



*Minutes of the Special Meeting of Council
14 June 2007
commencing at 2:30 pm*

PRESENT

Councillors – M P Berwick (Mayor), D P Egan (Deputy Mayor), W J Bellerio, M J Cox, R Davis, J Sciacca and D G Pitt.

Staff – J F Leu (Acting Chief Executive Officer), D G Carey (General Manager Community & Corporate), P J Trotman (General Manager Development & Environment) and S K Andrews (Corporate Support).

BUSINESS

The Mayor, Cr Berwick, advised he had called the Special Meeting in accordance with Douglas Shire Council Local Law No 17 (Meetings), Section 7, Part 2a to discuss and finalise by resolution a report to the Hon Andrew Fraser MP, Minister for Local Government, Planning & Sport on the progress of the 22-Point Plan.

07/0614/01 REPORT TO THE HON ANDREW FRASER MP, MINISTER FOR LOCAL GOVERNMENT, PLANNING & SPORT ON THE PROGRESS OF THE 22-POINT PLAN

Moved Cr Berwick

“That Council adopts the report that was presented to the meeting of 5 June 2007 as item 07/0605/34B.”

Lapsed for want of a seconder

ATTENDANCE/WITHDRAWAL

The General Manager Development & Environment, Paul Trotman, withdrew from the meeting at 2:45 pm.

The Acting Chief Executive Officer, Julia Leu, withdrew from the meeting at 2:49 pm and re-attended at 2:51 pm.

The General Manager Finance & Administration, Ian Barton, attended the meeting at 2:53 pm.

Moved Cr Davis

"That Council:

- 1. replaces, at point three (3) of the 22-Point Plan Progress Report, the following phrase: 'as a consequence the Chief Executive Officer's employment was terminated' with 'that the Council is conducting a thorough legal review to ensure the actions stemming from the Performance Management Panel's recommendation are lawful'; and*
- 2. adds into the column 'Comments & Further Recommendations' a note that we are seeking further legal advice."*

Lapsed for want of a seconder

Moved Cr Egan

Seconded Cr Sciacca

07/0614/01

"That any issue not related to the operation of Council and the behaviour of Council be deleted from the 22-Point Plan Progress Report, and that the Report includes only points 8 and 9 relating to Committees, 12, 13, 16, 17, 19, 20, 21, and 22."

For: Cr Bellerio, Sciacca, Egan

Against: Cr Berwick, Cox, Davis, Pitt

Lost

Moved Cr Davis

"That:

- 1. any issue not related to the operation of Council, and all issues related to the Show Cause Notice, be deleted from the Report, and that the Report includes only Points 8 and 9 relating to Committees, 12, 13, 16, 17, 19, 20, 21, and 22; and*
- 2. that an addendum be attached as mentioned in the 22-Point Plan Progress Report, noting that in point three (3) we simply report we are receiving further legal advice, and further noting all issues on the 22-Point Plan related to the tenure of the Chief Executive Officer are under review."*

Withdrawn

Moved Cr Davis

Seconded Cr Sciacca

07/0614/01(i)

“That the report to the Hon Andrew Fraser MP, Minister for Local Government, Planning & Sport, regarding the 22-Point Plan includes points 8, 9, 12, 13, 16, 17, 19, 20, 21 and 22; and regarding points 1, 2, 3, 4, 5, 6, 7, 10, 11, 14, 15 and 18, notes that Council is waiting on legal opinion.”

For: Cr Davis, Sciacca, Egan

Against: Cr Berwick, Pitt, Cox, Bellerio

Lost

PROCEDURAL MOTION

Moved Cr Berwick

Seconded Cr Sciacca

07/0614/01A

“That Council suspends the rules of debate to consider the 22-Point Plan Progress Report in detail.”

For: Cr Berwick, Sciacca, Davis, Pitt, Cox, Bellerio

Against: Cr Egan

Carried

Detailed consideration of the report took place with suggested amendments being applied in the process.

PROCEDURAL MOTION

Moved Cr Berwick

Seconded Cr Cox

07/0614/01B

“That Council resumes the rules of debate.”

Carried unanimously

ATTENDANCE/WITHDRAWAL

Cr Davis withdrew from the meeting at 4:00 pm. Cr Davis indicated he would be unable to return to the meeting. (*Amended 26 June 2007– 07/0626/03(i)*)

Moved Cr Pitt

Seconded Cr Davis

07/0614/01(ii) “That Council adopts the amended 22-Point Plan Progress Report.”

For: Cr Pitt, **Davis**, Egan, Bellerio, Sciacca, (*Amended 26 June 2007–
07/0626/03(i)*)

Against: Cr Berwick, Cox

Carried

The Chair requested it be noted he is in favour of the majority of the report and would have liked it adopted as it was originally presented.

TERMINATION OF THE MEETING

The meeting was closed at 4:30 pm.

Presented to and confirmed by Council on the *twenty-sixth* day of June 2007.

M P Berwick
Chair