

COMMENCING AT: 5.09 pm

PRESENT: Her Worship the Mayor Councillor S McCarthy and Councillors N Bradley, B Comber, RE Devenney, T Fredericks, H Jones and J E Wheatley.

IN ATTENDANCE: General Manager and Director of Community Services

APOLOGIES: Councillors R Devenney and W Steel, Director of Strategic & Commercial Services, Director of Environmental Services, Director of Engineering & Works

The Mayor declared the meeting open.

COMMITTEE OF THE WHOLE: (C17.010.000)

MN120

Resolved that at this time, 5.10 pm, Council form itself into a Committee of the Whole to deal with matters listed in the Report of the General Manager.

(Councillors Jones & Wheatley)

REPORT OF THE GENERAL MANAGER

1 NSW Local Government Association Annual Conference and National General Assembly of Local Government Conference (C15.001.000, C15.004.000) Determination of any Notice of Motions that Council wishes to Submit to the Conferences

CR262

Committee recommendation that Council submit the following motions to the Conference of the NSW Local Government Association:-

- 1) That this conference:-
 - a) requests the Local Government Association to campaign against the plans to effectively “privatise” crown lands (in particular the State Recreation Parks) through the use of long term leases to private companies which have the effect of alienating these areas from the people who have used them over generations and which allow private individuals and companies to profit from the use of these public lands.
 - b) note specifically the proposal for the 52 years lease to a private company at the Killalea State Recreation Park to construct and run a facility which will consist of a range of 200 cabin, motel & hotel units, and service apartments, as well as licensed
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restaurant, kiosk, exhibition rooms, swimming pools, tennis courts, gymnasium and health retreat, staff accommodation and loading docks, all in an area which currently caters for day visitors and campers in a simple unspoiled coastal location on the south coast of New South Wales.

- c) Considers that such proposals are contrary to the objectives of State Recreation Parks as places of “recreation” for the community and converts them into fundraising tools for the Department of Lands.
- d) Requests the Local Government Association to invite representations from the community groups which are currently working against this proposal to assist the Local Government Association in its submissions to the Government.

(Councillors Jones & Bradley)

- 2) A number of reports and inquiries including the Independent Inquiry into the Financial Sustainability of NSW Local Government have raised the need for reform of Council asset information and management systems. It is proposed that the Local Government Association strongly urge the NSW Department of Local Government to provide funding and other assistance to Councils to support an industry wide capacity building program to address this issue and which will result in standard, comprehensive and reliable asset management plans.

(Councillors Jones & Bradley)

- 3)
 - a) That the Local Government Association survey Councils on the time taken to complete the Development Assessment Surveys required by the NSW Department of Planning and strongly lobby the NSW Government and opposition calling for a streamlining of the process which is presently having an unreasonable impact on the resources of Councils and consequently slowing the processing of applications.
 - b) That the Local Government Association express to the Department of Planning and the New South Wales Government its concern relating to the lack of adequate and appropriate time for consideration of draft policies and proposed legislation.

(Councillors Wheatley & Jones)

- 4) The Local Government Association of New South Wales lobby and make representations to the New South Wales Government in regard to the continuing erosion of Councils planning powers which have the effect of disenfranchising local communities.

In this regard the conference notes proposed changes to the planning legislation which has the potential to further strip planning powers from Councils and their communities.

(Councillors Jones & Wheatley)

- 5) That the Local Government Association lobby and make representations to the NSW Government and opposition in relation to the need for the NSW Government to significantly increase funding for public libraries.

(Councillors Wheatley & Bradley)

- 6) That the Local Government Association of NSW seek a review of the process and cost of the local government elections and state its strong opposition to proposed cost shifting by the NSW Government in this and many other areas such as:-
- a) The approval of controlled access bus routes
 - b) Privacy legislation
 - c) Library funding

(Councillors Wheatley & Jones)

CR263

Committee recommendation that Council approve the attendance of Councillor Comber at the New South Wales Local Government Conference.

(Councillors Wheatley & Fredericks)

CR264

Committee recommendation that the following Addendum be brought forward and dealt with as a matter of urgency.

(Councillors Fredericks & Comber)

ADDENDUM TO REPORTS

1 East Timor (P367.005.000) (GM)

CR265

Committee recommendation that Council contribute up to \$4,000 to the cost of a solar panel restoration project at the Zumalai Health Clinic in East Timor.

(Councillors Wheatley & Comber)

RESUMPTION OF ORDINARY BUSINESS: (C17.010.000)

MN121

Resolved that at this time, 5.31 pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Fredericks & Wheatley)

ADOPTION OF COMMITTEE OF THE WHOLE REPORT:

MN122

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 recommendation numbered CR262 to CR265 above.

(Councillors Wheatley & Fredericks)

CONFIDENTIAL COMMITTEE OF THE WHOLE: (C17.010.000)

MN123

Resolved that at this time, 5.32 pm, 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 Wheatley & Fredericks)

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.

EXCLUSION OF PRESS AND PUBLIC:

MN124

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 on the grounds as detailed in the following recommendations such exclusion to commence as from 5.32 pm.

(Councillors Bradley & Jones)

CONFIDENTIAL REPORTS

**1 Blue Haven Village (B02.026.000)
Stage 5**

CR266

Committee recommendation that Council:-

- 1) note the taxation implications of its intention to retain Blue Haven Village within its corporate structure

- 2) endorse the submission of a Private Binding Ruling to the Australian Taxation Office for the purpose identified in the report

(Councillors Fredericks & Wheatley)

CLOSE OF CONFIDENTIAL COMMITTEE OF THE WHOLE: (C17.010.000)

MN125

Resolved that at this time, 5.37 pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Jones & Bradley)

Adoption of Report

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

MN126

Resolved that the Confidential Committee of the Whole recommendations numbered CR266 be confirmed and adopted.

(Councillors Bradley & Jones)

There being no further business
the meeting closed at 5.38 pm.

These Minutes were confirmed at the Ordinary
Meeting of Council held on 21 August 2007

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Mayor

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General Manager