



MINUTES

**Ordinary Council Meeting
Wednesday, 28 February 2024**

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**MINUTES OF MOUNT ISA CITY COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, 23 WEST STREET, MOUNT ISA
ON WEDNESDAY, 28 FEBRUARY 2024 AT 9:00 AM**

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

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

1 OPENING OF THE MEETING/ACKNOWLEDGEMENT OF COUNTRY

Mayor Slade opened the meeting at 9.01am.

2 PRAYER

Pastor George Ferguson of the Water of Life Christian Church provided the meeting with a prayer.

3 APOLOGIES/LEAVE OF ABSENCE

APOLOGY

RESOLUTION OM01/ 02/24

Moved: Cr Peta MacRae

Seconded: Cr Phil Barwick

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

CARRIED 6

4 PUBLIC PARTICIPATION

Nil

5 CONFIRMATION OF PREVIOUS MEETING MINUTES

5.1 MINUTES OF THE ORDINARY MEETING HELD ON 24 JANUARY 2024

RESOLUTION OM02/ 02/24

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT the Minutes of the Ordinary Meeting held on 24 January 2024 be confirmed as a true and correct record.

CARRIED 6

6 ACTIONS FROM PREVIOUS COUNCIL MEETINGS

6.1 OUTSTANDING ACTIONS FROM PREVIOUS COUNCIL MEETINGS AS AT 23 FEBRUARY 2024

RESOLUTION OM03/ 02/24

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT Council receives and notes the outstanding actions from previous Council Meetings as at 23 February 2024.

CARRIED 6

7 DECLARATIONS OF CONFLICTS OF INTEREST

Cr Peta MacRae declared a perceived conflict of interest in relation to item 13.4 due to her position on the Zonta Board of Members. Cr MacRae will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on.

Cr Kim Coghlan declared a perceived conflict of interest in relation to item 13.4 due to her intended participation in the Junior Women's event (part of the sponsorship request) as a guest speaker. Cr Coghlan will be dealing with this declared conflict of interest by leaving the meeting while this matter is discussed and voted on.

8 MAYORAL MINUTE

"As this is the last official Ordinary Meeting for this term, I am compelled to share my heartfelt experiences as a Councillor over the past four years. I find myself facing a pivotal choice: remain silent and perpetuate the troubling cycle, or speak up in the hopes of bringing about meaningful change.

The one point I must emphasise is how unsafe I felt during my time in Council, which, as a full-time Councillor, served as my workplace. Having worked in the Mining Industry for 25 years, this was the first time in which I felt genuinely unsafe.

I have endured an ordeal that no one should ever have to face—dealing with sexism, harassment, verbal abuse, defamation, bullying, and even intimidation and stalking. Shockingly, there is zero protections for Councillors who are subjected to genuine bullying, targeting, ridicule, stalking, and harassment under the current system. As Councillors are not recognised as employees, they are deprived of the safeguards provided by workcover and industrial relations.

This leaves individuals like me in the position of either resorting to the Crime Corruption Commission (CCC) or even the police. Many of the tactics and actions deployed against me are carefully executed without witnesses, making at times, incredibly difficult to substantiate the claims. What has saved me, is to record meetings and interactions, so I can prove my version of events when the complaints arrive, which is legal under the state government. The individuals responsible for these tactics are not angry community members, but rather my own Councillors, as well as certain staff who align with them.

While I'm more than fine with strong, passionate and robust debate within the chamber, it is another matter entirely to endure taunting, abuse, harassment, intimidation, and even monitoring and stalking. Such behaviours are unequivocally unacceptable in any genuine workplace environment.

In my case, the abuse stems from a politically aligned power alliance, comprising long-serving councillors and aligned or complicit senior staff. I have become a target simply because I fall outside their politically aligned group and have dared to question the status quo.

Councillors do have the ability to lodge complaints regarding breaches of the councillor code of conduct. If a councillor is found guilty or not guilty, the findings are returned to Council, where a "kangaroo court" scenario unfolds, allowing the very councillors and staff who conspired in the first instance to sit in judgment, of you or their politically aligned colleagues. There have been two OIA complaints that have been sustained by an independent investigator and then have come back to Council to have their "mates" vote to not accept the findings. I have also had a complaint come back against me, not sustained and the councillors have found me guilty of an allegation that was never part of the complaint.

The complaints system is being exploited by both councillors and staff as a political weapon to undermine and destroy the credibility of their opponents. This toxic culture, perpetuated and enabled by staff and CEOs, is one that no other workplace in Australia would ever tolerate. It is a culture that demands immediate attention, necessitating the establishment of effective systems to safeguard the well-being of Councillors.

During the Ordinary Meeting held on December 14, 2022, a motion was put against myself by the Councillors, which were not part of any formal complaint.

In October 2022, an investigation report concluded that there was no inappropriate conduct on my part. However, despite this finding, the Councillors, who had met multiple times on this, found me guilty of an accusation that I was unaware of.

According to our Council Investigation policy, which upholds the principles of Natural Justice, I am entitled to be informed of any allegations made against me and given the opportunity to respond. Unfortunately, this right was not afforded to me, and as a result, my human rights were violated by the actions of the Council.

I have reached out to the Minister for Local Government to request a review of the motion passed on December 14, 2022, in light of this breach of human rights.

As part of the motion, it asks me to admit inappropriate conduct, including removing my calendar access.

I did remove my calendar access to everyone at Council and this is the first time I've been given the opportunity to address it. But this was months after the initial OIA complaint was lodged.

This complaint was lodged on the 22 Mar 22 by the CEO, the same day I asked him to write to the Media and Parliamentary inquiry and let them know that he and Councillors had given them factious figures. Mount Isa City Council hadn't spent \$200K investigating councillor complaints, at the time it went to the LGAQ Conference, we'd spent nothing in five years.

I can confirm inappropriate conduct on the part of the CEO, and Councillors and certain staff.

Mr. Keenan had been harassing me and monitoring my activities, asking staff on many occasions to record my movements and any interactions inside and outside of council and provide him with file notes. I have been provided with a recording of the CEO spreading false information about me, telling staff of fictitious things I had said and done, defamed my family and worst of all, my children and engaging in insulting behaviour towards me and also Staff who failed to show him loyalty. Despite having recordings and witnesses to these events, I lacked the necessary protections to address this issue.

It is concerning that Councillors failed to take any action against Mr. Keenan's behaviour, despite being the only ones empowered to do so. I am aware that some Councillors colluded in formulating the resolution against me, a fact that I inadvertently discovered and cannot disregard.

The harassment by David Keenan was such, that a member of the LGAQ likened it to a Domestic Violence situation, only this was Workplace Violence. At one point, I had to tell my husband that I was convinced that I was going to be struck and although this was horrendous, it would be the end of a long, long session of abuse and I would be able to lodge a complaint with the police.

I was not only being stalked and harassed by the CEO, I was also being harassed and bullied by Councillors and staff who thought they were being protected by the councillors.

I got through this ordeal, because I knew I had been voted in by the Mount Isa community, that I was working for them and I was their voice. I have never been more honoured and privileged than to represent my home town as their Mayor.

At this is the last Ordinary Meeting for this term, I wanted to take a minute to acknowledge a few things.

Firstly there are so many staff at Council I would like to thank for your help and support. I've learnt while being at Council that there are staff who love and are devoted to Mount Isa and work hard and only want the best for our City. I want to thank them on behalf of residents, for all the time and effort they put in to looking after our community.

I want to thank the community of Mount Isa for their support, I know Council doesn't always get it right, but we are your council and want the best for our residents, because ultimately, we live here too.

I also want to thank our neighbouring communities and councils, from the North West to the entire West, and also including Townsville and Cairns. The collaboration has been wonderful and it's great to meet people who want to work together and support each other, as ultimately, we all need each other.

Lastly, I wish all candidates running for Council all the very best of luck, there is no doubt we need new people in Council, who want to be the voice of the community and work together for the best interest of our great and our beloved Mount Isa.

Thank you again Mount Isa"

ENDS

Deputy Mayor Cr Barwick requested it to be placed on record that a number of untruths and unsubstantiated allegations are contained in the Mayoral Minute and he wishes to publicly deny these allegations.

9 READING AND CONSIDERATION OF CORRESPONDENCE

Nil

10 NOTICES OF MOTION

Nil

11 EXECUTIVE SERVICES REPORTS

Nil

12 CORPORATE SERVICES REPORTS

12.1 FINANCE OVERVIEW REPORT - JANUARY 2024

RESOLUTION OM04/ 02/24

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council receives and accepts the January 2024 Finance Overview Report as presented.

CARRIED 6

12.2 CORPORATE SERVICES OVERVIEW REPORT - DECEMBER 2023 AND JANUARY 2024**RESOLUTION OM05/ 02/24**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council receives and accepts the December 2023 and January 2024 Corporate Services Overview Report as presented.

CARRIED 6**13 COMMUNITY SERVICES REPORTS****13.1 SPLASHEZ OVERVIEW REPORT - JANUARY 2024****RESOLUTION OM06/ 02/24**

Moved: Cr Kim Coghlan

Seconded: Cr Phil Barwick

THAT Council receives and accepts the January 2024 Splashez Overview Report as presented.

CARRIED 6**13.2 ECONOMIC DEVELOPMENT OVERVIEW REPORT - JANUARY 2024****RESOLUTION OM07/ 02/24**

Moved: Cr Phil Barwick

Seconded: Cr Peta MacRae

THAT Council receives and accepts the January 2024 Economic Development Overview Report as presented.

CARRIED 6**13.3 COMMUNITY DEVELOPMENT OVERVIEW REPORT - JANUARY 2024****RESOLUTION OM08/ 02/24**

Moved: Cr Peta MacRae

Seconded: Cr George Fortune

THAT Council receives and accepts the January 2024 Community Development Overview Report as presented.

CARRIED 6

At 9:43 am, Cr Kim Coghlan and Cr Peta MacRae left the meeting due to declared conflicts of interest in relation to item 13.4.

13.4 OUT OF ROUNDS SPONSORSHIP REQUEST - ZONTA CLUB OF MOUNT ISA**RESOLUTION OM09/ 02/24**

Moved: Cr George Fortune

Seconded: Cr Phil Barwick

THAT Council approves sponsorship to Zonta Club of Mount Isa in the amount of \$5,000.00 (incl. GST) to be a Diamond Sponsor of the 2024 International Women's Day Celebrations, to be held on Saturday 20th April 2024 at the Mount Isa Civic Centre.

CARRIED 4

At 9:46 am, Cr Peta MacRae and Cr Kim Coghlan returned to the meeting.

13.5 OPERA QUEENSLAND REGIONAL TOUR 2024**RESOLUTION OM10/ 02/24**

Moved: Cr Kim Coghlan

Seconded: Cr George Fortune

THAT Council approves sponsorship in the amount of \$8,800.00 (incl GST) for the presenter's fee for Opera Queensland's 2024 Regional Tour performance of "Do We Need Another Hero?" to be held in Mount Isa in May 2024.

AND

THAT Council authorises the CEO to approve in-kind support as required to assist with the delivery of the event.

CARRIED 6

13.6 PCYC - REQUEST TO CHANGE SCOPE OF APPROVED GRANT - RUBY PROGRAM**RESOLUTION OM11/ 02/24**

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council approves a change of scope to the PCYC RUBY (Rise up Be Yourself) Program to permit a further extension to the approved grant to 31/12/2024.

CARRIED 6

13.7 RADF (REGIONAL ARTS DEVELOPMENT FUND) COUNCIL INITIATED PROJECT**RESOLUTION OM12/ 02/24**

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT Council endorse the RADF committee's recommendation to install a mural at the western facing wall of the Splashez Aquatic Centre, as a RADF Council initiated project.

In Favour: Crs Danielle Slade, Phil Barwick, George Fortune, Peta MacRae and Mick Tully

Against: Cr Kim Coghlan

Absent: Cr Paul Stretton

CARRIED 5/1

13.8 LIBRARY OVERVIEW REPORT - DECEMBER 2023 AND JANUARY 2024

RESOLUTION OM13/ 02/24

Moved: Cr Peta MacRae

Seconded: Cr Mick Tully

THAT Council receives and accepts the December 2023 and January 2024 Library Overview Report as presented.

CARRIED 6

13.9 DEVELOPMENT AND LAND USE OVERVIEW REPORT - QUARTER 2

RESOLUTION OM14/ 02/24

Moved: Cr George Fortune

Seconded: Cr Peta MacRae

THAT Council receives and notes the Development and Land Use Overview Report - Quarter 2.

CARRIED 6

14 INFRASTRUCTURE SERVICES REPORTS

14.1 WATER & SEWER OVERVIEW REPORT - DECEMBER AND JANUARY 2024

RESOLUTION OM15/ 02/24

Moved: Cr George Fortune

Seconded: Cr Mick Tully

THAT Council receives and accepts the December 2023/January 2024 Water and Sewerage Overview Report

CARRIED 6

14.2 SMART WATER METER CONTRACT CLOSEOUT

RESOLUTION OM16/ 02/24

Moved: Cr George Fortune

Seconded: Cr Mick Tully

THAT Council note the current status of the Smart Water Meter Contract.

CARRIED 6

14.3 2023 DRFA RESTORATION WORKS PACKAGES 1-5**RESOLUTION OM17/ 02/24**

Moved: Cr Phil Barwick
Seconded: Cr George Fortune

THAT Council award Package 1 – Camooweal restoration works to Durack Civil Pty Ltd under contract number 2023-41 for the value of \$1,972,769.49 ex GST;

AND

THAT Council award Package 2 – Camooweal-Urandangi Road restoration works to Brindell Pty Ltd, trading as Remploy, under contract number 2023-42 for the value of \$1,753,555.46 ex GST;

AND

THAT Council does award Package 3 – Thorntonia-Yelvertoft Road, Old Mays Downs Road, Gunpowder Road, Mount Oxide Road, Kajabbi Road and Duchess Road restoration works to Durack Civil Pty Ltd under contract number 2023-43 for the value of \$4,606,532.59 ex GST;

AND

THAT Council award Package 4 – Riversleigh Road and Riversleigh-Lilly Water Hole Road restoration works to T's Plant Hire Pty Ltd under contract number 2023-44 for the value of \$2,752,488.80 ex GST;

AND

THAT Council award Package 5 – Thorntonia-Yelvertoft Road and Gunpowder Road concrete works to Blackform Contracting Pty Ltd under contract number 2023-45 for the value of \$335,625.46 ex GST.

CARRIED 6

15 GENERAL BUSINESS

Nil

16 CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**RESOLUTION OM18/ 02/24**

Moved: Cr Danielle Slade
Seconded: Cr Phil Barwick

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:

16.1 Notice of Intention to Sell Land for Overdue Rates and Charges - Lot 88 on Crown Plan MPH22033, Lot 14 on Crown Plan MPH22013 and Lot 20 on Crown Plan MPH22110

This matter is considered to be confidential under Section 254J - d and 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 rating concessions and 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.

16.2 Notice of Intention to sell Land for Overdue Rates and Charges - Property Assessment 02897-00000-000

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.

16.3 Notice of Intention to sell Land for Overdue Rates and Charges - Property Assessment 03124-00000-000

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.

16.4 Notice of Intention to sell Land for Overdue Rates and Charges - Property Assessment 02199-00000-000

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.

16.5 Notice of Intention to sell Land for Overdue Rates and Charges - Property Assessment 02474-00000-000

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.

16.6 UPDATED Award of Contract 2023-49 - Consultancy for the Diversification and Transformation of the Mount Isa Economy - Critical Infrastructure

This matter is considered to be confidential under Section 254J - c and 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 the local government's budget and 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.

CARRIED 6

During closed business:

Council adjourned at 10.20am

Council reconvened at 10.30am.

RESOLUTION OM19/ 02/24

Moved: Cr Danielle Slade

Seconded: Cr Kim Coghlan

THAT Council moves out of Closed Council into Open Council.

CARRIED 6

16.1 NOTICE OF INTENTION TO SELL LAND FOR OVERDUE RATES AND CHARGES - LOT 88 ON CROWN PLAN MPH22033, LOT 14 ON CROWN PLAN MPH22013 AND LOT 20 ON CROWN PLAN MPH22110

RESOLUTION OM20/ 02/24

Moved: Cr Phil Barwick
 Seconded: Cr Kim Coghlan

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

Rates Assessment	Utility Billing Account	Description
10004596	21104203	Lot 88 on Crown Plan MPH22033
10006039	21105598	Lot 14 on Crown Plan MPH22013
10052546	21147764	Lot 20 on Crown Plan MPH22110

CARRIED 6

16.2 NOTICE OF INTENTION TO SELL LAND FOR OVERDUE RATES AND CHARGES - PROPERTY ASSESSMENT 02897-00000-000

RESOLUTION OM21/ 02/24

Moved: Cr Phil Barwick
 Seconded: Cr Kim Coghlan

THAT Council resolves not to start the sale procedures in section 141 of the *Local Government Regulation 2012* for selling Lot 63 on Crown Plan M758197 (assessment number 02897-00000-000).

CARRIED 6

16.3 NOTICE OF INTENTION TO SELL LAND FOR OVERDUE RATES AND CHARGES - PROPERTY ASSESSMENT 03124-00000-000

RESOLUTION OM22/ 02/24

Moved: Cr Phil Barwick
 Seconded: Cr Peta MacRae

THAT Council resolves to decline to grant a concession to the applicant under section 121(b) of the *Local Government Regulation 2012* by way of an agreement to defer payment of rates and charges levied on Property Assessment 03124-00000-000.

CARRIED 6

16.4 NOTICE OF INTENTION TO SELL LAND FOR OVERDUE RATES AND CHARGES - PROPERTY ASSESSMENT 02199-00000-000

RESOLUTION OM23/ 02/24

Moved: Cr Phil Barwick

Seconded: Cr Mick Tully

THAT Council resolves to decline to grant a concession to the ratepayer under section 121(b) of the *Local Government Regulation 2012* by way of an agreement to defer payment of rates and charges levied on Property Assessment 02199-00000-000.

CARRIED 6

16.5 NOTICE OF INTENTION TO SELL LAND FOR OVERDUE RATES AND CHARGES - PROPERTY ASSESSMENT 02474-00000-000

RESOLUTION OM24/ 02/24

Moved: Cr Phil Barwick

Seconded: Cr Peta MacRae

THAT Council resolves to agree to grant a concession to the applicant under section 121(b) of the *Local Government Regulation 2012* by way of an agreement to defer payment of rates and charges levied on Assessment No. 02474-00000-000 subject to the following conditions:

- (a) the ratepayer must make weekly payments of \$150.00 towards the overdue rates or charges currently on the land until all of the overdue amounts are paid;
- (b) the first weekly payment under subparagraph (a) is due by 8 March 2024; and
- (c) if the ratepayer fails to comply with subparagraphs (a) and/or (b) by making each weekly payment when it falls due, the concession automatically terminates and the Council may recover the overdue rates or charges in accordance with its debt recovery policy.

CARRIED 6

16.6 UPDATED AWARD OF CONTRACT 2023-49 - CONSULTANCY FOR THE DIVERSIFICATION AND TRANSFORMATION OF THE MOUNT ISA ECONOMY - CRITICAL INFRASTRUCTURE

RESOLUTION OM25/ 02/24

Moved: Cr Phil Barwick

Seconded: Cr George Fortune

THAT Council awards contract 2023-49 for Phase 1 consultancy for the diversification and transformation of the Mount Isa economy – Critical Infrastructure to Scyne Advisory Pty Ltd for the value of \$ 183,895 (excl. GST)

AND authorise the CEO to negotiate and finalise the contractual arrangements.

In Favour: Crs Danielle Slade, Phil Barwick, George Fortune and Mick Tully

Against: Crs Peta MacRae and Kim Coghlan

Absent: Cr Paul Stretton

CARRIED 4/2

There being no further business the Meeting closed at 10.58am.

The minutes of this meeting were confirmed at the Council Meeting held on 24 April 2024.

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CHAIRPERSON