



EXTRAORDINARY MEETING OF COUNCIL

To be held at 5pm on

Tuesday 24 January 2017

Council Chambers 11 Manning Street, KIAMA NSW 2533

Order of Business

- 1 Apologies
- 2 Acknowledgement of Traditional owners
- 3 Report of the Director Environmental Services
- 4 Report of the General Manager
- 5 Report of the Director Engineering and Works
- 6 Report of the Director Community Services
- 7 Reports for Information
- 8 Closure

Members

His Worship the Mayor
Councillor M Honey
Councillor K Rice
Deputy Mayor
Councillor M Brown
Councillor N Reilly
Councillor A Sloan
Councillor W Steel
Councillor D Watson
Councillor M Way
Councillor M Westhoff

COUNCIL OF THE MUNICIPALITY OF KIAMA

Council Chambers
11 Manning Street
KIAMA NSW 2533

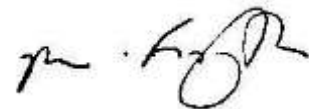
18 January 2017

To the Chairman & Councillors:

NOTICE OF EXTRAORDINARY MEETING

You are respectfully requested to attend an **Extraordinary Meeting** of the Council of Kiama, to be held in the **Council Chambers 11 Manning Street, KIAMA NSW 2533** on **Tuesday 24 January 2017** commencing at **5pm** for the consideration of the undermentioned business.

Yours faithfully



Michael Forsyth
General Manager

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**AGENDA FOR THE
EXTRAORDINARY MEETING OF KIAMA MUNICIPAL COUNCIL
TUESDAY 24 JANUARY 2017**

1 APOLOGIES

2 ACKNOWLEDGEMENT OF 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 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

3.1 Planning Committee - Membership

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.9 Ensure the principles of sustainable development and legislative compliance underpin our land uses and the design of our buildings and subdivisions

Delivery Program: 2.9.2 Ensure Council's Local Environment Plan and Urban Strategy are current and incorporate the principles of sustainable development

Summary

This report details the expressions of interest received for membership of the Planning Committee as a result of the recent advertisements calling for such expressions.

Finance

N/A

Policy

Council determination is required.

Attachments

1 Planning Committee - Terms of Reference

Enclosures

1 Expressions of Interest - Planning Committee

RECOMMENDATION

That Council determine membership of the Planning Committee in accordance with the adopted Terms of Reference.

BACKGROUND

A resolution was passed at Council's meeting held on 27 September 2016 to form a "Planning Committee" as one of the endorsed Committees of Council. In so doing, 3 previously existing committees, being the Commercial Centres and Community Safety Committee, the Development Industry Committee and the Local Environment Plan Review Committee have been combined.

At its meeting held on 18 October 2016, Council resolved the following:

1. *adopt the Draft Terms of Reference (attached to this report) for Council's Planning Committee,*

Report of the Director Environmental Services

3.1 Planning Committee - Membership (cont)

2. *appoint up to four non-Councillor representatives from diverse areas with relevant skills and experience, to the committee for the term of the current elected Council, and*
3. *appoint the Economic Development Manager to the Committee.*

Expressions of interest were called for with seventeen (17) applications being received. A copy of each expression of interest is included as an enclosure to this report.



Kiama Municipal Council - Terms of Reference

Name of committee	Planning Committee
Status	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee (specify the end date) <input type="checkbox"/>
Purpose	To provide a forum for communication between Council, the community and relevant sectoral groups in regard to planning issues that impact on the development and safety of our communities. Through this communicative process the committee will review strategy, policy and actions to ensure that the objectives and outcomes reflect expectations and recommend to Council accordingly.
Objectives	<ul style="list-style-type: none"> To engage members of the community, agencies and various sectoral groups who will relay their experiences and observations in regard to achieving the objectives of adopted policy. To form a consistent and open path of communication from the community to the committee and Council. Consider best professional and technical practice in making economically viable, environmentally sound and socially responsible recommendations to Council in regard to community development and safety To facilitate the dissemination of information to the community in regard to the operation of the committee.
Committee Meetings	Meetings will be scheduled as required.
Venue	Meetings will be held at the Kiama Council Chambers or other suitable venues as determined by the Committee.
Membership	<ul style="list-style-type: none"> Council's Mayor and Deputy Mayor along with 3 Councillors. Council's Mayor will chair the meetings. Council's General Manager, Directors of Environmental Services and Community Services, Managers of Community and Cultural Development, Development Assessment, Strategic Planning and Environment and Health – as required.
Meeting Quorum	A Quorum will be deemed to have been met under the following criteria: <ol style="list-style-type: none"> Minimum of 50% plus 1. Or per statutory requirements (if required).
Meeting administration	<ul style="list-style-type: none"> Meetings are to be chaired by the Mayor. Minutes will be taken by a representative of Council. Minutes will be submitted for the next Ordinary Meeting of Council immediately following the committee meeting. Minutes and agendas will be circulated seven (7) days prior to next scheduled meeting.

<p>Selection of members</p>	<p>If external committee positions become vacant the selection of new committee members will be undertaken:</p> <ul style="list-style-type: none"> i. through a public invitation for EOI by applicants. ii. by consideration of applications by Council. iii. by Council approval of successful applicants. <p>The following factors will be taken into consideration when determining members:</p> <ul style="list-style-type: none"> i. the persons relevant experience and expertise. ii. whether the person is a resident of the Kiama LGA. iii. there is a gender balance. iv. there is representation from across the full Kiama geographical area. v. cultural and age diversity is represented. vi. committee members are able to demonstrate that they are "connected and representative" of the community.
<p>Responsibility</p>	<p>Committee members will:</p> <ul style="list-style-type: none"> i. Act in an advisory role to Council staff ii. Participate in working parties as needed. iii. At all times comply with councils Code of Conduct. iv. At all times contribute in a positive and respectful manner. v. Avoid disruption, contrary conduct or being wasteful of time and resources.
<p>Terms of membership</p>	<p>Non councillor membership of the Planning Committee will be for the terms of the current elected Council.</p>
<p>Process for termination</p>	<p>Where a (non Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record.</p> <p>Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue.</p> <p>A written record shall be kept of the formal warning and counselling. If the Committee member's behaviour does not improve after the formal warning and counselling, the Committee member may, on the recommendation of the chairperson, be terminated by Council resolution.</p>
<p>Code of Conduct</p>	<p>All Committee members are subject to Council's Code of Conduct.</p>

(16/76367)

3.2 Companion Animals Management Advisory Committee - Membership

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.8 Provide supportive environments that encourage a healthy and sustainable lifestyle

Delivery Program: 2.8.1 Develop, implement and promote infrastructure, policies and programs that support a healthy and sustainable lifestyle

Summary

This report details the expressions of interest received for membership of the Companion Animals Management Advisory Committee as a result of the recent advertisements calling for such expressions.

Finance

N/A

Policy

Council determination is required.

Attachments

- 1 Companion Animals Management Advisory Committee - Terms of Reference

Enclosures

- 1 Companion Animals Management Advisory Committee - Expressions of Interest

RECOMMENDATION

That Council determine membership of the Companion Animals Management Advisory Committee in accordance with the adopted Terms of Reference.

BACKGROUND

At its meeting held on 18 October 2016, Council resolved the following:

1. *endorse the attached Terms of Reference for the Companion Animals Management Committee, and*
2. *seek expressions of interest for membership to the Committee in accordance with the Terms of Reference.*
3. *appoint non-Councillor membership for the term of the current elected Council.*

Expressions of interest were called for with seven (7) applications being received. A copy of each expression of interest is included as an enclosure to this report.



Terms of Reference

Name of committee	Companion Animals Management Advisory Committee:
Status	Council committee <input type="checkbox"/> Statutory committee <input checked="" type="checkbox"/> Sunset committee <input type="checkbox"/> (specify the end date ..2016.....)
Purpose	To ensure a co-ordinated and pro-active advisory body to Council on matters relevant to the provisions of services and facilities for the recreation and welfare of companion animals in Kiama Municipality
Objectives	To act as community representatives To provide information and recommendations to council To facilitate effective community awareness and responsible companion animal ownership To raise the profile of council's management of companion animals
Committee Meetings	Meetings are to be held on a needs basis.
Venue	Meetings will be held at the Kiama Council Chambers or other suitable venues as required.
Membership	<ul style="list-style-type: none"> • Minimum of one nominated Councillor (plus Councillor delegate) • Up to 5 non Councillor representatives • Representatives per statutory requirements (if required) • Minimum of one representative from the following Council departments: Environmental and Health Services • Other Council officers as required.
Meeting Quorum	A Quorum will be deemed to have been met under the following criteria: <ol style="list-style-type: none"> i. Minimum of 50% plus 1 ii. Or per statutory requirements (if required).
Meeting administration	<ul style="list-style-type: none"> • Meetings are to be chaired by a Councillor or as elected by the committee and endorsed by Council. • Minutes will be taken by a representative of Council. • Minutes are required to be submitted for the next Ordinary Meeting of Council immediately following the committee meeting.

	<ul style="list-style-type: none"> • Minutes and agendas will be circulated no less than seven days prior to next scheduled meeting.
Selection of members	<p>When positions become vacant the selection of new committee members will be undertaken:</p> <ol style="list-style-type: none"> i. through a public invitation for EOI by applicants ii. by consideration of applications by Council iii. by Council approval of successful applicants <p>The following factors will be taken into consideration when determining members:</p> <ol style="list-style-type: none"> i. the persons relevant experience & expertise ii. whether the person is a resident of the Kiama Local Government Area iii. there is a gender balance iv. there is representation from across the full Kiama geographical area v. cultural and age diversity is represented vi. committee members are able to demonstrate that they are "connected and representative" of the community
Responsibility	<p>Committee members will:</p> <ol style="list-style-type: none"> i. act in an advisory role to Council staff ii. provide strategic guidance on implementation of companion animal programs and initiatives iii. provide important links to the communities they represent in promoting and delivering the benefits of pet ownership iv. participate in working parties as needed v. at all times comply with Councils Code of Conduct vi. at all times contribute in a positive and respectful manner vii. avoid disruption, contrary conduct or being wasteful of time and resources
Term of membership	<p>Non Councillor membership of the Companion Animals Management Advisory Committee will be for:</p> <ol style="list-style-type: none"> a) the length of a Council term b) the length of the sunset committee c) a two year term <p>NB a specified term does not preclude an incumbent from reapplying to serve on consecutive terms.</p>
Termination of membership	<p>Non Councillor member positions will be declared vacant/terminated when a member:</p> <ol style="list-style-type: none"> i. completes their designated term and retires from the committee ii. competes their term and is not re appointed iii. resigns their membership, in writing, to the Chairperson iv. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson

	<p>v. acts in a way that is contrary to their responsibility as outlined (above).</p> <p>NOTE: Council on the recommendation of the committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.</p>
Process for termination	<p>Where a (non-Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record.</p> <p>Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling.</p> <p>If the committee member's behaviour does not improve after the formal warning and counselling, the committee member's appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>
Code of Conduct	<p>At all times Councillors, employees and Council officials must comply with Council's Code of Conduct.</p>

3.3 Estuary and Floodplain Management Committee - Membership

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.3 Ensure our natural and built environments are adaptive to climate change impacts

Delivery Program: 2.3.1 Consider climate change impacts and hazards and implement actions

Summary

This report details the expressions of interest received for membership of the Estuary and Floodplain Management Committee as a result of the recent advertisements calling for such expressions.

Finance

N/A

Policy

Council determination is required.

Attachments

- 1 Estuary and Floodplain Management Committee - Terms of Reference

Enclosures

- 1 Estuary and Floodplain Management Committee - Expressions of Interest

RECOMMENDATION

That Council determine membership of the Estuary and Floodplain Management Committee in accordance with the adopted Terms of Reference.

BACKGROUND

At its meeting on 28 September 2016, Council requested a report regarding the amalgamation of the Estuary Management and Floodplain Management Committees. Office of Environment and Heritage advice on the merger of the committees indicates that the merger is possible and has been adopted by other Councils, and that Council has the responsibility and authority to decide on the appropriate approach to ensure the committee is effective for its area.

Council at its meeting held on 18 October 2016 resolved the following:

- 1 *dissolve the Minnamurra River and Crooked River Estuary Management Plan review committees,*
2. *dissolve the Floodplain Management Committee,*
3. *resolve to establish an Estuary and Floodplain Management Committee, and*
4. *consider and amend where necessary the Draft Terms of Reference and resolve to seek expressions of interest for membership of the committee.*

Report of the Director Environmental Services

3.3 Estuary and Floodplain Management Committee - Membership (cont)

5. *appoint non-Councillor membership for the term of the current elected Council.*

Expressions of interest were called for with eleven (11) applications being received. A copy of each expression of interest is included as an enclosure to this report.

Invitations were also sent out to the RMS, SES, Department of Planning & Environment and Railcorp to have a representative - as the management of a number of our estuaries and floodplains may have a direct impact on these organisation. They have been given until 17 February to respond.



Terms of Reference

Name of committee	Estuary and Floodplain Management Committee:
Status	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee (specify the end date) <input type="checkbox"/>
Purpose	Roles of the Committee: 1. Advise Council on estuary management and floodplain management matters. 2. Provide advice to Council on implementation of management actions in Council's adopted Coastal Zone Management Plans (CZMPs). 3. Facilitate broader community consultation of the objectives of the CZMPs and Floodplain Management Studies. 4. Make recommendations to Council for consideration based on objectives and identified actions with the adopted CZMPs. 5. Establish flood prone lands within the Municipality through the preparation and assessment of flood studies. 6. Make recommendations regarding actions to strategically manage floods risks through the development of Floodplain Risk Management Plans where required.
Objectives	To provide input and advice to Council to assist in the management of the Kiama LGA's estuaries and floodplains in line with statutory requirements and relevant Government programs and policies.
Committee Meetings	Meetings are to be held on a quarterly basis.
Venue	Meetings will be held at the Kiama Council Chambers or other suitable venues as required.
Membership	<ul style="list-style-type: none"> • Minimum of one nominated Councillor (plus Councillor delegate). • Up to 8 non Councillor representatives. • Representatives per statutory requirements (if required). • Minimum of one representative from the following Council departments: <ul style="list-style-type: none"> ○ Engineering and Works. ○ Environmental Services. • Other Council officers as required. • State Government Agency Representatives as required from: <ul style="list-style-type: none"> ○ NSW Office of Environment and Heritage.

	<ul style="list-style-type: none"> ○ NSW Department of Primary Industries. ○ NSW South East Local Land Services. ○ NSW Department of Industry – Crown Lands. ○ NSW Roads and Maritime Services. ○ NSW State Emergency Services. ○ NSW Department of Planning.
Meeting Quorum	<p>A Quorum will be deemed to have been met under the following criteria:</p> <ul style="list-style-type: none"> i. Minimum of 50% plus 1. ii. Or per statutory requirements (if required).
Meeting administration	<ul style="list-style-type: none"> • Meetings are to be chaired by a Councillor or as elected by the committee and endorsed by Council. • Minutes will be taken by a representative of Council. • Minutes are required to be submitted for the next Ordinary Meeting of Council immediately following the committee meeting. • Minutes and agendas will be circulated no less than seven days prior to next scheduled meeting.
Selection of members	<p>When positions become vacant the selection of new committee members will be undertaken:</p> <ul style="list-style-type: none"> i. through a public invitation for EOI by applicants. ii. by consideration of applications by Council. iii. by Council approval of successful applicants. <p>The following factors will be taken into consideration when determining members:</p> <ul style="list-style-type: none"> i. the persons relevant experience & expertise. ii. whether the person is a resident of the Kiama Local Government Area . iii. there is a gender balance. iv. there is representation from across the full Kiama geographical area. v. cultural and age diversity is represented vi. committee members are able to demonstrate that they are “connected and representative” of the community
Responsibility	<p>Committee members will:</p> <ul style="list-style-type: none"> i. act in an advisory role to Council staff ii. provide strategic guidance on implementation of estuary and floodplain management programs and initiatives iii. provide important links to the communities they represent in promoting and delivering information relating to the estuary and floodplain management program iv. participate in working parties as needed v. at all times comply with Council's Code of Conduct vi. at all times contribute in a positive and respectful manner vii. avoid disruption, contrary conduct or being wasteful of time and

	resources
Term of membership	<p>Non Councillor membership of the Estuary and Floodplain Management Committee will be for the length of a Council term.</p> <p>NB a specified term does not preclude an incumbent from reapplying to serve on consecutive terms.</p>
Termination of membership	<p>Non Councillor member positions will be declared vacant/terminated when a member:</p> <ol style="list-style-type: none"> i. completes their designated term and retires from the committee. ii. completes their term and is not re appointed. iii. resigns their membership, in writing, to the Chairperson. iv. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson. v. acts in a way that is contrary to their responsibility as outlined (above). <p>NOTE: Council on the recommendation of the committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.</p>
Process for termination	<p>Where a (non-Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record.</p> <p>Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling.</p> <p>If the committee member's behaviour does not improve after the formal warning and counselling, the committee member's appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>
Code of Conduct	<p>At all times Councillors, employees and Council officials must comply with Council's Code of Conduct.</p>

4 REPORT OF THE GENERAL MANAGER

4.1 Kiama Independence Day

CSP Objective: 4 Responsible Civic Leadership that is Transparent, Innovative and Accessible

CSP Strategy: 4.1 Ensure we remain a strong, independent and sustainable local government authority to plan, deliver and advocate for the needs of our community

Delivery Program: 4.1.1 Undertake a program of engagement with State, regional and local authorities and organisations, and community members to ensure Council remains an independent and viable entity

Summary

This report provides an update on the holding of the Kiama Independence Day.

Finance

A budget of \$6,625 is proposed. Funds can be provided from Council's Civic and Events budgets.

Policy

Not applicable.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council note the proposed change of date of the event and endorse the draft budget.

BACKGROUND

This matter is submitted to the Extraordinary meeting as a matter of urgency.

On 18 October 2016 Council resolved to set aside, each year, the date of 3 February as 'Kiama Independence Day' and mark this day with a morning tea and at that time hold a public speaking competition on an appropriate topic.

Councillor Reilly with the Manager Library Services, the youth worker and members of the Library staff have met on a number of occasions to plan the event. Due to short timeframes it is now proposed to hold the speech day on 13 May 2017 at the Pavilion with publicity of the event to commence in February. It is also proposed to invite representatives of relevant organisations to judge the event involving school children from years 7, 8 and 9. The organisation committee has established a draft budget of \$6,625 to hold the event including Pavilion hire costs, refreshments,

Report of the General Manager

4.1 Kiama Independence Day (cont)

publicity costs and prizes. A photographic competition as an extension of the Kiama Independence Day is also being planned. It is understood that Vietnam Airlines may be prepared to significantly discount flights to Vietnam as prizes for the events.

5 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

5.1 Walking Tracks and Cycleways Committee - determine membership

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.10 Effectively manage the transport network of roads, footpaths and cycleways to cater for current and future generations

Delivery Program: 2.10.2 Manage footpaths and cycleway infrastructure for the community by the implementation of the Shared Pathway Asset Management Plan actions

Summary

This report details the expressions of interest received for membership of the Walking Tracks and Cycleways Committee as a result of the recent advertisements calling for such expressions.

Finance

N/A

Policy

Council is required to consider and determine membership of this Council committee.

Attachments

1 Terms of Reference - Walking Tracks and Cycleways Committee

Enclosures

1 Expressions of Interest - Walking Tracks and Cycleways Committee

RECOMMENDATION

That Council determine membership of the Walking Tracks & Cycleways Committee in accordance with the adopted Terms of Reference.

BACKGROUND

At the Council meeting of 18 October 2016 Council resolved to:

1. *accept the revised Terms of Reference for the Cycleways & Walking Tracks Committee and the Streets & Reserves Naming Committee,*
2. *advertise an Expression of Interest for new community members for each of these Committees, and*
3. *formally thank all the current community Committee members for their contributions over the previous years and advise them that they are welcome to apply for the new committee.*

Report of the Director Engineering and Works

5.1 Walking Tracks and Cycleways Committee - determine membership (cont)

An advertisement seeking expressions of interest for membership was placed on Councils website, social media pages and local print media in December 2016 with expressions being received up to and including 9 January 2017.

The Terms of Reference of the Committee are attached.

Nine (9) expressions have been received, covering all areas of representation contained in the Terms of Reference. Full copies of each application have been included as enclosures to this report.



Terms of Reference

Name of committee	Kiama Walking Tracks & Cycleways Committee
Status	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee (specify the end date) <input type="checkbox"/>
Purpose	To investigate, develop and promote regional and local walking tracks, cycle routes and shared pathways in the Municipality.
Objectives	To provide information and recommendations to Council. To raise the profile of Council's walking tracks, cycle routes and shared pathways.
Committee Meetings	Meetings are to be held quarterly on the second Wednesday of the month on dates agreed.
Venue	Meetings will be held at the Kiama Council Chambers or other suitable venues as required.
Membership	<ul style="list-style-type: none"> • Minimum of one nominated Councillor (plus Councillor delegate) • Up to seven non-Councillor representatives • Other Council officers as required.
Meeting Quorum	A Quorum will be deemed to have been met under the following criteria: <ol style="list-style-type: none"> i. minimum of 50% plus 1 ii. or per statutory requirements (if required).
Meeting administration	<ul style="list-style-type: none"> • Meetings are to be chaired by a Councillor • Minutes will be taken by a Council officer • Minutes are required to be submitted for the next Ordinary Meeting of Council immediately following the committee meeting • Minutes and agendas will be circulated no less than seven days prior to the next scheduled meeting.
Selection of members	When positions become vacant the selection of new committee members will be undertaken: <ol style="list-style-type: none"> i. through a public invitation for EOI by applicants ii. by consideration of applications by Council iii. by Council approval of successful applicants.

	<p>The following factors will be taken into consideration when determining members:</p> <ul style="list-style-type: none"> i. the persons relevant experience and expertise ii. whether the person is a resident of the Kiama Local Government Area iii. there is a gender balance iv. there is representation from across the full Kiama geographical area v. cultural and age diversity is represented vi. committee members are able to demonstrate that they are "connected and representative" of the community.
Responsibility	<p>Committee members will:</p> <ul style="list-style-type: none"> i. act in an advisory role to Council staff ii. provide strategic guidance on implementation of walking tracks and cycleways programs and initiatives iii. provide important links to the communities they represent in promoting and delivering walking tracks and cycleways iv. participate in working parties as needed v. at all times comply with Council's Code of Conduct vi. at all times contribute in a positive and respectful manner vii. avoid disruption, contrary conduct or being wasteful of time and resources.
Term of membership	<p>Non-Councillor membership of the Kiama Walking Tracks & Cycleways Committee will be for the term of the current elected Council.</p> <p>NB: a specified term does not preclude an incumbent from reapplying to serve on consecutive terms.</p>
Termination of membership	<p>Non-Councillor member positions will be declared vacant/terminated when a member:</p> <ul style="list-style-type: none"> i. completes their designated term and retires from the committee ii. completes their term and is not re appointed iii. resigns their membership, in writing, to the Chairperson iv. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson v. acts in a way that is contrary to their responsibility as outlined (above). <p>NOTE: Council on the recommendation of the Committee Chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.</p>
Process for termination	<p>Where a (non-Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant</p>

	<p>Council officer for recording. The committee member will be able to sight and sign the written record.</p> <p>Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling.</p> <p>If the committee member's behaviour does not improve after the formal warning and counselling, the committee member's appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>
Code of Conduct	<p>At all times Councillors, employees and Council officials must comply with Council's Code of Conduct.</p>

TRIM Reference: 16/68079

5.2 Streets and Reserves Naming Committee - determine membership

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.4 Protect and maintain environmentally significant natural areas on public and private land in a sustainable manner

Delivery Program: 2.4.1 Enforce and comply with environmental legislation and develop and implement management plans, programs and actions

Summary

This report details the expressions of interest received for membership of the Streets and Reserves Naming Committee as a result of the recent advertisements calling for such expressions.

Finance

N/A

Policy

Council is required to consider and determine membership of this Council committee.

Attachments

- 1 Terms of Reference - Streets and Reserves Naming Committee

Enclosures

- 1 Expressions of Interest - Streets and Reserves Naming Committee

RECOMMENDATION

That Council determine membership of the Streets and Reserves Naming Committee in accordance with the adopted Terms of Reference.

BACKGROUND

At the Council meeting of 18 October 2016 Council resolved to:

1. *accept the revised Terms of Reference for the Cycleways & Walking Tracks Committee and the Streets & Reserves Naming Committee,*
2. *advertise an Expression of Interest for new community members for each of these Committees, and*
3. *formally thank all the current community Committee members for their contributions over the previous years and advise them that they are welcome to apply for the new committee.*

An advertisement seeking expressions of interest for membership was placed on Councils website, social media pages and local print media in December 2016 with expressions being received up to and including 9 January 2017.

Report of the Director Engineering and Works

5.2 Streets and Reserves Naming Committee - determine membership (cont)

The Terms of Reference of the Committee are attached.

Three (3) expressions have been received. Full copies of each application have been included as enclosures to this report.

Not all of the areas of representation in the Terms of Reference have been covered. The Committee structure requires:

- Minimum of one nominated Councillor (plus Councillor alternate)
- A representative of the Kiama and Districts Historical Society and the Gerringong Historical Society
- A local historian
- A representative of the Kiama Family History Centre
- A representative of the local Aboriginal community
- A resident with knowledge of local native flora and fauna
- A representative from Council's Engineering & Works department

One of the nominees is a representative of the Kiama and Districts Historical Society and one from the Gerringong Historical Society. The other nominee is a long term resident with considerable knowledge of the area. Accordingly Council may have to approach community members that are known to have an interest in the other areas listed in the required structure.



Terms of Reference

Name of committee	Streets and Reserves Naming Committee
Status	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee (specify the end date) <input type="checkbox"/>
Purpose	To develop a philosophy for the naming of streets and reserves. To compile a list of names to use for streets and reserves within the Municipality. To recommend appropriate names for new streets, and new and unnamed reserves. To nominate appropriate areas, zones or precincts for naming.
Objectives	To provide information and recommendations to council.
Committee Meetings	Meetings are to be held as and when required.
Venue	Meetings will be held at the Kiama Council Chambers or other suitable venues as required.
Membership	<ul style="list-style-type: none"> • Minimum of one nominated Councillor (plus Councillor alternate) • A representative of the Kiama and Districts Historical Society and the Gerringong Historical Society • A local historian • A representative of the Kiama Family History Centre • A representative of the local Aboriginal community • A resident with knowledge of local native flora and fauna • A representative from Council's Engineering & Works department • Other Council officers as required.
Meeting Quorum	A Quorum will be deemed to have been met under the following criteria: <ol style="list-style-type: none"> i. minimum of 50% plus 1 ii. or per statutory requirements (if required).
Meeting administration	<ul style="list-style-type: none"> • Meetings are to be chaired by a Councillor or as elected by the committee and endorsed by Council. • Minutes will be taken by a representative of Council.

	<ul style="list-style-type: none"> • Minutes are required to be submitted for the next Ordinary Meeting of Council immediately following the committee meeting. • Minutes and agendas will be circulated no less than seven days prior to next scheduled meeting.
Selection of members	<p>When positions become vacant the selection of new committee members will be undertaken:</p> <ol style="list-style-type: none"> i. through a public invitation for EOI by applicants ii. by consideration of applications by Council iii. by Council approval of successful applicants. <p>The following factors will be taken into consideration when determining members:</p> <ol style="list-style-type: none"> i. the person's relevant experience & expertise ii. whether the person is a resident of the Kiama Local Government Area iii. there is a gender balance iv. there is representation from across the full Kiama geographical area v. cultural and age diversity is represented vi. committee members are able to demonstrate that they are "connected and representative" of the community
Responsibility	<p>Committee members will:</p> <ol style="list-style-type: none"> i. Act in an advisory role to Council staff ii. Ensure compliance with the NSW Naming Guidelines iii. Provide background and supporting information on names chosen illustrating important community links iv. At all times comply with Council's Code of Conduct v. At all times contribute in a positive and respectful manner vi. Avoid disruption, contrary conduct or being wasteful of time and resources.
Term of membership	<p>Non Councillor membership of the Streets and Reserves Naming Committee will be for term of the current elected Council.</p> <p>NB a specified term does not preclude an incumbent from reapplying to serve on consecutive terms.</p>
Termination of membership	<p>Non Councillor member positions will be declared vacant/terminated when a member:</p> <ol style="list-style-type: none"> i. completes their designated term and retires from the committee ii. competes their term and is not re-appointed iii. resigns their membership, in writing, to the Chairperson iv. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson v. acts in a way that is contrary to their responsibility as outlined (above).

	<p>NOTE: Council on the recommendation of the committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.</p>
<p>Process for termination</p>	<p>Where a (non-Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record.</p> <p>Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling.</p> <p>If the committee member's behaviour does not improve after the formal warning and counselling, the committee member's appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>
<p>Code of Conduct</p>	<p>At all times Councillors, employees and Council officials must comply with Council's Code of Conduct.</p>

TRIM Reference: 16/77097

6 REPORT OF THE DIRECTOR COMMUNITY SERVICES

6.1 Kiama Access Advisory Committee - Membership

CSP Objective: 1 A Healthy, Safe and Inclusive Community

CSP Strategy: 1.1 Encourage and support residents from socially and culturally diverse backgrounds to participate in all aspects of community life

Delivery Program: 1.1.2 Monitor and improve accessibility within the Municipality

Summary

This report presents the Expressions of Interest from community members to join the Kiama Access Committee.

Finance

Nil

Policy

N/A

Attachments

1 Terms of Reference - Kiama Access Advisory Committee

Enclosures

1 Expressions of Interest - Kiama Access Advisory Committee

RECOMMENDATION

That Council determine the membership of the Kiama Access Committee

BACKGROUND

At the Council meeting of 18 October 2016 Council resolved to:

1. *accept the revised Terms of Reference for the Kiama Access Advisory Committee*
2. *advertise an Expression of Interest for new community members for each of these Committees, and*
3. *formally thank all the current community Committee members for their contributions over the previous years and advise them that they are welcome to apply for the new committee.*

An advertisement seeking expressions of interest for membership was placed on Councils website, social media pages and local print media in December 2016 with expressions being received up to and including 9 January 2017.

The Terms of Reference of the Committee are attached.

Six (6) Expressions of Interest (EOI) were received from community members wishing to join the Kiama Access Committee. Under the terms of reference for the

Report of the Director Community Services

6.1 Kiama Access Advisory Committee - Membership (cont)

committee, 5-7 community representatives that comprise a cross section of representation of the needs of people with a disability can be appointed.

Of the six (6) EOIs received, 2 were from people who were members of the committee before membership was spilled prior to the call for EOIs.

One (1) EOI was received on the 12 January 2017, 3 days after the extended closing date of 9 January.

Full copies of each application have been included as enclosures to this report.

Councillors are now asked to determine the membership of this committee.



Terms of Reference

Name of committee	Kiama Access Committee:
Status	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee (specify the end date) <input type="checkbox"/>
Purpose	The Committee aims to provide a forum for community and organisational representatives of people with a disability to collaborate with Council to address issues of accessibility within the Community.
Objectives	To ensure services and facilities in the community are accessible to those with a disability To encourage the establishment and maintenance of access to all existing public use buildings, services and facilities and to ensure their effective use by a person with a disability To promote an awareness of the needs of those with disabilities To ensure all development proposals in the community are provided with practical and relevant planning and design details To address issues of access relating to public spaces and buildings as they are brought to the Committee's attention To review and give comment on development applications, where appropriate, in regard to compliance with Australian Standards relating to access, including adequacy of provision of parking for people with a disability Monitor issues relating to street furniture, altering ground levels, public transport shelters, parking, signage and any other factors affecting accessibility for their impact on those with a disability To actively demonstrate, by example, Council's awareness of the needs of those with a disability
Committee Meetings	The Kiama Council Community Access Advisory Committee will meet on a bi-monthly basis, with provision for monthly meetings if required
Venue	Meetings will be held at the Kiama Council Chambers or other suitable venues as required.
Membership	1 x Nominated Councillor representative or Delegate 4 x Council staff Representatives: Manager Community & Cultural Development; Manager Development Assessment; Manager Design & Development; Road Safety Officer 5 – 7 Community and organisational representatives, comprising a cross section of representation of the needs of people with a disability eg. vision, physical, hearing or age related impairment The Nominated Councillor representative will be the Chairperson of the

Item 6.1

Attachment 1

	Committee.
Meeting Quorum	A Quorum will be deemed to have been met under the following criteria: i. Minimum of 50% plus 1
Meeting administration	<ul style="list-style-type: none"> • Minutes will be taken by the Manager Community & Cultural Development or their delegate. • Minutes will be submitted to the next Council meeting for information. • Recommendations from the minutes requiring Council endorsement will be written as a Report to Council by the Manager Community & Cultural Development and submitted to the next Council meeting. • A copy of all minutes will be circulated within 2 weeks of the meeting being held
Selection of members	<p>When positions become vacant or at the start of each Council term, the selection of new committee members will be undertaken:</p> <p>Kiama Council will invite nominations in a variety of ways including advertising for Expressions of Interest and direct appointment of organizational representatives to replace staff who are resigning.</p> <p>Kiama Council Access Committee will call for nominations to the committee as required to fill vacant positions.</p> <p>Upon resignation of an organisational representative, a review will occur to determine whether a request will be made to the same organisation to provide an alternate representative or whether there may be other suitable organisations who would like an opportunity to be represented.</p> <p>Upon resignation of a Community Representative, if an organisation does not wish to provide an alternative representative, or if the Committee wishes to seek interest from other organisations, nominations will be sought through Expressions of Interest, advertised by Council.</p>
Responsibility	<p>Each member of Kiama Council Access Committee has a right to:-</p> <ul style="list-style-type: none"> Expect staff representing the various sections of Council will treat them with courtesy and respect Have their contribution heard by other members Give constructive feedback and input into the operations of Council in relation to access issues <p>Each member of the Advisory Committee has a responsibility to:-</p> <ul style="list-style-type: none"> Abide by Council's policies and meeting procedures in regard to issues such as conflict of interest and confidentiality Act in accordance with the specified role of the committee Conduct themselves ethically and represent the Access Committee in a positive way Attend Access Committee meetings or, if unable to attend, send apologies; Not take action relating to the Access Committee without the express consent of Kiama Council, including not interfering with the day to day operations of Council staff Not discuss confidential issues with people outside of the Access Committee Treat other members of the Committee and Council staff with respect Follow Kiama council grievance procedures to resolve any conflict
Term of membership	Non-councillor membership being for the term of the current elected Council.

Termination of membership	Council management reserves the right to terminate membership in the instance of a serious breach of the above responsibilities
Process for termination	<p>Where a (non-Councillor or staff) committee member’s behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record.</p> <p>Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling.</p> <p>If the committee member’s behaviour does not improve after the formal warning and counselling, the committee member’s appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>
Code of Conduct	At all times Councillors, employees and Council officials must comply with Council’s Code of Conduct.

TRIM Reference:

[16/77909]

6.2 Kiama Health & Sustainability Advisory Committee - Membership

CSP Objective: 1 A Healthy, Safe and Inclusive Community

CSP Strategy: 1.3 Develop and implement services and programs that promote health and active lifestyle for residents of all ages, abilities and interests

Delivery Program: 1.3.2 Develop, implement and review the Kiama Health Plan

Summary

This report presents the Expressions of Interest from community members to join the Kiama Health & Sustainability Committee.

Finance

Nil

Policy

N/A

Attachments

1 Terms of Reference - Kiama Health and Sustainability Advisory Committee

Enclosures

1 Expressions of Interest - Kiama Health and Sustainability Advisory Committee

RECOMMENDATION

That Council determine the membership of the Kiama Health & Sustainability Committee.

BACKGROUND

At the Council meeting of 18 October 2016 Council resolved to:

1. *accept the revised Terms of Reference for the Kiama Cultural Board Committee*
2. *advertise an Expression of Interest for new community members for each of these Committees, and*
3. *formally thank all the current community Committee members for their contributions over the previous years and advise them that they are welcome to apply for the new committee.*

An advertisement seeking expressions of interest for membership was placed on Councils website, social media pages and local print media in December 2016 with expressions being received up to and including 9 January 2017.

The Terms of Reference of the Committee are attached.

Report of the Director Community Services

6.2 Kiama Health & Sustainability Advisory Committee - Membership (cont)

Eight (8) Expressions of Interest (EOI) were received from community members wishing to join the Kiama Health & Sustainability Committee. Under the terms of reference for the committee, up to 5 community representatives can be appointed.

None of the EOIs received were from people who had previously been a member of this committee.

One (1) EOI was received on the 12 January 2017, 3 days after the extended closing date of 9 January.

Full copies of each application have been included as enclosures to this report.

Councillors are now asked to determine the membership of this committee.



**Kiama Municipal Council
Kiama Health & Sustainability Advisory Committee:
Terms of Reference**

Item 6.2

Attachment 1

Name of committee	Kiama Health & Sustainability Advisory Committee
Status	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee (specify the end date) <input type="checkbox"/>
Purpose	To ensure a coordinated, community based approach to the development, implementation and evaluation of Kiama Council's various health and sustainability initiatives including the Kiama Health Plan.
Definitions	<p>Health can be defined as 'a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity' (WHO, 1946)</p> <p>Sustainability can be defined as 'meeting the needs of the present without compromising the ability of future generations to meet their own needs" (Brundtland Commission, 1987).</p> <p>Kiama Health Plan provides a framework to support the various departments of Council to work together on health and sustainability initiatives within our Municipality. Kiama Council recognises that the health of the community (both human and environmental health) is a shared interdependent responsibility. The plan aims to improve the health, wellbeing and quality of life for all residents and visitors to the Kiama Municipality. Secondly it aims to improve, protect and enhance the environment for the benefit of present and future generations. The four main pillars of the plan are: strengthening community, supportive social environments for health, healthy economy, and health of the environment. The Kiama Health Plan sits within Council's Community Strategic Plan for a liveable resilient community.</p>
Objectives	<ul style="list-style-type: none"> • To provide access for individuals/groups to have input into and participate in the preparation, review and implementation of Council's Health Plan, and other Council sustainability initiatives • To provide advice and support to council on the development of initiatives that meet the actions within the Kiama Health Plan • Provide information and recommendations to Council • Facilitate effective community input, collaboration and networking in relation to the Kiama Health Plan • To raise the profile of Council's health and sustainability initiatives in the wider Kiama community • Review any resources, surveys or information related to initiatives in the Kiama Health Plan that will be distributed to the community and provide

	input and feedback on its appropriateness.
Committee Meetings	Meetings will be held every 2 months
Venue	Meetings will be held at the Kiama Council Chambers or other suitable venues on a needs basis.
Membership	<ul style="list-style-type: none"> • Minimum of Two (2) nominated Councillors • up to five (5) community representatives • Minimum of one representative from the following Council departments: Community Services, Environmental Services, Engineering and Works • Other Council officers as required • Up to two (2) external organisational representatives
Meeting Quorum	<p>A Quorum will be deemed to have been met under the following criteria:</p> <ul style="list-style-type: none"> i. Minimum of 5 committee members present ii. Out of the 5 present, at least 2 are community representatives and one is a councillor.
Meeting administration	<p>Meetings are to be chaired by a councillor or as elected by the committee and endorsed by Council.</p> <p>Minutes will be taken by a representative of council.</p> <p>Minutes are required to be submitted to the next Ordinary Meeting of Council immediately following the committee meeting.</p> <p>Minutes and agendas will be circulated no less than seven days prior to next scheduled meeting.</p>
Selection of members	<p>When positions become vacant the selection of new committee members will be undertaken:</p> <ul style="list-style-type: none"> i. through a public invitation for EOI by applicants ii. by consideration of applications by council iii. by council approval of successful applicants <p>The following factors will be taken into consideration when determining members:</p> <ul style="list-style-type: none"> i. the persons relevant experience & expertise ii. whether the person is a resident of the Kiama LGA iii. there is a gender balance iv. there is representation from across the full Kiama geographical area v. cultural and age diversity is represented vi. committee members are able to demonstrate that they are “connected and representative” of the community
Responsibility	<p>Committee members will:</p> <ul style="list-style-type: none"> i. Act in an advisory role to Council staff ii. Provide strategic guidance on implementation of health & sustainability programs and initiatives iii. Provide important links to the communities they represent in promoting and delivering health & sustainability initiatives iv. Participate in working parties as needed v. At all times comply with councils Code of Conduct

	<ul style="list-style-type: none"> vi. At all times contribute in a positive and respectful manner vii. Avoid disruption, contrary conduct or being wasteful of time and resources
Working Parties	Working Parties will be established to assist in implementation of various health and sustainability programs as identified in the adopted Kiama Health Plan, and other Council Management Plans or as identified and resolved by Council from time to time.
Terms of membership	<p>Non-Councillor membership of the Health & Sustainability Committee will be for the term of the current elected Council.</p> <p>Non councillor member positions will be declared vacant/terminated when a member:</p> <ul style="list-style-type: none"> i. completes their designated term and retires from the committee ii. completes their term and is not re appointed iii. resigns their membership, in writing, to the Chairperson iv. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson v. acts in a way that is contrary to their responsibility as outlined (above) <p>NOTE: Council on the recommendation of the committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.</p>
Addressing Unsatisfactory behaviour	Where a (non Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record. Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce the potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling. If the committee members' behaviour does not improve after the formal warning and counselling, the committee member may, on the recommendation of the chairperson, be terminated by council resolution.
Code of Conduct	At all times Councillors, employees and Council officials must comply with Council's Code of Conduct.

6.3 Kiama Cultural Board Committee - Membership

CSP Objective: 1 A Healthy, Safe and Inclusive Community

CSP Strategy: 1.2 Promote and support a range of social, cultural and artistic activities, practices and programs for creating sustainable health and well being

Delivery Program: 1.2.4 Implement and support community, cultural and artistic activities and development programs

Summary

This report provides Council with information regarding expressions of interest for the Kiama Cultural Board

Finance

No budget allocation required

Policy

BISI Cultural Planning Document

Attachments

1 Terms of Reference - Kiama Cultural Board Committee

Enclosures

1 Expressions of Interest - Kiama Cultural Board Committee

NRECOMMENDATION

That Council determines the membership of the Kiama Cultural Board.

BACKGROUND

At the Council meeting of 18 October 2016 Council resolved to:

- 1. accept the revised Terms of Reference for the Kiama Cultural Board Committee*
- 2. advertise an Expression of Interest for new community members for each of these Committees, and*
- 3. formally thank all the current community Committee members for their contributions over the previous years and advise them that they are welcome to apply for the new committee.*

An advertisement seeking expressions of interest for membership was placed on Councils website, social media pages and local print media in December 2016 with expressions being received up to and including 9 January 2017.

The Terms of Reference of the Committee are attached.

Report of the Director Community Services

6.3 Kiama Cultural Board Committee - Membership (cont)

Expressions of Interest (EOI) were received from 11 community members in regard to membership for the Kiama Cultural Board. Six EOI's are from previous members of the Board and a further five have been received from potential new members.

Under the terms of reference for the Cultural Board, 10 positions are available for community membership with the following factors to be taken into consideration when determining new membership:

- the person's relevant experience & expertise
- whether the person is a resident of the Kiama LGA
- there is a gender balance
- there is representation from across the full Kiama geographical area
- cultural and age diversity is represented
- there is representation of a wide range of arts practices
- that individuals can work together, for the good of the Board, the Council and the Kiama arts community

The following provides a summary of the information provided in each EOI received.

Two of the EOI's received were submitted after the closing date and two applications were submitted on the incorrect form. Each of these individuals potentially brings a wealth of knowledge and experience to the.

Full copies of each application have been included as enclosures to this report.

Councillors are now asked to determine the membership of this committee.



**Kiama Municipal Council
Cultural Board:
Terms of Reference**

Name of Board	Kiama Cultural Board
Status	Council Board <input checked="" type="checkbox"/> Statutory Board <input type="checkbox"/> Sunset Board (specify the end date) <input type="checkbox"/>
Purpose	To act in an advisory capacity to council on cultural matters To encourage artistic practice and participation within the Kiama local government area To advocate to and for Council on artistic and cultural matters
Objectives	To administer and make recommendations on Council's Cultural Grants and Youth Arts Scholarships To support and advise Council's Community and Cultural Development Officer To be involved in cultural and arts planning within the local government area To act as a conduit between the community and Council on arts and cultural concerns To make recommendations to Council on specific arts and cultural concerns
Board Meetings	Meetings are to be held on a Thursday evenings on a bi monthly basis, with provision to meet monthly if required
Meeting Duration	Regular Cultural Board meetings will aim to take no more than two hours.
Venue	Meetings will be held at the Kiama Council Chambers or other suitable venues as required.

Membership	<p>Minimum of one nominated Councillor</p> <p>Up to 10 community representatives</p> <p>Minimum of one representative from the following Council departments:</p> <ul style="list-style-type: none"> • Community Services <p>Other Council officers as required</p>
Meeting Quorum	<p>A Quorum will be deemed to have been met with a minimum of 50% plus one.</p>
Meeting Administration	<p>Meetings are to be chaired by a Councillor or chairperson as elected by the Board and endorsed by Council</p> <p>Where elected by the Board:</p> <ul style="list-style-type: none"> • Election for chairperson will be held annually on the last meeting of the year • In the event of a tied vote the current Chairperson shall have a casting vote <p>Minutes will be taken by a representative of Council</p> <p>Minutes are required to be submitted for the next Ordinary Meeting of Council immediately following the Board meeting</p> <p>Minutes and agendas will be circulated no less than seven days prior to next scheduled meeting</p> <p>Members of the Board and Council staff may submit items to Council's Community and Cultural Development Officer for inclusion in the meeting agenda by mail, facsimile, email or telephone</p> <p>Late items will be subject to acceptance by members present at the Cultural Board meeting</p>
Communication with Council	<p>Recommendations of the Board shall be referred to Council via the Board Minutes through the Director Community Services</p> <p>Council may refer information to the Board for comment</p>
Conflict of Interest	<p>Members of the Cultural Board are to declare any direct conflicts of interest with issues on the agenda at the commencement of the meeting or as soon as the relevant issue is raised</p> <p>All conflicts of interest declared should be recorded in Minutes, and if appropriate, the parties involved to leave the room while the particular matter is discussed</p>

<p>Selection of Members</p>	<p>When positions become vacant the selection of new Board members will be undertaken:</p> <ul style="list-style-type: none"> i. through a public invitation for EOI by applicants ii. by consideration of applications by Council iii. by Council approval of successful applicants <p>The following factors will be taken into consideration when determining members:</p> <ul style="list-style-type: none"> i. the person's relevant experience & expertise ii. whether the person is a resident of the Kiama LGA iii. there is a gender balance iv. there is representation from across the full Kiama geographical area v. cultural and age diversity is represented i. there is representation of a wide range of arts practices vi. that individuals can work together, for the good of the Board, the Council and the Kiama arts community
<p>Responsibility</p>	<p>Board members will:</p> <ul style="list-style-type: none"> i. Act in an advisory role to Council staff ii. Provide strategic guidance on implementation of cultural arts programs and initiatives iii. Provide important links to the communities they represent in promoting and delivering cultural arts iv. Participate in working parties as needed v. At all times comply with Councils Code of Conduct vi. At all times contribute in a positive and respectful manner vii. Avoid disruption, contrary conduct or being wasteful of time and resources
<p>Term of Membership</p>	<p>Non-Councillor membership of the Cultural Board Committee will be for the term of the current elected Council</p> <p>NB a specified term doesn't preclude an incumbent from serving consecutive terms</p>
<p>Termination of Membership</p>	<p>Non Councillor member positions may be declared vacant/terminated when a member:</p> <ul style="list-style-type: none"> i. completes their designated term and retires from the Board ii. completes their term and is not re appointed iii. resigns their membership, in writing, to the Chairperson iv. fails to attend more than 75% of scheduled meetings in a calendar year (year being September to September) unless granted special leave of absence by the Chairperson v. acts in a way that is contrary to their responsibility as outlined (above) <p>NOTE: Council on the recommendation of the Board chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.</p>

<p>Process for Termination</p>	<p>Where a (non Councillor or staff) Board member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant Board member and reinforce the required level of conduct.</p> <p>The Chairperson will make a written record of this and provide to a relevant council officer for recording.</p> <p>The Board member will be able to sight and sign the written record. Where there is re-occurrence of unsatisfactory behaviour the Board member will be warned formally in writing by the Chairperson.</p> <p>Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the Board members and Council. In addition counselling will reinforce potential for termination from the Board should the behaviour continue.</p> <p>A written record shall be kept of the formal warning and counselling. If the Board members behaviour does not improve after the formal warning and counselling, the Board member may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>
<p>Code of Conduct</p>	<p>At all times Councillors, employees and Council officials must comply with Council's Code of Conduct.</p>

6.4 Kiama Hospital Purchase Contract

CSP Objective: 1 A Healthy, Safe and Inclusive Community

CSP Strategy: 1.4 Plan for and support our Ageing Population

Delivery Program: 1.4.2 Redevelop and expand the Blue Haven Aged Care Facility

Summary

All terms in the purchase contract for the Kiama Hospital site have now been agreed and final versions of the documents are being prepared for exchange and settlement.

Finance

\$3,102,000 (incl. GST)

Policy

Nil

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council:

1. gives delegation to the General Manager to sign the contract for the purchase of the Kiama Hospital site from the NSW Health Administration Corporation
2. endorse the placing of Council's seal on the relevant documentation if required.

BACKGROUND

This matter is submitted to the Extraordinary meeting as a matter of urgency.

Negotiations relating to the purchase of the Kiama Hospital site have been lengthy due to a number of factors relating to the scope of the project, the allocation of various costs and the need for the Illawarra Shoalhaven Local Health District (ISLHD) to continue providing services from the site until the new community health facility is completed. Council's solicitor, Peter Moggath from RMB Lawyers, has now advised that all outstanding issues have been agreed to and the contract can be finalised.

There have been no changes to the conditions previously agreed to by Council in relation to the purchase price of \$3,102,000 (incl. GST). However, there will no longer be a need to enter into a lease agreement for ISLHD to remain operating from part of the site as they will be able to occupy the new building prior to settlement. Agreement has been reached regarding access to a new power substation. Council will construct the new substation with sufficient capacity for ISLHD who will pay for their own connection when completed.

Report of the Director Community Services

6.4 Kiama Hospital Purchase Contract (cont)

Settlement will occur either within three weeks of ISLHD giving notice of vacant possession or by the 28 February 2017, whichever occurs first.

Previous resolutions of Council have enabled the negotiations in regard to the hospital site to reach this point. Key resolutions include:

- September 2013:
 1. Endorse the proposed Principles of Agreement in regard to the purchase of the Kiama Hospital Site from Illawarra Shoalhaven Local Health District
 2. Subject to the signing of the Principles of Agreement, endorse the submission of a joint application with Illawarra Shoalhaven Local Health District for the next stage of the funding application requesting \$8 million from the Restart NSW Illawarra Infrastructure Fund for the purpose of redeveloping the Kiama Hospital site
 3. Endorse the continuation of negotiations with ISLHD to progress the sale of the hospital site to Kiama Council
- December 2013:
 1. Formally accept the Restart NSW grant of \$8 million for the Blue Haven Centre of Aged Care Excellence proposal
- December 2014:
 1. Endorse the purchase of the Kiama Hospital site, based on the projected Long Term Financial Plan, with the inclusion of remediation costs
 2. Endorse the signing of the Funding Deed for NSW Infrastructure as soon as possible

Council is requested to give delegation to the General Manager to sign the purchase documents so that the sale may be completed.

7 REPORTS FOR INFORMATION

7.1 Seniors Week Committee - Membership

Responsible Director: Community Services

There was one Expression of Interest (EOI) received for the Seniors Week Committee from an existing member. However, all existing partners in the Seniors Week program are continuing to be involved in the planning for 2017 activities.

The Seniors Week Committee has been operating electronically for the past two years with Clr. Kathy Rice being the Council representative. This has saved time for both staff and committee members. As the program is well established and very similar from year to year, meetings were shorter than the time it took some members to come into Council and it frees up meeting rooms which are in high demand.

Committee members are from the groups who are organising events for the program and each year advance promotion of Seniors Week allows new organisations to contribute if they wish. It is not considered necessary to establish a more formal Committee structure than currently exists.

8 CLOSURE