

8. Mayoral Minutes

8.1 Mayoral Minute: Mobile Tiny Homes

To my fellow Councillors

Recommendation

That Council:

- 1. Trial a 2 year pilot program that would allow mobile tiny homes to be used as rental accommodation in association with an existing dwelling (with a maximum of 1 mobile tiny home per property),**
- 2. Develop a Local Approvals Policy under the provisions of the Local Government Act 1993, that would facilitate the trial and allow for mobile tiny homes to be installed as exempt development.**

Executive Summary

Shellharbour City Council is and will continue to work hard and be progressive in our commitment to providing housing supply to meet the needs of our community, and I am confident that the work that Council is doing today, will go a long way to addressing the housing needs of our community into the future. However, planning for and delivering housing takes time, and in the context of the current housing crisis, it is clear that all levels of Government need to do more to address this challenge.

In particular, we need to focus on short-term tangible solutions that will lead to more housing options on the ground quickly. That is why I am proposing a mobile tiny home pilot program, that will allow tiny homes to be installed on residential properties as rental accommodation, without the need for development approval, or extended construction times associated with costly new subdivisions and residential development.

I am proposing that Council develop a Local Approvals Policy that would allow for mobile tiny homes to be installed as exempt development for a 2 year trial period. This Local Approvals Policy would also provide detailed development standards and clear rules to ensure that the pilot program will not impact on adjoining properties, our local streetscapes, or the environment. The Local Approvals Policy can allow all mobile tiny homes to be connected to reticulated

water and sewer systems, or alternate and appropriated waste water solutions, and to be appropriately set back from side and rear boundaries.

The local approvals policy will go out on public exhibition for community feedback.

Approved for Council's Consideration: Mayor Chris Homer

**Minutes of the Ordinary Council Meeting
of Shellharbour City Council held in the Council Chambers,
Council Administration Centre, Shellharbour City Centre
on Tuesday, 26 March 2024 commencing at 6:15 PM**

Present

Mayor	C Homer
Deputy Mayor	K Marsh
Councillor	J Davey
Councillor	M Duffy-Moon
Councillor	C Gow
Councillor	J Graf
Councillor	M Hamilton
Councillor	L Stefanovski

In attendance

Chief Executive Officer	M Archer
Executive Director Corporate Services	S Bridgement
Executive Director Infrastructure Services	B Stewart
Executive Director Business Enterprises	W Peterson
Executive Director Community and Culture	K Jessep
Executive Director Planning and Environment	M Park
Executive Manager Corporate Governance and Risk	F Lepouras
Executive Manager Technology and Corporate Services	M Chiodo
Executive Manager Infrastructure and Projects	D Brilsky
Executive Manager Marketing and Communications	C Killeen
Manager Financial Services	P Henderson
Governance Manager	L Davey
Executive Assistant–Councillor Support (Minute Taker)	J Frasca

1 Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Custodians of the Dharawal Country and recognise their continued connection to the land we meet on today. We pay our respects to Elders past, present and emerging and the contribution they make to the life of this city and this region and extend our recognition to their descendants who continue to live on country.

Webcasting Statement

Council broadcasts its meeting live to enhance the accessibility of Council Meetings to the broader Shellharbour City Community. Recordings can be downloaded from Council's website for later viewing. For further information on Privacy refer to Council's website.

Council accepts no responsibility for any defamatory or offensive statements. Conduct standards of behaviour during Council meetings and Public Address forums are available on Council's website.

Should Council need to consider confidential matters during a Council Meeting, the open Council meeting will adjourn, the online webstreaming will be paused and will resume when the open meeting has resumed.

Please ensure that mobile phones and other electronic devices are turned off or are in silent mode for the duration of the meeting.

In the event of an emergency, please evacuate the building using the nearest exit and follow the instructions given by the wardens. Do not use the lifts.

Statement of Ethical Obligations

The Mayor and Councillors are reminded of their Oath/Affirmation of office made under Section 233A of the *Local Government Act 1993* and their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

2 Apologies

An apology was tendered on behalf of Councillor Petreski.

23 RESOLVED Cr Maree Duffy-Moon / Cr Colin Gow

That the apology as tendered be accepted.

CARRIED UNANIMOUSLY

3 Leave of Absence

Nil.

4 Confirmation of Minutes

4.1 Ordinary Council Meeting 12 December 2023

24 RESOLVED Cr Kellie Marsh / Cr Lou Stefanovski

That the Minutes of the Ordinary Council Meeting held on 12 December 2023 as circulated, be taken as read and confirmed as a correct record of proceedings, with the amendment requested at the Council Meeting on 27 February 2024.

CARRIED UNANIMOUSLY

4.2 Ordinary Council Meeting 27 February 2024

25 RESOLVED Cr Jacqui Graf / Cr Kellie Marsh

That the Minutes of the Ordinary Council Meeting held on 27 February 2024 as circulated, be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

4.3 Committee of the Whole (Confidential) Meeting 27 February 2024

26 RESOLVED Cr Kellie Marsh / Cr Lou Stefanovski

That the Minutes from the Committee of the Whole (Confidential) Meeting held on 27 February 2024 as circulated, be taken as read and confirmed as a correct record of proceedings.

CARRIED UNANIMOUSLY

5 Disclosures of Interest

Mayor Homer: Item 10.3.5 Request for Sponsorship of Community Events - Third Quarter Allocations 2023-2024 South Coast Board Riders Team Challenge.

Nature of Interest: The Mayor declared a Non-Significant Non-Pecuniary Interest for this item as he is a life member of Southbridge Board Riders. He will absent himself from the meeting during discussion and voting on the matter.

Councillor Gow: Item 10.3.5 Request for Sponsorship of Community Events - Third Quarter Allocations 2023-2024 South Coast Board Riders Team Challenge.

Nature of Interest: Cr Gow declared a Significant Non-Pecuniary Interest for this item as he is a Co-President and a life member of Southbridge Board Riders. He will absent himself from the meeting during discussion and voting on the matter.

Councillor Davey: Item 10.3.3 Request for Sponsorship of Community Events - Macedonian Women's Group Healthy Illawarra.

Nature of Interest: Councillor Davey declared a Non-Significant Non-Pecuniary Interest for this item as he is a Board Member of Warilla Community Neighbourhood Centre. He will remain in the room during discussion on the matter.

Councillor Stefanovski: Item 10.3.3 Request for Sponsorship of Community Events - Macedonian Women's Group Healthy Illawarra.

Nature of Interest: Councillor Stefanovski declared a Non-Significant Non-Pecuniary Interest for this item as he knows most of the Macedonian women in the group. He will remain in the room during discussion on the matter.

6 Condolences

Councillor Marsh acknowledged the passing of Mr Bill Dwarte and extended her condolences to his family.

Emilio Banco	of	Albion Park Rail
Brian Balgowan	of	Mt Warrigal
Aleksander “Alex” Ros	of	Mt Warrigal
Gregory Patrick Tolhurst	of	Mt Warrigal
Muriel Allsopp	of	Oak Flats
Manuel Luis	of	Oak Flats
Alan Thomas	of	Oak Flats
Vivienne Gwen Haggart	of	Warilla
Mary Bernadette Hannaford	formerly of	Warilla
Paul Patarcic	of	Warilla

27 A Motion of condolence was passed by all present standing for one minute's silence.

CARRIED UNANIMOUSLY

7 Mayoral Statements / Report / Presentations

Since the last meeting the Mayor attended the following events:

28 February	• ABC Interview - Airport Masterplan • Media Event - Shellharbour Football Club
29 February	• Media Launch - Ultimate Learner Log Book Run Experience • UDIA Illawarra Luncheon
1 March	• Launch of the 2024 NSW Rotary Emergency Services Community Awards • Illawarra Shoalhaven Defence Industry Conference dinner
2 March	• Airshows DownUnder event
6 March	• True Hearts BBQ Day

8 March	• International Women's Day Morning Tea • ISJO Board Meeting
10 March	• South Coast Dog Training Club - Flyball competition
11 March	• Launch NSW Seniors Festival
12 March	• Tafe connects with the Illawarra
15 March	• Football South Coast Season Launch
16 March	• Community Clean Up Day • Australian Philippine Association Illawarra Inc. 45th Foundation Anniversary Celebrations
19 March	• Economic Gardening Program Welcome
21-22 March	• CivicRisk Mutual Member Assembly
25 March	• Regional Skilled Migration event • Media Opportunity - Clermont Playground renewal
26 March	• Media Opportunity - Opening of Dawes Park multipurpose court Dawes Park

8 Mayoral Minutes

8.1 Mayoral Minute: Mobile Tiny Homes

28 RESOLVED Mayor Homer

That Council:

1. Trial a 2 year pilot program that would allow mobile tiny homes to be used as rental accommodation in association with an existing dwelling (with a maximum of 1 mobile tiny home per property),
2. Develop a Local Approvals Policy under the provisions of the Local Government Act 1993, that would facilitate the trial and allow for mobile tiny homes to be installed as exempt development.

CARRIED 5 / 3

For vote - Mayor Homer, Councillor Davey, Councillor Gow, Councillor Graf, Councillor Marsh

Against vote - Councillor Duffy-Moon, Councillor Hamilton, Councillor Stefanovski

9 Councillor Statements / Reports

Councillor Davey outlined his attendance at the Oak Flats High School Harmony Day event on behalf of the Mayor.

10 Reports

10.1 Chief Executive Officer

Nil.

10.2 Business Enterprises Directorate

10.2.1 Shell Cove Boat Harbour - Navigational Aids - Licence Agreement to Transport for NSW

29 RESOLVED Cr Lou Stefanovski / Cr Colin Gow

That:

1. Council endorse a licence agreement with Transport for NSW for a term of 99 years for \$1.00 for the purpose of access, maintenance and operation of six navigational aids over part Lot 9005 DP1254656, Lot 2 DP1022866, Lot 1066 DP125323, Lot 9002 DP1254656, Shell Cove Boat Harbour.
2. The Chief Executive Officer, or their nominated delegate, be authorised to sign all documentation associated with the licence agreement with Transport for NSW for the purpose of access, maintenance and operation of six navigational aids over part Lot 9005 DP1254656, Lot 2 DP1022866, Lot 1066 DP125323, Lot 9002 DP1254656, Shell Cove Boat Harbour.

CARRIED UNANIMOUSLY

10.3 Community and Culture Directorate

10.3.1 Requests for Financial Assistance - Third Quarter Allocation 2023-2024

30 RESOLVED Cr Kellie Marsh / Cr John Davey

That Council:

1. Provide financial assistance from the miscellaneous donations budget totalling \$8,345 to the following groups:

Applicant	Amount
Oak Flats Anglican Church	\$500
Southern Suburbs Netball Club Incorporated	\$400
Illawarra Quilters Inc.	\$400
Stingrays RLFC Shellharbour	Not Eligible
Oak Flats Junior Soccer Club Inc	\$1,000
Dapto Chiefs Junior Baseball Club	Not Eligible
Help2Help Limited TA Ratha's Place	\$800
Shellharbour City Basketball Club	Not Eligible
Oak Flats Community Garden	\$1,000
Lake Illawarra Athletics Association Inc	Not Eligible
Illawarra Stand Up Paddle Surfing Club	Not Eligible
Shellharbour Hospital Auxiliary	Not Eligible
St Paul's Albion Park-St Vincent de Paul Conference	\$500
Warilla RSL Sub-Branch	\$1,000
Rotary Club of Shellharbour City Inc	\$750
Warilla Lake South Minor RLFC	\$500
St Vincent de Paul, All Saints Conference Shellharbour	\$500
Oaks Womens Hockey Inc.	\$995
Shellharbour Football Club Inc.	Not Eligible

2. Approve the allocation of \$1,500 to Shellharbour City Baptist Church Assist Inc and \$500 to Albion Park Community Garden for fee reduction at Dunmore Recycling and Waste Disposal Depot from the Fee Reduction Budget 2023/2024.

CARRIED UNANIMOUSLY

10.3.2 Request for Sponsorship of Community Events - Third Quarter Allocations 2023-2024

31 RESOLVED Cr Lou Stefanovski / Cr John Davey

That Council:

1. Receive and note the approved sponsorship (\$812) for the following event that has already occurred:

Applicant	Event Details	Amount Requested	Recommendation	
			Cash	In-Kind
Cheryl Goulder	South Coast Tsunamis Regional Flyball Comp	\$1,567	\$500	\$312 in-kind towards Albion Park Showground
Sub-Total			\$500	\$ 312
Total			\$812	

2. Provide sponsorship from the sponsorship budget to the total value of \$12,793 to the following events:

Applicant	Event Details	Amount Requested	Recommendation	
			Cash	In-Kind
Courtney Beaton	Run Shellharbour	\$5,000	\$1,500	-
Albion Park RSL Sb Branch– Bob Minns	Albion Park RSL sub Branch ANZAC Dawn Service	\$500	\$500	-
Lake Illawarra PCYC– Stephanie Quirk	Collaborative Community Mural Workshops and Painting Series of Events	\$5,000	\$1,000	-
Kylie Morrison	The Goblin Queen’s Winter Ball & Eccentric Art Market	\$4,359	\$1,500	\$1,359 in-kind towards Civic Centre Hire

Yours and Owls Events– Balunn Jones	Jerry Can Touring Festival	\$10,000	\$2,000 (subject to this being a free to enter event)	-
Rebecca Dunning	Shellharbour SUP Festival	\$5,936	\$0 - not supported this time	-
Mission Australia– Tiffany Miller	2024 Summer Fair	\$1,934	\$1,000	\$934 in-kind to go towards Albion Park Showground, HACC centre, mowing and staff costs
NSW Rugby League– Alisha Hayes	Harmony 9s	\$6,500	\$1,500	\$1,500 in-kind to go towards Croome Sporting Complex fields
Sub-Total			\$ 9,000	\$ 3,793
Total			\$12,793	

3. Return any remaining funding to the general revenue within Council's 2023-2024 budget.

CARRIED UNANIMOUSLY

10.3.3 Request for Sponsorship of Community Events - Third Quarter Allocations 2023-2024-Macedonian Women's Group Healthy Illawarra

Councillor Davey declared a Non-Significant Non-Pecuniary Interest for this item and remained in the Chamber during the discussion on the matter.

Councillor Stefanovski declared a Non-Significant Non Pecuniary Interest for this item and remained in the Chamber during discussion on the matter.

32 RESOLVED Cr Kellie Marsh / Cr Maree Duffy-Moon

That Council receive and note the approved sponsorship (\$1,122) for the

following event that has already occurred:

Applicant	Event Details	Amount Requested	Recommendation	
			Cash	In-Kind
Macedonian Women's Group Healthy Illawarra – Biljana Stanoevska	Seniors Harmony Celebrations Warilla	\$5,122	\$1,000	\$122 in-kind towards Warilla Senior Citizens Centre hire
Sub-Total			\$1,000	\$122
Total			\$1,122	

CARRIED UNANIMOUSLY

10.3.4 Request for Sponsorship of Community Events - Third Quarter Allocations 2023-2024 - IAMPOWER Summit

33 RESOLVED Cr Jacqui Graf / Cr Colin Gow

That Council not endorse sponsorship of the following event:

Applicant	Event Details	Amount Requested	Recommendation	
			Cash	In-Kind
Sonia Houria Essia Rivas	IAMPOWER Summit	\$15,330	\$0 -Not eligible – Under the Policy (events Conference / dinner are not eligible)	-
Total			\$0	-

CARRIED UNANIMOUSLY

10.3.5 Request for Sponsorship of Community Events - Third Quarter Allocations 2023-2024 - South Coast Board Riders Team Challenge

Mayor Homer declared a Non-Significant Non-Pecuniary Interest for this item and left the Chamber at 7.22pm.

Councillor Gow declared a Significant Non-Pecuniary Interest for this item and left the Chamber at 7.22pm.

The Deputy Mayor assumed the Chair.

34 RESOLVED Cr John Davey / Cr Jacqui Graf

That Council not support the sponsorship application from Southbridge Boardriders Inc for the following event:

Applicant	Event Details	Amount Requested	Recommendation	
			Cash	In-Kind
Southbridge Boardriders Inc– Adam Gietzelt	South Coast Board Riders Team Challenge	\$5,000	\$0 -not supported this time	-
Total			\$0	-

CARRIED 5/1

For vote - Cr John Davey, Cr Maree Duffy-Moon, Cr Moira Hamilton, Cr Kellie Marsh, Cr Lou Stefanovski
Against vote - Cr Jacqui Graf

The Mayor and Councillor Gow returned to the Chamber at 7.23pm

The Mayor resumed the Chair.

10.4 Corporate Services Directorate

10.4.1 Monthly Investment Report - February 2024

35 RESOLVED Cr John Davey / Cr Kellie Marsh

That Council receive and note the Investment Portfolio report as at 29 February 2024.

CARRIED UNANIMOUSLY

10.4.2 Disclosure of Interest Returns - Recently Appointed Designated Persons

36 RESOLVED Cr Kellie Marsh / Cr Lou Stefanovski

That Council note the tabling of the Pecuniary Interest Disclosure Returns for the recently appointed Designated Persons in the positions of:

- Executive Manager Commercial Enterprises
- Contract Manager - Waste Services
- Manager Projects
- Manager The Links

CARRIED UNANIMOUSLY

10.4.3 Media and Social Media for Councillors Policy

37 RESOLVED Cr Maree Duffy-Moon / Cr Moira Hamilton

That Council adopt the Media and Social Media for Councillors Policy superseding the current individual Media Policy and Social Media for Mayor and Councillors Policy.

This resolution is a policy position of Council.

CARRIED 7 / 1

For vote - Mayor Homer, Councillor Davey, Councillor Duffy-Moon, Councillor Gow, Councillor Graf, Councillor Hamilton, Councillor Stefanovski
Against vote - Councillor Marsh

10.4.4 TechnologyOne CiAnywhere Live Upgrade

38 RESOLVED Cr Lou Stefanovski / Cr John Davey

That Council:

1. Resolves, under *Section 55(3)(i)* of the *Local Government Act 1993*, to

not call tender for a contract to carry out this service because it is satisfied that extenuating circumstances exist, such that a satisfactory result would not be achieved by calling tenders due to the unavailability of competitive tenders.

2. Approve a variation to the existing Software as a Service agreement with TechnologyOne Limited to commence on 28 March 2024, extending the initial agreement period from 30 June 2026 until 30 June 2029.
3. Delegate to the Chief Executive Officer the execution with TechnologyOne Limited the variation to the existing Software as a Service agreement to commence on 28 March 2024, extending the initial agreement period from 30 June 2026 until 30 June 2029.

CARRIED UNANIMOUSLY

10.5 Infrastructure Services Directorate

10.5.1 Tender 2023/118 - Main Contractor, Cec Glenholmes Oval Sportsfield Amenities Renewal, Lake Illawarra

39 RESOLVED Cr Jacqui Graf / Cr Moira Hamilton

That

1. In accordance with Section 178 of the *NSW Local Government (General) Regulation 2021*, accept the tender offer for Contract 2023/118 from Tenderer 'A' for Main Contractor, Cec Glenholmes Oval Sportsfield Amenities Renewal.
2. Council delegate to the Chief Executive Officer or their nominated delegate the authority to execute the Contract 2023/118 and sign the letters of acceptance, variations and associated documents on behalf of Shellharbour City Council.
3. In accordance with the *Government Information (Public Access) Act 2009*, the name of the successful contractor and amount payable under the contract be added to Council's contracts register.

CARRIED UNANIMOUSLY

10.6 Planning and Environment Directorate

10.6.1 Endorsement of the Draft Rural Lands Strategy for the purposes

of public exhibition

40 RESOLVED Cr Kellie Marsh / Cr John Davey

That:

1. Council endorse the Draft Rural Lands Strategy to be placed on public exhibition for a period of 28 days.
2. If no submissions are received as a result of public exhibition that require further consideration, that Council adopt the Draft Rural Lands Strategy, as attached to this report.

CARRIED 5 / 3

For vote - Mayor Homer, Councillor Davey, Councillor Gow, Councillor Graf, Councillor Marsh

Against vote - Councillor Duffy-Moon, Councillor Hamilton, Councillor Stefanovski

10.6.2 Update on Planning Proposal applications to permit Camping Grounds and Caravan Parks at Albion Park Showground, Ron Costello Oval and Beverley Whitfield Park

41 RESOLVED Cr Kellie Marsh / Cr John Davey

That Council:

1. Not support the preparation of Planning Proposal 2/2021 Ron Costello Oval, William Street, Shellharbour
2. Not support the preparation of Planning Proposal 4/2021 at Beverley Whitfield Park, Shellharbour Road, Shellharbour
3. Receive a report on an amended Planning Proposal 3/2021 at Albion Park Showground, 108A Tongarra Road, Albion Park

CARRIED 5 / 3

For vote - Mayor Homer, Councillor Davey, Councillor Gow, Councillor Graf, Councillor Marsh

Against vote - Councillor Duffy-Moon, Councillor Hamilton, Councillor Stefanovski

11 Committee Recommendations

11.1 Disability Access and Inclusion Advisory Committee Meeting 22 February 2024

42 RESOLVED Cr Moira Hamilton / Cr Jacqui Graf

That the Minutes from the Disability Access and Inclusion Advisory Committee Meeting held on 22 February 2024 be received and noted.

CARRIED UNANIMOUSLY

11.2 Aboriginal Advisory Committee Meeting 28 February 2024

43 RESOLVED Cr Colin Gow / Cr Lou Stefanovski

That the minutes from the Aboriginal Advisory Committee Meeting held on 28 February 2024 be received and noted.

CARRIED UNANIMOUSLY

11.3 Traffic Committee Meeting 6 March 2024

44 RESOLVED Cr John Davey / Cr Maree Duffy-Moon

In accordance with the delegated authority to Council, that the Minutes and Recommendations of the Traffic Committee Meeting held on 6 March 2024 be adopted.

CARRIED UNANIMOUSLY

11.4 Sports Assistance Advisory Committee Meeting 7 March 2024

45 RESOLVED Cr Kellie Marsh / Cr Colin Gow

That the Minutes and Recommendations of the Sports Assistance Advisory Committee Meeting held on 7 March 2024 be adopted.

CARRIED UNANIMOUSLY

12 Items for Information

12.1 Outcomes from Public Exhibition

12.2 Tripoli Way Extension Project – Status Update

The Items for Information 12.1 and 12.2 were formally noted.

13 Notices of Recission / Alteration Motions

Nil.

14 Notices of Motion

14.1 Notice of Motion submitted by Cr Jacqui Graf : Shellharbour Breakwater

46 RESOLVED Cr Jacqui Graf / Cr Kellie Marsh

That Council investigate the nomination of Shellharbour Breakwater to the State Heritage Register and write to Transport for NSW to request preparation of a Conservation Management Plan and commitment to ongoing maintenance and funding to assist in the long-term conservation of this item.

CARRIED UNANIMOUSLY

14.2 Notice of Motion submitted by Cr John Davey: Garden/Picnic Area Oak Flats

47 RESOLVED Cr John Davey / Cr Kellie Marsh

That Council Officers investigate the establishment and ongoing maintenance of a garden/picnic area in association with Lions Club Oak Flats at the western tip of Panorama Oval.

CARRIED 7 / 1

For Vote - Mayor Homer, Councillor Davey, Councillor Duffy-Moon, Councillor Gow, Councillor Hamilton, Councillor Marsh, Councillor Stefanovski
Against Vote - Councillor Graf

15 Questions on Notice (must be submitted in writing)

Nil.

16 Urgent Business

Nil.

17 Consideration of Motions to Declassify Reports Considered in Closed Session

17.1 Declassification of Confidential Reports: The Links Shell Cove and Shell Cove

48 RESOLVED Cr Kellie Marsh / Cr Lou Stefanovski

That Council approve the declassification of the following confidential reports:

1. Item 17.1 The Waterfront Shell Cove Land Purchase Option No. 9 considered by Council on 1 September 2020.
2. Item 17.1 The Waterfront Shell Cove Land Purchase Option No. 8 considered by Council on 30 June 2020.
3. Item 6.1 Sale of the Waterfront Tavern Land Shell Cove considered by Council on 27 November 2018 (with redactions).
4. Item 6.2 Shell Cove Maintenance Pontoons & Storage considered by Council on 4 September 2018.
5. Item 4.1 Shell Cove - Sale of Hotel Site considered by Council on 3 July 2018 (with redactions).
6. Item 6.2 The Links Shell Cove Subdivision Construction Project - Budget Adjustment considered by Council on 20 March 2018 (with redactions).

CARRIED UNANIMOUSLY

18 Confidential Business (Committee of the Whole in Closed Session)

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the opinion of the Chief Executive Officer, the following business is of a kind as referred to in Section 10A(2) of

the Act, and should be dealt with in a Confidential Session of the Council meeting closed to the press and public.

Set out below in Section 10A(2) of the Local Government Act 1993, in relation to Confidential Business:

10A(2) Which parts of a meeting can be closed to the Public? The matters and information are the following:

- (a) personnel matters concerning particular individuals,
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of a person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance or community land,
- (i) alleged contraventions of any code of conduct requirements applicable under Section 440.

18.1 Land Matters of Part Lot 401 DP 1302978 - 100 Illawarra Highway, Calderwood

Reason for Confidentiality

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) (c) of the *Local Government Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,

Council officers have been undertaking negotiations in relation to the value of the proposed land acquisitions required for the Tripoli Way Extension Project. If this matter was considered in open discussion it may be prejudice to the outcome of the negotiations that have taken place to date.

Declassification of this Report

The report will be declassified once the required land transactions have been completed for the Tripoli Way Extension Project.

19 Committee of the Whole in Closed Session (Closed to the Public): Adjournment

The Mayor asked whether anyone in the gallery wished to speak on the reasons why Item 18.1 should not be held in Confidential Session (Closed to the Public). No members of the gallery expressed an interest in addressing the Council.

49 RESOLVED Cr Maree Duffy-Moon / Cr Moira Hamilton

1. That Council resolve into Committee of the Whole (in Confidential Session) to consider the above business as listed, together with any late reports tabled at the meeting.
2. That pursuant to Section 10A(1-3) of the *Local Government Act 1993*, the press and public be excluded from the proceedings on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(c) of the Act as outlined above.
3. That the correspondence and reports relevant to the subject business be withheld from access to the press and public in accordance with Section 11(2) of the *Local Government Act 1993*.

CARRIED UNANIMOUSLY

Meeting adjourned at 8.20pm
Meeting resumed at 8.24pm

20 Committee of the Whole in Closed Session: Consideration of Adoption of Decisions Reached in Closed Session

The following recommendations to Council from the Committee of the Whole

in Closed Session were read to the Meeting by the Executive Manager Corporate Governance and Risk:

18.1 Land Matters of Part Lot 401 DP 1302978 - 100 Illawarra Highway, Calderwood

That Council approve the 'Committee Recommendation' regarding the Land Matters of Part Lot 401 DP 1302978 - 100 Illawarra Highway, Calderwood.

50 RESOLVED Cr Kellie Marsh / Cr Jacqui Graf

The Recommendations to the Council from the Committee of the Whole held earlier today be adopted.

CARRIED UNANIMOUSLY

Meeting closed at 8.26pm