

# **Minutes**

**Ordinary Meeting of Council**

**23 February 2016**

**ORDINARY MEETING OF COUNCIL**  
**HELD IN THE COUNCIL CHAMBERS, MORUYA**  
**ON TUESDAY 23 FEBRUARY 2016**

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**MINUTES OF THE  
ORDINARY MEETING OF COUNCIL  
HELD IN THE COUNCIL CHAMBERS, MORUYA  
ON TUESDAY 23 FEBRUARY 2016  
COMMENCING AT 10.00AM**

**PRESENT:** Councillor Lindsay Brown, Mayor (in the Chair)  
Councillors Danielle Brice, Gabi Harding, Liz Innes, Milton Leslight, Rob Pollock OAM and Peter Schwarz

**Staff:** Dr Catherine Dale, General Manager  
Mr L Usher, Director, Planning and Sustainability Services  
Mr W Sharpe OAM, Director, Infrastructure Services  
Mr A O'Reilly, Director, Finance and Business Development  
Mrs K Arthur, Director, Community, Arts and Recreation  
Mrs C Hodges, Minute Secretary  
Mrs K Green, Minute Secretary

**1. WELCOME AND EVACUATION MESSAGE**

The Mayor welcomed everyone to the meeting, acknowledged the Traditional Owners and advised of the Evacuation Procedure.

The Mayor advised the meeting that due to the large number of people presenting in Public Forum, he would deal with each agenda item following Public Forum presentations on that issue.

**2. APOLOGIES**

**APOLOGY**

**16/14 MOTION** Councillor Schwarz/Councillor Harding

THAT apologies be received from Councillor Burnside and leave of absence be granted.

(The Motion on being put was declared **CARRIED**)

**3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**16/15 MOTION** Councillor Harding/Councillor Pollock

THAT the minutes of the Ordinary Meeting held on 09 February 2016 be confirmed.

(The Motion on being put was declared **CARRIED**)

**4. DECLARATIONS OF INTEREST OF MATTERS ON THE AGENDA**

E87.6800; E16.0134

Councillor Harding declared a significant pecuniary interest in GMR16/004 Tender No. SE0001 Training Services and will leave the Council Chambers during discussion and voting on the matter.

**Reason:** Councillor Harding's employer is one of the panel members and her faculty could preside over possible training facilities.

**5. PRESENTATIONS**

Nil

**6. MAYORAL REPORTS**

Nil

**7. QUESTIONS ON NOTICE FROM COUNCILLORS**

Nil

**8. PETITIONS**

Nil

**9. PUBLIC FORUM (AGENDA ITEMS ONLY)**

(Minutes of Public Forum are a summary only and do not purport to be a complete transcript of the proceedings.)

**PF16/002 NOM16/002 Traffic Flow Throughout Eurobodalla  
During Holiday Season**

**PSR16/001 Adoption of Rural Lands Strategy**

File Ref: E16.0042; E00.4623; E12.6191

Mr Peter Bernard addressed Council in relation to NOM16/002 Traffic Flow Throughout Eurobodalla During Holiday Season and PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Bernard's submission is available on Council's website.

**EXTENSION OF TIME**

**16/16 MOTION** Councillor Leslight/Councillor Innes

THAT Mr Bernard be granted an extension of three minutes to complete his presentation.

(The Motion on being put was declared **CARRIED**)

**10. NOTICES OF MOTION**

**NOM16/002 TRAFFIC FLOW THROUGHOUT EUROBODALLA DURING HOLIDAY SEASON**

File Ref: E00.4623

**16/17 MOTION** Councillor Pollock/Councillor Brice

THAT:

1. Eurobodalla Shire Council convene a meeting between NSW Roads and Maritime Services, NSW Police and all other relevant agencies, with a view to improving traffic flow throughout the Eurobodalla during peak holiday seasons.
2. Council use the outcomes of this meeting to assist in future planning of the Princes and Kings Highways.

(The Motion on being put was declared **CARRIED**)

**PUBLIC FORUM (AGENDA ITEMS ONLY) (contd)**

(Minutes of Public Forum are a summary only and do not purport to be a complete transcript of the proceedings.)

**PF16/003 GMR16/003 Fit for the Future**

File Ref: E16.0042; E12.6443

Mr Ian Peters addressed Council in relation to GMR16/003 Fit for the Future. A copy of Mr Peters' submission is available on Council's website.

**EXTENSION OF TIME**

**16/18 MOTION** Councillor Leslight/Councillor Brice

THAT Mr Peters be granted an extension of three minutes to complete his presentation.

(The Motion on being put was declared **CARRIED**)



## **11. GENERAL MANAGER'S REPORTS**

### **GMR16/003 FIT FOR THE FUTURE**

File Ref: E12.6443

#### **16/19 MOTION** Councillor Schwarz/Councillor Harding

THAT Council:

1. Note the NSW Government's decision on 18 December 2015 that Eurobodalla Shire Council remains as a stand-alone Council and that it not merge with any neighbouring council or alter its boundaries.
2. Note and support Palerang Council's position in regards to the Minister for Local Government's merger proposals and Palerang Council's subsequent motion of 14 January 2016 at its Extraordinary Meeting.
3. Write to the Delegates of Queanbeyan and Goulburn Mulwaree and the residents who have written to Council regarding the proposed boundary change to the Palerang Council that splits the townships of Araluen and Neringla, expressing its concern with this proposed boundary.

(The Motion on being put was declared **CARRIED**  
Councillor Leslight voted against the Motion.)

**PUBLIC FORUM (AGENDA ITEMS ONLY) (contd)**

(Minutes of Public Forum are a summary only and do not purport to be a complete transcript of the proceedings.)

**PF16/004 PSR16/001 Adoption of Rural Lands Strategy** File Ref: E16.0042; E12.6191

Mr Ron Snape addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Snape's submission is available on Council's website.

**PF16/005 PSR16/001 Adoption of Rural Lands Strategy** File Ref: E16.0042; E12.6191

Mr Huon Hassall addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Hassall's submission is available on Council's website.

**PF16/006 PSR16/001 Adoption of Rural Lands Strategy** File Ref: E16.0042; E12.6191

Mr David Montgomery addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Montgomery's submission is available on Council's website.

**PF16/007 PSR16/001 Adoption of Rural Lands Strategy** File Ref: E16.0042; E12.6191

Mr Alan Burdon addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Burdon's submission is available on Council's website.

**EXTENSION OF TIME**

**16/20 MOTION** Councillor Leslight/Councillor Pollock

THAT Mr Burdon be granted an extension of three minutes to complete his presentation.

(The Motion on being put was declared **CARRIED**)

**PF16/008 PSR16/001 Adoption of Rural Lands Strategy** File Ref: E16.0042; E12.6191

Mr Paul Bradstreet addressed Council on behalf of ERA in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Bradstreet's submission is available on Council's website.

**EXTENSION OF TIME**

**16/21 MOTION** Councillor Leslight/Councillor Pollock

THAT Mr Bradstreet be granted an extension of three minutes to complete his presentation.

(The Motion on being put was declared **CARRIED**)

**PF16/009 PSR16/001 Adoption of Rural Lands Strategy**

File Ref: E16.0042; E12.6191

Mr Damien Rogers addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Rogers' submission is available on Council's website.

**EXTENSION OF TIME**

**16/22 MOTION** Councillor Leslight/Councillor Innes

THAT Mr Rogers be granted an extension of three minutes to complete his presentation.

(The Motion on being put was declared **CARRIED**)

**PF16/010 PSR16/001 Adoption of Rural Lands Strategy**

File Ref: E16.0042; E12.6191

Mr Ian Hitchcock addressed Council on behalf of the Eurobodalla Business and Community Forum in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Hitchcock's submission is available on Council's website.

**PF16/011 PSR16/001 Adoption of Rural Lands Strategy**

File Ref: E16.0042; E12.6191

Mr Peter Fluke addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Fluke's submission is available on Council's website.

**PF16/012 PSR16/001 Adoption of Rural Lands Strategy**

File Ref: E16.0042; E12.6191

Mr Andy Franz addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. Mr Franz discussed a variety of issues including effects on wildlife. He did not provide a written submission.

**PF16/013 PSR16/001 Adoption of Rural Lands Strategy**

File Ref: E16.0042; E12.6191

Mr Noel Dolton addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Dolton's submission is available on Council's website.

**PF16/014 PSR16/001 Adoption of Rural Lands Strategy**

File Ref: E16.0042; E12.6191

Mr Brian Kennedy addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Kennedy's submission is available on Council's website.

**PF16/015 PSR16/001 Adoption of Rural Lands Strategy**

File Ref: E16.0042; E12.6191

Mr Keith Dance addressed Council in relation to PSR16/001 Adoption of Rural Lands Strategy. A copy of Mr Dance's submission is available on Council's website.

## **ADJOURNMENT**

**16/23 MOTION** Councillor Brown

THAT the Ordinary Council Meeting be adjourned.

(The Motion on being put was declared **CARRIED**)

At 12.33pm the Mayor adjourned the Ordinary Meeting of Council.

At 12.40pm the Mayor reconvened the Ordinary Meeting of Council.

**PSR16/001 ADOPTION OF RURAL LANDS STRATEGY**

File Ref: E12.6191

**16/24 MOTION** Councillor Innes/Councillor Pollock

THAT Council adopt the Rural Lands Strategy in two parts via separate motions, so as to consider firstly the Rural Lands Strategy with the exception of those sections and recommendations related to the use of a Native Vegetation Overlay, and secondly consider the adoption of a position related to the sections and recommendations related to the use of a Native Vegetation Overlay.

(The Motion on being put was declared **CARRIED**)

**PSR16/001 ADOPTION OF RURAL LANDS STRATEGY**

File Ref: E12.6191

**16/25 MOTION** Councillor Innes/Councillor Pollock

THAT Council:

1. Adopt the Rural Lands Strategy attached to report PSR16/001 with the exception of those sections and recommendations related to the use of a Native Vegetation Overlay.
2. Endorse the preparation of a planning proposal to implement the recommendations of the Strategy as amended (by 1 above) and that such planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination prior to community consultation.
3. Thank the Rural Lands Strategy Steering Committee for their hard work and commitment throughout the process of developing the Rural Lands Strategy and present the planning proposal referred to above to the members of the Rural Lands Steering Committee for their information.
4. Thank persons who made submissions to the draft Strategy and those who otherwise contributed throughout the process.

(The Motion on being put was declared **CARRIED**)

**PSR16/001 ADOPTION OF RURAL LANDS STRATEGY**

File Ref: E12.6191

**MOTION** Councillor Innes/Councillor Leslight

THAT Council amend the Rural Lands Strategy so as to recommend that the Native Vegetation Overlay not be included in either the Local Environmental Plan or Development Control Plan.

(The Motion on being put was declared **LOST**)

**PSR16/001 ADOPTION OF RURAL LANDS STRATEGY**

File Ref: E12.6191

**16/26 MOTION** Councillor Pollock/Councillor Schwarz

THAT the Native Vegetation overlay be included in a code and referenced in relevant Development Control Plans as recommended by the Rural Lands Strategy Steering Committee.

(The Motion on being put was declared **CARRIED**)

**PUBLIC FORUM (AGENDA ITEMS ONLY) (contd)**

(Minutes of Public Forum are a summary only and do not purport to be a complete transcript of the proceedings.)

**PF16/016    FBD15/004 Markets in Moruya Riverside Park**

File Ref: E16.0042; E05.9368

Mr John Holgate, President of the Nature Coast Dragon Boat Club addressed Council in relation to FBD16/004 Markets in Moruya Riverside Park. A copy of Mr Holgate's submission is available on Council's website.

## **12. DEALING WITH MATTERS IN CLOSED SESSION**

In accordance with Section 10A(4) of the Local Government Act 1993, the General Manager invited members of the public to make verbal representations to the Council on whether the meeting should be closed to consider a confidential report.

The report is classified confidential under Section 10A(2)(d) 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, prejudice the commercial position of a person who supplied it.

It was noted that there were no public verbal representations on whether the meeting should be closed to consider the matter.

## **16/27 MOTION Councillor Brown**

THAT pursuant to Section 10A of the Local Government Act, 1993 the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

### **FBD16/004 Markets in Moruya Riverside Park**

Item FBD16/004 is confidential in accordance with s10A(2)(d) of the Local Government Act because it contains information that would, if disclosed, prejudice the commercial position of a person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(The Motion on being put was declared **CARRIED**)

At 1.20pm the Ordinary Meeting of Council moved into Closed Session.

At 2.18pm the Ordinary Meeting of Council resumed.

The General Manager advised the following motions were declared carried in Closed Session:

## **COUNCIL MEETING – EXTENSION OF TIME**

E06.0429

## **16/28 MOTION Councillor Harding/Councillor Brice**

THAT in accordance with the Code of Meeting Practice, the conclusion of the Council meeting be extended to 3.00pm.

(The Motion on being put was declared **CARRIED**)



**FBD16/004    MARKETS IN MORUYA RIVERSIDE PARK**

File Ref: E05.9368

**16/29    MOTION** Councillor Harding/Councillor Innes

THAT Council deal with the issue of the weekly Saturday markets and the weekly Tuesday markets in Riverside Park, Moruya as separate items.

(The Motion on being put was declared **CARRIED**)

**FBD16/004    MARKETS IN MORUYA RIVERSIDE PARK**

FILE REF: E05.9368

**16/30    MOTION** Councillor Harding/Councillor Innes

THAT:

1. Council receive a further report recommending a five-year licence be granted to Sustainable Agriculture & Gardening Eurobodalla Inc., subject to the same conditions as the licence for the Saturday markets at Riverside Park, Moruya, following consideration of the fees for the Tuesday farmers market;
2. Such licence would be subject to consent from the Minister administering the Crown Lands Act 1989 and based on a standard Crown Lands' licence with stall fees in accordance with Council's adopted Fees and Charges with additional conditions including:
  - (a) Random audits of stall numbers;
  - (b) Monthly reporting on weekly stall numbers;
  - (c) Annual provision of the licensee's audited financial details;
  - (d) Provision of Licensee's market committee report minutes;
  - (e) The licensee must abide by the licensee's governance provisions and constitution as detailed in its submission to the Expression of Interest for conducting weekly markets in Riverside Park;
  - (f) Written notice by given by the licensor to the licensee of breaches to the licensee's governance provisions or constitution outlined in (e) above; and
  - (g) The licensee to show cause why the licence should not be terminated following three written notices given in respect of (f) above.

(The Motion on being put was declared **CARRIED**)

**FBD16/004    MARKETS IN MORUYA RIVERSIDE PARK**

File Ref: E05.9368

**16/31    MOTION** Councillor Pollock/Councillor Brice

THAT subject to consent from the Minister administering the Crown Lands Act, 1989, Council as Trust Manager for the Eurobodalla (Central) Reserve Trust, grant a five-year licence to operate weekly Saturday markets to the parties set out in the confidential attachment to Report FBD16/004 based on a standard Crown Lands' licence with stall fees in accordance with Council's adopted Fees and Charges with additional conditions including:

- (a) Random audits of stall numbers;
- (b) Monthly reporting on weekly stall numbers;
- (c) Annual provision of the licensee's audited financial details;
- (d) Provision of Licensee's market committee report minutes;
- (e) The licensee must abide by the licensee's governance provisions and constitution as detailed in its submission to the Expression of Interest for conducting weekly markets in Riverside Park;
- (f) Written notice by given by the licensor to the licensee of breaches to the licensee's governance provisions or constitution outlined in (e) above;
- (g) The licensee to show cause why the licence should not be terminated following three written notices given in respect of (f) above.

(The Motion on being put was declared **CARRIED**)

The Mayor advised that once both parties have been advised of the outcome of Council's deliberations, a public announcement would be made on the successful applicant for the Saturday markets in Riverside Park, Moruya.

At 2.30pm Councillor Schwarz left the Chambers with the permission of the Chair and took no further part in proceedings.

**GMR16/004 TENDER NO SE0001 TRAINING SERVICES**

**DECLARATION OF INTEREST**

E87.6800; E16.0134

Councillor Harding declared a significant pecuniary interest in GMR16/004 Tender No. SE0001 Training Services and left the Council Chambers during discussion and voting on the matter.

**Reason:** Councillor Harding's employer is one of the panel members and her faculty could preside over possible training facilities.

At 2.21pm Councillor Harding left the Chambers.

**GMR16/004 TENDER NO SE0001 TRAINING SERVICES**

File Ref: E16.0134

**16/32 MOTION** Councillor Brice/Councillor Pollock

THAT:

1. Council endorses the selection of the preferred tenderers listed for Tender No SE0001 Training Services within the confidential attachment; and
2. Accordingly approves the entering into of a contractual arrangement with the preferred tenderers, subject to the terms specified in the Request for Tender unless otherwise varied in accordance with this report.

(The Motion on being put was declared **CARRIED**)

At 2.24pm Councillor Harding returned to the Chambers.

**13. PLANNING AND SUSTAINABILITY REPORTS**

**PSR16/002 NSW COASTAL MANAGEMENT REFORMS**

File Ref: E09.3154

**16/33 MOTION** Councillor Harding/Councillor Pollock

THAT:

1. Council thanks the Coastal and Environmental Management Advisory Committee for their review of the Coastal Management Reforms and input into Council's submissions.
2. Council adopt the submission for the Coastal State Environmental Planning Policy and the submission for Stage 2 Coastal Reforms prepared in response to the exhibition of the NSW Coastal Management Reforms and submit to the NSW Department of Planning and Environment and the Office of Heritage.
3. Council forward the submission for the Coastal State Environmental Planning Policy and the submission for Stage 2 Coastal Reforms to the Hon Andrew Constance MP, Minister for Transport and Infrastructure and Member for Bega, for information.

(The Motion on being put was declared **CARRIED**  
Councillors Leslight and Innes voted against the Motion.)

**14. INFRASTRUCTURE REPORTS**

**IR16/003      ROSEDALE AND GUERILLA BAY SEWERAGE SCHEME**

File Ref: E06.0086

**16/34    MOTION** Councillor Harding/Councillor Pollock

THAT:

1. Council accepts the offer of financial assistance under the Country Towns Water Supply and Sewerage Program of up to \$2,480,674 for stage two of the Rosedale/Guerilla Bay Sewerage Scheme.
2. The Common Seal of Council be affixed to the grant document.

(The Motion on being put was declared **CARRIED**)

**IR16/004      CORRIGANS BEACH RESERVE ACCESSIBLE PLAYGROUND SUNSET ADVISORY  
COMMITTEE - DRAFT CONCEPT PLAN OF CORRIGANS BEACH RESERVE  
INCLUSIVE PLAYGROUND**

File Ref: E15.9130

**16/35    MOTION** Councillor Harding/Councillor Brice

THAT:

1. Council endorse the draft concept plan and 'Ideas Booklet' of the Corrigan's Beach Reserve Inclusive Playground and it be placed on public exhibition for a period of 21 days for comment.
2. A copy of the draft plan, including the 'Ideas Booklet', of the Corrigan's Beach Reserve Inclusive Playground be provided to the Disability Advisory Committee for comment.
3. Following the consultation period, the results be referred back to the Corrigan's Beach Reserve Accessible Playground Committee to make recommendations to Council.

(The Motion on being put was declared **CARRIED**)

**IR16/005      PATHWAYS STRATEGY - FORMATION OF SUNSET COMMITTEE**

File Ref: E07.1434

**16/36    MOTION** Councillor Brice/Councillor Brown

THAT:

1. The Pathways Strategy Sunset Advisory Committee be formed to undertake the role as outlined in the Terms of Reference.
  2. The Committee remain in place until the Strategy is adopted by Council.
  3. The Pathways Strategy Sunset Advisory Committee consist of the following representatives:
    - a. Councillor Danielle Brice (Chair) and Mayor Lindsay Brown
    - b. two community members
    - c. one cycling representative
    - d. one Disability Advisory Committee representative.
  4. Expressions of Interest be sought for the community and cycling representatives, and this be advertised for a period of 21 days, encouraging walkers, cyclists and people of differing age groups to put their name forward.
  5. The Terms of Reference for the Pathways Strategy Sunset Advisory Committee be adopted.
- (The Motion on being put was declared **CARRIED**)



**IR16/006      CONSTRUCTION OF CONCRETE BRIDGE AT MOGENDOURA CREEK, LARRYS  
MOUNTAIN ROAD, MORUYA - TENDER 2016-ISD-085**

File Ref: E15.9384

**16/37    MOTION** Councillor Innes/Councillor Pollock

THAT the tender from Jarvis Norwood Constructions be accepted for construction of a concrete bridge at Mogendoura Creek, Larry's Mountain Road, Moruya.

(The Motion on being put was declared **CARRIED**)

**15. FINANCE AND BUSINESS DEVELOPMENT REPORTS**

**FBD16/005 LEASE OF COMMUNITY LAND - MELALEUECA CRESCENT, CATALINA**

File Ref: E03.7447

**16/38 MOTION** Councillor Pollock/Councillor Innes

THAT:

1. The draft amendment to the Catalina Reserves and the Hanging Rock Boat Ramp Car park Reserve Plan of Management for the re-categorisation of part of Lot 39 DP 800369, Melaleuca Reserve, Catalina from "Park" to "General Community Use" for the purpose of permitting the lease of part of the land for an educational therapy centre for children with disabilities be endorsed for exhibition to the public for a period of 28 days and that public submissions be received for a period of 42 days.
2. A consultant be engaged as an independent chairperson to hold a public meeting into the draft amendment to the Catalina Reserves and Hanging Rock Boat Ramp Car park Reserve Plan of Management.
3. A further report be received following the receipt of the report from the independent person chairing the public hearing into the re-categorisation of part of Melaleuca Reserve.

(The Motion on being put was declared **CARRIED**)

**FBD16/006 LICENCE FOR BATEMANS BAY RADIO CONTROL CLUB**

File Ref: E16.0129; 90.0372.D

**16/39 MOTION** Councillor Innes/Councillor Harding

THAT:

1. Subject to consent from the Minister administering the Crown Lands Act 1989, Council as Trust Manager for Eurobodalla (North) Reserve Trust consent to the granting of a five-year licence to Batemans Bay Radio Control Club Inc. to conduct Club activities on Crown Reserve R66122 at Corrigans Beach, Batehaven with terms and conditions including:
  - (a) Annual fee in line with Statutory Crown minimum rent
  - (b) Full responsibility for the repair and maintenance of the remote control car track and all associated facilities including structural replacement
  - (c) Maintenance of public liability insurance for \$20 million
  - (d) The licence area to be maintained in a clean and tidy state
  - (e) No fixed structures to be constructed without the consent of Licensor
  - (f) No signage, including sponsor's signage, without the consent of Licensor.
2. Consent be given to construct a temporary starter's stand.

(The Motion on being put was declared **CARRIED**)

**16. COMMUNITY, ARTS AND RECREATION REPORTS**

Nil

**17. DELEGATE REPORT**

**DR16/002 NSW COASTAL CONFERENCE 2013**

File Ref: E91.3255; E09.3154

**16/40 MOTION** Councillor Innes/Councillor Brice

THAT Councillor Liz Innes' delegate's report following her attendance at the NSW Coastal Conference in Port Macquarie in November 2013, be received and noted.

(The Motion on being put was declared **CARRIED**)

**DR16/003     NSW COASTAL CONFERENCE 2014**

File Ref: E91.3255; E14.8054

**16/41     MOTION** Councillor Innes/Councillor Brice

THAT Councillor Liz Innes' delegate's report following her attendance at the NSW Coastal Conference in Ulladulla in November 2014, be received and noted.

(The Motion on being put was declared **CARRIED**)

**DR16/004      AUSTRALIAN COASTAL COUNCILS CONFERENCE - 2014**

File Ref: E91.3255

**16/42      MOTION** Councillor Innes/Councillor Brice

THAT Councillor Liz Innes' delegate's report following her attendance at the Australian Coastal Councils Conference in Ballina in 2014, be received and noted.

(The Motion on being put was declared **CARRIED**)

**18. QUESTIONS/URGENT BUSINESS**

Nil

**19. DEALING WITH MATTERS IN CLOSED SESSION**

In accordance with Section 10A(4) of the Local Government Act 1993, the General Manager invited members of the public to make verbal representations to the Council on whether the meeting should be closed to consider a confidential report.

The report is classified confidential under Section 10A(2)(d) 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, prejudice the commercial position of a person who supplied it.

It was noted that there were no public verbal representations on whether the meeting should be closed to consider the matter.

**16/43 MOTION** Councillor Brown

THAT pursuant to Section 10A of the Local Government Act, 1993 the following items on the agenda for the Ordinary Council meeting be dealt with in Closed Session for the reasons specified below:

**CON16/002 Property Matter**

Item CON16/002 is confidential in accordance with s10(A)(2)(di) of the Local Government Act because it contains commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it and discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

(The Motion on being put was declared **CARRIED**)

At 2.35pm the Ordinary Meeting of Council moved into Closed Session.

At 2.39pm the Ordinary Meeting of Council resumed.



**20. CONFIDENTIAL MATTERS**

**CON16/002 PROPERTY MATTER**

File Ref: E15.9001

The General Manager advised the following recommendation was declared carried in Closed Session.

That the recommendations considered in closed session were noted and accepted.

**THE MEETING CLOSED AT 2.40PM**

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CHAIRPERSON

Chairperson of the Ordinary Council Meeting held on Tuesday 8 March 2016 at which meeting the signature hereon was subscribed.