

**Minutes of the Extraordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Warilla
on Tuesday 11 April 2006 commencing at 4.05 pm**

Present

His Worship the Mayor	Councillor D Hamilton
A Ward	Councillor M Greig (part) Councillor T Hawker
B Ward	Councillor H Stewart Councillor C Jeffreys
C Ward	Councillor D Briggs Councillor J Bailey (part)
D Ward	Councillor J Leedham Councillor T Hore
E Ward	Councillor C Mifsud Councillor G Rose
F Ward	Councillor B Bird Councillor H Gillett

In attendance

General Manager	B A Weir
Director of Operations & Services	A Webster
Director of Community Planning & Strategies	P O'Rourke
Director Shell Cove Business Unit	P Woodcock
Group Manager Corporate Planning	P Masterson
Group Manager Customer & Env Services	G Standen (part)
Acting Group Manager Planning Services	I Rankine
Corporate Solicitor – Manager Legal & Property Services	B McCann
Manager Development Services	G Mitchell
Corporate Meetings Officer	J Larsen

Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting.

1. Apologies / Leave of Absence

Extraordinary Council Meeting

An apology was tendered on behalf of Councillor Bailey and Councillor Greig

Extraordinary Council Meeting (in Committee of the Whole)

An apology was tendered on behalf of Councillor Bailey and Councillor Greig

138 RESOLVED: Briggs/Hore. That the apologies as tendered be accepted.

2. Pecuniary Interest

Nil

3. Presentations

Presentation by representatives from Stockland, Mr Phil Trefall, Mr George Meli and Mr Tim Rodgers.

139 RESOLVED: Briggs/Gillett

That Council allow Mr Phil Trefall, Mr George Meli and Mr Tim Rodgers from Stockland to address Council in Committee of the Whole Meeting of Council regarding City Centre Master Planning and Stockland Shellharbour.

4. Community Planning & Strategies Division

4.1 City Centre Master Planning and Stockland Shellharbour (8525980)

Reason for Confidentiality

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

- (d) commercial information of a confidential nature that would if disclosed:
 - (i) prejudice the commercial position of the person who supplied it

This item, if discussed in the Open Meeting of Council, would be contrary to the public interest because it is premature at this time. The appropriate time for its full release, such that the commercial position of the person who supplied it is not prejudiced, would be when a development application is lodged by the person supplying the information.

140 RESOLVED: Briggs/Leedham

1. That Council resolve into Committee of the Whole to consider the following 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) 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 as required by the *Local Government Act 1993*, Section 11(2).

Meeting adjourned at 4.09 pm

Meeting resumed at 4.55 pm

5. Recommendations from Committee of the Whole

The following Recommendations to Council from the Committee of the Whole Council were read to the Meeting by the General Manager.

COMMITTEE RECOMMENDATION:

That Council adopt Option (1) of this report, and that the confidentiality provisions relating to this report be waived in the event that Stockland commence the process of public consultation in the preparation for lodging a development application with Council along the lines outlined in the presentation provided at this Meeting.

Further that the General Manager keep Councillors informed of developments and progress and arrange a briefing for Councillors at DA lodgement time.

Late Items of Business / Urgent Business (as introduced by the Chairperson)

Meeting adjourned 4.56 pm

Meeting resumed 6.03 pm

The following Recommendations to Council from the Committee of the Whole Council were read to the Meeting by the General Manager.

COMMITTEE RECOMMENDATION:

1. That a full investigation be conducted into the distribution to outside sources of the Confidential Business Papers for the meeting on Wednesday 29 March 2006 discussing the General Manager's contract (8514922).
2. That all Councillors be questioned regarding the distribution of the Confidential Business Papers to outside sources regarding the General Manager's contract at the meeting on Wednesday 29 March 2006.
3. If an individual or individuals are found to have broken the rules regarding confidentiality of this Business paper that they be dealt with in the appropriate manner through the Code of Conduct Committee and/or the Department of Local Government and the Minister of that Department and the guilty party pay the maximum penalty.

141 RESOLVED: Briggs/Rose. That the Recommendations to Council from the Committee of the Whole Meeting held earlier today be adopted.

SHELLHARBOUR CITY COUNCIL

Extraordinary Council Meeting - Tuesday 11 April 2006

Meeting closed 6.05 pm

CONFIRMED as a correct record of proceedings at the Ordinary Meeting of the Council of the City of Shellharbour held 2 May 2006

General Manager

Chairperson