

6. NOTICES OF MOTION

6.1. NOTICE OF MOTION - REPEAL OF DECISION FOR APPLICATION FOR PERMANENT ROAD CLOSURE OVER ESPLANADE ADJACENT TO LOT 2 RP 724386 PORT DOUGLAS

COUNCILLOR: Cr Abigail Noli

NOTICE OF MOTION:

This is a notice of motion submitted by Councillor Abigail Noli concerning the repeal of previous decision for an Application for Permanent Road Closure.

Councillor Noli gave notice of her intention to move the following motion at the Ordinary Council Meeting of 30 March 2021.

1. That the recommendation of Item 5.7 – Application for Permanent Road Closure over Esplanade Adjacent to Lot 2 RP 724386 Port Douglas, resolved at the Ordinary Council Meeting held on 15 December 2020, be repealed:
 - I. Delegates authority under section 257 of the *Local Government Act 2009* to the Chief Executive Officer to execute a Form Part C as Road Manager, advising the Department of Natural Resources Mines & Energy (DNRME) that Council cannot authorise a proposed permanent road closure over the Esplanade in Port Douglas adjoining Lot 2 on RP 724386 (as per attachment) however, it requests DNRME to consider an application under the *Land Act 1994* in relation to this matter; and
 - II. Delegates authority under section 257 of the *Local Government Act 2009* to the Chief Executive Officer to finalise any and all matters associated with the application.
2. Informs DNRME that if Part C assessment process has already been expedited, that Council delegates authority under section 257 of the *Local Government Act 2009* to the Chief Executive Officer to immediately advise the Department of Natural Resources Mines & Energy (DNRME) that Council is not supportive of the road closure, and
3. When DNRME formally seeks views from Council and the public as outlined in the 15 December 2020 report, Council will provide objections to the proposed road closure

BACKGROUND:

Nil

OFFICER'S COMMENT:

Nil

ATTACHMENTS:

Nil