



MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5pm on

TUESDAY 20 AUGUST 2019

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 20 AUGUST 2019 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,
Director Corporate and Commercial Services, Acting Director
Engineering and Works and 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.”

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Ordinary Council meeting on 16 July 2019

19/297OC

Resolved that the Minutes of the Ordinary Council Meeting held on 16 July 2019 be received and accepted.

(Councillors Brown and Way)

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

Against: Nil

3.2 Extraordinary Council meeting on 30 July 2019

19/298OC

Resolved that the Minutes of the Extraordinary Council Meeting held on 30 July 2019 be received and accepted.

(Councillors Westhoff and Watson)

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

Against: Nil

4 BUSINESS ARISING FROM THE MINUTES

Motion for the Local Government NSW Conference

19/299OC

Resolved that Council submit the following motion to the Local Government NSW Conference:

That Local Government NSW, use their influence to encourage NSW State Government to provide a means for councils to challenge decisions of a regional planning panel, where it is believed a regional planning panel has breached Local Government NSW's Fundamental Principles of Planning, specifically:

- D. Local government is best placed to lead and influence local and regional planning processes according to the needs and expectations of local communities
- E. Our communities' quality of life is a priority of local government planning.

(Councillors Reilly and Sloan)

5 DECLARATIONS OF INTEREST

Disclosures of Interest - Councillor Westhoff

Councillor Westhoff declared a significant non-pecuniary interest in item 11.8 *Request for donation: Gerringong Lions Club – Motor Fest / Car Show* as he is a member of the specified company or other body. Councillor Westhoff took no part in discussion or voting on this matter.

Councillor Westhoff declared a significant non-pecuniary interest in item 11.11 *Request for donation: community meeting – Gerringong Town Hall* as he is a member of the specified company or other body. Councillor Westhoff disclosed his interest and voted on the matter.

Councillor Westhoff declared a less than significant non-pecuniary interest in item 21.2 *Lions Club of Kiama Incorporated – lease of 105-109 Shoalhaven Street, Kiama* as he is a member of the specified company or other body. Councillor Westhoff disclosed his interest and voted on the matter.

Disclosure of Interest - Councillor Brown

Councillor Brown declared a significant pecuniary interest in item 12.7 *10.2019.42.1 – Lot 1 DP 770131 – 148 Manning Street, Kiama, Proposed demolition of garage and sheds and dwelling alterations and additions* as he is the registered owner of the property. Councillor Brown took no part in discussion or voting on this matter.

Disclosure of Interest - Councillor Steel

Councillor Steel declared a less than significant non-pecuniary interest in item 21.2 *Lions Club of Kiama Incorporated – lease of 105-109 Shoalhaven Street, Kiama* as he is a member of the specified company or other body. Councillor Steel disclosed his interest and voted on the matter.

6 TABLING OF PETITIONS AND OTHER DOCUMENTS

Nil

7 PUBLIC ACCESS SUMMARY

Name	Item No.	Subject
Cameron McDonald	11.6	Kiama and District Business Chamber – Seaside Markets – market stall fee waiver request
Adam Forbes Eleanor Massey	12.7	10.2019.42.1 – Lot 1 DP 770131 – 148 Manning Street, Kiama - Proposed demolition of garage and sheds and dwelling alterations and additions
Lisa Papesch	12.7	10.2019.42.1 – Lot 1 DP 770131 – 148 Manning Street, Kiama - Proposed demolition of garage and sheds and dwelling alterations and additions
Rusty Moran	16.13	Minutes: South Precinct – 18 July 2019

8 MAYORAL MINUTE

8.1 Donation to local schools - Music Program

Suspension of Standing Orders

19/300OC

Resolved that at this time, 5.05pm, Standing Orders be suspended in order to make the presentation of the \$1,000 cheques to the local schools for their music programs.

(Councillors Reilly and Way)

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

Against: Nil

Presentation of a cheque was made to each of the schools for their music programs.

Resumption of Standing Orders

19/301OC

Resolved that at this time, 5.07pm, Standing Orders be resumed.

(Councillors Brown and Sloan)

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

Against: Nil

8.2 NAIDOC Male Young Achiever of the Year - Baluun Simon

19/302OC

Resolved that Council formally congratulate Baluun Simon on being awarded the NAIDOC Male Young Achiever of the Year 2019.

(Councillors Honey)

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

Against: Nil

8.3 Regional Tourism Award Winner Fern Street Gallery

19/303OC

Resolved that Council formally congratulate Fern Street Gallery, Gerringong for winning the Destination Southern NSW “New Tourism Business” award at the 2019 Regional Tourism Awards.

(Councillors Honey)

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

Against: Nil

8.4 Community Achievement Awards 2019 - Invitation to nominate

19/304OC

Resolved that Council encourage the community to nominate their local unsung heroes.

(Councillors Honey)

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

Against: Nil

9 MINUTES OF COMMITTEES

9.1 Minutes: Destination Kiama Tourism Advisory Committee - 8 July 2019

It was **moved** by Councillor Brown and seconded by Councillor Steel that:

1. the Minutes of the Destination Kiama Tourism Advisory Committee Meeting held on 8 July 2019 be received and the recommendations therein accepted
2. Council formally thank Eric Davies from Simpson Signs for generously releasing the rights to the Destination Kiama logo (with no consideration payable) and consenting to the registration of the logo as a trade mark owned by Council.

19/305OC

An **amendment** was moved by Councillor Sloan and seconded by Councillor Rice that:

1. the Minutes of the Destination Kiama Tourism Advisory Committee Meeting held on 8 July 2019 be received and the recommendations therein accepted with the exception of Committee Recommendation 6.1.

2. Council undertake a strategic review of the appropriate uses for RE1 lands, including Surf Clubs, in the Local Government Area.

(Councillors Sloan and Rice)

An amendment was foreshadowed by Councillor Brown that:

1. the Minutes of the Destination Kiama Tourism Advisory Committee Meeting held on 8 July 2019 be received and the recommendations therein accepted.
2. the Department of Environment Services prepare a scoping paper, for Council's consideration, that will set out a structure, including a time frame and cost, for a strategic review of RE1 lands in the Kiama Local Government Area with a specific focus on lands containing surf clubs with a view to rezone the land to assist in upgrading the existing facilities on those lands. The scoping paper and the proposed strategic review will reference, and have regard to, the Kiama Municipal Council Re-Endorsed Tourism Opportunities Plan 2018 and the Kiama Municipal Council Operational Plan 2019-2020.

The **Amendment** on being put was **Carried**.

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

Against: Councillors Brown, Honey, Steel and Watson

The **Amendment** became the adopted **Motion**.

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

Against: Councillors Brown, Honey, Steel and Watson

19/306OC

Resolved that Council formally thank Eric Davies from Simpson Signs for generously releasing the rights to the Destination Kiama logo (with no consideration payable) and consenting to the registration of the logo as a trade mark owned by Council.

(Councillors Brown and Steel)

9.2 Minutes: Kiama Cultural Board - 25 July 2019

19/307OC

Resolved that the Minutes of the Kiama Cultural Board Meeting held on 25 July 2019 be received and accepted.

(Councillors Watson and Reilly)

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

Against: Nil

9.3 Minutes: Economic Development Committee - 24 July 2019**19/308OC**

Resolved that the minutes of the Economic Development Committee meeting held on 24 July 2019 be received and accepted.

(Councillors Watson and Steel)

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

Against: Nil

9.4 Minutes: Audit, Risk and Improvement Committee - 6 August 2019**19/309OC**

Resolved that the Minutes of the Audit, Risk and Improvement Committee Meeting held on 6 August 2019 be received and accepted.

(Councillors Reilly and Rice)

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

Against: Nil

COMMITTEE OF THE WHOLE**19/310OC**

Resolved that at this time, 5.37pm, Council form itself into a Committee of the Whole to deal with matters listed in the reports as set out below:

Report of the General Manager

Report of the Director Environmental Services

Report of the Director Corporate and Commercial Services

Report of the Director Engineering and Works

(Councillors Way and Westhoff)

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

Against: Nil

10 PUBLIC ACCESS REPORTS

19/311OC

Committee recommendation that at this time, 5.37pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Watson and Brown)

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

Against: Nil

11.6 Kiama and District Business Chamber - Seaside Markets - market stall fee waiver request

19/312OC

Committee recommendation that Council responds to the Kiama and District Business Chamber advising that market stall fees will remain at the rate included in the 2019/2020 Fees and Charges (\$10 per stall).

(Councillors Way and Steel)

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

Against: Nil

12.7 10.2019.42.1 – Lot 1 DP 770131 – 148 Manning Street, Kiama - Proposed demolition of garage and sheds and dwelling alterations and additions

Disclosure of Interest - Councillor Brown

Councillor Brown declared a significant pecuniary interest in item 12.7 10.2019.42.1 – Lot 1 DP 770131 – 148 Manning Street, Kiama, Proposed demolition of garage and sheds and dwelling alterations and additions as he is the registered owner of the property. Councillor Brown took no part in discussion or voting on this matter.

At this time, 5.38pm, Councillor Brown left the meeting.

19/313OC

Committee recommendation that Council approve Development Application No 10.2019.42.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Way and Sloan)

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

At this time, 5.43pm, Councillor Brown returned to the meeting.

16.13 Minutes: South Precinct meeting - 18 July 2019**19/314OC**

Committee recommendation that Council note the information contained in this report.

(Councillors Reilly and Steel)

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

11 REPORT OF THE GENERAL MANAGER**11.1 Independent Pricing and Regulatory Tribunal - Review of local government election costs****19/315OC**

Committee recommendation that Council note the recommendations and formally respond to the Office of Local Government on the IPART recommendations.

(Councillors Watson and Westhoff)

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

11.2 Delivery Program/Operational Plan Report April to June 2019**19/316OC**

Committee recommendation that Council receives the Delivery Program 2017-21 and Operational Plan 2018-19 progress report for the period April to June 2019.

(Councillors Brown and Westhoff)

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

Against: Nil

11.3 Draft Councillor Access to Information, Staff and Premises Policy for public exhibition**19/317OC**

Committee recommendation that Council:

1. places the draft *Councillor Access to Information, Staff and Premises Policy* on public exhibition for 28 days with the following amendment at section 12.1 -

Councillors and Administrators are entitled to have access to the Council chamber, Mayor's office (subject to availability), General Manager/Mayor reception area and public areas of Council's buildings during normal business hours and for meetings. Councillors and Administrators needing access to these facilities at other times must obtain authority from the General Manager.

2. invites the community to make public submissions on the content of the draft policy
3. receives a further report giving consideration of any public submissions received during the exhibition period and putting forward a final *Councillor Access to Information, Staff and Premises Policy* for adoption.

(Councillors Brown and Westhoff)

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

Against: Nil

11.4 Draft Internal Reporting Policy (NSW Public Interest Disclosures Act 1994) for public exhibition**19/318OC****Committee recommendation** that Council:

1. places the draft *Internal Reporting Policy (NSW Public Disclosures Act 1994)* on public exhibition for 28 days
2. invites the community to make public submissions on the content of the draft policy
3. receives a further report giving consideration to any public submissions received during the exhibition period and putting forward a final *Internal Reporting Policy (NSW Public Interest Disclosures Act 1994)* for adoption

(Councillors Steel and Westhoff)

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

Against: Nil

11.5 Audit, Risk and Improvement Committee and Internal Audit Annual Performance Report to Council Year Ended 30 June 2019**19/319OC****Committee recommendation** that Council adopt the Audit, Risk and Improvement Committee and Internal Audit Annual Performance Report to Council Year Ended 30 June 2019.

(Councillors Reilly and Way)

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

Against: Nil

11.7 Request for donation: Rotary Clubs of Kiama and Gerringong 2019 Kiama Auto Expo**19/320OC****Committee recommendation** that Council provide support for the Rotary Clubs of Kiama and Gerringong Auto Expo / Car Show by waiving:

1. the hire fees of The Pavilion, Kiama; and
2. waste removal and additional cleaning fees and charges.

Further that the Rotary Clubs of Kiama and Gerringong be advised that appropriate recognition of Council's support be acknowledged by using the Destination Kiama logo in promotional material for the event and that Kiama Municipal Council prepare a standard requirement.

(Councillors Brown and Way)

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

Against: Councillors Reilly and Rice

11.8 Request for donation: Gerringong Lions Club - Motor Fest / Car Show - February 2020

Disclosure of Interest - Councillor Westhoff

Councillor Westhoff declared a significant non-pecuniary interest in item 11.8 *Request for donation: Gerringong Lions Club – Motor Fest / Car Show* as he is a member of the specified company or other body. Councillor Westhoff left the Chamber and took no part in discussion or voting on this matter.

At this time, 5,59pm, Councillor Westhoff left the meeting.

19/321OC

Committee recommendation that Council donate the provision of waste services for Michael Cronin Oval and Dorothy Bailey Oval for the Lions Club of Gerringong's Car Show in February 2020. Further, that the Lions Club of Gerringong be requested to provide appropriate recognition of Council's support of the event on behalf of the community.

(Councillors Brown and Steel)

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

Against: Nil

At this time, 6pm, Councillor Westhoff returned to the meeting.

11.9 Request for donation: Jamberoo Rural Fire Brigade

19/322OC

Committee recommendation that Council:

1. waive the Jamberoo School of Arts hall hire fee and cleaning/waste charges for the Jamberoo Rural Fire Brigade's 80th year celebrations on 23 May 2020.

2. provide in-kind support of waste/cleaning services and Ranger attendance at the “Get Ready” event on 22 September 2019.

(Councillors Watson and Way)

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

Against: Nil

11.10 Request for donation: Kiama Parkinson's Support Group

19/323OC

Committee recommendation that Council endorse the in-kind donation of fees for waste services for the fundraising and awareness event organised by the Kiama Parkinson’s Support Group.

(Councillors Sloan and Rice)

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

Against: Nil

11.11 Request for donation: community meeting - Gerringong Town Hall

Disclosure of Interest - Councillor Westhoff

Councillor Westhoff declared a significant non-pecuniary interest in item 11.11 *Request for donation: community meeting – Gerringong Town Hall* as he is a member of the specified company or other body. Councillor Westhoff disclosed his interest and voted on the matter.

19/324OC

Committee recommendation that Council waive the Gerringong Town Hall hire fee and cleaning/waste charges for the community meeting to be held on 4 September 2019.

(Councillors Watson and Brown)

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

Against: Nil

12 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

12.1 Age Friendly Australian National Forum

19/325OC

Committee recommendation that Council:

1. nominate Councillor Westhoff to attend the Age Friendly Australian National Forum in Freemantle
2. endorse the Manager Community & Cultural Development to attend the forum.

(Councillors Brown and Sloan)

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

Against: Nil

12.2 NSW Public Libraries Conference 2019

19/326OC

Committee recommendation that Council approve the attendance of Councillor Rice along with another Councillor to the NSW Public Libraries Conference to be held on 19-22 November 2019 in Penrith.

(Councillors Brown and Way)

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

Against: Nil

12.3 Endorsement of Draft Community Participation Plan

19/327OC

Committee recommendation that Council endorse the attached draft Community Participation Plan and draft Chapter 2 of the Kiama Development Control Plan 2012 for public exhibition.

(Councillors Brown and Rice)

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

Against: Nil

12.4 Planning Proposal - Supporting Initial Gateway - Lot 2 DP 1018217 - Dido Street, Kiama**19/328OC****Committee recommendation** that Council:

1. endorse this Planning Proposal, to enable residential development of the site, to proceed to the Department of Planning, Industry 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, proceed with recommendations including requesting any further studies and public exhibition.

(Councillors Sloan and Way)

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

Against: Nil

12.5 10.2018.74.1 - Lot 100 DP 1157883, Lot 101 DP 1157883 - 26 Drualla Road, Jamberoo and 2A Downes Place, Jamberoo - Consolidation of 2 Existing Lots - 12 Lot Torrens Title Subdivision and Construction of Road with 1 Residual Lot**19/329OC****Committee recommendation** that Council approve Development Application No 10.2018.74.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Brown and Way)

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

Against: Nil

12.6 10.2019.48.1 - Lot 1 DP 15871, Lot 12 DP 15871 - 2 Bonaira Street, Kiama, 4 Henley Avenue, Kiama - Demolition of Existing Dwelling and Structures, Subdivision of 2 Lots into 3 Lots, Construction of Dual Occupancy on each Lot and Subsequent Torrens Title Subdivision of Each Dual Occupancy

19/330OC

Committee recommendation that Council approve Development Application No 10.2019.48.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to the conditions at the end of this report with the exception of proposed General condition (2) and replacement with the following:

(2) The development shall be undertaken in four (4) stages, as follows:

Stage 1 – demolition of existing structures (with the exception of the existing dwelling) and three (3) lot Torrens title subdivision creating Lots 1, 2 & 3

Stage 2 – construction of dual occupancy No 1 on Lot 1 and subsequent two (2) lot Torrens title subdivision

Stage 3 – construction of dual occupancy No 2 on Lot 2 and subsequent two (2) lot Torrens title subdivision

Stage 4 – demolition of existing dwelling and construction of dual occupancy No 3 on Lot 3 and subsequent two (2) lot Torrens title subdivision.

(Councillors Brown and Watson)

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

Against: Nil

13 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL SERVICES

13.1 Statement of Investments - July 2019

19/331OC

Committee recommendation that Council receive and adopt the information relating to the Statement of Investments for July 2019.

(Councillors Reilly and Way)

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

Against: Nil

13.2 Revotes of Expenditure into 2018/19**19/332OC**

Committee recommendation that Council revoke the expenditure items as listed to the 2019/20 budget year with the following amendments:

1. the carryover figure for the Kevin Walsh Oval amenities be changed to \$910,679
2. the carryover figure for the Jamberoo Youth Hall refurbishment be changed to \$137,500
3. removal of the North Street Reserve amenities from the carryover schedule
4. the carryover figure for the BMX Track construction be changed to \$1,200

(Councillors Brown and Westhoff)

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

Against: Nil

14 REPORT OF THE ACTING DIRECTOR ENGINEERING AND WORKS**14.1 Illawarra District Weeds Authority updated Agreement****19/333OC**

Committee recommendation that Council:

1. In accordance with Section 377 of the Local Government Act, exercise their weed control functions as the Local Control Authority under the Biosecurity Act 2015 jointly as the Illawarra District Weeds Authority, under the auspices of the Illawarra Shoalhaven Joint Organisation.
2. delegate to the General Manager the authority to finalise and execute the Illawarra District Weeds Authority Agreement and any other documentation required to give effect to this resolution.
3. grant authority for the use of the Common Seal of Council on the agreement and any other documentation, should it be required, to give effect to this resolution.

(Councillors Rice and Steel)

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

Against: Nil

15 REPORT OF THE DIRECTOR BLUE HAVEN

Nil

16 REPORTS FOR INFORMATION**19/334OC**

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

- 16.1 Financial Assistance Grant program 2019–20
- 16.2 Reserves and Street Naming
- 16.3 Kiama Arts Honour Roll
- 16.4 Question for Future Meeting: local job growth
- 16.5 Question for Future Meeting: Council Committee for Business Unit
- 16.6 Feral Rabbit Control Program – Release of K5 strain Calicivirus
- 16.7 Parking Statistics - July 2019
- 16.8 Question for future meeting: Crooked River Winery events - traffic impacts
- 16.9 Question for Future Meeting: Local Housing Strategy and the Local Strategic Planning Statement
- 16.10 Question for future meeting: Sculptures by the Sea hosting
- 16.11 Alcohol and Other Drugs Procedure for Councillors - administrative amendment
- 16.12 Minutes: Central Precinct meeting - 25 June 2019 and 23 July 2019
- 16.14 Minutes: Jamberoo Valley Ratepayers and Residents Association – 6 August 2019
- 16.15 Minutes: Minnamurra Progress Association - 6 August 2019
- 16.16 Minutes: Country Mayors' Association meeting held on 2 August 2019
- 16.17 Appreciation letters: Kiama Red Cross | Kiama District Sports Association
- 16.18 Questions for Future Meeting Register as at 13 August 2019.

(Councillors Steel and Westhoff)

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

Against: Nil

RESUMPTION OF ORDINARY BUSINESS**19/335OC**

Committee recommendation that at this time, 6.28pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Reilly and Way)

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

Against: Nil

ADOPTION OF COMMITTEE OF THE WHOLE REPORT**19/336OC**

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 19/311OC to 19/335OC above.

(Councillors Way and Watson)

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

Against: Nil

17 ADDENDUM TO REPORTS

Nil

18 NOTICE OF MOTION

Nil

19 QUESTIONS FOR FUTURE MEETINGS**19.1 Minnamurra Boardwalk - project approval**

Councillor Reilly requested a report on the Minnamurra Boardwalk, as to whether this Council has officially approved the project or not and provide the necessary reports to give evidence to the answer. The matter was referred to the General Manager for investigation and report.

19.2 5G towers - approvals process

Councillor Sloan requested a report on the approvals process for the installation of 5G towers/network and Council's role in that process. The matter was referred to the Director Environmental Services for investigation and report.

19.3 Newly released lots to dual occupancy

Councillor Rice requested a report that examines the percentage of newly released lots that went to dual occupancy in each of the subdivisions:

- Elambra, Gerringong
- Cedar Grove Stage 1, Kiama
- Cedar Grove Stage 2, Kiama
- Chapel Lane, Jamberoo.

The matter was referred to the Director Environmental Services for investigation and report.

19.4 Blowhole Point road naming

Councillor Way requested a report on the name of the road leading to Blowhole Point from Terralong Street, that Council agreed on and whether this was approved by the Geographical Names Board. The matter was referred to the Acting Director Engineering & Works for investigation and report.

19.5 Blue Haven Board

Councillor Way requested a report and proposal for future Blue Haven Board members (directors) that would include the following but not preclude other factors:

- Councillors having to agree to being members of the Board
- inclusion of directors with recent skills in the aged care industry from other sources
- size of the Board of Directors
- appropriate remuneration per meeting attendance on monthly basis and as required
- selection of the Board by appropriately qualified Council staff
- chairperson appointed or elected
- proposed commencement of new Board of Directors that has been approved at a council meeting.

The matter was referred to the General Manager for investigation and report.

19.6 Fern Street pedestrian crossing

Councillor Westhoff requested a report on the possibility of a pedestrian crossing on Fern Street, Gerringong near the Post Office. The matter was referred to the Acting Director Engineering & Works for investigation and report.

20 CONFIDENTIAL SUMMARY

19/337OC

Resolved that at this time, 6.32pm, 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 Sloan and Way)

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.

20.1 Exclusion Of Press And Public:

19/338OC

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.

21.1 KEVIN WALSH OVAL AMENITIES BUILDING RENWAL, JAMBEROO

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.

21.2 LIONS CLUB OF KIAMA INCORPORATED - LEASE OF 105-109 SHOALHAVEN STREET KIAMA

Reason for Confidentiality: This matter deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council as per Section 10A(2)(dii) of the Local Government Act.

21.3 SURF BEACH HOLIDAY PARK - CIVIL CONSTRUCTION CONTRACT WORKS

Reason for Confidentiality: This matter deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council as per Section 10A(2)(dii) of the Local Government Act.

(Councillors Sloan and Way)

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

Against: Nil

21 CONFIDENTIAL REPORTS

21.1 Kevin Walsh Oval Amenities Building Renwal, Jamberoo

19/339OC

Committee recommendation that Council:

1. accept the quotation as detailed in the report to undertake the extension and refurbishment of the existing amenities building at Kevin Walsh Oval, Jamberoo, subject to contractual arrangements being satisfied.
2. delegate to the General Manager the authority to enter into a contact for the completion of the above works on behalf of the Council.

(Councillors Brown and Way)

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

Against: Nil

21.2 Lions Club of Kiama Incorporated - lease of 105-109 Shoalhaven Street Kiama

Disclosure of Interest - Councillor Steel

Councillor Steel declared a less than significant non-pecuniary interest in item 21.2 *Lions Club of Kiama Incorporated – lease of 105-109 Shoalhaven Street, Kiama* as he is a member of the specified company or other body. Councillor Steel disclosed his interest and voted on the matter.

Disclosure of Interest – Councillor Westhoff

Councillor Westhoff declared a less than significant non-pecuniary interest in item 21.2 *Lions Club of Kiama Incorporated – lease of 105-109 Shoalhaven Street, Kiama* as he is a member of the specified company or other body. Councillor Westhoff disclosed his interest and voted on the matter.

19/340OC

Committee recommendation that Council enter into a lease agreement with the Lions Club of Kiama Incorporated (ABN 25055317008) for the use of Part 101 and Lot 102 DP775450, 105-109 Shoalhaven Street Kiama as detailed in the summary

section of this report and that the General Manager and Mayor have delegated authority to sign any documentation associated with the lease.

(Councillors Brown and Rice)

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

Against: Nil

21.3 Surf Beach Holiday Park - civil construction contract works

19/341OC

Committee recommendation that Council make appropriate provision for the total civil contract expenditure with the Surf Beach Holiday Park redevelopment as detailed in the summary section of this report.

(Councillors Westhoff and Reilly)

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

Against: Nil

Close of Confidential Committee of the Whole:

19/342OC

Committee recommendation that at this time, 6.39pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Watson and Steel)

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.

19/343OC

Resolved that that the Confidential Committee of the Whole recommendations numbered 19/338OC to 19/342OC be confirmed and adopted.

(Councillors Brown and Westhoff)

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

Against: Nil

22 CLOSURE

There being no further business the meeting closed at 6.39pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 17 September 2019



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Mayor