



MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5.00pm on

TUESDAY 16 APRIL 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 16 APRIL 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,
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
Stephanie Salviejo – Public Officer
Todd Hopwood – Observer
Michael Kharzoo and Mubashshir Hassan – Audit Office

1 OPENING OF MEETING

The Chair opened the meeting at 5pm.

2 WEBCASTING STATEMENT

The Chair advised the meeting was 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 Chair declared the meeting open and acknowledged the traditional owners.

4 STATEMENT OF ETHICAL OBLIGATIONS

The Chair reminded Councillors 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

Nil

Procedural motion: Councillor excused from standing**24/085OC**

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

(Councillors Keast and Croxford)

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

Against: Nil

Request by Councillor Brown to attend meeting via video conference**24/086OC**

Resolved that Council allow Councillor Brown to attend the Ordinary Council meeting held on 16 April 2024 by audio-visual link.

(Councillors Steel and Rice)

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

Against: Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**6.1 Ordinary Council on 19 March 2024****24/087OC**

Resolved that the Minutes of the Ordinary Council meeting held on 19 March 2024 be received and accepted.

(Councillors Draisma and Renkema-Lang)

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

Against: Nil

7 BUSINESS ARISING FROM THE MINUTES

Nil

8 DISCLOSURE OF INTEREST

Disclosure of Interest - Councillor Keast

Councillor Keast declared a less than significant non-pecuniary interest in item 15.2: *Kiama Library Service Review* as Councillor Keast works in same building. Councillor Keast proposed to disclose and vote on this matter.

Disclosure of Interest - Councillor Draisma

Councillor Draisma declared a significant pecuniary interest in item 22.1: *Mayoral allowance* as Councillor Draisma stands to financially benefit. Councillor Draisma proposed to leave the chamber and not vote.

Disclosure of Interest - Councillor Reilly

Councillor Reilly declared a significant pecuniary interest in item 22.1: *Mayoral allowance* as Councillor Reilly stands to financially benefit. Councillor Reilly proposed to leave the chamber and not vote.

9 TABLING OF PETITIONS AND OTHER DOCUMENTS

9.1 United Services Union letter

Councillor Larkins tabled a letter from United Services Union and Council's response to that letter in relation to concerns raised by Aunty Gwenda Jarrett.

Attachments

- A Letter from USU - Bonaira First Nations Cultural Significance
- B Letter to USU response to 18 March 2024 letter re Bonaira Indigenous Cultural Heritage 28 March 2024

9.2 Mecone letter

Councillor Reilly tabled a letter received from Mecone regarding item 15.1: *Kiama West (Springside Hill) Planning Proposal (PP2023-2833) Stage 2 preliminary assessment*.

Attachments

- A Letter to Council - Springside Hill PP (Council report)

10 PUBLIC FORUM SUMMARY

Name	Item No.	Subject
Karen Fowler	15.1	Kiama West (Springside Hill) Planning Proposal (PP2023-2833) Stage 2 preliminary assessment
Russell Halverson	17.9	Petition: Kiama West rezoning

11 MAYORAL MINUTE

11.1 One minute silence for Bondi Junction victims

24/088OC

Resolved that Mayor called for one minute silence in tribute to the victims of the Bondi Junction stabbing massacre which occurred Saturday 13 April 2024.

(Councillor Reilly)

Procedural motion: In globo resolutions

It was **moved** by Councillor Draisma and **seconded** by Councillor Larkins that Council move in globo and adopt the recommendations contained within the report for items 12.3, 12.5, 12.6, 14.2, 16.1, 16.2 and 16.3.

24/089OC

At the request of Councillor Croxford and by consent the motion was **varied and resolved** that Council move in globo and adopt the recommendations contained within the report for items 12.3, 12.5, 12.6, 14.2, 16.2 and 16.3.

(Councillors Draisma and Larkins)

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

Against: Nil

12 MINUTES OF COMMITTEES

12.1 Minutes: Finance Advisory Committee meeting - 16 November 2023

24/090OC

Resolved that Council receive and note the Minutes of the Finance Advisory Committee meeting held on 16 November 2023.

(Councillors Draisma and Larkins)

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

Against: Nil

12.2 Minutes: Infrastructure and Liveability Advisory Committee Meeting - 14 November 2023, 12 December 2023, 14 February 2024 and 13 March 2024**24/091OC**

Resolved that the Minutes of the Infrastructure and Liveability Advisory Committee meetings held on 14 November 23, 12 December 23, 14 February 24 and 13 March 24 be received and accepted noting that Councillor Renkema-Lang attended the 14 November 2023 meeting as an observer.

(Councillors Renkema-Lang and Larkins)

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

Against: Nil

12.3 Minutes: Sustainable Communities Advisory Committee - 28 November 2023 and 26 March 2024

This item was moved as part of the in globo recommendation – refer minute 24/089OC.

24/092OC

Resolved that the Minutes of the Sustainable Communities Advisory Committee meetings held on 28 November 2023 and 26 March 2024 be received and accepted.

(Councillors Draisma and Larkins)

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

Against: Nil

12.4 Minutes: Finance Advisory Committee meeting - 4 April 2024**24/093OC**

Resolved that Council receive and note the Minutes of the Finance Advisory Committee meeting held on 4 April 2024.

(Councillors Larkins and Steel)

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

Against: Nil

12.5 Minutes: Audit, Risk and Improvement Committee Meeting - 2 April 2024

This item was moved as part of the in globo recommendation – refer minute 24/089OC.

24/094OC

Resolved that the Minutes of the Audit, Risk and Improvement Committee meeting held on 2 April 2024 be received and the recommendations therein noted.

(Councillors Draisma and Larkins)

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

Against: Nil

12.6 Tourism and Economic Advisory Committee - 14 March 2024

This item was moved as part of the in globo recommendation – refer minute 24/089OC.

24/095OC

Resolved that the Minutes of the Tourism and Economic Advisory Committee meeting held on 14 March 2024 be received and accepted.

(Councillors Draisma and Larkins)

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

Against: Nil

13 REPORT OF THE CHIEF EXECUTIVE OFFICER**13.1 Councillor Brown attendance at 2024 Destination Visitor Economy conference****24/096OC**

Resolved that Council endorse the attendance of Councillor Matt Brown at the 2024 Destination and Visitor Economy conference in Wagga 28-30 May 2024.

(Councillors Croxford and Steel)

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

Against: Councillors Draisma and Renkema-Lang

13.2 Endorse for public exhibition: Kiama Municipal Council draft Community Engagement Strategy**24/097OC****Resolved** that Council:

1. Endorse the draft Community Engagement Strategy for public exhibition for a period of 28 days.
2. Note if submissions are received during the exhibition period a further report, including an engagement report will be provided on any proposed amendments to the Strategy.
3. Adopt the Community Engagement Strategy if no submissions are received, on the day after the completion of the public exhibition period.

(Councillors Larkins and Draisma)

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

Against: Councillor Renkema-Lang

Procedural motion**24/098OC****Resolved** that Council bring forward Item 18.1: 2022-23 Annual Financial Statements.

(Councillors Draisma and Larkins)

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

Against: Nil

18.1 2022-23 Annual Financial Statements

At 5.26pm, Michael Kharzoo Director – Financial Audit, Audit Office of NSW presented on the 2022/2023 Annual Financial Statements.

The Chief Executive Officer addressed the Council regarding the 2022/23 financial statements.

24/099OC**Resolved** that Council:

1. Authorises the Statement by Councillors and Management be signed by the Chief Executive Officer, the Responsible Accounting Officer, the Mayor and a Councillor as required by the Local Government Act 1993.

2. Resolves to fund \$5 million of landslide repair works (funded under Disaster Recovery Funding Agreement - DRFA) incurred up to 30 June 2023 from internal property reserve as presented in Note C1-3 of 2022-23 General Purpose Financial Statements. This temporary funding arrangement to cease upon receipt of DRFA funds from Transport for NSW (occurred in December 2023).
3. Notes the financial result for the year ending 30 June 2023.
4. Notes the governance role played by Council's Audit, Risk and Improvement Committee in overseeing the preparation and finalisation of the audited 2022-23 financial statements.

(Councillors Draisma and Larkins)

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

Against: Nil

5.42pm Michael Khazoor and Mubashshir Hassan from the Audit Office of NSW left the meeting.

13.3 Performance Improvement Order (PIO) Implementation and Oversight Committee

24/1000C

Resolved that Council:

1. Adopt the Terms of Reference for the Performance Improvement Order (PIO) Implementation and Oversight Committee, as attached to this report, with the following amendments:
 - a. Amend Purpose row to read:
 - "1. Provide strategic oversight on the implementation of all requirements of the Performance Improvement Order (PIO), for the length of the PIO, and"
 - "2. Provide strategic oversight on legal expenses and insurance matters with risks."
 - b. Delete "The Mayor, or in the Mayor's absence the Deputy Mayor, will be the chairperson" and replace with "Appointed by the Committee Annually".
 - c. Delete "Minutes and agendas will be circulated no less than seven days prior to a scheduled meeting" from Meeting Administration row and insert the following:
 - "1. The agenda and business papers will be circulated no less than five days prior to a scheduled meeting.
 2. Minutes are to be brief and focused on action items and advice.
 3. Minutes shall be approved by the Chair and circulated to each member and to Councillors within two weeks of the meeting being held."

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- 4. Recommendations from the meeting that require Council endorsement will be reported separately to the next Ordinary Meeting of Council.*
- d. Amend point 1 of Responsibility row to read “*provide strategic oversight on the implementation of all requirements of the Performance Improvement Order (PIO)*”
- e. Insert the following in Responsibility row:
- “4. Note the role of staff to operationally progress with actioning the requirements of the PIO.”*
2. Note the establishment of the Implementation Team and their work schedule, including the ongoing preparation of the Strategic Finance and Governance Report.

(Councillors Larkins and Draisma)

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

Against: Councillors Keast, Renkema-Lang and Rice

13.4 Barney Street Quarry lease

24/1010C

Resolved that Council supports:

1. A longer lease tenure of 5 x 5 x 5 x 5 with Burnetts on Barney for 80 Barney Street, Kiama (Lot 9 DP850163 and part Lot 69 DP1065423).
2. Investigating minor modifications to the site-specific Development Control Plan.

(Councillors Draisma and Croxford)

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

Against: Nil

14 REPORT OF THE CHIEF OPERATING OFFICER

14.1 February 2024 Monthly Financial Report

24/1020C

Resolved that Council:

1. Notes the Monthly Financial Report for February 2024.
2. Approves budget allocation of \$35K to depot fuel tank upgrade project, to be funded from Waste and Sustainability Reserve.

(Councillors Draisma and Larkins)

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

Against: Nil

14.2 Statement of Investments: March 2024

This item was moved as part of the in globo recommendation – refer minute 24/089OC.

24/103OC

Resolved that Council notes the information relating to the Statement of Investments as at 31 March 2024.

(Councillors Draisma and Larkins)

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

Against: Nil

15 REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

15.1 Kiama West (Springside Hill) Planning Proposal (PP 2023-2833) Stage 2 Preliminary Assessment

24/104OC

Resolved that Council:

1. Not support the Planning Proposal (PP-2023-2833) (PP) for the rezoning of land at 177 Long Brush Road, Jerrara, 33 Greyleigh Drive, Kiama and 103 Jamberoo Drive, Kiama, as it is inconsistent with the Kiama Local Strategic Planning Statement 2020 and Illawarra and Shoalhaven Regional Plan 2041 and therefore does not satisfy the strategic merit and site-specific merit tests.
2. Not send the proposal to the Department of Planning for Gateway Determination.
3. Actively work with the proponent through the Growth and Housing Strategy process to consider this land, along with other sites for future potential urban expansion, in conjunction with the Urban Development Program.

(Councillors Draisma and Steel)

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

Against: Nil

15.2 Kiama Library Service Review

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

It was **moved** by Councillor Croxford and **seconded** by Councillor Rice that Council:

1. Note the findings of the State Library Assessment Visit and Service review of the Kiama and Gerringong Library.
2. Develop a Library Strategy which supports and encourages increased membership and usage of the facilities.
3. Continue to explore revenue opportunities, including the hiring of spaces and mixed uses within the library facilities.

Councillor Rice withdrew her second at which time Councillor Larkins seconded the motion.

24/105OC

At the request of Councillor Rice and by consent the motion was varied and **resolved** that Council:

1. Note the generally positive findings of the State Library Assessment Visit and Service review of the Kiama and Gerringong Library.
2. Develop a Library Strategy which supports and encourages increased membership and usage of the facilities.
3. Continue to explore revenue opportunities, including the hiring of spaces and mixed uses within the library facilities.

(Councillors Croxford and Larkins)

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

Against: Nil

16 REPORT OF THE DIRECTOR INFRASTRUCTURE AND LIVEABILITY

16.1 Potential changes to Kiama Local Traffic Committee meetings

24/106OC

Resolved that Council continues with the operation of the Local Traffic Committee in accordance with current Guidelines and Terms of Reference.

(Councillors Croxford and Larkins)

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

Against: Nil

16.2 Adoption of updated Honour Rolls Policy

This item was moved as part of the in globo recommendation – refer minute 24/089OC.

24/107OC

Resolved that Council:

1. Adopt the draft Honour Rolls Policy.
2. Endorse the establishment of 3 annual Sports Achievement Awards (Sports Person, Junior Sports person and Sporting Volunteer) to allow recognition of other sporting achievements by residents of Kiama which can be presented during Local Government Week.
3. That the submitter be thanked for their contribution to this process and made aware of the Council's determination on the Honour Rolls Policy.

(Councillors Draisma and Larkins)

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

Against: Nil

16.3 Traffic management: Kiama Local Traffic Committee meeting - 2 April 2024

This item was moved as part of the in globo recommendation – refer minute 24/089OC.

24/108OC

Resolved that the Minutes of the Kiama Local Traffic Committee meeting of 2 April 2024 be received and the following recommendations be adopted, subject to any other approvals that may be required:

1. **24/001LTC** the implementation of timed 'No Parking' restrictions to the Terralong Street side of the driveway at 33 Shoalhaven Street, Kiama, on Mondays from 6am to 9am, through the installation of regulatory signage, as shown in the plan.
2. **24/002LTC** the installation of 10 meters of double barrier lines with reflective RPMs, to be installed in Daltons Road at the intersection with Jamberoo Mountain Road Jamberoo, in accordance with the plan.
3. **24/003LTC** the installation of timed 'No Parking' restrictions in Swan Place Kiama, to be timed 6am to 2pm on Mondays, as set out on the plan.
4. **24/004LTC** the installation of regulatory signage and line marking presented in the plan, related to development application 10.2020.200.1 at 7-9 South Kiama Drive, Kiama Heights, subject to the following changes:
 - Installation of left turn pavement arrows to the driveway of the facility.
 - The relocation of the Left Turn Only sign to the left side of the exit driveway behind the kerb.

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- The installation of a 'Keep Left' sign to the rear side of the 'No U Turn' sign, to be installed to the left of the centre line of the median to maximise sight distance.
 - Installation of a northern facing 'U Turn Bay Ahead' sign for the proposed Weir Street facility, on northern end of new median.
 - The installation of a double arrowed intermediary 'No Stopping' sign in the Cul de sac.
 - Installation of double RPM's on western side of the proposed median.
5. **24/005LTC** the implementation of 'No Parking' in Downes Place, Jamberoo, through the installation of regulatory signage, as shown in the plan.
6. **24/006LTC** the proposed Traffic Management Plan on Willowvale Road for the Crooked River Winter Wine Festival on 8th and 9th June 2024 subject to the following conditions:
- The applicant shall obtain a road occupancy permit from Council under section 138 of the Roads Act,
 - The applicant will meet the requirements of the approved Traffic Management Plan and provide a free shuttle bus service to and from Gerringong Railway Station for all patrons,
 - The applicant to notify the NSW Police Highway Patrol 7 days before the event such that additional Police patrols can be scheduled, as resources permit.
 - Manage the egress of pedestrians and vehicles from the festival to enable control of traffic and pedestrian use under the Traffic Management Plan.
7. **24/007LTC** the submitted Traffic Management Plan for the road closures associated with the Jamberoo Anzac March for Saturday 20 April 2024, subject to the following conditions:
- the road closures to be undertaken by organisers in compliance with the Traffic Management Plan No. NT-0011 prepared by Traffic Management Services Pty Ltd;
 - the applicant obtain a Road Occupancy Permit issued by Transport for NSW,
 - notification of this closure be given to Police, Local Emergency Services, businesses and residents effected by the closure;
 - proof of public liability insurance complying with the Australian Prudential Regulatory Authority (APRA) being provided to Council prior to the event;
 - an advertisement be placed in the local media advising of the closure, and
 - vehicles be used to create a physical barrier on the street to protect pedestrians and participants of the march.
8. **24/008LTC** the temporary road closures associated with the Kiama Anzac Day dawn service and march for Thursday 25 April 2024, subject to the following conditions:

- the road closures to be undertaken by applicant in compliance with the Traffic Management Plan Nos. 6134 and T2305-0415 prepared by Traffic Logistics Pty Ltd and Traffic Management Services Pty Ltd, where:
 - a) Closure start and end times be included on both plans
 - b) Heavy vehicle alternative arrangements be identified, noting the detour route along Colley Drive has a “No Trucks 4.5T” restriction;
 - notification of this closure be given to Police, Local Emergency Services, businesses and residents effected by the closure;
 - an advertisement be placed in the local media advising of the closure;
 - proof of public liability insurance complying with the Australian Prudential Regulatory Authority (APRA) being provided to Council prior to the event; and
 - vehicles be used to create a physical barrier on the street to protect pedestrians and participants of the march.
 - The shuttle bus to be fitted with a flashing orange beacon.
9. **24/009LTC** the matter regarding parking in Eastern View Place has been dealt with by the three resolutions of Council, including the last rescission motion, and there is no specific proposal to the Committee at this time. From an objective and technical perspective, the Committee supports that turning heads in cul de sacs have parking restrictions imposed to maintain free and safe access and movement of traffic.

(Councillors Draisma and Larkins)

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

Against: Nil

17 REPORTS FOR INFORMATION

The following Reports for Information listed for the Council's consideration were noted

- 17.1 Question for future meeting: Update regarding Endeavour Energy and power supply on Bourrool Lane, Kiama
- 17.2 Question for future meeting: Support for local businesses and investment in live music
- 17.3 Kiama Downs Community Battery Initiative Project
- 17.4 Question for future meeting: Joyce Wheatley Centre
- 17.5 Question for future meeting: Jamberoo Heritage Review
- 17.6 Question for future meeting: Policy Framework
- 17.7 Conference report: Councillor Renkema-Lang - CivicRisk Mutual Forum and Members Assembly 2024
- 17.8 Questions for Future Meetings Register - April 2024
- 17.10 Question for future meeting: Blue Haven Havilah.

17.9 Petition: Kiama West Rezoning**24/109OC****Resolved** that Council:

1. Note the petition regarding West Kiama Rezoning.
2. Acknowledge the petition's 600+ signatures from Kiama residents and ratepayers.
3. Note the decision made at 15.1 Kiama West (Springside Hill) Planning Proposal (PP 2023-2833) Stage 2 Preliminary Assessment.

(Councillors Keast and Larkins)

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

Against: Nil

Attachments

- A Further petition lodged on behalf of Karen Fowler - Kiama West - Springside Hill - Public Access 15 April 2024(2)_redacted

18 LATE ITEMS

Nil

19 NOTICE OF MOTION

Nil

20 QUESTIONS FOR FUTURE MEETINGS**20.1 Mayoral Allowance**

Councillor Brown requested a report on a suggested motion to the next Local Government NSW conference to amend legislation to allow the Mayoral allowance to be paid to the Acting Mayor when performing such duties without reducing the Mayoral allowance paid to the Mayor during that period.

The matter was referred to the Chief Executive Officer for consideration.

20.2 Ripple strip crossings

Councillor Croxford requested a report for information on the ripple strip crossings near 84 and 104 Terralong Street. The report should address their regulatory compliance, potential Council liability, safety, community feedback, and recommended actions.

The matter was referred to Director Infrastructure and Liveability for consideration.

20.3 Circular economy initiatives

Councillor Croxford requested a report on current and planned 'circular economy' initiatives by the Council. This report should detail existing activities contributing to the circular economy and explore any proposed initiatives not yet implemented.

The matter was referred to Director Planning, Environment and Communities for consideration.

20.4 Compliance officer activities

Councillor Croxford requested a report for information on compliance officer activities, specifically addressing why the monthly reports in the Council business paper, common before the COVID period, ceased. The report should also consider what factors might prevent these reports from being reinstated in the monthly Council business paper.

The matter was referred to Director Planning, Environment and Communities for consideration.

20.5 Outdoor dining areas as exempt development

Councillor Croxford requested a report on outdoor dining areas as exempt development on footways or public open spaces across the local government area. This report should also address the annual revenue generated and the annual cost to administer.

The matter was referred to Director Planning, Environment and Communities for consideration.

20.6 Threats of violence

Councillor Larkins advised that Shoalhaven City Council recently publicly reported a significant increase in aggression and threats of violence directed to councillors and council staff from a small number of members of the community. Councillor Larkins requested a report as to whether there has been an increase in these type of incidents toward Council personnel, manifesting in multiple forms including virtually and on social media, and advise what strategies are currently in place for the safety of all council personnel. Councillor Larkins also requested the report include whether additional strategies can be considered, including initiatives through the Illawarra-Shoalhaven Joint Organisation.

The matter was referred to Chief Operating Officer for consideration.

20.7 Bombo Quarry

Councillor Larkins requested a report on the stakeholder engagement and work being undertaken regarding Bombo Quarry and a masterplan of the site.

The matter was referred to Director Planning, Environment and Communities for consideration.

21 CONFIDENTIAL SUMMARY

24/1100C

Resolved that at this time, 6.37pm, 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 Draisma and Keast)

For: Councillors Brown, Croxford, 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:

24/1110C

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.

22.1 MAYORAL ALLOWANCE

Reason for Confidentiality: This matter deals with details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property as per Section 10A(2)(f) of the Local Government Act.

22.2 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.

(Councillors Draisma and Keast)

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

Against: Nil

22 CONFIDENTIAL REPORTS

22.1 Mayoral allowance

Councillor Draisma declared a significant pecuniary interest, left the room at 6.39pm and did not vote.

Councillor Reilly declared a significant pecuniary interest, left the room at 6.39pm and did not vote.

24/112OC

Committee recommendation that Councillor Croxford chair the meeting.

(Councillors Renkema-Lang and Larkins)

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

Against: Nil

It was **moved** by Councillor Brown and **seconded** by Councillor Steel that Council resolve to provide the mayoral allowance of \$4,287.18 to the Deputy Mayor due to a period of Mayoral leave.

24/113OC

At the request of Councillor Brown the **motion was varied and the committee recommended** to provide the mayoral allowance of \$4,287.18 to the Deputy Mayor due to a period of Mayoral leave and thank the Deputy Mayor for her work during that period of time.

(Councillors Brown and Steel)

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

Against: Nil

The Mayor returned to the room at 6.43pm. The Mayor granted leave to the Deputy Mayor who did not return to the room.

22.2 Blue Haven Update

24/114OC

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

(Councillors Brown and Larkins)

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

Against: Nil

Close of Confidential Committee of the Whole:

24/115OC

Committee recommendation that at this time, 6.46pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Keast and Croxford)

For: Councillors Brown, Croxford, 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.

24/116OC

Resolved that that the Confidential Committee of the Whole recommendations numbered 24/111OC to 24/115OC be confirmed and adopted.

(Councillors Larkins and Rice)

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

Against: Nil

23 CLOSURE

There being no further business the meeting closed at 6.47pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 21 May
2024

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Mayor