

Minutes 17 November 2009



Minutes of Ordinary meeting of the Port Stephens Council held in the Council Chambers, Raymond Terrace on 17 November 2009, commencing at 5.30pm.

PRESENT: Councillors B. MacKenzie (Mayor); R. Westbury (Deputy Mayor); G. Dingle; P. Kafer; K. Jordan; D. Maher, J. Nell; S. O'Brien; S. Tucker, F. Ward; General Manager; Corporate Services Group Manager, Facilities and Services Group Manager; Sustainable Planning Group Manager; Commercial Services Group Manager and Executive Officer.

380	Councillor John Nell Councillor Ken Jordan	It was resolved that the apologies from Councillors Glenys Francis and Sally Dover be received and noted.
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INDEX

SUBJECT

PAGE NO

MOTIONS TO CLOSE 3

1. MOTION TO CLOSE MEETING TO THE PUBLIC..... 4

CONFIDENTIAL ITEMS..... 5

1. PROPOSED SALE - 431 MASONITE ROAD - HEATHERBRAE 6

MOTIONS TO CLOSE

ITEM NO. 1

FILE NO: 3200-003

MOTION TO CLOSE MEETING TO THE PUBLIC

REPORT OF: TONY WICKHAM – EXECUTIVE OFFICER
GROUP: GENERAL MANAGERS OFFICE

RECOMMENDATION:

- 1) That pursuant to section 10A(2)(c) of the Local Government Act, 1993, the Committee and Council resolve to close to the public that part of its meetings to discuss Confidential Item 1 on the Extra-Ordinary meeting of 17 November 2009, agenda namely **Proposed Sale - Masonite Road, Heatherbrae**
 - 2) That the reasons for closing the meeting to the public to consider this item be that it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a person with whom the Council proposes to conduct business.
 - 3) In particular, the information and discussion concerns **Proposed Sale - Masonite Road, Heatherbrae**
 - 4) On balance it is considered that receipt and discussion of the matter in open Council would be contrary to the public interest, as the information and discussion need to be carried out confidentially to protect the interests of both parties. Any breach of such confidentiality could prejudice Council's position.
 - 5) That the minutes relating to this item be made public.
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EXTRA ORDINARY COUNCIL MEETING – 17 NOVEMBER 2009

381	Councillor Peter Kafer Councillor Steve Tucker	It was resolved that the recommendation be adopted.
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CONFIDENTIAL ITEMS



In accordance with Section 10A, of the Local Government Act 1993, Council can close part of a meeting to the public to consider matters involving personnel, personal ratepayer hardship, commercial information, nature and location of a place or item of Aboriginal significance on community land, matters affecting the security of council, councillors, staff or council property and matters that could be prejudice to the maintenance of law.

Further information on any item that is listed for consideration as a confidential item can be sought by contacting Council.

382	Councillor Peter Kafer Councillor Steve Tucker	It was resolved that Council move into Confidential Session.
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ITEM NO. 1

FILE NO: PSC2005-1536

PROPOSED SALE - MASONITE ROAD - HEATHERBRAE

REPORT OF: CARMEL FOSTER, COMMERCIAL PROPERTY MANAGER
GROUP: COMMERCIAL SERVICES

EXTRA ORDINARY COUNCIL MEETING – 17 NOVEMBER 2009

383	Councillor Ken Jordan Councillor Peter Kafer	It was resolved that Council:- 1) Approve the sale of the property that is classified "operational" under the provisions of the Local Government Act 1993. 2) Authorise the General Manager and the Mayor to affix the seal of Council to the contract for sale of land and any supporting documentation.
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384	Councillor Steve Tucker Councillor Peter Kafer	It was resolved that Council move out Confidential Session.
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There being no further business the meeting closed at 5.33pm.

I certify that pages 1 to 6 of the Open Extra Ordinary Minutes of Council 17 November 2009 and the pages 7 to 11 of the Confidential Extra Ordinary Minutes of Council 17 November 2009 were confirmed by Council at its meeting held on 24 November 2009.

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Cr Bruce MacKenzie
MAYOR