



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

**commencing at 5pm on**

**THURSDAY 27 JUNE 2024**

Council Chambers  
11 Manning Street, KIAMA NSW 2533

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**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**

**24/2100C**

**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**

**24/2110C**

**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

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## 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.

### **24/2120C**

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.
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

#### 24/213OC

**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 that council move into Committee of the Whole to debate 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 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

The Chief Executive Officer addressed council regarding budgetary concerns.

Councillor Croxford did not accept the amendment and raised a procedural motion that the original recommendation be put.

Councillor Croxford raised a **point of order** for the Mayor to address the procedural motion.

The Mayor confirmed he would address the amendment to the motion and due process would be followed. The point of order was not allowed.

Councillor Brown foreshadowed an amendment

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 to include amongst other things:
    - i. Increase the material and contracts expenses by \$2,339,753
    - ii. 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. Publish the adopted documents on Council's website by 30 June 2024

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.

#### 24/214OC

**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
  - 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
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6. Adopt the 2024/25 Fees and Charges with the following changes made post-exhibition:
  - a. Update and correct description texts
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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.

(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