



## **MINUTES**

### **Ordinary Meeting**

**Held at Council Chambers  
Sir Albert Abbott Administration Building  
73 Gordon Street, Mackay**

**On Wednesday 23 August 2023**

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His Worship the Mayor, Cr Williamson conducted an acknowledgement of Country acknowledging the traditional custodians of the land on which we meet today.

Mayor Williamson advised that the Council Meeting is being streamed live, recorded and published in accordance with Council's Standing Orders, including publishing on Council's web-site.

Mayor Williamson advised those present in the public gallery that, by attending a public meeting of the Council they are consenting to their image, voice and comments being recorded and published, and comments will form part of the live stream and recording.

Attendees were also advised that they may be subject to legal action if their actions result in inappropriate and/or unacceptable behaviour and/or comments.

## **1. ATTENDANCE**

His Worship the Mayor, Cr G R Williamson (Chairperson), Crs L G Bonaventura, M I Green, B C Hassan, F A Mann, K L May and R J Seymour were in attendance at the commencement of the meeting.

Also present was Mr S Owen (Chief Executive Officer), Mrs J Ronald (Minute Secretary), Mr D McKendry (Executive Officer), Mr J Devitt (Director - Engineering & Commercial Infrastructure), Ms A Nugent (Director - Development Services), Mr J Carless (Director - Capital Works), Ms J McKay (Director - Community & Client Services), Ms A Hays (Director - Organisational Services) and Mr M Sleeman (Manager - Corporate Communications & Marketing).

The meeting commenced at 10:00 am.

## **2. OPENING PRAYER**

Fr Matthias (Southern Cluster of Catholic Churches) led those present in Prayer.

## **3. ABSENT ON COUNCIL BUSINESS**

Nil

## **4. APOLOGIES**

### **4.1. LEAVE OF ABSENCE - CR ALISON JONES**

THAT Cr Jones be granted leave of absence for today's Meeting.

**Moved Cr Mann**

**Seconded Cr Hassan**

**CARRIED UNANIMOUSLY**

### **4.2. LEAVE OF ABSENCE - CR JUSTIN ENGLERT**

THAT Cr Englert be granted leave of absence for today's Meeting.

**Moved Cr Bonaventura**

**Seconded Cr Hassan**

**CARRIED UNANIMOUSLY**

#### **4.3. LEAVE OF ABSENCE - CR MARTIN BELLA**

THAT Cr Bella be granted leave of absence for today's Meeting.

**Moved Cr Seymour**

**Seconded Cr Mann**

**CARRIED UNANIMOUSLY**

#### **4.4. LEAVE OF ABSENCE - CR PAULINE TOWNSEND**

THAT Cr Townsend be granted leave of absence for today's Meeting.

**Moved Cr Hassan**

**Seconded Cr Mann**

**CARRIED UNANIMOUSLY**

#### **4.5. LEAVE OF ABSENCE - CR MICHELLE GREEN**

THAT Cr Green be granted leave of absence for the Ordinary Council Meeting on 27 September 2023.

**Moved Cr Bonaventura**

**Seconded Cr Hassan**

**CARRIED UNANIMOUSLY**

### **5. CONDOLENCES**

Cr Bonaventura expressed condolences, on behalf of Council to the family of Cr Bella, whose mother Regena (Gena) Bella passed away recently. Gena grew up in the Mackay Region and had seven children with her husband Eddie. They had a family farm at Alligator Creek for many years before moving to Oben Park at Coppabella. Raising a family of seven children had its challenges financially and as the matriarch, she was the glue that held the family together. As a mother, Mrs Bella saw the ability in her son as a rugby league player at a very early age and was the one who encouraged him to pursue a career in the NRL. Sport continues to be a big part of the Bella family with granddaughter Lauren in AFL and grandson Ross in Rugby League, and she has been blessed with 17 grandchildren.

Cr Williamson expressed condolences, on behalf of Council to the family of Marie Murray who passed away on Sunday. Marie is a well known figure in our Region and is an icon when it comes to community service. She served 5 terms as an elected member for Mackay both in the former Pioneer Shire Council and Mackay Regional Council and commenced her working life at the age of 14 in my grandfather's tailor shop and was an exemplary seamstress. She is most well-known for starting the Post Office at Bucasia running this from her garage and ensuring every Christmas each child that wrote a letter to Santa received a response. Whilst serving on Council, she received extraordinary accolades as a community representative and later became the convenor of the community hall at Bucasia for Council.

Cr Mann also expressed condolences, on behalf of Council and described Marie as an absolute legend and a powerhouse. She lived everyday with purpose and a strong desire to make our community a better place. Marie was an organiser, a doer, a champion of many causes and of people, quite simply in my eyes she was something that people aspired to be. Marie rode her postie bike around Queensland with a broken leg to raise money for researching cancer using cord blood, owned the Bucasia post office and did reply to every child's letter to

Santa. She was the driving force behind the Central School Class of 48 and 49 as well as many other activities in our community. She was a marriage and funeral celebrant seeing people through their happiest day and also their saddest day and also officiated my wedding. We also can remember the Queen's baton relay in 2018, where Marie carried the baton on the super boat up the river with a broken arm and had a wonderful time and was also presented with the Pride of the Region award.

Cr May also expressed condolences, on behalf of Council and reflected on when Marie started her career in Local Government and having 5 terms back then, she was a trail blazer for women in Local Government and was a stalwart that set the scene for us to be here today and we owe her a debt of gratitude and the work she did for our community.

## **6. CONFLICT OF INTEREST**

## **7. CONFIRMATION OF MINUTES**

### **7.1. CONFIRMATION OF MINUTES - ORDINARY MEETING - 26 JULY 2023**

**Council Resolution ORD-2023-241**

**THAT the Ordinary Meeting Minutes dated 26 July 2023 be adopted.**

**Moved Cr Green**

**Seconded Cr Mann**

**CARRIED UNANIMOUSLY**

## **8. BUSINESS ARISING OUT OF PREVIOUS MINUTES**

Nil.

## **9. MAYORAL MINUTES**

Nil

## **10. CONSIDERATION OF COMMITTEE REPORTS & RECOMMENDATIONS**

Nil.

## **11. CORRESPONDENCE AND OFFICER'S REPORTS**

### **11.1. OFFICE OF THE MAYOR AND CEO**

#### **11.1.1. MAYOR'S MONTHLY REVIEW REPORT**

<b>Author</b>	Mayor (Greg Williamson)
<b>Responsible Officer</b>	Mayor (Greg Williamson)
<b>File Reference</b>	DMRR

#### **Attachments**

1. Mayoral Monthly Report July August 2023 [11.1.1.1 - 8 pages]

#### **Purpose**

To provide Council with the Mayor's Monthly Review Report for the month of July/August 2023.

#### **Related Parties**

Nil

#### **Officer's Recommendation**

**THAT the Mayor's Monthly Review Report for July/August 2023 be received.**

**Council Resolution ORD-2023-227**

**THAT the Mayor's Monthly Review Report for July/August 2023 be received.**

**Moved Cr Williamson**

**Seconded Cr Hassan**

**CARRIED UNANIMOUSLY**

**11.1.2. CHIEF EXECUTIVE OFFICER'S MONTHLY REVIEW REPORT - JULY 2023**

<b>Author</b>	Chief Executive Officer (Scott Owen)
<b>Responsible Officer</b>	Chief Executive Officer (Scott Owen)
<b>File Reference</b>	DMRR

<b>Attachments</b>	1. FINAL - CEO Monthly Review Report - July 2023 [11.1.2.1 - 19 pages]
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**Purpose**

To provide Council with the Chief Executive Officer's Monthly Review Report for the month of July 2023.

**Related Parties**

Nil

**Officer's Recommendation**

**THAT the Chief Executive Officer's Monthly Review Report for July 2023 be received.**

**Council Resolution ORD-2023-228**

**THAT the Chief Executive Officer's Monthly Review Report for July 2023 be received.**

**Moved Cr May**

**Seconded Cr Hassan**

**CARRIED UNANIMOUSLY**

### **11.1.3. OPERATIONAL PLAN-FOURTH QUARTER REPORT-2022/2023**

<b>Author</b>	Co-ordinator, Performance & Risk (Sarah Shuttlewood)
<b>Responsible Officer</b>	Executive Officer (David McKendry)
<b>File Reference</b>	2022-2023 Operational Plan Q4 Reporting

#### **Attachments**

1. Operational Plan Quarterly Report Q4 22/23 [**11.1.3.1** - 24 pages]

#### **Purpose**

To advise the Mayor and Councillors of progress made during the Fourth Quarter (1 April to 30 June 2023) towards delivering actions in the Operational Plan 2022/23.

#### **Related Parties**

Nil.

#### **Corporate Plan Linkage**

##### Financial Strength

*Ethical Decision-Making and Good Governance* - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

##### Operational Excellence

*Customer/Community Focus* - Improving community wellbeing is a primary goal of our services to the Mackay region. This encompasses residents, businesses, visitors and investors. Council believes all members of the community play a crucial role in supporting the vision and strategic outcomes and we encourage community engagement.

#### **Background/Discussion**

Section 174 Local Government Regulation 2012 requires that a written assessment of the local government's progress towards implementing the annual operational plan is presented at meetings of the local government held at regular intervals of not more than three months.

The Operational Plan Quarterly Report – Fourth Quarter details Mackay Regional Council's (MRC) performance in delivering actions detailed in the annual Operational Plan 2022/23, as at 30 June 2023.

Performance against targets is reported as 'complete', 'not complete', 'reporting not required this quarter' or 'ahead of target'.

At the Fourth Quarter, of 44 Operational Plan items, twenty-seven are complete, seventeen have not been complete. This is an addition to each of the shared KPIs that are also recorded as behind target this quarter.

Those items that have not been complete, are supported by an explanatory comment regarding the variance, which is shown in the early pages of the report.

In the context of the Corporate Plan pillars, the greatest number (7) tracking behind target are aligned with the pillar, *Operational Excellence* – a shift from last quarter, where the greatest number (4) tracking behind target were against the pillar *Community and Environment*.

An addition this quarter to the Operational Plan report is the inclusion of Directorate key achievements, aligned with the pillars of the Corporate Plan. These key achievements highlight the positive progress being made toward achieving corporate objectives set in the Corporate Plan 2022-2027.

### **Consultation and Communication**

The Chief Executive Officer, Directors and Program Managers were consulted in development of the Operational Plan Quarterly Report.

Once received by the Mayor and Councillors, the report will be published on the MRC website to allow the community to review the organisation's progress in achieving corporate plan priorities.

### **Resource Implications**

There are no resource implications directly related to the operational plan report. The operational plan is designed to measure implementation of the corporate plan priorities and strategies and to ensure appropriate resources are allocated to priority areas.

### **Risk Management Implications**

Review of the operational plan minimises risk to council by ensuring performance is managed and monitored.

### **Conclusion**

It is recommended that the Operational Plan Quarterly Report for the Fourth Quarter of 2022/23 be received as tabled.

### **Officer's Recommendation**

**THAT Council receive the Operational Plan Quarterly Report for the Fourth Quarter of 2022/23, in accordance with Section 174 of the Local Government Regulation 2012.**

### **Council Resolution ORD-2023-229**

**THAT Council receive the Operational Plan Quarterly Report for the Fourth Quarter of 2022/23, in accordance with Section 174 of the Local Government Regulation 2012.**

**Moved Cr Hassan**

**Seconded Cr May**

**CARRIED UNANIMOUSLY**

#### **11.1.4. ADOPTION OF COUNCIL POLICIES**

<b>Author</b>	Senior Governance Officer (Pam Currell)
<b>Responsible Officer</b>	Executive Officer (David McKendry)
<b>File Reference</b>	080 - Memorial, Monument and Plaque Requests / 122 - Acquisition of Land for Council Purposes / 074 - SunSmart - Council/Community Events

#### **Attachments**

1. COU080 - Memorial Monument and Plaque Requests [**11.1.4.1** - 7 pages]
2. COU098 - Acquisition of Land For Council Purposes [**11.1.4.2** - 13 pages]
3. COU074 - SunSmart - Council / Community Events [**11.1.4.3** - 3 pages]

#### **Purpose**

To present the following Council policy for rescission as it is no longer required:

1. COU074 – SunSmart – Council/Community Events.

Further to present the following Council policies and their associated Corporate Standards for consideration, and adoption:

2. COU080 – Memorial, Monument and Plaque Requests; and
3. COU122 – Acquisition of Land for Council Purposes.

#### **Related Parties**

There are no identified related parties.

#### **Corporate Plan Linkage**

##### Financial Strength

*Ethical Decision-Making and Good Governance* - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

#### **Background/Discussion**

Mackay Regional Council (MRC) have a process of reviewing policies and their associated corporate standards to ensure that they are relevant and up to date. The process involves a review by the responsible program manager, circulation to the management team for consultation and final submission to the executive leadership team (ELT) for endorsement, prior to presenting to Council for endorsement and adoption.

##### COU074 – SunSmart – Council/Community Events

This policy was originally drafted due to a gap in sun protection management for MRC events. A broader safety perspective has since been implemented which includes sun safety as an element when planning and delivering MRC events; therefore, this policy is now redundant and can be rescinded.

##### COU080 – Memorial, Monument and Plaque Requests

This policy is a best practice policy to assist in assessing requests for memorials.

This policy has been reviewed as part of MRC's policy review process.

### COU122 – Acquisition of Land for Council Purposes

This policy and its associated corporate standard are newly drafted to provide consideration in determining acquisition of land and easement for Council purposes.

This policy has been drafted as part of MRC's policy process.

### **Consultation and Communication**

As part of the review process consultation has been undertaken with relevant stakeholders including responsible and associated program managers, director and ELT.

### **Resource Implications**

The implementation of these policies will not require additional resources beyond those currently budgeted.

### **Risk Management Implications**

There were no risk management implications identified regarding the proposed policies.

### **Conclusion**

It is recommended that Council rescind the following policy as it is no longer required:

1. COU074 – SunSmart – Council/Community Events

It is further recommended that Council adopt the following policies and associated corporate standards:

2. COU080 – Memorial, Monument and Plaque Requests; and
3. COU122 – Acquisition of Land for Council Purposes.

### **Officer's Recommendation**

**THAT Council rescind the following policy as it is no longer required:**

1. COU074 – SunSmart – Council/Community Events

**And further THAT Council adopt the following policies and associated corporate standards:**

2. COU080 – Memorial, Monument and Plaque Requests; and
3. COU122 – Acquisition of Land for Council Purposes.

**Council Resolution ORD-2023-230**

**THAT Council rescind the following policy as it is no longer required:**

1. **COU074 – SunSmart – Council/Community Events**

**And further THAT Council adopt the following policies and associated corporate standards:**

2. **COU080 – Memorial, Monument and Plaque Requests; and**
3. **COU122 – Acquisition of Land for Council Purposes.**

**Moved Cr Bonaventura**

**Seconded Cr Green**

**CARRIED UNANIMOUSLY**

**11.2. CAPITAL WORKS**

**Nil**

**11.3. COMMUNITY AND CLIENT SERVICES**

**Nil**

**11.4. DEVELOPMENT SERVICES**

**11.4.1. AMENITY AND AESTHETICS - RE-SITING CLASS 1A BUILDINGS**

<b>Author</b>	Manager Development Planning and Engineering (Matthew Kelly)
<b>Responsible Officer</b>	Director Development Services (Aletta Nugent)
<b>File Reference</b>	Amenity and Aesthetics - Re-siting Class 1A Buildings

<b>Attachments</b>	Nil
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**Purpose**

To adopt a revised Amenity and Aesthetics Resolution given effect under section 32 of the *Building Act 1975* for the re-siting of certain Class 1A buildings which may have amenity impacts in certain localities.

**Related Parties**

N/A

**Corporate Plan Linkage**

**Financial Strength**

*Ethical Decision-Making and Good Governance* - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

### Live and Visit

*Enhance Liveability* - We have a range of housing and social infrastructure options that supports a great quality of life and wellbeing in our community.

### Operational Excellence

*Process and Systems* - We develop and continually improve and innovate to create efficient processes that deliver value for our community. Council will endeavour to make service levels more transparent and harness opportunities for existing and emerging technologies to aid this delivery.

### **Background/Discussion**

At the 11 May 2011 Ordinary Meeting, Council adopted an Amenity and Aesthetics Resolution to regulate the re-siting of certain Class 1A buildings which may have amenity impacts in certain localities. The Amenity and Aesthetics Resolution provides Council's building certifier with the ability to ensure that a dwelling being moved to a property within the Mackay region is consistent with the amenity of the surrounding area.

Given the amount of time that has passed since the current Resolution was made, Council Officers are recommending that Council adopt a revised Amenity and Aesthetics Resolution.

The revised Resolution largely takes the same form as the existing Resolution, however it has been updated to clarify which localities are covered by the Resolution, being the following zones within the Mackay Region Planning Scheme 2017 Version 4.0 (as amended):

- Emerging Community Zone
- High Density Residential Zone
- Low Density Residential Zone
- Medium Density Residential Zone
- Mixed Use Zone
- Rural Residential Zone
- Township Zone.

The revised Resolution removes the requirement for the assessment of such applications within the Rural Zone as the risk to amenity is greatly reduced in these areas. The revised Resolution has also been expanded to clarify that it applies to a new building (including a manufactured home) not previously established on another lot either outside or within the Mackay Regional Council Local Government Area.

Following the making of the resolution, further information will be developed to support its implementation and provide guidance to applicants.

### **Consultation and Communication**

Upon adoption, the Mackay building industry will be advised of the new resolution. Council's website will be updated with a new form and supplementary information currently not available.

### **Resource Implications**

Nil

### **Risk Management Implications**

The recommendation will resolve any concerns around the validity of the existing Council resolution given how long it has been in place.

## Conclusion

The adoption of the Amenity and Aesthetics Resolution will clarify that an application is required for the re-siting of certain Class 1A buildings which may have amenity impacts. As part of this, officers will also ensure that Council's website and associated form are readily available for the building industry.

## Officer's Recommendation

### THAT Council:

1. Rescinds the Amenity and Aesthetics Inspections resolution made at the 11 May 2011 Ordinary Meeting; and
2. Requires a referral agency response under Tables 1 and 3, Division 2, Part 3, Schedule 9 of the *Planning Regulation 2017* for the re-siting of Class 1A buildings in a locality outlined in 3. below, to assess whether the proposed building work:
  - (a) will have an extremely adverse effect on the amenity, or likely amenity, of the locality; or
  - (b) will be in extreme conflict with the character of the locality, and
3. The localities applicable are defined as the following zones contained within the Mackay Region Planning Scheme 2017 Version 4.0 (as amended):
  - Emerging Community Zone
  - High Density Residential Zone
  - Low Density Residential Zone
  - Medium Density Residential Zone
  - Mixed Use Zone
  - Rural Residential Zone
  - Township Zone, and
4. This is applicable to Class 1A buildings that are:
  - (a) an existing building; or
  - (b) a new building (including a manufactured home) not previously established on another lot either outside or within the Mackay Regional Council Local Government Area.

## Council Resolution ORD-2023-231

### THAT Council:

1. Rescinds the Amenity and Aesthetics Inspections resolution made at the 11 May 2011 Ordinary Meeting; and
2. Requires a referral agency response under Tables 1 and 3, Division 2, Part 3, Schedule 9 of the *Planning Regulation 2017* for the re-siting of Class 1A buildings in a locality outlined in 3. below, to assess whether the proposed building work:
  - a. will have an extremely adverse effect on the amenity, or likely amenity, of the locality; or
  - b. will be in extreme conflict with the character of the locality, and
3. The localities applicable are defined as the following zones contained within the Mackay Region Planning Scheme 2017 Version 4.0 (as amended):
  - Emerging Community Zone
  - High Density Residential Zone
  - Low Density Residential Zone

- **Medium Density Residential Zone**
- **Mixed Use Zone**
- **Rural Residential Zone**
- **Township Zone, and**

4. This is applicable to Class 1A buildings that are:

- a. an existing building; or
- b. a new building (including a manufactured home) not previously established on another lot either outside or within the Mackay Regional Council Local Government Area.

Moved Cr Mann

Seconded Cr Hassan

**CARRIED UNANIMOUSLY**

## 11.5. ENGINEERING AND COMMERCIAL INFRASTRUCTURE

### 11.5.1. MACKAY WATER STRATEGY 2022

<b>Author</b>	Director Engineering & Commercial Infrastructure (Jason Devitt)
<b>Responsible Officer</b>	Director Engineering & Commercial Infrastructure (Jason Devitt)
<b>File Reference</b>	Water Strategy

#### **Attachments**

1. Mackay Water Strategy 2022 [11.5.1.1 - 102 pages]

#### **Purpose**

The following body of work has been undertaken to understand the future upgrades required and is now presented to Council for their information, consideration and endorsement:

- Mackay Water Strategy 2022

#### **Related Parties**

- Water Services Water Network
- Water Services Water Treatment
- Water Services Water & Sewerage Infrastructure Planning
- Development Services Strategic Planning

#### **Corporate Plan Linkage**

##### Community and Environment

*Sustainable Practices* - We are responsible and active custodians of our natural environment, with future targets and commitments aimed at driving us towards a cleaner, greener and more sustainable region. Climate change will continue to be a consideration in forward planning and we will continue to implement sustainability initiatives in council operations.

##### Financial Strength

*Affordable Living* - Our rates and charges provide value for residents and are sufficient in providing for required infrastructure, facilities and services.

*Optimised Asset Management* - Our asset spend is aligned with the optimised maintenance, replacement and renewal of our asset base.

*Resilient and Agile Economy* - Our long-term vision guides our planning for present and future needs, understanding the future implications of decisions made today.

#### **Background/Discussion**

The Water & Sewerage Infrastructure Planning Team of Mackay Regional Council has undertaken an update of the Water Strategy for the Nebo Road Water Treatment Plant (WTP) Water Supply Scheme that services the Mackay and Sarina urban areas and the Marian Water Treatment Plant Water Supply Scheme that services the Marian and Mirani urban areas. The aim of this Water Strategy is to develop a robust, sustainable Capital Investment Program for the Nebo Road and Marian WTP Schemes to update the Long-Term Financial Forecast and Local Government Infrastructure Plan.

The development of the Mackay Water Strategy 2022 considered the updated Mackay Growth Allocation Model, water demand projections, supply and security of raw water allocation, Water Treatment Plants' capacity and Water Network assessments.

Within our Water Treatment and Water Network facilities, Mackay Water Services has focused on deferring major capital projects in the future by understanding treatment plants and network capacities and resilience, service standards, population growth and customers' usage. Over the past five-years and since the development of the previous Mackay Water Strategy, the average consumption of water has remained unchanged at 280 L/EP/day largely due to ongoing demand management focus. This, together with a change in growth in the Region, has pushed the need for a new Southern Water Treatment Plant, (at an estimated cost of \$50M) in 2038 to outside of the twenty-year Long Term Financial Forecast along with a new Walkerston Reservoir and associated trunk water mains. This represents a great outcome for the community in maximising existing built infrastructure to service the communities' future needs.

### **Consultation and Communication**

The Mackay Water Strategy was written with input from Strategic Planning along with internal stakeholders within Mackay Water Services and the final document will be an internal strategy document that provides guidance for Water and Sewerage Infrastructure Planning, Treatment Operations and Maintenance and Network Operations and Maintenance.

### **Resource Implications**

The Strategy confirms that Council can delay major capital spending as a new Southern Water Treatment Plant, new Walkerston reservoir and associated trunk mains are not required within the twenty-year Long-Term Financial Forecast (LTFF). Progressive capital upgrades and augmentations for Nebo Road Water Treatment Plant and Water Networks are still required as per the Long-Term Financial Forecast.

The Assessment modelled the actual extraction data to the predicted demand into the future and determined the increase in allocation from Sunwater would not be needed potentially until 2041, twelve years after the previous assumption of 2029. However, the current Licence Agreement for extraction of raw water from Dumbleton Weir with Sunwater expires on 30 June 2030. A new Licence Agreement with Sunwater is likely to see significant increase in capital expense for Access Charges together with increased annual operational expenses to extract the raw water. Significant funds have been allocated into the Long-Term Financial Forecast for renewal of the Licence with Sunwater, at this stage, and engagement with SunWater has commenced to further review required allocations and associated costs.

### **Risk Management Implications**

Mackay Water Strategy 2022 is a strategic document used to guide the Water and Sewerage Infrastructure Planning Program of Mackay Water Services. The Water and Sewerage Infrastructure Planning Team will continue to monitor triggers for more detailed assessments of the Schemes to ensure planning assumptions remain accurate for the planning horizon of the Strategy.

### **Conclusion**

This body of work will guide the future planning of capital and operational works for the Mackay, Sarina, Marian and Mirani Water Schemes. This is an overall good outcome for the community where future infrastructure requirements have been further deferred and the existing capacity within current infrastructure is used to service the communities' needs going forward.

### Officer's Recommendation

**THAT Council adopts the Mackay Water Strategy 2022.**

**Council Resolution ORD-2023-232**

**THAT Council adopts the Mackay Water Strategy 2022.**

**Moved Cr May**

**Seconded Cr Mann**

**CARRIED UNANIMOUSLY**

### **11.5.2. CONTRACTUAL ARRANGEMENT TENDERING EXEMPTION 'JJ RICHARDS & SONS' - SOLE SUPPLIER ARRANGEMENTS**

<b>Author</b>	Director Engineering & Commercial Infrastructure (Jason Devitt)
<b>Responsible Officer</b>	Director Engineering & Commercial Infrastructure (Jason Devitt)
<b>File Reference</b>	MRC2014-066

<b>Attachments</b>	Nil
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### **Purpose**

The purpose of this report is to seek a Council Resolution that the nominated supplier is deemed as specialised or sole suppliers in accordance with Section 235 (b) of the *Local Government Regulation 2012* for Small, Medium and Large - Sized Contractual Arrangement.

(b) the Local Government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the Local Government to invite quotes or tenders.

The continuation of critical services which underpins the management of kerbside recycling bin content currently collected under contract *MRC 2014-066 Waste and Recyclables Collection Services*.

### **Related Parties**

The parties relating to this report are as follows:

- J.J. Richards & Sons Pty Ltd

### **Corporate Plan Linkage**

#### **Community and Environment**

*Sustainable Practices* - We are responsible and active custodians of our natural environment, with future targets and commitments aimed at driving us towards a cleaner, greener and more sustainable region. Climate change will continue to be a consideration in forward planning and we will continue to implement sustainability initiatives in council operations.

### Financial Strength

*Optimised Asset Management* - Our asset spend is aligned with the optimised maintenance, replacement and renewal of our asset base.

*Planned Capital and Forecasting* - Our planned capital and operational projects are delivered with agility in the line with our business needs.

### **Background/Discussion**

As a critical Program, Council provides kerbside waste and recycling collection services for the community. The current contract, MRC 2014-066 Waste and Recyclables Collection Services, has been operating since 1 March 2015. The contract had an expiry of 28 February 2023, with a one-year extension, which has been implemented, giving the contract a current expiry date of 28 February 2024.

Recent industry feedback obtained has been that truck chassis, engine, drivetrain, and body supplies have been severely impacted by supply chain issues. This has significantly increased mobilisation timelines for any contractor that wishes to commence operations with a new agreement.

In addition to the supply chain constraints, National and State Governments are promoting the potential of organic waste collection by the kerbside. Specifically, the Australian Government's *National Waste Action Plan*, and the Queensland Government's *Queensland Organics Action Plan*, are placing a significant emphasis on the commencement of Food Organics – Garden Organics (FOGO) collection services to achieve national and state waste diversion from landfill targets.

With these Policy drivers, the draft Greater Whitsunday Council of Mayors' Regional Waste Management Plan contains actions that at the very minimum, assess the viability for kerbside collection of organic wastes to ensure that sufficient time is provided to prospective waste collection contractors:

- to supply new equipment;
- to ensure that the tender considers the kerbside organic collection services; and
- to enable sufficient time to undertake the tender process; i.e., tender release, adequate response times provided tender evaluation and negotiations, award and mobilise the new agreement.

Taking the above into consideration, additional time should be provided to the existing contract. It is requested that J.J. Richards & Sons Pty Ltd be offered an additional 16-month extension until 30 June 2025.

If the requested extension does not proceed, then there is a risk that the intent of the Regional Waste Management Plan will not be met and that supply chain issues and uncertainty on the scope extent of the Kerbside Collections Contract will impact the ability of prospective tenderers to submit conforming and appropriate tender responses. This could negatively impact the cost to Council and the community for provision of kerbside waste collection services.

By approving an extension to J.J. Richards & Sons Pty Ltd, in accordance with Section 235(b) of the *Local Government Regulations*, it will permit the contractor to be re-engaged for an additional fixed term of 16-months, with a revised contract expiry date of 30 June 2025, to continue the provision of the required services to allow for additional modelling and scoping of services as they relate to the future of the contract and related service levels.

### **Consultation and Communication**

Extensive contract discussions have been undertaken between Procurement & Plant, Waste Services and Engineering & Commercial Infrastructure Management, and agreement has been reached that this is the most advantageous outcome for Mackay Regional Council at this time.

## Resource Implications

Under this extension, the financial terms of the existing Contract would be extended. Council's relevant Programs manage the ongoing financial component for the Service Provider. These costs have been included in the 2023/2024 financial year's Operational budget and a similar allowance would be included in the 2024/2025 financial year also.

The only change in Contract rates is in relation to Bin Supply. The contractor is requesting that the provision of bins for New Services and Replacements will have no limit for a charge, as the risk for operating an additional 16-months, was not forecasted at the time of the original tender. Currently the Agreement has no charge for Replacements and a cap of 800 bins before charges can be applied for New Services. In effect, this change would mean that the provision of a bin for New Services and Replacement Bins would attract the charge.

The impact of the charge would be minimal for the 2023/2024 financial year as the impact would be a potential 0.6% change in costs against budget. This will be accommodated within the Waste Services 2023/2024 Operational budget with any savings within the Program budget to be used to offset this impact and no further budget allocation is required to account for this change.

## Risk Management Implications

The recommended supplier is required to provide all relevant insurance and compliances prior to executing the Contract/Agreement and Council staff will ensure that relevant insurances are maintained throughout the life of the Agreement. This includes:

- Public and Products Liability - \$20,000,000
- Workers' Compensation - As Required by Law
- Plant and Equipment - Full Market Value
- Compulsory Motor Vehicle Third Party - As Required by Law
- Motor Vehicle Third Party Property - \$10,000,000

All conditions of the Contract shall remain unchanged, and as such, there are sufficient remedies and warranties to Council, based on the risk profile of the Services being provided.

## Conclusion

Due to anticipated financial cost savings and environmental benefits to Council of using the nominated Service Provider, it is recommended that under Section 235(b) of *the Local Government Regulations* that Council resolve that due to the specific nature of the service that it is impractical for Council to invite tenders.

## Officer's Recommendation

**THAT pursuant to Section 235(b) Local Government Regulations, Council resolves that because of the specific nature of the service, it would be impractical and disadvantageous for Council to invite tenders for the Provision of Waste and Recyclables Collection Services on expiry of the current contract being 28 February 2024.**

**FURTHER THAT J. J. Richards and Sons Pty Ltd be offered an additional 16-month extension until 30 June 2025.**

**Council Resolution ORD-2023-233**

**THAT pursuant to Section 235(b) Local Government Regulations, Council resolves that because of the specific nature of the service, it would be impractical and disadvantageous for Council to invite tenders for the Provision of Waste and Recyclables Collection Services on expiry of the current contract being 28 February 2024.**

**FURTHER THAT J. J. Richards and Sons Pty Ltd be offered an additional 16-month extension until 30 June 2025.**

**Moved Cr Hassan**

**Seconded Cr Bonaventura**

**CARRIED UNANIMOUSLY**

**11.6. ORGANISATIONAL SERVICES**

**11.6.1. STRATEGIC FINANCIAL REPORT - JULY 2023**

<b>Author</b>	Acting Manager Financial Services (Jaco Ackerman)
<b>Responsible Officer</b>	Director Organisational Services (Angela Hays)
<b>File Reference</b>	Strategic Financial Report

<b>Attachments</b>	1. July 2023 Strategic Financial Report [11.6.1.1 - 20 pages]
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**Purpose**

To adopt Mackay Regional Council's (MRC) Strategic Financial Report for the month of July 2023.

**Related Parties**

Nil

**Corporate Plan Linkage**

**Financial Strength**

*Ethical Decision-Making and Good Governance* - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

**Background/Discussion**

Under Part 9, section 204 of the *Local Government Regulation 2012*, the local government is required to prepare a financial report which the Chief Executive Officer presents at a meeting of the local government once a month.

The financial report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held.

## **Consultation and Communication**

Chief Executive Officer, Directors, Acting Manager Financial Services.

## **Resource Implications**

MRC is forecasting an operating surplus of \$551K for the 2023/24 financial year. The actual operating result for July 2023 is a favourable variance of \$2M against YTD budget.

## **Risk Management Implications**

Variances will be closely reviewed and considered in future budget processes where required.

## **Conclusion**

For the period ending July 2023, MRC reported a favourable operating variance of \$2M against YTD budget. Operating revenue is reporting in line with YTD, with offsetting variances seen in rates, levies and charges and fees and charges. Operating expenditure is reporting below YTD budget, which is largely attributable to delays in recognition of forecast expenditure within materials and services, as well as ongoing labour vacancies due to market influences.

To date, \$5.6M has been expended in the delivery of Council Projects; \$5.5M capital expenditure and \$0.1M operational expenditure. Council projects includes accrued expenditure for works in progress and associated operational costs expended in the delivery of these works.

Projects with multi-year delivery timeframes will be reviewed for budget carry over to the 2024 financial year and will be recognised in a future report.

## **Officer's Recommendation**

**THAT the Strategic Financial Report for July 2023 be received.**

**Council Resolution ORD-2023-234**

**THAT the Strategic Financial Report for July 2023 be received.**

**Moved Cr May**

**Seconded Cr Hassan**

**CARRIED UNANIMOUSLY**

### **11.6.2. BUDGET REVIEW - 2023-2024 JULY (CARRYOVERS)**

<b>Author</b>	Acting Manager Financial Services (Jaco Ackerman)
<b>Responsible Officer</b>	Director Organisational Services (Angela Hays)
<b>File Reference</b>	Budget 2023-24

#### **Attachments**

1. Statement of Income and Expenses 10 Yr JBR [**11.6.2.1** - 1 page]
2. Statement of Financial Position 10 Yr JBR [**11.6.2.2** - 1 page]
3. Statement of Cashflow 10 Yr JBR [**11.6.2.3** - 1 page]
4. Statement of Changes in Equity 10 Yr JBR [**11.6.2.4** - 1 page]
5. Ratios 10 Yr JBR [**11.6.2.5** - 1 page]
6. Capital Summary 10 Yr JBR [**11.6.2.6** - 1 page]

#### **Purpose**

To present changes to the 2023-2024 budget, as a result of carried over capital projects from the 2022-2023 financial year and other known adjustments.

#### **Related Parties**

Nil.

#### **Corporate Plan Linkage**

##### Financial Strength

*Ethical Decision-Making and Good Governance* - We are committed to keeping our community informed about our activities and performance and employing robust governance policies and procedures to ensure legislative compliance and organisational integrity.

*Planned Capital and Forecasting* - Our planned capital and operational projects are delivered with agility in the line with our business needs.

#### **Background/Discussion**

In accordance with section 170(3) of the *Local Government Regulation 2012*, Council may by resolution, amend the budget for a financial year at any time before the end of the financial year.

#### **Carryovers**

This report identifies changes to the 2023-2024 budget mainly as a result of carryovers following the finalisation of capital project expenditure for the financial year ended 30 June 2023. Carryovers represent unexpended funds from the 2022-2023 financial year which will now be added to the 2023-2024 amended budget. The 2023-2024 original budget was adopted by Council on 21 June 2023. The identified changes are not savings for these projects simply timing adjustments to reflect when expenditure will occur across financial years.

The Executive Leadership Team undertook a thorough review of all proposed carryover projects. Rigour was applied to ensure that the amount requested was required to complete the project and were able to be delivered during 2023-2024 and impact on the current year program was assessed.

The major contributing factor for carryovers is the timing of delivery of projects. All projects identified are substantially underway and the carryover represents funds required to complete the project. In some instances,

project expenditure occurred earlier than anticipated resulting in a negative carryover. A positive amount represents unspent funds to be added to the 2023-2024 budget. A negative amount represents over expenditure in 2022-2023, due predominately to works being brought forward, which will reduce the 2023-2024 budget allocation.

Some capital projects also contain expenditure which is operational in nature, which needs to be carried over to complete the project. This impacts the operating result.

In addition to the above adjustments to expenditure some adjustments to external income are also required. This typically relates to the timing of the receipt of grant funding being earlier than anticipated or not being received as expected.

The following table provides a summary of the changes to the budget as a result of carryover adjustments for capital projects identifying both capital and operational adjustment. In total, 322 projects require a budget adjustment in 2023-2024 as a result of carryovers.

<b>Capital Project Carryovers</b>	<b>Amount</b>
Capital expenditure	\$4,169,166
Operational expenditure	(\$368,447)
<b>Total expenditure (decrease)</b>	<b>\$3,800,719</b>
Capital income	\$1,018,002
Operational income	\$3,735
<b>Total income (increase)</b>	<b>\$1,021,737</b>
<b>TOTAL CARRYOVER ADJUSTMENTS</b>	<b>\$4,822,456</b>

### **Budget Reforecast**

In the past there has been quarterly reviews of the budget however approval could be sought from Council for budget changes for Capital as required, which may result in monthly adjustments. This increased frequency will allow for improved decision making throughout the year and allow timely adjustments to be made to the capital program and delivery schedule.

The following table contains the identified adjustment amounts. The major contributing factor for adjustments is the recognition of additional expenditure for existing projects predominately due to high tender prices. Other adjustments include new grant funded projects and increased project scope.

<b>Capital Project Adjustments</b>	<b>Amount</b>
Capital expenditure	(\$14,299,064)
Operational expenditure	(\$243,515)
<b>Total expenditure (increase)</b>	<b>(\$14,542,579)</b>
Capital income	\$1,643,805
Operational income	\$56,398
<b>Total income (increase)</b>	<b>\$1,700,203</b>
<b>TOTAL CAPITAL PROJECT ADJUSTMENTS</b>	<b>(\$12,842,376)</b>

The addition of the carryover projects to the current capital program has resulted in some project expenditure being deferred to the next financial year.

The following table contains the identified deferral amounts.

<b>Capital Project Deferrals</b>	<b>Amount</b>
Capital expenditure	\$13,023,193
Operational expenditure	\$0
<b>Total expenditure (decrease)</b>	<b>\$13,023,193</b>
Capital income	(\$3,300,000)
Operational income	\$0
<b>Total income (decrease)</b>	<b>(\$3,300,000)</b>
<b>TOTAL CAPITAL PROJECT DEFERRALS</b>	<b>\$9,723,193</b>

The current capital program also notes some projects which have been cancelled or savings identified.

The following table contains the identified savings amounts.

<b>Capital Project Savings / Cancellations</b>	<b>Amount</b>
Capital expenditure	\$890,133
Operational expenditure	\$0
<b>Total expenditure (decrease)</b>	<b>\$890,133</b>
<b>TOTAL CAPITAL PROJECT SAVINGS/CANCELLATIONS</b>	<b>\$890,133</b>

### Operational

Some operational adjustments have been included in this budget review to bring known grant funding adjustments to account as part of the budget.

A thorough review of the operational budget will be carried out as part of the September Budget Review.

### **Revenue**

<b>Category</b>	<b>Amount</b>	<b>Comments</b>
Recurrent grants, subsidies, contributions and donations	(\$8,790)	Recognition of additional grant funding for Environmental Protection (\$64K) offset by minor community adjustments for prior year expenditure.
Operational Revenue in Capital Projects	\$60,133	Operational movement across multiple capital projects.
<b>Total operating revenue adjustments</b>	<b>\$51,343</b>	

Total revenue is forecasted to favourably increase by \$51K due to recognition of additional grant funding forecast to be received, this income is expected to be offset as grant requirements are met.

Revenue forecasts will continue to be monitored throughout the year, especially in this period of high economic uncertainty.

**Expenses**

Category	Amount	Comments
Employee Benefits	\$18,880	Updating of position allocations which has resulted in a small saving.
Materials and services	\$249,633	\$200K moved from the operating budget to capital. Plus, minor increases to various programs to recognise the expenditure side of the grant income noted above.
Operational Expenses in Capital Projects	(\$611,962)	Operational movement across multiple capital projects.
<b>Total operating expenditure adjustments</b>	<b>(\$343,449)</b>	

Operating expenditure is forecasted to increase overall by \$343K. The main component of the expenditure is associated with Capital project delivery and is offset by a reduction in materials and services expenditure.

**Summary**

In summary, the total changes included in this budget review are identified in the tables below:

	Original Budget \$'000	July Budget Review Adjustment \$'000	Amended Budget \$'000
Operating Revenue	\$292,143	\$51	\$292,194
Operating Expense	(\$291,592)	(\$343)	(\$291,935)
<b>Operating Surplus/(Deficit)</b>	<b>\$551</b>	<b>(\$292)</b>	<b>\$259</b>

As a result of the above movements in revenue and expenses, MRC's forecasted operating surplus will decrease to \$259K. A full review of operational revenue and expenses will be conducted as part of the September Budget Review. Work will continue during the remainder of the financial year to closely monitor revenue and expenditure in relation to the ongoing impacts of the current market conditions on our business.

	Original Budget \$'000	July Budget Review Adjustment \$'000	Amended Budget \$'000
<b>Capital project budget</b>	<b>(\$126,548)</b>	<b>\$3,171</b>	<b>(\$123,376)</b>
- Capital Expenditure	(\$124,420)	\$3,783	(\$120,636)
- Operational Expenditure	(\$2,128)	(\$612)	(\$2,740)
<b>Capital funding budget</b>	<b>\$45,137</b>	<b>(\$578)</b>	<b>\$44,559</b>
- Capital funding	\$45,110	(\$638)	\$44,472
- Operational funding	\$27	\$60	\$88

\* Note operational adjustments are also included above for calculation of operating result

In summary, known changes to the program of works have been identified and adjusted as detailed above. Overall, Council's contribution to capital expenditure has decreased in the 2023-2024 financial year due mainly to the deferral of current year projects.

Ongoing review of the capital program will continue throughout the year and changes identified will be reported to Council for approval, with particular emphasis being placed on deliverability of projects.

### **Consultation and Communication**

The requirements of the amended budget and in particular the capital program is constantly monitored during the financial year, including detailed monthly reporting to Management and Councillors.

Identified changes which require budget amendments will be reviewed by the Executive Leadership Team and presented regularly to Council for approval.

### **Resource Implications**

The revised capital project expenditure program for 2023-2024 has decreased overall by \$3.1M to \$123.4M.

The operating surplus has decreased to \$259K. This will continue to be monitored during the year and adjusted if required in future budget reviews.

### **Risk Management Implications**

The budget needs to reflect expected costs of delivery, therefore changes to budgets associated with changes in delivery timing and changes in costs need to be addressed as soon as possible.

This budget review brings to account known variations to the original budget adopted on 21 June 2023 and adjustments throughout the year.

### **Conclusion**

The July 2024 Budget Review amendments will be included in the current approved budget and become the current amended budget.

The amended budget will be reflected in the next monthly Strategic Financial Report.

The Long Term Financial Forecast has been updated based on the changes identified in this report and the effect on future forecasts.

Council's current forecasted operating surplus is \$259K for the 2023-2024 financial year, noting that it is still early in the financial year. Revenue and expenditure will continue to be monitored especially in relation to the ongoing impacts of the current market conditions on our business.

Capital project expenditure is decreased due to the adjustments for carryover projects brought forward last financial year. Other known adjustments have been made to the budget to reflect any changes to estimates and delivery timing understood at this time. Capital delivery remains a focus of Council.

### **Officer's Recommendation**

**THAT the changes identified in the July Budget Review be adopted and become the approved amended budget.**

### **Council Resolution ORD-2023-235**

**THAT the changes identified in the July Budget Review be adopted and become the approved amended budget.**

**Moved Cr May**

**Seconded Cr Green**

**CARRIED UNANIMOUSLY**

**12. RECEIPT OF PETITIONS**

Nil

**13. TENDERS**

Nil

**14. CONSIDERATION OF NOTIFIED MOTIONS**

Nil.

**15. PUBLIC PARTICIPATION**

Nil

**16. LATE BUSINESS**

Nil

**17. CONFIDENTIAL REPORTS**

**17.1. APPROVED SPONSORSHIP UNDER THE INVEST MACKAY EVENTS AND CONFERENCE ATTRACTION PROGRAM - JULY 2023**

**Confidential**

*Confidential Report to be forwarded separately.*

This report is **CONFIDENTIAL** in accordance with the Section 254J (3) (c) of the *Local Government Regulation 2012* which permits the meeting to be closed to the public to discuss a matter **relating to Council's budget**.

**Council Resolution ORD-2023-238**

**THAT the sponsorship approved under the Invest Mackay Events and Conference Attraction Program are noted.**

**Moved Cr Hassan**

**Seconded Cr Green**

**CARRIED UNANIMOUSLY**

**17.2. DRAFT MINUTES - INVEST MACKAY EVENTS AND CONFERENCE ATTRACTION PROGRAM  
ADVISORY COMMITTEE - 7 AUGUST 2023**

**Confidential**

*Confidential Report to be forwarded separately.*

This report is **CONFIDENTIAL** in accordance with the Section 254J (3) (c) of the *Local Government Regulation 2012* which permits the meeting to be closed to the public to discuss a matter **relating to Council's budget**.

**Council Resolution ORD-2023-239**

**THAT the draft minutes of the Invest Mackay Events and Conference Attraction Program Advisory Committee meeting dated 7 August 2023 be received.**

**AND THAT funding is approved as recommended by the Invest Mackay Events and Conference Attraction Program Advisory Committee for Item 5.1.**

**AND THAT funding is approved as recommended by the Invest Mackay Events and Conference Attraction Program Advisory Committee for Item 5.2.**

**Moved Cr Green**

**Seconded Cr May**

**CARRIED UNANIMOUSLY**

**17.3. APPROVED CONCESSIONS UNDER THE FACILITATING DEVELOPMENT IN THE MACKAY  
REGION POLICY - JULY 2023**

**Confidential**

*Confidential Report to be forwarded separately.*

This report is **CONFIDENTIAL** in accordance with the Section 254J (3) (c) of the *Local Government Regulation 2012* which permits the meeting to be closed to the public to discuss a matter **relating to Council's budget**.

**Council Resolution ORD-2023-240**

**THAT the concessions approved under the Facilitating Development in the Mackay Region Policy are noted.**

**Moved Cr Hassan**

**Seconded Cr Mann**

**CARRIED UNANIMOUSLY**

**18. MEETING CLOSURE**

Meeting closed at 10.45am.

**19. FOR INFORMATION ONLY**

**19.1. DEVELOPMENT APPLICATIONS - JULY 2023**

Nil

**19.2. BUILDING WORKS STATISTICS - JULY 2023**

Confirmed on Wednesday XXXX

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MAYOR