



*Minutes of the Ordinary Meeting of Council
25 July 2006
commencing at 10:40 am*

PRESENT

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

Staff – T C Melchert (Chief Executive Officer), D G Carey (General Manager Community & Corporate), R J Baade (General Manager Engineering), K Todd (A/General Manager Development & Environment), J R Neely (Project Officer), J F Leu (Manager Community Cultural & Economic), P R Chapman (Workplace Health & Safety Officer) and M L Paterson (Corporate Support)

06/0725/01 **CONDOLENCES**

Prior to formal commencement of the meeting the Mayor, Cr Berwick, referred to the recent death of Gary Young, Peter Lawrence Ellington and Beryl Cecil. At that time the Council stood and observed one minute's silence as a mark of respect.

Moved Cr Berwick

Seconded Cr Egan

"That Council send letters of condolence to the next of kin."

Carried unanimously

06/0725/02 **MINUTES**

Moved Cr Berwick

Seconded Cr Cox

"That the minutes of the Ordinary Council Meeting held on 4 & 5 July 2006 be confirmed."

Carried unanimously

ATTENDANCE/WITHDRAWAL

The Chief Executive Officer advised the meeting that he would be leaving at 3:00 pm.



COMMUNITY & CORPORATE

06/0725/03 2005/06 OPERATIONAL PLAN QUARTERLY REPORT

Moved Cr Berwick Seconded Cr Egan

"That the June 06 quarterly report against the 2005/06 Operational Plan be noted."

An amendment to the motion was moved:

Moved Cr Davis Seconded Cr Bellerio

"That the June 06 quarterly report against the 2005/06 Operational Plan be noted and that the 2006/07 Operational Plan be listed on a forthcoming agenda."

The amendment lapsed and the original motion was put:

"That the June 06 quarterly report against the 2005/06 Operational Plan be noted."

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

Against: Cr Davis

Carried

ATTENDANCE/WITHDRAWAL

The Chief Executive Officer withdrew from the meeting at 11:18 am.

06/0725/04 DRAFT POLICY – SUPPLY OF EQUIPMENT TO COUNCILLORS AND USE BY THEM

Moved Cr Egan Seconded Cr Pitt

"That the draft policy be adopted."

For: Cr Egan, Pitt, Berwick, Cox, Bellerio

Against: Cr Davis, Sciacca

Carried

ATTENDANCE/WITHDRAWAL

Cr Davis withdrew from the meeting.



Moved Cr Berwick

Seconded Cr Cox

"That a briefing session be held to inform councillors of security and audit systems associated with the council's computer network."

For: Cr Berwick, Cox, Egan, Pitt, Bellerio, Sciacca
Carried unanimously

ATTENDANCE/WITHDRAWAL

Cr Davis re-attended the meeting.

06/0725/05 APPLICATIONS FOR RENEWAL OF SPECIAL LEASES

MATERIAL PERSONAL INTEREST

Cr Sciacca declared a material personal interest in this matter, as he has an interest in the property under discussion, and withdrew from the meeting.

ATTENDANCE/WITHDRAWAL

The Project Officer re-attended the meeting at 11:35 am.

Moved Cr Bellerio

Seconded Cr Pitt

"That no objections be offered to renewal of the special leases."

For: Cr Bellerio, Pitt, Egan
Against: Cr Berwick, Cox, Davis

Lost on the casting vote of the Mayor

Moved Cr Berwick

Seconded Cr Davis

"That the matter lie on the table and a further report be presented to the next meeting incorporating an environmental assessment."

Carried unanimously

ATTENDANCE/WITHDRAWAL

Cr Sciacca re-attended the meeting at 11:43 am. Planning Officers L A Stayte, N Coss and Assistant Planning Officer T A Pascoe attended the meeting at this time.



06/0725/06 DAINTREE RIVER FERRY – HIRE AGREEMENT

PERSONAL INTEREST

The General Manager Engineering declared a personal interest in this matter, as he is related to the contractor, and withdrew from the meeting.

Moved Cr Berwick

Seconded Cr Cox

“That, if required, Council agree to extend the term of the current Hire Agreement for a period determined by the Chief Executive Officer to ensure an uninterrupted ferry service across the Daintree River. Furthermore, the weekly hire fee remain at \$5,138-68 per week.”

An amendment to the motion was moved:

Moved Cr Egan

Seconded Cr Pitt

“That, if required, Council agree to extend the term of the current Hire Agreement for a period determined by the Chief Executive Officer to ensure an uninterrupted ferry service across the Daintree River. Furthermore, the weekly hire fee be renegotiated to a figure no less than \$5,138.68.”

The amendment was put:

Carried unanimously

The amendment became the motion and was put:

For: Cr Egan, Pitt, Davis, Sciacca

Against: Cr Berwick, Cox, Bellerio

Carried

SUSPENSION OF STANDING ORDERS

With the agreement of the meeting standing orders were suspended to allow Council to receive a deputation from Mr Stephen Barrett of Delfam Pty Ltd in relation to a proposed caravan park.

The Mayor took this opportunity to welcome Ms Natalie Coss, Douglas Shire Council's new Planning Officer, to the organisation.

The Project Officer withdrew from the meeting. The General Manager Engineering and Workplace Health & Safety Officer re-attended at this time.



PERSONAL INTEREST

The Chief Executive Officer declared a personal interest in this matter, as a relative grows cane on part of the subject land, and withdrew from the meeting at 12:20 pm.

ADJOURNMENT

The Mayor thanked Mr Barrett for his attendance and presentation and Mr Barrett withdrew. At 12:45 pm the meeting stood adjourned for lunch.

RESUMPTION

The meeting resumed at 1:40 pm without the attendance of T A Pascoe. The Manager Planning, P T Gleeson, attended at this time.

EMERGENT ISSUE

The matter of the proposed permanent road closure over part of Lot 2 on RP 808242, more particularly Mowbray River Road, was presented to the Council as an emergent issue requiring an immediate decision to allow Council to make a submission ahead of an extended due date. Because of these circumstances the Council was requested to consider the matter immediately.

06/0725/06A PROPOSED PERMANENT ROAD CLOSURE – PART OF LOT 2 ON RP 808242 – MOWBRAY RIVER ROAD

Moved Cr Berwick

Seconded Cr Egan

“That this matter, although not appearing as an agenda item but being an emergent issue, be dealt with now.”

Carried unanimously

The General Manager Engineering produced a plan indicating the dimensions of the proposed Lot 3 and the adjacent road reserve.

Moved Cr Berwick

Seconded Cr Egan

“That Council note the dimensions of the reconfiguration of the proposed Lot 3.”

Carried unanimously



RESUMPTION OF STANDING ORDERS

With the agreement of the meeting standing orders were resumed.

06/0725/07 PORT DOUGLAS DAINTREE TOURISM LTD INTERIM BOARD

Moved Cr Berwick Seconded Cr Bellerio

"That Council nominate the Manager Community Cultural & Economic, Julia Leu, for the interim board of the proposed Port Douglas Daintree Tourism Ltd."

Carried unanimously

06/0725/08 DETAILS OF USE OF THE COUNCIL SEAL

Moved Cr Egan Seconded Cr Berwick

"That Council receive the report providing details of use of the council seal and endorse the actions of the Mayor and Chief Executive Officer in executing on its behalf, under seal, the documents detailed therein."

Carried unanimously

06/0725/09 DECISIONS OF COUNCIL STATUS REPORT

Moved Cr Pitt Seconded Cr Berwick

06/0725/09A *"That Council receive and note the Decisions of Council Status Report."*

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

Against: Cr Davis

Carried

The matter of the toilet block at the western precinct was discussed in some detail.

Moved Cr Sciacca Seconded Cr Bellerio

06/0725/09B *"That the Chief Executive Officer seek legal advice regarding the toilet block in the western precinct as to whether or not it can be completed."*

With the agreement of the mover and the seconder the motion was left on the table pending supply of more information by the Chief Executive Officer.



DEVELOPMENT & ENVIRONMENT

06/0725/10 DELEGATION OF THE ASSESSMENT PROCESS FOR CODE ASSESSABLE APPLICATIONS

Moved Cr Davis

“That Council not delegate the power to approve Code Assessable Applications to the Chief Executive Officer.”

The motion lapsed for want of a seconder.

Moved Cr Egan

Seconded Cr Berwick

“That Council delegate to the Chief Executive Officer (who has given an indication he will sub-delegate to the General Manager Development & Environment) the Code Assessable Application assessment process, under the soon to be adopted Planning Scheme.”

For: Cr Berwick, Cox, Pitt, Egan

Against: Cr Sciacca, Davis, Bellerio

Carried

ATTENDANCE/WITHDRAWAL

The General Manager Engineering withdrew from the meeting at 2:30 pm.

06/0725/11 MCU 3B 009/06 – LOT 1 ON RP 738242 – FOREST CREEK ROAD

Moved Cr Sciacca

Seconded Cr Bellerio

“That Council approve the Application for Material Change of Use of Premises 009/06 for a dwelling house on rural (general) zoned land described as Lot 1 on RP 738242, Parish of Alexandra, more particularly Forest Creek Road, Forest Creek, subject to the conditions recommended by the Assistant Planning Officer in her report.”

An amendment to the motion was moved:

Moved Cr Berwick

Seconded Cr Davis

“That Council approve the Application for Material Change of Use of Premises 009/06 for a dwelling house on rural (general) zoned land described as Lot 1 on RP



738242, Parish of Alexandria, more particularly Forest Creek Road, Forest Creek, subject to the conditions recommended by the Assistant Planning Officer in her report, except that the existing residence be allowed to remain subject to appropriate conditions."

ATTENDANCE/WITHDRAWAL

The Chief Executive Officer withdrew from the meeting at 2:50 pm.

With the agreement of the mover and seconder the amendment was withdrawn and the original motion was put:

"That Council approve the Application for Material Change of Use of Premises 009/06 for a dwelling house on rural (general) zoned land described as Lot 1 on RP 738242, Parish of Alexandria, more particularly Forest Creek Road, Forest Creek, subject to the conditions recommended by the Assistant Planning Officer in her report."

Carried unanimously

06/0725/12A PDPV 073/05 – LOTS 21 & 22 ON PTD 20925 – 4 WHARF STREET, PORT DOUGLAS

Moved Cr Sciacca

Seconded Cr Pitt

"That Council approve the application for a Permit to Damage Protected Vegetation 073/05 on land described as Lots 21 & 22 on PTD 20925, Parish of Salisbury, more particularly 4 Wharf Street, Port Douglas, subject to the conditions recommended by the Environmental Officer in his report."

Carried unanimously

06/0725/12 MCU 3B 009/05 (B) LOTS 21 & 22 ON PTD 20925 – 4 WHARF STREET, PORT DOUGLAS

Moved Cr Bellero

Seconded Cr Pitt

"That Council approve the application for a Material Change of Use 009/05(B) for a dwelling house on land described as Lots 21 and 22 on PTD 20925, Parish of Salisbury, more particularly 4 Wharf Street, Port Douglas, subject to the conditions recommended by the Assistant Planning Officer in her report."



For: Cr Bellerio, Pitt, Berwick, Egan, Sciacca, Davis
Against: Cr Cox
Carried

06/0725/13 MCU 013/06 – LOT 1 ON RP 717136 – 18 FRONT STREET, MOSSMAN

Moved Cr Sciacca Seconded Cr Bellerio

“That Council approve the application for a Material Change of Use Development Permit 013/06 for an office extension on land described as Lot 1 on RP 717136, Parish of Victory, more particularly 18 Front Street, Mossman, subject to the conditions recommended by the Manager Planning in his report.”

Carried unanimously

06/0725/14 TPC 1168 – LOT 42 ON RP 739765 – QUEENSLAND PARKS & WILDLIFE, DIWAN

Moved Cr Davis Seconded Cr Berwick

06/0725/14A *“That Council approve the application for a Development Permit for Material Change of Use (Impact Assessable) TPC 1168 for the purpose of a contractors’ depot and office on land described as Lot 42 on RP 739765, Parish of Alexandra, more particularly Tea Tree Road, Diwan, subject to the conditions recommended by the Assistant Planning Officer in her report.”*

Ms Tina Alderson of Queensland Parks & Wildlife Service was in attendance at the meeting and the Mayor suggested it would be appropriate for her to address the meeting.

Moved Cr Berwick Seconded Cr Davis

06/0725/14B *“That Ms Tina Alderson be permitted to provide information to assist the Council.”*

For: Cr Berwick, Davis, Sciacca, Cox, Pitt, Bellerio
Against: Cr Egan
Carried

Ms Alderson provided information and the original motion was put:

06/0725/14A *“That Council approve the application for a Development Permit for Material Change of Use (Impact Assessable) TPC 1168 for the purpose of a contractors’ depot and office on land described as Lot 42 on RP 739765, Parish of Alexandra, more*



particularly Tea Tree Road, Diwan, subject to the conditions recommended by the Assistant Planning Officer in her report."

For: Cr Berwick, Cox, Davis, Egan
Against: Cr Sciacca, Pitt, Bellerio
Carried

ATTENDANCE/WITHDRAWAL

The General Manager Finance & Administration withdrew from the meeting at 3:18 pm and the Manager Rates & Finance Support attended in his place.

06/0725/15 TPC 1223 – LOT 2 ON RP 745166 – CAPTAIN COOK HIGHWAY – CHANGES TO DECISION NOTICE

MATERIAL PERSONAL INTEREST

The Manager Planning declared a material personal interest in this matter, as his spouse consulted on the initial application, and withdrew from the meeting at 3:21 pm.

Moved Cr Davis

Seconded Cr Cox

"That Council prepare a statement in accordance with section 3.5.15(l) of the Integrated Planning Act 1997 outlining the grounds for approving the Development Application TPC 1223 and this statement to be included in the Decision Notice for the approved development, the statement to provide as follows:

- (a) The proposed development is a well designed facility which is located immediately adjacent to Port Douglas (agenda p 107);*
- (b) The site can be connected to reticulated water supply and sewerage services (agenda p 107);*
- (c) The proposed facility will cater for an apparent growing demand for caravanning and camping facilities in the shire (agenda p 107);*
- (d) Existing caravan parks are being lost to redevelopment, specifically within Port Douglas (agenda p 107);*
- (e) The site has direct access from the Captain Cook Highway (agenda p 107);*
- (f) The proposal would service a segment of the tourism market of the shire with the cabins used only for holiday tourist accommodation;*



- (g) *The proposal will provide accommodation for large recreation vans, which are increasing in the tourist market sector;*
- (h) *The proposal is supported by a number of Tourism Objectives of the Strategic Plan of the existing Town Planning Scheme, for example:*
 - Objective 1 – to provide accommodation*
 - Objective 2 – to promote tourism development and tourism convenience*
 - Objective 5 – to encourage tourism development*
 - Objective 7 – to ensure the development of tourism product diversity;*
- (i) *In the Rural Planning Area of the Draft Planning Scheme caravan parks are not identified as inconsistent uses (agenda p 104);*
- (j) *There is a planning need for the facility based on increased community demand; and*
- (k) *During the process of referral coordination no State Interests were identified that related to strategic planning and land uses. “*

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

Against: Cr Egan, Berwick

Carried

ATTENDANCE/WITHDRAWAL

Planning Officer L A Stayte withdrew from the meeting at 3:32 pm.

06/0725/16 TPC 1237 – LOT 24 ON RP 746777 – 15 OPAL STREET, PORT DOUGLAS

Moved Cr Davis

Seconded Cr Pitt

“That Council approve the application for a Development Permit for Material Change of Use TPC 1237 to permit a home occupation (picture frame making) on land described as Lot 24 on RP 746777, Parish of Salisbury, more particularly 15 Opal Street, Port Douglas, subject to the conditions recommended by the Assistant Planning Officer in her report.”

Carried unanimously



06/0725/17 TPC 1249 – LOT 43 ON C 22513 – 5 HELMET STREET, PORT DOUGLAS

Moved Cr Bellerio

Seconded Cr Berwick

“That Council approve the application for a Development Permit for Material Change of Use TPC 1249 to permit the development of 2 x 2 bedroom multiple dwellings (residential) on land described as Lot 43 on C 22513, Parish of Salisbury, more particularly 5 Helmet Street, Port Douglas, subject to the conditions recommended by the Assistant Planning Officer in her report.”

Carried unanimously

ATTENDANCE/WITHDRAWAL

The Manager Planning re-attended the meeting at 3:37 pm.

06/0725/18 SUB 043/04 LOT 3 ON RP 707685, LOT 5 ON RP 808140 AND LOT 5 ON RP 708494 – WHYANBEEL ROAD

With the agreement of all councillors present this item was withdrawn, at the request of the Acting General Manager Development & Environment.

06/0725/19 APPLICATION FOR CONVERSION OF TENURE – SPECIAL LEASE 9/48384 OVER LOT 115 ON CROWN PLAN SR 126

Moved Cr Berwick

Seconded Cr Cox

“That Council reiterate its support for the tenure conversion provided the subject land is amalgamated with adjoining land in the same ownership. The subject land is liable to flood and should not be capable of disposal to a new owner who might have an expectation to erect a dwelling on it.”

~~With the agreement of the mover and the seconder~~ An amendment to the motion was moved:

Moved Cr Davis

Seconded Cr Egan

“That Council support the land tenure conversion to freehold.”

For: Cr Davis, Egan, Bellerio, Pitt, Sciacca

Against: Cr Cox, Berwick

Carried



**06/0725/20 MIRAGE SURVEY PLAN ENDORSEMENT – BOUNDARY
ADJUSTMENT PLAN SP 186262**

Moved Cr Berwick

Seconded Cr Cox

“That Council approve the boundary adjustment plan for MFS Bale Resorts and MFS Mirage Resorts in accordance with section 72(3) of the Integrated Resort Development Act and proceed to endorse the plan of survey SP 186262.”

“That, in accordance with Section 472 of the Local Government Act 1993, Council delegate the authority to consider applications made under Section 72(3) of the Integrated Resort Development Act to the Chief Executive Officer.”

Carried unanimously

06/0725/20A PROPOSED BRIEFING SESSION – FUTURE DEVELOPMENT PLANS

Moved Cr Cox

Seconded Cr Davis

“That Council hold a special briefing session on 6 September 2006 commencing at 9:30 am to receive an update on the future development of the Mirage lands under the Integrated Resort Development Act approval.”

Carried unanimously

**06/0725/21 TPC 1255 – LOT 9 ON SR 693 – 24 CAMELOT CLOSE, CAPE
TRIBULATION**

Moved Cr Davis

Seconded Cr Pitt

“That Council approve the request to waive the requirement for referral coordination for a home occupation at Lot 9 on SR 693, Parish of Noah, more particularly 24 Camelot Close, Cape Tribulation.”

Carried unanimously

ATTENDANCE/WITHDRAWAL

The General Manager Engineering re-attended the meeting at 3:55 pm.



06/0725/22 PORT DOUGLAS SUGAR WHARF UPGRADE

Moved Cr Berwick

Seconded Cr Davis

"That Council consider the upgrade works as part of its 2006/07 budget deliberations."

For: Cr Berwick, Davis, Egan, Cox, Pitt

Against: Cr Sciacca, Bellerio

Carried

ATTENDANCE/WITHDRAWAL

The Manager Environmental Health, Paul Hoyer, attended the meeting at 4:10 pm.

EXTENSION OF MEETING TIME

As the 4:00 pm scheduled conclusion time for the meeting had elapsed it was necessary for the Council to approve an extension of time.

Moved Cr Cox

Seconded Cr Berwick

"That the meeting be extended until the agenda has been completed."

Carried unanimously

06/0725/23 EXTRACTIVE INDUSTRY ROAD MAINTENANCE LEVY

MATERIAL PERSONAL INTEREST

Cr Bellerio declared a material personal interest in this matter, as he is an operator within the industry under discussion, and withdrew from the meeting at 4:15 pm.

Moved Cr Egan

Seconded Cr Berwick

"That Council:

(a) investigate making and levying a Special Rate on land being used for extractive industry purposes as part of the revenue review to be conducted in the 2006/07 year; and

(b) include a roads infrastructure charge for extractive industries in the terms of reference for the preparation of the Infrastructure Charges Plan that is to be carried out by the Manager Planning Services in the 2006/2007 year."



Carried unanimously

ATTENDANCE/WITHDRAWAL

The Manager Environmental Health withdrew from the meeting at 4:16 pm.
Cr Bellerio re-attended at this time.

ENGINEERING

06/0725/24 **DAINTREE RIVER LOADING/UNLOADING RAMP AND DRAFT
MEMORANDUM OF UNDERSTANDING**

Moved Cr Berwick

Seconded Cr Cox

"That, as Council has decided to reopen the ramp, the Memorandum of Understanding be implemented."

"That Council consider providing funding in accordance with the proposal outlined by the General Manager Engineering in his report."

An amendment to the motion was moved:

Moved Cr Cox

Seconded Cr Berwick

"That, as Council has decided to reopen the ramp, the Memorandum of Understanding be implemented."

"That options for funding of the infrastructure be considered."

ATTENDANCE/WITHDRAWAL

The Manager Planning withdrew from the meeting at 4:25 pm.

06/0725/24A **CODE OF CONDUCT BREACH**

Cr Egan advised that he took exception to Cr Davis' comments that if councillors voted against reopening the vessel loading/unloading ramp they would lose votes at the next election.

Moved Cr Egan

Seconded Cr Sciacca



“That Cr Davis be censured for ‘below the line’ comments and suspended from the meeting for one hour.”

The General Manager Community & Corporate advised that it would be necessary to deal with this situation in accordance with the Councillors’ Code of Conduct. He requested an opportunity to consult the code and advise the Council accordingly. He requested a short adjournment to facilitate that.

With the agreement of the movement and seconder the motion was withdrawn pending advice from the officer.

ADJOURNMENT

At 4:34 pm the meeting stood adjourned.

RESUMPTION

The meeting resumed at 4:40 pm. The General Manager Finance & Administration and Manager Planning re-attended at this time.

The General Manager Community & Corporate advised of the procedure relating to dealing with allegations of meeting breaches under the Councillors’ Code of Conduct.

Moved Cr Egan

Seconded Cr Bellerio

06/0725/24A(i) *“That Cr Davis be determined to have breached the Councillors’ Code of Conduct in respect of items 2.3.2.4 (a) and (b).”*

WITHDRAWAL

Cr Davis withdrew from the meeting at 4:45 pm.

The motion was put:

For: Cr Egan, Pitt, Bellerio, Sciacca

Against: Cr Cox, Berwick

Carried

Moved Cr Egan

Seconded Cr Bellerio

06/0725/24A (ii) *“That Cr Davis be suspended for the remainder of the meeting.”*

For: Cr Egan, Pitt, Bellerio, Sciacca

Against: Cr Berwick, Cox

Carried



Council then continued with debate in respect of item 06/0725/24.

Moved Cr Cox

Seconded Cr Berwick

06/0725/24

"That, as Council has decided to reopen the ramp, the Memorandum of Understanding be implemented."

"That options for funding of the infrastructure be considered."

The amendment was put:

For: Cr Cox, Berwick

Against: Cr Egan, Sciacca, Pitt, Bellero

Lost

A further amendment was moved:

Moved Cr Bellero

Seconded Cr Sciacca

"That, as Council has decided to reopen the ramp, the Memorandum of Understanding be implemented."

"That Council consider funding the project subject to contributions from the commercial operators for 100% of the cost."

The amendment was put:

For: Cr Bellero, Pitt, Sciacca

Against: Cr Berwick, Egan, Cox

Lost on the casting vote of the mayor

A further amendment was moved:

Moved Cr Egan

Seconded Cr Sciacca

"That Council determine to reopen the ramp after the Memorandum of Understanding, which is hereby endorsed, has been signed and the Council's public liability insurers have been notified of the circumstances and have accepted the potential liability and advised Council of any conditions they may require."

"That Council consider providing partial contribution in accordance with the proposal outlined by the General Manager Engineering in his report."

"That, prior to opening, a contribution from the relevant users be negotiated by general managers and staff."



The amendment was put:

For: Cr Egan, Sciacca, Berwick, Bellerio, Pitt
Against: Cr Cox
Carried

The amendment became the motion and was put:

For: Cr Egan, Sciacca, Berwick, Bellerio, Pitt
Against: Cr Cox
Carried

ATTENDANCE/WITHDRAWAL

Planning Officer N Coss withdrew from the meeting at 5:00 pm.

06/0725/25 TENDER FOR FOAM BITUMEN STABILISATION – CAPTAIN COOK HIGHWAY

Moved Cr Egan Seconded Cr Pitt

“That Engineering Services submit a tender in the amount of \$524,000 for in situ foam bitumen stabilisation of the Captain Cook Highway from chainage 64.10 km to chainage 67.06 km (2,960 metres) for a width of 9 metres.”

Carried unanimously

06/0725/26 PROPOSED PERMANENT ROAD CLOSURE – SCOMAZZON ROAD

Moved Cr Bellerio Seconded Cr Egan

“ That Council lodge no objection to the proposed permanent road closure of the section of Scomazzon Road, with an area of about 2,880 square metres, separating the south east corner of Lot 2 on RP732552 from Lot 3 on RP732552 and abutting Lot 3 on SP176451 and shown as Lot 4 on Drawing 06/026.”

Carried unanimously



FINANCE & ADMINISTRATION

06/0725/27 PROPOSED FEES AND CHARGES 2006/07

Moved Cr Egan

Seconded Cr Cox

“That Council adopt the schedule of proposed fees and charges for the 2006/07 financial year.”

Carried unanimously

06/0725/28 POLICIES – ADVERTISING, ENTERTAINMENT & GRANTS

Moved Cr Berwick

Seconded Cr Egan

“That Council adopt the following new policies, as required under the Local Government Finance Standard 2005:

- 1. Advertising*
- 2. Entertainment and Hospitality*
- 3. Grants to Community and Community Organisations.”*

Carried unanimously

WITHDRAWAL

The Manager Rates & Finance Support withdrew from the meeting at 5:30 pm.

NOTICES OF MOTION

06/0725/29 REPEAL OF MOTION

Moved: Cr Egan

Seconded: Cr Cox

06/0725/29A *“That Council repeal the resolution 06/0704/27E (iv) made at the ordinary meeting held on 4 & 5 July 2006 which reads:*

‘That Council note the minister’s approval to conditionally adopt the Planning Scheme, and resolve to amend the Planning Scheme accordingly, subject to:

the Table of Assessment for the Rural Areas and Rural Settlement Locality be amended for a House in the Rural Planning Area and the Rural Settlement



Planning Area to classify a House as Self Assessable and include self assessable criteria relating, where appropriate, to:

- colour and/or
- height and/or
- size of buildings and/or
- extent of excavation or filling and/or
- extent of clearing,

into the relevant Codes.' "

For: Cr Egan, Cox, Berwick, Pitt, Sciacca

Against: Cr Bellerio

Carried

Moved Cr Egan

Seconded Cr Pitt

06/0725/29B

" That Council note the Ministers approval to conditionally adopt the Planning Scheme, and resolve to amend the Planning Scheme accordingly, subject to the Table of Assessment for the Rural Areas and Rural Settlements Locality being amended for a House in the Rural Settlement Planning Area to classify a House as Code Assessable."

Carried unanimously

WITHDRAWAL

The Manager Planning withdrew from the meeting at 5:52 pm.

06/0725/29C CLOSURE OF THE MEETING TO THE PUBLIC

Moved: Cr Berwick

Seconded: Cr Cox

"That pursuant to section 463 (1) (b) of the Local Government Act 1993 the Council meeting be closed to the public to enable the committee of the whole to discuss in confidence an industrial relations matter."

Carried unanimously

06/0725/30 INDUSTRIAL RELATIONS MATTER

This matter was discussed whilst the meeting was closed to the public.



OPENING OF THE MEETING TO THE PUBLIC

With the agreement of all councillors present the meeting was re-opened to the public.

The following recommendation was forthcoming from the discussions held while the meeting was closed to the public:

"That Council advertise a contract position for the position of Chief Executive Officer."

Moved Cr Berwick

Seconded Cr Cox

06/0725/30

"That Council advertise a contract position for the position of Chief Executive Officer."

For: Cr Berwick, Cox

Against: Cr Egan, Pitt, Sciacca, Bellerio

Lost

TERMINATION

The meeting was closed at 7:45 pm.

Presented to and confirmed by Council on the *fifteenth* day of *August* 2006.

M P Berwick
Chair