



Emailed letter for attention: all Councillors

25 September 2012

Re: First Meeting of Newly Elected Council.

Dear Councillors,

TRRA Inc. would like to take this opportunity to congratulate the new popularly elected Mayor, and the former Councillors that have been re-elected. We particularly welcome the new Councillors to their very important role as representatives of our community in Local Government.

We wish the new Council all the best in its endeavours and sincerely trust that they can all work constructively together for the betterment of everyone in the LGA for the next four years.

TRRA has always taken a keen interest in the Council Business Papers, and note that tonight's paper is appropriately is dominated by administrative matters and the allocation of roles on the proliferation of committees that are the engine room of getting things done for the community. The new Councillors will no doubt feel a little daunted at the task they have taken on when they see the extent of the work that lies ahead in these roles, and we thank them for shouldering this responsibility.

The two matters that we wish to comment on to you for tonight's meeting are:

**1. Report of the Financial Services Manager; Corporate services Group.
Cash and Investments Held at 31 July 2012 and 31 Aug 2012**

TRRA is concerned that Council is still exposed (until 2014) to a substantial investment in CDO's that are identified with the 'Grange' group, (formerly Lehman Brothers Merchant Bank) It appears from news reports, that a class action taken by a number or other Councils including the Wingacarrabe Council, were successful in suing Lehman's Australia to recover some of the losses in this disastrous foray into high risk investment.

TRRA Inc. were contacted by NBN3 Television for comment yesterday, on the assertion that Port Stephens Council had recently had the Minister For Local Government up here looking at its financial situation, and now because of a recommendation from the General Manager not to support this class action, were in a position where it would not be able to take advantage of any recovery of these funds. **We would ask Councillors to question the General Manager and the Financial Services Manager on the Councils current situation in this matter and why this has occurred.**



2. RESCISSION MOTION

**ITEM NO. 1 FILE NO: 16-2011-507-2
DEVELOPMENT APPLICATION FOR A SECTION 96 MODIFICATION
INVOLVING THE DELETION AND MODIFICATION OF BUSHFIRE
CONSTRUCTION REQUIREMENTS FOR PROPOSED DWELLING AT NO
144 ROCKY POINT ROAD, FINGAL BAY
COUNCILLORS: MACKENZIE, O'BRIEN, TUCKER, WESTBURY**

"That Council rescind its decision of 24 July 2012 on Item 2 of the Ordinary Council Meeting Report, namely Development Application for a section 96 modification involving the deletion and modification of bushfire construction requirements for proposed dwelling at no 144 Rocky Point Road, Fingal Bay."

It appears that this rescission motion has been carried over from the last Council. Although it seeks to overturn the decision of the Last Council to support the recommendations of Council Staff, and refuse the application, there is no notice of motion before the Council to indicate what the supporters of the rescission motion, (two of whom are no longer on Council), propose to do with the application if their motion is successful.

We sincerely hope that this matter, being the first business to be dealt with by the new Council, will not set an unfortunate precedent for the future, because a major criticism of the last Council by the DLG in its Better Practices Review, was taking ad hoc decisions against the considered recommendations of senior Council Staff.

There are four clear recommendations against this application and Council must be aware of the insurance implications for the owner of this property, and any subsequent owner, and the possibility of action that could be taken against Council in the future if anything unfortunate happened to the property. **The recommendations of Council Staff have obviously been well considered and should be heeded in this matter.**

Yours sincerely,

Geoffrey Washington
Chairman
Tomaree Ratepayers and Residents Association

Per: Dick Appleby info@trra.com.au

