6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council on 17 February 2026

Attachments

1 17/02/2026 - Ordinary Council - minutes⇩

Enclosures

1 17/02/2026 - Ordinary Council - minutes attachment⇨

RECOMMENDED

That the Minutes of the Ordinary Council meeting held on 17 February 2026, and associated minutes attachments, be received and accepted.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5:00 PM on

TUESDAY 17 FEBRUARY 2026

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
ON TUESDAY 17 FEBRUARY 2026 AT 5:00 PM

PRESENT:	Mayor – Councillor C McDonald (Chair) Deputy Mayor – Councillor M Matters Councillors M Brown, M Cains, I Draisma, S Larkins, M Lawton, Y Tatrai and E Warren
IN ATTENDANCE:	Jane Stroud – Chief Executive Officer Ed Paterson – Director Strategies and Communities Darren Brady – Director Infrastructure and Operations Joe Gaudiosi – Director Corporate and Commercial Kimberley Norton – Public Officer / Head of Implementation

1 OPENING OF MEETING

The Mayor declared the meeting open at 5pm.

2 WEBCASTING STATEMENT

The Mayor stated that the meeting was being livestreamed, recorded and made publicly available on the Council website, and asked that persons attending the meeting refrain from making any defamatory statements.

3 ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional owners.

4 STATEMENT OF ETHICAL OBLIGATIONS

The Mayor reminded Councillors of their oaths or affirmations of office that they will undertake their duties as councillors in the best interests of the people of the Kiama Local Government Area and the Kiama Municipal Council to the best of their ability and judgement.

5 APOLOGIES

Nil.

Procedural motion: Allow media to record sessions of the meeting

26/001OC

Resolved that Council allows the media (The Bugle) to record the meeting in accordance with the Code of Meeting Practice.

(Councillors Larkins and Brown)

For: Councillors Brown, Cains, Draisma, Larkins, Matters, McDonald and Tatrai

Against: Councillors Lawton and Warren

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council on 16 December 2025

26/002OC

Resolved that the Minutes of the Ordinary Council meeting held on 16 December 2025 be received and accepted.

(Councillors Larkins and Cains)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

7 BUSINESS ARISING FROM THE MINUTES

Nil.

8 DISCLOSURES OF INTEREST

Disclosure of Interest - Councillor Larkins

Councillor Larkins declared a less than significant non-pecuniary interest in item 18.1 *Grant application for work on Council owned facility: Kiama Surf Club - Clubhouse* as although he does not have oversight of the Kiama Surf Life Saving Club grant application, Councillor Larkins employer is assisting the Club and recently wrote to Council and Councillors. Councillor Larkins proposed to disclose and leave the Chamber.

Disclosure of Interest - Councillor McDonald

Councillor McDonald declared a less than significant non-pecuniary interest in item 20.5 *Notice of motion: Councillor Warren - Kiama History Centre* as his uncle is one of the founding members of the Kiama Family History Centre. Councillor McDonald proposed to disclose and vote on this matter.

Disclosure of Interest - Councillor Draisma

Councillor Draisma declared a significant non-pecuniary interest in item 15.5 *Quarterly Planning Development Report: October to December 2025* as she is a former employee of the Hon Paul Scully MP. Councillor Draisma proposed to disclose and vote on this matter.

Disclosure of Interest - Councillor Brown

Councillor Brown declared a less than significant non-pecuniary interest in item 18.1 *Grant application for work on Council owned facility: Kiama Surf Club - Clubhouse* as Councillor Brown is an active Kiama Surf Life Saving Club volunteer. Councillor Brown proposed to disclose and vote on this matter.

Disclosure of Interest - Councillor McDonald

This disclosure became apparent during the Confidential Committee of the Whole session as information was being discussed.

Councillor McDonald declared a significant non-pecuniary interest in item 22.4 *Update on sale of Lot 1 DP 1304287 – former Akuna Laneway Kiama* as he represented a neighbouring landowner in his capacity as lawyer. Councillor McDonald proposed to disclose and leave the Chamber.

9 TABLING OF PETITIONS AND OTHER DOCUMENTS

9.1 Tabling of online survey results

Councillor Warren tabled the results of the online survey conducted on the Kiama LGA New Year’s Eve celebrations.

Attachments

A Online survey results

10 PUBLIC FORUM SUMMARY

(Peter) Shane Worth	15.2	Determination of development application 10.2025.154.1 – 14 Akuna Street Kiama – shop top housing

11 MAYORAL MINUTE

11.1 Congratulations: 2026 Australia Day Honour recipients

26/003OC

Resolved that Council formally congratulates:

1. Margaret Rose Snelling on being awarded the Medal of the Order of Australia (OAM) in recognition of her service and contribution to the community.
2. Shane Andrew Wicks on being awarded the Medal of the Order of Australia (OAM) in recognition of his service and contribution to the community.
3. Mitchell von Borstel on being awarded the Australian Corrections Medal in recognition of his outstanding service, professionalism and leadership in Corrections.

(Councillor McDonald)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

11.2 Acknowledgment of Kiama Cricket Club 170th anniversary

26/004OC

Resolved that Council acknowledge and congratulates the Kiama Cricket Club on reaching the extraordinary milestone, celebrating the Club's 170th anniversary in the sporting and social history of our community.

(Councillor McDonald)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

Procedural motion: Determine en globo resolutions

26/005OC

Resolved that Council move en globo and adopt the recommendations contained with the report for items:

12.1 Minutes: Audit, Risk and Improvement Committee – 4 December 2025

13.1 For adoption: Code of Meeting Practice and Public Forum Rules

13.2 Acting CEO

13.4 For adoption: Agency Information Guide 2026

13.5 For adoption: Privacy Management Plan 2026

15.1 2025-26 Destination Event Funding Program – round 2 assessment

15.4 Library Programs Report: July to December 2025

15.5 Quarterly Planning and Development Report: October to December 2025

15.7 Rescission of outdated policies

16.1 Endorse for public exhibition: Draft Traffic Convex Safety Mirro Policy

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

12 MINUTES OF COMMITTEES

12.1 Minutes: Audit, Risk and Improvement Committee - 4 December 2025

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

26/006OC

Resolved that the Minutes of the Audit, Risk and Improvement Committee meeting held on 4 December 2025 be received and accepted.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

12.2 Minutes: Tourism and Economic Advisory Committee - 22 January 2026

26/007OC

Resolved that the Minutes of the Tourism and Economic Advisory Committee meeting held on 22 January 2026 be received and noted.

(Councillors Brown and Draisma)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

13 REPORT OF THE CHIEF EXECUTIVE OFFICER

13.1 For adoption: Code of Meeting Practice and Public Forum Rules

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

26/008OC

Resolved that Council adopt:

1. the updated Code of Meeting Practice
2. the Draft Public Forum Rules.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

13.2 Acting Chief Executive Officer

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

26/009OC

Resolved that Council approve the Director Corporate & Commercial, the Director Infrastructure & Operations, and the Director Strategies & Communities to fulfil the role of Chief Executive Officer during periods of leave taken by the Chief Executive Officer of greater than three (3) consecutive business days.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

13.3 Australian Local Government Association National General Assembly 2026 - Councillor attendance

26/010OC

An amended motion was resolved that Council approve the Mayor, Deputy Mayor and Councillor Warren to attend the Australian Local Government Association's National General Assembly held in Canberra 23 – 25 June 2026.

(Councillors Larkins and Brown)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

13.4 For adoption: Agency Information Guide 2026

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

26/011OC

Resolved that Council adopt the Agency Information Guide 2026 for publishing on the Council website.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

13.5 For adoption: Privacy Management Plan 2026

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

26/012OC

Resolved that Council adopt the Privacy Management Plan 2026 and publish the Plan on the Council website.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

14 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL

14.1 Post exhibition report: proposed Lease - Gerringong Surf Life Saving Club Inc.

26/013OC

Resolved that Council:

1. Delegates to the Chief Executive Officer the authority to extend the License Agreement with Gerringong Surf Life Saving Club Incorporated for continued tenure for eight (8) months to October 2026 on the same current terms and conditions.
2. Undertake to prepare the final draft lease for Gerringong Surf Life Saving Cub Incorporated and submit to a future Ordinary meeting, noting that the Minister for Local Government will be the decision maker on this leasing matter as per Section 47 of the Local Government Act.

(Councillors Brown and Lawton)

For: Councillors Brown, Cains, Draisma, Larkins, Matters, McDonald and Tatrai

Against: Councillors Lawton and Warren

14.2 Quarterly Budget Review (QBR2) and Monthly Financial Statement December 2025

26/014OC

Resolved that Council receives and adopts the quarterly budget review statement for the quarter ending 31 December 2025, including the recommended changes to operational and capital budgets and updated cash forecast.

(Councillors Larkins and Brown)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

14.3 Statement of Investments - December 2025 and January 2026

26/015OC

Resolved that Council receives the information relating to the Statement of Investments as at 31 January 2026 and for the prior period 31 December 2025.

(Councillors Larkins and Brown)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

15 REPORT OF THE DIRECTOR STRATEGIES AND COMMUNITIES

15.1 2025-26 Destination Event Funding Program - Round 2 assessment

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

26/016OC

Resolved that Council:

1. Notes the early Round Two funding allocations endorsed in December 2025 for Sounds of Rock Music Festival and SurfLife Music Festival.
2. Approves the allocation of Destination Event Funding for Round Two of the 2025/26 program as follows:
   - o THAT Skate Park Music Festival – $5,470.

- o KISS Arts Festival – $15,000.
- o Jones Beach Boardriders Surfing South Coast Cup – $3,000.
- o Expressive Art Experience – Daisy Spring Festival – $4,500.

3. Refuse funding for the Kiama Yoga, Health & Wellbeing Festival.
4. Notes that the above allocations fully expend the remaining Round Two Destination Event Funding budget for 2025–26.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

15.2 Determination of Development Application 10.2025.154.1 - 14 Akuna Street, Kiama - Shop Top Housing

26/017OC

Resolved that Council:

1. Approve, subject to conditions of consent set out in enclosure 3, Development Application No 10.2025.154.1 (PAN-570905) for new shop top housing - Construction of mixed use development - 3 Commercial units, 38 Shop top housing, 93 Car parks and associated infrastructure and landscaping.
2. Advise persons who made a submission on Development Application No 10.2025.154.1 of Council's decision.

(Councillors Brown and Tatrai)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

15.3 Endorse for Gateway: Planning Proposal PP-2025-1821 - 2 Caliope Street, Kiama

It was **moved** by Councillor Warren and seconded by Councillor Larkins that Council:

1. Endorse Planning Proposal PP-2025-1821 for the purpose of seeking Gateway determination
2. Submit the Planning Proposal to the Department of Planning, Housing and Infrastructure for a Gateway determination.
3. When submitting the Planning Proposal for a Gateway determination, identify that Council is seeking to be authorised as the Local Plan Making Authority.

4. Note should a Gateway determination be issued, any conditions required, including public exhibition and consultation with the community, key authorities and government agencies, will be actioned by staff.
5. Receive a further report regarding the finalisation of the Planning Proposal.

At the request of Councillor Lawton and by consent the motion was varied that Council:

1. Endorse Planning Proposal PP-2025-1821 for the purpose of seeking Gateway determination
2. Submit the Planning Proposal to the Department of Planning, Housing and Infrastructure for a Gateway determination.
3. When submitting the Planning Proposal for a Gateway determination, identify that Council is seeking to be authorised as the Local Plan Making Authority.
4. Note should a Gateway determination be issued, any conditions required, including public exhibition and consultation with the community, key authorities and government agencies, will be actioned by staff.
5. Receive a further report regarding the finalisation of the Planning Proposal.
6. Delegate to the CEO to write to the Department of Planning and Housing noting that Councillors discussed the following two documents and note their relevance to the site as part of the planning process:
   (a) Management Plan for the Conservation and Regeneration of *Zieria granulata* and Restoration of Dry Stone Walls on Saddleback Mountain Road and Old Saddleback Mountain Road Kiama.
   (b) Approved *Zierra granulata* Recovery Plan adopted in January 2005.

Councillor Draisma raised a **point of order** that Councillor Lawton's amendment had not been circulated prior to the meeting. The Chair ruled that as Councillor Warren had accepted the amendment, the amendment could proceed.

Councillor Draisma raised a **point of order** that the wording of the amendment required staff advice to confirm the correct documents were being referenced.

Councillor Draisma raised a **point of order** that the amendment had already been accepted by the mover and should not be altered further. The Chair sought approval from Councillor Warren that she would accept this further amendment, which she did.

26/018OC

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

1. Endorse Planning Proposal PP-2025-1821 for the purpose of seeking Gateway determination
2. Submit the Planning Proposal to the Department of Planning, Housing and Infrastructure for a Gateway determination.

Item 6.1

Attachment 1

3. When submitting the Planning Proposal for a Gateway determination, identify that Council is seeking to be authorised as the Local Plan Making Authority.
4. Note should a Gateway determination be issued, any conditions required, including public exhibition and consultation with the community, key authorities and government agencies, will be actioned by staff.
5. Receive a further report regarding the finalisation of the Planning Proposal.

(Councillors Warren and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald and Warren

Against: Councillor Tatrai

15.4 Library Programs Report: July to December 2025

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

26/019OC

Resolved that Council receive and note the library programs undertaken by library staff for the six-month period July to December 2025.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

15.5 Quarterly Planning and Development Report: October to December 2025

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

Councillor Draisma declared a significant non-pecuniary interest in this item, disclosed and voted.

26/020OC

Resolved that Council notes:

1. The Planning and Development report for the period October to December 2025 (Q2 2025-26), specifically that:
   (a) Dwelling approvals and completions are significantly lower than the annualised Dwelling Targets.
   (b) Expected Development Application lodgement timeframes (i.e. 7 gross average days) have not been met, with the actual average lodgement timeframe of 8 days.

Item 6.1

Attachment 1

(c) Expected Development Application assessment, timeframes (i.e. 105 gross average days) have been met, with an actual average assessment timeframe of 74 days.

2. That an internal review of the DA Policy and associated Delegations, with a view to further streamline and expedite assessment timeframes, has been commenced.

3. That a further report will be provided for the January to March 2026 period.

4. That the CEO will continue to advocate for changes to the Council League Table calculation method to ensure that additional information requests (ie stop the clock), amended plans (ie revised proposal) and Land and Environment Court deemed refusal timeframes are acknowledged and excluded from the Council assessment times.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

15.6 Quarterly Compliance Report: October to December 2025

26/021OC

Resolved that Council receive and note the compliance activities undertaken by the Environment & Compliance Team for the quarter October to December 2025.

(Councillors Larkins and Draisma)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

15.7 Rescission of outdated policies

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

26/022OC

Resolved that Council endorse the rescission of the following policies:

- Preparation of Development Control Plans Policy.
- Donations Policy.
- Youth Advisory Committee Policy.
- Busking Guideline.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

16 REPORT OF THE DIRECTOR INFRASTRUCTURE AND OPERATIONS

16.1 Endorse for public exhibition: Draft Traffic Convex Safety Mirror Policy

The following resolution was adopted as part of the en globo adoption of items, refer MN26/005OC.

26/023OC

Resolved that Council:

1. Endorse the draft Traffic Convex Safety Mirror Policy be placed on public exhibition for 28 days calling for submissions.
2. Following conclusion of the exhibition period in relation to the draft Traffic Convex Mirror Policy:
   (a) Receive a further report for consideration, if any relevant submissions are received or if any substantial changes are proposed for any other reason, detailing the public exhibition outcomes and proposed changes with recommendations regarding adoption of the above documents, or
   (b) Adopt the Traffic Convex Mirror Policy if there are no relevant submissions received and there are no substantial changes proposed for any other reasons.

(Councillors Matters and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

16.2 Post exhibition report: Jamberoo Dog Park - Fenced Off Leash Area

26/024OC

An amended motion was resolved that Council:

1. Endorse the delivery of a modified Jamberoo Dog Park (Lot 101, DP 1063277 & Lot 251, DP 1206471) and all associated infrastructure as shown on the exhibited plan including unfenced off-leash area for large dogs and a fenced area designated for small dogs within the reserve.
2. Considers appropriate natural aesthetic design at and around the space, including for appropriate vegetation and works with local volunteer organisations for options at the site including natural bush regeneration and/or community garden spaces.

(Councillors Larkins and Draisma)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

16.3 Submission - Draft Illawarra Shoalhaven Strategic Regional Integrated Transport Plan - TfNSW

26/025OC

Resolved that Council:

1. Endorse the submission letter to Transport for NSW in response to the Draft Illawarra Shoalhaven Strategic Regional Integrated Transport Plan (SRITP).
2. Note the submission letter to Transport for NSW in response to the Draft Illawarra Shoalhaven Strategic Regional Integrated Transport Plan (SRITP) was sent on 9 February 2026 to ensure the exhibition period was met.

(Councillors Brown and Cains)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

17 REPORTS FOR INFORMATION

The following Reports for Information were received and noted:

17.1 Conference Report: Councillor Lawton attendance at the World Humanistic Cities Network Forum - November 2025

17.2 Conference Report: Councillor Lawton attendance at the FRANC 2025 Stormwater Conference, Hunter Valley in October 2025

17.3 Outstanding Questions with Notice Register - February 2026

17.4 Resolution Register: 1 October 2025 to 31 December 2025 and update on previous periods

17.5 South Coast Cooperative Libraries Annual General Meeting

17.6 Tender Assessment for Contract KT290925 Project Management Support.

18 LATE ITEMS

18.1 Grant application for work on Council owned facility: Kiama Surf Club - Clubhouse

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

Councillor Larkins declared a less than significant non-pecuniary interest in this item, disclosed and left the Chamber.

Councillor S Larkins left the meeting at 06:26 pm.

26/026OC

Resolved that Council:

1. Thanks the Commonwealth Government for the opportunity to apply for grant funding of $497,000 for the Kiama Surf Life Saving Club by 1 March 2026 and notes the exceptional work the surf club perform for our whole community.
2. Delegate to the Chief Executive Officer to finalise and execute any landowners consent documents associated with the grant funding application for upgraded works on the Kiama Surf Life Saving Club building and facilities on Manning Street Kiama.
3. Prior to the issue of landowner's consent delegates to the Chief Executive Officer the authority to enter into a formal agreement with the Kiama Surf Club Incorporated for Council to project manage the works on their behalf as per Council's adopted policy and to establish a project steering committee.

(Councillors Brown and Draisma)

For: Councillors Brown, Cains, Draisma, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

Councillor S Larkins returned to the meeting at 06:30 pm.

18.2 Submission - NSW Governments Strategic Planning Reforms

26/027OC

Resolved that Council endorse a copy of this report being submitted to the Department of Planning, Housing and Infrastructure in response to the document titled "A new approach to strategic planning: Discussion Paper and the draft Sydney Plan".

(Councillors Brown and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

19 QUESTIONS WITH NOTICE

19.1 Question with notice: Councillor Larkins - playground audit update

The answer to the following question from Councillor Larkins was provided in the report.

As identified in the Disability Inclusion Action Plan 2023-27 and under recent service reviews, a playground audit is required to be undertaken by Kiama Council. Could council please advise when this will be undertaken, including whether it is currently under consideration for inclusion in the Delivery and Operational Plans for 2026/2027?

19.2 Question with notice: Councillor Tatrai - Level 33's DA intentions for Akuna Street Kiama.

The answer to the following question from Councillor Tatrai was provided in the report.

1. Is council aware of the exact intentions of Level 33's development application for Akuna Street, Kiama?
2. Why did Level 33 choose to bypass the Land & Environment Court and approach the Minister for Housing directly?
3. How will Level 33 ensure their development on Akuna Street aligns with the existing character of Kiama?
4. Can we get some feedback on the community response to the DA application?
5. What effects with the proposed development have on local amenities and services, and have they addressed these in writing to Kiama Council?
6. Given that Kiama recently adopted a meticulously planned housing strategy, how can this strategy influence the decision regarding their intended height increase, which is against council recommendations?
7. CEO tabled a letter she sent to the Minister at last month's meeting; Has there been a response to the letter?
8. Does Council see any reason why Level 33's revised height Development would be acceptable in Akuna Street, Kiama?

19.3 Question with notice: Councillor Warren - Jewel in the Crown turns 150 in 2026!

The answer to the following question from Councillor Warren was provided in the report.

Given the significance of this important date in Kiama's rich history, can Council form a working group with Destination Kiama, representatives of the Wodi Wodi people of the Dharawal nation and any other interested local community organisations to explore a genuinely cost neutral community celebration?

20 NOTICE OF MOTION

20.1 Notice of motion: Councillor Warren - Community-led review of New Year's Eve celebrations across the Kiama Local Government Area

It was **moved** by Councillor Warren and seconded by Councillor Matters that Council, as part of preparing, exhibiting and adopting its 2026/2027 Operational Plan and associated budget, prepare and present a business case which explores various opportunities for New Year's Eve celebrations for 2026, including but not limited to Council supported and coordinated events on private land and/or public land and/or Council led events on public land. The business case is to include:

1. A review of resident, business and visitor feedback on the various opportunities for New Year's Eve 2026 celebrations.
2. A review of the type and location of events and attractions which could be supported, coordinated or delivered within the Municipality to celebrate New Year's Eve 2026.
3. Identification, following the above reviews, of distinct options for Council to either support, coordinate or lead New Year's Eve 2026 celebrations.
4. A cost benefit analysis for each option, considering cost to the ratepayer, economic return for local businesses and relevant legislative and safety requirements.

At the request of Councillor Larkins and by consent the **motion was varied** to include point 5:

5. Options for designing a 3- or 5-year recurring New Year's Eve program for funding of a Kiama New Year's Eve event each year, that assists with applications for grant funding as well as financial security of the event each year.

26/028OC

At the request of Councillor Brown and by consent the **motion was further varied and resolved** that Council as part of preparing, exhibiting and adopting its 2026/2027 Operational Plan and associated budget, prepare and present a business case which explores various opportunities for New Year's Eve celebrations for 2026, including but not limited to Council supported and coordinated events on private land and/or public land and/or Council led events on public land. The business case is to include:

1. A review of resident, business and visitor feedback on the various opportunities for New Year's Eve 2026 celebrations.
2. A review of the type and location of events and attractions which could be supported, coordinated or delivered within the Municipality to celebrate New Year's Eve 2026.
3. Identification, following the above reviews, of distinct options for Council to either support, coordinate or lead New Year's Eve 2026 celebrations.
4. A cost benefit analysis for each option, considering cost to the ratepayer, economic return for local businesses and relevant legislative and safety requirements.

5. Options for designing a 3- or 5-year recurring New Year's Eve program for funding of a Kiama New Year's Eve event each year, that assists with applications for grant funding as well as financial security of the event each year.
6. Noting the resolution of item 7.1 of the Tourism and Economic Advisory Committee minutes of the meeting held on 22 January 2026.

(Councillors Warren and Matters)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

20.2 Notice of motion: Councillor Tatrai - New Years Eve 2026 communications and night time economic activity

Councillor Tatrai withdrew her notice of motion.

20.3 Notice of motion: Councillor Larkins - Kiama Urban Greening Strategy - update

26/029OC

Resolved that Council:

1. Notes the Kiama Local Strategic Planning Statement outlines a need for an Urban Greening Strategy as a required action item.
2. Considers for inclusion in the 2026/2027 and/or the 2027/2028 Delivery and Operational Plans the provision of the Urban Greening Strategy.
3. As part of designing the Urban Greening Strategy, consider the inclusion of the following measures:
   (a) A review of Topic 2.4 of the Development Control Plan that lists Norfolk Pines as a Tree Species of Significance.
   (b) Green building designs as well as water efficient managed gardens.
   (c) ''Pollinator Friendly'' principles for public gardens and spaces.
   (d) An update of other Council plans and policies, including the Roadside Vegetation Plan of Management and the Public Trees Management Policy.

(Councillors Larkins and Draisma)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

20.4 Notice of motion: Councillor Matters - Review of the Local Environmental Planning (LEP)

26/030OC

Resolved that Council, as part of implementing its Local Housing Strategy, Employment Lands Strategy, Vegetation Study and Rural Lands Strategy, look to systematically review the Kiama Local Environmental Plan (LEP) 2011 and Kiama Development Control Plan (DCP) 2020 with a view to removing any inconsistencies and to facilitate good outcomes for our community.

(Councillors Matters and Warren)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

20.5 Notice of motion: Councillor Warren - Kiama History Centre

Councillor McDonald declared a less than significant non-pecuniary interest, disclosed and voted.

26/031OC

Resolved that Council:

1. Acknowledge the value of the Kiama Family History Centre as a significant cultural, educational, and community resource, not only within our local Municipality but the service it provides Nationally and Internationally.
2. Reaffirms its position that the volunteers of the Kiama Family History Centre will continue to have access to the Centre, during Kiama Library opening hours, to undertake research on behalf of the broader community
3. Receive a report at a future Ordinary Meeting outlining:
    a. The annual cost of subscriptions to core family history research databases required to operate the Centre (estimated at up to $5,000 per year).
    b. The annual cost of volunteer insurance to enable approximately 20 trained volunteers to continue contributing to Centre operations.
    c. Any additional minor operating costs required to support supervised volunteer activity.
4. Direct the Chief Executive Officer to prepare a report that includes an operating model for the Kiama Family History Centre that includes options including but not limited to:
    a. Fee-for-service options, such as a $10 fee for a two-hour, volunteer-assisted research session.
    b. Annual membership or subscription options to provide regular cost recovery for database access and operational expenses.

c. A model for volunteer-led service delivery with minimal staff oversight limited to coordination and access facilitation.

5. Undertake consultation with Centre volunteers and the broader community on the proposed operating model, including cost-recovery options, and include the outcomes in the report.

(Councillors Warren and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

21 CONFIDENTIAL SUMMARY

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:

26/032OC

Resolved that in accordance with Sections 10 and 10A of the Local Government Act, 1993 as amended, Council close the meeting of the Confidential Committee of the Whole to the Press and Public to deal with the following matters on the grounds as detailed below.

22.1 QUARTERLY UPDATE: SERVICE REVIEWS STRATEGIC RECOMMENDATIONS

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.

Public interest: On balance, discussion of this matter in open session would be contrary to the public interest, as premature disclosure could prejudice Council’s commercial and strategic position, limit Council’s ability to consider options objectively, and potentially undermine future negotiations or value-for-money outcomes. The public interest in maintaining transparency is outweighed at this stage by the need to protect Council’s decision-making processes while matters remain under active consideration.

22.2 SERVICE REVIEW - COMMERCIAL WASTE

Reason for Confidentiality: This matter deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act.

Public interest: On balance, discussion of this matter in open session would be contrary to the public interest, as disclosure of commercially sensitive financial and benchmarking information could prejudice Council's commercial position, create uncertainty for existing customers, and limit Council's ability to consider future options objectively. The public interest in transparency is outweighed at this stage by the need to protect Council's financial and commercial interests while the Executive Leadership Team considers an appropriate way forward.

22.3 TENDER: GAINSBOROUGH OVAL SUBSOIL DRAINAGE

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.

Public interest: This report presents the findings of a publicly advertised tender that includes commercially in-confidence pricing supplied by prospective contractors. The public interest in preserving this commercially pricing sensitive information outweighs the public interest for openness as it may prejudice Council's commercial position in negotiating any scope of work variations to the contracted works for the current project and create uncertainty for the competitiveness of future tenders for similar works. The successful tenderer will be listed on Council's Contracts Register once awarded.

22.4 UPDATE ON SALE OF LOT 1 DP 1304287 - FORMER AKUNA LANEWAY KIAMA

Reason for Confidentiality: This matter deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act.

Public interest: The report deals with commercially sensitive information involving negotiations including agreement on a sale price and payment terms for a parcel of land that has not been settled and therefore is inappropriate for public disclosure at this stage.

22.5 CODE OF CONDUCT - CONSIDERATION OF INVESTIGATION REPORT - ALLEGED BREACH

Reason for Confidentiality: This matter deals with alleged contraventions of any code of conduct requirements applicable under section 440 as per Section 10A(2)(i) of the Local Government Act.

Public interest: As this matter is a personnel matter concerning a particular individual, pursuant to Section 10B(1)(b) of the Act, this matter is exempt from the public interest test.

22.6 CEO NOTE: GAINSBOROUGH OVAL SUBSOIL DRAINAGE TENDER

Reason for Confidentiality: This matter deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business as per Section 10A(2)(c) of the Local Government Act.

Public interest: This report presents the findings of a publicly advertised tender that includes commercially in-confidence pricing supplied by prospective contractors. The public interest in preserving this commercially pricing sensitive information outweighs the public interest for openness as it may prejudice Council's commercial position in negotiating any scope of work variations to the contracted works for the current project and create uncertainty for the competitiveness of future tenders for similar works. The successful tenderer will be listed on Council's Contracts Register once awarded.

(Councillors Larkins and Warren)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

Procedural motion: Formation of Confidential Committee of the Whole

26/033OC

Resolved that at this time, 7.14pm, Council form itself into a Confidential Committee of the Whole to deal with matters listed in the recommendations subject to the consideration of any representations relating to such action.

(Councillors Larkins and Brown)

For: Councillors Brown, Cains, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

Councillor Draisma left the meeting at 7.14pm.

The Mayor called a 5 minute recess at 7.15pm. The meeting resumed at 7.21pm.

22 CONFIDENTIAL REPORTS

22.1 Quarterly update: Service Reviews strategic recommendations

This report is for information only.

22.2 Service Review - Commercial Waste

This report is for information only.

Procedural motion: To bring item forward

26/034OC

Resolved that Item 22.6 *CEO note: Gainsborough Oval subsoil drainage tender* be brought forward before item 22.3 as item 22.6 supersedes item 22.3.

(Councillors Brown and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

22.6 CEO note: Gainsborough Oval subsoil drainage tender

26/035OC

Resolved that Council:

1. In accordance with Clause 178 (1)(a) of the Local Government (General) Regulation 2005 (NSW), accept the tender offer from Lamond Contracting Pty Ltd for Contract KT080126.
2. Delegate to the Chief Executive Officer the authority to finalise and execute the contract and associated documents on behalf of Council.
3. Grant authority to the Chief Executive Officer to use the Common Seal of Council on the contracts and any other documentation, should it be required, to give effect to this resolution.

(Councillors Brown and Larkins)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

22.3 Tender: Gainsborough Oval subsoil drainage

This item was superseded by Item 22.6 *CEO note: Gainsborough Oval subsoil drainage*.

22.4 Update on Sale of Lot 1 DP 1304287 - former Akuna Laneway Kiama

Councillor McDonald declared a significant non-pecuniary interest, disclosed and left the chamber.

Councillor McDonald left the meeting at 07:40 pm.

Deputy Mayor, Councillor Matters took the Chair.

26/036OC

Resolved that Council note the information in the report and endorse Option 2 regarding the sale of Lot 1 DP1304287 Akuna Street Kiama.

(Councillors Brown and Tatrai)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, Tatrai and Warren

Against: Nil

Council staff, Directors and minute taker, left the Chamber at 7.43 pm.

Councillor McDonald returned to the meeting at 07:44 pm and Councillor Matters vacated the Chair.

22.5 Code of Conduct - Consideration of Investigation Report - Alleged breach

Councillor I Draisma left the meeting at 07:51 pm.

26/037OC

Resolved that Council does not resolve to adopt the investigator's recommendation for the following reason –

(a) Councillor Draisma made a full and frank apology to her colleagues, CEO and staff and gave an undertaking that her future conduct will comply with the code of conduct for councillors and the *Local Government Act 1993*.

(Councillors Larkins and Brown)

For: Councillors Brown, Cains, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

Councillor I Draisma returned to the meeting at 08:27 pm.

Procedural motion: close of Confidential Committee of the Whole:

26/038OC

Resolved that at this time, 8.27pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Matters and Warren)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

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.

26/039OC

Resolved that that the Confidential Committee of the Whole recommendations numbered 26/034OC to 26/038OC be confirmed and adopted.

(Councillors Warren and Tatrai)

For: Councillors Brown, Cains, Draisma, Larkins, Lawton, Matters, McDonald, Tatrai and Warren

Against: Nil

23 CLOSURE

There being no further business the meeting closed at 8.30pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 17 March 2026.

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Mayor