



# **MINUTES OF THE ORDINARY MEETING OF COUNCIL**

**commencing at 5pm on**

**TUESDAY 24 JUNE 2014**

Council Chambers  
11 Manning Street, KIAMA NSW 2533

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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE  
MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS,  
KIAMA, ON TUESDAY 24 JUNE 2014 AT 5PM**

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

**IN ATTENDANCE:** General Manager, Director of Environmental Services, Acting  
Director of Corporate and Commercial Services, Director of  
Engineering and Works and Director of Community Services

### **1 APOLOGIES**

Councillor G McClure

### **2 ACKNOWLEDGEMENT OF TRADITIONAL CUSTODIANS**

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

*“On behalf of those present, I would like to formally acknowledge the  
Dharawal nation and the Woddi Woddi people, the traditional Aboriginal  
owners and custodians of the land on which we are gathering.”*

### **3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

The Minutes of the **Ordinary Meeting** of Council held on **20 May 2014** were  
acknowledged by the Councillors.

**14/006**

**Resolved** that the Minutes of the Ordinary Meeting of Council held on 20 May 2014  
be confirmed and adopted

(Councillors Reilly and Way)

The Minutes of the **Extraordinary Meeting** of Council held on **3 June 2014** were  
acknowledged by the Councillors.

**14/007**

**Resolved** that the Minutes of the Extraordinary Meeting of Council held on 3 June  
2014 be confirmed and adopted

(Councillors Reilly and Way)

### **4 BUSINESS ARISING FROM THE MINUTES**

Nil

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## 5 PUBLIC ACCESS

At this time, 5.03pm Councillor Seage attended the meeting.

The General Manager outlined public access which was held on Monday 23 June 2014 in the Council Chambers commencing at 5.00pm as follows:-

Mrs Natalie Allan - Possible Site for Service Station Complex – RailCorp Land at Cnr North Kiama Bypass and Riverside Drive, Bombo (Item 2, Mayoral Minute)

Mr Paul Beaupark - North Bombo Quarry Walking Track (Item 6, DEW)

## 6 MAYORAL MINUTE

### 6.2 Possible Site for Service Station Complex - RailCorp Land at Cnr North Kiama Bypass and Riverside Drive, Bombo

**14/008**

**Resolved** that Council reconsider its current direction in relation to the service station site at Bombo and not go ahead with the geotechnical report on the proposed Bombo site at this time.

(Councillors Seage and Sloan)

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

Against: Nil

### 6.1 Presentation of Painting to Council's Collection by Mr John Cornwell

**14/009**

**Resolved** that Council accept with appreciation, the gift of the painting "A View from Saddleback" from Mr John Cornwell, the prominent local artist.

(Councillors Petschler and Steel)

### 6.3 Federal Budget

**14/010**

**Resolved** that Council:-

- 1) Note that the 2014/15 Federal Budget proposed the freezing of indexation for Commonwealth Federal Assistance Grants.
- 2) Note that the freezing will directly impact on Council's ability to provide essential services.
- 3) Write to the Federal Member for Gilmore, Ms Ann Sudmalis MP and the Federal Minister responsible for Local Government expressing strong concerns regarding the freezing of indexation, and request the Member for Gilmore to lobby the Minister to abandon the decision to freeze indexation of the Federal Assistance Grants.

(Councillors Petschler and Sloan)

**6.4 The Australian Water Association - National Program Innovation Award – 2014**  
**Councillor Andrew Sloan – Moreton Bay Total Water Cycle Management Plan**

**14/011**

**Resolved** that Council extend its congratulations to Councillor Andrew Sloan on his winning of the Australian Water Association National Program Innovation Award for 2014 for the Moreton Bay Total Water Cycle Management Plan

(Councillors Petschler and Reilly)

**6.5 Australian Honour – Australian Fire Service Medal**  
**Mr Malcolm Connellan, Fire and Rescue NSW**

**14/012**

**Resolved** that Council extend the congratulations to Mr Malcolm Connellan on the award of the Australian Fire Service Medal under the Queen’s Birthday Honours List

(Councillors Petschler and Way)

**6.6 Community Film Night - World Environment Day 2014 –**

The Mayor advised the Council that he had attended a Community Film Night at the Pavilion on Friday 20 June. The film screened was “Trashed”, an award winning documentary feature film which explores the extent and effects of the global waste problem. The film night was a great success with many people attending.

**14/013**

**Resolved** that Council extend congratulations to the Environmental Services officers who organised the event

(Councillors Petschler and Reilly)

## **7 MINUTES OF COMMITTEES**

**7.1 Kiama Local Traffic Committee - Minutes - June 2014**

**14/014**

**Resolved** that:-

- 1) the Minutes of the Kiama Traffic Committee Meeting held on 3 June 2014 and the recommendation numbered CR150 contained therein be approved and adopted.
- 2) CR151 be referred back to the Traffic Committee for further consideration.

(Councillors Reilly and Petschler)

**7.2 Kiama Council Streets and Reserves Naming Committee Meeting - Minutes - June 2014****14/015**

**Resolved** that the Minutes of the Kiama Council Streets and Reserves Naming Committee Meeting held on 4 June 2014, CR152 To CR160 contained therein be approved and adopted

(Councillors Sloan and Seage)

**14/016**

**Recommended** that Council ensure that all signage erected are as clear as possible

(Councillors Rice and Way)

**7.3 Blue Haven Retirement Village Committee - Minutes - June 2014****14/017**

**Resolved** that the Minutes of the Blue Haven Retirement Village Committee Meeting held on 4 June 2014, CR161 to CR169 contained therein be approved and adopted.

(Councillors Rice and Reilly)

**8 COMMITTEE OF THE WHOLE****14/018**

**Resolved** that at this time, 5.33pm, Council form itself into a Committee of the Whole to deal with matters listed in the reports as set out below:

- Report of the Director Environmental Services
- Report of the General Manager
- Report of the Director Corporate and Commercial Services
- Report of the Manager Corporate Services
- Report of the Director Engineering and Works
- Report of the Director Community Services
- Late Reports

(Councillors Seage and Way)

**PUBLIC ACCESS REPORTS****14/019**

**Committee Recommendation** that at this time, 5.33pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting

(Councillors Seage and Way)



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## REPORT OF THE DIRECTOR OF ENGINEERING AND WORKS

### 13.6 North Bombo Quarry Walking Track

14/020

**Committee Recommendation** that the name “Thunda” and associated branding be referred to the Aboriginal Liaison Officer for advice and then forwarded to the Geographic Names Board before Council proceeds with the naming of the track and identifying a character that may be suitable for association with the naming

(Councillors Sloan and Reilly)

The **Motion** was put and **Carried**.

14/021

**Recommended** that Council also refers this matter to the Walking Tracks and Cycleways Committee for comment.

(Councillors Sloan and Reilly)

The **Motion** was put and **Lost**.

## RESUMPTION OF ORDINARY BUSINESS:

14/022

**Committee recommendation** that at this time, 5.56pm, Council resume the Committee of the Whole meeting to deal with matters listed in the reports

(Councillors Sloan and Reilly)

## 9 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

### 9.1 Southern Councils Group (SCG) - Draft Regional Waste Avoidance and Recovery Strategy

14/023

**Committee recommendation** that Council endorse the draft Regional Waste Avoidance and Recovery Strategy prepared by the Southern Councils Group.

(Councillors Rice and Sloan)

## 10 REPORT OF THE GENERAL MANAGER

### 10.1 Minnamurra Lions Club - Autumn Fest

14/024

**Committee recommendation** that Council:-

- 1) make a donation to the Minnamurra Lions Club equivalent to the hire of Black Beach Reserve and the provision of waste and cleaning services for the 2015 Autumn Fest to be run by the Minnamurra Lions Club
- 2) request the Minnamurra Lions Club that the food provided at the event be healthy food.

(Councillors Rice and Sloan)

## **11 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL SERVICES**

### **11.1 Kiama Produce Market - Question Without Notice**

**14/025**

**Committee recommendation** that Council seeks expressions of interest from interested commercial market operators to manage the Kiama Produce Market on the fourth Saturday of each month. The applicants will be required to adhere to Council's guiding principles which are to:-

- encourage community involvement in growing produce and supplying value added and further processed products
- provide the opportunity for the dairy farming community to grow agri-produce and secure secondary income, value adding their existing business
- support special interest groups with a retailing outlet for their products
- enable promotion of the local produce to restaurants and food outlets
- increase tourism with the produce market being a "destination event"
- establish "Farm Gate" supplies being a key feature in the future development of "Rural Tourism"
- supply surplus produce to other regional markets securing additional community income
- reduce escape spending due to the ability to buy fresh produce locally.

(Councillors Steel and Seage)

## **12 REPORT OF THE MANAGER CORPORATE SERVICES**

### **12.1 Investments Statement of Investments**

**14/026**

**Committee recommendation** that:-

- 1) the information relating to the Statement of Investments for May 2014 be received and adopted.

- 2) Council present a briefing to all Councillors providing detailed information in regard to the Statement.

(Councillors Seage and Reilly)

## **13 REPORT OF THE DIRECTOR ENGINEERING AND WORKS**

### **13.1 New Lease - Gasworks site, 105-109 Shoalhaven Street, Kiama**

**14/027**

**Committee recommendation** that Council enter into a lease agreement with South Coast Gardens and Lawns for the use of part of Lot 102 DP775450, 105-109 Shoalhaven Street as a storage depot subject to the following:

- 1) Initial lease term of 6 months and negotiation with the lessee for further lease terms beyond this term.
- 2) A 2 month initial rent free period and thereafter monthly rental of \$200 (excluding GST) for the period of the initial lease term.
- 3) Lessee to be responsible for outgoings including water use and electricity consumption for the leased site during the lease term.
- 4) The General Manager and Mayor be authorised to sign under seal all documentation relating to this lease agreement.

(Councillors Steel and Seage)

### **13.2 New Licence - Gerringong Town Hall - Office Suite**

**14/028**

**Committee recommendation** that Council enter into a new monthly licence agreement for Suite A of the Gerringong Town Hall with Primal Foods Group Pty Ltd as follows:

- 1) The licence agreement to commence after Gerringong Town Hall roof replacement project and ancillary works are complete.
- 2) Rental of \$800 (excluding GST) per month.
- 3) That new occupation agreement negotiations take place under a lease following a continued occupancy of six months from the commencement of the monthly licence agreement and the lessee to be responsible for lease preparation costs at that time.
- 4) The General Manager be authorised to sign under seal all documentation relating to this licence agreement.

(Councillors Seage and Steel)

### 13.3 Plant Replacement

14/029

**Committee recommendation** that Council:

- 1) purchase two (2) Hino FD1124 cab chassis vehicles from Illawarra Hino & Berry Howe Industries tipper bodies at a total cost of \$231,140 plus GST.
- 2) purchase a Barker Walking Floor Trailer from Barker at a total cost of \$172,584 plus GST; and
- 3) purchase a John Deere 6105R Tractor and implements from Agriquip Machinery at a total cost of \$171,588 plus GST.

(Councillors Seage and Steel)

### 13.4 Jamberoo CBD Streetscape Development Plan

14/030

**Committee recommendation** that Council publicly exhibits the Draft Jamberoo Streetscape re-development plan for a period of 28 days and that a subsequent report on the submissions received be submitted to Council for endorsement of the plan.

(Councillors Seage and Steel)

### 13.5 Sydney Water Road Restoration Memorandum of Understanding

14/031

**Committee recommendation** that the General Manager be given delegated authority to sign the Memorandum of Understanding (Road Reserve Restoration Work) with Sydney Water.

(Councillors Seage and Steel)

### 13.7 Walking Tracks & Cycleways Committee - Committee Member Appointment

14/032

**Committee recommendation** that:

- 1) Council approve the appointment of Mr Barry Booth as the new member Kiama Walking Tracks and Cycleways Committee to fill the vacancy created by the resignation of a Committee member; and

- 2) letters be sent to the other unsuccessful candidates thanking them for their interest in the position.

(Councillors Seage and Steel)

## 14 REPORT OF THE DIRECTOR COMMUNITY SERVICES

### 14.1 Planning and Implementing an Age Friendly Kiama

14/033

**Committee recommendation that:-**

- 1) endorse the report, "Planning and Implementing an Age Friendly Kiama"
- 2) support the implementation of the recommendations contained within the report.

(Councillors Sloan and Way)

### 14.2 Live Music & Dinner Event Gerringong Request for Reconsideration of Donation

14/034

**Committee recommendation** that Council agree to donate \$390 for the cost of hiring Gerringong Town Hall to hold a Live Music and Dinner Event on 20 September 2014 as a once only grant with any further applications being considered on their merits.

(Councillors Seage and Steel)

### 14.3 6th Global Conference for the Alliance of Healthy Cities

It was **Moved** by Councillor Reilly and seconded by Councillor Sloan that Councillor Kathy Rice be nominated as a delegate to attend the 6th Global Conference for the Alliance of Healthy Cities and that Council meet the cost.

14/035

**Amended Recommendation** that a report be submitted to Council on the relevant costs

(Councillors Seage and Steel)

The **Amendment** was put and **carried**.

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

The matter was subsequently re-committed as follows:-

14/036

**Committee recommendation** that:

- 1) Councillor Kathy Rice be nominated as a delegate to attend the 6th Global Conference for the Alliance of Healthy Cities.
- 2) A report be submitted to Council in regard to the full cost of the delegate fees, travel and accommodation costs.

(Councillors Reilly and Sloan)

## 15 REPORTS FOR INFORMATION

14/037

**Resolved** that subject to the following, the Reports for Information listed for the Council's consideration be received and noted

- 15.1 Kiama Walking Tracks and Cycleway Committee – Minutes
- 15.2 Council Footpaths - Parking of Caravans and Trailers
- 15.3 Kiama CBD Liquor Accord - Minutes
- 15.4 Jamberoo Celebrations
- 15.5 Cleary Bros Community Consultative Group - Minutes 13 May 2014
- 15.6 Starting a Backyard Vegie Patch Workshop
- 15.9 Local Government NSW Annual Conference
- 15.10 2014 Local Government Arts and Culture Awards
- 15.11 Dog On-Leash Swimming Area - Minnamurra River
- 15.12 South Precinct Meeting Minutes
- 15.13 Kiama Road Safety Steering Committee - Minutes
- 15.14 Illawarra In Home Support - Reform Ready Review Final Report
- 15.17 Southern Councils Group
- 15.18 Economic Development Committee Minutes.

(Councillors Rice and Way)

### 15.7 Youth Advisory Committee Minutes -

14/038

**Committee Recommendation** that Council record the apology of Councillor Rice for the meeting of 4 June 2014

(Councillors Rice and Way)

### 15.8 Kiama Youth Centre and Bunnings Warehouse Partnership -

14/039

**Committee Recommendation** that Council thanks Bunnings for their continued support of the Kiama Youth Centre.

(Councillors Rice and Reilly)

**15.15 Blue Haven Redevelopment Timeline -****14/040**

**Committee Recommendation** that Council review the timeline in conjunction with Illawarra Shoalhaven LGH to recognise that a preferred concept layout is still being developed, and to ensure that a milestone is added to the timeline that shows public consultation will be undertaken at the concept stage

(Councillors Sloan and Reilly)

**15.16 Illawarra Academy of Sport Independent Review of the Regional Academies of Sport -****14/041**

**Committee Recommendation** that Council have a briefing on the operation of the Community Services Department.

(Councillors Seage and Reilly)

**RESUMPTION OF ORDINARY BUSINESS****14/042**

**Resolved** that at this time, 6.55 pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Seage and Steel)

**ADOPTION OF COMMITTEE OF THE WHOLE REPORT****14/043**

**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 14/006 to 14/041 above.

(Councillors Seage and Steel)

**16 LATE REPORTS**

Nil

**17 NOTICE OF MOTION**

Nil

## 18 QUESTIONS WITHOUT NOTICE

### Alliance for Healthy Cities

Councillor Rice asked that as the nominated representative to attend the Alliance for Healthy Cities Conference in Hong Kong, would she be permitted to purchase the air fares at this time. Council recommitted the relevant item relating to the 6<sup>th</sup> Global Conference for the Alliance of Healthy Cities and clarified the recommendation that Councillor Rice is Council's nominated delegate.

### Preparation of a Coastal Zone Management Plan

Councillor Sloan asked if Council could provide a report outlining the State Government's requirements for the preparation of a Coastal Zone Management Plan, and if required by the State provide an outline of the timelines and resources needed to prepare such a plan. The Mayor referred this matter to the Director of Environmental Services for investigation and report.

### Traffic Committee – Bong Bong Street

Councillor Steel asked if Council could provide a report on the parking issue in regard to both sides of Bong Bong Street, opposite the Kiama Public School. The Mayor referred this matter to the Director of Engineering and Works for investigation and report.

### Infringement Notices

Councillor Steel asked if Council could ensure that a report is provided each month on the number of parking infringement notices given out. The Mayor referred this matter to the Director of Environmental Services for report.

### Kiama Netball Courts

Councillor Steel asked what Council had done in regard to the netball courts surfaces. The Mayor referred this matter to the Director of Engineering and Works for who advised that Council had carried out work on the court surfaces and was awaiting a reply from the Netball Association in regard to the outcome.

## 19 CONFIDENTIAL SUMMARY

**14/044**

**Resolved** that at this time, 7.03pm, Council form itself into a Confidential Committee of the Whole to deal with matters listed in the recommendations as set out below subject to the consideration of any representations relating to such action.

(Councillors Steel and Way)



**Public Representations:**

The Mayor called for representations regarding issues which had been proposed to be disclosed in Confidential Committee of the Whole. No such representations were received.

**19.1 Exclusion Of Press And Public:****14/045**

**Resolved** that in accordance with Sections 10 and 10A of the Local Government Act, 1993 as amended, Council close the meeting of the Confidential Committee of the Whole to the Press and Public to deal with the following matters on the grounds as detailed below.

**20.1 THE PAVILION KIAMA - CATERING**

**Reason for Confidentiality:** This matter deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business as per Section 10A(2)(c) of the Local Government Act. .

(Councillors Honey and Rice)

**20 CONFIDENTIAL REPORTS****20.1 The Pavilion Kiama – Catering****14/046**

**Committee Recommendation** that Council notes the information in this report.

(Councillors Sloan and Reilly)

**Close of Confidential Committee of the Whole:****14/047**

**Resolved** that at this time, 7.05pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Steel and Rice)

**Adoption of Report**

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

**Resolved** that the Confidential Committee of the Whole recommendation numbered 14/046 be confirmed and adopted

(Councillors Honey and Way)

**21 CLOSURE**

There being no further business the meeting closed at 7.07pm

These Minutes were confirmed at the Ordinary  
Meeting of Council held on 15 July 2014



.....  
Mayor