

Calls for Gesling to resign

BY SARAH PRICE

06 Jun, 2012 12:00 AM

A POSSIBLE move by Port Stephens Council to renege on the compulsory acquisition of land from a Williamstown family has resulted in a councillor calling for the general manager to resign.

The call, made by councillor Geoff Dingle, has prompted a response from the mayor Bob Westbury who described the action as a "low, mongrel act".

The land in question was acquired by the council from the Towers family in 2011 to build the Stockton Bight Track - a road gazetted but never constructed.

Once built the public road would provide access to an approved multimillion-dollar sand mine operated by Macka's Sand, a company part-owned by councillor Bruce Mackenzie.

But at a confidential meeting last week it was resolved that council approach members of the Towers and MacKenzie families "requesting their submission be received within 14 days, in the event that council were to apply to rescind the acquisition".

It comes just weeks after the Towers family of Williamstown called for \$8.5 million in compensation through the Land and Environment court, a case that could cost ratepayers \$300,000 to fight - according to confidential documents seen by the Examiner.

Cr Geoff Dingle said it was a legal position that could have been avoided had the general manager, Peter Gesling given councillors the right advice in 2009.

"[In my opinion] he [Mr Gesling] has mislead the council having argued that council is the consent authority for gazetting of public roads and he could not take it to the minister...he is now saying we could have chosen not to deal with it or passed it to the minister...." Cr Dingle said.

Mr Gesling was unable to address Cr Dingle's concerns directly or comment on the specifics of the case but did say the following.

"I must stress that Port Stephens Council always endeavours to ensure adequate legal advice is sought whenever deemed appropriate and with due consideration to the costs that may incur," he said.

"I am continuing to work closely with our legal advisers on this issue to ensure we do everything we can to get the best possible outcomes for council and the community.