

Minutes

Special Meeting

Wednesday, 9 October 2024

Time: 9.00 am

Location: Council Chambers
82 Brisbane Street
BEAUDESERT QLD 4285

Scenic Rim Regional Council
Special Meeting
Wednesday, 9 October 2024
Minutes

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1 Opening of Meeting

The Mayor, Cr Tom Sharp, as Chair of the Meeting, declared the Meeting open.

2 Attendance

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

Executive Officers

O Pring, General Manager Council Sustainability / Acting Chief Executive Officer
M Lohmann, Manager Regional Development, Health and Biodiversity /
Acting General Manager Customer and Regional Prosperity
C Gray, General Manager Asset and Environmental Sustainability
J Pukallus, Principal Specialist Governance and Assurance /
Acting General Manager Council Sustainability

Staff

S Keepence, Governance Officer
M Carter, GIS Officer, Information Services and Technology

3 Apologies

D Keenan, Chief Executive Officer (on leave)

4 Declarations of Interest by Members

4.1 Declaration - Cr Tom Sharp re Item 6.1

Cr Tom Sharp:

"In the case of Item 6.1, I believe that under the current Local Government Act, I do not have a prescribed or declarable interest, but in the case of this matter, which I have made well known to the public previously that the Plaintiff in this matter is a close friend of mine, I have abstained from participation in terms of any decision-making process or voting on this matter. To be consistent with that in the past, I will continue with that position and will, on that basis, will not, will leave the meeting, and will now hand it over to the Deputy Mayor to chair the meeting."

At 9:03 am, Cr Tom Sharp left the meeting.

Cr Duncan McInnes took the Chair.

5 Consideration of Business of Meeting

Nil

6 Confidential Matters

At 9:04 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:

6.1 *Scenic Rim Developments Pty Ltd v Scenic Rim Regional Council* (BS13762/19)
[Closed s.254J(3)(e)]

as discussions will be held about a legal matter.

Moved: Cr Marshall Chalk

Seconded: Cr Amanda Hay

Carried unanimously

At 10:02 am, following discussion in closed session, Council resumed in open session for the proposal of resolutions.

Moved: Cr Amanda Hay

Seconded: Cr Jennifer Sanders

Carried unanimously

**6.1 Scenic Rim Developments Pty Ltd v Scenic Rim Regional Council (BS13762/19)
[Closed s.254J(3)(e)]**

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

Recommendation

That:

1. 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 *Scenic Rim Developments Pty Ltd v Scenic Rim Regional Council* (BS13762/19), in line with legal advice received; and
2. Council acknowledge that the costs associated with the above resolution may require a future budget review.

Moved: Cr Jennifer Sanders

Seconded: Cr Kerri Cryer

Motion

That:

1. 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 *Scenic Rim Developments Pty Ltd v Scenic Rim Regional Council* (BS13762/19), in line with legal advice received; and
2. Council acknowledge that the costs associated with the above resolution may require a future budget review.

For: Crs Kerri Cryer, Stephen Moriarty, Jennifer Sanders and Duncan McInnes

Against: Crs Amanda Hay and Marshall Chalk

Carried 4/2

At 10:04 am, Cr Tom Sharp returned to the meeting and took the Chair.

Cr Duncan McInnes advised Cr Tom Sharp of the resolution of Council in relation to Item 6.1.

The Special Meeting ended at 10:05 am.

To be confirmed on 30 October 2024.

Cr Tom Sharp

Mayor