

Closed Reports

Closed Reports to the Ordinary Meeting of Council held on Monday 17 October 2016

CLOSED REPORTS

In accordance with the *Local Government Act 1993* (the Act) 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 part of the meeting closed to the media and public.

PE14 **NSW Land & Environment Court Proceedings – Commercial Development at 55-57 Menangle Street, Picton**
265155TRIM 8999

Set out below is Section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

“(g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,”

On 12 February 2016, JT Consulting Services Pty Ltd filed a Class 1 Application in the New South Wales Land and Environment Court (LEC. NO 10106 of 2016) against the Notice of Determination dated 17 August 2015 refusing Development Application No. D525-05 for development described as Alterations and Additions to existing commercial building, to create eight (8) ground level shops, nine (9) units of shop-top housing dwellings over new shops and landscaped area at the southern end of the site and a draft voluntary planning agreement (VPA) at Lot 1 in DP 1005423 and described as 55-57 Menangle Street, Picton.

On 21 July 2016, Council appeared before Commissioner O’Neill of the Land and Environment Court at a s34 Conciliation Conference (Conference).

G07 **Divestment of Land - Old Post Office**
10845TRIM 9294

Set out below is Section 10A(2) of the *Local Government Act 1993* in relation to matters which can be dealt with in the closed part of a meeting.

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

The report is closed due to the releasing of the information would prejudice the commercial position of Council to carry out business.

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Pursuant to section 10A(4) of the *Local Government Act 1993* the public are invited to make representations to the Council meeting before any part of the meeting is closed, as to whether that part of the meeting should be closed.

RECOMMENDATION

1. That Council move into Closed Session to consider the closed reports PE14 and GO7.
2. That pursuant to Section 10A(1) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2)(g).
3. That the correspondence and reports relevant to the subject business be withheld from access to the media and public as required by Section 11(2) of the Local Government Act 1993.