

Whitsunday Regional Council
Minutes of the **Special Meeting** to be held at
the Bowen Council Chambers, 67 Herbert Street, Bowen
on Thursday 3 October 2019 commencing at **2:00pm**

Councillors Present:

Andrew Willcox; Jan Clifford; Ron Petterson; John Collins; Nicola Grieger; Dave Clark and Michael Brunker

Council Officers Present:

Kenn Donohoe (Chief Executive Officer); Julie Wright (Director Community & Environment); Neil McGaffin (Director Planning & Development); Adam Hagy (Director Customer Experience); Jason Bradshaw (Acting Corporate Services Director); Stephen Fernando (Chief Financial Officer) Greg Martin (Communications and Marketing Manager); Jessica Cristaudo (Coordinator Transport Planning & Assets); Troy Pettiford (COO Whitsunday Water); Tailah Jensen (Governance Administration Officer/Minute Taker)

Other Details:

The meeting commenced at 2:03pm

The meeting closed at 2:49pm

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Procedural Motion

2019/10/03.01 PROCEDURAL MOTION - CLOSURE OF MEETING

Moved by: J CLIFFORD

Seconded by: N GRIEGER

That Council close the meeting to the public at 2.04pm in accordance with Section 275 of the Local Government Regulations 2012, for the purpose of discussing employee or industrial matters, budget, rating concessions, contractual matters, legal proceedings, planning matters or other business likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

17.5.1 CRN/ADANI INFRASTRUCTURE ACCESS AGREEMENT

(e) contracts proposed to be made by it

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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**Procedural Motion**

**2019/10/03.02            PROCEDURAL MOTION – REOPEN OF MEETING**

**Moved by:                J CLIFFORD**

**Seconded by:            N GRIEGER**

**That Council reopen the meeting to the general public at 2.48pm.**

**MEETING DETAILS:**

The motion was Carried 7/0

**CARRIED**

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17.5 Confidential Matters – Engineering Services

17.5.1 2019/10/03.03 CRN/ADANI INFRASTRUCTURE ACCESS AGREEMENT

Moved by: M BRUNKER

Seconded by: J CLIFFORD

That Council:

- 1. Acknowledge that Carmichael Rail Network Pty Ltd (CRN) (as trustee for The Carmichael Rail Network Trust) and Adani Mining Pty Ltd have agreed to provide adequate financial resource to an approved value of Security monies as outlined in Schedule 9 of the Infrastructure Access Agreement;**
- 2. Subsequent to Council Resolution 2019/09/25.42, agree to the following amendments to the Infrastructure Access Agreement between Whitsunday Regional Council, Carmichael Rail Network Pty Ltd (CRN) (as trustee for The Carmichael Rail Network Trust) and Adani Mining Pty Ltd:**
 - a. Deletion of Clause 2.6(c);**
 - b. Amendment of Schedule 9 such that Security is provided to the agreed value as per the table in Attachment 1; and**
 - c. Deletion of Schedule 13.**
- 3. Authorise the Chief Executive Officer to make any necessary minor amendments, that are not material conformances, to finalise and sign the Infrastructure Access Agreement between Whitsunday Regional Council, Carmichael Rail Network Pty Ltd (CRN) (as trustee for The Carmichael Rail Network Trust) and Adani Mining Pty Ltd once all matters are resolved in-line with the resolved position of Council.**

MEETING DETAILS:

The motion was Carried 7/0

CARRIED

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***The meeting closed at 2.49pm***

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Confirmed as a true and correct recording this 9 October 2019

**Cr Andrew Willcox
MAYOR**