



MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

commencing at 5pm on

THURSDAY 29 JUNE 2023

Council Chambers
11 Manning Street, KIAMA NSW 2533

**MINUTES OF THE EXTRAORDINARY MEETING OF
THE COUNCIL OF THE MUNICIPALITY OF KIAMA
HELD IN THE COUNCIL CHAMBERS, KIAMA
ON THURSDAY 29 JUNE 2023 AT 5PM**

PRESENT: Acting Mayor – Councillor I Draisma,
Councillors M Brown, K Rice, W Steel, J Keast, S Larkins,
K Renkema-Lang and M Croxford

IN ATTENDANCE: Jane Stroud – Chief Executive Officer
Jessica Rippon – Director Planning, Environment and Communities
Michael Malone – Director Infrastructure and Liveability
Joe Gaudiosi – Chief Operating Officer
Olena Tulubinska – Chief Financial Officer
Observer: Peter Tegart

1 OPENING OF MEETING

The Acting Mayor declared the meeting open at 5.00pm.

2 WEBCASTING STATEMENT

The Acting Mayor informed those in attendance that the meeting is recorded and made publicly available on the Council’s website and that persons attending should refrain from making any defamatory statements.

3 ACKNOWLEDGEMENT OF COUNTRY

The Acting Mayor acknowledged the traditional owners:

“I would like to acknowledge the traditional owners of the Land on which we meet, the Wadi Wadi people of the Dharawal nation, and pay my respect to Elders past, present and emerging and thank the Wadi Wadi people for their custodianship of this land.”

4 STATEMENT OF ETHICAL OBLIGATIONS

The Acting Mayor read the statement of ethical obligations:

“Councillors are reminded of their oaths or affirmations of office under section 233A of the Act and their obligations under the Code of Conduct to disclose and appropriately manage any conflicts of interest.”

5 APOLOGIES

Apology

23/1810C

Resolved that the apology tendered from Councillor Reilly be accepted and the leave of absence granted

(Councillors Steel and Larkins)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

6 DISCLOSURE OF INTEREST

Nil

7 REPORT OF THE CHIEF OPERATING OFFICER

7.1 NSW Treasury Corporation (TCorp) - Extension and Amendment to Loan Agreement

Councillor Croxford raised a **point of order** that Councillor Renkema-Lang was not meeting Sections 3.1 of the Code of Conduct for Councillors and Section 15.11 of the Code of Meeting Practice that a councillor must not conduct themselves in a manner that such behaviour is inconsistent with maintaining order at our meetings and is likely to bring our council into disrepute. The Acting Mayor ruled against the point of order however instructed Councillor Renkema-Lang to refrain from using accusatorial language.

Councillor Renkema-Lang **foreshadowed** a motion to defer the matter should this motion be lost.

Councillor Renkema-Lang raised a **point of order** that councillors are talking over the top of Councillor Rice. The Acting Mayor ruled in support of the point of order and requested Councillors refrain from speaking unless they have the floor.

Councillor Renkema-Lang raised a **point of order** that Councillor Brown misrepresented Councillor Renkema-Lang's comments. The Acting Mayor rejected the point of order.

23/1820C

Resolved that Council:

1. Delegate to the Chief Executive Officer to affixing the Seal of Kiama Municipal Council to the extended and amended loan agreement between New South Wales Treasury Corporation and Kiama Municipal Council.
2. Endorse the Chief Executive Officer to prepare correspondence to the Office of Local Government Secretary to advise of the renegotiated terms of the loan

agreement between Kiama Municipal Council and Treasury Corporation being, \$15 million for a period of two (2) years, concluding 9 August 2025.

(Councillors Brown and Croxford)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins and Steel

Against: Councillors Renkema-Lang and Rice

7.2 Making of Rates and Annual Charges

23/1830C

Resolved that whereas Council has given public notice of its Draft Operational Plan for the 2023/2024 financial year it is now resolved:

- a. that in accordance with section 494 of the Local Government Act 1993 Council makes the Base Amount plus Ad valorem Amount of the ordinary rate or in accordance with section 548 of the Local Government Act 1993 Council makes the Minimum Amount of the ordinary rate as set out hereunder for the various categories of all rateable land in the area for the year commencing 1 July 2023:

Category	Base Amount \$	% S500 LG Act	Plus: Ad Valorem \$
Residential	896.80	49.75	0.00077430
Residential – Rural	896.80	25.28	0.00087470
Farmland	896.80	27.57	0.00064050
Business – Commercial / Industrial	896.80 minimum applies	N/A	0.0035100
Business – Ordinary	N/A	N/A	0.00186252

- b. that in accordance with section 496 of the Local Government Act 1993 Council makes the following annual charges for the Domestic Waste Management Service for the year commencing 1 July 2023:

Category	Charge per Annum
<ul style="list-style-type: none"> • Fortnightly 240 litre red lid bin • Weekly recycling 240 litre yellow lid bin • Weekly food/garden organics 240 litre green lid bin • Access to User Pays On-call Clean-up Service • Two Household Bulky Waste Drop-off Services 	\$819.00
<ul style="list-style-type: none"> • Fortnightly 140 litre red lid bin • Weekly recycling 240 litre yellow lid bin • Weekly food/garden organics 240 litre green lid bin 	\$612.00

<ul style="list-style-type: none"> • Access to User Pays On-call Clean-up Service • Two Household Bulky Waste Drop-off Services 	
<ul style="list-style-type: none"> • Fortnightly 80 litre red lid bin • Weekly recycling 240 litre yellow lid bin • Weekly food/garden organics 240 litre green lid bin • Access to User Pays On-call Clean-up Service • Two Household Bulky Waste Drop-off Services 	\$584.00
Services offered to STRA properties ONLY in urban collection zones	
<ul style="list-style-type: none"> • Weekly 240 litre red coloured bin • Weekly recycling 240 litre yellow lid bin • Weekly food/garden organics 240 litre green lid bin • Access to User Pays On-call Clean-up Service • Two Household Bulky Waste Drop-off Services 	\$1472.00
Other Domestic Waste Management Charges	
Vacant Land	\$66.00
Additional recycling 240 litre bin	\$101.00
Additional food/garden organics 240 litre bin	\$101.00
Additional garbage bin 240 litre bin (fortnightly service). Must have an existing 240 litre waste service to be eligible - <i>Limit one per household.</i>	\$299.00
Multi-Storey Tourist Accommodation	
<ul style="list-style-type: none"> • Weekly service 80 litre Bin • Fortnightly Recycling 240 litre bin <i>(Suitable for a one-bedroom unit)</i> 	\$509.00
<ul style="list-style-type: none"> • Weekly service 140 litre bin • Fortnightly recycling 240 litre bin <i>(Suitable for a two-bedroom unit)</i> 	\$536.00
<ul style="list-style-type: none"> • Weekly service 240 litre bin • Fortnightly recycling 240 litre bin <i>(Suitable for three-bedroom unit)</i> 	\$773.00

- c. that in accordance with section 501 of the Local Government Act 1993 Council makes the following Commercial Waste Service charges for the year commencing 1 July 2023:

Category	Charge per Annum
<ul style="list-style-type: none"> • Weekly service 240 litre bin • Weekly recycling 240 litre bin • Weekly food/garden organics 240 litre bin* 	\$791.00
<ul style="list-style-type: none"> • Weekly garbage 240 litre bin 	\$721.00

<ul style="list-style-type: none"> • Fortnightly recycling 240 litre bin • Weekly food/garden organics 240 litre bin* 	
Rural Waste Collection Service	
<ul style="list-style-type: none"> • Fortnightly 240 litre garbage • Fortnightly 240 litre recycling • Two Household Bulky Waste Drop-off Services 	\$477.00

*The weekly food/garden organics service is only available to childcare centres, pre-schools, churches, neighbourhood and community centres, rural fire and emergency services premises or other similar facilities upon request and approval

- d. that the Domestic Waste Management Service and the Commercial Waste Service charges be based on the number of separate occupancies or domiciles (whether occupied or not) contained in each rateable property for which the service is available.
- e. that in accordance with section 496A of the Local Government Act 1993 Council makes the following annual charges for Stormwater Management Services – Urban Areas for the year commencing 1 July 2023:

Category	Charge per Annum
Stormwater Management Service – Residential Property	\$25
Stormwater Management Service – Residential Strata Unit	\$12.50
Stormwater Management Service – Business Property	\$25/350m ² (or part thereof) capped at \$150
Stormwater Management Service – Business Strata Lot	\$25/350m ² (or part thereof) minimum of \$5

- f. that in accordance with section 501 of the Local Government Act 1993 Council makes the following Onsite Sewerage Management System – Annual approval charge for the year commencing 1 July 2023:

Category	Charge per Annum
High Risk Sites	\$175.00
Low Risk Sites	\$47.50

- 2. In accordance with provisions of Section 566 of the Local Government Act 1993 resolves that the maximum allowable interest rate of 9% be applied to all outstanding rates and charges for the year commencing 1 July 2023.

(Councillors Brown and Renkema-Lang)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

7.3 2023/2024 Integrated Planning & Reporting suite of documents

It was **moved** by Councillor Renkema-Lang and **seconded** by Councillor Rice that Council move into Committee of the Whole.

On being **put** the motion was **lost**.

For: Councillors Keast, Rice and Renkema-Lang

Against: Councillors Brown, Croxford, Draisma, Larkins, and Steel

An **amendment** was **moved** by Councillor Renkema-Lang and seconded by Councillor Keast that Council:

1. adopt the Delivery Program and Operational Plan for 2023/2024
2. adopt the 2023/2024 Budget which includes the following changes made post-exhibition: increase of capital works program by \$4,224,500 and adjustments to operational budget of \$793,935
3. adopt the Fees and Charges document for 2023/2024
4. adopt the Long Term Financial Plan 2023/2024-2032/2033
5. publish the adopted documents on the Council website by 30 June 2023
6. note that following completion of the Working Draft Liquidity and Working Draft Property Plans, a revision of the Budget and Long-Term Financial Plan will be required.

On being **put** the motion was **lost**.

For: Councillors Keast, Renkema-Lang and Rice

Against: Councillors Brown, Croxford, Draisma, Larkins and Steel

Councillor Croxford raised a **point of order** Section 3.1 of the Councillor Code of Conduct and Section 15.11 of the Code of Meeting Practice that Councillor Renkema-Lang was using passive aggressive language to impugn the reputation of council and staff. The Acting Mayor rejected the point of order.

Councillor Brown raised a **point of order** that Councillor Renkema-Lang said 'council lacked rigour' being a direct criticism of the work of council staff requesting Councillor Renkema-Lang withdraw this comment. The Acting Mayor ruled Councillor Renkema-Lang withdraw her statement. Councillor Renkema-Lang said she would rephrase the statement. The Acting Mayor ruled a second time that Councillor Renkema-Lang withdraw her statement, which she did.

23/184OC

Resolved that Council:

1. adopt the Delivery Program and Operational Plan for 2023/24
2. adopt the 2023/24 Budget which includes the following changes made post-exhibition: increase of capital works program by \$4,224,500 and adjustments to operational budget of \$793,935
3. adopt the Fees and Charges document for 2023/24

4. adopt the Long Term Financial Plan 2023/24-2032/33
5. publish the adopted documents on Council website by 30 June 2023.

(Councillors Larkins and Croxford)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang,
Rice and Steel

Against: Nil

8 CLOSURE

There being no further business the meeting closed at 5.46pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 18 July
2023

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Acting Mayor