

Minutes

Ordinary Meeting

Wednesday, 25 September 2024

Time: 9.00 am

Location: Council Chambers
82 Brisbane Street
BEAUDESERT QLD 4285

Scenic Rim Regional Council
Ordinary Meeting
Wednesday, 25 September 2024
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1 Opening of Meeting

The Mayor, Cr Tom Sharp, as Chair of the Meeting, declared the Meeting open and acknowledged the traditional owners of the lands of the Scenic Rim Regional Council area. The Mayor paid respect to their elders, past, present and future, and extended congratulations to them on their continued nurturing of their culture.

2 Attendance and the granting of leaves of absence

Cr T J Sharp, Mayor
Cr A J Hay (via teleconference)
Cr K R Cryer
Cr S A Moriarty
Cr J Sanders
Cr M J Chalk
Cr D A McInnes OAM

Executive Officers

D Keenan, Chief Executive Officer
W Burgess-Dean, Acting Manager Human Resources /
Acting General Manager People and Strategy
M Lohmann, Manager Regional Development, Health and Biodiversity /
Acting General Manager Customer and Regional Prosperity
C Gray, General Manager Asset and Environmental Sustainability
O Pring, General Manager Council Sustainability

Staff

J Pukallus, Principal Specialist Governance and Assurance
S Keepence, Governance Officer
M Carter, GIS Officer, Information Services and Technology
S Gillett, Manager Capital Works and Asset Management (Items 11.7 and 11.8)
J Sinnamon, Principal Specialist Property Management /
Acting Manager Resources and Sustainability (Item 11.9)
S Beck, Team Leader Development Assessment (Item 11.14)
H Nelson, Principal Specialist Strategic Planning (Item 12.2)

3 Apologies

Nil

4 Prayers

Pastor James McCulloch from Harvest Point Church, Boonah, attended via teleconference and offered prayers

5 Public Question Time

Nil

6 Declarations of Prescribed or Declarable Conflict of Interest by Members**6.1 Declaration - Cr Stephen Moriarty re Items 11.4 and 11.5**

Cr Stephen Moriarty:

"Mayor, I would just like to declare a potential conflict of interest with Item 11.4 on the Agenda, Compliance and Enforcement Policy and Procedure. Just for the information for, in the interests of public knowledge and transparency, I run a small camping business on my property. I am currently negotiating with Council towards compliance for that business.

Item 11.5, the conflict of interest provisions with regard to the Planning Scheme. The amendments of the Planning Scheme do not apply to Councillors if the matter is an ordinary business matter and making or amending the Planning Scheme is exempt from conflict of interest provisions, so I guess my only concern is 11.4 and I would leave it to my fellow Councillors, if they are happy for me to remain involved in those discussions and decisions."

Cr Tom Sharp advised the matter would be addressed prior to the consideration of Item 11.4.

The Chief Executive asked Cr Stephen Moriarty to confirm that he was declaring a 'declarable conflict of interest'. Cr Moriarty acknowledged in the affirmative, that his declaration was a 'declarable conflict of interest'.

6.2 Declaration - Cr Amanda Hay re Item 12.2

Cr Amanda Hay:

"I am declaring a prescribed conflict of interest in Item 12.2 and I will elaborate further when we get to that item."

7 Announcements / Mayoral Minutes

7.1 Tribute to John Deeks

Cr Tom Sharp:

"Councillors, we pause today to mark the passing of a much loved and admired member of the Scenic Rim community, the late John Deeks.

Our region's first Town Crier, John will long be remembered for the contribution to local community groups through which he touched many lives, setting an example of selfless service to others.

And I would like now to introduce Councillor Marshall Chalk to say a few words."

Cr Marshall Chalk:

"Thank you Mr Mayor. It is my pleasure today to say a few words on behalf of John Deeks.

Many in the Scenic Rim and beyond will be saddened to learn of the passing on Friday, 13 September, of one of the region's most remarkable residents, John Deeks.

As Boonah's first Town Crier, and then for the wider Scenic Rim region, John brought dignity to the many events at which he performed his duties for some 20 years before his retirement in 2019.

Last week, a celebration of John's life was held at the Salvation Army Fassifern, just one of the many organisations to which he gave his time and his talents through street ministry and running Monday night Bible studies.

John encouraged others to give generously to the Salvation Army's annual Red Shield Appeal and will be remembered by many in Boonah for his perennial presence outside the IGA supermarket where he rattled the tin for the church's welfare work.

A lover of brass bands, John was a member of the Boonah Salvation Army Band and, with his wife Angie, was also a founding member of the Boonah Community Band.

John and Angie were also instrumental in establishing Boonah's radio station, Rim FM100.1, and he was also involved with the Boonah RSL and Anzac Day parades.

Community service was a hallmark of John's life.

Before settling in Australia, he served as a Bobby with the London Police. One of the highlights of his long life was being awarded the Freedom of the City of London at a ceremony in Great Britain in 2019.

In 2021, shortly after celebrating his 89th birthday, John's outstanding service to our community was recognised with the Mayor's Award at the Scenic Rim Australia Day Awards.

In the days since his passing, John has been remembered as a great man, a remarkable man who lived fiercely and loudly, and lived a life filled with service and compassion.

On behalf of Scenic Rim Regional Council and our community, I extend my condolences to John's family and many friends.

In lieu of flowers, John's family have asked that donations be made to a cause close to their hearts, the Prostate Cancer Foundation of Australia."

8 Reception of Deputations by Appointment / Presentation of Petitions

Nil

9 Confirmation of Minutes

Recommendation

That the Minutes of the Ordinary Meeting held on 28 August 2024, be adopted.

Moved: Cr Stephen Moriarty

Seconded: Cr Kerri Cryer

Carried unanimously

10 Business Arising from Previous Minutes

Nil

11 Consideration of Business of Meeting

People & Strategy

11.1 End of Year Closedown 2024-2025

Executive Officer: Acting Manager Human Resources /
Acting General Manager People and Strategy

Attachments: Nil

Recommendation

That:

1. Council offices, including Customer Care and Engagement, be closed from 3.00pm on Tuesday, 24 December 2024 up to and including Wednesday, 1 January 2025, reopening on Thursday, 2 January 2025;
2. Council's Libraries and Community and Cultural Centres be closed from 3.00pm on Tuesday, 24 December 2024 up to and including Sunday, 5 January 2024, reopening on Monday, 6 January 2024 (with employees returning to work on Thursday, 2 January 2025);
3. Council's operational works, including Depots, be restricted to skeleton crew from Monday, 23 December 2024 up to and including Friday, 3 January 2025, with a return to work scheduled for normal operations on Monday, 6 January 2025; and
4. The Chief Executive Officer advertise the closures and the relevant contact details for customer requests over this period.

Moved: Cr Marshall Chalk
Seconded: Cr Jennifer Sanders

Motion

That:

1. Council offices, including Customer Care and Engagement, be closed from 3.00pm on Tuesday, 24 December 2024 up to and including Wednesday, 1 January 2025, reopening on Thursday, 2 January 2025;
2. Council's Libraries and Community and Cultural Centres be closed from 3.00pm on Tuesday, 24 December 2024 up to and including Sunday, 5 January 2024, reopening on Monday, 6 January 2024 (with employees returning to work on Thursday, 2 January 2025);
3. Council's operational works, including Depots, be restricted to skeleton crew from Monday, 23 December 2024 up to and including Friday, 3 January 2025, with a return to work scheduled for normal operations on Monday, 6 January 2025; and
4. The Chief Executive Officer advertise the closures and the relevant contact details for customer requests over this period.

Carried unanimously

Customer & Regional Prosperity

11.2 Appointment of Local Disaster Management Group Additional Deputy Chair

Executive Officer: Manager Regional Development, Health and Biodiversity /
Acting General Manager Customer and Regional Prosperity

Attachments: Nil

Recommendation

That Council appoint the Mayor of Scenic Rim Regional Council, Cr Tom Sharp, as an additional Deputy Chair of the Scenic Rim Disaster Management Group.

Moved: Cr Stephen Moriarty

Seconded: Cr Jennifer Sanders

Motion

That Council appoint the Mayor of Scenic Rim Regional Council, Cr Tom Sharp, as an additional Deputy Chair of the Scenic Rim Disaster Management Group.

Carried unanimously

11.3 DestinationIQ, DestinationQ Forum and Queensland Tourism Awards

Executive Officer: Manager Regional Development, Health and Biodiversity /
Acting General Manager Customer and Regional Prosperity

Attachments: Nil

Recommendation

That:

1. Council nominate and endorse a Councillor/s as the official representative/s to attend the DestinationIQ Conference, being held on 13 November 2024 in Brisbane;
2. Council nominate and endorse a Councillor/s as the official representative/s to attend the DestinationQ Forum, being held on 14 November 2024 in Brisbane;
3. Council nominate and endorse a Councillor/s as the official representative/s to attend the 2024 Queensland Tourism Awards Gala Ceremony, being held on the evening of 15 November 2024 in Brisbane; and
4. Council endorse the purchase of tickets and accommodation expenses for the nominated representative/s, noting the events are being held in Brisbane.

Moved: Cr Kerri Cryer

Seconded: Cr Duncan McInnes

Motion

That:

1. Council nominate and endorse a Councillor/s as the official representative/s to attend the DestinationIQ Conference, being held on 13 November 2024 in Brisbane;
2. Council nominate and endorse a Councillor/s as the official representative/s to attend the DestinationQ Forum, being held on 14 November 2024 in Brisbane;
3. Council nominate and endorse a Councillor/s as the official representative/s to attend the 2024 Queensland Tourism Awards Gala Ceremony, being held on the evening of 15 November 2024 in Brisbane; and
4. Council endorse the purchase of tickets and accommodation expenses for the nominated representative/s, noting the events are being held in Brisbane.

Amendment

That Cr Jennifer Sanders be nominated as the Councillor representative in paragraphs 1, 2 and 3 of the Motion, and the Mayor Cr Tom Sharp also be endorsed to attend all three events, if available to do so, and the Deputy Mayor Cr Duncan McInnes be endorsed to attend on behalf of the Mayor, if the Mayor is not available to attend any of the three events.

Moved: Cr Marshall Chalk

Seconded: Cr Stephen Moriarty

Cr Jennifer Sanders accepted the nomination.

Carried unanimously

The motion, moved by Cr Kerri Cryer and seconded by Cr Duncan McInnes, as amended:

That:

1. Council endorse Councillors Tom Sharp and Jennifer Sanders as the official representatives to attend the DestinationIQ Conference, being held on 13 November 2024 in Brisbane;
2. Council endorse Councillors Tom Sharp and Jennifer Sanders as the official representatives to attend the DestinationQ Forum, being held on 14 November 2024 in Brisbane;
3. Council endorse Councillors Tom Sharp and Jennifer Sanders as the official representatives to attend the 2024 Queensland Tourism Awards Gala Ceremony, being held on the evening of 15 November 2024 in Brisbane;
4. The Deputy Mayor Cr Duncan McInnes be endorsed to attend on behalf of the Mayor Cr Tom Sharp, if the Mayor is not available to attend any of the three events; and
5. Council endorse the purchase of tickets and accommodation expenses for the nominated representatives, noting the events are being held in Brisbane.

was put and

Carried unanimously

6.1 (continued) Declaration - Cr Stephen Moriarty re Item 11.4

Cr Stephen Moriarty:

"So as previously explained Mayor, I run a small camping business on my property, I am currently trying to work to compliant under the Scenic Rim Planning Scheme with the Scenic Rim Regional Council."

The Chief Executive Officer queried whether Cr Stephen Moriarty's was about a declarable conflict of interest.

Cr Stephen Moriarty:

"I think it's in the public interest that I declare a declarable conflict of interest."

The Chief Executive Officer queried whether Cr Stephen Moriarty would be remaining in the meeting room or asking the Councillors to have a vote on whether he can remain in the room.

Cr Stephen Moriarty:

"I would be asking the Councillors that I am able to remain in the room for the discussion and for the vote, and suitably represent my constituents who elected me to do so."

Cr Tom Sharp offered Councillors the opportunity to ask Cr Stephen Moriarty any questions.

Motion

That Councillor Moriarty, who has declared a declarable conflict of interest, be able to stay in the room and vote for Item 11.4.

Moved: Cr Jennifer Sanders

Seconded: Cr Duncan McInnes




Carried

As the subject Councillor, Cr Stephen Moriarty did not vote on this motion.

11.4 Compliance and Enforcement Policy and Procedure

Executive Officer: Manager Regional Development, Health and Biodiversity /
Acting General Manager Customer and Regional Prosperity

Attachments:

1. Draft Compliance and Enforcement Policy 
2. Draft Compliance and Enforcement Procedure 
3. Model Litigant Principles 

Recommendation

That:

1. Council adopt the new Compliance and Enforcement Policy; and
2. Council note the new Compliance and Enforcement Procedure, for approval by the Chief Executive Officer.

Moved: Cr Amanda Hay
Seconded: Cr Kerri Cryer

Motion

That Council not adopt the new Compliance and Enforcement Policy or endorse the Compliance and Enforcement Procedure in the current form and request that amendments be made for consideration at a future meeting.

Carried unanimously

11.5 Scenic Rim Planning Scheme Draft Amendment 8

Executive Officer: Manager Regional Development, Health and Biodiversity /
Acting General Manager Customer and Regional Prosperity

Attachments:

1. Scenic Rim Planning Scheme Draft Amendment No. 8 (under separate cover) 

Recommendation

That Council endorse the attached Draft Amendment No.8 to the Scenic Rim Planning Scheme 2020, to proceed to a state interest review in accordance with the *Planning Act 2016* and the Minister's Guidelines and Rules.

Moved: Cr Kerri Cryer
Seconded: Cr Jennifer Sanders

Motion





That Council not endorse the attached Draft Amendment No.8 to the Scenic Rim Planning Scheme 2020 in its current form and request amendments be made for consideration at a future meeting.

Carried unanimously

11.6 MCU24/045 Material Change of Use - Preliminary Approval for Variation Request to override the Scenic Rim Planning Scheme to establish the Scenic Rim Agricultural Industrial Precinct, Cunningham Highway, Kalbar Lot 1 RP216694, Lots 2-4 on SP192221, Lot 2 RP20974 and Lot 2 RP44024

Executive Officer: Manager Regional Development, Health and Biodiversity / Acting General Manager Customer and Regional Prosperity

Attachments:

1. Coordinator General Evaluation Report (under separate cover) 
2. A.5 SRAIP Development Plan (under separate cover) 
3. MCU24/045 Conditions of Approval 
4. Full assessment of the application against Planning Scheme Codes (under separate cover) 

Recommendation

That:

1. Council receive and note the report titled "MCU24/045 Preliminary Approval for Variation Request involving a Material Change of Use to override the Scenic Rim Planning Scheme to establish the Scenic Rim Agricultural Industrial Precinct, Cunningham Highway, Kalbar Lot 1 RP216694, Lots 2-4 on SP192221, Lot 2 RP20974 and Lot 2 RP44024";
2. Council approve the development application Preliminary Approval (Variation Request) MCU24/045, subject to the conditions contained in Appendix A (Attachment 3); and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the Preliminary Approval (Variation Request) (MCU24/045) will be processed via delegated authority where the changes would not significantly alter the original decision.

Moved: Cr Duncan McInnes
Seconded: Cr Marshall Chalk

Motion

That:

1. Council receive and note the report titled "MCU24/045 Preliminary Approval for Variation Request involving a Material Change of Use to override the Scenic Rim Planning Scheme to establish the Scenic Rim Agricultural Industrial Precinct, Cunningham Highway, Kalbar Lot 1 RP216694, Lots 2-4 on SP192221, Lot 2 RP20974 and Lot 2 RP44024";
2. Council approve the development application Preliminary Approval (Variation Request) MCU24/045, subject to the conditions contained in Appendix A (Attachment 3); and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the Preliminary Approval (Variation Request) (MCU24/045) will be processed via delegated authority where the changes would not significantly alter the original decision.

Carried unanimously

Asset & Environmental Sustainability

11.7 Review of Asset Management Policy

Executive Officer: General Manager Asset and Environmental Sustainability

Attachments:

1. Council Policy - Asset Management Policy 
2. Asset Management Council Policy (with tracked changes) 
3. Asset Management Council Policy 

Recommendation

That Council adopt the amended Asset Management Council Policy.

Moved: Cr Stephen Moriarty

Seconded: Cr Marshall Chalk

Motion

That Council adopt the amended Asset Management Council Policy.

Carried unanimously

11.8 2023-2024 Infrastructure Capital Works Program Delivery - June 2024

Executive Officer: General Manager Asset and Environmental Sustainability

Attachments:

1. Infrastructure Capital Works Program Delivery Update - June 2024 

Recommendation

That Council note the Infrastructure Capital Works Program update, as presented.

Moved: Cr Marshall Chalk
Seconded: Cr Jennifer Sanders

Motion

That Council note the Infrastructure Capital Works Program update, as presented.

Carried unanimously

11.9 'Containers for Change' Baskets - Beaudesert Trial Report

Executive Officer: General Manager Asset and Environmental Sustainability

Attachments: Nil

Recommendation

That Council note the successful completion of the 'Containers for Change' basket trial and endorse replacement of public place recycling bins with baskets at Boonah and Tamborine Mountain.

Moved: Cr Jennifer Sanders

Seconded: Cr Kerri Cryer

Motion

That Council note the successful completion of the 'Containers for Change' basket trial and endorse replacement of public place recycling bins with baskets at Boonah and Tamborine Mountain.


Carried unanimously

Council Sustainability

11.10 2024 Interim Report from the Auditor General

Executive Officer: General Manager Council Sustainability

Attachments:

1. Scenic Rim Regional Council - 2024 Interim Report 

Recommendation

That, in accordance with section 213 of the *Local Government Regulation 2012*, Council note the Auditor-General's observation Interim Report for the 2023-2024 financial year.

Moved: Cr Amanda Hay
Seconded: Cr Jennifer Sanders

Motion

That, in accordance with section 213 of the *Local Government Regulation 2012*, Council note the Auditor-General's observation Interim Report for the 2023-2024 financial year.

Carried unanimously

At 10:08 am, Cr Duncan McInnes left the meeting, during discussion on Item 11.10.

At 10:08 am, Cr Duncan McInnes returned to the meeting, during discussion on Item 11.10.

11.11 Council Monthly Financial Report for August 2024

Executive Officer: General Manager Council Sustainability

Attachments:

1. Monthly Financial Report August 2024 
-

Recommendation

That Council note the unaudited financial statements for the period ended 31 August 2024 for the Financial Year 2024-2025.

Moved: Cr Duncan McInnes
Seconded: Cr Jennifer Sanders

Motion

That Council note the unaudited financial statements for the period ended 31 August 2024 for the Financial Year 2024-2025.

Carried unanimously

11.12 2024-2025 Carry Forward Budget Review

Executive Officer: General Manager Council Sustainability

Attachments:

1. 2024-2025 Carry Forward Budget Review 

Recommendation

That, in accordance with sections 169 and 170(3) of the *Local Government Regulation 2012*, Council adopt the 2024-2025 Carry Forward Budget Review, as outlined in the:

1. Revised Statement of Comprehensive Income for 2024-2025 through 2026-2027, inclusive;
2. Revised Statement of Financial Position for 2024-2025 through 2026-2027, inclusive;
3. Revised Statement of Cash Flows for 2024-2025 through 2026-2027, inclusive;
4. Revised Statement of Changes in Equity for 2024-2025 through 2026-2027, inclusive; and
5. Revised Relevant Measures of Financial Sustainability.

Moved: Cr Stephen Moriarty
Seconded: Cr Duncan McInnes

Motion

That, in accordance with sections 169 and 170(3) of the *Local Government Regulation 2012*, Council adopt the 2024-2025 Carry Forward Budget Review, as outlined in the:

1. Revised Statement of Comprehensive Income for 2024-2025 through 2026-2027, inclusive;
2. Revised Statement of Financial Position for 2024-2025 through 2026-2027, inclusive;
3. Revised Statement of Cash Flows for 2024-2025 through 2026-2027, inclusive;
4. Revised Statement of Changes in Equity for 2024-2025 through 2026-2027, inclusive; and
5. Revised Relevant Measures of Financial Sustainability.

Carried unanimously

11.13 Annual Internal Audit Plan 2024-2025

Executive Officer: General Manager Council Sustainability

Attachments:

1. 2024-2025 SRRC Annual Internal Audit Plan 

Recommendation

That Council approve the Annual Internal Audit Plan 2024-2025.

Moved: Cr Amanda Hay
Seconded: Cr Stephen Moriarty

Motion

That Council approve the Annual Internal Audit Plan 2024-2025.



Carried unanimously

Additional Items

11.14 LATE ITEM - MCU23/143 Development Permit for Utility Installation (Groundwater Extraction for Water Supply) 45-63 Hartley Road, Tamborine Mountain Lot 2 RP82745

Executive Officer: Manager Regional Development, Health and Biodiversity / Acting General Manager Customer and Regional Prosperity

Attachments:

1. MCU23/143 Proposal Plans 
2. Conditions of Approval 

Recommendation

That:

1. Council receive and note the report titled "MCU23/143 Development Permit for Utility Installation (Groundwater Extraction for Water Supply) 45-63 Hartley Road, Tamborine Mountain Lot 2 RP82745";
2. Council approve development application MCU23/143, and grant a development permit for Material Change of Use, subject to the conditions contained in Attachment 2; and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (MCU23/143) will be processed via delegated authority where the changes would not significantly alter the original decision.

Moved: Cr Amanda Hay
Seconded: Cr Kerri Cryer

Motion

That:

1. Council receive and note the report titled "MCU23/143 Development Permit for Utility Installation (Groundwater Extraction for Water Supply) 45-63 Hartley Road, Tamborine Mountain Lot 2 RP82745";
2. Council approve development application MCU23/143, and grant a development permit for Material Change of Use, subject to the conditions contained in Attachment 2; and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (MCU23/143) will be processed via delegated authority where the changes would not significantly alter the original decision.

For: Crs Tom Sharp, Amanda Hay, Kerri Cryer, Stephen Moriarty, Marshall Chalk and Duncan McInnes

Against: Cr Jennifer Sanders

Carried 6/1

6.2 (continued) Declaration - Cr Amanda Hay re Item 12.2

Cr Amanda Hay:

"I declare a prescribed conflict of interest in Item 12.2, the Update on Eastern Asia Investment Pty Ltd v Scenic Rim Regional Council & Ors, in that I was, before I was elected as a Councillor, I was a submitter against the development application and I am currently a co-respondent by election in the current Planning and Environment Court appeal, so I will depart the meeting for that particular item."

Cr Tom Sharp confirmed that Cr Amanda Hay would not participate or vote on Item 12.2.

12 Confidential Matters

At 10:39 am, Council resolved into closed session, with the following motion:

That, in accordance with Council's Standing Orders for Council Meetings Policy and the provisions of Section 254J(3) of the *Local Government Regulation 2012*, Council close the meeting to public to discuss confidential items, as follows:

12.1 Appointment of Acting Chief Executive Officer [Closed s.254J(3)(a)]

12.2 Update - Eastern Asia Investment Pty Ltd v Scenic Rim Regional Council & Ors (P&E No.534 of 2024) [Closed s.254J(3)(e)]

as discussions will be held about the appointment of an Acting Chief Executive Officer and a Planning and Environment Court legal matter.

Moved: Cr Marshall Chalk

Seconded: Cr Stephen Moriarty

Carried unanimously

At 10:50 am, Cr Amanda Hay left the meeting, prior to the consideration of Item 12.2.

At 11:59 pm, Cr Amanda Hay returned to the meeting, following discussion on Item 12.2.

At 12:00 pm, following discussion in closed session, Council resumed in open session for the proposal of resolutions.

Moved: Cr Kerri Cryer

Seconded: Cr Stephen Moriarty

Carried unanimously

12.1 Appointment of Acting Chief Executive Officer [Closed s.254J(3)(a)]

Executive Officer: Chief Executive Officer

Recommendation

That, pursuant to section 195 of the *Local Government Act 2009*, Council appoint General Manager Council Sustainability, Mr Oliver Pring, as a suitably qualified person to act as Chief Executive Officer during the period 29 September 2024 to 15 October 2024 inclusive.

Moved: Cr Marshall Chalk
Seconded: Cr Stephen Moriarty

Motion

That, pursuant to section 195 of the *Local Government Act 2009*, Council appoint General Manager Council Sustainability, Mr Oliver Pring, as a suitably qualified person to act as Chief Executive Officer during the period 29 September 2024 to 15 October 2024 inclusive.

Carried unanimously

At 12:02 pm, Cr Amanda Hay left the meeting, prior to the consideration of Item 12.2.

12.2 Update - Eastern Asia Investment Pty Ltd v Scenic Rim Regional Council & Ors (P&E No.534 of 2024) [Closed s.254J(3)(e)]

Executive Officer: Manager Regional Development, Health and Biodiversity /
Acting General Manager Customer and Regional Prosperity

Recommendation

That, pursuant to section 257 of the *Local Government Act 2009 (Qld)*, Council delegate to the Chief Executive Officer the power to take all steps necessary to resolve Council's interests in the Appeal of MCU20/077 Eastern Asia Investment Pty Ltd v Scenic Rim Regional Council & Ors in the Planning and Environment Court (P&E No.534 of 2024), 36 Young Street, Tamborine Mountain, with consideration to legal and expert advice.

Moved: Cr Kerri Cryer
Seconded: Cr Jennifer Sanders

Motion

That Council note the appeal update and continue the current appeal process.

For: Crs Tom Sharp, Kerri Cryer, Stephen Moriarty, Jennifer Sanders and Marshall Chalk

Against: Cr Duncan McInnes

Carried 5/1

The Ordinary Meeting ended at 12:04 pm.

To be confirmed on 30 October 2024.

Cr Tom Sharp

Mayor