



# Australia Day Sub-Committee

## Business Paper

**date of meeting:** Friday 16 January 2015

**location:** Function Room  
Port Macquarie-Hastings Council  
17 Burrawan Street  
Port Macquarie

**time:** 8.30am

**Note:** Council is distributing this agenda on the strict understanding that the publication and/or announcement of any material from the Paper before the meeting not be such as to presume the outcome of consideration of the matters thereon.



**PORT MACQUARIE  
HASTINGS**

## **Australia Day Sub-Committee**

### **CHARTER**

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1. To stimulate a public awareness and recognition of Australia Day.
2. To receive and consider nominations for Australia Day Awards and determine recipients of such Awards.



**PORT MACQUARIE  
HASTINGS**

## Australia Day Sub-Committee

### ATTENDANCE REGISTER

Member	31/10/14	21/11/14	12/12/14			
Councillor Peter Besseling (Mayor)	<b>A</b>	<b>No quorum</b>	✓			
Councillor Mike Cusato	✓		✓			
Tacking Point Lions Club Representative	✓		✓			
Tacking Point Lions Club Representative	✓		✓			
Wauchope Rotary Club Representative	✓		✓			
Laurieton Rotary Club Representative	✓		✓			
Laurieton Rotary Club Representative	✓		✓			
Richard Gander (Community Rep)	✓		✓			
<b>Non-voting</b>						
Lucilla Marshall (Group Manager Community Development) Juliet Priest (alternate)	✓		✓			
Jenny Mead (Place Facilitator - Events)	✓		✓			

**Key:** ✓ = Present

**A** = Absent With Apology

**X** = Absent Without Apology



**PORT MACQUARIE  
HASTINGS**

# Australia Day Sub-Committee Meeting

Friday 16 January 2015

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**PORT MACQUARIE  
HASTINGS**

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**Item: 01****Subject: ACKNOWLEDGEMENT OF COUNTRY**

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"I acknowledge that we are gathered on Birpai Land. I pay respect to the Birpai Elders both past and present. I also extend that respect to all other Aboriginal and Torres Strait Islander people present."

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**Item: 02****Subject: APOLOGIES**

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**RECOMMENDATION**

That the apologies received be accepted.

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**Item: 03****Subject: CONFIRMATION OF PREVIOUS MINUTES**

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**RECOMMENDATION**

That the Minutes of the Australia Day Sub-Committee Meeting held on 12 December 2014 be confirmed.

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**PRESENT****Members:**

Councillor Peter Besseling (Mayor)  
Councillor Michael Cusato  
Tacking Point Lions Club representative  
Tacking Point Lions Club representative  
Wauchope Rotary Club representative  
Laurieton Rotary Club representative  
Laurieton Rotary Club representative  
Richard Gander - community representative

**Other Attendees:**

Lucilla Marshall (PMHC Group Manager Community Development)  
Jenny Mead (PMHC Place Facilitator - Events)  
Rick Eller (part of meeting)  
Wayne Evans (part of meeting)

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The meeting opened at 8.35am.

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**01 ACKNOWLEDGEMENT OF COUNTRY**

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The Acknowledgement of Country was delivered.

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**02 APOLOGIES**

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**CONSENSUS:**

That the apology received from Ian Jackson be accepted.

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**03 CONFIRMATION OF MINUTES**

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**CONSENSUS:**

That the Minutes of the Australia Day Sub-Committee Meeting held on 31 October 2014 be confirmed.

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**04 DISCLOSURES OF INTEREST**

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There were no disclosures of interest presented.

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**05 BUSINESS ARISING FROM PREVIOUS MINUTES**

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Nil.

The Chairman brought forward Item 8 - 2015 Aquatic Activities - Port Macquarie.

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**08 2015 AQUATIC ACTIVITIES - PORT MACQUARIE**

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**CONSENSUS:**

1. That the Sub-Committee note the information outlined in the 2015 Aquatic Activities - Port Macquarie report and the verbal updated provided at the meeting.
2. Rick Eller and Wayne Evans to liaise with Roads and Maritime Services representative regarding the outstanding information from Surf Life Saving Club participating in the Aquatic Activities Program and seek more details.
3. 3 licensed operators have been sourced to provide VHF radio coverage for the program. One operator to be located at McInherry Park and two on Lady Nelson Wharf. Wayne Evans will be liaising directly with RMS via one of the radio operators to be located on Lady Nelson Wharf in relation to each of the Aquatic Activities.
4. Channel 71 will be the channel utilised for coordination of the activities on the day. Each radio operator to also have mobile phone in their possession as a back up communication method.
5. Cameron Marshall has confirmed his availability to be Emcee and will be provided with a series of short précis on each of the vessels participating in the Flotilla. Council's Place Facilitator - Events to arrange provision of a "Madonna" microphone for use by the Emcee on Lady Nelson Wharf.

The Chairperson then left the meeting briefly, with Councillor Cusato Acting as Chairperson.

The Acting Chairman then deferred Item 06 - 2015 Australia Day Awards until the return of the Chairperson.

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**07 2015 AUSTRALIA DAY AMBASSADOR PROGRAM**

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**CONSENSUS:**

1. That the Sub-Committee note the information outlined in the 2015 Australia Day Ambassador Program report.
2. That the Sub-Committee note the recent advice by the Australia Day Council of NSW that Henri Szeps OAM will be our Australia Day Ambassador for 2015.

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**09 2015 AUSTRALIA DAY CELEBRATIONS - LAURIETON**

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**CONSENSUS:**

1. That the Sub-Committee note the information outlined in the 2015 Australia Day Celebrations - Laurieton report and verbal update provided by representatives of the Rotary Club of Laurieton.
2. That the Sub-Committee note that no Citizenship Ceremony will be conducted as part of the Australia Day Celebrations - Laurieton.
3. That the program information will now be forwarded to Council's Communications Section for creation of the program with 200 copies being available for collection at the January Sub-Committee meeting.

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**10 2015 AUSTRALIA DAY CELEBRATIONS - WAUCHOPE**

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**CONSENSUS:**

1. That the Sub-Committee note the information outlined in the 2015 Australia Day Celebrations - Wauchope report and verbal update provided by representative of the Rotary Club of Wauchope.
2. That the Sub-Committee note that no Citizenship Ceremony will be conducted as part of the Australia Day Celebrations - Wauchope.
3. That the program information will now be forwarded to Council's Communications Section for creation of the program with 600 copies being available for collection at the January Sub-Committee meeting.



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**11 2015 AUSTRALIA DAY CELEBRATIONS - PORT MACQUARIE**

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**CONSENSUS:**

1. That the Sub-Committee note the information outlined in the 2015 Australia Day Celebrations - Port Macquarie report and verbal update provided by representatives of the Tacking Point Lions Club.
2. That the Tacking Point Lions Club have confirmed their ability to provide and assemble and disassemble a marquee over the staging required for the Australia Day Celebrations.
3. That the Tacking Point Lions Club have confirmed their ability to assemble and disassemble two (2) Council Marquees (audience area) and set out and pack down 100 chairs to be stored in the CWA Rooms.
4. Councillor Cusato to provide and assemble the staging required for the Australia Day Celebrations on Town Green, and provide Council with a copy of the Mega Deck Certification for the staging which will be included in Council's Risk Assessment for the event.
5. That the Sub-Committee note that a Citizenship Ceremony with 31 candidates participating will be conducted as part of the Official Program of the Australia Day Celebrations to be held on Town Green. That should the wet weather contingency plan be implemented, the official program will be moved to the Glasshouse.

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**12 2015 AUSTRALIA DAY SUB-COMMITTEE MEETING SCHEDULE**

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**CONSENSUS:**

That the Sub-Committee note the information and timeline outlined in the Australia Day Sub-Committee Meeting Schedule report.

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**06 2015 AUSTRALIA DAY AWARDS**

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Voting for to determine the 2015 Port Macquarie Hastings Council Australia Day Awards took place. Some of the members of the Australia Day Sub-Committee were required to leave the room for one or more category and were unable to cast a vote in the respective category due to an association with either an individual nominee or community group nomination.

**CONSENSUS:**

1. That the Sub-Committee note the information contained in the 2015 Australia Day Awards report and note the format for the presentation event as discussed at the meeting.
2. That the 2015 Port Macquarie-Hastings Council Australia Day Awards be awarded as determined in accordance with the votes taken at the meeting.
3. That the voting undertaken at the meeting to determine the recipients of the 2015 PMHC Australia Day Awards will be recorded under separate confidential cover.

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**07 GENERAL BUSINESS**

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07.01 Letter of Appreciation:

That a letter of appreciation be prepared under the Mayor's signature for Ross Adams thanking him for his work during his time on the Australia Day Sub-Committee.

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The meeting closed at 10.00am.

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Item: 04  
Subject: DISCLOSURES OF INTEREST

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**RECOMMENDATION**

That Disclosures of Interest be presented

**DISCLOSURE OF INTEREST DECLARATION**

Name of Meeting: .....  
Meeting Date: .....  
Item Number: .....  
Subject: .....  
.....

I, ..... declare the following interest:

☐

**Pecuniary:**

Take no part in the consideration and voting and be out of sight of the meeting.

☐

**Non-Pecuniary - Significant Interest:**

Take no part in the consideration and voting and be out of sight of the meeting.

☐

**Non-Pecuniary - Less than Significant Interest:**

May participate in consideration and voting.

For the reason that: .....  
.....

Signed: ..... Date: .....

*(Further explanation is provided on the next page)*

**Further Explanation**

(Local Government Act and Code of Conduct)

A conflict of interest exists where a reasonable and informed person would perceive that a Council official could be influenced by a private interest when carrying out their public duty. Interests can be of two types: pecuniary or non-pecuniary.

All interests, whether pecuniary or non-pecuniary are required to be fully disclosed and in writing.

**Pecuniary Interest**

A pecuniary interest is an interest that a Council official has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the Council official. (section 442)

A Council official will also be taken to have a pecuniary interest in a matter if that Council official's spouse or de facto partner or a relative of the Council official or a partner or employer of the Council official, or a company or other body of which the Council official, or a nominee, partner or employer of the Council official is a member, has a pecuniary interest in the matter. (section 443)

The Council official must not take part in the consideration or voting on the matter and leave and be out of sight of the meeting. (section 451)

**Non-Pecuniary**

A non-pecuniary interest is an interest that is private or personal that the Council official has that does not amount to a pecuniary interest as defined in the Act.

Non-pecuniary interests commonly arise out of family, or personal relationships, or involvement in sporting, social or other cultural groups and associations and may include an interest of a financial nature.

The political views of a Councillor do not constitute a private interest.

The management of a non-pecuniary interest will depend on whether or not it is significant.

***Non Pecuniary – Significant Interest***

As a general rule, a non-pecuniary conflict of interest will be significant where a matter does not raise a pecuniary interest, but it involves:

- (a) A relationship between a Council official and another person that is particularly close, for example, parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child of the Council official or of the Council official's spouse, current or former spouse or partner, de facto or other person living in the same household.
- (b) Other relationships that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
- (c) An affiliation between a Council official an organisation, sporting body, club, corporation or association that is particularly strong.

If a Council official declares a non-pecuniary significant interest it must be managed in one of two ways:

1. Remove the source of the conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.
2. Have no involvement in the matter, by taking no part in the consideration or voting on the matter and leave and be out of sight of the meeting, as if the provisions in section 451(2) apply.

***Non Pecuniary – Less than Significant Interest***

If a Council official has declared a non-pecuniary less than significant interest and it does not require further action, they must provide an explanation of why they consider that the conflict does not require further action in the circumstances.

## SPECIAL DISCLOSURE OF PECUNIARY INTEREST DECLARATION

<b>By</b> <i>[insert full name of councillor]</i>	
<b>In the matter of</b> <i>[insert name of environmental planning instrument]</i>	
<b>Which is to be considered at a meeting of the</b> <i>[insert name of meeting]</i>	
<b>Held on</b> <i>[insert date of meeting]</i>	
<b>PECUNIARY INTEREST</b>	
Address of land in which councillor or an associated person, company or body has a proprietary interest ( <i>the identified land</i> ) <sup>i</sup>	
Relationship of identified land to councillor [Tick or cross one box.]	<input type="checkbox"/> Councillor has interest in the land (e.g. is owner or has other interest arising out of a mortgage, lease trust, option or contract, or otherwise).  <input type="checkbox"/> Associated person of councillor has interest in the land.  <input type="checkbox"/> Associated company or body of councillor has interest in the land.
<b>MATTER GIVING RISE TO PECUNIARY INTEREST</b>	
Nature of land that is subject to a change in zone/planning control by proposed LEP ( <i>the subject land</i> ) <sup>iii</sup> [Tick or cross one box]	<input type="checkbox"/> The identified land.  <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	
Proposed change of zone/planning control [Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]	
Effect of proposed change of zone/planning control on councillor [Tick or cross one box]	<input type="checkbox"/> Appreciable financial gain.  <input type="checkbox"/> Appreciable financial loss.

Councillor's Signature: ..... Date: .....

**Important Information**

This information is being collected for the purpose of making a special disclosure of pecuniary interests under sections 451 (4) and (5) of the *Local Government Act 1993*. You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints made about contraventions of these requirements may be referred by the Director-General to the Local Government Pecuniary Interest and Disciplinary Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting in respect of which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

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- i. Section **443** (1) of the *Local Government Act 1993* provides that you may have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative<sup>iv</sup> or because your business partner or employer has a pecuniary interest. You may also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.
- ii. Section **442** of the *Local Government Act 1993* provides that a **pecuniary interest** is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter or if the interest is of a kind specified in section **448** of that Act (for example, an interest as an elector or as a ratepayer or person liable to pay a charge).
- iii. A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in section **443** (1) (b) or (c) of the *Local Government Act 1993* has a proprietary interest—see section **448** (g) (ii) of the *Local Government Act 1993*.
- iv. **Relative** is defined by the *Local Government Act 1993* as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

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**Item: 05**

**Subject: BUSINESS ARISING FROM PREVIOUS MINUTES**

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Nil.

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**Item: 06**

**Subject: 2015 AUSTRALIA DAY AWARDS**

**Presented by: Community & Organisational Development, Lucilla Marshall**

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### **RECOMMENDATION**

**That the Sub-Committee note the information contained in the 2015 Australia Day Awards report.**

### **Discussion**

Australia Day Awards will be held in the Glasshouse Theatre on Sunday 25 January 2015 commencing at 6.00pm. Both nominators and nominees for this year's Awards have been extended an invitation to attend this free event.

The Glasshouse bar will be open prior to and for a short time post event for guests to purchase beverages should they choose.

A meeting with the entertainers, performing at the event, and the Glasshouse Technical staff was held on 14 January to run through to format for the event. Update to be provided at the meeting.

### **Attachments**

Nil



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**Item: 07**

**Subject: 2015 AUSTRALIA DAY AMBASSADOR PROGRAM**

**Presented by: Community & Organisational Development, Lucilla Marshall**

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**RECOMMENDATION**

**That the Sub-Committee note the information outlined in the 2015 Australia Day Ambassador Program report.**

**Discussion**

Henri Szeps OAM will be the Port Macquarie-Hastings Council Australia Day Ambassador for 20125.

At the time of this report being prepared, Council was still awaiting Mr Szeps' biography and travel arrangements.

Update to be provided at the meeting if further information is available.

**Attachments**

Nil

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**Item: 08**

**Subject: 2015 AQUATIC ACTIVITIES - PORT MACQUARIE**

**Presented by: Community & Organisational Development, Lucilla Marshall**

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### **RECOMMENDATION**

**That the Sub-Committee note the information outlined in the 2015 Aquatic Activities - Port Macquarie report and the verbal updated provided at the meeting.**

### **Discussion**

Update to the Sub-Committee on the proposed aquatic activities currently being planned to take place along the Hastings River on Australia Day 2015.

At the time this report was prepared, approval of the aquatic license application lodged by Council with Roads and Maritime Services (RMS) in June 2014 was still to be received. A timeline of when the approval will be received is still unknown.

The next Stakeholders Meeting has been set down for 19 January 2015 at the CWA Rooms, Town Green commencing at 5.30pm. This will be the final meeting prior to the staging of the event on 26 January 2015.

### **Attachments**

Nil

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**Item: 09**

**Subject: 2015 AUSTRALIA DAY CELEBRATIONS - LAURIETON**

**Presented by: Community & Organisational Development, Lucilla Marshall**

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### **RECOMMENDATION**

**That the Sub-Committee note the information outlined in the 2015 Australia Day Celebrations - Laurieton report and verbal update provided by representatives of the Rotary Club of Laurieton.**

### **Discussion**

Update on the status for the planning of the Australia Day Celebrations to be held at the rear of the Laurieton United Services Club from 7.30am - 9.00am on 26 January 2015.

Collateral to be distributed to the Laurieton Rotary Club representatives at the meeting include:

- 200 copies of the Australia Day Celebrations Program
- Posters to promote the event
- Bali Flag poles (TBC)

Bali Flags will be available after the conclusion of the Awards Presentation event at the Glasshouse on 25 January 2015.

### **Attachments**

Nil

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**Item: 10**

**Subject: 2015 AUSTRALIA DAY CELEBRATIONS - WAUCHOPE**

**Presented by: Community & Organisational Development, Lucilla Marshall**

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### **RECOMMENDATION**

**That the Sub-Committee note the information outlined in the 2015 Australia Day Celebrations - Wauchope report and verbal update provided by representative of the Rotary Club of Wauchope.**

### **Discussion**

Update on the status for the planning of the Australia Day Celebrations to be held at the Wauchope Showground from 8.00am - 2.00pm on 26 January 2015.

Collateral to be distributed to the Wauchope Rotary Club representatives at the meeting include:

- 600 copies of the Australia Day Celebrations Program
- Posters to promote the event
- Bali Flag poles (TBC)

Bali Flags will be available after the conclusion of the Awards Presentation event at the Glasshouse on 25 January 2015.

### **Attachments**

Nil

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**Item: 11**

**Subject: 2015 AUSTRALIA DAY CELEBRATIONS - PORT MACQUARIE**

**Presented by: Community & Organisational Development, Lucilla Marshall**

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**RECOMMENDATION**

**That the Sub-Committee note the information outlined in the 2015 Australia Day Celebrations - Port Macquarie report and verbal update provided by representatives of the Tacking Point Lions Club.**

**Discussion**

Update on the status for the planning of the Australia Day Celebrations to be held on Town Green, Port Macquarie from 8.00am - 10.30 pm on 26 January 2015.

Collateral to be distributed to the Tacking Point Lions Club representatives at the meeting include:

- 2000 copies of the Australia Day Celebrations Program
- Posters to promote the event
- Bali Flag poles (TBC)

Bali Flags will be available after the conclusion of the Awards Presentation event at the Glasshouse on 25 January 2015.

**Attachments**

Nil

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**Item: 12****Subject: 2015 AUSTRALIA DAY SUB-COMMITTEE MEETING SCHEDULE****Presented by: Community & Organisational Development, Lucilla Marshall**

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**RECOMMENDATION**

**That the Sub-Committee note the information and timeline outlined in the Australia Day Sub-Committee Meeting Schedule report.**

**Discussion**

That the Sub-Committee members note there are no more Sub-Committee meetings to be held prior to the Australia Day Celebrations being held on 26 January 2015. The date of the debrief meeting is set down for:

- 13 February 2015

In an effort to keep the Sub-Committee members informed, should there be an outcome from the Stakeholders meeting for the Aquatic Activities (19 January 2015), which impacts on the Port Macquarie Australia Day Celebrations, an email will be forwarded the Tacking Point Lions Club representatives.

The 2015 Meeting schedule is outlined below. As previously advised electronic meeting invites have been forwarded to those who use Outlook. Sub-Committee members who do not use Outlook are reminded to please enter these dates in their diary.

- 28 August 2015
- 25 September 2015
- 30 October 2015
- 27 November 2015
- 18 December 2015

**Attachments**

Nil