



MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5pm on

TUESDAY 18 OCTOBER 2016

Council Chambers
11 Manning Street, KIAMA NSW 2533

**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE
MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS,
KIAMA, ON TUESDAY 18 OCTOBER 2016 AT 5PM**

PRESENT: Mayor – Councillor M Honey,
Deputy Mayor – Councillor K Rice,
Councillors M Brown, N Reilly, A Sloan, D Watson, M Way
and M Westhoff. Councillor Steel arrived at 5.03pm.

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

1 APOLOGIES

Nil

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Mayor declared the meeting open and acknowledged the 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 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Extraordinary Council on 4 October 2016

16/366

Resolved that the Minutes of the Extraordinary Council Meeting held on 4 October 2016 be received and accepted.

(Councillors Westhoff and Brown)

3.2 Ordinary Council Meeting on 27 September 2016

16/367

Resolved that the Minutes of the Ordinary Council Meeting held on 27 September 2016, subject to the following amendment, be received and accepted.

“16/335 - Item 10.8 - Healthy Cities Illawarra Committee – the elected Councillors for this Committee should read Councillor Rice as delegate and Councillor Honey as alternative delegate.”

(Councillors Steel and Rice)

4 BUSINESS ARISING FROM THE MINUTES

Item 9.2 – Heritage Listing of Pheasant Point – Councillors Reilly and Sloan provided clarification that Chapter 30 of the current DCP is sufficient to move as quickly as possible to the gateway proposal and that a special DCP is unnecessary.

5 PUBLIC ACCESS SUMMARY

Rob McKinnon – Item 9.1 DES – Planning Proposal – Rezoning and Amendment to Minimum Lot Size – Lot 2 DP 626183 Golden Valley Way, Jamberoo.

6 MAYORAL MINUTE

6.1 2016 Illawarra Volunteer of the Year Awards

16/368

Resolved that Council formally congratulates Hannah McInerney on receiving the 2016 Illawarra Youth Volunteer of the Year Award.

(Councillor Honey)

15.2 Inaugural Kiama Readers Festival

16/369

Resolved that Council formally thanks Kiama Library staff and Friends of Kiama Library for organising the Kiama Reader’s Festival, and also formally thanks Kiama Bookshop for supporting the event.

(Councillor Honey)

7 MINUTES OF COMMITTEES

7.1 Kiama Local Traffic Committee - Meeting 4 October 2016

16/370

Resolved that the Minutes of the Kiama Local Traffic Committee Meeting held on 4 October 2016 be received and accepted.

(Councillors Way and Steel)

COMMITTEE OF THE WHOLE

16/371

Resolved that at this time, 5.10pm, 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 Finance, Corporate and Commercial Services
Report of the Director Engineering and Works
Report of the Director Community Services
Addendum to Reports

(Councillors Rice and Reilly)

8 PUBLIC ACCESS REPORTS

16/372

Resolved that at this time, 5.11pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Rice and Reilly)

9.1 PLANNING PROPOSAL - REZONING AND AMENDMENT TO MINIMUM LOT SIZE - LOT 2 DP 626183 GOLDEN VALLEY WAY JAMBEROO

16/373

IT WAS MOVED BY COUNCILLORS WAY AND REILLY THAT COUNCIL DEFER CONSIDERATION OF THE GATEWAY PROPOSAL FOR ONE MONTH TO ALLOW FOR COMMUNITY INPUT.

COUNCILLOR SLOAN FORESHADOWED A NOTICE TO REFUSE THE PROPOSAL.

COMMITTEE RECOMMENDATION THAT COUNCIL DEFER CONSIDERATION OF THE GATEWAY PROPOSAL FOR ONE MONTH TO ALLOW FOR COMMUNITY INPUT.

(COUNCILLORS WAY AND REILLY)

FOR: COUNCILLORS BROWN, HONEY, REILLY, STEEL, WATSON, WAY
AND WESTHOFF

AGAINST: COUNCILLORS RICE AND SLOAN

9 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

9.2 Planning Committee

16/374

Committee recommendation that Council:

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

(Councillors Honey and Steel)

9.3 Planning Proposal Policy

16/375

Committee recommendation that Council endorses the draft Planning Proposal Policy to replace the existing Policy adopted in 2012.

(Councillors Brown and Way)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Nil

9.4 Merger of the Estuary Management and Floodplain Management committees

16/376

Committee recommendation that Council:

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

(Councillors Steel and Brown)

9.5 Companion Animals Management Advisory Committee - Draft Terms of Reference

16/377

Committee recommendation that Council:

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.

(Councillors Rice and Brown)

10 REPORT OF THE GENERAL MANAGER

10.1 Kiama Council Code of Meeting Practice

16/378

Committee recommendation that Council endorse the attached draft Code of Meeting Practice and place the draft Code on public exhibition for comment.

(Councillors Brown and Rice)

10.2 Request for Sponsorship - Kiama Red Cross 2017 Fun Run

16/379

Committee recommendation that Council provides \$2000 sponsorship to the Kiama Red Cross for the purpose of holding the 2017 Kiama Fun Run.

(Councillors Way and Westhoff)

11 REPORT OF THE DIRECTOR FINANCE, CORPORATE AND COMMERCIAL SERVICES

11.1 Statement of Investments - September 2016

16/380

Committee recommendation that the information relating to the Statement of Investments for September 2016 be received and adopted.

(Councillors Reilly and Steel)

12 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

12.1 Terms of Reference - Walking Tracks & Cycleways Committee and Streets & Reserves Naming Committee

16/381

Committee recommendation that Council:

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.

(Councillors Way and Steel)

13 REPORT OF THE DIRECTOR COMMUNITY SERVICES

13.1 Adult Change Facility for Kiama Harbour

16/382

Committee recommendation that Council:

1. endorse the allocation of \$36,000 from the Section 94 Recoupment Reserve towards the installation of an adult change facility at Kiama Harbour in order to be eligible for \$32,000 of funding from Local Government NSW, and
2. refer the conversion of the most eastern car parking space to be an accessible parking space to the Kiama Local Traffic Committee for review and approval.

(Councillors Way and Watson)

13.2 Terms of Reference - Community Services

16/383

Committee recommendation that Council

1. adopt the Terms of Reference for the following Committees with non-Councillor membership being for the term of the current elected Council:
 - Access Committee
 - Blue Haven Advisory Committee
 - Cultural Board
 - Health & Sustainability Committee
 - Seniors Week Committee with student membership being restricted to their term on the SRC.
2. adopt the Terms of Reference for the Youth Advisory Committee subject to:
 - a) student membership being restricted to the member's term on the SRC,
 - b) an amendment to read "Kiama High School and other students who reside in the Kiama Municipality", and
 - c) the times of meetings being set by the Committee rather than being set within the Terms of Reference.

(Councillors Brown and Reilly)

14 REPORTS FOR INFORMATION

RECOMMENDATION

That the following Reports for Information listed for the Council's consideration be received and noted

- 14.1 Parking Statistics - September 2016
- 14.2 Kiama Access Committee Minutes
- 14.3 South Precinct Meeting Minutes
- 14.5 Kiama Library and Family History Centre Christmas New Year Operational Hours
- 14.6 Lake Illawarra Local Area Command crime prevention strategy to address steal from motor vehicle offences
- 14.7 Question for Future Meeting - Election Funding Commitments
- 14.9 Joint Organisations
- 14.10 7th Annual Global Conference of the Alliance of Healthy Cities
- 14.11 Council Committees
- 14.12 Questions for Future Meetings Register
- 14.13 Blue Haven Advisory Committee - Minutes

14.4 Successful Youth Opportunities funding application**16/384**

Resolved that Council congratulate the Director Community Services, Manager Community and Cultural Development and staff who were involved in putting together this grant application.

(Councillors Rice and Brown)

14.8 Question for Future Meeting: Council meetings held in Muncipal villages -

It was requested that input be sought from the South Precinct, Minnamurra Progress Association and Jamberoo Valley Ratepayers Association.

15 ADDENDUM TO REPORTS**16/385**

Resolved that at this time Council bring forward and deal with matters pertaining to the Addendum to Reports.

(Councillors Way and Westhoff)

Matters pertaining to the Addendum to Reports:**15.2 Inaugural Kiama Readers Festival**

This matter was dealt with earlier in the meeting.

15.1 Caravan and Camping Industry of NSW (CCIA) Awards of Excellence**16/386**

Committee recommendation that Council congratulates the Holiday Park Management Team and Seven Mile Beach Holiday Park Management on achieving this award.

(Councillors Reilly and Watson)

16 NOTICE OF MOTION**16.1 Kiama Independence Day****16/387**

Resolved that Council set aside, each year, the date of third of 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.

(Councillors Reilly and Steel)

16.2 Community Engagement

16/388

Resolved that Council:

1. review and upgrade the Community Engagement Strategy section of the Kiama Community Strategic Plan 2013-2023 as required by the NSW Integrated Planning and Reporting framework,
2. produce an implementation plan and timeline, and
3. develop a "Community Engagement Policy Guidelines and Toolkit"

(Councillors Reilly and Steel)

17 QUESTIONS FOR FUTURE MEETINGS

17.1 Rezoning of properties in Cuba Street

Councillor Steel requested a report on the possible rezoning to residential of Cuba Street (off Merrick Street to Lilli Pilli Way) of Allotments 1 and 2, Section 83 and Allotment 1, Section 84, with the possibility of creating a second access from the Cedar Grove Estate.

The Mayor referred this matter to the Acting Director Environmental Services for investigation and report.

17.2 Purchase of Rubber Tyred Train

Councillor Steel requested a report on the purchase and installation by Kiama Council, in conjunction with Kiama Tourism, of a Dotto rubber tyred train and carriages to run from the Kiama CBD to the Blowhole as a tourist attraction.

The Mayor referred this matter to the Director Engineering and Works for investigation and report.

17.3 Illawarra Regional Infrastructure and Growth Plan

Councillor Sloan noted that references to "South Gerringong" have been removed from the Illawarra Regional Infrastructure and Growth Plan late last year. Councillor Sloan asked when will the "Illawarra Urban Development Plan" be amended to

reflect this change?

The Mayor referred this matter to the Acting Director Environmental Services for investigation and report.

17.4 August Council Meeting

Councillor Rice asked if the previous report – Item 14.12 - 2011 Urban Strategy - Lots and dwellings released since commencement of Kiama Urban Strategy presented to the Council meeting of 16 August 2016 be expanded upon and re-presented to Council, so that it also includes the actual dwelling yield that is expected from all currently approved and progressing planning proposals, subdivisions, medium density development applications. Further can this report also detail how these dwellings will be apportioned across each of the Kiama localities?

The Mayor referred this matter to the Acting Director Environmental Services for investigation and report.

17.5 Soil Mapping

Councillor Rice requested an update on the progress of soil mapping across the Illawarra that was stated as a project of the Department of Planning and Environment in the Shoalhaven Illawarra Regional Plan.

The Mayor referred this matter to the Acting Director Environmental Services for investigation and report.

17.6 Healthy Urban Development Checklist

Councillor Rice advised that the University of NSW has recently been funded to revise the Healthy Urban Development Checklist. Councillor Rice is aware that this guide has been used by Kiama Council in the past. Councillor Rice requested a report on how this checklist is currently used by Council?

The Mayor referred this matter to the Acting Director Environmental Services for investigation and report.

17.7 Akuna Street Car Park

Councillor Way requested a report on the estimated costs for an Akuna Street Car Park (south side) re-development on Council owned land as follows:

1. to excavate site to be level with Akuna Street.
2. to construct a multi-level car parking facility as per plans previously drawn up by Mark Hitchcock for the Akuna Street Committee.
3. provide a full cost estimate to complete a multi-story car parking facility on this site.

The Mayor referred this matter to the Director Engineering and Works for investigation and report.

RESUMPTION OF ORDINARY BUSINESS

16/389

Resolved that at this time, 6.42pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Brown and Steel)

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

16/390

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 16/366 to 16/389 above.

(Councillors Steel and Way)

18 CONFIDENTIAL SUMMARY

16/391

Resolved that at this time, 6.43pm, 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 Brown and Watson)

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.

18.1 Exclusion Of Press And Public:

16/392

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.

19.1 KEVIN WALSH OVAL AMENITIES BUILDING RENEWAL

Reason for Confidentiality: This matter deals with commercial information of a

confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act. .

19.2 KIAMA HOSPITAL REDEVELOPMENT - CONSULTANT ENGAGEMENT - MULTI-SERVICE ENGINEER

Reason for Confidentiality: This matter deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act. .

(Councillors Brown and Reilly)

19 CONFIDENTIAL REPORTS

19.1 Kevin Walsh Oval amenities building renewal

16/393

Resolved that Council:

1. not accept the single tender received for the extension and refurbishment of the Kevin Walsh amenities building, and
2. postpone advertising of new tenders for the proposed contract pending a determination of the Expression of Interest for grant funding lodged under the NSW Sport and Recreation Infrastructure Grants (ClubGRANTS).

(Councillors Brown and Watson)

19.2 Kiama Hospital Redevelopment - Consultant Engagement - Multi-Service Engineer

16/394

Resolved that Council confirms its previous resolution to appoint Building Services Engineers Pty Ltd, having regard to the Kingsway financial report.

(Councillors Brown and Watson)

Close of Confidential Committee of the Whole:

16/395

Resolved that at this time, 6.45pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Reilly and Way)

Adoption of Report

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

16/396

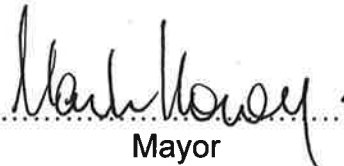
Resolved that that the Confidential Committee of the Whole recommendations numbered 16/393 to 16/394 be confirmed and adopted.

(Councillors Reilly and Way)

20 Closure

There being no further business the meeting closed at 6.45pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 15 November 2016


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Mayor