



Redland
SHIRE COUNCIL

MINUTES

SPECIAL MEETING

Tuesday 7 August 2007

**Council Chambers
1st floor Administration Building
Bloomfield Street Cleveland. Qld 4163**



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1 DECLARATION OF OPENING

The Mayor declared the meeting open at 9.03am.

2 RECORD OF ATTENDANCE AND LEAVE OF ABSENCE**MEMBERS:**

Cr D H Seccombe	Mayor
Cr P J Dowling	Deputy Mayor and Councillor Division 4
Cr A G Barker	Councillor Division 1
Cr C B Ogilvie	Councillor Division 2
Cr D A Henry	Councillor Division 3 – entered at 9.04am
Cr J L Burns	Councillor Division 5
Cr T Bowler	Councillor Division 6
Cr M A Elliott	Councillor Division 7
Cr A R Beard	Councillor Division 8
Cr K M Williams	Councillor Division 9
Cr H J Murray	Councillor Division 10 – entered at 9.08am

EXECUTIVE LEADERSHIP GROUP:

Mrs S Rankin	Chief Executive Officer
Mr R Turner	General Manager Corporate Services
Mr M Goode	General Manager Customer Services
Mr J Pruss	General Manager Redland Water and Waste

MINUTES:

Mrs J Parfitt	Corporate Meetings & Registers Team
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3 DECLARATION OF INTEREST ON ANY ITEMS OF BUSINESS

Nil

4 CLOSED SESSION

MOTION TO CLOSE MEETING

Moved by: Cr Dowling
Seconded by: Cr Beard

That the meeting be closed to the public to discuss this matter pursuant to Section 463(1) of the *Local Government Act 1993*, for the following reason:

“(f) *starting or defending legal proceedings involving it*” (Council)

CARRIED

MOTION TO REOPEN MEETING

Moved by: Cr Elliott
Seconded by: Cr Williams

That the meeting be again opened to the public.

CARRIED

4.1 REPORT FROM CORPORATE SERVICES

4.1.1 LAND COURT APPLICATION CLAIM ADVICE ON APPEAL

Datworks Filename: LUP - 2006/0103 & 0102
Responsible Officer Name: Ray Turner
General Manager Corporate Services
Author Name: Andrew Ross
Senior Legal Officer

EXECUTIVE SUMMARY

A confidential report from the General Manager Corporate Services dated 3 August 2007 was presented and discussed in closed session.

OFFICER'S RECOMMENDATION/ COUNCIL RESOLUTION

Moved by: Cr Elliott
Seconded by: Cr Beard

That Council resolve as follows:

- 1. To instruct Council lawyers to file an Appeal in the Land Appeal Court and to seek a stay against the enforcement of the Land Court order dated 12 July 2007.**
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- 2. To delegate authority to the Chief Executive Officer to continue settlement negotiations and to make or accept any settlement offers for compensation up to the amount as awarded by the Land Court on 12 July 2007.
- 3. That the Mayor and Chief Executive Officer be authorised to sign and seal all relevant documents.
- 4. That this Report remains Confidential until this matter is settled.

CARRIED

A division was called for.

Crs Murray, Williams, Beard, Elliott, Bowler Henry and Ogilvie voted in the affirmative.

Crs Burns, Dowling, Barker and Seccombe voted in the negative.

The motion was declared by the Mayor as **CARRIED**.

The Mayor declared the meeting closed at 9.34am.

Signature of Chairperson: _____

Confirmation date: _____