

**Minutes of the Extraordinary Meeting
of Shellharbour City Council
held at the Council Chambers, Council Administration Centre
Shellharbour City Centre
on Tuesday 15 July 2014 commencing at 4.32 pm**

Present

Mayor	M Saliba
Deputy Mayor	P Rankin
Councillor	K Marsh
Councillor	D Boyle
Councillor	H Stewart
Councillor	J Murray
Councillor	P Moran

In attendance

General Manager	M Willis
Acting Director City Outcomes	G Hoynes
Director Corporate Policy	L Furness
Director Shellharbour Enterprises	M Youell
Executive Manager / Public Officer	F MastroDomenico
Group Manager Finance	T Gearon
Group Manager Infrastructure Services	M Boenisch
Manager Property and Recreation	D Flanagan
Property Officer	M Scozzafava
Media Officer	C Lewis
Senior Executive Assistant	L Davey
Council Liaison Officer (Minute Taker)	J Frasca
CBRE	C Stewart

1. Acknowledgement to Country

Shellharbour City Council acknowledges the Traditional Owners and Custodians of the Land on which we are meeting and pays its respects to Elders past and present.

Webcasting Comment

The Mayor read the usual advice regarding the webcasting of the meetings of the Council and the emergency plan for Council Meetings.

2. Apologies / Leave of Absence

Extraordinary Council Meeting

Nil

3. Confidential Business (Committee of the Whole)

In accordance with the *Local Government Act 1993*, and the *Local Government (General) Regulation 2005*, in the opinion of the General Manager, 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 is 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 the 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.

CONFIDENTIAL ITEMS

3.1 Verbal Report

Terms, conditions and implications of the agreement between Council and Stockland relating to the possible purchase of Lamerton House

Reason for Confidentiality

This item is classified CONFIDENTIAL under the provisions of Section 10A(2)(d)(i) and 10A(2)(e) 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, and
- (e) information that would, if disclosed, prejudice the maintenance of law

The disclosure of the contents of the Deed could prejudice Council's position in terms of negotiating the sale of Lamerton House. The disclosure of the terms of the Deed would also amount to a breach of a contractual obligation by the Council which would prejudice the maintenance of the law.

4. Pecuniary Interest and Conflict of Interest Declarations

Nil

5. Addresses to Council

13.3.1 The duration of individual addresses is strictly limited to four minutes with no extensions permissible

13.3.2 Only the Chairperson is permitted to ask questions of any person addressing the Council.

Agenda Item No & Title	Name
3.1 Verbal Report - Terms, Conditions and Implications of the Agreement Between Council and Stockland Relating to the Possible Purchase of Lamerton House	Mark Jones (not present) Sonya McKay

The Mayor asked whether anyone in the gallery wished to speak on the reasons why Item 3.1 Verbal Report - Terms, conditions and implications of the agreement between Council and Stockland relating to the possible purchase of Lamerton House should not be held in Confidential Session (closed to the public). No members of the public gallery expressed their interest in addressing the meeting.

6. Committee of the Whole in Closed Session: Adjournment

191 RESOLVED: Rankin/Murray

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)(2)(d)(i) and 10A(2)(e) 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: 5/2

FOR VOTE - Cr Boyle, Cr Saliba, Cr Murray, Cr Rankin, Cr Marsh
AGAINST VOTE - Cr Moran, Cr Stewart

Meeting adjourned at 4.40pm

Meeting resumed at 6.01pm

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

The following Recommendations to Council from the Committee of the Whole Council (confidential) were read to the Meeting.

3.1 Verbal Report

Terms, Conditions and Implications of the Agreement Between Council and Stockland Relating to the Possible Purchase of Lamerton House

COMMITTEE RECOMMENDATION:

That this information be received and noted

192 RESOLVED: Murray/Marsh

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

CARRIED UNANIMOUSLY

Meeting closed 6.06 pm