

# Minutes

## Ordinary Meeting

**Wednesday, 27 November 2024**

**Time: 9.00 am**

**Location: Council Chambers**  
**82 Brisbane Street**  
**BEAUDESERT QLD 4285**

**Scenic Rim Regional Council**  
**Ordinary Meeting**  
**Wednesday, 27 November 2024**  
**Minutes**

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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  
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 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  
D Moore, Acting General Manager Council Sustainability

### Staff

J Pukallus, Principal Specialist Governance and Assurance  
S Keepence, Governance Officer  
M Carter, GIS Officer, Information Services and Technology  
J Kirkwood, Principal Specialist Development Assessment and Engineering /  
Acting Manager Regional Development, Health and Biodiversity (Items 11.3 - 11.5)  
A Richter, Senior Development Compliance Officer (Item 11.3)  
S Beck, Team Leader Development Assessment (Item 11.4)  
C Vito Sula, Senior Development Assessment Planner (Item 11.5)  
S Gillett, Manager Capital Works and Asset Management (Items 11.6)  
A Gorham, Senior Engineer Road Maintenance /  
Acting Manager Maintenance and Operations (Item 12.1)  
P Mueller, Manager Resources and Sustainability (Item 12.1)

## 3 Apologies

Nil

## 4 Prayers

Pastor Josh Cocks from Beaudesert Baptist Church attended and offered prayers

**5 Public Question Time**

Nil

**6 Declarations of Prescribed or Declarable Conflict of Interest by Members****6.1 Declaration - Cr Jennifer Sanders re Item 11.4**

Cr Jennifer Sanders:

*"In relation to Item 11.4, the reconfiguration of a lot 24/011 on Kerry Road, Beaudesert, I wish to advise that my family home is opposite the proposed development and I will be leaving the room and not be participating in the discussion or the decision on this item. I do not have either a prescribed or declarable interest in this matter."*

**7 Announcements / Mayoral Minutes**

Nil

**8 Reception of Deputations by Appointment / Presentation of Petitions**

Nil

**9 Confirmation of Minutes****Recommendation**

That the Minutes of the Ordinary Meeting held on 30 October 2024, be adopted.

Moved: Cr Jennifer Sanders

Seconded: Cr Stephen Moriarty

Carried unanimously

**10 Business Arising from Previous Minutes**

Nil




## 11 Consideration of Business of Meeting

### People & Strategy

#### 11.1 Operational Plan 2024-2025 Quarter One Progress Report

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

**Attachments:**

1. Quarter One 2024-2025 Operational Plan Progress Report (under separate cover) 
2. Quarter One 2024-2025 Service Delivery Report (under separate cover) 
3. Quarter One 2024-2025 Operational Plan Amendment Request 

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### Recommendation

That:

1. Council approve the Draft Quarter One 2024-2025 Operational Plan Progress Report;
2. Council approve the Draft Quarter One 2024-2025 Service Delivery Report; and
3. Council endorse the requested amendments to the 2024-2025 Operational Plan (at Attachment 3).

Moved: Cr Kerri Cryer  
Seconded: Cr Amanda Hay

### Motion

That:

1. Council approve the Draft Quarter One 2024-2025 Operational Plan Progress Report;
2. Council approve the Draft Quarter One 2024-2025 Service Delivery Report; and
3. Council endorse the requested amendments to the 2024-2025 Operational Plan (at Attachment 3).



Carried unanimously

## Customer & Regional Prosperity

### 11.2 Scenic Rim Eat Local Month 2024 - Event Outcomes

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

**Attachments:**

1. 2024 Scenic Rim Eat Local Month - Program (under separate cover) 
2. 2024 Scenic Rim Eat Local Month - IER Research Outcomes 

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## Recommendation

That:

1. Council recognise the outcomes of 2024 Scenic Rim Eat Local Month and that it delivered on the vision, mission, goals and objectives for the event, with:
  - (a) 100+ events held over June attracting 12,993 visitors across all activations, with the majority from outside the region;
  - (b) economic contribution of just over \$1.7 million (a 49% increase);
  - (c) a 20% increase in average overnight stay expenditure;
  - (d) a 29% increase in average day tripper expenditure;
  - (e) more than 60% of event experiences were presented for the first time;
  - (f) 100% of event holders surveyed were satisfied with their ticket sales;
  - (g) a significant impact in terms of awareness and brand building generated for the Scenic Rim region with the value of media coverage earned at circa \$3.9 million, reaching an estimated 4.8 million people;
  - (h) evidence of strong collaboration between event holders and stakeholders with more than 90 local businesses participating in Scenic Rim Eat Local Month;
  - (i) 93% of visitors indicating the event adds to the appeal of the Scenic Rim and that local residents should feel proud of Scenic Rim Eat Local Month;
2. Council acknowledge and extend appreciation to the Scenic Rim region's farmers, makers and producers who actively participated in 2024 Scenic Rim Eat Local Month;
3. Council acknowledge and thank Tourism and Events Queensland for the Queensland Destination Events Program funding received (since 2015), and note Scenic Rim Eat Local Month has reached the highly sought-after 'Significant Event' status;
4. Council acknowledge and thank the other businesses involved including sponsors Moffatt Fresh Produce, Kalfresh Vegetables, Urban Utilities, the Community Bank Kalbar and District (Bendigo Bank), ABC Radio Brisbane, Queensland Hire, and Brisbane Economic Development Agency;
5. Council support the alignment of a charity partner to benefit from proposed Winter Harvest Festival fundraising initiatives; and
6. Council support the review of Winter Harvest Festival stallholder fees.

Moved: Cr Jennifer Sanders  
Seconded: Cr Stephen Moriarty

### **Motion**

That:

1. Council recognise the outcomes of 2024 Scenic Rim Eat Local Month and that it delivered on the vision, mission, goals and objectives for the event, with:
  - (a) 100+ events held over June attracting 12,993 visitors across all activations, with the majority from outside the region;
  - (b) economic contribution of just over \$1.7 million (a 49% increase);
  - (c) a 20% increase in average overnight stay expenditure;
  - (d) a 29% increase in average day tripper expenditure;
  - (e) more than 60% of event experiences were presented for the first time;
  - (f) 100% of event holders surveyed were satisfied with their ticket sales;
  - (g) a significant impact in terms of awareness and brand building generated for the Scenic Rim region with the value of media coverage earned at circa \$3.9 million, reaching an estimated 4.8 million people;
  - (h) evidence of strong collaboration between event holders and stakeholders with more than 90 local businesses participating in Scenic Rim Eat Local Month;
  - (i) 93% of visitors indicating the event adds to the appeal of the Scenic Rim and that local residents should feel proud of Scenic Rim Eat Local Month;
2. Council acknowledge and extend appreciation to the Scenic Rim region's farmers, makers and producers who actively participated in 2024 Scenic Rim Eat Local Month;
3. Council acknowledge and thank Tourism and Events Queensland for the Queensland Destination Events Program funding received (since 2015), and note Scenic Rim Eat Local Month has reached the highly sought-after 'Significant Event' status;
4. Council acknowledge and thank the other businesses involved including sponsors Moffatt Fresh Produce, Kalfresh Vegetables, Urban Utilities, the Community Bank Kalbar and District (Bendigo Bank), ABC Radio Brisbane, Queensland Hire, and Brisbane Economic Development Agency;
5. Council support the alignment of a charity partner to benefit from proposed Winter Harvest Festival fundraising initiatives; and
6. Council support the review of Winter Harvest Festival stallholder fees.




Carried unanimously



### 11.3 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 

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### 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 Duncan McInnes

Seconded: Cr Marshall Chalk

### Motion

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.

Carried unanimously

### 6.1 (continued) Declaration - Cr Jennifer Sanders re Item 11.4

Cr Jennifer Sanders:

*"I have just been having conversations with the CEO and, in relation to the declarations, I believe I will declare a declarable interest in this matter Item 11.4 if I may. So, in relation to this item, I wish to advise that my family home is opposite the proposed development and I will be leaving the room and not participating in the discussion or the decision and I am declaring a declarable interest in this matter and I'll leave the room."*

At 9:43 am, Cr Jennifer Sanders left the meeting.

**11.4 RAL24/011 Development Permit for Reconfiguring a Lot - Subdivision of two into 89 lots (over two stages) Kerry Road, Beaudesert - Lots 1 and 2 SP338894**

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

**Attachments:**

1. Concept Sketch Plan 
2. Proposal Plans 

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**Recommendation**

That:

1. Council receive and note the report titled "RAL24/011 Development Permit for Reconfiguring a Lot - Subdivision of two into 89 lots (over two stages) Kerry Road, Beaudesert - Lots 1 and 2 SP338894";
2. Council approve development application RAL24/011, and grant a development permit for Reconfiguring a Lot, subject to the conditions as outlined in this report; and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (RAL24/011), as well as any administrative corrections to the conditions will be processed via delegated authority where the changes would not significantly alter the original decision.

Moved: Cr Stephen Moriarty

Seconded: Cr Duncan McInnes

**Motion**

That:

1. Council receive and note the report titled "RAL24/011 Development Permit for Reconfiguring a Lot - Subdivision of two into 89 lots (over two stages) Kerry Road, Beaudesert - Lots 1 and 2 SP338894";
2. Council approve development application RAL24/011, and grant a development permit for Reconfiguring a Lot, subject to the conditions as outlined in this report; and
3. Council note that any subsequent requests for a negotiated decision notice and/or change applications to the approval (RAL24/011), as well as any administrative corrections to the conditions will be processed via delegated authority where the changes would not significantly alter the original decision.

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

Carried 4/2

At 10:14 am, Cr Jennifer Sanders returned to the meeting.

**11.5 MCU23/186 Material Change of Use for Educational Establishment at Pepperina Hill 1156 Lake Moogerah Road, Moogerah, Lot 225 CC3199**

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

**Attachments:**

1. Proposal Plans 
2. SARA Referral Response (under separate cover) 

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**Recommendation**

That:

1. Council receive and note the report titled "MCU23/186 Material Change of Use for Educational Establishment at Pepperina Hill 1156 Lake Moogerah Road, Moogerah, Lot 225 CC3199";
2. Council approve development application MCU23/186 and grant a development permit for development application Material Change of Use (Educational Establishment), generally in accordance with the conditions contained in section 'Recommended Conditions of Approval' below; and
3. Council note that any subsequent requests for a negotiated decision notice and/or further change applications to the approval (MCU23/186) will be processed via delegated authority where the changes would not significantly alter the original decision.

Moved: Cr Marshall Chalk  
Seconded: Cr Jennifer Sanders

**Motion**

That:

1. Council receive and note the report titled "MCU23/186 Material Change of Use for Educational Establishment at Pepperina Hill 1156 Lake Moogerah Road, Moogerah, Lot 225 CC3199";
2. Council approve development application MCU23/186 and grant a development permit for development application Material Change of Use (Educational Establishment), generally in accordance with the conditions contained in section 'Recommended Conditions of Approval' below; and
3. Council note that any subsequent requests for a negotiated decision notice and/or further change applications to the approval (MCU23/186) will be processed via delegated authority where the changes would not significantly alter the original decision.


Carried unanimously

## **Asset & Environmental Sustainability**

### **11.6 2024-2025 Infrastructure Capital Works Program Delivery**

**Executive Officer:** General Manager Asset and Environmental Sustainability

**Attachments:**

1. Infrastructure Capital Works Program Delivery Update - September 2024 
- 

### **Recommendation**

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

Moved: Cr Duncan McInnes

Seconded: Cr Stephen Moriarty

### **Motion**



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

Carried unanimously

**11.7 Proposed New NBN Co Base Station Facility at Beechmont**

**Executive Officer:** General Manager Asset and Environmental Sustainability

**Attachments:**

1. Indicative NBN Co Site Location 
2. Project Summary 

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**Recommendation**

That:

1. Council resolve that the exception under section 236(1)(c)(vi) of the *Local Government Regulation 2012* applies to the proposed grant of lease to NBN Co Limited for installation of a radio network base station facility on land owned by Council identified as Lot 3 on WD814531;
2. Council agree to execute a non-binding 'Heads of Terms Agreement' with NBN Co Limited or their authorised representative, to enable further investigations to be undertaken by NBN Co Limited and Council in relation to the proposed installation, at terms that are 'in-principle' acceptable to Council's Chief Executive Officer; and
3. Subject to Council's and NBN Co Limited's satisfactory completion of further investigations and relevant Community Consultation, including Council's consultation with the current manager of the site, a further report be brought to Council to resolve, if required, the issue of a new freehold lease agreement over part of Lot 3 on WD814531 on terms to the satisfaction of the Chief Executive Officer of Council.

Moved: Cr Stephen Moriarty

Seconded: Cr Jennifer Sanders

**Motion**

That:

1. Council resolve that the exception under section 236(1)(c)(vi) of the *Local Government Regulation 2012* applies to the proposed grant of lease to NBN Co Limited for installation of a radio network base station facility on land owned by Council identified as Lot 3 on WD814531;
2. Council agree to execute a non-binding 'Heads of Terms Agreement' with NBN Co Limited or their authorised representative, to enable further investigations to be undertaken by NBN Co Limited and Council in relation to the proposed installation, at terms that are 'in-principle' acceptable to Council's Chief Executive Officer; and
3. Subject to Council's and NBN Co Limited's satisfactory completion of further investigations and relevant Community Consultation, including Council's consultation with the current manager of the site, a further report be brought to Council to resolve, if required, the issue of a new freehold lease agreement over part of Lot 3 on WD814531 on terms to the satisfaction of the Chief Executive Officer of Council.

Carried unanimously

## Council Sustainability

### 11.8 Report to Council of the Audit and Risk Committee Meeting held on 10 October 2024

**Executive Officer:** General Manager Council Sustainability

**Attachments:**

1. Report to Council - Audit and Risk Committee - 10 October 2024 
- 

### Recommendation

That Council note the Report to Council on the Audit and Risk Committee Meeting held on 10 October 2024.

Moved: Cr Amanda Hay  
Seconded: Cr Jennifer Sanders

### Motion

That Council note the Report to Council on the Audit and Risk Committee Meeting held on 10 October 2024.

Carried unanimously

**11.9 2024 Closing Report from the Auditor-General**

**Executive Officer:** General Manager Council Sustainability

**Attachments:**

1. Queensland Audit Office 2024 Final Management Report (Closing Report) 

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**Recommendation**

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

Moved: Cr Tom Sharp  
Seconded: Cr Jennifer Sanders

**Motion**

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

Carried unanimously

**11.10 Council Monthly Financial Report for October 2024**

**Executive Officer:** General Manager Council Sustainability

**Attachments:**

1. Monthly Financial Report October 2024 
- 

**Recommendation**

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

Moved: Cr Marshall Chalk

Seconded: Cr Kerri Cryer

**Motion**

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

Carried unanimously



**11.11 2024-2025 September Budget Review**

**Executive Officer:** General Manager Council Sustainability

**Attachments:**

1. 2024-2025 September Budget Review (under separate cover) 

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**Recommendation**

That in accordance with sections 169 and 170(3) of the *Local Government Regulation 2012*, Council adopt the 2024-2025 September 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 Kerri Cryer

Seconded: Cr Jennifer Sanders

**Motion**

That in accordance with sections 169 and 170(3) of the *Local Government Regulation 2012*, Council adopt the 2024-2025 September 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

**Additional Items**

**11.12 LATE ITEM - Delegation of Powers under the Environmental Protection Act 1994**

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

**Attachments:** Nil

**Recommendation**

That:

- Pursuant to section 257(1)(b) of the *Local Government Act 2009*, Council delegate the following powers under the *Environmental Act 1994* to the Chief Executive Officer:

Description of Power Delegated	Legislation
Power, as an administering authority, to issue an environmental enforcement order.	Section 362 <i>Environmental Protection Act 1994</i>

- Pursuant to section 257(1)(b) of the *Local Government Act 2009*, Council note that the following powers under the *Environmental Act 2009* have been repealed or consolidated, and acknowledge that associated delegations will be rescinded from the Chief Executive Officer:

Description of Power Delegated	Legislation
Power, as an administering authority, to issue an environmental protection order.	Section 358 <i>Environmental Protection Act 1994</i>

Moved: Cr Amanda Hay  
Seconded: Cr Jennifer Sanders

**Motion**

That:

- Pursuant to section 257(1)(b) of the *Local Government Act 2009*, Council delegate the following powers under the *Environmental Act 1994* to the Chief Executive Officer:

Description of Power Delegated	Legislation
Power, as an administering authority, to issue an environmental enforcement order.	Section 362 <i>Environmental Protection Act 1994</i>

2. Pursuant to section 257(1)(b) of the *Local Government Act 2009*, Council note that the following powers under the *Environmental Act 2009* have been repealed or consolidated, and acknowledge that associated delegations will be rescinded from the Chief Executive Officer:

Description of Power Delegated	Legislation
Power, as an administering authority, to issue an environmental protection order.	Section 358 <i>Environmental Protection Act 1994</i>

Carried unanimously

## 12 Confidential Matters

At 10:52 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 Environmental Authority Amendment - Evaporation of Leachate [Closed s.254J(3)(g)]

12.2 LATE ITEM - Governance Update - Legal Advice for Confidential Investigation [Closed s.254J(3)(e)]

as discussions will be held about an Environmental Authority amendment and a confidential investigation.

Moved: Cr Tom Sharp  
 Seconded: Cr Duncan McInnes

Carried unanimously

At 11:25 am, Cr Duncan McInnes left the meeting, during discussion on Item 12.2.

At 12:45 pm, following discussion in closed session, Council resumed in open session for the proposal of resolutions.

Moved: Cr Tom Sharp  
 Seconded: Cr Jennifer Sanders

Carried unanimously

**12.1 Environmental Authority Amendment - Evaporation of Leachate  
[Closed s.254J(3)(g)]****Executive Officer:** General Manager Asset and Environmental Sustainability

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**Recommendation**

That:

1. Pursuant to Section 235(c) of the *Local Government Regulation 2012* and dependent upon the Department of Environment Science and Innovation approving the inclusion of evaporative technology as a leachate treatment method within Environmental Authority EPPR00670913, Council award BeneTerra the contract to undertake evaporative services at the Bromelton Landfill Facility; and
2. Council authorise that the associated budget amendment be reflected in the 2024-2025 Waste Services Budget and that this be formalised as part of the December 2024 Quarterly Budget Review.

Moved: Cr Jennifer Sanders

Seconded: Cr Kerri Cryer

**Motion**

That:

1. Pursuant to Section 235(c) of the *Local Government Regulation 2012* and dependent upon the Department of Environment Science and Innovation approving the inclusion of evaporative technology as a leachate treatment method within Environmental Authority EPPR00670913, Council award BeneTerra the contract to undertake evaporative services at the Bromelton Landfill Facility; and
2. Council authorise that the associated budget amendment be reflected in the 2024-2025 Waste Services Budget and that this be formalised as part of the December 2024 Quarterly Budget Review.

Carried unanimously

**12.2 LATE ITEM - Governance Update - Legal Advice for Confidential Investigation  
[Closed s.254J(3)(e)]****Executive Officer:** General Manager Council Sustainability

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**Recommendation**

That:

1. Council note the legal advice and update provided on a confidential investigation; and
2. Council determine any further action required.

Moved: Cr Marshall Chalk  
Seconded: Cr Jennifer Sanders**Motion**

That:

1. Council note the legal advice and update provided on a confidential investigation;
2. Council will review the investigation reports in their entirety and will make a decision on the matter at a future Ordinary Meeting; and
3. Council is satisfied that the current mitigation strategy in place protects the relevant parties from the risks associated with this process.

Carried unanimously

The Ordinary Meeting ended at 12:48 pm.

To be confirmed on 18 December 2024.

**Cr Tom Sharp****Mayor**