



# **MINUTES OF THE ORDINARY MEETING OF COUNCIL**

**commencing at 5pm on**

**TUESDAY 28 APRIL 2015**

Council Chambers  
11 Manning Street, KIAMA NSW 2533

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE  
MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS,  
KIAMA, ON TUESDAY 28 APRIL 2015 AT 5PM**

**PRESENT:** Mayor – Councillor B Petschler,  
Deputy Mayor – Councillor W Steel  
Councillors M Honey, G McClure, N Reilly, K Rice, D Seage,  
A Sloan and M Way

**IN ATTENDANCE:** General Manager, Director of Environmental Services, Director  
of Corporate and Commercial Services, Director of Engineering  
and Works and Director of Community Services

**1 APOLOGIES**

Nil

**2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

The Mayor declared the meeting open and acknowledged the traditional owners:

*“On behalf of those present, I would like to show my respect and acknowledge the traditional owners of the Land, of Elders past and present, on which this meeting takes place, and extend that respect to other Aboriginal and Torres Strait Islander people present.”*

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**3.1 Ordinary Council Meeting held on 17 March 2015**

*15/082*

**Resolved** that the Minutes of the Ordinary Council Meeting held on 17 March 2015 be received and accepted.

(Councillors Way and Sloan)

**3.2 Extraordinary Meeting on 23 March 2015**

*15/083*

**Resolved** that the Minutes of the Extraordinary Meeting held on 23 March 2015 be received and accepted.

(Councillors Way and Sloan)

**4 BUSINESS ARISING FROM THE MINUTES**

Nil

**5 PUBLIC ACCESS**

Mr Keith Watson – Review of Determination – DA 10.2014.274.1 – Lot 24 DP241462  
35 Armstrong Avenue Gerringong (Item 9.1)

Mr Laurie Borg - Review of Determination – DA 10.2014.274.1 – Lot 24 DP241462  
35 Armstrong Avenue Gerringong (Item 9.1)

Mr Brian Hudson – Carpark and Toilet Facilities – Loves Bay Kiama Heights (Item  
13.3)

**6 MAYORAL MINUTE****6.1 National Dairy Cattle Young Judge Champion**

*15/084*

**Resolved** that Council writes to Ashleigh Mayo congratulating her on her recent success in winning both the State and National Young Dairy Judge Championships.

(Councillors Petschler and Sloan)

*15/085*

**Resolved** that at this time Council bring forward and deal with matters pertaining to the Addendum to Reports.

(Councillors Petschler and Sloan)

**16.1 ANZAC DAY COMMEMORATION 2015 (100TH ANNIVERSARY) - SPIRIT OF ANZAC AWARD TO MR MICHAEL FORSYTH**

*15/086*

**RESOLVED THAT:**

1. COUNCIL EXTEND ITS CONGRATULATIONS TO THE KIAMA/JAMBEROO AND GERRINGONG SUB-BRANCHES OF THE RSL FOR THE WORK UNDERTAKEN IN PREPARING AND CONDUCTING THE MUNICIPALITY'S COMMEMORATION OF THE 100<sup>TH</sup> ANNIVERSARY OF THE ANZAC LANDINGS AT GALLIPOLI.
2. COUNCIL CONGRATULATES THE GENERAL MANAGER, MR MICHAEL FORSYTH, ON HIS RECEIPT OF THE "SPIRIT OF ANZAC" AWARD PRESENTED BY THE KIAMA/JAMBEROO SUB-BRANCH OF THE RSL IN RECOGNITION OF HIS SUPPORT IN THE 100<sup>TH</sup> ANNIVERSARY COMMEMORATIONS.
3. COUNCIL'S APPRECIATION BE EXTENDED TO THE STAFF WHO ASSISTED IN SUPPORTING THE ANZAC COMMEMORATIONS.

(COUNCILLORS PETSCHLER AND WAY)

## 16.2 RE-ELECTION OF MR GARETH WARD AS MEMBER FOR KIAMA

15/087

**RESOLVED** THAT COUNCIL EXTEND ITS BEST WISHES TO MR GARETH WARD MP ON HIS RE-ELECTION AS THE MEMBER FOR KIAMA AND ON HIS APPOINTMENT AS PARLIAMENTARY SECRETARY FOR THE ILLAWARRA.

(COUNCILLORS PETSCHLER AND STEEL)

## 7 MINUTES OF COMMITTEES

Nil

## COMMITTEE OF THE WHOLE

15/088

**Resolved** that at this time, 5.08pm, Council form itself into a Committee of the Whole to deal with matters listed in the reports as set out below:

- Report of the Director Environmental Services
- Report of the General Manager
- Report of the Director Corporate and Commercial Services
- Report of the Manager Corporate Services
- Report of the Director Engineering and Works
- Report of the Director Community Services
- Addendum to Reports

(Councillors Seage and Steel)

## 8 PUBLIC ACCESS REPORTS

15/089

**Committee recommendation** that at this time, 5.08pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Steel and Seage)

## REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

### 9.1 Review of Determination - DA 10.2014.274.1 - Lot 24, DP241462, 35 Armstrong Avenue Gerringong.

15/090

**Committee recommendation** that Council uphold the original decision to refuse DA 10.2014.274.1 for the following reasons:

1. Pursuant to the provisions of 79C (1)(a)(iii) of the Environmental Planning & Assessment Act 1979 the proposal is inconsistent with Section 5 of Chapter 2 of Kiama Development Control Plan 2012 in that the proposal does not adequately consider view sharing principles.
2. Pursuant to the provisions of 79C (1)(d) of the Environmental Planning & Assessment Act 1979, a valid objection regarding view loss has been made in accordance with the Environmental Planning & Assessment Act 1979 and Environmental Planning Regulations 2000.
3. Pursuant to the provisions of 79C (1)(e) of the Environmental Planning & Assessment Act 1979, the proposal is not considered to be in the public interest.

(Councillors Sloan and Way)

For: Councillors Way, Rice, Sloan, Steel, Seage, McClure and Petschler  
Against: Councillors Honey and Reilly

## REPORT OF THE DIRECTOR ENGINEERING AND WORKS

### 13.3 Carpark and Toilet Facilities Loves Bay

*15/091*

**Committee recommendation** that Council proceeds with the construction of the toilet as shown on the plans attached to this report as soon as possible and the carparking facilities at Loves Bay once a formal licence agreement with RailCorp for access over their land has been executed.

(Councillors Way and McClure)

## 9 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

### 9.2 Draft Minnamurra River Coastal Zone Management Plan for public exhibition

*15/092*

**Committee recommendation** that Council endorse the Draft Minnamurra River Coastal Zone Management Plan to be placed on public exhibition for a minimum of 28 days and a further report be submitted to Council after the expiry of the exhibition period and consideration of submissions.

(Councillors Way and McClure)

*15/093*

**Committee recommendation** that the Notice of Motion proposed by Councillor Reilly be brought forward.

(Councillors Reilly and Steel)

## NOTICE OF MOTION

### 17.2 Capital New (Not included in Delivery Plan)

#### 15/094

It was moved that those items which have any component of revenue funding (for the purposes of this motion this includes items that are fully or partly funded by discretionary section 94 funding and/or items that have not previously been before Council for ratification) listed as in our budget preparation documents as 'CAPITAL NEW (NOT INCLUDED IN DELIVERY PLAN)' be placed in a specific category of 'Unfunded, extraordinary capital projects'. The item, an estimated cost for that item and estimated timeframe to complete (from approval to delivery) be listed in this specific category.

If a Councillor wishes Council to proceed with a specific project from this list, a Notice of Motion must be put, outlining the benefits and need for that project in terms of our Integrated Planning and Reporting Framework and clearly identifying how that project satisfies the required quadruple bottom line and identify the area of budget from which the project will be funded. The motion will be debated in open council and if successful, the project will proceed. This process may not necessarily be limited to that list. If another item is considered 'Required', a Notice of Motion must first be put to have that item included on the list of 'unfunded , extraordinary capital projects' and if this is successful, the new item may be progressed in the manner described above.

(Councillors Reilly and Honey)

#### 15/095

An amendment was moved by Councillor Sloan and seconded by Councillor Way that those items which have any component of revenue funding (for the purposes of this Motion, this includes items that are fully or partly funded by discretionary Section 94 funding unless they have previously been before Council for ratification) listed as in our budget preparation documents as 'CAPITAL NEW (NOT INCLUDED IN DELIVERY PLAN)' be placed in a specific category of 'Unfunded, extraordinary capital projects'. The item, an estimated cost for that item and estimated timeframe to complete (from approval to delivery) be listed in this specific category.

If a Councillor wishes Council to proceed with a specific project from this list, a Notice of Motion must be put, outlining the benefits and need for that project in terms of our Integrated Planning and Reporting Framework and clearly identifying how that project satisfies the required quadruple bottom line and identify the area of budget from which the project will be funded. The motion will be debated in open council and if successful, the project will proceed. This process may not necessarily be limited to that list. If another item is considered 'Required', a Notice of Motion must first be put to have that item included on the list of 'unfunded , extraordinary capital projects' and if this is successful, the new item may be progressed in the manner described above.

(Councillors Sloan and Way)

The amended motion was put and **carried**.

## **10 REPORT OF THE GENERAL MANAGER**

### **10.1 Draft Operational Plan 2015/2016**

#### **15/096**

It was moved by Councillor Way and seconded by Councillor Rice that projects shown in the draft Operational Plan under Capital New (not included in Delivery Plan) under section suggested projects from briefing 23/03/15 that have no Council revenue allocated to them and are funded by grants and/or Section 94 allocation be included in the draft Operational Budget Capital New Program 2015-2016 Delivery Plan.

(Councillors Way and Rice)

An amendment was moved by Councillor Sloan and seconded by Councillor Steel that the proposed footpath from Gwinganna Avenue to the entrance to the coastal walking track in Boanyo Avenue be deleted.

(Councillors Sloan and Steel)

The amended motion was put and **lost**.

#### **15/097**

A further amendment was moved that the Fountaindale Dam projects be deleted to enable Council to seek Government funding for either removal or completion of the studies.

(Councillors Seage and Steel)

The amended Motion was put and **carried**.

#### **15/098**

**Committee recommendation** that, in accordance with Section 405 of the Local Government Act as amended, Council place the Draft Operational Plan for 2015/2016 on exhibition subject to the above amendments.

(Councillors Seage and McClure)

### **10.2 Australia Day National Conference 2015**

#### **15/099**

**Committee recommendation** that Council endorses Events Assistant, Melissa Colless, to attend the Coast to Coast National Australia Day Conference to be held on the Gold Coast on 11-12 June 2015.

(Councillors Seage and McClure)

### 10.3 Illawarra Folk Club

*15/100*

**Committee recommendation** that Council again sponsors the Folk by the Sea Festival to be held in Kiama from 4-6 September 2015 by a donation of \$5000, use of the Kiama Pavilion and Hindmarsh Park and provision of waste services.

(Councillors Seage and McClure)

## 11 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL SERVICES

Nil

## 12 REPORT OF THE MANAGER CORPORATE SERVICES

### 12.1 Statement of Investments

*15/101*

**Committee recommendation** that the information relating to the Statement of Investments for March 2015 be received and adopted.

(Councillors Way and Sloan)

## 13 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

### 13.1 Plant Replacement - Garbage Compaction Truck

*15/102*

**Committee recommendation** that Council purchases one new Iveco Acco Chassis with Bucher Municipal compaction body from Sydney Trucks & Machinery at a cost of \$348,703 +GST.

(Councillors Seage and Steel)

### 13.2 Acquisition of Land - Swamp Road Jamberoo

*15/103*

**Committee recommendation** that Council:

1. acquire that part of Lot 55 DP751290 as shown on the attachment to this report having an area of 174.12m<sup>2</sup> (subject to final survey) for \$3,000 excluding GST;
2. meet all associated costs with the acquisition including survey, plan registration and legal fees and also boundary fence re-establishment immediately adjoining



the acquired areas;

3. dedicate the acquired land as public road (Swamp Road) and accordingly classify the land as operational land; and
4. authorise the General Manager and Mayor to sign any documentation and plans associated with the land acquisition under the seal of Council.

(Councillors Honey and Reilly)

### **13.4 Easement over Lot 269 DP782043**

*15/104*

**Committee recommendation** that Council:

1. proceed with a compulsory acquisition for the purposes of an easement for stormwater under the Land Acquisition (Just Terms Compensation) Act 1991 over Lot 269 DP782043 being the Werri Beach Caravan Park (R80816);
2. make an application to the Minister and the Governor for approval to acquire the land for a stormwater easement on Lot 269 DP782043 by compulsory process under Section 186(1) of the Local Government Act 1993;
3. classify the land as community land;
4. request the Minister for Local Government to approve a reduction in the notification period from 90 days to 30 days;
5. pass all costs associated with the easement acquisition, survey, statutory costs and plan registration to the developer acting on development consent D2014.110;
6. give the Mayor and General Manager delegated authority to the signing of all documents associated with the easement creation including the seal of Council.

(Councillors Way and Rice)

## **14 REPORT OF THE DIRECTOR COMMUNITY SERVICES**

### **14.1 Sponsorship Request: Cystic Fibrosis Australia - Great Escape Fun Car Rally**

*15/105*

**Committee recommendation** that Council support the Great Escape Fun Car Rally through the donation of the hire fees and charges for the Pavilion and Black Beach Reserve.

(Councillors Way and Rice)

### **14.2 Kiama Access Committee**

*15/106*

**Committee recommendation** that Council investigate further the options and costs for the inclusion of an adult change table facility at the Kiama Leisure Centre, and the Kiama Hospital site re-development, including the drafting of plans for such a facility.

(Councillors Rice and Sloan)

#### **14.3 Making Cities Liveable Conference 2015 - Request to Attend Interstate Conference**

*15/107*

**Committee recommendation** that Council endorse Regan Figg's attendance at the 2015 Making Cities Liveable Conference in Melbourne.

(Councillors Steel and Seage)

#### **14.4 Kiama Hospital Redevelopment**

*15/108*

**Committee recommendation** that Council note the monthly progress of the project and the updated concept plans for the hospital site.

(Councillors McClure and Seage)

#### **14.5 Donation Request - Kiama Public School**

*15/109*

**Committee recommendation** that Council support the donation of \$450 to Kiama Public School to purchase a native stingless beehive.

(Councillors Seage and Steel)

#### **14.6 Application for Kiama Council to join the Global Network of Age Friendly Cities**

*15/110*

**Committee recommendation** that Council:

1. endorse making application for membership to the World Health Organisation Global Network of Age-Friendly Cities and Communities; and
2. endorse the Mayor providing a letter of commitment, as required for the application process.

(Councillors Rice and Sloan)

#### **14.7 Music in the Park Sound Engineer**

**15/111**

**Committee recommendation** that :

1. Council approve the appointment of Kiama Jazz and Blues Club to provide the sound engineering and organise the 2015 Music in the Park sessions; and
2. the Mayor write to Mr Charlie D'Amico and his family thanking them for the work undertaken to date with Music in the Park.

(Councillors Steel and Way)

#### **14.8 2015 Relay for Life - Request for Support**

**15/112**

**Committee recommendation** that Council support the 2015 Relay for Life through the donation of the Reserve Hire Fees, provision of waste services and other incidentals.

(Councillors Steel and Way)

### **15 REPORTS FOR INFORMATION**

**15/113**

**Committee recommendation** that the following Reports for Information listed for the Council's consideration be received and noted

- 15.2 Kiama Liquor Accord - Minutes
- 15.3 2015 WA Local Government Finance Professionals Conference
- 15.4 South Coast Regional Sea Level Rise Policy and Planning Response Framework
- 15.7 Southern Councils Group Annual Report 2014
- 15.8 Kiama Liquor Accord - Minutes - Terms Meeting
- 15.9 Flugelman Sculpture
- 15.10 South Precinct Minutes
- 15.13 Roadside Vegetation
- 15.14 Black Beach Reserve Kiama
- 15.15 Country Passenger Transport Infrastructure Grants Scheme 2014-15
- 15.16 2015 Tourism Conference
- 15.17 Economic Development Committee Minutes
- 15.18 Minimum Subdivision Road Widths
- 15.19 Parking Statistics - March 2015
- 15.21 Minutes of the April 2015 Youth Advisory Committee Meeting
- 15.23 Aboriginal Reference Group
- 15.24 Driveway Crossovers

- 15.25 OK Organics Kiama Home Composting Workshops
- 15.26 Electricity generation - question without notice
- 15.27 Rail Corp Land - Kiama Heights
- 15.28 LEP Review Committee
- 15.29 Section 94 Development Funds
- 15.30 Illawarra Pilot Joint Organisation and Southern Councils Group
- 15.31 Copyright Restrictions on Development Application Plans.

(Councillors Steel and Honey)

### **15.1 Minutes – Kiama Road Safety Steering Committee Meeting**

**15/114**

**Committee recommendation** that it be noted that there was no quorum for this meeting.

(Councillors Honey and Reilly)

### **15.5 National Youth Week 2015 – What’s On In Kiama**

**15/115**

**Committee recommendation** that Council congratulate the Sentral Youth Services team on this varied program and the new initiatives it included.

(Councillors Rice and Reilly)

### **15.6 Container Deposit Scheme**

**15/116**

**Committee recommendation** that Council write to the Premier, Member for Kiama and Member for Coogee thanking them for introducing a Container Deposit Scheme as it will make a big difference to the amenity of our beaches. Further that Council request it be kept fully involved during the consultation phase.

(Councillors Sloan and Way)

### **15.11 Potential for Using Time Banking for the Provision of Transport for Seniors in the Municipality**

**15/117**

**Committee recommendation** that this information be broadly distributed to the community through Council’s website, social media and publications such as Kimunico and the Kiama Independent.

(Councillors Rice and Steel)

**15.12 Geographical Names Board – Application to Name Bombo Headland Track****15/118**

**Committee recommendation** that a committee be formed to investigate the possible development and promotion of the informally named Thunda Track. That committee to include Councillors Steel, McClure, Seage and Honey.

(Councillors Steel and Seage)

**15/119**

**Committee recommendation** that a report be prepared on the procedures and process of naming proposals by the Geographical Names Board.

(Councillors Way and Reilly)

**15.20 Black Beach Continental Rock Pool****15/120**

**Committee recommendation** that a report on options and the costing of the improvements be brought forward to Council.

(Councillors Seage and McClure)

**15.22 Minutes of the Kiama Health and Sustainability Committee****15/121**

**Committee recommendation** that Kiama's ongoing work in the Age-Friendly and Dementia-Friendly Projects is reflected in the Kiama Health Plan by the inclusion of these two programs when the Health Plan is reviewed.

(Councillors Rice and Sloan)

**RESUMPTION OF ORDINARY BUSINESS****15/122**

**Resolved** that at this time, 7.20pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Steel and Sloan)

**ADOPTION OF COMMITTEE OF THE WHOLE REPORT****RECOMMENDED**

That Council formally confirm, adopt and endorse the Committee recommendations made by Council sitting as a Committee of the Whole as detailed in the Committee recommendations numbered 15/089 to 15/121 above.

**16 ADDENDUM TO REPORTS**

Nil

**17 NOTICE OF MOTION****17.1 Extension of swimming period - Jamberoo Pool.**

**15/123**

**Resolved** that Council request a report on costs associated with opening the Jamberoo swimming pool from the September school holidays until and including the Easter long weekend and compare the cost to current cost. Additionally investigate the absolute need or not to provide a Council lifeguard during this period and whether a key could be made available to negate the need of Council staff being involved on a daily basis.

(Councillors Seage and Reilly)

**18 QUESTIONS WITHOUT NOTICE****18.1 Council Meeting – Gerringong Town Hall**

Councillor McClure requested a report on conducting an ordinary meeting of Council at the Gerringong Town Hall. The Mayor referred this matter to the General Manager for information and report.

**18.2 Joyce Wheatley Community Centre - Kiama**

Councillor McClure requested a report on the possible utilisation of the toilets within the Joyce Wheatley Community Centre by the general public on weekends. The Mayor referred this matter to the Director Engineering and Works for information and report.

**18.3 Terralong Street Kiama – Shared Access**

Councillor McClure requested a report on the shared accessway between 90 and 92 Terralong Street, Kiama. The Mayor referred this matter to the Director Engineering and Works for information and report.

#### 18.4 Hire of Joyce Wheatley Community Centre

Councillor Seage requested a report on why Melissa Tierney was refused use of the Joyce Wheatley Centre, Kiama to hold an awards presentation for kids with disabilities on a recent Sunday for a period of approximately one hour. The Mayor referred this matter to the Director Community Services for information and report.

### 19 CONFIDENTIAL SUMMARY

15/124

**Resolved** that at this time, 7.23pm, Council form itself into a Confidential Committee of the Whole to deal with matters listed in the recommendations as set out below subject to the consideration of any representations relating to such action.

(Councillors McClure and Way)

#### Public Representations:

The Mayor called for representations regarding issues which had been proposed to be disclosed in Confidential Committee of the Whole. No such representations were received.

#### 19.1 Exclusion Of Press And Public:

15/125

**Resolved** that in accordance with Sections 10 and 10A of the Local Government Act, 1993 as amended, Council close the meeting of the Confidential Committee of the Whole to the Press and Public to deal with the following matters on the grounds as detailed below.

#### 20.1 EMPLOYEE SICK LEAVE

**Reason for Confidentiality:** This matter deals with personnel matters concerning particular individuals (other than councillors) as per Section 10A(2)(a) of the Local Government Act. .

#### 20.2 FACTORY LANE BRIDGE REPLACEMENT

**Reason for Confidentiality:** This matter deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act. .

#### 20.3 JERRARA CREEK DAM DECOMMISSIONING

**Reason for Confidentiality:** This matter deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act. .

#### 20.4 GROUP COMMUNICATION TENDER FOR TELECOMMUNICATIONS AND NETWORK SERVICES

**Reason for Confidentiality:** This matter deals with information that would, if

disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business as per Section 10A(2)(c) of the Local Government Act and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act.

## **20.5 RETAIL DEVELOPMENT AKUNA/SOALHAVEN STREET KIAMA - DEED OF AGREEMENT**

**Reason for Confidentiality:** This matter deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act. .

(Councillors Steel and Sloan)

## **20 CONFIDENTIAL REPORTS**

### **20.1 Employee Sick Leave**

**15/126**

**Resolved** that Council approves the allocation of an additional 4 weeks (152 hours) Sick Leave to the employee referred to in this report.

(Councillors Steel and Sloan)

### **20.2 Factory Lane Bridge Replacement**

**15/127**

**Resolved** that Council accepts the tender from Kenpass Pty Ltd for the sum of \$190,300.00 (including GST) for the construction of the Factory Lane Bridge.

(Councillors Seage and McClure)

### **20.3 Jerrara Creek Dam Decommissioning**

**15/128**

**Resolved** that Council accepts the tender from Kenpass Pty Ltd for the sum of \$638,870 including GST to complete the decommissioning works.

(Councillors Seage and McClure)



**20.4 Group Communication Tender for Telecommunications and Network services****15/129****Resolved** that Council, in accordance with:

1. Local Government (General) Regulation 2005 – Regulation 178(1)(b), decline to accept any of the tenders because the complexity of the tender resulted in a limited vendor response to key components of the tender.
2. Local Government (General) Regulation 2005 and Regulation 179(a), send to all tenderers whose tenders were not accepted notice that none of the tenders for the proposed contract(s) was accepted; and Regulation 179(b), display in the administration building foyer a notice specifying that none of the tenders was accepted.
3. Local Government (General) Regulation 2005 – Reg 178 (3) (e) enter into negotiations with one or more telecommunications panel contractors from either the Local Government Procurement Partnership panel or the New South Wales Procurement panel. The reason is that under the Local Government Act s55(3), if it uses either of these entities' panel contracts, Council can efficiently enter into a commercially acceptable contract without having to go through another lengthy tender process.

(Councillors Steel and Reilly)

**20.5 Retail Development Akuna/Shoalhaven Street Kiama - Deed of Agreement****15/130****Resolved** that Council note the information.

(Councillors Steel and Reilly)

**Close of Confidential Committee of the Whole:*****RECOMMENDED***

That at this time, 7.46pm, the Confidential Committee of the Whole revert to Open Council.

**Adoption of Report**

The General Manager formally reported the recommendations of the Confidential Committee of the Whole more particularly set out above.

**15/131**

**Resolved** that that the Confidential Committee of the Whole recommendations numbered 15/124 to 15/130 be confirmed and adopted.

(Councillors Way and Rice)

## **21 CLOSURE**

There being no further business the meeting closed at 7.47pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 19 May  
2015



.....  
Mayor