



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

**commencing at 5pm on**

**TUESDAY 15 SEPTEMBER 2015**

Council Chambers  
11 Manning Street, KIAMA NSW 2533

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**MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE  
MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS,  
KIAMA, ON TUESDAY 15 SEPTEMBER 2015 AT 5PM**

**PRESENT:** Mayor – Councillor B Petschler,  
Deputy Mayor – Councillor W Steel,  
Councillors M Honey, G McClure, N Reilly, K Rice, D Seage, A  
Sloan and M Way

**IN ATTENDANCE:** General Manager, Director Of Environmental Services, Director  
Of Corporate And Commercial Services, Director Of  
Engineering And Works And Director Of 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 Ordinary Council on 18 August 2015**

*15/310*

**Resolved** that the Minutes of the Ordinary Council Meeting held on 18 August 2015 be received and accepted.

(Councillors Way and Rice)

## **4 BUSINESS ARISING FROM THE MINUTES**

Nil

**15/311**

**Resolved** that at this time, 5.02pm, Council bring forward items pertaining to the election of Mayor and Deputy Mayor.

(Councillors Honey and Way)

### **10.1 Election of Mayor**

At this time the General Manager, acting as a Returning Officer, advised that two nominations had been received, those being for Councillors Petschler and Reilly. Both Mayoral nominees addressed the Council.

**15/312**

**Committee recommendation** that an ordinary ballot be undertaken for the election of Mayor.

(Councillors Way and Seage)

An ordinary ballot for the election of the Mayor was then conducted. The Returning Officer then formally declared Councillor Petschler elected as the Mayor for the period until September 2016 by 5 votes to 4.

### **10.2 Election of Deputy Mayor**

At this time the General Manager, acting as Returning Officer, advised that two nominations had been received, those being for Councillors Rice and Steel.

**15/313**

**Committee recommendation** that an ordinary ballot be undertaken for the election of Deputy Mayor.

(Councillors Steel and Seage)

**15/314**

**Committee recommendation** that Council allow both nominees for the position of Deputy Mayor to address the Council for a period of no more than 2 minutes.

(Councillors Rice and Petschler)

An ordinary ballot for the election of the Deputy Mayor was then conducted. The Returning Officer then formally declared Councillor Steel elected as the Deputy Mayor for the period until September 2016 by 5 votes to 4.

**10.3 Mayoral Fee for 2015/2016 - Fee Limits Fixed by Remuneration Tribunal****15/315**

**Committee recommendation** that Council note that the Mayoral Fee for 2015/2016 has been set at \$24,030.

(Councillors Steel and Way)

**10.4 Fixing of Councillors Fees to be Paid to Councillors**

**Resolved** that Council notes that the Councillors' Fees for 2015/2016 have been set at \$11,010 per annum.

(Councillors Way and Rice)

**5 PUBLIC ACCESS**

Mr Luke Rollinson – Item 9.1 DA10.2015.142.1 15 Wyalla Road Jamberoo

Mr Paolo Dicembre – Item 9.3 DA10.2013.140.2 160 Manning Street Kiama

Mr Howard Jones – Item 10.16 Lot 52 DP 884475 adjoining Lot 51 DP 884475 - Fern Street Gerringong

Mr Ken Noble – Item 10.16 Lot 52 DP 884475 adjoining Lot 51 DP 884475 - Fern Street Gerringong

Ms Jennifer Gardner – Item 13.1 Revenue Sub Committee – Willawa Avenue, Gerringong

Mrs Alma McPherson – Item 13.1 Revenue Sub Committee – Willawa Avenue, Gerringong

**6 MAYORAL MINUTE****6.1 Consul-General of India****15/316**

**Resolved** that Council:

1. Formally write to the Consul-General thanking him for his visit and seeking his assistance in making contact with the Administration Centre of Kerala.
2. Invite the Consul-General to a civic reception to be held at a convenient time.

(Councillors Rice and Reilly)

**6.2 Kiama Folk by the Sea***15/317*

**Resolved** that Council congratulates festival coordinators Mr Rod and Mrs Judy Cork and the many volunteers who supported the highly successful Folk by the Sea.

(Councillors Petschler and Sloan)

**6.3 National Disaster Rescue Challenge 2015***15/318*

**Resolved** that Council:

1. congratulates the Kiama SES Unit on being named the 2015 National Disaster Rescue Challenge Champions.
2. invites the participants to attend a civic reception in their honour.

(Councillors Petschler and Way)

**6.4 Regional Meeting – Impact of Changes at BlueScope Steel/Structural Reform***15/319*

**Resolved** that Council endorses strong support for the retention of the regional steel industry and for a bipartisan and coordinated response to the employment issues arising from the current economic impacts on the Illawarra Region.

(Councillors Petschler and Sloan)

**7 MINUTES OF COMMITTEES****7.1 Blue Haven Advisory Committee Minutes***15/320*

**Resolved** that the Minutes of the Blue Haven Advisory Committee Meeting held on 2 September 2015, CR031 to CR036 be received and accepted.

(Councillors Steel and Way)

## 8 PUBLIC ACCESS REPORTS

**15/321**

**Resolved** that at this time, 5.25pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Steel and Way)

### 9.1 Three Lot Torrens Title Subdivision - Lot 48 DP779575 No15 Wyalla Road, Jamberoo (10.2015.142.1)

**15/322**

**Committee recommendation** that Council approve Development Application No 10.2015.142.1 pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, subject to the draft conditions at the end of this report.

(Councillors Sloan and Way)

For: Councillors Honey, McClure, Petschler, Reilly, Rice, Seage, Sloan, Steel and Way

Against: Nil

## COMMITTEE OF THE WHOLE

**15/323**

**Resolved** that at this time, 5.30pm, 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 Corporate and Commercial Services
- Report of the Manager Corporate Services
- Report of the Director Engineering and Works
- Report of the Director Community Services
- Addendum to Reports

(Councillors Reilly and Sloan)

**9.3 Section 82A Review of Determination - DA 10.2013.140.2 - Lot 1 DP 602883 No 160 Manning Street Kiama****15/324**

**Committee recommendation** that the Brooding Italian Cafe be granted an approval to be able to commence trading at 6am with the following conditions:

1. That no external tables are put in place until 7am.
2. That this approval is only for Monday to Friday inclusive.
3. That the proprietor of the Brooding Italian is to make his patrons aware as well as provide signage to notify that “noise is to be kept to a minimum” at all times.
4. That this motion is effective immediately.

(Councillors McClure and Seage)

An amendment was moved by Councillor Sloan and Councillor Rice that the varied hours be trialled for six (6) months.

The amendment was put and lost.

For: Councillors Honey, Rice and Sloan

Against: Councillors McClure, Petschler, Reilly, Seage, Steel and Way

The original motion was put and carried.

For: Councillors Honey, McClure, Petschler, Reilly, Rice, Seage, Sloan, Steel and Way

Against: Nil

**10.16 Lot 52 DP884475 adjoining Lot 51 DP884475 - 98 Fern Street Gerringong****15/325**

**Committee recommendation** that Council provides owner’s consent to lodge a development application on the subject leased lot within the confines of the original lease.

(Councillors Seage and Steel)

An amendment was moved by Councillor Honey and Councillor Rice that Council defer the matter to enable further negotiations and consultation with the applicant.

The amendment was put and lost.

The original motion was put and carried.

**13.1 Revenue Sub Committee****15/326**

**Committee recommendation** that the matters to be considered by Council be dealt with separately.

(Councillors Way and Steel)

**15/327**

**Committee recommendation** that Council formally proceeds with a planning proposal for part of the Iluka Reserve at Kiama Downs to create up to nine residential lots including open space embellishment over the remainder of the public reserve to meet community needs for future recreation activities in the area based on a master plan including community consultation.

(Councillors Way and Steel)

For: Councillors Honey, McClure, Petschler, Reilly, Rice, Seage, Sloan, Steel and Way

Against: Nil

**15/328**

**Committee recommendation** That Council not proceed with the planning proposal on the land at the corner of Willawa Avenue and Fern Streets Gerringong.

(Councillors Sloan and Reilly)

For: Councillors Honey, McClure, Petschler, Reilly, Rice, Seage, Sloan, Steel and Way

Against: Nil

**9 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES****9.2 Draft Crooked River Coastal Zone Management Plan - public exhibition****15/329**

**Committee recommendation** that Council endorse the Draft Crooked River Coastal Zone Management Plan to be placed on public exhibition for a minimum of 21 days and a further report be submitted to Council after the expiry of the exhibition period and consideration of submissions.

(Councillors Reilly and Sloan)



**9.4 Land & Environment Court Decision Affecting Development Outcomes - Burwood Council -v- Ralan Burwood Pty Ltd****15/330****Committee recommendation that Council:**

1. write to the NSW Government, through the Member for Kiama, expressing Council's concerns regarding the repercussions of the recent Land & Environment Court decision (Burwood Council -v- Ralan Burwood Pty Ltd) on Council's ability to maintain the integrity of its Development Approvals and seeking changes in legislation in line with this report.
2. Request LGNSW to consider this matter at the forthcoming conference.

(Councillors Seage and Sloan)

For: Councillors Honey, McClure, Petschler, Reilly, Rice, Seage, Sloan, Steel and Way

Against: Nil

**10 REPORT OF THE GENERAL MANAGER****10.5 Fixing Days and Hours at Which Ordinary Meetings of the Council are to be Held - Meeting Times****15/331****Committee recommendation that :-**

- 1) the Ordinary General Meetings of the Council be held on the third Tuesday in each month and that Ordinary Meetings throughout the year shall commence at 5pm, provided that when an Ordinary Meeting falls on a Public Holiday, such meeting shall be held on the day following or on such day fixed by resolution of the Council at an Ordinary Meeting preceding such Public Holiday, provided further that the day of any Ordinary Meeting may, for good and sufficient reason, be altered by resolution of the Council at any preceding Ordinary Meeting
- 2) public access be held at 5pm by Council on the day preceding the Council meeting with the maximum number of public access being ten (10).

(Councillors Steel and Rice)

**10.6 Fixing Time and Manner of Giving Notice (And Notice of Business) for Meetings - Notice of Meetings Policy – 2015/2016****15/332****Committee recommendation that :-**

- 1) the General Manager shall, wherever possible, give six days' notice to Councillors of Ordinary Council Meetings (and of the business proposed to be transacted at those meetings). In cases of emergency, the requirements of Section 367(2) of the Local Government Act 1993 or Clause 241 of the Local Government (General) Regulation 2005 shall apply;
- 2) for Extraordinary Council Meetings, the period of notice of the meeting and of the business proposed to be transacted thereat shall be three days, except in cases of emergency as provided in Section 367(2) of the Local Government Act 1993, or Clause 242 of the above Regulation; and
- 3) for Committee Meetings, the period of notice of the meeting and of business proposed to be transacted thereat shall be three days, except in cases of emergency as provided in Clause 241 and 242 of the above Regulation.

(Councillors Reilly and Sloan)

**10.7 Fixing the Order of Business - Policy on the Order of Business for 2015/2016****15/333**

**Committee recommendation** that Council approve the continuation of the general order of business as detailed in this report and that Council delegate to the Mayor and General Manager the power to alter such order of business as required

(Councillors Reilly and Sloan)

**10.8 Council Committees - Appointment of Committees and Memberships****15/334**

**Committee recommendation** that Council adopt the committee structure for 2015/2016 and nominate the Councillor membership of those Committees as shown below.

(Councillors Seage and McClure)

## LIST OF COUNCIL COMMITTEES

Committee	Council Membership	Meeting Times	Membership Nos.
Aboriginal Reference Group	Clr Reilly	Bi monthly	1 Councillor
Access	Clr McClure	1st Friday; every 2 <sup>nd</sup> month 10.00am	1 Councillor (Chair)
Australia Day	Mayor, Deputy Mayor, Clr Reilly & Clr Way	As required.	Mayor and 3 Councillors (including Chair)
Blue Haven Management Advisory Committee	Clrs Petschler, Reilly and Rice	1 <sup>st</sup> Wednesday; Quarterly, 6.30pm	3 Councillors
CCTV Working Party Committee	Clr Seage	Fortnightly – Monday 12noon	1 Councillor
Commercial Centres & Community Safety Management Committee	Clrs Seage, Way and McClure	Dates set	2 Councillors (including Chair)
Committee of the Whole	All Councillors	Every 3 <sup>rd</sup> Tuesday	All Councillors
Companion Animals Management Advisory Committee	Clr Way	Every 6 months or as required.	1 Councillor
Crooked River Estuary Management Committee	Clr Sloan	As required	1 Councillor
Economic Development Committee	Clrs Honey, Rice, McClure & Reilly	Monthly	4 Councillors (including Chair)
Floodplain Management Committee	Clr Sloan (Chair)	As required	1 Councillor
Hoi An Friendship Committee	Clrs Rice, Seage, Steel & Way	As required	3 Councillors and GM

<b>Committee</b>	<b>Council Membership</b>	<b>Meeting Times</b>	<b>Membership Nos.</b>
Internal Audit & Risk Committee	Mayor, Deputy Mayor, Clrs Seage & Sloan	As required	Mayor, Deputy Mayor, 2 Councillors
Kevin Walsh Oval Amenities Working Party	Clrs Honey & Seage	As required	2 Councillors
Kiama Cultural Board including Art Centre and Grants	Clrs Reilly & Way and GM	Last Thursday of month, 5.30pm	Mayor, GM & 2 Councillors
Kiama Development Industry Committee	Clr Seage (Chair), Clrs McClure & Sloan	As required	4 Councillors
Kiama Health & Sustainability Advisory Committee	Clrs Rice & Sloan	Bi-monthly	2 Councillors
Kiama Walking Tracks/Cycleway	Mayor ex –officio, Clrs Honey & Way	As required	2 Councillor (including Chair)and Mayor ex-officio
Local Environmental Plan (LEP) Review Committee	Clrs Honey, Seage & Sloan	As required	3 Councillors & GM
Long Term Financial Planning and Revenue Committee	Mayor, Deputy Mayor, Clrs Sloan & McClure	As required	4 Councillors
Minnamurra River Estuary Management Committee	Clr Sloan (Chair), Clrs Honey, & Rice	As required	3 Councillors
Occupational Health & Safety	Mayor (ex officio)	Quarterly	Mayor (ex officio)
Performance Review	Mayor, Deputy Mayor, Clrs Sloan & Seage	Every 6 months	Mayor, Deputy Mayor and 2 Councillors
Road Safety Steering Committee	Clr Seage	Quarterly	1 Councillor (including Chair)
Seniors' Week	Clr Rice	As required; 2.00pm	1 Councillor (including Chair)

Committee	Council Membership	Meeting Times	Membership Nos.
Shoalhaven Street Development Working Party	Mayor, Deputy Mayor, Clrs Way Sloan & McClure	As required	Mayor, Deputy Mayor and 3 Councillors
Staff Consultative	Mayor (ex officio)	Monthly; No set date; 11.30am	Mayor (ex officio)
Streets & Reserves Naming Committee	Clr Seage (Alternative Clr Rice)	As required.	1 Councillor and 1 Alternative
Traffic	Clr Petschler (Alternative Clr McClure)	Monthly, 1 <sup>st</sup> Tuesday; 9.00am	1 Councillor and 1 Alternative
Youth Advisory Committee	Clrs Rice & Reilly	1 <sup>st</sup> Wednesday of month, 10.40am at Kiama High	2 Councillors

### 10.9 Defining the Function of Permanent Council Committees - Committee of the Whole

15/335

**Committee recommendation** that Council confirms and endorses the functions and structure of the Committee of the Whole.

(Councillors Reilly and Sloan)

### 10.10 Council Delegates to Outside Bodies Appointment to Regional and Other Organisations

15/336

**Committee recommendation** that Council adopt its representatives to outside organisations for 2015/2016 as shown below.

(Councillors Steel and Rice)

## LIST OF DELEGATES TO OTHER BODIES

Committee/Association	Meetings	Councillors Elected	Nature of Appointment	Delegates
Cleary Bros Community Consultative Committee	As required	Clr Sloan (Alternate Clr Steel)	Council	2 Councillors
Friends of Kiama Library	Monthly	Clr Rice (Alternate Clr Reilly)	Council	1 Councillor and 1 Alternative
Healthy Cities Illawarra Management Committee and International Healthy Cities Alliance (including Australian Chapter)	Quarterly and as required	Clr Rice (Alternate Mayor)	As Mayor	Mayor and Alternative
Illawarra Academy of Sport	Bi-monthly	Director of Community Services (Clare Rogers) (Alternate Clr Way)	Delegate	Mayor or representative
Illawarra Bush Fire Management Committee	Quarterly	Clr Honey	Councillor Delegate, Staff	1 Councillor and DEW
Illawarra Connection		Clr Steel	Council	2 Councillors
Illawarra District Noxious Weeds Authority Committee	Quarterly	Clr Honey (Alternate Council's Landscape Officer)	Council	1 Councillor & Alternative being Landscape Officer
Illawarra Landcare Co-ordinating Committee	As required	Clr Rice (Alternate Clr Sloan)	Council	1 Councillor and 1 Alternative
Illawarra Pilot Joint Organisation	2nd Friday alternate month	Mayor, Deputy Mayor (Alternate GM)	Council	Mayor, Deputy Mayor GM
Illawarra Regional Airport Management Advisory Committee	As required	Mayor		Mayor
Illawarra Regional Information Service	Quarterly	Mayor	Delegate	1 Councillor
Illawarra Rural Fire District Service Agreement Committee	Quarterly	Clr Honey	Councillor Delegate, Staff	1 Councillor and DEW

Committee/Association	Meetings	Councillors Elected	Nature of Appointment	Delegates
Kiama & District Sports Association	Bi-monthly	Clr Way (Alternate Clr Sloan)	Council	1 Councillor and 1 Alternative
Kiama Liquor Accord	As required	Clr Steel & Clr Seage	Council delegate	2 Councillors and Road Safety Officer
Metro Pool United Independent Pool	Quarterly	Mayor & GM	Delegate	1 Councillor and GM
South Coast Co- operative Library Service	2 months	Clr Rice	Council	1 Councillor
Tourism Kiama Board of Management	3rd Wednesday of each month (5.30pm)	Clr Honey (Alternate Clr Rice) and Council's General Manager	Council delegates	1 Councillor and GM
Water NSW Local Government Reference Panel	As required	Clr Sloan (Alternate Clr Seage)	1 Councillor, 1 Staff	1 Councillor, 1 Alternative and DES

### 10.11 Delegation of Functions of the Council - Review of Delegations to the Mayor, General Manager and Other Staff

**15/337**

**Committee recommendation** that Council confirm and endorse the delegations as detailed in this report

(Councillors Reilly and Sloan)

### 10.12 Payment of Expenses and Provision of Facilities Policy

**15/338**

**Committee recommendation** that Council give public notice of its intention to re-adopt the attached Payment of Expenses and Provision of Facilities Policy with minor amendments relating to daily, vehicle and phone expenses incurred by Councillors undertaking Council business.

(Councillors Reilly and Sloan)

**10.13 Establishment of a legal services panel****15/339**

**Committee recommendation** that Council endorses the external Legal Services Panel selected by the IPJO evaluation team effective from 1 October 2015 until 31 September 2019.

(Councillors Reilly and Sloan)

**10.14 Gerringong Night Markets****15/340**

**Committee recommendation** that Council advises Ms Jackson that it is not prepared to support owner's consent for the lodgement of the application unless the general support of local businesses is provided.

(Councillors Reilly and Sloan)

**10.15 Kiama Tourism****15/341**

**Committee recommendation** that Council:

1. endorses the new Articles of Association proposed for Kiama Tourism.
2. write to Brian Longbottom, retiring Kiama Tourism Board member, formally acknowledging the service he has provided to tourism in Kiama over a number of years.

(Councillors Petschler and Honey)

**11 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL SERVICES****11.1 Kiama Leisure Centre - Fees and Charges****15/342**

**Committee recommendation** that Council:

1. offer all fulltime students residing in the Kiama Local Government Area a 50% discount off all membership rates.
2. retains the \$53 per term (12 week) Schools Program fee.

(Councillors Seage and Reilly)



## 11.2 Holiday Parks Advisory Committee

15/343

**Committee recommendation** that Council:

1. establish an advisory committee comprising those outlined in this report;
2. prior to the above establishment, develop Terms of Reference for the proposed committee;
3. invites nominations from interested residents living close to Werri Beach Holiday Park to participate on this proposed committee, and
4. defers further consideration of the Kiama Coast Holiday Parks' Sustainable Improvement Strategy and Masterplans until this proposed committee has properly consulted.

(Councillors Reilly and Rice)

## 11.3 2015 South Coast Tourism Awards

15/344

**Committee recommendation** that Council congratulates:

1. staff members Jackie Hall, Hope Prosser, Melissa Colless and Glen Benson for their outstanding contribution towards the winning of this award, and
2. the other successful local businesses identified in the report.

(Councillors Reilly and Sloan)

## 12 REPORT OF THE MANAGER CORPORATE SERVICES

### 12.1 Statement of Investments

15/345

**Committee recommendation** that the information relating to the Statement of Investments for August 2015 be received and adopted.

(Councillors Reilly and Sloan)

### 12.2 Annual Financial Statements 2014/15

15/346

**Committee recommendation** that :

1. Council's Draft Financial Statements for 2014/2015 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
  - 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 2014/2015.
4. That on receipt of the Audited Reports, a copy is forwarded to the Office of Local Government.

(Councillors Reilly and Sloan)

## **13 REPORT OF THE DIRECTOR ENGINEERING AND WORKS**

### **13.2 Masterplan - Akuna Street precinct**

**15/347**

**Committee recommendation** that Council defer the recommendation of the Shoalhaven Street Development Working Party to appoint appropriate consultants to undertake a master plan for the Akuna Street precinct to enable additional input by the LEP Review Committee and the Economic Development Committee.

(Councillors Honey and Reilly)

## **14 REPORT OF THE DIRECTOR COMMUNITY SERVICES**

### **14.1 Adult Change Table in Kiama**

**15/348**

**Committee recommendation** that Council:

1. provide 'in principle' support that the Joyce Wheatley Community Centre be the preferred location of an adult change facility after the relocation of staff to the Aged Care centre of Excellence
2. support identifying funding opportunities for the construction of the facility, once a design is completed.

(Councillors Reilly and Sloan)

## 14.2 Kiama Cultural Grants and Cultural Board Minutes

15/349

### Committee recommendation that Council:

1. endorse the recommended applications for the August funding round of Council's Cultural Grants:
  - a. Celebrating Kiama's Orry-Kelly \$1000
  - b. Royal Scottish Country Dance Society 41<sup>st</sup> Australian Winter School \$1000
  - c. Coastal Creature Development Project - with conditions \$3000
  - d. Approved in principle - Dynamic Earth \$3000
2. endorse Tamara Campbell's revised use of her successful February 2015 Cultural Grant for promoting Kiki Bitovabitch.

(Councillors Reilly and Sloan)

## 14.3 Community Arts Centre

15/350

### Committee recommendation that Council:

1. develop the plans for the Joyce Wheatley Centre as a Community Arts Centre and also the old fire station.
2. seek clarification from the state government on the proposal to relocate the ambulance station and residence.

(Councillors Reilly and Seage)

## 15 REPORTS FOR INFORMATION

15/351

**Resolved** that the following Reports for Information listed for the Council's consideration be received and noted

- 15.1 Herbicide Usage
- 15.2 Capacity of Bombo Sewage Treatment Plant - Question Without Notice
- 15.3 Parking Statistics - August 2015
- 15.4 Notification of Office Bearers
- 15.5 Kiama Farmers' Market
- 15.6 Blue Haven Redevelopment Update
- 15.7 Barista training and graduation
- 15.8 Youth and parent survey
- 15.9 OK Organics Kiama - rollout of new waste service
- 15.10 Kendalls Beach Holiday Park Management Contract
- 15.11 South Precinct Meeting Minutes

- 15.12 2015-16 Financial Assistance Grants
- 15.13 Free Shuttle Bus
- 15.14 LEP Review Committee
- 15.15 Business Continuity Management Framework
- 15.16 Naming of The Boneyard
- 15.17 Access Committee Minutes from meeting held 7 August 2015
- 15.18 Kiama Cultural Board Meeting Minutes
- 15.19 LEP Review Committee - Minutes 1 September 2015
- 15.20 Minutes of the Kiama Youth Advisory Committee meeting held at Kiama High School 2 September 2015.

(Councillors Reilly and Sloan)

## **15.8 Youth and parent survey**

**15/352**

**Resolved** that Council investigate the formation of a forum involving partnerships between Kiama Council, local police, schools and parents to educate our community about the scourge of MDMA otherwise known as “ice”.

(Councillors Seage and McClure)

## **15.16 Naming of The Boneyard**

**15/353**

**Resolved** that Council refer the Boneyard name to the Streets and Reserves Naming Committee for endorsement and following this Council formally seek the approval for the Geographical Names Board to the new placename.

(Councillors Way and Steel)

## **16 ADDENDUM TO REPORTS**

**15/354**

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

(Councillors Steel and McClure)

## **16.1 Kiama & District Chamber of Commerce Survey 2015 Results**

**15/355**

**Committee recommendation** that the report be received and noted.

(Councillors Reilly and Way)

**RESUMPTION OF ORDINARY BUSINESS****15/356**

**Resolved** that at this time, 7.52pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Steel and McClure)

**ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

**Committee recommendation** 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 15/323 to 15/356 above.

(Councillors Seage and Steel)

**17 NOTICE OF MOTION**

Nil

**18 QUESTIONS WITHOUT NOTICE****18.1 Validation of complaints**

Councillor McClure requested a report on the way Council can validate complaints and ensure that all complaints are valid at all times. The Mayor referred this item to the General Manager for investigation and report.

**18.2 Question Without Notice Register**

Councillor McClure requested that Council create a register of Questions Without Notice with the register to include the status of all Questions Without Notice asked by the Councillors and for this to be reported to each Ordinary Council meeting. The Mayor referred this item to the General manager for investigation and report.

**18.3 Gerringong Resident's Group**

Councillor McClure requested a report on the feasibility of the formation of a Gerringong Residents' Group to maintain the land on the corner of Fern and Willawa Streets, Gerringong. The Mayor referred this item to the Director of Engineering and Works for investigation and report.

**18.4 Causeways**

Councillor Seage requested a report listing the causeways within the LGA and identifying a recommended priority list to address the safety issues outlined in an

mail sent by Aleysha Brooke-Smith after the recent heavy rains. The Mayor referred this item to the Director of Engineering and Works for investigation and report.

### **18.5 Police Residence**

Councillor Steel requested a report on the future of the Police Residence in Terralong Street. The Mayor advised that the Member for Kiama had recently advised that some funding had been provided to undertake minor aesthetic repairs to the residence, however any further works were pending the result of a Native Title Claim on the land.

### **18.6 Parking in Thompson Street**

Councillor Steel requested a report on the provision of a No Parking zone on the western side of Thompson Street, Kiama near the Terralong Street intersection. The Mayor referred this item to the Director of Engineering and Works for investigation and report.

### **18.7 CCTV at Kiama Harbour and Blowhole Point**

Councillor Way requested an estimate of costs associated with the installation of CCTV at both Kiama Harbour, the harbour boat trailer parking areas and Blowhole Point. The Mayor referred this item to the Director of Corporate & Commercial Services for investigation and report.

### **18.8 Tourist Information Map at Kiama Station**

Councillor Way requested that an estimate of costs for the installation of a tourist information map/sign, similar to the sign at Minnamurra Station, which features routes to tourist destinations in the local area, be erected at Kiama Station. He also suggested that the map should display the WiFi and App information on the base. The General Manager advised that Council is working with Kiama Tourism to upgrade existing tourist information signage within the area. The Mayor referred this item to Director of Engineering & Works for investigation and report.

### **18.9 Bombo Headland**

Councillor Honey requested a report on the progress made in gaining funding for the Conservation Management Plan for Bombo Headland and whether approaches have been made to the Member for Kiama. Councillor Honey further requested that approaches be made to Wollongong Botanical Garden with the intention to include a coastal botanical garden on all or part of the headland. The Mayor referred this item to the Director of Engineering & Works for investigation and report.

### **18.10 Book dispenser**

Councillor Reilly requested a report on the construction and placement of a book dispenser similar to those found in other areas, where books may be left and borrowed in a public place. The Mayor referred this item to the Director of Community Services for investigation and report.

### 18.11 Streetlighting

The Mayor requested information regarding the cost associated with extending the footpath lighting from the new subdivision at the northern end of South Kiama Drive to Kiama Heights. He referred the item to the Director of Engineering and Works for investigation and report.

## 19 CONFIDENTIAL SUMMARY

*15/357*

**Resolved** that at this time, 7.55pm, 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 Way and McClure)

### 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.

### 19.1 Exclusion Of Press And Public:

*15/358*

**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.

### 20.1 THE PAVILION KIAMA - CATERING CONTRACT FOR WEDDINGS

**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. .

### 20.2 KENDALLS BEACH HOLIDAY PARK MANAGEMENT TENDER

**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 and 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 and information that would, if disclosed, confer a commercial advantage on a competitor of the council as per Section 10A(2)(dii) of the Local Government Act. .

(Councillors Way and McClure)

## 20 CONFIDENTIAL REPORTS

### 20.1 The Pavilion Kiama - Catering Contract for Weddings

15/359

**Resolved** that Council advise the Contractor that:

1. Other than for the bookings already arranged/confirmed and provided to Council on 10 September 2015 Council will accept a reduced cost of the hire of the Pavilion for smaller weddings involving less than 100 people at a charge of \$30 per head.
2. That Council will be seeking compliance with the other terms of the contract and Council will be undertaking a review of bookings/reservations in March 2016.

(Councillors Steel and Seage)

### 20.2 Kendalls Beach Holiday Park Management Tender

15/360

**Resolved** that the contract for the management of Kendalls Beach Holiday Park be awarded to CL Curls and KE Francis Pty Ltd at the percentage outlined in this report for an initial period of two years and seven months from 1 November 2015, with two one-year extensions to be applied at Council's absolute discretion.

(Councillors Seage and Steel)

### Close of Confidential Committee of the Whole:

15/361

**Resolved** that at this time, 8.01pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Seage and Steel)

### Adoption of Report

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

15/362

**Resolved** that that the Confidential Committee of the Whole recommendations numbered 15/358 to 15/360 be confirmed and adopted.

(Councillors Steel and Way)



**21 CLOSURE**

There being no further business the meeting closed at 8.02pm

These Minutes were confirmed at the Ordinary Meeting of Council held on  
20 October 2015

.....  
Mayor

.....  
General Manager