

CONFIRMED MINUTES

**SPECIAL MEETING OF
ISAAC REGIONAL COUNCIL**

HELD ON
THURSDAY, 13 JUNE 2019
COMMENCING AT 9AM
COUNCIL CHAMBERS, MORANBAH

CONFIRMED MINUTES

ISAAC REGIONAL COUNCIL
CONFIRMED MINUTES OF THE SPECIAL MEETING
HELD IN COUNCIL CHAMBERS, MORANBAH
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Table of Contents	Page
1. Opening	3
2. Apologies	4
3. Condolences	4
4. Declaration of Conflicts of Interest	4
5. Deputations	5
6. Consideration of Notice of Motion	5
7. Confirmation of Minutes	5
8. Business Arising from Previous Meeting	5
9. Standing Committee Reports	6
10. Officer Reports	6
11. Confidential Reports	7
12. Councillor Question Time	10
13. Conclusion	10

CONFIRMED MINUTES

ISAAC REGIONAL COUNCIL

CONFIRMED MINUTES OF THE SPECIAL MEETING

HELD IN COUNCIL CHAMBERS, MORANBAH

ON THURSDAY 13 JUNE 2019

COMMENCING AT 9.00AM

ATTENDANCE

Cr Anne Baker, Mayor
Cr Greg Austen, Division One
Cr Nick Wheeler, Division Two (*via teleconference*)
Cr Gina Lacey, Division Three
Mr Simon West, Division Four
Cr Kelly Vea Vea, Deputy Mayor, Division Five
Cr Lyn Jones, Division Six
Cr Jane Pickels, Division Seven
Cr Geoff Bethel, Division Eight

OFFICERS PRESENT

Mr Gary Stevenson PSM, Chief Executive Officer
Mr Scott Greensill, Director Corporate, Governance and Financial Services
Mr Pat Moore, Director Engineering and Infrastructure
Mr Greg Searle, Director Water and Wastewater
Mrs Mary-Anne Uren, Senior Advisor
Mr Jim Hutchinson, Manager Brand Media and Communications
Mr Sean Robinson, Acting Manager Infrastructure Parks and Recreation
Mrs Tricia Hughes, Coordinator Executive Support

Guests

Ms Sarah Hausler, Senior Associate, McCullough Robertson Lawyers

1. OPENING

The Mayor welcomed all in attendance and declared the meeting open at 9.02am.

The Mayor welcomed Ms Sarah Hausler from McCullough Robertson to the meeting to assist with a briefing on Report 11.1 Infrastructure Access Agreement – Carmichael Mine and Rail Project.

CONFIRMED MINUTES

Resolution No.:	6089		
Moved:	Cr Lacey	Seconded:	Cr Pickels
That Council approve Councillor Nick Wheeler's participation in the meeting by teleconference.			
Carried			

2. APOLOGIES

No apologies this meeting.

3. CONDOLENCES

No condolences this meeting.

4. DECLARATION OF CONFLICTS OF INTEREST

PERCEIVED CONFLICT OF INTEREST

The Mayor declared a perceived conflict of interest for report 11.1 Infrastructure Access Agreement – Carmichael Mine and Rail Project as she received a gift on 18 March 2017 (transport and hospitality) as part of the Premier's Trade Mission. The Mayor declared that she didn't and still does not consider that she has a conflict of interest due to change in legislation. The Mayor left the room at 9.03am while Council discussed this declared perceived conflict of interest.

Cr Vevea, Deputy Mayor assumed the position of Chair in the absence of the Mayor.

11. CONFIDENTIAL REPORTS

PERCEIVED CONFLICT OF INTEREST

The Mayor declared a perceived conflict of interest for report 11.1 Infrastructure Access Agreement – Carmichael Mine and Rail Project as she received a gift on 18 March 2017 (transport and hospitality valued at \$1,467.50) as part of the Premier’s Trade Mission. The Mayor declared that she didn’t and still does not consider that she has a conflict of interest due to change in legislation Council is required to determine if she has an interest or not.

Council resolved earlier in the meeting as per resolution 6090 above that Mayor Anne Baker does not have any conflict of interest, perceived or otherwise in dealings with Adani or its related bodies corporate.

CONFIDENTIAL REPORT

Closed under s275 (1) (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.

11.1 Infrastructure Access Agreement – Carmichael Mine and Rail Project

EXECUTIVE SUMMARY

Council is requested to approve the final draft agreement with Adani Mining Pty Ltd (Adani) and Carmichael Rail Network (CRN) and to authorise the Chief Executive Officer (CEO) to execute the Agreement.

Resolution No.: 6093

Moved: Cr Jones **Seconded:** Cr Lacey

That Council:

1. Approves the final draft Infrastructure Access Agreement with Adani Mining Pty Ltd and Carmichael Rail Network
2. Authorises the Chief Executive Officer to finalise negotiations, execute, administer and vary the agreement to the extent that the variation or cumulative effect of the variations are not material.

Carried

CONFIRMED MINUTES

PROCEDURAL MOTION:

Resolution No.: **6094**

Moved: **Cr Jones** **Seconded:** **Cr Vea Vea**

That Council adjourn the meeting at 10.33am for morning tea.

Carried

PROCEDURAL MOTION:

Resolution No.: **6095**

Moved: **Cr Pickels** **Seconded:** **Cr Austen**

That Council resume the meeting at 10.45am.

Carried

ATTENDANCE

Ms Sarah Hausler and Mr Sean Robinson were not in the meeting room at the resumption of the meeting.

Cr Nick Wheeler and Mr Jeff Stewart-Harris continued their participation in the meeting by teleconference at the resumption of the meeting.

PROCEDURAL MOTION:

Resolution No.: **6096**

Moved: **Cr Pickels** **Seconded:** **Cr Bethel**

That Council close the meeting to the public at under *Local Government Regulations 2012* Section 275 (1) (h) to deliberate on confidential 11.2 Proposed Simultaneous Opening and Closing of Parts of Chesterfield Road at 10.52am.

Carried

CONFIRMED MINUTES

3. Direct the Chief Executive Officer to act subject first to his prompt assessment of the following;
 - The surveyed alignment and widths being confirmed by physical inspection as being suitable;
 - The implications for the host landowner and the Applicant being deemed to be not unreasonable having regard to the terms of the settlement of Appeal 831/18; and
 - Any expectations of future road maintenance by Council being appropriately mitigated by clear written communication with the host landowner and the Applicant.
4. Direct the Chief Executive Officer should such assessment be unsatisfactory, to report to Council at a further consideration at the earliest opportunity (including a Special Meeting of Council if appropriate).
5. Direct the Chief Executive Officer should such assessment be satisfactory, to act in a timely matter with a reasonable sense of urgency to execute the Statement.

Carried

12. COUNCILLOR QUESTION TIME

No Councillor questions this meeting.

13. CONCLUSION

There being no further business, the Mayor declared the meeting closed at 11.23am.

These minutes were confirmed by Council at the Ordinary Meeting held on 25 June 2019 in Moranbah.

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MAYOR

..... / /
DATE