



MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5pm on

TUESDAY 28 JUNE 2016

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 JUNE 2016 AT 5PM**

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

IN ATTENDANCE: General Manager, Director Of Environmental Services, Director
Financial, Corporate and Commercial Services, Director
Engineering and Works and Director Community Services

1 APOLOGIES

Apology

16/190

Resolved that the apologies from Councillor McClure and Councillor Seage be received and noted.

(Councillors Steel and Sloan)

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 Extraordinary Council Meeting on 31 May 2016

16/191

Resolved that the Minutes of the Extraordinary Council Meeting held on 31 May 2016 be received and accepted.

(Councillors Way and Reilly)

3.2 Ordinary Council Meeting on 17 May 2016

16/192

Resolved that the Minutes of the Ordinary Council Meeting held on 17 May 2016 be received and accepted.

(Councillors Rice and Way)

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 PUBLIC ACCESS

Adrian Turnbull - Item 9.3 – Lot 5204 DP 1210287 No 3 Bourrool Street, Kiama – Proposed attached dual occupancy and strata subdivision (10.2016.41.1)

Jonathon Britten - Item 9.3 – Lot 5204 DP 1210287 No 3 Bourrool Street, Kiama – Proposed attached dual occupancy and strata subdivision (10.2016.41.1)

Peter Ward - Item 9.3 – Lot 5204 DP 1210287 No 3 Bourrool Street, Kiama – Proposed attached dual occupancy and strata subdivision (10.2016.41.1)

Cliff Mason – Item 10.1 – Draft Operational Plan – Minnamurra Progress Association – Construction of Boardwalk/Cycleway from Meehan Drive to Minnamurra Bridge

David Connolly – Item 15.26 – Iluka Reserve Riverside Drive Kiama Downs

6 MAYORAL MINUTE

Nil

7 MINUTES OF COMMITTEES

7.1 Kiama Local Traffic Committee - Minutes - meeting 7 June 2016

16/193

Resolved that the Minutes of the Kiama Local Traffic Committee meeting held on 7 June 2016 be received and accepted with the addition of Councillor Sloan's name in the list of attendees.

(Councillors Reilly and Sloan)

7.2 Minutes of the Blue Haven Advisory Committee held 1 June 2016**16/194**

Resolved that the Minutes of the Blue Haven Advisory Committee Meeting held on 1 June 2016 be received and accepted.

(Councillors Steel and Way)

COMMITTEE OF THE WHOLE**16/195**

Resolved that at this time, 5.02pm, 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 Finance, Corporate and Commercial Services

Report of the Chief Financial Officer

Report of the Director Engineering and Works

Report of the Director Community Services

Addendum to Reports

(Councillors Steel and Honey)

8 PUBLIC ACCESS REPORTS

Committee recommendation that at this time, 5.02pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

9.3 Lot 5204 DP 1210287 No 3 Bourrool Street, Kiama - Proposed attached dual occupancy and strata subdivision (10.2016.41.1)**16/196**

Committee recommendation that Council refuse development application 10.2016.41.1 due to significant non-compliance with controls C2, C29 C42, C54 and potentially C26 of Chapter 4 of Development Control Plan 2012.

(Councillors Sloan and Steel)

For: Councillors Honey, Petschler, Steel and Way

Against: Councillors Reilly, Rice and Sloan

15.26 Iluka Reserve, Riverside Drive, Kiama Downs -**Motion**

It was moved by Councillor Reilly and seconded by Councillor Rice that Council defers any further activity with regard to Iluka Reserve and the residential land around it until after the September council elections.

The **Motion** on being put was **Lost**.

For: Councillors Reilly and Rice

Against: Councillors Honey, Petschler, Sloan, Steel and Way

9 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES**9.1 Lot 2 DP 155220 No 30 Barney Street, Kiama - demolition of existing dwelling, construction of 4 x 3 storey units (10.2015.162.1)****Motion**

It was moved by Councillor Rice and seconded by Councillor Sloan that Council approve development application 10.2015.162.1 pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, subject to conditions contained within the report with the inclusion of the following additional condition:

- Prior to occupation that a suitable clothes line be installed in the garages of Units 3 and 4.

The **Motion** on being Put was **Lost**.

For: Councillors Rice and Sloan

Against: Councillors Honey, Petschler, Reilly, Steel and Way

16/197

Committee recommendation that Council approve development application 10.2015.162.1 pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, subject to the conditions contained within the report.

(Councillors Steel and Reilly)

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

Against: Nil

9.2 Initial Gateway Consideration of the Planning Proposal for consideration of part of Lot 100 DP710456 and Lot 101 DP 710456, 26 Drualla Road, Jamberoo

16/198

Committee recommendation that Council:

- 1) Endorse this Planning Proposal to proceed to the Department of Planning and Environment for a Gateway determination
- 2) Request plan making delegations for this proposal as a part of the Gateway determination.
- 3) On receipt of the Gateway Determination, undertake any requirements of such determination.

(Councillors Way and Steel)

For: Councillors Honey, Petschler, Steel and Way

Against: Councillors Reilly, Rice and Sloan

10 REPORT OF THE GENERAL MANAGER

10.1 Draft Operational Plan

At this stage it was resolved to bring forward Part A Item 5 Minnamurra Progress Association of the report for determination as the item was addressed at Public Access.

16/199

Motion

It was moved by Councillor Way and seconded by Councillor Steel that should funds become available through savings in the Works Programme 2016/17 of \$30,000, that those funds be allocated to provide a concept options report for provision of the Minnamurra Board Walk and Cycleway

The **Motion** on being put was **Carried**

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

Against: Nil

A. SUBMISSIONS FROM THE PUBLIC ON THE DRAFT INTEGRATED PLAN 2016/2017**1. South Precinct***16/200*

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

2. Minnamurra Public School*16/201*

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

3. Mr Andy Farrell*16/202*

Committee recommendation that Council reallocates funds from the 2016/2017 Kiama SES Development program as this activity has approximately \$55,000 that has been unspent from previous years and will roll over to the next financial year. This surplus is well in excess of the funds that have been allocated annually and will not compromise meeting the requirements of the Kiama SES.

(Councillors Sloan and Steel)

4. Councillor McClure*16/203*

Committee recommendation that \$11,000 be reallocated from the Kiama SES Development program and the balance required of \$9000 will be sourced from savings in the 2016/2017 (New) Capital Works program.

(Councillors Sloan and Steel)

6. RSL Gerringong Sub Branch*16/204*

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

7. Councillor Way

16/205

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

8. **NSW Government Telco Authority**

16/206

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

9. **Kiama and District Business Chamber**

16/207

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

10. **Kiama Farmers Market**

16/208

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

11. **Mr David Broadley**

16/209

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

**B. OTHER CONSIDERATIONS FOR THE DRAFT OPERATIONAL PLAN
2016/2017**

12. **Ms Grace Thompson**

16/210

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

13. **Councillor Way**

16/211

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

14. **Kiama District Sports Association**

16/212

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

15. **Jamberoo Combined Sporting Clubs**

16/213

Committee recommendation that the submission be received and noted.

(Councillors Sloan and Steel)

16/214

Committee recommendation that :

- 1) It be noted in accordance with Section 402 to 406 of the Local Government Act, 1993, Council is required to prepare an Integrated Plan with respect to:
 - (a) an Operational Plan for 1 year
 - (b) a Delivery program for 4 years
 - (c) a Community Strategic Plan for 10 years

The Community Strategic Plan 2013-2023 and the Delivery Program 2013-2017 were adopted by Council in June 2013.

The Operational Plan 2016/17 was notified to the public through newspaper advertisements and was placed on public exhibition at various locations from 28 April 2016 to 31 May 2016 as required under the Local Government Act. It was advised to the public that written submissions may be made in accordance with legislation to the Council any time during the period of the exhibition.

- 2) Council adopt its Operational Plan 2016/17 in accordance with Sections 402 to 406 of the Local Government Act, 1993 including the following amendments that Council:
 - a) Make and levy an ordinary rate comprising a base charge of \$701.50 on each separate parcel of land subject to the rate which represents 49.97% of the total amount payable by the levying of the rate and an ad valorem amount of 0.001698 cents in the dollar on the land value of \$3,822,419,711 (base date 2015) of all rateable land categorised as Residential be now made for 2016/17 in accordance with the Local Government Act, 1993. This rate will appear on the Rates and Charges Notice as "Residential".

-
- b) Make and levy an ordinary rate comprising a base charge of \$701.50 on each separate parcel of land subject to the rate which represents 26.37% of the total amount payable by the levying of the rate and an ad valorem amount of 0.0018 cents in the dollar on the land value of \$138,207,815 (base date 2015) of all rateable land categorised as Rural Residential be now made for 2016/17 in accordance with the Local Government Act, 1993. This rate will appear on the Rates and Charges Notice as "Rural Residential".
 - c) Make and levy an ordinary rate comprising a base charge of \$701.50 on each separate parcel of land subject to the rate which represents 29.48% of the total amount payable by the levying of the rate and an ad valorem amount 0.001188 cents in the dollar on the land value of \$333,330,500 (base date 2015) on all rateable land categorised as Farmland be now made for 2016/17 in accordance with the Local Government Act, 1993. This rate will appear on the Rates and Charges Notice as "Farmland".
 - d) Make and levy an ordinary rate of 0.00336 cents in the dollar on the land value of \$12,988,440 (base date 2015) of all rateable land (not being categorised as "Residential" or "Farmland" and not including rateable land used or zoned for commercial, professional, industrial or trade purposes) categorised as Business be now made for 2016/17 in accordance with the Local Government Act, 1993. This rate will appear on the Rates and Charges Notice as "Business".
 - e) Make and levy an ordinary rate of 0.00482 cents in the dollar on the land value of \$219,763,017 (base date 2015) of all rateable land in the Kiama Council area determined to be a centre of activity which is used or zoned for commercial, professional, industrial or trade purposes and sub-categorised as Business – "Commercial/Industrial" be now made for 2016/17 with a minimum amount of rate which will apply in respect to each parcel of land being \$701.50 in accordance with the Local Government Act, 1993. This rate will appear on the Rates and Charges Notice as "Business - Commercial Industrial".
- 3) A rate of interest of 8% accruing daily on rates and charges that remain unpaid after they become due and payable be now made for 2016/17 in accordance with Section 566 of the Local Government Act, 1993.
 - 4) Points a) and b) below notwithstanding, the Fees & Charges Schedule as proposed in Council's Operational Plan for 2016/17 be adopted.
 - a) An administrative error resulted in a student fee for a membership at Kiama Leisure Centre being omitted from the draft Fees and Charges document. This fee is 50% of the full membership fee.
 - b) Upon further review of the fees originally proposed for Mobile Vending, it is now proposed that these fees be changed to the following:
 - Mobile vending on approved roads \$400 pa
 - Mobile vending on public reserves \$100 p/day
 - c) The section 88 waste levy is now \$135.70 per tonne GST inclusive
 - d) The permit to create smoke (burning vegetation) is now \$22.00 per
-

inspection.

- 5) That Council make and levy a Domestic Waste Service Annual Charge for 2016/17 for services to all service collection zones:
- a) For premises currently receiving this service or for new services the charge is \$709.25 for a fortnightly garbage 240 litre bin, 240 litre weekly recycling bin, weekly garden waste/food organics 240 litre bin, one kerbside clean-up service and one household bulky waste drop-off.
 - b) For premises currently receiving this service or new services the charge is \$528.60 for a fortnightly garbage 140 litre bin, 240 litre weekly recycling bin, weekly garden waste/food organics 240 litre bin, one kerbside clean-up service and one household bulky waste drop-off.
 - c) For premises currently receiving this service or new services the charge is \$504.55 for a fortnightly garbage 80 litre bin, 240 litre weekly recycling bin, weekly garden waste/food organics 240 litre bin, one kerbside clean-up service and one household bulky waste drop-off.
 - d) \$54.50 for vacant land
 - e) \$90 for additional 240 litre recycling bin serviced weekly
 - f) \$90 for additional 240 litre garden waste/food organics bin serviced weekly
 - g) For premises currently receiving this service or new services, a weekly rather than fortnightly garbage service can be provided, subject to application and approval for the collection of medical treatment wastes. For this service the annual charge will be for an 80 litre weekly garbage bin service \$504.55, for a 140 litre weekly garbage bin service \$528.60 for a 240 litre weekly garbage bin service \$709.25.
 - h) Residential premises such as multi-unit dwelling houses, seniors housing, shop top housing, and residential flat buildings may upon application and approval by Council be provided with shared 240 litre bins for garbage, recycling and or garden waste /food organics services or individual bins. A smaller 80 or 140 litre garden waste /food organics bin can be provided as an alternative. A separate Domestic Waste Management Charge will be charged to each property, unit, flat or dwelling within residential properties that use shared bins.
- 6) That Council in accordance with Section 501 of the Local Government Act 1993 make and levy a Commercial Waste Service Annual Charge for 2016-2017 for specific commercial wastes services namely:
- a) \$689.50 for a weekly 240 litre garbage bin service and a weekly 240 litre recycling bin service
 - b) \$627.75 for a weekly 240 litre garbage bin service and a fortnightly 240 litre recycling bin service
 - c) A weekly 240 litre garden waste /food organics bin service will only be provided to childcare centres, pre-schools, churches, neighbourhood and community centres, rural fire and emergency services premises or other similar facilities upon request and approval of the Council
 - d) An additional \$12.90 per service charge will apply for the collection of a

-
- 240 litre garbage or 240 litre recycling bin service a \$12.90
- e) No weekly garden waste /food organics bin service, kerbside Clean Up Service or Household Bulky Waste Drop-off is provided to premises receiving a commercial service.
- 7) That Council make and levy a Rural Waste Service Annual Charge for 2016/17 of \$412.21 for premises receiving this service for the provision of fortnightly garbage, fortnightly recycling service using 240L bins and one household bulky waste drop off, be made for the period 1 July 2016 to 30 June 2017 in accordance with Section 501 of the Local Government Act 1993.
- 8) That Council make and levy an Annual Waste Charge for 2016/17 for services applying to Tourist Accommodation of:
- a) \$673.40 for a weekly 240 litre bin and a fortnightly 240 litre recycling bin (suitable for a 3 bedroom tourist apartment/unit)
- b) \$466.95 for a weekly 140 litre bin and a fortnightly 240 litre recycling bin (suitable for a 2 bedroom tourist apartment/unit)
- c) \$443.80 for a weekly 80 litre bin and a fortnightly 240 litre recycling bin (suitable for a 1 bedroom tourist apartment/unit)
- d) No weekly garden waste /food organics bin service, kerbside Clean Up Service or Household Bulky Waste Drop-off is provided to premises receiving this service.
- 9) For premises used as Short Term Rental Accommodation for holiday purposes a Waste Service Charge of \$709.25 for 240L garbage bin serviced fortnightly, 240L recycling bin serviced weekly and a 240L organics bin serviced weekly, one kerbside clean-up service and one household bulky waste drop-off.
- 10) Council adopt a 1.8% rate increase for the 2016/17 year as approved by the Independent Pricing and Regulatory Tribunal.
- 11) The Mayoral Allowance for 2016/17 be \$24,630 and Councillor's fees be set at \$11,290 for 2016/17 as permitted by the Local Government Remuneration Tribunal.
- 12) Operational Plan activity 1.3.4.1 – Prepare bi-annual Healthy Cities Report for the Alliance for Healthy Cities, Australian Chapter – be removed from the draft Plan.
- 13) All submission makers be advised of Council resolution

(Councillors Sloan and Steel)

10.2 Review of the Code of Conduct

16/215

Committee recommendation that Council endorses the proposed changes contained within the attached table of review.

(Councillors Way and Honey)

10.3 Request for Sponsorship Donation - Seaside & Valley Veteran's Tournament

16/216

Committee recommendation that Council provides \$500 event sponsorship to the Seaside & Valley Veterans Tournament to be funded from Council's Events budget.

(Councillors Way and Honey)

10.4 Gerringong Men's Shed

16/217

Committee recommendation that Council donate the relevant application fees of \$1567.00 to the Gerringong Men's Shed.

(Councillors Way and Honey)

10.5 June Long Weekend Music in the Park

16/218

Committee recommendation that Council endorse the donation of the \$260 reserve hire fee for Hindmarsh Park to the Kiama and District Chamber of Commerce for the Music in the Park concert held on Sunday 12 June 2016.

(Councillors Way and Honey)

11 REPORT OF THE DIRECTOR FINANCE, CORPORATE AND COMMERCIAL SERVICES

Nil

12 REPORT OF THE CHIEF FINANCIAL OFFICER

12.1 Statement of Investments - May 2016

16/219

Committee recommendation that the information relating to the Statement of Investments for May 2016 be received and adopted.

(Councillors Way and Honey)

12.2 Stocktake of Store and Materials

16/220

Committee recommendation that Council authorise a net write off of \$121.76 to the Depot Store Inventory resulting from the 2015/2016 stock take.

(Councillors Way and Honey)

13 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

13.1 Henry Parkes Drive proposed footpath construction

16/221

Committee recommendation that Council:

- approves the construction of the footpath as identified in Council's 2012/2022 Footpath Strategic Plan
- writes to all residents in the immediate area and advises them when the construction will commence and the duration of the work activity.

(Councillors Way and Honey)

13.2 Streets and Reserves Naming - Cedar Grove Stage 2 and The Boneyard

16/222

Committee recommendation that Council:

1. approve the name "The Boneyard" for the beach on the northern side of Bombo Headland and refer the proposal to the Geographical Names Board for concurrence.
2. approve the name Lucas Street, at the Cedar Grove Estate, Stage 2 and refer the proposal to the Geographical Names Board for concurrence.
3. approve the name Whittingham Street, at the Cedar Grove Estate, Stage 2 and refer the proposal to the Geographical Names Board for concurrence.

(Councillors Way and Honey)

14 REPORT OF THE DIRECTOR COMMUNITY SERVICES

14.1 Proposed Footpath for Greta St Gerringong

This item was dealt with at Item 10.1 Draft Operational Plan Part A Item 3 – Mr Andy Farrell.

15 REPORTS FOR INFORMATION

16/223

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

- 15.1 Question without notice – impact of extra rubbish bins being installed around Kiama Harbour to reduce fishing tackle litter
- 15.2 Ocean Lifeguard Season Report
- 15.3 Carrington Falls Bridge replacement design criteria
- 15.4 Section 94 Development Funds
- 15.5 Community donations and Event sponsorships 2015/16
- 15.6 Question without notice: Stormwater Quality Improvement Devices
- 15.7 Grant funding received to undertake Coral Tree removal at Gainsborough Reserve, adjoining salt marsh and Swamp Oak forest on the Minnamurra River
- 15.8 Parking Statistics - May 2016
- 15.9 Walking Tracks and Cycleways Committee - Minutes of meeting 1 June 2016
- 15.11 Economic Development Committee Meeting Minutes
- 15.12 Certificate of Appreciation - Kiama Show Society
- 15.13 Land Clearing Changes
- 15.16 Tourism - Grand Pacific Drive Instaweek Campaign - Strategic Tourism and Marketing Manager Report - Benefits to Kiama LGA
- 15.17 Letter of appreciation from Illawarra Academy of Sport
- 15.18 South Precinct Meeting Minutes
- 15.19 Question without notice: additional Parks and Gardens staff during Christmas period
- 15.20 Tourism After Hours - 10 May 2016 Report
- 15.21 TrendStar (Beijing) Media - DNSW Familiarisation - Chinese TV Crew
- 15.22 Amendment to Rural Fire Fighting Fund Allocation Methodology
- 15.23 Western China 3U Vivid and Regional NSW familiarisation - 30 May 2016
- 15.24 Minutes of the Kiama Youth Advisory Committee meeting, Thursday 2 June 2016
- 15.27 2016 Caravan Industry Association of Australia National Conference
- 15.28 SENTRAL Munch Out
- 15.29 Kiama Art Centre Development
- 15.30 Investigation into establishing a free camping ground with a sewerage dump point on the road reserve of Riverside Drive, Minnamurra
- 15.31 Youth Engagement Meeting
- 15.32 Extension of the Dementia Friendly Kiama Project
- 15.33 Heart Defibrillator
- 15.34 Illawarra Pilot Joint Organisation
- 15.35 Arthur Campbell Reserve
- 15.36 Australian Coastal Councils Conference - Additional Report - Councillor Kathy Rice
- 15.37 Questions Without Notice Register .

(Councillors Way and Honey)

15.10 Question without notice: Kiama Harbour Moorings**16/224**

Committee's recommendation that a more detailed report be provided to the next meeting of Council.

(Councillors Petschler and Reilly)

15.14 Councillor Meeting Register**16/225**

Committee recommendation that the General Manager investigate the possibility of the Directors completing the register when meetings are held with Councillors.

(Councillors Reilly and Petschler)

15.15 Question Without Notice - Photovoltaic System on the Kiama Leisure Centre -**16/226**

Committee recommendation that this item be placed on the unfunded projects listing for 2016/2017 and further that Council seek suitable grant funding.

(Councillors Steel and Honey)

15.25 Questions on Notice**16/227**

Committee recommendation that the Questions Without Notice section of the Business Paper Agenda be renamed Questions for Future Meetings.

(Councillors Reilly and Honey)

RESUMPTION OF ORDINARY BUSINESS**16/228**

Committee recommendation that at this time, 6.18pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Sloan and Steel)

ADOPTION OF COMMITTEE OF THE WHOLE REPORT**16/229**

Resolved 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 16/196 to 16/228 above.

(Councillors Way and Honey)

16 ADDENDUM TO REPORTS

Nil

17 NOTICE OF MOTION

Nil

18 QUESTIONS FOR FUTURE MEETINGS**18.1 2011 Urban Strategy**

Councillor Rice requested a report on the number of lots/dwellings, greenfield or otherwise, that have been released since the 2011 Urban Strategy that indicates how this has met the expectations of the Strategy, Kiama Council and the Department of Planning and Environment. The Mayor referred the matter to the Director of Environmental Services for investigation and report.

18.2 Replacement of CFL streetlights

Councillor Sloan requested a report on the feasibility of replacing CFL streetlights with LED lamps. The Mayor referred the matter to the Director of Engineering & Works for investigation and report.

18.3 Coral Trees - South Kiama Drive -

Councillor Petschler requested that the dead coral trees near the creek in South Kiama Drive opposite Hillview Circuit be cleared and referred the matter to the Director of Engineering & Works for investigation and action.

19 CONFIDENTIAL SUMMARY**16/230**

Resolved that at this time, 6.23pm, 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 Steel 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:

16/231

Committee recommendation 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 COUNCIL OWNED LAND AT THE CORNER OF SHOALHAVEN AND AKUNA STREETS, KIAMA (LOT 200 DP 1017091, LOT 100 DP 1211384), THE FORMER MITRE 10 SITE (100 TERRALONG STREET) AND THE SOUTHERN AKUNA STREET CAR PARK (LOTS 4, 5, 6 AND 11 DP 229319)

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. .

20.2 KIAMA HOSPITAL REDEVELOPMENT - APPOINTMENT OF CONSULTANTS

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. .

(Councillors Way and Sloan)

20 CONFIDENTIAL REPORTS

20.1 Council owned land at the corner of Shoalhaven and Akuna Streets, Kiama (Lot 200 DP 1017091, Lot 100 DP 1211384), the former Mitre 10 site (100 Terralong Street) and the southern Akuna Street Car Park (Lots 4, 5, 6 and 11 DP 229319)

Motion

It was moved by Councillor Reilly and seconded by Councillor Honey that Council openly advertises the Mitre 10 site in addition to the Akuna Street site either independently or as a whole to the Market.

Further that Council:

1. Confirm that the reason Council's purchase of the Akuna Street property was to facilitate the establishment of a supermarket on that site, retaining the current number of car parking spaces at 79, and increasing these, on site, to accommodate any additional parking spaces as required by an new development.
2. Confirm that the reason for purchase of the Mitre 10 and the associated warehouse was to further augment CBD parking and facilitate the contiguous joining of the new supermarket and parking station to Terralong Street.
3. In achievement of the above, return a significant return on the ratepayer's investment in a timely manner.
4. Consider all options in an expression of interest to achieve the desired outcomes above.

The **Motion** on being put was **Lost**.

For: Councillor Reilly

Against: Councillors Honey, Petschler, Rice, Sloan, Steel and Way

16/232

Committee recommendation that Council endorse the ongoing negotiations for the sale of the land at the corner of Shoalhaven and Akuna Streets and the former Mitre 10 site based on the terms endorsed at the meeting and subject to Council's goals of obtaining a supermarket and strong pedestrian access between Terralong Street and Akuna Street being achieved.

(Councillors Steel and Way)

20.2 Kiama Hospital Redevelopment - Appointment of Consultants

16/233

Committee recommendation that Council enter into the contracts with the firms identified in the report.

(Councillors Reilly and Steel)

Close of Confidential Committee of the Whole:

Committee recommendation that at this time, 6.58pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Way and Rice)

Adoption of Report

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

16/234

Resolved that that the Confidential Committee of the Whole recommendations numbered 16/232 to 16/233 be confirmed and adopted.

(Councillors Steel and Way)

21 CLOSURE

There being no further business the meeting closed at 7.00pm

These Minutes were confirmed at the Ordinary Meeting of Council held on
19 July 2016

.....
Mayor

.....
General Manager