



Late Closed Report

LATE CLOSED REPORT

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.

PE5 **Development Application No. 010.2015.00000316.001 – 115 Kelsalls Road, Lakesland – Extension to existing poultry sheds 4, 5 and 6 and construct additional two (2) new sheds**
266876 TRIM 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,”

Residents who made submissions to Council during the assessment of the application have expressed dissatisfaction with the determination and indicated that an Appeal under Section 123 of the *Environmental Planning and Assessment Act 1979* may be lodged with the Land and Environment Court to challenge Council's determination.

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 closed report PE5 – Development Application No. 010.2015.00000316.001 – 115 Kelsalls Road, Lakesland – Extension to existing poultry sheds 4, 5 and 6 and construct additional two (2) new sheds.
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*.