

7.4. ADMINISTRATIVE ERROR - CLOSED SESSION REPORTS

REPORT AUTHOR Chief Executive Officer

DEPARTMENT Office of the Chief Executive Officer

RECOMMENDATION

That Council:

1. Acknowledges that *Local Government Regulation 2012 s275* has been repealed;
2. Endorses that at the Ordinary Council Meeting dated 17 June 2025 be corrected to reference *Local Government Regulations 2012 s254J(3)(b)* to move into a closed session to discuss Item 11.1 Adoption of Organisational Structure; and
3. Endorses that at the Ordinary Council Meeting dated 12 August 2025 be corrected to reference *Local Government Regulations 2012 s254J(3)(g)* to move into a closed session to discuss Item 4.1 Daintree Ferry Tender.

EXECUTIVE SUMMARY

An administrative error has been identified regarding the reference of the *Local Government Regulation 2012* when Council has resolved to move into a closed session. The report seeks to rectify the incorrect reference.

BACKGROUND

The closed session reports tabled at the Ordinary Council Meetings date 17 June 2025 and 12 August 2025 incorrectly referenced the *Local Government Regulations 2012* section 275 as the legislation that enables Council to resolve to move into a closed session. The correct reference is *Local Government Regulations 2012* section 254J.

COMMENTS

Council officers contacted the Local Government Association of Queensland (LGAQ) regarding this administrative error and sought advice as to the process to address the administrative error and the legality of the resolutions associated with the items discussed in the closed session.

It was advised that a new motion correcting the record is the correct way in which the matter be addressed. The motion should be a standalone report (this report). The error cannot be rectified through the process of confirming the meeting minutes, as it was an administrative error in preparing the motion rather than recording it.

Regarding the legality of the resolutions passed following the aforementioned closed sessions, as the resolutions were moved correctly within the open session of the meeting, they will stand.

PROPOSAL

That Council:

1. Acknowledges that *Local Government Regulation 2012 s275* has been repealed;

2. Endorses that at the Ordinary Council Meeting dated 17 June 2025 Item 11.1 Adoption of Organisational Structure be corrected to reference *Local Government Regulations 2012* s254J(3)(b) to move into a closed session to discuss Item 11.1 Adoption of Organisational Structure; and
3. Endorses that at the Ordinary Council Meeting dated 12 August 2025 Item 4.1 Daintree Ferry Tender be corrected to reference *Local Government Regulations 2012* s254J(3)(g) to move into a closed session to discuss Item 4.1 Daintree Ferry Tender.

FINANCIAL/RESOURCE IMPLICATIONS

Not applicable

RISK MANAGEMENT IMPLICATIONS

Start typing here

SUSTAINABILITY IMPLICATIONS

Economic: Nil

Environmental: Nil

Social: Nil

CORPORATE/OPERATIONAL PLAN, POLICY REFERENCE

This report has been prepared in accordance with the following:

Corporate Plan 2025-2030 Initiatives:

Theme 1 - Liveability

To deliver community activities to promote safe, healthy, inclusive and socially engaged communities with an environmental conscious.

1.5 - Keep the community informed.

Operational Plan 2025-2026 Actions:

Legislative requirement.

COUNCIL'S ROLE

Council can play a number of different roles in certain circumstances and it is important to be clear about which role is appropriate for a specific purpose or circumstance. The implementation of actions will be a collective effort and Council's involvement will vary from information only through to full responsibility for delivery.

The following areas outline where Council has a clear responsibility to act:

Information Provider Council provides the community with important information on services, events, policies, rules, strategies, and any other relevant data that helps the community to stay informed. In performing this role, Council seeks to be open and transparent.

CONSULTATION

Internal: Executive Office and Governance

External: Local Government Association of Queensland (LGAQ)

COMMUNITY ENGAGEMENT

Nil

ATTACHMENTS

Nil