



MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5.00pm on

TUESDAY 13 FEBRUARY 2024

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 13 FEBRUARY 2024 AT 5.00PM**

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

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

1 OPENING OF MEETING

The Mayor opened the meeting at 5pm.

2 WEBCASTING STATEMENT

This meeting is being recorded and made publicly available on the Council website and persons attending the meeting should refrain from making any defamatory statements.

3 ACKNOWLEDGEMENT OF COUNTRY

The Deputy Mayor acknowledged the traditional owners of the land on which we meet, the Wodi Wodi people of the Dharawal nation, and paid our respects to elders past, present and emerging.

4 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

24/0110C

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

(Councillors Steel and Larkins)

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

Against: Nil

Request from Councillor Draisma to attend meeting via audio-visual link

24/0120C

Resolved that Council, as required under section 5.2 of the Code of Meeting Practice, permit Councillor Draisma to attend the Council meeting held on 13 February 2024 via audio-visual.

(Councillors Larkins and Rice)

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

Against: Nil

Procedural motion – Councillor excused from standing

24/0130C

Resolved that Councillor Steel is excused from the requirement to stand when speaking.

(Councillor Reilly)

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

Against: Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council meeting held on 14 December 2023

24/014OC

Resolved that the Minutes of the Ordinary Council meeting held on 14 December 2023 be received and accepted subject to correcting **item 7** to state that the Deputy Mayor (not Councillor Keast) raised a point of order.

(Councillors Brown and Rice)

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

Against: Nil

6.2 Extraordinary Council meeting on 1 February 2024

The following amendment was **moved** by Councillor Keast and **accepted** by the mover:

That the minutes of the extra-ordinary meeting held on 1 February 2024 be received and accepted, subject to:

1. Change on page 4 of the minutes (page 30 of the agenda papers) to reflect that Councillors did not vote on the procedural motion 24/003OC.

Councillor Brown raised a **point of order** that voting on the motion should be completed once all amendments had been put forward by Councillors and there should only be one vote.

A further amendment was **moved** by Councillor Renkema-Lang and **seconded** by Councillor Rice:

That the minutes of the extra-ordinary meeting held on 1 February 2024 be received and accepted, subject to:

1. Change on page 4 of the minutes (page 30 of the agenda papers) to reflect that Councillors did not vote on the procedural motion 24/003OC.
2. Changes on page 12 of the minutes (page 30 of the agenda papers) to:
 - a. Reflect that Councillor Rice and Councillor Renkema-Lang voted against resolution 24/008OC.
 - b. Remove the words “and in line with section 15.12 of the Code of Meeting Practice “Acts of disorder”.
 - c. Include the words “Note: Section 15.11 to 15.21 of Code of Meeting Practice describes what constitutes “Acts of Disorder” and how they are to be dealt”, immediately before “24/010OC”.

Councillor Renkema-Lang raised a **point of order** that the Mayor is misrepresenting her. The Mayor overruled the point of order.

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

For: Councillors Keast, Renkema-Lang and Rice

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

24/015OC

At the request of Councillor Keast and Councillor Rice and by consent, it was **resolved** that the minutes of the extra-ordinary meeting held on 1 February 2024 be received and accepted, subject to:

1. Change on page 4 of the minutes (page 30 of the agenda papers) to reflect that Councillors did not vote on the procedural motion 24/003OC.
2. Change on page 12 of the minutes (page 30 of the agenda papers) to reflect that Councillor Rice and Councillor Renkema-Lang voted against resolution 24/008OC.

(Councillors Larkins and Brown)

For: Councillors Brown, Draisma, Larkins, Reilly and Steel

Against: Councillors Keast, Renkema-Lang and Rice

7 BUSINESS ARISING FROM THE MINUTES

Nil

8 DISCLOSURE OF INTEREST

Disclosure of Interest – Councillor Brown – Item 19.1 – Notice of Motion: Cul de sacs and waste vehicles

Councillor Brown declared a less than significant non-pecuniary interest in Item 19.1 - **Notice of Motion: Cul de sacs and waste vehicles** as he is related by law to an impacted resident, and work is carried out for Destination Kiama by the public access speaker, whom Councillor Brown is negotiating a service. Councillor Brown proposed to disclose and vote.

Disclosure of Interest – Councillor Karen Renkema-Lang – Item 15.1 – Southern Regional Planning Panel – Lot 2 Dido Street Proposed Subdivision

Councillor Renkema-Lang declared a less than significant non-pecuniary interest in Item 15.1 – Southern Regional Planning Panel – Lot 2 Dido Street Proposed Subdivision as she lives in and owns a property which adjoins Lot 2 Dido Street. Councillor Renkema-Lang proposed to leave the chamber and not vote.

9 TABLING OF PETITIONS AND OTHER DOCUMENTS

Nil

10 PUBLIC FORUM SUMMARY

Name	Item No.	Subject
Chris George	15.1	Southern Regional Planning Panel – Lot 2 Dido Street proposed subdivision
Nadia Guillaumier	19.1	Notice of Motion: Cul de sacs and waste vehicles

11 MAYORAL MINUTE**11.1 Congratulations: Medal of the Order of Australia (OAM) - 2024 Australia Day Honours****24/016OC**

Resolved that Council formally congratulate both Val Brunker and Warwick Shanks on receiving an Order of Australia (OAM) award.

(Councillors Reilly)

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

Against: Nil

18.2 Congratulations to Ali Day**24/017OC**

At the request of Councillor Brown and by consent, it was **resolved** that Council formally congratulates Alistair Day on winning the Australian Iron Man title again.

(Councillors Reilly)

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

Against: Nil

Procedural motion: In globo resolutions**24/018OC**

Resolved that Council move in globo and adopt the recommendations contained within the report for items 12.1, 13.5, 13.6, 14.2, 14.3, 14.4, 14.5 and 16.1 with a minor administrative amendment to the recommendation on page 223 from 14 October 2023 to 14 October 2024.

(Councillors Draisma and Steel)

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

Against: Nil

12 MINUTES OF COMMITTEES

12.1 Minutes: Audit, Risk and Improvement Committee - 12 December 2023 | Revised Charter

This item was moved as part of the in globo recommendation – 24/018OC.

24/019OC

Resolved that Council:

1. Receive and note the Minutes of the Audit, Risk and Improvement Committee meeting held on 12 December 2023.
2. Endorse the revised Audit, Risk and Improvement Committee Charter.

(Councillors Draisma and Steel)

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

Against: Nil

13 REPORT OF THE CHIEF EXECUTIVE OFFICER

13.1 2024 local government election - referendum

24/020OC

Resolved that Council:

1. note the elements to be included in the community engagement strategy for the referendum.
2. endorse for submission to the NSW Electoral Commission by 30 June 2024 the referendum question for a popularly elected mayor as worded below:

The Mayor of the Kiama Municipality is currently elected every two (2) years by the nine (9) elected Councillors.

Do you want to change to the direct (popular) election of the Mayor by the voters of the Kiama Municipality, for a four (4) year term?

(Councillors Larkins and Brown)

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

Against: Nil

13.2 Australian Local Government Association - National General Assembly 2024 - Councillor attendance and call for motions

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

1. Determines that Councillors Reilly, Draisma and Larkins attend the Australian Local Government Association's National General Assembly held in Canberra on 2-4 July 2024.
2. Submits any motions for the National General Assembly to the Australian Local Government Association prior to 29 March 2024.

24/021OC

At the request of Councillor Larkins and by consent, it was **resolved** that Council:

1. Determines that Councillors Reilly and Draisma attend the Australian Local Government Association's National General Assembly held in Canberra on 2-4 July 2024.
2. Submits any motions for the National General Assembly to the Australian Local Government Association prior to 29 March 2024.

(Councillors Brown and Steel)

For: Councillors Brown, Draisma, Larkins, Reilly and Steel

Against: Councillors Keast, Renkema-Lang and Rice

13.3 Council Committees - meeting minutes

24/022OC

Resolved that Council endorse:

1. Continuing the current practice of reporting the minutes of the seven advisory committees as noted in the reported at the next meeting of Council following the committee meeting.
2. The changes to the "Meeting administration" and "conflicts of interest" terms of reference are updated for each of Council's Advisory Committees".

(Councillors Brown and Renkema-Lang)

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

Against: Nil

13.4 Destination Event Funding Program Assessment - Round Two

Councillor Renkema-Lang foreshadowed an alternate motion, that Council receive the report and endorse the recommendations made by the internal assessment panel.

24/0230C

Resolved that Council:

1. Receives and notes the report.
2. Endorses the recommendations by the internal grant assessment panel for round two of the Destination Event Funding Program (with the exception of four applications) to the following value:

Applicant	Event	Value of support
Clayton Comber	Melvo Baptiste	\$2,000.00
Crooked River Wines	Winter Wine Festival	\$5,220.00
Elite Energy	Kiama Coastal Classic	\$4,000.00
Friends of Kiama Library	Kiama Readers Festival - Books by the Sea	\$4,500.00
Laughter House	KISS Arts Festival	\$8,000.00

3. Endorses the suggested alternate apportionment of funds made by the Tourism Economic Advisory Committee to the following value:

Applicant	Event	Value of support
The Co-op Gerringong	DISTILLED	\$5,220.00
Ad Lib Theatrical Productions	Jamberoo Music Festival	\$7,200.00
Jamberoo RFS	Jamberoo Car Show & Family Day	\$5,000.00
Kiama Music & Arts Co.	Clearly Music Local Artists 2024 Campaign	\$6,000.00

(Councillors Brown and Larkins)

For: Councillors Brown, Draisma, Keast, Larkins, Reilly, Rice and Steel

Against: Councillor Renkema-Lang

13.5 Fee waiver request: Kiama Sevens

This item was moved as part of the in globo recommendation – 24/018OC.

24/024OC

Resolved that Council acknowledges the request to waive the Major Short Term Event Licence Fee made by the Kiama Sevens Tournament Director, and declines the request noting:

1. the meritorious process applied to the Kiama Sevens application for Destination Event Funding to offer \$10,000.00 in support of the event.
2. the previously endorsed Council fees and charges relating to reserve hire for major events are consistently applied to all user groups.

(Councillors Draisma and Steel)

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

Against: Nil

13.6 Finance Advisory Committee - Resignation of member - Expressions of Interest

This item was moved as part of the in globo recommendation – 24/018OC.

24/025OC

Resolved that Council:

1. Formally accept Mr Jim Thomson's resignation from the Finance Advisory Committee and thank him sincerely for his commitment and invaluable expert advice provided to Council in his time on the Committee.
2. Invite expressions of interest from the community to fill the vacancy on the Finance Advisory Committee and recommend to the Finance Advisory Committee the preferred candidate for consideration, subject to Council's resolution.

(Councillors Draisma and Steel)

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

Against: Nil

14 REPORT OF THE CHIEF OPERATING OFFICER

14.1 Endorse for public exhibition: DRAFT Enterprise Risk Management Policy

24/026OC

Resolved that Council:

1. Proceed to public exhibition of the Draft Enterprise Risk Management Policy for a period of 28 days.
2. Note if submissions are received during the exhibition period a further report will be provided on any proposed amendments to the Enterprise Risk Management Policy.
3. Adopt the Enterprise Risk Management Policy, if no submissions are received, on the day after the completion of the public exhibition period.

(Councillors Larkins and Steel)

For: Councillors Brown, Draisma, Keast, Larkins, Reilly, Rice and Steel

Against: Councillor Renkema-Lang

14.2 Post exhibition endorsement: Local Government Elections (Caretaker Period provisions) Policy

This item was moved as part of the in globo recommendation – 24/018OC.

24/027OC

Resolved That Council adopt the Local Government Elections (Caretaker Period provisions) Policy.

(Councillors Draisma and Steel)

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

Against: Nil

14.3 Quarterly Budget Review and Monthly Financial Statements December 2023

This item was moved as part of the in globo recommendation – 24/018OC.

24/028OC

Resolved that Council:

1. Receive and adopt the quarterly budget review statement for the quarter ending 31 December 2023.

2. Adopt the operational revenue, expenditure, and capital budget adjustments as noted in the December quarterly budget review.
3. Receive the monthly financial statements for period ending December 2023

(Councillors Draisma and Steel)

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

Against: Nil

14.4 Statement of Investments: December 2023

This item was moved as part of the in globo recommendation – 24/018OC.

24/029OC

Resolved that Council receives the information relating to the Statement of Investments as at 31 December 2023.

(Councillors Draisma and Steel)

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

Against: Nil

14.5 Statement of Investments: January 2024

This item was moved as part of the in globo recommendation – 24/018OC.

24/030OC

Resolved that Council:

1. receives the information relating to the Statement of Investments as at 31 January 2024.
2. Approves the transfer of \$1,000,000 to the Land Development Reserve from Unrestricted Funds and endorses the restricted funds position outlined in the report.

(Councillors Draisma and Steel)

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

Against: Nil

15 REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

Councillor Renkema-Lang declared a less than significant non-pecuniary interest, disclosed and left the chamber.

15.1 Southern Regional Planning Panel - Lot 2 Dido Street Proposed Subdivision

Councillor Renkema-Lang left the chamber at 6.01pm.

24/0310C

Resolved that Council note that:

1. The Southern Regional Planning Panel will be undertaking an assessment of the Lot 2 Dido Street Subdivision (DA 10.2023.59.1).
2. The recommendation being made by staff, to the Panel is for the application to be refused, based on the following grounds: flood impacts, flood free access, bushfire management, biodiversity, owner's consent and ongoing management of public spaces.

(Councillors Larkins and Steel)

For: Councillors Brown, Draisma, Keast, Larkins, Reilly, Rice and Steel

Against: Nil

Councillor Renkema-Lang returned to the chamber at 6.05pm.

16 REPORT OF THE DIRECTOR INFRASTRUCTURE AND LIVEABILITY

16.1 Traffic management: Kiama Local Traffic Committee meeting - 6 February 2024

This item was moved as part of the in globo recommendation – 24/018OC.

24/0320C

Resolved that the Minutes of the Kiama Local Traffic Committee meeting held on 6 February 2024 be received and the following recommendations be adopted, subject to any other approvals that may be required:

1. **24/001LTC** the traffic changes and road closures of the following roads for the Elite Energy Triathlon event on 13/10/24:
 - Federal Street – from Charles Avenue to Riverside Drive
 - Riverside Drive – from Swamp Road/M1 off Ramp to Oxley Avenue
 - Swamp Road – from M1 off Ramp to Jamberoo Road

The traffic changes and road closures with the event on 14 October 2024 from 8.00 am to 11.30 am be approved subject to organisers complying with the following conditions:

- i. The event organiser complies with the Traffic Management Plans.
- ii. The organisers shall be responsible for the supply, erection and removal of all traffic control devices, equipment and personnel associated with the implementation of the approved Traffic Management Plan.
- iii. Lodgement with Council of an application for a Section 138 Roads Act permit and payment of associated fee.
- iv. Notification of proposed traffic changes be given to police, local emergency services, businesses and residents effected by the closure.
- v. An advertisement be placed in the local media advising of the closure and traffic changes.
- vi. Local residents and businesses located within the area of the road closure be notified of the proposed event 4 and 2 weeks prior to the event with a letter box drop.
- vii. Access through the road closures for emergency services be available at all times.
- viii. The applicant obtain approval from Shellharbour City Council for the road closures within the Shellharbour LGA.
- ix. Proof of public liability insurance complying with the Australian Prudential Regulatory Authority (APRA) being provided to Council prior to the event.
- x. Contingent on NSW Police issuing an approval under Section 115 for the Road Transport Act (Public road race approval).

2. *24/002LTC the traffic changes on O’Keefe Place associated with the Kiama Beach Tag event at Kendall’s Beach on 9 March 2024 from 7:00 am to 9:00 pm be approved subject to organisers complying with the following conditions:*

- i. The event organiser complies with the Traffic Management Plans.
- ii. Notification of the closures be given to Police, local emergency services, businesses and affected residents.
- iii. An advertisement be placed in the local media including Council website advising of the closure a minimum of seven days prior to the event.

3. *24/003LTC the replacement of the existing Give Way signs at the Riversdale Road and Jerrara Road intersection with Jamberoo Road (both approach roads), with stop signs and associated line-marking.*

4. *24/004LTC the installation of:*

- The standard 10m lengths of No Stopping restrictions around the south-east corner at the intersection of Gray and Bergin Streets, to include No Stopping signs and yellow No Stopping line.

- No Stopping restrictions on the western side of Bergin Street for a 6m length to the south of the driveway to No.11 Bergin Street, to include a No Stopping sign and yellow No Stopping line.
 - The addition of no stopping signs are to be added on the eastern side of Bergin Street, curving around onto Gray Street (mirroring that shown on the draft plan).
5. **24/005LTC** the installation of No Parking restrictions in Holden Place Kiama to be timed from 6 am to 12 pm on Wednesdays.

(Councillors Draisma and Steel)

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

Against: Nil

17 REPORTS FOR INFORMATION

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

- 17.1 Conference report: Councillor Reilly, Mayor - Joint National Coastal Conference and NSW Coastal Conference 2023
- 17.2 Question for future meeting: Blue Haven Bonaira finances
- 17.3 Question for Future Meeting: Blue Haven Project & Funding
- 17.4 Question for Future Meeting: Blue Haven Terralong
- 17.5 Question for future meeting: Community Awards
- 17.6 Question for future meeting: Delegations
- 17.7 Question for future meeting: Performance Improvement Order
- 17.9 Question for Future Meeting: Property and Divestment Strategy
- 17.10 Questions for Future Meeting Register - February 2024
- 17.11 Response to Notice of Motion (23/374OC): Background on timed "No Parking" restrictions outside of Kiama Public School, Collins Street Kiama
- 17.12 Supporting and working with First Nations Community.

Councillor Larkins raised a **point of order** that as per the Code of Meeting Practice, 9.18 Councillors must put questions directly, succinctly, respectfully and without argument, and 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee. The Mayor noted the point of order and requested councillors be aware, do not question answers provided by staff.

17.8 Question for Future Meeting: Sydney Water issues**24/033OC**

Resolved that Council write to Sydney Water and the NSW Environment Protection Authority requesting a joint briefing on the non-compliance matters as detailed in the Sydney Water report and on the Environmental Planning Authority website.

(Councillors Renkema-Lang and Brown)

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

Against: Nil

18 LATE ITEMS**18.1 Response to Minister Hoenig - Notice of Intention to vary a Performance Improvement Order under section 438A(6A) of the Local Government Act 1993****24/034OC**

Resolved that Council:

1. Accept Minister for Local Government, The Hon Ron Hoenig MP's intention to issue a variation to the Performance Improvement Order issued on 8 November 2022.
2. Give delegated authority to the Chief Executive Officer to respond to the Minister advising of the decision and Council's commitment to meeting the actions required in the Schedule 2 attached to the Notice, but noting the anomalies and matters for further consideration outlined in the Council report.

(Councillors Brown and Larkins)

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

Against: Nil

19 NOTICE OF MOTION

Councillor Brown declared a less than significant non-pecuniary interest, disclosed and voted on this matter.

19.1 Notice of Motion: Cul de sacs and waste vehicles

24/035OC

Resolved that Council:

1. Notes in the past two years the following locations have had 'No Parking' restrictions installed on days of waste collection, with the approval of the traffic committee and subsequently council. This is due to requests from Council's waste services raising concerns with difficulties of waste collection vehicles from turning and the collecting bins;
 - a) Holden Place, Kiama.
 - b) Michael Crescent, Kiama Downs.
 - c) Barton Drive, Kiama Downs
 - d) Burra Street, Gerringong.
 - e) Meares Place, Kiama.
 - f) Sommerville Close, Kiama.
 - g) Eastern View Place, Kiama.
2. Urgently reviews and changes the recently installed signs at Eastern View Place, Kiama to be timed to the day that the waste services are collecting the waste bins.
3. As part of future budgetary considerations for the 2024-25 or 2025-26 period, undertakes a comprehensive review of all current cul de sacs and turning bays in the Kiama Local Government Area for 'No Parking' signs and management during waste service collection days.

(Councillors Larkins and Brown)

For: Councillors Brown, Draisma, Larkins, Reilly and Steel

Against: Councillors Keast, Renkema-Lang and Rice

20 QUESTIONS FOR FUTURE MEETINGS

20.1 Short Term Rental Accommodation (STRA) Register

Councillor Renkema-Lang requested a report on:

- a) The number of STRA complaints, by LGA town or village, received since the commencement of the NSW Policy and Legislation relating to STRAs on 1 November 2021.

- b) The actions Council has taken to respond to complaints and enforcing the planning framework in the Kiama LGA.

In the context of the Department of Planning's advice ([as published on their website](#)), *that all local councils in NSW have access to the STRA Register and have a role in enforcing the planning framework*. This matter was referred to the Director Planning, Environment and Communities.

20.2 Policy framework

Councillor Renkema-Lang requested a report that details the policy framework for the 60 different policy documents hosted on the Council website, and when the next policy audit/review will be undertaken. This matter was referred to the Chief Executive Officer.

20.3 Glossary of terms

Councillor Renkema-Lang requested a report identifying the terms, meaning and a standardised interpretation of words frequently used in reports and resolutions of Council, including but not limited to the follow:

- a. *That Council note, adopted, receive, accept, apply, endorse, declines, rejects....*
- b. *Example policy, model policy, Guidelines*
- c. *Bonaira, Blue Haven, Blue Haven Independent Living Units, Havilah Place, Terralong Street*

This matter was referred to the Chief Executive Officer.

21 CONFIDENTIAL SUMMARY

24/036OC

Resolved that at this time, 6.45pm, Council form itself into a Confidential Committee of the Whole to deal with matters listed in the recommendations as set out below subject to the consideration of any representations relating to such action.

(Councillors Brown and Rice)

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

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.

21.1 Exclusion Of Press And Public:

RECOMMENDED

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.

22.1 BLUE HAVEN UPDATE

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 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. .

22.2 DEPOSIT REFUND REQUEST: BOOKING FOR THE PAVILION KIAMA

Reason for Confidentiality: This matter deals with discussion in relation to the personal hardship of a resident or ratepayer as per Section 10A(2)(b) of the Local Government Act. .

22.3 WRITE-OFF OF OUTSTANDING DEBTS

Reason for Confidentiality: This matter deals with discussion in relation to the personal hardship of a resident or ratepayer as per Section 10A(2)(b) of the Local Government Act.

22 CONFIDENTIAL REPORTS

22.1 Blue Haven Update

24/0370C

Committee recommendation that Council note the information provided in the Blue Haven Update report.

(Councillors Draisma and Renkema-Lang)

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

Against: Nil

22.2 Deposit refund request: booking for The Pavilion Kiama

It was moved by Councillor Rice and seconded by Councillor Brown that Council:

1. Delegates the resolution of a proportional refund to the CEO.
2. Review the Pavilion refund policy and consider linking the potential for refund with the likelihood of the venue being re-booked.

24/038OC

By consent the **committee recommendation** was varied as follows:

That Council:

1. Delegates the resolution of a proportional refund to the CEO.
2. Review the Pavilion refund policy.

(Councillors Rice and Brown)

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

Against: Councillor Larkins

22.3 Write-off of outstanding debts**24/039OC**

Committee recommendation that Council resolve to delegate to the Chief Executive Officer to write-off outstanding debts totalling \$29,336.98 in accordance with the information contained in the report.

(Councillors Brown and Steel)

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

Against: Nil

Close of Confidential Committee of the Whole:**24/040OC**

Committee recommendation that at this time, 7.04pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Larkins and Keast)

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

Against: Nil

Adoption of Report

The Chief Executive Officer formally reported the recommendations of the Confidential Committee of the Whole more particularly set out above.

24/0410C

Resolved that that the Confidential Committee of the Whole recommendations numbered 24/0370C to 24/0400C be confirmed and adopted.

(Councillors Reilly and Larkins)


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

Against: Nil

23 CLOSURE

There being no further business the meeting closed at 7.06pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 19 March 2024.



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Mayor