



MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

commencing at 5pm on

THURSDAY 27 JUNE 2024

Council Chambers
11 Manning Street, KIAMA NSW 2533

Amended as per minute: **24/2100C**

Resolved that the minutes of the Extraordinary Council meeting held on 27 June 2024 be received and accepted subject to the following amendments:

1. Recommendation 1 of item 8.1 Strategic Finance & Governance Improvement Plan to read –
 1. *Adopt the Strategic Finance and Governance Improvement Plan, subject to authorising the Chief Executive Officer, through the Implementation Team, to make the following administrative amendments:*
 - a. *Update the PIO Action column for actions 6.7, 6.8, 6.10 and 6.17, on pages 36 and 37, by referring to A.5 instead of C.3.*
2. The order of debate be changed for Item 9.2 2024/2025 Integrated Planning & Reporting suite of documents to accurately reflect the order in which it occurred.

(Councillors Renkema-Lang and Rice)

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

**MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS,
KIAMA, ON THURSDAY 27 JUNE 2024 AT 5PM**

PRESENT: Mayor – Councillor N Reilly,
Deputy Mayor – Councillor I Draisma,
Councillors M Brown, K Rice, W Steel, J Keast, S Larkins,
K Renkema-Lang and M Croxford

BY AUDIOVISUAL: Councillor S Larkins

IN ATTENDANCE: Jane Stroud – Chief Executive Officer
Jessica Rippon – Director Planning, Environment and Communities
Michael Malone – Director Infrastructure and Liveability
Joe Gaudiosi – Chief Operating Officer
Olena Tulubinska – Chief Financial Officer
Ed Paterson – Head of Implementation

1 OPENING OF MEETING

The Mayor opened the meeting at 5pm.

2 WEBCASTING STATEMENT

The Mayor stated that the meeting is being recorded and made publicly available on the Council website, and that persons attending the meeting should refrain from making defamatory statements.

3 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional owners:

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

4 STATEMENT OF ETHICAL OBLIGATIONS

The Mayor read the statement of ethical obligations:

“Councillors are reminded of their oaths or affirmations of office under section 233A of the Act and their obligations under the Code of Conduct to disclose and appropriately manage any conflicts of interest.”

5 APOLOGIES

The Mayor noted Councillor Draisma was doing her best to get here as soon as possible.

Procedural motion: Councillor excused from standing when speaking

24/2110C

Resolved that Councillor Steel is excused from the requirement to stand when speaking.

(Councillors Croxford and Keast)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Reilly, Renkema-Lang, Rice and Steel

Against: Nil

Motion: Approval to attend meeting by audio-visual

24/2120C

Resolved that Council, as required under section 5.2 of the Code of Meeting Practice, permit Councillor Larkins to attend the Council meeting held on 27 June 2024 via audio-visual.

(Councillors Steel and Croxford)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Reilly, Renkema-Lang, Rice and Steel

Against: Nil

6 DISCLOSURE OF INTEREST

Nil

7 PUBLIC FORUM SUMMARY

Nil.

Councillor Draisma joined the meeting at 5.06pm

8 REPORT OF THE CHIEF EXECUTIVE OFFICER

8.1 Strategic Finance & Governance Improvement Plan

It was **moved** by Councillor Rice and seconded by Councillor Renkema-Lang that Council:

1. Adopt the Strategic Finance and Governance Improvement Plan, and alter the second para on page 14 of the Plan to read:

Following continued opposition and disruptions over a period of two years Council has resolved to divest of its aged care services on the Bonaira site and is currently in negotiations with a preferred tenderer.
2. Authorise the Chief Executive Officer to provide a copy of the Strategic Finance and Governance Improvement Plan to the NSW Office of Local Government by 24 July 2024.
3. Note that the Chief Executive Officer through the Implementation Team will coordinate the following reporting schedule:
 - a. Monthly financial position reporting to the elected body commencing July 2024
 - b. Bi-monthly progress on Improvement Plan actions reporting to the elected body commencing August 2024
 - c. Bi-monthly progress on Improvement Plan actions reporting to the NSW Office of Local Government commencing August 2024
 - d. Copies of the bi-monthly progress reports will be placed on Council's website to ensure continued transparency, and
 - e. Update the Strategic Finance and Governance Improvement Plan every six months to ensure newly identified actions can be implemented and reported on, and completed actions closed off.

Councillor Draisma raised a **point of order** under clause 10.11 of the Code of Meeting Practice that the amendment was out of order as the incomplete amendment had been moved and seconded before full amendment was complete. Councillor Draisma further noted the amendment was inappropriate as it was outside the 24 hour period required by the Code of Meeting Practice; and the wording had previously been adopted by Council.

Councillor Croxford foreshadowed the staff recommendation.

On the advice of the Public Officer the Mayor accepted the point of order and ruled the amendment was out of order.

Councillor Renkema-Lang raised a **point of order** against Councillor Brown. The Mayor requested Councillor Brown withdraw his comments relating to Councillor Renkema-Lang's fund raising efforts. Councillor Brown withdrew his comments.

24/2130C

At the request of Councillor Keast and by consent, the **motion was varied and resolved** as follows:

That Council:

1. Adopt the Strategic Finance and Governance Improvement Plan, subject to authorising the Chief Executive Officer, through the Implementation Team, to make the following administrative amendments:
 - a. Update the PIO Action column for actions 6.7, 6.8, 6.10 and 6.17, on pages 36 and 37, by referring to A.5 instead of C.3.
2. Authorise the Chief Executive Officer to provide a copy of the Strategic Finance and Governance Improvement Plan to the NSW Office of Local Government by 24 July 2024.
3. Note that the Chief Executive Officer through the Implementation Team will coordinate the following reporting schedule:
 - a. Monthly financial position reporting to the elected body commencing July 2024
 - b. Bi-monthly progress on Improvement Plan actions reporting to the elected body commencing August 2024
 - c. Bi-monthly progress on Improvement Plan actions reporting to the NSW Office of Local Government commencing August 2024
 - d. Copies of the bi-monthly progress reports will be placed on Council's website to ensure continued transparency, and
 - e. Update the Strategic Finance and Governance Improvement Plan every six months to ensure newly identified actions can be implemented and reported on, and completed actions closed off.

(Councillors Brown and Steel)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Reilly, Renkema Lang and Steel

Against: Councillor Rice

9 REPORT OF THE CHIEF OPERATING OFFICER

9.1 Making of Rates and Annual Charges

24/2140C

Resolved that Council make the rates and charges for 2024/25 in accordance with Section 535 of the Local Government Act 1993 inclusive of a 4.5% rate increase as outlined in the report.

(Councillors Renkema-Lang and Draisma)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Reilly, Renkema-Lang, Rice and Steel

Against: Nil

Procedural Motion

It was **moved** by Councillor Renkema-Lang and seconded by Councillor Rice that Council move into Committee of the Whole to debate the next agenda item.

On being **put** the amendment was **lost**.

For: Councillors Draisma, Keast, Renkema-Lang and Rice

Against: Councillors Brown, Croxford, Larkins, Reilly and Steel

9.2 2024/2025 Integrated Planning & Reporting suite of documents

It was **moved** by Councillor Croxford and seconded by Councillor Steel that having considered the submissions received as part of the exhibition process for the Draft 2024/25 Delivery Program and Operational Plan, Budget, Long-Term Financial Plan, and Fees and Charges, Council:

1. Adopt the 2024/25 to 2033/34 Long Term Financial Plan with a Budget result showing a loss before capital grants and asset sales of \$5.4M in 2024/25, \$2.7M in 2025/26 and a surplus of \$700K in 2026/27 as required by the Performance Improvement Order
2. Endorse that outcomes of Council's Service Reviews will be a vital part in delivering operating efficiencies required in the next 3 years to 2026/27
3. Endorse that review of Council's Service catalogue and essential or non-essential services will be a vital part in delivering the operating efficiencies required in the next 3 years to 2026/27
4. Adopt the 2024/25 Delivery Program and Operational Plan inclusive of the following changes made post-exhibition as per Table 2: Amendments made to Draft DPOP
 - a. Amendment of Community Hubs portfolio description
 - b. Updated actions and measures
 - c. Updates and corrections to Revenue Policy
5. Adopt the 2024/25 Budget with the following changes made post-exhibition:
 - a. Increase of the capital works program by \$2.5M supported by internal reserve and additional grant funding
 - b. Adjust Bonaira sale timeframe to September 2024
6. Adopt the 2024/25 Fees and Charges with the following changes made post-exhibition:
 - a. Update and correct description texts
 - b. Remove reference to Jamberoo Youth Hall
 - c. Addition of Jamberoo Pool user fees
7. Adopt the 2024/25-2033/34 Long-Term Financial Plan inclusive of the following changes made post-exhibition:

- a. Changes to the timing of projected asset sales, carrying forward those unsold from 2023-24 to 2024-25
 - b. Inclusion of 3 months of operational budget for the continuation of Blue Haven Bonaira operations until sold
 - c. Addition of Roads to Recovery funding for a further 5 years, commencing 2024-25
8. Publish the adopted documents on Council's website by 30 June 2024.

Councillor Croxford moved a procedural motion that the original recommendation be put.

The Chair asked Councillor Renkema-Lang if there was a seconder to the amendment.

Councillor Croxford raised a **point of order** for the Chair to rule on the procedural motion he raised. The Chair ruled that the process for the amendment to the motion would be followed, calling for a seconder and debating the amendment, and if the amendment is successful it will become part of the motion and if not successful it will revert to the original recommendation.

Councillor Brown foreshadowed a further amendment.

An **amendment was moved** by Councillor Renkema-Lang and seconded by Councillor Keast that having considered the submissions received as part of the exhibition process for the Draft 2024/25 Delivery Program and Operational Plan, Budget, Long-Term Financial Plan, and Fees and Charges, Council:

1. Adopt the 2024/25 to 2033/34 Long Term Financial Plan with a Budget result showing a loss before capital grants and asset sales of \$5.4M in 2024/25, \$2.7M in 2025/26 and a surplus of \$700K in 2026/27 as required by the Performance Improvement Order.
2. Endorse that outcomes of Council's Service Reviews will be a vital part in delivering operating efficiencies required in the next 3 years to 2026/27.
3. Endorse that review of Council's Service catalogue and essential or non-essential services will be a vital part in delivering the operating efficiencies required in the next 3 years to 2026/27.
4. Adopt the 2024/25 Delivery Program and Operational Plan inclusive of the following changes made post-exhibition as per Table 2: Amendments made to Draft DPOP:
 - a. Amendment of Community Hubs portfolio description
 - b. Updated actions and measures
 - c. Updates and corrections to Revenue Policy
5. Adopt the 2024/25 Budget with the following changes made post-exhibition:
 - a. Increase of the capital works program by \$2.5M supported by internal reserve and additional grant funding
 - b. Adjust Bonaira sale timeframe to September 2024

- c. Increase the material and contracts expenses by \$2,339,753
 - d. Increase employee benefits expenses by \$3,506,316
6. Adopt the 2024/25 Fees and Charges with the following changes made post-exhibition:
 - a. Update and correct description texts
 - b. Remove reference to Jamberoo Youth Hall
 - c. Addition of Jamberoo Pool user fees
7. Adopt the 2024/25-2033/34 Long-Term Financial Plan inclusive of the following changes made post-exhibition:
 - a. Changes to the timing of projected asset sales, carrying forward those unsold from 2023-24 to 2024-25
 - b. Inclusion of 3 months of operational budget for the continuation of Blue Haven Bonaira operations until sold
 - c. Addition of Roads to Recovery funding for a further 5 years, commencing 2024-25
8. Updates the Long-Term Financial Plan in line with the 1st quarterly budget review process giving consideration to:
 - a. the recommendations provided by the Finance Advisory Committee during Councillor workshop undertaken on 6 June 2024
 - b. the outcomes identified during the service reviews and continuous improvement plan activities, and
 - c. the suitability of the properties earmarked for divestment in years 2025-2026 and 2026-2027.
9. Publish the adopted documents on Council's website by 30 June 2024.

On being **put** the amendment was **lost**.

For: Councillors Keast, Renkema-Lang and Rice

Against: Councillors Brown, Croxford, Draisma, Larkins, Reilly and Steel

Councillor Draisma raised a **point of order** indicating Councillor Brown had foreshadowed an amendment.

Councillor Brown did not wish to take up his foreshadowed amendment.

24/2150C

Resolved that having considered the submissions received as part of the exhibition process for the Draft 2024/25 Delivery Program and Operational Plan, Budget, Long-Term Financial Plan, and Fees and Charges, Council:

1. Adopt the 2024/25 to 2033/34 Long Term Financial Plan with a Budget result showing a loss before capital grants and asset sales of \$5.4M in 2024/25,

- \$2.7M in 2025/26 and a surplus of \$700K in 2026/27 as required by the Performance Improvement Order
2. Endorse that outcomes of Council's Service Reviews will be a vital part in delivering operating efficiencies required in the next 3 years to 2026/27
 3. Endorse that review of Council's Service catalogue and essential or non-essential services will be a vital part in delivering the operating efficiencies required in the next 3 years to 2026/27
 4. Adopt the 2024/25 Delivery Program and Operational Plan inclusive of the following changes made post-exhibition as per *Table 2: Amendments made to Draft DPOP*
 - a. Amendment of Community Hubs portfolio description
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 5. Adopt the 2024/25 Budget with the following changes made post-exhibition:
 - a. Increase of the capital works program by \$2.5M supported by internal reserve and additional grant funding
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 - b. Inclusion of 3 months of operational budget for the continuation of Blue Haven Bonaira operations until sold
 - c. Addition of Roads to Recovery funding for a further 5 years, commencing 2024-25
 8. Publish the adopted documents on Council's website by 30 June 2024.

(Councillors Croxford and Steel)


For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Reilly, Rice and Steel

Against: Councillor Renkema-Lang

10 CLOSURE

There being no further business the meeting closed at 6.06pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 16 July 2024.


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Mayor