

CONFIRMED MINUTES

**ORDINARY MEETING OF
ISAAC REGIONAL COUNCIL**

HELD ON

**WEDNESDAY, 28 FEBRUARY 2024
COMMENCING AT 10.00AM
ISAAC REGIONAL COUNCIL
COUNCIL CHAMBERS, MORANBAH**

CONFIRMED MINUTES

ISAAC REGIONAL COUNCIL

CONFIRMED MINUTES OF THE ORDINARY MEETING

HELD AT ISAAC REGIONAL COUNCIL

COUNCIL CHAMBERS, MORANBAH

WEDNESDAY 28 FEBRUARY 2024

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CONFIRMED MINUTES

ISAAC REGIONAL COUNCIL

CONFIRMED MINUTES OF THE ORDINARY MEETING

HELD AT ISAAC REGIONAL COUNCIL

COUNCIL CHAMBERS, MORANBAH

WEDNESDAY 28 FEBRUARY 2024 COMMENCING AT 10.00AM

ATTENDANCE

Mayor Anne Baker, Chair
Deputy Mayor, Cr Kelly Veve, Division Five
Cr Greg Austen, Division One
Cr Sandy Moffat, Division Two (*By Video Conference*)
Cr Gina Lacey, Division Three
Cr Simon West, Division Four
Cr Carolyn Franzmann, Division Six
Cr Jane Pickels, Division Seven
Cr Viv Coleman, Division Eight (*By Video Conference*)

OFFICERS PRESENT

Mr Ken Gouldthorp, Chief Executive Office
Mr Darren Fettell, Director Corporate Governance and Financial Services
Mr Shane Brandenburg, Acting Director Planning, Environment and Community Services
Mr Robert Perna, Director Engineering and Infrastructure
Mr Scott Casey, Director Water and Waste
Mr Paul Simonds, Head of People and Capability
Mr Beau Jackson, Executive Manager Advocacy and External Affairs
Mrs Tricia Hughes, Coordinator Executive Support, Office of the Mayor and CEO

1. OPENING

The Mayor declared the meeting open at 10.00am and welcomed all in attendance to the February Ordinary Meeting.

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The Mayor acknowledged the traditional custodians of the land, the Barada Barna people, on which we meet today and paid her respects to their Elders past, present and emerging.

ATTENDANCE

Cr Kelly Veve and Cr Jane Pickels were not in the meeting room at the commencement of the meeting.

2. LEAVE OF ABSENCE AND APOLOGIES

No apologies for this meeting.

ATTENDANCE

Cr Kelly Veve and Cr Jane Pickels entered the meeting room at 10.01am.

3. CONDOLENCES

- KERR, Garry Michael (Bluey) formerly of Moranbah
- HANSEN, Kim Leanne late of Moranbah
- NICHOLSON, Barbara Alethea late of Clermont
- CURRAN, Lawrence Francis (Larry), formerly of Moranbah
- BOWIE, Pauline Anne formerly of Moranbah
- LUKE, Janelle Anne (Jan) formerly of Clermont
- BLOOMER, Janet Lee late of Nebo
- DAVIES, Lyle formerly of Clermont
- CARTER, Marjorie Alice formerly of Clermont
- MARTIN, Robina Anne late of Clermont
- CORNEAL, Ailsa Jean late of Clermont
- MACKENZIE-FORBES, Donald (Donny) formerly of Moranbah
- REIF, James Robert (Jim) formerly of Moranbah
- KAHOTEA, Tani late of Moranbah
- CASEY, Kevin late of Mackay (Former Councillor, Mackay City Council and Mackay Regional Council)

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4. DECLARATION OF CONFLICTS OF INTEREST

No Conflict of Interests declared this meeting.

NOTE:

Council acknowledges that Chapter 5B Councillors' Conflicts of Interest of the Local Government Act 2009 does not apply to a Councillor if the matter to be resolved relates to a corporation or association that arises solely because of a nomination or appointment of the councillor by the local government to be a member of the board of the corporation or association.

5. DEPUTATIONS

No deputations this meeting.

6. CONSIDERATION OF NOTICE OF MOTIONS

No notice of motions for this meeting.

7. CONFIRMATION OF MINUTES

Ordinary Meeting of Isaac Regional Council held in Isaac Regional Council Chambers, Moranbah, Wednesday 24 January 2024

Resolution No.: 8655

Moved: Cr Franzmann

Seconded: Cr Vea Vea

The Minutes of the Ordinary Meeting held in Isaac Regional Council Chambers, Moranbah on Wednesday 24 January 2024 are confirmed.

Carried

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9.2

SAFETY AND RESILIENCE UPDATE

EXECUTIVE SUMMARY

This report is provided as an update to Council on the current status of the Health, Safety and Wellbeing Management System (HSWMS).

COMMITTEE'S RECOMMENDATION

Resolution No.: CGFS0862

Moved: Cr Sandy Moffat

Seconded: Cr Carolyn Franzmann

That the Committee recommends that Council:

- Notes the Safety and Resilience Report provided on the current status of the Health, Safety and Wellbeing Management System.

Carried

Resolution No.: 8657

Moved: Cr Franzmann

Seconded: Cr Pickels

That Council:

- Notes the Safety and Resilience Report provided on the current status of the Health, Safety and Wellbeing Management System.

Carried

9.3

CONTROLLED ENTITIES FINANCIAL STATEMENTS

EXECUTIVE SUMMARY

Council has received the audited financial statements for the Moranbah Early Learning Centre Pty Ltd (MELC), Isaac Affordable Housing Trust (IAHT) and the Isaac Affordable Housing Fund Pty Ltd (IAHF) for the year ended 30 June 2023. As per Section 213 (B) (3) of the *Local Government Regulation 2012* the Mayor must present the copy of the audited financial statements at the next ordinary meeting of the local government.

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COMMITTEE'S RECOMMENDATION

Resolution No.: CGFS0863

Moved: Cr Sandy Moffat

Seconded: Cr Carolyn Franzmann

That the Committee recommends that Council:

1. *Receives the financial statements from Moranbah Early Learning Centre Pty Ltd, Isaac Affordable Housing Trust and Isaac Affordable Housing Fund Pty Ltd for the period ended 30 June 2023 pursuant to and in accordance with the Local Government Regulation 2012 (s213B).*

Carried

Resolution No.: 8658

Moved: Cr Vea Vea

Seconded: Cr Moffat

That Council:

1. **Receives the financial statements from Moranbah Early Learning Centre Pty Ltd, Isaac Affordable Housing Trust and Isaac Affordable Housing Fund Pty Ltd for the period ended 30 June 2023 pursuant to and in accordance with the Local Government Regulation 2012 (s213B).**

Carried

9.4

MINOR COMMUNITY GRANTS SUMMARY – JANUARY 2024

EXECUTIVE SUMMARY

This report summarises the minor community grants approved under delegation for the period 1 January to 31 January 2024.

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COMMITTEE'S RECOMMENDATION

Resolution No.: PECS1123

Moved: Cr Jane Pickels

Seconded: Cr Viv Coleman

That the Committee recommends that Council:

1. Notes the minor community grants approved under delegation for the period 1 January to 31 January 2024.

Carried

Resolution No.: 8659

Moved: Cr Austen

Seconded: Cr Franzmann

That Council:

1. Notes the minor community grants approved under delegation for the period 1 January to 31 January 2024.

Carried

9.5

ISAAC RESOURCES EXCELLENCE PRECINCT – PROJECT UPDATE, COLLABORATION DEED AND GOVERNANCE

EXECUTIVE SUMMARY

This report provides an update to Council on the status of the Isaac Resources Excellence Precinct (IREP) project, as well as providing Council with a draft collaboration deed and governance structure for consideration.

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COMMITTEE'S RECOMMENDATION

Resolution No.: PECS1124

Moved: Cr Viv Coleman

Seconded: Cr Sandy Moffat

That the Committee recommends that Council:

1. Notes the status of the Isaac Resources Excellence Precinct project, including status of grant funding applications and forward actions.
2. Delegates authority to the Chief Executive Officer to finalise discussions with Resources Centre of Excellence Limited and execute the Project Collaboration Deed subject to the following:
 - a) Increases the Isaac Regional Council nominated representatives on the board to a minimum of two.

Carried

Resolution No.: 8660

Moved: Cr Pickels

Seconded: Cr Vea Vea

That Council:

1. **Notes the status of the Isaac Resources Excellence Precinct project, including status of grant funding applications and forward actions.**
2. **Delegates authority to the Chief Executive Officer to finalise discussions with Resources Centre of Excellence Limited and execute the Project Collaboration Deed.**
3. **Seeks an adjustment to the proposed post contractual Governance Structure to include two Isaac Regional Council representatives (1 elected and 1 executive).**

Carried

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9.6

ENGINEERING AND INFRASTRUCTURE 2023/2024 CAPITAL PROJECTS PROGRESS REPORT

EXECUTIVE SUMMARY

This report is to provide an update to the Engineering and Infrastructure Standing Committee and Council of the progress in delivery of the Engineering and Infrastructure 2023/2024 Capital Works Program.

COMMITTEE'S RECOMMENDATION

Resolution No.: E&I0735

Moved: Cr Sandy Moffat

Seconded: Cr Simon West

That the Committee recommends that Council:

1. Receives and notes the monthly Engineering and Infrastructure 2023/2024 Capital Projects Progress Summary Report.

Carried

Resolution No.: 8661

Moved: Cr Austen

Seconded: Cr West

That Council:

1. Receives and notes the monthly Engineering and Infrastructure 2023/2024 Capital Projects Progress Summary Report.

Carried

9.7

WATER AND WASTE 2023-2024 CAPITAL PROJECTS PROGRESS REPORT

EXECUTIVE SUMMARY

This report is to provide an update to the Water and Waste Standing Committee and Council of the progress in the delivery of the Water and Waste 2023/2024 Capital Works Program.

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COMMITTEE'S RECOMMENDATION

Resolution No.: W&W0484

Moved: Cr Sandy Moffat

Seconded: Cr Kelly Vea Vea

That the Committee recommends that Council:

1. Receives and notes the monthly Water and Waste 2023/2024 Capital Projects Progress Summary Report.

Carried

Resolution No.: 8662

Moved: Cr West

Seconded: Cr Austen

That Council:

1. Receives and notes the monthly Water and Waste 2023/2024 Capital Projects Progress Summary Report.

Carried

9.8

WATER QUALITY INVESTIGATION ACTION PLAN UPDATE

EXECUTIVE SUMMARY

The purpose of this report is to present to Council the Water Quality Reliability Investigation Action Plan Deliverables following the 2021/2022 Christmas Period water quality incidents.

COMMITTEE'S RECOMMENDATION

Resolution No.: W&W0485

Moved: Cr Sandy Moffat

Seconded: Cr Kelly Vea Vea

That the Committee recommends that Council:

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1. *Receives and notes the Report for the Water Quality Investigation Action Plan Deliverables.*

Carried

Resolution No.: 8663

Moved: Cr West

Seconded: Cr Austen

That Council:

1. **Receives and notes the Report for the Water Quality Investigation Action Plan Deliverables.**

Carried

10. OFFICER REPORTS

10.1

2023/2024 2nd QUARTER BUDGET REVIEW

EXECUTIVE SUMMARY

A review of the current budget has been undertaken with each of the respective Departmental Managers and then reviewed by their respective Directors as at 31 December 2023, with consideration to the current January trends.

Despite managing large variations, the budget review proposes retaining an operating surplus of \$8K compared to its prior position of an operating surplus of \$1.3M.

Review of the capital program has resulted in proposing a \$4.9M decrease to capital revenue and a \$10.6M decrease to the capital expenditure program.

OFFICER'S RECOMMENDATION

That Council:

1. *In accordance with section 170 (3) of the Local Government Regulation 2012, adopt the proposed revised budget for 2023/2024.*

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Resolution No.: 8664

Moved: Cr Pickels

Seconded: Cr Moffat

That Council:

- 1. In accordance with section 170 (3) of the Local Government Regulation 2012, adopt the proposed revised budget for 2023/2024.**

Carried

PROCEDURAL MOTION:

Resolution No.: 8665

Moved: Cr Vea Vea

Seconded: Cr West

That Council adjourn the meeting at 10.28am.

Carried

PROCEDURAL MOTION:

Resolution No.: 8666

Moved: Cr Lacey

Seconded: Cr Pickels

That Council resume the meeting at 11.04am.

Carried

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PROCEDURAL MOTION:

Resolution No.: 8667

Moved: Cr Vea Vea

Seconded: Cr Franzmann

That Council closes the meeting to the public at 11.04am under *Local Government Regulations 2012* Section 254J (3) (g) to deliberate on Confidential Reports 11.1 Isaac Regional Council, Adani Mining Pty Ltd and Anor - Supreme Court proceedings 15992/23 – Status Update.

Carried

PROCEDURAL MOTION:

Resolution No.: 8668

Moved: Cr Austen

Seconded: Cr Pickels

That Council open the meeting at 11.31am.

Carried

11. CONFIDENTIAL REPORTS

CONFIDENTIAL REPORT

Closed under LGR s254J (3) (e) 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;

11.1

ISAAC REGIONAL COUNCIL, ADANI MINING PTY LTD AND ANOR - SUPREME COURT PROCEEDINGS 15992/23 – STATUS UPDATE

EXECUTIVE SUMMARY

This report provides an update on the status of the legal dispute and Court action associated with Adani Mining Pty Ltd.

Resolution No.: E&I0738

Moved: Cr Simon West

Seconded: Cr Sandy Moffat

That the Committee recommends that Council:

1. Receives the information.

Carried

Resolution No.: 8669

Moved: Cr West

Seconded: Cr Vea Vea

That Council receives the information.

Carried

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14. CONCLUSION

There being no further business, the Mayor declared the meeting closed at 11.35am.

These minutes were confirmed by Council at the Ordinary Meeting held in Moranbah on Wednesday 13 March 2024.

.....
MAYOR

..... / /
DATE