



MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5pm on

TUESDAY 18 AUGUST 2020

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 AUGUST 2020 AT 5PM**

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

IN ATTENDANCE: General Manager, Director Environmental Services, Interim
Director Corporate and Commercial Services, Director
Engineering and Works and Acting Director Blue Haven

1 APOLOGIES

Nil

Mayor, Councillor Honey welcomed Veronica Lee to her role as Interim Director Corporate and Commercial Services and also welcomed Dale Wakefield as Acting Director Blue Haven.

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Mayor declared the meeting open and 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.”

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Ordinary Council on 21 July 2020

20/2300C

Resolved that the Minutes of the Ordinary Council Meeting held on 21 July 2020 be received and accepted.

(Councillors Steel and Way)

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

Against: Nil

4 BUSINESS ARISING FROM THE MINUTES**5 DECLARATIONS OF INTEREST****Disclosure of Interest - Councillor Sloan**

Councillor Sloan declared a significant pecuniary interest in item 12.1 10.2020.67.1 – Lot 2 SP 98549 – 2G/17 Noble Street, Gerringong – Medical Centre as Councillor Sloan's spouse is a partner in an existing/competing medical practice. Councillor Sloan proposes to leave the Chamber and take no part in discussion or voting on this matter.

6 TABLING OF PETITIONS AND OTHER DOCUMENTS

Nil

7 PUBLIC ACCESS SUMMARY

Name	Item No.	Subject
Ros Neilson	12.2	10.2019.85.1 – Lot 1 DP 798617 Jamberoo Mountain Road, Jamberoo – proposed rural dwelling house
Mark Greaves	12.3	10.2019.176.1 – Lot 11 DP 258846 - 95 Shoalhaven Street, Kiama - demolition of existing dwelling, 2 Lot Torrens Title subdivision & construction of 2 attached dual occupancies including pool to proposed Lot 110 residence B
Iain Henson	12.3	10.2019.176.1 – Lot 11 DP 258846 - 95 Shoalhaven Street, Kiama - demolition of existing dwelling, 2 Lot Torrens Title subdivision & construction of 2 attached dual occupancies including pool to proposed Lot 110 residence B
Megan Collins	13.1	Section 355 Policy (Instrument of Delegation) (Local Government Act 1993)
Ngaire Brennan	14.2	Minnamurra Bike Skills Track Final Design
Michael Thompson	14.2	Minnamurra Bike Skills Track Final Design
Linda Livingstone	18.1	Mental Health and Wellbeing - Stronger Community Committee
Mark Burns	18.1	Mental Health and Wellbeing - Stronger Community Committee

Name	Item No.	Subject
Warren Simpson	18.2	Rescission Motion: Item 16.15 Question for future meeting: Short Term Rental Accommodation Policy - 21 July 2020 meeting
Caroline Hartline	18.2	Rescission Motion: Item 16.15 Question for future meeting: Short Term Rental Accommodation Policy - 21 July 2020 meeting

8 MAYORAL MINUTE

8.1 Donation to local schools for music programs

20/231OC

Resolved that Council support school music programs within our Municipality by way of a \$1,000 donation to Minnamurra Public, Kiama Public, Jamberoo Public, Gerringong Public, Kiama High and Ss Peter and Paul Catholic Schools.

(Councillors Honey and Way)

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

Against: Nil

8.2 Local government exclusion from National Cabinet

20/232OC

Resolved that Council:

1. Agrees to send a letter to the Premier and to Fiona Phillips and Gareth Ward MP as the Federal Member for Gilmore and the State member for Kiama respectively which highlights the critical necessity for local government representation on the newly formed National Cabinet and seeks their assistance in requesting that First Ministers review the decision to exclude local government.
2. Notes that the Australian Local Government Association, Local Government NSW and other state/territory local government associations will continue to advocate for local government representation on the National Cabinet and for local government's interests in all relevant forums.

(Councillors Honey and Sloan)

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

Against: Nil

20/233OC

Resolved that at this time, 5.08pm, Council bring forward and deal with Item 17.1 of the Addendum to Reports.

(Councillors Westhoff and Brown)

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

Against: Nil

17.1 Congratulations - Holly Wishart - Under-16 NSW Junior State Titles**20/234OC**

Resolved that Council formally acknowledge Holly Wishart and also acknowledge and support all young people in our community.

(Councillors Honey and Rice)

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

Against: Nil

9 MINUTES OF COMMITTEES**9.1 Minutes: Cultural Board - 25 June 2020****20/235OC**

Resolved that the Minutes of the Cultural Board Meeting held on 25 June 2020 be received and accepted.

(Councillors Watson and Westhoff)

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

Against: Nil

9.2 Minutes: Destination Kiama Tourism Advisory Committee - 3 August 2020**20/236OC**

Resolved that the Minutes of the Destination Kiama Tourism Advisory Committee Meeting held on 3 August 2020 be received and the following recommendations accepted:

1. That Destination Kiama recommends that Kiama Municipal Council provide support to the 2020 South Coast Sevens (7-8 November 2020) to the value of \$3,000 for marketing and waste services, dependent on the event being permissible at that time, appropriate milestone payments, deliverables and post event reporting be agreed to and supplied.
2. That Destination Kiama recommends that Kiama Municipal Council provide support to the 2020 Australian Pro Bodyboard Titles (6-8 November 2020), including the supply of a lifeguard, usage of The Pavilion (one night only), extra bins at no cost and reserve hire fees waived, dependent on the event being permissible at that time, appropriate milestone payments, deliverables and post event reporting be agreed to and supplied.
3. That Destination Kiama recommends that Kiama Municipal Council provide support to the 2020 Seaside Valley Veterans Golf Tournament (23-27 November 2020) to the value of \$500 to support this event, dependent on the event being permissible at that time, appropriate milestone payments, deliverables and post event reporting be agreed to and supplied.
4. That Destination Kiama recommends that Kiama Municipal Council does not support the request for \$20,000 for the 2020 Light Sky Kiama (7 November 2021).
5. That Destination Kiama recommends that Kiama Municipal Council provide support to 2021 Kiama Sevens (27 February 2021) up to the value of \$11,500 for the marketing of this event outside of the Illawarra, hire of The Pavilion, Showground hire and a contribution towards waste management, dependent on the event being permissible at that time, appropriate milestone payments, deliverables and post event reporting be agreed to and supplied.
6. That Destination Kiama recommends that Kiama Municipal Council does not support the request for \$5,000 for 2021 Pacific Avenue and Friends (30 January 2021).
7. That Destination Kiama recommends that Kiama Municipal Council provide support to the 2021 National Rose Championships (15-18 October 2021) to the value of \$7,800 for hire of The Pavilion, promotional materials and accommodation dependent on the event being permissible at that time, appropriate milestone payments, deliverables and post event reporting be agreed to and supplied.
8. That the post event report for Q4 2019/20 Surfing NSW Partnership Report be accepted.
9. That the 2020 New Year's Eve event not proceed and that a new event be held in Winter 2021.

10. That the production of the next edition of the Kiama Visitor Guide be aligned to when stock of the 2020 Visitor Guide runs out.
11. That the Destination Kiama brand be applied to all digital and print assets.
12. That Destination Kiama recommends that Kiama Municipal Council proceed with a Gold Community Partnership with Kiama Community Radio for six (6) months, valued at \$540.

(Councillors Brown and Way)

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

Against: Nil

COMMITTEE OF THE WHOLE

20/237OC

Resolved that at this time, 5.16pm, Council form itself into a Committee of the Whole to deal with matters listed in the reports as set out below:

Report of the General Manager
Report of the Director Environmental Services
Report of the Director Corporate and Commercial Services
Report of the Director Engineering and Works
Reports for Information
Addendum to Reports

(Councillors Steel and Way)

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

Against: Nil

10 PUBLIC ACCESS REPORTS

20/238OC

Committee recommendation that at this time, 5.17pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Sloan and Westhoff)

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

Against: Nil

12.2 10.2019.85.1 – Lot 1 DP 798617 Jamberoo Mountain Road, Jamberoo – proposed rural dwelling house**20/2390C**

Committee recommendation that Council refuse Development Application No 10.2019.85.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, for the following reasons:

1. Having regard to the matters for consideration in the Environmental Planning and Assessment Act contained in Section 4.15(1)(a)(i), the development is unacceptable and the proposal must be refused because:
 - a) The proposed development does not satisfy the objective of the RU2 – Rural Landscape zone To encourage sustainable primary industry production by maintaining and enhancing the natural resource base under the Kiama Local Environmental Plan 2011, because the proposal is focused on residential related purposes, which will dominate any future agricultural use of the land; and
 - b) The proposed development does not satisfy the objective of the RU2 – Rural Landscape Zone To maintain the rural landscape character of the land under the Kiama Local Environmental Plan 2011, because approval of the development will negatively fragment the land from achieving long term agricultural production in the RU2 Zone; and
 - c) The proposed development does not satisfy the objective of the RU2 – Rural Landscape Zone To provide for a range of compatible land uses, including extensive agriculture under the Kiama Local Environmental Plan 2011, because the proposal does not provide for a range of compatible land uses as the site is significantly undersized limiting the viability of agricultural pursuits on the land; and
 - d) The proposed development is inconsistent with the aims of cl 1.2 (2)(d)&(h) under the Kiama Local Environmental Plan 2011
 - e) The proposed development does not satisfy objective cl 4.2A(1)(a) to minimise unplanned rural residential development as the proposal is 76% under the minimum lot size requirement pursuant to cl 4.2A (3)(a); and
 - f) The proposed development does not satisfy the objective cl 4.2A(1)(a) to minimise unplanned rural residential development as the proposed location is in a visually prominent location that will disrupt the established rural residential settlement pattern of the Jamberoo locality; and
 - g) The proposed development does not does satisfy the objective cl. 4.3A(1)(b) as the structure on the site known as ‘Bully’s Cottage’ is not presently constructed to be fit and safe for human habitation to enable its replacement under cl. 4.2A(5)(a).
2. Having regard to the matters for consideration in the Environmental Planning and Assessment Act contained in Section 4.15(1)(a)(i), the development is unacceptable and must be refused because the written exception to development standard submitted under Clause 4.6 – Exception to Development Standards under the Kiama Local Environmental Plan 2011 is

- not well founded as the variation does not reasonably justify why compliance is unreasonable and unnecessary.
3. Having regard to the matters for consideration in the Environmental Planning and Assessment Act contained in Section 4.15(1)(a)(i), the development is unacceptable and must be refused because the written exception to development standard submitted under Clause 4.6 – Exception to Development Standards under the Kiama Local Environmental Plan 2011 is not well founded as the variation does not provide sufficient environmental planning grounds to contravene the minimum lot size development standard.
 4. Having regard to the matters for consideration in the Environmental Planning and Assessment Act contained in Section 4.15(1)(a)(i), the development is unacceptable and must be refused because the written exception to development standard submitted Clause 4.6 – Exception to Development Standards under the Kiama Local Environmental Plan 2011 is not in the Public Interest as the development is inconsistent with the objectives of the RU2 - Rural Landscape Zone and objectives of cl 4.2A.
 5. Having regard to the matters for consideration in the Environmental Planning and Assessment Act contained in Section 4.15(1)(a)(iii) the development is unacceptable and the proposal must be refused because:
 - i. The proposal is non-compliant with un-numbered Control of Section 1 of Chapter 6 of the Kiama DCP 2012 as the proposed development is sited on the side of a ridge; and
 - ii. The proposal is inconsistent with the first two objectives under the heading Overall Objectives under Chapter 6 of the Kiama DCP 2012; and
 6. Having regard to the matters for consideration in the Environmental Planning and Assessment Act contained in Section 4.15(1)(c) the development is unacceptable and the proposal must be refused because the proposed development is on a significantly undersized allotment which will jeopardize any future agricultural use on the land.
 7. Having regard to the matters for consideration in the Environmental Planning and Assessment Act contained in Section 4.15(1)(d) the development is unacceptable and the proposal must be refused because during the initial notification period 1 submission against the proposal raised that the Lot is significantly undersized and approval would set an undesirable precedent in the Jamberoo locality.
 8. Having regard to the matters for consideration in the Environmental Planning and Assessment Act contained in Section 4.15(1)(e) the proposed development is not in the public interest and must be refused, because the proposal sets an undesirable planning precedent, is inconsistent with the objectives of the RU2 – Rural Landscape Zone, is inconsistent with the objectives of cl. 4.2A, and is inconsistent with controls in relation to the siting of development in the rural zone.

(Councillors Watson and Sloan)

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

Against: Nil

12.3 10.2019.176.1 – Lot 11 DP 258846 - 95 Shoalhaven Street, Kiama - demolition of existing dwelling, 2 Lot Torrens Title subdivision and construction of 2 attached dual occupancies including pool to proposed Lot 110 residence B

20/240OC

Committee recommendation that Council approve Development Application 10.2019.176.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Way and Watson)

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

Against: Councillors Rice and Sloan

13.1 Section 355 Policy (Instrument of Delegation) (Local Government Act 1993)

20/241OC

Committee recommendation that Council:

1. adopt the attached Section 355 Committee Policy for the operation of Section 355 Committees in the Kiama Local Government Act, with the provision that –
 - a) Section 355 Committees can only be dissolved by a vote to that effect by elected councillors
 - b) Section 355 Committees be provided by vote of Council (following the management framework for this to happen) the right to undertake its own banking
2. commence an Expression of Interest (EOI) process open for 14 days seeking interest from community members to form a Section 355 Committee for the Jamberoo Youth Hall management
3. report the outcome of the EOI process to the 22 September 2020 Council meeting for potential appointment of a Section 355 Committee for management of the Jamberoo Youth Hall.

(Councillors Brown and Reilly)

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

Against: Nil

14.2 Minnamurra Bike Skills Track Final Design

20/242OC

Committee recommendation that Council:

1. Note the information provided in response to the 21 November 2017 Council resolution providing approval for the project.
2. Approve the final design of the Minnamurra Bike Skills Track project to be constructed in Sanctuary Place Quarry.
3. Pursuant to Section 632 of the Local Government Act 1993 (acting contrary to notices erected by Council), declare the following activities to be prohibited activities, at Sanctuary Place Quarry, located on Lot 1 DP 593079 (Ritchie Place, Minnamurra) –
 - a. motorbike or trail bike riding,
 - b. driving or parking of motor vehicles on the track,
 - c. playing golf,
 - d. lighting of fires,
 - e. camping,
 - f. taking dogs or animals onto the site,
 - g. smoking,
 - h. flying drones,
 - i. selling of food (unless otherwise approved by Council),
 - j. illegal dumping of waste and,
 - k. disposal of domestic, commercial or demolition waste in public place bins
4. Pursuant to Section 632A of the Local Government Act 1993, declare Sanctuary Place Quarry, located on Lot 1 DP 593079 (Ritchie Place, Minnamurra) to be an Alcohol Prohibited Area.

(Councillors Way and Steel)

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

Against: Councillors Reilly and Westhoff

18.1 Mental Health and Wellbeing - Stronger Community Committee

It was **moved** by Councillor Brown and seconded by Councillor Watson that Council:

1. On behalf of our community, mourn the loss of another young local and express deepest concern at the alarming number of our young people who have recently taken their own lives, four lives lost just in the past month of July.
2. On behalf of our community, express our sympathy and support to the grieving families and friends.

3. Acknowledge that the tragic loss of young lives through suicide is a problem for our community and one which we need to face and work towards a solution in order to prevent further tragedies.
4. Continue to support the work of the Illawarra Shoalhaven Suicide Prevention Collaborative, of which Kiama Council is a member, which includes working directly with government agencies and support networks.
5. Advocate for additional funding from State and Federal government to increase the services of Kiama SENTRAL Youth Centre, to enable outreach services to be provided when required.
6. Call on the community to suggest the terms of reference, format and composition, for a Mental Health and Wellbeing - Strong Community Committee, which will consist of five community representatives (including 1 person with lived experience and 1 young person under 25) and two councillors; Councillor Brown (Chair) and Councillor Westhoff, and this committee be supported and resourced by Council.

20/243OC

An **amendment** was **moved** by Councillor Rice and seconded by Councillor Steel that Council:

1. On behalf of the Mayor, Councillors and community mourn and express deepest concern at the alarming number of our young people who have recently lost their lives through suicide.
2. On behalf of our community, express our sympathy and support to the grieving families and friends.
3. Acknowledge that the tragic loss of young lives through suicide is a problem for our community and one which we need to face and work together as a community to prevent further tragedies.
4. Seek the guidance and professional mental health advice of the Primary Health Network and the Illawarra Shoalhaven Suicide Prevention Collaborative, in engaging our community to develop its own strategy and ongoing plan for suicide prevention in Kiama. As a member of the collaborative, Kiama Council is already involved in its work which includes working directly with government agencies and support networks. The advice and support of these bodies will assist Council in developing a community response that is focused on Kiama.
5. Advocate for additional funding from State and Federal government to increase the services of Kiama SENTRAL Youth Centre, to enable outreach services to Warri Beach, Jones beach and Jamberoo.

The **amendment** on being put became the **motion**.

(Councillors Rice and Steel)

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

Against: Councillors Brown, Steel and Watson

The **Motion** on being put was **carried**.

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

Against: Nil

18.2 Rescission Motion: Item 16.15 Question for future meeting: Short Term Rental Accommodation Policy - 21 July 2020 meeting

It was **moved** by Councillor Brown and seconded by Councillor Steel that Council rescind committee recommendation 20/220OC of the 21 July 2020 ordinary meeting that Council as a matter of urgency, collates all relevant data and prepares a case for reducing the non-hosted short-term rental accommodation period in Kiama from 365 days to 180 days per year and that this information is provided to the Minister for Planning, requesting that a Ministerial Direction is issued, reducing the total occupancies allowable under the Fair Trading Amendment (Short-term Rental Accommodation) Act 2018.

The **motion** on being put was **lost**.

For: Councillors Brown, Honey, Steel and Watson

Against: Councillors Reilly, Rice, Sloan, Way and Westhoff

11 REPORT OF THE GENERAL MANAGER

11.1 2020 NSW Public Libraries SWITCH Conference

20/244OC

Committee recommendation that Council approve the attendance of Councillor Rice and Councillor Reilly to the NSW Public Libraries Conference to be held on 24-27 November 2020 in Albury.

(Councillors Sloan and Way)

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

Against: Nil

11.2 Delivery Program and Operational Plan Quarterly Report April to June 2020

20/245OC

Committee recommendation that Council receives the Delivery Program 2017-21 and Operational Plan 2019-20 progress report for the period April to June 2020.

(Councillors Way and Westhoff)

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

Against: Nil

11.3 Local Government NSW Annual Conference 2020 - Councillor attendance, and call for motions and voting delegations

20/246OC

Committee recommendation that Council:

1. determines Councillors Westhoff, Honey and Sloan to attend the Local Government NSW conference at the Crowne Plaza Hunter Valley on 22-24 November 2020
2. submits any motions for the conference to Local Government NSW prior to 28 September 2020
3. selects three Councillors Westhoff, Honey and Sloan to be registered as voting delegates for motions and the election of the LGNSW Board.

(Councillors Reilly and Brown)

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

Against: Nil

12 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

12.1 10.2020.67.1 – Lot 2 SP 98549 – 2G/17 Noble Street, Gerringong – Medical Centre

Disclosure of Interest - Councillor Sloan

Councillor Sloan declared a significant pecuniary interest in this matter as his spouse is partner in an existing/competing medical practice. Councillor Sloan took no part in discussion or voting on this matter.

Councillor Sloan left the meeting at 06:35 pm.

20/247OC

Committee recommendation that Council approve Development Application No 10.2020.67.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Brown and Steel)

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

Against: Nil

Councillor Sloan returned to the meeting at 06:35 pm.

12.4 10.2018.225.1 - Lot B DP 164747 - 47 Thomson Street, Kiama – Demolition of existing building and construction of multi residential building consisting of 12 units

20/248OC

Committee recommendation that Council:

1. Strongly object to the actions of the Applicant in demolishing the dwelling at 47 Thompson Street, that occurred without the notification or approval of Council.
2. Continue to investigate and take action for any breach or non-compliance resulting from the demolition of the dwelling undertaken under Complying Development Certificate No. 12.2019.71.1 and approved by a Private Certifier.
3. Approve Development Application No 10.2018.225.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report with the addition of a condition stipulating that wildlife supervision and rescue be available at the time of tree removal.

(Councillors Reilly and Brown)

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

Against: Councillor Rice

12.5 Companion Animals Management Advisory Committee – Minutes of 14 July 2020 meeting and updated Terms of Reference

20/249OC

Committee recommendation that Council:

1. Receive and accept the Minutes of the Companion Animals Management Advisory Committee Meeting held on 14 July 2020
2. Endorse and adopt the new Terms of Reference for the Companion Animals Management Advisory Committee

3. Make no changes to the designated boundaries of the south Bombo Beach and the Jones Beach dog off-leash areas and to continue to prohibit dogs on Kendall's Beach, Kiama.
4. Conduct a community and agency consultation process on its proposal, to permanently establish the Minnamurra River dog on-leash swimming area (Trevethan Reserve) as identified on the site location map and in accordance with the Conditions of Use attached to this report.
5. Investigate and determine a site for a dog off-leash area in Jamberoo that can also be fenced. This dog off-leash area could also potentially be used for disabled persons. Estimate the cost to construct this facility. Construction of this facility would be dependent on Grant Funding.
6. Investigate and report on the potential for an additional full time Ranger that would see a minimum of 2 Rangers on duty to effectively cover the whole Municipality for all weekends, school holidays and public holidays.

(Councillors Way and Sloan)

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

Against: Nil

12.6 COVID-19 implications for Household Bulky Waste Drop Off Event 12 to 20 September 2020

20/2500C

Committee recommendation that Council:

1. Cancel the Household Bulky Waste Drop off Event scheduled for 12-20 September 2020.
2. Instead allow eligible households to book in twice for the 13-21 March 2021 Household Bulky Waste Drop Off.
3. Extend the 13-21 March 2021 Household Bulky Waste Drop Off event by two weeks to allow for additional bookings, disposal and sorting opportunities to occur.

(Councillors Brown and Steel)

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

Against: Nil

12.7 Endorsement: Stage 1 Scoping Study for the Coastal Management Program**20/251OC**

Committee recommendation that Council adopt the Stage 1 Scoping Study prepared as part of the development of the Coastal Management Program for the Kiama LGA open coast.

(Councillors Brown and Way)

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

Against: Nil

13 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL SERVICES**13.2 Statement of Investments - July 2020****20/252OC**

Committee recommendation that Council receive and adopt the information relating to the Statement of Investments for July 2020.

(Councillors Brown and Westhoff)

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

Against: Nil

13.3 TOMRA Reverse Vending Machine Gerringong**20/253OC**

Committee recommendation that Council agree to:

1. the continuation of the TOMRA reverse vending machine operation at Jubilee Park for 60 days under the terms of the prevailing (month to month) licence
2. give in-principle support for TOMRA to undertake further investigations and due diligence for either a new licence to operate a reverse vending machine at either Jubilee Park/the Boat Harbour car park, Gerringong OR an alternate location in Gerringong not being Council owned or managed land

3. a report being presented to Council in September with an update regarding any alternate siting options
4. a final report being presented to Council in October regarding any alternate siting options for the reverse vending machine in Gerringong.

(Councillors Westhoff and Way)

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

Against: Nil

13.4 Revotes of Expenditure into 2020/2021

20/254OC

Committee recommendation that Council revote \$2,198,494, being the expenditure items as listed to the 2020/21 budget year.

(Councillors Way and Reilly)

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

Against: Nil

14 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

14.1 Figtree Lane Carpark Extension project commencement

20/255OC

Committee recommendation that Council note the planned commencement of the approved Figtree Lane Car Park extension project in Gerringong.

(Councillors Reilly and Watson)

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

Against: Nil

15 REPORT OF THE DIRECTOR BLUE HAVEN

Nil

16 REPORTS FOR INFORMATION**20/256OC**

Committee recommendation that the following Reports for Information listed for the Council's consideration be received and noted

- 16.1 Annual Lifeguard Services Report - 2019/20 beach patrol season
- 16.2 COVID-19 Financial Relief Package - update
- 16.3 Megan Dalley and Robert East Memorial Award winners
- 16.4 Minutes: Central Precinct - 28 July 2020
- 16.5 Minutes: Gerroa Sand Resource Community Consultative Committee meeting held on 23 July 2020
- 16.6 Minutes: Jamberoo Valley Ratepayers and Residents Association - 14 July 2020
- 16.7 Minutes: Jamberoo Valley Ratepayers and Residents Association – 4 August 2020
- 16.8 Minutes: South Precinct meeting - 16 July 2020
- 16.9 Parking Statistics - July 2020
- 16.10 Question for future meeting: Arthur Campbell Reserve Mowing Schedule
- 16.11 Question for future meeting: Defibrillators in Council buildings
- 16.12 Question for future meeting: Protection of Kiama's Heritage Buildings
- 16.13 Question for future meeting: Tree Canopy Strategy for Urban Kiama
- 16.14 Questions for Future Meetings Register as at 11 August 2020
- 16.15 Sale of Illawarra Regional Information Service Limited to Taverner Research.

(Councillors Westhoff and Brown)

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

Against: Nil

16.12 Question for future meeting: Protection of Kiama's Heritage Buildings**20/257OC**

Committee recommendation that a report is prepared to provide further discussion of budgetary options raised in the report in relation to heritage protection including but not limited to allocating funds for a permanent heritage officer, establishing heritage grant programs and providing additional/alternative resources for the Family History Centre.

(Councillors Rice and Sloan)

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

Against: Nil

RESUMPTION OF ORDINARY BUSINESS

20/258OC

Committee recommendation that at this time, 7.07pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Way and Rice)

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

Against: Nil

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

20/259OC

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 20/238OC to 20/528 above.

(Councillors Westhoff and Brown)

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

Against: Nil

17 ADDENDUM TO REPORTS

Item 17.1 *Congratulations - Holly Wishart - Under-16 NSW Junior State Titles* was brought forward in the meeting and dealt with in Mayoral Minutes.

18 NOTICE OF MOTION

Item 18.1 *Mental Health and Wellbeing - Stronger Community Committee* and 18.2 *Rescission Motion: Item 16.15 Question for future meeting: Short Term Rental Accommodation Policy - 21 July 2020 meeting* were brought forward in the meeting and dealt with in Public Access Reports.

19 QUESTIONS FOR FUTURE MEETINGS

19.1 Rest Park, Gerringong - trees

Councillor Brown requested a report on the size and nature of the trees in Rest Park, Gerringong, adjacent to 13A Chittick Place; when they were planted and what report was prepared by Council at that time, if any, regarding any impact to adjacent properties. The matter was referred to the Director Engineering and Works for investigation and report.

19.2 Development application for IGA building, Jamberoo - solar panels

Councillor Brown requested a report regarding the development application and determination for solar panels on the IGA building at Jamberoo . The matter was referred to the Director Environment Services for investigation and report.

19.3 Directorate staff numbers

Councillor Reilly requested a report that specifically identifies staff numbers in each directorate and section, and how positions are funded. The matter was referred to the General Manager for investigation and report.

19.4 Reduction in Councillor numbers

Councillor Way requested a report that advises on the procedure to reduce councillor numbers from 9 to 7 inclusive of the Mayor and Deputy Mayor, these reduced numbers to be in operation for the next Council election in September 2021. The matter was referred to the General Manager for investigation and report.

20 CONFIDENTIAL SUMMARY

20/2600C

Resolved that at this time, 7.10pm, 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 Sloan)

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

Against: Nil

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.

20.1 Exclusion Of Press And Public:**20/2610C**

Committee recommendation 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.

21.1 LAND ACQUISITION UNDER THE COMMUNITY USE POLICY

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.

21.2 PLANT 2020-2021 - SIDE LOADER COMPACTOR

Reason for Confidentiality: This matter deals with 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.

21.3 QUESTION FOR FUTURE MEETING: MINNAMURRA BOARDWALK PROJECT

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.

21.4 VISITORS INFORMATION CENTRE - TENDER FOR AMENITIES

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)

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

Against: Nil

21 CONFIDENTIAL REPORTS

21.1 Land acquisition under the Community Use Policy

20/262OC

Committee recommendation that Council not proceed with the acquisition of the property described in the summary of this report.

(Councillors Brown and Steel)

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

Against: Nil

21.2 Plant 2020-2021 - Side Loader Compactor

20/263OC

Resolved that Council purchase one (1) Volvo FE 6x4 Rigid with Bucher compaction body from Southern Truck Centre Wollongong with a capital value of \$401399 + GST.

(Councillors Reilly and Brown)

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

Against: Nil

21.3 Question for future meeting: Minnamurra Boardwalk Project

20/264OC

Committee recommendation that Council note the information contained in this report.

(Councillors Brown and Way)

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

Against: Nil

21.4 Visitors Information Centre - Tender for Amenities**20/265OC**

Committee recommendation that Council award the Tender KIAMA-925450 – Visitor Information Centre Amenities Refurbishment and Extensions - Blowhole Point Kiama to Peloton Constructions with a contract price of \$423,150 (including GST).

(Councillors Sloan and Brown)

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

Against: Nil

Close of Confidential Committee of the Whole:**20/266OC**

Committee recommendation that at this time, 7.14pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Sloan and Reilly)

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

Against: Nil

Adoption of Report

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

20/267OC

Resolved that that the Confidential Committee of the Whole recommendations numbered 20/261OC to 20/265OC be confirmed and adopted.

(Councillors Reilly and Way)

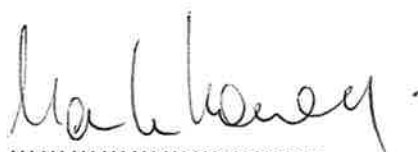
For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Nil

22 CLOSURE

There being no further business the meeting closed at 7.14 pm

These Minutes were confirmed at the Ordinary Meeting of Council
held on 22 September 2020

A handwritten signature in cursive script, appearing to read 'M. H. Honey', is written above a horizontal dotted line.

Mayor