



# ORDINARY MEETING OF COUNCIL

To be held at 5pm on

**Tuesday 16 July 2019**

Council Chambers

11 Manning Street, KIAMA NSW 2533

## Order of Business

- 1 Apologies
- 2 Acknowledgement of Traditional owners
- 3 Confirmation of Minutes of Previous Meeting
- 4 Business Arising From The Minutes
- 5 Declarations of Interest
- 6 Public Access Summary
- 7 Mayoral Minute
- 8 Minutes of Committees
- 9 Public Access Reports
- 10 Report of the General Manager
- 11 Report of the Director Environmental Services
- 12 Report of the Director Corporate & Commercial Services
- 13 Report of the Director Engineering and Works
- 14 Report of the Director Blue Haven
- 15 Reports for Information
- 16 Addendum To Reports
- 17 Notice of Motion
- 18 Questions for future meetings
- 19 Confidential Summary
- 20 Confidential Reports
- 21 Closure

## Members

His Worship the Mayor  
Councillor M Honey  
Councillor A Sloan  
Deputy Mayor  
Councillor M Brown  
Councillor N Reilly  
Councillor K Rice  
Councillor W Steel  
Councillor D Watson  
Councillor M Way  
Councillor M Westhoff

## COUNCIL OF THE MUNICIPALITY OF KIAMA

Council Chambers  
11 Manning Street  
KIAMA NSW 2533

10 July 2019

To the Chairman and Councillors:

### NOTICE OF ORDINARY MEETING

You are respectfully requested to attend an **Ordinary Meeting** of the Council of Kiama, to be held in the **Council Chambers, 11 Manning Street, KIAMA NSW 2533** on **Tuesday 16 July 2019** commencing at **5pm** for the consideration of the undermentioned business.

Yours faithfully



Kerry McMurray  
**General Manager**

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**AGENDA FOR THE  
ORDINARY MEETING OF KIAMA MUNICIPAL COUNCIL  
TUESDAY 16 JULY 2019**

**1 APOLOGIES**

**2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

*“On behalf of those present, I would like to show my respect and acknowledge the traditional owners of the Land, of Elders past and present, on which this meeting takes place, and extend that respect to other Aboriginal and Torres Strait Islander people present.”*

### **3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

#### **3.1 Ordinary Council meeting on 25 June 2019**

##### **Attachments**

- 1 Minutes - Ordinary Council - 25/06/19 [↓](#)

##### **Enclosures**

Nil

##### ***RECOMMENDED***

That the Minutes of the Ordinary Council Meeting held on 25 June 2019 be received and accepted.



# MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5pm on

## TUESDAY 25 JUNE 2019

Council Chambers  
11 Manning Street, KIAMA NSW 2533

Item 3.1

Attachment 1



MINUTES OF THE ORDINARY MEETING

25 JUNE 2019

MINUTES OF THE ORDINARY MEETING OF  
THE COUNCIL OF THE MUNICIPALITY OF KIAMA  
HELD IN THE COUNCIL CHAMBERS, KIAMA  
ON TUESDAY 25 JUNE 2019 AT 5.01PM

**PRESENT:** Mayor – Councillor M Honey,  
Deputy Mayor – Councillor A Sloan,  
Councillors M Brown, N Reilly, K Rice, W Steel, D Watson and  
M Way

**IN ATTENDANCE:** General Manager, Director Environmental Services,  
Director Corporate and Commercial Services, Acting Director  
Engineering and Works and Director Blue Haven

**1 APOLOGIES**

An apology was received from Councillor Westhoff.

*19/2000C*

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

(Councillors Steel and Sloan)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

The Mayor declared the meeting open and acknowledged the traditional owners:

*“On behalf of those present, I would like to show my respect and acknowledge the traditional owners of the Land, of Elders past and present, on which this meeting takes place, and extend that respect to other Aboriginal and Torres Strait Islander people present.”*

**Suspension of Standing Orders**

*19/2010C*

**Resolved** that at this time 5.01pm Standing Orders be suspended in order for the Kiama High School vocal group to perform *Tell me now*.

**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

(Councillors Steel and Watson)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

The Kiama High School vocal group performed to a standing ovation.

**Resumption of Standing Orders**

**19/202OC**

**Resolved** that at this time 5.08pm Standing Orders be resumed.

(Councillors Way and Sloan)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**3.1 Ordinary Council meeting held on 21 May 2019**

**19/203OC**

**Resolved** that the Minutes of the Ordinary Council Meeting held on 21 May 2019 be received and accepted.

(Councillors Reilly and Watson)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**4 BUSINESS ARISING FROM THE MINUTES**

**Amendment**

**19/204OC**

**Resolved** that Minute 19/1790OC of the 21 May 2019 Council meeting be amended to read:

1. Council defer the determination of Development Application 10.2018.286.1 under section 4.16 of the Environmental Planning and Assessment Act to

**MINUTES OF THE ORDINARY MEETING****25 JUNE 2019**

enable the applicant time to address the matters of concern in relation to the application

2. should amendments to the development application address the concerns to the satisfaction of the assessing officer, the matter may be determined under delegated authority.

(Councillors Reilly and Brown)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**5 DISCLOSURE OF INTERESTS**

Nil

**6 PUBLIC ACCESS SUMMARY**

Name	Item No.	Subject
Gordon Bell Dr Brian Cox	11.1	10.2018.267.1 - Lot 7016 DP 1074643 - 74 Manning Street, Kiama - Use of land for Weekly Markets - Kiama Farmers Market Inc
Tricia Ashelford Nathan Crump	11.1	10.2018.267.1 - Lot 7016 DP 1074643 - 74 Manning Street, Kiama - Use of land for Weekly Markets - Kiama Farmers Market Inc
Graeme Gherashe	11.4	10.2018.196.1 - Lot 21 DP 1218589 - 5 Pacific Street, Kiama - Proposed demolition of existing dwelling & construction of 4 dwellings & 4 lot Torrens Title subdivision
Peter O'Neill	11.5	Endorsement of Planning Proposal to introduce dual occupancy and multi dwelling housing development standards to the Kiama LEP 2011
Neill Dell	11.6	10.2018.279.1 - Lot 492 DP 208118 – 17 Girrawheen Avenue, Kiama - Alterations and additions to existing amenities building
Aaron Shelley	11.6	10.2018.279.1 - Lot 492 DP 208118 – 17 Girrawheen Avenue, Kiama - Alterations and additions to existing amenities building
Kate Cartwright	13.1	Tree Removal appeal – 23 Pheasant Point Drive, Kiama
Andrew Wales	17.2	Gerringong Town Hall and Parking
Kent Ladkin	17.2	Gerringong Town Hall and Parking

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**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

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**7 MAYORAL MINUTE**

**7.1 David Leigh Emergency Services Medal**

*19/205OC*

**Resolved** that Council formally congratulates David Leigh on receiving the Emergency Services Medal.

(Councillor Honey)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

*19/206OC*

**Resolved** that at this time 5.12pm Council bring forward and deal with late item 16.1 Sally Fitzgibbons – Women’s surfing world No 1.

(Councillors Sloan and Rice)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**7.2 Sally Fitzgibbons - Women's surfing world No 1**

*19/207OC*

**Resolved** that Council formally congratulates Sally Fitzgibbons on recently winning the 2019 World Surf League’s Rio Pro in Brazil and becoming world number one in women’s surfing.

(Councillor Honey)

**8 MINUTES OF COMMITTEES**

**8.1 Minutes: Community Safety Committee - 2 May 2019**

*19/208OC*

**Resolved** that the Minutes of the Community Safety Committee Meeting held on 2 May 2019 be received and accepted.

(Councillors Watson and Way)

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**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

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For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

**8.2 Minutes: Catchment and Flood Risk Management Committee - 21 May 2019**

**19/209OC**

**Resolved that:**

1. the Minutes of the Catchment and Flood Risk Management Committee Meeting held on 21 May 2019 be received and accepted
2. the resignation of Committee member, Leonie Walsh is accepted and that Leonie is formally thanked for her contribution
3. approval is given to advertise for expressions of interest for a replacement Committee member.

(Councillors Sloan and Rice)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

**8.3 Minutes: Kiama Council Access Committee meeting - 7 June 2019**

**19/210OC**

**Resolved** that the Minutes of the Access Committee Meeting held on 7 June 2019 be received and accepted.

(Councillors Reilly and Way)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

**Suspension of Standing Orders**

**19/211OC**

**Resolved** that at this time, 5.16pm, Standing Orders be suspended in order to bring forward items 10.1 and 10.3.

(Councillors Way and Reilly)

**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

As per Minute 19/197OC from the 21 May 2019 Council meeting in relation to the Code of Conduct Report, Councillor Brown read his apology:

*Mr Mayor,*

*You may recall the incident in Townsville late last year and the apology I gave the community through the media at the time.*

*Along with my apology, I recognised I had a problem and I committed to seeking help. I did seek help and that help is ongoing today. I am in a healthier and better space in giving this apology tonight.*

*Mr Mayor, I would like to thank you for your compassionate response at the time which was for my immediate welfare. I was, and am, humbled by your concern and your thoughtful and courageous leadership at what would have been a very difficult time for you, indeed anyone in your shoes.*

*Tonight, I apologise again but more formally. My apology is just as sincere as it was seven months ago.*

*I know how much I let myself down and I am sorry for not meeting the expectations of so many.*

*I love this community and have worked the best years of my life devoted to it.*

*As the local member I, and others, worked for the North Kiama Bypass and the Gerringong Highway Upgrade; the Kiama High School Upgrade; the electrification of the rail; and having Gerringong/Gerroa and Jamberoo sewered.*

*As a councillor I worked alongside others to see the formation of Destination Kiama and the assembling of a great team there, the invigoration of events in our community and that extra Red Bin garbage collection at Christmas. Such a funny thing to remembered for, Matt the extra Red Bin Rubbish Man.*

*I am sorry if my actions have diminished the sense of accomplishment of those who have assisted me in bringing about such positive changes to our community. These outcomes would not have occurred without your efforts and your sense of pride in them is well deserved.*

*Thank you so much to those many many people who sent cards, emails and texts of good well wishes. Thank you also to all those people who have stopped me in the street with a kind word. I was in a bad way. I needed that support to get better and I am getting better...one day at a time.*

*This has been a challenging journey for me in regards to Mental Health. For all those who reached out and shared their story, or that of a loved one, thank you. I have learnt a lot.*

*I have learnt so much more about the strength of family, friends and community; about leadership, vulnerability; clarity and forgiveness. I have*

**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

*learnt more about shame, gratitude and unconditional love. There is still so much to learn.*

*As a community, we still need to do more to address the disease of addiction and other Mental Health illnesses in a more compassionate way. I would like to be a part of that.*

*There is much work still to do. I am looking forward to working with the community, my council colleagues and staff to make our community stronger, happier and a wonderful place to live.*

*Thank you.*

**19/212OC**

**Resolved** that at his time, 5.21pm Council bring forward and deal with item 10.1 Code of Conduct and Procedures for Administration of the Code of Conduct for endorsement and item 10.3 Code of Meeting Practice for endorsement.

(Councillors Way and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**10.1 Code of Conduct and Procedures for Administration of the Code of Conduct for endorsement**

**19/213OC**

**Resolved** that Council adopts the:

1. Code of Conduct for Councillors
2. Code of Conduct for Council Committee Members, Delegates of Council and Council Advisors
3. Code of Conduct for Council Staff, Contractors and volunteers
4. Procedures for the Administration of the Code of Conduct.

(Councillors Rice and Steel)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

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**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

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**10.3 Code of Meeting Practice for endorsement**

**19/214OC**

**Resolved** that Council adopts the revised Code of Meeting Practice subject to the following amendment:

1. That the first paragraph of clause 4.7 be replaced with the following –

*No more than one time slot to speak 'for' and no more than one time slot to speak 'against' a recommendation for an item of business on the agenda is permitted. A maximum of ten 5 minute time slots will be granted for public access to a Council meeting. A total period of up to 90 minutes is normally allocated for public access.*

(Councillors Reilly and Way)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**Resumption of Standing Orders**

**19/215OC**

**Resolved** that at this time, 5.27pm Standing Orders be resumed.

(Councillors Steel and Watson)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**COMMITTEE OF THE WHOLE**

**19/216OC**

**Resolved** that at this time, 5.27pm, Council form itself into a Committee of the Whole to deal with matters listed in the reports as set out below:

- Report of the General Manager
- Report of the Director Environmental Services
- Report of the Director Corporate and Commercial Services
- Report of the Acting Director Engineering and Works
- Report of the Director Blue Haven

(Councillors Way and Rice)



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**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

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For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

**9 PUBLIC ACCESS REPORTS**

**19/217OC**

**Committee recommendation** that at this time, 5.27pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Sloan and Way)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

**11.1 10.2018.267.1 - Lot 7016 DP 1074643 - 74 Manning Street, Kiama - Use of land for Weekly Markets - Kiama Farmers Market Inc.**

Councillor Steel **foreshadowed** a Motion that should the Motion be lost he would move that the Council refuse development application 10.2018.267.1.

**19/218OC**

**Committee recommendation** that Council approve Development Application No 10.2018.267.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Watson and Way)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Watson and Way  
Against: Councillor Steel

**Motion**

**19/219OC**

**Committee recommendation** that Council provide a total of 6 A-frames (printed the same those currently used for the carparks adjacent to the Pharmacy and the Medical Centre in Manning Street) for use by the Pharmacy and Medical Centre during the period of time the Kiama Farmers Markets are operating.

(Councillors Reilly and Watson)

**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

For: Councillors Brown, Honey, Reilly, Rice, Steel, Watson and Way

Against: Councillor Sloan

**11.4 10.2018.196.1 - Lot 21 DP 1218589 - 5 Pacific Street, Kiama - Proposed demolition of existing dwelling & construction of 4 dwellings & 4 lot Torrens Title subdivision**

**19/220OC**

**Committee recommendation** that Council refuse Development Application No 10.2018.196.1 under Section 4.16 of the Environmental Planning and Assessment act 1979, for the following reasons:

1. It is an over-development of the site.
2. It is not consistent with the overall objectives of Kiama Development Control Plan 2012 for Low Density development in that Lot D fails to provide a high level of visual and acoustic privacy for existing and new residents.
3. It is not consistent with Chapter 7 of Kiama Development Control Plan 2012, in relation to Control 16 - battle axe and Section 6 - building envelope, provision of amenity and privacy for Lot D.
4. It is not consistent with Chapter 2, Section 6 of Kiama Development Control Plan 2012, in relation to building height plane control and Section 12 front and rear setback control.
5. It is not consistent with Chapter 4 of Kiama Development Control Plan 2012, in relation to controls C5 privacy, C7 length of walls, C8 view sharing and C9 design for privacy.

(Councillors Rice and Steel)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**11.5 Endorsement of Planning Proposal to introduce dual occupancy and multi dwelling housing development standards to the Kiama LEP 2011**

**19/221OC**

**Committee recommendation** that Council proceed with the preparation and finalisation of the draft Kiama LEP to introduce dual occupancy and multi dwelling housing development standards, in conjunction with Parliamentary Counsel and the Department of Planning and Environment.

(Councillors Sloan and Brown)

**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

**11.6 10.2018.279.1 - Lot 492 DP 208118 - 17 Girrawheen Avenue, Kiama - Alterations and additions to existing amenities building**

**19/222OC**

**Committee recommendation** that Council approve Development application 10.2018.279.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Way and Watson)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

**13.1 Tree Removal appeal – 23 Pheasant Point Drive, Kiama**

**19/223OC**

**Committee recommendation** that Council issue a permit for the owner to remove the Norfolk Island pine subject to the following using qualified persons to safely conduct the process. Agreement is subject to replacement with a Norfolk Island pine as described herewith.

Reasons for removal and agreement as follows:

1. The location of this large tree on the property is in very close proximity to power lines.
2. Due to the closeness of this tree to power lines, extensive pruning has taken place severely affected the appearance of this large tree, effectively being “shaved” down one side.
3. The front fence, a concrete wall on the property is cracking due to the growth of this tree and will no doubt continue to cause further damage as described in proponent’s submission.
4. Despite the report on the tree’s health, the owner is suffering considerable angst as to the potential for the tree to cause further damage to the property and possibility of injury to owners.
5. Norfolk Island pines are not native to this area. Often, unfortunately planted in positions where growth does not compensate for the later stages of their life span as is the case in this instance.
6. To negotiate the impact of removal of this tree, the owner has advised they will provide a 45L Norfolk Island pine to be planted opposite the property in R1

**MINUTES OF THE ORDINARY MEETING**

**25 JUNE 2019**

Public Recreation area that is under control of Council.

7. The application to remove the Norfolk Island pine is granted after the replacement as described in point 6, is planted by Council staff and costs that include the replacement Norfolk Island Pine plus labour component are paid by the owner as per agreement that is to be formalised with Council.
8. Approval would be regarded as a "one off" being considered on its merits.
9. This approval would not be construed to be "a rite of passage" for other properties to remove similar trees in this area.

(Councillors Way and Brown)

For: Councillors Brown, Honey, Reilly, Steel, Watson and Way

Against: Councillors Rice and Sloan

Councillor Reilly tabled a petition relating to development application 10.2018.279.1 for 17 Girrawheen Avenue, Kiama.

**17.2 Gerringong Town Hall and Parking**

**19/224OC**

**Committee recommendation** that this motion is formally withdrawn.

(Councillors Brown and Sloan)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**10 REPORT OF THE GENERAL MANAGER**

**10.2 Alcohol and Other Drugs Policy for endorsement**

**19/225OC**

**Committee recommendation** that Council endorses the Alcohol and Other Drugs Policy for Councillors and the Alcohol and Other Drugs Procedures for Councillors.

(Councillors Way and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

## MINUTES OF THE ORDINARY MEETING

25 JUNE 2019

**10.4 Operational Plan 2019-20 and Delivery Program 2017-21, including Budget and Fees & Charges****19/226OC****Committee recommendation that Council:**

1. Notes, in accordance with Sections 402 to 406 of the Local Government Act 1993, that Council is required to prepare Integrated Planning documents with respect to:
  - a. a Community Strategic Plan for 10 years
  - b. a Delivery Program for four years
  - c. an Operational Plan for one year
  - d. and also notes that the Community Strategic Plan 2017-27, and the Delivery Program 2017-21 were adopted by Council on 22 June 2017.
2. Notes that the Draft *Operational Plan 2019-20 and the Delivery Program 2017-21* were placed on public exhibition at various locations for a period of 28-days as required under the *Local Government Act 1993*. The community was advised that written submissions could be made to Council at any time during the exhibition period, also in accordance with legislation.
3. Resolves to adopt the *Operational Plan 2019-20 and Delivery Program 2017-21* (including budget and Revenue Policy) in accordance with Sections 402 to 406 of the *Local Government Act 1993*, including the following amendments:
  - a. **Capital Works Movements:**
    - i. *Gerringong Town Hall air conditioning*: moved from Capital Renewal to Capital New – no current air conditioning is currently in place with the proposed specifications.
    - ii. *Footpath Lead-ins – Hyams Creek Footbridge*: moved from Capital Renewal to Capital New – no lead-in currently exists.
    - iii. *Jamberoo Signage – Town Entry and Exit Signs*: moved from Capital Renewal to Capital New – no signs currently exist.
    - iv. *Street Lighting – King Street, Kiama*: moved from Capital Renewal to Capital New – no street lighting current at this location.
  - b. **Capital Works Adjustments:**
    - i. *Gerringong Town Hall – Renewal*: reduced \$35,000 – project reassessed – wiring renewal already complete.
    - ii. *Jamberoo School of Arts – Renewal*: reduced \$35,000 – project reassessed – wiring renewal already complete.
    - iii. *Fountaindale Road Water Main Replacement*: reduced \$15,000 – still investigating scope of works and costs.

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- iv. *Birrilee Reserve Playground Replacement*: reduced \$10,000 – based on recent costing of similar playground.
  - v. Stormwater Replacements: reduced \$10,126 due to updated costings on project.
- c. Capital Works projects removed from Draft Budget:**
- i. *Street and Reserve Furniture – various*: \$6,000 – proposed asset not aligned to asset management strategy
  - ii. *Water Bubbler Station – South Werri Headland*: \$13,000 – proposed asset not aligned to asset management strategy
  - iii. *Bonaira Reserve Asphaltic Concrete Footpath Replacement*: \$77,000
  - iv. *Coal Street, Belinda Street to Jupiter Street Road, Reseal*: \$33,602
  - v. *Johnson Street, Merinda Avenue to North Kiama Drive, Road Reseal*: \$34,620
  - vi. *Michael Crescent Ironbark Crescent to end, Reseal*: \$34,259
  - vii. *Miller Street, Pacific Avenue to Renfrew Road, Road Reseal*: \$16,833
  - viii. *Renfrew Road, Sandy Wha Road to Pacific Avenue, Road Reseal*: \$189,597
  - ix. *Thomson Street, Bong Bong Street to Brighton Road, Reseal*: \$22,175
  - x. *Thornett Way, Meehan Drive to end, Road Reseal*: \$24,422
  - xi. *Weir Street, South Kiama Drive to end, Road Reseal*: \$25,504
- iii to xi removed due to reassessment being completed allowing for a lengthening of the renewal period with low to medium risk to the community.
- d. Operating Performance Ratio**
- The original Draft Budget resulted in 0.34% Operating Performance Ratio. The amended budget result remains unchanged with 0.34% Operating Performance Ratio.
- 4. Resolves to adopt the Fees and Charges for 2019-20 as proposed in the Draft Operational Plan 2019-20, with the following variations:
    - a. Waste Management Service charge for specialist medical needs (page 74). Rounding error corrected – new fee reduced by \$0.01.
    - b. Companion Animals Lifetime Registration Costs (page 66) increased in line with Consumer Price Index (CPI) as prescribed under the *Companion Animals Regulation 2018*.
  - 5. Resolves to increase the Mayoral and Councillor fees payable for the 2019-20 financial year by 2.5% in accordance with the recent determination of the Local Government Remunerations Tribunal.
  - 6. Resolves to adopt a maximum Pensioner Rebate of \$250 (subject to

## MINUTES OF THE ORDINARY MEETING

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- Ministerial approval) for property where person(s) meet eligible pensioner criteria.
7. Resolves to adopt an additional special Council rebate of \$17 to be applied to property where person(s) meet eligible pensioner criteria.
  8. Resolves to make and levy rates with an increase of 9.83% for the 2019-20 financial year as approved by the Independent Pricing and Regulatory Tribunal (IPART), as below:
    - a. Make and levy an ordinary rate comprising a base charge of \$777.60 on each separate parcel of land subject to the rate which represents 49.44% of the total amount payable by the levying or the rate and an ad valorem amount of 0.001932 cents in the dollar on the land value of \$4,016,972,714 (base date 01-07-2016) of all rateable land categorised as Residential be now made for 2019-20 in accordance with the *Local Government Act 1993*.
    - b. Make and levy an ordinary rate comprising a base charge of \$777.60 on each separate parcel of land subject to the rate which represents 25.34% of the total amount payable by the levying of the rate and an ad valorem amount of 0.002154 cents in the dollar on land value of \$142,531,712 (base date 01-07-2016) of all rateable land categorized as Rural Residential be now made for 2019-20 in accordance with the *Local Government Act 1993*.
    - c. Make and levy an ordinary rate comprising a base charge of \$777.60 on each separate parcel of land subject to the rate which represents 27.85% of the total amount payable by the levying of the rate and an ad valorem amount of 0.001424 cents in the dollar on land value of \$332,487,700 (base date 01-07-2016) of all rateable land categorized as Farmland now be made for 2019-20 in accordance with the *Local Government Act 1993*.
    - d. Make and levy an ordinary rate of 0.00564 cents in the dollar on the land value of \$216,526,253 (base date 01-07-2016) of all rateable land in the Kiama Council area determined to be a centre of activity which is used or zoned for commercial, professional, industrial or trade purposes and sub-categorised as Business – “Commercial/industrial” be now made for 2019-20 with a minimum amount of rate which will apply in respect to each parcel of land being \$777.60 in accordance with the *Local Government Act 1993*.
    - e. Make and levy an ordinary rate of 0.003866 cents in the dollar on the land value of \$8,416,570 (base date 01-07-2016) of all rateable land not being categorized as Residential, Rural Residential or Farmland and not including rateable land used or zoned for commercial, professional, industrial or trade purposes, categorized as Business - Ordinary now be made for 2019-20 in accordance with the *Local Government Act 1993*.
  9. Resolves to adopt a rate of interest of 7.5% accruing daily on rates and charges that remain unpaid after they become due and payable for 2019-20 in accordance with Section 566 of the *Local Government Act 1993*.
  10. Resolves to make a levy a Domestic Waste Services Annual Charge for 2019-20 for services to all service collection zones, as follows:

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- a. For premises currently receiving this service or for new services the charge is \$764.55 for a fortnightly garbage 240 litre bin, 240 litre weekly recycling bin, weekly food/garden organics 240 litre bin, one kerbside clean-up service and one household bulky waste drop-off.
  - b. For premises currently receiving this service or for new services the charge is \$569.80 for a fortnightly garbage 140 litre bin, 240 litre weekly recycling bin, weekly food/garden organics 240 litre bin, one kerbside clean-up service and one household bulky waste drop off.
  - c. For premises currently receiving this service or for new services the charge is \$543.90 for a fortnightly garbage 80 litre bin, 240 litre weekly recycling bin, weekly food/garden organics 240 litre bin, one kerbside clean-up service and one household bulky waste drop off.
  - d. \$62.00 for vacant land
  - e. \$95.00 for an additional 240 litre bin recycling bin serviced weekly
  - f. \$95.00 for an additional 240 litre food/garden organics bin serviced weekly
  - g. \$281.00 for an additional 240 litre garbage bin serviced fortnightly
  - h. For premises currently receiving this service or new services, a weekly rather than fortnightly garbage service can be provided, subject to application and approval for the collection of medical treatment wastes. For this service the annual charge will be for an 80 litre weekly garbage bin service \$543.90, for a 140 litre weekly garbage bin service \$569.80 and for a 240 litre weekly garbage bin service \$764.55.
11. Resolves to make and levy Commercial Waste Service Annual Charge for 2019-20 for specific commercial waste services, as follows:
- a. \$744.00 for a weekly 240 litre garbage bin service, a 240 litre weekly recycling bin service and a 240 litre weekly food/garden organics bin service\*. The weekly food/organics service is only available to childcare centres, preschools, churches, neighbourhood and community centres, rural fire and emergency services premises or other similar facilities upon request and approval.
  - b. \$677.00 for a weekly 240 litre garbage bin service, a 240 litre fortnightly recycling bin service and a 240 litre weekly food/garden organics bin service\*. The weekly food/garden organics service is only available to childcare centres, pre-schools, churches, neighbourhood and community centres, rural fire and emergency services premises or other similar facilities upon request and approval.
  - c. \$14.10 for each additional garbage, recycling or food/garden organics 240 litre bin service (if applicable).
12. Resolves to make and levy a Commercial Recyclable Materials Charge for 2019-20 for specific recycling services, as follows;
- a. \$23.20 cost per service for a 1100 litre paper/cardboard and/or comingled recycling bin.
  - b. \$10.60 cost per service for a 240 litre glass, aluminium, steel, PET, HDPE, etc., bin.



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- c. \$16.00 cost per service for a 360 litre glass, aluminium, steel, PET, HDPE, etc. bin, if available.
13. Resolves to make and levy a Commercial Food Organics only charge for 2019-20, as follows:
- a. \$26.00 cost per 1 x 240 litre bin service
  - b. \$52.00 cost per 3 x 240 litre bins service
  - c. \$69.50 cost per 4 x 240 litre bins service
  - d. \$104.20 cost per 6 x 240 litre bins service
- The Commercial Food Organics only service may be available to commercial food premises, holiday parks and aged care facilities only.
14. Resolves to make a levy Special Events and Casual Hire Waste Service charges for 2019-20, as follows:
- a. \$20.70 cost per service for a 240 litre garbage bin
  - b. \$30.80 cost per service for a 360 litre garbage bin\* (if available)
  - c. \$20.70 cost per service for a 240 litre recycling bin
  - d. \$30.80 cost per service for a 360 litre recycling bin\* (if available)
  - e. \$20.70 cost per service for a 240 litre food organics bin
  - f. \$4.95 per bin for delivery and collection costs for a 240 litre or 360 litre bin\* (if available)
  - g. \$49.70 cost per service for a 1100 litre container of cardboard or paper or mixed recycling
  - h. \$49.70 per container for delivery and collection costs for a 1100 litre container or \$30.30 per container if delivered with 240 litre bins (per container)
  - i. \$4.95 bin cleaning cost per bin
  - j. \$17.50 container cleaning cost per container.
15. Resolves to make and levy an Annual Waste Charge for 2019-20 for services to all Multi-storey Tourist Accommodation, as follows:
- a. \$478.25 for a weekly 80 litre garbage bin service and a fortnightly 240 litre recycling bin service (no food/garden organics collection service, kerbside clean-up service or household bulky-waste drop-off provided)
  - b. \$503.30 for a weekly 140 litre garbage bin service and a fortnightly 240 litre recycling bin service (no food/garden organics collection service, kerbside clean-up service or household bulky-waste drop-off provided)
  - c. \$726.30 for a weekly 240 litre garbage bin service and a fortnightly 240 litre recycling bin service (no food/garden organics collection service, kerbside clean-up service or household bulky-waste drop-off provided)
16. Resolves to make and levy Waste Service Charges for 2019-20 for premises used as Short Term Rental Accommodation (STRA) for holiday purposes, as follows:
- a. \$764.55 for a fortnightly garbage 240 litre bin, weekly recycling 240 litre bin, weekly food/garden organics 240 litre bin, one kerbside clean-up

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- service and one household bulky waste drop-off service
- b. \$1,378.85 for a weekly garbage 240 litre bin, weekly recycling 240 litre bin, weekly food/garden organics 240 litre bin, one kerbside clean-up service and one household bulky waste drop-off service
17. Resolves to make and levy a Rural Waste Services Annual Charge for 2019-20 of \$447.80 for a fortnightly garbage 240 litre bin, fortnightly recycling 240 litre bin and one household bulky-waste drop off service. Rural collections do not include food/organics services, kerbside clean-up or weekly recycling services.
18. Resolves to make and levy the following charges for the supply and delivery of new or replacement garbage, recycling or food/garden organics bins:
- a. \$120.00 per 360 litre bin (if available)
- b. \$85.00 per 240 litre bin
- c. \$78.00 per 140 litre bin
- d. \$72.00 per 80 litre bin
19. Resolves to make and levy a Stormwater Management Service Charge for all rateable land within the Kiama Council area, as follows:
- a. An annual charge of \$25 for each property rated as 'Residential'
- b. An annual charge of \$12.52 per unit for all 'Residential Strata Units'
- c. An annual charge of \$25/350m<sup>2</sup> (or part thereof) for all 'Business properties'
- d. An annual charge of \$25/350m<sup>2</sup> (or part thereof) for all 'Business strata lots' divided on a pro-rata basis between the lots.
20. That the following projects be included for 2019/20:
- a. Allocating \$80,000 to the upgrade of the bitumen and line marking at the Kiama Downs car park and removing project *Footpath Burke Parade – Riverleigh Avenue to Stafford Street* from the capital new program.
- b. Allocating \$5,150, to reinstate the gate and steps in the Old School Park fence, from project *Jamberoo Youth Hall air condition system installation* in the capital new program.
- c. Allocating \$6,000 to install interpretative plaques at 10 sporting venues (to be funded from operating surplus).

(Councillors Brown and Watson)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

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MINUTES OF THE ORDINARY MEETING

25 JUNE 2019

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**11 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES**

**11.2 Preparation of Rural Land Uses DCP Chapter**

**19/227OC**

**Committee recommendation** that Council endorse the preparation of amendments to Chapter 6 Rural Development of Kiama Development Control Plan to include controls for the following rural land uses:

- agricultural produce industries
- animal boarding or training establishments
- cellar door premises
- extractive industries
- farm buildings
- open cut mining
- stock and sale yards
- roadside stalls.

(Councillors Way and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**11.3 10.2018.114.1 - Lot 90 DP 241462 - 37 Osborne Street, Gerringong - Part demolition of existing dwelling and alterations to create attached dual occupancy and 2 Lot Torrens Title Subdivision**

**19/228OC**

**Committee recommendation** that Council approve Development Application 10.2018.114.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Brown and Sloan)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

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**11.7 10.2018.287.1 - Lot 103 DP 561082 - 96 Rose Valley Rose Valley – Use of Shed**

An **amendment** was **moved** by Councillor Reilly and seconded by Councillor Sloan that Council approve Development Application No 10.2018.287.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report with the following amendments:

1. Condition (2) is replaced with the following condition -
  - (2) *The development must only be used and occupied as an animal shelter and calving shed as detailed in the Applicant's Statement of Environmental Effects that accompanied the development application and as the Applicant advised Council, as shown in the Council report on the development application.*
2. The addition of conditions (4) and (5) below -
  - (4) *The watercourse be fenced with that fence being of a construction and height so as to prevent damage or removal by cattle. The fence must be erected within two (2) months of the date of this approval with evidence of its construction being submitted to Council in the form of photographs.*
  - (5) *The Applicant engage the services of a suitably qualified person to undertake a landscape plan for the remediation of the riparian corridor of the watercourse in the vicinity of where it has been damaged by cattle traversing it to access the new development. The riparian corridor is to be planted with endemic species provided in a species list by Council. The work is to be undertaken within six (6) months of the date of this approval. At the end of the six (6) month period photographic evidence of the work is to be provided to Council to show that the planting has been undertaken in accordance with this condition.*

The **amendment** on being put was **lost**.

For: Councillors Reilly, Rice and Sloan

Against: Councillors Brown, Honey, Steel, Watson and Way

**19/2290C**

**Committee recommendation** that Council approve Development Application No 10.2018.287.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Way and Brown)

For: Councillors Brown, Honey, Reilly, Rice, Steel, Watson and Way

Against: Councillor Sloan

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**MINUTES OF THE ORDINARY MEETING**

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- 11.8 10.2018.220.1 - Lot 2 DP 9760 - 150 Charles Avenue, Minnamurra - demolition of existing garage, construction of addition to existing dwelling, construction of secondary dwelling and carports**

**19/230OC**

**Committee recommendation** that Council approve Development Application No 10.2018.220.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Way and Steel)

For: Councillors Brown, Honey, Reilly, Sloan, Steel, Watson and Way

Against: Councillor Rice

Councillor MB Brown left the meeting at 6.45pm.

Councillor MB Brown returned to the meeting at 6.47pm.

- 11.9 10.2018.255.1 - Lot 12 DP 1223177 - 37 Churchill Street, Jamberoo - 5 Lot Subdivision Including earthworks, access construction and riparian revegetation**

Development application 10.2018.255.1 has been withdrawn by the applicant.

- 11.10 Repeal of Kiama Council Section 94 Contributions Plan No 4 Car Parking Contribution - Kiama**

**19/231OC**

**Committee recommendation** that Council endorse the repeal of Kiama Council Section 94 Contributions Plan No 4 Car Parking Contribution – Kiama. Notice of the repeal will be carried out in accordance with the Environmental Planning and Assessment Act 2000.

(Councillors Brown and Sloan)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

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**12 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL SERVICES**

**12.1 Southern Eastern Swimming Association - Winter Area Championships**

*19/232OC*

**Committee recommendation** that Council approve the in-kind donation of 50% (ie \$1,085.00) of the hire fee of the Kiama Leisure Centre for the 2019 South Eastern Swimming Association Winter area championships.

(Councillors Brown and Watson)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**12.2 ANZAC Centenary Commemorative Logo**

*19/233OC*

**Committee recommendation** that Council does not rescind its resolution from 16 April 2019 Council meeting in relation to the Anzac centenary logo.

(Councillors Way and Steel)

For: Councillors Honey, Reilly, Steel and Way

Against: Councillors Brown, Rice, Sloan and Watson

The **motion** was put and **carried** on the casting vote of the Mayor.

**12.3 Statement of Investments - May 2019**

*19/234OC*

**Committee recommendation** that Council receive and adopt the information relating to the Statement of Investments for May 2019.

(Councillors Way and Brown)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

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**13 REPORT OF THE ACTING DIRECTOR ENGINEERING AND WORKS**

Report 10.1 was dealt with in Public Access reports.

**14 REPORT OF THE DIRECTOR BLUE HAVEN**

**14.1 Home Care Package Fees & Charges 2019**

**19/235OC**

**Committee recommendation** that Council endorses the draft Home Care Packages schedule of fees for 2019/20 to be placed on public exhibition for a minimum of 28 days and a further report be submitted to Council following the exhibition period and consideration of any submissions.

(Councillors Rice and Way)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**15 REPORTS FOR INFORMATION**

**19/236OC**

**Committee recommendation** that the following Reports for Information listed for the Council's consideration be received and noted

- 15.1 Lifeguard Annual Report 2018-19 season
- 15.2 Minutes: Central Precinct meeting - 28 May 2019
- 15.3 Minutes: South Precinct - AGM and General - 16 May 2019
- 15.4 Parking Statistics - May 2019
- 15.5 Photovoltaic system installed and commissioned on Kiama Library
- 15.6 Minutes: Minnamurra Progress Association - 5 March 2019 and 2 April 2019
- 15.9 Jamberoo Free Camping Area
- 15.10 Information and Privacy Commission - revised draft Guideline 1 Returns of Interest
- 15.11 Response: The Hon. Stuart Ayres MP - Kiama Tourism Opportunity Plan
- 15.12 Minutes: Jamberoo Valley Ratepayers and Residents Association - 4 June 2019
- 15.13 Questions for Future Meeting Register as at 19 June 2019.

(Councillors Brown and Way)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

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**15.7 Question for future meeting: Boral remediation plans for Bombo Quarry site**

It was **moved** by Councillor Way and seconded by Councillor Steel that Council consult with Boral and State Rail to convey our preference for use of road transport for remediation of Boral Quarry with trucks to access and egress via top entrance to Boral quarry at Quarryman Road and roundabout from the Princes Highway off ramp.

Councillor Sloan called a point of order and the Motion was ruled out of order by the Mayor.

**15.8 Question for future meeting: wood-fired heaters - resident rights**

**19/237OC**

**Committee recommendation** that Council each winter, communicates the location of information relating to wood fired heater smoke using channels such as Facebook and the Mayoral Minute.

(Councillors Rice and Sloan)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**RESUMPTION OF ORDINARY BUSINESS**

**19/238OC**

**Committee recommendation** that at this time, 7.30pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Reilly and Sloan)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**ADOPTION OF COMMITTEE OF THE WHOLE REPORT**

**19/239OC**

**Resolved** that Council formally confirm, adopt and endorse the Committee recommendations made by Council sitting as a Committee of the Whole as detailed in the Committee recommendations numbered 19/217OC to 19/238OC above.

(Councillors Reilly and Sloan)



**MINUTES OF THE ORDINARY MEETING**

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For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

**16 ADDENDUM TO REPORTS**

Nil

**17 NOTICE OF MOTION**

**17.1 Rescission Motion: Request to Amend Gateway to No Longer Proceed with Rezoning of Lot 3 DP 1018217 - 17 Dido Street, Kiama**

**19/240OC**

**Resolved** that Minute No. 19/1370C of the Ordinary Council meeting held on 21 May 2019 regarding a request to amend gateway to no longer proceed with rezoning of Lot 3 DP 1018217 - 17 Dido Street, Kiama be rescinded.

(Councillors Way and Rice)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way  
Against: Nil

**18 QUESTIONS WITHOUT NOTICE**

**18.1 Gerringong - Figtree Lane carpark**

Councillor Reilly requested a report on the status of the proposed new carpark in Figtree Lane, Gerringong. The matter was referred to the Acting Director Engineering & Works for investigation and report.

**18.2 Land owner privacy rights**

Councillor Watson requested a report on how a land owner's privacy can be protected from a neighbour erecting a "spyware" device to record the movements on the property. The matter was referred to the Director Environmental Services for investigation and report.

**18.3 Identification of Seven Mile Beach access tracks**

Councillor Sloan requested a report on how the Seven Mile Beach access tracks can be better identified i.e. locals call the tracks by number but there are no signs. The matter was referred to the Acting Director Engineering & Works for investigation and report.

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**18.4 Footpath installation to Track 6 Seven Mile Beach**

Councillor Sloan requested a report on a cost estimate to provide a footpath from the Gerroa Holiday Parks to the Track 6 access to Seven Mile Beach. The matter was referred to the Acting Director Engineering & Works for investigation and report.

**18.5 Parking controls - Girrawheen Avenue**

Councillor Rice requested a report on the opportunities for and administration of parking controls for Girrawheen Avenue, Kiama. The matter was referred to the Acting Director Engineering & Works for investigation and report.

**18.6 Kiama Medical Practice parking**

Councillor Rice requested a report on the opportunities for designated car parking for the Kiama Medical Practice particularly during the operation of the Kiama Farmers Market on Wednesday afternoons. The matter was referred to the Acting Director Engineering & Works for investigation and report.

**19 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.

**19.1 Exclusion Of Press And Public:****19/2410C**

**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.

**20.1 SUPPLY AND INSTALLATION OF CABINS FOR SURF BEACH HOLIDAY PARK**

**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.

**20.2 EXTENSION OF KIAMA HARBOUR CABINS MANAGEMENT CONTRACT**

**Reason for Confidentiality:** This matter deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is

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conducting (or proposes to conduct) business as per Section 10A(2)(c) of the Local Government Act.

**20.3 WRITING OFF AN IRRECOVERABLE DEBT UNDER COUNCIL'S DEBT RECOVERY POLICY**

**Reason for Confidentiality:** This matter deals with personnel matters concerning particular individuals (other than councillors) as per Section 10A(2)(a) of the Local Government Act.

**20.4 DESIGN AND CONSTRUCTION OF NEW POOL PRECINCT AT SURF BEACH HOLIDAY PARK**

**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.

**20.5 ENTERPRISE SOFTWARE SOLUTION (RFT KIAMA-860600)**

**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.

(Councillors Steel and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**19/242OC**

**Resolved** that at this time, 7.37pm, 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 Steel and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**20 CONFIDENTIAL REPORTS**

**20.1 Supply and Installation of Cabins for Surf Beach Holiday Park**

**19/243OC**

**Committee recommendation** that Council resolve to:

1. accept the tender from Wendgold Pty Ltd, for the revised lump sum of \$1,094,220.00 (including GST) for the supply and installation of four duplex

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cabins and one 3 bedroom accessible cabin.

2. the completion date for the project be extended to 29 November 2019.

(Councillors Reilly and Brown)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**20.2 Extension of Kiama Harbour Cabins Management Contract**

**19/244OC**

**Committee recommendation** that Council:

1. extends the contract for Headland Park Pty Ltd for a further two years, commencing 1 July 2019, at the current percentage of 30.5% of the operating income.
2. delegates to the General Manager the authority to sign the 'Letter of Extension' to Headland Park Pty Ltd, on behalf of Kiama Municipal Council.

(Councillors Brown and Way)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**20.3 Writing off an irrecoverable debt under Council's Debt Recovery Policy**

**19/245OC**

**Committee recommendation** that Council approve writing-off the amount of \$16,764.18 as per Council's Debt Recovery Policy as detailed in the report.

(Councillors Brown and Watson)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**20.4 Design and Construction of New Pool Precinct at Surf Beach Holiday Park**

**19/246OC**

**Committee recommendation** that Council resolve to accept the tender from Beau

**MINUTES OF THE ERROR! NO DOCUMENT VARIABLE SUPPLIED.**

Corp Projects Pty Ltd, for the lump sum of \$845,158.60 including GST (\$768,326.00 excluding GST) for the design and construction of the pool precinct at Surf Beach Holiday Park, including the extension to the camp kitchen.

(Councillors Brown and Rice)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**20.5 Enterprise Software Solution (RFT KIAMA-860600)**

**19/247OC**

**Committee recommendation** that Council

1. accept the tender from TechnologyOne for the provision of an Enterprise Software solution for Kiama Municipal Council
2. authorise the Mayor and General Manager to sign and seal documentation relating to the tender.

(Councillors Rice and Sloan)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**Close of Confidential Committee of the Whole:**

**19/248OC**

**Committee recommendation** that at this time, 7.42pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Rice and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**Adoption of Report**

The General Manager formally reported the recommendations of the Confidential Committee of the Whole more particularly set out above.

**MINUTES OF THE ERROR! NO DOCUMENT VARIABLE SUPPLIED.**

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19/249OC

**Resolved** that that the Confidential Committee of the Whole recommendations numbered 19/243OC to 19/248OC be confirmed and adopted.

(Councillors Steel and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Sloan, Steel, Watson and Way

Against: Nil

**21 CLOSURE**

There being no further business the meeting closed at 7.43pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 16 July 2019

.....  
Mayor

Item 3.1

Attachment 1

- 4 BUSINESS ARISING FROM THE MINUTES**
- 5 DECLARATIONS OF INTEREST**
- 6 PUBLIC ACCESS SUMMARY**

## 7 MAYORAL MINUTE

### 7.1 IMB Community Grants recipients

#### Attachments

Nil

#### Enclosures

Nil

### **RECOMMENDED**

That Council formally congratulate the following IMB Community Grants recipients:

- Rotary Club of Kiama – Kiama High Mental Health Intervention
- Rotary Club of Gerringong Sunrise – Dancing for People with Dementia
- Illawarra Flame Tree Project – The Flame Tree Project
- Community Heroes – Trevor Phillis, Rotary Club of Kiama

### **REPORT**

On 24 June 2019 at the IMB Bank Community Grants Launch, several recipients from our LGA were recognised.

I am sure that Council will join with me in congratulating each of these groups and individuals for their efforts and dedication:

**Rotary Club of Kiama ‘Kiama High Mental Health Intervention’** – this project aims to equip both students and teachers at Kiama High with skills and techniques to manage their own wellbeing and the wellbeing of those around them through a series of accredited courses.

**Rotary Gerringong Sunrise ‘Dancing for People with Dementia’** – The physical activity and social interaction combined with music provides an afternoon of fun and laughter, all of which are beneficial to people who live with dementia, leading to a better quality of life as supported by research and feedback from carers.

**Illawarra Flame Tree Project ‘The Flame Tree Project’** – The Flame Tree Project is an annual music and cultural program for Illawarra students, providing music education and literacy in an engaging and uplifting environment. Original compositions are developed through collaboration between students and contemporary Australian Composers, with the subsequent performance reflecting the beauty of the Illawarra, its rich culture and proud history.

**Community Heroes – Trevor Phillis, Rotary Club of Kiama** – Trevor was recognised as one of 20 IMB Bank Community Foundation Heroes for his remarkable effort and achievements.



## 8 MINUTES OF COMMITTEES

### 8.1 Minutes: Planning Committee Meeting - 30 May 2019

Responsible Director: Environmental Services

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#### Attachments

1 Minutes - 30 May 2019 [↓](#)

#### Enclosures

Nil

#### **RECOMMENDED**

That the Minutes of the Planning Committee Meeting held on 30 May 2019 be received and accepted.

#### **BACKGROUND**

The minutes of the Planning Committee meeting held on 30 May 2019 are attached for Councillors' information.

**Minutes of the Planning Committee meeting held on 30 May 2019 at Kiama Council, Commencing at 9.05am**

(19/63152)

**Present:** Mayor, Clr Mark Honey (Chair), Clr M Way, Clr Mark Westhoff, Mark Hitchcock, Penny Morris, Karen Renkema-Lang, Megan Hutchison, Mark Lyndon, Edward Paterson, Linda Davis, Brendan Leo and Darryl Smith.

**Apologies:** Clr Andrew Sloan, Clr Kathy Rice, Kerry McMurray and Nick Guggisberg.

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**Item 1 - Attending/Apologies**

As above.

**Item 2 - Declaration of Pecuniary Interest – Nil.**

**Item 3 - Minutes of Previous Meeting – 21 March 2019**

There were no matters arising from the minutes. Moved: Penny Morris/Seconded: Clr Mark Way.

It was noted that the corrected minutes had not been distributed to the Committee before being submitted to Council for information.

**Item 4 – Kiama Town Centre - Priorities**

It was advised that the Kiama Town Centre Study was currently on exhibition until 3 June 2019. Linda also advised that money is proposed to be allocated in the budget for traffic/parking and heritage studies for the town.

Mark Lyndon arrived at 9.50pm.

Key matters raised in discussion included:

- Opportunities for commercial space is a priority for the town.
- Council's long term administration functions should remain on the current site to consolidate the area as a civic precinct – the need to upgrade/redevelop the current facility is noted and planning should commence as soon as possible.
- Parking needs to be an ongoing focus including the role for the Akuna Street south property.
- The proposed traffic/access/parking study needs to consider all modes of transport including cyclists and pedestrians.
- Consideration should be given to contraction of the areas suggested as a heritage precinct – this tool should be focussed on specific high heritage value precincts – broader application may stifle redevelopment opportunities in the commercial core.
- Consideration should be given to a funding program to incentivise private investment in streetscape and facade improvements.
- Whilst not a part of the Kiama Town Centre project, the harbour activation is an important element to the success of the town and needs to be progressed.

- Public domain improvements that could progress quickly should be identified and a 5 year program of works should also be identified. Penny noted that there would be some low cost projects that could be undertaken in the short term that would add to the beauty of the town. Ed advised that the matrix in the Kiama Town Centre document provided priorities and timeframes.

**Action:** Ed to prepare a list of items that could be undertaken at a low cost in the short term for distribution to Committee members.

Mark Hitchcock left the meeting at 10.45am.

#### **Item 5 – Terms of Reference (TOR)**

Penny asked for clarification in the TOR regarding the responsibilities of members on the Committee in relation to involvement in other committees and groups. Committee members discussed this and the need to be aware of any conflicts of interest and confidentiality of issues discussed in Committee. In particular, it was agreed that committee members should not distribute and discuss business that is not in the public domain prior to minutes being reported to Council and should not actively work with other groups to advocate for or lobby in relation to planning committee matters.

Megan advised that the Economic Development Officer was missing from the “Membership” section.

#### **Item 6 – LSPS Update**

Linda advised that the timeframe for distribution of the technical papers would be delayed due to competing work priorities. The project remains on track for finalisation prior to the deadline set by the State.

#### **Item 7 – Planning Proposals Update**

- Backsaddle Planning Proposal - resolved not to endorse at the February Council meeting. Rezoning Review lodged. Hearing date is set down for 18 June with the Southern Regional Planning Panel.
- South Kiama Planning Proposal – Council resolved not to endorse the proposal its March meeting. The hearing date set down for 19 June with the Southern Regional Planning Panel.
- Golden Valley Way Jamberoo – rezoning of a 4.6ha parcel of land to residential R2 approved by Council and sent to Department of Planning and Environment to be finalised. The Independent Planning Commission has provided advice to the Minister’s delegate in relation to the making of the LEP.
- Iluka Reserve and Irvine Street – Irvine received final endorsement at August 2017 Council meeting. Iluka Reserve approved for plan making at its September 2017 Council meeting. Awaiting sign-off from NSW Governor before being made by the Minister (or delegate).
- At the June 2018 Ordinary Council meeting, Council resolved to initiate a new housekeeping PP to minimize the application of the State’s Missing Middle Code. Gateway issued 31 July 2018. Additional information required by the Gateway provided to and accepted by DPE. Exhibition from 6 May to 3 June 2019.

- At the June Ordinary Council meeting, Council resolved to initiate a new housekeeping PP (separate to the PP above) to include:
    - investigate options to allow the continued operation of surf school at Seven Mile Beach as a permissible use.
    - inserting an essential services clause.
    - inserting a clause to allow filming activities as generally permissible.
- Lodged with DPE for Gateway Determination 22 November 2018. Gateway issued on 13 February 2019. Endorsed to be made at 21 May Council meeting.
- Dido Street Planning Proposal – Rezoning to R2 Low Density Residential – Gateway Determination Issued 23/07/2018. Council resolved not to proceed with the PP at its April meeting. Rescission motion received.

Darryl left the meeting at 11.05am.

#### **Items 8 – Development Applications Update**

- 10.2018.251.1 – Alteration and Additions to Kiama Village Shopping Centre – Awaiting applicant's response to Council's additional information request dated 21/12/18.
- 10.1971.97.3 – Modification application lodged for filling of Boral quarry at Bombo - on notification until 17 June 2019.
- 10.2019.65.1 – Construction of 62 residential apartments – 2 Surfleet Place, Kiama.

#### **Item 9 – Other Items**

Megan advised of the following information:

- The Blueberry Hill Gerringong is out on public exhibition.
- The tender for the redesign and upgrade of the IGA Gerringong car park was open with work to commence by the end of June/mid July subject to successful tender being awarded.
- The State Government has included the "Kiama Bypass" in its budget to upgrade signage.

Councillor Westhoff made comment that the unfinished units in Noble Street, Gerringong was an eyesore. Ed advised that once a Development Application is issued there is a 5 year period to commence work. This would also include any modification to the original consent.

Linda spoke about the Community Participation Plan requirements and that preliminary conversations with Council's Public Officer and Communications Officer has taken place and more information will be available down the track.

#### **Items 12 – Date of Next Meeting**

Penny requested that a couple of dates for the next meeting be circulated.

**There being no further business  
the meeting closed at 11.40am**

**8.2 Minutes: Long Term Financial Planning and Revenue Committee - 1 July 2019**

Responsible Director: Corporate & Commercial Services

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**Attachments**

- 1 Long Term Financial Planning and Revenue Committee - Minutes of meeting held 1 July 2019 [↓](#)

**Enclosures**

Nil

***RECOMMENDED***

That the Minutes of the Long Term Financial Planning and Revenue Committee Meeting held on 1 July 2019 be received and accepted.

**BACKGROUND**

The Minutes of the Long Term Financial Planning and Revenue Committee meeting held on 1 July 2019 are attached for Councillors review. It is requested that these minutes be received and accepted.



## LONG TERM FINANCIAL PLANNING AND REVENUE COMMITTEE - MINUTES

<b>Date:</b>	1 July 2019	<b>Time:</b>	4pm	<b>Venue:</b>	CR1
<b>Chairperson:</b>	Clr Neil Reilly			<b>Minutes:</b>	Sue Wiaczek
<b>Meeting Objective:</b>	To consider long term financial matters and identify opportunities for revenue streams for financial sustainability				
<b>Present:</b>	Councillors Reilly, Rice, Sloan and Steel, Kerry McMurray and Rob Owens				
<b>In Attendance:</b>	Nil				
<b>Apologies:</b>	Nil				

### DECLARATION OF INTEREST

Nil

### ELECTION OF CHAIR

Councillor Reilly was nominated by Clr Steel and seconded by Clr Sloan. Clr Reilly accepted the nomination and was elected unanimously.

### MINUTES

The minutes of the previous meeting held on 12 March 2018 were received and adopted.

### BUSINESS ARISING FROM PREVIOUS MINUTES

Nil

### NEW BUSINESS

#### 5. Register of Recommendations

**Action:** The Register of Recommendations is to be reformatted and updated.

#### 6. Glenbrook Road Subdivision

It was agreed to hold this matter over until a meeting is held between the General Manager and the Minister for Transport.

- 2 -

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**Minutes of the Long Term Financial Plan & Revenue committee meeting  
1 July 2019**

**7. Iluka Reserve**

It was agreed to hold this matter over until an investigation into a possibly better layout of the subdivision is completed.

**8. Spring Creek Subdivision**

This matter is progressing.

**Action:** Kerry McMurray to see if it is possible to provide a pdf version of the Spring Creek file to the Committee.

**9. 85 Attunga Avenue**

**Recommendation:**

That the reclassification of this property is to commence within six months.

Clrs Steel/Rice

**10. Riverside Drive – Road Closure**

It was agreed to hold this matter over until the next meeting.

**Action:** Kerry McMurray to forward to the Committee a copy of the layout and costings for this road closure.

**GENERAL BUSINESS**

**Action:** Clr Reilly to forward to the Committee members an overview of his ideas on the future objectives of this Committee.

**Action:** Rob Owens to provide list of various revenue streams to the Committee members.

The meeting closed at 5.20pm.

**Next Meeting scheduled for 4pm Monday 28 October 2019 – CR1**

Item 8.2

Attachment 1

**8.3 Minutes: Blue Haven Board - 24 June 2019**

Responsible Director: Blue Haven

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**Attachments**

1 Minutes - Blue Haven Board - 24 June 2019 [↓](#)

**Enclosures**

Nil

***RECOMMENDED***

That the Minutes of the Blue Haven Board meeting held on 24 June 2019 be received and accepted.

**BACKGROUND**

The minutes of the Blue Haven Board meeting held on 24 June 2019 are attached for Councillors' information.





# MINUTES OF THE BLUE HAVEN BOARD MEETING

commencing at 6.38pm on

## MONDAY 24 JUNE 2019

Council Chambers  
11 Manning Street, KIAMA NSW 2533

Item 8.3

Attachment 1

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**MINUTES OF THE BLUE HAVEN BOARD**

**24 JUNE 2019**

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**MINUTES OF THE BLUE HAVEN BOARD  
HELD IN THE COUNCIL CHAMBERS, KIAMA  
ON MONDAY 24 JUNE 2019 AT 6.38PM**

**PRESENT:** Mayor – Councillor M Honey,  
Deputy Mayor – Councillor A Sloan,  
Councillors M Brown, N Reilly, K Rice, W Steel, D Watson,  
M Way and M Westhoff

**IN ATTENDANCE:** Chief Executive Officer, Director Blue Haven and Chief Finance Officer

**1 APOLOGIES**

Nil

**2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

The Mayor declared the meeting open and acknowledged the traditional owners:

*“On behalf of those present, I would like to show my respect and acknowledge the traditional owners of the Land, of Elders past and present, on which this meeting takes place, and extend that respect to other Aboriginal and Torres Strait Islander people present.”*

**3 CONFIRMATION OF MINUTES**

**19/044BHB**

**Resolved** that the Minutes of the Blue Haven Board meeting held on 15 April 2019 be received and accepted

(Councillors Reilly and Steel)

**3.1 Business arising from the Minutes**

Nil

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**MINUTES OF THE BLUE HAVEN BOARD**

**24 JUNE 2019**

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**4 REPORT OF THE DIRECTOR BLUE HAVEN**

**4.1 Chief Financial Officer Report**

*19/045BHB*

Resolved that the report of the Chief Financial Officer be noted.

(Councillors Watson and Rice)

**4.2 Manager Operations and Care - Activity Update**

*19/046BHB*

Resolved that the Board note and endorse the report of the Manager Operations and Care.

(Councillors Reilly and Rice)

**5 REPORTS FOR INFORMATION**

*19/047BHB*

Resolved that the following Reports for Information listed for the Board's consideration be received and noted:

- 5.1 Reforms arising from the Inquiry into the NSW Retirement Village Sector
- 5.2 Manager Community Programs Update
- 5.3 Blue Haven Bonaira – Monthly Report April 2019
- 5.4 Blue Haven Advisory Committee meeting minutes – 5 June 2019

(Councillors Watson and Westhoff)

**6 GENERAL BUSINESS**

Nil

**7 CONFIDENTIAL SUMMARY**

**7.1 Exclusion of Press and Public**

*19/048BHB*

Resolved that in accordance with Sections 10 and 10A of the Local Government Act, 103 as amended the Board close the meeting to the Press and Public to deal with the following matters on the grounds as detailed below:

**MINUTES OF THE BLUE HAVEN BOARD**

**24 JUNE 2019**

**8.1 Blue Haven Dashboard April 2019**

**Reason for Confidentiality:** This matter deals with information that would, if disclosed, confer a commercial advantage on a competitor of the Council as per Section 10A(2) of the Local Government Act.

**8.2 Blue Haven Village – Independent Living Units**

**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) of the Local Government Act.

**8.3 Contract Caretakers – All Stages**

**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) of the Local Government Act.

(Councillors Watson and Westhoff)

**8 CONFIDENTIAL REPORTS**

**8.1 Blue Haven Dashboard April 2019**

*19/049BHB*

**Resolved** that this information be noted.

(Councillors Brown and Sloan)

Councillor Sloan left the meeting at 07:10 PM.

**8.2 Blue Haven Village - Independent Living Units**

*19/050BHB*

**Resolved** that the Board note the information provided.

(Councillors Steel and Westhoff)

**8.3 Contract Caretakers - All Stages**

*19/051BHB*

**Resolved** that the changes to the contract caretaking function, as described in the report, be endorsed.

(Councillors Brown and Westhoff)

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**MINUTES OF THE BLUE HAVEN BOARD**

**24 JUNE 2019**

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**9 CLOSURE**

There being no further business the meeting closed at 7.14pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 19 August 2019

.....  
Mayor

Item 8.3

Attachment 1

**8.4 Minutes: Kiama Local Traffic Committee - 2 July 2019**

Responsible Director: Engineering and Works

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**Attachments**

1 Minutes of Kiama Local Traffic Committee Meeting - 02/07/19 [↓](#)

**Enclosures**

Nil

***RECOMMENDED***

That the Minutes of the Kiama Local Traffic Committee meeting held on 2 July 2019 be received and accepted.

**BACKGROUND**

The minutes of the Kiama Local Traffic Committee meeting held on 2 July 2019 are attached for Councillors' information.



**MINUTES OF THE  
KIAMA LOCAL TRAFFIC COMMITTEE  
MEETING**

**commencing at 9.01am on**

**TUESDAY 2 JULY 2019**

Council Chambers  
11 Manning Street, KIAMA NSW 2533

**Item 8.4**

**Attachment 1**

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE

2 JULY 2019

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE OF THE MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS, KIAMA, ON TUESDAY 2 JULY 2019 AT 9AM

**PRESENT:** Councillor M Honey (Mayor) (Chairman), Andrew Lissenden (RMS Representative), Craig Gray (NSW Police Representative), Darrell Clingan (Local Member's Representative), Darren Brady (Acting Director Engineering and Works), Mark Biondich (Acting Manager Design and Development), Janelle Burns (Kiama Council Road Safety Officer), Chris Balzarano (Council Ranger) and Alyson Hodgekiss (Minutes)

1 Apologies

Nil

**2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS**

The Mayor declared the meeting open and acknowledged the traditional owners:

*"On behalf of those present, I would like to show my respect and acknowledge the traditional owners of the Land, of Elders past and present, on which this meeting takes place, and extend that respect to other Aboriginal and Torres Strait Islander people present."*

**3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**3.1 Kiama Local Traffic Committee Meeting on 7 May 2019**

**Resolved** that the Minutes of the Kiama Local Traffic Committee Meeting held on 7 May 2019 be received and accepted.

(Craig Gray and Councillor Way)

**4 BUSINESS ARISING FROM THE MINUTES**

**4.1** Darrell Clingan reported that Item 6.2 from the previous meeting (parking issues relating to short term rental accommodation at 37 Armstrong Avenue Gerringong) was resolved very well by Council staff. The residents in Armstrong Avenue emailed in and congratulated Council for their effort.



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MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE

2 JULY 2019

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**5 REPORT OF RMS DELEGATED FORMAL ITEMS**

**5.1 Proposed parking restriction on Bombo Beach access road**

*19/002LTC*

**Resolved** that the Committee endorse the proposed Signage Plan in Attachment 1 of this Report.

(Councillor Honey and Craig Gray)

**5.2 No stopping zone – Danube Street Kiama**

*19/003LTC*

**Resolved** that the Committee endorse the proposed Signage & Linemarking Plan in Attachment 1 of this Report.

(Councillor Honey and Darrell Clingan)

**5.3 Chapman Street KIAMA 'No Parking' Zone 6am - 12.00 noon Fridays Only**

*19/004LTC*

**Resolved** that a timed No Parking Zone from 6am-12.00 noon on Fridays only, be created through the installation of regulatory signage and line marking on Chapman Street Kiama (from the intersection of Bourrool Lane to the turn around at the end of Chapman Street) to improve waste collection services.

(Darrell Clingan and Councillor Honey)

**6.0 GENERAL BUSINESS**

Darrell Clingan spoke about the Gerringong Surf School having skateboarding lessons on Council property, one being the carpark at Boat Harbour, and also at the Cul-de-sac near Gerringong Public School. Darrell produced a photograph of children undertaking a skating lesson at Boat Harbour car park.

Darrell indicated he thinks it is a good idea to conduct these lessons and to encourage children to be active, however it should not be conducted on public roads or carparks as it is too dangerous. He suggested that other facilities in Gerringong such as the basketball courts or Gerringong Primary School, could be utilised as an

**MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE**

**2 JULY 2019**

alternative.

Councillor Honey suggested that the Police should appear at one of the lessons to advise they are not allowed to conduct lessons on public roads or carparks. Boat Harbour is a one way road, and therefore the proprietor would be unable to get a road permit, or a road closure for this area. Councillor Honey stated that as the proprietor is conducting this as a commercial activity, he needs authorisation to run this business on Council land, just as the fitness groups do when using a reserve.

The proprietor will need a lease or a licence, as it is a commercial activity. Darrell Clingan added that he thinks that skate boarding lessons are a great idea, but it has to be structured as per Council policies and procedures, and must be in a suitable and safe area.

**19/005LTC**

**Resolved** that a letter is to be sent to the proprietor of Gerringong Surf School indicating that:

- Council is supportive of the classes in principle and would like to see it continue
- Council and the Kiama Local Traffic Committee do not support the activities occurring on public roads without approved traffic and risk management processes in place
- Conducting any commercial activities on Council owned or managed land requires a lease or licence to be issued
- Alternate off-road locations such as the local basketball courts or school grounds should be considered.

(Councillors Honey and Clingan)

**6 CLOSURE**

There being no further business the meeting closed at 9.28am

These Minutes were confirmed at the Ordinary Meeting of Council held on 16 July 2019

.....  
Mayor

**8.5 Minutes: Health and Sustainability Committee - 11 June 2019**Responsible Director: Environmental Services

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**Attachments**

- 1 Minutes - 11 June 2019 [↓](#)

**Enclosures**

Nil

**RECOMMENDED**

That Council:

1. receive and accept the Minutes of the Health and Sustainability Committee Meeting held on 11 June 2019
2. endorse the Committee's decision to reduce the Health and Sustainability Grant Program funding to one round per year from 2019/20.

**BACKGROUND**

The minutes of the Health and Sustainability Committee meeting held 11 June 2019 are attached. Contained within the minutes is a recommendation from the Committee to endorse the Health and Sustainability Committee's decision to reduce the Health and Sustainability Grant Program funding to 1 round per year.

Currently the funding is made available over two rounds of applications each year (January and July); with applicants able to apply for up to \$1,000 (matched funds).

Recently, there has been a review of the Health and Sustainability Grant program (prior to the opening of Round 5 in July). As a result of the review, it has been identified that due to administrative restraints, time required from the Working Group and to move in line with the Community Garden Grant program (offered once per year), it is proposed one round of funding is offered within the Health and Sustainability Grant program per year.

Additionally, as part of the review other changes to the Health and Sustainability Grant program will include:

- The total pool of funds increase from \$4,000 to \$6,000 offered per year (within existing budgets).
- Individual grant application maximum totals increase from \$1,000 to \$1,500.
- The application form and guidelines be updated to reflect feedback discussed at Working Group meetings.

**Minutes of the Kiama Health & Sustainability Committee meeting held on Tuesday 11 June 2019 in the Council Chambers Committee Room 1 at 4pm.**

**Present:** Councillor Andrew Sloan, Naomi Reid, Karen Tavener-Smith, Nick Guggisberg, Cornelia Graf, Kay Cope, Paul Czulowski, Beth Horner.

1. **Apologies:** Councillor Kathy Rice, Bruce Flint, Linda Davis, Rebecca Samways, Billy Wang (standing apology), Josephine St John (standing apology).

2. **Minutes of Previous Meeting – 09 April 2019**

**Motion:** That the minutes from the last meeting held on 09 April 2019 be accepted as an accurate record of the meeting.

**Moved:** Karen Tavener-Smith      **Seconded:** Cornelia Graf      **CARRIED**

3. **Business Arising**

Increasing Resilience to Climate Change

Karen Tavener-Smith circulated findings on healthy urban planning, heat and health. Paul Czulowski reported that in the past Council has looked at connectivity / walkability linkages around Gerringong and Kiama. Heat mapping has been conducted in town centres and the challenge is how to incorporate these issues into development control plans and the suite of documents required for planning. Paul also mentioned a past Council report which focusses on cycle ways and accessibility that may of interest to the Committee.

**Action:** Paul Czulowski to look into obtaining a past report related to cycle ways, accessibility etc.

Council Solar Vehicles Trial

Paul Czulowski reported that an investigation is underway whether there is money in the draft budget under the Kiama Council Partnership Pledges to put in an electrical vehicle charging station. Paul mentioned that the next step is the possibility of Council road testing one of these vehicles. Paul also updated that as a part of the Buddy System project guidelines will be shared.

4. **General Business**

4.1 **Opportunities to incorporate Health and Sustainability into strategic planning documents**

Nick Guggisberg reported that Linda Davis unfortunately was unavailable to attend to discuss local strategic planning statements at this meeting and has sent her apologies.

**Action:** Nick Guggisberg to ask Linda Davis if she can attend a future meeting to update on the local strategic planning statements.

4.2 **Health & Sustainability Grants Program**

Nick Guggisberg reported that the Health Promotion Officers have prepared a proposal for changes to the grants programs to simplify the process and application form. The revised application form and guidelines will be circulated to the Working Group for comment in the coming weeks.

Naomi Reid updated that as a part of the program review, the following changes are proposed:

- Offer one round of funding per year (rather than the current two rounds).
- The total pool of funds increase from \$4000 to \$6000 offered per year.
- Individual grant application maximum totals increase from \$1000 to \$1500.

Naomi updated that with the Committee and Council's endorsement it is hoped that Round 5 will open in late July, with the closing date to be first Friday in September.

**Motion:** To endorse the decision to reduce the Health & Sustainability Grant funding to one round per year (as of next financial year).  
Also to increase individual grant application maximum totals from \$1000 to \$1500.

**Moved:** Clr Sloan      **Seconded:** Beth Horner      **CARRIED**

#### 4.3 Program Updates

The Committee noted the Program Updates that were shared via email prior to the meeting.

Other updates included:

##### Regional Litter Strategy

As a part of the Regional Litter Strategy Paul Czulowski discussed the possibility of having a designated smoke-free area such as Terralong St, Manning St and Collins St and possibly the Blowhole.

**Action:** Karen Tavener-Smith to link Paul Czulowski to the Illawarra Shoalhaven Local Health District Tobacco team and also circulate some related information.

#### 5. Business without notice

##### New Meeting Time

Karen-Tavener Smith put to the Committee the possibility of starting future meetings at 3:30pm.

There was general consensus from the Committee to start meeting at 3:30pm from August onwards.

**Action:** Naomi Reid to resend meeting invites for the remaining 2019 meetings with the updated time.

##### Compassionate Communities

Kay Cope reported that Illawarra Shoalhaven Local Health District have engaged a Community Development Officer (one day per week) in Palliative Care. A focus for the project is to look at gaps in the local area. The aim for the project is for Councils and community organisations to look at compassionate communities and gaps in the local area. Kay asked if Council would be interested in being on an advisory group to start the project. Kay mentioned that an email distribution list would initially be set up and asked for any contributions. Nick Guggisberg mentioned that Council is interested in being involved, however will depend on resourcing.

Health & Sustainability Committee

Nick Guggisberg asked 'How is the Committee working for the members?' Kay Cope suggested that if there was a task that the Committee was working on, it may assist members in preparing and being accountable for the meeting. Karen Tavener-Smith suggested having a theme for meetings on potentially contentious issues that allows members to put their minds together. Clr Sloan mentioned the Committee is important to share ideas and potentially influence policy. Paul Czulowski mentioned that information circulated by the Committee is passed on within Council which helps inform planning. Karen Tavener-Smith discussed a report conducted by the City of Parramatta and Western Sydney Local Health District related to Valuing Our Green Places.

**Action:** Karen Tavener-Smith to circulate information on Valuing Our Green Places.

**6. Correspondence**

Naomi Reid reported that John Fardy wished to thank the Committee for the offer of leave, however has asked that the Committee accept his formal resignation.

**Action:** Naomi Reid to email John Fardy to inform him that the Committee has accepted his resignation.

**Action:** Naomi Reid to arrange a thank you card for John on behalf of the Committee as an offer of thanks for his service offered.

**7. Next Meeting:**

The next meeting of the Kiama Health and Sustainability Committee will be held on 13 August 2019 at 3:30pm in Council's Committee Room 2.

**There being no further business, the meeting closed at 17:30pm**

**8.6 Minutes: Kiama Cultural Board - 27 June 2019**Responsible Director: Environmental Services

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**Attachments**1 Minutes - 27 June 2019 [↓](#)**Enclosures**

Nil

**RECOMMENDED**

That Council endorse/approve:

- the MPS Walls Mural application as unsuccessful.
- the Donald Begbie painting as ineligible for the Art Collection and decline the gifted donation.
- the Cultural Grants to go to an annual funding round in the 2020/21 financial year.

Further, the Council note that the Board intends to request consideration of the inclusion of a \$10,000 budget allocation per annum to the Cultural Arts budget starting from the 2020/21 financial year, for an Acquisitive Sculpture Prize, to be cumulative from year to year.

**BACKGROUND**

The Kiama Cultural Board (the Board) meet on Thursday 27 June and discussed a range of matters giving rise to the above recommendations for Council's approval.

**Cultural Grant Application**

During the February round of Council's Cultural Grants an application was approved for the Minnamurra Primary School P&C (Minnamurra P&C) to undertake a mural on the Charles Avenue pedestrian underpass in Minnamurra. The approved mural project also required a license agreement with NSW trains, which includes Council taking on the maintenance of the mural.

As this licensing process requires a further report to Council and time delays for the start of project the Minnamurra P&C submitted a revised project application, "MPS Walls Mural", to the Cultural Board for consideration. This application changed the location of the mural to the school grounds instead of the pedestrian underpass.

After reviewing the application and considering both projects, the Cultural Board recommended that the revised project application, MPS Walls Mural, be rejected and that the original project, The Village - Charles Ave Underpass, go ahead pending licensing with NSW Trains being finalised.

The Board has also asked for a condition to be included that requires the mural designs to be forwarded to the Board by the project artist prior to work commencing, and that progressive designs also be advised to the Board as the work moves forward.

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**Donald Begbie Painting**

A painting has been offered as a gift to Council by Graeme Begbie, the son of artist Donald Begbie, for inclusion in Council's Art Collection. The painting is titled Old Homes, Kiama and was painted in 1971.

The painting by Donald Begbie was formally assessed by the Cultural Board against the Art Collection Acquisition criteria and the Board is now recommending that the painting is not eligible for inclusion in Council's Art Collection and for Council to respectfully decline the gift.

**Cultural Grants**

The Cultural Board undertakes ongoing evaluation and review of the processes and procedures associated with Council's Cultural Grants to ensure that the grants remain relevant, are consistent with legislation and expectations and gives the community the best value for money in regards to the arts projects resulting from the funding.

To maximise the time and expertise of Cultural Board members, minimise workload impacts for Council's Community and Cultural Development Officer, and provide opportunity for potential growth and development changes to the application and assessment processes of the Cultural Grants, it is recommended that the grants become an annual rather than bi-annual funding round.

Consideration to how the grants process will be undertaken would be finalised by November 2019, with both the August 2019 and February 2020 rounds to continue as normal. Changes for the annual round to be implemented after February 2020 for the 2020/21 financial year.

**Acquisitive Sculpture Prize**

At the Board meeting Councillor Reilly presented a proposal for increasing the Public Art collection within the Kiama local government area through an Acquisitive Art Prize, offered at one of the range of Sculpture Prizes already operating within the Illawarra Region.

Selection criteria, assessment process and guidelines would still need to be developed, however the Board is flagging its intention to request consideration of including a Cultural arts budget \$10,000 for this activity from the 2020/21 budget, with an additional \$10,000 added each year with any unspent funds rolled over and accumulated from year to year. This will ensure adequate funds are available for prize money, installation costs and project management.



**Minutes of the Kiama Cultural Board Committee meeting held on Thursday 27 June 2019 in RSL Room, Old Council Chambers at 5.30pm.**

**Present:** Cr Don Watson, Louise Croker, Gail Morgan, Nick Guggisberg, Mayor Mark Honey, Cr Neil Reilly, Peter McAra, Helen Pain, Louise Croker, Gregor Cullen, Catherine Carr

Acknowledgement to Country said by Mayor Mark Honey

**Apologies:** Terri Rowe, Zeynep Testoni, Rhonda Murray  
 Moved: Cr Don Watson      Seconded: Cr Neil Reilly      CARRIED

**2. Minutes of previous meeting**

Accepted      Moved: Cr Neil Reilly      Seconded: Gregor Cullen      CARRIED

**3. Community and Cultural Development Officer Report**

Report noted and accepted

Discussion was had regarding:

- Future potential for Kiama arts industry branding and growth of the Weave Artist Directory
- Public art murals and identifying suitable walls - options included a register of walls and/or individual scoping of mural sites by artists
- Completion of the Cultural Grants project by Gerringong Public School of indigenous paintings for The Pavilion

**5. General Business**

**5.1 Cultural Grants Mural Application - Minnamurra**

During the February round of Council's Cultural Grants an application was approved for the Minnamurra Primary School P&C to undertake a mural on the Charles Ave pedestrian underpass in Minnamurra. The approved mural project also required a license agreement with NSW trains, which includes Council taking on the maintenance of the mural.

As this licensing process requires a further report to Council and time delays for the start of project, the group submitted a revised project proposal to the Cultural Board for consideration. This proposal was to paint murals for the school grounds instead of the pedestrian underpass.

The Cultural Board recommends that the revised project application be rejected and that the original project design go ahead pending licensing with NSW Trains being finalised, and that the mural designs be forwarded to the Board prior to work starting. It is requested that progressive designs also be forwarded to the Board as the work moves forward.

Moved: Cr Neil Reilly      Seconded: Gail Morgan      CARRIED

**5.2 George Begbie Painting**

A painting has been offered as a gift to Council by Graeme Begbie the son of artist Donald Begbie for inclusion in Councils Art Collection. The painting is titled Old Homes, Kiama and was painted in 1971.

The painting by Donald Begbie was formally assessed by the Cultural Board against the Art Collection Acquisition criteria with the Cultural Board now recommending that the painting is not eligible for inclusion in the Council Art Collection.

The Board thanked Catherine Carr for her time and expertise in researching Donald Begbie's work and life as an artist and providing this information to the Board to inform their assessment of the offered work.

5.3 *Art Centre Plans and Sub Committee*

A revised set of concept design plans for the Art Centre to bring it within the property boundary lines was tabled. DA approval is still some way off as major consultants are still to be engaged, however funds will now be available through the 2019/20 budget so that work can move ahead.

It was requested that a new working group be formed to maximise access to expertise available both within Council and through informed volunteer residents within our community.

The Board nominated Helen Pain as a Cultural Board and Kiama Arts Society representative and Catherine Carr as a Cultural Board representative to the Arts Centre Working Group.

To ensure the Working Group is appropriately informed, all members are to receive and be advised of the original brief for the Arts Precinct and Centre design. Nick Guggisberg, Manager Community and Cultural Development to second other expert members to the Working Group as appropriate and required.

5.4 *Cultural Grants Sub Committee*

Following from previous discussions evaluating and reviewing the Cultural Grants application and assessment processes, the Board decided:

That the Cultural Board form a subcommittee of no less than three members for the review of each round of the Cultural Grants.

Moved: Cr Neil Reilly      Seconded: Catherine Carr      CARRIED

That the Cultural Grants become an annual rather than bi annual funding round, with consideration to how the grants process will be undertaken to be finalised by November 2019. Both the August 2019 and February 2020 rounds to continue as normal, with changes for the annual round to be implemented after February 2020. Moved: Cr Neil Reilly      Seconded: Cr Don Watson CARRIED

5.5 *Acquisitive Prize*

Cr Neil Reilly presented his proposal for increasing the Public Art collection within the LGA through an Acquisitive Art Prize offered at one of the range of Sculpture Prizes already operating within the Region.

Actions required:

- Funds incorporated into the 2020/21 budget, \$10 000
- Potential sites scoped
- Selection criteria developed

That Council include in the 2020/21 Cultural arts budget \$10 000 for an acquisitive sculpture prize, with an additional \$10 000 added each year and any unspent funds rolled over from year to year.

Moved: Cr Neil Reilly      Seconded: Cr Gail Morgan      CARRIED

**6. Next meeting**

Cultural Board - Thursday 25 July 2019

**There being no further business the meeting closed at 7.30pm**

Item 8.6

Attachment 1

## 9 PUBLIC ACCESS REPORTS

### Committee Of The Whole

#### *RECOMMENDATION*

That Council form itself into a Committee of the Whole to deal with matters listed in the reports as set out below:

- Report of the General Manager
- Report of the Director Environmental Services
- Report of the Director Corporate & Commercial Services
- Report of the Director Engineering and Works
- Report of the Director Blue Haven
- Reports for Information
- ARIC Standard Reports
- Addendum to Reports

## 10 REPORT OF THE GENERAL MANAGER

### 10.1 Tourism and events management within the Kiama Municipality

CSP Objective: 3.0 A diverse, thriving economy

CSP Strategy: 3.3 Promote and support tourism in the local area

Delivery Program: 3.3.2 Maximise the tourism economy through the promotion of the Kiama Municipality as a destination and the provision of product options and experiences for all visitors

Item 10.1

#### Summary

This report provides an update of the activities and achievements of Destination Kiama, since Council resolved to establish an in-house unit to manage tourism and events in March 2017, and recommends the continuation of tourism and events being managed and operated as a function of Council.

#### Finance

Council's net financial commitment to Tourism and Events is \$600,000 annually and the ongoing expenditure is included in the 2019/2020 budget. Approximately \$380,000 is employee costs in accordance with the adopted organisational structure. The ongoing funding of Tourism and Events has been included in forward year estimates.

#### Policy

N/A

#### Communication/Community Engagement

N/A

#### Attachments

Nil

#### Enclosures

Nil

### **RECOMMENDATION**

That Council:

1. continue to manage tourism and events in-house under the Destination Kiama banner
2. be provided with a further review in July 2022.

### **BACKGROUND**

Council at its meeting held on the 21 March 2017 resolved:

## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

**17/068**

**Moved** by Councillor Brown and seconded by Councillor Watson that:

1. Council recognises the importance of tourism and events for the local economy. Tourism and events generate \$147 million and employ around 740 people.
2. Council recognises that the tourism and events market could contribute significantly more income, investment and employment for the Kiama Municipality.
3. Kiama Tourism has been the predominant body that has worked to achieve these results to date and has a solid base of members which generate around \$50,000 each year. This added to Council's contribution of approximately \$350,000 to tourism, has seen over \$400,000 expended on visitor information services and marketing.
4. Council appreciate and thanks Kiama Tourism and their staff for their dedicated work in promoting the Kiama Municipality as a destination and for their input in developing better product options and experiences for visitors to the Kiama LGA.
5. Council recognises that the hybrid structure entered into with Kiama Tourism, as outlined in the MOU of 2015, has not achieved the outcomes that all parties had expected.
6. Council supports there only being one body that markets tourism and operates relevant business units such as the Visitors Centre to improve:
  - efficiencies
  - accountability for rate-payers and industry
  - communication between strategy, marketing and operational units
  - strategic outcomes, and
  - external communications and relationships with government agencies, industry, groups and markets.
7. Council supports the establishment of a Tourism and Events business unit which will include the management of all activities currently undertaken by Kiama Tourism as well as activities undertaken by Council.
8. Council establishes an advisory committee that would be made up of four industry representatives, two Councillors and the General Manager(or his appointee from Council staff) to guide Council in maximising tourism opportunities.
9. A transition period be provided to 30 June 2017.
10. During the transition period, a position of "Tourism and Events Manager" will be advertised.

## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

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(Note: A separate Events Coordinator reporting to the Tourism and Events Manager may be required due to work demands)

11. During the transition period, Council will offer support to Kiama Tourism to assist with aspects of the transition.
12. During the transition period, Council will approach Kiama Tourism to discuss a way forward to ensure its membership still has a real input into promoting tourism and events for the Kiama region.
13. Council, in consultation with industry, review the performance of this structure by 30 June 2019.

The Motion was Put and Carried.

In accordance with point 13 of the abovementioned resolution, this report serves to provide information on the performance and achievements of this structure, Destination Kiama over the review period. The current structure has achieved significant outcomes over the last two years, not only in terms of key deliverables but also in the development of a comprehensive strategic tourism and events framework. This framework consisting of a Tourism and Events Strategic Plan 2018-2021, Tourism Opportunities Plan, Events Action Plan and a marketing strategy and is providing a very clear focus on Tourism and Events moving forward.

Upfront I wish to pay tribute to Council's Tourism and Events Manager, Karen Ronning and her dedicated and passionate staff and volunteers. I also wish to acknowledge the role and contribution made by all members of the Tourism Advisory Committee.

Since the mid 1800's the Kiama area has been a popular tourism destination and tourism is vital for the local economy, contributing over \$200 million annually and an estimated 1500 direct and indirect jobs.

In mid-2017, Kiama Municipal Council decided to bring all tourism operations in-house. This new entity is known as Destination Kiama.

Below is a summary of the achievements of Destination Kiama since its inception:

**A. Commencement - Organisational outcomes**

1. Tourism Advisory Committee appointed. Current Committee members are listed below:
  - Councillor Matt Brown – Chair
  - Councillor Warren Steel
  - Perrie Croshaw
  - Rob Sciacchitano
  - Cameron McDonald

## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

- 
- Marcus Testoni
  - Kerry McMurray – General Manager, Kiama Municipal Council
2. Manager of Tourism and Events appointed in August 2017
  3. Appointment of staff – Visitor Information Centre, Destination Events and Marketing
  4. New administration, financial management, systems and processes created
  5. New Partnership/Membership structure developed
  6. Introduction and integration of a Council tourism and destination events team
  7. Industry and community consultation for all strategy development – ongoing

**B. Strategic outcomes**

1. New *Tourism and Events Strategic Plan 2018 -2021* completed in late 2017

Our Vision:

*The Kiama area will welcome and inspire visitors year round to experience our distinctive natural landscapes, relaxed lifestyle, arts, culture and events.*

2. *Tourism Opportunity Plan* completed in mid-2018:
  - a. Community and industry workshops held in Kiama, Gerringong and Jamberoo
  - b. Online survey distributed by Destination Kiama and Council
  - c. Presentations to and discussions with the Economic Development Committee, Destination New South Wales, Destination Sydney Surrounds South, the Central Precinct, Department of Premier and Cabinet, Illawarra Shoalhaven Joint Organisation, National Parks and Wildlife Service and internally to Council staff.
  - d. Updates on implementation provided to each Tourism Advisory Committee meeting and to Councillor briefings
  - e. Priority projects now identified and included in the 2019/20 Operational Plan
3. *Events Action Plan* (internal document) completed in late 2018:
  - a. Two workshops held for all Council staff involved in events, to discuss issues, opportunities and priorities
  - b. Classification of events – Major, Destination, Community and Civic
  - c. Council Events Working Group now established, meeting quarterly to work on Action Plan implementation
  - d. LEAN Process underway for Community Events.
  - e. Guidelines and processes now developed for Destination Events funding and reporting



## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

- 
- f. Two annual Event Boot Camps have been held for Event Organisers
  - g. Ongoing process and servicing improvements for Event Organisers
  - h. Toolkit for Destination Events is currently in development.
4. *Marketing strategy* completed in June 2019:
- a. Survey distributed by Destination Kiama and to all stakeholders for input
  - b. Brand pyramid has been completed
  - c. Brand assets have been created
  - d. Highline strategic focus
5. *The Pavilion – Branding and Marketing Strategy* – completed in June 2018:
- a. Implementation of this strategy is progressing well
6. *Kiama Tourism Monitor* (data collection and reporting) – ongoing

**C. Operational Outcomes – as per our seven (7) identified Priority Areas**1. Destination and Experience Development

- The identification of our Destination Hero Experiences
- Ongoing encouragement and support our tourism and events industry to continue to innovate and deliver high quality visitor experiences
- Information and support provided on DNSW Product Development Funding, inclusive of hosting a Destination NSW Workshop in Gerringong in 2018
- Identify our destinations core emotional benefit
  - Community and Industry Survey completed
  - Brand Pyramid developed and completed

2. Market and promote visitation to the Kiama area

- Website (kiama.com.au) maintained and regularly updated
 

*YOY - 174,534 new users (increase of 35,317 = +20%), with an avg. session duration of 1:34mins*
- New website is in development – due for completion in Spring 2019
 

*This is a major project with over 60 pages currently being designed, built, written and populated*
- New content created – E.g. ‘Meet the Locals’ video series
 

*Our latest clip featuring Rachael Morgans reached almost 50 000 people to date, with over 350 ‘shares’ and 460 ‘likes’.*
- New You Tube Channel created
- Ongoing management of social channels and creation of a Social Media Strategy

## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

- 
- *Facebook - 39% increase in Followers since Oct 2017*
  - *Instagram - 83% increase in Followers since Oct 2017*
  - New image library created
  - Highline marketing strategy completed
  - Ongoing media hosting, including but not limited to:
    - *Out and About with Kids*
    - *Qantas Magazine*
    - *Traveller (Fairfax)*
    - *We are Explorers*
    - *Her Canberra*
    - *Sydney Weekender*
    - *Fairfax regional*
    - *Not Quite Nigella*
  - New Style Guide completed and ongoing management of Destination Kiama brand assets
  - New Style Guide for The Pavilion completed
  - Successfully undertake the 2017, 2018 and 2019 UNSPOILT Destination Marketing Campaigns in partnership with Destination NSW and our surrounding LGA's

Current 2019 Campaign Stats to date (29 April – 20 June 2019  
\*incomplete as Campaign concludes in August\*):

*Web visits 36 431 – 24% up YOY\**

*Leads 12 541 – 38% up YOY\**

This includes:

- *Out of Home Advertising (OOH)*
- *Digital*
- *Social*
- *Search Engine Optimisation*
- *New content creation and photo shoot*
- *Conversion partnership with Trip Advisor, Stayz, Booking.com, Australian Traveller*
- *Electronic Direct Mail*
- *Public Relations activities & media visits*
- *Additional HomeAway partnership and Electronic Direct Mail & social activity*

## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

- 
- Participate in the Grand Pacific Drive co-operative marketing activity and research
  - Participate in the International Media Marketplace and Travmedia network
  - Host travel trade delegations, international media and VIP visits in partnership with Destination NSW.
  - Successfully create and distribute our annual Kiama area Visitor Guide on time and break even publication.
  - Produce new collateral – e.g. Kiama Coast Walk, Mandarin language guide to Kiama, Event Guides, new Blowhole brochure, Accommodation Guide, Coastal Walk etc.
  - New marketing materials for The Pavilion developed – Website, Folders, Brand, Corporate Gifts ++
3. Deliver and promote a year round events strategy
- Successful and safe delivery of New Years Eve 2017 & 2018
  - Increased NYE sponsorship income
  - Secure the 2018 & 2019 World Bodyboarding Titles
  - Secure the 2019 Kiama Skatefest
  - Development of Destination Event Funding Guidelines, Application Forms and approval and reporting processes
  - Increased promotion of events via digital and social platforms, in hard copy via event flyers etc, Public Relations activities and fostering partnerships.
  - Via The Pavilion, active participation in organising Kiama I Do, which is also sponsored by Destination Kiama
  - Via The Pavilion - successfully co-ordinate and host conferences such but not limited to:
    - *Cities Power Partnerships Summit*
    - *Coastal Councils Conference*
    - *Palliative Care Conference*
    - *Roads and Maritime Conference*
  - Co-ordination of 2019 Australia Day
  - Promote DNSW Event Funding and support applications
  - Successful Event Boot Camps held for local event organisers in 2018 and 2019
    - *50 participants over the two years*
    - *Strong satisfaction in post event feedback*
  - Ongoing Concierge Service for (19) Destination Event organisers

## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

- 
- Increase usage of The Pavilion:
    - 2017/18 Weddings = 19
    - 2018/19 Weddings = 20
    - 2019/20 Weddings booked to date = 28

4. Industry Development

- Trip Advisor and Google industry Workshop held in partnership with Tourism Shellharbour
- HomeAway by Stayz workshop for accommodation providers
- UNSPOILT Campaign Information sessions held for local businesses in partnership with Destination NSW in 2018 and 2019.
- Tourism Australia Forum held in 2018.
- Hosted the NSW Tourism Ministers Forum.
- Promotion of other events and opportunities offered by others, such as the Kiama and District Business Chamber
- Worked with a number of local businesses on experience development ideas and improvements
- Requested additional businesses and experiences be included in new DNSW Touring Routes
- Participated in the NSW Food and Wine Tourism Strategy discussion, held at Gerringong
- Several Australian Tourism Data Warehouse Workshops (ATDW) held for local businesses, as well as one on one appointments.
  - *ATDW Total Kiama area listings in 2017/18 = 110*
  - *ATDW Total Kiama area listings in 2018/19 = 179*

5. Community and Industry engagement

- Partnership/Membership to Destination Kiama for 2018/19 is up 36% on 2017/18
- A minimum of four Tourism After Hours events have been held per annum, at which updates are provided, questions asked and answered and feedback received. There has been excellent industry attendance at these events.
  - *Spring 2017 @ Bushbank*
  - *Christmas 2017 @El Corazon*
  - *Summer 2018 @The Sebel*
  - *Autumn 2018 @The Pavilion*
  - *Winter 2018 @ Kiama Bowling Club*

## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

- 
- *Spring 2018 @ Easts Beach*
  - *Christmas 2018 @ Gerringong Bowling Club*
  - *Summer 2019 @Jamberoo Action Park*
  - *Autumn 2019 @El Corazon*
  - *Winter 2019 @Fern St Gallery*
  - A monthly E-News has been created and distributed to a database of over 600 local businesses and stakeholders
  - A Destination Kiama Facebook page has been created and updated almost daily on our activities and opportunities (633 Followers)
  - Tourism Opportunity Plan consultation - Workshops held in Kiama, Jamberoo and Gerringong as well as meetings with key stakeholders, business leaders and government agencies. Online survey conducted.
  - Marketing, Website and Branding – Industry and Community Survey completed
  - Participation in various committees, discussions and meetings from Gerringong to U3A to Conferences to Precincts
  - Regional distribution of the Kiama Area Visitor Guide
  - NEW quarterly Above and Beyond Award created (promotion, portal, new flyer, certificate, judging and media).

6. Tourism Development and Strategic Partnerships

- Tourism Opportunity Plan – 5 priorities identified
  - Surf Clubs:
    - Two meetings held to date with all Surf Clubs
    - Additional meetings held with the Gerringong Surf Club stakeholders as well as with Surfing NSW
    - Changes to the zoning needed.
    - Alignment and integration with the South Coast Marine Tourism Strategy
  - Harbour and Blowhole Point – being led by the Economic Development Committee
    - Recent meetings held with key stakeholders.
  - Jerrara Dam – Being led by the Economic Development Committee
  - Accommodation – Being led by the Economic Development Committee
  - Walks – Coastal Walk and Illawarra Escarpment – being led by the Director of Engineering and Works

## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

- Recent meetings held with Department of Premier and Cabinet, National Parks and Wildlife Service and Destination Sydney Surrounds South with a feasibility study to progress.
- Ongoing Partnerships with:
  - Destination NSW
  - Destination Sydney Surrounds South
  - National Parks and Wildlife Service – Member of the South Coast Advisory Committee
  - South Coast Local Government Tourism Managers
  - Surfing NSW
  - Tourism Australia
  - Stayz / Home Away
  - Department of Premier and Cabinet
  - Illawarra Airport
- Accessibility:
  - An increased focus on our areas accessibility
- Sustainability
  - Increased focus on ‘being a great guest’ and reflecting community values
  - Include key messaging in the Kiama Area Visitor Guide and online
- Access – transport links, nodes and networks
- Multiple discussions held with NSW NPWS to discuss Minnamurra Rainforest improvements and experience development and delivery

7. Visitor Servicing

- In Person – at the Blowhole Point Visitor Information Centre
  - 2017/18 - 59 226
  - 2018/19 – 61 383

*N.B – On site café closed for majority of the past year*
- Service Online, Email & Phone enquiries
- Accreditation – maintain a Level 1 Accredited Visitor Information Centre 364 days a year at Blowhole Point.
- Support the ongoing operation of a Level 3 Accredited Visitor Information Centre at Jamberoo.
- Regular Staff training activities and familiarisations
  - *Visual merchandising*

## Report of the General Manager

## 10.1 Tourism and events management within the Kiama Municipality (cont)

- 
- *Working with Volunteers*
  - *First Aid*
  - *Destination NSW 'First' program*
  - The creation of new systems and processes
  - The introduction of regular stocktakes
  - New Staff uniforms and nametags
  - Co-ordinate and grow our Volunteer Program
    - *2017/18 Volunteers = 12*
    - *2018/19 Volunteers = 15*
  - The creation of a new Operations Manual
  - Increased the amount of locally sourced arts, crafts and produce
    - *2017/18 Retail sales = \$68981*
    - *2018/19 Retail sales = \$71079*
  - Update and improve our publications
  - Stocktakes now regularly undertaken.
    - *The 2018/19 EOFY resulting in a 0.0002 variance, which is an excellent result and turnaround.*

**D. Summary – Measure of Success**

## Sustainable Growth in overnight Visitor Expenditure (OVE)

This latest Kiama Tourism Monitor, which uses Tourism Research Australia data, modelled for our area by Tourism Strategy Development Services, estimated that as at December 2018, there has been a year-on-year increase of 21.6% in Domestic Overnight Visitors, which is a new record for our LGA.

**10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system**

CSP Objective: 4.0 Responsible civic leadership that is transparent, innovative and accessible

CSP Strategy: 4.1 Council is financially sustainable

Delivery Program: 4.1.1 Meeting and reporting against IPART/Fit for the Future benchmarks

Item 10.2

**Summary**

The NSW Government have released the 2016 Independent Pricing and Regulatory Tribunal (IPART) report – Review of Local Government rating system and is inviting councils' feedback.

**Finance**

The IPART report in essence is not proposing increasing councils' rates income but rather the basis on which rates are levied.

**Policy**

N/A

**Communication/Community Engagement**

N/A

**Attachments**

Nil

**Enclosures**

Nil

**RECOMMENDATION**

That Council note the recommendations and formally respond to the Office of Local Government on the IPART recommendations.

**BACKGROUND**

The NSW Government asked the Independent Pricing and Regulatory Tribunal (IPART) in 2016 to review the local government rating system in NSW. The purpose of the review was to develop recommendations to improve the equity and efficiency of the rating system, in order to enhance councils' ability to implement sustainable fiscal policies over the long term.

This review considered the valuation method used to calculate rates, exemptions and rating categories, the way in which councils' total income increases as population increases, the distribution of rates across different ratepayers and the eligibility and design of exemptions and concessions. The recommendations are not designed to increase the average rates paid by current ratepayers, but to allow councils to collect revenue more equitably and efficiently from ratepayers.



## Report of the General Manager

## 10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system (cont)

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In conducting the review, IPART have consulted stakeholders, analysed the current rating system and assessed its performance against the key taxation principles of efficiency, equity, simplicity, sustainability and competitive neutrality. The NSW rating system was also compared to best-practice policies in other jurisdictions.

IPART have developed recommendations to promote a stronger and more sustainable rating system that would benefit ratepayers and councils as follows:

1. Use the Capital Improved Value (CIV) valuation method to levy local council rates.
2. Allow councils' general income to grow as the communities they serve grow.
3. Give councils greater flexibility when setting rates in residential areas.
4. Modify rate exemptions so eligibility is based on land use rather than ownership.
5. Improve assistance to pensioners.
6. Give councils more options to set rates within rating categories.

**Using the CIV valuation method to levy local council rates**

IPART recommends mandating the CIV method as the basis for setting rates in metropolitan council areas, and giving non-metropolitan councils the option to use CIV as an alternative to Unimproved Value (UV).

CIV outperforms UV in metropolitan areas when assessed against key tax principles and international best practice. Rating properties using CIV allows:

- councils' rate income to grow sustainably as new capital is invested and costs increase, and
- councils to rate residences and businesses efficiently, equitably, simply and transparently.

Total rates income collected by councils from current ratepayers would remain unchanged with the switch from UV to CIV.

Non-metropolitan councils should be allowed to choose between the CIV and UV method for setting rates because the benefits of using CIV are less clear in regional areas.

Allowing councils' general income to grow as the communities they serve grow

IPART recommends allowing councils' rates income to increase over time in line with the growth in CIV arising from new capital investment. This means rates per household, on average, would not rise in real terms, whilst improving financial sustainability and encouraging urban renewal.

As the community grows, new ratepayers would fund the extra local services, such as parks, walkways, roads and libraries, provided by councils over the coming years to support a growing community. This would allow councils to fund and establish additional infrastructure and services for the use of both current and future ratepayers without the need for State Government assistance or Special Variations.

Report of the General Manager

10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system (cont)

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Current ratepayers would be more motivated to support growth, urban renewal and implementing the Plan for Growing Sydney.

The Centre for International Economics (The CIE) estimates this recommendation could provide a net gain of between \$443 million and \$2.1 billion to current and future ratepayers.

IPART's recommendation would:

- improve the timely provision of local council services to support a growing community
- allow the NSW Government to significantly reduce the current budget funding that supports growth and urban development, and
- remove the cross subsidy, whereby current residents pay, via state taxes and rate rises under Special Variations, for the expansion in services supplied by councils to support growth. Removing this cross subsidy could provide a gain of \$1.8 billion to current ratepayers over the next 10 years.

The recommendation distributes the rating burden more efficiently and equitably between current and future ratepayers because they face the same tax burden. It would also allow councils to maintain consistent service levels over time without resorting to Special Variations.

### **Giving councils greater flexibility when setting rates in residential areas**

IPART are recommending allowing councils increased flexibility to set different rating structures in residential areas. This would improve the equity and efficiency of the rating system by allowing councils with diverse communities to set rates that reflect differences in access to, demand for and cost of providing council services across their local area. This also allows new councils (at the end of the 4-year rate path freeze) to establish new rate structures for residential rates, and transition to them in a fair and timely manner.

It is proposed to introduce protections to promote transparency and equity when a council sets different residential rates, and to protect ratepayers from excessive rate increases.

### **Modifying rate exemptions so eligibility is based on land use rather than ownership**

IPART recommendations on exemptions are driven by the general principle that eligibility should be based on land use rather than ownership. If land is used for commercial or residential purposes it should not be exempt from rates regardless of who owns it.

The recommendation better targets exemptions to ensure ratepayers do not subsidise the costs of providing council services to properties where this is not justified on efficiency and equity grounds, and properties with comparable uses of land attract the same rating treatment. Applying this general principle means recommending retaining, amending or removing some exemptions.

Report of the General Manager

## 10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system (cont)

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### **Improving assistance to pensioners**

IPART also considered how to improve assistance provided to pensioners, recommending to maintain the current \$250 pensioner concession rebate for existing pensioners and introduce a new \$1,000 per year rate deferral scheme that would be available to both existing and new pensioners.

IPART's recommendation claims that it will enhance the NSW Government's commitment to providing concessions to pensioners, whilst improving the long-term financial sustainability of local councils and ensuring that other ratepayers would not be required to fund this cost in the long term.

### **Giving councils more options to set rates within rating categories**

The current rating system includes four rating categories which reflect the primary use of the land - residential, business, farmland and mining. IPART recommends introducing a new rating category for environmental land, and new subcategories for residential, business, farmland and mining properties, to encourage urban renewal and growth and allow councils to use their rate structures to better take account of different costs that arise from different land uses.

### **What IPART were asked to do**

The NSW Government asked IPART to review the current rating system and recommend reforms that aim to enhance councils' ability to implement sustainable and equitable fiscal policy.

Under the terms of reference, IPART were required to consider:

- the rating burden across and within communities, including consideration of multi-unit dwellings
- the appropriateness and impact of current rating categories and exemptions, and mandatory concessions
- the land valuation methodology used as the basis for determining rates in comparison to other jurisdictions
- the capacity of a newly merged council to establish a new equitable rating system and transition to it in a fair and timely manner, and
- the objectives and design of the rating system according to recognised principles of taxation.

### **IPART's process for conducting the review**

IPART have undertaken public consultation, research and analysis. They released an Issues Paper in April 2016, and received 159 written submissions in response to this paper. IPART also interviewed some councils about aspects of their submissions, and conducted a public hearing in April 2016. In addition, they consulted relevant NSW Government agencies and organisations, and engaged experts in the field to provide input on its approach.

As an interim task, an Interim Report was delivered to the Government in June 2016, which was publicly released on their website on 1 August 2016. IPART recommended a legislative and regulatory approach to achieve the Government's

## Report of the General Manager

## 10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system (cont)

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policy that there will 'be no change to the existing rate paths for newly merged councils for four years', in accordance with the terms of reference.

Following the release of the Draft Report in August 2016, IPART held public hearings in Sydney and Dubbo, and conducted further consultation with stakeholders. They also engaged The CIE to conduct a cost-benefit analysis of the recommendations to use CIV to rate properties and determine growth in council rates. IPART received 175 submissions in response to the draft recommendations.

**IPART recommendations**Use the CIV valuation method to levy local council rates

- 1 The *Local Government Act 1993* (NSW) should be amended to mandate Capital Improved Value (CIV) as the basis for setting ad valorem rates in the metropolitan council areas.
- 2 The *Local Government Act 1993* (NSW) should be amended to allow nonmetropolitan councils to choose between the Capital Improved Value and Unimproved Value (UV) methods as the basis for setting ad valorem rates at the rating category level.
- 3 The *Local Government Act 1993* (NSW) should be amended to facilitate a gradual transition of rates to a Capital Improved Value method.
  - The amount of rates that any ratepayer is liable to pay to the council should increase by no more than 10 percentage points above the rate peg (as adjusted for Special Variations) each year as a result of a council adopting a Capital Improved Value method for setting rates. Councils could apply to IPART to exceed this 10% limit.
- 4 Section 497 of the *Local Government Act 1993* (NSW) should be amended to remove minimum amounts from the structure of a rate, and section 548 of the *Local Government Act 1993* (NSW) should be removed.

Allow councils' general income to grow as the communities they serve grow

- 5 The *Local Government Act 1993* (NSW) should be amended so that the growth in rates revenue outside the rate peg is calculated using the formula based on changes in CIV.
  - For non-metropolitan councils, this formula would be independent of the valuation method chosen as the basis for setting ad valorem rates.
- 6 The NSW Government fund the NSW Valuer General for the upfront cost of establishing the database to determine Capital Improved Values.
- 7 The NSW Government fund the cost for a non-metropolitan council to set up a Capital Improved Value database for the purposes of implementing our recommended formula for calculating growth in rates revenue outside the rate peg, where the Unimproved Value method for setting rates is maintained.
- 8 The *Local Government Act 1993* (NSW) should be amended to allow councils to levy a new type of special rate for new infrastructure jointly funded with other levels of Government. This special rate should be permitted for services or

## Report of the General Manager

## 10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system (cont)

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infrastructure that benefit the community, and funds raised under this special rate should not:

- form part of a council's general income permitted under the rate peg, nor
- require councils to receive regulatory approval from IPART.

- 9 Section 511 of the *Local Government Act 1993* (NSW) should be amended to reflect that, where a council does not apply the full percentage increase of the rate peg (or any applicable Special Variation) in a year, within the following 10-year period, the council can set rates in a subsequent year to return it to the original rating trajectory for that subsequent year.

Give councils greater flexibility when setting residential rates

- 10 The *Local Government Act 1993* (NSW) should be amended to remove the requirement to equalise residential rates by 'centre of population'. Instead, the *Local Government Act 1993* (NSW) should allow councils to determine a residential subcategory, and set a residential rate, by:

- separate town or village, or
- residential area.

- 11 The *Local Government Act 1993* (NSW) should outline that:

- A 'residential area' is an area within a contiguous urban locality that has, on average, different access to, demand for, or costs of providing council services or infrastructure (relative to other areas in that locality).
- Councils could use geographic markers to define the boundaries for a residential area, including postcode boundaries, suburb boundaries, geographic features (eg, waterways, bushland) and/or the location of major infrastructure (eg, arterial roads, railway lines).

- 12 The *Local Government Act 1993* (NSW) should be amended so, where a council uses different residential rates within a contiguous urban locality, it should be required to:

- ensure the highest rate structure is no more than 1.5 times the average rate structure across all residential subcategories (ie, so the maximum difference between the highest and average ad valorem rates and base amounts is 50%), or obtain approval from IPART to exceed this maximum difference, and
- publish the different rates (along with the reasons for the different rates) on its website and in the rates notice received by ratepayers.

- 13 At the end of the 4-year rate path freeze, new councils determine whether any pre-merger areas are separate towns or villages, or different residential areas.

- In the event that a new council determines they are separate towns or villages, or different residential areas, it should be able to continue the existing rates or set different rates for these pre-merger areas, subject to metropolitan councils seeking IPART approval if they exceed the 50%

## Report of the General Manager

## 10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system (cont)

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maximum differential. It could also choose to equalise rates across the pre-merger areas, using the gradual equalisation process outlined below.

- In the event that a new council determines they are not separate towns or villages, or different residential areas, or it chooses to equalise rates, it should undertake a gradual equalisation of residential rates. The amount of rates a resident is liable to pay to the council should increase by no more than 10 percentage points above the rate peg (as adjusted for Special Variations) each year as a result of this equalisation. The *Local Government Act 1993* (NSW) should be amended to facilitate this gradual equalisation.

Better target rate exemption eligibility

- 14 Sections 555 and 556 of the *Local Government Act 1993* NSW should be amended to:
- exempt land on the basis of use rather than ownership, and to directly link the exemption to the use of the land, and
  - ensure land used for residential and commercial purposes is rateable unless explicitly exempted.
- 15 Land that is used for residential care as defined in Section 41-3(1) of the *Aged Care Act 1997* (Cth) be proportionally rateable according to the share of places whose maximum Refundable Accommodation Deposit is above the level set by the Minister for Health and Aged Care (currently \$550,000).
- 16 Section 556(1)(i) of the *Local Government Act 1993* (NSW) should be amended to include land owned by a private hospital and used for that purpose.
- land that is vested in, owned by, or within a special or controlled area for, the Hunter Water Corporation, Water NSW or the Sydney Water Corporation (*Local Government Act 1993* (NSW) section 555(1)(c) and section 555(1)(d))
  - land that is below the high water mark and is used for the cultivation of oysters (*Local Government Act 1993* (NSW) section 555(1)(h))
  - land that is held under a lease from the Crown for private purposes and is the subject of a mineral claim (*Local Government Act 1993* (NSW) section 556(1)(g)), and
  - land that is managed by the Teacher Housing Authority and on which a house is erected (*Local Government Act 1993* (NSW) section 556(1)(p)).
- 17 Section 555(1)(b1) of the *Local Government Act 1993* (NSW) should be amended to remove the current rating exemption for land that is the subject of a conservation agreement and instead require it to be rated using the Environmental Land category.
- 18 The following exemptions not be funded by local councils and hence should be removed from the *Local Government Act* and Regulation:

## Report of the General Manager

## 10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system (cont)

- 
- land that is vested in the Sydney Cricket and Sports Ground Trust (Local Government Act 1993 (NSW) section 556(1)(m))
  - land that is leased by the Royal Agricultural Society in the Homebush Bay area (Local Government (General) Regulation 2005 reg 123(a))
  - land that is occupied by the Museum of Contemporary Art Limited (*Local Government (General) Regulation 2005 reg 123(b)*), and
  - land comprising the site known as Museum of Sydney (*Local Government (General) Regulation 2005 reg 123(c)*).

The NSW Government should consider whether to fund these local rates through State taxes.

- 19 Where a portion of land is used for an exempt purpose and the remainder for a non-exempt activity, only the former portion should be exempt, and the remainder should be rateable.
- 20 Where land is used for an exempt purpose only part of the time, a self-assessment process should be used to determine the proportion of rates payable for the non-exempt use.
- 21 A council's maximum general income not be modified as a result of any changes to exemptions from implementing our recommendations.
- 22 A council may apply to IPART for a Special Variation to take account of the changes in exemptions using a streamlined process in the year that our recommended exemption changes come into force. The council would need to demonstrate:
- It satisfies the first criteria for Special Variation applications in the OLG guidelines relating to the need for and purpose of a different revenue path for the council's General Fund, and
  - that any subcategory rating structure applied to previously exempt properties is no greater than the average rate structure across the relevant rating category.
- 23 The *Local Government Act 1993* (NSW) should be amended to remove the current exemptions from water and sewerage special charges in section 555 and instead allow councils discretion to exempt these properties from water and sewerage special rates in a similar manner as occurs under section 558(1).
- 24 At the start of each rating period, councils calculate the estimated value of rating exemptions within the council area. This information should be published in the council's annual report or otherwise made available to the public.

Improve assistance for pensioners

- 26 For new and existing eligible pensioners, introduce a rate deferral scheme operated by the NSW Government, where:
- Eligible pensioners would be allowed to defer payment of ordinary council rates up to \$1,000 per annum and indexed to CPI, or any other amount as determined by the NSW Government.

## Report of the General Manager

## 10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system (cont)

- 
- 27 Give existing eligible pensioners the option to access, either:
- the current pensioner concession, or
  - the rate deferral scheme, as defined in Recommendation 26.
- 28 Funding pensioner assistance:
- The current pensioner concession funding arrangements would continue.
  - The rate deferral scheme (defined in Recommendation 26) would be funded by the NSW Government. The loan should be charged interest at the NSW Government's 10-year borrowing rate, and could become due when property ownership changes.

**Provide more rating categories**

- 29 Section 493 of the *Local Government Act 1993* (NSW) should be amended to add a new environmental land category and a definition of 'environmental land' should be included in the *Local Government Act 1993* (NSW).
- Land subject to a state conservation agreement is categorised as 'environmental land' for the purposes of setting rates.
- 30 Section 529(2)(d) of the *Local Government Act 1993* (NSW) should be amended to allow business land to be subcategorised as 'industrial' and or 'commercial' in addition to centre of activity.
- 31 Sections 493, 519 and 529 of the *Local Government Act 1993* (NSW) should be amended to add an optional vacant land subcategory for residential, business and mining land.
- 32 Section 529 (2)(a) of the *Local Government Act 1993* (NSW) should be replaced to allow farmland subcategories to be determined based on geographic location.
- 33 Section 518 of the *Local Government Act 1993* (NSW) should be amended to reflect that a council may determine by resolution which rating category will act as the residual category.
- The residual category that is determined should not be subject to change for a 4-year period.
  - If a council does not determine a residual category, the business category should act as the default residual rating category.
- 34 Any difference in the rate charged by a council to a mining category compared to its average business rate should primarily reflect differences in the council's costs of providing services to the mining properties.

Recovery of council rates

- 35 Councils have the option to engage the State Debt Recovery Office to recover outstanding council rates and charges.



## Report of the General Manager

## 10.2 Independent Pricing and Regulatory Tribunal report - Review of the Local Government rating system (cont)

- 
- 36 The existing legal and administrative process to recover outstanding rates be streamlined by reducing the period of time before a property can be sold to recover rates from five years to three years.
  - 37 All councils adopt an internal review policy, to assist those who are late in paying rates, before commencing legal proceedings to recover unpaid rates.
  - 38 The *Local Government Act 1993* (NSW) should be amended or the Office of Local Government should issue guidelines to clarify that councils can offer flexible payment options to ratepayers.
  - 39 The *Local Government Act 1993* (NSW) should be amended to allow councils to offer a discount to ratepayers who elect to receive rates notices in electronic formats, eg, via email.
  - 40 The *Local Government Act 1993* (NSW) should be amended to remove section 585 and section 595, so that ratepayers are not permitted to postpone rates as a result of land rezoning, and councils are not required to write-off postponed rates after five years.

Other recommendations

- 41 The valuation base date for the Emergency Services Property Levy and council rates be aligned.
  - The NSW Government should levy the Emergency Services Property Levy on a Capital Improved Value basis when Capital Improved Value data becomes available state-wide.
- 42 After the NSW Valuer General has established the database to determine Capital Improved Values for rating purposes (see Recommendation 3), councils be given the choice to directly buy valuation services from private valuers that have been certified by the NSW Valuer General.

**10.3 Local Government NSW annual conference 2019 - Councillor attendance, and call for motions and voting delegations**

CSP Objective: 4.0 Responsible civic leadership that is transparent, innovative and accessible

CSP Strategy: 4.2 Council embraces good governance and better practice strategies

Delivery Program: 4.2.4 Develop strategic partnerships with regional and other organisations to advance local community priorities

Item 10.3

**Summary**

This report advises of the Local Government NSW Annual Conference to be held from 14-16 October 2019 at the William Inglis Hotel, Warwick Farm, the requirements for the call for motions and the selection voting delegates.

**Finance**

Early bird registration for the LGNSW conference opens on 15 July 2019. Registration and accommodation costs will be covered by the Councillor conference budget.

**Policy**

Councillor attendance requires Council approval

Payment of Expenses and Provision of Facilities Policy

**Communication/Community Engagement**

A post-conference report will be provided to Council.

**Attachments**

- 1 Official Notice - Local Government NSW Annual Conference 2019 - 14/10/19 to 16/10/19 [↓](#)

**Enclosures**

Nil

**RECOMMENDATION**

That Council:

1. determines the Councillors to attend the Local Government NSW conference at Warwick Farm on 14-16 October 2019.
2. submits any motions for the conference to Local Government NSW prior to 19 August 2019.
3. selects three Councillors to be registered as voting delegates for motions and the election of the LGNSW Board.

Report of the General Manager

10.3 Local Government NSW annual conference 2019 - Councillor attendance, and call for motions and voting delegations (cont)

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## BACKGROUND

Council has received correspondence (attached) from the President of LGNSW, Cllr Linda Scott, advising details of the LGNSW Annual Conference to be held at the William Inglis Hotel, 155 Governor Macquarie Drive, Warwick Farm from Monday 14 October 2019 to Wednesday 16 October 2019.

Registration for the Conference opens on 15 July 2019 and registration details and the draft program will not be released until that date.

## Motions

Councillors who wish to submit motions for consideration for the Conference should do so via the online portal on the LGNSW website. The portal is scheduled to open on Monday 24 June 2019. LGNSW are encouraging councils to submit motions by midnight, 19 August 2019 to facilitate compilation and printing with the final deadline being midnight, 16 September 2019.

Motions must advance the local government policy agenda (enclosed) and will only be included in the Conference Business Paper where they:

1. are consistent with the objects of the Association;
2. relate to Local Government in NSW and/or across Australia;
3. concern or are likely to concern Local Government as a sector;
4. seek to advance the Local Government Policy agenda of the Association and/or improve governance of the Association;
5. have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
6. are clearly worded and unambiguous in nature; and
7. do not express preference for one or several members over one or several other members.

Additional information on writing motions is available at <http://lgnsw.org.au/events-training/local-government-nsw-annual-conference/submit-motion-conference>.

## Voting

Council is categorised as a Regional/Rural Council and is entitled to 3 voting delegates. Delegates are entitled to vote on motions which determine the policies and priorities for LGNSW and the sector.

This year the conference will also involve voting for the LGNSW President and director positions of the LGNSW Board.

Members are required to advise LGNSW of the nominated voting delegates for both voting types by 20 September 2019.



Our ref: R18/0008 Out-29171

12 June 2019

Cr Mark Honey  
Mayor  
Kiama Municipal Council  
PO Box 75  
KIAMA NSW 2533

Dear Cr Honey

**Local Government NSW Annual Conference: 14-16 October 2019**

I am delighted to invite you to attend this year's Local Government NSW (LGNSW) Annual Conference (Conference) from **Monday 14 to Wednesday 16 October at the William Inglis Hotel, 155 Governor Macquarie Drive, Warwick Farm.**

This letter contains important information to help you participate fully in the Conference.

The Annual Conference is the main policy making event for the local government sector. It is your council's opportunity to **submit motions** for consideration and debate by delegates. Motions passed at Conference become Resolutions, which LGNSW takes forward on your behalf, as part of our sector's advocacy agenda.

As 2019 is a **Board election year**, voting for the LGNSW President and Director positions will also take place at this year's Conference.

Information on the Conference is attached, including motions and voting entitlements, to help you plan ahead. We will send regular updates and reminders.

**Key Dates:**

<b>24 June 2019</b>	<b>Conference motions open</b>
<b>15 July 2019</b>	<b>Event registration opens</b> (note: voting delegates must be registered to attend the Conference <b>and</b> be registered as a nominated voting delegate)
<b>19 August 2019</b> 12 midnight (AEST)	<b>Deadline for submitting motions</b> (note: the latest date motions can be accepted for inclusion in the Business Paper is 16 September 2019)
<b>20 September 2019</b> 12 midnight (AEST)	<b>Deadline for nominating voting delegates</b>
<b>14 – 16 October 2019</b>	<b>LGNSW Annual Conference</b>
<b>15 October 2019</b>	<b>Conference Dinner</b>

I look forward to seeing you at Conference.

Yours sincerely

Cr Linda Scott  
**President**

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## Local Government NSW Annual Conference: 14-16 October 2019

### REGISTRATION

All Conference attendees are required to register online to attend the Conference. Registration to attend the Conference opens **Monday 15 July** via the LGNSW website: [lgnsw.org.au/events-training/local-government-nsw-annual-conference-2019](http://lgnsw.org.au/events-training/local-government-nsw-annual-conference-2019). Members will be able to take advantage of special 'early bird' rates.

**Note:** Voting delegates must be registered to attend the Conference **and** be registered as a nominated voting delegate.

### VOTING DELEGATES – MOTIONS AND BOARD ELECTION

This year the Conference will involve two types of voting and LGNSW is required to develop two separate rolls of voters:

#### 1. voting on motions

To vote on motions, delegates must be an elected member of a council, county council, the Lord Howe Island Board (LHIB), Norfolk Island Regional Council (NIRC) or Related Local Government Body (RLGB) or an Administrator appointed in accordance with the *Local Government Act 1993*.

#### 2. voting in the election for Office Bearers and the Board (Board election)

To vote in the Board election, delegates must be a Councillor of a council which is an Ordinary member.

Ordinary members need to advise LGNSW of the name(s) of their nominated voting delegate(s) for both types of voting: voting on motions and voting in the Board election.

Associate members need to advise LGNSW of the name(s) of their nominated voting delegate(s) for voting on motions only.

**Forms** for advising LGNSW of the names of members' nominated voting delegates are available online: [lgnsw.org.au/events-training/local-government-nsw-annual-conference-2019](http://lgnsw.org.au/events-training/local-government-nsw-annual-conference-2019).

Members are required to advise LGNSW of the names of their nominated voting delegates (for both types of voting) by **12 midnight (AEST) on Friday, 20 September 2019**. Nominations received after this time/date cannot be accepted, however, a member may, subject to the LGNSW rules, notify LGNSW of a change to the name of an already nominated voting delegate (a substitute delegate) after this time/date (see below).

### VOTING ENTITLEMENTS

The formula for calculating members' voting entitlements is prescribed at rule 23 of the LGNSW rules. A copy of the LGNSW (Federal) rules may be found here: [fwc.gov.au/registered-organisations/find-registered-organisations/local-government-nsw-lgnsw](http://fwc.gov.au/registered-organisations/find-registered-organisations/local-government-nsw-lgnsw)

The **number of voting delegates** that each member is entitled to send to the Conference for each type of voting is set out in the attached table at **Annexure A**. Column A indicates the number of voters for voting on motions and, where applicable, Column B indicates the number of voters for voting in the Board election.

In accordance with the LGNSW rules, only members that were financial on 1 March 2019 (the 'calculation date') have been allocated voting entitlements. To exercise voting rights, members also need to be financial on 19 August 2019 (the date on which the roll of voters closes).



For further information on voting entitlements and processes, contact Adam Dansie, Senior Manager Industrial Relations: 02 9242 4140.

### **SUBSTITUTE NOMINATED VOTING DELEGATE/S**

Subject to the LGNSW rules, a member may notify LGNSW of a change to the name of an already nominated voting delegate (a substitute delegate) as follows:

**Motions:** Ordinary members and Associate members may notify a change to the name of a nominated voting delegate for voting on motions under rule 34(b) of the LGNSW rules by giving notice in writing signed by either the Mayor (or Deputy Mayor with the Mayor's written delegated authority) or General Manager (or Acting General Manager with the General Manager's written delegated authority) of the Council, or in the case of the ALC, LHIB, NIRC or a RLGB, by the Chairperson or CEO of that entity, to LGNSW via [Benjamin.Niciak@lgnsw.org.au](mailto:Benjamin.Niciak@lgnsw.org.au), using the "Substitute Delegate – Motions" form available on the Conference page of the LGNSW website.

**Board election:** Ordinary members may notify a change to the name of a nominated voting delegate in the Board election under rule 34(c) of the LGNSW rules by giving notice in writing signed by either the Mayor (or Deputy Mayor with the Mayor's written delegated authority) or General Manager (or the Acting General Manager with the General Manager's written delegated authority) of the Council to **both** Anthony Carey (AEC Returning Officer) via [nswelections@aec.gov.au](mailto:nswelections@aec.gov.au) and LGNSW via [Ross.Nassif@lgnsw.org.au](mailto:Ross.Nassif@lgnsw.org.au), by 5:00pm (AEDT) on Monday 14 October 2019, using the "Substitute Delegate – Board Election" form available on the Conference page of the LGNSW website.

For further information about substituting voting delegates please contact Ross Nassif, Senior Industrial Officer: 02 9242 4146.

### **MOTIONS**

All members can put forward motions to be considered at the Conference. Members will be invited to submit motions via an online portal on the LGNSW website. The online portal is scheduled to open on **Monday 24 June**. Guidelines on how to submit motions for the Conference: [lgnsw.org.au/events-training/local-government-nsw-annual-conference-2019](http://lgnsw.org.au/events-training/local-government-nsw-annual-conference-2019).

Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. When submitting motions this year, members are encouraged to familiarise themselves with the existing principles and positions of LGNSW on issues of importance to the sector: [lgnsw.org.au/policy/policy-platform](http://lgnsw.org.au/policy/policy-platform)

### **DEADLINE FOR SUBMITTING MOTIONS**

To allow printing and distribution of the Business Paper before the Conference, members are asked to submit their motions by **12 midnight (AEST) on Monday 19 August 2019**. In line with the LGNSW rules, the latest date motions will be accepted for inclusion in the Conference Business Paper is 12 midnight (AEST) on Monday 16 September 2019.

For further information on submitting motions please contact Elle Brunsdon, Policy Officer on 02 9242 4082 or [Elle.Brunsdon@lgnsw.org.au](mailto:Elle.Brunsdon@lgnsw.org.au).

### **BUSINESS PAPERS**

The full Conference Business Paper will be available on the LGNSW website and forwarded to members approximately one week prior to the Conference.



#### **ACCOMMODATION AND TRAVEL**

Located in the south-west of Sydney, the Conference venue is 30 minutes from Sydney Airport and 50 minutes from the Sydney CBD. The site is accessible by car or bus and is a 15 minute walk from Warwick Farm train station.

We encourage attendees to book accommodation as early as possible. A shuttle service to the Conference venue will be available to delegates booked at hotels listed on our website.

Visit our website for Conference travel and accommodation options: [lgnsw.org.au/events-training/local-government-nsw-annual-conference/accommodation-and-travel-0](http://lgnsw.org.au/events-training/local-government-nsw-annual-conference/accommodation-and-travel-0).

#### **PRIVACY STATEMENT**

*When you register for the conference, LGNSW collects your personal information from you to process your registration.*

*If you do not provide or we cannot otherwise collect all the information we request or need, we may not be able to register you for the conference.*

*LGNSW may disclose your personal information to third party conference organisers and third party service providers, who may be located overseas and may store your information overseas.*

*We may with your consent where required, use your contact details to send you (by telephone, post, email or SMS) marketing communications about our programs, products, services, promotions and events. You can opt out of marketing communications at any time, by particular means or at all, by following the unsubscribe function in the message we send, or by emailing or calling us.*

*Our privacy policy, which is available at [lgnsw.org.au/privacy](http://lgnsw.org.au/privacy) or by emailing or calling us on the details below, explains more about the types of personal information we usually collect and how we handle your personal information, as well as how you can request access to and correction of personal information we hold about you, how you can complain about our handling of your personal information and how we deal with complaints.*

*For privacy related enquiries please contact us on 02 9242 4000, at [lgnsw@lgnsw.org.au](mailto:lgnsw@lgnsw.org.au) or at GPO Box 7003, Sydney NSW 2001.*

**10.4 Councillor attendance: Alliance for Healthy Cities Steering Committee - Korea**

CSP Objective: 1.0 A healthy, safe and inclusive community

CSP Strategy: 1.1 Developing and implementing services and programs that promote social cohesion, healthy and active lifestyles for residents of all ages, abilities and interests

Delivery Program: 1.1.1 Improving the liveability of Kiama for those with diverse backgrounds and abilities

Item 10.4

**Summary**

This report advises Council of the Alliance for Healthy Cities 24<sup>th</sup> Steering Committee meeting to be held Tuesday 24 September 2019 – Thursday 26 September 2019 at Grand Walkerhill Hotel / Gangdong Arts Centre in Seoul, Korea and requests that Councillor Rice attend as Council's representative.

**Finance**

There is a budget for Healthy Cities for the purpose of paying membership, conference attendance and other Healthy Cities related activities.

Flights – \$1,220

Accommodation – \$620 (approximately)

TOTAL - \$1,840

**Policy**

Kiama Public Health Plan

Payment of Expenses and Provision of Facilities Policy

**Communication/Community Engagement**

There are positive media opportunities around attending the meeting, bringing the profile of Healthy Cities Illawarra, the Kiama Health Plan and the Dementia Friendly Program to the forefront and media around any other projects we are undertaking to meet the Alliance's Charter.

**Attachments**

Nil

**Enclosures**

Nil

**RECOMMENDATION**

That Council endorse Councillor Rice's attendance at the Alliance for Healthy Cities Steering Committee meeting being held in Seoul, Korea in September 2019.

**BACKGROUND**

Kiama Council is a member of the Alliance for Health Cities (AFHC).



Report of the General Manager

10.4 Councillor attendance: Alliance for Healthy Cities Steering Committee - Korea (cont)

---

At the 26 June 2019 Council meeting the following was resolved:

**OC-18/197**

**Committee recommendation** that Council:

1. agree to nominate Kiama Council as the Australian Chapter member of the Alliance for Healthy Cities Steering Committee.
2. nominate Councillor Rice as Council's representative on the Committee.

(Councillors Brown and Sloan)

At the 8<sup>th</sup> Global Conference of the Alliance for Healthy Cities, Kiama was successfully elected to represent Australia on the Steering Committee of the Western Pacific Alliance for Healthy Cities.

It is requested that Councillor Rice's attendance at the annual meeting be endorsed.

**10.5 Reimbursement: Development application 10.2018.279.1**

CSP Objective: 2.0 Well planned and managed spaces, places and environment

CSP Strategy: 2.3 The principles of sustainable development and compliance underpin town planning and local development

Delivery Program: 2.3.1 Conduct development and building assessment/approval functions in accordance with statutory requirements, policies and procedures

Item 10.5

**Summary**

Council has received a request from the Kiama Power Australian Football Club to reimburse the development application fees for DA 10.2018.279.1.

**Finance**

Development application fees of \$2,769.40 were required to be paid upon lodgement of this development application. Any refund would come from the Community Donations budget.

**Policy**

N/A

**Communication/Community Engagement**

N/A

**Attachments**

Nil

**Enclosures**

Nil

***RECOMMENDATION***

That Council reimburse the development application fees of \$2,769.40 for DA 10.2018.279.1 to the member of the Kiama Power Australian Football Club who paid these lodgement fees.

**BACKGROUND**

Development application No10.2018.279.1 for alterations and additions to the existing amenities building at 17 Girrawheen Avenue, Kiama was lodged by the Kiama Power Australian Football Club and approved at the 25 June 2019 Council meeting.

To progress the matter and enable lodgement of this development application the fees of \$2,769.40 were paid by a Club member. Kiama Power have requested a reimbursement of these fees back to the Club member.

It is suggested, in this instance, that this would be appropriate.

**10.6 Sponsorship Request: Kiama Show Society - Kiama Show 2020**

CSP Objective: 1.0 A healthy, safe and inclusive community

CSP Strategy: 1.1 Developing and implementing services and programs that promote social cohesion, healthy and active lifestyles for residents of all ages, abilities and interests

Delivery Program: 1.1.1 Improving the liveability of Kiama for those with diverse backgrounds and abilities

**Summary**

The Kiama Show Society has requested Council's financial assistance through "in-kind" sponsorship of the 2020 Kiama Show.

**Finance**

Funded from Council's General Donations budget

**Policy**

Council's Community Donations Policy is relevant.

**Attachments**

- 1 Kiama Show Society - sponsorship request - 2020 Kiama Show [↓](#)

**Enclosures**

Nil

**RECOMMENDATION**

That Council provide in-kind sponsorship of the 2020 Kiama Show through:

1. Donating the Pavilion hire fee for the 2019 Kiama Show Trivia Night, booked for Friday 20 September 2019.
2. Donating the Pavilion hire fee for the 2019 Kiama Show Ball, booked for Saturday 12 November 2019.
3. The provision of waste services for the 2019 Kiama Show Ball on Saturday 12 November 2019.
4. The provision of waste services for the 2020 Kiama Show, on Friday 24 January 2020 and Saturday 25 January 2020.
5. Waiving the road closure and footpath occupation fee for the 2020 Kiama Show.

in return for recognition of Kiama Council and The Pavilion as major supporters of these events.

**BACKGROUND**

As in previous years the Kiama Show Society has written to Council requesting support to hold the Kiama Show (letter attached).

Report of the General Manager

10.6 Sponsorship Request: Kiama Show Society - Kiama Show 2020 (cont)

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The Show and fundraising events (being the trivia night and the Show Ball) are popular fixtures in the Kiama calendar, well supported by the community, including a large number of volunteers.

For many years Council has provided assistance to the Kiama Show by meeting the costs of the waste disposal and by carrying out the maintenance and upgrade of the grounds and associated buildings. Council has previously also donated the hire fee for the Pavilion for the Show Society's fundraising events.

The Kiama Show is a major community event which has a long history and tradition. It is proposed that Council continues to provide assistance by providing the requested sponsorship.

**Item 10.6**



President  
Neil McLaren  
P.O. Box 354 Kiama NSW 2533

Phone: 0431 366 944  
Email: [secretary@kiamashow.com.au](mailto:secretary@kiamashow.com.au)  
Website: [www.kiamashow.com.au](http://www.kiamashow.com.au)  
ABN: 53 539 060 852

4 July 2019

The General Manager  
Kiama Council  
P.O Box 75  
Kiama NSW 2533

Dear Kerry

The Kiama Show is a Kiama icon and 2020 will be the 172nd celebration and promotion of the agricultural and horticultural resources of Kiama and surrounding areas and the advancements through exhibition, competition and entertainment. Over 12,000 people will enter the gates of the Showground on the 24 and 25 of January.

The members of the Kiama Show Society are all volunteers who donate their time and efforts in organising a quality family event for Kiama. Some volunteers have had families involved over generations. Other community groups and individuals assist at show time in the setup, organisation and clean up. All costs are covered through membership of the Kiama Show Society and sponsorship. Money raised from one show is used for the next Kiama Show – to keep entry fees to a minimum and to provide entertainment.

Sponsors, large and small, have loyally supported the Kiama Show Society each year thus enabling this quality and much loved family event to be enjoyed by the community for 171 years. However, this year the Show Society is again under considerable financial pressure with a financial loss for the past financial year.

As sponsorship is vital to the operation of the Kiama Show, the Society is again requesting Councils financial assistance through “in kind” sponsorship for 2020 Kiama Show. As such we would again request the waiving of the following fee’s and charges;

- Pavilion hire fee for the 2019 Kiama Show Trivia Night booked for Friday 20 September 2019
- Pavilion hire fee for the 2019 Kiama Show Ball booked for Saturday 12 October 2019.
- Waste removal fees and charges for the 2019 Kiama Show Ball.
- Road Closure and footpath occupation fee for the 2020 Kiama Show
- Waste removal fees and charges for the 2020 Kiama Show to be held on Friday 24 and Saturday 25 January 2020.



We consider ourselves very fortunate to have a wonderful working relationship with Council and appreciate the valued support we receive each year. Your consideration of this request is appreciated.

Yours faithfully,

David Young  
Sponsorship Coordinator  
Kiama Show Society Inc.

**Item 10.6**

**Attachment 1**

**11 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES****11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling**

CSP Objective: 2.0 Well planned and managed spaces, places and environment

CSP Strategy: 2.3 The principles of sustainable development and compliance underpin town planning and local development

Delivery Program: 2.3.1 Conduct development and building assessment/approval functions in accordance with statutory requirements, policies and procedures

Item 11.1

**Summary**

This report reviews the Development Application No 10.2016.317.1, which involves the construction of a single storey dwelling on the subject land.

The proposed development is permissible in the RU2 Rural Landscape zone, satisfies the zone objectives and is consistent with the provisions of Kiama LEP 2011. The proposal is consistent with Development Control Plan 2012.

The proposed dwelling is sited on elevated land that is visually prominent from Gerringong and surrounding areas south of the development site.

Access to the dwelling is proposed over adjoining land, of which the consent of the affected landowners has not been granted. Should Council grant consent to the proposed dwelling it will be a “deferred commencement” consent, with deferred commencement consent conditions requiring separate development consent be obtained for access over the neighbouring land and registration of an associated right-of-way.

**Finance**

N/A

**Policy**

N/A

**Communication/Community Engagement**

Required: Yes (newspaper advertisement and letter notification).

Notification Period: 28 days from 15/12/2016 to 12/01/2017 and 14 days from 07/06/2019 to 21/06/2019.

Submissions: Two submissions were received.

**Reason for the Report**

This report is submitted to Council because only the elected Council can determine development applications that are very likely to attract significant public interest and community input in relation to the preservation of coastal and scenic rural landscapes. The elevation and visual prominence of the subject site has triggered this report to Council.

**Attachments**

Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

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1 10.2016.317.1 - plans [↓](#)

### Enclosures

Nil

### RECOMMENDATION

That Council approve Development Application 10.2016.317.1 under Section 4.16(3) of the Environmental Planning and Assessment Act 1979, subject to “deferred commencement” and “operational” conditions at the end of this report.

### BACKGROUND

The property is described as Lot 14 DP: 3923 which is located at Princes Highway Rose Valley.

The overall site measures 29.54ha in size and is irregular in shape. The site is currently vacant and is bounded by rural land containing principally dwellings/pasture/bushland.

The site is zoned part RU2 Rural Landscape/Part E2 Environmental Conservation under Kiama LEP 2011.

The site is predominantly cleared for pasture and partially heavily treed. The land is undulating in its topography.

The site drains overland through a natural watercourse.

The subject property has no public road frontage. Access is currently being obtained over adjoining Lot 4 DP 719744, being in the same family ownership. No registered right of carriageway exists over this access. A legal right of carriageway in favour of the subject property exists over Lot 7 DP 3923 and Lot 407 DP 1165423, linking to the Princes Highway.

The site is serviceable by electricity and telecommunications.

The site is subject to the following constraints

- Partial bushfire affectation (Category 2);
- Potential aboriginal objects (E2 zone);
- Services/easements;
- Areas mapped in Kiama LEP 2011 as terrestrial biodiversity as well as riparian land and water courses (Category 3).



Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling (cont)

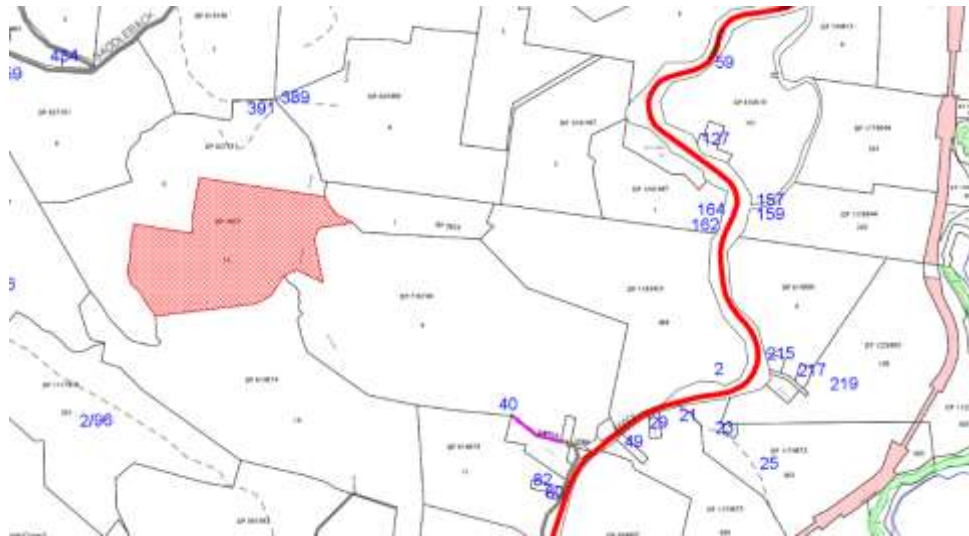


Figure 1 – Locality Plan (↑N)



Figure 2 – Site Context Photograph (2016 View, ↑N)

Item 11.1

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

Figure 3 – Site Photograph (2016 View, ↑N)

### Background

The subject property is undeveloped and except for clearing has no development application history.

### Description of the Proposed Development

The proposal involves the construction of a single storey, 4 bedroom pavilion style dwelling, with a gross floor area of some 316.3m<sup>2</sup>.

The proposed dwelling has a central kitchen and dining area leading to a split level family room with view exposure to the south east (from north east through south west). A double lock-up garage is situated on an upper level to the north west of this main central pavilion.

A bedroom pavilion extends toward the south west consisting of bedrooms 2, 3 & 4 with activity room, bathroom and laundry. An enclosed walkway links this pavilion to the central pavilion.

The master bedroom pavilion extends from the central pavilion to the north east, containing the master bedroom, WIR, ensuite and lounge area. An enclosed walkway, which also serves as the entry foyer, links this pavilion to the central pavilion.

The length of the house is 34.31m as visible from a south easterly direction (Werri Beach).

The proposed dwelling is to be finished externally with weather board clad walls (Dulux 'Domino' in colour (mid to dark grey in colour)), Colorbond steel roof ('Wallaby' in colour) with stone walls (Boral Cultured Stone Field style – Aspen).

The proposal is illustrated in Figures 4 - 9 below:

Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling (cont)

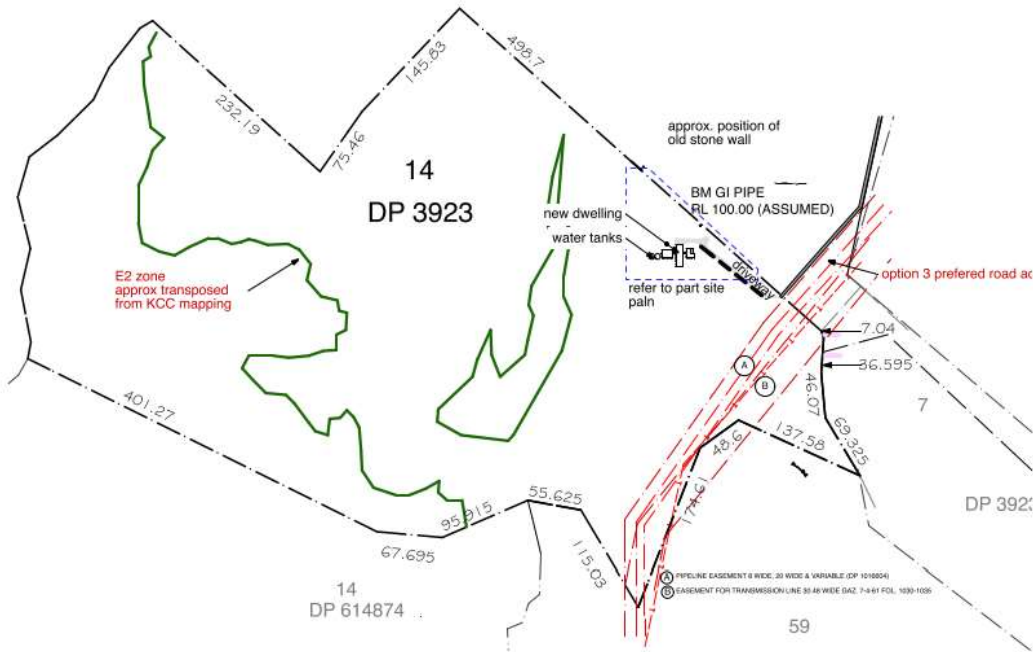


Figure 4 – Site Plan

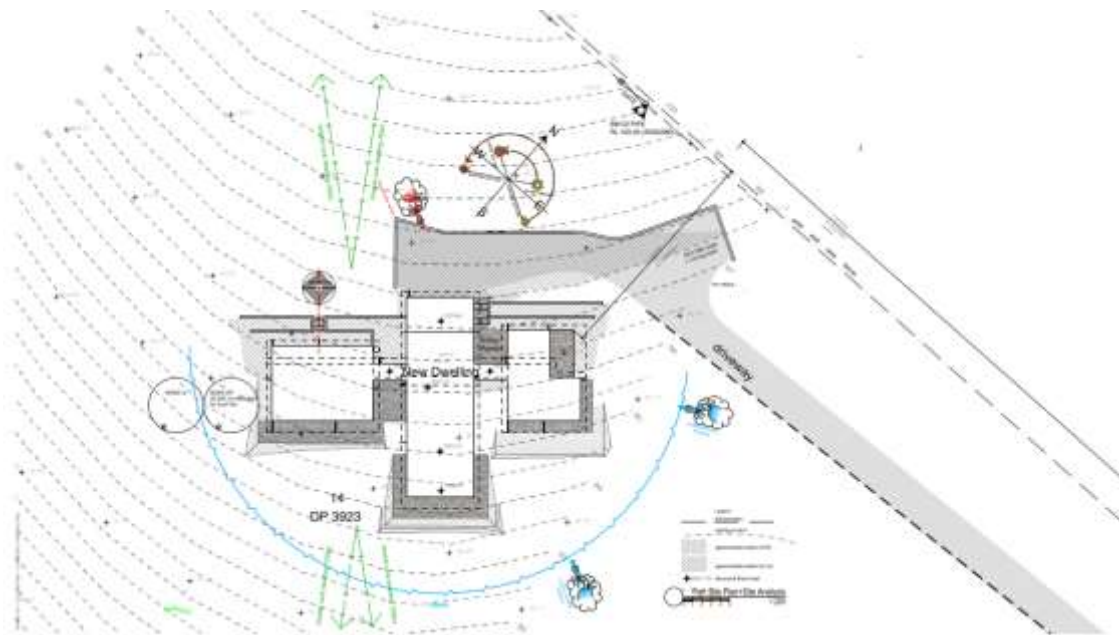


Figure 5 – Part Site Plan



Figure 6 – Elevations

Item 11.1

Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling (cont)

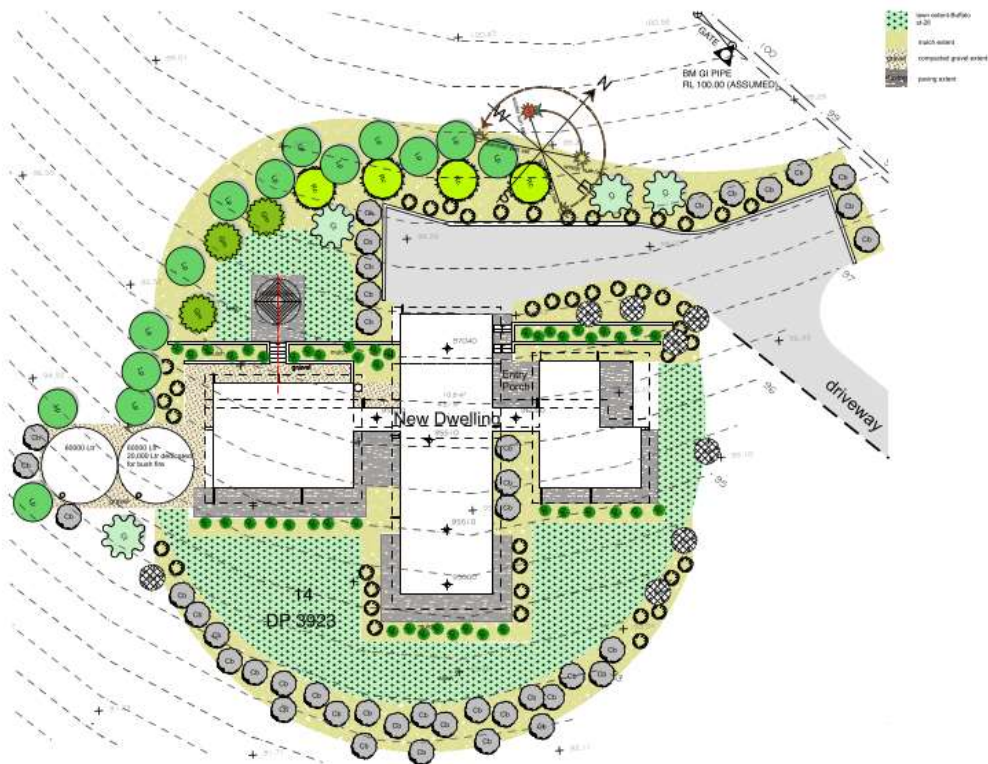


Figure 7 – Concept Landscape Plan

In relation to vehicular access, 3 options have been identified, with Option 3 subsequently proposed by the applicant. Figure 8 below illustrates these three access options:

Item 11.1

## Report of the Director Environmental Services

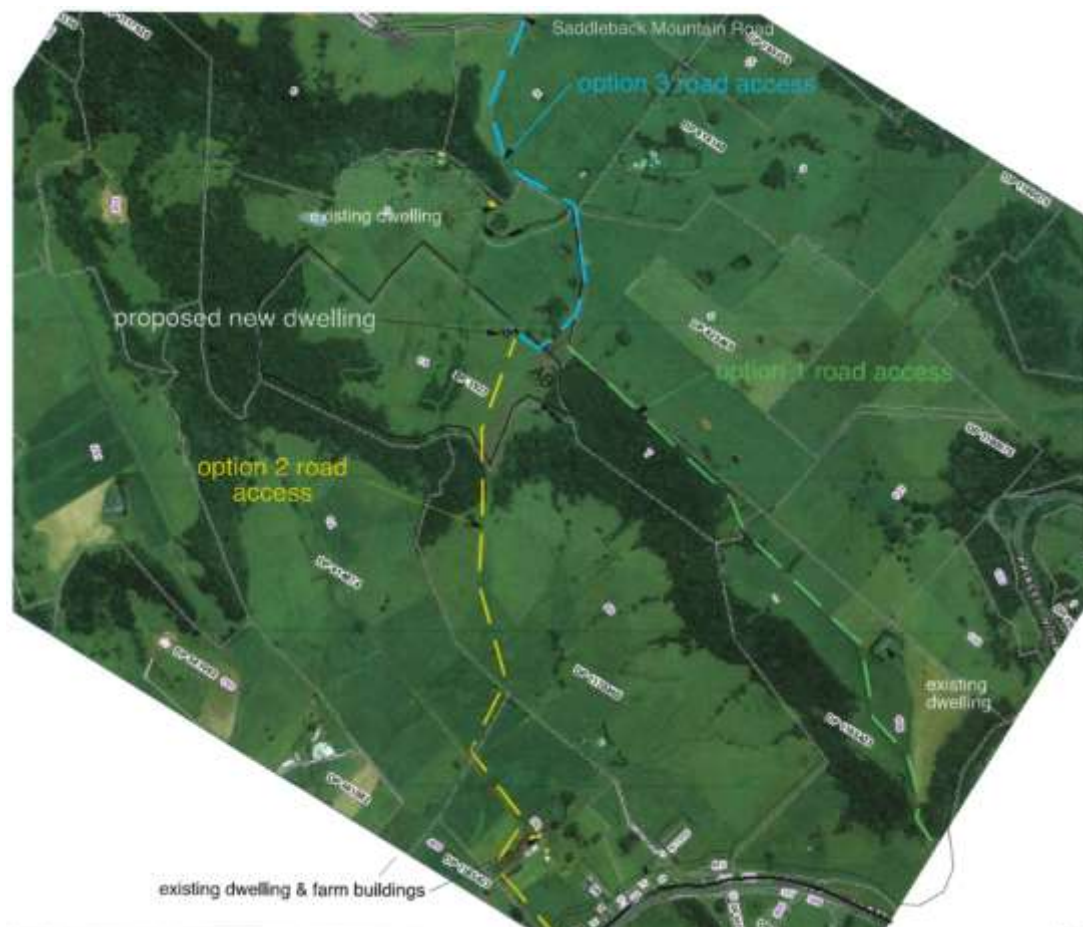
11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

Figure 8 – 3 Access Options

Option 1 is shown in green above and is the means by which lawful access is obtained via registered right of carriageway. The applicant provides the following analysis and conclusion in relation to this option:

- *“Initial access is from Omega Lane and is steep with some sections greater than 25% grade.*
- *Access is close to an existing dwelling.*
- *Approximately 650m is through dense vegetation which would need to be cleared.*
- *The section through the vegetation has steep side slopes (20% - 40%), making construction not possible*
- *Length of access is approximately 2km.*
- *This option would also need to negotiate Telstra & Gas easements including the main gas pipeline.*

*Ability for construction in this area is highly unlikely.”*

Option 2, is shown in yellow above. The applicant provides the following analysis and conclusion in relation to this option:

- *“Length of access is approximately 2km.*

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

- 
- *The access would require navigation through a working farm.*
  - *Two steep sections were noted as being over 25% grade*
  - *Access would require navigation around transmission towers and the main gas pipe line or relocation further west which would require large scale removal of vegetation. Side slopes in this area would make construction unacceptable.*
  - *A substantial creek crossing would also require major earthworks.*

*Ability for construction is highly unlikely.”*

Option 3, is shown in blue above. The applicant provides the following analysis and conclusion in relation to this option:

- *“Length of access is approximately 1.2km.*
- *600m of this access is presently installed and sealed.*
- *Access is from Saddle back Mountain (No 391).*
- *Sight distance and intersection construction is good.*
- *Access grades are able to be in accordance with Bushfire regulations.*
- *Access grades are able to be installed in accordance with Council regulations.*

*Ability for construction is satisfactory.”*

Having regard to the three access options identified, the applicant has elected to pursue Option 3. As indicated in Figure 8 above, this involves construction of an approximate 600m long driveway through the south eastern corner and along the eastern boundary of Lot 5 DP 827151 (391 Saddleback Mountain Rd). By means of a proposed extension of the existing right-of-way, the driveway links with the existing constructed and sealed right of way network access over Lot 2 DP 814140 (373 Saddleback Mountain Rd) to provide access to Saddleback Mountain Road.

The access is proposed over neighbouring land and requires registration of a right of carriageway. As these neighbouring landowners are not party to the subject development application (i.e. landowners consent is required and has been withheld), the applicant has requested that this matter be resolved by way of deferred commencement development consent (under section 4.16(3) of the EP&A Act, 1979). Deferred commencement consent would require separate development consent be obtained for access over the neighbouring land with associated registration of a right of way before an operational consent is able to be issued for the dwelling.

#### **Section 4.15 Assessment**

The proposed development has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979 (as amended) and the following matters are considered relevant:

#### **Relevant Environmental Planning Instruments**

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX)

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

A BASIX Certificate was lodged with the application, which demonstrates that the dwelling has been designed in accordance with BASIX.

- State Environmental Planning Policy No 55 - Remediation of Land

There is no known evidence of land contamination at the site. The land is suitable for the proposed use.

- State Environmental Planning Policy (Rural Lands) 2008

Clause 10(3) of the SEPP requires the following matters to be considered in determining development applications for rural dwellings:

- the existing uses and approved uses of land in the vicinity of the development,
- whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,
- whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),
- if the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone,
- any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d).

The proposed dwelling is setback 24m from northern boundary with neighbouring agricultural land and is situated upwind (prevailing wind direction) and downhill of this adjoining property. Potential odour and to a lesser extent noise from cattle grazing is not expected to be problematic under the circumstances.

The subject lot has dwelling entitlement under Kiama LEP 2011. The proposed development represents the orderly and economic use and development of the land for rural and related purposes.

- Kiama LEP 2011

The subject land is zoned part RU2 Rural Landscape/Part E2 Environmental Conservation under Kiama LEP 2011. The proposal is situated within the RU2 zoned land, is permitted with consent in the zone and is considered to be consistent with the zone objectives of providing for a range of compatible land uses and maintaining the rural character landscape of the land.

Specific clauses requiring consideration:-

Clause 4.2A permits a dwelling house to be erected on a RU1, RU2 and E3 zoned lot, on which no dwelling house has been erected, subject to 4.2A(3) which requires that the land is:

- a lot that is at least the minimum lot size specified for that land by the Lot Size Map, or
- a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

- 
- (c) a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, or
- (d) an existing holding.

The subject land is zoned part RU2/Part E2 and has an area of 29.54ha. The proposed dwelling is sited on land zoned RU2. In this instance the lot comprises the whole of an existing holding and therefore, has a dwelling entitlement under Clause 4.2A(3)(d).

Clause 4.3 requires that the height of the building does not exceed the maximum height shown on the Height of Buildings Map. The property is not mapped as being subject to a specified height limit.

Clause 4.4 requires that the floor space ratio does not exceed the maximum floor space ratio shown for land on the Floor Space Ratio map. The property is not mapped as being subject to a specified Floor Space Ratio.

Clause 6.2 lists considerations for proposals that involve earthworks. The proposal meets with the objectives of the clause and the matters prescribed for consideration are satisfied.

Clause 6.3 lists requirements for the development of land that is at or below the known flood planning level. The proposal meets with the objectives of the clause and the matters that are required to be satisfied prior to issue of consent.

Clause 6.4 lists considerations and requirements for land that has been identified as “Biodiversity land” on the Terrestrial Biodiversity Map. The proposal meets the objectives of the clause and the matters which are required to be satisfied prior to issuing of the consent. The development does not encroach upon the Terrestrial Biodiversity mapped land.

Clause 6.5 lists considerations and requirements for land that has been identified as riparian land and watercourses. The proposal meets with the objectives of the clause and the matters which are required to be satisfied prior to issue of consent. The development does not encroach upon the mapped Category 3 watercourses.

**Any draft Environmental Planning Instruments**

Nil.

**Development Control Plans**

The proposed development is generally consistent with Kiama DCP 2012.

Chapter 6 – Rural Development is the Chapter most directly applicable to the development and the development is generally consistent with the objectives and controls.

Further discussion is required in relation to the following matters:

- Control C17 requires: *“An agricultural buffer area at least 150 metres wide - or a greater distance if possible - must be provided between a rural dwelling house, secondary dwelling or ancillary development (used for habitable*



## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

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*purposes) and any adjoining land in separate ownership that is used or capable of being used for agricultural purposes. (the purpose of the agricultural buffer area is to mitigate the impact of agricultural activities including noise, odour and spray drift on adjoining land affecting the amenity and health of residents of a new dwelling erected on adjacent land. Agricultural activities include agricultural processing plants, dairies, cattle yards, horticulture, feedlots or other like activities that could result in noise, odours or agricultural spray drift)."*

Comment:- The intent of this clause is to ensure adequate separation between a proposed rural dwelling and neighbouring agricultural activities (which include "agricultural processing plants, dairies, cattle yards, horticulture, feedlots or other like activities that could result in noise, odours or agricultural spray drift"). The emphasis here is not on separation from neighbouring agricultural land, per se (otherwise the control would more simply stipulate a 150m setback from boundaries). The proposed dwelling is setback 24m from the nearest property boundary, being the northern boundary.

The applicant makes the point that the neighbouring rural land nearest the proposed dwelling to the north does not contain any agricultural activities of the nature described in the control within 150m of the proposed dwelling site.

The neighbouring land to the north is currently being used for the grazing of cattle. The proposed dwelling is upwind from the prevailing wind direction from this neighbouring agricultural land (see the Site Analysis Plan), so odour and (to a lesser extent) noise from cattle grazing is not expected to be problematic and the fact that the proposed dwelling faces away from and is sited downhill of that nearest neighbouring agricultural land.

- Control C18 continues on from control C17, to require: *"Where a separation distance of 150 metres or more cannot be achieved, and an agricultural activity or an approved agricultural activity is or is likely to be carried out on adjoining land, the planting of a 20 metre wide vegetation buffer strip - comprised of native vegetation must be provided between the proposed development building envelope and the adjacent agricultural land to help screen and mitigate agricultural activity impacts."*

Comment:- Further to the comment above, the existing farm building infrastructure on that neighbouring lot is in excess of 470m from the proposed dwelling site. Any future infrastructure of the type identified as "agricultural activity", should it be sought in the future, would likely be sited adjacent to the existing infrastructure on the land. It is also noted that the most level land within that lot extends through the centre of the lot, adjacent to the dwelling and existing farm infrastructure and not immediately adjacent the proposed dwelling site on the subject land.

Landscaping is proposed between the proposed dwelling and the northern property boundary, but not a 20m wide buffer strip as prescribed above. Again, under the circumstances as explained above, the 20m wide vegetation buffer strip is not considered necessary in this instance.

- Section 12 of Chapter 6 contains objectives and controls relating to flooding. Whilst Council is satisfied that the proposed dwelling site is flood free, access

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

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will be required to traverse a Category 3 watercourse at some point (3 access options were put forward with the application). Controls C67 – 69 are controls relating to waterway crossing.

Comment:- Irrespective of which of the 3 access options are used, crossing of the watercourse is inevitable. In terms of flooding risk and impact it clearly makes more sense to cross the watercourse toward the head of the catchment (Options 1 & 3) rather than lower down (Option 2) where the flood risk and impact will be greater. Option 3 is proposed by way of this application.

Option 3 involves obtaining a right of carriageway over adjoining and adjacent land to provide access to Saddleback Mountain Road. A deferred commencement consent will be required for this option requiring separate development consent to be obtained for access, as the adjacent/adjoining landowners have not consented to this access as part of this development application. Having regard to the circumstances, Section 12 will need to be addressed in detail as part of the development application for access.

**Any Planning Agreement**

Nil

**Any Matters Prescribed by the Regulations**

Nil

**Any Coastal Zone Management Plan**

Nil

**The Likely Impacts of the Proposed Development**

- Landscape

The design of the proposed development is considered to be reasonable when considered in relation to the context of the site.

Although the proposed built form is reasonably expansive in its pavilion style footprint (34m long when viewed from the south-east), the bulk, scale and design of the proposal is consistent with relevant planning instruments. The roof line adopts a low profile, which will help minimise the visual impact of the dwelling in the elevated, prominent location. The proposed dwelling is split level (over 3 levels) to conform to the topography of the site and will also sit below the level of the ridge line to the north, with proposed landscaping (which will protrude above the dwelling when viewed from the south east) also aiding to nestle the dwelling into the landscape. The proposed development is considered to be acceptable in terms of its landscape impact.

Siting the dwelling on less elevated land would put it closer to the E2 Environmental Conservation zoned vegetation on the property, which is also a bushfire threat to the dwelling. This is not considered to be warranted.

- Noise

Construction works will generate some noise, though conditions of consent can be imposed to ensure that works are undertaken only within specified hours to limit

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

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impacts upon neighbours. No on-going significant noise impacts are expected as a result of the development.

- Privacy and Overlooking

No significant concerns are raised in relation to privacy loss and overlooking resulting from the proposed development.

- Overshadowing

N/A

- Views

The proposed dwelling, although sited on elevated, visually prominent land, adopts a low profile architectural form that nestles into the hillside. Proposed landscaping surrounding the dwelling will soften the built form within the rural landscape. The proposal will have no unreasonable impact upon views currently available from neighbours or from Gerringong and the Princes Highway.

- Vehicular Access, Parking and Manoeuvring

Sufficient car parking is proposed.

Manoeuvring is compliant with AS/NZS 2890.1 – 2004 and the driveway will comply with required gradients.

The access options are discussed previously and the applicant has elected to pursue Option 3. The reasoning underpinning Option 3 as the favoured option is considered to be sound. Weighing up the three options, on planning and engineering grounds, Council staff concur that Option 3 it is the preferred means of obtaining access to the site.

Option 3 involves obtaining a right of carriageway over adjoining and adjacent land to provide access to Saddleback Mountain Road. However, this option does not have the consent of the affected neighbouring landholder. This is discussed further below under 'Public Submissions'.

- Stormwater Management

A satisfactory drainage design has been provided with the application.

- Environmental Impacts

*Vegetation Removal* – No vegetation is to be removed.

*Fauna Impacts* – It is unlikely that the proposal will affect any fauna or its habitat.

*Impact on Soil Resources* – Construction activities have the potential to impact on soil resources by way of erosion and sedimentation. Conditions of consent should be imposed, if consent is granted, in relation to soil and water management controls to be implemented during construction. Satisfactory implementation of these controls will prevent significant impacts on soil resources.

*Impact on Water Resources* – A rainwater tank will be provided, as required by BASIX. Controls will be implemented during construction to minimise sedimentation.

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

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- Social and Economic Impacts

The proposed development will likely have minimal adverse social or economic impacts. The amenity impacts of the proposed development have been considered in detail and no concerns raised in submissions warrant refusal of the application.

### **The Suitability of the Site for the Development**

The proposal fits within the locality and the site attributes are considered to be conducive to development.

Other issues to consider include:

- Traffic and Access

As identified earlier, proposed access involves construction of an approximate 600m long driveway through the south eastern corner and along the eastern boundary of adjoining Lot 5 DP 827151 (391 Saddleback Mountain Rd). This is represented by access Option 3 as put forward by the applicant.

As the land affected is in separate ownership and landowners consent for the proposed access has not been granted, the applicant has requested that this matter be resolved by way of deferred commencement development consent (Section 4.16(3) of the EP&A Act, 1979). Such consent would require separate development consent be obtained for access over the neighbouring land along with registration of a right of way.

The development application is supported by legal advice, prepared by Carter Ferguson Solicitors, that relates specifically to the proposed access and the associated intended right of way over neighbouring land. As taken from paragraphs 37, 38 & 39 of the legal advice, the following conclusion was reached:

*“37. It is clear that section 80(3) is designed to cover the situation of the present application.*

*38. Council has the power to grant a deferred development consent subject to a deferred commencement condition that the applicant must produce evidence to the Council that rights of way have been obtained from Saddleback Mountain Road to the boundary of Siberia in the location shown as Option 3 before the consent can become operational.*

*39. A further condition of deferment would be that the applicant obtain development consent for the works necessary for the construction of the access road and the use of the access road for the purposes of ingress and egress to and from Siberia.”*

NB: Reference to Siberia is reference to the subject property upon which the dwelling is proposed.

On behalf of an affected adjoining neighbouring landowner, Plannex Environmental Planning Pty Ltd made a submission countering the advice from Carter Ferguson Solicitors, stating the following:

*“It is considered that the provision of access to the proposed dwelling house is a critical and fundamental threshold issue which must be resolved before any form of development consent can be issued. In issuing a ‘deferred*

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

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*commencement' consent, Council must have certainty of the nature and the impacts of the development which is being approved. In this case, the issuing of a 'deferred commencement' consent as sought by the applicant would be made in the absence of any preliminary access road design information, which prevents Council from being able to make any assessment of the potential physical, environmental and visual impacts of the access roadway. If issued as the applicant proposes, the 'deferred commencement' consent would be reliant upon the construction of an access roadway and registration of a Right of Carriageway across land that is not the subject of the development application and for which the consent of the owners of the affected land has not been provided. Clearly, with the need to negotiate with two (2) neighbouring property owners and to develop an appropriate access route and design to the satisfaction of those owners, a 'deferred commencement' consent cannot be issued with any degree of certainty as to its outcomes."*

Item 11.1

This position was supplemented by legal advice from Walcom Lawyers on behalf of the neighbouring landowner.

The development application was lodged with Council prior to more detailed negotiation with the neighbouring landowners relating to access. This is because clause 4.2A(3)(d) of Kiama LEP 2011, being the clause upon which dwelling entitlement of the land relied, was to cease to apply after 16 December 2016. As set out in clause 4.2A(4), clause 4.2A(3)(d) was preserved in this instance by lodgement of the development application, seeking consent for a dwelling, prior to the appointed date.

The proposal to determine the application by way of deferred commencement consent enables the access issue to be resolved. The applicant has acknowledged that their preferred option for vehicle access (Option 3) will require negotiations with the landowners of the 2 respective parcels that access is proposed to cross. The applicant explains:

*"Clearly resolution of vehicle access to the subject land will take time to resolve, and will not have been resolved by the time constraint imposed by clause 4.2A(3) of the Kiama LEP 2011 has lapsed. Under these circumstances this development application requests that Council issue a 'deferred commencement' consent pursuant to Section 80(3) of the Environmental Planning & Assessment Act, with resolution of the access being the outstanding matter that requires to be resolved prior to the issue of an operational consent."*

The applicant for the development is aware that this course of action may result in actions under either section 40 of the Land and Environment Court Act 1979 or section 88K of the Conveyancing Act 1919 in order to resolve the issue of access.

To conclude, as identified in Figure 8 above, the applicant has identified three access options and has elected to pursue Option 3. The reasoning underpinning Option 3 as the favoured option is considered to be sound. Weighing up the three options, on planning and engineering grounds, Council staff concur that Option 3 is the preferred means of obtaining access to the site.

Council's Engineers have raised no concerns with the proposal in relation to traffic and access matters.

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
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On the basis of the legal advice submitted by the applicant and on the basis of the reasoning supporting Option 3, it is considered reasonable that Council grant deferred commencement consent to the proposed development.

- Agricultural land productivity

The proposed dwelling is sited 24m downhill from the northern property boundary, up-wind of the nearest neighbouring agricultural lands (prevailing winds). The development is not likely to result in any unreasonable adverse impact on neighbouring agricultural activity. The subject lot has a dwelling entitlement under Kiama LEP 2011.

The likely agricultural land impact associated with access Option 3 is not considered to be unacceptable, although this will be the subject of more specific consideration should deferred commencement consent be granted to the proposed development requiring separate development consent be obtained for access.

- Contamination from previous land uses

There is no evidence of site contamination on this or adjacent sites. The site is unlikely to be contaminated.

- Effect on public domain

The proposal is expected to have an acceptable impact on the public domain.

- Utility needs and supply

The proposal is serviceable by electricity and telecommunication services.

- Safety, security & crime prevention

The proposal has been considered against Crime Prevention Through Environmental Design (CPTED) principles and is considered to be acceptable.

- Operational waste

Waste collection will occur from Saddleback Mountain Road.

- Operational noise and vibration

No significant concern is raised.

- Risks to people & property from natural & technological hazards

The subject site is mapped as partially bushfire affected. The proposed dwelling is supported by a Bushfire Hazard Risk Assessment & Compliance Report, which concludes that the development can comply with Planning for Bushfire Protection, 2006.

The allotment is also traversed by a Jemena gas pipeline. The proposed dwelling is sufficiently clear of the pipeline and access (Option 3, as put forward) does not require the pipeline to be crossed.

- BCA compliance

Council building officer has reviewed the proposal and raises no concerns in relation to BCA compliance.

## Report of the Director Environmental Services

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- Construction impacts

Construction works will generate some noise, though conditions of consent can be imposed to ensure that works are undertaken only within specified hours to limit impacts upon neighbours.

**Submissions**Public Submissions

Notification letters were sent to neighbouring property owners, who were provided with 28 days in which to comment on the proposal. At the conclusion of the notification period, 2 submissions were received. Subsequent additional neighbour notification occurred over a 14 day period, involving landowners who were not notified with the original notification. No additional submissions were received at the conclusion of the second notification period.

The 2 submissions received raised the following (summarised) matters of concern:

Item 1:- Access is not accepted over neighbouring land. Access should be either Option 1 or 2.

Response:- Access Option 3, as put forward by the applicant, appears to be the most suitable means of access to the site, which enjoys a legal dwelling entitlement. In this regard Option 3 provides the shortest and least disruptive route in terms of impact on existing native vegetation (Option 1) and visual impact, agricultural land use impact and watercourse impact (Option 2). All three options entail traversing a Category 3 watercourse, but Option 3 (and 1) involve crossing at a point toward the head of the catchment, whereas Option 2 involves crossing lower in the catchment, being an area susceptible to greater waterflows and flood impact.

On the basis of a deferred commencement consent, should Council grant consent, access will be considered in detail as part of a separate development application.

The ability for Council to issue a deferred commencement consent in order to resolve the access issue is discussed in detail above.

Item 2:- The closeness of the dwelling to the northern boundary is a concern due to impacts from ongoing agricultural use of the neighbouring land.

Response:- This is discussed above under DCP 2012 Chapter 6. No significant concerns are raised in relation to potential agricultural land use impact.

Item 3:- The proposed dwelling site and dwelling will be exposed to high winds

Response:- The dwelling incorporates a low profile, single storey split-level form, which reduces its exposure to wind forces. As with other houses in the area, the proposed dwelling will be engineered and constructed to withstand wind forces experienced at the site.

**External Referrals**

Nil

**Internal Referrals**

The application was referred to the following Council Officers for their consideration.

Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

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- Development Assessment Officer - Planning

No objection has been raised in relation to the proposed development. Comment is made that the land *“is zoned RU2/E2 with an area of 29.54ha. It is the whole of an existing holding therefore does have a dwelling entitlement under Clause 4.2A (3)(d).”*

- Development Assessment Officer - Building

No objection has been raised in relation to the proposed development. Conditions of development consent have been recommended should the application be approved.

- Subdivision & Development Engineer

No objection has been raised in relation to the proposed development. Conditions of development consent have been recommended should the application be approved.

- Landscape Design Officer

No objection has been raised in relation to the proposed development. Conditions of development consent have been recommended should the application be approved.

### **The Public Interest**

The proposal is considered to be generally consistent with all relevant Environmental Planning Instruments and Development Control Plan 2012 except as justified and discussed within this report. The proposal is considered unlikely to cause significant adverse impacts to the natural or built environment, is not likely to cause significant adverse social and economic impacts, is suitable for the site and therefore is considered to be consistent with the public interest.

### **Final Comments and Conclusions**

The proposed development has been assessed having regard to all relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act, 1979. The proposal is consistent with Kiama LEP 2011 and relevant Development Control Plan 2012 chapters. The proposed development is consistent with the objectives of the RU2 Rural Landscape zone.

Consideration has been given to the social, economic and environmental impacts of the proposed development and no significant concerns are raised. Concerns raised in submissions have been considered and, while Council acknowledges the reluctance of the neighbouring landowners to allow access to the development site, deferred commencement consent for the proposed dwelling enables further negotiation with the neighbouring land owners and, if necessary, a legal avenue to resolve the issue of access.

The proposed development is considered to be reasonable and conditional approval is recommended by way of deferred commencement development consent.

### **Draft Conditions of Development Consent**

#### **Deferred Commencement Conditions**

This deferred commencement consent is issued under s.4.16(3) of the Environmental Planning and Assessment Act, 1979. This consent is not to operate



## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
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until the Applicant satisfies the Council, within **36 months** of the date of this consent, of the following matters:

1. The applicant shall provide details of the access route from Saddleback Mountain Road to the dwelling. Development Consent shall be obtained for the accessway. Accessway details shall include (at a suitable scale) a plan view, a longitudinal section showing existing and design levels, cross-sections at twenty metre intervals showing existing and design levels, a typical cross-section, a pavement design from a suitably qualified engineer, a drainage concept design from a suitably qualified engineer and a sediment and erosion control plan from a suitably qualified person. The proposed design shall be compliant with Section 4.1.3(2) – Property Access of the document “NSW RFS Planning for Bushfire Protection 2006” and Australian Standard AS2890.1:2004. Where there is an inconsistency, “NSW RFS Planning for Bushfire Protection 2006” shall take precedence. Passing bays shall be included along the route at a minimum interval of every 200 metres. There shall be widening at the start of the accessway to allow two vehicles to pass. The pavement design shall be capable of carrying a minimum load of 15 Tonnes.
2. The applicant shall demonstrate that the proposed access way is above the 1 in 20 year recurrent flood event level.
3. The applicant shall demonstrate that a ‘right of carriageway’ has been created over Lot 2 in DP 814140 and Lot 5 in DP 827151 in favour of Lot 14 in DP 3923. The ‘right of carriageway’ shall be of a sufficient width to include all required passing bays and curve widening.

### END OF DEFERRED COMMENCEMENT CONDITIONS

#### Conditions of Operational Development Consent (when all Deferred Commencement Conditions have been satisfied):

##### General

- (1) The development shall be implemented generally in accordance with the details set out on the plan/drawing and supporting documents endorsed by Council as 10.2016.317.1 dated – date of Council decision - except as amended by the following conditions: (g005.doc)
- (2) The development shall be completed in accordance with the approved colour schedule shown on the approved Elevations Plans. (g014.doc)
- (3) No development/work is to take place until a Construction Certificate has been issued for the development and the necessary conditions of development consent satisfied to enable issue of a Construction Certificate. (g030.doc)
- (4) The development shall not be occupied until such time as all conditions of this Development Consent are met or unless other satisfactory arrangements are made with the Principal Certifying Authority. (g040.doc)
- (5) The property owners shall be made aware that all Aboriginal relics in NSW are protected under Section 90 of the National Parks and Wildlife Act 1974, which makes it an offence to knowingly damage, disturb, deface or destroy an Aboriginal relic or site, without first obtaining the written consent of the Director-

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
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General of the National Parks and Wildlife Service. If such a site is discovered, the Southern Zone Archaeologist of the National Parks and Wildlife Service shall be contacted immediately. (g050.doc)

- (6) The developer shall not carry out any work other than emergency procedures to control dust or sediment-laden runoff outside the normal working hours, namely, 7.00am to 5.00pm, Monday to Friday and 8.00am to 1.00pm Saturday, without the prior written approval of the Principal Certifying Authority. Any request to vary these hours shall be submitted to the Principal Certifying Authority in writing detailing:-
- a The variation in hours required.
  - b The reason for that variation.
  - c The type of work and machinery to be used. (g165.doc)

**Prior to Commencement of Works**

- (1) Building work must not commence until the Principal Certifying Authority for the development to which the work relates has been informed of:
- i The licensee's name and contractor licence number;
  - ii That the licensee has complied with Part 6 of the Home Building Act 1989.
- In the case of work to be done by any other person, the Principal Certifying Authority:
- a Has been informed in writing of the person's name and owner builder permit number;
- or
- b Has been given a declaration, signed by the owner/s of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989. (pt005.doc)
- (2) Under the provisions of the Act, work may not commence on the development until the following is carried out:
- a Detailed plans and specifications of the building must be endorsed with a Construction Certificate by Council or an Accredited Certifier; and
  - b You **must** appoint a Principal Certifying Authority (can be either Council or an Accredited Certifier); and
  - c You **must** notify the Council of the appointment; and
  - d You **must** give at least two (2) days' notice to Council of your intention to commence work.

You will find attached an application form for a Construction Certificate. Should you require Council to issue this Certificate you should complete this application and forward it, together with plans and specifications, to Council for approval.

## Report of the Director Environmental Services

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(cont)

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You will find attached a form for the “*Notice of Commencement of Building Work and Appointment of Principal Certifying Authority*”, which you are required to submit to Council at the appropriate time and at least two (2) days prior to the commencement of work.

Should you appoint Council as the Principal Certifying Authority, relevant inspection fees will be required to be paid at the time of lodgement of this form.

(pt020.doc)

- (3) The BASIX commitments shall be indicated on the plans to the satisfaction of Council or an Accredited Certifier prior to the issue of the Construction Certificate. (pt034.doc)
- (4) A separate application shall be submitted to and approved by Council for the On-site Sewerage Management System prior to issue of the Construction Certificate. (pt040.doc)
- (5) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - a Showing the name, address and telephone number of the Principal Certifying Authority for the work;
  - b Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
  - c Stating that unauthorised entry to the work site is prohibited.

**Note:** Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed. The sign will be provided by the nominated Principal Certifying Authority for the relevant fee. (pt060.doc)

- (6) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal Certifying Authority for any reinforced concrete slabs, footings or structural steel. (pt062.doc)
- (7) Details of compliance with conditions of consent under the heading Bush Fire Hazard Management and AS3959 – Building in Bush Fire Prone Areas shall be provided to the Accredited Certifier prior to the issue of the Construction Certificate. (pt065.doc)
- (8) The applicant shall submit engineer’s details of the foundation based on geotechnical advice prepared by a suitably qualified geotechnical engineer. Such detail/advice is to be provided prior to the issue of a Construction Certificate. (pt070.doc)
- (9) A contribution under Section 7.12 of the Environmental Planning and Assessment Act 1979 (as amended) and Kiama Council's Section 94A (Indirect Contributions) Plan shall be paid to Council **prior to the issuing of a Construction Certificate**. The total contribution required for the development is **\$7,480.00**

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
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The amount of the contribution shown on the development consent will be indexed to the time of payment in the following manner:

$$\text{Contribution (at time of payment)} = \frac{\text{C x CPIP}}{\text{CPIc}}$$

Where:

C = The original contribution amount as shown in the development consent.

CPIP = The *Consumer Price Index: All Groups Index for Sydney* as published by the Australian Bureau of Statistics and which applied at the time of payment.

CPIc = The *Consumer Price Index: All Groups Index for Sydney* as published by the Australian Bureau of Statistics and which applied at the time of issue of the development consent. (po001.doc)

- (10) Prior to the commencement of any works, the applicant shall obtain a Construction Certificate for the accessway. The plans and specifications for the accessway shall be consistent with the stamped approved plans and associated documentation approved in the Development Consent issued in respect of the accessway.

### Site Facilities

- (1) An appropriate temporary toilet facility shall be provided on site, located inside the property boundaries, prior to commencement of works. The temporary toilet shall be maintained in a clean/sanitary condition at all times. (sf010.doc)
- (2) During construction the applicant shall provide, inside the property boundaries a suitable waste container for the disposal of all papers, plastics and other light weight materials. (sf015.doc)
- (3) A sign must be erected in a prominent position on the premises on which the erection or demolition of a building is being carried out:
- a Stating that unauthorised entry to the premises is prohibited; and
  - b Showing the name of the builder or other person in control of the worksite and a telephone number at which the builder or other person may be contacted outside working hours.

Any such sign is to be removed when the erection or demolition of the building has been completed. (sf020.doc)

### Erosion and Sedimentation Controls / Soil and Water Management

- (1) All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur. In particular:
- a A silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). Such fence must be regularly inspected and cleaned out and/or repaired as is necessary, and all

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

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collected silt must be disposed of in accordance with Council's Sedimentation Control Policy.

- b Unnecessary disturbance of the site (eg; excessive vehicular access) must not occur.
- c All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.
- d All the above requirements must be in place for the duration of the construction works. (esc005.doc)

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**Inspections**

- (1) The building work shall be inspected at critical and other stages as required by the Principal Certifying Authority for the development.

**NOTE:** Should you choose Council to be your Principal Certifying Authority for this development you will be advised of the required building inspections and applicable fees at the time of that appointment. (bu015.doc)

**Building Construction**

- (1) All building work must be carried out in accordance with the requirements of the Building Code of Australia. (bu010.doc)
- (2) The roadway, footpath or Council reserve shall not be used to store building material without the prior approval of Council. (bu086.doc)
- (3) All excavations and backfilling must be executed safely in accordance with appropriate professional standards. (bu090.doc)
- (4) All excavations must be properly guarded and protected to prevent them from being dangerous to life or property. (bu095.doc)
- (5) The Reduced Levels (RL) of the proposed development must be in accordance with the approved plans. Certification of these levels by a registered surveyor must be submitted to an accredited certifier or Council prior to proceeding past that level. (bu120.doc)
- (6) A survey shall be undertaken and a copy be made available to Council or an accredited certifier, certifying that the building is correctly located in relation to the boundaries of the site and in accordance with the approved plans. Such survey shall be submitted at peg out stage. (bu125.doc)
- (7) Construction and demolition work, delivery of materials and plant, etc shall only take place between the following hours;
  - Monday to Friday - 7.00 am to 5.00 pm
  - Saturdays - 8.00 am to 1.00 pm
 No construction work is to take place on Sundays or Public Holidays. (bu151.doc)
- (8) The Waste Management Plan shall be strictly adhered to at all stages during the demolition, construction and/or subdivision work. All waste nominated for disposal must be disposed of at a licensed landfill facility. All waste nominated for recycling must be reused or recycled. (bu153.doc)

## Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
(cont)

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**Bushfire Hazard Management**

- (1) The development shall be completed in accordance with Planning for Bushfire Protection 2006.
- (2) New construction shall comply with the Bushfire Hazard Risk Assessment and Compliance Report recommendations, prepared by Bushfire Evacuation Solutions dated 22 November 2016.

**Landscaping Works**

- (1) All landscape areas shown on the approved landscape plans (drawing numbers DA4 amendment B) or otherwise required under the conditions of this consent, shall be landscaped and maintained in accordance with the approved plans and conditions. (lw015.doc)
- (2) The landscaping shall be maintained actively and regularly for a period of 52 weeks commencing from the date of issue of the Occupation Certificate. (lw020.doc)
- (3) At the end of the 52 week landscape maintenance period and after any defects that occurred during that period have been corrected, a final Compliance Certificate shall be provided from a suitably qualified landscape professional stating that all landscape works have been completed and maintained in accordance with the approved landscape plans and the conditions of this development consent. (lw035.doc)
- (4) Prior to issue of the Occupation Certificate the developer shall provide a Compliance Certificate from a suitably qualified landscape professional or Council's Landscape Officer stating that all landscape works have been completed in accordance with the approved landscape plans and the conditions of the development consent. (lw170.doc)

**Prior to Occupation**

- (1) The completed Waste Management Compliance Sheet (Appendix 1C) shall be submitted to and approved by Council prior to issue of the Final Occupation Certificate.  
Supporting documentation (dockets/receipts) verifying recycling and disposal shall be attached to the Compliance Sheet. (po002.doc)
- (2) The BASIX schedule of commitments shall be complied with prior to the issue of a Final Occupation Certificate for the development and if required a certificate shall be provided to the Principal Certifying Authority from a properly qualified person to certify that the BASIX schedule of commitments have been provided and/or installed. (po003.doc)
- (3) The whole or part of the building must not be occupied unless an Occupation Certificate has been issued in relation to the building or part in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979. (po005.doc)
- (4) Prior to the issue of any Occupation Certificate, the applicant shall demonstrate through the provision of works-as executed drawings signed by a Registered Surveyor and certification from a suitably qualified engineer (registered under the Engineers Australia - National Engineering Register) that the accessway

Report of the Director Environmental Services

11.1 10.2016.317.1 – Lot 14 DP 3923, Princes Highway, Rose Valley - Dwelling  
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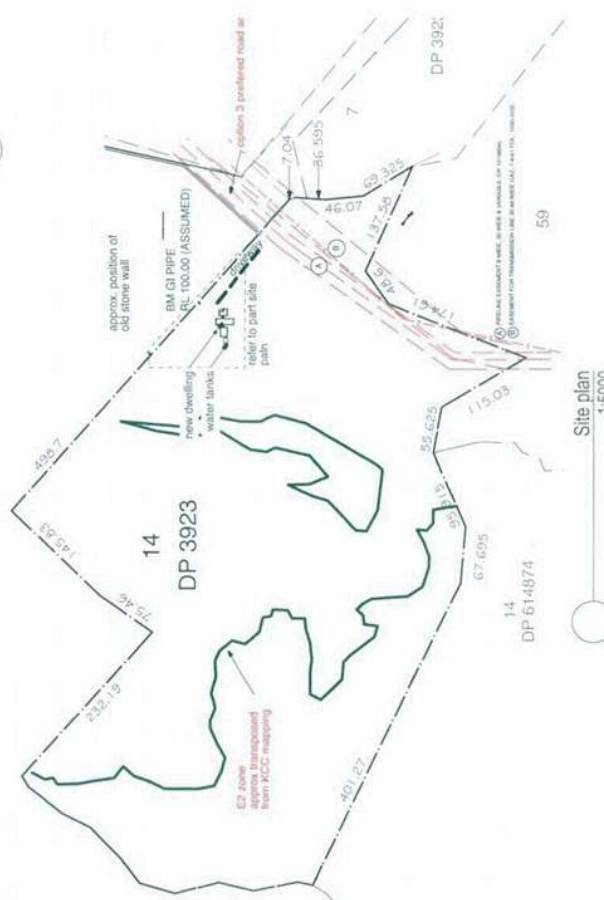
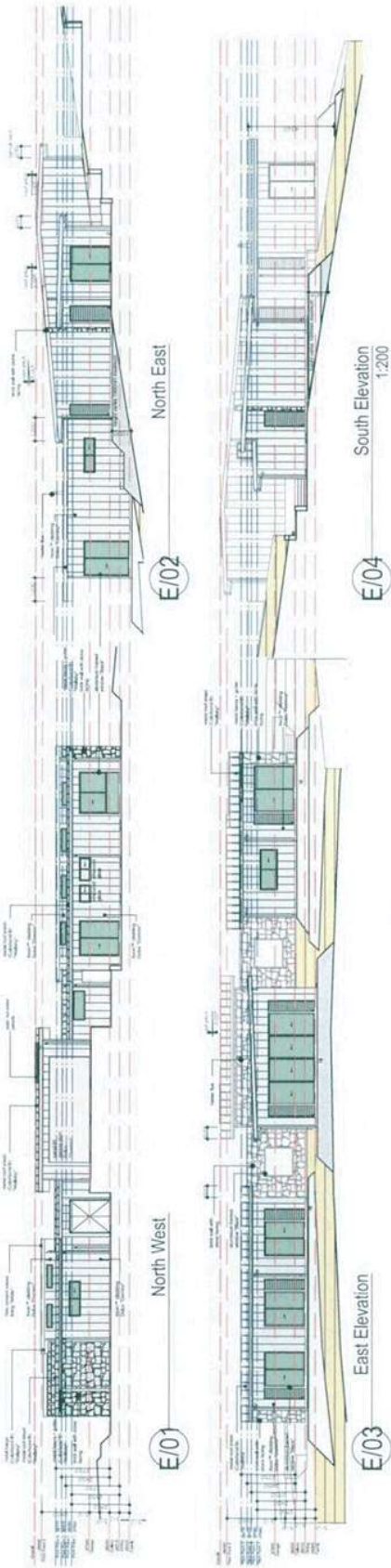
has been constructed in accordance with the stamped approved plans and associated documentation.

**Item 11.1**





Public Plans



<p>All work to be carried out in accordance with the National Construction Code, relevant Australian Standards and regulatory authorities' requirements. The client and all others exempted from any recovery of costs or charges thereafter arising from any conflict of any other. Builders are to visit the site, verify and assume responsibility for all details of works and fully advise themselves of all requirements.</p>		<p>tesstra design + drafting</p> <p>10/11/2016 11:53 AM www.tesstra.com.au © NOT TO BE REPRODUCED IN PART OR WHOLE WITHOUT EXPRESS PERMISSION</p>		<p>Drawing Name: Notification Project description: New Residence Client: Jodi-Maree Miller Project: Lot 14 DP 3923 Address: "Siberia" Rose Valley NSW</p>		<p>Project Status: Development Application Date: 11/2/2016 Set of 6 drawings: Drawn: DA5 Scale: 1:200, 1:5000 Project No: 10111</p>	
<p>Site plan 1:5000</p>	<p>drawings are not to be scaled, if in doubt contact tesstra</p>						



Item 11.1

Attachment 1



Materials Colours & Finishes Selection  
Miller Residence - Lot 14 DP3923 "Siberia" Rose Valley

Roof, Fascia & Gutters  
Colorbond -Wallaby



WALLABY™  
SA = 0.64, BCA = D

Masonry Wall  
Boral  
Cultured Stone  
Field style - Aspen



ASPEN



Wall Cladding  
James Hardies  
Scyon Axon  
smooth 400mm



Paint Colour  
Dulux Exterior  
weather shield –  
Domino EB GR10



Domino EB GR10

Windows  
Aluminum powder  
coat -Ultra Black



ULTRA BLACK  
GN270A

External Paving  
Honed large format  
sandstone pavers



Item 11.1

Attachment 1



**11.2 10.2017.330.1 - Lot 1 DP 719290, Lot 26 DP 773571 - 53 Bong Bong Street and 8 Akuna Street, Kiama - 2 Lot Torrens Title Subdivision and Dwelling on Newly Created Lot to be Constructed in 2 Stages**

CSP Objective: 2.0 Well planned and managed spaces, places and environment

CSP Strategy: 2.3 The principles of sustainable development and compliance underpin town planning and local development

Delivery Program: 2.3.1 Conduct development and building assessment/approval functions in accordance with statutory requirements, policies and procedures

Item 11.2

**Summary**

This report reviews Development Application No 10.2017.330.1 which involves the construction of a 2 Lot Torrens Title Subdivision and a dwelling on newly created lot to be constructed in 2 stages:

1. Stage 1 - subdivision of Lot 1 DP 719290 into Lot 101 and Lot 102; and
2. Stage 2 - construction of a single storey dwelling on Lot 101.

The report recommends that Council approve DA 10.2017.330.1 as the proposal is:

- Permissible in the LEP2011 - R2 Low Density Residential and complies with the zone objectives and is consistent with the relevant development standards of the Kiama LEP; and
- Generally consistent with the Kiama Development Control Plan 2012 (DCP), with the exception of the controls requiring a 5.0m wide access corridor to battle-axe allotments.

Requests to vary the DCP controls have been received.

**Finance**

N/A

**Policy**

N/A

**Communication/Community Engagement**

Required: Yes (newspaper advertisement, and letter notification).

Notification Period: i) 14 days from 24/11/2017 to 08/12/2017; and  
ii) 14 days from 30/04/2019 to 14/05/2019.

Submissions: 3 submissions.

**Reason for the Report**

This report is submitted to Council because only the elected Council can determine applications involving more than a minor variation to the DCP.

**Attachments**

1 10.2017.330.1 - plans [↓](#)

## Report of the Director Environmental Services

11.2 10.2017.330.1 - Lot 1 DP 719290, Lot 26 DP 773571 - 53 Bong Bong Street and 8 Akuna Street, Kiama - 2 Lot Torrens Title Subdivision and Dwelling on Newly Created Lot to be Constructed in 2 Stages (cont)

**Enclosures**

Nil

**RECOMMENDATION**

That Council approve Development Application No 10.2017.330.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

**BACKGROUND****Development Site**

The property is described as Lot 1 DP: 719290 which is located at 53 Bong Bong Street, Kiama.

The overall site measures 1556m<sup>2</sup> and is rectangular in shape. The site currently contains Class 1/Class 10 buildings and is bounded by residential development containing principally dwellings.

The site is zoned R2 Low Density Residential under Kiama LEP 2011.

The site has ocean views to the north, is cleared and slopes steeply from the south to the north with a fall of 13.26m or 21.8%. The site drains to the existing system.



**Figure 1 – Locality Plan**

Access to the property is gained through a Public Road.

The site is serviced by water/sewer/electricity/telecommunications.

The site is subject to the following constraints

- Heritage item indicated in the Kiama LEP 2011 on the land/Heritage item indicated in the Kiama LEP 2011 on adjoining land;
- Services/easements.

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**Figure 2 – Site Photograph - Front of Heritage Item (North View)**



**Figure 3 – Site Photograph – Front of Heritage Item (North View)**

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**Figure 4 – Site Photograph – Existing Access Driveway (North View)**



**Figure 5 – Site Photograph – Rear of Heritage Item (South View)**

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Figure 6 – Site Photograph – Rear of Lot (North View)

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### Background

The development application history at 53 Bong Bong Street is as follows:

DA No	Description	Lodgement	Determined	Decision
6.1955.8.1	Dwelling Additions	-	-	Approved
6.1968.57.1	Garage	-	-	Approved
6.1970.102.1	Dwelling Alterations and Additions	-	-	Approved
220.2013.244	Tree Removal	21/08/2013	15/10/2013	Approved

### Description of the Proposed Development

The proposal involves the 2 Lot Torrens Title Subdivision and dwelling on newly created lot to be constructed in 2 stages:

1. Stage 1 - Subdivision of Lot 1 DP 719290 into Lot 101 and Lot 102; and
2. Stage 2 - Construction of a single storey dwelling on Lot 101.

The proposal is described as:

- Stage 1 - Subdivision of Lot 1 DP: 719290, into Lot 101 and 102 each lot with an area of 640m<sup>2</sup> and 903.5m<sup>2</sup> respectively, with a drainage easement and associated pipe work on Lot: 26 DP: 773571. Note: these dimensions reflect new survey verified areas.
- Stage 2 - the construction of a detached single storey dwelling with combined driveway and separate landscaped areas.



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- The dwellings have a combined gross floor area (GFA) of 477 m<sup>2</sup>

The details of each of the dwellings is as follows:

Existing Dwelling 1 (Lot 102) 330m <sup>2</sup> GFA	Proposed Dwelling 2 (Lot 101) 147m <sup>2</sup> GFA
<p><u>Ground Floor</u></p> <ul style="list-style-type: none"> <li>Front Veranda/Porch</li> <li>kitchen, dining, living</li> <li>3 x bedrooms</li> <li>Laundry</li> <li>Bathroom with separated WC</li> </ul> <p><u>Sub-Floor</u></p> <ul style="list-style-type: none"> <li>Additional habitable floor space</li> </ul>	<p><u>Ground Floor</u></p> <ul style="list-style-type: none"> <li>Open plan kitchen, dining, living</li> <li>Laundry, rumpus, powder room</li> <li>Study, alfresco</li> <li>Double car garage</li> </ul>

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The proposal is shown in Figures 7, 8, 9, 12, 11 and 12 below:



Figure 7 –Subdivision Plan

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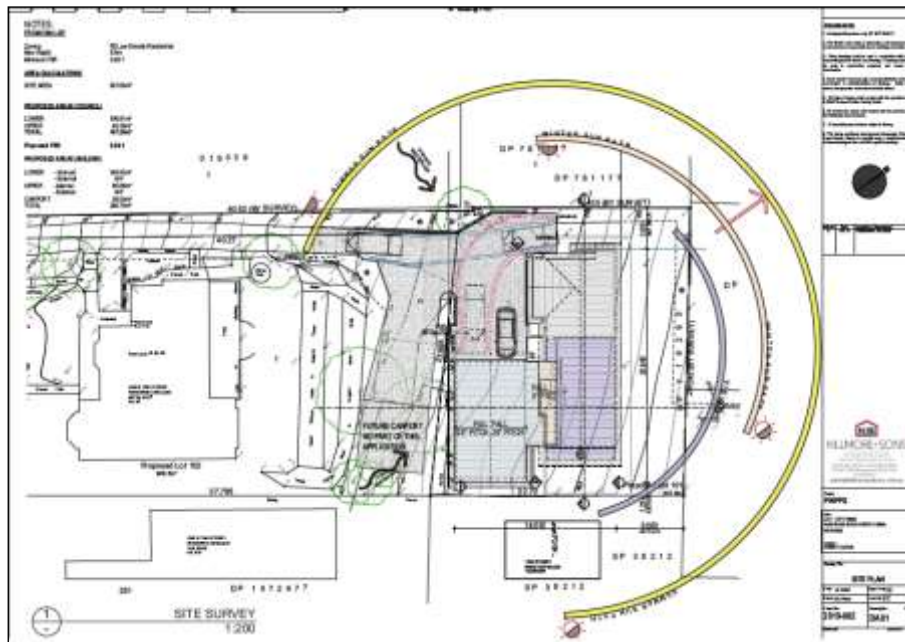


Figure 8 – Site Plan

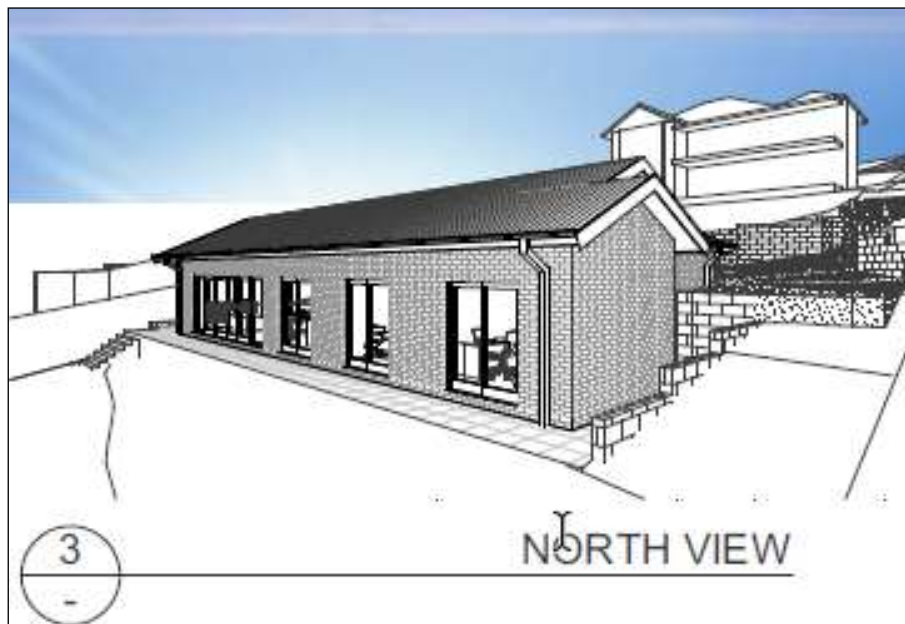


Figure 9 – North 3D Elevation

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Figure 10 –Eastern 3D Elevations

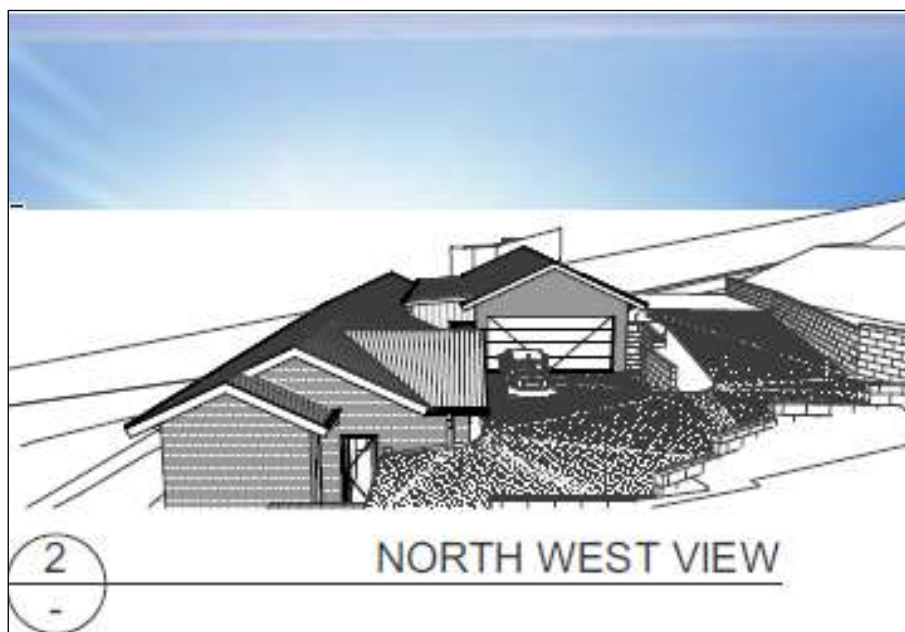


Figure 11 – Northern Eastern 3D Elevations

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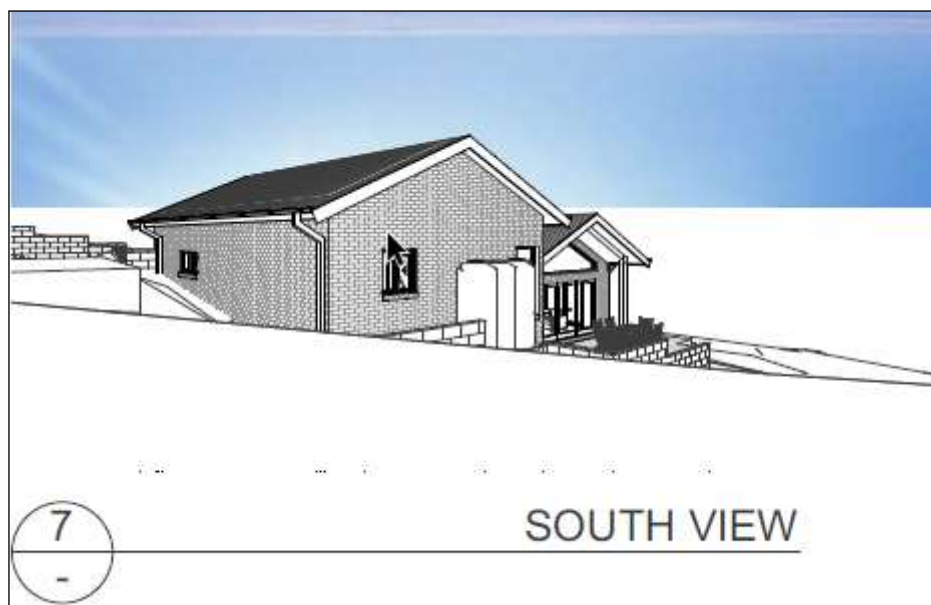


Figure 12 – South 3D Elevation

### Section 4.15 Assessment

The proposed development has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended) and the following matters are considered relevant.

#### Relevant Environmental Planning Instruments

- State Environmental Planning Policy No 55 - Remediation of Land

Clause 7 of the SEPP No 55 requires Council to consider whether the land is contaminated and if it is contaminated if remediation works are required. Council is unaware of any historic land use which would deem the site unsuitable for the proposed development, therefore the land is considered to be suitable for the proposed use.

- State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71)

In broad terms, the aims of the SEPP seek to protect and manage the unique attributes of the NSW coast by encouraging sensitive and appropriate development. The SEPP 71 is a means of implementing the State's *Coastal Policy*.

SEPP 71 aims to protect the unique attributes of the NSW Coast by ensuring that flora and fauna are protected, heritage is conserved and that development is appropriate. SEPP 71 applies to land and development within the coastal zone as defined by the *Coastal Protection Act 1979*.

The site is within the coastal zone as defined by the Coastal Protection Act being within 1km of the coastline, but is not within a coastal sensitive location.

Consideration has been given to the objectives of the SEPP and the matters prescribed by Clause 8. The proposed development is considered to be consistent with the objectives of the SEPP which are addressed further below under the heading "Clause 5.5 Development within the Coastal Zone".

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The proposed development is not considered inconsistent with the aims of the SEPP 71 as the heads of consideration listed in clause 8 and part 4 are satisfied by the development or have no relevance to the subject site.

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

A BASIX Certificate (1002583S) was lodged for the new dwellings with the application which demonstrates that each dwelling has been designed in accordance with BASIX.

- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Clause 9 and 10 of the SEPP (Vegetation in Non-Rural Areas) 2017 outlines that consent is required for the clearing of certain vegetation in non-rural areas. Council's Development Control Plan (DCP) 2012 outlines that certain trees can be removed without requiring consent. No trees are proposed to be removed as part of this development that require consent.

- Kiama LEP 2011

Clause 2.3 - Zone objectives and Land Use Table

The subject land is zoned R2 Low Density Residential under Kiama LEP 2011. The proposal is defined as a subdivision and dwelling on each lot under the provisions of the LEP 2011, which are permitted with consent in the R2 Low Density Residential zone.

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone which are listed below:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To increase the supply of secondary dwellings for affordable rental housing stock.*
- *To provide economic and employment opportunities for people who conduct business activities from their homes where these will not adversely affect the amenity of neighbours or the neighbourhood.*

As the proposal will provide for housing needs of the community within a low density residential environment the proposal is considered to be consistent with the zone objectives.

Specific clauses requiring consideration:

Clause 4.1 - Minimum Subdivision Lot Size

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Clause 4.1 requires that the minimum subdivision lot size is not less than the minimum size shown on the Lot Size Map. The site is listed with a minimum resulting lot size of 450m<sup>2</sup> on the lot size map.

Both proposed lots will have an area of 1556m<sup>2</sup>. As proposed Lot 101 will have an area of 640.6m<sup>2</sup> and proposed Lot 102 will have an area of 903.5m<sup>2</sup> both proposed allotments have areas more than 225m<sup>2</sup> the proposed development complies with the provisions of Clause 4.1.

Clause 4.3 - Height of Buildings

Clause 4.3 requires that the height of the building does not exceed the maximum height shown on the Height of Buildings Map. The height of building map identifies that a maximum building height of 8.5m applies to the site. The proposed new dwelling will have a maximum height of 4.89m above existing ground level and as such complies.

Clause 4.4 - Floor Space Ratio

Clause 4.4 requires that the floor space ratio does not exceed the maximum floor space ratio shown for land on the Floor Space Ratio (FSR) map. The Floor Space Ratio (FSR) map of the Kiama LEP 2011 identifies that a maximum floor space ratio of 0.45:1 applies to the site.

As per the definition provided in the Kiama LEP 2011 the *gross floor area* of the proposed development is 0.26:1 on Lot 101 and 0.42:1 on Lot 102 and as such complies.

Clause 5.5 - Development within the Coastal Zone

The Clause lists requirements for development within the coastal zone.

The development is on land that is wholly or partly within the coastal zone.

The proposal is not inconsistent with the objectives of the clause. The proposal does not cause increased coastal hazards or adverse impacts by way of diminished foreshore access, or its relationship with the surrounding area and natural scenic quality.

Development consent must not be granted unless the consent authority has considered the following provisions:

Provision	Comment
Existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to:	Access to and along the foreshore for pedestrians is not affected by the proposal.
(i) maintaining existing public access and, where possible, improving that access, and	
(ii) identifying opportunities for new public access	

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Provision	Comment
<p>The suitability of the proposed development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:</p> <ul style="list-style-type: none"> <li>(i) the type of the proposed development and any associated land uses or activities (including compatibility of any land-based and water-based coastal activities), and</li> <li>(ii) the location, and</li> <li>(iii) the bulk, scale, size and overall built form design of any building or work involved</li> </ul>	<p>The colours and materials of the built form outcomes remain a consideration to ensure the visual impacts of the subdivision are reasonably mitigated. Conditions of consent are recommended to ensure the scenic qualities of the coastline are reasonably protected, by restricting the use of whites, and highly reflective colours.</p>
<p>The impact of the proposed development on the amenity of the coastal foreshore including:</p> <ul style="list-style-type: none"> <li>(i) any significant overshadowing of the coastal foreshore, and</li> <li>(ii) any loss of views from a public place to the coastal foreshore</li> </ul>	<p>The coastal foreshore is not nearby the site of the development therefore its amenity is not affected as a result of overshadowing or loss of views from a public place.</p>
<p>How the visual amenity and scenic qualities of the coast, including coastal headlands, can be protected</p>	<p>The site is not on the headland, and the scenic quality of the headland is therefore not adversely affected by the proposal.</p>
<p>How biodiversity and ecosystems, including:</p> <ul style="list-style-type: none"> <li>(i) native coastal vegetation and existing wildlife corridors, and</li> <li>(ii) rock platforms, and</li> <li>(iii) water quality of coastal waterbodies, and</li> <li>(iv) native fauna and native flora, and their habitats,</li> <li>(v) can be conserved</li> </ul>	<p>The biodiversity and ecological values is not adversely affected by the proposal.</p>
<p>The cumulative impacts of the proposed development and other development on the coastal catchment.</p>	<p>There are no foreseeable adverse cumulative effects of the development affecting the coastal zone.</p>

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The development is on land that is wholly or partly within the coastal zone and the following matters have been satisfied:

Matter	Comment
Whether the proposed development will impede or diminish, where practicable, the physical, land-based right of access of the public to or along the coastal foreshore	Access to the coast is not affected by the proposal
Whether if effluent from the development is disposed of by a non-reticulated system, it will have a negative effect on the water quality of the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform	The site is serviced by a reticulated sewerage system.
Whether the proposed development will discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform	Stormwater is proposed to be connected to the existing system constructed for the subdivision, which includes water quality control measures.
Whether the proposed development will: <ul style="list-style-type: none"> <li>(i) be significantly affected by coastal hazards, or</li> <li>(ii) have a significant impact on coastal hazards, or</li> <li>(iii) increase the risk of coastal hazards in relation to any other land</li> </ul>	The development is/is not neither affected by coastal hazards, or adversely impacts on coastal hazards, or increases the risks of coastal hazards on any other land

#### Clause 5.10 - Heritage Conservation

Clause 5.10 lists requirements for heritage conservation for items listed in Schedule 5 of the Kiama LEP 2011.

An item of heritage exists on the property and is listed in Schedule 5 as 53–57 Bong Bong Street House Group and street trees (including former Wesleyan Parsonage, Garryowen House and Belmont House)“.

The proposal meets the objectives of the clause and is not likely to adversely affect the heritage significance of the item.

#### Clause 6.2 - Earthworks

Clause 6.2 lists considerations for proposals which involve earthworks. The proposal complies with the objectives of the clause and as the proposed earthworks are ancillary to the proposed dwelling separate development consent is not required.



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The proposed development is consistent with the relevant provisions of the Kiama LEP 2011 and is permissible within in the LEP2011 - R2 Low Density Residential zone.

### **Any Draft Environmental Planning Instruments**

The following draft State Environmental Planning Policies (SEPP) were in place at the time of lodgement of the DA, having been exhibited and are required to be considered:

- i. Draft SEPP – Land Remediation
- ii. Draft SEPP – Coastal Management; and

#### Draft SEPP 55 – Land Remediation

The draft Land Remediation State Environmental Planning Policy (SEPP), with accompanying maps, was on public exhibition and the gazettal of the draft SEPP bringing it into law, is not considered to be imminent or certain.

#### Draft SEPP – Coastal Management

The draft Coastal Management State Environmental Planning Policy (SEPP), with accompanying maps, was on public exhibition until 23 December 2016 and 20 January 2017 (for the maps).

The draft Coastal Management SEPP:

- Seeks to balance social, economic and environmental interests by promoting a coordinated approach to coastal management, consistent with the objectives of the Coastal Management Act 2016.
- Is part of the NSW Government's commitment to improving the way the coastal zone is managed, due to its unique environmental, social and economic values.
- Reviews and consolidates existing SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests) and SEPP 71 (Coastal Protection). These older policies will be repealed once the Coastal Management SEPP is finalised.
- Seeks to redefine the coastal zone into four areas, rather than by a single fixed area along the entire coastline, to enable more targeted management of the diversity of environments and interests in the coast.

Separate development controls apply to each area and focus on achieving specific objectives.

The 'coastal zone' is defined in the Coastal Management Act 2016 as four coastal management areas comprising: *Coastal Wetlands and Littoral Rainforests Area*; *Coastal Environment Area*; *Coastal Use Area*; and *Coastal Vulnerability Area*.

The site of the two (2) lot Torrens title subdivision & dwelling on newly created lot to be constructed in two Stages:

Stage 1 - Subdivision of Lot 1 DP 719290 into Lot 101 and Lot 102; and

Stage 2 - Construction of a single storey dwelling on Lot 101 are within the mapped *Coastal Use Area*.

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In the *Coastal Use Area* the focus is on ensuring appropriate urban development for coastal areas, taking into account urban design issues such and maintaining scenic qualities, visual amenity and aboriginal cultural heritage and places.

The draft SEPP states:

*Development consent must not be granted to development on land that is wholly or partly within the coastal use area unless the consent authority:*

- a) *is satisfied that the proposed development:*
  - i. *if near a foreshore, beach, headland or rock platform—maintains or, where practicable, improves existing, safe public access to and along the foreshore, beach, headland or rock platform, and*
  - ii. *minimises overshadowing, wind funnelling and the loss of views from public places to foreshores, and*
  - iii. *will not adversely impact on the visual amenity and scenic qualities of the coast, including coastal headlands, and*
  - iv. *will not adversely impact on Aboriginal cultural heritage and places, and*
  - v. *will not adversely impact on use of the surf zone, and*
- b) *has taken into account the type and location of the proposed development, and the bulk, scale and size of the proposed development.*

The proposed location of the 2 Lot Torrens Title Subdivision and dwelling on newly created lot to be constructed in two stages:

Stage 1 - Subdivision of Lot 1 DP 719290 into Lot 101 and Lot 102; and

Stage 2 - Construction of a single storey dwelling on Lot 101:

- is not near, and does not impact access to a foreshore, beach, headland or rock platform, and
- does not cause overshadowing or wind funnelling; and
- does not cause the loss of views from public places to foreshores, and
- does not adversely impact the visual amenity or scenic qualities of the coast.

**Kiama DCP 2012**

The proposed development is not inconsistent with the objectives Kiama DCP 2012. The minor non-compliances are addressed in the table below:

Control	Comment
Chapter 4 – Low Density Development	
C1 All applications for low	The principal development standards of the LEP

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Control	Comment
<p>density development must meet the following controls:</p> <ul style="list-style-type: none"> <li>• all Principal development standards as set by LEP 2011.</li> <li>• all development must be designed to minimise any environmental risks associated with its location.</li> </ul>	<p>have been met and are discussed in the report above.</p> <p>The environmental impacts associated with the streetscape impact of the development have been reasonably mitigated.</p> <p>The proposal exhibits an acceptable streetscape appearance, and does not set an undesirable planning precedent, which cannot be resolved with mitigation measures and/or by the imposition of conditions of consent implementing the package of proposed Heritage Conservation works and therefore does not undermine the consistent application of the planning controls.</p>
<p>Chapter 7 – Subdivision</p>	
<p>C47 Battle axe block must have a minimum frontage and access handle width of 5m for consideration of dual occupancy or secondary dwelling development. This frontage must include a 3m concrete driveway and a 1m landscaped strip adjoining the neighbouring property.</p>	<p>The proposal includes sufficient width for the 3.0 metre wide driveway, but the 1.0m wide landscape strip required adjoining the neighbouring property cannot be provided. The proposal is considered satisfactory as even though the landscape strip is not being provided to the access corridor there will be no unreasonable impact on the streetscape due to its low profile alongside a down sloping driveway. The down sloping nature means that the driveway is less visually prominent.</p>
<p>C18 The minimum access corridor width for a battle axe allotment shall be 5m with a minimum carriageway width of 3m for the entire length of the access handle.</p>	<p>The variation request is considered satisfactory because the proposal will not have an unacceptable impact on the streetscape as a result of the ‘gun-barrel’ appearance of the driveway arising from the non-compliances with the controls contained in Development Control Plan as set out above.</p> <p>The driveway is existing and will require only minor work.</p>
<p>C19 A 1m wide landscaping strip shall be provided along each side of the required 3m wide road pavement. The</p>	

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Control	Comment
<p>landscaping strip shall be planted with suitable small trees, shrubs and groundcovers.</p>	
<p>C22 A minimum 1 metre wide landscaping strip must be provided along each side of the required 3m wide road pavement of any shared access handle. The landscaping strip shall be planted with suitable small trees, shrubs and groundcovers and shall also include a hard stand area on one side of the access handle for garbage and recycling bins (i.e. directly abutting the public road reserve). The opposite 1m wide landscaping strip in the shared access handle shall include letterboxes for the two lots (i.e. directly abutting the public road reserve).</p>	
<p>C107 Battle axe allotments shall be designed to include sufficient area within the existing public road reserve verge to cater for the provision of garbage and recycling bins. Alternatively, a garbage and recycling bin storage area may be provided within close proximity to the adjoining public road, but will be subject to private waste</p>	<p>There is not sufficient road frontage proposed for the access handle so that Lot B can be serviced for waste collection. The bins for Lot 101 will be placed in front of Lot 101 as a result of a realignment of the lot boundaries to provide street frontage for Lot 101 and for the purpose of bin placement on collection day and meets the objective of the control.</p>

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Control	Comment
servicing arrangements being made by the property owner in the event that Council's waste contractor is not able to service the bin storage area.	
The maximum gradient for the driveway in one section is 26.92% (exceeding the 25% limit in Chapter 7 C28 of the Kiama DCP 2012).	<p>The proposal indicates that there will be no alteration to the first 38.69 metres of the existing driveway. Sections of the driveway slightly exceeds Council's DCP controls of 25% maximum grade; however, the Council's Development &amp; Subdivision Engineer has advised that the variation is not significant enough to cause safety issues to vehicles using the driveway and the application could not be refused on this non-compliance.</p> <p>It should be noted that the document by NSW RFS Planning for Bushfire Protection 2006 allows grades of up to 26.8% and the steepest section of the driveway is 26.92%. In this respect fire fighting vehicles and construction vehicles would be able to ingress and egress the proposed rear lot.</p>

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The proposed development generally complies with the relevant controls of the DCP 2012, and where strict compliance is not achieved the objectives of the controls are maintained.

### Any Planning Agreement

Nil.

### Any Matters Prescribed by the Regulations

- NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast

The proposal does not compromise the strategic actions or principles (Appendix C - Table 3) adopted within the *NSW Coastal Policy 1997*.

- Australian Standard AS 2601 - 1991: The Demolition of Structures

The proposal is not inconsistent with Australian Standard AS 2601 - 1991: *The Demolition of Structures*

### Any Coastal Zone Management Plan

Nil.

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### The Likely Impacts of the Proposed Development

- Biodiversity

The application does not propose clearing of native vegetation, and therefore the Environmental Planning and Assessment Act 1979 Part 1 Section 1.7 does not apply to the development which states:

*This Act has effect subject to the provisions of Part 7 of the Biodiversity Conservation Act 2016 and Part 7A of the Fisheries Management Act 1994 that relate to the operation of this Act in connection with the terrestrial and aquatic environment.*

**Note.** *Those Acts contain additional requirements with respect to assessments, consents and approvals under this Act.*

- Streetscape

The design of the proposed development is considered to be reasonable when considered in relation to the context of the site. The bulk, scale and design of the proposal is consistent with relevant planning instruments and is not inconsistent with the streetscape.

- Noise

Construction works will generate some noise, though conditions of consent can be imposed to ensure that works are undertaken only within specified hours to limit impacts upon neighbours. No ongoing significant noise impacts are expected as a result of the development.

- Privacy and Overlooking

No significant concerns are raised in relation to privacy loss and overlooking resulting from the proposed development.

- Overshadowing

Shadow diagrams have been supplied with the development application which indicate that the overshadowing impacts of the proposed development will be reasonable.

The orientation of the allotment is such that the submitted shadow diagrams show that the proposed development will overshadow the side/rear setbacks of the subject site and the adjoining site.

Shadow diagrams have been supplied with the development application which indicate that the overshadowing impacts of the proposed development will be reasonable as shown in Figure 13, 14 and 15 below:

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Figure 13 – 9am Shadows Mid-winter



Figure 14 – 12 noon Shadows Mid-winter

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Figure 15 – 3pm Shadows Mid-winter

- Views

The proposal will have no unreasonable impact upon views currently available from neighbours.

The development has been proposed to limit the visual impact on the heritage item by proposing a new dwelling on Lot 101 restricted in height to single storey to ensure the prominence of the Heritage Item in the landscape is maintained and not unreasonably diminished by development on Lot 101

- Vehicular Access, Parking and Manoeuvring

Sufficient car parking is proposed.

Manoeuvring is compliant with AS/NZS 2890.1 – 2004 and the driveway will comply with required gradients.

- Stormwater Management

A satisfactory drainage design has been provided with the application.

All stormwater will drain to the drainage easement.

- Environmental Impacts

*Vegetation Removal* – No vegetation is to be removed.

*Fauna Impacts* – It is unlikely that the proposal will affect any fauna or its habitat.



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*Impact on Soil Resources* – Construction activities have the potential to impact on soil resources by way of erosion and sedimentation. Conditions of consent should be imposed, if consent is granted, in relation to soil and water management controls to be implemented during construction. Satisfactory implementation of these controls will prevent significant impacts on soil resources.

*Impact on Water Resources* – A rainwater tank will be provided, as required by BASIX. Stormwater will be conveyed to the drainage easement. Controls will be implemented during construction to minimise sedimentation.

- Social and Economic Impacts

The proposed development will likely have minimal adverse social or economic impacts. The amenity impacts of the proposed development have been considered in detail and no concerns raised in submissions warrant refusal of the application.

### The Suitability of the Site for the Development

The proposal fits within the locality and the site attributes are considered to be conducive to development.

### Submissions

#### Public Submissions

Notification letters were sent to neighbouring property owners who were twice provided with 14 days in which to comment on the proposal. Firstly, when the application proposed only subdivision; and secondly, when the applicant was amended to propose a single-storey single dwelling on proposed Lot 101 to mitigate potential adverse visual impacts on the Heritage Item by future development on the lot.

At the conclusion of the first notification period, 3 submissions were received.

The applicant amended the plans to address some of these concerns which were notified to the persons who made submissions, and at the conclusion of the second notification period, 3 submissions were received.

At the conclusion of the second notification period, 3 submissions were received which raised the following (summarised) matters of concern:

	<b>Objection</b>	<b>Assessment Officer's Comment</b>
Item 1	Easement required for drainage over Lot 26 DP 773571.	All lots in the development are in the one ownership, therefore there is no issue with a condition of consent being imposed requiring the creation of the necessary easements over Lot 26 DP 773571.
Item 2	Non-original bay window to be removed from the Heritage Item.	Council's Heritage Adviser supports to the removal of the non-original bay

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	<b>Objection</b>	<b>Assessment Officer's Comment</b>
		<p>window from the heritage item and its replacement with the salvaged original double-hush sash window' configuration as part of the package of heritage conservation works proposed for the Heritage Item to enhance its long-term protection.</p>
Item 3	Lack of Car Parking	<p>The development generally complies with the Council's car parking requirements with a double garage proposed for the new dwelling, and car parking area proposed for the existing dwelling on both Lot 101 and Lot 102.</p>
Item 4	<p>A Section 88B Restriction as to User should be imposed on Lot 101 to prohibit:</p> <p>(i) the erection or use of any residential accommodation on Proposed Lot 101 other than one dwelling house; and</p> <p>(ii) the further subdivision of Proposed Lot 101, including, without limitation, by strata title, community title or company title.</p>	<p>A condition has been imposed to restrict development of the lot under Section 88B of the Conveyancing Act.</p>
Item 5	<p>A Section 88B Restriction as to User should be imposed on Lot 101 to prohibit the erection of a dwelling higher than 4.9 m above existing ground level.</p>	<p>A condition has been imposed to restrict development of the lot under Section 88B of the Conveyancing Act.</p>
Item 6	<p>DCP objectives and controls have not been fully addressed in the amended Statement of Environmental Effects.</p>	<p>The DCP is a guideline document, and the relevant objectives and controls have been generally addressed in the amended Statement of Environmental Effects, and have been considered and assessed where relevant in reporting on this development application regarding any significant non-compliance.</p>

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	<b>Objection</b>	<b>Assessment Officer's Comment</b>
Item 7	View Sharing/Visual Impacts of neighbours has not been sufficiently addressed	View Sharing/Visual Impacts of neighbours has been considered and the development generally satisfies the objectives to promote view sharing.
Item 8	The maximum gradient for the driveway in one section is 26.92% (exceeding the 25% limit in Chapter 7 C28 of the Kiama DCP 2012).	Council's Development and Subdivision Engineer has raised no objection to the development on traffic and access safety grounds arising from the non-compliance.
Item 9	Front and rear Setbacks need to be clarified	The setbacks have been considered and the development generally complies.
Item 10	Preservation and management of trees.	Council's Landscape Officer has considered the preservation and management of trees and raises no objection to the development.
Item 11	DCP Chapter 4 – Low Density Development are not adequately addressed in the Statement of Environmental Effects.	The DCP is a guideline document, and the relevant objectives and controls have been generally addressed in the amended Statement of Environmental Effects, and which have been considered and assessed where relevant in reporting on this development application regarding any significant non-compliance.
Item 12	DCP Chapter 4 – Low Density Development - Solar Access performance requirements are not met.	Both the proposed and existing dwelling on proposed Lots 101 and 102 respectively, have north facing rear yards provided at ground level, and shall receive the required solar access to the private open space areas mid-winter.  The existing dwelling currently has the benefit of the entire allotment for solar access, but it is acknowledged that the

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	<b>Objection</b>	<b>Assessment Officer's Comment</b>
		<p>private open space area (i.e. 6m x 4m) immediately to the rear of the dwelling is not impacted by the proposal.</p> <p>No shadow is cast by the proposed dwelling into the existing dwelling's rear ground level private open space area, therefore the status quo is being maintained for the existing dwelling from a solar access perspective.</p>
Item 13	DCP Chapter 7 – Subdivision are not adequately addressed in the Statement of Environmental Effects.	The DCP is a guideline document, and the relevant objectives and controls have been generally addressed in the amended Statement of Environmental Effects, and have been considered and assessed where relevant in reporting on this development application regarding any significant non-compliance.
Item 14	DCP Chapter 7 – Subdivision – Access Corridor width requirements are not met.	<p>C18 Control states that the minimum access corridor width for a battle axe allotment shall be 5 metres with a minimum carriageway width of 3 metres for the entire length of the access handle.</p> <p>The proposal satisfies the carriageway requirement however does not meet the requirement for landscaping on either side.</p> <p>Council's Development and Subdivision Engineer has raised no objection to the development on traffic and access safety grounds arising from the non-compliance.</p> <p>Council's Landscape Officer has considered the preservation and management of trees and raises no objection to the development arising from the non-compliance.</p>

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	Objection	Assessment Officer's Comment
Item 15	DCP Chapter 7 – Subdivision – Access Corridor width requirements are not met.	<p>C19 &amp; C22 Control generally states that a 1 metre wide landscaping strip shall be provided along each side of the required 3m wide road pavement. The landscaping strip shall be planted with suitable small trees, shrubs and groundcovers.</p> <p>The applicant states that:</p> <p><i>'the existing driveway is proposed to be widened in order to get as close as possible to compliance with modern standards for pavement widths'.</i></p> <p>Council's Development and Subdivision Engineer has raised no objection to the development on traffic and access safety grounds arising from the non-compliance.</p> <p>Council's Landscape Officer has considered the preservation and management of trees and raises no objection to the development arising from the non-compliance.</p>
Item 16	<p>DCP Chapter 8 – Landscaping</p> <p>The SoEE states that there will be some minor pruning of tree understory to promote sightlines to the heritage item.</p> <p>The Amended DA does not state what tree varieties are to be pruned.</p>	<p>Council's Landscape Officer has considered the preservation and management of trees and raises no objection to the development.</p>
Item 17	<p>DCP Chapter 26 – Kiama Town Centre</p> <p>The SoEE states a heritage impact statement has been submitted in support of the Amended DA.</p>	<p>Council's Heritage Adviser supports the package of heritage conservation works proposed for the Heritage Item to enhance its long-term protection.</p>

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	<b>Objection</b>	<b>Assessment Officer's Comment</b>
	<p>However the authorship and credentials of the author of the Heritage Impact Statement included in the Amended DA is not specified.</p> <p>The Amended DA does not state what tree varieties are to be pruned.</p>	
Item 18	<p>DCP Chapter 30 – Heritage</p> <p>The SoEE states a heritage impact statement has been submitted in support of the Amended DA.</p> <p>However the authorship and credentials of the author of the Heritage Impact Statement included in the Amended DA is not specified.</p> <p>The Amended DA does not state what tree varieties are to be pruned.</p>	<p>Council's Heritage Adviser supports the package of heritage conservation works proposed for the Heritage Item to enhance its long-term protection.</p>
Item 19	<p>DCP Chapter 30 – Heritage -C10 - New development in the vicinity of a heritage item or on the site of a heritage item should recognise the predominate scale (height, bulk, density, grain) of existing development and respond sympathetically in the design of new works.</p> <p>The SoEE states that 'The proposed dwelling will also not be visible except for standing at the top of the existing driveway with a limited view'...</p> <p>However this does not consider view lines from our clients' residence or the adjacent</p>	<p>Council's Heritage Adviser supports the package of heritage conservation works proposed for the Heritage Item to enhance its long-term protection, and raises no concerns with the impact of the proposal on the adjoining heritage items.</p> <p>An 88B Restriction as to User is to be placed on the title of Lot 101 to restrict development on the lot be in accordance with the single dwelling approved by this development application to ensure future development on Lot 101 has its impacts on the Heritage Item on and off the site, adequately mitigated.</p>

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	<b>Objection</b>	<b>Assessment Officer's Comment</b>
	property owners.	
Item 21	<p>DCP Chapter 30 – Heritage -C12 - The form of new development in the vicinity of a heritage item or on the site of a heritage item should respond to adjacent historic properties with respect to treatment of facades and side elevations visible from the street or prominent locations.</p> <p>The SoEE states that 'The proposed dwelling design will have no impact on the adjacent properties sightlines...'</p> <p>The Amended DA does not adequately consider the potential impact on the views of the neighbouring lots in that there is only a broad statement approach to this aspect.</p>	<p>Council's Heritage Adviser supports the package of heritage conservation works proposed for the Heritage Item to enhance its long-term protection, and raises no concerns with the visual impact of the proposal on the adjoining heritage items.</p> <p>An 88B Restriction as to User is to be placed on the title of Lot 101 to restrict development on the lot be in accordance with the single dwelling approved by this development application to ensure future development on Lot 101 has its impacts on the Heritage Item on and off the site, adequately mitigated.</p>
Item 22	<p>DCP Chapter 30 – Heritage -C15 - New development within the site of a heritage item should be sited to minimise adverse impacts on the setting and significant views to and from the place.</p> <p>The SoEE states that that 'The proposed dwelling on proposed lot 101 has a maximum elevation form the upper split ridgeline of RL42.24. The floor level of the existing dwelling is 47.10 AHD. Therefore, the ridgeline is far below the floor level and will not affect any views'.</p> <p>However, no evidence has been supplied to show how this height will actually impact on each of the dwelling houses in the heritage</p>	<p>Council's Heritage Adviser supports the package of heritage conservation works proposed for the Heritage Item to enhance its long-term protection, and raises no concerns with the visual impact of the proposal on the adjoining heritage items.</p> <p>An 88B Restriction as to User is to be placed on the title of Lot 101 to restrict development on the lot be in accordance with the single dwelling approved by this development application to ensure future development on Lot 101 has its impacts on the Heritage Item on and off the site, adequately mitigated.</p> <p>The application was amended to include approval for an appropriately designed single storey dwelling on the</p>

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	Objection	Assessment Officer's Comment
	precinct. As the amended DA contemplates that the section 88B instrument proposed to be lodged provide development controls on a dwelling house constructed on the Proposed Lot 101, if Council is of the mind to grant consent, building height restrictions must form part of the section 88B instrument.	proposed new lot at the rear. This will provide some confidence for compatible development on the lot.
Item 23	<p>Amenity Impacts - The maximum ridgeline level of the proposed dwelling is RL42.24.</p> <p>No evidence has been supplied to show how this height will actually impact on each of the dwelling houses in the heritage precinct.</p>	<p>Council's Heritage Adviser supports the package of heritage conservation works proposed for the Heritage Item to enhance its long-term protection, and raises no concerns with the visual impact of the proposal on the adjoining heritage items.</p> <p>An 88B Restriction as to User is to be placed on the title of Lot 101 to restrict development on the lot be in accordance with the single dwelling approved by this development application to ensure future development on Lot 101 has its impacts on the Heritage Item on and off the site, adequately mitigated.</p>
Item 24	Impact on Local Road Network	Council's Development and Subdivision Engineer has raised no objection to the development on traffic grounds arising from the development.
Item 25	<p>Natural hazards</p> <p>The Amended DA states that a geotechnical report has been submitted with the application, and that the geotechnical report concludes, in part, that 'The likely building site on the new Lot 101 is assessed to have an overall very low risk of slope instability.'</p>	<p>Council's Development and Subdivision Engineer has raised no objection to the development on slope stability grounds. Notwithstanding a condition of consent has been included in the recommendation stating:</p> <p><i>The applicant shall submit Engineer's details of the</i></p>

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	Objection	Assessment Officer's Comment
		<i>foundation based on geotechnical advice prepared by a suitably qualified Geotechnical Engineer. Such detail/advice is to be provided prior to the issue of a Construction Certificate.</i>
Item 26	Heritage Impact Statement	<p>Council's Heritage Adviser supports the package of heritage conservation works proposed for the Heritage Item to enhance its long-term protection, and raises no concerns with the visual impact of the proposal on the adjoining heritage items.</p> <p>An 88B Restriction as to User is to be placed on the title of Lot 101 to restrict development on the lot be in accordance with the single dwelling approved by this development application to ensure future development on Lot 101 has its impacts on the Heritage Item on and off the site, adequately mitigated.</p>
Item 27	Stormwater Management	Council's Development and Subdivision Engineer has raised no objection to the development on stormwater management grounds arising from the development.

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**External Referrals**

Nil

**Internal Referrals**

The application was referred to the following Council Officers for their consideration.

- Council's Heritage Adviser

No objection has been raised in relation to the proposed development and the following comments are provided:

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Heritage Significance:

*The subject site is listed in Schedule 5 Environmental heritage in Kiama Local Environmental Plan 2011 as Item No 87. It is included in a group listing for 53, 55 and 57 Bong Bong Street, Kiama.*

*The Kiama Heritage Inventory report Statement of Significance for the subject site reads as follows:*

*A good example of an individually designed Late Victorian house. Elaborate stucco work typical of the period. Other detail appears to have been lost. Hard to say how original but still a fine late nineteenth century building. Historical interest as a former parsonage. Local significance.*

*In response to the above, the front verandah is non-original fabric, along with the late 20th century aluminium bay window on the front elevation. The door opening on the western side of the façade and removal of an original window hood adjacent appear to be mid-20th Century alterations. It is probable the rear elevation had a double-storey cast iron verandah.*

*The Kiama Heritage Inventory report Statement of Significance for 53 – 57 Bong Bong Street is as follows:*

*Relatively intact group of single storey houses which illustrate the importance of Bong Bong Street for public figures and professionals in Kiama, and the principal characteristics and use of the Italianate and Rustic Gothic styles in the Kiama district in the 1880s. Important contribution to the streetscape with appropriate gardens and Norfolk Island Pine street trees.*

*I would add to the above by noting the group is prominently situated in the higher section of Bong Bong Street and most likely can be visually appreciated from vantage points in the Town Centre. There are also significant views from the group to the Town Centre and Harbour. The dwelling on the subject site has been adapted with a self-contained flat on the Lower Ground Floor. The above is considered reversible.*

Proposal:

*The development proposal is for Stage 1: a two (2) lot Torrens Title subdivision including sharing of the existing driveway and a downstream easement for stormwater drainage over 8 Akuna Street.*

*Lot 101 (including handle) is proposed at the rear of the subject site and Lot 102 (including handle) is proposed for the existing dwelling.*

*Heritage works are also proposed in Stage 1 including:*

*construction of a picket fence along the front boundary; reconstruction of a window to the front elevation using a salvaged original double-hung window; and pruning of trees in the front garden and nature strip.*

*Stage 2 comprises the construction of a single-storey dwelling on Lot 1.*

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Comment:

*A considerable amount of effort has gone into ensuring the development proposal will have minimal adverse impact on the identified heritage values of the subject site and the group listing comprising 53, 55 and 57 Bong Bong Street.*

*The conservation works to the front elevation and garden will enhance the setting of 53 Bong Bong Street and its contribution to the group listing and streetscape overall.*

*The siting and scale of the proposed new dwelling will not obscure existing views to and from the existing dwelling/s. The character, form, materials and colours of the new dwelling will be sympathetic with the late Victorian dwelling.*

Conclusion and Recommendations:

*The development proposal is considered acceptable from a heritage perspective.*

*The following conditions are recommended:*

*The reconstructed window to the front elevation of 53 Bong Bong Street is to be located in the same location as the original. All internal and external finishes are to be reconstructed to match original details.*

Conditions of development consent have been recommended should the application be approved.

- Subdivision & Development Engineer

No objection has been raised in relation to the proposed development and the following comments are provided:

The referral has been assessed for the following considerations:

- Access and Manoeuvring;
- Car Parking Compliance;
- Traffic Generation;
- Stormwater Treatment;
- Geotechnical Requirements; and
- Subdivision Requirements

The following comments are provided in regard to the application made:

Access & Manoeuvring

- *The proposal indicates that there will be no direct alteration to vehicle access arrangements on the site. The current driveway will be utilised. The current driveway appears to be in good condition and it is unwarranted from an environmental perspective to demolish and reconstruct it to higher standard as there will be little benefit.*

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- *The proposal indicates that there will be no alteration to the first 38.69 metres of the existing driveway. Sections of the driveway slightly exceeds Council's DCP controls of 25% maximum grade; however, the variation is not significant enough to cause safety issues to vehicles using the driveway and the application could not be refused on this non-compliance. It should be noted that the document by NSW RFS Planning for Bushfire Protection 2006 allows grades of up to 26.8% and the steepest section of the driveway is 26.92%. In this respect fire fighting vehicles and construction vehicles would be able to ingress and egress the proposed rear lot.*
- *The applicant has provided plans of turning manoeuvres so that vehicles can exit and entry Bong Bong Street in a forward direction. In this regard there are no safety concerns raised in regard to site ingress and egress.*

Car Parking Compliance

- *Hardstand car parking will be provided at the rear of the existing dwelling to compensate for the demolition of the garage. There is no requirement to have this covered with a structure*

Traffic Generation:

- *The proposed dwelling will generate up to an additional 10 vehicle movements a day. The surrounding road network will have no difficulty catering for the increased traffic*

Stormwater treatment

- *A satisfactory drainage plan has been provided.*
- *The design shows that there will be no increased impacts to adjoining property resulting from the finalised development.*

Geotechnical Requirements

- *There are no concerns with associated earthworks being undertaken to facilitate the development. The area is considered quite stable.*

Subdivision Requirements

- *A satisfactory draft plan of subdivision has provided with the development application.*
- *All necessary easement and restrictions will be included on the plan and 88b instrument*

Conditions of development consent have been recommended should the application be approved.

- Landscape Design Officer

No objection has been raised in relation to the proposed development and the following comments are provided:

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*The garden and street trees will be pruned to increase the visual appreciation of the house as desired by the Heritage Consultant.*

*With regard to the driveway, there is no objection to the variation to Chapter 7 C19 & C22 as compliance would force undue destruction to the existing garden and fence on the eastern side.*

*Widening the driveway to the boundary fence starting after the magnolia tree is acceptable alternative.*

*There is no objection to removing the small flame tree by the garage for stormwater pit and pipe.*

Conditions of development consent have been recommended should the application be approved.

- Building Assessment Officer

No objection has been raised in relation to the proposed development. Conditions of development consent have been recommended should the application be approved.

- GIS Officer

No objection has been raised in relation to the proposed development. Conditions of development consent have been recommended should the application be approved.

### **The Public Interest**

The proposal is considered to be consistent with all relevant Environmental Planning Instruments and generally consistent with the Development Control Plan. It is not likely to cause significant adverse impacts to the natural or built environment, is not likely to cause significant adverse social and economic impacts, is suitable for the site and therefore is considered to be consistent with the public interest.

### **Final Comments and Conclusions**

The proposed development has been assessed having regard to all relevant matters for consideration prescribed by Section 4.15 of the Environmental Planning and Assessment Act, 1979. The proposal is consistent with Kiama LEP 2011 and generally consistent with relevant Kiama DCP 2012 Chapters. The proposed development is consistent with the objectives of the R2 Low Density Residential zone.

Consideration has been given to the social, economic and environmental impacts of the proposed development and no significant concerns are raised. Concerns raised in submissions have been considered and do not warrant refusal of the application.

The proposed development is considered to be reasonable and conditional approval is recommended.

### **Draft Conditions of Consent**

#### **General**

- (1) Except as amended by the following conditions, the development shall be implemented in two (2) stages in accordance with the details set out on the

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plan/drawing and supporting documents endorsed by Council as 10.2017.330.1 dated xx/xx/xxxx encompassing:

- i. Stage 1 comprising a two (2) lot Torrens Title Subdivision of Lot 1 DP 719290 into proposed Lot 101 and Lot 102; and
  - ii. Stage 2 comprising the erection of one (1) detached dwelling on proposed Lot 101.
- (2) The subdivision approved by Stage 1 is to be registered prior to the issue of any Construction Certificate for Stage 2; and the final Subdivision Certificate for Stage 1 must be not issued prior to the implementation of the package of Heritage Conservation Works approved by the consent on the Heritage Item on Lot 102.
  - (3) The development for Stage 2 of this consent shall be completed in accordance with the approved colour schedule shown on the approved plans except as amended by the conditions of this consent. (g014.doc)
  - (4) No development/work is to take place until a Construction Certificate has been issued for Stage 2 and the necessary conditions of development consent satisfied to enable release of a Construction Certificate. (g030.doc)
  - (5) The development for Stage 2 of this consent shall not be occupied until such time as all conditions of this Development Consent are met or unless other satisfactory arrangements are made with the Principal Certifying Authority. (g040.doc)
  - (6) The property owners shall be made aware that all Aboriginal relics in NSW are protected under Section 90 of the National Parks and Wildlife Act 1974, which makes it an offence to knowingly damage, disturb, deface or destroy an Aboriginal relic or site, without first obtaining the written consent of the Director-General of the National Parks and Wildlife Service. If such a site is discovered, the Southern Zone Archaeologist of the National Parks and Wildlife Service shall be contacted immediately. (g050.doc)
  - (7) The developer shall provide and maintain temporary fencing around the development site to prevent unauthorised entry into the site by persons or livestock and shall remove the temporary fencing upon completion of all work. (g140.doc)
  - (8) The developer shall not carry out any work other than emergency procedures to control dust or sediment-laden runoff outside the normal working hours, namely, 7.00am to 5.00pm, Monday to Friday and 8.00am to 1.00pm Saturday, without the prior written approval of the Principal Certifying Authority. Any request to vary these hours shall be submitted to the Principal Certifying Authority in writing detailing:
    - a The variation in hours required.
    - b The reason for that variation.
    - c The type of work and machinery to be used. (g165.doc)
  - (9) Standard Torrens Title addressing applies. Letterboxes to be located at access point and public road boundary. Proposed house numbering to be applied to:

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- a) The subdivision approved by Stage 1 of this consent:
- Proposed Lot 101 – 53A Bong Bong Street.
  - Proposed Lot 102 – 53 Bong Bong Street.
- (10) A Construction Certificate shall only be issued upon the registration of a minimum 1.0m wide easement to drain water over Lot 26 in DP 773571 in favour of Lot 1 in DP 719290.
- (11) Road Occupancy approval, pursuant to Section 138 of the Roads Act 1993 shall be obtained from Council prior to any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of the development. The following items shall be submitted to Council with the Road Occupancy application form a minimum of five days before approval is required:
- A completed application form;
  - Fees in accordance with Council's adopted fees and charges;
  - A traffic control plan endorsed by a person with Roads & Maritime Services accreditation. The traffic control plan shall satisfy the requirements of the latest versions of Australian Standard AS1742 – Traffic Control Devices for Works on Roads and the RTMS Traffic Control at Worksites Manual. This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development;
  - Public liability insurance for an amount of no less than \$20M;
  - Where excavation of a road or path surface will take place, a security bond in accordance with Council's adopted fees and charges; and
- (12) The roadway, footpath or Council reserve shall not be used to temporarily or permanently store building material, plant and/or machinery without the prior approval of Council.

**Amendments to Approved Plans**

- (1) The reconstructed window to the front elevation of 53 Bong Bong Street is to be located in the same location as the original. All internal and external finishes are to be reconstructed to match original details.
- (2) The front garden and street trees shall be pruned to enhance the visual appreciation of the house when viewed from the street as detailed in plan drawing K127537-405. The pruning work shall be undertaken under the supervision of Council's Landscape Officer and to the satisfaction of Council.
- (3) The Illawarra Flame tree near the garage on the north western boundary shall be removed for stormwater and other infrastructure.

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**Bonds and Contributions**

- (1) A contribution under Section 7.11 of the Environmental Planning and Assessment Act 1979 (as amended) and Kiama Council's Section 94 Contributions Plans Nos. 1 & 2 shall be paid to Council prior to the issuing of the Construction Certificate. The total contribution required for the development is **\$7,064.34**. (bo005.doc)

**Prior to Commencement of Works**

- (1) Building work must not commence until the Principal Certifying Authority for the development to which the work relates has been informed of:

- i The licensee's name and contractor licence number;
- ii That the licensee has complied with Part 6 of the Home Building Act 1989.

In the case of work to be done by any other person, the Principal Certifying Authority:

- a Has been informed in writing of the person's name and owner builder permit number;

or

- b Has been given a declaration, signed by the owner/s of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989. (pt005.doc)

- (2) The developer shall lodge with Council a bond of \$5000, in the form of an unconditional bank guarantee or cash, prior to the commencement of any work, as a security for new and remedial work associated with the development proposal and covering all work within the public roads administered by Council under the Roads Act 1993 and compliance with the submitted Waste Management Plan during the course of construction.

The developer shall submit a dilapidation survey prior to commencement of any work within the road reserve.

The bond shall be refunded in full subject to the following:

- a There being no damage to the infrastructure within the road reserve.
- b Twelve (12) months has elapsed from the date of issue of the occupation certificate and/or subdivision certificate.
- c The submission and approval by Council of a waste compliance certificate, inclusive of supporting documentation (dockets/receipts) verifying compliance with the Waste Management Plan as provided to Council. (pt013.doc)

- (3) The pre-coloured metal roofing shall not give rise to unreasonable visual intrusion due to reflected glare. In this regard specific details of roof colours



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shall be submitted to Council prior to issue of the Construction Certificate.

**Note:** The roof colours shall be the medium to darker colours. (pt017.doc)

- (4) Under the provisions of the Act, work may not commence on the development until the following is carried out:
- a Detailed plans and specifications of the building must be endorsed with a Construction Certificate by Council or an Accredited Certifier; and
  - b You **must** appoint a Principal Certifying Authority (can be either Council or an Accredited Certifier); and
  - c You **must** notify the Council of the appointment; and
  - d You **must** give at least two (2) days' notice to Council of your intention to commence work.

You will find attached an application form for a Construction Certificate. Should you require Council to issue this Certificate you should complete this application and forward it, together with plans and specifications, to Council for approval.

You will find attached a form for the "*Notice of Commencement of Building Work and Appointment of Principal Certifying Authority*", which you are required to submit to Council at the appropriate time and at least two (2) days prior to the commencement of work.

Should you appoint Council as the Principal Certifying Authority, relevant inspection fees will be required to be paid at the time of lodgement of this form. (pt020.doc)

- (5) The BASIX commitments shall be indicated on the plans to the satisfaction of Council or an Accredited Certifier prior to the issue of the Construction Certificate. (pt034.doc)
- (6) The developer shall obtain a Construction Certificate prior to the commencement of any Stage 2 works. (pt045.doc)
- (7) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a Showing the name, address and telephone number of the Principal Certifying Authority for the work;
  - b Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
  - c Stating that unauthorised entry to the work site is prohibited.

**Note:** Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed. The sign will be provided by the nominated Principal Certifying Authority for the relevant fee. (pt060.doc)

- (8) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal

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Certifying Authority for any reinforced concrete slabs, footings or structural steel. (pt062.doc)

- (9) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal Certifying Authority for the retaining walls in excess of 1.0 metre high. (pt068.doc)
- (10) The applicant shall submit Engineer's details of the foundation based on geotechnical advice prepared by a suitably qualified Geotechnical Engineer. Such detail/advice is to be provided prior to the issue of a Construction Certificate. (pt069.doc)

**Demolition Works**

- (1) With the exception of the removal and replacement of the bay window in the Heritage Item on Lot 102, no demolition is approved by this consent on Lot 101. Separate approval for demolition is required.

**Civil Engineering Design**

- (1) The developer shall submit details of all civil engineering works on engineering drawings to the Principal Certifying Authority for approval prior to the issue of the construction certificate.

The drawings shall include, but shall not be limited to, the following detailed information:

- a The hydrologic modelling and hydraulic treatment detail including detailed calculations, drainage network layout, environmental controls (including the post-development first flush mechanism, water quality and sedimentation controls), all stormwater drainage structures and, where required, the proposed method of accessing the existing public stormwater drainage system. All drainage calculations are to be carried out in accordance with Australian Rainfall and Runoff published by Engineers Australia, and are to include a contoured catchment diagram and delineation of flow paths for storms of 1% Average Exceedance Probability (AEP);
- b Plan, longitudinal and cross sectional detail shall be provided for the proposed access driveway & T-Head
- c The proposed pavement treatment to the access driveway, & T-Head .The minimum surface treatment shall be reinforced concrete.
- d The location and reduced level of all services under the control of public utilities or agencies.

All reduced levels shall relate to Australian Height Datum (AHD)

**Access Construction**

- (1) The developer shall construct the footpath access driveway in compliance with the Standards Australia publication AS/NZS 2890.1 Parking Facilities Part 1: Off Street Car Parking and Council's "*Driveway and Footpath Works Procedure Manual*". (ac001.doc)
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**Car Parking and Vehicular Access**

- (1) Parking shall be provided on site for a minimum of 2 vehicles on both Lot 101 and Lot 102 in conjunction with the development proposal and as indicated on the approved plans. (c010.doc)

**Stormwater Management**

- (1) All stormwater kerb and gutter connections to have a minimum of 40 millimetres cover of concrete finishing flush with the top of the existing kerb. Pipe size to achieve this should be 90 millimetres in diameter. (sm010.doc)
- (2) The developer shall provide stormwater outlets to kerb lines converting to 90 millimetre diameter uPVC for barrier kerbs and 127 x 64 x 4 millimetre steel rectangular hollow section hot dip galvanised or aluminium for roll kerb sections. (sm020.doc)
- (3) The developer shall provide a detailed stormwater drainage network in accordance with the design requirements of "Section D5 Stormwater Drainage" of Kiama Development Code as appended to Kiama Development Control Plan 2012. Full hydrological and hydraulic calculations and civil engineering drawings shall be submitted to the accredited Certifying Authority prior to the release of a Construction Certificate. (sm055.doc)
- (4) The developer shall provide on-site detention storage for stormwater runoff in conjunction with the proposed development drainage network. An on-site detention system shall be designed to ensure that post development flow rates from the site are no greater than pre-developed site runoff at each discharge point for all rainfall events up to 1% Annual Exceedance Probability. The applicant shall provide full hydrological and hydraulic computer modelling of the stormwater drainage system and provide this to the Principal Certifying Authority for assessment and approval prior to the issue of the construction certificate. (sm060.doc)
- (5) The developer shall provide compliance certification from the hydraulic engineer verifying that the constructed stormwater drainage infrastructure meets with the approved design. The certification shall be provided to the Principal Certifying Authority prior to the release of any Subdivision Certificate. (sm130.doc)
- (6) The developer shall provide environmental stormwater management controls in the form of post development water quality (including first flush treatments such as trash arresters) and sedimentation control measures to be located within the proposed development site. The proposed treatments shall be submitted to the accredited Certifying Authority for assessment and approval prior to the release of the Construction Certificate. (sm135.doc)
- (7) The developer shall comply with the design requirements of Council's "Water Sensitive Urban Design" policy in association with the design requirements of "Section D5 Stormwater Drainage" of the Kiama Development Code as appended to Kiama Development Control Plan 2012.

Detail shall be submitted to the accredited Certifying Authority for assessment prior to the release of the Construction Certificate. (sm150.doc)

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- (8) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 20% Annual Exceedance Probability (AEP). Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP. (sm155.doc)
- (9) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that the design of the development causes no adverse effects to adjoining properties as a result of stormwater run-off and allowance is made for surface run-off from adjoining properties in the design.
- (10) Stormwater shall be connected to the existing system for Stage 2 of the development approved by this consent.
- (11) For Stage 2 of the development approved by this consent, the developer shall provide on-site detention storage for stormwater runoff in conjunction with the proposed development drainage network. An on-site detention system shall be designed to ensure that post development flow rates from the site are no greater than pre-developed site runoff at each discharge point for all rainfall events up to 1% Annual Exceedance Probability. The applicant shall provide full hydrological and hydraulic computer modelling of the stormwater drainage system and provide this to the accredited Certifying Authority for assessment and approval prior to the issue of the construction certificate.
- (12) For Stage 2 of the development approved by this consent, the developer shall provide compliance certification from the hydraulic engineer verifying that the constructed stormwater drainage infrastructure meets with the approved design. The certification shall be provided to the Principal Certifying Authority prior to the release of any Occupation Certificate.
- (13) Prior to issue of any Construction Certificate for Stage 2 of the development approved by this consent, the accredited Certifying Authority shall ensure that the design of the development causes no adverse effects to adjoining properties as a result of stormwater run-off and allowance is made for surface run-off from adjoining properties in the design.

**Civil Engineering Construction**

- (1) The developer shall construct a minimum 3.0 metre wide, 150 millimetre thick concrete access way reinforced with SL72 fabric mesh from the kerb for the full length of the access corridor including T-Head.

Where the existing driveway is certified by a suitably qualified engineer as being fit for purpose and is deemed in a satisfactory condition by the accredited certifying authority it can be utilised in order to meet the above requirement.

The driveway may be reduced in width from the front boundary to 4 metres inside of the front boundary in order to maintain and protect the existing landscaping strip. The strip shall be shown as an easement for landscaping on the final plan of subdivision, with terms on the 88b instrument acceptable to Council. (cec010.doc)

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- (2) The developer shall carry out work at all times in a manner which will not cause a nuisance, by the generation of unreasonable noise, dust or other activity, to residents of adjacent properties. (cec015.doc)
  - (3) The developer shall undertake civil engineering construction works in accordance with the requirements of Section C101 General – Development Construction Specification of the Kiama Development Code, as appended to Kiama Development Control Plan 2012, and civil engineering drawings approved by the Principal Certifying Authority. (cec065.doc)
  - (4) The developer shall undertake engineering inspections, sampling, testing and recording of results of all constructed civil engineering works in accordance with the requirements of the Kiama Development Code Section CQC Quality Control Requirements – Development Construction Specification, as appended to Kiama Development Control Plan 2012 and civil engineering drawings approved by the Principal Certifying Authority. (cec070.doc)

**Utility Servicing**

- (1) A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The Section 73 Certificate shall be submitted to Council prior to issue of the final Occupation Certificate. (us005.doc)
- (2) All electricity, telecommunications and natural gas services shall be located underground. Common or shared trenching and the document “*A Model Agreement for Local Councils and Utility/Service Providers*” prepared by the NSW Streets Opening Conference are policies adopted for the Kiama Municipal Council Local Government Area. (us035.doc)
- (3) The developer shall bear the cost of relocation of any service utilities required in the provision of vehicular access. (us045.doc)

**Geotechnical Requirements**

- (1) There shall be no loss of support or encroachment of fill onto adjoining properties as a result of excavation or filling within the site. (gr050.doc)
- (2) Only clean fill (ie natural materials such as earth, rock and stone) is to be used in the development. Under no circumstances are any other material including (but not limited to) building, demolition, concrete, road materials and/or putrescible wastes, permitted to be used as filling on site. (gr060.doc)
- (3) All imported fill to the development site shall list the location of its origin and shall be sampled in accordance with AS 4482.2 and tested by a certified National Association of Testing Authorities Australia (NATA) registered laboratory for contaminants. Based on the test results certification shall be provided to the Principal Certifying Authority prior to the issue of any occupation certificates by a suitably qualified geotechnical engineering consultant confirming the imported fill is suitable for use in residential development. Any imported fill found to not be suitable for residential use shall be removed / remediated in accordance with the NSW Department of Environment, Climate Change and Water requirements. (gr065.doc)

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**Inspections**

- (1) The building work shall be inspected at critical and other stages as required by the Principal Certifying Authority for the development.

**NOTE:** Should you choose Council to be your Principal Certifying Authority for this development you will be advised of the required building inspections and applicable fees at the time of that appointment. (bu015.doc)

**Building Construction**

- (1) All building work must be carried out in accordance with the requirements of the Building Code of Australia. (bu010.doc)
- (2) The roadway, footpath or Council reserve shall not be used to store building material without the prior approval of Council. (bu086.doc)
- (3) All excavations and backfilling must be executed safely in accordance with appropriate professional standards. (bu090.doc)
- (4) All excavations must be properly guarded and protected to prevent them from being dangerous to life or property. (bu095.doc)
- (5) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must:
- a Preserve and protect the building from damage;
  - b Underpin and support the building in an approved manner, if necessary, and;
  - c At least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work. (bu100.doc)
- (6) Where retaining walls exceed 1.0 metre in height, the wall is to be certified by a practising structural engineer prior to occupation of the building being permitted. (bu110.doc)
- (7) The Reduced Levels (RL) of the proposed development must be in accordance with the approved plans. Certification of these levels by a registered surveyor must be submitted to an accredited certifier or Council prior to proceeding past that level. (bu120.doc)
- (8) A survey shall be undertaken and a copy be made available to Council or an accredited certifier, certifying that the building is correctly located in relation to the boundaries of the site and in accordance with the approved plans. Such survey shall be submitted at peg out stage. (bu125.doc)
- (9) Construction and demolition work, delivery of materials and plant, etc shall only take place between the following hours;
- Monday to Friday - 7.00 am to 5.00 pm
- Saturdays - 8.00 am to 1.00 pm

## Report of the Director Environmental Services

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No construction work is to take place on Sundays or Public Holidays. (bu151.doc)

- (10) The Waste Management Plan shall be strictly adhered to at all stages during the demolition, construction and/or subdivision work. All waste nominated for disposal must be disposed of at a licensed landfill facility. All waste nominated for recycling must be reused or recycled. (bu153.doc)

### Erosion and Sedimentation Controls/Soil and Water Management

- (1) All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur. In particular:
- a A silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). Such fence must be regularly inspected and cleaned out and/or repaired as is necessary, and all collected silt must be disposed of in accordance with Council's Sedimentation Control Policy.
  - b Unnecessary disturbance of the site (eg; excessive vehicular access) must not occur.
  - c All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.
  - d All the above requirements must be in place for the duration of the construction works. (esc005.doc)
- (2) The developer shall ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work. (esc020.doc)

### Landscaping Works

- (1) The landscape works shall remain in situ for the perpetuity of the development. (lw040.doc)

### Vegetation Management

- (1) No tree(s) shall have backfill placed around its base or have the original ground level altered. (vm010.doc)

### Site Facilities

- (1) An appropriate temporary toilet facility shall be provided on site, located inside the property boundaries, prior to commencement of works. The temporary toilet shall be maintained in a clean/sanitary condition at all times. (sf010.doc)
- (2) During construction the applicant shall provide, inside the property boundaries a suitable waste container for the disposal of all papers, plastics and other light weight materials. (sf015.doc)
- (3) A sign must be erected in a prominent position on the premises on which the erection or demolition of a building is being carried out:
- a Stating that unauthorised entry to the premises is prohibited; and

## Report of the Director Environmental Services

## 11.2 10.2017.330.1 - Lot 1 DP 719290, Lot 26 DP 773571 - 53 Bong Bong Street and 8 Akuna Street, Kiama - 2 Lot Torrens Title Subdivision and Dwelling on Newly Created Lot to be Constructed in 2 Stages (cont)

- 
- b Showing the name of the builder or other person in control of the worksite and a telephone number at which the builder or other person may be contacted outside working hours.

Any such sign is to be removed when the erection or demolition of the building has been completed. (sf020.doc)

- (4) The development is to be provided with mail boxes in accordance with Australian Standard AS/NZS 4253 - 1994 which covers the dimensions, installation and positioning for mail boxes for receipt of mail. The dwellings shall each be numbered in accordance with the attached street numbering table. (sf050.doc)
- (5) Each dwelling shall be provided with a private open space area having a minimum width of 4.0 metres and minimum area of 25m<sup>2</sup>. (sf055.doc)

**Prior to Occupation of Stage 2 of the development approved by this consent**

- (2) The completed Waste Management Compliance Sheet (Appendix 1C) shall be submitted to and approved by Council prior to issue of the Final Occupation Certificate.

Supporting documentation (dockets/receipts) verifying recycling and disposal shall be attached to the Compliance Sheet. (po002.doc)

- (3) The BASIX schedule of commitments shall be complied with prior to the issue of a Final Occupation Certificate for the development and if required a certificate shall be provided to the Principal Certifying Authority from a properly qualified person to certify that the BASIX schedule of commitments have been provided and/or installed. (po003.doc)
- (4) The whole or part of the building must not be occupied unless an Occupation Certificate has been issued in relation to the building or part in accordance with Section 6.9 of the Environmental Planning and Assessment Act 1979.

**NOTE:** A Fire Safety Certificate must be provided in accordance with the Environmental Planning and Assessment Regulations 2000 prior to the issue of an Occupation Certificate excepting Class 1(a), 10(a) & 10(b) structures. (po005.doc)

- (5) For Stage 2 of the development approved by this consent, the developer shall complete all drainage works prior to the issue of any Occupation Certificate

**Conveyancing Requirements**

- (1) The developer shall prepare an Instrument under Section 88B of the Conveyancing Act 1919, for approval by the Principal Certifying Authority which incorporates the following easements and restrictions on the use of land:
  - a. Easement for services;
  - b. Easement for water drainage;
  - c. Right of way. (cr035.doc)



## Report of the Director Environmental Services

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- (2) Under the provisions of Section 88B/88E of the Conveyancing Act 1919 the developer shall provide a restriction as to user on the use of Lot 101 and a positive covenant in favour of Kiama Municipal Council restricting:
- a) the erection or use of any residential accommodation on proposed Lot 101 for no more than one dwelling house; and
  - b) the further subdivision of proposed Lot 101, including, without limitation, by strata title, community title or company title; and
  - c) the erection of a dwelling on proposed Lot 101 no higher than RL 42.24 metres Australian Height Datum or 4.9 m above existing ground level; and
  - d) The development on the lot be in accordance with the single dwelling approved by development consent 10.2017.330.1 on proposed Lot 101.

The document shall meet the standard terms applied by Council and shall be submitted to Council for assessment and approval and shall have these titles registered with NSW Lands & Property Management Authority under Sections 88B/88E of the Conveyancing Act 1919. (cr040.doc)

**Prior to Issuing of Subdivision Certificate**

- (1) The Subdivision Certificate shall not be issued until all conditions of this Development Consent are complied with or satisfactory arrangements are made with the Principal Certifying Authority. (sub005.doc)
- (2) The developer shall submit the following items to the Principal Certifying Authority prior to the issue of a Subdivision Certificate:
  - a) All relevant Construction and Compliance Certificates (where these have not been issued by Council).
  - b) Payment of fees in accordance with Council's adopted fees and charges.
  - c) A Final Plan of Subdivision and four (4) copies.

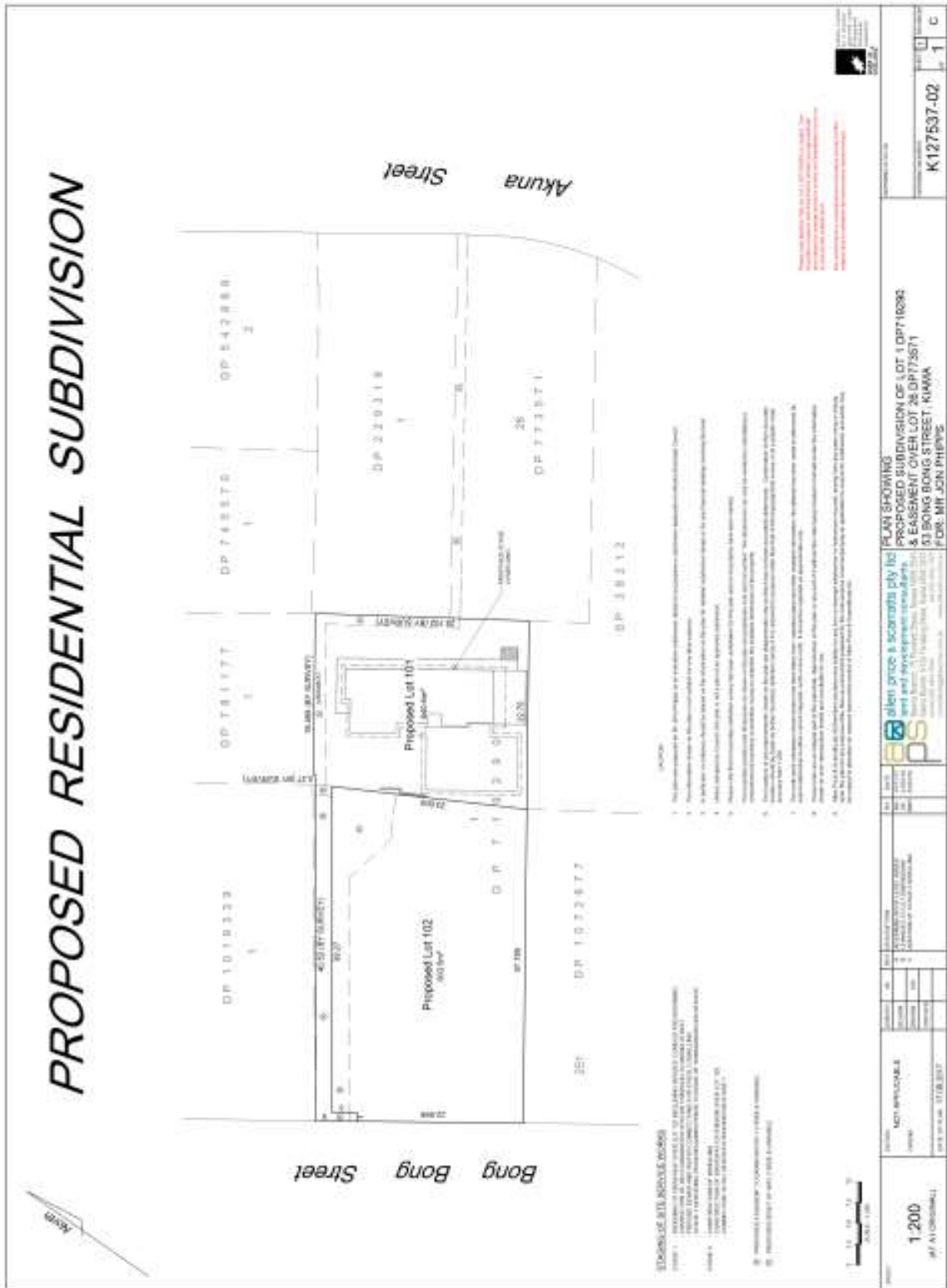
A copy of the satisfactory final plan of subdivision shall also be provided as an electronic file in either DXF or DWG format. In this regard the electronic copy must be on MGA (Zone 56) orientation, where this is required by the Surveying Regulation 2001, and should preferably use co-ordinates based upon the MGA values of the nearest established permanent survey mark connected as part of the survey. It is preferred the raw boundary line work only be provided, excluding final page layout and text where possible. This must be provided electronically by email to [council@kiama.nsw.gov.au](mailto:council@kiama.nsw.gov.au) including a clear reference to the relevant Development Application number.

- d) An original Deposited Plan Administration Sheet and one copy, prepared in accordance with NSW Land & Property Information requirements.
- e) An original Section 88B Instrument and one copy, prepared in accordance with the requirements of the Conveyancing Act 1919.

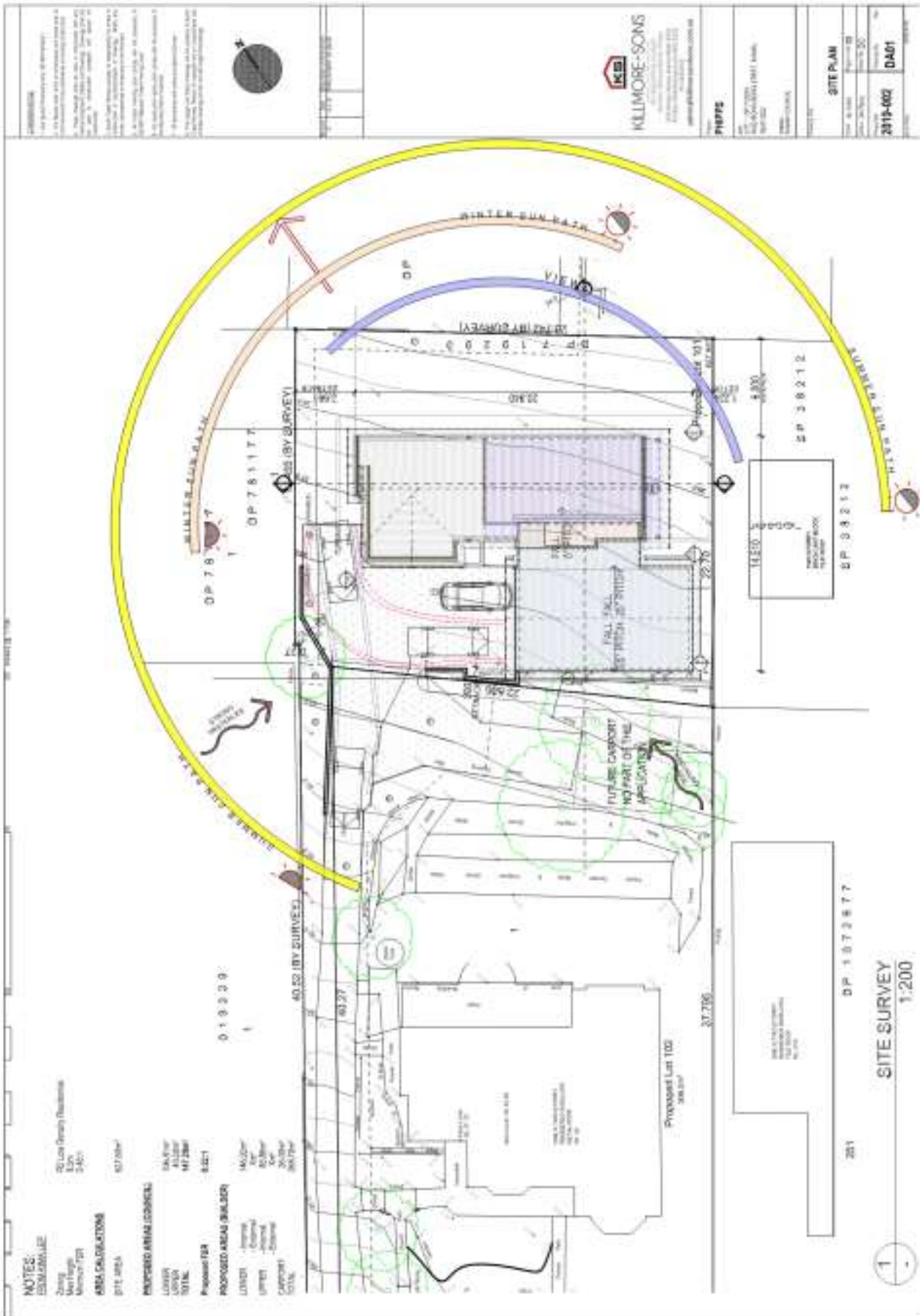
## Report of the Director Environmental Services

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- f) An original Subdivider/Developer Compliance Certificate (Section 73 Certificate) from Sydney Water Corporation which references the relevant development application number.
  - g) An original Notification of Arrangement from an electricity provider which references the relevant development application number.
  - h) An original Telecommunications Infrastructure Provisioning Confirmation from a communications provider which references the proposed development.
  - i) The payment of all required Section 7.11 and 7.12 Contributions identified in this consent.
- (3) The developer shall submit to the Principal Certifying Authority, prior to the release of the Subdivision Certificate, a certified Works as-Executed (WAE) drawing including (but not limited to) the following:-
- a Final locations and reduced levels for all works associated with the development on both public and private land; and
  - b In contrasting coloured ink, all changes to the Approved Drawings and actual values of all levels shown on the Drawings.
- The WAE drawing shall be signed by a Registered Surveyor or Chartered Professional Engineer and certified that all the work as completed, including variations, meets the original intent of the Approved Drawing and will not have adverse impact on adjacent properties. (sub025.doc)
- (4) The developer shall acknowledge all existing easements on the final plan of subdivision. (sub060.doc)
- (5) The developer shall acknowledge all existing restrictions on the use of the land on the final plan of subdivision. (sub070.doc)

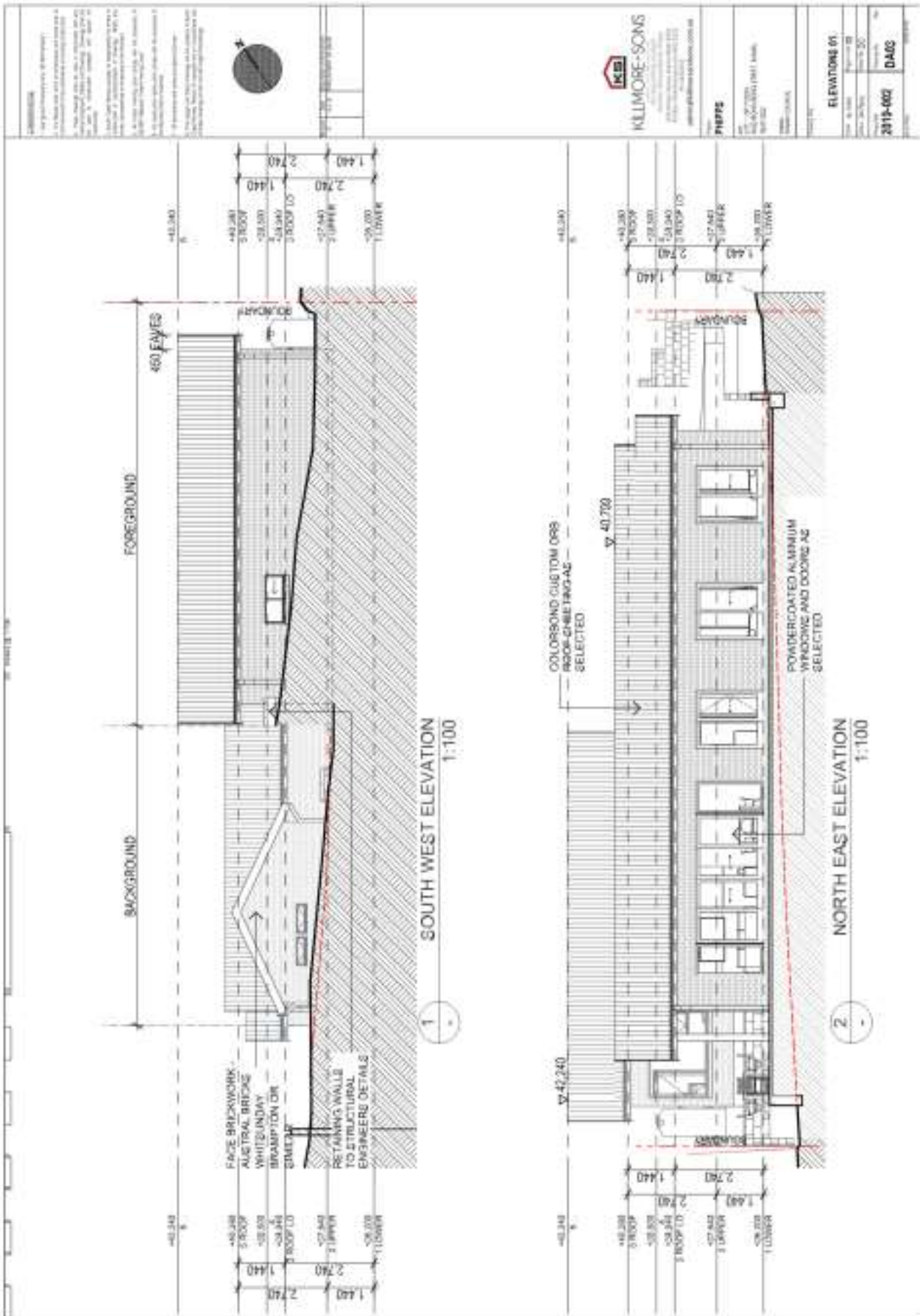


Attachment 1 Item 11.2



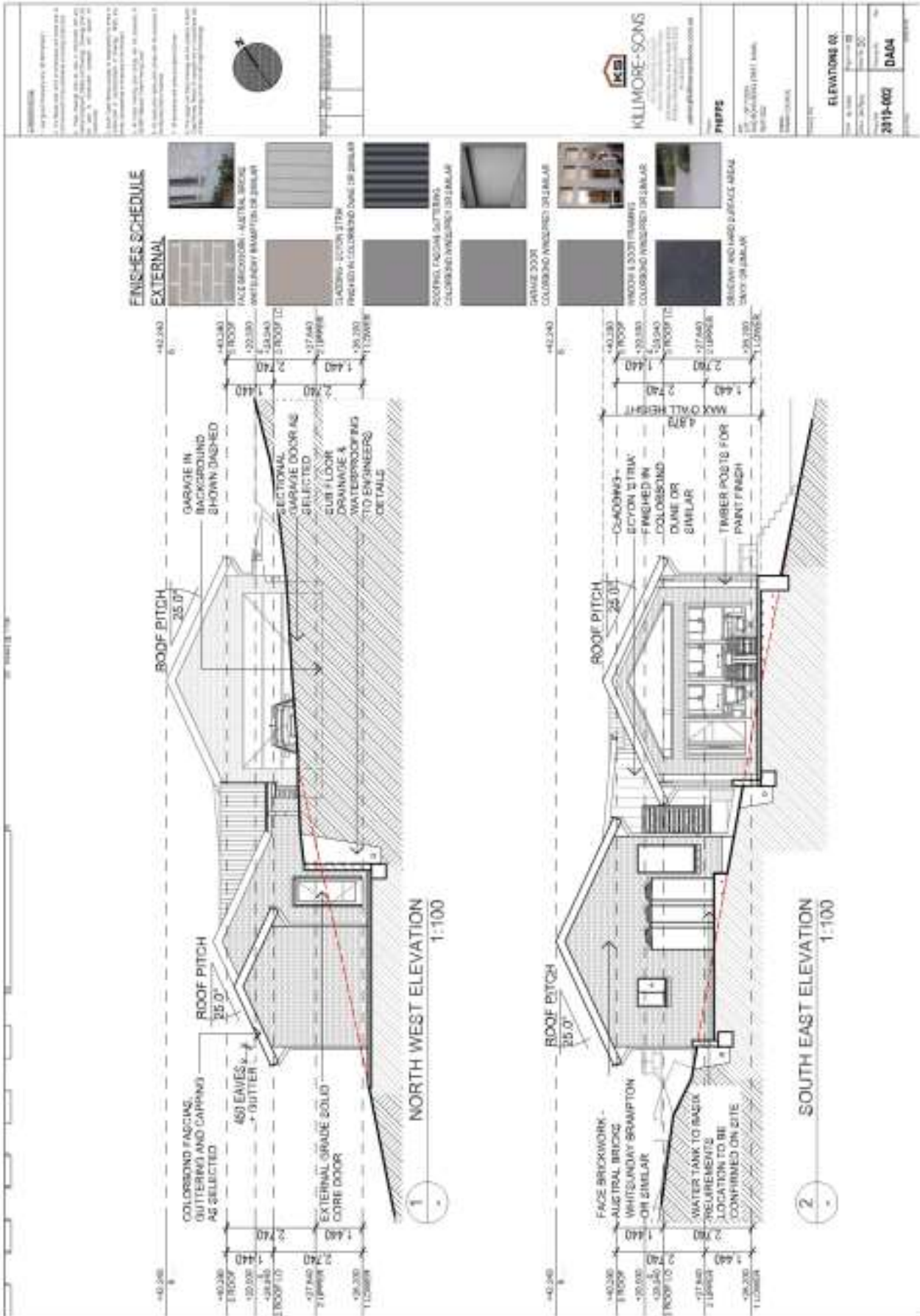
Item 11.2

Attachment 1



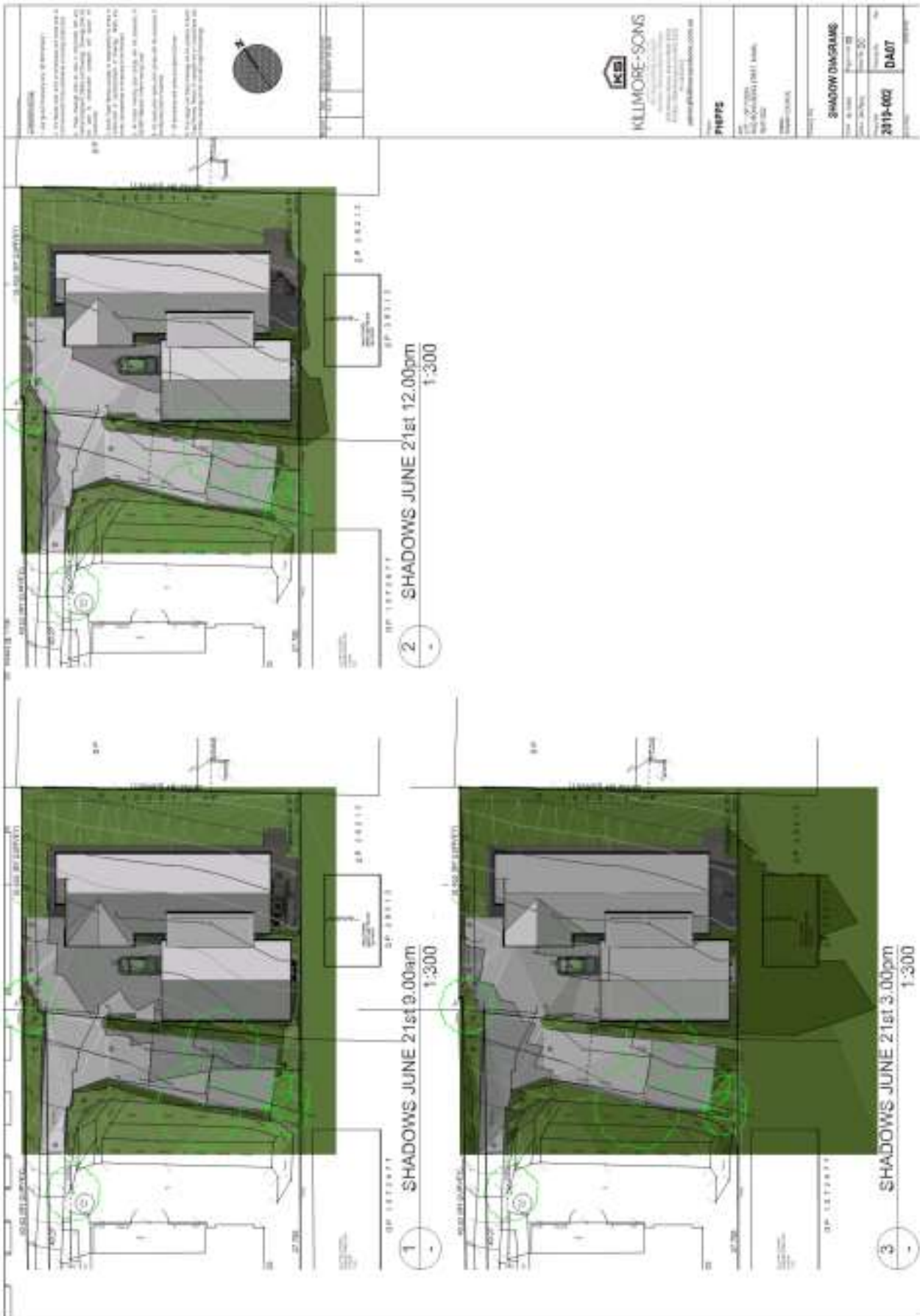
Item 11.2

Attachment 1



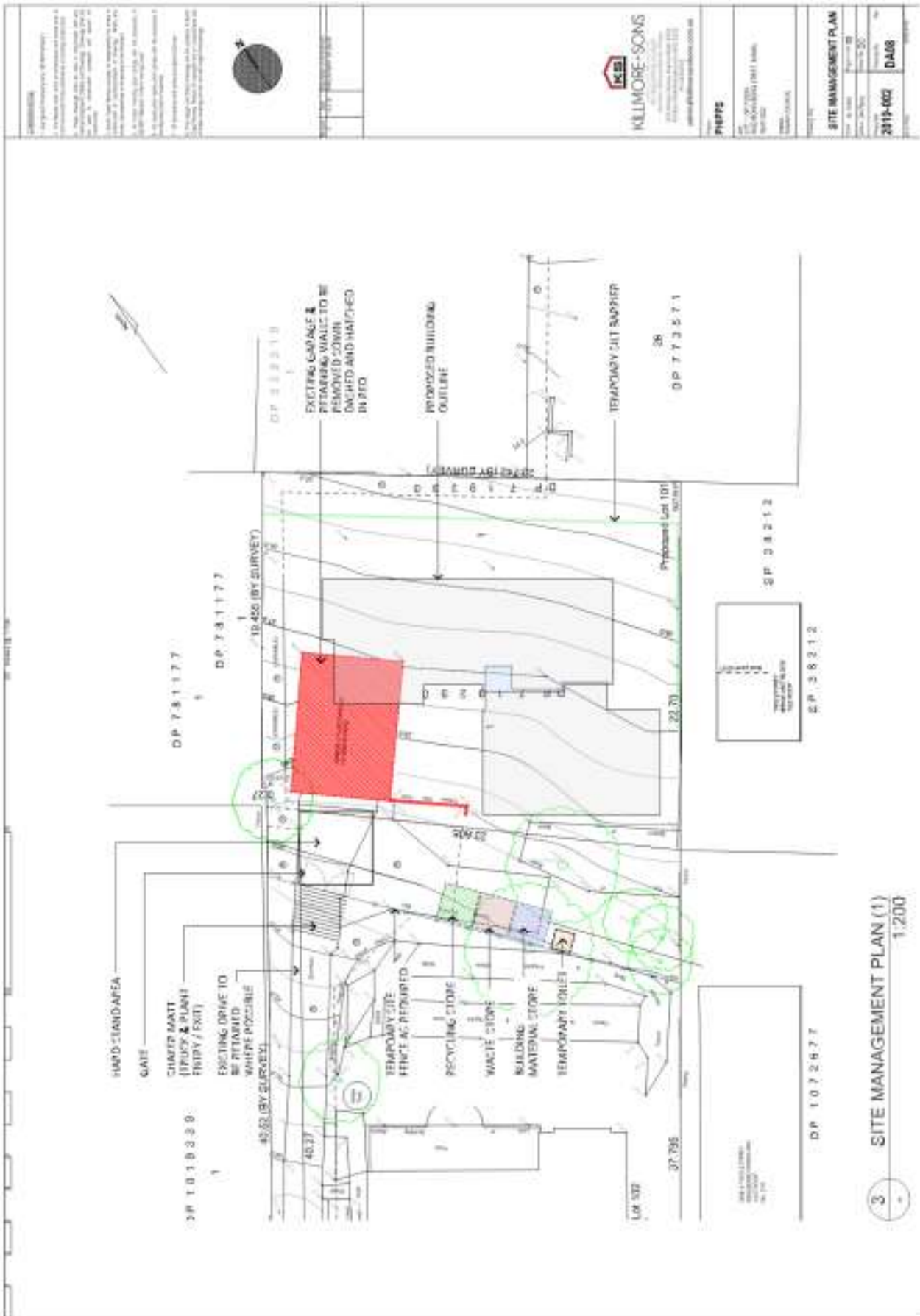
Item 11.2

Attachment 1



Item 11.2

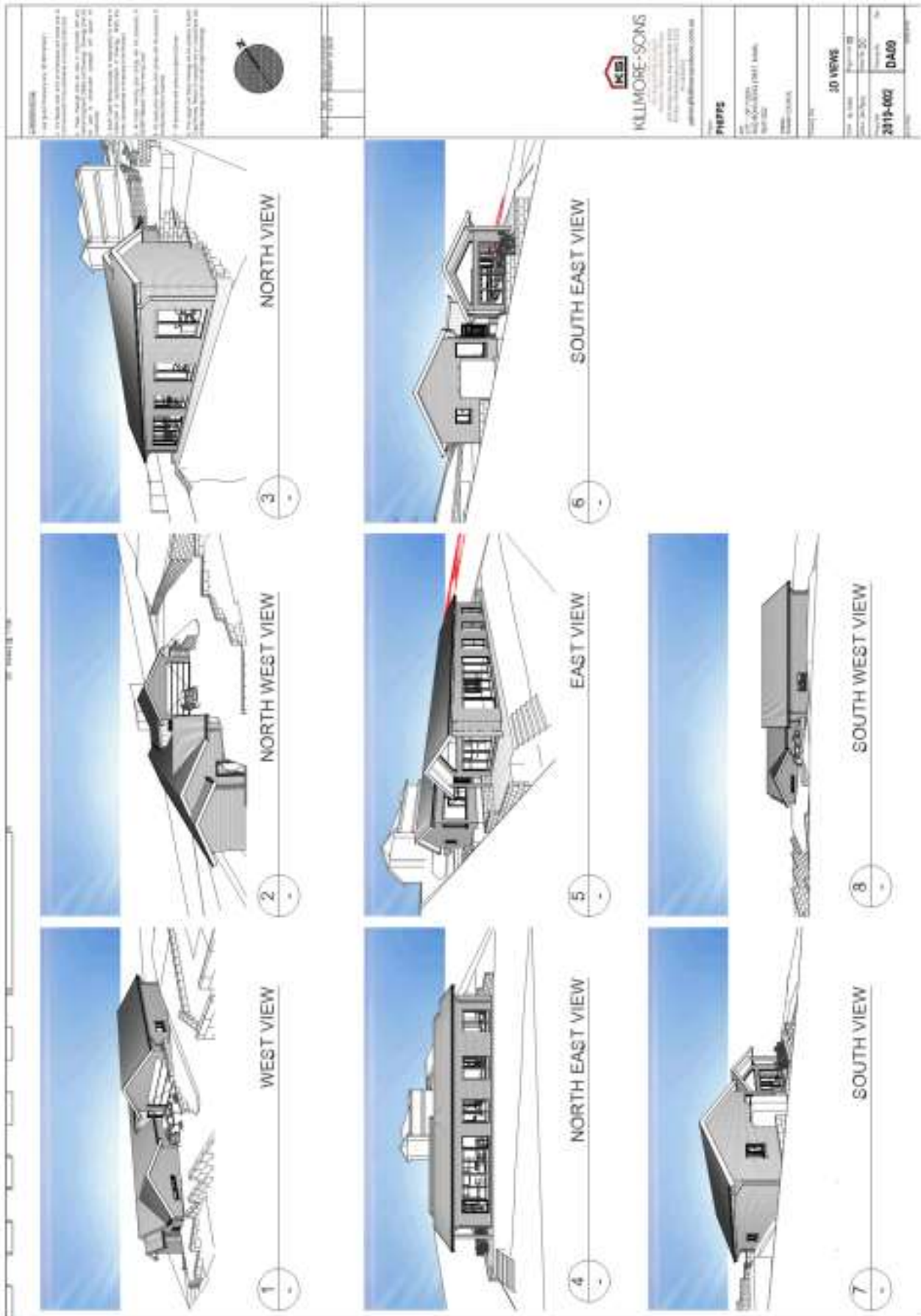
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Item 11.2

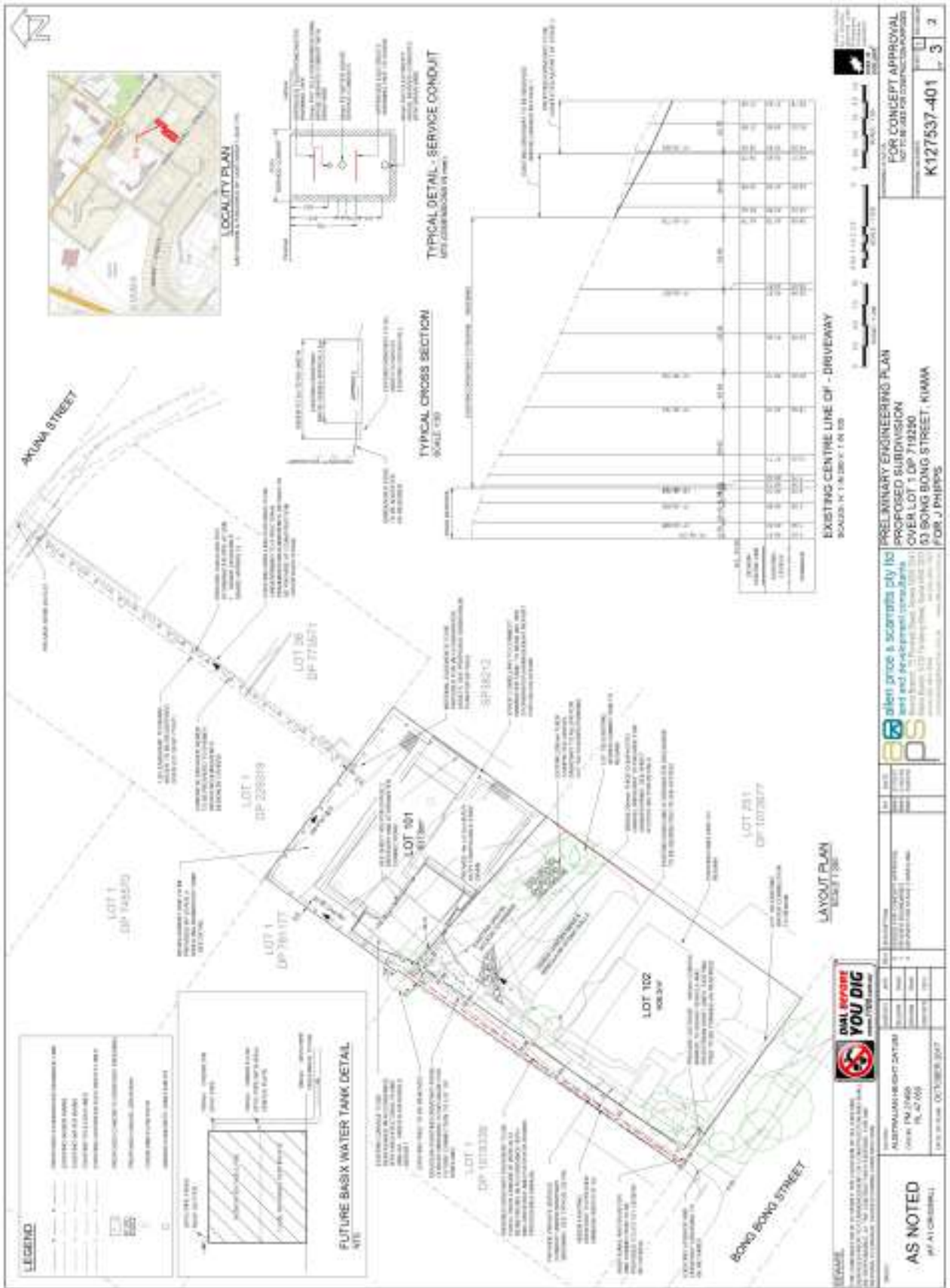
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Item 11.2

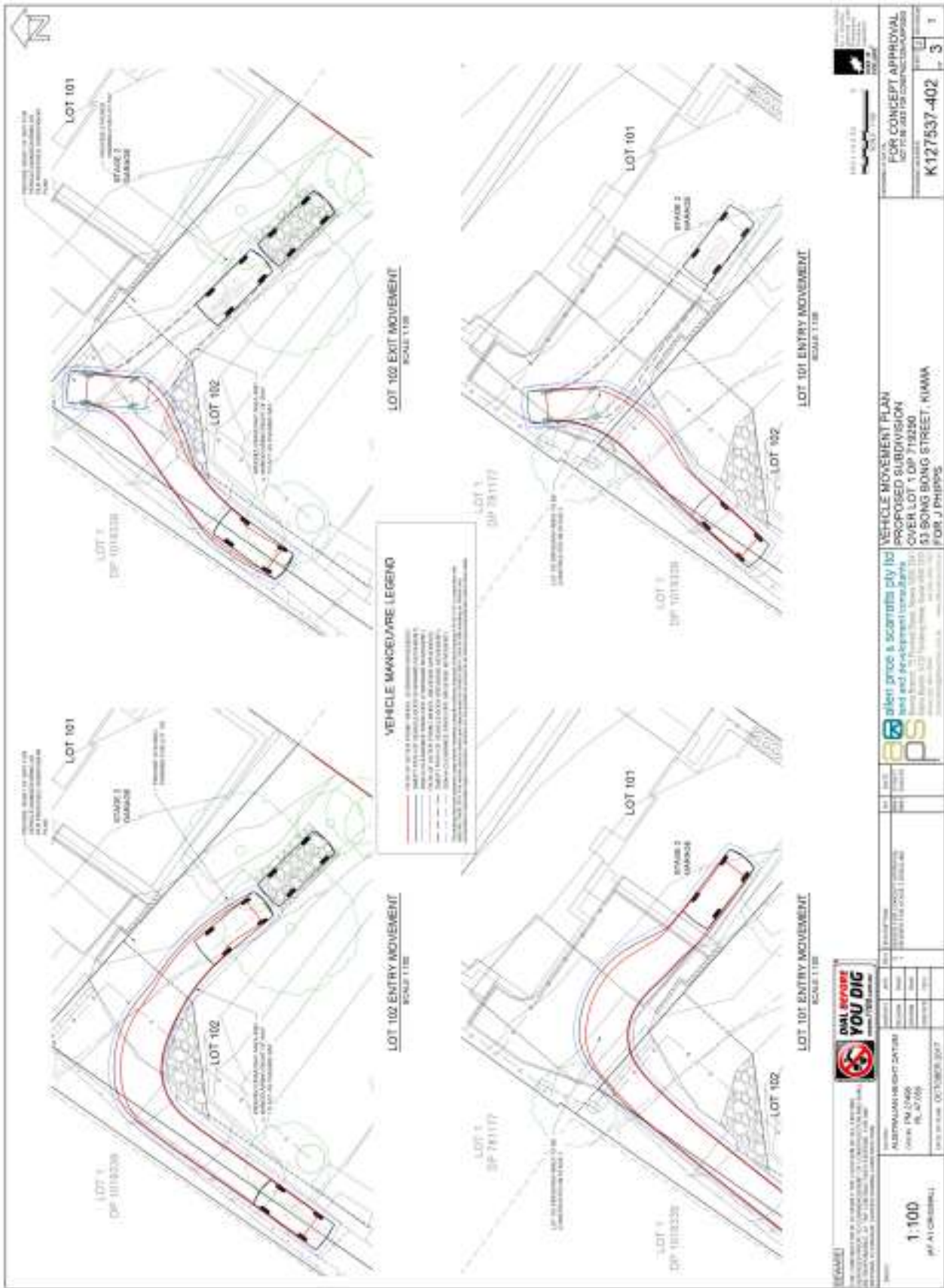
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Attachment 1 Item 11.2



Attachment 1 Item 11.2



**11.3 Proposed Licence with Sydney Trains for "The Village" underpass mural**

CSP Objective: 2.0 Well planned and managed spaces, places and environment

CSP Strategy: 2.1 Maintain the separation and distinct nature of local towns, villages and agricultural land

Delivery Program: 2.1.2 Recognise and protect our heritage

**Summary**

Council at its 19 March 2019 meeting approved and provided \$3,000.00 cultural grant funding for "The Village" underpass to be undertaken by Minnamurra Public School and Aboriginal artist, Holly Sanders.

**Finance**

Council responsible for nominal rental with Sydney Trains.

**Policy**

Local Government Act 1993.

**Communication/Community Engagement**

N/A

**Attachments**

Nil

**Enclosures**

Nil

***RECOMMENDATION***

That Council:

1. Subject to a peppercorn lease arrangement being negotiated, enter into a Licence with Sydney Trains for the works and ongoing maintenance of the mural at "The Village" underpass Minnamurra at a nominal rental.
2. Give the General Manager and Mayor delegated authority to sign under Seal or on behalf of Council any documentation in relation to the mural.

**BACKGROUND**

Council at its 19 March 2019 meeting approved and provided a \$3,000.00 cultural grant to Minnamurra Public School to paint an Aboriginal themed mural at "The Village" underpass in Minnamurra.

As the location of the mural is within the rail corridor, permission from Sydney Trains is required.

It has been indicated by the applicant of the grant funding that Sydney Trains have no objection in principle to the painting of the mural as proposed however prior to providing formal approval will require Kiama Municipal Council to agree to enter into

Report of the Director Environmental Services

11.3 Proposed Licence with Sydney Trains for "The Village" underpass mural  
(cont)

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a Licence for the works and continued maintenance of the murals at a nominal rental.

This report recommends that Council agree to enter into a license with Sydney Trains for the works to be undertaken and for the ongoing maintenance of the mural.

**Item 11.3**

## 12 REPORT OF THE DIRECTOR CORPORATE & COMMERCIAL SERVICES

### 12.1 The Gerringong Association

CSP Objective: 3.0 A diverse, thriving economy

CSP Strategy: 3.1 Promote and encourage business development and economic prosperity in the local area

Delivery Program: 3.1.1 Implement the Kiama Economic Development Strategy

#### Summary

Following the formation of the Gerringong Association and their subsequent AGM this report seeks endorsement from Council acknowledging them as being one of the key representative bodies of Gerringong and Gerroa.

#### Finance

Nil

#### Policy

Precinct System Operational Guidelines

#### Communication/Community Engagement

The Gerringong Association and their members

#### Attachments

Nil

#### Enclosures

Nil

### **RECOMMENDATION**

That Council:-

1. Acknowledge and endorse The Gerringong Association as a key representative body for ongoing communication and collaboration for matters relating to business and a sustainable economy of Gerringong and Gerroa;
2. Under 8.1 of the Precinct System Operational Guidelines "Other resident/ratepayer Associations" add The Gerringong Association

### **BACKGROUND**

In July 2018, a public meeting was held in Gerringong to discuss factors affecting businesses with a number of local businesses negatively impacted by recent occurrences such as the highway upgrade and the closure of the ANZ Bank.

There was a strong turnout with 58 businesses and community members in attendance, and a workshop was undertaken to ensure that all ideas and concerns were collated and in turn reported back to the attendees.

## Report of the Director Corporate &amp; Commercial Services

## 12.1 The Gerringong Association (cont)

There was a comprehensive list of ideas, suggestions and concerns developed which was then reported back to a further meeting at The Mercure Gerringong on the 30<sup>th</sup> July. A common theme of the workshop was that the business community felt that there was no local group with which they could network and plan for future activities and business attraction and retention strategies to address the concerns that had been identified.

As a result the Gerringong Association was formed in October 2018 and a committee elected. Their inaugural AGM was held in Feb 2019 and the following committee were elected:-

President	Andrew Wales
Secretary	Julie Carlill
Treasurer	Leanne Mitchell
Committee Members:	Tracey Buckley
	Patrick Mahedy
	Deborah Gardiner
	Kent Ladkin
	Rusty Moran

The Gerringong Association's vision is to make Gerringong the most desirable place to live, work, visit, and belong.

Since their formation, they have held a number of meetings and have been proactively working with Council and the Member for Kiama Gareth Ward on a number of projects. Their main focus has been to:-

- Establish a credible Association with strong membership based- which is currently 50+ financial members
- Develop the 'Escape to Gerringong' brand-branded assets created and a dedicated website launched in March 2019
- Develop positive relationships with businesses, community groups, and Council- this is an ongoing collaborative discussions with multiple stakeholders
- Connect members to each other and the broader vision for the town- via regular communications, networking and discussions
- Develop a strategy for the Association with a focus on short term wins
  - o By working collaboratively with the State Government an Council, Gerringong have also been included in the Bypass Signage Program and new Highway signage should be in place by December 2019
  - o Also as a result of consultation with Council, the tree lights were installed in Fern Street prior to Christmas 2018
  - o Successful delivery in partnership with Council of Social Media training with 3 workshops held in August and September 2018
  - o Following liaison with Council upgrades to Old School Park



The Association would like to continue their strong advocacy role in the Gerringong Community and more specifically would like to work with Council to:

- Develop and commence deployment of a parking improvement strategy
- Develop a town improvement strategy for assets and facilities
- Develop and deploy branded signage within the town
- Develop and deploy training for business owners: "How to welcome the community into your business and engage them to be your greatest supporters."
- Identify and develop a flagship event for Gerringong visitors and community in conjunction with Destination Kiama Events Team

The Gerringong Association are working closely with South Precinct to ensure collaboration and communication on relevant matters and issues and will each have an attendee at respective meetings.

The Association also feel that with their strategic approach to business development and their continued liaison with their members that they would be ideally placed to effectively develop and progress the identified goals and priorities identified by the business community in a more holistic and consultative manner.

**12.2 Statement of Investments - June 2019**

CSP Objective: 4.0 Responsible civic leadership that is transparent, innovative and accessible

CSP Strategy: 4.1 Council is financially sustainable

Delivery Program: 4.1.2 Identify opportunities to diversify and maximise funding sources

**Summary**

This report recommends receipt and adoption of the Statement of Investments for June 2019.

**Finance**

N/A

**Policy**

Clause 625 of the Local Government Act 1993 (NSW)

Clause 212 of the Local Government (General) Regulation 2005

Kiama Municipal Council – Investment Policy

**Communication/Community Engagement**

N/A

**Attachments**

1 Statement of Investments - June 2019 [↓](#)

**Enclosures**

Nil

**RECOMMENDATION**

That Council receive and adopt the information relating to the Statement of Investments for June 2019.

**BACKGROUND**

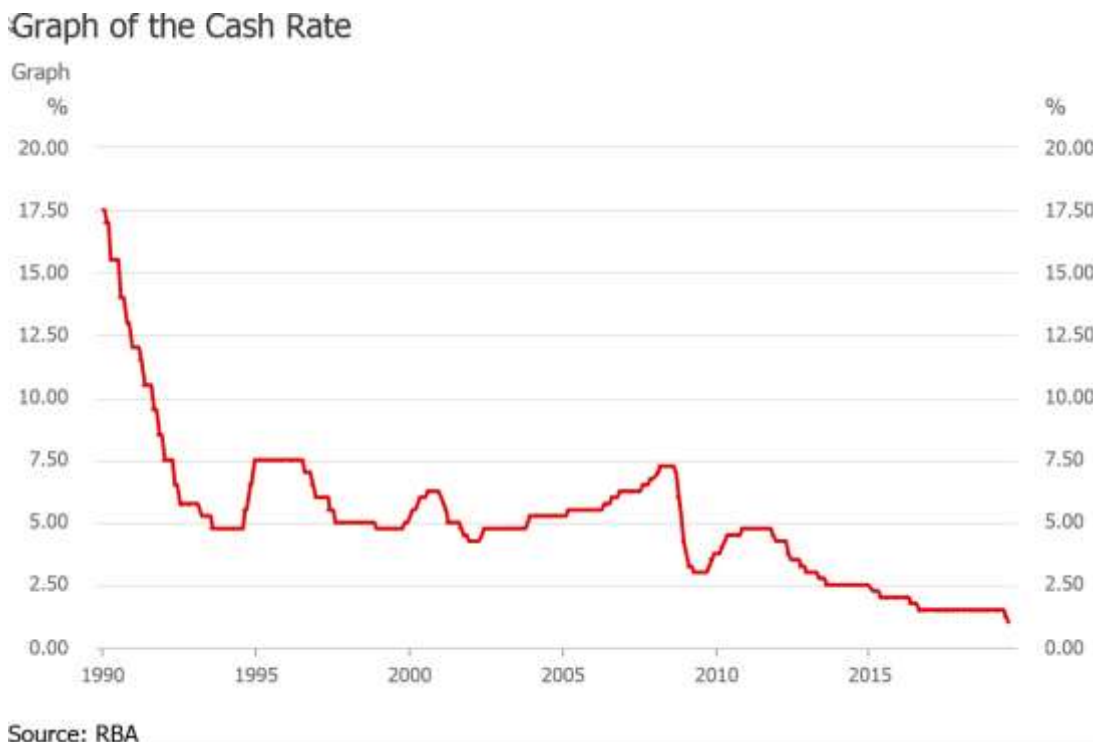
Attached is a copy of the Statement of Investments for June 2019.

**Investment commentary**

Council's direct investments are often rolled over on maturity with the same financial institution, if competitive, and based on whether funds are required for operations.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Comparisons are made between existing investments with available products that are not part of Council's portfolio. Independent advice is sought on new investment opportunities.

A decision by the Reserve Bank board meeting on 2 July 2019 has seen the cash rate lower to 1.00%.



The CBA Bank is quoting the following term deposit rates:

3 Months	6 Months	9 Months	12 Months	24 Months
1.85%	1.80%	1.8%	1.90%	1.80%

As part of Councils medium-term investment strategy a Floating Rate Note has been added to the current portfolio. A Floating Rate Note (FRN) is a type of bond. Bonds are commonly called ‘fixed-income investments’. The interest payment is based on a fixed percentage above the BBSW, therefore referred to as ‘floating’ due to the BBSW rate being variable.

BBSW is an abbreviation for the ‘bank bill swap rate’. It is the wholesale interbank rate within Australia and is published by the Australian Financial Markets Association (AFMA). It is the borrowing rate among the country’s top market makers, and is widely used as the benchmark interest rate for loans.

**Certification – Responsible Accounting Officer**

I, Robert Owens, hereby certify that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council’s Investment Policy.

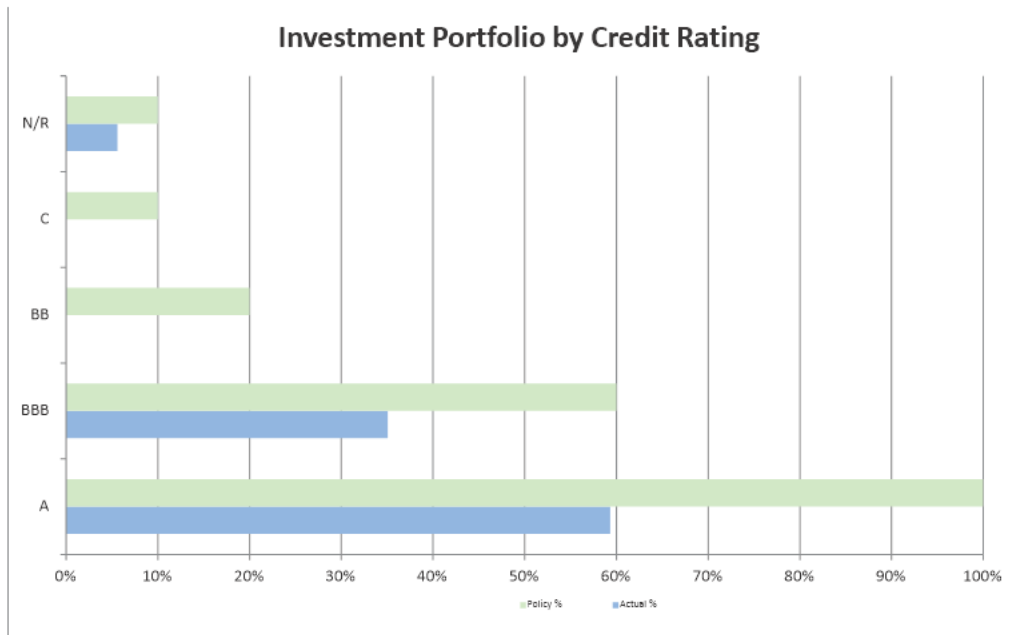
(b) Council Investments as at 30 June, 2019

DIRECT INVESTMENTS: INSTITUTION	S & P RATING	MARKET VALUE \$	INVESTMENT TYPE	DATE LODGED	MATURITY DATE	TERM (DAYS)	RATE %
AMP	A	2,000,000	Term Deposit	18/02/19	14/08/19	177	2.80
AMP	A	1,000,000	Term Deposit	12/12/18	09/09/19	271	2.75
AMP	A	500,000	Term Deposit	24/10/18	21/10/20	728	2.85
Beyond Bank	BBB+	1,000,000	Term Deposit	16/01/19	17/07/19	182	2.80
Bankwest	A	4,000,000	Term Deposit	15/05/19	17/07/19	63	2.20
Bank of Qld	BBB+	1,500,000	Term Deposit	27/02/19	28/08/19	182	2.65
Bank of Qld	BBB+	1,500,000	Term Deposit	26/06/19	16/10/19	112	2.10
Bank of Qld	BBB+	1,000,000	Term Deposit	24/10/18	21/10/20	728	2.90
Bank of Qld	BBB+	2,000,000	Term Deposit	26/06/19	16/09/19	82	2.05
ING Bank (Australia)	A1/A	1,000,000	Term Deposit	02/11/18	21/10/20	719	2.88
Bendigo	BBB+	1,000,000	Term Deposit	09/01/19	10/07/19	182	2.65
Bendigo	BBB+	2,000,000	Term Deposit	15/05/19	14/08/19	91	2.25
Community Alliance Credit Union	N/R	1,000,000	Term Deposit	06/06/19	04/09/19	90	2.75
Judo Bank	N/R	500,000	Term Deposit	16/05/19	12/11/19	180	2.70
Judo Bank	N/R	500,000	Term Deposit	26/06/19	25/09/19	91	2.45
ME Bank	BBB	1,500,000	Term Deposit	30/01/19	31/07/19	181	2.75
NAB	AA-	2,000,000	Term Deposit	12/04/19	09/07/19	88	2.40
NAB	AA-	2,000,000	Term Deposit	24/10/18	23/10/19	364	2.75
Suncorp	A+	1,000,000	Term Deposit	17/10/18	16/10/19	364	2.65
Suncorp	A+	1,000,000	Term Deposit	06/02/19	10/07/19	154	2.70
Newcastle Permanent FRN	BBB	1,008,880	Floating Rate Note	28/09/18	06/02/23	1592	3.37
<b>Total Term Deposits &amp; FRNs</b>		<b>29,008,880.00</b>					<b>2.64</b>
TcorpIM Cash Fund	AAA	3,159,292.46	Cash Fund			AT CALL	1.87
Westpac	AA-	3,502,066	Bank Account	-		AT CALL	1.52
<b>Total 'At Call' Funds</b>		<b>6,661,359</b>					<b>1.52</b>
<b>TOTAL CASH &amp; INVESTMENTS</b>		<b>35,670,239</b>				Average Rate- Jun 2019	2.38
						Average Rate- Jun 2018	2.35
<b>TOTAL INVESTMENTS May 2019</b>		<b>40,767,579</b>					
<b>TOTAL INVESTMENTS Jun 2018</b>		<b>42,063,050</b>					
							Change in total investment over prev 1 month
							Change in total investment over prev 12 months

Note: The Westpac Bank Account balance shown above of \$3.5M includes deposits at month-end not processed to Council's financial system and excludes cheques that have not been presented.

Item 12.2

Attachment 1



Long Term Credit Ratings (S&P or Moodys or Fitch)	Policy Maximum	Current Holding %	Current Investment \$
A- to AAA	100%	59%	\$21,161,359
BBB- to BBB+	60%	35%	\$12,508,880
BB- to B+	20%	0%	\$0
C - CCC	10%	0%	\$0
Not Rated (N/R)	10%	6%	\$2,000,000
			<b>\$35,670,239</b>

Item 12.2

Attachment 1

## (c) Application of Invested Funds

Restricted Funds:	Description	Value (\$)
Externally Restricted	S94 Developer Contributions	5,115,009
	Grants	486,156
	Domestic Waste	2,813,863
	Waste & Sustainability	403,006
	Southern Council's Group	2,241,750
	Blue Haven Care-Residential*	1,417,602
	Risk Improvement Incentive	78,749
	Carer Respite Centre	1,216,663
	Land Development	3,823,466
	Waste Business Unit (Plant Replacement)	740,367
	Plant Replacement	2,160,252
	Employee Leave Entitlements	3,000,000
	Carry-over works*	1,953,383
	Holiday Parks	2,741,301
	Contingencies	3,100,514
	Computer	879,698
	Property Insurance	120,000
	Community Bus	365,086
	CACP	263,581
	Organisational Development	200,000
	Fleet Replacement	100,000
	Council Election	100,000
	Leisure Centre Renewal	180,000
	Revolving Energy Fund	315,000
	Future Project Development	70,000
	Arts Precinct	59,000
	The Pavilion	113,149
Loan Funds	KACCOE Loan Drawdown unexpended	-
<b>Unrestricted Funds:</b>	<b>Funds to meet current budgeted expenditure</b>	<b>1,406,506</b>
<b>TOTAL INVESTMENTS</b>		<b>35,670,239</b>

The above Application of Invested Funds reflects audited balances as at 30 June 2018. Actual movement in these balances are recorded at the end of the financial year.

The Unrestricted Funds balance forms available cash to fund Council's ongoing budget operations.

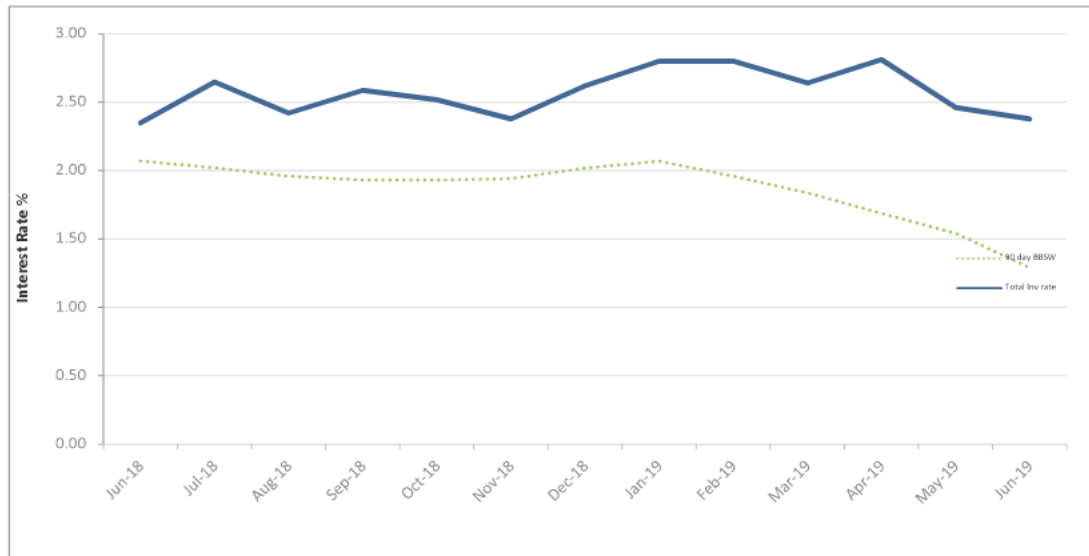
\*Adjusted as expensed during financial year.

(d) Investment Portfolio Performance

Investment Performance vs Benchmark

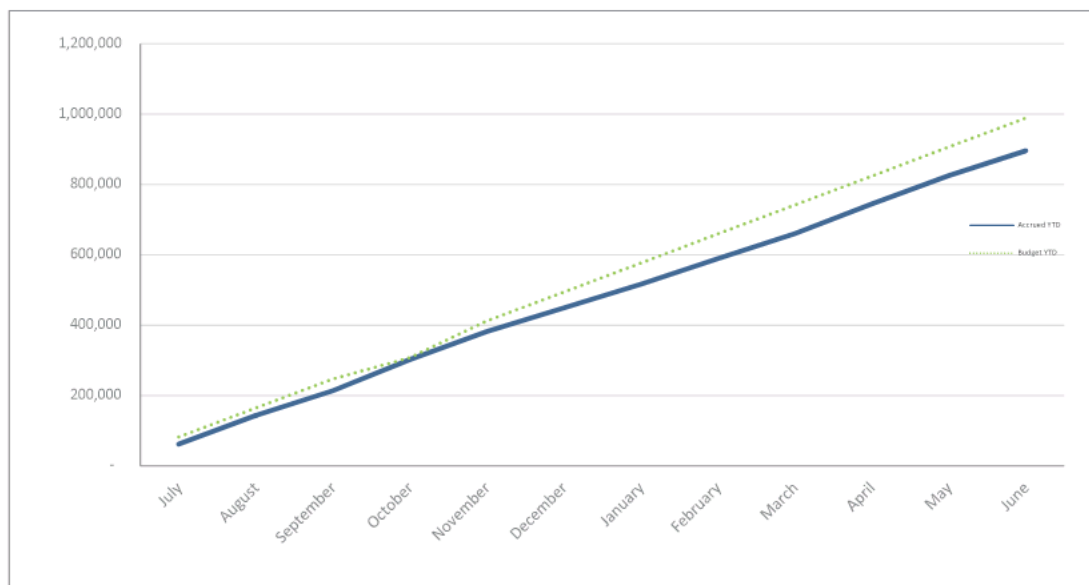
	Investment Portfolio Return (%pa)	Benchmark: BBSW 90 day Bank Bill Index (source RBA)
1 month	2.38	1.29
3 months	2.55	1.51
6 months	2.65	1.73
12 Months	2.59	1.85

Investment Performance Compared to Benchmark



Council has been able to consistently perform above the Reserve Bank 90 day Bank Bill Index.

Accrued Interest Compared to Budget as at 30 June, 2019



## 13 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

### 13.1 2019-20 Plant Replacement Program purchases

CSP Objective: 1.0 A healthy, safe and inclusive community

CSP Strategy: 1.1 Developing and implementing services and programs that promote social cohesion, healthy and active lifestyles for residents of all ages, abilities and interests

Delivery Program: 1.1.6 Manage footpath and cycleway infrastructure and assets

#### Summary

This report informs council of the process and outcomes of the request for quotations for the purchase of two (2) road sweepers, one (1) side loading garbage compactor and one (1) rear loading garbage compactor as identified in the 2019-20 Plant Replacement Program.

#### Finance

The capital expenditure will be made available from the Engineering Services Plant Replacement budget. These purchases were identified and reported in the 2019/20 budget. The second Road Sweeper is an additional item and will be funded by Waste Services.

#### Policy

The Request For Quotation (RFQ) has been undertaken in accordance with the Local Government Tender Regulations 2005.

#### Communication/Community Engagement

N/A

#### Attachments

Nil

#### Enclosures

Nil

### **RECOMMENDATION**

That Council purchase:

1. one (1) Volvo FE chassis with Bucher Municipal Compaction Body from Southern Truck Centre Wollongong with a capital value of \$390,985 + GST.
2. two (2) Bucher Municipal VT651 Sweeper on Hino FG 1628 chassis from Bucher Municipal with a capital value of \$343,920 + GST each.
3. one (1) Garwood 15m<sup>3</sup> rear loader garbage compactor on Hino GH 1828 chassis from Garwood International with a capital value of \$234,605 + GST.



Report of the Director Engineering and Works

13.1 2019-20 Plant Replacement Program purchases (cont)

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**BACKGROUND**

As part of the 2019-20 Plant Replacement Program, Waste Services have Plant 9194, 9183 & 9202 identified as being at the end of its economic life and programed for replacement. Waste Services also identified the need for one additional Road Sweeper to meet the needs of the Business Unit.

A specification was developed in consultation with stakeholder to ensure the vehicle will meet the operational needs of the end user.

A request for quotation was then placed with the Local Government Procurement (LGP) Vendor Panel system. The request for quotation was sent to panel members under LGP contract LGP707-3.

All submissions were evaluated using a combination of 6 different criteria including price, specification, warranty, after sales support, Australian content and an operator assessment.

The combined scores for each criteria were then inputted into the LGP evaluation matrix. This produced an overall ranking and recommendation for the vehicle that best meets our requirements.

**Item 13.1**

**13.2 2019-20 Works Program - supply and lay of asphaltic concrete**

CSP Objective: 1.0 A healthy, safe and inclusive community

CSP Strategy: 1.1 Developing and implementing services and programs that promote social cohesion, healthy and active lifestyles for residents of all ages, abilities and interests

Delivery Program: 1.1.6 Manage footpath and cycleway infrastructure and assets

**Summary**

This report informs council of the process and outcomes of the request for quotations for the supply and lay of approximately 6,000t of Asphaltic Concrete as identified in the 2019-20 Works Program.

**Finance**

The capital expenditure will be made available from the Engineering Services Works Program. This expenditure was identified and reported in the 19/20 budget.

**Policy**

The RFQ has been undertaken in accordance with the Local Government Tender Regulations 2005.

**Communication/ Community Engagement**

N/A

**Attachments**

Nil

**Enclosures**

Nil

**RECOMMENDATION**

That Council purchase approximately 6,000t of asphaltic concrete from Roadworks at an average cost of \$164.30 + GST per tonne.

**BACKGROUND**

As part of the 2019-20 Works Program, Engineering Services have identified the need to purchase approximately 6,000t of asphaltic concrete to meet the renewal of roads in the Municipality.

A specification was developed to meet the operational needs of the road renewal program.

A request for quotation was then placed with the Local Government Procurement Vendor Panel system. The request for quotation was sent to local panel members under LGP contract LGP213.

Report of the Director Engineering and Works

13.2 2019-20 Works Program - supply and lay of asphaltic concrete (cont)

---

The RFQ generated submissions from Roadworx, Boral and Fulton Hogan with a median value of \$175.10 + GST per tonne.

All submissions were evaluated using a combination of different criteria including asphaltic concrete price, spray seal price, 1m profiler price and truck hire cost.

The combined scores for each criteria were then inputted into the LGP evaluation matrix. This produced an overall ranking and recommendation for purchase.

**Item 13.2**

## 14 REPORT OF THE DIRECTOR BLUE HAVEN

### 14.1 Interstate Conference Attendance - Councillor Nomination and staff approval

CSP Objective: 1.0 A healthy, safe and inclusive community

CSP Strategy: 1.2 Planning for and assisting specific needs groups

Delivery Program: 1.2.1 Operate Blue Haven Care

#### Summary

This report requests approval for staff of Blue Haven to attend upcoming national annual conferences and for a Councillor nomination to attend the Aged and Community Services Australia (ACSA) conference.

#### Finance

ACSA National Summit: registration - \$1,360, plus flights and accommodation in Melbourne.

Leading Age Services Australia (LASA) National Integrated Seniors Housing Conference: registration - \$900, 2 nights accommodation at \$232 per night, plus flights to the Gold Coast.

#### Policy

Payment of Expenses and Provision of Facilities Policy

#### Communication/Community Engagement

Both conferences will be reported back to Council following attendance.

#### Attachments

Nil

#### Enclosures

Nil

### **RECOMMENDATION**

That Council:

1. Endorse a maximum of 3 staff members to attend the Aged and Community Services Australia National Summit, to be held 8-10 October 2019 in Melbourne
2. Nominate a Councillor/Blue Haven Board member to also attend the Aged and Community Services Australia conference
3. Endorse a staff member to attend the Leading Aged Services Australia conference to be held 1-2 August 2019 on the Gold Coast.

Report of the Director Blue Haven

14.1 Interstate Conference Attendance - Councillor Nomination and staff approval  
(cont)

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## BACKGROUND

### ACSA 32<sup>nd</sup> National Summit

Kiama Council/Blue Haven is a member of ACSA, one of the two peak bodies for aged care services in Australia. The national three day summit is an opportunity to gain insights into emerging trends, network with other providers, receive government updates and view a range of products from exhibitors. Attendance is important both for senior staff and members of the Board to demonstrate their commitment to ongoing professional development as a part of corporate governance, in line with the Aged Care Standards. The preliminary program and further information is available from the conference website [www.acsasummit.com.au/](http://www.acsasummit.com.au/). An extract from the website describes the conference:

*Aged & Community Services Australia (ACSA) is delighted to invite you to attend the 2019 ACSA National Summit, to be held at the Melbourne Convention and Exhibition Centre (MCEC), 8–10 October 2019.*

*The 2019 ACSA National Summit will bring together thought leaders and innovators – both local and international – to discuss hot topics, challenges and opportunities, workshopping together to uncover solutions to some of the aged care industry’s biggest challenges.*

*The theme for the 2019 Summit is PURPOSE | PEOPLE | PERFORMANCE*

*PURPOSE | With the pace of industry reforms, and the Royal Commission into Aged Care Quality and Safety well underway, now is the time to reflect on our core values and reaffirm our purpose.*

*PEOPLE | Placing people at the heart of services – a person-centred approach to the aged care workforce and those for whom we exist to support.*

*PERFORMANCE | Leadership, governance and management – the key to delivering sustainable, quality services.*

*We need to focus on our purpose, to support you – our people – and continually review our practices to ensure quality performance within our industry.*

*The Summit will consider the need to redefine the experience of ageing in our community, questioning everything from delivery of services and care, to community integration, business transformation, opportunities in innovative technology, and much more.*

*Who Should Attend?*

*The ACSA National Summit is open to delegates from all levels of the aged care industry, both member and non-member organisations, including:*

- *Board Members*
- *Chief Executive Officers*
- *General Managers*
- *Chief Financial Officers*
- *Chief Operations Officers*

Report of the Director Blue Haven

14.1 Interstate Conference Attendance - Councillor Nomination and staff approval (cont)

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- *Community Care Managers*
- *Directors of Nursing*
- *Executive Directors*
- *Industry Partners*
- *Researchers*
- *Policy Makers*
- *Key Stakeholders in the Aged and Community Care sector*
- *Owners, Operators and Developers*
- *Quality Managers*
- *Residential Managers*

Item 14.1

### **LASA National Integrated Seniors Housing Conference**

LASA is the second peak body representing aged care services in Australia. Kiama Council/ Blue Haven is not a member. This conference will focus on the operation of retirement villages and the changes that are occurring in that sector, including new regulatory requirements and the move toward the provision of care as part of the offering. The program and further information are available from the website: [www.lasa.asn.au/event/nish-conference-2019/](http://www.lasa.asn.au/event/nish-conference-2019/). An extract from the website describes the conference:

*Integrated Seniors Housing describes a variety of housing types which purposely make available a range of support and care services for people in later life. Housing such as retirement and lifestyle villages, independent living units and manufactured home or land-lease communities are now, through demand, becoming more integrated with care and service delivery options and have been identified as the new 'low-care' of aged services in Australia.*

*Retirement living and seniors housing has undergone unprecedented change and reform in recent times with most states around Australia implementing reviews and/or legislative changes to their respective Acts.*

*The availability of care and services is seen to be a major driver in choice and decision making around seniors housing options. Residents will choose to remain living as independently as possible, in their own Retirement Village Unit, with support and care services delivered as and when they need them.*

*Villages without a comprehensive care strategy are on the decline and reporting less enquiries and more vacancies.*

*Home care providers are now recognising that the most effective and efficient delivery of care and services is into a retirement community.*

The LASA National Integrated Seniors Housing Conference 2019 is certain to challenge your thinking and expand your knowledge beyond conventional operational models and ask you to consider a new approach to integrated age service delivery in seniors housing.

## 15 REPORTS FOR INFORMATION

### 15.1 Sorry Day 2019

Responsible Director: Environmental Services

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Each year Kiama Council holds an annual Sorry Day commemoration to remember and acknowledge the Stolen Generation and to honour the process and progress of reconciliation with our Indigenous community.

The event is held in two locations. A flag raising ceremony is held outside the Old Council Chambers and performances, guest speaker and bush tucker is held at The Pavilion Kiama.

Sorry Day is held in collaboration with Kiama's five local schools; Gerringong, Jamberoo and Kiama Public Schools, Sts Peter and Paul Catholic School and Kiama High School, and Little Cherubs Childcare Centre. Each year the schools are invited to provide a performance or other item for the program and for students to attend as audience members. Ten indigenous student representatives from each school are invited to attend the bush tucker tasting with their local Elders and Indigenous community members following the performances.

#### 2019 Flag Raising

This part of the event is always well attended by Council staff, local Police, community members and school students. This year included the Gumaraa Aboriginal Dancers, a Welcome to Country by Auntie Joyce Donovan and a one minutes silence in remembrance of the Stolen Generation, along with the formal flag raising.



Item 15.1

### 2019 Performances at the Pavilion

Every year Kiama's local schools create a wonderful mix of performances reflecting the theme of reconciliation and Indigenous culture and 2019 was no exception with a range of quality items on the program.

While a formal Welcome to Country is given by a local Indigenous Traditional Owner and Elder at the Flag raising ceremony, an Acknowledgement to Country is given each year by the Little Cherubs Childcare Centre.



This is followed by a formal Civic Welcome by the Mayor. For 2019 in Mayor Mark Honey's absence, Cr Mark Westhoff provided this official welcome on behalf of the Mayor and Council.

Our 2019 guest speaker was Ms Jodi Edwards a Walbunja Woman of the Yuin Nation. Ms Edwards is an educator and researcher with a Masters in Language Education who is currently working on continuity of cultural practices in the Yuin and Dharawal Nations through her PhD. Ms Edwards provided an informative speech on the making, importance and relevance of the possum skin cloak to Indigenous culture.

Our local schools provided a range of performance items:

- The *National Anthem* in Dharawal Language and Simon and Garfunkel's song *Bridge Over Troubled Water* by Sts Peter and Paul Catholic School
- A choral reading of *Bundoola : a traditional dreaming story from the South Coast* by Gerringong Public School
- Speaking artwork by Minnamurra Public School
- Poetry reading of Yuin Elder Uncle Max Dulumunmun Harrison's *In Memory of those Gone By*, by Kiama Public School
- Presentation on the Bomaderry Home and song *Tell Me Now* by Kiama High School.
- Static artwork displayed in the foyer by Jamberoo Public School





The 2019 program finished with Council's Community and Cultural Development reading of:

*To our Aboriginal community here today.*

*We see you.*

*We see the historical pain, violence and abuse that was perpetuated on your communities and your families.*

*We see the forced disconnection from land, language and culture.*

*We see the continuing inequities upon your people.*

*We are sorry*

*We are sorry for historical injustices, murder and violence.*

*We are sorry for the individual and systemic racism you still face.*

*We ask your forgiveness and seek reconciliation with you.*

*We seek ways to speak of these things, both of the past and of the present.*

*We seek to heal that which has been broken.*

*We seek to make a present, and future, that empowers you to reclaim that which has been lost, and for us to reclaim the future together.*

*Thank you for enduring, despite that which has been inflicted and all that has been taken from you.*

*Thank you for not just enduring, but for being willing to again seek to thrive and rebuild; family, culture, language and community.*

Reports for Information

15.1 Sorry Day 2019 (cont)

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*Thank you for being seen, for reclaiming that which is yours, and for the graciousness of allowing us that journey with you.*

*Thank you for continuing to bring the richness of the oldest living culture in the world to our table and allowing us to participate.*

*As we continue to walk forward in reconciliation*

*As we continue to learn better ways of being and doing*

*As we continue to work to break down the walls of separation, may we seek always to do so together, in peace, honesty and respect.*

The program was MC'd by Cr Neil Reilly with support provided by Council's Community and Cultural development team.

**Communication/Community Engagement**

Verbal feedback from Indigenous community members present on the day has been extremely positive,

Item 15.1

**15.2 Conference report: National General Assembly Conference 16-19 June 2019**Responsible Director: Office of the General Manager

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Attached for Councillors' information are Councillor Honey and Councillor Rice's reports on the National General Assembly Conference held at National Convention Centre, Canberra from 16 to 19 June 2019.

**Communication/Community Engagement**

Councillors are required to provide a report following attendance at any conference.

**Attachments**

- 1 National General Assembly conference Canberra 2019 report by Mark Honey [↓](#)
- 2 NGA participant list [↓](#)
- 3 Councillor Kathy Rice Report on National General Assembly Conference Canberra 14-16 June 2019 [↓](#)

0.0 Councillor Report on Attendance at Conference

Responsible Councillor:

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**Conference:** National General Assembly of Local Government

**Location:** National Convention Centre Canberra

**Date:** 16-19 June 2019

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**Value of Conference**

The meeting was a gathering of Local Government representatives (Mayors, Councillors and General Managers) from throughout Australia.

**Key Messages/Highlights**

On Sunday at the Regional Co-operation and Development forum perhaps this session presented by the Mayor of Noosa- Tony Wellington, titled Taming Tourism in Noosa was of the most value to Kiama – reflecting the same problems we have in our Municipality ‘being loved to death’.

After Tony’s presentation, I was able to have a conversation with him and he generously said he would email his Council’s tourism related policies.

- Tourism Business Plan
- Regulating short-stay accommodation Tasmania
- Short term accommodation – Online Platform Issue Paper
- A joint declaration and commitment by the Sustainable tourism Stakeholder. Reference group – Sustainable Tourism Noosa
- Council Events Policy

These documents are now available at Council.

Monday, Michael McCormack Deputy Prime Minister spoke about:

- Increasing urban congestion
- The Building Better Region fund
- Roads to Recovery
- \$7.6B drought relief
- Need to have Local Government recognised in federal constitution so direct funding can come from the Federal Government
- Water infrastructure – National Water Grid
- Need for Local Government to acknowledge FAG funding

Steve Sammartino, Futurist

- Moores Law – number of transistors per square inch is doubling each year (increased intelligent information available)
- Treat community as a resource
- If you want to do it, you can, e.g. LEGO car (check it out on YouTube)

- Each day spend 10 minutes on new technology

Using technology to excel:

- Bundaberg – 2 page corporate plan
- Must look at replace staff with technology – question is when
- “If you build old processes on new technology I will sack you”
- Are you using 20<sup>th</sup> century technology to solve 21<sup>st</sup> century problems

Affordable Housing – Professor Andrew Beer, Robert Pradolin and Gary Spivak

- Local Government must be part of solution
- Problem
  - Airbnb – opportunity or threat
  - Population decline in rural areas
- Solutions
  - Private sector engagement
  - Repurposing existing buildings
  - Planning agreements
  - Community Trust land

Naomi Woods – Disaster Management

- Use of ATO, for identifying local businesses by the active ABN’s register on the Australian Business Register (ABR), available 24/7

David Wilson (Green Frog)

- Smart cities off grid
- Solar street lighting
- Solar car ports

#### **Benefits to Kiama Municipal Council**

Networking with like Council’s and benchmarking our business with others. We seem to be ahead of the game in many ways, e.g. Recycling organics, reducing carbon emissions, asset renewal, community support and engagement.

#### **Suggestions for Future Action**

#### **Overall Rating**

4

#### **Attachments**

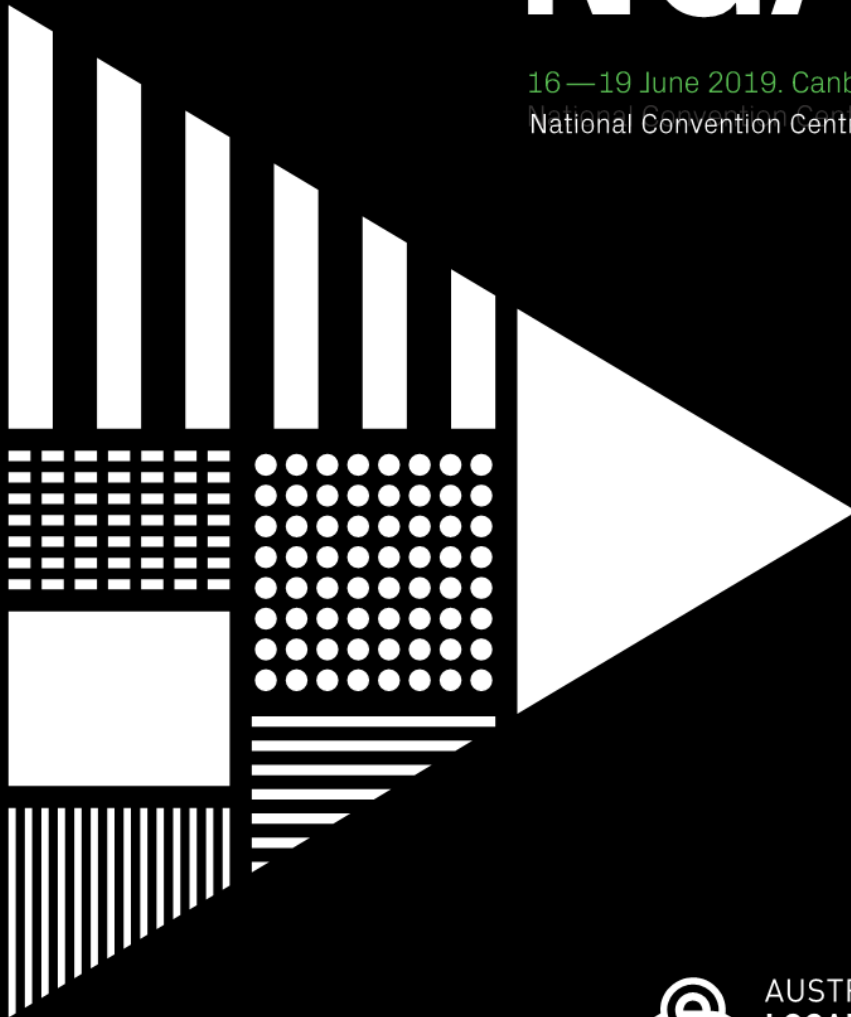
Participants List

Conference Handbook - <https://www.nga19.com.au/NGA19-Handbook-Web.pdf>

Future

# NGA 19

16—19 June 2019. Canberra  
National Convention Centre



AUSTRALIAN  
LOCAL GOVERNMENT  
ASSOCIATION

Celebrating 25 Years of NGA

# Participants List

Item 15.2

Attachment 2

## National General Assembly of Local Government List of Participants

Please Note: Due to privacy considerations only those delegates who consented to their name being published in the General Assembly Participants List have been included.

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Abboud	Mayor	Natalie	Moreland City Council	VIC
Abednego	Cr	John	Torres Shire Council	QLD
Adams	Mayor	Robin	Norfolk Island Regional Council	NORFOLK ISLAND
Agius	Cr	Edgar	City of Charles Sturt	SA
Aitchison	Cr	Robert	Maitland City Council	NSW
Aitken	Cr	Jim	Penrith City Council	NSW
Akaiwa	Mr	Hiroto	Japan Local Government Centre (CLAIR, Sydney)	NSW
Alexander	Cr	Barbara	Benalla Rural City Council	VIC
Alldrick	Cr	Annette	Shoalhaven City Council	NSW
Allen	Mr	Scott	Alice Springs Town Council	NT
Alley	Cr	Peter	Port Macquarie-Hastings Council	NSW
Altschwager	Cr	Sonya	District Council of Loxton Waikerie	SA
Amos	Cr	Paul	Coffs Harbour City Council	NSW
Anderson	Cr	Robert	Warrnambool City Council	VIC
Antonio	Mayor	Paul	Toowoomba Regional Council	QLD
Aquino	Cr	Tony	Murray River Council	NSW
Arkan	Cr	John	Coffs Harbour City Council	NSW
Arnold	Mr	Gary	Kingborough Council	TAS
Artup	Mr	Ben	Bundaberg Regional Council	QLD
Attie	Cr	Ned	Cumberland Council	NSW
Autrey	Mrs	Keely	JLT Pty Ltd	NSW
Awada	Dep Mayor	Joe	Bayside Council	NSW
Bailey	Mr	Michael	Northern Grampians Shire Council	VIC
Baker	Cr	Kevin	Lake Macquarie City Council	NSW
Baker	Mayor	Loretta	Maitland City Council	NSW
Baker	Mayor	Anne	Isaac Regional Council	QLD
Balloot	Cr	Gus	Liverpool City Council	NSW
Bani	Cr	Gabriel	Torres Shire Council	QLD
Bantock	Cr	Pauline	Shire of Victoria Plains	WA
Bara	Cr	Elliot	East Arnhem Regional Council	NT
Barber	Mayor	Travis	District Council of Streaky Bay	SA
Barker	Mayor	Jock	Town of Claremont	WA
Barnes	Ms	Leanne	Bega Valley Shire Council	NSW
Barnett	Cr	Kristina	City of Prospect	SA
Barry	Mr	Richard	Salesforce	VIC
Barry-Macaulay	Ms	Nina	Bass Coast Shire Council	VIC
Bascomb	Mr	Peter	Snowy Monaro Regional Council	NSW
Basford	Mr	Anthony	East Gippsland Shire Council	VIC
Basson	Mr	Hein	Coonamble Shire Council	NSW
Bath	Mr	Jeremy	City of Newcastle	NSW
Batten	Ms	Pip	Infrastructure, Transport, Cities and Regional Development	ACT
Bawden	Mr	Allan	Mildura Rural City Council	VIC

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Beales	Mayor	Peter	Ararat Rural City Council	VIC
Bean	Mr	Peter	Melton City Council	VIC
Beaton	Mr	David	District Council of Loxton Waikerie	SA
Beatty	Cr	Kevin	Cabonne Council	NSW
Bedgood	Mayor	Wayne	Upper Hunter Shire Council	NSW
Beer	Prof	Andrew	University of South Australia	SA
Benham	Cr	Jade	Swan Hill Rural City Council	VIC
Bennett	Mayor	Bill	Whitehorse City Council	VIC
Bennett	Mr	Warwick	Goulburn Mulwaree Council	NSW
Bennett	Mr	Craig	Leeton Shire Council	NSW
Bennett	Mr	Paul	Tamworth Regional Council	NSW
Berger	Ms	Liz	City of Ryde	NSW
Best	Cr	Greg	Central Coast Council	NSW
Bhalla	Mr	Sunil	Horsham Rural City Council	VIC
Bianchi	Mrs	Josephine	Town of Port Hedland	WA
Bilske	Mr	Des	Murray River Council	NSW
Bingham	Cr	Candy	Northern Beaches Council	NSW
Blackmore	Dep Mayor	Matthew	Strathfield Council	NSW
Blades	Mayor	Roz	City of Greater Dandenong	VIC
Blanco	Mayor	Camilo	Town of Port Hedland	WA
Blight	Mr	Phillip	Shire of Wagin	WA
Bohnen	Mr	Stephan	LGAQ	QLD
Bokmakarray	Cr	Valda	West Arnhem Regional Council	NT
Bolam	Cr	Kris	Frankston City Council	VIC
Bonthuys	Mr	Barry	East Arnhem Regional Council	NT
Bosler	Mayor	Danae	Yarra City Council	VIC
Bouchee	Cr	Mikki	City of Holdfast Bay	SA
Bourke	Cr	Matthew	Brisbane City Council	QLD
Bourke	Mayor	Patrick	Federation Council	NSW
Bowler	Mayor	John	City of Kalgoorlie-Boulder	WA
Bowling	Cr	Darryl	Blue Mountains City Council	NSW
Boxall	Mr	Steven	Barcaldine Regional Council	QLD
Bradbery	Lord Mayor	Gordon	Wollongong City Council	NSW
Bradshaw	Mr	Jason	Somerset Regional Council	QLD
Braund	Mayor	Darren	Yorke Peninsula Council	SA
Bredhauer	Mayor	Maree	Litchfield Council	NT
Brenzi	Mr	Silvio	Shire of Yalgoo	WA
Broadrick	Mr	Gareth	Davidson	NSW
Brown	Mr	John	Break O'Day Council	TAS
Brown	Mr	Tony	WALGA	WA
Brown	Mayor	Mary-Ann	Southern Grampians Shire Council	VIC
Brown	Cr	David	Wollongong City Council	NSW
Brown	Cr	Josh	Upper Hunter Shire Council	NSW
Browne	Dep Mayor	Marion	Broken Hill City Council	NSW
Brownley	Mr	Linden	City of Kalgoorlie-Boulder	WA
Brug	Cr	Beau	City of Salisbury	SA
Brusse	Mr	Trahern	Paladin Risk Management Services	ACT
Buckler	Ms	Sarah	LGAQ	QLD
Buckley	Cr	Christine	Lake Macquarie City Council	NSW
Budrikis	Mr	Andrus	Shire of Plantagenet	WA



<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Burgess	Mayor	Dave	Mid Murray Council	SA
Burke	Mayor	Rex	Napranum Aboriginal Shire Council	QLD
Burke	Cr	Chris	Central Coast Council	NSW
Butterfield	Dep Mayor	Ruth	City of Armadale	WA
Cain	Mr	Stephen	City of Cockburn	WA
Callant	Mr	Terry	Bayside City Council	VIC
Cameron	Ms	Morven	Lake Macquarie City Council	NSW
Cameron	Mr	Andrew	Yorke Peninsula Council	SA
Campbell	Cr	Craig	Willoughby City Council	NSW
Campbell	Mayor	Liz	Kempsey Shire Council	NSW
Campbell	Mayor	Keith	South Burnett Regional Council	QLD
Campbell	Dep Mayor	Genevieve	Murray River Council	NSW
Campbell	Cr	Colin	City of Armadale	WA
Carbone	Mayor	Frank	Fairfield City Council	NSW
Carter	Cr	Peter	Town of Port Hedland	WA
Castaldo	Cr	Peter	Banyule City Council	VIC
Castelli	Cr	Sonia	Bayside City Council	VIC
Cercarelli	Mr	Luccio	City of Palmerston	NT
Chabrel	Cr	Philip	City of Holdfast Bay	SA
Chaffey	Mayor	Jamie	Gunnedah Shire Council	NSW
Chambers	Mayor	Rachel	North Burnett Regional Council	QLD
Chan	Ms	Sherman	Audit Office of NSW	NSW
Chandler	Mayor	Rob	Barcaldine Regional Council	QLD
Chappel	Mrs	Karen	Shire of Morawa	WA
Chea	Cr	Youhorn	City of Greater Dandenong	VIC
Chen	Cr	Anna	Manningham City Council	VIC
Cherry	Dep Mayor	Christine	Tweed Shire Council	NSW
Chisholm	Mayor	Bill	Mitchell Shire Council	VIC
Choat	Cr	Sean	Somerset Regional Council	QLD
Christensen	Mr	Mark	In Tempore Advisory	QLD
Christie	Mr	John	City of Belmont	WA
Christou	Cr	Steve	Cumberland Council	NSW
Civitarese	Dep Mayor	Kris	Barkly Regional Council	NT
Clark	Ms	Bronwen	National Growth Areas Alliance	VIC
Clarke	Cr	Pam	Horsham Rural City Council	VIC
Clemence	Mayor	Simon	Mildura Rural City Council	VIC
Cocking	Cr	Jimmy	Alice Springs Town Council	NT
Cohn	Dep Mayor	Amanda	Albury City Council	NSW
Colacino	Cr	Leigh	Wollongong City Council	NSW
Cole	Mr	Andrew	Barunga West Council	SA
Collins	Mr	Ryan	Planet Ark	NSW
Conkey	Mayor	Greg	Wagga Wagga City Council	NSW
Conroy	Mr	Peter	Hawkesbury City Council	NSW
Constable	Cr	Phil	Eurobodalla Shire Council	NSW
Cook	Mr	Aaron	Shire of Gingin	WA
Cornish	Cr	Marcus	Penrith City Council	NSW
Coulton	Mayor	John	Gwydir Shire Council	NSW
Coulton	Cr	David	Gwydir Shire Council	NSW
Court	Cr	Jan	Avon-Midland Country Zone WA Local Government Association	WA

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Cowie	Mr	Ian	City of Gosnells	WA
Craig	Mrs	Jay	JLT Pty Ltd	NSW
Craigie	Cr	Lynne	WALGA	WA
Crawcour	Mr	Steve	Strathbogie Shire Council	VIC
Crichton	Cr	Heather	Burwood Council	NSW
Crosbie	Ms	Katherine	Strathbogie Shire Council	VIC
Cunningham	Mr	Nathan	City of Prospect	SA
Curran	Mayor	Michael	Gympie Regional Council	QLD
Cusack	Cr	Jim	Moonee Valley City Council	VIC
Da Cruz	Cr	Marghanita	Inner West Council	NSW
Da Rocha	Cr	Carlos	Randwick City Council	NSW
Daccache	Cr	George	Town of Port Hedland	WA
Dal Broi	Mayor	John	Griffith City Council	NSW
Daley	Mrs	Leeah	Gwydir Shire Council	NSW
Damante	Cr	Tasa	Maroondah City Council	VIC
Dark	Cr	Tim	City of Greater Dandenong	VIC
Davenport	Cr	Andrew	Whitehorse City Council	VIC
Day	Mr	Andrew	Manningham City Council	VIC
De Backer	Cr	Alison	City of Prospect	SA
de Graaf	Cr	Alayna	City of Onkaparinga	SA
Deb	Mr	Paul	City of Burnside	SA
Dedes	Mr	George	City of Ryde	NSW
Deeth	Mayor	Matthew	Wollondilly Shire Council	NSW
del Porto	Cr	Alex	Bayside City Council	VIC
Dempsey	Mayor	Jack	Bundaberg Regional Council	QLD
Devery	Mr	Paul	Cowra Council	NSW
Dew	Mr	Robert	Avon-Midland Country Zone WA Local Government Association	WA
Dewhurst	Mayor	Glenn	City of Gosnells	WA
Di Lorenzo	Dr	Nerina	Moreland City Council	VIC
Digiglio	Cr	Nina	Shoalhaven City Council	NSW
Dixit	Cr	Rajkumar	Burwood Council	NSW
Dixon	Mr	Mark	City of Wodonga	VIC
Dixon	Mr	Adrian	Central Desert Regional Council	NT
Docherty	Mayor	Glenn	City of Playford	SA
Dodds	Mr	Terry	Tenterfield Shire Council	NSW
Dodds	Cr	Jo	Bega Valley Shire Council	NSW
Doherty	Mayor	Sue	City of South Perth	WA
Domaschenz	Cr	Trevor	West Wimmera Shire Council	VIC
Donohoe	Mr	Kenn	Whitsunday Regional Council	QLD
Donovan	Cr	Helen	City of Adelaide	SA
Doolan	Cr	Susan	MacDonnell Regional Council	NT
Dorney	Cr	Jess	Moreland City Council	VIC
Doueihi	Cr	Antoine	Strathfield Council	NSW
Douglas	Ms	Jessica	Bayer	VIC
Dowd	Mr	Mark	City of Onkaparinga	SA
Dowling	Mrs	Leisa	Gladstone Regional Council	QLD
Doyle	Mr	Tony	Knox City Council	VIC
Doyle	Mr	Greg	Wollongong City Council	NSW
D'Souza	Cr	Noel	Randwick City Council	NSW

<b><u>Surname</u></b>	<b><u>Title</u></b>	<b><u>Name</u></b>	<b><u>Organisation</u></b>	<b><u>State/Country</u></b>
Duffy	Cr	Kevin	Orange City Council	NSW
Duncan	Cr	Carol	City of Newcastle	NSW
Dunkley	Cr	Glen	Port Stephens Council	NSW
Dunshea	Mr	Stephen	Shoalhaven City Council	NSW
Dwyer	Cr	Sophie	City of Joondalup	WA
Eastcott	Mr	Max	Gwydir Shire Council	NSW
Eden	Cr	David	Kingston City Council	VIC
Edgington	Mayor	Steven	Barkly Regional Council	NT
Edwards	Cr	Mark	Redland City Council	QLD
Egan	Dep Mayor	Catherine	Gwydir Shire Council	NSW
Ellis	Mr	Laurie	Mitchell Shire Council	VIC
Ellis	Cr	Richard	East Gippsland Shire Council	VIC
Elmore	Dep Mayor	Glenn	Cumberland Council	NSW
Enders	Mayor	Bec	Huon Valley Council	TAS
Erwin	Mayor	Kevin	Northern Grampians Shire Council	VIC
Esber	Cr	Pierre	City of Parramatta Council	NSW
Evans	Mayor	Angela	City of Charles Sturt	SA
Evans	Mr	David	Maitland City Council	NSW
Evans	Cr	Hannah	City of Port Adelaide Enfield	SA
Evans	Cr	Jane	Barkly Regional Council	NT
Ewer	Mrs	Karina	District Council of Streaky Bay	SA
Fagan	Cr	Ruth	Cowra Council	NSW
Fahey	Dep Mayor	David	Narrandera Shire Council	NSW
Faris	Mr	Chris	Infrastructure, Transport, Cities and Regional Development	ACT
Farrell	Mr	Tony	Lake Macquarie City Council	NSW
Faulkner	Mr	Graeme	Lithgow City Council	NSW
Fell	Cr	Mick	Blue Mountains City Council	NSW
Fergeus	Cr	Josh	Monash City Council	VIC
Ferguson	Mayor	John	Bulloo Shire Council	QLD
Ferris	Cr	Donald	Maitland City Council	NSW
Figliomeni	Cr	Dom	Wollongong City Council	NSW
Findley	Cr	Amanda	Shoalhaven City Council	NSW
Fishburn	Ms	Kiersten	Liverpool City Council	NSW
Fishwick	Cr	Russ	City of Joondalup	WA
Fitzgerald	Mr	Peter	Cumberland Council	NSW
Fitzgerald	Mr	Luke	Randwick City Council	NSW
Foster	Ms	Louise	City of Launceston	TAS
Fowler	Mayor	Ross	Penrith City Council	NSW
Fraser	Mayor	Kay	Lake Macquarie City Council	NSW
Freshney	Mayor	Peter	Latrobe Council	TAS
Frohloff	Cr	Roz	South Burnett Regional Council	QLD
Furneaux-Cook	Dep Mayor	Lesley	Burwood Council	NSW
Gaffney	Mayor	Bernard	Indigo Shire Council	VIC
Gair	Mayor	Duncan	Wingecarribee Shire Council	NSW
Gallagher	Cr	Dave	Broken Hill City Council	NSW
Gear	Cr	Mal	Gympie Regional Council	QLD
Gibson	Mayor	Jilly	North Sydney Council	NSW
Gibson	Cr	Sharon	Latrobe City Council	VIC
Gilbert	Dep Mayor	Joanne	Golden Plains Shire	VIC

**Item 15.2**

**Attachment 2**

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Giles-Gidney	Mayor	Gail	Willoughby City Council	NSW
Gill	Mr	Martin	Meander Valley Council	TAS
Gill	Cr	Pauline	Adelaide Hills Council	SA
Glass	Mr	Geoff	City of South Perth	WA
Godwin-Smith	Dep Mayor	Gail	Central Highlands Regional Council	QLD
Gomez	Ms	Karen	Paintback	VIC
Goodsell	Cr	Deanna	Lithgow City Council	NSW
Gordon	Cr	Christopher	City of Ryde	NSW
Gorey	Cr	Neil	Murray River Council	NSW
Gossink	Cr	Veronica	City of Playford	SA
Gough	Cr	Geoff	Manningham City Council	VIC
Graham	Cr	Marijke	Maroondah City Council	VIC
Gray	Mr	Cameron	City of Ballarat	VIC
Greenwood	Mr	Michael	Shire of Tammin	WA
Griff	Cr	Cathy	Bega Valley Shire Council	NSW
Griffiths	Cr	Julie	Blacktown City Council	NSW
Grigg	Cr	Colin	Lake Macquarie City Council	NSW
Gross	Mayor	Dick	City of Port Phillip	VIC
Groth	Mr	Eric	Gunnedah Shire Council	NSW
Grove	Cr	Ross	Cumberland Council	NSW
Gstrein	Dep Mayor	Ruth	Corangamite Shire Council	VIC
Gurney	Mr	Ross	Lithgow City Council	NSW
Haddock	Ms	Celia	Maribyrnong City Council	VIC
Hadid	Cr	Mazhar	Liverpool City Council	NSW
Hagarty	Cr	Nathan	Liverpool City Council	NSW
Hall	Dep Mayor	Dan	Somerset Regional Council	QLD
Hall	Cr	Nella	Strathfield Council	NSW
Hall	Mayor	Alan	Wellington Shire Council	VIC
Hallam	Mr	Greg	LGAQ	QLD
Hamilton	Cr	Christie	Randwick City Council	NSW
Hampton	Dep Mayor	Colin	Frankston City Council	VIC
Handasyde	Cr	Len	Shire of Plantagenet	WA
Hanger	Mayor	Graeme	Bathurst Regional Council	NSW
Hansen	Cr	James	Fraser Coast Regional Council	QLD
Hansen	Cr	Rick	Gladstone Regional Council	QLD
Hardy	Cr	Ken	Melton City Council	VIC
Harle	Cr	Peter	Liverpool City Council	NSW
Harris	Dep Mayor	Tim	George Town Council	TAS
Harrison	Dr	Tim	Ararat Rural City Council	VIC
Harrison	Cr	Wendy	Lake Macquarie City Council	NSW
Hart	Mr	Wayne	District Council of Mount Remarkable	SA
Hart	Mrs	Cate	City of Prospect	SA
Hart	Mr	Rik	City of Parramatta Council	NSW
Harvey	Mr	Noel	Central Goldfields Shire Council	VIC
Harvey	Ms	Melissa	University of South Australia	SA
Haslett	Ald	Gary	City of Darwin	NT
Hayes	Mayor	Kerry	Central Highlands Regional Council	QLD
Hayes	Cr	Dan	Wagga Wagga City Council	NSW
Heaslip	Mayor	Phillip	District Council of Mount Remarkable	SA
Hefferman	Mayor	Michael	Bayside City Council	VIC

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Heit	Cr	Ros	South Burnett Regional Council	QLD
Henderson	Cr	Christine	Mount Alexander Shire Council	VIC
Herbert	Mayor	Tony	Warrnambool City Council	VIC
Hesse	Cr	Colin	Inner West Council	NSW
Hill	Mr	Greg	Central Darling Shire Council	NSW
Hillen	Ms	Sharon	Roper Gulf Regional Council	NT
Hoare	Cr	Brent	Blue Mountains City Council	NSW
Hockley	Cr	Karen	City of Mitcham	SA
Hodder	Cr	Tamisha	Shire of Yalgoo	WA
Hodgson	Ms	Laura	University of South Australia	SA
Holland	Cr	Tony	Knox City Council	VIC
Holman	Cr	Wendy	District Council of Lower Eyre Peninsula	SA
Holmdahl	Mayor	Christina	West Tamar Council	TAS
Holmes	Ms	Jessie	Yarriambiack Shire Council	VIC
Holmes-Ross	Mayor	Heather	City of Mitcham	SA
Honey	Mayor	Mark	Kiama Municipal Council	NSW
Hood	Ms	Diane	Central Desert Regional Council	NT
Horne	Ms	Sandy	University of South Australia	SA
Hotton	Ms	Melanie	Mansfield Shire Council	VIC
Howlett	Mayor	Logan	City of Cockburn	WA
Hua	Cr	George	Kingston City Council	VIC
Hunt	Mr	Garry	City of Joondalup	WA
Hunt	Mayor	Peter	Berri Barmera Council	SA
Hunter	Dep Mayor	Peter	Renmark Paringa Council	SA
Hutton	Dep Mayor	Nigel	Livingstone Shire Council	QLD
Huynh	Cr	Gina	Maribyrnong City Council	VIC
Ierino	Mr	Trevor	Indigo Shire Council	VIC
Ihleln	Mr	Mark	Singleton Council	NSW
Iku	Mrs	Seriwati	Shire of Cocos (Keeling) Islands	IOT
Inat	Mr	Henry	Town of Gawler	SA
Inglis	Cr	Glenn	Tamworth Regional Council	NSW
Irby	Ms	Lynn	Infrastructure, Transport, Cities and Regional Development	ACT
Irfanli	Cr	Ali	Moreland City Council	VIC
Ismay	Mayor	Ron	Hindmarsh Shire Council	VIC
Jackson	Ms	Lotta	Norfolk Island Regional Council	NORFOLK ISLAND
Jacob	Mayor	Albert	City of Joondalup	WA
James	Cr	Stuart	Monash City Council	VIC
Jarrett	Cr	Anthony	Singleton Council	NSW
Jenner	Mr	Lenny	Borough of Queenscliffe	VIC
Jennings	Mr	Des	Northern Midlands Council	TAS
Jensen	Mr	Jorgen	Shire of Mount Magnet	WA
Johnson	Mayor	Dean	District Council of Kimba	SA
Johnson	Cr	Amy	City of Ballarat	VIC
Johnston	Mr	Stephen	Bundaberg Regional Council	QLD
Johnston	Mayor	Wayne	Meander Valley Council	TAS
Johnstone	Mr	Craig	LGAQ	QLD
Johnstone	Ms	Kate	Aerodrome Management Services Pty Ltd	WA
Jones-Blayney	Ms	Angela	City of Ryde	NSW
Judd	Mr	Anthony	Buloke Shire Council	VIC

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Just	Ms	Debra	Willoughby City Council	NSW
Justus	Mr	Bronson	JLT Pty Ltd	VIC
Kaliyanda	Cr	Charishma	Liverpool City Council	NSW
Karanouh	Mayor	Ahmad	Coonamble Shire Council	NSW
Kay	Cr	Christine	Ku-ring-gai Council	NSW
Kearsley	Mr	Paul	City of Greater Dandenong	VIC
Keith	Mayor	Ken	Parkes Shire Council	NSW
Kelly	Cr	Paul	Town of Claremont	WA
Kennedy	Cr	Deanna	Roper Gulf Regional Council	NT
Kent	Dep Mayor	Bruce	Bass Coast Shire Council	VIC
Keogh	Mayor	Jake	Knox City Council	VIC
Kerley	Mayor	Leonie	Barunga West Council	SA
Kershaw	Cr	Janice	Wollongong City Council	NSW
Kidd	Mayor	Reg	Orange City Council	NSW
King	Mr	Evan	Hepburn Shire Council	VIC
Kirk	Mayor	Bob	Goulburn Mulwaree Council	NSW
Kirwan	Cr	Matthew	City of Greater Dandenong	VIC
Kitchener	Cr	Mark	Shoalhaven City Council	NSW
Kitzelmann	Mr	Michael	Balranald Shire Council	NSW
Kleinert	Cr	Michelle	Manningham City Council	VIC
Knight	Mayor	Kevin	City of Tea Tree Gully	SA
Knight	Mayor	Denise	Coffs Harbour City Council	NSW
Knowles	Mayor	Mary	Northern Midlands Council	TAS
Kopylova	Ms	Yana	Paladin Risk Management Services	ACT
Kozlowski	Mr	Steve	Maroondah City Council	VIC
Kuhl	Cr	Barry	District Council of Grant	SA
Kytzia	Mr	Johann	Clean Up Australia	NSW
Lacey	Cr	Gina	Isaac Regional Council	QLD
Lacey	Mayor	Alfred	Palm Island Aboriginal Shire Council	QLD
Lacy	Cr	Tony	Shire of Cocos (Keeling) Islands	IOT
Lamont	Cr	Nora	Maroondah City Council	VIC
Lange	Mayor	Michael	The Barossa Council	SA
Langford	Cr	Barney	Lake Macquarie City Council	NSW
Larwood	Mrs	Deb	District Council of Kimba	SA
Larwood	Cr	Matthew	City of Prospect	SA
Lawrence	Cr	Richard	Moonee Valley City Council	VIC
Lawrence	Cr	Gaye	Victoria Daly Regional Council	NT
Laxale	Mayor	Jerome	City of Ryde	NSW
Le Liu	Cr	Philip	City of Melbourne	VIC
Le Mottee	Cr	Paul	Port Stephens Council	NSW
Learmonth	Mayor	Lorraine	Gannawarra Shire Council	VIC
Lee	Dep Mayor	Helen	Roper Gulf Regional Council	NT
Lee	Cr	Kelvin	Shire of Christmas Island	WA
Leeson	Mr	Alan	Shire of Moora	WA
Lehmann	Mayor	Graeme	Somerset Regional Council	QLD
Lepouras	Ms	Flora	Shellharbour City Council	NSW
Leppert	Cr	Rohan	City of Melbourne	VIC
Lewis	Mayor	Brenton	Rural City of Murray Bridge	SA
Lienert	Dep Mayor	Megan	District Council of Kimba	SA
Linley	Ms	Justine	City of Ballarat	VIC

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Linnell	Mr	Chris	Shire of Morawa	WA
Lloyd	Mr	Craig	Murrindindi Shire Council	VIC
Loane	Mr	Steve	Forbes Shire Council	NSW
Loban	Dep Mayor	Yen	Torres Shire Council	QLD
Lockwood	Dep Mayor	Peter	Knox City Council	VIC
Long	Cr	Angela	City of Greater Dandenong	VIC
Long	Cr	James	Bayside City Council	VIC
Loughhead	Ms	Kerry	City of Adelaide	SA
Loweridge	Mrs	Kelly	City of Canada Bay	NSW
Lunn	Cr	David	Mitchell Shire Council	VIC
Lunn	Mr	Tom	Detmold Group	SA
Luxford	Cr	Alexandra	Randwick City Council	NSW
Lyon	Cr	Michael	Byron Shire Council	NSW
Lyons-Buckett	Dep Mayor	Mary	Hawkesbury City Council	NSW
MacDonald	Mr	Andrew	Wakefield Regional Council	SA
Macdonald	Cr	James	Bayside Council	NSW
Macdonnell	Mr	Bruce	Burwood Council	NSW
MacFarlane	Mayor	Judy	Roper Gulf Regional Council	NT
MacGregor	Cr	Kyle	Central Coast Council	NSW
Machin	Mayor	Bronwen	Mount Alexander Shire Council	VIC
MacLeod	Mr	Jeff	MacDonnell Regional Council	NT
Macrae	Mr	Ibrahim	Shire of Cocos (Keeling) Islands	IOT
Madden	Mr	Derek	Moorabool Shire Council	VIC
Madson	Mr	Rob	Shire of Cue	WA
Maggio	Cr	Roy	City of Ryde	NSW
Malone	Mr	Michael	Wollondilly Shire Council	NSW
Malone	Mayor	Vonda	Torres Shire Council	QLD
Mannah	Cr	George	Burwood Council	NSW
Mansfield	Cr	Peter	Moira Shire Council	VIC
Marks	Mayor	Philip	City of Belmont	WA
Marsden	Mayor	Jonathon	Hobsons Bay City Council	VIC
Martin	Cr	Tony	Longreach Regional Council	QLD
Martin	Cr	Carol	City of Port Adelaide Enfield	SA
Martin	Mr	John	La Trobe University	VIC
Marx	Cr	Kim	Brisbane City Council	QLD
Masli	Cr	Hafiz	Shire of Christmas Island	WA
Mason	Mr	Scott	Central Highlands Regional Council	QLD
Massey	Mayor	Graeme	Yarriambiack Shire Council	VIC
Mastrolembo	Mr	Sam	Shire of Broome	WA
Matson	Cr	Murray	Randwick City Council	NSW
Mattey	Mayor	Peter	Regional Council of Goyder	SA
Matthews	Mr	Kelvin	Shire of Mount Magnet	WA
Matthews	Ms	Nicole	WALGA	WA
Maynard	Mrs	Silke	Litchfield Council	NT
Maynard	Cr	Peter	Wyndham City Council	VIC
Maytom	Mayor	Paul	Leeton Shire Council	NSW
McAlister	Mayor	Abb	Cootamundra-Gundagai Regional Council	NSW
McAndrew	Cr	Wayne	Lithgow City Council	NSW
McAulay	Mayor	Sandice	Murrindindi Shire Council	VIC
McBain	Mayor	Kristy	Bega Valley Shire Council	NSW

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
McCarthy	Cr	Trent	Darebin City Council	VIC
McCarthy	Ms	Tara	Local Government NSW	NSW
McCarthy	Mr	Martin	The Barossa Council	SA
McClaren	Mayor	Amanda	Strathbogie Shire Council	VIC
McCluskey	Mayor	Shane	Monash City Council	VIC
McDonald	Cr	Mark	Gympie Regional Council	QLD
McDonald	Mr	Steve	Upper Hunter Shire Council	NSW
McGinlay	Cr	Pat	Eurobodalla Shire Council	NSW
McGrath	Cr	Sarah	City of Charles Sturt	SA
McGrath	Mr	Steve	Coffs Harbour City Council	NSW
McGregor	Cr	Don	Blue Mountains City Council	NSW
McIntosh	Mayor	Samantha	City of Ballarat	VIC
McIntyre	Mr	Carey	Shellharbour City Council	NSW
McKay	Mr	Ben	Mansfield Shire Council	VIC
McKenna	Cr	Lucille	Inner West Council	NSW
McKinnon	Mayor	Cheryl	Loddon Shire Council	VIC
McLinden	Mr	John	Swan Hill Rural City Council	VIC
McMahon	Mr	Michael	Dubbo Regional Council	NSW
McMurray	Mr	Phil	Cootamundra-Gundagai Regional Council	NSW
McNulty	Mr	Hamish	Cumberland Council	NSW
McRae	Cr	Joanne	Orange City Council	NSW
McRae	Mayor	Ruth	Murrumbidgee Council	NSW
Medcalf	Mayor	John	Lachlan Shire Council	NSW
Megna	Cr	Michael	City of Canada Bay	NSW
Mehrtens	Cr	Richard	Central Coast Council	NSW
Melican	Cr	Tom	Banyule City Council	VIC
Merriman	Mayor	Bob	Borough of Queenscliffe	VIC
Milburn	Mr	Craig	Kempsey Shire Council	NSW
Mileto	Cr	Tony	Orange City Council	NSW
Millard	Mr	Bill	Moyne Shire Council	VIC
Miller	Mr	James	Adelaide Plains Council	SA
Miller	Cr	Phyllis	Local Government NSW	NSW
Miller	Cr	Bruce	Cowra Council	NSW
Milligan	Mayor	Tanya	Lockyer Valley Regional Council	QLD
Milne	Mayor	Katie	Tweed Shire Council	NSW
Mirritjawuy	Cr	Jason	East Arnhem Regional Council	NT
Mirza	Mr	Ateeb	Amazon	
Mockler	Ms	Clare	City of Adelaide	SA
Monaghan	Mayor	Brian	Bland Shire Council	NSW
Monceaux	Mayor	Anne	City of Burnside	SA
Moore	Mayor	Susan	Singleton Council	NSW
Morcom	Mr	David	Wellington Shire Council	VIC
Morris	Cr	Eliz	Shire of Mount Magnet	WA
Morris	Prof	Alan	University of Technology Sydney	NSW
Morrison	Cr	Warren	Campbelltown City Council	NSW
Morton	Mayor	Geoff	Diamantina Shire Council	QLD
Moyle	Mr	John	City of Tea Tree Gully	SA
Mulholland	Mayor	Danielle	Kyogle Council	NSW
Munroe	Cr	Andrew	Whitehorse City Council	VIC
Murphy	Mr	Gary	Central Coast Council	NSW



<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Murray	Mayor	Col	Tamworth Regional Council	NSW
Nagi	Cr	Michael	Bayside Council	NSW
Nair	Mr	Jay	Infrastructure, Transport, Cities and Regional Development	ACT
Ndiaye	Cr	Sarah	Byron Shire Council	NSW
Neal	Dep Mayor	John	Regional Council of Goyder	SA
Neilson	Mayor	Kathy	Randwick City Council	NSW
Nelmes	Lord Mayor	Nuatali	City of Newcastle	NSW
Newman	Dep Mayor	Dianne	Glen Innes Severn Council	NSW
Newton	Dep Mayor	Barbara	Parkes Shire Council	NSW
Nicholls	Mrs	Heather	Cabonne Council	NSW
Nichols	Ms	Coralie	Dungog Shire Council	NSW
Niemann	Mr	Craig	City of Greater Bendigo	VIC
Nishi	Ms	Hiroko	Japan Local Government Centre (CLAIR, Sydney)	NSW
Noakes	Mayor	Eric	Walcha Council	NSW
Nolan	Mr	Jim	Pyrenees Shire Council	VIC
Nolan	Cr	James	Broken Hill City Council	NSW
Norman	Cr	Mike	City of Joondalup	WA
Norman	Mayor	Tracy	Dungog Shire Council	NSW
Norton	Cr	Trevor	District Council of Loxton Waikerie	SA
Oakes	Cr	Wayne	Corangamite Shire Council	VIC
O'Connell	Cr	Natalie	East Gippsland Shire Council	VIC
O'Halloran	Cr	Stephen	Balranald Shire Council	NSW
O'Hara	Mr	Jack	Walcha Council	NSW
Okely	Mr	Gary	JLT Pty Ltd	NSW
Oldham	Mrs	Shelley	Lismore City Council	NSW
O'Loughlin	Mayor	David	Australian Local Government Association	ACT
O'Reilly	Cr	Sean	City of Greater Dandenong	VIC
O'Reilly	Mr	Tom	Gannawarra Shire Council	VIC
O'Rourke	Mayor	Margaret	City of Greater Bendigo	VIC
Overall	Mayor	Tim	Queanbeyan-Palerang Regional Council	NSW
Oxley	Mayor	Georgina	Kingston City Council	VIC
Pal	Cr	Rosnah	Shire of Christmas Island	WA
Palmer	Mayor	Ryan	Port Stephens Council	NSW
Pangquee	Ald	Peter	City of Darwin	NT
Panuccio	Mr	Adrian	Mid-Coast Council	NSW
Parker	Cr	Jill	Moyne Shire Council	VIC
Parkes	Mayor	Keith	Alexandrina Council	SA
Paronella	Mayor	Joe	Tablelands Regional Council	QLD
Parsons	Mr	Mark	Barkly Regional Council	NT
Pascoe-Bell	Mayor	Athina	City of Palmerston	NT
Patrick	Mr	Norbert	Central Desert Regional Council	NT
Pearce	Mayor	Janet	Macedon Ranges Shire Council	VIC
Pearce	Mayor	Michael	Uralla Shire Council	NSW
Pears	Mr	Matthew	City of Mitcham	SA
Peate	Mr	Russell	Copper Coast Council	SA
Pedwell	Mayor	Brian	Victoria Daly Regional Council	NT
Pensabene	Cr	Karen	Strathfield Council	NSW
Peterson	Ms	Yvette	Department of Local Government	WA
Petreski	Cr	Rob	Shellharbour City Council	NSW

**Item 15.2**

**Attachment 2**

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Petty	Mayor	Peter	Tenterfield Shire Council	NSW
Pexton	Mrs	Melissa	WALGA	WA
Piccinini	Mayor	Paula	Manningham City Council	VIC
Pich	Mr	David	Institute of Managers and Leaders Australia and New Zealand	QLD
Pigdon	Cr	Ross	Shire of Cue	WA
Pinnegar	Mr	Matt	Local Government Association of SA	SA
Pinyon	Mr	Phil	Loddon Shire Council	VIC
Pitt	Mr	Mark	South Burnett Regional Council	QLD
Plesman	Ms	Fiona	Muswellbrook Shire Council	NSW
Polley	Cr	Michael	Northern Midlands Council	TAS
Porter	Ms	Jessica	University of South Australia	SA
Potter	Cr	Chris	Colac Otway Shire	VIC
Power	Mr	Shane	George Town Council	TAS
Power	Cr	Les	Horsham Rural City Council	VIC
Pradolin	Mr	Robert	WoodSolutions	VIC
Prendergast	Ms	Ann	Wingecarribee Shire Council	NSW
Pretlove	Mayor	Jodie	West Wimmera Shire Council	VIC
Price	Mr	David	Shire of Christmas Island	WA
Price	Cr	Les	Shire of Cue	WA
Prior	Dep Mayor	Roy	Palm Island Aboriginal Shire Council	QLD
Purcell	Cr	Bernard	City of Ryde	NSW
Purtill	Mayor	Alan	Balranald Shire Council	NSW
Quigley	Mayor	Jo-Anne	District Council of Lower Eyre Peninsula	SA
Radford	Mayor	Mark	Horsham Rural City Council	VIC
Rae	Mr	David	Corangamite Shire Council	VIC
Rapisardi	Cr	Dorothy	Bayside Council	NSW
Rappensberg	Mr	Glenn	Alexandrina Council	SA
Rayner	Cr	Tony	Longreach Regional Council	QLD
Redding	Mayor	Catherine	Narrabri Shire Council	NSW
Redman	Mayor	Karen	Local Government Association of SA	SA
Reeves	Cr	Mark	East Gippsland Shire Council	VIC
Regan	Mayor	Michael	Northern Beaches Council	NSW
Reid	Mayor	Rodney	Wakefield Regional Council	SA
Reneker	Cr	Tony	Leeton Shire Council	NSW
Rennie	Mayor	Susan	Darebin City Council	VIC
Rettino	Cr	Joe	East Gippsland Shire Council	VIC
Rhodes	Cr	Karress	Liverpool City Council	NSW
Rice	Cr	Kathy	Kiama Municipal Council	NSW
Richards	Cr	Kate	Brisbane City Council	QLD
Rinehart	Mr	Gary	North Burnett Regional Council	QLD
Roberts	Mayor	Tracey	WALGA	WA
Rockliff	Mayor	Annette	Devonport City Council	TAS
Rodgers	Mr	Lester	Moree Plains Shire Council	NSW
Roffey	Ms	Lucy	Central Goldfields Shire Council	VIC
Rogers	Mr	Wayne	Blacktown City Council	NSW
Rojahn	Mr	Lew	Bulloo Shire Council	QLD
Roles	Cr	Margaret	Hilltops Council	NSW
Roncon	Mr	James	Broken Hill City Council	NSW
Rooney	Mayor	John	Snowy Monaro Regional Council	NSW

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Ross	Ms	Coral	Municipal Association of Victoria	VIC
Ross	Ms	Justine	Asbestos Safety and Eradication Agency	NSW
Rowlinson	Mr	David	Planet Ark Environmental Foundation	NSW
Rudall	Ms	Susan	City of Adelaide	SA
Rutledge	Cr	Michael	Hay Shire Council	NSW
Ryan	Mayor	Matthew	West Arnhem Regional Council	NT
Ryan	Mayor	Damien	Local Government Association of the Northern Territory	NT
Rylands	Mr	Wayne	City of Ryde	NSW
Sabatino	Mr	Ilario	Napranum Aboriginal Shire Council	QLD
Sadler	Cr	Helen	Town of Cottesloe	WA
Sage	Mayor	Richard	District Council of Grant	SA
Saliba	Mayor	Marianne	Shellharbour City Council	NSW
Saloumi	Cr	Lynnette	Monash City Council	VIC
Sanderson	Cr	Daniel	Fraser Coast Regional Council	QLD
Sangster	Ms	Joanne	Victoria Daly Regional Council	NT
Saravinovski	Mayor	Bill	Bayside Council	NSW
Sarkis	Cr	Eddy	Cumberland Council	NSW
Scales	Mr	Ben	Mid Murray Council	SA
Scarce	Mr	John	Murrumbidgee Council	NSW
Scheggia	Mr	Wayne	WALGA	WA
Schneider	Mr	Peter	Warmambool City Council	VIC
Scott	Cr	Linda	Local Government NSW	NSW
Sedrak	Cr	Paul	Bayside Council	NSW
Selvey	Mrs	Andrea	Shire of Cocos (Keeling) Islands	IOT
Seng	Cr	Ted	Randwick City Council	NSW
Seth	Mr	Jonathan	JLT Pty Ltd	WA
Seymour	Cr	Ken	Shire of Moora	WA
Sharkey	Mayor	Owen	Golden Plains Shire	VIC
Sharman	Cr	Greg	MacDonnell Regional Council	NT
Shelton	Cr	Geoff	Liverpool City Council	NSW
Sherley	Mr	David	Bathurst Regional Council	NSW
Shields	Mayor	Ben	Dubbo Regional Council	NSW
Shinton	Cr	Peter	Warrumbungle Shire Council	NSW
Shurey	Cr	Lindsay	Randwick City Council	NSW
Sidey	Mr	Mark	West Arnhem Regional Council	NT
Simmons	Mrs	Jessica	Manningham City Council	VIC
Simms	Mr	Daniel	City of Wanneroo	WA
Simpson	Cr	Christine	Litchfield Council	NT
Sindos	Cr	Meta	Berri Barmerra Council	SA
Sinfield	Cr	Felicity	City of Boroondara	VIC
Sloan	Mr	Nick	WALGA	WA
Smith	Dep Mayor	Lee-Anne	City of Cockburn	WA
Smith	Cr	Greg	Moree Plains Shire Council	NSW
Smith	Mayor	Isaac	Lismore City Council	NSW
Smith	Mr	Ray	Bland Shire Council	NSW
Smith	Mayor	Jane	Central Coast Council	NSW
Snell	Cr	Lisle	Norfolk Island Regional Council	NORFOLK ISLAND
Sommerfield	Cr	Nancy	Toowoomba Regional Council	QLD
Sparks	Mayor	Carol	Glen Innes Severn Council	NSW

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Spears	Dep Mayor	Kylie	Maroondah City Council	VIC
Spivak	Mr	Gary	City of Port Phillip	VIC
Stasinowsky	Mayor	Leon	District Council of Loxton Waikerie	SA
Steer	Cr	Louise	Inner West Council	NSW
Stefani	Mr	Christian	Bass Coast Shire Council	VIC
Stefanopoulos	Mayor	Steve	City of Stonnington	VIC
Stevenson	Mr	David	Regional Council of Goyder	SA
Stevenson	Mayor	Tony	Yarra Ranges Council	VIC
Stewart	Mayor	Carolyn	Buloke Shire Council	VIC
Stewart	Mr	Robert	Central Darling Shire Council	NSW
Stinson	Ms	Tracey	Tweed Shire Council	NSW
Stockman	Cr	Sarah	MacDonnell Regional Council	NT
Stonestreet	Mr	Brett	Griffith City Council	NSW
Stork	Ms	Margot	Macedon Ranges Shire Council	VIC
Stroet	Cr	Katrina	City of Playford	SA
Sundstrom	Cr	Jeff	Central Coast Council	NSW
Swan	Dep Mayor	Tegan	Coffs Harbour City Council	NSW
Symon	Cr	Mike	Maroondah City Council	VIC
Talbot	Mayor	Roslyn	Copper Coast Council	SA
Tame	Mr	Ray	City of Armadale	WA
Tanimoto	Mr	Takanori	Japan Local Government Centre (CLAIR, Sydney)	NSW
Tapsell	Mr	Tony	Local Government Association of the Northern Territory	NT
Taylor	Ms	Marie	Infrastructure, Transport, Cities and Regional Development	ACT
Taylor	Dep Mayor	Carol	Toowoomba Regional Council	QLD
Teburea	Mrs	Lisa	Local Government Association of SA	SA
Tegart	Mr	Peter	Queanbeyan-Palerang Regional Council	NSW
Telfer	Mr	Sam	Local Government Association of SA	SA
Tessari	Mayor	Brett	Bass Coast Shire Council	VIC
Testoni	Mr	Dominic	Benalla Rural City Council	VIC
Thain	Cr	John	Penrith City Council	NSW
Thomas	Cr	Kylie	Kyogle Council	NSW
Thomas	Cr	Preston	Shire of Ngaanyatjarraku	WA
Thomas	Cr	Bronwyn	Federation Council	NSW
Thompson	Mayor	Erin	City of Onkaparinga	SA
Thompson	Mayor	Ray	Lithgow City Council	NSW
Thompson	Mr	Peter	Wagga Wagga City Council	NSW
Thompson	Mr	Josh	Infrastructure, Transport, Cities and Regional Development	ACT
Thomson	Mr	Gordon	Shire of Christmas Island	WA
Thronder	Ms	Kirstyn	Hay Shire Council	NSW
Thurlow	Ms	Kaye	East Arnhem Regional Council	NT
Todd	Cr	Yvonne	City of Mitcham	SA
Todd	Mr	Stewart	Narrabri Shire Council	NSW
Todd	Mayor	Denis	Warrumbungle Shire Council	NSW
Tomley	Mrs	Stacey	Asbestos Safety and Eradication Agency	QLD
Toohey	Mrs	Liz	Department of Local Government	WA
Tory	Mr	Greg	Lachlan Shire Council	NSW
Townley	Cr	Sally	Coffs Harbour City Council	NSW

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Townsend	Dep Mayor	David	Hay Shire Council	NSW
Tracey	Mr	Harold	Shire of Broome	WA
Trotter	Mayor	Neil	Corangamite Shire Council	VIC
Truong	Cr	Loi	City of Greater Dandenong	VIC
Tsirekas	Mayor	Angelo	City of Canada Bay	NSW
Tucker	Mayor	Mick	Break O'Day Council	TAS
Tudball	Mr	Michael	Southern Grampians Shire Council	VIC
Tuon	Cr	Christine	Willoughby City Council	NSW
Turland	Dep Mayor	Garry	Wingecarribee Shire Council	NSW
Turley	Mayor	Darriea	Broken Hill City Council	NSW
Turner	Mayor	Bob	Melton City Council	VIC
Upston	Mayor	Scott	Benalla Rural City Council	VIC
Vance	Mayor	Robert	Pyrenees Shire Council	VIC
Vashist	Cr	Sid	Barkly Regional Council	NT
Vatskalis	Lord Mayor	Kon	City of Darwin	NT
Vea Vea	Dep Mayor	Kelly	Isaac Regional Council	QLD
Veitch	Cr	Philipa	Randwick City Council	NSW
Vickery	Mayor	Erika	Naracoorte Lucindale Council	SA
Wales	Cr	Norm	Federation Council	NSW
Walker	Mr	John	City of Kalgoorlie-Boulder	WA
Walker	Ms	Natalie	Wyndham City Council	VIC
Wall	Mr	Stephen	Maribyrnong City Council	VIC
Wallace	Ms	Meredith	Bayside Council	NSW
Waller	Mayor	Wendy	Liverpool City Council	NSW
Wallis	Mr	Wayne	Port Stephens Council	NSW
Wasley	Mayor	Mark	Adelaide Plains Council	SA
Wastie	Ms	Ali	Bass Coast Shire Council	VIC
Waters	Mr	Scott	City of Darwin	NT
Watson	Cr	Cynthia	City of Boroondara	VIC
Webb	Cr	Jenny	Forbes Shire Council	NSW
Wells	Cr	John	Shoalhaven City Council	NSW
West	Mayor	Bill	Cowra Council	NSW
West	Mayor	David	Mid-Coast Council	NSW
Westendorp	Mayor	Harry	Mansfield Shire Council	VIC
Weston	Mayor	Adrian	Campaspe Shire Council	VIC
Wheeler	Cr	Danielle	Hawkesbury City Council	NSW
Whelan	Cr	Faye	North Burnett Regional Council	QLD
White	Cr	Patricia	Shoalhaven City Council	NSW
Whiting	Cr	Ben	Maitland City Council	NSW
Wilkinson	Ms	Sue	Darebin City Council	VIC
Willcox	Mayor	Andrew	Whitsunday Regional Council	QLD
Williams	Cr	Elizabeth	West Arnhem Regional Council	NT
Williams	Mayor	Karen	Redland City Council	QLD
Williams	Mayor	Rhys	City of Mandurah	WA
Williams	Ms	Megan	Department of Social Services	ACT
Wills	Mrs	Mamie	Central Highlands Regional Council	QLD
Wilson	Cr	Juanita	Tamworth Regional Council	NSW
Wilson	Mayor	Tim	Kentish Council	TAS
Winn	Mr	Warwick	Penrith City Council	NSW
Winnall	Cr	Ella	Berri Barmera Council	SA

<u>Surname</u>	<u>Title</u>	<u>Name</u>	<u>Organisation</u>	<u>State/Country</u>
Winney-Baartz	Cr	Peta	City of Newcastle	NSW
Wisdom	Mayor	Jan-Claire	Adelaide Hills Council	SA
Wolfe	Mayor	Mick	Moyne Shire Council	VIC
Wong	Mr	Henry	Strathfield Council	NSW
Wood	Mr	Greg	Hindmarsh Shire Council	VIC
Wortmann	Mayor	David	Towong Shire Council	VIC
Yedelian	Cr	Sarkis	City of Ryde	NSW
Yildiz	Cr	Oscar	Moreland City Council	VIC
Yon	Cr	Azmi	Shire of Christmas Island	WA
Yorkston	Mrs	Dalassa	Torres Shire Council	QLD
Young	Mayor	Ann	Swan Hill Rural City Council	VIC
Young	Mr	Alan	Fairfield City Council	NSW
Zafirooulos	Cr	Mike	Manningham City Council	VIC
Zakharov	Cr	Martin	Maribyrnong City Council	VIC
Zaknich	Mr	Frank	Albury City Council	NSW
Zamprogno	Cr	Nathan	Hawkesbury City Council	NSW

The Australian Local Government Association's National General Assembly was held between the 17<sup>th</sup> and 19<sup>th</sup> July at the National Convention Centre in Canberra. The theme of the conference was **Future Focused**. The following notes cover most of the material in the plenary sessions and the Housing Workshop of the concurrent sessions.

Prime Minister's Address **Hon Michael McCormack MP** - Deputy PM.

He didn't really say much of note but the following points give some indication.

- In conjunction with State & Local Government, Infrastructure will be provided on time for the "quiet Australians" e.g. Temora Airport will be transformational in providing pilot training jobs to the area.
- Local Government should be included in the constitution so that direct provision of funding can occur.
- Development and commerce corridor is being progressed along the East Coast to build a better Australia for you all.
- Local government will be eligible for Federal funding for major maintenance and safety projects.

ALGA advocacy **David O' Loughlin** - President ALGA

<https://alga.asn.au/alga-2019-federal-election-initiatives/>

Federal Government needs the work of Local Government. When they provide funding, acknowledge it, they want you to demonstrate what you're using that money for. They want thanks! And they want to cut ribbons! The funding situation is favourable for programs that will boost the local economy.

Promote Local Government - Give your city a catchy slogan that claims your greatest strength, develop and promote your city vision. Keep it all intensely positive and get the message out there.

After the Federal Election **Karen Middleton** -The Saturday Paper

One month after the Federal Election and back into business as usual Karen discussed the scare tactics in the Liberal Party's campaign and Bill Shorten's struggle to counter the negativity that was generated and convince voters to trust Labor. Twitter was a more reliable predictor of the vote than polls of voters intentions. With no election promises to uphold Scott Morrison has enormous power. He will not have a definite mandate for many of his government's actions.

Crowd powered Communities. **Steve Sammartino** - Futurist, Author and Technologist

Humanity is embracing digital technology – we now communicate with emojis! Need to move beyond Legacy thinking i.e. doing and planning things the old way. 90% of Work achieved in cities is informational - Why do we need to be in centralised employment to do this? We have people with a myriad of skills in our community but we can only find out about them and invite their contribution to our projects, if we go looking. People are becoming willing to refine their own communities through crowd funded projects. New York’s self-filtering Plus Pool in the Hudson River. Rotterdam’s people’s bridge.

How can we leverage artificial intelligence and add it to our projects?

Begin by investing 10 minutes a day in researching technology (keep it up) then start a side project that can meet community needs using technology.

An example of future thinking is the driverless car. Begin planning by incorporating charge points that have solar electricity supply. As a bridge into the new technology, preliminary zones for autonomous car use would need to be set up.

Councils using Technology

Wujal Wujal Aboriginal Shire Council **Eileen Deemai Hall**

Development of an emergency communications network helped the community stay connected when it was cut in four by 13.5 metre floodwaters last Australia Day. The indigenous community is being encouraged to develop “their own kind of clever” using a variety of IT courses offered by Uni Qld. Resilience is being modelled and encouraged in this community. They are able to maintain cultural security through broad knowledge of two community stories. In the crocodile story - Where the head goes the tail follows and in the stingray story - The tail protects the head. Municipal planning keeps 5 generations in mind.

Bundaberg Intelligent Community Strategy **Ben Artup**

Bundaberg has condensed its corporate plan to 2 pages. It is developing an Intelligent Community by harnessing technology and innovation to build upon the region's strengths. It values and uses open data sources. To help the survival of loggerhead turtles they have begun a project to reduce Urban Glow. Excessive coastal lighting directs turtles back to sea away from their nesting sites. Have collected coastline illumination data to map the most impacted areas. An education program will seek to induce behaviour change through informing the community about the impact of the current lighting hot spots plus highlight Bundaberg’s overall energy and water usage.



21st century Government. **Colin Fairweather and Daniela Mazzone.** City of Melbourne

Colin had a couple of quotes in relation to Future Thinking

- “If you build old processes on new technology I will sack you”
- “Are you using 20th century thinking to solve 21st century problems?”

Daniella – for 21<sup>st</sup> Century government the design of a technology platform is influenced by a lot more than the data. You need to ask the right questions to get the information you need, know the user interface you want, and know what the platform has to integrate with for it to deliver to your needs.

Housing Infrastructure and Population

Local Government and Housing in Australia for the 21<sup>st</sup> Century. **Professor Andrew Beer**  
Australian Research Council Linkage Project - <https://localgovernmentandhousing.com/>

Good Housing requires an interplay between all levels of government, developers, builders, not for profit's and community groups.

1. New developments in the housing market and the economy are putting pressures on local governments.
2. Local governments respond –or choose not to respond –to developments in housing markets.
3. Local governments often don't appreciate how much assistance they provide to housing locally.
4. Too often housing is yet another focus for cost shifting by state or federal governments.
5. More could be done by local governments to share 'good practice' in housing.
6. Local governments are acknowledged innovators and important partners in some areas of housing.
7. For many local governments there is the potential and capacity to do more.

Federal and State governments clearly do not understand the importance of local governments for housing in Australia and too often local governments have been blamed for policy settings not of their making.

Local Government and the private sector working together to increase affordable housing

**Robert Pradolin** - Founding Board Member, Housing all Australians

The private sector can fill the housing vacuum if they are prepared to collaborate in providing affordable housing. Housing that maintains affordability for life can be generated and managed in perpetuity by the private sector. One of Robert's previous projects generated 1.5 billion dollars in pro bono fees from the property industry.

**Gary Spivak** - Housing Development Officer City of Port Phillip

Following Robert Pradolin's model, the private sector can be engaged using planning agreements and developing s-173 affordable housing arrangements.

The resultant model will be placed in the public domain to share with any interested party.

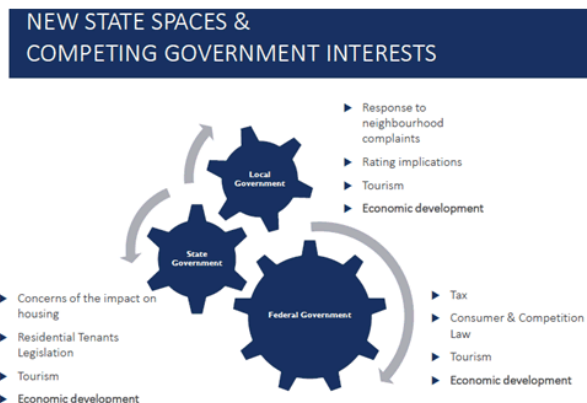
### Housing Strategy Workshop

Is there a crisis in housing affordability? **Professor Alan Morris UTS**

All LG's in Australia have been surveyed regarding perceptions of housing affordability. Data is available on the ARC Linkages website. <https://localgovernmentandhousing.com/>  
48% of Sydney and Melbourne councils view affordability as a very substantial problem. There is also regional concern though at a lesser level. Affordability is often seen as less relevant to councils to act on than other housing priorities. Awareness of the issue alone cannot translate into substantial action and practical policy. There is a strong sense that state and federal governments have to step up to resolve housing issues.

The impact of Airbnb on NSW housing markets **Laura Hodgson University of SA**





Generally Airbnb is seen as a stimulus for economic growth. In November 2017 total there were 27,360 Airbnb listings throughout Australia. The Inside Airbnb website shows 61.2% of those listings are entire homes. Research is still in progress, with early findings questioning the relaxed attitude shown by NSW, how compliance with 180 day maximum occupancy per annum and the code of conduct can be enforced if registration is not mandatory.

How councils can assist with affordable housing **Lenka Thompson UTS** ex Moreland Councillor.

Affordable housing should be referred to as key worker housing. Councils can readily appoint staff to act on affordable housing, engage housing committees and much more.

Housing has become a commodity.  
- Decreasing homeownership, Increased housing costs and housing stress, Increasing homelessness, Increasing people on public housing waiting lists, Increasing housing insecurity. Homelessness can happen to anyone.

78 % of Australians say housing is a priority.

#### *Opportunities for Councils*

- At Land sale - Notify housing provider and add a condition of sale to give social housing applications more strength.
- Gift a parcel of Land to a social housing project.
- Land swap -Negotiate a land swap between housing provider and private landlord.
- Aging Asset- Transfer building to housing provider and get a 99 year lease signed.
- The company -establish a Not For Profit tasked with delivering affordable housing.
- The Carpark Airspace- transfer airspace to a social housing project.

Have you ...?

- ✓ Council-owned Land and Airspace Audit
- ✓ Housing Strategy
- ✓ Councillor Responsible for Housing
- ✓ Housing Advisory Group
- ✓ Housing Relationships with local State and Federal MPs
- ✓ Local Housing Providers
- ✓ Local Community Groups or not-for-profits (e.g. churches)
- ✓ Local Builders, Developers and Real Estate Agents

"I reckon we need to partner. I think we can actually be the enabler ... I do think there is more we could do."  
Mayor

Affordable Housing in Waverley LGA **Tim Sneesby** Mgr. Strategic Planning Waverley Council

Parts of Waverley are deemed extremely unaffordable  
Increased housing supply won't 'trickle down' to create more affordable housing.  
With large forces to contend with, the role of council is limited, but can make a difference. Look up Waverley's Planning Agreement Policy.

Properties are originally obtained for affordable housing stock via a value capture mechanism. Offer of 15% bonus Floor Space Ratio if 50% Affordable Housing is offered in perpetuity.

Waverley's Voluntary Planning Agreements pursue 50% of the developers value uplift following increases to density zoning.

Obstacle is Victorian State Government.

The NSW SEPPs, the Affordable Rental Housing and the Inclusionary Zoning SEPP 70, seem to have an ideal contribution regime and Waverley is following the progress of Sydney City Council and other Sydney councils as their affordable housing schemes expand under these regulations.

Engaging with your community into the future **Kylie Cochrane** IAP2 Board

How can we engage when there is no trust? The community has changed - at the expense of trust. We live in an era of entitlement, what's in it for me? Anything viewed as a threat to people and place will create uproar and disruption.

Opposition will occur if engagement has been insufficient. People want to be comfortable about maintaining their place. People also need to feel connection to the group.

Social media is a game changer, as all projects become political. Protestors are anyone and everywhere.

There is also the new social disruptor of “Yes I want it in my backyard” that uses the dialogue of wanting the convenience of development, but wanting it to meet my own – often community based standards.

From a Council perspective, obtaining sufficient community data is the key.

Layers of Intentional Leadership **David Pick** CEO, Institute of Managers and Leaders.

Are you an accidental manager or an intentional leader?

1. Self-awareness is crucial, it trumps authenticity hands down as you can be authentically bad.
  - You must implement 360 feedback. The website: [www.managersandleaders.com.au](http://www.managersandleaders.com.au) has a tool for implementing this.
2. Actively make time to think before you act. Find time to make decisions.
  - Introduce flexible working arrangements
  - Design your own personal resilience plan
  - Monitor leave - ensure people have time to switch off
  - Ensure your workplace is mentally healthy
4. Reflection is Integral to change
  - Think about yourself and your team. How is your management?
5. Say thank you and be grateful.

Overcoming the Odds - How can Councils provide more support for disabled people?

**Kurt Fearnley** Paralympic Wheelchair Marathon Gold Medallist

This was a powerful presentation which received a standing ovation.

Some valuable understandings / attitudes for all people

- Believe in yourself throughout challenge.
- Advocate for those excluded because of disability.
- Everyone deserves to participate in life rather than watch it go by.
- Recognition of ability creates further desire to continue to perform.

By performing at whatever jobs Kurt has been given he sets the example for future inclusion of the disabled.

He is grateful that his experiences have made him. They are the product of one hopeful person a primary school principal who retrofitted the primary school for wheelchair access, at his own expense.

In any endeavour the intention of perfect is extremely important.

You can build the voice and expectation of every person around you, That is strength: that is valuable.

In relation to Kurt's experience on the Kokoda trail -Blokes need to be able to ask for help from other blokes -you need to say that you're struggling.

By Kurt completing the Kokoda trail the community attitude towards disability is challenged - In PNG the disabled are hidden from the mainstream.

Life is there for everyone to buy into.

Everyone will have a time in life where we will need to be carried. We don't know who will do the carrying.

Do what you can - understand the circumstances of others.

Everyone needs the experience of being strong and valued. Through inclusion.

Set the right policies! So that everyone can buy into who we can be.

Kathy Rice

**15.3 Kiama Urban Strategy - Dwelling Approval Update**

Responsible Director: Environmental Services

At its ordinary meeting held on 16 May 2017, Council considered a report regarding ways to improve public access to Development Application information and to provide quarterly updates on the number of dwellings approved and how these numbers track against the Illawarra-Shoalhaven Regional Plan housing projections.

In accordance with Council's request at the 16 May 2017 meeting, the following table shows Development Application approvals issued for the 2018/2019 financial year.

<b>Dwellings Approved in 2018/2109</b>					
	<b>July to September</b>	<b>October to December</b>	<b>January to March</b>	<b>April to June</b>	
<b>Detached</b>	<b>18</b>	<b>11</b>	<b>17</b>	<b>6</b>	
<b>Multi-unit</b>	<b>2</b>	<b>73</b>	<b>3</b>	<b>8</b>	
Medium density	2	12	3	8	
Flat 1-2	0	0	0	0	
3+	0	61	0	0	
Other	0	0	0	0	
<b>Total</b>	<b>20</b>	<b>84</b>	<b>20</b>	<b>14</b>	<b>138</b>

Table 1: Kiama LGA housing DA approvals 2018/2019

It is noted that not all consents translate to actual dwelling completions. Sydney Water connection data is the most reliable source of completions figures. The connection data for first three quarters of the 2018/2019 financial year has been published by Sydney Water and are provided below.

<b>Dwellings Completed in 2018/2019</b>				
	<b>July to September</b>	<b>October to December</b>	<b>January to March</b>	
<b>Detached</b>	<b>19</b>	<b>21</b>	<b>27</b>	
<b>Multi-unit</b>	<b>29</b>	<b>81</b>	<b>0</b>	
<b>Total</b>	<b>48</b>	<b>102</b>	<b>27</b>	<b>177</b>

Table 2: Kiama LGA housing completions 2018/2019 (source: Data.NSW)

Given the timeframes between approvals being issued and construction schedules for development, completion numbers usually reflect approvals issued in previous quarters or years.

## Reports for Information

**15.3 Kiama Urban Strategy - Dwelling Approval Update (cont)**

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The Illawarra-Shoalhaven Regional Plan dwelling projections indicate that 2,850 additional houses are required for the Kiama LGA over the 20 years to 2036. On average 143 new dwellings are required each year.

**Communication/Community Engagement**

The register, requested at Council's meeting held on 16 May 2017, is still being investigated by Strategic Planning and Information Technology staff. As an interim measure details of dwelling approvals have been placed on Council's website in a similar fashion to how Council currently reports on the variations to LEP standards.

The data associated with the Illawarra Urban Development Programs can also be viewed on the Department of Planning, Industry & Environment's webpage.



**15.4 Clause 4.6 Variations to LEP Development Standards - 1 April to 30 June 2019**

Responsible Director: Environmental Services

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Attached for information is a table listing all Clause 4.6 variations for the period 1 April 2019 to 30 June 2019.

**Attachments**

- 1 Clause 4.6 Variations - 1 April to 30 June 2019 [↓](#)

**Variations to Development Standards – 1 April to 30 June 2019 Reporting Period**

Council DA reference number	Street No	Street	Suburb/Town	Category of development	Zoning of land	Development standard to be varied	Extent of variation	Date DA determined	Approved by Council or Delegation
10.2018.233.1	1	David Smith Place	Kiama Heights	Subdivision	R5 – Large Lot Residential	Clause 4.1 – Minimum Lot Size	9.34%	11/04/2019	Delegation

**15.5 Destination Kiama - Post-event reports and Surfing NSW partnership update**Responsible Director: Office of the General Manager

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Attached for Councillors' information are the post-event reports from recent Destination Kiama supported events. Also attached is the Destination Kiama and Surfing NSW partnership update from the third quarter.

**Communication/Community Engagement**

N/A

**Attachments**

- 1 Post-event report - KISS Arts 2019 [↓](#)
- 2 Post-event report - NSW Bodyboard State Titles 2019 [↓](#)
- 3 Post-event report - 2019 Gerringong SurfLife Festival [↓](#)
- 4 Post-event report - Events Bootcamp 2019 [↓](#)
- 5 Destination Kiama & Surfing NSW Partnership Update 2019 Q3 [↓](#)



Item 15.5

Attachment 1

## 2019 POST EVENT REPORT

They came, they saw, they laughed and the overall consensus is – they LOVED the 2019 KISS Arts Festival!

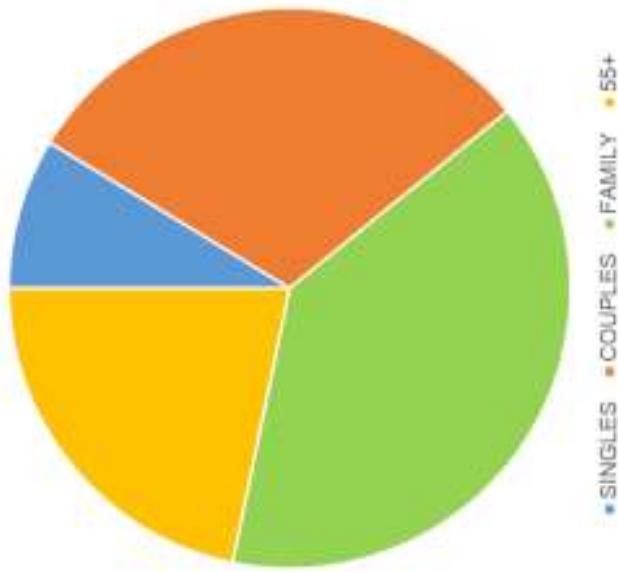
Undoubtedly, our largest festival to date, we welcomed close to 10,000 people across the weekend for a jam-packed weekend of entertainment, laughter, frivolity and fun.

The following is a report from the festival, which is a summary of data obtained over the course of the weekend via surveys – the 2019 KISStionnaire - over the course of the festival and post event.



# THE 2019 KISS ARTS FEST BY NUMBERS...

DEMOGRAPHICS



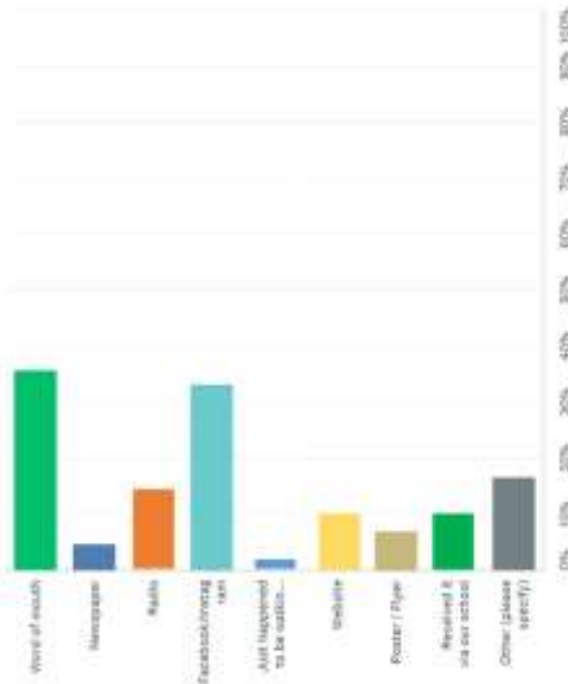
AGE + WISDOM



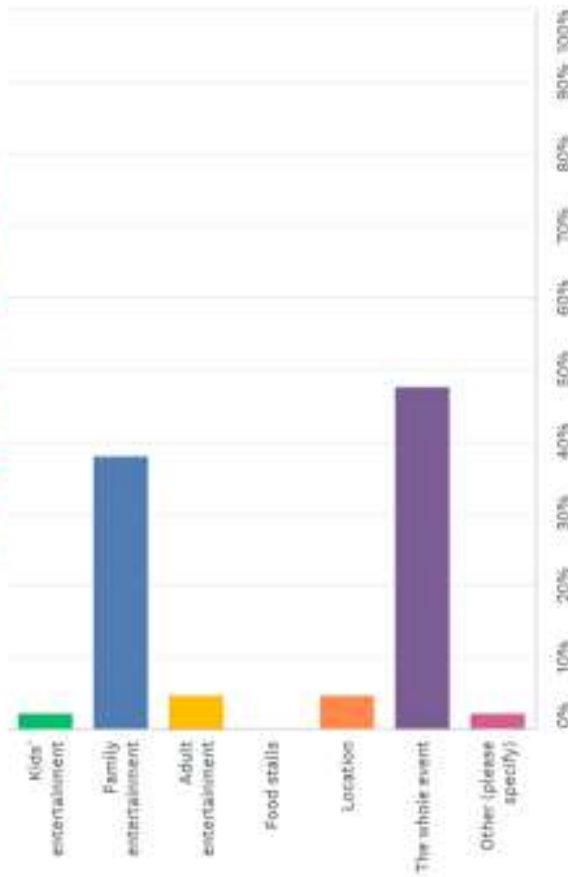
City	People Reached
Sydney, NSW, Australia	11,798
Wollongong, NSW, Aus.	7,059
Kiama, NSW, Australia	1,893
Canberra, ACT, Australia	1,252
Bismarck, ACT, Aust.	896
Mewar, NSW, Australia	551
Melbourne, VIC, Australia	487
Brisbane, QLD, Australia	317
Sturminster, NSW, Aus.	297
Sturminster, NSW, Aus.	245
Jamieson, NSW, Aust.	214
Berry, NSW, Australia	202
Perth, WA, Australia	160
Gold Coast, QLD, Aust.	133
Newcastle, NSW, Aust.	126

# THE 2019 AUDIENCE BY NUMBERS...

How did they hear about?



Why did they come...



(\*other – because they'd been – and loved it – before!)

## THE KABARET

For the first time in 2019, we held our annual Kabaret at The Pavillion to cater for the increased demand for tickets to this adult-only show.

Held on the Friday night, this event is designed to create an intimate experience and we continue to see immense growth year-on-year.

Of 245 tickets sold, 16% of Kabaret attendees came from outside the Kiama LGA – Errowal Bay, Culburra Beach, Thirroul and Shoalhaven Heads while, 7% travelled from Sydney for the experience.







Item 15.5

Attachment 1

# WHAT IMPACT DID WE HAVE...

## 2018 v 2019 YOY comparison

**Perfect Break Caravans** - no change

**Easts Beach Caravan park** - up 20% from last year

**Kiama Cove Motel** - Fri up 40%, Sat up 50%

**The Sebel** - Fri no change, Sat down 10%

**Terralong Terrace Apartments** - up 25% over the weekend

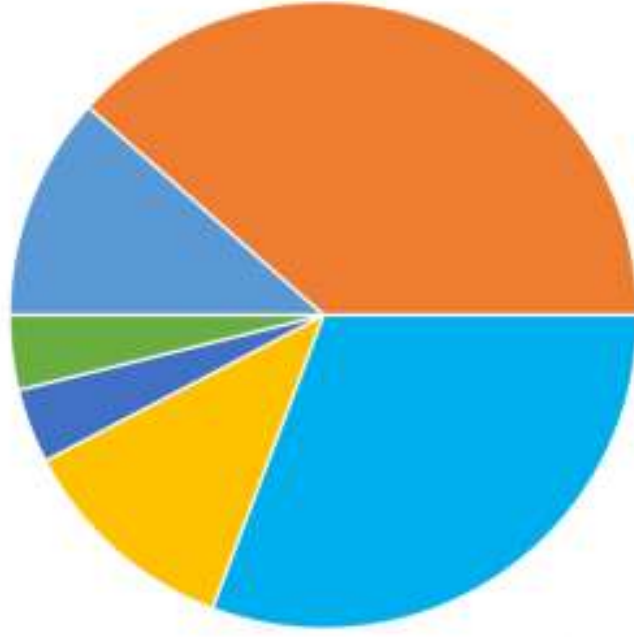
**The Bellevue Kiama** - down 50%

**Frangipani House** - up 100%

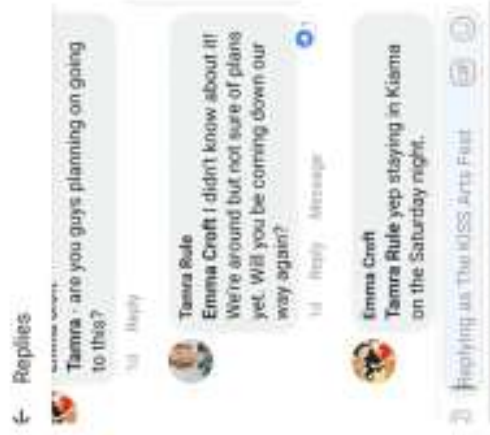
**Kendall's Beach Hideaway** - up 100%

**Sundara Beach House** - were full that weekend - no stats on last year

How long did they stay



1 night 2 nights 4 nights 5 nights 6 nights 10 nights



## 2019 MARKETING (PAD)

- Radio Campaign – WAVE FM, 2ST Nowra, 2ST Southern Highlands
- Festival Website - [www.kissartsfestival.com.au](http://www.kissartsfestival.com.au)
- New video content and promotional material (for digital)
- Printed Festival Program distributed through Kiama and surrounds
- x200 Posters Printed distributed locally and sent home to schools throughout NSW, accommodation partners and businesses
- x5,000 DL Flyers produced distributed locally and sent home to schools throughout NSW
- Paid Digital Campaigns – Facebook + Instagram
- Google Ad placement – display and text
- Ad in the March InFocus Magazine
- Letterbox Drop – Kiama and South Coast
- Illawarra Parents Guide newsletter and feature



# 2019 MARKETING (ORGANIC)

- Fairfax articles and coverage
- Radio Interviews – Wave FM, ABC (Illawarra + Southern Highlands)
- Increased website content/coverage
- Feature article within 'The Bugle'
- eNewsletter distributed to 267 schools
- Promotion via festival partners – corporate, market stalls + performers
- Digital Campaigns – Facebook + Instagram
- Website listed on Events page/calendars – What's On Wollongong, ATDW, Destination Kiama, Wave FM...
- Festival promoted through Facebook Community groups/pages targeting Families, Mum's + School Holiday 'What's On' packages

**ABC Illawarra** is at Kiss Arts Festival Big Top. Apr 26 at 1:10 PM · Kiama ·

The Pitta Family Circus joined us this morning to talk about their performance at the Kiss Arts Festival. Even Benji the dog came into the studio (he's so cute!). Even Gareth treated us to a little still...

8 Comments · 8 Shares

**Ray White Kiama** · Apr 23 at 12:27 PM ·

Don't forget to head down to The KISS ARTS Field this weekend and keep an eye out for the Ray White Kiama ducks featuring in the Ray White Kiama Ruff Race!

1000 SUPER TITANES · ROVING PERFORMERS · 500 SUPER TITANES

Things to do in the Illawarra this week

**The Pitta Family Circus** · Apr 25 ·

On the road again! On our way to Maitland for some shows and workshops, Cuckoo Creek Arts Festival, and then over to Kiama for the Kiss Arts Festival! Looking forward to seeing lots of old friends and making some new ones too.

## 2019 MARKETING BUDGET

PR + Marketing - \$2,400
Branding and Design - \$990
Radio campaign (Southern Highlands, Far South Coast + Illawarra) - \$3,850
Signage and corflutes - \$1942
Digital Advertising (Facebook + Instagram) - \$1700
Photography + Videography – \$2,850
Letterbox Drop - \$538
Editorial Advertising - \$600
Website - \$300
Flyer, Poster and Program printing - \$2550
Bugle Pull-Out - \$605
<b>Total Marketing spend - \$19,985</b>





Item 15.5

Attachment 1



Item 15.5

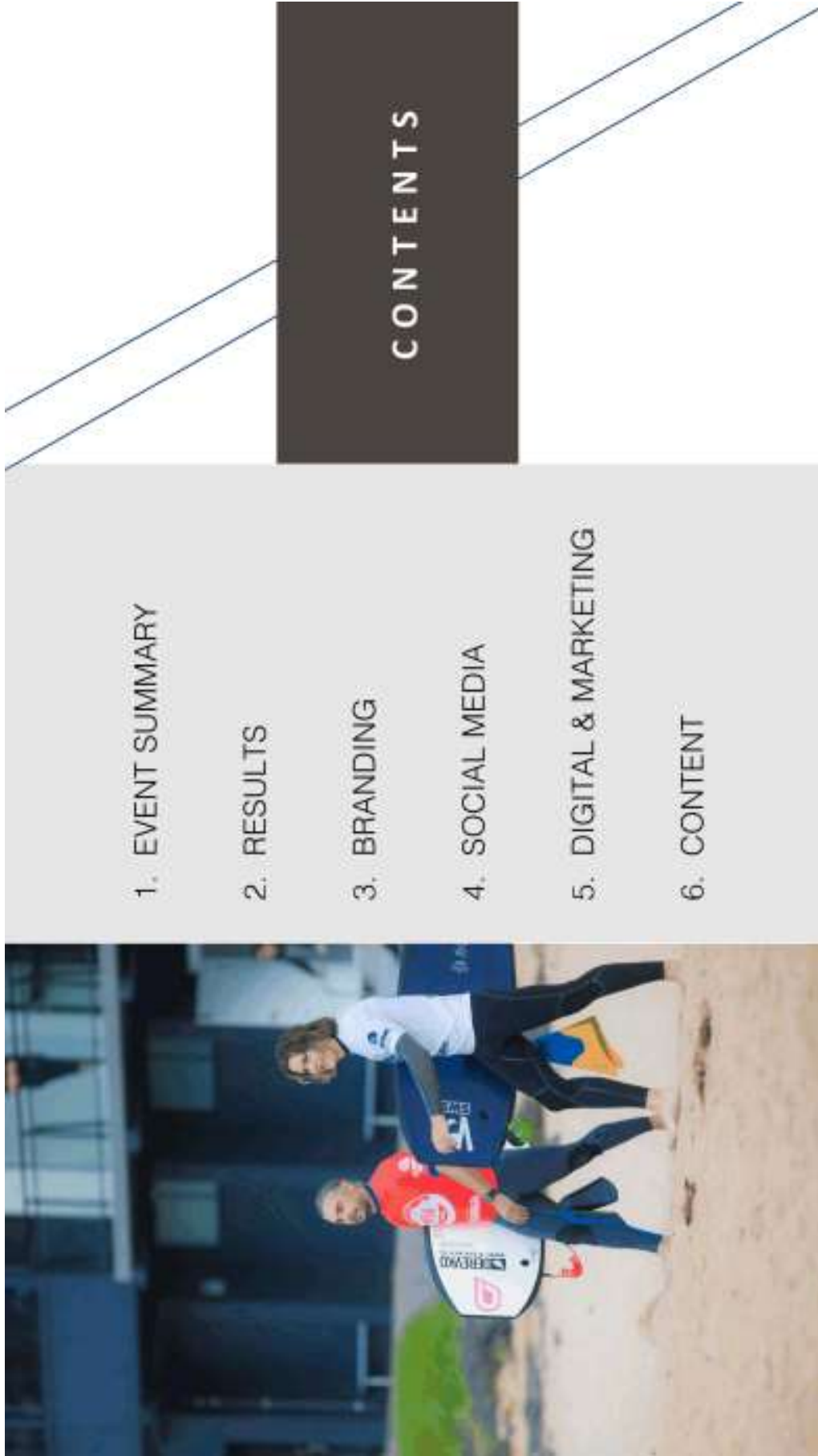
Attachment 1



Item 15.5

Attachment 2





Item 15.5

Attachment 2

## 1 Event Summary

**Event Name:** HIF NSW Bodyboard State Titles 2019

**Dates:** 3<sup>rd</sup> – 5<sup>th</sup> May 2019

**Location:** Surf Beach, Kiama

**Competitor Numbers:** 63

**Crowd Numbers:** 200+

**Qualifiers:** 32 competitors Qualified for State titles

**Partners:** Kiama Council, Havaianas, Mothernest, Air Asia, Australian Skin Cancer clinic, Volkswagen, Ohana.

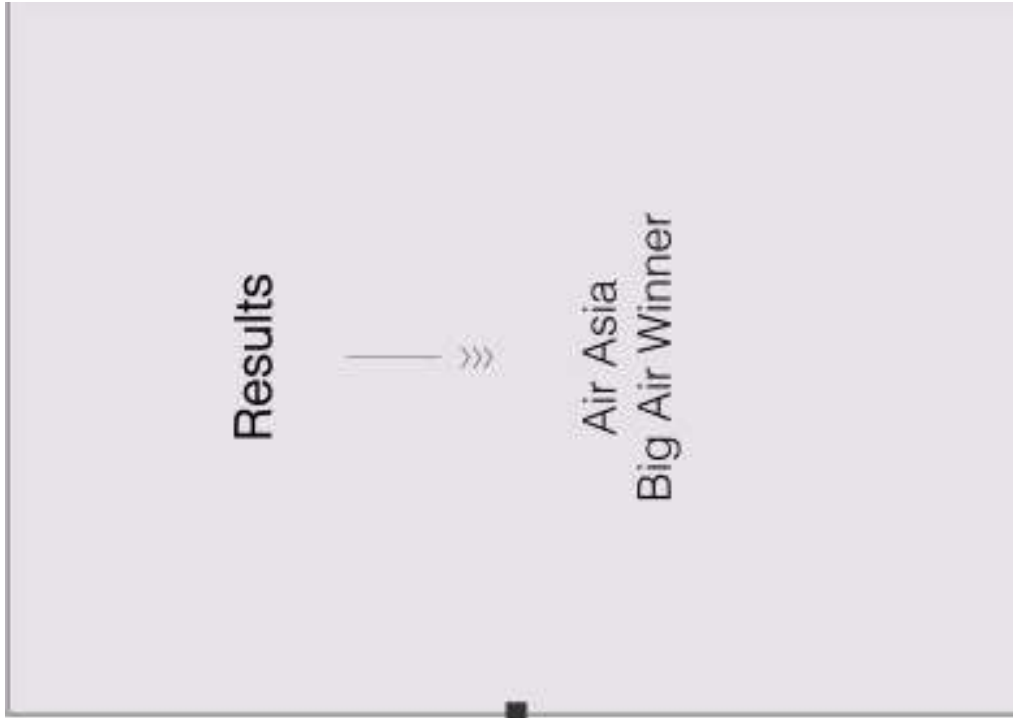


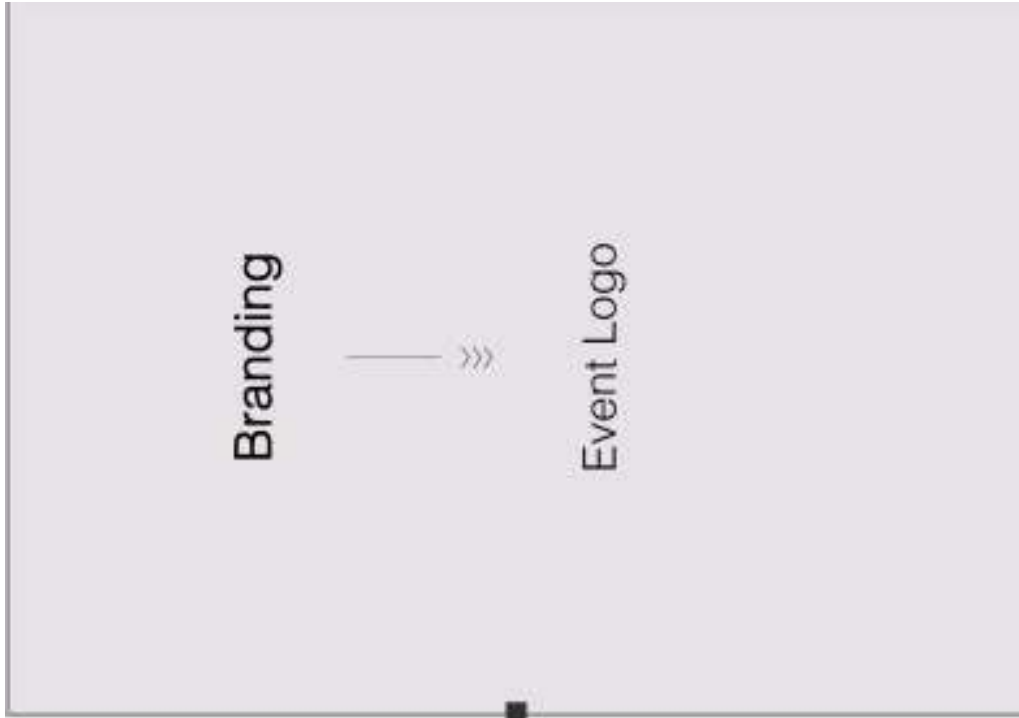
## 2 Results

1	<b>Groms</b>			
2	Marlon Riley			<b>Open Women</b>
3	Anthony Miller		1	Kaylah Pisani
4	Christian Sheehy		2	Milli Chaiker
			3	Leah Menzies
			4	Bianca Menzies
1	<b>Cadets</b>			<b>Open Drop Knee</b>
2	Daniel Wilson		1	Scott Kitchen
3	Nathan McGregor		2	Liam Douglas
4	Harrison Podvinec		3	Dilan Carestia
	Cameron Cutts		4	Matt Sullivan
1	<b>Junior Men</b>			<b>Grand Masters Men</b>
2	Daniel Wilson		1	Barney Ryan
3	Hayden Pisani		2	Nick Taylor
4	Jordan Gaffney		3	Russel Sheehy
	Jake Northey		4	Paul Mace
1	<b>Open Men</b>			<b>Masters Men</b>
2	Nathan Wilson		1	Wade Woeree
3	Moz Abrunhosa		2	Nathan Davis
4	Blake Tabone		3	Mitch East
	Hunter Nicholls		4	Barney Ryan



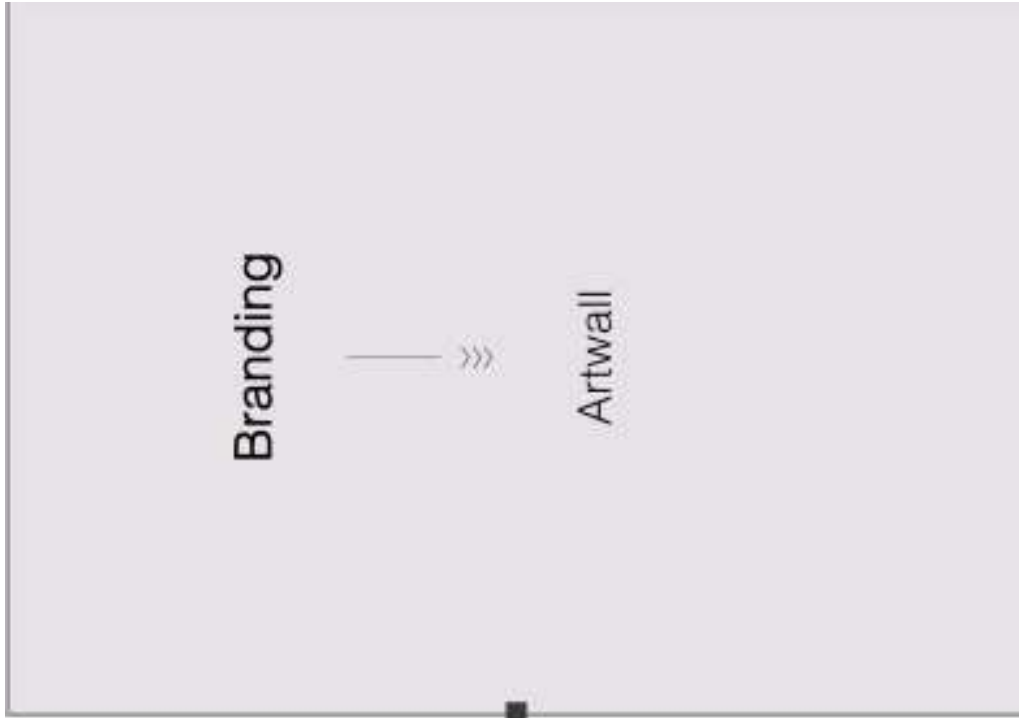
Day	
1	Nathan Davis





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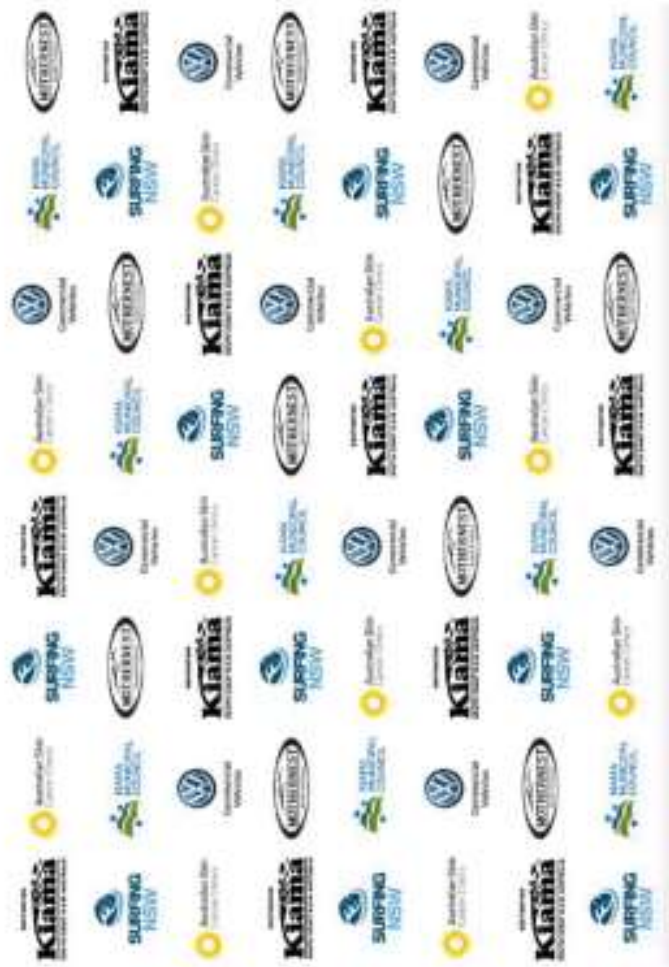
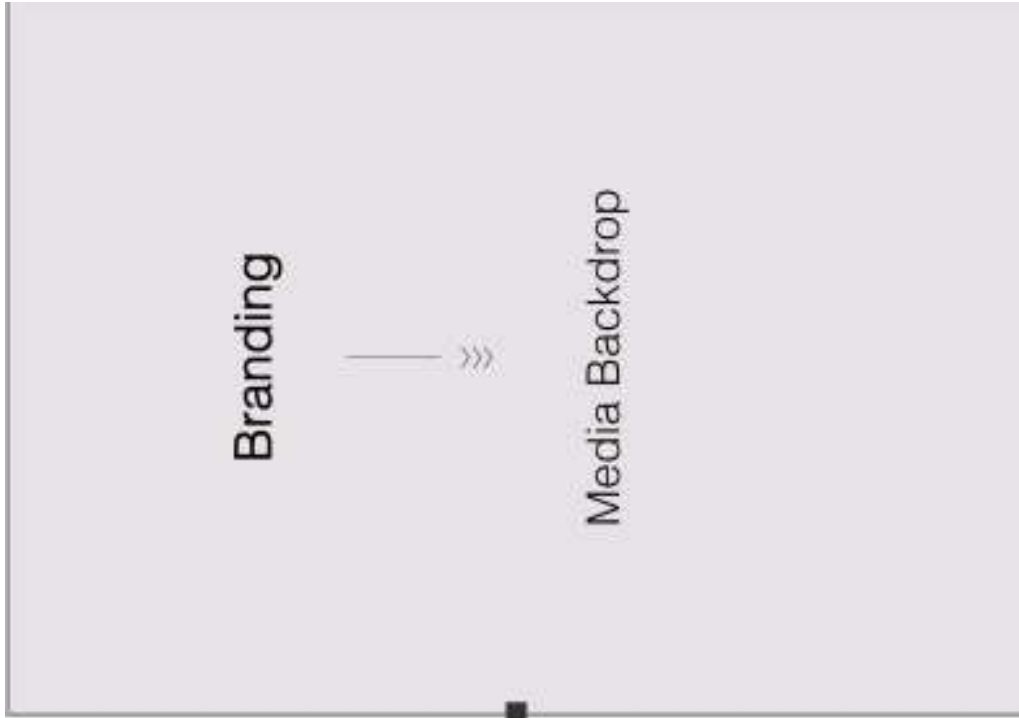
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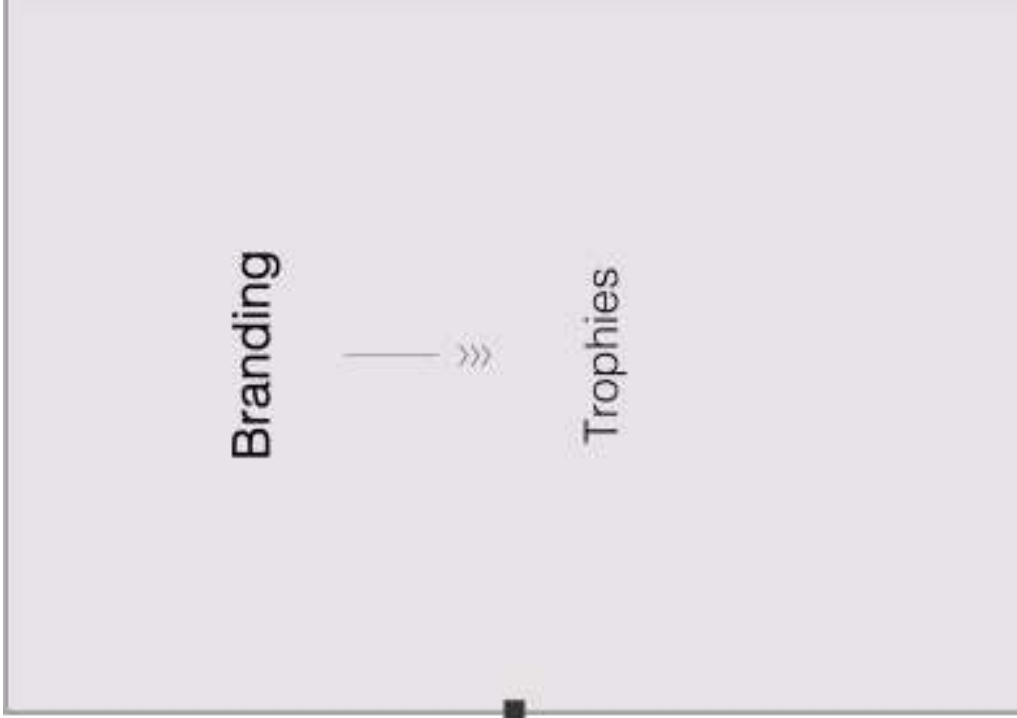


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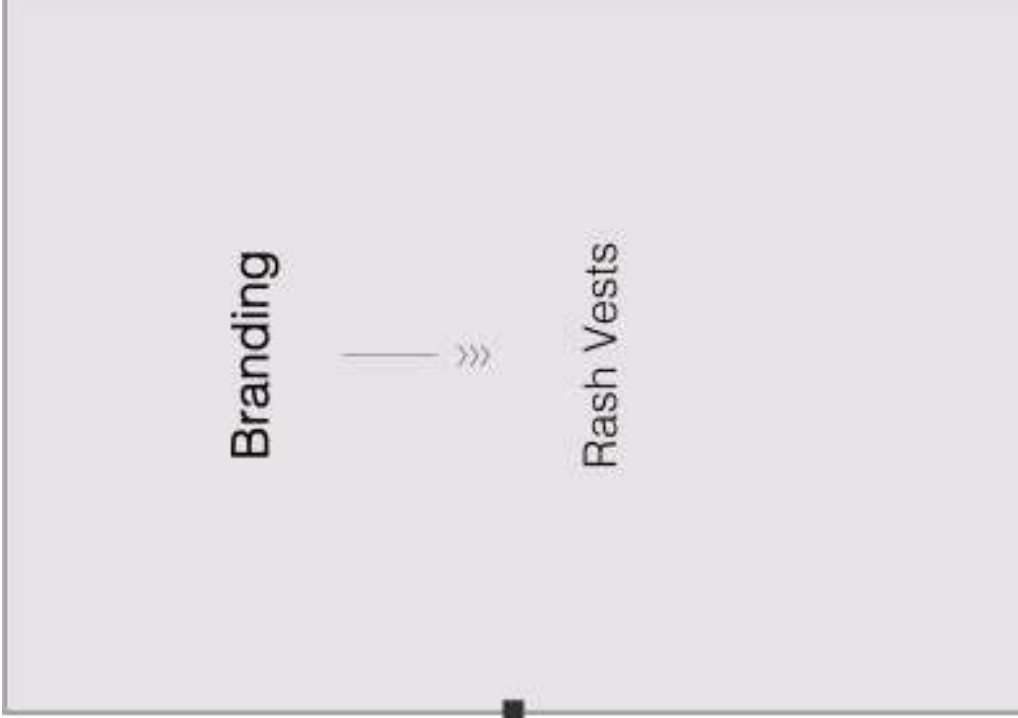
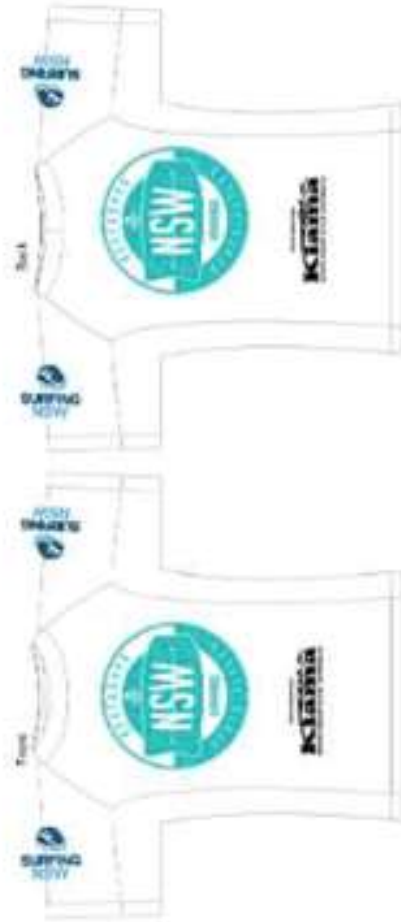


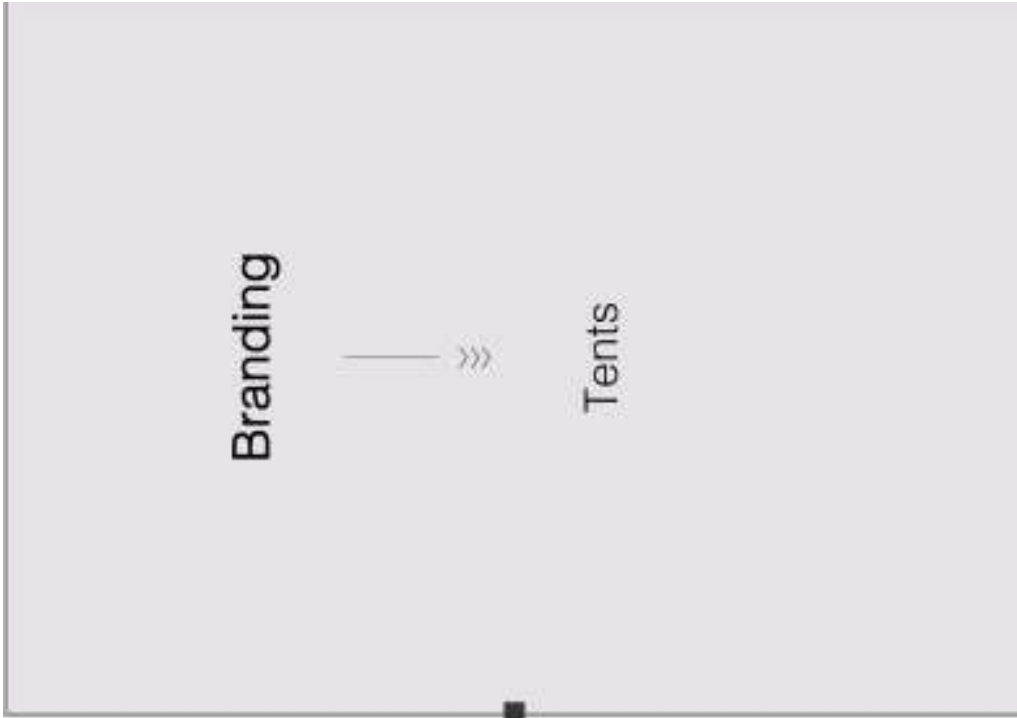


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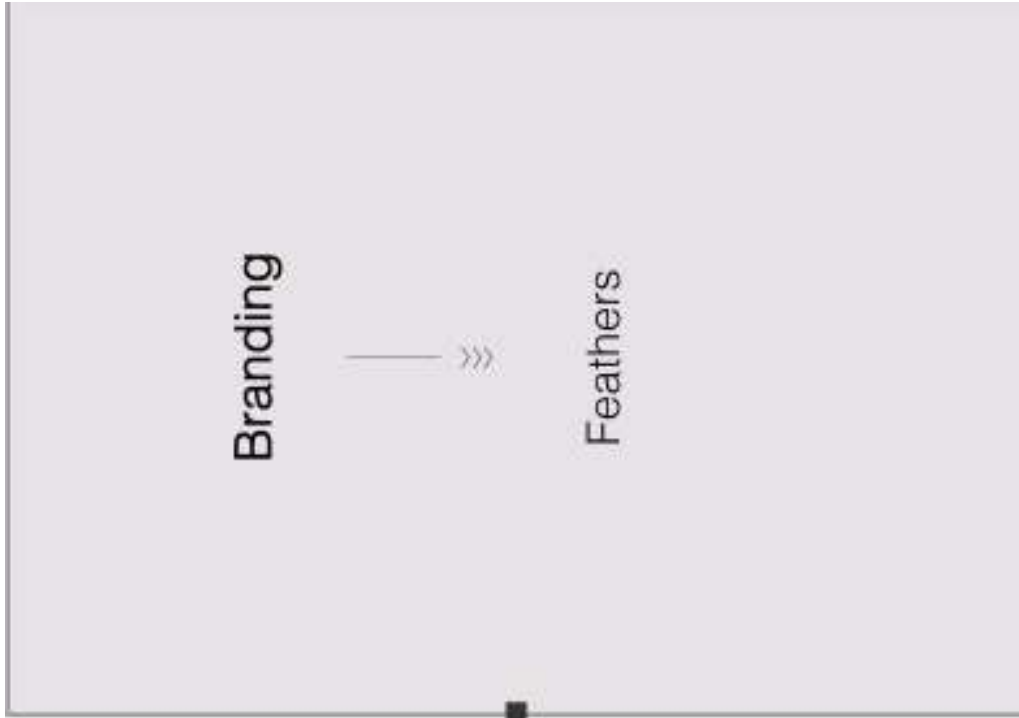






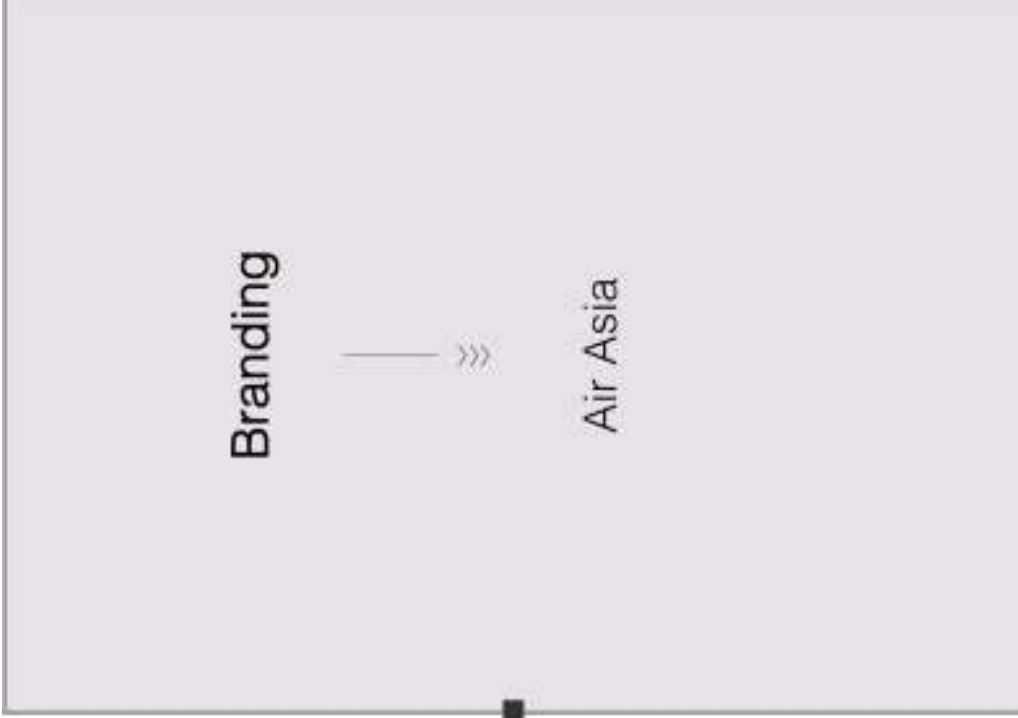
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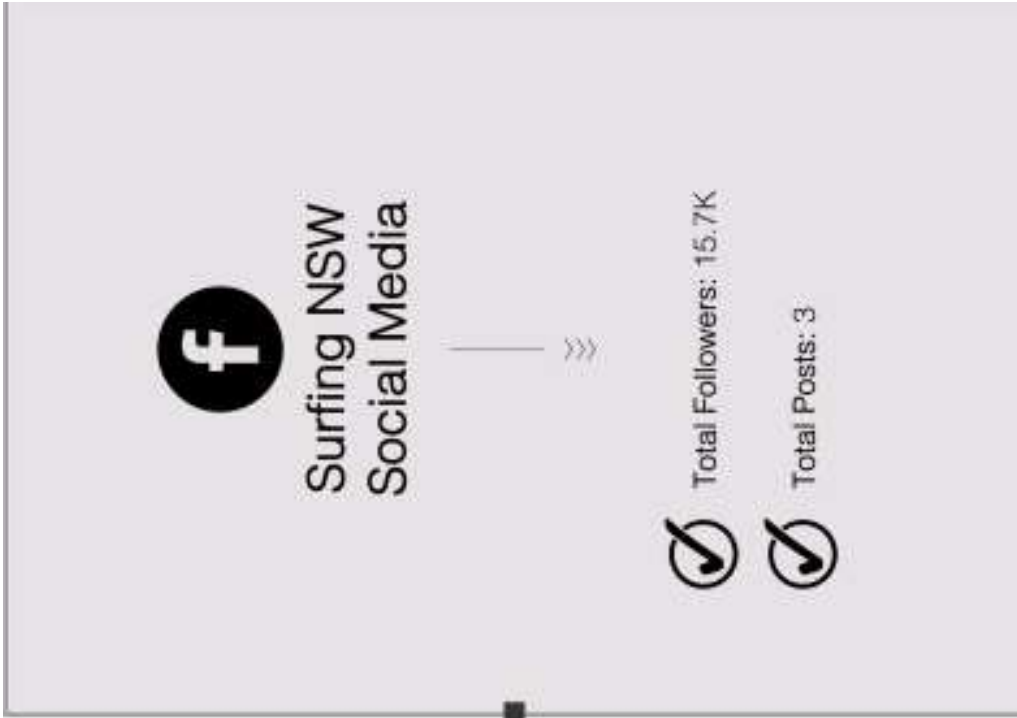
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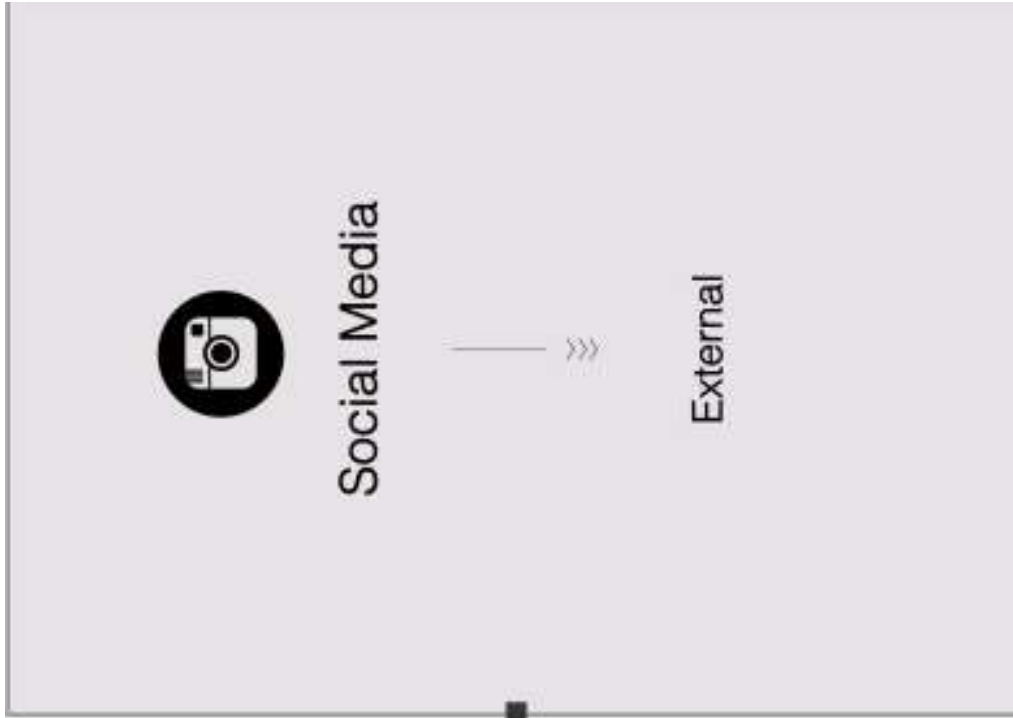


**Surfing NSW Social Media**

✓ Total Followers: 28.7K

✓ Total Posts: 3

✓ Total Stories: 11



4

Item 15.5

Attachment 2



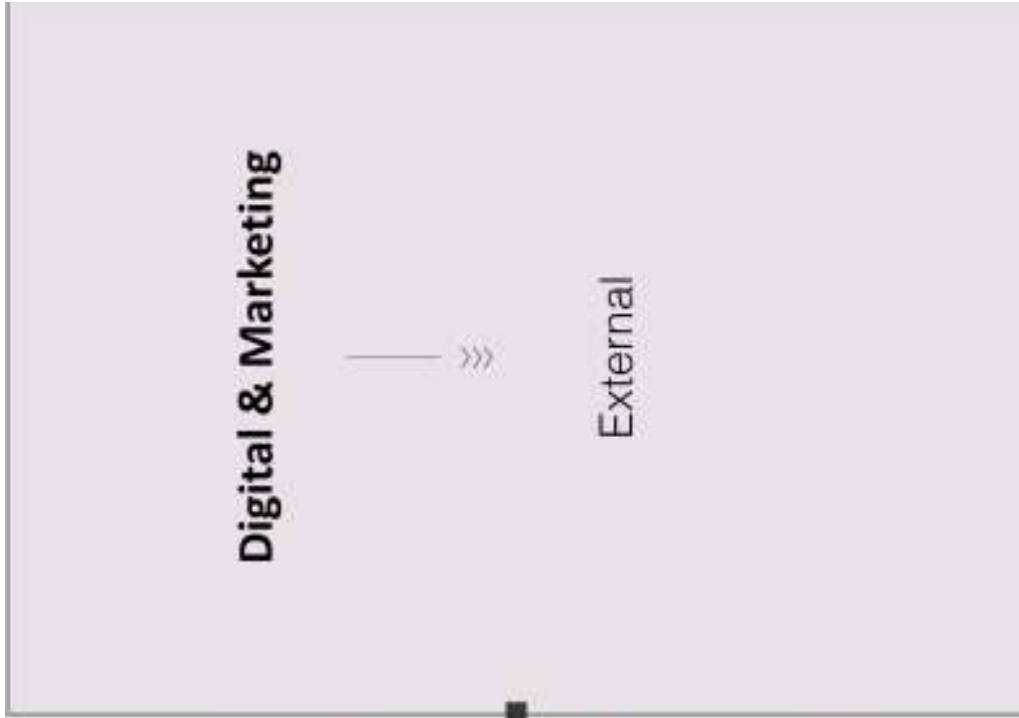




5



5



5

**Event Information:**

Event Name: **Bodyboard NSW Titles 2019**  
 International Bodyboard Judging Course, 2nd May, Kiama, NSW  
 Emerging Star and Male National, 3rd May  
 Bodyboard Men's Triple, 4 May, 8th, Kiama, NSW

Thanks to Graeme Duckworth and Chrissie for providing prizes for the finalists.

Queen Meres bodyboarder winner got a spot into the final round of the APB Trike

**"Atollia BOLAUC" Award**

Thanks to Anika, our competitor who completed the most radical aerial maneuver of the tournament and received a \$250 gift voucher to use at Delta events. This will be announced during the presentation following the final heat of the competition. (Please note this award will not be presented if no air is completed).

**Important messages:**

Are you driving home from the contest today? Please your vehicle please out of reach. No texting and driving with social networks on the road.

"bodyboarder" was a vehicle on the impact of landing and driving and others with the NSW Government. Thanks to you taking their to achieve the ultimate goal of your sleep and safety injuries on NSW roads.

Surfing NSW is giving away a \$50 fuel Voucher to any surfer who will come to and share a real eye story on camera.

**Sponsor Board:**

Event Partner Name: Surfing NSW

Event Partner Level: Event Owner

Event Partner One Line: Surfing NSW, established in 1963 is the largest and longest running state body for the sport of surfing in Australia. Our mission is to create a healthier and happier Australia through Surfing.

Event Partner Website / Social Info: Tune into all the behind the scenes action at <https://www.instagram.com/surfingnsw>

Event Partner Name: Australian Skin Cancer Clinics

Event Partner One Line: Australian Skin Cancer Clinics aim to provide efficient, efficient and accessible service for early detection, diagnosis, treatment and management of skin cancer in the primary setting.

Event Partner Website / Social Info: visit [australiandocs.com.au](http://australiandocs.com.au)

Event Partner Name: Destination Kiama and Kiama Municipal Council

Event Partner One Line: Welcome to the Kiama Area, our little piece of Paradise.

Event Partner Website / Social Info: Follow us on <https://www.facebook.com/destinationkiama> or visit [kiama.com.au](http://kiama.com.au)

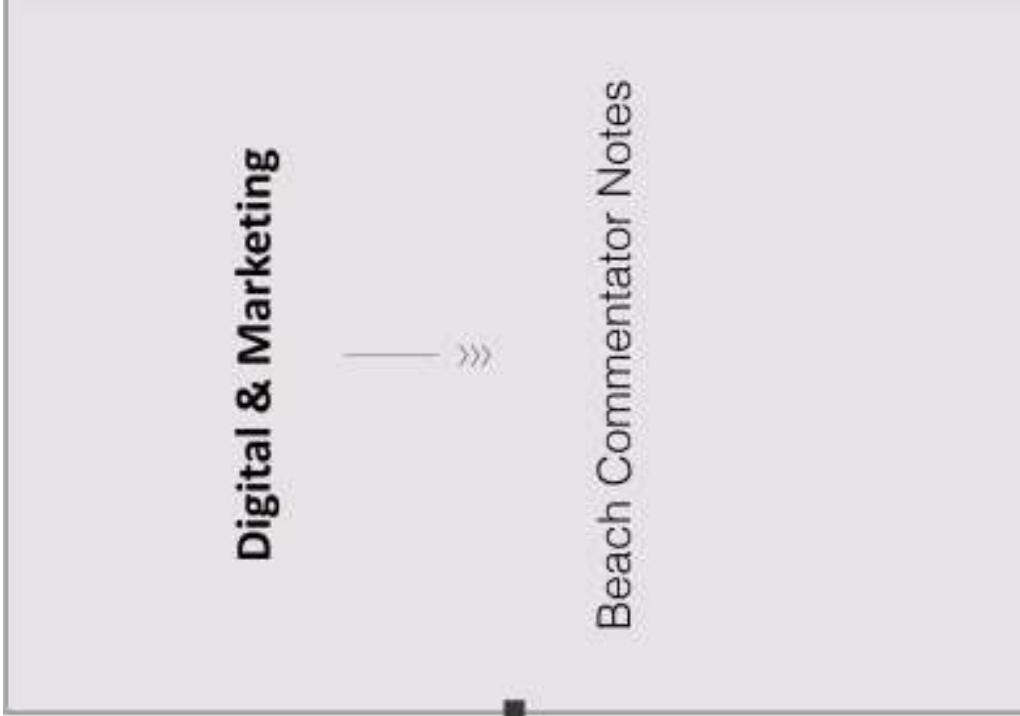
# Digital & Marketing

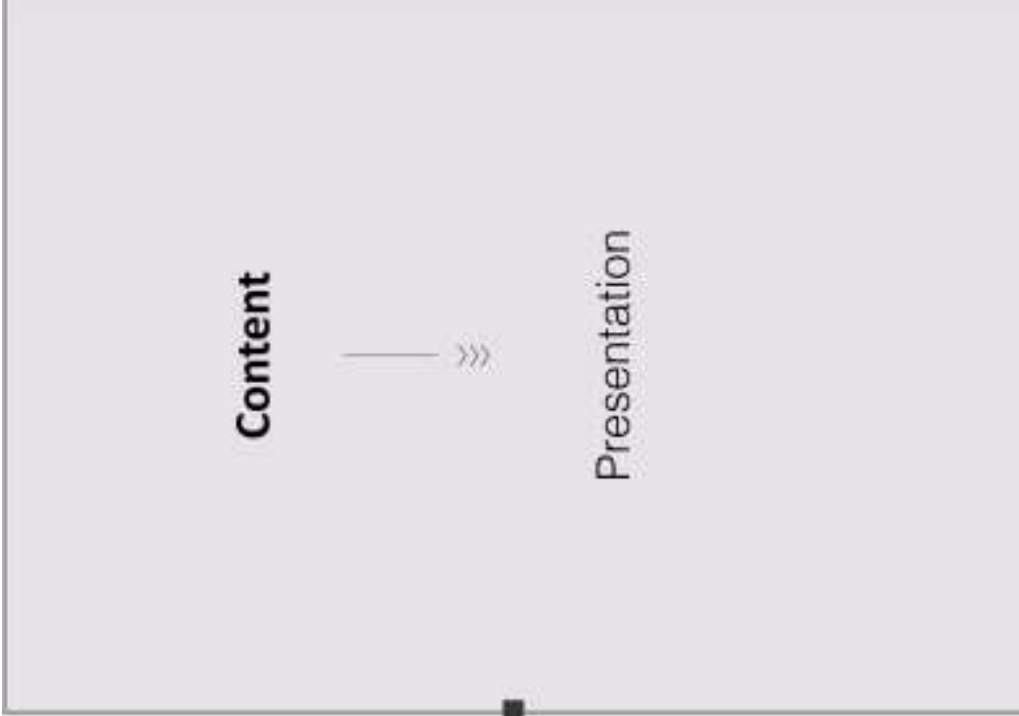


# Beach Commentator Notes

5

- Event Partner Name:** Volkswagen
- Event Partner Level:** Corporate Vehicle Partner
- Event Partner One Line:** As a proud sponsor of Surfing NSW, Volkswagen Australia continues to bring legacy in surf culture, starting with the very first Suzuki Van. Today, Volkswagen Group is the biggest contributor in the world, and continues to delight Australian motorists and lives with its range of award-winning vehicles. More than a car, there's a Volkswagen for everyone.
- Event Partner Website / Social Info:** Follow @volkswagen on Instagram and Volkswagen Australia on Facebook or head to [volkswagen.com.au](http://volkswagen.com.au)
- Event Partner Name:** Ozeo Ocean Activator
- Event Partner One Line:** OZEO - THE ABC FAMILY, OZEO IS A COMPANY FOUNDED BY OCEAN ATHLETES, FOR OCEAN ATHLETES.
- Event Partner Website / Social Info:** [www.ozeoactivator.com](http://www.ozeoactivator.com)
- Event Partner Name:** Arkata
- Event Partner Level:** Corporate Vehicle Partner
- Event Partner One Line:** Arkata, proud partner of Surfing in Australia, are inspiring it easier for surfers to travel. All surfers from Australia will be able to travel with their surfboard to and from surfing hot spots such as Indonesia, The Maldives, Japan and the Philippines, at no additional cost.
- Event Partner Website / Social Info:** Follow @arkata or head to [arkata.com](http://arkata.com)
- Event Partner Name:** M&E/ARCIS
- Event Partner One Line:** M&E/ARCIS is a premium quality board within the Australian surf equipment industry and a loyal partner of Surfing NSW.
- Event Partner Website / Social Info:** Visit [mefarcis.com.au](http://mefarcis.com.au) or follow on Instagram @M&E/ARCIS
- Australian Titles 2019 Information:** Current for Australian Titles 2019. More information on location and dates to be confirmed.
- Allocations are as follows:
  - Open Men 3
  - Open Women 2
  - Junior Men 4
  - Children 3
  - Girls 2
  - Boys 2
  - Girls 2
  - Boys 2



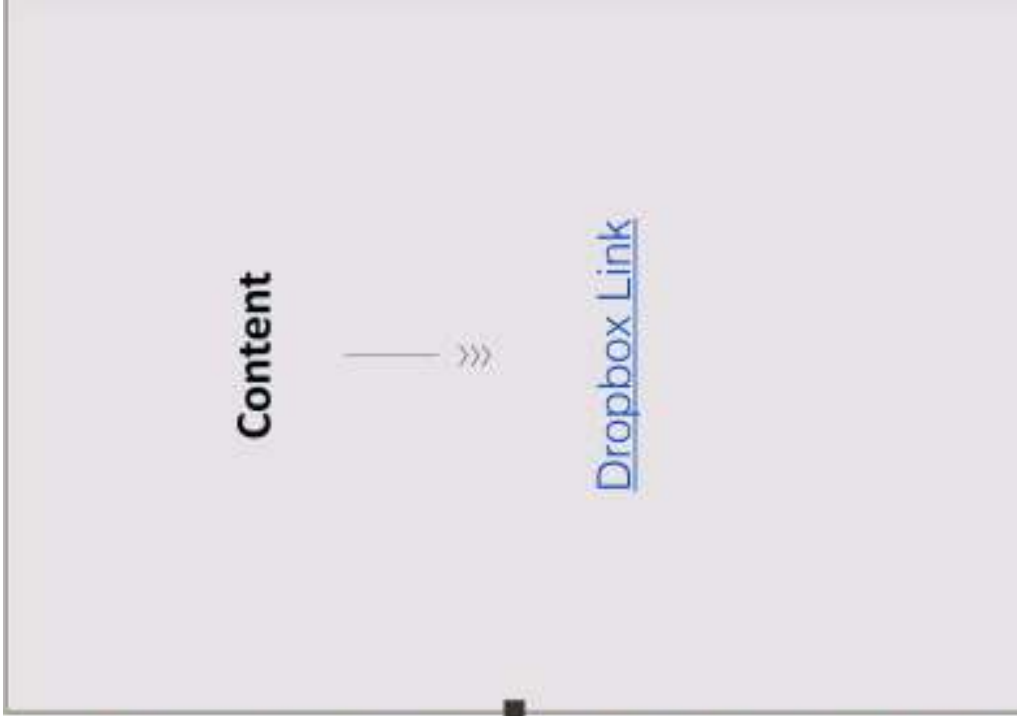


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Attachment 2



### Event Partners







## CONTACT



Adam Huban – Events Manager



[Adam@surfingnsw.com.au](mailto:Adam@surfingnsw.com.au)



0405 801 628

**MAY 3-4** 11AM  
11PM

**GERRINGONG TOWN HALL & PARK**

# SurfLife

**SURF & MUSIC FESTIVAL**

**I KNOW LEOPARD**  
PACIFIC AVE : MOTHERFUNK : PAPAYA TREE  
HEROES AND THE RUDE : RAY FRIDAY : HMO  
DEAFENING SILENCE : DOLPHIN DOG  
REN AND THE RUDE BOYS : LILY LUCAS

SURFBOARD SWAP MEET • SURF CAR EXPO  
SURF LEGEND INTERVIEWS • SURFBOARD TRIALS  
FILMS • ARTS • FASHION • RIDES • SURF COMP

**A WEEKEND OF  
MUSIC, SURFING, FOOD  
FUN & GOOD TIMES**  
ONLY 90 MINS SOUTH OF SYDNEY

**GERRINGONGFESTIVAL.COM.AU**  
@SURFLIFEMUSICFESTIVAL | #SURFLIFEMUSICFESTIVAL  
TIX AVAILABLE MOSHTIX.COM.AU

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## ANNUAL REPORT 2019



# SURFLIFE MUSIC FESTIVAL 2019

Held over two days in the beautiful coastal town of Gerringong, surrounded by world class surf breaks and green rolling hills, SurfLife 2019 was a celebration of music, surfing, food, fun and good times.

Headline music acts included, I Know Leopard, Pacific Avenue, Motherfunk and Papaya Tree.

There were talks by Australian surf legends Tom Carroll & Hayden Cox, a classic surf car expo, films, a surfboard swap meet, art and fashion stalls as well as local beers, food, wine and of course loads of great live music.

SurfLife more than doubled attendance on previous years and achieved aims including;

- generating 70% of total income from ticket, market stalls and alcohol sales and the remaining 30% from sponsorships.
- Employing local and south coast bands to represent 50% of the music festival lineup.
- Using local and south coast employees, products and suppliers whenever possible

**ADAM LOXLEY**

*Festival Director*

SURFLIFE | ANNUAL REPORT 2019

# SURF LEGENDS & FILM NIGHT

Item 15.5

Attachment 3



## SURF STORIES, ARTS AND FILM

Held Friday night at the Gerringong Town Hall, the night featured interviews with world champion surfer Tom Carroll and international board shaper Hayden Cox.



A bar was open selling local beer and wine. There was also an art exhibition hosted by Fern St Gallery. The night finished with a screening of the film *Breath* directed by Simon Baker.

Tickets \$15



**88**  
**AUDIENCE**

# FESTIVAL DAY



## MUSIC, MARKETS, CARS & BOARDS

Held Saturday 11am till 6pm in the Gerringong Town Hall Park the day included a classic car expo, surfboard swap meet, art exhibitions, food and market stalls.



The annual Werri Slash surf competition was also held Saturday and Sunday.

Music acts included Lilly Lucus, Ren & the Rude Boys, Deafening Silence, Ray Friday, Dolphin Dog, Heroes and the Rude.



Also on offer were yoga classes, skin checks and pilates classes.

A bar was open selling locally brewed beer and wines.

A fence was placed around the park. Tickets \$10. Kids under 12 were free

**1000  
AUDIENCE  
30 CARS  
100 BOARDS**

SURFLIFE | ANNUAL REPORT 2019

# FESTIVAL NIGHT

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## MUSIC, MUSIC, MUSIC

Held Saturday 6pm till 11pm in the Gerringong Town Hall the night included music acts I Know Leopard, Pacific Avenue, Motherfunk, Papaya Tree & HMO

A bar was open selling locally brewed beer and tickets were \$35. Over 18 only.

A beergarden was built outside to extend capacity.



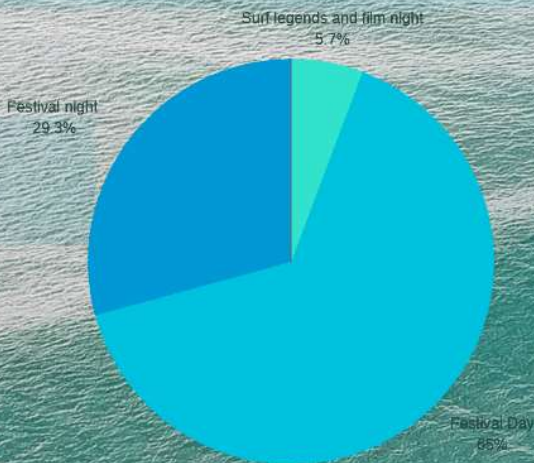
**450  
AUDIENCE**

SURFLIFE ANNUAL REPORT 2019

# 2019 ATTENDANCE

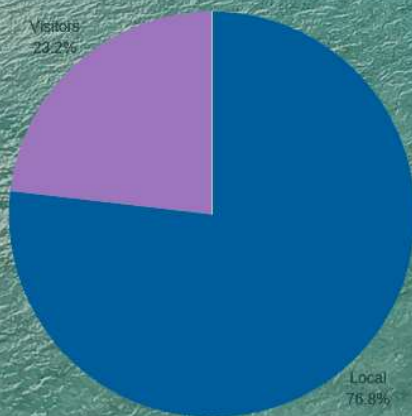
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## TOTAL ATTENDANCE 1538

Surf Legends and film night: 88  
 Festival Day: 1000  
 Festival Night: 450  
 Total attendance 2019: 1538 (2018 attendance 708)



## VISITORS V LOCALS

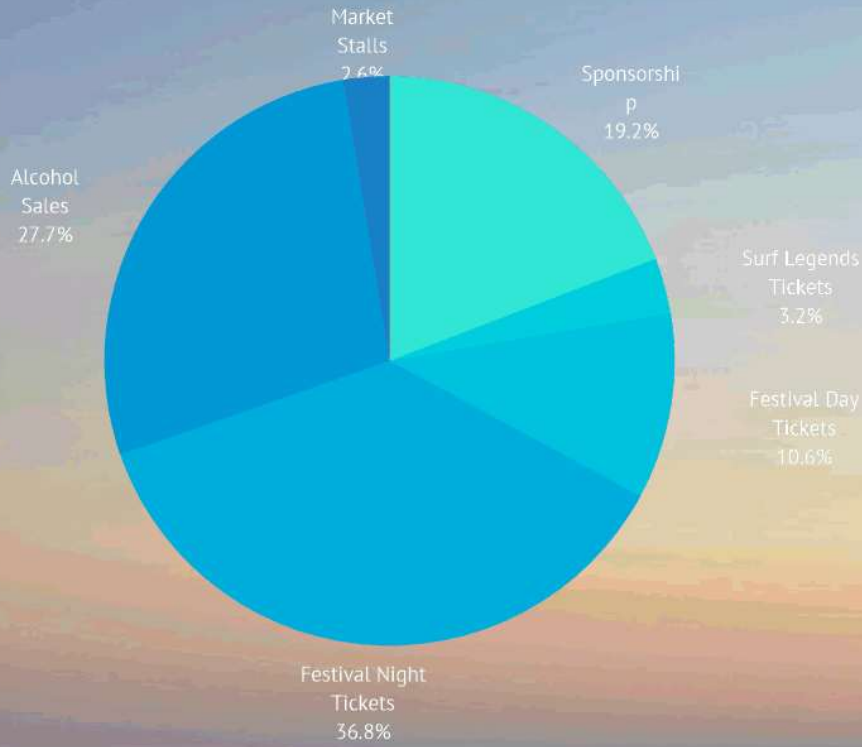
The ticketing office conducted a survey asking patrons if they were local or had traveled from outside the area to attend the festival. From a sample of 285 people surveyed 23% said they were tourists. In 2018 it was 18%.

## VISITORS TO SURFLIFE TICKET WEBSITE PAGE

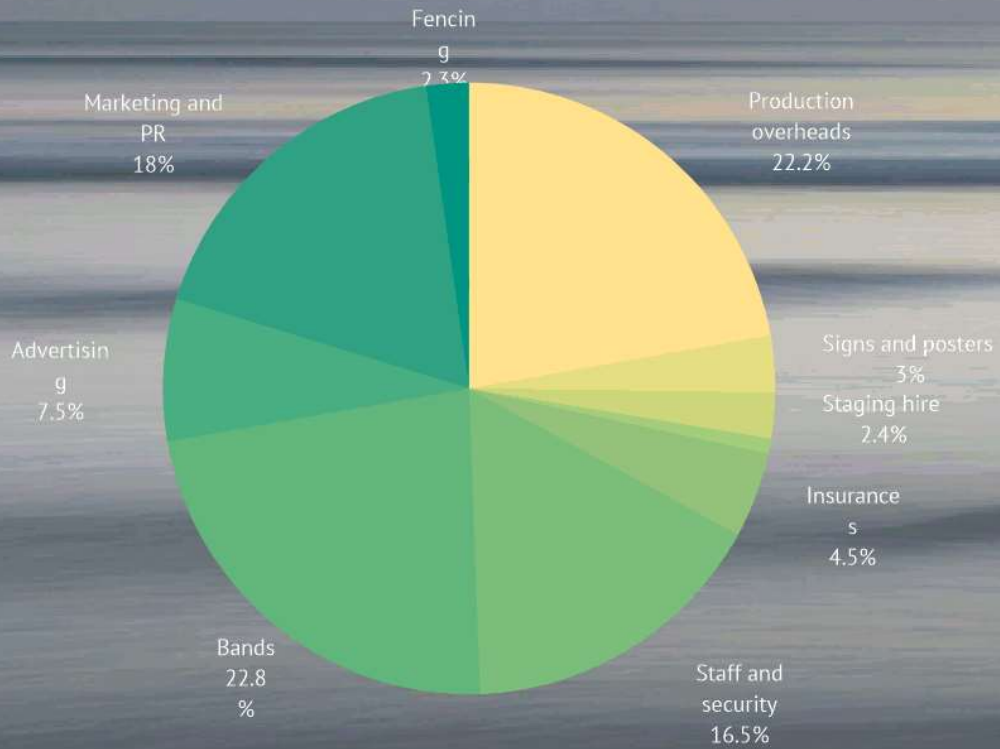
City	Percentage
Sydney	42.47%
Wollongong	28.3%
All Other	13.58%
Gerringong	5.86%
Kiama	4.38%
Canberra	2.56%
Nowra	2.51%

# FINANCIAL ANALYSIS

## INCOME



## Costs



SURLIFE ANNUAL REPORT 2019

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# BUDGET

<b>Budget Summary (ex GST)</b>	
<b>Income</b>	
Kiama Council sponsorship	\$ 5,000.00
Local sponsorship	\$ 1,600.00
Market Stalls	\$ 900.00
Surf Legends Ticket sales	\$ 1,090.00
Festival Day Ticket Sales	\$ 3,636.00
Festival Night Ticket Sales	\$ 12,663.00
Alcohol Sales	\$ 9,554.00
	\$ 34,443.00
<b>Costs</b>	
Production overheads	\$ 7,400.00
Signs and posters	\$ 1,000.00
Staging hire and truck hire	\$ 800.00
Hall cleaning	\$ 265.00
Insurances	\$ 1,500.00
Staff and security	\$ 5,500.00
Bands	\$ 7,600.00
Advertising	\$ 2,500.00
Marketing and PR	\$ 6,000.00
Fencing	\$ 750.00
	\$ 33,315.00
<b>Balance</b>	\$ 1,128.00

# SPONSORS & PARTNERS



Gerringong Bowling & Recreation Club Ltd



SURFLIFE ANNUAL REPORT 2019

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# MARKETING

**3,000 VISITORS**

## AIMS

SurfLife's 2019 aims are to

- Expand the event to new format described above
- Attract 1000 visitors across the weekend

SurfLife's long term aims are to;

- Be a major weekend tourism destination/lifestyle event (attracting 3000 visitors) and a major promotional vehicle for Gerringong
- Provide a boost for local business and products in May, traditionally a slower time of trade

**SURF LIFESTYLE**

## AUDIENCE

- Families and people who love surf/healthy/beach lifestyle, music and the natural appeal of the south coast
- Surfers
- Surf community car enthusiasts
- Surf community wellbeing enthusiasts
- Surf community artists
- Age range: 18 - 60

**SYDNEY WOLLONGONG ACT**

## MARKET

Sydney: Particularly locations that fall into the 2hr drive perimeter including;

- South and western Sydney 50%
- Illawarra 20%
- ACT 10%
- Gerringong and broader Kiama area 20%

SURFLIFE ANNUAL REPORT 2019

# MARKETING



## RADIO & TV

- Interviews about SurfLife were done with Radio 2ST, Wave FM, Power FM, ABC Illawarra
- Advertising on Radio Power FM
- Included in daily Surf Reports on Power FM
- SBS TV used the festival as a backdrop for a story to the national election.



## TOURISM WEBSITES

SurfLife information was included on the following Tourist websites;

- Destination Kiama
- ATDW
- Destination NSW
- Surfing NSW
- Tourism NSW
- Power FM
- Triple J
- Wave FM



## SPONSOR NETWORKS

Electronic artwork was distributed by all sponsors and supporters of SurfLife through their email, website and social media networks including;

Mecure Hotel, Discovery Holiday Parks, Werri Holiday Park, Park Ridge Hotel, The Sebel Hotel, Ocean Farm, Fern St Gallery, Surf Camp, Natural Necessity, 10 bands social media networks, Surfing NSW, Werri Board Riders, Stoic Brewing, Escape to Gerringong, MoshTix

SURFLIFE ANNUAL REPORT 2019

# MARKETING



## POSTERS, FLYERS AND BANNERS

- 3,000 Flyers and 200 posters distributed in Kiama, Wollongong, Cronulla, Bondi and Manly.
- Roadside banners in Gerringong, Kiama and Princes Hwy



## SURFLIFE WEBSITE

- The SurfLife Website was given a full redesign with new graphics and mobile phone viewing. The site included a 'spend the weekend' page featuring links to local accommodation and activities.
- The website had 4,500 visitors (15,000 total page views) from Feb 16 - May 10.



## PAID ADVERTISING

Paid adverts appeared in Moshtix newsletter, Facebook, Instagram, The Bugle Newspaper, TheKiama and District Business Chamber magazine, Power FM

# SOCIAL MEDIA



**1843**  
**FACEBOOK**  
**FOLLOWERS**



**552**  
**INSTAGRAM**  
**FOLLOWERS**



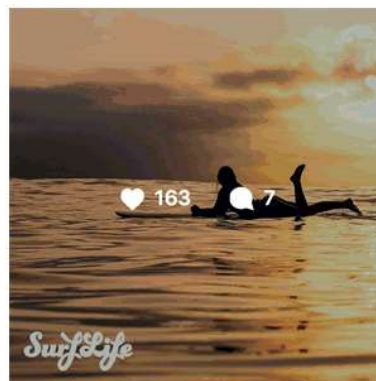
**47K**  
People Reached  
+4 last 7 days

**2.1K**  
Responses  
+0 last 7 days

**556**  
Ticket Clicks  
+0 last 7 days

Audience  
**Women 18-24**  
22% of ticket clicks

City	Your Fans
Sydney, NSW, Australia	579
Wollongong, NSW, Aus...	547
Gerringong, ACT, Austr...	184
Kiama, NSW, Australia	98
Nowra, NSW, Australia	61
Shellharbour, NSW, Au...	33
Shoalhaven (C), NSW, ...	30
Canberra, ACT, Australia	26
Berry, NSW, Australia	24
Melbourne, VIC, Australia	17



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Attachment 3



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Attachment 3







## 2019 Events Bootcamp Post Event Report

### Overview

The second annual Events Bootcamp facilitated by Krista Hauritz who is an experienced event consultant. The event addressed key topics related to improving local events in addition to increasing tourism and overnight visitation to the area.

With 21 attendees, the event encouraged collaboration and knowledge sharing within the group. Attendees were provided with a workbook to encourage them to apply the knowledge to improving their events offering and communication.

Destination Kiama members were able to sign up for the Bootcamp at no cost, non-members could attend for a cost of \$35.

### Structure

#### 5pm – 8.30pm Tuesday 28<sup>th</sup> May 2019

- Welcome
- Tourism and Events Overview
- Bootcamp 2018 Recap
- Light Dinner
- Taking Your Event into the Future

#### 6.45am – 10am Wednesday 29<sup>th</sup> May 2019

- Marketing and Digital
- Grants & Sponsorship Panel Discussion
  - o Sophie Campbell, Crooked River Wines
  - o Greg Binskin, Destination Sydney Surrounds South
  - o Craig Osborne, RMB Lawyers
- Post Event Reporting

#### 10.30am – 5.30pm Wednesday 29<sup>th</sup> May 2019

- Event mentoring sessions provided at a cost of \$25 for 4 event organisers.

### Catering

The catering on Tuesday night and Wednesday morning was provided by Smith Street Foods who received numerous positive comments from attendees.

### Venue

The event was held in the Saddleback and Surfbeach Rooms at the Pavilion, this worked well for the number of attendees. Tea, pod coffee, water and juice were available at all times.



### Survey Results

17 attendees completed an event survey, a portion of these attended both days and the remaining only attended the Tuesday evening session. Attendees found the Taking Your Event into the Future session the most relevant, closely followed by the Grants & Sponsorship including panellists.

Attendees suggested that the event becomes a two day event held during standard business hours, along with the request for attendee details to be shared amongst the group.

For future events, attendees would like to see more content related to social media, interstate visitation and studies on more region specific events.

The survey results from the event were extremely positive with regular comments such as:

*'Thank you so much, we have left feeling inspired and informed'*

*'Very professional. Greatly increased my understanding of Destination Kiama...'*

*'Loved the information sharing between attendees. Really appreciate the awesome food!'*

*'All the speakers were very motivational. It was definitely worth attending'*

### Attendee Feedback via Email

*'Hi Jayne*

*Thank you so much to the team for an excellent Workshop.*

*Regards*

*John and Sue Clarke'*

- John Clarke

### Recommendations

There are six recommendations made for the future of the event.

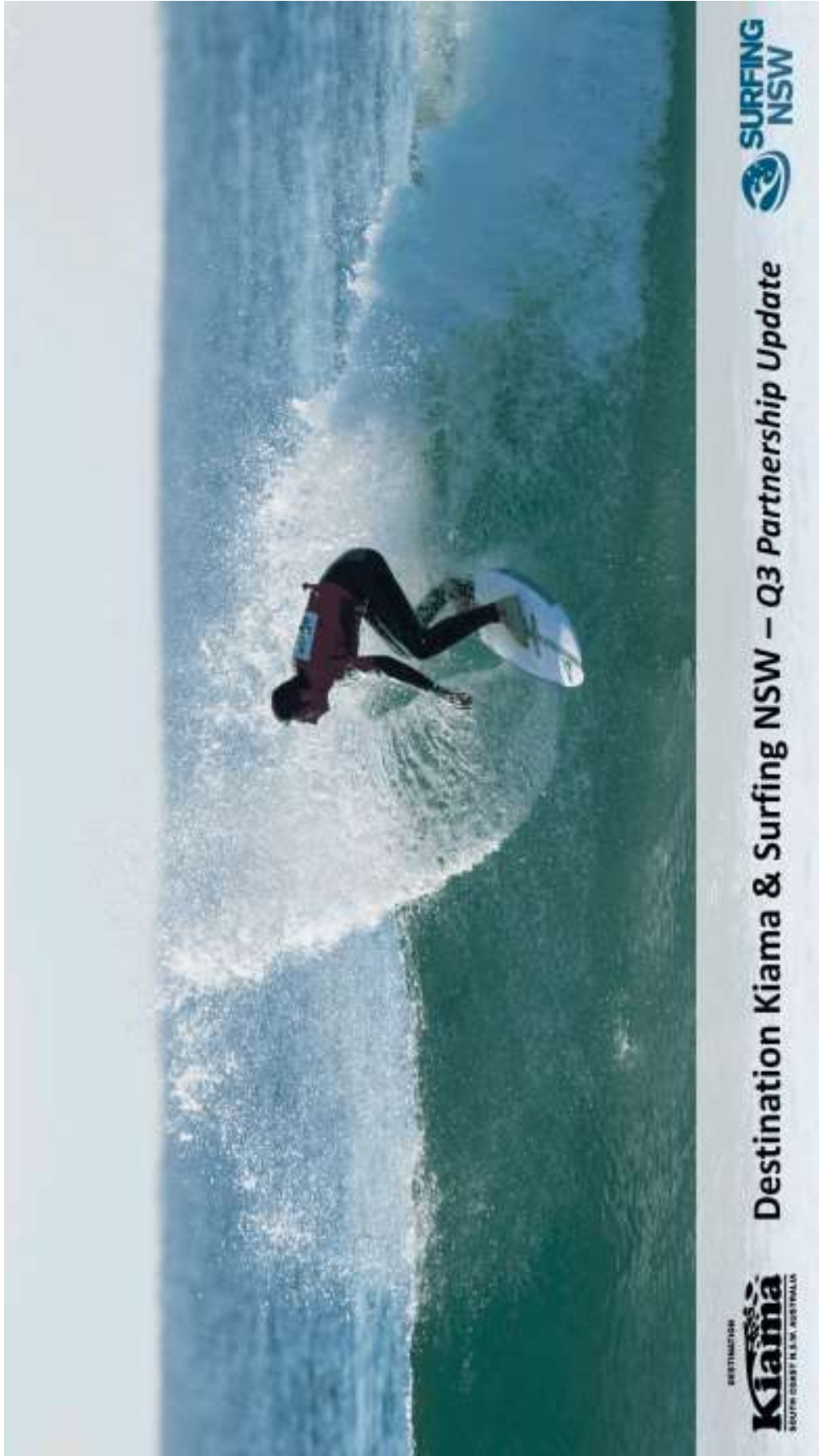
- 1. Events Planning Session in 2020** – For Kiama Municipal Council to host an events planning session one evening from 5-7.30pm. The session will cover topics such as applying for event permits, waste management, environmental education and increasing tourism. As the attendees valued the opportunity to network, 30minutes will be allocated at the completion of the session for networking.
- 2. Add the attendees contact details to the Destination Kiama database** – this is to communicate about partnering with Destination Kiama which includes being invited to Tourism After Hours Events and other workshops.
- 3. Host a Destination Event Marketing session in 2020** – The session would be available to previous Bootcamp attendees. The session will be for 3hours and facilitated by a 3<sup>rd</sup> party Marketing consultant. The content will be tailored to driving overnight visitation.
- 4. Encourage events to participate in already available opportunities** – these might include sharing resources such as YouTube or attending information sessions run by other organisations such as Destination NSW.



- 5. **Educational opportunity for how businesses work with events** - providing local businesses with details on how to collaborate and maximise their benefit from an event being held in their local area.
- 6. **Look at a new venue** - The Saddleback and Surfbeach Rooms at the Pavilion were great however if the event looks to host more than 20 guests, it's recommended that a larger space be used.

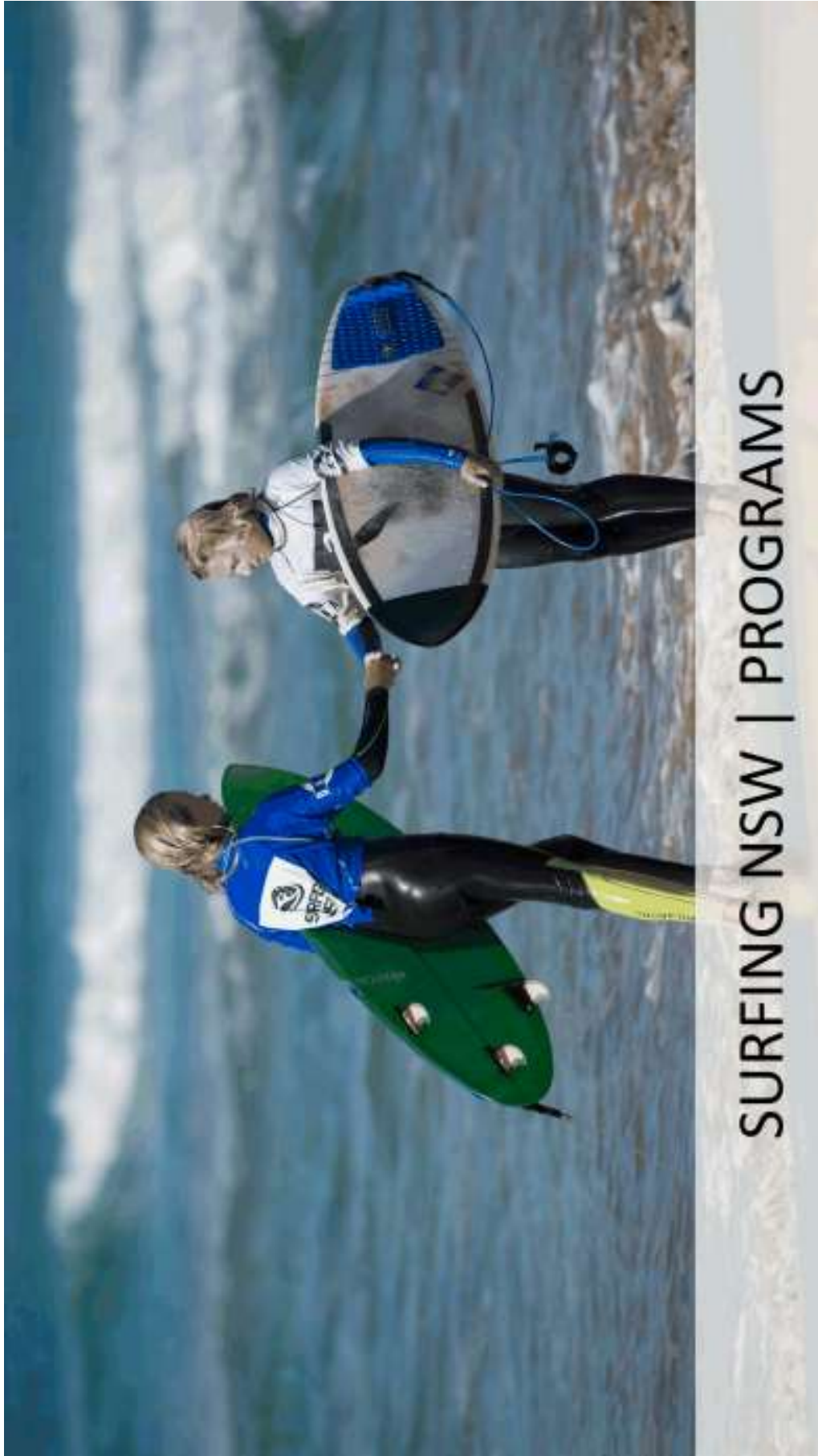
Event images





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Attachment 5



Item 15.5

Attachment 5

**Level 1 Bodyboard  
Judging Course**

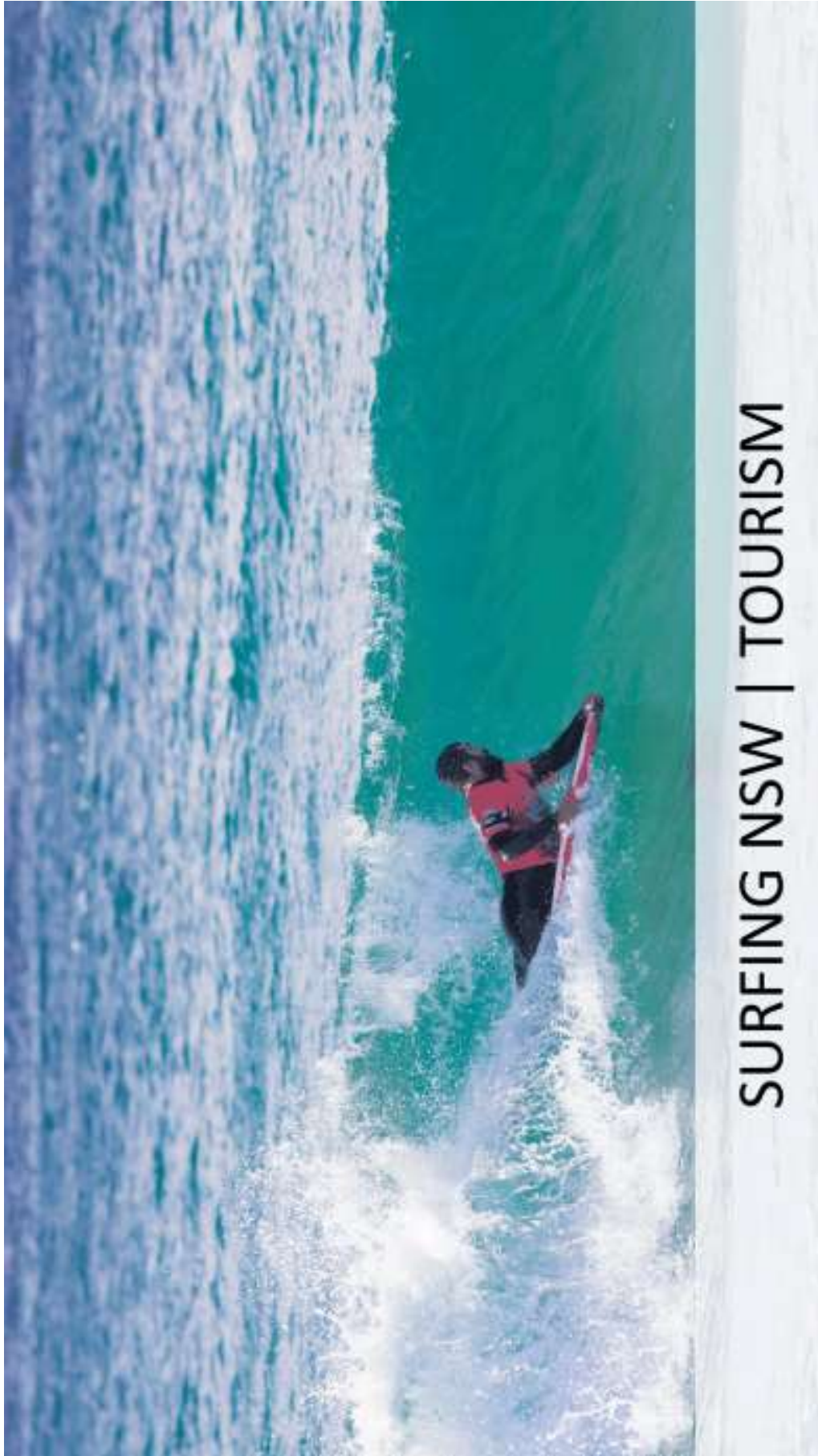
**Numbers:** 11 Participants

**Dates:** 6<sup>th</sup> April 2019

**Location:** Kiama Surf Life Saving Club

Surfing Worked with the local community to form a level 1 judging course within the area which helped 11 participants gain their Judging accreditation for 2019 and onwards.





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<http://createsend.com/t/d-F561554B8DA055942540EF23F30FEDED>

<http://createsend.com/t/d-157EEAFC489F7DA82540EF23F30FEDED>

<http://createsend.com/t/d-49B20A5F3C56726F2540EF23F30FEDED>

Example links above

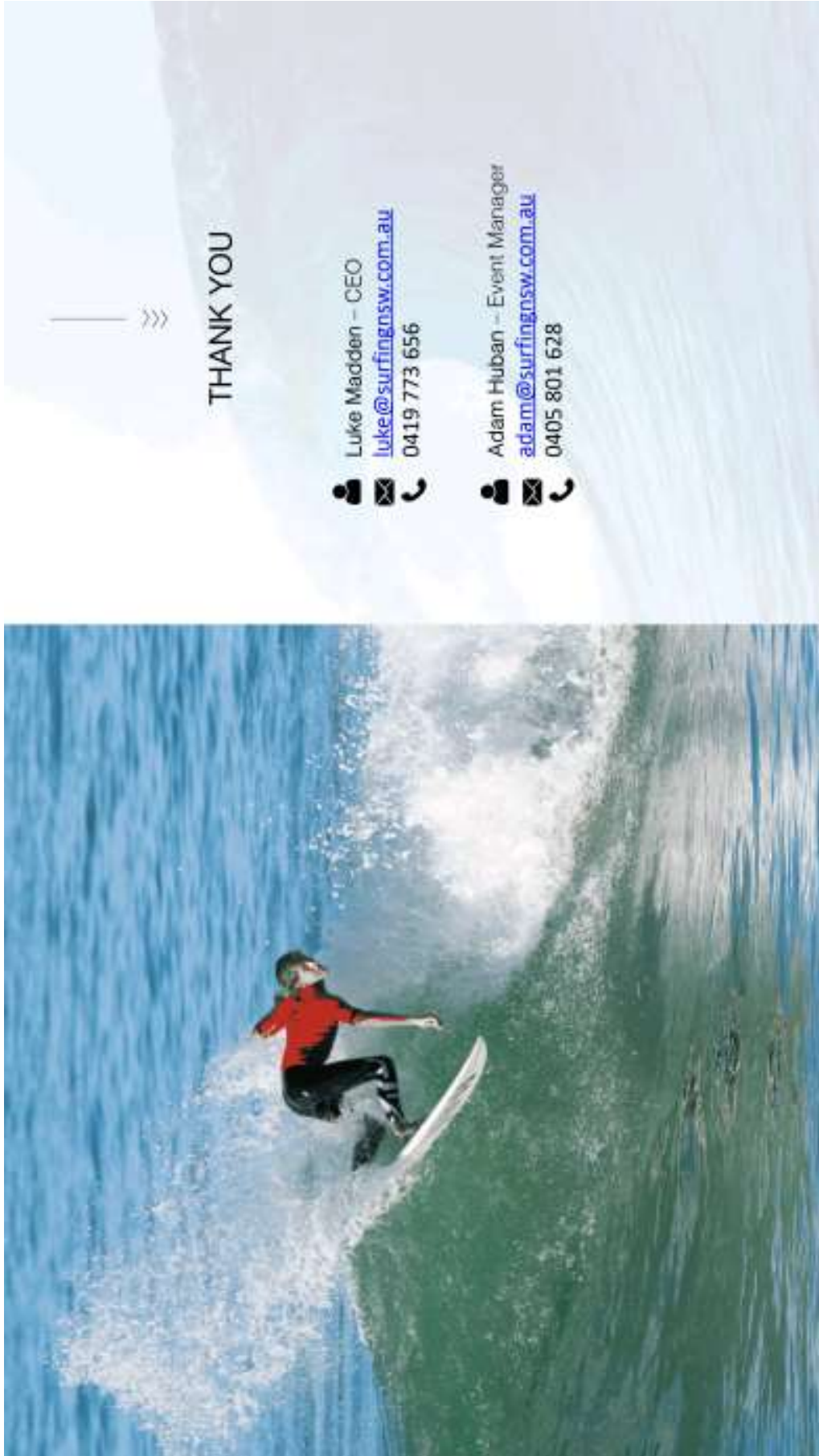
The provision of at least one new piece of copyright free unedited content every two months.

To feature the Kiama surfing events via direct marketing to Surfing NSW database, social Channels, Surfing NSW boardriders Clubs & Surf schools, inclusive of any special deals and offers.

**E-News Inclusions:**

- Bodyboard state Titles Promotions : 14
- South Coast Junior Regional Titles Promotions: 15
- APB Bodyboard Promotions: 6





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**15.6 Illegal Dumping Compliance Officer's Quarterly Report - 1 April 2019 to 30 June 2019**

Responsible Director: Environmental Services

**Illegal Dumping Incidents Reported**

Total Incidents: 39 Investigations Closed: 37 (94.9%)

Total Waste: 6.18 tonnes Investigations Open: 2 (5.1%)

This represents a 40.0% decrease on the previous quarter.

Waste types in the following table have been consolidated for ease of use.

**Total Incidents by Month**

- April - 14
- May - 12
- June - 13

Waste Type	No of incidents	Total Weight	Regulatory (Ch 7 Notices Served)
Electronic Waste	1 (2.6%)	20 kg	0
Commercial & Industrial	7 (17.9%)	740 kg	0
Construction & Demolition	3 (7.7%)	1110 kg	0
Household Waste	19 (48.7%)	2560 kg	1 Clean-Up Notice & 6 Chapter 7 Notices
Mulch & Green Waste	4 (10.3%)	1630 kg	0
Scrap Metal	2 (5.1%)	80 kg	0
Other	3 (7.7%)	40 kg	

**Illegal Dumping Locations**

Waste Type	Locations where dumping occurring
Commercial and Industrial	Council Land (71.4%) Private Land (14.3%) RMS Land (14.3%)
Household Waste	Council Land (100%)
Scrap Metal	Australian Rail Track Corporation (100%)
Mulch and Green Waste	Council Land (75%) Private Land (25%)
Construction & Demolition	Council Land (66.7%) Private Land (33.3%)

Reports for Information

15.6 Illegal Dumping Compliance Officer's Quarterly Report - 1 April 2019 to 30 June 2019 (cont)

**Summary of Closed Incidents\***

Reason for closing Incident	Number of Incidents
Insufficient Information to Follow Up	33
Regulatory Action Taken (PIN)	2
No Waste Found	2
Offender/Land Owner Clean Up/No Action Taken	1

\* Statistics include some incidents opened in previous quarter.

**Clean Up Details**

At a meeting with ISJO on 6 December 2018 agreement was reached to estimate costs of clean up to Council based on small load @\$150 to \$200, medium load @\$300 to \$400 and large load \$500 to \$600.

Cleaned Up By	% of Total Incidents	Clean-up Costs
Council	74.4%	Est. \$3,550.00
Land Owner	7.7%	\$500.00
<b>Total Estimated Clean Up Costs</b>		Est. \$4050.00

**Interviews Conducted**

Electronic - 3 interviews conducted.

**Regulatory Actions**

Action	Number of Actions
Official Caution	0
Penalty Notices	2 (1. Section 143 Transport Waste to Unlawful Waste Facility \$2000) (2. Section 143 Transport Waste to Unlawful Waste Facility \$2000)
Court Attendance Notices	0

Item 15.6

## Reports for Information

## 15.6 Illegal Dumping Compliance Officer's Quarterly Report - 1 April 2019 to 30 June 2019 (cont)

**Hot Spot Dumping Incidents**

Hot Spot Location	Number of Incidents
Kiama Bends	0
Riverside Drive Minnamurra	1
Jamberoo Mountain Road	1
Swamp Road, Jamberoo	3
Saddleback Mountain Lookout/Road	2

**Illegal Dumping Pro-Activity**

Pro-active patrols of Hot Spot locations have been carried out on 13 occasions during the quarter and it appears that identified Hot Spots should continue to receive attention.

### 15.7 Illegal Dumping Compliance Officer's Annual Report - 1 July 2018 – 30 June 2019

Responsible Director: Environmental Services

#### Illegal Dumping Incidents Reported

Total Incidents: 216 Investigations Closed: 209 (96.8%)

Total Waste: 525.34 tonnes Investigations Open: 7 (3.2%)

This represents a 43.0% increase on the previous year

Waste types in the following table have been consolidated for ease of use.

Waste Type	No of incidents	Total Weight	Regulatory (Ch 7 Notices Served)
Electronic Waste	1 (0.5%)	20 kg	0
Commercial & Industrial	34 (15.7%)	1600 kg	5 Chapter 7 Notices Issued
Construction & Demolition	21 (9.7%)	13240 kg	0
Household Waste	111 (51.4%)	11400 kg	1 Clean-Up Notice & 12 Chapter 7 Notices Issued
Mulch & Green Waste	7 (3.2%)	2640 kg	0
Scrap Metal	5 (2.3%)	160 kg	0
Asbestos	6 (2.8%)	2320 kg	
Liquid Waste	1 (0.5%)	10 kg	
Soil and Excavated Material	7 (3.2%)	4910 kg	1 Prevention Notice 4 Chapter 7 Notices
Tyres	8 (3.7%)	920 kg	
Vehicles & Car Parts	9 (4.2%)	1950 kg	
Other	6 (2.8%)	70 kg	

#### Illegal Dumping Locations

Waste Type	Locations where dumping occurring
Commercial and Industrial	Council Land (93.5%) Private Land (3.2%) Roads and Maritime Services Land (3.2%)
Household Waste	Council Land (94.9%) Aboriginal Land (1.0%) Other (1.0%)

## Reports for Information

## 15.7 Illegal Dumping Compliance Officer's Annual Report - 1 July 2018 – 30 June 2019 (cont)

Waste Type	Locations where dumping occurring
Scrap Metal	Council Land (75.0%) Australian Rail Track Corporation (25.0%)
Mulch and Green Waste	Council Land (57.1%) Private Land (42.9%)
Construction & Demolition	Council Land (94.1%) Private Land (5.9%)
Liquid Waste	Council Land (100%)
Soil & Excavated material	Private Land (60%) Council Land (40%)
Tyres	Council Land (85.7%) Crown Land (14.3%)
Asbestos	NPWS (66.7%) Crown Land (16.7%) Council Land (16.7%)

Item 15.7

**Summary of Closed Incidents\***

Reason for closing Incident	Number of Incidents
Insufficient Information to Follow Up	181
Regulatory Action Taken (PIN)	10
No Waste Found	13
Offender/Land Owner Clean Up/No Action Taken	5
Referred to another Authority	1
Other	2

\* Statistics include some incidents opened in previous quarter.

**Clean Up Details**

At a meeting with ISJO on 6 December 2018 agreement was reached to estimate costs of clean up to Council based on small load @\$150 to \$200, medium load @\$300 to \$400 and large load \$500 to \$600.

Cleaned Up By	% of Total Incidents	Clean-up Costs
Council	74.5%	Est. \$18,850.00
Land Owner	6.5%	\$4,000.00
Offender	2.8%	
Contractor	0.9%	\$1400.00
<b>Total Estimated Clean Up Costs</b>		Est. \$24250.00

## Reports for Information

## 15.7 Illegal Dumping Compliance Officer's Annual Report - 1 July 2018 – 30 June 2019 (cont)

**Interview Conducted**

Electronic - 12 interviews conducted.

**Regulatory Actions**

Action	Number of Actions
Official Caution	2
Penalty Notices	10 (4 x Littering Offences, 1 x Provide False or Misleading Information, 1 x Fail to Pay Prevention Notice Issue Fee, 1 x Fail to comply with Notice, 3 x Transport Waste to Unlawful Waste Facility)  Total monetary amount of fines issued: \$8750.00
Court Attendance Notices	0

**Hot Spot Dumping Incidents**

Hot Spot Location	Number of Incidents
Kiama Bends	3
Riverside Drive Minnamurra	15
Jamberoo Mountain Road	16
Swamp Road, Jamberoo	12
Saddleback Mountain Lookout/Road	13

**Illegal Dumping Pro-Activity**

Pro-active patrols of Hot Spot locations have been carried out on 57 occasions during the quarter and it appears that identified Hot Spots should continue to receive attention.

**15.8 Parking Statistics - June 2019**

Responsible Director: Environmental Services

Patrols conducted	33
Infringements Issued	30
Total Infringement Value	\$6,070
Vehicle Spaces Inspected	916
CRM requests received and actioned	4

Timed Zones	No of patrols	PINS Issued	School Zone Patrols	No of patrols	PINS Issued
Kiama CBD east	7	1	St Peter & Pauls	3	0
Kiama CBD West of Railway Parade	7	3	Kiama High	3	2
Gerringong CBD	2	1	Kiama Public	3	0
Other Parking	7	2	Jamberoo Public	2	0
Bonaira St, Holden Ave, William St, Taylor St & Reid St	14	10	Minnamurra Public	5	2
			Gerringong Public	1	1

Proactive Patrols			
Offence	PINS Issued	Offence	PINS Issued
No Stopping	2	No Stopping (School Zone)	4
Path/Strip/Ramp	1	No Parking	2
Unbroken Yellow Edge Line	10	Disabled Parking Zone	0
Driveway	0	Bus Zone	0
10m from intersection	0	Motor Cycle Parking	1
Mail Zone	1	Vehicle in Reserve	1



**15.9 Question for future meeting: Landowner Privacy Rights**Responsible Director: Environmental Services

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At its meeting held on 25 June 2019, Councillor Watson requested a report on how a land owner's privacy can be protected from a neighbour erecting a "spyware" device to record the movements on the property.

Law Access NSW directed Council to a publication titled Neighbours and the law published by Legal Information Access Centre (LIAC), State Library of New South Wales in 2017. An extract from that publication relating to CCTV and neighbours is provided below:

***"CCTV and neighbours***

*Surveillance and monitoring laws in NSW have not kept pace with the increasing use of CCTV cameras. This limits your options if your neighbour's CCTV is invading your privacy.*

*It is an offence if your neighbour's surveillance of your property is without your consent and is monitoring areas of your property where you could reasonably expect privacy, like your bedroom, bathroom or enclosed backyard and the surveillance is done for sexual arousal or gratification. The maximum penalty is a fine of \$11,000 or imprisonment for two years. Greater penalties apply where children are involved (Crimes Act 1900, Division 15B Voyeurism and Related Offences). It is also an offence to record audio without consent but this does not extend to recording images (Surveillance Devices Act 2007, section 7).*

*If you live in a multi-unit complex, residential park or retirement village, check to see if your neighbour's CCTV breaches the by-laws or community or village rules.*

*Planning approval may be required for the installation of CCTV. Check with your local council. For larger building developments especially, council may require details of any proposed CCTV surveillance as part of the planning process.*

*If your neighbour's surveillance is so invasive that it prevents enjoyment of your property you may be able to sue under the tort of nuisance. This may involve costly Supreme Court action, so seek expert legal advice.*

*If you have a problem with your neighbour's CCTV, you could try to resolve it by talking directly to your neighbour. If this doesn't work or you don't feel comfortable approaching them, contact a Community Justice Centre to arrange a mediation."*

It is noted that Council does not require approvals for the installation of private CCTV devices and does not intend to require approvals in the future.

**15.10 Question for future meeting: Significant Tree Register**Responsible Director: Engineering and Works

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At the Council meeting on 21 May 2019, Councillor Rice requested a report on whether Council has a Significant Tree Register and whether there are plans to develop this further in the future. The matter was referred to the Acting Director Engineering & Works for investigation and report.

At present Council does not have a significant tree register. Trees are assessed individually when part of a Development Application assessment or lodgement of a Tree Management Application under the Kiama Development Control Plan - Chapter 3 *'Preservation & Management of Trees and Vegetation'* – Appendix 4 - *Trees of Special Significance*. This DCP Chapter 3 defines the characteristics of a significant tree based on a number of criteria including, Occurrence, Heritage, Cultural, Landscape, Form or Habitat and Environmental Benefit. Some significant species such as Norfolk Island Pines, Indigenous Fig trees and Cabbage Palms are already identified with specific treatments included.

In order to develop a Significant Tree Register, an arborist would need to assess and measure all trees under the above criteria to determine a tree's significance. Depending on the criteria to be a significant tree, the register could be several hundred or possibly thousands of trees on public and private land as a preliminary estimate. For example, Randwick and Sydney City Council's have 893 and 2674 listed significant trees respectively in their highly urbanised local government areas.

In addition, there would also need to be a public exhibition period, especially in relation to identified trees on private land and a mechanism developed to evaluate disputes on a tree's nomination. This Register would also need to be maintained to add new trees identified and to delete dead or removed trees, over time.

Currently, Council does not have the budget or resources available to develop or maintain a significant tree register, but will continue to assess individual trees as applications are received.

**15.11 Question for future meeting: Footpath installation to Track 6 Seven Mile Beach**Responsible Director: Engineering and Works

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At the Ordinary Council meeting 25 June 2019, Councillor Sloan requested a report on a cost estimate to provide a footpath from the Gerroa Holiday Parks to the Track 6 access point to Seven Mile Beach.

The length of the proposed footpath is approximately 300 metres. Council's standard rate of construction has estimated the proposal at \$54,000, however site constraints such as the narrow verges and the prevalence of mature trees that may need to be designed around or removed may increase this cost significantly. A detailed survey and design would need to be undertaken to accurately cost this project.

Item 15.11

**15.12 Question for future meeting: Track Identification - Seven Mile Beach, Gerroa**

Responsible Director: Engineering and Works

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At the Council meeting on 25 June 2019, Councillor Sloan requested a report on how the Seven Mile Beach access tracks can be better identified i.e. locals call the tracks by number but there are no signs. The matter was referred to the Acting Director of Engineering & Works for investigation and report.

At present a number of the beach access tracks at Seven Mile Beach are numbered with signs attached to fencing on the beach side only. To further clarify the track numbering, additional signs will be placed on the Crooked River Road end of the tracks to identify these.

Item 15.12

**15.13 Question for future meeting: Girrawheen Avenue Parking**Responsible Director: Engineering and Works

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At the Ordinary Council meeting 25 June 2019, Councillor Rice requested a report on the opportunities for and administration of parking controls for Girrawheen Avenue, Kiama.

Issues arise with parking in Girrawheen Avenue, Kiama when games of Australian Rules Football are played on the adjoining Bonaira Oval with resultant increase in player and spectator parking. This matter has previously been considered by the Kiama Local Traffic Committee on a number of occasions. The Committee investigated various options including the prohibition of parking along the one side of Girrawheen Avenue, but this was rejected on a number of grounds including the likely increase in vehicle speeds and subsequent increased risk to pedestrians, the displacement of parked vehicles into surrounding streets and the number of days annually when full parking around Bonaira Reserve is actually occurring. This resulted in the implementation of marked untimed parking bays along the eastern side of Girrawheen Avenue to assist residents in accessing their properties by controlling illegal parking and allow enforcement by Council's Rangers.

The Committee also approved the implementation of a 'No Stopping' zone on the western side of Girrawheen Avenue, from the intersection of Bonaria Street to a point approximately 50 metres south, to address concerns related to sight distance problems due to a crest in the road that prevented drivers from seeing oncoming vehicles on peak usage days when traffic is parked on both sides of the road. This was implemented in 2012 and seemed to address the concerns raised.

In reviewing the current situation, it is considered that implementing timed controls for each bay would impact on resident parking and likely result in increased traffic as motorists regularly move their vehicles. It is also considered that removing the marked parking bays and installing 'No Parking' signs would reintroduce the initial concerns of the Traffic Committee. Given the expected game days amount to approximately 18 Saturdays per year, it is not recommended that any further parking controls are warranted at this time.

**15.14 Question for future meeting: Kiama Medical Practice Parking**Responsible Director: Engineering and Works

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At the Ordinary Council meeting 25 June 2019, Councillor Rice requested a report on the opportunities for designated car parking for the Kiama Medical Practice, particularly during the operation of the Kiama Farmers Market on Wednesday afternoons.

Kiama Medical Centre is located at No.83 Manning Street which has a frontage of approximately 105 metres and contains a mixed use development. There are twenty 45 degree angle parking spaces in Manning Street which are located along the front boundary. All bays have a 2 hour timed parking restriction until 6pm with the exception of the one dedicated disabled parking space.

Under the Road Rules, it is not possible to legally designate car spaces for the sole use of an individual or business within a public road. Any modifications to the timed parking restrictions would also apply to all users of these parking spaces which are unlikely to benefit the medical practice or pharmacy.

Council at the same meeting resolved to approve the Development Application 10.2018.267.1 - Use of land for Weekly Markets - Kiama Farmers Market Inc, with an additional condition that:

*“Committee recommendation that Council provide a total of 6 A-frames (printed the same those currently used for the carparks adjacent to the Pharmacy and the Medical Centre in Manning Street) for use by the Pharmacy and Medical Centre during the period of time the Kiama Farmers Markets are operating.”*

Again while this signage is not legally enforceable, there has been general consideration and compliance from Market patrons with the existing signs in use. It is recommended that the implementation of the expanded signage proposal be undertaken in the first instance.

**15.15 Question for future meeting: Carpark at Figtree Lane, Gerringong**Responsible Director: Engineering and Works

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At the Council meeting on 25 June 2019, Councillor Reilly requested a report on the status of the proposed new carpark in Figtree Lane, Gerringong. The matter was referred to the Acting Director Engineering & Works for investigation and report.

In early 2017, Council placed on public exhibition a concept plan for the redevelopment and expansion of the existing public car park in Figtree Lane, Gerringong. The proposed concept design included bulk earthworks, retaining walls and expanded asphalt carpark that would provide an additional 24 parking spaces. A number of submissions were received and all were generally supportive of the proposal.

A detailed design was prepared and cost estimates formulated. In addition Council sought a quotation from a large reputable civil engineering contractor to confirm the estimate. In both instances the estimate of works were well above the budget available at that time. Subsequent to recent budget reviews and adoption of the 2019/20 budget, further funds have been allocated to this project. In preparation for this, a tender was advertised in June 2019 seeking a civil contractor to undertake the works.

This tender has since closed and submissions are being assessed, with a report expected to be tabled at the August 2019 Council meeting.

**15.16 Questions for Future Meeting Register as at 8 July 2019**

Responsible Director: Office of the General Manager

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Attached for Councillors' information is the Questions for Future Meetings Register as at 8 July 2019.

**Attachments**

- 1 Questions for Future Meetings Register as at 8 July 2019 [↓](#)



**Questions for Future Meetings Register**

16/73192

No	Details	Actions
<b>20 November 2018</b>		
17.5	<p><b>Council Committee for Business Unit</b> Councillor Brown requested advice as to whether it could be beneficial to have a Council Committee looking over the Council Business Units. The Mayor referred this item to the Director Corporate and Commercial Services for investigation and report.</p>	To be reported to the August Council meeting
<b>21 May 2019</b>		
18.1	<p><b>Significant Tree Register Status</b> Councillor Rice requested a report on whether Council has a Significant Tree Register and whether there are plans to develop this further in the future. The matter was referred to the Acting Director Engineering &amp; Works for investigation and report.</p>	Reported to the July 2019 Council meeting
<b>25 June 2019</b>		
18.1	<p><b>Gerringong Figtree Lane Car Park</b> Councillor Reilly requested a report on the status of the proposed new carpark in Figtree Lane, Gerringong. The matter was referred to the Acting Director Engineering &amp; Works for investigation and report.</p>	Reported to the July 2019 Council Meeting.
18.2	<p><b>Landowner Privacy Rights</b> Councillor Watson requested a report on how a land owner's privacy can be protected from a neighbour erecting a "spyware" device to record the movements on the property. The matter was referred to the Director Environmental Services for investigation and report.</p>	Reported to the July 2019 Council Meeting.
18.3	<p><b>Identification of Seven Mile Beach Access Track</b> Councillor Sloan requested a report on how the Seven Mile Beach access tracks can be better identified i.e. locals call the tracks by number but there are no signs. The matter was referred to the Acting Director Engineering &amp; Works for investigation and report.</p>	Reported to the July 2019 Council Meeting.
18.4	<p><b>Footpath installation to Track 6 Seven Mile Beach</b> Councillor Sloan requested a report on a cost estimate to provide a footpath from the Gerroa Holiday Parks to the Track 6 access to Seven Mile Beach. The matter was referred to the Acting Director Engineering &amp; Works for investigation and report.</p>	Reported to the July 2019 Council Meeting.
18.5	<p><b>Parking controls – Girrawheen Avenue</b> Councillor Rice requested a report on the opportunities for and administration of parking controls for Girrawheen Avenue, Kiama. The matter was referred to the Acting Director Engineering &amp; Works for investigation and report.</p>	Reported to the July 2019 Council Meeting.

No	Details	Actions
18.6	<p><b>Kiama Medical Practice Parking</b>                      Councillor Rice requested a report on the opportunities for designated car parking for the Kiama Medical Practice particularly during the operation of the Kiama Farmers Market on Wednesday afternoons. The matter was referred to the Acting Director Engineering &amp; Works for investigation and report.</p>	<p>Reported to the July 2019 Council Meeting.</p>

**15.17 Minutes: South Precinct - 20 June 2019**

Responsible Director: Office of the General Manager

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The minutes of the South Precinct meeting held on 20 June 2019 are attached for Councillors' information.

**Communication/Community Engagement**

Councillors and staff regularly attend and address Precinct meetings.

Meeting dates are published on Council's website.

**Attachments**

- 1 Minutes: South Precinct meeting 20/0619 [↓](#)

**MINUTES OF THE SOUTH PRECINCT MEETING  
held on Thursday 20 June 2019 at Gerringong Town Hall**

**Meeting Opened:** 7:30 pm

**Attendance:** 36 as per attendance book

**Chair:** Chris Cassidy **Minutes:** Shane Douglas

**Apologies:** Cr Mark Westhoff, Sandra McCarthy, Alma Macpherson, Shirley Coady

**Minutes of Previous Meeting**

**Moved:** that the minutes of the ordinary meeting of Thursday 16 May 2019 be accepted.  
Robert Coady/ S Brazier **carried**

**Business Arising From Minutes:**

NIL

**Correspondence IN:**

1. KMC Bollards Ricketts Reserve, confirming Council will proceed with the installation.
2. Cc from Annie Heppel to KMC re: Blue Berry Hill Landscaping project.
3. Cc from Jeff McCarthy re: 7 Mile Beach Draft Conditions of Consent – inaccuracies.
4. Cc KMC letter from Illawarra District Weeds Authority.
5. Cc KMC Karen Ronning Tourism Kiama re: outcomes of meeting with RMS regarding Road/ freeway signage project for Gerringong.
6. Mathew Landauer Co -founder Open Australia Foundation, letter regarding Planning Alerts and their operation, and request donation/ support.

**Correspondence OUT:**

1. KMC 10.2018.265.1- 29 Pacific Ave Werri Beach.

**Executive Report**

1. Future Meetings to have Agenda inadvance.
2. Operational guidelines review final draft.

**Council Papers/Development Applications (Raewyn Thomson)**

1. Landscaping Blue Berry Hill.
2. By Pass Noise abatement.
3. Signage Gerringong RMS meeting
4. Council has issued tender package re IGA carpark.
5. 37 Osbourne Street Dual Occupancy.

**Traffic Committee:**

No meeting was held in June.

**Treasurer's Report**

Spent \$20 on printing.  
Balance as at 19<sup>th</sup> June 2019: \$346.92

**General Business**

1. Chris Cassidy moved the following motion

**Moved:**

That South Precinct donate \$200 for Planning Alerts to Open Australia Foundation.  
Chris Cassidy/Damien Morris **carried**

**Presentation:**

**Gerringong Association:** Andrew Wales President; Julie Carlill Secretary/ Executive Officer, Patrick Maheady Board Member. They gave a presentation on the start up, history, achievements, and vision of organization.

**Warren Holder:** Sand Mining Minnamurra: Boral submitted addition to D.A. for sand mining, that will be within 150 meters of Minnamurra River and wet lands. Was on Public Display 25<sup>th</sup> April, and there is a Public Meeting 27<sup>th</sup> June Minnamurra Public School.

2. Member vacancy for Combined Community Action Group: Dereck McMahon sole nomination and accepted.

3. Area weed spraying delayed until further information provided.

4. Bendigo Bank Oak Flats will be holding a Community meeting Wednesday 17<sup>th</sup> July at Retreat Restaurant 1<sup>st</sup> Floor Park Ridge Retreat, 5:30 pm to 7:30 pm.

**Meeting closed:** There being no further business the Chair closed the meeting at 9.05 pm

**Next Meeting:** Thursday 18th July 2019.

**15.18 Minutes: Jamberoo Valley Ratepayers and Residents Association - 2 July 2019**

Responsible Director: Office of the General Manager

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The minutes of the Jamberoo Valley Ratepayers and Residents Association meeting held on 2 July 2019 are attached for Councillors' information.

**Communication/Community Engagement**

Councillors and staff regularly attend and address Association meetings.

Meeting dates are published on Council's website.

**Attachments**

- 1 Minutes: JVRRA meeting 2 July 2019 [↓](#)

**JAMBEROO VALLEY RATEPAYERS AND RESIDENTS ASSOCIATION Inc.**

PO Box 146, JAMBEROO, NSW 2533

[jvrrasecretary@gmail.com](mailto:jvrrasecretary@gmail.com)

**Minutes of the JVRRA General Monthly Meeting  
Tuesday 2 July 2019, 7.30 p.m. at Club Jamberoo**

**Attendees**

Chris Lavers, Mark Lavers, Mary Lou Reid, Geoff Reid, Bob Neilson, Ros Neilson, Max Brennan, Ray Nolan, Robyn Letham, Graham Letham, John Zimmer, Glenys Day, Paul Rogers, Rob McKinnon, Veronica Baker, Sid Baker, Vivienne Marris, Beryl Ackroyd, Geoff Boxsell, Sandra Dingle, Ian Facey, Gail Taylor, Gordon Streek, Colin Hollis, Geoff Wilson, Fran Geraghty, Phil Lewis, Hazel Lewis, Heather Argerakis, Andrew Waugh, John Friedmann, Marea Gardner.

**Apologies**

Narelle Day, Tony Day, Peter Brown, Roger Lyle, Julie MacDonald, Graham Pike, Ann Pike, Stephen Smith, Helen Smith, Sally Rogers, Ros McKinnon, Margaret Stephens, Jim Dingle, Lesley Friedmann, Alison Fettell, Geoff Reynolds, Suzanne Reynolds.

**The meeting was opened at 7.30 p.m. by Chairman, Rob McKinnon.**

**Guest Speaker: Linda Davis, Assistant General Manager and Director of Environmental Services, Kiama Council**

**Topic: Developer Contributions – What are they used for, and how are they calculated?**

Linda Davis presented an admirably clear explanation of what is a rather complex topic. She pointed out that at this stage Kiama Council is working with a range of different and somewhat outdated plans for developer contributions in different contexts, and steps are now being taken to draft a proposal that updates and re-defines the plans. When the draft proposal is completed, it will be put on public exhibition for comment. Developments that have been lodged under the existing guidelines, however, will not be affected by the changes. Linda explained that councils must routinely meet requirements such as evidence of analyses of demand for new infrastructure, and must often provide proof of a nexus between the actual development and the use to which the developer contributions are put. A recent audit of Kiama Council's recent use of developer contributions has shown that almost all current requirements have been met and projects completed, apart from some remaining work to be done on the Council Chambers building. Linda referred to her previous experience working with other neighbouring Councils, which involved very large releases of land such as those at West Dapto and Shellcove, and she explained why in some cases developer contributions involve relatively large sums of money compared with what has typically been levied in Kiama. Linda's office can be contacted at Kiama Council if there are further queries.

**Minutes of the previous JVRRA General Meeting of Tuesday 4 June 2019**

The [Minutes of the June 2019 meeting](#) as published and circulated were carried with no dissent.

**Matters arising from the previous Minutes not listed elsewhere in the Agenda**

There were no matters arising.

**Correspondence**

1

**Item 15.18**

**Attachment 1**

**Correspondence IN:**

- From Council re overnight stopover arrangements – signage, marking of posts
- From Jamberoo CWA, announcing that Council has arranged for chairs that are not being used at Gerringong Town Hall to be donated to Jamberoo Youth Hall (thanks to Councillor Reilly for initiating this plan of action)
- Receipt of submission re DA 2019.85.1 (Jamberoo Mountain Road)
- Response re Code of Conduct motion from V. Baker
- Information re grants for Stronger Communities Program

**Correspondence OUT:**

- To Council: Results of survey of use of overnight stopover facilities, June 2019
- Arrangements re guest speaker
- Submission re DA 2019.85.1
- To Council re locking of swimming pool toilet block
- To Council re outstanding traffic safety concerns
- To Council – thanks for new playground at Reid Park

**Matters Arising from the Correspondence not listed elsewhere in the Agenda**

There were no matters arising

**Treasurer's Report for month ending 31 May 2019**

The [Treasurer's Report](#) as circulated and distributed was accepted with no dissent.

**Management of overnight stopover facilities in Reid Park and Kevin Walsh Oval**

Glenys Day presented a [report](#) on a very useful meeting held on-site on 21 June with Council Staff (Linda Davis, Paul Czulowski, Darren Brady and two of the Rangers), with Glenys Day, Greg Walsh and Ros Neilson in attendance. Graham Pike had contributed photos of useful signage from other overnight stopover areas. It has been generally agreed that it would be useful if we stop referring to the arrangements as involving 'camping', because this term implies that we have tents in mind. It would be ideal to limit overnight stays to self-contained vehicles that can make use of the waste dump facility. Paul Czulowski reported that Council is preparing signage and will instigate site marking (see Correspondence In).

Thanks to JVRRRA members who participated in the survey of use of the facilities during June.

**Update on Croom Tang Farmstay DA**

Bob Neilson reported that he had delivered a [presentation](#) on behalf of JVRRRA at the on-site Land and Environment Court Hearing on June 17. It was noted that some alpacas had been moved onto the property. The Commissioner has reserved her judgement, and Council's solicitors have indicated that it will be a matter of a least a few weeks before the outcome of the hearing is made public.

**CCAG News**

Ros Neilson reported that she has stepped in as a CCAG representative for JVRRRA now that Paul Morris has resigned; this must be ratified at the AGM. CCAG members have been working cooperatively on several specific projects, including a submission on the new Dual Occupancy and Multi-Dwelling Housing changes to the LEP (presented by Peter O'Neill of Central Precinct at Public Access on 24 June), a Code of Conduct for CCAG, and a submission on the relationship between Council and the Precincts. Submissions on the current Boral proposal were discussed. CCAG terms of



reference have been amended to allow the precincts and residents' group each to provide *up to three* representatives.

**Discussion: Locking of Jamberoo Swimming Pool toilet block facilities**

Ros Neilson reported that the JVRRA general meeting in June had requested that the swimming pool toilet facilities should be locked at night because of vandalism concerns. The Rangers have provided the information, however, that they are not able to carry out this locking task on a daily basis. It was put to this meeting that we might request that the facilities simply stay locked over winter. This proposal met with several strong objections, including the following points:

- It seems a waste that these excellent facilities should be unavailable for a large chunk of the year;
- Young families make considerable use of the facilities all year, especially since the other toilet facilities in Reid Park are of such low standard;
- There has been no significant evidence of vandalism at this stage;
- Pressure on the facilities will be reduced when the overnight stopover arrangements are in place.

It was decided that the decision about locking the facilities will be deferred to the August meeting, and in the meantime, residents are requested to continue to observe current usage and think about the issue.

**ACTION:** Letter to Council advising that JVRRA has deferred making any request for changes to current arrangements.

**Infrastructure issues**

- Hyams Creek footbridge progressing well
- Children's playground much appreciated

**Suggestions re the use of disused dairy sheds along Swamp Road**

Larry Osterhaus presented some constructive suggestions for ways in which local disused dairy sheds on private land along Swamp Road might be put to productive use as small tourist facilities or outlets, or interpretative museum displays. Geoff Boxsell argued that there were several reasons why this might not work: the leaseholds in this area are small and the farming land very valuable; flooding is a major problem; the bicycle track has already provided difficulties for local farmers, etc. Geoff commented that he would be able to act as a contact for the local farmers along Swamp Road if the issue were to be followed up.

**Code of Conduct for JVRRA**

Motion:

*That this meeting agrees that JVRRA would benefit from having a Code of Conduct (CoC) covering both Members and Committee Members. That a small subcommittee (2-3 members) be established to draft an appropriate CoC and the subcommittee circulate a draft CoC prior to the August General Meeting for discussion and possible ratification at the August General Meeting.*

Moved: Roger Lyle, seconded: Ros Neilson

Background: It is usual these days for community organisations to have a Code of Conduct. A Code of Conduct will enhance the reputation of JVRRA both within the community as well as with stakeholders.

Roger Lyle contributed a [statement](#) (read out by Bob Neilson) arguing for a sub-committee to be formed to draft a Code of Conduct, and bring it to the next JVRRA meeting. Ros Neilson also [argued](#) in support of a code that includes the issue of confidentiality of ongoing email discussions, to ensure that JVRRA can keep functioning as a viable networking association. Arguments from the floor included the observation that many organisations now have a Code of Conduct. Some concern was expressed that this would be imposing unnecessary bureaucracy on a small association (see Correspondence IN).

The motion was carried.

**ACTION:** Sub-committee consisting of Roger Lyle, John Friedmann and Bob Neilson to meet before the next meeting and draft a Code of Conduct to bring to the meeting.

#### **General Business**

Colin Hollis raised the issue of Council's use of glyphosate once again, in view of recent legal decisions and concerns in other Council areas. He mentioned that aerial spraying is a serious problem in terms of drift of the weed-killer affecting other areas. Others at the meeting expressed similar concerns, particularly involving organic farming practices.

**ACTION:** Colin Hollis to draft a letter for JVRRA to send to Council.

Geoff Boxsell confirmed that the Over-55s group, Jamberoo Inc., have been awarded \$4500 for a community garden under the Community Gardens Grants scheme. Congratulations and happy gardening.

#### **Membership fees**

Reminder: You must be a paid member of JVRRA to vote at the AGM.

- Membership fees for 2019-2020 are \$20 per household. Pay at JVRRA meeting or Direct Deposit BSB 641800; Account No. 004506852.
- New members encouraged – application form [HERE](#).

#### **Nomination of new committee members**

- Position Descriptions for the office bearers (as of July 2018) [HERE](#).
- Call for nominations for Committee Positions before August AGM. Nomination form [HERE](#). NB: 31st July is the deadline for nominations.

#### **Extract from JVRRA Constitution**

(1) Nominations of candidates for election as office-bearers of the Association must be made in writing, in the form set out in Appendix 3 to this [constitution](#), and:

- a) signed by 2 members of the Association and accompanied by the written consent of the candidate, and
- b) must be delivered to the Secretary of the Association at least 7 days before the date fixed for the holding of the Annual General Meeting at which the election is to take place.
- c) With their nominations, candidates may submit a brief written statement summarising the qualities they would bring to the position. These written statements shall be collated and circulated to members at least 2 days prior to the Annual General Meeting.

- d) Candidates may briefly address the meeting prior to the election at the Annual General Meeting.
- (2) If insufficient nominations are received to fill all vacancies on the Committee, the candidates nominated are taken to be elected and further nominations may be received from the floor at the annual General Meeting.
- (3) If insufficient further nominations are received, any vacant positions remaining on the Committee are taken to be casual vacancies.
- (4) If the number of nominations received is equal to the number of vacancies to be filled, the persons nominated are taken to be elected.
- (5) If the number of nominations received exceeds the number of vacancies to be filled, a ballot is to be held.
- (6) The ballot for the election of office-bearers is to be conducted at the Annual General Meeting in such usual and proper manner as the Committee may direct.
- (7) A person nominated as a candidate for election as an office-bearer must be a member of the Association.

**Date of next JVRRA AGM and General Meeting: Tuesday 7 August 2019.**

Close of meeting: 9.00 p.m.

**15.19 Minutes: Minnamurra Progress Association - Annual General Meeting and General Meeting - 2 July 2019**

Responsible Director: Office of the General Manager

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The minutes of the Minnamurra Progress Association Annual General Meeting and the general meeting held on 2 July 2019 are attached for Councillors' information.

**Communication/Community Engagement**

Councillors and staff regularly attend and address Association meetings.

Meeting dates are published on Council's website.

**Attachments**

- 1 Minutes: Minnamurra Progress Association - AGM - 02/07/19 [↓](#)
- 2 Minutes: Minnamurra Progress Association Meeting 02/07/19 [↓](#)

**MINNAMURRA PROGRESS ASSOCIATION –**  
**MINUTES OF ANNUAL GENERAL MEETING 2 JULY 2019**  
**Held at the Progress Hall, Charles Avenue, Minnamurra**

PRESENT: 14 members; 1 visitor

Deborah BLAIR, Sarah BLAIR, Cheryl COLLINSON-SMITH,  
Graeme COLLINSON-SMITH, Jen CORNISH, Ian DODSWORTH, Cliff MASON, Bob  
SINCLAIR, Noelene SINCLAIR, Robert WESTLEY, Janice WESTLEY,  
Phil WILLIAMS, Trish WILSON, Ayden SKORULIS  
Visitor: Mark WAY

APOLOGIES: Barry MAHONEY, John & Kerrie HASELTINE, Murray & Vicki STEELE, Nellie  
& Wilco DELHAAS, Adrian FOX, Aapo SKORULIS, Norma GORE, Andrew WILSON,  
Russell & Robyn COOMBS, Mark HONEY, Arthur & Robin SMITHERS, Bruce COLE, Vicki  
WILLIAMS, Karen & John WILLIAMS, Del DRAXL  
Apologies accepted - Moved: Mark Way Seconded: Ian Dodsworth; CARRIED

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MEETING OPENED: 7.15 pm

MINUTES OF PREVIOUS AGM:

The minutes of the meeting held 3 July 2018 as distributed were accepted.  
Moved: Mark Way Seconded: Robert Westley CARRIED

ANNUAL REPORT:

The report for the 2018-2019 year previously distributed by the President was taken as read  
and accepted. Moved: Graeme Collinson-Smith Seconded: Mark Way CARRIED  
Graeme C-S spoke of Cliff's active involvement and attendance at numerous meetings and  
the motion was carried with acclamation.

TREASURER'S ANNUAL REPORT:

\$1,113.75 in a term deposit trust account; \$1,402.19 in a cheque account and \$11.00 in  
cash – a total of \$2,526.94. Surplus for the year was \$279.40. Full audited financial  
statement attached.

The President thanked Aapo Skorulis for his excellent work throughout the year.

The report as tabled was read and accepted. Moved: Cheryl C-S Seconded: Trish Wilson;  
CARRIED

ELECTION OF OFFICE BEARERS:

Councillor Mark Way assumed the Chair from President Cliff Mason and declared all  
positions vacant. He called for nominations for the position of:

President: Cliff Mason was nominated by Cheryl C-S and seconded by Ian Dodsworth;  
Cliff accepted the nomination and those present unanimously voted in favour. CARRIED

President Cliff Mason resumed the Chair from Mark for the election of the remaining  
positions:

Vice-President: Graeme Collinson-Smith was nominated by Ian Dodsworth and seconded by Robert Westley. Graeme accepted the nomination and those present unanimously voted in favour. CARRIED

Secretary: No nominations were received. President Cliff suggested that we at least needed a Minute Secretary. Nominations from the floor were requested and it was decided to accept two nominations for a Joint Minute Secretary position due to people being unable to commit to being in attendance at all meetings.

Andrew Wilson and Noelene Sinclair were nominated by Cliff Mason and seconded by Trish Wilkson. Nominations were accepted (Trish Wilson on behalf of Andrew said he would be happy to share the position) and those present unanimously voted in favour. CARRIED

Treasurer & Public Officer: Aapo Skorulis was nominated by Cheryl C-S and seconded by Noelene Sinclair. Although absent, Aapo had expressed he would take on these roles. Those present unanimously voted in favour. CARRIED

Additional Members of The Committee: Nominations were taken for Sarah Blair, Phil Williams, Ian Dodsworth, Nellie Delhaas and Rae McClymont.  
Moved: Cliff Mason Seconded: Graeme C-S; CARRIED unanimously.

Auditor: Graeme C-S was nominated by Cliff Mason and seconded by Robert Westley; CARRIED unanimously.

The President thanked everyone for taking on the Committee roles.

Councillor Mark Way suggested that MPA should nominate a representative of the Association for appointment to the Boral Quarry Community Consultative Committee (CCC). It was noted that Selwyn Holland had been a Minnamurra resident representative, but the Association had never nominated a formal representative. Moved: Graeme C-S Seconded: Ian Dodsworth that Aapo Skorulis be nominated (subject to his acceptance). CARRIED

The Annual General Meeting closed at 7.54 pm, and moved on to a General Meeting.

**MINNAMURRA PROGRESS ASSOCIATION – MINUTES 2 JULY 2019**

PRESENT: 14 members; 1 visitor

Deborah BLAIR, Sarah BLAIR, Cheryl COLLINSON-SMITH,  
Graeme COLLINSON-SMITH, Jen CORNISH, Ian DODSWORTH, Cliff MASON, Bob  
SINCLAIR, Noelene SINCLAIR, Robert WESTLEY, Janice WESTLEY,  
Phil WILLIAMS, Trish WILSON, Ayden SKORULIS  
Visitor: Mark WAY

APOLOGIES: Barry MAHONEY, John & Kerrie HASELTINE, Murray & Vicki STEELE, Nellie  
& Wilco DELHAAS, Adrian FOX, Aapo SKORULIS, Norma GORE, Andrew WILSON,  
Russell & Robyn COOMBS, Mark HONEY, Arthur & Robin SMITHERS, Bruce COLE, Vicki  
WILLIAMS, Karen & John WILLIAMS, Del DRAXL  
Apologies accepted - Moved: Mark Way Seconded: Ian Dodsworth; CARRIED

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MEETING OPENED immediately after completion of AGM at 7:55pm. President Cliff Mason  
chaired the meeting.

MINUTES OF PREVIOUS MEETING: The minutes of the meeting held 4 June 2019 as  
distributed were accepted – Moved: Robert Westley Seconded: Mark Way CARRIED

BUSINESS ARISING:

\* Letter of congratulations to Fiona Phillips MP and invitation for her to address a future MPA  
meeting has been sent today; in the meantime Cliff Mason has spoken to her office and  
pencilled in her diary for her to attend the MPA meeting on 6 August.

\* Boral sandmining proposal – 146 submissions opposing the proposal and also Kiama  
Council is opposing it. There was a public meeting organised by Richard Maitland and  
Friends of Minnamurra River on 27 June with 121 in attendance. At that meeting a motion  
was moved that there be further opposition to the proposal. Cliff Mason as President of MPA  
seconded the motion. The motion was unanimously carried. At that meeting it was also  
noted that Gareth Ward MP had asked for members of the public (via a mail out from his  
office to a proportion of the community) to write to him with their views re the Boral proposal  
so that he could pass on views to the Minister. Cliff Mason mentioned that there are bumper  
stickers available opposing the sandmining proposal and on Sunday 7 July there is to be a  
group demonstration at 11.00 am at the Minnamurra Headland with the organisers hoping  
for 300 people to attend. Bob Sinclair asked that everyone talk to neighbours and get as  
many along to show public support. Mark Way made comments about the detrimental  
affects the proposal will have on the road surfaces and for those living in close proximity.

\* Parking at Minnamurra Station – this matter will be followed up by Cliff Mason with Gareth  
Ward MP.

\* Phil Williams highlighted that there has been a tidy up of the area that Ray Smith raised  
concerns about ie the untidiness of the entrance to the Minnamurra area west of the road  
bridge.

CORRESPONDENCE:

IN: Letter from Gareth Ward MP encouraging submissions concerning the Boral sandmining  
proposals.

OUT: Letter of congratulations to Fiona Phillips MP and invitation to address an MPA meeting.

TREASURER'S REPORT:

In Aapo's absence, his report was tabled as followed:

13 members recorded to date for 2019/20; Cliff Mason mentioned no doubt there is more numbers confirmed tonight.

4 June meeting raffle raised \$19.00; \$18.00 deposited on 18 June 2019.

We have \$1,113.75 in a term deposit trust account; \$1,402.19 in our cheque account and \$11.00 in cash – a total of \$2,526.94.

Report accepted – Moved: Robert Westley Seconded: Ian Dodsworth CARRIED

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GENERAL BUSINESS:

1. Supper roster – Trish Wilson accepted to prepare supper for 6 August.
2. Trish Wilson presented a written note from Andrew Wilson stating he had received a letter from RMS re auditing of moorings in the Minnamurra River. Andrew expressed concerns in respect of the mooring fees and auditing process and asked that a letter be sent to RMS. Concerns especially relate to the RMS getting a contractor to do the audit. Graeme Collinson-Smith spoke of his experience of moorings. Ian Dodsworth asked for the history of the moorings. Graeme C-S explained the history and process of having a mooring and mentioned knowing there are non-river residents who have moorings. Cliff Mason explained his personal experience/options for a mooring. Graeme C-S said moorings are not transferable from one home owner to another. Motion was put that a letter be sent to RMS expressing concerns that a mooring inspector needs to be engaged and for the subsequent service fees being charged. Cliff Mason will consult with Andrew re the wording of a letter.

Moved: Trish Wilson Seconded: Cliff Mason CARRIED

3. Bob Sinclair raised concerns about the dumping of blue metal into the river at the river front of a house south of North Street Reserve. He said he had contacted Council and sent photos but hasn't received a reply and the stones are still in the river. Cliff Mason questioned whether the stones may be the same ones dumped about 18 months ago. Ian Dodsworth asked what are the rules for building to the sea wall? Mark Way spoke on the issue and said a DA is required. Cliff Mason explained about his knowledge of building the walls and the involvement of RMS, Fisheries and Department of Environment.

A motion was put that a letter be sent to Council asking about the dumping of the blue metal in the river at the river frontage of 110 Charles Avenue and expressing concerns about negative impact the stones are having on the river. Moved: Bob Sinclair Seconded: Debbie Blair CARRIED

4. Cliff Mason mentioned the need for whoever washes the tea towels after use in the hall that they are returned as soon as possible as they are needed for the other meetings including Ladies Auxiliary.
5. President Cliff thanked Ayden Skorulis for stepping in for his father Aapo and selling raffle tickets and receipting membership renewal dues. He was invited to attend future meetings.

RAFFLE: The raffle was won by Ian Dodsworth

MEETING CLOSED: 8.25 pm for Supper



**16 ADDENDUM TO REPORTS****17 NOTICE OF MOTION**

Nil

**18 QUESTIONS FOR FUTURE MEETINGS****19 CONFIDENTIAL SUMMARY****CONFIDENTIAL COMMITTEE OF THE WHOLE**

Submitted to the Ordinary Meeting of Council held on 16 July 2019

**PROCEDURE**

- Recommendation to go into Closed Committee.
- Mayoral call for Public Representations.
- Consideration of Representations and issues to be removed from Closed Committee.
- Recommendation to exclude Press and Public if required.
- Closed Committee discussions if required.

**19.1 Exclusion Of Press And Public:*****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 on the grounds detailed under the report headings as detailed below.

**20.1 LAND AND ENVIRONMENT COURT APPEALS - LEGAL STATUS REPORT - 1 APRIL 2019 TO 30 JUNE 2019**

**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. .

**20.2 MANAGED PRINT SERVICES TENDER 2019**

**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. .

**20.3 BLUE HAVEN BONAIRA - PURCHASE OF BEDS**

**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. .

**20.4 PROPOSED LEASE RENTAL - DIGGIES BLOWHOLE POINT KIOSK**

**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. .

**20.5 EXECUTIVE OFFICERS' PERFORMANCE AGREEMENTS - REVIEW FOR THE PERIOD 1 APRIL 2018 TO 31 MARCH 2019**

**Reason for Confidentiality:** This matter deals with personnel matters concerning particular individuals (other than councillors) as per Section 10A(2)(a) of the Local Government Act. General Manager performance review including remuneration.

**20.6 CODE OF CONDUCT REPORT**

**Reason for Confidentiality:** This matter deals with personnel matters concerning particular individuals (other than councillors) as per Section 10A(2)(a) of the Local Government Act and alleged contraventions of any code of conduct requirements applicable under section 440 as per Section 10A(2)(i) of the Local Government Act.  
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**20 CONFIDENTIAL REPORTS****20.1 Land and Environment Court Appeals - Legal Status Report - 1 April 2019 to 30 June 2019**

Responsible Director: Environmental Services

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**REASON FOR CONFIDENTIALITY**

*This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to 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.*

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**20.2 Managed Print Services Tender 2019**

CSP Objective: 3.0 A diverse, thriving economy

CSP Strategy: 3.2 Recognise and support Council as a significant purchaser in the local area

Delivery Program: 3.2.1 Procurement protocols encourage local and regional business engagement

**REASON FOR CONFIDENTIALITY**

*This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed, confer a commercial*

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*advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

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### **20.3 Blue Haven Bonaira - purchase of beds**

CSP Objective: 1.0 A healthy, safe and inclusive community

CSP Strategy: 1.2 Planning for and assisting specific needs groups

Delivery Program: 1.2.1 Operate Blue Haven Care

#### **REASON FOR CONFIDENTIALITY**

*This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

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### **20.4 Proposed lease rental - Diggies Blowhole Point kiosk**

Responsible Director: Corporate & Commercial Services

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#### **REASON FOR CONFIDENTIALITY**

*This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

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### **20.5 Executive Officers' Performance Agreements - Review for the period 1 April 2018 to 31 March 2019**

#### **REASON FOR CONFIDENTIALITY**

*This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than councillors).*

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### **20.6 Code of Conduct Report**

Responsible Director: Office of the General Manager

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#### **REASON FOR CONFIDENTIALITY**

*This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than councillors) and alleged contraventions of any code of conduct requirements applicable under section 440.*

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## **21 CLOSURE**

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