6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council on 17 March 2026

Attachments

1 17/03/2026 - Ordinary Council - minutes⇩

Enclosures

1 17/03/2026 - Ordinary Council - minutes attachment⇨

RECOMMENDED

That the Minutes of the Ordinary Council meeting held on 17 March 2026 and associated minutes attachment be received and accepted

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5pm on

TUESDAY 17 MARCH 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 MARCH 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 – Head of Implementation
Stephanie Salviejo – Public Officer

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

26/040OC

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

(Councillors Brown and Larkins)

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

Against: Councillor Lawton

Councillor Brown raised a **point of order** that Councillor Lawton was asking questions on an item that had not been moved and seconded. The Chair ruled this was correct and sought a mover and seconder.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council on 17 February 2026

26/041OC

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

(Councillors Larkins and Draisma)

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

Against: Nil

7 DISCLOSURE OF INTEREST

Disclosure of Interest - Councillor Warren

Councillor Warren declared less than significant non-pecuniary interest in Item 14.1 *Endorse for Gateway: Planning Proposal PP-2026-486 - Jamberoo Heritage Review* as a property owned by Councillor Warren’s brother is included in the review. Councillor Warren proposed to disclose and vote on this matter.

Item 6.1

Attachment 1

8 TABLING OF PETITIONS AND OTHER DOCUMENTS

8.1 Tabling of JVRRA traffic survey results and correpondence

Councillor Larkins tabled correspondence dated 13 March 2026 from the Jamberoo Valley Ratepayers and Residents Association (JVRRA) and the results of the Jamberoo Community Traffic Survey the JVRRA conducted.

Attachments

A JVRAA Traffic survey results and correspondence

8.2 Tabling of the ALGA 2026-27 Federal budget submission

Councillor Larkins tabled the Australian Local Government Association 2026-27 Federal budget submission.

Attachments

A ALGA - 2026-27 Federal Budget submission

9 PUBLIC FORUM SUMMARY

Lauren Turner	14.1	Endorse for Gateway: Planning Proposal PP-2026-486 – Jamberoo Heritage Review

10 MAYORAL MINUTE

10.1 Congratulations to the 2026 Local Women of the Year: Kiama electorate recipient, Sue Eggins

26/042OC

Resolved that Council formally recognises and congratulates the 2026 Local Women of the Year recipients, with special acknowledgement of Kiama's own honouree Suzanne Eggins for her outstanding service and dedication.

(Councillor McDonald)

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

Against: Nil

Procedural Motion – en globo

26/043OC

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

12.1 2025-26 Delivery Program and Operational plan – Progress report for the 6 month period July to December 2025

12.2 Bi-monthly update: Strategic Finance & Governance Improvement Plan – March 2026

12.3 Office of Local Government review of joint organisations

13.1 Endorse for public exhibition: Amended Council Cemetery Operations Policy

13.4 Revocation and reissue of Crown Land Licence: Kiama Boat Harbour

13.5 Statement of Investments – February 2026

15.1 Post exhibition adoption: Asset Disposal Policy

(Councillors Matters and Larkins)

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

Against: Nil

11 MINUTES OF COMMITTEES

11.1 Minutes: Audit, Risk and Improvement Committee - 3 March 2026

26/044OC

Resolved that the Minutes of the Audit, Risk and Improvement Committee meeting held on 3 March 2026 be received and accepted.

(Councillors Warren and Cains)

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

Against: Nil

12 REPORT OF THE CHIEF EXECUTIVE OFFICER

12.1 2025-26 Delivery Program and Operational Plan - Progress report for the 6 month period July to December 2025

The following resolution was adopted as part of the en globo adoption of items, refer MN26/043OC.

26/045OC

Resolved that Council receives the half-yearly progress report of the Delivery Program 2025-2029 and the Operational Plan 2025-26 for the period July – December 2025.

(Councillors Matters and Larkins)

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

Against: Nil

12.2 Bi-monthly update: Strategic Finance & Governance Improvement Plan - March 2026

The following resolution was adopted as part of the en globo adoption of items, refer MN26/043OC.

26/046OC

Resolved that Council:

1. Receive the Strategic Finance & Governance Improvement Plan – Implementation Status Update – March 2026.
2. Note that the Chief Executive Officer, through the Implementation Team, will:
    a. provide a copy of the Implementation Status Update – March 2026 to the NSW Office of Local Government, and
    b. place a copy of the Implementation Status Update – March 2026 on Council's website.
3. Delegate to the CEO to meet with the Office of Local Government to discuss the seven (7) outstanding items and prepare a report back to a future ordinary meeting.

(Councillors Matters and Larkins)

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

Against: Nil

12.3 Office of Local Government review of joint organisations

The following resolution was adopted as part of the en globo adoption of items, refer MN26/043OC.

26/047OC

Resolved that Council:

1. Delegates to the CEO to write to Minister Hoenig confirming the following:

(a) Kiama Municipal Council's ongoing commitment to the Illawarra Shoalhaven Joint Organisation (ISJO) and commending the 2025 Year in Review report.

(b) Notes that Council is working constructively with Wollongong, Camden, Campbelltown, Shellharbour, Shoalhaven, Wingecarribee, and Wollondilly Councils on the`LG8 Strategic Partnership' focusing on advocacy and collaboration.

(c) Requests the NSW Government to consider opportunities to expand and enhance the operational and governance model for the Illawarra Shoalhaven Joint Organisation to include the Macarthur and Southern Highland Regions as the respective Council's determine via resolution.

(d) Notes the significant value that Wollondilly Shire Council adds to the ISJO and recommends that the associate membership status for joint organisations be removed, in favour of full membership should that council resolve to so pursue such status.

(Councillors Matters and Larkins)

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

Against: Nil

13 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL

13.1 Endorse for public exhibition: Amended Council Cemetery Operations Policy

The following resolution was adopted as part of the en globo adoption of items, refer MN26/043OC.

26/048OC

Resolved that Council:

1. Endorse the amended Cemetery Operations Policy be placed on public exhibition for 28 days calling for submissions.
2. Following conclusion of the exhibition period in relation to amended Cemetery Operations 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 Cemetery Operations 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

13.2 Monthly Financial Report - January 2026

26/049OC

Resolved that Council receives and adopts the Monthly Financial Report for January 2026.

(Councillors Brown and Larkins)

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

Against: Nil

13.3 Proposed licence agreement: White Constructions & Development - Lots 112 & 113 DP 245502, Lot 2 DP 707300 - Hillview Circuit Kiama

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

1. Enter into a Licence Agreement with White Constructions & Developments to provide access to part Lot 112 and Lot 113 in DP 245502, and part Lot 2 in DP 707300 for the purpose of providing adequate wastewater infrastructure to support the planned development of the South Kiama Development Urban Release Area.
2. Approve the licence term of 7 April 2026 to 17 December 2026, with a licence fee of $10,000 including GST and security bond of $5,000.
3. Delegate to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.

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

1. Enter into a Licence Agreement with White Constructions & Developments to provide access to part Lot 112 and Lot 113 in DP 245502, and part Lot 2 in DP 707300 for the purpose of providing adequate wastewater infrastructure to support the planned development of the South Kiama Development Urban Release Area.
2. Approve the licence term of 7 April 2026 to 17 December 2026, with a licence fee of $10,000 including GST and security bond of $5,000.
3. Delegate to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.
4. Request White Constructions appropriately mow the verge adjacent to their property on Saddleback Mountain Road.

To ensure the motion was lawful, correctly worded and able to be implemented the CEO proposed an amendment to point 4 to "appropriately maintain the verge adjacent to the lease site" and Councillor Draisma proposed an amendment to Point 4 to replace 'mow' with "appropriately maintain". Both amendments were accepted by Councillor Brown.

26/050OC

Resolved that Council

1. Enter into a Licence Agreement with White Constructions & Developments to provide access to part Lot 112 and Lot 113 in DP 245502, and part Lot 2 in DP 707300 for the purpose of providing adequate wastewater infrastructure to support the planned development of the South Kiama Development Urban Release Area.
2. Approve the licence term of 7 April 2026 to 17 December 2026, with a licence fee of $10,000 including GST and security bond of $5,000.
3. Delegate to the Chief Executive Officer to sign any documentation necessary to give effect to this resolution.
4. Request White Constructions appropriately maintain the verge adjacent to the lease site on Saddleback Mountain Road.

(Councillors Brown and Tatrai)

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

Against: Nil

13.4 Revocation and reissue of Crown Land Licence: Kiama Boat Harbour

The following resolution was adopted as part of the en globo adoption of items, refer MN26/043OC.

26/051OC

Resolved that Council:

1. Endorse the proposal from Department of Planning, Housing and Infrastructure (Crown Lands) to revoke the existing Crown Lands Licence - RI 516374.
2. Endorse the issuing of a new Crown Lands Licence to Council capturing the full area of existing Council infrastructure.
3. Agree to an initial annual statutory minimum rental of $674.30.
4. Delegate to the Chief Executive Officer to execute all necessary documentation to have effect to the revocation and re-issue of the Crown Lands Licence

.(Councillors Matters and Larkins)

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

Against: Nil

13.5 Statement of Investments - February 2026

The following resolution was adopted as part of the en globo adoption of items, refer MN26/043OC.

26/052OC

Resolved That Council receives the information relating to the Statement of Investments as at 28 February 2026.

(Councillors Matters and Larkins)

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

Against: Nil

14 REPORT OF THE DIRECTOR STRATEGIES AND COMMUNITIES

14.1 Endorse for Gateway: Planning Proposal PP-2026-486 - Jamberoo Heritage Review

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

26/053OC

Resolved that Council

1. Note the submissions received during public exhibition (Enclosure 1).
2. Endorse the Jamberoo Heritage Review Planning Proposal PP-2026-486 (Enclosure 2) for the purpose of seeking a Gateway determination.
3. Submit the Planning Proposal to the Department of Planning, Housing and Infrastructure for a Gateway determination.
4. When submitting the Planning Proposal for a Gateway determination, identify that Council is seeking to be authorised as the Local Plan Making Authority.
5. Delegate to the Chief Executive Officer to undertake the necessary actions to comply with any conditions of a Gateway including public exhibition and consultation with the community, key authorities and government agencies.
6. Place the Draft Kiama Development Control Plan 2020 – Chapter 4 Heritage and Cultural Conservation, Topic 4.4 Heritage Conservation Areas on public exhibition concurrently with the Planning Proposal.

7. Receive a further report regarding the finalisation of the Planning Proposal and adoption of the amendment to Kiama Development Control Plan 2020 – Chapter 4, Topic 4.4.

(Councillors Larkins and Draisma)

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

Against: Nil

14.2 Opting-in to provisions of the Rock Fishing Safety Act 2016

26/054OC

Resolved that Council:

1. Notes the findings of the Rock Fishing Safety Community Engagement Report.
2. Delegates to the CEO to request the Minister for Local Government make a declaration under the Rock Fishing Safety Act 2016 that the Kiama Local Government Area (LGA) is an area where high-risk rock fishing takes place (high-risk rock fishing locations within the Kiama LGA are those described and identified on the maps enclosed to the report).

(Councillors Draisma and Larkins)

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

Against: Nil

15 REPORT OF THE DIRECTOR INFRASTRUCTURE AND OPERATIONS

15.1 Post exhibition adoption: Asset Disposal Policy

The following resolution was adopted as part of the en globo adoption of items, refer MN26/043OC.

26/055OC

Resolved that Council adopt the Asset Disposal Policy.

(Councillors Matters and Larkins)

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

Against: Nil

16 REPORTS FOR INFORMATION

The following Reports for Information were received and noted:

16.1 OneCouncil Implementation Plan update

16.2 Outstanding Questions with Notice Register for March 2026

16.3 Submission to the Inquiry into Government service delivery standards in regional NSW.

17 LATE ITEMS

Nil

18 QUESTIONS WITH NOTICE

18.1 Question with notice: Councillor Warren - Council owned residential land holdings

Could Council advise how many residential blocks it currently owns in the Kiama Municipality?

Is there a plan to release and sell any of these blocks to the public?

If so, could Council provide an overview of their value and how the money sold from these blocks could be used by Council?

Response provided in the report.

18.2 Question with notice: Councillor Warren - Jamberoo Flood Study, William Davis Bridge Works, Allowrie Street drainage and Colyers Creek Jamberoo

Could Council please provide an update on the design of works from the Jamberoo flood study, works on William Davis bridge and advise if Council has assessed Colyers Creek culverts? If assessment has occurred, what was the findings and is there a plan in place to clear the blocked culverts?

Response provided in the report.

18.3 Question with notice: Councillor Lawton - Cost and legislative requirement for the Plan of Management

1. Cost of the Plan of Management

Given the importance of transparency and the need to ensure that the community receives information, could the CEO please provide the cost to Council for the preparation, public exhibition, amendments, consultation, and finalisation of the current Plan of Management?

2. Legislative Requirement for a Plan of Management

Could the CEO please confirm:

(a) That Council is legally required to prepare, publicly exhibit, and adopt a Plan of Management in accordance with the *Local Government Act 1993*; and

(b) That these statutory obligations apply irrespective of cost, meaning the expenditure—whatever the precise amount—is necessary for compliance.

3. Accuracy of Publicly Stated Cost Figures

Given that cost figures previously discussed on the floor of Council at ordinary meetings and noting the significant public interest in this matter, could the CEO please clarify whether Councillor Brown's stated figures ("hundreds of thousands of dollars") is accurate, based on financial records?

Response provided in the report.

26/056OC

Resolved that Council:

1. Notes the content of this question and the response from the CEO.
2. Celebrates the investment it has made in the environmental protection of our beaches through the Plan of Management and the hundreds of thousands of dollars in resources allocated to this project so far.

(Councillors Brown and Matters)

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

Against: Nil

18.4 Question with notice: Councillor Warren - Rate review for Short Term Rental Accommodation (STRA)

Can the CEO explain the process of a rate review for short term rental accommodation (STRA) and opportunities available for Council?

Response provided in the report.

18.5 Question with notice: Councillor Warren - grass mowing alternatives/bailing grass opportunities for larger open spaces

Can the CEO provide information on opportunities for larger open spaces to be bailed by external parties; consider lease and agreement arrangements available, and any safety and risk implications?

Response provided in the report.

19 NOTICE OF MOTION

Nil

DECLASSIFICATION

There are no confidential reports to be considered for declassification.

20 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.

20.1 EXCLUSION OF PRESS AND PUBLIC:

26/057OC

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.

21.1 TENDER: BETTERMENT PROJECT - JAMBEROO MOUNTAIN ROAD CIVIL WORKS

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.

21.2 QUESTION WITH NOTICE: COUNCILLOR WARREN - BLUE HAVEN BONAIRA BUILDING DEFECTS LEGAL RECOVERY

Reason for Confidentiality: This matter deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege as per Section 10A(2)(g) of the Local Government Act.

Public interest: This report presents information that is legally privileged. The public interest in preserving this information outweighs the public interest for openness as it may prejudice Council's position in the legal proceedings.

21.3 PROPOSED LICENCE AGREEMENT AND ASSOCIATED FEES: DEVELOPMENT AT 15-17 BLACKWOOD STREET GERRINGONG

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: This report presents information of a proposed fee relating to construction activity that has not previously been charged by Council and is not included in Council's current Fees and Charges schedule. Whilst the developer of the subject site has been named through earlier DA approval processes, the fee is new and is being imposed for the first time on this development. In future, the fee will form part of Council's Fees and Charges schedule and will be implemented as a natural part of the development process.

(Councillors Draisma and Larkins)

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

Against: Nil

Procedural motion: Formation of Confidential Committee of the Whole

26/058OC

Resolved that at this time, 5.38pm, 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 Draisma and Larkins)

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

Against: Nil

21 CONFIDENTIAL REPORTS

21.1 Tender: Betterment Project - Jamberoo Mountain Road civil works

26/059OC

Resolved that Council:

1. In accordance with Clause 178 (1)(a) of the Local Government (General) Regulation 2005 (NSW), accept the tender offer for contract KMC-RFQ-

221225 – '*Betterment Project – Jamberoo Mountain Road – Design and Construction Civil Works*', from the Coal Coast Civil Pty Ltd.

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 use of the Common Seal of Council on the contracts and any other documentation, should it be required, to give effect to this resolution.
4. Provide regular project updates on its Capital Works webpage.

(Councillors Brown and Draisma)

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

Against: Nil

21.2 Question with notice: Councillor Warren - Blue Haven Bonaira building defects legal recovery

Could Council please provide an update on where the legal recovery process is at from Blue Haven Bonaira building defects?

Could you also include the financial loss (monetary figure) to Council?

If the legal proceeding is successful, where will that money be placed and how can it be used?

Response provided in the report.

21.3 Proposed licence agreement and associated fees: development at 15-17 Blackwood Street Gerringong

26/060OC

Resolved that Council:

1. Endorse entering into a licence agreement with the developer for the installation of the required rock anchor points within the road reserve at 15 – 17 Blackwood Street Gerringong.
2. Adopt a licence fee of $1,000 per anchor with fees payable prior to the installation of the rock anchor points and a bond of $50,000.
3. Note the requirement for the developer to be responsible for all design, installation, testing, monitoring, maintenance and any rectification necessary in relation to the rock anchor points.
4. Delegate authority to the Chief Executive Officer to execute the licence agreement and other relevant documentation necessary to give effect to this resolution.

(Councillors Draisma and Larkins)

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

Against: Nil

Close of Confidential Committee of the Whole:

26/061OC

Resolved that at this time, 6.05pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Larkins and Lawton)

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.

26/062OC

Resolved that that the Confidential Committee of the Whole recommendations numbered CR26/058OC to CR26/060OC be confirmed and adopted and the information report item 21.2 Question with notice: Councillor Warren - Blue Haven Bonaira building defects legal recovery was received and noted.

(Councillors Warren and Tatrai)

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

Against: Nil

22 CLOSURE

There being no further business the meeting closed at 6.08pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 21 April 2026.

....

Mayor

6.2 Extraordinary Council on 7 April 2026

Attachments

1 07/04/2026 - Extraordinary Council - minutes⇩

Enclosures

Nil

RECOMMENDED

That the Minutes of the Extraordinary Council meeting held on 7 April 2026 be received and accepted.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

commencing at 5 pm on

TUESDAY 7 APRIL 2026

Council Chambers
11 Manning Street, KIAMA NSW 2533

MINUTES OF THE EXTRAORDINARY MEETING
OF THE COUNCIL OF THE MUNICIPALITY OF KIAMA
HELD IN THE COUNCIL CHAMBERS
ON TUESDAY 7 APRIL 2026 AT 5 PM

PRESENT:	Deputy Mayor – Councillor M Matters (Chair) Councillors 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 – Head of Implementation Jose Diaz – Chief Financial Officer Stephanie Salviejo – Public Officer

1 OPENING OF MEETING

The Deputy Mayor opened the meeting at 5pm.

2 WEBCASTING STATEMENT

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

3 ACKNOWLEDGEMENT OF COUNTRY

The Deputy Mayor acknowledged the traditional owners.

4 STATEMENT OF ETHICAL OBLIGATIONS

The Mayor read the statement of ethical obligations.

Procedural motion: Allow media to record meeting

26/063OC

Resolved that Council allows the media (The Bugle, WIN TV and ABC Ilawarra) to record and photograph the meeting in accordance with clause 15.27 of the Code of Meeting Practice.

(Councillors Larkins and Tatrai)

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

Against: Nil

5 APOLOGIES

Apology – Councillor McDonald

26/064OC

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

(Councillors Larkins and Warren)

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

Against: Nil

Apology – Councillor Brown

26/065OC

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

(Councillors Warren and Lawton)

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

Against: Nil

6 DISCLOSURES OF INTEREST

Nil

7 PUBLIC FORUM SUMMARY

Cooper Lewis	8.1	Parameters for 2026-27 Budget and Long Term Financial Plan
Tony Gilmour	8.1	Parameters for 2026-27 Budget and Long Term Financial Plan
Alan Smith	8.1	Parameters for 2026-27 Budget and Long Term Financial Plan
Craig Scott	8.1	Parameters for 2026-27 Budget and Long Term Financial Plan
Boni Maywald	9.1	Blue Haven Terralong Asset Condition Report

S.1 Mayoral Minute: Budget Parameters 2026-27 and long term financial plan

Councillor Draisma raised a **point of order** that the date referenced in paragraph 3 of the Mayoral Minute was incorrect. The Chair ruled that this would be corrected for the record.

26/066OC

Resolved that Council note and accept the Mayoral Minute on the Budget Parameters 2026-27 and long term financial plan.

(Councillor Matters)

For: Councillors Larkins, Lawton, Matters and Warren

Against: Councillors Cains, Draisma and Tatrai

8 REPORT OF THE CHIEF EXECUTIVE OFFICER

8.1 Parameters for 2026-27 Budget and Long Term Financial Plan

It was **moved** by Councillor Matters and seconded by Councillor Lawton that Council adopts the parameters and strategic direction outlined in this report, with the objective of achieving a balanced operating budget for financial year 2026-27 by:

1. Implementing Level 1 initiatives (Budget Control Improvements) as per the report to improve results by circa $3.4M, and reduce the draft loss result to $3.6M.
2. Implementing Level 2 initiatives (Discretionary Services) as per the report reducing the scope of non-core or discretionary services to improve the draft loss result by $2.7M to a draft loss of $854K, including a reduction in staff establishment FTEs in the range of 5%.

3. Implementing Level 3 initiatives (Staff Establishment and Legislated Operations) as per the report further reducing staff establishment to improve results by circa $1.8M ongoing but reduced to $1M after allowing for redundancy costs, representing a reduction in staff establishment FTEs in the range of 9% and resulting in a draft budget surplus of $146K.
4. Delegate authority to the Chief Executive Officer to undertake the following to create a balanced budget and progress other requirements in line with the performance improvement order:
   (a) seek debt finance of $10M for the purposes of undertaking the program of works required for the Fire Safety Order at Blue Haven Terralong and provide a separate report to Council for final signing of any loan agreement.
   (b) proceed to a market sounding process in line with the *Local Government Act 1993* to understand potential options and opportunities for catalyst sites inclusive of 11 Manning Street, the Shoalhaven Street site, Havilah Place inclusive of Blue Haven Terralong, merging the works depot to Minnamurra, consideration of future Council administration office location, and provide a further report to council on process and outcomes.
   (c) Undertake market tendering in line with Section 173 'changes to the Local Government (General) Regulation 2021' for the purposes of comparing internal versus external waste management options.
   (d) implement the findings of the plant fleet service review and move fleet to novated leases with a set range of 20,000 kms per year, noting the need to invest and install telemetric monitoring for vehicles to accurately capture movement data.
   (e) implement the findings of the commercial waste services review and prioritise the collection of domestic waste for ratepayers, exiting commercial waste services and reducing associated overtime costs.

Councillor Draisma raised a **point of order** that Councillor Lawton had already spoken on this item. The Chair ruled that Councillor Lawton could have her right of reply.

Councillor Cains raised a **point of order** that Councillor Lawton was bringing Councillors into disrepute. Councillor Lawton withdrew her comment before the Chair made a ruling.

26/067OC

At the request of Councillor Larkins and by consent the **motion was amended and resolved** that Council adopts the parameters and strategic direction outlined in this report, with the objective of achieving a balanced operating budget for financial year 2026-27 by:

1. Implementing Level 1 initiatives (Budget Control Improvements) as per the report to improve results by circa $3.4M, and reduce the draft loss result to $3.6M.
2. Implementing Level 2 initiatives (Discretionary Services) as per the report reducing the scope of non-core or discretionary services to improve the draft

loss result by $2.7M to a draft loss of $854K, including a reduction in staff establishment FTEs in the range of 5%.

3. Implementing Level 3 initiatives (Staff Establishment and Legislated Operations) as per the report further reducing staff establishment to improve results by circa $1.8M ongoing but reduced to $1M after allowing for redundancy costs, representing a reduction in staff establishment FTEs in the range of 9% and resulting in a draft budget surplus of $146K.
4. Delegate authority to the Chief Executive Officer to undertake the following to create a balanced budget and progress other requirements in line with the performance improvement order:
   (a) seek debt finance of $10M for the purposes of undertaking the program of works required for the Fire Safety Order at Blue Haven Terralong and provide a separate report to Council for final signing of any loan agreement.
   (b) proceed to a market sounding process in line with the *Local Government Act 1993* to understand potential options and opportunities for catalyst sites inclusive of 11 Manning Street, the Shoalhaven Street site, Havilah Place inclusive of Blue Haven Terralong, merging the works depot to Minnamurra, consideration of future Council administration office location, and provide a further report to council on process and outcomes.
   (c) Undertake market tendering in line with Section 173 ‘changes to the Local Government (General) Regulation 2021’ for the purposes of comparing internal versus external waste management options.
   (d) implement the findings of the plant fleet service review and move fleet to novated leases with a set range of 20,000 kms per year, noting the need to invest and install telemetric monitoring for vehicles to accurately capture movement data.
   (e) implement the findings of the commercial waste services review and prioritise the collection of domestic waste for ratepayers, exiting commercial waste services and reducing associated overtime costs.
5. Councillors also noting and considering as part of this resolution for the 2026-27 Budget and Long-Term Financial Plan, the inclusion of the following:
   (a) That some measures outlined in the budget parameters and strategic report are temporary measures, not permanent.
   (b) Confirms that during the public consultation period, all current occupiers of council owned facilities listed in the report for proposed market sounding and budget measures, are given the opportunity to submit proposals and engage directly on the use, and ongoing and future occupation, including but not limited to the Kiama Historical Society at the Pilots cottage museum and makes clear that further reports will be required for determination of current and future usage.
   (c) Noting the value of Level 2 and Level 3 Services, that Council works with state and federal governments to consider alternative funding options in the future to reinvest in Level 2 and 3 services.
   (d) Considers a pause on funding the attendances of councillors to conferences, excluding Australian Local Government Association and

Local Government NSW Association Conferences, for the period of the 2026-27 financial year.

(e) Considers declining to apply the annual Mayor and Councillor allowance increase, as determined by the Local Government Remuneration Tribunal, for the period of the 2026-27 financial year.

(f) Continue to advocate to the NSW Government on reforms to the Local Government rates and charges structure, including but not limited to, consideration on rates related to short-term rental accommodation.

(Councillors Matters and Lawton)

For: Councillors Larkins, Lawton, Matters and Warren

Against: Councillors Cains, Draisma and Tatrai

9 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL

9.1 Blue Haven Terralong Asset Condition Report

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

1. Notes the findings of the Asset Condition (Dilapidation) Report and makes this report public as per the requirements of the Office of the Minister's Varied Performance Improvement Order (PIO), Part B.
2. Notes the report states that the order of capital works and building safety rectification required at Blue Haven Terralong in the next 10 (ten) years is projected to be $45M to bring the condition of the asset from poor to fair with additional maintenance and refurbishment costs of $6.2M resulting in a total of $51.2M
3. Recognises the complex challenges and critical funding required to support the operation, renewal and maintenance at Blue Haven Terralong and delegates to the CEO to undertake the following tasks:
    (a) utilise the planned funding projected in the Long-Term Financial Plan towards the costs of maintenance at Blue Haven Terralong instead of a strategic asset renewal focus.
    (b) meet with key stakeholders including retirement village residents and State and Federal Members to discuss this situation and explore future options for funding solutions.
    (c) proceed to market testing processes in line with the *Local Government Act 1993* regarding future leasing, joint venture and divestment options for Blue Haven Terralong, and old Havilah vacant site and provide a future report to Council on options for consideration.
    (d) ensure ongoing community engagement with the residents of Blue Haven Terralong concerning this report and future considerations, as this council facility is also their home.

The CEO provided advice on point 4 of Councillor Lawton's amendment to ensure compliance with clause 10.10 of the Code of Meeting Practice. A minor amendment to point 4 was made to add the words "*subject to a further report from the CEO to the April ordinary Council meeting on the scope and costing of such review,*" and remove the sentence: "*Noting that funding for the review is to be considered as part of the 2026–27 Budget process."*

26/068OC

At the request of Councillor Lawton and by consent **the motion was amended and resolved** that Council:

1. Notes the findings of the Asset Condition (Dilapidation) Report and makes the report public as required of the Office of the Minister's Varied Performance Improvement Order (PIO), Part B.
2. Notes the report states that the order of capital works and building safety rectification required at Blue Haven Terralong in the next ten (10) years is estimated at $45M to bring the condition of the asset from poor to fair, with additional maintenance and refurbishment costs of $6.2M, resulting in a reported asset investment requirement of $51.2M.
3. Acknowledges that the Asset Condition Report does not include a number of significant cost components commonly associated with asset programs of this scale, including but not limited to project management, contingencies, construction escalation, resident decanting or alternative accommodation, internal resourcing, financing costs, and potential revenue impacts arising from disruption to occupancy and unit sales and as a result, the reported capital and maintenance figures do not represent the full potential financial exposure of council and that further work is required to transparently identify and communicate the likely total cost envelope.
4. Requests that an independent peer review of the Blue Haven Terralong Asset Condition Report be undertaken to provide assurance on the methodology, assumptions, scope and conclusions of the report, and to assist Council and the community in understanding the potential full extent of the financial implications, subject to a further report from the CEO to the April ordinary Council meeting on the scope and costing of such review.
5. Delegates to the Chief Executive Officer to:
   (a) utilise planned funding identified in the Long-Term Financial Plan towards maintenance and compliance works at Blue Haven Terralong as an interim measure.
   (b) engage with key stakeholders including retirement village residents, the broader community, and State and Federal representatives regarding the findings of the report and future options.
   (c) commence market testing processes in accordance with the Local Government Act 1993 to explore alternative future management, leasing, partnership or divestment options for Blue Haven Terralong and associated sites, and report back to Council on findings.

(d) ensure ongoing, clear and transparent communication with residents of Blue Haven Terralong and the wider community regarding asset condition, safety, and future planning considerations.

(Councillors Matters and Warren)

For: Councillors Draisma, Larkins, Lawton, Matters and Warren

Against: Councillors Cains and Tatrai

10 CLOSURE

There being no further business the meeting closed at 6.30pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 21 April 2026

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Mayor