



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

**commencing at 5pm on**

**TUESDAY 19 SEPTEMBER 2017**

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 19 SEPTEMBER 2017 AT 5PM**

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

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

## **1 APOLOGIES**

**An apology was tendered on behalf of Councillor Brown.**

**OC-17/144**

**Resolved** that the apology as tendered be accepted.

(Councillors Steel and Sloan)

## **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 Ordinary Council on 15 August 2017

##### OC-17/145

**Resolved** that the Minutes of the Ordinary Council Meeting held on 15 August 2017 be received and accepted.

(Councillors Watson and Way)

#### 3.2 Extraordinary Council Meeting on 22 August 2017

##### OC-17/146

**Resolved** that the Minutes of the Extraordinary Meeting held on 22 August 2017 be received and accepted.

(Councillors Westhoff and Steel)

### 4 BUSINESS ARISING FROM THE MINUTES

Nil

### 5 PUBLIC ACCESS

Jasmine Rapela	Question for Future Meeting: Helium Balloon Release Ban
Tony Hudson	10.2016.306.1 - Lot 5 DP 621070 – 291 Minnamurra Lane, Jamberoo - secondary dwelling
Michael Mundt	10.2016.306.1 - Lot 5 DP 621070 – 291 Minnamurra Lane, Jamberoo - secondary dwelling
Rowan Hollingworth Robyn Hind	DA 10.2017.37.1 – Lot 3 DP 32006 – 3 Gura Street Kiama – Dwelling alterations and additions and carport
Paul Brady Colin Irwin	DA 10.2017.37.1 – Lot 3 DP 32006 – 3 Gura Street Kiama – Dwelling alterations and additions and carport
Greer Fulton	Cooke Park Fitness Training Activities
Michael Thompson	Question for Future Meeting: BMX Track at Minnamurra Quarry
DAVID CONNOLLY	PLANNING PROPOSAL FOR PART OF LOT 34 DP 28122 AND PART OF LOT 243 DP 30200, PART OF ILUKA RESERVE, KIAMA DOWNS

## 6 MAYORAL MINUTE

### *OC-17/147*

**Committee recommendation** that at this time, 5.01pm, Item 15.3 be brought forward and dealt with.

(Councillors Honey and Steel)

### **15.3 Group 7 League Grand Final**

### *OC-17/148*

**Committee recommendation** that Council congratulate the Jamberoo Superoos on their win in the South Coast Group 7 League Grand Final and the Kiama Knights on their efforts in making the Grand Final.

(Councillors Honey and Steel)

## 7 MINUTES OF COMMITTEES

### **7.1 Kiama Local Traffic Committee Meeting Minutes 5 September 2017**

### *OC-17/149*

**Resolved** that the Minutes of the Kiama Local Traffic Committee Meeting held on 5 September 2017 be received and accepted.

(Councillors Reilly and Steel)

### **7.2 Long Term Financial Planning and Revenue Sub-Committee- Minutes of Meeting held on 4 September 2017**

### *OC-17/150*

**Resolved** that the Minutes of the Long Term Financial Planning and Revenue Sub-Committee- meeting held on 4 September 2017 be received and accepted and the recommendations contained therein be endorsed.

(Councillors Reilly and Steel)

### 7.3 Destination Kiama Advisory Committee - Notes of Strategic Meetings held on 29 August and 6 September 2017

*OC-17/151*

**Resolved** that Council receive and accept the Minutes of the Destination Kiama Advisory Committee strategic meetings held on 29 August and 6 September 2017 and endorse the recommendations contained therein.

(Councillors Reilly and Steel)

### 7.4 Minutes of the Blue Haven Advisory Committee Meeting 7 June 2017

*OC-17/152*

**Resolved** that the Minutes of the Blue Haven Advisory Committee Meeting held on 7 June 2017 be received and accepted.

(Councillors Reilly and Steel)

## COMMITTEE OF THE WHOLE

*OC-17/153*

**Resolved** that at this time, 5.02pm, 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 Reilly and Westhoff)

## 8 PUBLIC ACCESS REPORTS

*OC-17/154*

**Committee recommendation** that at this time, 5.03pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Way and Sloan)

**9.1 Question for Future Meeting: Helium Balloon Release Ban****OC-17/155****Committee recommendation** that Council resolve to:

1. Ban the release of helium filled balloons at Council events and on Council managed land.
2. Include a 'no balloon release' section in the Council's Sustainable Events Policy and protocols.
3. Join neighbouring councils in advocating for a State and National education program on the issues associated with balloon release in relation to littering, the effect on the marine environment, helium usage and encouraging the banning of balloon release.

(Councillors Steel and Reilly)

**9.2 10.2016.306.1 - Lot 5 DP 621070 - 291 Minnamurra Lane, Jamberoo - secondary dwelling****OC-17/156****Committee recommendation** that Council approve Development Application number 10.2016.306.1 pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979, subject to conditions at the end of the report.

(Councillors Steel and Westhoff)

For: Councillors Honey, Steel, Watson, Way and Westhoff

Against: Councillors Reilly, Rice and Sloan

**Motion****OC-17/157****Committee recommendation** that staff prepare a report on the feasibility of a Planning Proposal to adjust Clause 5.4b of the Kiama LEP 2011 (size of secondary dwellings) from 100% to 25%.

(Councillors Sloan and Way)

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

Against: Councillor Watson

**9.3 10.2017.37.1 - Lot 3 DP 32006 - 3 Gura Street Kiama - Dwelling alterations and additions and carport**

It was **moved** by Councillor Rice and **seconded** by Councillor Reilly that Council refuse DA 10.2017.37.1 pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979, for the following reasons:

1. The proposed development would be contrary to Control C13 in Chapter 4 of Kiama DCP 2012 – Low Density Development - which requires low density development:  
*“To maintain and improve the existing and future desired character/amenity of residential zones. Council will only approve of new dwelling houses/additions where they are compatible with the existing and environmental character of the locality and have a sympathetic and harmonious relationship with adjoining development.”*
2. The proposed development would be contrary to the following development objective listed in Chapter 4 of Kiama DCP 2012 – Low Density Development:  
*“To ensure that development will not disrupt the streetscape or the unity of a group of buildings and spoil the existing character.”*
3. The proposed development would result in the loss of dynamic forward facing views for an upslope property as a result of the building design not meeting the abovementioned development objective.
4. The combined impact of the proposed development would be contrary to  
“C6 Any development in Kiama should incorporate view sharing principles into the design and siting of development to ensure that where possible with that existing view lines are not detrimentally impacted.”  
“C8 Development should ensure, where possible, that there is no unreasonable loss of existing view lines from existing development”.

The **Motion** on being Put was **Lost**.

For: Councillors Reilly and Rice

Against: Councillors Honey, Sloan, Steel, Watson, Way and Westhoff

**OC-17/158**

**Committee recommendation** that Council approve Development Application No 10.2017.37.1 pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979, subject to the conditions at the end of the report.

(Councillors Steel and Way)

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

Against: Councillor Rice

## 11.2 Cooke Park Fitness Training Activities

### Motion

*OC-17/159*

**Committee recommendation** that this matter is deferred by a month to have precise measurements of Cooke Park taken. A plan of the park that illustrates 10 metre diameters extending from the Anchor Memorial, barbecue areas, rotunda, picnic tables and toilets is necessary for Councillors to quantitatively determine the park's ability to satisfy Council's Fitness Training Policy [as stated in section 11].

(Councillors Westhoff and Rice)

The **Motion** on being Put was **Carried**.

## 14.21 Question for Future Meeting: BMX Track at Minnamurra Quarry -

*OC-17/160*

**Committee recommendation** that Council:

1. Consult with the Kiama Downs and Minnamurra Community plus local youth for the provision of a BMX/Pump bicycle facility at the disused Minnamurra Quarry site for the purpose of a recreational area for local youth to engage in these activities and promote exercise/health outcomes.
2. Prepare a proposed plan for a suitable BMX/Pump track including hours of operation, in conjunction with organisations involved in bicycle activities including, Kiama Sports Association, Mr Michael Thompson and Minnamurra Lions Club with Council's Engineering and Works department in the design of this facility as part of the process.
3. Prepare a final report including design for the November Council meeting.

(Councillors Way and Steel)

## 9.4 Planning Proposal for Part of Lot 34 DP 28122 and part of Lot 243 DP 30200, Part of Iluka Reserve, Kiama Downs

*OC-17/161*

**Committee recommendation** that Council request that the Department of Planning & Environment make the amendment to the Kiama Local Environmental Plan 2011 for part of Lot 34 DP 28122 and part of Lot 243 DP 30200, part of Iluka Reserve Kiama Downs to:



- Reclassify part of the land from community to operational land and change interests;
- Rezone part of the land from RE1 Public Recreation to R2 Low Density Residential amend the minimum lot size, building heights and floor space ratio control maps; and
- Rezone part of the land from R2 Low Density Residential to RE1 Public Recreation and amend the minimum lot size, building heights and floor space ratio control maps.

(Councillors Way and Steel)

For: Councillors Honey, Sloan, Steel, Way and Westhoff

Against: Councillors Reilly, Rice and Watson

## 9 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

### 9.5 Planning Proposal - 105 Shoalhaven Street - Community Facility as Additional Permitted Use - Lions Club Respite Care

#### Disclosure of Interest - Councillor Steel

At this time, 6.12pm, Councillor Steel declared a non- significant non-pecuniary interest in this matter as he is a member of the Lions Club.

#### OC-17/162

**Committee recommendation** that Council proceed with the preparation and finalisation of the draft Kiama Local Environmental Plan and mapping amendment in conjunction with Parliamentary Counsel and the Department of Planning and Environment.

(Councillors Way and Reilly)

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

Against: Nil

**9.6 Planning Proposal to reclassify Lot 208 DP 792192, O’Connell Place, Gerringong**

*OC-17/163*

**Committee recommendation** that Council proceed with the preparation and finalisation of the draft Kiama Local Environmental Plan in conjunction with Parliamentary Counsel and the Department of Planning and Environment.

(Councillors Sloan and Westhoff)

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

Against: Nil

**10 REPORT OF THE GENERAL MANAGER**

**10.1 Delegation of functions of the Council - review of delegations to the Mayor, General Manager and Other Staff**

*OC-17/164*

**Committee recommendation** that Council endorse the delegations as detailed in the report with the amendment to (c) in the Delegations to the Mayor to read as below:

- (c) To authorise any work which in the opinion of the Mayor is urgent at a cost not to exceed \$50,000;

(Councillors Sloan and Steel)

**10.2 Council Committees - appointment of committees and memberships**

*OC-17/165*

**Committee recommendation** that Council endorse the following committees and Council membership.

(Councillors Sloan and Way)

Committee	Council Membership	Meeting Times	Membership Nos.
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Committee	Council Membership	Meeting Times	Membership Nos.
Access	Clr Kathy Rice Clr Neil Reilly (alternate)	1 <sup>st</sup> Friday every 2 <sup>nd</sup> month, 10am	1 Councillor (Chair)
Australia Day	Clr Mark Honey Clr Neil Reilly Clr Mark Westhoff	As required.	Mayor and 2 Councillors (including Chair)
Blue Haven Management Advisory	Clr Don Watson Clr Kathy Rice	1 <sup>st</sup> Wednesday, quarterly, 6pm Blue Haven	Mayor and 2 Councillors
Companion Animals Management Advisory	Clr Mark Way	Every 6 months or as required.	1 Councillor
Economic Development	Clr Warren Steel Clr Don Watson Clr Mark Honey	4 <sup>th</sup> Tuesday every month, 5.30pm Pavilion	3 Councillors (including Chair) and Chair of Tourism Committee
Catchment and Flood Risk Management	Clr Andrew Sloan Clr Mark Westhoff	As required	2 Councillors
Hoi An Friendship	Clr Matt Brown Clr Kathy Rice Clr Neil Reilly Clr Mark Way	As required	4 Councillors and General Manager
Holiday Parks Advisory	Clr Mark Honey Clr Matt Brown Clr Mark Westhoff	As required	Mayor, 1 or 2 Councillors and General Manager
Audit, Risk & Improvement	Clr Mark Honey Clr Kathy Rice Clr Andrew Sloan	As required	Mayor, Deputy Mayor, 1 Councillor
Kiama Cultural Board including Art Centre and Grants	Clr Mark Honey Clr Neil Reilly Clr Kathy Rice	Last Thursday every month, 5.30pm	Mayor, 2 Councillors and General Manager
Kiama Health & Sustainability Advisory	Clr Neil Reilly Clr Kathy Rice Clr Andrew Sloan	Bi-monthly	3 Councillors

<b>Committee</b>	<b>Council Membership</b>	<b>Meeting Times</b>	<b>Membership Nos.</b>
Kiama Walking Tracks/Cycleway	Clr Mark Honey Clr Mark Way	As required	1 Councillor (including Chair) and Mayor ex-officio
Long Term Financial Planning and Revenue	Clr Neil Reilly Clr Kathy Rice Clr Andrew Sloan Clr Warren Steel	As required	4 Councillors
Work Health & Safety	Clr Mark Honey	Quarterly	Mayor (ex-officio)
Performance Review	Clr Mark Honey Clr Kathy Rice Clr Andrew Sloan Clr Mark Way	Every 12 months	Mayor, Deputy Mayor and 2 Councillors
Planning Committee	Clr Mark Honey Clr Andrew Sloan Clr Kathy Rice Clr Mark Way Clr Mark Westhoff	As required.	Mayor, Deputy Mayor and 3 Councillors
Seniors' Week	Clr Kathy Rice	As required	1 Councillor (including Chair)
Staff Consultative	Clr Mark Honey	Monthly, no set date, 11.30am	Mayor (ex officio)
Streets & Reserves Naming	Clr Mark Westhoff Clr Andrew Sloan	As required.	1 Councillor and 1 Alternative
Kiama Local Traffic	Clr Mark Honey Clr Mark Way	1 <sup>st</sup> Tuesday every month, 9am	1 Councillor and 1 Alternative
Youth Advisory	Clr Kathy Rice Clr Mark Westhoff	1 <sup>st</sup> Thursday every month, 10.40am at Kiama High	2 Councillors

**10.3 Delegates to Other Bodies 2017/2018****OC-17/166**

**Committee recommendation** that Council increase the membership of the Cleary Bros Community Consultative Committee to include one alternate delegate and that Councillor Westhoff be the alternate delegate.

Further, that the South Coast Cooperative Library Service meeting schedule be amended to read annually and that the quarterly meetings of the NSW Public Library South East Zone Committee be added to the list of Delegates to Other Bodies with Councillor Rice, the Director Corporate, Commercial & Community Services and the Manager Library Services being appointed as delegates to the Committee.

(Councillors Reilly and Westhoff)

<b>Committee/Association</b>	<b>Meetings</b>	<b>Councillors Elected</b>	<b>Nature of Appointment</b>	<b>Delegates</b>
Civic Risk Mutual	Quarterly	Clr Honey	Delegate	1 Councillor and General Manager
Cleary Bros Community Consultative Committee	As required	Clr Sloan Clr Westhoff (Alt)	Council	1 Councillor and 1 Alternate
Friends of Kiama Library	Monthly	Clr Rice Clr Way (Alt)	Council	1 Councillor and 1 Alternate
Healthy Cities Illawarra Management Committee and International Healthy Cities Alliance (including Australian Chapter)	Quarterly and as required	Clr Honey Clr Rice (Alt)	As Mayor	Mayor and 1 Alternate
Illawarra Academy of Sport	Bi-monthly	Clr Way (Alt)	Delegate	Director Community Services and 1 Councillor Alternate
Illawarra Bush Fire Management Committee	Quarterly	Clr Watson	Councillor Delegate, Staff	1 Councillor and Director Engineering and Works
Illawarra Connection		Clr Steel	Council	1 Councillor
Illawarra District Weeds Authority Committee	Quarterly	Clr Rice	Council	1 Councillor & 1 Alternate being Landscape Officer
Illawarra Landcare Co-ordinating Committee	Monthly	Clr Rice	Council	1 Councillor

<b>Committee/Association</b>	<b>Meetings</b>	<b>Councillors Elected</b>	<b>Nature of Appointment</b>	<b>Delegates</b>
Illawarra Regional Airport Management Advisory Committee	As required	Clr Honey		Mayor
Illawarra Regional Information Service	Quarterly	Clr Steel	Delegate	1 Councillor
Illawarra Rural Fire District Service Agreement Committee	Quarterly	Clr Watson	Councillor Delegate, Staff	1 Councillor and Director Engineering and Works
Illawarra/Shoalhaven Joint Organisation	2 <sup>nd</sup> Friday alternate month	Clr Honey Clr Rice	Council	Mayor, Deputy Mayor and Alternate General Manager
Joint Regional Planning Panel	As required	Clr Honey Clr Sloan (Alt)	Council delegates	Mayor, General Manager and 1 Alternate
Kiama & District Sports Association	Bi-monthly	Clr Way	Council	1 Councillor and Director Engineering & Works
Kiama Liquor Accord	As required	Clr Watson Clr Brown	Council delegate	2 Councillors and Road Safety Officer
NSW Public Library South East Zone Committee	Quarterly	Clr Rice	Council delegate	1 Councillor, Director Corporate, Commercial & Community Services and Manager Library Services
South Coast Co-operative Library Service	Annually	Clr Rice	Council	1 Councillor
Sydney Catchment Authority's Local Government Reference Panel	As required	Clr Sloan Clr Westhoff (Alt)	1 Councillor, 1 Staff	1 Councillor, 1 Alternate and Director Environmental Services

**10.4 Kiama Lions Club - Reimbursement of Pavilion hire fee****Disclosure of Interest - Councillor Steel**

At this time, 6.22pm, Councillor Steel declared a non-significant non-pecuniary interest in this matter as he is a member of the Lions Club.

**OC-17/167**

**Committee recommendation** that Council approve the reimbursement to the Kiama Lions Club of the \$960 booking fee for the hire of The Pavilion Kiama.

(Councillors Way and Watson)

**10.5 Local Government NSW Annual Conference 2017****OC-17/168**

**Committee recommendation** that Council endorse

1. the registration of Councillors Honey, Rice, Steel and Westhoff to attend the Local Government NSW Annual Conference 2017
2. Councillors Honey, Rice and Steel to be registered as voting delegates.

(Councillors Sloan and Way)

**10.6 Kiama Bowling & Recreation Club - President's Open Weekend Bowls Competition****Disclosure of Interest - Councillor Steel**

At this time, 6.25pm, Councillor Steel declared a non-significant non-pecuniary interest in this matter as he is a member of the Kiama Bowling Club.

**OC-17/169**

**Committee recommendation** that Council sponsor the President's Open Weekend Bowls Competition to be held at the Kiama Bowling & Recreation Club Limited by providing \$500 to enable provision of perpetual trophies for each event and badges for individual winners.

(Councillors Westhoff and Rice)

**10.7 Rotary Club of Kiama****OC-17/170**

**Committee recommendation** that Council support the work of the Kiama Rotary Club by providing the disused steel benches, cabinets and shelving from the former Kiama Hospital kitchen and administration buildings to Kiama Rotary to be used in their overseas service work of upgrading the Madang Hospital in Papua New Guinea.

(Councillors Watson and Way)

**11 REPORT OF THE DIRECTOR FINANCE, CORPORATE AND COMMERCIAL SERVICES****11.1 New Lease - Kiama Community College Lease from Council****OC-17/171**

**Committee recommendation** that Council:

1. Consent to grant the lease and licence to the College as detailed in this report; and
2. Give the Mayor and General Manager delegated authority to affix the Seal of Council to the lease and licence and/or sign the lease and licence as required.

(Councillors Reilly and Rice)

**11.3 Statement of Investments - August 2017****OC-17/172**

**Committee recommendation** that the information relating to the Statement of Investments for August 2017 be received and adopted.

(Councillors Reilly and Sloan)



## 11.4 Annual Financial Statements 2016/17

### OC-17/173

#### Committee recommendation that :

1. Council's Draft Financial Statements for 2016/2017 be referred to Council's auditors for audit under sect 413 (1).
2. Council resolves in accordance with sect 413 (2c) that the annual financial report is in accordance with:
  - the Local Government Act 1993 (as amended) and the Regulations made there under;
  - the Australian Accounting Standards and professional pronouncements;
  - the Local Government Code of Accounting Practice and Financial Reporting;
  - presents fairly the Council's operating result and financial position for the year;
  - accords with Council's accounting and other records; and
  - that the Council is not aware of any matter that would render this report false or misleading in any way.
3. Council adopt the Councillors/Management "Statement" and resolve that it be signed and attached to the Financial Statements for 2016/2017 following the removal of the reference to "the NSW Office of Water Best-Practice Management of Water and Sewerage Guidelines".
4. That on receipt of the Audited Reports, a copy is forwarded to the Office of Local Government.

(Councillors Reilly and Westhoff)

## 12 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

### 12.1 Process and request for quotations for the supply and lay of asphaltic concrete

#### OC-17/174

Committee recommendation that Council purchase approximately 6,000 tonnes of asphaltic concrete from Roadworks at an average cost of \$154.45 + GST per tonne.

(Councillors Watson and Westhoff)

### 13 REPORT OF THE DIRECTOR COMMUNITY SERVICES

#### 13.1 Health & Sustainability Grants July '17 round & Minutes of Committee

##### *OC-17/175*

##### **Committee recommendation that Council:**

1. Note the minutes of the Committee meeting held 01 August 2017
2. Approve the following recommended Health & Sustainability Grants funding application:
  - a. Kiama Boomerang Bags - \$1,000

(Councillors Sloan and Rice)

#### 13.2 Cultural Board Minutes and Recommendations

##### **Disclosure of Interest - Councillor Watson**

Councillor Watson declared a non-significant non-pecuniary interest in this matter as his sister is a member of the Cultural Board.

##### *OC-17/176*

##### **Committee recommendation that Council:**

1. Approve the acceptance of the Waugh family's donation of Jack Waugh's self portrait
2. Approve the declining of the offer to purchase the Yves Close Kiama landscape painting
3. Council approve the following recommended Cultural Grant funding applications:
  - Jamberoo Music Festival \$3,000.00
  - Kiama-Jamberoo Community Strings \$2,000.00
  - Stables Mural \$2,000.00
  - Pacific Ave EP and Tour \$3,000.00
  - Youth Arts Scholarship – Lachlan Moss \$1,000.00

(Councillors Steel and Reilly)

**13.3 NSW Public Libraries Conference 2017***OC-17/177*

**Committee recommendation** that Council approve the attendance of Councillor Reilly at the NSW Public Libraries Conference.

(Councillors Sloan and Rice)

**13.4 Community Safety Committee***OC-17/178*

**Committee recommendation** that Council:

- 1) Support the creation of a Community Safety Committee and endorse the attached draft Terms of Reference
- 2) endorse Councillor Way as the Councillor representative and Councillor Rice the alternate representative on the Community Safety Committee.
- 3) Endorse seeking Expressions of Interest from the community and nominations from identified organisations for membership of the Committee

(Councillors Rice and Sloan)

**13.5 Relocation of Gerringong Museum building and reserve planning***OC-17/179*

**Committee recommendation** that Council:

- 1) Endorse the relocation of the Gerringong Historical Museum to be beside the Gerringong Men's Shed
- 2) Note the masterplan recommendations for the reserve to meet the needs of the sporting codes.

(Councillors Steel and Rice)

**13.6 Blue Haven Care Prudential Standards Policy***OC-17/180*

**Committee recommendation** that Council receive and adopt the Aged Care Prudential Standards Policy

(Councillors Westhoff and Watson)

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## 14 REPORTS FOR INFORMATION

*OC-17/181*

**Resolved**

***Committee recommendation***

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

- 14.1 Gateway Determination - Lot 2 DP 626183 Golden Valley Road, Jamberoo
- 14.2 Planning Committee Minutes - 10 August 2017
- 14.3 Catchment and Flood Risk Management Committee - minutes of meeting - 15 August 2017
- 14.4 South Precinct Committee meeting minutes - 17 August 2017
- 14.5 Jamberoo Valley Ratepayers and Residents Association - Annual General Meeting minutes - 1 August 2017
- 14.6 Jamberoo Valley Ratepayers and Residents Association - General Meeting minutes - 1 August 2017
- 14.7 Kiama Central Precinct Committee meeting minutes - 22 August 2017
- 14.8 Minutes of the Companion Animals Committee meeting held on 8 August 2017
- 14.9 Cleary Bros Gerroa Sand Resource Community Consultative Committee Meeting 27 July 2017 – Minutes
- 14.10 Minnamurra Progress Association Minutes - meeting 1 August 2017
- 14.11 Parking Statistics - July 2017
- 14.12 Parking Statistics - August 2017
- 14.13 National Climate Change Adaptation Research Facility
- 14.15 Question for Future Meeting: Helium Balloons - Fines and Penalties
- 14.16 New SEPP (Vegetation in Non-Rural Areas) 2017
- 14.18 Hull FC Rugby League Visit to Kiama
- 14.19 Question for future meeting - Emery Reserve, Gerroa
- 14.20 Question for Future Meeting: Paid Parking
- 14.22 Cemetery Policy Review
- 14.23 10.2017.152.1 - Proposed Ambulance Station - Terralong Street, Kiama
- 14.24 Request from Gerroa Environmental Protection Society (GEPS)
- 14.25 Request from Jamberoo Valley Ratepayers and Residents Association Inc.
- 14.26 Reporting on Council's 2013-2017 Delivery Program (July 2016- June 2017)
- 14.27 Questions for Future Meetings Register as at 12/09/17
- 14.28 Short Term Holiday Lettings - Options Paper.

(Councillors Way and Sloan)

**14.14 Question for Future Meeting: Heritage Building Protection -****OC-17/182**

**Committee recommendation** that Kiama Council responds to the ongoing potential for unsympathetic development in the Manning Street Civic Precinct located between Terralong and Bong Bong streets, by preparing a Planning Proposal for inclusion of this district as a Heritage Conservation Area under Schedule 5 of the Kiama Local Environmental Plan 2011. The Heritage Conservation Area should also include the heritage-listed buildings and streetscape of Terralong Street between Manning Street and Railway Parade.

(Councillors Rice and Reilly)

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

Against: Nil

**14.17 Question for Future Meeting: Wood Fire Heaters -****OC-17/183**

**Committee recommendation** that Council promotes the right of residents to contact Council when they have concerns about smoke emission. Further, that through their communication with Council, residents are alerted to the "Wood Heaters Don't Choke on Smoke" fact sheet on Council's website, the Check Your Chimney information at [environment.gov.au](http://environment.gov.au) and the guidelines for working with neighbours that is available on the [epa.sa](http://epa.sa) website.

(Councillors Rice and Sloan)

**RESUMPTION OF ORDINARY BUSINESS****OC-17/184**

**Committee recommendation** that at this time, 6.47pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Westhoff and Watson)

**ADOPTION OF COMMITTEE OF THE WHOLE REPORT****OC-17/185**

**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 OC-17/154 to OC-17/183 above.

(Councillors Way and Sloan)

## 15 ADDENDUM TO REPORTS

### *OC-17/186*

**Resolved** that at this time, 6.48pm, Council bring forward and deal with matters pertaining to the Addendum to Reports.

(Councillors Way and Watson)

### **15.1 Kiama Welcomes Refugees Committee - request for donation**

#### **Disclosure of Interest - Councillor Rice**

Councillor Rice declared a non-significant non-pecuniary interest in this matter as she is a member of the Committee and attends the meetings.

### *OC-17/187*

**Committee recommendation** that Council sponsor the Kiama Welcomes Refugees Committee fundraising movie night on 20 October 2017 at Gerringong Town Hall with a donation of \$433.00 to cover running costs.

(Councillors Way and Watson)

## 16 NOTICE OF MOTION

### **15.2 Rescission of Motion - Item 9.4 Report to Council Supporting Initial Gateway Consideration of the Planning Proposal for Housekeeping amendments to the Kiama LEP 2011**

### *OC-17/188*

It was moved by Councillors Rice, Sloan and Way that the motions relating to the abovementioned item 9.4 Report to Council Supporting Initial Gateway Consideration of the Planning Proposal for Housekeeping amendments to the Kiama LEP 2011 adopted at the 15 August 2017 Council meeting be rescinded.

(Councillors Way and Sloan)

The **Motion** on being Put was **Carried**.

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

Against: Councillor Watson

**OC-17/189**

It was further moved that Council support the staff recommendations made at Item 9.4 of the August 2017 meeting (Report to Council Supporting Initial Gateway Consideration of the Planning Proposal for Housekeeping amendments to the Kiama LEP 2011) and:

1. Endorse the Planning Proposal for housekeeping amendments to the Kiama LEP 2011 to proceed to the Department of Planning and Environment for a Gateway determination to have the capacity to limit dual occupancy as described in the report by introducing a minimum lot size for dual occupancies in newly zoned R2 Low Density Residential land.
2. Applying the new minimum lot sizes for dual occupancies on all future greenfield subdivisions, **being 600 m2 for Kiama, Gerringong and Gerroa and 1200 m2 for Jamberoo.**
3. Request plan making delegations for this proposal as a part of the Gateway determination.
4. On receipt of the Gateway Determination, proceed with recommendations including requesting any further studies and public exhibition.

(Councillors Sloan and Rice)

The **Motion** on being Put was **Carried**

For: Councillors Honey, Rice, Sloan, Steel, Way and Westhoff

Against: Councillors Reilly and Watson

## **17 QUESTIONS WITHOUT NOTICE**

### **17.1 Signage strategy**

The Mayor, Councillor Honey, requested that Council staff prepare a signage strategy for the Local Government area for tourism and directional signage giving due regard to SEPP 64 incorporating a style guide and identification for future treatments in signage. The Mayor referred the matter to the Director Engineering & Works for investigation and report.

### **17.2 Staff appreciation**

Councillor Steel requested that the Director Engineering & Works pass his thanks on to the appropriate staff for the installation of the signage at the Bombo Headland walk.

## 18 CONFIDENTIAL SUMMARY

### *OC-17/190*

**Resolved** that at this time, 6.56pm, 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 Watson and Westhoff)

### **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:**

#### *OC-17/191*

**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 JAMBEROO POOL REFURBISHMENTS – TENDER FOR REFURBISHMENT OF AMENITIES AND POOL SURROUNDS**

**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. .

### **19.2 PROPOSED LAND ACQUISITION**

**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 Watson and Westhoff)



## 19 CONFIDENTIAL REPORTS

### 19.1 Jamberoo Pool Refurbishments - Tender for refurbishment of amenities and pool surrounds

*OC-17/192*

**Committee recommendation** that Council resolve to accept the tender to complete the refurbishment of the Jamberoo public pool amenities and surrounds.

(Councillors Honey and Steel)

### 19.2 Proposed Land Acquisition

#### **Committee recommendation**

1. That the General Manager be authorised to attend the auction on 19 October 2017 and bid up to the limit specified in the report.
2. That the Mayor and General Manager be authorised to sign and seal any required documentation for the purchase of the land.

(Councillors Steel and Watson)

#### **Close of Confidential Committee of the Whole:**

*OC-17/193*

**Resolved** that at this time, 7.01pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Steel and Sloan)

#### **Adoption of Report**

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

*OC-17/194*

**Resolved** that that the Confidential Committee of the Whole recommendations numbered OC-17/189 to OC-17/191 be confirmed and adopted.

(Councillors Steel and Reilly)

**20 CLOSURE**

There being no further business the meeting closed at 7.03pm

These Minutes were confirmed at the Ordinary Meeting of Council held on  
17 October 2017

.....  
Mayor

.....  
General Manager