

**MINUTES OF THE SPECIAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 28 MAY 2024 SCHEDULED TO COMMENCE AT 12:30 PM**

**ATTENDANCE**

Acting Mayor Cr C J O’Neil chaired the meeting with, Cr J R P Birkett (by Microsoft Teams), Cr M K Brumpton, Cr A K Davis, Cr P J Flynn, Cr J M Hancock, Cr B R Seawright, Cr J R Vincent, Acting Chief Executive Officer – Cameron Hoffmann and Kelly Rogers Minutes Officer in attendance.

**AS REQUIRED**

(Acting) Director - Regional Development, Environment & Planning – Thea Griffin, Manager Planning, Building & Development Services – Kate Swepson.

**WELCOME**

The Acting Mayor welcomed all present and declared the meeting open at 12.39pm.

**APOLOGIES**

<b>Resolution No. SM/05.2024/01</b>	
<b>Moved Cr Hancock</b>	<b>Seconded Cr Brumpton</b>
<b>That apologies be received and leave of absence granted for Cr. Taylor for this meeting.</b>	
<b>CARRIED</b>	<b>8/0</b>

**BUSINESS – CONFIDENTIAL ITEM**

<b>Resolution No. SM/05.2024/02</b>		
<b>Moved Cr Hancock</b>		<b>Seconded Cr Seawright</b>
<p>In accordance with the provisions of section 254J(3) of the <i>Local Government Regulation 2012</i>, that Council resolve to close the meeting to the public [at 12.39pm] to discuss confidential items that its Councillors consider is necessary to close the meeting.</p> <p>In accordance with Section 254J(5) of the <i>Local Government Regulation 2012</i>, the following table provides:</p> <ul style="list-style-type: none"> <li>• The matters to be discussed;</li> <li>• An overview of what is to be discussed while the meeting is closed.</li> </ul>		
<b>Agenda Item</b>	<b>Matters to be discussed (Reasons to close the meeting under the <i>Local Government Regulation 2012</i>)</b>	<b>Overview</b>
<b>C.1 – Appeal Update – The Big Fish Pty Ltd V Maranoa Regional Council (1859/23)</b>	<b>Section 254J(3)(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example proceedings that may be taken by or against the local government</b>	<p>The report provides a summary in relation to the application in pending proceeding, relating to the current matter before the Planning and Environment Court (1859/2023).</p> <p>A decision on this matter had been deferred when the matter was initially considered at the ordinary meeting on 24 May 2024.</p>
<b>CARRIED</b>		<b>8/0</b>

**Resolution No. SM/05.2024/03**

**Moved Cr Hancock**

**Seconded Cr Seawright**

**That Council open the meeting to the public [at 1.12pm].**

CARRIED

8/0

**Item Number:**

**C.1**

**File Number: D24/46780**

**SUBJECT HEADING:**

**APPEAL UPDATE - THE BIG FISH PTY LTD V MARANOA REGIONAL COUNCIL (1859/23)**

**Officer's Title:**

**Manager – Planning, Building & Development Services**

***Executive Summary:***

*The report provided a summary in relation to the application in pending proceeding, relating to the current matter before the Planning and Environment Court (1859/2023).*

*A decision on this matter had been deferred when the matter was initially considered at the ordinary meeting on 24 May 2024.*

**Resolution No. SM/05.2024/04**

**Moved Cr Brumpton**

**Seconded Cr Vincent**

**That Council:**

- 1. Maintain the submitted position to the Court and raise no objection to the proposed minor change.**
- 2. Maintain the position outlined in the Decision Notice dated 19 June 2023, refusing the development as a whole.**
- 3. Endorse a letter to be issued to all co-respondents outlining the reasons for this decision stated in points 1 and 2.**
- 4. Authorise the Acting Chief Executive Officer to finalise the content of the letter.**
- 5. Invite all co-respondents to meet with Council at an upcoming briefing.**

CARRIED

8/0

**Responsible Officer**

**Manager – Planning, Building & Development Services**

**CLOSURE**

There being no further business, the Acting Mayor thanked Council for their attendance and declared the meeting closed at 1.17pm.

**These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 12 June 2024, at Roma Administration Centre .**