

16. Urgent business (Cr Wenham)

16.1 Application by Telstra for the installation of a Telecommunications Tower within Sellicks Beach

MOVED Cr Wenham.

1. That:

a. Under the provisions of Section 90(2) of the Local Government Act 1999 an Order be made that the public be excluded from attendance at the meeting in order to consider in confidence this item.

b. That Council is satisfied that it is necessary that the public be excluded to enable Council to consider an item in urgent business at the meeting on the following grounds:

Section 90(3)(h) - legal advice

Section 90(3)(i) information relating to actual litigation, or litigation that the Council or council committee believes on reasonable grounds will take place, involving the council or an employee of the council.

c. accordingly on this basis, the principle that meetings of the Council should be conducted in a place open to the public has been outweighed by the need to keep the information and/or discussion confidential.

Seconded by Cr de Jonge.

CARRIED

Cr de Jonge left the meeting at 10.59pm.

MOVED Cr Wenham.

2. That a report comes to Council as soon as possible that canvasses appeal options regarding the outcomes of the legal proceedings in relation to the application by Telstra for the installation of a telecommunications tower within Sellicks Beach.

Seconded by Cr Bray.

Cr Olsen left his seat in the Chamber at 11.12pm.

Cr Chapman left his seat in the Chamber at 11.12pm.

Cr Olsen resumed his seat in the Chamber at 11.14pm.

Cr Chapman resumed his seat in the Chamber at 11.15pm.

CARRIED.

MOVED Cr Bray.

3. That the matter of the Application by Telstra for the installation of a Telecommunications Tower within Sellicks Beach having been considered in confidence under Sections 90(3)(h) and 90(3)(i) of the Local Government

Act 1999 an order be made under the provisions of Section 91(7)and (9) of the Local Government Act 1999 that minutes and the relating discussion of the subject be kept confidential until conclusion of legal proceedings (including any appeal actions).

4. *That, pursuant to section 91(9)(a) of the Local Government Act 1999, Council delegates the duty to conduct an annual review of the confidentiality order to the Chief Executive Officer, or their sub-delegate.*
5. *That, pursuant to section 91(9)(c) of the Local Government Act 1999, Council delegates the power to revoke the confidentiality order to the Chief Executive Officer, or their sub-delegate.*

*Seconded by **Cr Schulze**.*

CARRIED.