



# EXTRAORDINARY MEETING OF COUNCIL

To be held at 9am on

**Wednesday 5 April 2017**

Council Chambers

11 Manning Street, KIAMA NSW 2533

## **Order of Business**

- 1 Apologies
- 2 Acknowledgement of Traditional owners
- 3 Report of the General Manager
- 4 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

31 March 2017

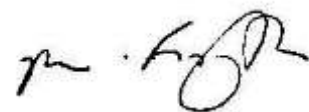
To the Chairman & Councillors:

### 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 **Wednesday 5 April 2017** commencing at **9am** 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  
WEDNESDAY 5 APRIL 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 GENERAL MANAGER

#### 3.1 Tourism

CSP Objective: 3 A Diverse, Thriving Economy

CSP Strategy: 3.6 Encourage and Support Tourism in the Kiama Municipality

Delivery Program: 3.6.3 Develop and maintain relationships with peak industry bodies, local, State and national agencies to promote and develop tourism in the local area

Item 3.1

#### Summary

This report provides the proposed Terms of Reference for the Kiama Tourism Advisory Committee and seeks Council representatives to be on the committee.

#### Finance

Council expended approximately \$350,000 directly to tourism in the 2015/2016 budget year.

#### Policy

Not applicable

#### Attachments

1 Terms of Reference - Kiama Advisory Committee [↓](#)

#### Enclosures

Nil

### **RECOMMENDATION**

That Council:

- 1) determine the Councillors including Chairperson of the new Kiama Tourism Advisory Committee
- 2) approve the attached terms of reference for the committee.

### **BACKGROUND**

At the meeting on 21 March 2017 Council resolved that:

1. Council recognises the importance of tourism and events for the local economy. Tourism and events generates \$147 million and employ around 740 people.
2. Council recognises that the tourism and events market could contribute significantly more income, investment and employment for the Kiama Municipality.
3. Kiama Tourism has been the predominant body that has worked to achieve these results to date and has a solid base of members which generate around \$50,000 each year. This added to Council's contribution of approximately

## Report of the General Manager

## 3.1 Tourism (cont)

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- \$350,000 to tourism, has seen over \$400,000 expended on visitor information services and marketing.
4. Council appreciate and thanks Kiama Tourism and their staff for their dedicated work in promoting the Kiama Municipality as a destination and for their input in developing better product options and experiences for visitors to the Kiama LGA.
  5. Council recognizes that the hybrid structure entered into with Kiama Tourism, as outlined in the MOU of 2015, has not achieved the outcomes that all parties had expected.
  6. Council supports there only being one body that markets tourism and operates relevant business units such as the Visitors Centre to improve:
    - efficiencies;
    - accountability for rate-payers and industry;
    - communication between strategy, marketing and operational units;
    - strategic outcomes; and
    - external communications and relationships with government agencies, industry groups and markets.
  7. Council supports the establishment of a Tourism & Events business unit which will include the management of all activities currently undertaken by Kiama Tourism as well as activities undertaken by Council.
  8. Council establishes an advisory committee that would be made up of four industry representatives, two Councillors and the General Manager (or his appointee from Council staff) to guide Council in maximising tourism opportunities.
  9. A transition period be provided to 30 June 2017.
  10. During the transition period, a position of "Tourism & Events Manager" will be advertised. (Note: A separate Events Coordinator reporting to the Tourism & Events Manager may be required due to work demands)
  11. During the transition period, Council will offer support to Kiama Tourism to assist with aspects of the transition.
  12. During the transition period, Council will approach Kiama Tourism to discuss a way forward to ensure its membership still has a real input into promoting tourism and events for the Kiama region.
  13. Council, in consultation with industry, review the performance of this structure by 30 June 2019.

As the transition period provided is the 30/6/2017, there is an urgency to proceed with the formation of the Tourism Advisory Committee.

Council needs to determine the two (2) Councillors to be members of the committee, the chairman and the terms of reference of the committee. The proposed terms of reference are attached.

Report of the General Manager

3.1 Tourism (cont)

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Meetings with the board of Kiama Tourism are being organised to discuss the proposed transitional arrangements and to provide any required support.

**Item 3.1**



**Terms of Reference**

<b>Name of committee</b>	<b>Kiama Tourism Advisory Committee:</b>
<b>Status</b>	<p>Council committee <span style="float: right;">X</span></p> <p>Statutory committee <span style="float: right;"><input type="checkbox"/></span></p> <p>Sunset committee <span style="float: right;">X</span> (the end date being 30/6/2019)</p> <p>The Committee is a Section 355 Committee of the Council and shall be referred to as the Kiama Tourism Advisory Committee (KTAC).</p>
<b>Purpose</b>	<p>The purpose of the tourism advisory committee is to:</p> <ul style="list-style-type: none"> <li>• advise council on the development of policy and strategy relating to tourism in Kiama Local Government area and the South Coast region</li> <li>• advise council on tourism-related issues that also have an impact on the wider community, and;</li> <li>• act as the primary conduit for representation of the tourism industry to council</li> <li>• help grow the visitor economy on a sustainable basis;</li> <li>• provide solutions to challenges facing the LGA to support sustainable visitor growth;</li> <li>• identify new development and related solutions to attract investment and grow economic benefits, such as employment;</li> <li>• support future funding bids for specific projects, including NSW State Government funding opportunities;</li> <li>• provide direction on key marketing activities to support increased visitor demand for the LGA; and</li> <li>• help build stronger local community awareness of the importance and value of the visitor economy.</li> <li>• represent the tourism industry and advise and make recommendations to Council on matters relating to tourism, the development of tourism and the future of tourism in Kiama.</li> <li>• undertake actions in partnership with Council to promote tourism.</li> <li>• raise awareness of the value and benefits of tourism</li> </ul>
<b>Objectives</b>	<ul style="list-style-type: none"> <li>• Inform the development, implementation and review of Council's priorities from the Tourism Destination Management Plan and Council's Integrated Plans.</li> <li>• Advise and support Council regarding tourism issues and make recommendations to Council, as appropriate.</li> </ul>
<b>Delegated Authorities</b>	<p><b>Tourism Advisory Committee</b></p> <ul style="list-style-type: none"> <li>• To make recommendation on the expenditure of the annual Kiama marketing and events budget as provided by Council.</li> </ul>

Item 3.1

Attachment 1



	<ul style="list-style-type: none"> <li>To inform and recommend policy for tourism related funding programs, and where required by Council, vote on related matters.</li> </ul> <p><b>Kiama Tourism &amp; Events Manager</b></p> <p>Separate to the delegation of the Kiama Tourism Advisory Committee, the Manager of Tourism &amp; Events, as an employee of Council will:</p> <ul style="list-style-type: none"> <li>Develop and implement activities to achieve objectives in line with the Kiama Tourism Advisory Committee recommendations, the Kiama Tourism Strategic Plans and Council's integrated plans</li> <li>Expend budget as authorised under delegated financial authority as defined by Council</li> <li>Review and allocate or decline funding program applications in line with approved policies and protocols</li> </ul>
<b>Committee Meetings</b>	<ul style="list-style-type: none"> <li>Meetings are to be held at least bi-monthly.</li> </ul>
<b>Venue</b>	Meetings will be held at the Kiama Council Chambers or other suitable venues as required.
<b>Membership</b>	<ul style="list-style-type: none"> <li>A maximum of 4 skills based Industry Representatives</li> <li>A maximum of 2 Councillors</li> <li>General Manager (or his appointee)</li> </ul> <p>Members to be formally appointed by Council.</p>
<b>Meeting Quorum</b>	<p>A Quorum will be deemed to have been met under the following criteria:</p> <ul style="list-style-type: none"> <li>i. Minimum of 50% plus 1</li> </ul>
<b>Meeting administration</b>	<ul style="list-style-type: none"> <li>Meetings are to be chaired by a Councillor as endorsed by Council.</li> <li>Minutes are required to be submitted for the next Ordinary Meeting of Council immediately following the committee meeting.</li> <li>Council will provide secretarial support to arrange meetings and take minutes and provide professional officer support where required.</li> <li>Minutes and agendas will be circulated no less than seven days prior to next scheduled meeting.</li> <li>Topics for the Agenda are to be forwarded to the Chairperson no later than 14 days prior to the meeting.</li> </ul>
<b>Selection of members</b>	<p>When positions become vacant the selection of new committee members will be undertaken:</p> <ul style="list-style-type: none"> <li>i. through a public invitation for EOI by applicants</li> <li>ii. by consideration of applications by Council</li> <li>iii. by Council approval of successful applicants</li> </ul> <p>The following factors will be taken into consideration when determining members:</p> <ul style="list-style-type: none"> <li>i. the persons relevant experience &amp; expertise</li> </ul>

	<ul style="list-style-type: none"> <li>ii. whether the person is a resident of the Kiama Local Government Area</li> <li>iii. there is representation from across the full Kiama geographical area</li> <li>iv. committee members are able to demonstrate that they are “connected and representative” of the community</li> </ul> <p><b>Industry Representatives</b></p> <ul style="list-style-type: none"> <li>• Appointment to the Advisory Committee will occur every 2 years</li> <li>• Vacancies will be advertised locally via media, Council communication channels and industry networks</li> <li>• Applications will be actively sought from appropriately skilled industry representatives</li> <li>• Council will manage the application process</li> </ul> <p><b>Councillors</b></p> <ul style="list-style-type: none"> <li>• Council at its discretion can replace Councillor representatives at a time of its choosing.</li> </ul> <p><b>Casual Vacancies</b></p> <ul style="list-style-type: none"> <li>• Should there be a casual vacancy the Council will seek applications by appropriate means to fill these vacancies</li> </ul>
<p><b>Responsibility</b></p>	<p>Committee members will:</p> <ul style="list-style-type: none"> <li>i. act in an advisory role to Council</li> <li>ii. provide strategic guidance on implementation of plans, programs and initiatives</li> <li>iii. provide important links to the communities they represent in promoting and delivering outcomes</li> <li>iv. participate in working parties as needed</li> <li>v. at all times contribute in a positive and respectful manner</li> <li>vi. avoid disruption, contrary conduct or being wasteful of time and resources</li> </ul> <ul style="list-style-type: none"> <li>• represent whole of industry</li> <li>• actively participate in working groups</li> <li>• represent the Advisory Committee at events</li> <li>• Advisory Committee members will undertake the prescribed induction process</li> <li>• Pecuniary Interest Returns are required on appointment and annually as required by the Office of Local Government and Council</li> </ul>
<p><b>Term of membership</b></p>	<ul style="list-style-type: none"> <li>• Appointments will be made to 30/6/2019</li> <li>• 50% of the industry representatives will be required to stand for reappointment every 2 years</li> <li>• Tenure can be renewed by Council for up to 4 years without re-advertising</li> </ul>
<p><b>Termination of membership</b></p>	<p>Non Councillor member positions will be declared vacant/terminated when a member:</p>

	<ul style="list-style-type: none"> <li>i. completes their designated term and retires from the committee</li> <li>ii. competes their term and is not re appointed</li> <li>iii. resigns their membership, in writing, to the Chairperson</li> <li>iv. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson</li> <li>v. acts in a way that is contrary to their responsibility as outlined (above).</li> </ul> <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> <ul style="list-style-type: none"> <li>• Representatives not attending 3 consecutive meetings can be replaced at the discretion of Council</li> <li>• Representatives must be will to abide by the terms of reference for the Committee</li> </ul>
<b>Process for termination</b>	<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>
<b>Code of Conduct</b>	<p>At all times Councillors, employees and Council officials must comply with Council’s Code of Conduct.</p> <p>All members of the KTAC are to abide by Council’s Code of Conduct.</p>
<b>Executive Positions</b>	<p>The Council will appoint a Chairperson on an annual basis.</p> <p>The role of the Chairperson is:</p> <ul style="list-style-type: none"> <li>• To chair the meeting and exercise functions as determined by the KTAC</li> <li>• To be the spokesperson for the committee, as directed by the KTAC</li> <li>• To advocate for KTAC and represent its decisions</li> <li>• To sign off minutes endorsed by KTAC</li> <li>• To call extraordinary meetings of KTAC</li> </ul>

	<ul style="list-style-type: none"> <li>The Deputy Chairperson will be elected by the committee</li> </ul> <p>The role of the Deputy Chairperson is to act as Chair when the Chair is not present at meetings.</p>
<b>Sub Committees/Working Groups/Portfolios</b>	The Advisory Committee will have the right to establish sub groups as deemed appropriate to assist in fulfilling their role and purpose.
<b>Voting and Recommendations</b>	<ul style="list-style-type: none"> <li>Voting and Recommendations are made by consensus and all decisions must be stated precisely for the inclusion of the minutes</li> <li>Where a consensus cannot be reached at two consecutive meetings, then the majority of 60% of those present can adopt a recommendation</li> <li>Alternative views are to be minuted</li> <li>Where the Tourism &amp; Events Manager deems a funding application requires KTAC guidance, an electronic vote via email will be conducted. Members will be required to vote within 72 hours of the vote request. Quorum rules apply in this instance. Results to be advised to the KTAC.</li> </ul>
<b>Communication</b>	<ul style="list-style-type: none"> <li>Members of the KTAC are not permitted to speak to the media as representatives of the KTAC unless approved by the Chairperson.</li> <li>Where approval has been given by the Chairperson, views and opinions expressed are those of the KTAC and not of Kiama Municipal Council</li> <li>Where endorsement is required from Kiama Municipal Council, approval must be sought through the formal processes.</li> </ul>
<b>Staff attendance</b>	Executive staff are normally required to attend the meetings of the Advisory Committee. Other staff at the Directors' discretion or at the KTAC's request can attend meetings as required.

Council at its discretion may review and change the Terms of Reference, Role and Structure of the Kiama Tourism Advisory Committee.

TRIM Reference:

**4 CLOSURE**