Regulation 2012:

14.1 Audit Report on Onsite Operational Purpose Exemption 190031OSOP for Mount Isa City Council

This matter is considered to be confidential under Section 254J - e 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 legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

14.2 Certified Agreement Progress Report

This matter is considered to be confidential under Section 254J - b 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 industrial matters affecting employees.

14.3 Councillor request for General Business Item

This matter is considered to be confidential under Section 254J - e 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 legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

CARRIED

At 10:32 am, Cr Peta MacRae and Chief Executive Officer David Keenan left the meeting due to a declared declarable conflict of interest in Item 14.3.

At 11:10 am, Cr Peta MacRae and Chief Executive Officer David Keenan returned to the meeting.

RESOLUTION OM19/ 05/22

Moved: Cr Kim Coghlan

Seconded: Cr Phil Barwick

THAT Council moves out of Closed Council into Open Council at 11:11am.

CARRIED

14.1 AUDIT REPORT ON ONSITE OPERATIONAL PURPOSE EXEMPTION 190031OSOP FOR MOUNT ISA CITY COUNCIL**RESOLUTION OM20/ 05/22**

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT Council receives and accepts the result of the audit report on Onsite Operational Purpose Exemption 190031OSOP for Mount Isa City Council as presented.

CARRIED

14.2 CERTIFIED AGREEMENT PROGRESS REPORT**RESOLUTION OM21/ 05/22**

Moved: Cr Kim Coghlan

Seconded: Cr Phil Barwick

THAT Council receives and accepts the progress report on the status of the current Certified Agreement negotiations.

CARRIED

At 11:14 am, Cr Peta MacRae and Chief Executive Officer David Keenan left the meeting due to a declared declarable conflict of interest in Item 14.3.

14.3 COUNCILLOR REQUEST FOR GENERAL BUSINESS ITEM**RESOLUTION OM22/ 05/22**

Moved: Cr George Fortune

Seconded: Cr Kim Coghlan

THAT Council discuss the item of General Business as per request by Cr George Fortune on Thursday 28 April 2022 pursuant to section 6.3.2 of Council's Standing Orders Policy.

And

THAT Council approve the Chief Executive Officer \$3,300 (GST inclusive) for the preparation and service of a concerns notice as required by section 12B of the *Defamation Act 2005* in relation to the Chief Executive Officer's application for legal assistance as per Council's Provision of Legal Assistance for Employee Policy.

CARRIED

AGAINST – MAYOR CR DANIELLE SLADE

At 11:14 am, Cr Peta MacRae and Chief Executive Officer David Keenan returned to the meeting.

There being no further business the Meeting closed at 11:15am.

The minutes of this meeting were confirmed at the Council Meeting held on 15 June 2022.

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CHAIRPERSON