



# **MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL**

**commencing at 5pm on**

**TUESDAY 3 NOVEMBER 2020**

Council Chambers  
11 Manning Street, KIAMA NSW 2533

**MINUTES OF THE EXTRAORDINARY MEETING OF  
THE COUNCIL OF THE MUNICIPALITY OF KIAMA  
HELD IN THE COUNCIL CHAMBERS, KIAMA  
ON TUESDAY 3 NOVEMBER 2020 AT 5PM**

**PRESENT:** Mayor – Councillor M Honey,  
Deputy Mayor – Councillor A Sloan,  
Councillors M Brown, N Reilly, K Rice, W Steel, D Watson,  
M Way and M Westhoff

**IN ATTENDANCE:** General Manager, Director Environmental Services, Interim  
Director Corporate and Commercial Services and Acting  
Director Blue Haven

**1 APOLOGIES**

Nil

**2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

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

*“I would like to acknowledge the traditional owners of the Land on which we meet, the Wadi Wadi people of the Dharawal nation, and pay my respect to Elders past and present.”*

**DECLARATIONS OF INTEREST**

Nil

Councillor Brown and Councillor Watson entered the Chambers at 5.02pm.

**3 REPORT OF THE INTERIM DIRECTOR CORPORATE AND COMMERCIAL SERVICES**

**3.1 Council managed Crown land – categorisations for Plans of Management**

**20/318OC**

**Resolved that Council**

1. advise the Minister that the land categories described in Table 1 (excepting R76339, and lots 7005 and 7006 of R87397) and the land categories in

Table 2, will be included within the draft Plan of Management for Council managed crown reserves, and

2. resubmit R76339 (Cooke Park) and lots 7005 and 7006 of R87397 (Bombo Beach portion) from Table 1 for review, and add these lots to Table 3 for further consideration by Crown Lands, and
3. request the Minister to resolve land categories for the crown reserves described in Table 3 (with the addendum from point 2 above) and request that Crown Lands assure Council that all existing uses of these reserves can continue under the Minister's directed categorisation.

(Councillors Rice and Reilly)

For: Councillors Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Councillors Brown and Honey

## 4 CONFIDENTIAL SUMMARY

### 20/319OC

**Resolved** that at this time, 5.20pm, 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 Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Nil

### 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.

### 4.1 Exclusion Of Press And Public:

#### 20/320OC

**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.

**5.1 TENDER EVALUATION REPORT - JAMBEROO YOUTH HALL**

**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.

**5.2 JAMBEROO MOUNTAIN ROAD LANDSLIP TENDER**

**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.

**5.3 AKUNA STREET / SHOALHAVEN STREET SITE**

**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 Watson)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Nil

**5 CONFIDENTIAL REPORTS****5.1 Tender evaluation report – Jamberoo Youth Hall**

**20/3210C**

**Committee recommendation** that Council approves the award of Tender KIAMA-934480 – Jamberoo Youth Hall Remediation and Refurbishment to Joss Facility Management with a contract price of \$242,641 including GST, plus a contingency allocation of \$24,264 (10%) for costs associated with potential latent conditions relating to underpinning and piling works.

(Councillors Brown and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Nil

**5.2 Jamberoo Mountain Road Landslip Tender****20/322OC**

**Committee recommendation** that Council resolve to award the tender contract to GC Civil Contracting P/L with a price of \$529,940 (including GST) for the construction of the Jamberoo Mountain Road Landslip Remediation works.

(Councillors Reilly and Rice)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Nil

**5.3 Akuna Street / Shoalhaven Street site****20/323OC**

**Committee recommendation** that Council consult with the identified interested party to progress the approved Akuna Street / Shoalhaven Street development according to the identified interested party's letter to Council received on 30 October 2020.

(Councillors Brown and Steel)

For: Councillors Brown, Honey, Steel, Watson and Way

Against: Councillors Reilly, Rice, Sloan and Westhoff

**Close of Confidential Committee of the Whole:****20/324OC**

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

(Councillors Watson and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Nil

**Adoption of Report**

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

**20/325OC**

**Resolved** that that the Confidential Committee of the Whole recommendations numbered 20/320OC to 20/324OC be confirmed and adopted.

(Councillors Way and Reilly)


For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Nil

**6 CLOSURE**

There being no further business the meeting closed at 6.07pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on  
17 November 2020.

  
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Mayor