



ORDINARY MEETING OF COUNCIL

To be held at 5pm on

Tuesday 20 March 2018

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 Public Access Summary
- 6 Mayoral Minute
- 7 Minutes of Committees
- 8 Public Access Reports
- 9 Report of the General Manager
- 10 Report of the Director Environmental Services
- 11 Report of the Director Corporate, Commercial & Community Services
- 12 Report of the Director Engineering and Works
- 13 Report of the Director Blue Haven
- 14 Reports for Information
- 15 Addendum To Reports
- 16 Notice of Motion
- 17 Questions for future meetings
- 18 Confidential Summary
- 19 Confidential Reports
- 20 Closure

Members

His Worship the Mayor
Councillor M Honey
Councillor K Rice
Deputy Mayor
Councillor M Brown
Councillor N Reilly
Councillor A Sloan
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

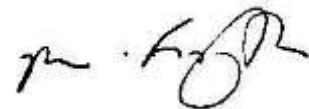
14 March 2018

To the Chairman & 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 20 March 2018** commencing at **5pm** for the consideration of the undermentioned business.

Yours faithfully



Michael Forsyth
General Manager

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**AGENDA FOR THE
ORDINARY MEETING OF KIAMA MUNICIPAL COUNCIL
TUESDAY 20 MARCH 2018**

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 6 February 2018

Attachments

- 1 Minutes - Ordinary Council - 06/02/18 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held on 6 February 2018 be received and accepted.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5pm on

TUESDAY 6 FEBRUARY 2018

Council Chambers 11 Manning Street, KIAMA NSW 2533

Item 3.1

Attachment 1

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS, KIAMA, ON TUESDAY 6 FEBRUARY 2018 AT 5PM

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

IN ATTENDANCE: General Manager, Director Environmental Services,
Director Corporate, Commercial and Community Services and
Director Blue Haven

1 APOLOGIES

Apologies were tendered on behalf of Councillor Westhoff and the Acting Director Engineering & Works, who had been granted leave of absence.

Apology

OC-18/001

Resolved that the apologies as tendered be accepted.

(Councillors Sloan and Steel)

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 Ordinary Council on 19 December 2017

OC-18/002

Resolved that the Minutes of the Ordinary Council Meeting held on 19 December 2017 be received and accepted.

(Councillors Watson and Steel)

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 PUBLIC ACCESS

For/ Against	Name	Item No.	Subject
For	Michael Bradmore	10.3	10.2016.103.3 – Lot 3 DP 1123051, 1 Tasman Drive, Gerringong – proposed modified dwelling

6 MAYORAL MINUTE

6.1 Australia Day 2018

OC-18/003

Resolved that Council:

1. Extend congratulations to the 2018 Australia Day awardees.
2. Thank Jeremy Jones AM for his Ambassadorial addresses.
3. Thank Sing Australia, Bronte Guggisberg, Dale and Germaine Wright and the Jamberoo Public School for their performances.
4. Thank the Kiama Coast Holiday Parks for their sponsorship of the Outdoor movie night.
5. Thank Councillors Reilly, Westhoff, Steel, Way, Brown, Watson and Sloan along with the General Manager, Kirrilee McManus, Narelle Mousdale and Carole Johnston for their assistance in organising the successful Australia Day events.
6. Consider the allocation of funds for the installation of appropriate air conditioning in the Jamberoo School of Arts in the 2018/2019 budget.
7. Review the hall hire fee for the Jamberoo School of Arts for inclusion in the 2018/2019 fees and charges.
8. Implement corporate male Councillor summer wear that while looking smart and business like, allows the wearer a greater degree of comfort in hot and humid conditions by utilising light weight natural fabrics.

(Councillors Reilly and Way)

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

6.2 Mr Gerard McInerney, OAM

OC-18/004

Resolved that Council formally congratulates Mr McInerney on receiving the Order of Australia award.

(Councillors Honey and Brown)

7 MINUTES OF COMMITTEES

7.1 Minutes - Audit, Risk and Improvement Committee meeting – 30 November 2017

OC-18/005

Resolved that the Minutes of the Audit, Risk and Improvement Committee Meeting held on 30 November 2017 be received and accepted and the recommendations therein be endorsed.

(Councillors Sloan and Watson)

COMMITTEE OF THE WHOLE

OC-18/006

Resolved that at this time, 5.10pm, 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 & Community Services
- Report of the Director Engineering and Works
- Report of the Director Blue Haven
- Addendum to Reports

(Councillors Brown and Way)

8 PUBLIC ACCESS REPORTS

OC-18/007

Committee recommendation that at this time, 5.10pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Way and Rice)

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

10.3 10.2016.103.3 - Lot 3 DP 1123051, 1 Tasman Drive, Gerringong – proposed modified dwelling

It was moved by Councillor Way and seconded by Councillor Steel that Council approve development application No 10.2016.103.3 pursuant to section 80 of the Environmental Planning and Assessment Act 1979.

The **Motion** on being Put was **Lost**.

For: Councillors Steel and Way

Against: Councillors Brown, Honey, Reilly, Rice, Sloan and Watson

OC-18/008

Committee recommendation that Council refuse development application No 10.2016.103.3, pursuant to Section 80 of the Environmental Planning and Assessment Act 1979 for the following reasons:

1. The proposed modified development is inconsistent with the provisions of Kiama DCP 2012 Chapter 25 – Site Specific Controls – Gerringong Headland Site – 6.3.1 Built Form Objectives:
 - (i) strong architectural character;
 - (ii) equitable outlook and privacy to all dwellings;
 - (vi) minimise the bulk and visual impact of dwellings.
2. Having regard to the requested variations and submissions received, approval of the modified development would not be in the public interest.

(Councillors Reilly and Brown)

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

Against: Councillor Way

9 REPORT OF THE GENERAL MANAGER

9.1 Request for sponsorship: Kiama Rugby Sevens 2018

OC-18/009

Committee recommendation that Council provide support for the 2018 Kiama Rugby Sevens by:

1. providing \$5,000 financial support
2. donating the use of The Pavilion and grounds; and
3. carrying out waste, recycling and cleaning services for the event.

(Councillors Brown and Way)

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

9.2 Joint Organisation

OC-18/010

Committee recommendation that in accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act) the Kiama Municipal Council resolves:

1. That the council inform the Minister of Local Government of the Council's endorsement of the Minister recommending to the Governor the establishment of a Joint Organisation in accordance with this resolution.
2. To approve the inclusion of the Council's area in the Joint Organisation's area.
3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:
 - a) Wollongong City Council
 - b) Shellharbour City Council
 - c) Shoalhaven City Council.
4. That on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:
 - a) with a copy of this resolution including the date on which Council made this resolution, and
 - b) inform the Minister that this resolution has not been rescinded,for the purpose of the Minister issuing a certificate under section 400P of the Act.

(Councillors Brown and Watson)

9.3 Delivery Program/Operational Plan Report - October to December 2017

OC-18/011

Committee recommendation that Council:

1. Receives the Delivery Program 2017-21 and Operational Plan 2017-18 progress report for the period October to December 2017.
2. Congratulate the staff on an excellent document.

(Councillors Brown and Reilly)

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

9.4 Kiama Readers' Festival 2018

OC-18/012

Committee recommendation that Council support the Readers' Festival by providing outdoor staff to assist in the setup of the launch of the Festival at the Kiama Library and by donating the hall hire for the event.

(Councillors Reilly and Way)

10 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

10.1 10.2017.310.1 - Lot 136 DP: 30126 - 98 Attunga Avenue, Kiama Heights - Demolition of existing dwelling, construction of attached dual occupancy and 2 Lot Torrens Title subdivision

OC-18/013

Committee recommendation that Council approve Development Application No 10.2016.301.1 pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979, subject to conditions at the end of the report.

(Councillors Steel and Sloan)

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

Against: Nil

10.2 10.2016.301.1 – Lot 34 DP 1181744, 2 Surfleet Place, Kiama - Demolition of Existing Dwelling and Construction of 46 Townhouses and Car Park

OC-18/014

Committee recommendation that Council grant deferred commencement development consent to development application 10.2016.301.1 pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, subject to conditions contained at the end of this report with the addition of the following condition:

Prior to the issue of any Occupation Certificate, the developer shall make application to Council for the provision of Domestic Waste Management Services.

(Councillors Way and Brown)

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

Against: Nil

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

10.4 10.2017.138.1 - Lot 77 DP 1206414, 13 Fadden Street, Kiama - Detached dual occupancy and 2 lot Torrens Title subdivision

OC-18/015

Committee recommendation that Council refuse Development Application No 10.2017.138.1 pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, for the following reasons:

1. Failure to suitably satisfy planning controls that respond to the first aim 1.2 2a of Kiama LEP 2011 –
To provide planning controls for the Kiama area to achieve ecologically sustainable development principles.
2. Failure to satisfy the Kiama LEP 2011 R2 zone objective –
To provide for the housing needs of the community within a low density residential environment.
3. Failure to satisfy the Kiama DCP controls C26, C56 and C38, among others.

(Councillors Rice and Sloan)

For: Councillors Honey, Rice, Sloan and Steel

Against: Councillors Brown, Reilly, Watson and Way

The **Motion** was Put and **Carried** on the casting vote of the Mayor.

10.5 10.2017.176.1 - Lot 99 DP 1206414, 47 Merrick Circuit, Kiama - attached dual occupancy and 2 Lot Torrens Title subdivision

It was moved by Councillor Brown and seconded by Councillor Way that Council approve Development Application number 10.2017.176.1 pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979, subject to conditions at the end of the report and the following specific conditions regarding:

- (a) privacy screen.
- (b) landscaping design.

For: Councillors Brown, Reilly, Watson and Way

Against: Councillors Honey, Rice, Sloan and Steel

The **Motion** was Put and **Lost** on the casting vote of the Mayor.

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

OC-18/016

Committee recommendation that Council refuse Development Application number 10.2017.176.1 pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 for the following reason:

1. It fails to comply with Kiama DCP controls C26, C34 and C56 and potentially C37.

(Councillors Sloan and Rice)

For: Councillors Honey, Rice, Sloan and Steel

Against: Councillors Brown, Reilly, Watson and Way

The **Motion** was Put and **Carried** on the casting vote of the Mayor.

11 REPORT OF THE DIRECTOR CORPORATE, COMMERCIAL & COMMUNITY SERVICES

11.1 Request for Sponsorship: KISS Arts Festival 2018

OC-18/017

Committee recommendation that Council:

1. Support the 2018 KISS Arts Festival by providing \$15,000 sponsorship as a one-off.
2. Provide in-kind support for reserve hire fees for Black Beach/School Flat and Hindmarsh Park and provide extra bins free of charge for the 2018 event.
3. That in receiving these funds, that the KISS Arts Festival undertake to work with the Events Coordinator and the Manager Tourism and Events to:
 - a. Discuss and provide to Council the Event Business Plan / Marketing Plan, inclusive of Budget
 - b. Confirm the events economic impact measurements, payment milestones and schedule, and post event reporting requirements
 - c. Discuss event integration with other Kiama area tourism providers, including packaging, in order to drive visitation from outside the region
 - d. Discuss and document the recognition of Council/Destination Kiama funding and support, prior to any event promotion

(Councillors Brown and Reilly)

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

11.2 2018 Kiama Bodyboard Slam

OC-18/018

Committee recommendation that Council support the Surfing NSW and Association of Professional Bodyboarders (APB) application for funding to Destination NSW for Kiama to host the 2018 Kiama Bodyboard Slam, to the value of \$10 000.

(Councillors Way and Brown)

11.3 My Health Record Community Awareness Campaign

OC-18/019

Committee recommendation that Council endorse the submission of an Expression of Interest to participate in the local community awareness campaign.

(Councillors Rice and Steel)

11.4 South Coast Food Industry Dinner

OC-18/020

Committee recommendation that Council sponsors the South Coast Food Industry Dinner \$2,500 to contribute to the costs of running the event from the Economic Development budget.

(Councillors Way and Reilly)

11.5 Gerringong Men's Shed Inc - Jubilee Oval Gerringong

OC-18/021

Committee recommendation that :

1. Council endorse the use of the new Shed as temporary storage for the Gerringong Historical Society's exhibitions whilst the Gerringong Library AND Museum development is taking place.
2. Council provide support to an additional Men's Shed facility on Jubilee Oval Gerringong and that a licence agreement is to be entered into for the establishment as a Men's Shed and that delegated authority be given to the General Manager or Mayor to sign a licence agreement.

(Councillors Way and Steel)

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

11.6 Statement of Investments - December 2017

OC-18/022

Committee recommendation that the information relating to the Statement of Investments for December 2017 be received and adopted.

(Councillors Brown and Way)

11.7 Financial Report for the period ending 31 December 2017

OC-18/023

Committee recommendation that the revised budget for the period ending 30 December 2017 be received and adopted.

(Councillors Brown and Rice)

11.8 Interstate Conference - Destination Australia One Day Conference

OC-18/024

Committee recommendation that Council grants approval for Councillor Brown and Council's Manager Tourism and Events, Karen Ronning, to attend the Destination Australia One Day Conference in Melbourne on Thursday 15 March 2018.

(Councillors Way and Steel)

OC-18/025

Committee recommendation that at this time Council bring forward and deal with Item 15.2 of the Addendum to Reports.

(Councillors Way and Brown)

15.2 Community Engagement and Feedback on Proposed Special Rate Variation

OC-18/026

Committee recommendation that Council:

1. Endorse the amended Delivery Program.

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

2. Endorse the actions of the General Manager in making administrative changes to the Delivery Program and placing it on public exhibition.
3. Note that the closing date for these submissions on the amended Delivery Program is 21 February 2018 after allowing 28 days public exhibition.
4. Acknowledge the submissions received during the public exhibition period from 21 November 2017 to 19 January 2018 inclusive, specifically in relation to the proposed special rate variation and that details of all submissions be included in Council's application to IPART.
5. Proceed to formal application to IPART for a section 508(A) special rate variation of 6% (including rate pegging) for three successive years, to be retained permanently in the rate base with the cumulative impact being 19.1% or 12.04% net of rate pegging.

(Councillors Way and Steel)

12 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

Nil

13 REPORT OF THE DIRECTOR BLUE HAVEN

13.1 Blue Haven Care Home - Assessment Contact and Food Safety Audit

OC-18/027

Committee recommendation that Council:

1. Note the successful Assessment Contact visit undertaken by the Quality Agency on 3 January 2018.
2. Note the successful result of the bi-annual food safety audit for Blue Haven Care Home.
3. Congratulate the Blue Haven staff.

(Councillors Brown and Reilly)

14 REPORTS FOR INFORMATION

OC-18/028

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

- 14.1 Question for Future Meeting: Signage Strategy
- 14.2 Minutes - Minnamurra Progress Association meeting - 5 December 2017

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

- 14.3 Regional Illegal Dumping Quarterly Report – 1 October to 31 December 2017
- 14.4 Parking Statistics - December 2017
- 14.5 Question for Future Meeting: Pop-up trucks/shops on roadsides
- 14.6 Minutes - Planning Committee meeting - 11 December 2017 and 10 August 2017 (amended)
- 14.8 Minutes - Kiama Youth Advisory Committee meeting - 9 November 2017
- 14.9 NAIDOC Week School Initiative Program
- 14.10 Minutes - South Precinct meeting - 21 December 2017
- 14.12 Submission to the Office of Local Government - Consultation on the draft Model Code of Meeting Practice for Local Councils in NSW
- 14.15 Question for Future Meeting: Strengthening Development Control Plan Provisions
- 14.16 Question for Future Meeting: Protection of residential amenity in medium density and dual occupancies
- 14.17 Question for Future Meeting: Affordable Housing State Environmental Planning Policy (SEPP70)
- 14.18 Illawarra Respite and Carelink Centre - Funding
- 14.19 Successful funding applications
- 14.20 Spring Creek - Proposed DCP
- 14.21 Councillor Report on Conference Attendance
- 14.22 Local Government NSW Annual Conference 2017 Report
- 14.23 Questions for Future Meetings Register as at 30 January 2018.

(Councillors Sloan and Steel)

14.7 Local Government NSW Tourism Conference

OC-18/029

Committee recommendation that Council, depending upon his availability, approve the attendance of Councillor Steel at the Local Government NSW Tourism Conference.

(Councillors Brown and Sloan)

14.11 NSW Container Deposit Legislation – Return and Earn Reverse Vending Machines:

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

1. Note that Kiama does not have a problem with waste collection and disposal.

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

2. Appreciate the vast majority of citizens and visitors to Kiama who acknowledge their responsibility to thoughtfully dispose of their waste, including recyclables.
3. Thank Council's staff who manage the collection and disposal of waste to a very high standard.
4. Note that this is being done without financial incentives which acknowledges that the vast majority of our residents and visitors see the thoughtful disposal of waste as a society issue which they wish to be involved, or, more simply they want to "Do The Right Thing".
5. Note that the cost of products in recyclable containers has increased since the NSW Government has introduced this policy.
6. Note that any increase to the cost of goods affects those most vulnerable and most in need as well as working families already in stress.
7. Note that private sector companies, such as Cleanaway, have been awarded the collection contract for the scheme.
8. Note the false economy of taxing the producers of products sold in recyclable containers who then pass that cost to members of our community who buy goods in recyclable containers who then may, or may not, return those containers to companies, such as Cleanaway, who take a percentage of that money to cover their costs and make a profit.
9. Note that by giving rubbish a value will encourage people to collect and hoard rubbish.
10. Note the negative health and environmental issues associated by people collecting and hoarding rubbish.
11. Note that we will then see more people motivated by money, rather than "Doing The Right Thing", rummage through our bins to collect and hoard rubbish until those people return it - which will ultimately only benefit the companies involved to allegedly fix a problem that did not exist in the first place.
12. Note the numerous examples in NSW where this policy has been introduced where the collection facility is often faulty which then has created a "pop-up dump" in shopping centre car-parks, railway stations, etc.
13. Note the reluctance of property owners to host a collection facility for the very reasons stated in point 12 above.
14. Reject the introduction of this scheme in our community due to the host of negative environmental, health, social and economic reasons.

The **Motion** was Put and **Lost**.

14.13 Urban Waste Service over the Christmas/New Year period

OC-18/030

Committee recommendation that Council

1. Note the report contained in Item 14.13.
2. Acknowledge the large influx of visitors to the Kiama Municipality over the Christmas holiday period.

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

3. Note that many local families are spending more time in their homes and having more visitors than usual.
4. Note that Red Bin rubbish escalates during this period due to the increased number of people in households as well as people spending a longer period of time in their homes as well as there being more packaging waste which is prevalent to food and presents.
5. Provide an extra Red Bin service during the Christmas/New Year period, subject to budgetary considerations.

(Councillors Brown and Watson)

14.14 Discharge from Bombo Sewerage Treatment Plan

OC-18/031

Committee recommendation that Council authorise Councillor Sloan to attend the meeting with Sydney Water.

(Councillors Sloan and Steel)

15 ADDENDUM TO REPORTS

OC-18/032

Committee recommendation that at this time, 6.57pm Council bring forward and deal with matters pertaining to the Addendum to Reports.

(Councillors Sloan and Steel)

15.1 Australian Local Government Women's Association Conference - Gundagai, 15 to 17 March 2018

OC-18/033

Committee recommendation that Council approve the attendance of Councillor Rice at the Australian Local Government Women's Association conference.

(Councillors Brown and Way)

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

RESUMPTION OF ORDINARY BUSINESS

OC-18/034

Committee Recommendation that at this time, 6.58pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Sloan and Way)

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

OC-18/035

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 OC-18/007 to OC-18/034 above.

(Councillors Sloan and Steel)

16 NOTICE OF MOTION

16.1 Rescission of Motion - Item 10.3 Report to Council supporting Initial Gateway Consideration of the Planning Proposal for Housekeeping Amendments to the Kiama LEP 2011 (Council meeting held 19 December 2017)

OC-18/036

Resolved that Council rescind Committee Recommendation (OC-17/222) Item 10.3 1(c):

1. *Endorse this planning Proposal to amend the Kiama LEP 2011 in order to:*
 - (c) *reduce the total floor area of secondary dwellings to 25% of the total floor area of the principal dwelling.*

(Councillors Reilly and Steel)

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

Against: Councillors Rice, Sloan and Way

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

OC-18/037

Resolved that Council remove item "1.(c) Reduce the total floor area of secondary dwellings to 25% of the total floor area of the principal dwelling" from report item 10.3 Report to Council Supporting Initial Gateway Consideration of the Planning Proposal for Housekeeping amendments to the Kiama LEP 2011, of the 19 December 2017 Council meeting.

(Councillors Reilly and Steel)

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

Against: Councillors Rice, Sloan and Way

17 QUESTIONS FOR FUTURE MEETING

17.1 Kiama Farmers Market - parking signs

Councillor Reilly requests an investigation into whether temporary corflute 'A' frames can be placed in front of 2 carparks outside the medical centre and pharmacist in Manning Street during the Kiama Farmers Market operating times, bearing the message "*please leave this parking space free for medical and pharmacy patients... a request from Kiama Municipal Council*".

The Mayor referred this matter to the Director Engineering & Works and the Director Environmental Services for investigation and possible implementation.

17.2 Noorinan Street - stairway safety

Councillor Reilly requests a small stairway with a handrail be installed connecting the two road levels of Noorinan Street.

The Mayor referred this matter to the Director Engineering & Works for investigation and possible action.

17.3 Amendment to Kiama LEP 2011 - SP3 Tourist Zones

Councillor Reilly requests a report on amending the Kiama LEP 2011 to include SP3 Tourist Zones.

The Mayor referred this matter to the Director Environmental Services for investigation and report.

17.4 Kiama Farmers Market – possible relocation

Councillor Steel requests a report on the possibility of the Kiama Farmers Market moving to an area at The Pavilion Kiama.

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

The Mayor referred this matter to the Director Corporate, Commercial and Community Services for investigation and report.

17.5 Bathers development - parking

Councillor Rice requests a report on how street parking in the vicinity of the Bathers development is proposed to be regulated following its occupancy.

The Mayor referred this matter to the Director Engineering & Works for investigation and report.

17.6 Summer attire for Councillors

Councillor Way requests an investigation into supplying Councillors and Directors additional clothing for summer as follows:

1. short sleeve white shirt, 100% cotton with Council logo embroidered on the pocket (2 items per person)
2. a straw hat with wide brim and Council logo.

The Mayor referred this matter to the General Manager for investigation and possible implementation.

18 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.

18.1 Exclusion Of Press And Public:

OC-18/038

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.

19.1 CULTURAL BOARD MINUTES AND ART HONOUR ROLL NOMINATION

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. .

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

19.2 BLUE HAVEN CARE - RANSOMEWARE ATTACK

Reason for Confidentiality: This matter deals with information that would, if disclosed, prejudice the maintenance of law as per Section 10A(2)(e) of the Local Government Act. .

19.3 ISJO REGIONAL ROAD/PAVEMENT LINE MARKING RFT

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. .

(Councillors Steel and Reilly)

OC-18/039

Resolved that at this time, 7.25pm, Council form itself into a Confidential Committee of the Whole to deal with matters listed in the recommendations as set out below subject to the consideration of any representations relating to such action.

(Councillors Brown and Way)

19 CONFIDENTIAL REPORTS

19.1 Cultural Board Minutes and Art Honour Roll Nomination

OC-18/040

Committee recommendation that Council endorse the Kiama Cultural Board recommendation that the nomination to the Arts Honour Roll for Mrs Dorothy O'Keefe be deemed unsuccessful.

(Councillors Brown and Way)

19.2 Blue Haven Care - Ransomeware Attack

OC-18/041

Committee recommendation that Councillors note this report.

(Councillors Brown and Sloan)

MINUTES OF THE ORDINARY MEETING

6 FEBRUARY 2018

19.3 ISJO Regional Road/Pavement Line marking RFT

OC-18/042

Committee recommendation that Council recommend Tenderers for appointment to Road/Pavement Line Marking Panel to be established by participating Councils. Access to the three successful submissions will be via KMC Vendor Panel processes;

- Wollongong Line Marking Services Pty Ltd
- Complete Line Marking Services Pty Ltd
- Oz Line marking (NSW) Pty Limited

(Councillors Brown and Watson)

Close of Confidential Committee of the Whole:

OC-18/043

Committee recommendation that at this time, 7.27pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Brown and Way)

Adoption of Report

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

OC-18/044

Resolved that the Confidential Committee of the Whole recommendations numbered OC-18/040 to OC-18/043 be confirmed and adopted.

(Councillors Brown and Way)

20 CLOSURE

There being no further business the meeting closed at 7.27pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 20 March 2018

.....
Mayor

3.2 Extraordinary Council meeting on 1 March 2018

Attachments

- 1 Minutes - Extraordinary Council - 01/03/18 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Extraordinary Council Meeting held on 1 March 2018 be received and accepted.

Item 3.2



MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

commencing at 4pm on

THURSDAY 1 MARCH 2018

Council Chambers
11 Manning Street, KIAMA NSW 2533

Item 3.2

Attachment 1

MINUTES OF THE EXTRAORDINARY MEETING

1 MARCH 2018

MINUTES OF THE EXTRAORDINARY MEETING OF THE COUNCIL OF
THE
MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS,
KIAMA, ON THURSDAY 1 MARCH 2018 AT 4.03PM

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

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

1 APOLOGIES

An apology was tendered on behalf of Councillor Steel.

[OC-18/045](#)

[Resolved that the apology as tendered be accepted.](#)

(Councillors Sloan and Rice)

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.”

MINUTES OF THE EXTRAORDINARY MEETING**1 MARCH 2018****PUBLIC ACCESS**

For/ Against	Name	Item No.	Subject
Support	Trevor Symonds	3.1	10.2017.211.1 – Lot 70 DP 1206414, 83 Merrick Circuit, Kiama – detached dual occupancy and 2 lot Torrens Title Subdivision
Support	Ashley Young	3.3	10.2017.221.1 – Lot 96 DP 1206414 – 53 Merrick Circuit, Kiama – attached dual occupancy and 2 Lot Torrens Title Subdivision
Support	Trevor Symonds	S.3	Rescission Motion: 6 February 2018 - Item 10.5 - 10.2017.176.1 - Lot 99 DP 1206414, 47 Merrick Circuit, Kiama - attached dual occupancy and 2 Lot Torrens Title subdivision

Item 3.2

Attachment 1

COMMITTEE OF THE WHOLE**OC-18/046**

Resolved that at this time, 4.04pm, Council form itself into a Committee of the Whole to deal with matters listed in the reports as set out below:

- Report of the Director Environmental Services
- Report of the Director Corporate, Commercial & Community Services
- Addendum to Reports

(Councillors Brown and Way)

PUBLIC ACCESS REPORTS**OC-18/047**

Committee recommendation that at this time, 4.05pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Brown and Way)

MINUTES OF THE EXTRAORDINARY MEETING

1 MARCH 2018

3.1 10.2017.211.1 – Lot 70 DP 1206414, 83 Merrick Circuit, Kiama – detached dual occupancy and 2 lot Torrens Title Subdivision

OC-18/048

Committee recommendation that Council approve Development Application No. 10.2017.211.1 under Section 80 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, Sloan, Watson, Way and Westhoff
Against: Nil

3.3 10.2017.221.1 – Lot 96 DP 1206414 – 53 Merrick Circuit, Kiama – attached dual occupancy and 2 Lot Torrens Title Subdivision

OC-18/049

Committee recommendation that Council approve Development Application No. 10.2017.221.1 under Section 80 of the Environmental Planning and Assessment Act, 1979, subject to conditions at the end of this report and the following specific matter requiring conditioning:

(a) NSW RFS General Terms of Approval.

(Councillors Way and Brown)

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

S.3 Rescission Motion: 6 February 2018 - Item 10.5 - 10.2017.176.1 - Lot 99 DP 1206414, 47 Merrick Circuit, Kiama - attached dual occupancy and 2 Lot Torrens Title subdivision

OC-18/050

Committee recommendation that Council rescind the motion to refuse Development Application No. 10.2017.176.1 pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 for the following reason:

1. It fails to comply with Kiama DCP controls C26, C34 and C56 and potentially C37.

(Councillors Brown and Watson)

MINUTES OF THE EXTRAORDINARY MEETING

1 MARCH 2018

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

OC-18/051

It was **moved** by Councillor Brown and **seconded** by Councillor Sloan that Council approve Development Application No. 10.2017.176.1 pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 subject to the conditions contained at the end of Item 10.5 of the business paper of the Ordinary meeting held on 6 February 2018.

The **Motion** was put and **carried**.

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

3 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

3.2 10.2017.331.1 – Lot 28 DP 1181744 – 43 Surfleet Place, Kiama – attached dual occupancy and 2 lot Torrens Title Subdivision

OC-18/052

Committee recommendation that Council approve Development Application No. 10.2017.331.1 under Section 80 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of the report.

(Councillors Brown and Watson)

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

3.4 10.1017.222.1 – Lot 8 DP 1206414 – 96 Merrick Circuit, Kiama – attached dual occupancy and 2 Lot Torrens Title Subdivision

OC-18/053

Committee recommendation that Council approve Development Application No. 10.2017.222.1 under Section 80 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of the report.

(Councillors Brown and Reilly)

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

MINUTES OF THE EXTRAORDINARY MEETING

1 MARCH 2018

3.5 10.2017.322.1 – Lot 410 DP 1209559 – 29 Gibson Crescent, Jamberoo – dual occupancy and 2 Lot Torrens Title Subdivision

OC-18/054

Committee recommendation that Council approve Development application No. 10.2017.332.1 under to Section 80 of the Environmental Planning and Assessment Act 1979, subject to conditions/reasons at the end of the report.

(Councillors Brown and Watson)

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

OC-18/055

Committee recommendation that at this time, Council bring forward and deal with matters pertaining to the Addendum to Reports.

(Councillors Way and Westhoff)

S.2 Rescission Motion: 6 February 2018 - Item 10.4 - 10.2017.138.1 - Lot 77 DP 1206414, 13 Fadden Street, Kiama - Detached dual occupancy and 2 lot Torrens Title subdivision

OC-18/056

Committee recommendation that Council rescind Committee Recommendation OC-18/015 to refuse Development Application No. 10.2017.138.1 Lot 77 DP 1206414 pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, for the following reasons:

1. Failure to suitably satisfy planning controls that respond to the first aim 1.2 2a of Kiama LEP 2011 –
To provide planning controls for the Kiama area to achieve ecologically sustainable development principles.
2. Failure to satisfy the Kiama LEP 2011 R2 zone objective –
To provide for the housing needs of the community within a low-density residential environment.
3. Failure to satisfy the Kiama DCP controls C26, C56 and C38, among others.

(Councillors Brown and Reilly)

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

MINUTES OF THE EXTRAORDINARY MEETING

1 MARCH 2018

OC-18/057

It was **moved** by Councillor Brown and **seconded** by Councillor Reilly that Council approve Development Application No. 10.2017.138.1 pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979 subject to the conditions contained at the end of Item 10.4 of the business paper of the Ordinary meeting held on 6 February 2018.

The **Motion** was put and **carried**.

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

Against: Councillors Rice, Sloan and Westhoff

4 REPORT OF THE DIRECTOR CORPORATE, COMMERCIAL & COMMUNITY SERVICES

4.1 Request for Sponsorship - Kiama Red Cross 2018 Fun Run

OC-18/058

Committee recommendation that:

1. Council provide \$2000 sponsorship to the Kiama Red Cross for the purpose of holding the 2018 Kiama Fun Run.
2. Council provide the following in kind support:
 - use of the Kiama Coastal Walk – free of charge as per previous years
 - garbage removal (waste management) at no charge
 - loan of Council marquee, bollards & sound system
3. In receiving these funds, the Red Cross Kiama Fun Run undertake to work with the Events Coordinator and the Manager Tourism and Events to:
 - a. discuss event integration with other Kiama area tourism providers including packaging, in order to drive visitation from outside the region
 - b. discuss and document the recognition of Council/ Destination Kiama funding and support, prior to any event promotion.
4. This is pending the approvals by Council for:
 - use of the Kiama Coastal Walk & Coronation Park for the Fun Run (Reserve application form)
 - key hire form
 - Event Waste Management Plan
 - outdoor food stall form (Temporary food stall application)
 - risk assessment

MINUTES OF THE EXTRAORDINARY MEETING

1 MARCH 2018

- provision of Public Liability insurance (certificate of currency – minimum \$20 million)
- traffic management plan

(Councillors Brown and Way)

4.2 Community Feedback on amended Delivery Program

OC-18/059

Committee recommendation that Council:

1. Formally adopt the revised Delivery Program which contains a separate section detailing the Special Rate Variation proposal.
2. Note that no public submissions were received during this exhibition period.
3. Notify IPART of this resolution and the fact that no additional submissions have been received to those already provided to IPART as part of the Special Rate Variation application.

(Councillors Rice and Way)

5 REPORTS FOR INFORMATION

Nil

ADDENDUM TO REPORTS

S.1 Additional information - DA10.2017.176.1 - 47 Merrick Circuit Kiama

OC-18/060

Committee recommendation that the report be received and noted.

(Councillors Way and Westhoff)

S.3 Rescission Motion: 6 February 2018 - Item 10.5 - 10.2017.176.1 - Lot 99 DP 1206414, 47 Merrick Circuit, Kiama - attached dual occupancy and 2 Lot Torrens Title subdivision

This item was dealt with as part of Public Access.

MINUTES OF THE EXTRAORDINARY MEETING

1 MARCH 2018

RESUMPTION OF ORDINARY BUSINESS

OC-18/061

Committee recommendation that at this time, 4.41pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Way and Westhoff)

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

OC-18/062

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 OC-18/047 to OC-18/061 above.

(Councillors Way and Westhoff)

CONFIDENTIAL SUMMARY

OC-18/063

Resolved that at this time, 4.43pm, 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 Reilly and Watson)

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.

Exclusion Of Press And Public:

OC-18/064

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

MINUTES OF THE EXTRAORDINARY MEETING

1 MARCH 2018

6.1 PROPOSED LAND ACQUISITION

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.

(Councillors Way and Westhoff)

Councillor Brown left the meeting at 4:43pm.

Councillor Brown returned to the meeting at 4:45pm.

6 CONFIDENTIAL REPORTS

6.1 Proposed Land Acquisition

It was **moved** by Councillor Way and **seconded** by Councillor Sloan that Council not proceed with the purchase of land up to the value detailed in the 17 October 2017 report.

The **Motion** on being put was **lost**

OC-18/065

Committee recommendation that Council:

1. Proceed with the proposed purchase of land up to the value detailed in the 17 October 2017 report.
2. That the Mayor and General Manager be authorised to sign and seal any documentation for the purchase of this parcel of land.

(Councillors Brown and Reilly)

For: Councillors Brown, Honey, Reilly, Rice, Watson and Westhoff

Against: Councillors Sloan and Way

Close of Confidential Committee of the Whole:

OC-18/066

Committee recommendation that at this time, 5.10pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Brown and Reilly)

MINUTES OF THE EXTRAORDINARY MEETING

1 MARCH 2018

Adoption of Report

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

OC-18/067

Resolved that that the Confidential Committee of the Whole recommendations numbered OC-18/064 to OC-18/066 be confirmed and adopted.

(Councillors Brown and Watson)

7 CLOSURE

There being no further business the meeting closed at 5.11pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 20 March 2018.

.....
Mayor

Item 3.2

Attachment 1

4 BUSINESS ARISING FROM THE MINUTES

5 PUBLIC ACCESS SUMMARY

6 MAYORAL MINUTE

6.1 Passing of Brian Longbottom

Attachments

Nil

Enclosures

Nil

RECOMMENDED

That Council note Mr Longbottom's passing with regret and recognise his significant service to tourism and the community.

REPORT

Brian Longbottom was as big in his views and opinions, as he was in physical stature.

Whether your connection with him was in person or virtual, you knew you were dealing with someone who knew their position, was clear on what they believed was right, and would do whatever it took to achieve the best possible outcome for the greater good.

Nowhere was this "modus operandi" more evident than in Mr Longbottom's tireless, and often unseen, work for the benefit of the New South Wales tourism industry and more specifically, the South Coast and his beloved Kiama Local Government Area (LGA).

Mr Longbottom was a Board member of Kiama & District Chamber of Commerce for approximately 10 years between 2000 and 2010. He also held the position of Chair of Kiama Tourism for seven years, from 2009 to 2015, and was a Board member for over 12 years. During his time as Chair, Mr Longbottom led the Board to achieve the following milestones, many of which are still reaping benefits for the Kiama LGA and broader NSW South Coast Tourism LGA today:

- Spear-heading the first update of the Kiama Visitors Centre in 20 years
- Increasing visitation to Kiama year-on-year by over 6 per cent
- Increasing Kiama Tourism membership by 25 per cent
- Jointly with Kiama Council introducing New Year's Eve Fireworks to Kiama, increasing the event size each year
- Raising the profile and presence of the Kiama LGA with peak tourism bodies including Destination NSW, resulting in increased funding and famils
- Starting the UNSPOILT tourism marketing campaign which is still in use and is to continue for a number of years. This campaign is hailed as the most

Mayoral Minute

6.1 Passing of Brian Longbottom (cont)

successful in Destination NSW's history and winning a gold award in the Asia Pacific region

- Introducing a Destination Management Plan for Kiama
- Introducing a Code of Conduct for the Board and the operations, plus operational Governance audits.
- Introducing the Rail and Sail Tourism event

A number of Council representatives attended Brian's funeral and Council has forwarded condolences to Brian's wife and daughter, Elaine and Sophie.

6.2 Queen's Baton Relay - 5 February 2018**Attachments**

Nil

Enclosures

Nil

RECOMMENDED that Council:

1. Congratulate all Batonbearers on their participation.
2. Thank Otto Kamenzin and Alice Rozynski of the Gold Coast Organising Committee for bringing the Queen's Baton Relay through Kiama.
3. Thank all Kiama LGA Schools and their Principals for participating
4. Thank Kim Duffy and Gerard King of Kiama Coaches for acting as key contact with Transport NSW, Gerringong Bus Company and Premier Coaches for all transportation movements
5. Thank the following service organisations for their participation in providing community sausage sizzles: Rotary Clubs of Kiama and Gerringong; Lions Clubs of Minnamurra, Kiama and Gerringong; and the Men's Sheds of Gerringong and Kiama.
6. Thank the Men's Shed of Kiama for their work in providing the flagpoles for the Commonwealth Parade of Flags.
7. Thank NSW Police for their participation in community and road safety
8. Thank NSW Ambulance for providing staff on location at the Pavilion for entry/exit of the Seahawk Helicopter
9. Thank LCDR Belinda Finlay for her assistance in arranging the participation of the HMAS Albatross's Seahawk M60HR Helicopter for the event
10. Thank WaveFM for providing Travis Winks & Mel Greig as MCs for the Showground finale
11. Thank Kate Daly and Mallory McLennan for their outstanding support of the event
12. Thank Tony & Greg Hardy and Wayne Blackall (and their teams) for the exceptional support provided in making this event a success
13. Thank Kiama Council Volunteers for their participation in making the event a great success
14. Extend congratulations to Special Events Coordinator Carole Johnston for her work in leading the project.

REPORT

On 5 February 2018 Kiama took part in the Gold Coast XXI Commonwealth Games Queen's Baton Relay after ten months of planning. The community event took place in local parks including Hindmarsh Park, Black Beach Reserve, Storm Bay and the Kiama Showground with 7 gold coin sausage sizzles, 8 live performances, 27 suppliers, 80 police officers, 25 Council volunteers plus a number of other Council

Mayoral Minute

6.2 Queen's Baton Relay - 5 February 2018 (cont)

employees ensuring a safe and secure environment for all. It was a fun and festival environment for everyone.

The Kiama leg of the relay commenced at the Kiama Leisure Centre where hundreds of residents of Blue Haven cheered participants on. It then travelled down Terralong Street where the streets were lined with thousands of school children, residents and visitors. According to media released by www.gc2018.com Kiama is “where the Queen’s Baton was met with the best crowds of its time in Australia, with thousands packing the main street.” An estimated 6 – 7,000 thousand spectators were on hand to cheer on the 15 batonbearers and Queen’s Baton Convoy.

The grand finale was held at the Kiama Showground where batonbearer Sally Fitzgibbons carried the Queen’s baton into the oval and onto stage greeting school children along the way. Digeridoo player Dale Wright played to the parade of flags representing Kiama Community and the 70 participating Commonwealth Nations and Territories carried by 12 students from each of Kiama’s six schools. A combined choir representing all six schools sang the National Anthem in both Dharawal (led by Allira Morgan) and English (led by Daisy Pring) prior to Mayor Honey providing a welcome to the community.

As the Royal Australian Navy’s Seahawk M60HR combat aircraft landed, all batonbearers gathered on stage (listed below):

Full Name	Community represented
Lloyd Ferguson	Gerringong
Sally Fitzgibbons	Gerroa
Colin Rathbone	Kiama
David Leigh	Kiama
Kathleen Tanner	Kiama
Nick McInerney	Kiama
Heather McAlpine	Minnamurra
Paul Houghton	Berkeley
John Chaplin	Mt Warrigal
Fiona Sneath, Captain	Nowra
Donald Brown	Oak Flats
Kim Lacey	Oak Flats
Karen Murphy	Shell Cove
Nayeli Gajardo	Sylvania
Don Hodgekiss	Warilla

A note of thanks has been received by Carole Johnston from Kristie Gillman, Advance Operations Specialist at GOLDOC, an excerpt follows:

Mayoral Minute

6.2 Queen's Baton Relay - 5 February 2018 (cont)

"...a HUGE thank you to you and your Local Working Group for putting on such an amazing Queen's Baton Relay (QBR) celebration. We could not have done it without you!

It was a pleasure working with you and seeing the Kiama community come out to celebrate the Gold Coast 2018 Commonwealth Games (GC2018) QBR.

...by all reports from our QBR team it really was an incredible day and definitely one of our best QBR community celebration we have seen so far! It was obvious there had been a great deal of thought, care and hard work put into your planning which shone through on the day, so thank you for that!!

I believe I can say, the 2018 Queen's Baton Relay in Kiama was a great success and another moment in history for the community that will be remembered long into the future.

Item 6.2

6.3 Donation to local schools - Music Program**Attachments**

Nil

Enclosures

Nil

REPORT

Each year the Kiama Coastal Holiday Parks and Kiama Municipal Council make a donation of \$1,000 to the schools within the Municipality for their music programs.

It is with great pleasure that I am able to present each local school with a cheque and the performances that I have seen at local community events, ceremonies and at the Schools are a testament that this donation is being put to good use.

Representing the local schools are the following:

- Minnamurra Public School – Rob Haigh
- Kiama Public School – Andrew Ellsmore
- Ss Peter and Paul Catholic School - Jacqueline Lee
- Kiama High School – Catherine Glover or representative
- Jamberoo Public School - Justine Doorn-McCormack
- Gerringong Public School – Ali Brown

6.4 General Manager, Michael Forsyth - retirement**Attachments**

Nil

Enclosures

Nil

RECOMMENDED

That Council formally thank General Manager, Michael Forsyth on his Tenure and dedicated service to Council and the community over the past 27 years.

REPORT

It was with great reluctance that I accepted the resignation of Kiama Council, General Manager Michael Forsyth in December 2017. After 27 years of service Michael will retire in April 2018.

Michael's employment with Council began in October 1990 as Chief Town Planner (later known as Director Environmental Services). In March 2001 he was appointed Assistant General Manager while continuing to maintain the role of Director Environmental Services. In September 2001 he was appointed General Manager where he has served the community for 17 years.

I congratulate Michael on his many years of devoted service to the Kiama community and having worked with Michael as a Councillor since 2012 and as Mayor since 2016, I have developed a great respect for Michael's knowledge of local government.

He is compassionate and understanding for staff across all teams and at all levels, and has deliberate consideration of the community in every action and decision he has made as General Manager.

When considering the challenges of local government that Michael has faced and how he has dealt with them; the 2015-16 merger proposal, the multi-million dollar redevelopment of Kiama Hospital, to embracing and leading organisational change in recent years; each time he has demonstrated an inherent ability to achieve resolution.

Other achievements during Michael's tenure at Council include: construction of The Pavilion Kiama, Kiama Library and Stage 5 at Blue Haven, extensions of the Kiama Leisure Centre, the awarding of National Landcare and Tidy Towns Award for Council planning and environmental initiatives, and the masterplan creation and commencement of the new Kiama Aged Care Centre of Excellence.

With Michael at Council's operational helm, survey results consistently reported a high level of community satisfaction with Council facilities and services when benchmarked against other NSW Councils.

On behalf of Council and the community, I wish Michael well in his retirement and hope that he and his wife Karen enjoy life beyond Council.

6.5 Hull FC Team visit

Attachments

- 1 Destination Wollongong - major event snapshot - Super League Special [↓](#)

Enclosures

Nil

RECOMMENDED

That Council:

1. formally thank and congratulate Megan Hutchison on her efforts in organising a highly successful visit to the region by Hull FC.
2. Formally thank Gerringong Rugby League Club and Gerringong Surf Life Saving Club for their assistance.

REPORT

I was fortunate to attend the inaugural Kenny Stirling Shield between Wigan Warriors and Hull FC at WIN Stadium, Wollongong on Saturday, 10 February 2018. Whilst Wigan won the game 24-10, the Hull supporters definitely claimed bragging rights with their passionate singing supporters out numbering the Wigan fans. There were 12,500 at the game, which was highly entertaining.

The game was broadcast into the UK, Europe, the US and Canada, complete with images and vignettes of our region. The power of the social media campaign cannot be underestimated, with Kiama being broadly promoted to the north of England and the UK.

The Hull FC team and entourage were very impressed with Kiama as a destination and particularly impressed with the warm reception that they received from the community and businesses alike. The team were incredibly impressed with the facilities within our community and the way they were welcomed by everyone they met.

The CEO of Hull James Clarke was so impressed with Kiama that they were seriously contemplating extending their stay.

Whilst here the team trained on School Flat, Black Beach and Cronin Oval in Gerringong. Thanks should go to the Gerringong Rugby League Club, and also the Gerringong Surf Club for assisting with supply of some equipment.

Apart from the 30 squad and coaching staff that stayed at the Sebel Harbourside Kiama for 8 nights, an additional 60 Hull supporters and VIPS were in Kiama for 4 nights visiting many restaurants and spending money in our shops. Supporters also stayed in Wollongong with the majority staying in Sydney and making day trips to the region.

Activities that the team participated in included:

Mayoral Minute

6.5 Hull FC Team visit (cont)

Group 7 coaches forum. The Hull coaches hosted a forum for 30 group 7 rugby league coaches. The interest from local coaches was very high and the Hull coaches did not disappoint. They were eager to share their coaching techniques and the level of technology they utilise.

Super League at the Farmers Market 4th birthday celebrations. This event was supported by the entire team and coaching staff. There was an excellent attendance at the market and all involved took part in the activities such as a prawn peeling competition – which was won by Mark Minichello of Hull FC.

Rugby League Takeover day – The Best of Both Worlds Tour. Involved a full day of school visits to 40 schools with 8,000 school children participating. This was coordinated by the NRL and CRL involving Hull, Wigan and Dragons players including the women's squads. Visits occurred right across all South Coast schools and was a huge success.

Sunday morning meet the team day in Coronation Park. This event was well attended by over 100 supporters, some of which followed onto the Stomping of the Grapes event at Crooked River Winery. Many stayed in town and by all accounts it was a very busy day in our region.

Destination Wollongong released a 'Major Events Snapshot' on the Super League visit and a copy is attached for Councillors' information.

CROWDSEEKER

2018

MAJOR EVENTS SNAPSHOT

Destination
WOLLONGONG

SUPER LEAGUE SPECIAL EDITION

BEST OF BOTH WORLDS

THE historic tour prompted one of the biggest rugby league development days ever undertaken. Players from both English clubs, the St George Illawarra Dragons and Jillaroos visited 45 South Coast schools to spread the game's gospel to 8000 children across five local government areas. The NRL deployed 14 development officers, who combined with Dragons' staff to pull off a logistical masterstroke. Quote of the day goes to a happy but bemused youngster talking about the English players: *"We couldn't really understand them, but we knew they were important!"*

GAME FACE

WIGAN snared the competition points thanks to a 24-10 win in front of almost 12,500 at WIN Stadium, while an injury-ravaged Hull could at least lay claim to winning the battle of the singing supporters. Watch the highlights [HERE](#). The following week's double-header at ANZ Stadium, which attracted 18,000, fuelled further debate about how the game should be promoted internationally and what clubs



Wigan defeated Hull 24-10 in front of almost 12,500 fans at WIN Stadium.

are willing to do to promote their brand. Who knows from here, but the important thing is, Wollongong - having hosted this ground-breaking clash - is at the table.

FULLY EXPOSED

THE Super League game was broadcast into the UK, Europe, the US and Canada - complete with images of WIN Stadium's famous hill by the beach and numerous tourism vignettes. Domestically, 370 identified media clippings represented \$2.4 million in PR value, while the overseas figure is still being calculated. Initial economic impact estimates for the tour are somewhere near \$10 million. Bringing big dollars in, while getting our brand out there, is marketing nirvana for the Illawarra.

IN ON THE ACTION

GOTTA love it when local businesses tap into the spirit of a major event. The Steelers Club led the charge with special temporary memberships and themed decorations. The Novotel was Wigan's popular base, while the Sebel anchored Kiamia's adoption of Hull. The University of Wollongong and Gerringong hosted training sessions, BaiMed helped out with support staff and our awesome IRT volunteers welcomed visitors. Grill'd customised burgers for each club, while we liked the chalkboard of another foodie partner, which read: *"What's hotter than Saturday's Super League game? Zambbrero (with verde sauce)."*



Domestic and international media exposure.



Grill'd offered customised Wigan and Hull burgers.

YES MINISTER

NSW Minister for Tourism Adam Marshall launched the match at the start of the week at Flagstaff Hill alongside local MP Gareth Ward. See [HERE](#). The pair also combined to host a tourism workshop in Kiama, where Marshall, who hails from Glen Innes, gained some fans by declaring: *"We want to hear your thoughts; Sydney certainly doesn't have a mortgage on smart people and good ideas"*.

MORE THAN A GAME

THE budding partnerships formed beyond the game will ensure a legacy long after the final whistle, with Wigan owner Ian Lenagan having since reached out to two businesses with local roots. The University of Wollongong, KPMG and Wollongong City Council are in talks with northern hemisphere counterparts, while the iAccelerate program and UOW's 3D printing initiatives left an indelible mark during an Advantage Wollongong tour - although Wigan legend Kris Radlinski wished the 3D-printed knee cartilage, complete with stem cell injections, was available towards the end of his career! Check the UOW story [HERE](#).

"Everything that Wollongong promised was delivered, and much, much more."

- Kris Radlinski



Wigan at Nan Tien.



Kenny and Sterling with the Shield.

Our English visitors certainly took in the Illawarra. Players and ambassadors visited Symbio Wildlife Park, skydived, rode Harleys across Sea Cliff Bridge and sampled the odd bar, with Pepe's, Humbar and Howlin' Wolf among the favourites. Check Wigan's visit to Nan Tien Temple [HERE](#). A few jellyfish stings at North Wollongong beach ensured a true Aussie experience!

"It's hard not to love this place."

- Wigan player Willie Isa

Having won the Kenny-Sterling Shield, Wigan will take it on tour to away games this season. Its creator Uncle Noel Butler is providing Wigan with the indigenous story of the goanna and turtle that inspired the specially commissioned work. View the Shield launch [HERE](#). More than \$20,000 was raised for Brett Kenny, who is battling cancer, at a luncheon before the match.

"A bold move . . . but a smart one too."

- The Guardian



It's not every day a former world heavyweight boxing champion with millions of followers tweets about Wollongong.

"Wollongong is such a good fit for showcasing Super League, not least as it is held at surely one of the most aesthetically pleasing grounds in all of sport."

- The Yorkshire Post

DID YOU KNOW?

Wollongong Councillor John Dorahy, as coach of Wigan in 1994, selected Kris Radlinski for his club debut. Good move. He went on to play more than 300 games for the Warriors.



Travelling fans with flags outside Steelers.

You've got to give it to the UK fans - they certainly know how to travel, spend, sing and celebrate. Hull's Andy and Julie Harper came to Oz for the Ashes tour and decided to stay for the Super League match. In a case of exquisite timing, their three-month visa expired two days after the game. Best banner goes to Wigan's supporters, with: *"We came. We conquered. We ate all your pies."*

"We've loved Kiama so much we tried to extend our stay here before going to Sydney."

- James Clarke, Hull CEO

6.6 Sharon Parker - 2018 Kiama Electorate Woman of the Year**Attachments**

Nil

Enclosures

Nil

RECOMMENDED

That Council formally congratulate Sharon Parker on being awarded the 2018 Kiama Electorate Woman of the Year.

REPORT

The NSW Women of the Year Local Awards celebrate the contributions and successes made by women in their local areas.

It is a fitting tribute to Sharon Parker that she has been selected to receive the 2018 Kiama Electorate Woman of the Year award. Many of you will know of Sharon's work at the North Kiama Neighbourhood Centre, which she maintains as a vital community hub.

Sharon is passionate about helping others and this is reflected in her work with the community from assisting local youth to running seniors activities, and she is also involved with the Kiama Welcomes Refugees group.

Sharon attended the 2018 NSW Women of the Year Awards Ceremony in Sydney on International Women's Day to receive her award from Premier Gladys Berejiklian MP.

I extend my congratulations to Sharon.

7 MINUTES OF COMMITTEES

7.1 Minutes - Walking Tracks and Cycleway Committee Meeting 14 February 2018

Responsible Director: Engineering and Works

Attachments

- 1 Walking Tracks and Cycleway Committee - meeting 14/02/2018 - minutes [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Walking Tracks and Cycleway Committee Meeting held on 14 February 2018 be received and accepted.

BACKGROUND

The Minutes of the Walking Tracks and Cycleway Committee meeting held on 14 February 2018 are attached for Councillors' information.

MINUTES OF THE KIAMA WALKING TRACKS AND CYCLEWAY COMMITTEE MEETING HELD IN COMMITTEE ROOM 2, COUNCIL ADMINISTRATION BUILDING ON WEDNESDAY 14 FEBRUARY 2018 COMMENCING AT 4.00PM

Present: Cllr Mark Way (MW), Cllr Mark Honey (MH), Peter Stuckey (PS), Gwyneth Rhys (GR), Darren Brady (DB), Fiona Wilmot (FW), Alan Pomeroy (AP), Barry Booth (BB)

Apologies: Neil McLaren (NM), Karen Ronning (KR).

1 Illawarra Escarpment Walking Track (guest speaker)

Mr Neville Fredericks addressed the Committee with an outline of a proposal for a walking track along the escarpment from Macquarie Pass to Saddleback Mountain. Mr Fredericks advised that when he was Kiama's Mayor (1987 – 1991) that this proposal was part of a larger escarpment walking track proposed from Stanwell Park to Camberwarra that was adopted by the then Region of Councils (5 councils) as a significant tourism generating project. Mr Fredericks indicated that the proposal was also supported by Sydney Water, Crown Lands and NPWS at the time. Since that time Wollongong Council has undertaken some development of the walking track in the north, however Mr Fredericks considers that the 29.1km Macquarie Pass to Saddleback Mtn section was the most significant section for tourism. While 98% of the track is currently in public ownership, there is some small sections near Macquarie Pass privately owned. There is also some gullies that would need to have bridges built over them to allow access. If Kiama Council were supportive of the proposal, Mr Fredericks would have a similar discussion with Wingecarribee Council to seek to gain their support also. If the project is supported grant applications could be sought to fund a feasibility study and ultimately construction. PS indicated there should be plenty of information on old Council files.

MH indicated that Council's Tourism Manager could make contact with their Wingecarribee counterpart to form a working party.

Committee Recommendation:

1. *That Council support the proposal of an Escarpment Walking Track between Macquarie Pass and Saddleback Mountain.*

Moved: MH/PS - Vote: Unanimous.

Action: 1) KR to contact Wingecarribee Council's Tourism officer to discuss the project with the view to forming a working party for the project.

2 Minutes of the previous meeting

The minutes of the previous meeting held on 15 November 2017 were received as accurate.

Moved: MH/BB - Vote: Unanimous.

3 Business arising from Minutes

3.1 Swamp Road to Jamberoo shared pathway

MINUTES OF THE KIAMA WALKING TRACKS AND CYCLEWAY COMMITTEE MEETING HELD IN COMMITTEE ROOM 2, COUNCIL ADMINISTRATION BUILDING ON WEDNESDAY 14 FEBRUARY 2018 COMMENCING AT 4.00PM

DB advised that construction of the next stage of pathway in Browns Lane should commence in the next few months. Also that Council's surveying consultant should have the boundary identification survey along Jamberoo Road completed within the new few weeks to allow planning of the future route along Jamberoo Road to Jamberoo Village.

3.2 Tourist signage information

MH advised that following similar questions raised at the recent Council meeting, KR is currently preparing a report on Tourism signage for the Municipality. Further information will be provided at a future meeting.

3.3 Walker's Beach pathway

DB advised that there has been no progression and that he is still awaiting advice on this matter. MH indicated it maybe beneficial to discuss the matter with Clr Westhoff also.

3.4 Kiama Bends / Bushbank Mill track

MW advised that the grant funding application has moved to the second stage with the State government assessment, but still awaiting an announcement. BB raised concerns over the steepness of the trail. MW advised that the track will have 4 functions; cycling, walking, tourism & emergency access.

3.5 Cycleway maps update

Action: KR to update the current link on the Kiama tourism website to the new Kiama BUG maps.

3.6 Minnamurra Bends walkway – Riverside Drive

DB advised that tenders for consultants to undertake the investigations, EIS, consultations and detailed design close at the end of the month.

3.7 Coastal Walking Track – Werri Lagoon footbridge

PS recommended that a cost / benefit assessment should be undertaken in addition to the construction cost estimate before proceeding further.

MW acknowledged that as there is some differing of opinion on the project, that it should be put to the community to determine if it should proceed as per the resolution of his Motion to Council at its meeting in July 2017.

PS & FW believe that the Committee should decide where this project sits in relation to the priorities of the overall projects and that it should be clearly noted that the majority of the committee are not in support of it.

MH advised that notwithstanding the Committee's recommendation, the resolution of Council still stands.

Committee Recommendation:

MINUTES OF THE KIAMA WALKING TRACKS AND CYCLEWAY COMMITTEE MEETING HELD IN COMMITTEE ROOM 2, COUNCIL ADMINISTRATION BUILDING ON WEDNESDAY 14 FEBRUARY 2018 COMMENCING AT 4.00PM

-
1. *That it be noted that majority of Committee members are not in support of the north Warri beach boardwalk proposal*

Moved: PS/FW – Vote For: PS, FW, BB, GR; Vote Against: MW

3.8 Kiama Tourism Website

Awaiting KR advice. FW noted that lack of available public transport on the coastal walking track needs to be identified on the tourism website and also include a profile map to highlight the undulating terrain.

Action: The Committee to provide any walking / cycling tourism related information to KR for updating / inclusion on the website in future.

3.9 Coastal Walk to Boat Harbour

DB advised that KR is preparing updated tourism information extending the marked coastal track to south Warri. FW indicated extending the Walk to Boat Harbour, Gerringong, would be simple as it is on public reserves. As per 3.2).

3.10 Coastal Walk - Gerringong (Boat Harbour) to Gerroa

FW also commented that the Committee should again resurrect the extension of the Coastal Walking track south from Boat Harbour, Gerringong to Gerroa. This would result in a complete walking track along the entire Municipality coastline. DB advised that there is currently a strip of public reserve existing across a number of these properties at present, but acquisition would still be required across 1 property to the south and 2 the north of Walkers Beach (golf course) to provide the link. This matter is also tied into item 3.3) above. PS indicated that the State Government would need to become involved as they will be required to undertake and fund the land acquisitions.

Action: 1) That Council commence negotiations with property owners for the establishment of a coastal walking track from Boat harbour to Gerroa.

3.11 Hoddles Track

This matter would be incorporated into the earlier presentation of the Escarpment Walking Track.

3.12 Bombo Headland Coastal Pathway subsidence

Given the poor condition of the pathway for which has been in its current state for some period PS suggested that Council contact State Rail and request that they undertake repairs to the bitumen surface as a temporary measure to make it safe and accessible while they continue to assess the subsidence issue.

Action: 1) DB to write State Rail requesting repairs be made to the bitumen surface to make it safe and accessible.

MINUTES OF THE KIAMA WALKING TRACKS AND CYCLEWAY COMMITTEE MEETING HELD IN COMMITTEE ROOM 2, COUNCIL ADMINISTRATION BUILDING ON WEDNESDAY 14 FEBRUARY 2018 COMMENCING AT 4.00PM

3.13 Council pathway maintenance.

GR raised an issue of a broken rail and lifted pathway at the north end of Kendalls beach that needs repair along with the pine needles on the pathway at Rocklow Creek that needs clearing.

DB advised that instead of awaiting the long periods between meetings, that these concerns and queries can be emailed to Council or phoned via its customer services where they will log these issues for attention of the relevant section to complete or respond.

3.14 Priority Project List

Following a request to the Committee members to prepare a list of projects for future consideration, the following prioritised list was debated and determined:

1. Continuation of Coastal Walking Track from Werri Lagoon to Gerroa
2. Establishment of the Escarpment Walking Track
3. Town Centre Study – The Committee’s consultation into the preparation of the study to ensure a comprehensive plan to address current and future needs of a rapidly growing residential population and the pressures and safety issues this presents for streets, parking, pedestrians and cyclists.
4. Continuation of Jamberoo Valley Cycleway (including the Billabong sections)
5. Review of existing Kiama Bicycle Plan.

The Committee also suggested that a small survey / questionnaire be distributed in the Kimunico outlining what has been achieved to date and seeking suggestions for the Committee to consider in future.

Action: 1) DB to liaise with Council’s communication section to have article included in the Kimunico seeking suggestions for future walking and cycling matters for the Committee consideration.

4 New business arising

Nil

There being no further business, the meeting closed at 6.10pm.

Next Meeting will be held on Wednesday 9 May at 4.00pm

7.2 Minutes - Kiama Local Traffic Committee - 6 March 2018

Responsible Director: Engineering and Works

Attachments

1 Complete - Minutes - Kiama Local Traffic Committee - 06 03 18 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Kiama Local Traffic Committee Meeting held on 6 March 2018 be received and accepted.

BACKGROUND

The Minutes of the Kiama Local Traffic Committee meeting held on the 6 March 2018 are attached for Councillor's information.



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

commencing at 9.09am on

TUESDAY 6 MARCH 2018

Council Chambers
11 Manning Street, KIAMA NSW 2533

Item 7.2

Attachment 1

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE

6 MARCH 2018

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE OF THE
MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS,
KIAMA, ON TUESDAY 6 MARCH 2018 AT 9.09AM

PRESENT: Councillor M Honey (Mayor) (Chairman), Daniel Benedetti (RMS Representative), Shaun Perera (RMS Cadet), Mark Way (Councillor), Darrell Clingan (Local Member's Representative), Gino Belsito (Director Engineering & Works), Darren Brady (Manager Design & Development) and Mallory McLennan (Minutes)

1 Apologies

Janelle Burns (Kiama Council Road Safety Officer), Kevin Brown (NSW Police Representative) and Amy Thomson (RMS Representative)

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 5 December 2017**

Resolved that the Minutes of the Kiama Local Traffic Committee Meeting held on 7 December 2017 be received and accepted.

(Councillors Honey and Clingan)

4 **BUSINESS ARISING FROM THE MINUTES**

- Darrell raised further concerns about the development at Surfleet Place. He does not believe that the calculated increase of line of sight of 30m for the left hand side is correct, based on a site visit. Daniel will review the documentation and provide feedback. In the past Traffic Committee has raised concerns over the effectiveness of the treatment. If issues are raised in the future, Traffic Committee can review the treatment placed at the intersection and approaches. The proposed treatment has been accepted by the RMS as meeting the relevant Standards.

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE

6 MARCH 2018

5 REPORT OF RMS DELEGATED FORMAL ITEMS

5.1 Manning Street, Kiama - 2 Hour Timed Parking Zone

Resolved that the Committee recommends a time limited parking zone be created on the eastern side of Manning Street, Kiama fronting Coronation Park and in the adjacent North Coronation Park carpark, through the installation of regulatory signage with restrictions of 2 Hour Parking between 9.00am - 5.00pm Monday to Fridays only.

(Councillor Honey and Mr Benedetti)

5.2 Bong Bong Street, Kiama - Proposed angled parking bays

Resolved that the Committee recommend that angled on-street car parking bays be linemarked and signposted in Bong Bong, Kiama east of Manning Street.

(Councillor Honey and Mr Clingan)

5.3 Red Hot Summer Music Concert 2018 - Road Closures and Traffic Changes in Kiama

Resolved that approval be given to the organisers of the Red Hot Summer concert at Kiama Showground, to be held on Saturday 14 April 2018, to implement proposed traffic changes, subject to the organisers and suitably qualified traffic controllers complying with the following conditions:

1. All road closures, diversions and traffic changes be undertaken by suitably qualified traffic controllers in compliance with the Traffic Management Plan prepared by Evolution Traffic Control Pty Ltd.
2. The organisers shall be responsible for the supply, erection and removal of all traffic control devices, equipment and personel associated with the implementation of the approved Traffic Management Plan
3. Lodgement with Council of an application for section 138 Roads Act permit and payment of associated fee
4. Notification of proposed traffic changes be given to police, local emergency services, businesses and residents effected by the closure
5. An advertisement be placed in the local media advising of closure.
6. Proof of public liability insurance complying with the Australian Prudential Regulatory Authority (APRA) being provided to Council prior to the event.

(Councillor Honey and Mr Clingan)

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE

6 MARCH 2018

6 REPORTS FOR INFORMATION

7 GENERAL BUSINESS

7.1 Cow Manure Swamp Road Bike Path

The Mayor received an email from concerned cyclists regarding the amount of cow manure that is present on the bike path as a result of the local dairy farmers traversing cattle across pathway. The Mayor would like to see cattle crossing signs erected along the Swamp Road and Browns Lane sections to warn cyclists. Gino and Darrell believe that the supervising farmers should shovel the manure off that path under the same principle as picking up after your dog. Gino believed that it was impractical to send the street sweeper down twice a day after the cattle had crossed. Gino agreed to consult with the Mayor to investigate the crossing locations and number of farmers crossing the pathway.

7.2 Speeding and line of sight between Jamberoo and Albion Park

The Mayor has received correspondence (see attached to Minutes) regarding concerns over speeding and the limited line of sight on Jamberoo Road between Jamberoo and Albion Park. Gino has requested more information on this matter for the next meeting including exact locations and site investigations. If it is only a speeding matter it will be referred to the local Police. Daniel made note that we need to look into the Council boundary in the area as the problem may fall in Shellharbour City Council.

7.3 No Stopping Sign – Park Road, Gerroa

Darrell received an email from a resident on Park Road, Gerroa who has raised a number of concerns over the recent introduction of a "No Stopping" area to allow garbage trucks to turn around. Darrell provided the Committee with a copy of the email (please see attached to Minutes). Council will investigate the concerns and provide a response.

7.4 Gerringong IGA Car spaces

Darrell raised concerns over the lack of spaces available at Gerringong IGA. Darren informed the Committee that as per the original DA Consent the IGA was to provide additional underground car spaces but often lock the gate to deny access by the public. Council will investigate the DA consent parking compliance with the owners.

7.5 School Traffic - Rowlands Road and Belinda Street, Gerringong

Darrell has had several comments made to him regarding the school traffic and pedestrian movement at Rowlands Road and Belinda Street, Gerringong. The current road treatment includes a pedestrian island however this is quite old and may not be sufficient for current traffic volume and speeds and the number of pedestrians crossing here. Further investigation will be undertaken.

7.6 Insufficient Disability Parking, Gerringong

Darrell received a complaint from the son of an elderly lady who lives in Gerringong who was concerned over the apparent lack of disability parking spaces around town. Darren advised that there are a number of existing disabled parking spaces around Gerringong that the resident may not be aware of. It was agreed that Council will supply Darrell with a map indicating

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE

6 MARCH 2018

the locations of disability parking in Gerringong. Gino also informed Darrell that Council has followed the relevant standards when installing disability parking spaces.

7.7 School Pick Up Croft Place and Archibald Road, Gerringong

Darrell has received feedback from residents on Croft Place and Archibald Road who are being impacted by school drop off and pick up. Darrell has asked Council to contact the school and inform them of the residents' concerns with cars blocking driveways and not abiding by sign posted parking restrictions. Gino has suggested that Council's Road Safety Officer Janelle Burns may be able to provide some education programs similar to those completed at the High School. The program at the high school was successful in reducing the impact of school drop off and pick up on neighbouring properties.

7.8 Figtree Carpark, Gerringong

Gino updated the committee on the progress of Figtree Lane carpark. Council is working to provide an additional 8 car spaces. In the near future, with further expansion of the southern side of the carpark once funds become available.

7.9 Kiama CBD Parking

The Mayor has received several comments via social media regarding parking in the Kiama CBD. He believes we have sufficient parking but asked if the Committee had an idea of the number of parking spaces available. Engineering and Works will provide a map that was used during NYE event promotion indicating available spaces around the CBD. This map does not include parking at Blowhole Point, Street Parking or Private parking such as Kiama Centro or Kiama Leagues Club.

8 CLOSURE

There being no further business the meeting closed at 10.04am

These Minutes were confirmed at the Ordinary Meeting of Council held on 20 March 2018

.....
.....
Mayor

Director Engineering & Works

7.3 Minutes - Audit, Risk and Improvement Committee meeting - 27 February 2018

Responsible Director: Corporate, Commercial & Community Services

Attachments

- 1 Audit Risk and Improvement Committee - Minutes of meeting held on 27 February 2018 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Audit, Risk and Improvement Committee Meeting held on 27 February 2018 be received and accepted and the recommendations therein be endorsed.

BACKGROUND

The minutes of the Audit, Risk and Improvement Committee meeting held on 27 February 2018 are attached. Council is asked to receive and accept the Minutes and endorse the recommendations contained therein.



AUDIT RISK AND IMPROVEMENT COMMITTEE MINUTES

Date:	27 February 2018	Time:	4pm	Venue:	CR1
Chairperson:	Dr Philip Ross			Minutes:	Sue Wiaczek
Meeting Objective:	To exchange information and develop corporate strategies to enhance service delivery				
Present:	Clr Andrew Sloan, Brian MacDonald				
Apologies:	Clr Neil Reilly, Brian Robertson				
Observers	Clr Mark Honey, Michael Forsyth, Kerry McMurray, David Mead				
Presenters	Renee Winston				

1 Minutes of Previous Meeting

The minutes of the meeting held on 30 November 2017 were confirmed and adopted.

Sloan/MacDonald

2 Risk Management presentation (Renee Winston)

Agreed that the Risk Management Matrix (RMM) needs to be updated every 3-4 years if the Council operations remain stable. Any significant changes in Council operations would require a review of the RMM.

Ross/MacDonald

3 CRIP Audit

Action: Note report and discussion around:

- 1) Future changes to policy – responsibility should be at the Council level not at the management level as described in the current document.
- 2) The Audit Risk and Improvement Committee (AR&I) will need to track the implementation of recommendations and actions arising from the CRIP report in Excel or other software, including target dates. The Chair agreed to provide a report format used at other councils for tracking recommendations.

MacDonald/Sloan

4 AS/NZS 4801/2001

Renee advised that Kiama Municipal Council is the best scoring organisation and that there are not specific recommendations in the report.

Action: Note the report.

Sloan/MacDonald

- 2 -

6 Lean implementation

The committee noted the presentation.

Action: A summary of Lean Projects including action lists and implementation process be made available to the AR&I committee for information.

MacDonald/Sloan

7 Special Schedule 7

Engineering and Works provided a presentation on the process used for asset condition assessment and Special Schedule 7.

Action: Note the presentation.

MacDonald/Sloan

9 Audit Office Management Letter

General Manager explained how the bed licences are valued.

Action: Seek valuation for Council owned bed licences.

Action: Recommendations 2 and 3 of letter – investigate whether specific processes are in place.

Action: Follow up items from previous years.

Action: Include the recommendations in the tracking of recommendations report (referred to in item 3 of these minutes)

Sloan/MacDonald

10 Internal Auditor position

The Committee was provided the opportunity to review the PD prior to it being advertised.

Action: The Chair or his delegate will sit on the selection panel for this position.

Ross/MacDonald

12 General Business

Charter

Committee members need to understand what the Charter is actually stating in relation to Committee members' responsibility for internal audit. DCCCS explained that the Internal Auditor will report to the GM administratively and to the Committee operationally.

- 3 -

Agenda items for next meeting

- best practice for Audit Committees and Committee members' role generally.
- draft a schedule of items to be considered by the committee at each meeting in order to ensure that the committee meets its obligations as outlined in the audit charter.

Membership

Clarify term for Brian Robertson's and Brian MacDonald's tenure for membership of the Committee. A lot draw is to be conducted at the first meeting that Brian Robertson attends.

Next meeting - scheduled for 26 June 2018

The meeting closed at 5.28pm

Item 7.3

Attachment 1

7.4 Blue Haven Advisory Committee on 7 March 2018

Responsible Director: Blue Haven

Attachments

1 Minutes - Blue Haven Advisory Committee Meeting - 07/03/18 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Blue Haven Advisory Committee meeting held on 7 March 2018 be received and accepted.

BACKGROUND

The Minutes of the Blue Haven Advisory Committee meeting held on 7 March 2018 are attached for Councillors' information.



MINUTES OF THE BLUE HAVEN ADVISORY COMMITTEE MEETING

commencing at 6pm on

WEDNESDAY 7 MARCH 2018

Blue Haven Independent Living Units
Stage 5 - Level 7

Item 7.4

Attachment 1

MINUTES OF THE BLUE HAVEN ADVISORY COMMITTEE

7 MARCH 2018

**MINUTES OF THE BLUE HAVEN ADVISORY COMMITTEE OF THE
MUNICIPALITY OF KIAMA HELD AT BLUE HAVEN ILU,
KIAMA, ON WEDNESDAY 7 MARCH 2018 AT 6PM**

PRESENT: Mr A Fowle (Chairman), Councillor M Honey (Mayor), Councillor K Rice, Councillor D Watson, Mrs J Bartlett, Mrs S McCarthy, Mr I Pullar, Mrs P Waters, Mr B Wilson, Mr I Wilson, Mrs C Rogers, Mr S Dawson, Mrs T Sligar, Mrs F Whittaker, and Mr M Forsyth

1 Apologies
Mrs C Crow-Maxwell, Mrs M Parish

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 Minutes - Blue Haven Advisory Committee meeting - 6 December 2017

BLU-18/001

Resolved that the Minutes of the Blue Haven Advisory Committee meeting held on 6 December 2017 be received and accepted.

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 REPORT OF THE DIRECTOR BLUE HAVEN

5.1 Chief Financial Officer - Report

BLU-18/002

Committee recommendation that this report be accepted and noted.

MINUTES OF THE BLUE HAVEN ADVISORY COMMITTEE

7 MARCH 2018

5.2 Blue Haven Advisory Committee - Membership term

BLU-18/003

Committee recommendation that Council:

1. endorse the updated Terms of Reference for the Blue Haven Advisory Committee, subject to determining the frequency of meetings
2. endorse the advertising of Expressions of Interest for the community member positions on the Committee
3. consider increasing the frequency of meetings from quarterly to bi-monthly

6 REPORTS FOR INFORMATION

NIL

7 CONFIDENTIAL REPORTS

7.1 Blue Haven Care Home

Recruitment Update

BLU-18/004

Committee recommendation that this information be noted.

7.2 Blue Haven Village - Independent Living Units

BLU-18/005

Committee recommendation that Council that the information be noted.

7.3 Aged Care Facility Redevelopment

BLU-18/006

Committee recommendation that the information and actions described in the report be noted and endorsed.

8 BUSINESS WITHOUT NOTICE

8.1 Friends of Blue Haven (FOBH) - 40 years Celebration -

BLU-18/007

Recommendation that the committee formally extend its appreciation to the FOBH for the groups 40 year history of support.

MINUTES OF THE BLUE HAVEN ADVISORY COMMITTEE

7 MARCH 2018

8.2 Media coverage of Aged Care Generally

BLU-18/008

Recommendation that the committee indicate its confidence and support of staff at the facility in addition to recognising the at times difficult working environment.

8.3 Query regarding responsibilities of Committee members when dealing with the media

Recommendation that the procedures in Council's Code of Conduct and the Terms of Reference for the Blue Haven Advisory Committee be followed.

9 CLOSURE

There being no further business the meeting closed at 7.25pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 20 March 2018

.....
Mayor

.....
General Manager

Item 7.4

Attachment 1

8 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 & Community Services
- Report of the Director Engineering and Works
- Report of the Director Blue Haven
- Reports for Information
- Addendum to Reports

9 REPORT OF THE GENERAL MANAGER

9.1 Byrnes Run, Curramore Road, Jamberoo

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

Summary

This report recommends that Council agree to amend the Byrnes Run Community Title Neighbourhood Management Statement and relevant Section 88B Instrument applying to Byrnes Run, by removing the need for the designs of all buildings at Byrnes Run to be approved by the Byrnes Run advising architect before being submitted to Kiama Municipal Council.

Finance

The report proposes an amendment to the Byrnes Run Community Title Neighbourhood Management Statement and relevant Section 88B Instrument applying to Byrnes Run, to both of which Kiama Council is a signatory.

Policy

Not applicable.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council amend the Byrnes Run Community Title Neighbourhood Management Statement and relevant Section 88B Instrument applying to Byrnes Run, by removing the need for the designs of all buildings at Byrnes Run to be approved by the Byrnes Run advising architect before being submitted to Kiama Municipal Council.

BACKGROUND

On 21 March 2017 Council granted approval to a shed on Lot 9 DP285560 at Byrnes Run.

The application was objected to by a number of owners within the Byrnes Run Community Title Neighbourhood Association for a number of reasons including that the design of the shed and other development to be carried out on Lot 9 had not received a certificate of approval by the advising architect for Byrnes Run obtained in

Report of the General Manager

9.1 Byrnes Run, Curramore Road, Jamberoo (cont)

accordance with by-law 1.3 of the Byrnes Run Neighbourhood Management Statement.

The approval of the application by Council without the approval of the advising architect created a dilemma for the Byrnes Run Neighbourhood Association in terms of managing and responding to development projects under the relevant by-laws of the Neighbourhood Management Statement.

As Council is also a signatory to the Neighbourhood Management Statement, Penny Morris, Chairman of the Neighbourhood Association Executive Committee, requested that Council obtain advice about whether it needs to consider the Neighbourhood Management Statement (in particular, the development and advising architect) when assessing development applications from Byrnes Run.

The General Manager sought advice from Sparke Helmore Lawyers and the advice is provided in the Confidential Section of the Business Paper.

In summary:

- Council is required to take into account the provisions of the Byrnes Run Neighbourhood Management Statement (including its Development By-Laws) when assessing development applications for development in Byrnes Run.
- It is a matter for the Council however how much weight it attributes to each of those documents and it is open to the Council to grant consent to development which is inconsistent with the restrictions in the DCP, the Byrnes Run Neighbourhood Management Statement and the 88B Instrument.
- Council is not required to insist on approval of the Byrnes Run advising architect appointed by the Community Title Association before accepting and processing those development applications.
- It may be argued that clause 1.9A of the LEP suspends both the Byrnes Run Neighbourhood Management Statement and the 88B Instrument to the extent they restrict development which is permissible under the LEP.

The failure by an applicant to obtain or provide to the Council “approval” from the “advising architect” is not a ground on which the Council may reject a development application for development within the Byrnes Run Community Title Subdivision.

There is a risk that the Council could be considered to be engaging in anti-competitive conduct if it required landowners to engage and obtain the approval of one particular architect prior to submitting a development application.

Having regard to the advice and to make it administratively easier for the Byrnes Run Neighbourhood Association it is recommended that Council agree to remove the advising architect requirement from the Neighbourhood Management Statement and Section 88B Instrument.

This recommendation is supported by the Executive Committee of the Byrnes Run Neighbourhood Association. If approved by Council, all of the lot owners at Byrnes Run will also need to agree to the proposed change. It is expected, but not necessarily assured, that all lot owners will agree to this change.

9.2 National General Assembly 17-20 June 2018 - Registration and Call for Motions

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 9.2

Summary

This report advises of the Australian Local Government Association's National General Assembly (NGA) to be held from 17-20 June 2018 at the National Convention Centre in Canberra and the call for motions to be submitted to the Australian Local Government Association (ALGA) prior to 30 March 2018

Finance

Early bird registration for the NGA costs \$969 and closes 4 May 2018. If delegates wish to attend the Regional Co-operation and Development Forum being held on 17 June an additional cost of \$245 will be incurred.

Policy

The approval of Council for the attendance of Councillors at the conference is required.

Attachments

- 1 NGA 2018 Program [↓](#)
- 2 Motions Discussion Paper [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council:

1. Determine attendance at the National General Assembly of Local Government.
2. Endorse the submission of motions presented to this meeting.

BACKGROUND

The National General Assembly of Local Government is to be held in Canberra at the National Convention Centre from 17 – 20 June 2017.

This year's theme is *Australia's Future: Make it Local* and key presentations will address the importance of Local Government and its ability to influence and affect fundamental change and improvement at the community level.

Report of the General Manager

9.2 National General Assembly 17-20 June 2018 - Registration and Call for Motions (cont)

Addresses will be made by the Minister for Regional Development, Territories and Local Government, the Hon Dr John McVeigh MP and the Shadow Minister for Infrastructure, Transport, Cities and Regional Development and the Shadow Minister for Tourism, the Hon Anthony Albanese MP. The Prime Minister and Leader of the Opposition have also been invited to speak.

The full program and registration information is attached for Councillors' information.

It is recommended that Council determine attendance at the NGA to take advantage of the early bird registration fee.

The Australian Local Government Association has also advised that the Call for Motions to be debated at the NGA is also open. The NGA is an important opportunity for Council to participate in influencing the national policy agenda and the primary focus of all motions should be to strengthen the capacity of local government to provide services and infrastructure in Australia.

The purpose of the NGA is for councils to identify issues that fall under the above theme and are a priority for the local government sector. All councils have the opportunity to raise relevant issues for debate.

The attached document provides information and guidelines on submitting motions. Motions should be submitted to the ALGA by no later 30 March 2017 and must be endorsed by Council prior to submission.

It is requested that Councillors submit proposed motions to this meeting for consideration and endorsement.



NGA18
National General Assembly
of Local Government

**AUSTRALIA'S FUTURE
MAKE IT LOCAL**

17–20 June 2018 // Canberra

Program + Registration
Register online www.alga.asn.au



AUSTRALIAN LOCAL
GOVERNMENT ASSOCIATION

Item 9.2

Attachment 1



President's Message

Welcome to the Australian Local Government Association's 2018 National General Assembly – Australia's largest and most influential gathering of Local Government councillors, mayors, chairs and officials.

Our theme for this year's NGA – Australia's future: make it local – reflects not just the wide scope and importance of Local Government, but its ability to influence and affect fundamental change and improvement at the community level.

The 2018 theme also hints at the strong possibility a federal election being called later this year or early next. That being the case, Local Government will need to be ready and able to speak up on behalf of our constituents.

ALGA and the State and Territory Local Government Associations are already well advanced in their election advocacy strategies, but this conference will provide important input into the fine-tuning of those plans.

A significant number of motions will be put to the Assembly, generating lively, vigorous and constructive debate. And, thanks to the introduction of keypad voting machines – a first for a National General Assembly – there'll be less time wasted on procedural matters and more time available for the things that matter: ideas, discussion, persuasion and consensus.

All of the motions that are supported at the NGA are submitted to the ALGA Board for consideration and aim, ultimately, to advance the cause of Local Government and the communities we seek to serve.

The program for this year's NGA is extensive, with multiple streams of specialist presentations for you to select from, and a range of keynote speakers to inform and inspire us.

Not surprisingly for a NGA that's being staged with a federal election in the wings, our expert panels will also boast plenty of individuals with insider views of Capital Hill.

"...make it local – reflects not just the wide scope and importance of Local Government, but its ability to influence and affect fundamental change and improvement at the community level."



Whilst the temperatures in the nation's capital may be decidedly brisk at this time of the year, I offer you a very warm welcome to the Australian Local Government Association's 25th National General Assembly.

I encourage you to meet new colleagues, to listen to experts and specialists, participate in discussions and to learn from the very best we have gathered on your behalf. Enjoy the experience, and take-home ideas and inspiration to help make your communities the very best they can be.

Mayor David O'Loughlin
ALGA President



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Platinum Sponsors





NGA18

National General Assembly
of Local Government

AUSTRALIA'S FUTURE MAKE IT LOCAL

17–20 June 2018 // Canberra

Provisional Program

Sunday 17 June	
5:00pm	Service NSW Welcome Reception National Convention Centre 
Monday 18 June	
9:00am	Opening Ceremony
9:20am	Mayor David O'Loughlin , ALGA President's Opening
9:30am	The Hon Malcolm Turnbull MP , Prime Minister (invited)
10:00am	Morning Tea
10:30am	▶ Keynote Speaker – David Speers , Political Editor, SKY NEWS <i>The Australian Political Landscape</i>
11:00am	▶ Keynote Speaker – Virginia Haussegger AM , Australian Journalist, Media Commentator and Television Presenter <i>The Case of Gender Diversity in Local Government</i>
11:30am	▶ Panel Session – <i>Changing Political Culture</i>
12:30pm	Lunch 
1:30pm	▶ Panel Session – <i>Balancing Innovation and the Public Interest</i>
3:00pm	Afternoon Tea
3:30pm	▶ Debate on Motions
4:30pm	Mr Stephen Jones MP , Shadow Minister for Regional Services, Territories and Local Government (invited)
5:00pm	Close
7:00pm	Networking Dinner – National Arboretum 
Tuesday 19 June	
9:00am	▶ Keynote Speaker – Bernard Salt AM , Author and Columnist <i>Population and the Policy Imperative</i>
9:45am	▶ Panel Session – <i>Building Tomorrow's Communities: Livability</i>
10:30am	Morning Tea
11:00am	▶ Debate on Motions
12:30pm	Lunch 
1:30pm	▶ Concurrent Sessions – <ul style="list-style-type: none"> • Energy and Climate Change • Arts and Culture • Digital Technology • Recycling and Waste
3:00pm	Afternoon Tea
3:30pm	▶ Debate on Motions
4:30pm	The Hon Bill Shorten MP , Leader of the Opposition (invited)
5:00pm	Close
7:00pm	NGA Dinner – Australian Institute of Sport
Wednesday 20 June	
9:00am	Setting ALGA's Election Priorities
9:30am	▶ Panel of Mayors – <i>Local Government and the Federal Election</i>
10:30am	Morning Tea
11:00am	▶ Panel Session – <i>How to Create Resilient Local Communities</i>
12:30pm	ALGA President's Close





Collaboration: A catalyst for success

The 2018 Regional Forum will bring together noted regional campaigners, academics, industry innovators and government officials to explore the challenges of successful collaboration, as a catalyst for region-scale prosperous metropolitan, regional and rural community growth.

Collaborative case studies and models will be shared, along with practical tools for delegates to test and disseminate within their own regions upon their return.

Once again, this year's State of the Regions Report, prepared in partnership between ALGA and the National Institute of Economic and Industry Research, will be launched with opportunities to discuss the data arising in the energy sector as well as international influences on local government at region-wide scales. The Forum also aims to prompt lively discussion about some of the country's most vulnerable household types – metro- and non-metro – and the crucial service delivery role and pressures at the local government level.

Preliminary Program

Sunday 17 June	
9:30am	ALGA President's Welcome
9:40am	▶ Keynote Address – <i>Observations of Australian economic development trends and regional impacts/challenges</i> Saul Eslake, Leading Australian Economist Katherine O'Regan, Executive Director, Cities Leadership Institute
10:30am	▶ Government Address – The Hon Dr John McVeigh MP, Minister for Regional Development, Territories and Local Government
11:00am	Morning Tea
11:30am	▶ Regional Showcase & 2018 State of the Regions Report Launch – • <i>Snapshot of programs/initiatives that have benefited from region-scale collaboration</i> • <i>Metro to non-metro vulnerable household types and challenges ahead</i>
12:15pm	▶ Panel Session – <i>State of the Regions Q&A</i>
12:45pm	Lunch
1:45pm	▶ Workshop – <i>A practical, fast-paced workshop applying tools to assist region-scale collaboration (metro and non-metro), led by Collaboration for Impact Facilitators</i>
3:00pm	Afternoon Tea
3:30pm	▶ Opposition Address – Mr Stephen Jones, Regional Services, Territories and Local Government (invited)
4:00pm	ALGA President's Close



Key Dates

- ▶ Submission of Motions for Debate – By 11:59pm Friday 30 March 2018
- ▶ Early Bird Registration – On or before Friday 4 May 2018
- ▶ Standard Registration – On or before Friday 1 June 2018
- ▶ Late Registration – After Friday 1 June 2018

Motions for Debate

The NGA is an important opportunity for you and your council to influence the national policy agenda. The primary focus of all motions should be to strengthen the capacity of local government to provide services and infrastructure in Australia.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria;

- 1
Be **relevant** to the work of local government **nationally**
- 2
Be **consistent with the theme** of the NGA
- 3
Complement or build on the policy objectives of your state and territory local government association

- 4
Be submitted by a council which is a **financial member** of their state or territory local government association
- 5
Propose a **clear action and outcome**
- 6
Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

To assist you to identify motions that address the 2018 theme, 'Australia's Future: Make it Local', the Australian Local Government Association Secretariat has prepared a short discussion paper and is available on the NGA Website: www.alga.asn.au.

Motions should be submitted electronically via the online form at: www.alga.asn.au/tecms/forms/motions_2018/ and should be received by the Australian Local Government Association no later than Friday 30 March 2018. For more information contact ALGA on (02) 6122 9400.

Voting Procedures

Each council is entitled to one voting delegate in debating sessions. Councils will need to determine who their voting delegate will be. Electronic voting keypads can be collected at the assembly.



Speaker Profiles

The Hon Malcolm Turnbull MP



Prime Minister of Australia
Malcolm Turnbull became the 29th Prime Minister of Australia on 15 September 2015 and was sworn in for a second term on 19 July 2016.

Mr Turnbull was elected to Federal Parliament as the Member for Wentworth in 2004. Since entering public life, Mr Turnbull has held a number of parliamentary positions including Shadow Treasurer, Parliamentary Secretary to the Prime Minister with responsibility for national water policy and Minister for Environment and Water Resources.

He was Leader of the Opposition from 16 September 2008 to 1 December 2009 and was later Shadow Minister for Communications and Broadband.

Most recently, Mr Turnbull was Minister for Communications from 18 September 2013 to 21 September 2015.

Malcolm was educated at Vaucluse Public School and Sydney Grammar School and graduated from Sydney University with a BA LLB. He was awarded a Rhodes Scholarship and completed a further law degree at Oxford.

He is married to Lucy, and has two adult children, Alex and Daisy, and two grandchildren, Jack and Isla.

The Hon Bill Shorten MP



Bill Shorten is the Federal Member for Maribyrnong and was elected leader of the Australian Labor Party and Leader of the Opposition on 13 October 2013.

Mr Shorten completed a Bachelors' degree in Arts and Law from Monash University, as well as an MBA from the Melbourne Business School.

Bill has since worked as a union organiser, union secretary, as a member of the ACTU executive, as a Member of Parliament and as a Minister in a Labor Government.

As a senior member of the Rudd/Gillard Labor Governments, Bill played a key role in securing a number of historic reforms including establishing the National Disability Insurance Scheme and increasing universal superannuation to 12 per cent.

As Minister for Workplace Relations, Bill continued the Labor Government's ongoing commitment to a fair and productive workplace relations system and during his time as Minister for Education helped secure the Better Schools reforms.

Prior to entering Parliament, Bill worked at the Australian Workers' Union, holding key leadership positions including State Secretary of the AWU Victoria Branch from 1998 to 2006 and National Secretary from 2001 to 2007.



The Hon Dr John McVeigh MP



John McVeigh was declared as the Federal Member for Groom on 22 July, 2016.

He was sworn in as the Minister for Regional Development, Territories and Local Government on December 20, 2017.

Before his elevation to Cabinet he was a member of the Joint Standing Committee on Foreign Affairs, Defence and Trade; the Joint Committee of Public Accounts and Audit; and the Standing Committees on Industry, Innovation Science and Resources, and Agriculture and Water Resources.

John also chaired the Coalition's Policy Committee for Industry, Innovation, Science and Northern Australia and was the chair of the Federal Government's Select Committee on Regional Development and Decentralisation.

He was previously a Councillor on the Toowoomba Regional Council from 2008 to 2012 where he held the Corporate Services Portfolio and Chaired the Audit Committee.

John has a Bachelor of Business (Marketing & Economics) (University of Southern Queensland), Master of Business Administration (Bond University) and a PhD in Agribusiness Management (University of Queensland).

John is proud to live with his wife, Anita, and six children in Toowoomba and is passionate about the role that regional Queensland will play in the future of our nation.

Mr Stephen Jones MP



Stephen Jones is the Federal Member for Whittlam and Shadow Minister for Shadow Minister for Regional Services, Territories and Local Government and Regional Communications.

Stephen was first elected to the Federal Parliament in 2010 representing the Southern Illawarra seat of Throsby. He was re-elected at the 2013 election and elected to the re-named seat of Whittlam in the 2016 election.

Stephen holds a Bachelor of Arts degree from the University of Wollongong and a Bachelor of Laws degree from Macquarie University.

Prior to entering the Federal Parliament, he worked as a community worker for various front line disability services, youth and health services and as a lawyer with the Australian Council of Trade Unions (ACTU) and as the Secretary of the Community and Public Sector Union (CPSU).



Virginia Haussegger AM



Virginia Haussegger AM is a gender diversity advocate and communication specialist. She is also an award-winning television journalist, writer and commentator, whose extensive media career spans more than 25 years.

Virginia has reported from around the globe for leading current affair programs on Channel 9, the Seven Network and the ABC. For 15 years (2001–2016) she anchored the ABC's flagship TV News in Canberra. She is widely published, both as a former columnist with the Canberra Times, and a regular contributor to the Sydney Morning Herald and The Age.

In 2016 Virginia was appointed Director of a new, national gender equality initiative, the 50/50 by 2030 Foundation, at the University of Canberra's Institute for Governance and Policy Analysis (IGPA), where she is an Adjunct Professor.

She has run a series of co-design workshops with local government leaders focused on diversity strategies and increasing the representation of women in

leadership positions. Virginia also runs a suite of Masterclasses on Strategic Communication and Persuasive Presentation.

In 2017 she launched an innovative gender equality news media platform, BroadAgenda, and currently serves as Chief Editor.

In 2014 Virginia was made a Member of the Order of Australia (AM) for service to the community, as an advocate for women's rights and gender equity, and to the media.

Virginia has served on a number of boards and committees including; UN Women National Committee Australia, the Snowy Hydro SouthCare Trust, and the Australia Forum Steering Committee. She currently sits on the Board of the ACT Government's Cultural Facilities Corporation; Women in Media Canberra; Our Watch, Media Advisory Committee; and is Patron of the Canberra Rape Crisis Centre.



David Speers



David Speers is Political Editor at SKY NEWS and anchor of agenda-setting political programs SPEERS and SPEERS ON SUNDAY on SKY NEWS LIVE.

David is one of Australia's most respected political journalists and interviewers, leading the SKY NEWS Walkley and Logie award-winning political news coverage.

David joined SKY NEWS as Political Editor in 2000 and has seen the channel grow to become the unrivalled destination for political and national affairs coverage in Australia.

He has been chosen to host Leaders' debates and forums at the last five federal elections and covered the last four Presidential elections in the United States.

Between elections David is one of the busiest and best connected correspondents in Canberra.

He has interviewed numerous world leaders, including US President George W. Bush at the White House and travelled extensively reporting from China, India, Afghanistan, Indonesia and Europe.

In 2014 David was awarded Australia's highest journalism honour, a Walkley Award for his global headline-making "What is Metadata" interview with the

Australian Attorney General. He received his second Walkley award in 2015 for his "The Fixer" interview featuring then Minister for Education and Training Christopher Pyne. In 2016 David and the SKY NEWS Political team were recognised with both a Walkley and TV Week Logie award for the team's outstanding coverage of the 2016 Federal Election.

David is also the recipient of the 2016 Kennedy Award for Most Outstanding Political Reporting, the 2017 AACTA Best Presenter Award for and the winner of more than 10 ASTRA Awards for excellence in broadcast journalism.

David served for three years as President of the Parliamentary Press Gallery. He has also served as a Director of the National Press Club since 2005.

Prior to joining SKY NEWS, David worked as a Political Reporter for a number of radio stations in Canberra and at New South Wales Parliament in Sydney.



Bernard Salt



Bernard Salt, a former partner at KPMG, is one of the most well-known writers, media personalities, and business advisors in Australia. Used to large crowds and the cameras, Bernard has the uncanny ability to explain even the most complex ideas in a way that everyone in the room can understand. Well-spoken, engaging, and enlightening, a business event featuring Bernard is sure to be a hit.

In business, Bernard's specialties lie in tracking and understanding demographic and social changes in his country of origin and the rest of the world, including the United States, New Zealand, and Asia. He focuses on the evolution of consumer cultures, how the most recent generation will fit into today's business world, and how companies can get the most out of their customer base and employees.

Bernard writes two weekly columns for The Australian newspaper that deal with social, generational and demographic matters, and

has authored six books, the most recent was published in 2014 titled *More Decent Obsessions: The small things that tell the big picture*. His other books include, *The Big Shift: Welcome to the Third Australian Culture*, *The Big Picture*, *Man Drought: Why are there so many single women in their 30's?*, *What is it with Generation Y?* and lastly, *Decent Obsessions: Why it's okay to sweat the small stuff*. He routinely appears as a commentator on a variety of television shows in Australia, including *Business Sunday*, *A Current Affair*, *60 Minutes*, *Today Tonight*, *Today Show*, and *Nightline*.

Bernard's unique skill is to take the latest data and then transfer this into a highly entertaining, very informative and above all else extremely relevant presentation on what the future environment will be for both businesses and individuals.

Saul Eslake



Saul Eslake worked as an economist in the Australian financial markets for more than 25 years, including as Chief Economist at McIntosh Securities (a stockbroking firm) in the late 1980s, Chief Economist (International) at National Mutual Funds Management in the early 1990s, as Chief Economist at the Australia & New Zealand Banking Group (ANZ) from 1995 to 2009, and as Chief Economist (Australia & New Zealand) for Bank of America Merrill Lynch from 2011 until June 2015. In between these last two positions he was Director of the Productivity Growth program at the then newly-established Grattan Institute, a 'think tank'.

In July 2015 Saul started up his own economics consultancy business, operating out of Hobart, and in April 2016 took up a part-time position as a Vice-Chancellor's Fellow at the University of Tasmania.

Saul is a member of the Australian Parliamentary Budget Office's Expert Advisory Panel, and is on

the Advisory Board of Jamieson Coote Bonds, a Melbourne-based specialist bond investment manager.

Saul is a non-executive director of Hydro Tasmania, an energy business owned by the Tasmanian State Government, and of Housing Choices Australia Ltd, a not-for-profit provider of affordable rental housing. He is also Chairman of Ten Days on the Island, Tasmania's bi-ennial state-wide multi-arts festival.

Saul has a first class honours degree in Economics from the University of Tasmania, and a Graduate Diploma in Applied Finance and Investment from the Securities Institute of Australia. In December 2012 he was awarded an Honorary LLD degree by the University of Tasmania. He has also completed the Senior Executive Program at Columbia University's Graduate School of Business in New York.



Katherine O'Regan



Katherine O'Regan has over 30 years' experience in developing and implementing growth strategies for business and government. Having served as a Chief of Staff and Advisor to Federal and State Government Ministers and Deputy Mayor, Woollahra Municipal Council where she served as a Councillor for five years, Katherine has unique insights into the policy, process and priorities of government.

This is complimented by a corporate executive career centred on the banking, financial and property sectors where she gained experience in public private partnerships, corporate transactions and mergers and acquisitions.

In 2013 Katherine established her own a consultancy firm providing strategic advice to government and business specialising in developing innovative solutions to the challenges and priorities facing

cities and communities. Katherine has led forums and workshops, written policy submissions and articles, and advocated for change for clients including NSW Small Business Commissioner's small business friendly Councils and regional activation programs, the NSW Department of Industry's Future Towns Program, energy start up Star Scientific and the Australian Banking Association.

In 2017 Katherine was appointed Executive Director of the Cities Leadership Institute a not for profit dedicated to building the capacity of urban leaders to make cities, towns and communities great places.

Katherine holds a Bachelor of Applied Science, Masters of Business Administration and a Masters of US Studies (with Merit) and is Director of leading public policy think tank, The Sydney Institute and Chair of her local Chamber of Commerce.



NGA 2018 Charity

Enormity – National Coat Day

Enormity is a not for profit, community based teenage committee.

Enormity started "Coat Day" 20 years ago when one of the member's friends became homeless and they "borrowed" a coat from the back of their mentor's car. This opened Enormity's eyes as to a community need and the collection of public donated coats begun, "Coat Day".

Enormity has collected around 99,200 coats in that time and with the assistance of charitable agencies such as St. Vincent de Pauls, Salvation Army and Devonport's Gran's Van all have redistributed to the homeless and those in need.

Homelessness can affect all members of our community including the young or old, families or single people, Aboriginal people or people from culturally diverse backgrounds, resulting in great social and economic costs to the individual, and the community as a whole.

Enormity has for a long time worked towards helping those in need by providing the simplest basic need of warmth and protection from the elements of winter – warm coats and clothing.

In year 2000, former Prime Minister John Howard launched our campaign nationally by donating his own coat. Since then Prime Ministers Kevin Rudd, Julia Gillard, Tony Abbott and last year Malcolm Turnbull have also donated a coat.

"Coat Day" is held annually on the 1st Saturday in July, this year being Saturday 7th July 2018. Please bring a coat to donate at the 2018 Local Government National General Assembly. Your donation of a winter coat will help someone who is sleeping rough. Collection will be available through the entirety of the conference, 17–20 June 2018.



Associated Events



Australian Local Government Women's Association Breakfast

**Monday 18 June 2018 –
7:00am–8:15am**

The ALGWA National President is pleased to invite members, friends and colleagues to our Annual Networking Breakfast as part of the National General Assembly.

The hot Outback Breakfast will be held from 7:00-8:15am on Monday 18 June.

Speaker: Cr Alwyn Friedersdorff, President of the National Rural Women's Coalition, (NRWC) freshly returned from addressing the UN and participation on issues faced by rural women.

Seating is strictly limited; find booking details on www.algwa.net.au



General Registration Details

General Assembly Registration Fees

Registration Fees –
Early bird

\$969.00

*(payment received by
Friday 4 May 2018)*

Registration Fees –
Standard

\$1,290.00

*(payment received on or before
Friday 1 June 2018)*

Registration Fees –
Late

\$1,429.00

*(payment received after
Friday 1 June 2018)*

**General Assembly
Registration Includes**

- ▶ Attendance at all General Assembly sessions
- ▶ Morning tea, lunch and afternoon tea as per the General Assembly program
- ▶ One ticket to the Welcome Drinks, Sunday
- ▶ General Assembly satchel and materials

Day Registration Fees

Monday 18 June 2018

\$529.00

Tuesday 19 June 2018

\$529.00

Wednesday 20 June 2018

\$320.00

Day Registration Includes

- ▶ Attendance at all General Assembly sessions on the day of registration
- ▶ Morning tea, lunch and afternoon tea as per the General Assembly program on that day
- ▶ General Assembly satchel and materials

Sunday Regional Development Forum Registration Fees (Sunday 17 June 2018)

Forum Only

\$445.00

NGA Delegate

\$245.00

*(Delegates attending the Regional
Forum and the NGA are entitled to
this discount)*

Accompanying Partners Registration Fees

Accompanying Partners
Registration Fee

\$280.00

**Accompanying Partners
Registration Includes**

- ▶ 1 ticket to the Welcome Reception, Sunday 17 June
- ▶ Day tour Monday 18 June
- ▶ Day tour Tuesday 19 June
- ▶ Lunch with General Assembly Delegates on Wednesday 20 June



Payment Procedures

Payment can be made by:

- ▶ Credit card – MasterCard and Visa
- ▶ Cheque made payable to ALGA
- ▶ Electronic Funds Transfer:
Bank: Commonwealth
Branch: Curtin **BSB No:** 062905
Account No: 10097760

NOTE: If paying via EFT you must quote your transaction reference number on the registration form.

Cancellation Policy

All alterations or cancellations to your registration must be made in writing and will be acknowledged by email. Notification should be sent to:

Conference Co-ordinators
PO Box 4994, CHISHOLM ACT 2905

Facsimile: (02) 6292 9002

E-mail: conference@confco.com.au

An administration charge of \$110.00 will be made to any participant cancelling before Friday 4 May 2018. Cancellations received after Friday 4 May 2018 will be required to pay full registration fees. However, if you are unable to attend, substitutes are welcome at no additional cost.

By submitting your registration you agree to the terms of the cancellation policy.

Privacy Disclosure

ALGA collects your personal contact information in its role as a peak body for local government. ALGA may disclose your personal contact information to the sponsors of the event for the purposes of commercial business opportunities. If you consent to ALGA using and disclosing your personal contact information in this way, please tick the appropriate box on the registration form.

Importantly, your name may also be included in the General Assembly List of Participants. You must tick the appropriate box on the registration form if you wish your name to appear in this list.

Photographs

During the National General Assembly there will be a contracted photographer. The photographer will take images during the sessions and social functions. If you have your picture taken it is assumed that you are giving consent for ALGA to use the image.

Images may be used for print and electronic publications.

Canberra Weather in June

Winter days in Canberra are characterised by clear sunny skies but the days are cool at around 12–15C and temperatures do drop to 1C on average in the evenings, so be sure to bring a warm jacket. Mornings can be foggy so keep this in mind when booking flights. It is best to avoid early arrivals or departures in case of delays due to fog.

Social Function and Venue Information

Social Functions

Welcome Reception and Exhibition Opening

Sponsored by:



Sunday 17 June 2018

Venue: National Convention Centre

The Welcome Reception will be held in the exhibition hall and foyer.

- ▶ 5:00–7:00 pm
- ▶ \$50.00 per person for day delegates and guests
- ▶ No charge for full registered delegates
- ▶ No charge for registered accompanying partners

Dress code: smart casual

Networking Dinner

Sponsored by:



Monday 18 June 2018

Venue: National Arboretum Canberra

The dinner is being held in the Village Centre.

- ▶ 7:00–11:00 pm
- ▶ \$100.00 per person

Dress code: smart casual

The Monday night dinner takes on a new format as we take it offsite to the multi-million dollar National Arboretum. Enjoy the stunning Canberra landscape whilst having the opportunity to network with delegates from other councils and organisations.



General Assembly Dinner

Tuesday 19 June 2018

Venue: Australian Institute of Sport

The dinner is being held in the Arena of the AIS.

- ▶ 7:00–11:00 pm
- ▶ \$130 per person

Dress code: lounge suit/collar and tie for men and cocktail style for women.

With Parliament House undergoing renovations this year, we are excited to take delegates to the Australian Institute of Sport, the country's elite and award winning sports precinct. Tickets to the General Assembly Annual Dinner are always highly sought after and therefore booking early is highly recommended to ensure your place.

Note: Bookings are accepted in order of receipt.

General Assembly Business Sessions

Monday 18 June 2018 to
Wednesday 20 June 2018

Venue: National Convention Centre

All plenary sessions will be held in the Royal Theatre at the National Convention Centre.

Dress code: Smart casual

Exhibition

Sunday 17 June 2018 to
Wednesday 20 June 2018

Venue: National Convention Centre

The exhibition is being held in the Exhibition Hall of the National Convention Centre.

Dress code: Smart casual

Coach Transfers

Welcome Reception and Exhibition Opening – Sunday 17 June 2018

Coaches will collect delegates from all General Assembly hotels (except Crowne Plaza) at approximately 4:45pm. The return coaches will depart at 7:00pm.

Daily Shuttles to and from the National Convention Centre

A shuttle service between all General Assembly hotels (except Crowne Plaza) and the National Convention Centre will operate between 8:00am and 8:30am. Return shuttles will depart the National Convention Centre at 5:30pm.

Networking Dinner – National Arboretum Canberra – Monday 18 June 2018

Coaches will collect delegates from all General Assembly hotels at approximately 6:40pm. A return shuttle service will commence at 10:15pm.

General Assembly Dinner – Australian Institute of Sport – Tuesday 19 June 2018

Coaches will collect delegates from all General Assembly hotels at approximately 6:40pm. A return shuttle service will operate between 10:30pm and 11:45pm.

Car Parking

Parking for delegates is available underneath the National Convention Centre for a cost of approximately \$19.00 per day. Alternatively, voucher public parking is available 300m from the Centre at a cost of approximately \$15.70 per day. The voucher machines accept either coins or credit cards (Visa or MasterCard).



Partner Tours



Monday 18 June 2018

Monday Partner Tour: *Behind the Scenes of our Capital*

Take a glimpse behind the scenes of two of Canberra's iconic locations. The day will start with an intimate tour of Government House to see where Cabinet ministers are sworn in and the Governor General welcomes visitors like the Queen and heads of states.

After lunch we have an exclusive tour of The Royal Military College Duntroon, including the Army Officer training course, the cadet mess, and some of the historical and ceremonial areas within the College grounds.



Tuesday 19 June 2018

Tuesday Partner Tour: *Diamonds and Decadence*

We start today with a high tea at Adore Tea where we'll experience a variety of teas from simple black teas to incredible flowering teas paired with sweet and savoury foods with a twist.

The afternoon will be spent at the National Gallery of Australia to experience the confirmed Cartier Exhibition. This is showcasing some of the most exquisite jewels from the renowned French Jeweller including the Queen's "Halo" tiara, the engagement ring of Princess Grace of Monaco and costumes from the Ballet Russes, as well as displays of sketches and the tools of Cartier's trade.

Accommodation

Crowne Plaza

1 Binara Street, Canberra

The Crowne Plaza is adjacent to the Convention Centre and only a short walk from restaurants, bars and the main shopping district. Featuring a contemporary design, the Crowne Plaza provides guests with an outdoor pool, sauna, health/fitness centre, 24 hour reception, room service, concierge, undercover parking for a fee and onsite dining at the RedSalt Restaurant. All rooms are non-smoking and include free WiFi, climate control air-conditioning, tea/coffee making facilities and a minibar.

Twin option at the hotel consists of two double beds.

Superior Room: \$315 per night single/twin/double

Deluxe Room: \$365 per night single/twin/double

Avenue Hotel

80 Northbourne Avenue, Canberra

The Avenue Hotel is one of the newest options in Canberra and offers guests both studio and apartment style rooms. The hotel is a 15-20 minute walk from the Convention Centre and has an onsite restaurant and bar, 24 hour reception, room service, gymnasium, undercover parking (charges apply per night) and guest lounge. All rooms have king size beds, rainfall showers, balconies, mini bar and free WiFi. The apartments also have a fully functioning kitchen.

Twin option is only available in the Superior rooms and consists of two single beds.



Superior King Rooms: \$260 per night single/twin/double

1 Bedroom Apartments: \$310 per night single/double

Waldorf

2 Akuna Street, Canberra

Located in the heart of Canberra's CBD, the Waldorf is only a five minute walk from the National Convention Centre. This hotel has 24 hour reception and provides guests with a gymnasium, indoor heated lap pool, room service and onsite dining at the Waldorf on London Restaurant. All rooms have kitchen and laundry facilities, in-room safe, dining table and chairs, complimentary cable TV, pay per view movies and high speed internet service (for a fee). The 1 bedroom apartments also offer a separate lounge/dining area.

Twin option at the hotel consists of two single beds. Additional costs will apply if more than 2 guests are within the one room.

Studio Apartment: \$200 per night single/twin/double

1 Bedroom Apartment: \$220 per night single/twin/double

Novotel

65 Northbourne Avenue, Canberra

Located on Northbourne Avenue, one of Canberra's main thoroughfares, the Novotel is a 15 minute walk from the National Convention Centre. The hotel offers 24 hour reception and room service, an onsite restaurant and bar, a newly renovated indoor pool, gymnasium and undercover parking (charges apply per night). In-room facilities include mini bar, tea/coffee making facilities, internet

access (for a fee), pay per view movies and climate control air-conditioning. Standard rooms have a Queen size bed while the Executive rooms have a King size bed.

Twin option for the standard room type consists of two double beds and the executive room type consists of one king bed and a pull out sofa bed.

Standard Room: \$280 per night single/twin/double

Executive Room: \$315 per night single/twin/double

Mantra

84 Northbourne Avenue, Canberra

Mantra on Northbourne is centrally located within the CBD and approximately a 15–20 minute walk from the National Convention Centre. The hotel features underground parking (for a fee), a 24 hour reception, a heated indoor pool, sauna, fully-equipped gymnasium and an onsite restaurant bar. All rooms offer individually controlled air-conditioning, WiFi (for a fee), pay per view movies, mini bar, tea/coffee making facilities, hairdryer and complimentary toiletries. 1 bedroom apartments also offer a separate lounge and dining area, kitchen and a fully equipped laundry.

Bedding configuration in a hotel room is one king or two single beds and a 1 bedroom apartment has one queen or two singles.

Hotel Room: \$236 per night single/twin/double

1 Bedroom Apartment: \$276 per night single/twin/double

Medina Apartment Hotel James Court

74 Northbourne Avenue, Canberra

The Medina Apartment Hotel James Court is approximately a 15–20 minute walk from the National Convention Centre and is close to cafes, restaurants, gyms and shopping. The hotel offers reception, undercover parking (for a charge), outdoor heated swimming pool, sauna, gymnasium and a restaurant delivery service. All rooms feature private balconies, climate controlled air conditioning, separate lounge/dining areas, free WiFi, spa bath, mini bar, fully equipped kitchen facilities and an in-room safe.

Twin option consists of two single beds.

Note: Reception operates between the hours of 6:30am and 11:00pm

1 Bedroom Apartment: \$215 per night single/twin/double

2 Bedroom Apartment: \$285 per night

Qt Hotel

1 London Circuit, Canberra

The Qt Hotel is a modern hotel with boutique style furnishings, central to the city and a 10 minute walk to the National Convention Centre. The hotel offers guests a 24 hour reception and room service, an onsite restaurant and bar, parking for a daily charge plus an onsite barber shop. All rooms have now been upgraded to have king beds, other features include a balcony, rainfall showers, free WiFi, pay per view movies, mini bar, hairdryer, iron and ironing board.

Twin option at the hotel consists of two single beds.

Standard Room: \$249 per night single/twin/double

Registration Form

Register online www.alga.asn.au

NGA18

National General Assembly of Local Government 17-20 June 2018
Australian Local Government Association ABN 31 008 613 876

Multiple delegates > photocopy form
Register online, download PDF or return this form to:
Conference Co-ordinators
PO Box 4994 Chisholm ACT 2905
Phone (02) 6292 9000 Fax (02) 6292 9002
Email nga@confco.com.au
By submitting your registration you agree to the terms
and conditions of the cancellation policy on page 15

PERSONAL DETAILS

TITLE	NAME	SURNAME
<hr/> (Cr/Ald/Mayor/Other)		
<hr/> POSITION		
<hr/> COUNCIL/ORGANISATION		
<hr/> ADDRESS		
<hr/> SUBURB		<hr/> STATE
		<hr/> POSTCODE
<hr/> PHONE		<hr/> MOBILE
<hr/> EMAIL		
<hr/> NAME FOR BADGE		

How did you find out about the General Assembly? ALGA State/Territory Association Council Other: _____

PRIVACY DISCLOSURE

- I DO consent to my name appearing in the 2018 General Assembly List of Participants booklet (name, organisation and state only disclosed) as outlined in the privacy disclosure on page 15.
- I DO consent to ALGA disclosing my personal contact information as outlined in the privacy disclosure on page 15.

REGISTRATION FEES

GENERAL ASSEMBLY REGISTRATION FEES

Please note registration does NOT include attendance to the Regional Cooperation and Development Forum

- EARLY BIRD REGISTRATION FEES (payment received on or before 4 May 2018) \$969.00
- STANDARD REGISTRATION FEES (payment received on or before 1 June 2018) \$1,290.00
- LATE REGISTRATION FEES (payment received after 1 June 2018) \$1,429.00
- DAY REGISTRATION FEES Monday 18 June \$489.00 Tuesday 19 June \$489.00 Wednesday 20 June \$280.00

REGIONAL CO-OPERATION AND DEVELOPMENT FORUM REGISTRATION FEES (SUNDAY 17 JUNE)

- REGIONAL DEVELOPMENT FORUM ONLY Registration fee \$445.00
- GENERAL ASSEMBLY DELEGATE Registration fee \$245.00
- STATE OF THE REGIONS REPORT 2018-19 (Single licence) \$260.00
- STATE OF THE REGIONS REPORT 2018-19 (Organisational licence) \$720.00

ACCOMPANYING PARTNERS REGISTRATION FEES

REGISTERED ACCOMPANYING PARTNER Name for badge: _____ \$280.00

SOCIAL FUNCTIONS INCLUDED IN FEES

One ticket to each of the following functions is included in the full General Assembly registration and/or accompanying partners registration fee. Please confirm if you will be attending by placing a tick in the appropriate boxes. To purchase additional tickets to any of the following functions please indicate the number required and complete the total amount payable.

REGISTERED DELEGATES AND PARTNERS

WELCOME RECEPTION AND EXHIBITION OPENING (SUNDAY 17 JUNE 2018)

I/we will attend: Delegate Partner Number of additional tickets @ \$50.00 each Total \$

REGISTERED PARTNERS

Day 1 • Behind the Scenes of our Capital (Monday 18 June 2018)

I will attend: Partner Number of additional tickets @ \$125.00 each Total \$

Day 2 • Diamonds and Decadence (Tuesday 19 June 2018)

I will attend: Partner Number of additional tickets @ \$125.00 each Total \$

Registration form continues over the page

NGA18

National General Assembly of Local Government 17-20 June 2018
Australian Local Government Association ABN 31 008 613 876

OPTIONAL SOCIAL FUNCTIONS

Tickets to these functions are **not** included in the General Assembly registration fee or accompanying partners registration fee. To purchase tickets to any of the following functions please indicate the number required and the total amount payable.

NETWORKING DINNER, Arboretum (Monday 18 June 2018) Number of tickets @ \$100.00 each Total \$

GENERAL ASSEMBLY DINNER, Australian Institute of Sport (Tuesday 19 June 2018) ****NUMBERS STRICTLY LIMITED****

Number of tickets @ \$130.00 Each Total \$

SPECIAL REQUIREMENTS

(E.G. DIETARY, MOBILITY) _____

REGISTRATION AND SOCIAL FUNCTION PAYMENT DETAILS

Enclosed is my cheque made payable to ALGA Conference Account

Please issue an invoice. (invoices are automatically issued on receipt of registrations)

I have paid via an Electronic Funds Transfer to the 'ALGA Conference Account'. Transaction reference number _____

ALGA ACCOUNT: Bank: Commonwealth **BRANCH:** Curtin **BSB NO:** 062905 **ACCOUNT NO:** 10097760

Please charge my credit card Mastercard Visa

CREDIT CARD Grand total \$

CARD HOLDERS NAME _____ SIGNATURE _____

EXPIRY DATE / IS THIS A CORPORATE CARD? YES NO

ACCOMMODATION DETAILS

Please indicate your preference from 1 to 5

CROWNE PLAZA

SUPERIOR ROOM \$315 Single Twin Double

DELUXE ROOM \$365 Single Twin Double

AVENUE HOTEL

SUPERIOR KING ROOM \$260 Single Twin Double

1 BEDROOM APARTMENT \$310 Single Double

MANTRA

HOTEL ROOM \$236 Single Twin Double

1 BEDROOM APARTMENT \$276 Single Twin Double

MEDINA APARTMENT HOTEL JAMES COURT

1 BEDROOM APARTMENT \$215 Single Twin Double

2 BEDROOM APARTMENT \$285 Queen/Queen
 Queen/2 Singles

NOVOTEL

STANDARD ROOM \$280 Single Twin Double

EXECUTIVE ROOM \$315 Single Twin Double

QT HOTEL

STANDARD ROOM \$249 Single Twin Double

WALDORF

STUDIO APARTMENT \$200 Single Twin Double

1 BEDROOM APARTMENT \$220 Single Twin Double

Please note your credit card details are required to guarantee your room. Neither Conference Co-ordinators nor the hotel will make any charges against your credit card unless you fail to give a minimum of twenty one (21) days notice in writing of your cancellation. All cancellations will be acknowledged in writing by Conference Co-ordinators. Full payment of your account will be required at the time of your departure. The rates quoted are per room per night.

DATE OF ARRIVAL _____

DATE OF DEPARTURE _____

SHARING WITH _____

ESTIMATED TIME OF ARRIVAL _____

I understand my credit card details are given as a guarantee of my arrival and to ensure my room will be held until my nominated arrival time. No charge for accommodation will be made against this card unless I fail to give a minimum of twenty one (21) days notice of cancellation in writing to Conference Co-ordinators.

Mastercard Visa Amex

 CREDIT CARD NUMBER

CARD HOLDERS NAME _____

SIGNATURE _____

EXPIRY DATE /

IS THIS A CORPORATE CARD? YES NO

Return form to Conference Co-ordinators, PO Box 4994 Chisholm ACT 2905 Email nga@confco.com.au

NGA 2018

National Convention Centre Canberra
17-20 June 2018

National General Assembly of Local Government Call for Motions Discussion Paper

Australia's Future, Make it Local

The purpose of this discussion paper is to provide guidance to councils for the development of Motions for debate at the 2018 National General Assembly. The paper provides an overview of policy areas in which the NGA has well-established positions and identifies potential new and emerging policy areas which are being developed by ALGA and require detailed consideration. Councils are particularly encouraged to submit Motions on these policy areas.

Highlighting the issues below contributes to implementing ALGA's Strategic Plan 2017-2020 and its objectives to:

- strengthen Local Government in the areas of financial sustainability; delivering services in regional cities; infrastructure; and innovation and digital transformation, as well as,
- facilitating collaboration between state and territory associations in Local Government's role in Indigenous policy issues, scale and capacity; women in Local Government; and diversity in representation.

Criteria for Motions

Motions must meet the following criteria:

- ✓ be **relevant** to the work of local government **nationally**
- ✓ be **consistent with the theme** of the NGA
- ✓ **complement or build** on the policy objectives of your state and territory local government association
- ✓ be submitted by a council which is a **financial member** of their state or territory local government association
- ✓ propose a **clear action and outcome**
- ✓ **not be advanced** on behalf of external third parties that may seek to use the NGA to apply pressure to Board members or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.

Your Opportunity

The primary focus of all Motions should be to strengthen the capacity of local government to provide services and infrastructure in Australia. Providing clear actions within areas that are still emerging provides councils with an opportunity to influence the development of ALGA policy and advocacy by ALGA on federal election commitments.

Emerging Issues

Councils across Australia are constantly being asked to do more with less. Changing community needs, including ageing populations, technological advancements and changing economic circumstances, are a challenge for all communities.

Analysis suggests that a Commonwealth election may well be called between August 2018 and May 2019. The 2018 NGA therefore provides an important opportunity to progress Local Government issues in the Federal agenda. Below are some critical areas in which Local Government needs to consider the role it can in local communities on the national stage. In particular, the 2018 NGA is calling for Motions that provide clear policy advice and/or policy initiatives that will help Local Government to address the following policy challenges:

Housing Affordability

Housing affordability is a major challenge in many communities. The Commonwealth frequently asserts that housing affordability is a problem because of the supply of housing. As such there has been a focus on planning reform.

Motions are called for on ways to improve housing supply and improve land use planning and associated local government infrastructure to support increased housing supply.

Financial Sustainability – Oppose Cost Shifting

In 2005 The House of Representatives Inquiry into Cost Shifting from States onto Local Government estimated that cost shifting amounted to between \$500m - 1.4b annually. This includes regulatory and other services that Local Government provided on behalf of states without adequate compensation.

Motions are called for on ways to reduce cost shifting from states and the Commonwealth on to Local Government and on areas of regulatory reform and services that Local Government could provide efficiently and effectively on behalf of states or the Commonwealth if appropriately funded.

Innovation and Digital Transformation – Smart Communities

Technological advancements are changing the way councils communicate with citizens and deliver services and infrastructure.

Motions are called for on ways to improve the ability of councils to support their community to understand and benefit from digital transformation, ways to improve data, protect privacy and increase security of council-held data.

Harmonising Local Government Data

National Local Government data is held in a variety of places and is often of variable quality. National advocacy on behalf of Local Government needs a strong evidence base. ALGA has been working with JRA on the State of the Assets project which collects data on the quality and condition of all local government assets. Increasingly, councils are being required to provide data to third parties.

Motions are called for on ways to improve the collection of local government data, how data could be better linked across the sector, and ways to improve the quality of data.

Cyber Security

Recent malware attacks have highlighted the vulnerability of business and government computer systems. Strong measures are required to ensure that all Australians and Australian businesses and governments are aware of the risks and take appropriate measures to ensure cyber security.

Motions are called for on ways to improve local government cyber security.

Environment

Local Government plays a critical role in environmental management, with actions often embedded into other day to day operations as well as included in economic management considerations

Motions are called for on what should be national priorities and on ways to improve environmental management systems, waste management, product stewardship and biodiversity.

Regional Development

Local Government plays a critical role in regional development, with an active role working with neighbouring councils, industry, state government agencies, community and other key stakeholders to set and achieve regional goals.

Motions are called for on ways to improve regional policy approaches, funding ideas on regional sustainability and equity.

Motions should be lodged electronically using the online form available on the NGA webpage at: alga.asn.au. All Motions require, among other things, a contact officer, a clear national objective, a summary of the key arguments in support of the motion, and the endorsement of your Council.

Motions should be received by ALGA no later than **11:59pm on Friday 30 March 2018**.

Established ALGA Policy Areas

Financial Assistance Grants

Adequate and appropriate Local Government services and infrastructure are critical to all communities. The Commonwealth Financial Assistance Grants are important to all councils. Success has been achieved in the last 12 months by restoration of the indexation of the Financial Assistance Grants (FAGs). ALGA's priority in this area is to continue advocating for FAGs funding to be increased to a level equal to at least one per cent of commonwealth taxation revenue.



Freight Strategy

Local government manages around 75 per cent of Australia's local roads network. These roads were generally built decades ago and today are required to carry increasing amounts of freight, including higher productivity vehicles. Poor and unsafe roads are a barrier to increased productivity. ALGA's priority is the promotion and development of a freight strategy with funding of \$200m per year for five years to address first and last mile access issues, leading to an increase in local, regional and national productivity.



Roads to Recovery

The Roads to Recovery Program provides councils with essential additional funding to help address the backlog of maintenance and renewal of local roads. Success was achieved with Roads to Recovery by having the expiration date removed and essentially creating an ongoing program. Further work in this area is being undertaken to ensure Roads to Recovery funding is permanently doubled.



Additional Local Roads Funding for South Australia

Additional funding for South Australian local roads to address an anomaly in FAGs ceased in 2014. It was reinstated in 2017-18 but only for two years. The focus is now on securing ongoing additional funding for South Australian local roads, indexed annually in line with FAGs.



Climate Change Plans

Many councils are addressing or wish to address climate change. With the important role Local Government can play helping the Australian Government to achieve internationally agreed climate change targets, a priority has been placed on supporting councils to work with local businesses and communities to implement local and regional Climate Change Adaptation Plans.



Indigenous

Addressing Indigenous disadvantage across Australia is a priority for all Australian governments. Advocacy is about closing the gap between Indigenous and non-Indigenous Australians in the areas of housing, health, early childhood development, education, economic participation and remote service delivery.



Community Infrastructure

Funding support for community infrastructure will enable all local councils to plan and deliver adequate and appropriate community infrastructure. ALGA is urging political parties to commit to specific local government community infrastructure funding at the level of \$300 million per annum over the next four years.



9.3 Flying Aboriginal Flag at half mast on 17 April

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

CSP Strategy: 4.3 Council and the community working together

Delivery Program: 4.3.1 Foster positive community relationships through open communication, opportunities for participation and sharing information

Summary

This report seeks the endorsement of Council to flying the Aboriginal flag at half-mast on 17 April annually to recognise the Appin massacre of Dharawal people which took place in 1816.

Finance

Not applicable

Policy

Not applicable

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council endorse the flying of the Aboriginal flag at half-mast on 17 April each year in recognition of the massacre of Dharawal people that took place at Appin in 1816. Further, that one minutes' silence also be held at 10am on 17 April each year for those who wish to participate.

BACKGROUND

Council has received notification of a request issued by the Tharawal Local Aboriginal Land Council that on the 17th April at 10am every year the entire community on Dharawal lands lower ALL Aboriginal Flags to half-mast and pause for a minutes' silence & reflection.

This has been requested as a mark of respect to those who lost their lives in the massacre that took place at Appin in 1816. The request also seeks the holding of one minutes' silence at 10am so that individuals can pay their respects on the same day at the same time each year no matter what they are doing.

The massacre of 14 members of the Dharawal people occurred when Governor Lachlan Macquarie ordered a punitive expedition to round up Aboriginal people thought to be responsible for conflict with settlers in the area. The massacre included men, women and children. Further information on the massacre can be found at https://dictionaryofsydney.org/entry/appin_massacre

Report of the General Manager

9.3 Flying Aboriginal Flag at half mast on 17 April (cont)

Members of the Aboriginal and non-Aboriginal community of the Dharawal lands have come together since 2000, at Cataract Dam, downriver from the massacre site, every year around 17 April for a memorial service to remember the Appin massacre. A memorial to the victims was erected at Cataract Dam in 2007 and the lowering of the flag and minutes' silence is requested as an additional way of remembering an important part of our area's indigenous history.

Council's Aboriginal Liaison Officer has advised that she will be conducting a minutes' silence and information session on the massacre as part of a youth event that is planned for 17 April.

Council's Cultural Development Officer has also recommended that as the Kiama LGA forms part of Dharawal lands that Council should take part in the flag lowering to promote awareness.

9.4 Jones Beach Kiama Downs - dune vegetation damage

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

CSP Strategy: 2.2 Our community and natural environments are adaptive, resilient and sustainable

Delivery Program: 2.2.1 Implement adopted Coastal Management Programs and legislative requirements

Summary

This report advises of serious damage to the Jones Beach dune vegetation and recommends that Council consider a number of strategies to address significant concern.

Finance

Not applicable

Policy

Not applicable

Attachments

- 1 Aerial photo of Jones Beach vegetation damage area [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council consider a number of strategies to redress the issue and deter any further vandalism which include the following:

1. Provide a reward for information leading to the identification of any persons deliberately damaging vegetation on the dune system which is not part of the approved Landcare project.
2. Placing signage in the affected areas advising of the damage to the dune vegetation and the penalties under the Environmental Planning & Assessment Act that will be sought against any person carrying out the damage.
3. Carrying out an education program advising of the benefits of the dune system in terms of property protection and habitat.
4. Replacing vegetation with similar native species to those damaged/killed.

BACKGROUND

As Council is aware an application for funding to undertake the Kiama LGA Coastal Management Plan (CMP) has been submitted to the Office of Environment & Heritage (OEH) for consideration. The development of a coastal management program for the Kiama LGA is to look at identifying and managing the risks from coastal hazards, coastal erosion, storm impact, etc. This follows the methodology as required by the coastal management manual under the guidance of the OEH.

Report of the General Manager

9.4 Jones Beach Kiama Downs - dune vegetation damage (cont)

As a part of this process Council will be looking at appropriate management of the dune areas at Jones and Werri beaches, however Council first needs to assess the predicted impacts associated with sea level rise and storm impacts taking into account predicted climate change scenarios.

The funding will not include the cost of on ground works, however once the CMP's management actions are adopted by Council and certified by the Minister, funding will be available under the OEH coastal program for implementation of works associated with the Kiama Coastal Management Plan.

A Landcare group organised under the framework of Illawarra Landcare has been effectively working on defined sections of the Jones Beach dune area to remove weeds and waste materials.

In an area outside the Landcare work site there has been significant dying of plants including a number of banksia and other trees. The subject area is shown on the attached aerial photograph. An inspection of the area with Illawarra Landcare representatives revealed that the pattern and nature of plant death strongly suggests that a form of poison which is most likely significantly stronger than Roundup has been sprayed over an extensive area. This belief is also supported by the fact that it does not appear to have occurred in other parts of the dune system. Samples of plants and soil have been referred for testing to confirm poisoning and the type of poison. The outcomes of the testing will be reported to Council when they are received. Due to the period since dying plants were detected and weather conditions, the testing may not be conclusive.

It also appears that vegetation at the northern end of the beach has been removed and lopped.

The damage to the dune vegetation is of grave concern. Jones Beach was subject to dune care works in the 1990s to provide stabilisation of the dune and to protect public and private property from major storms and sea surge. In the 1970s the local road and properties were under threat from major storm events. The vegetation has stabilized the dune and also provided a local habitat particularly for bird species. While the ongoing dune management will be reviewed as part of the coastal management program and associated study, unauthorized and illegal damage of the existing vegetation in the interim should be strongly discouraged. It is recommended that Council consider a number of strategies to redress the issue and deter any further vandalism. They include the following:

1. Providing a reward for information leading to the identification of any persons deliberately damaging vegetation on the dune system which is not part of the approved Landcare project.
2. Placing signage in the affected areas advising of the damage to the dune vegetation and the penalties under the Environmental Planning & Assessment Act that will be sought against any person carrying out the damage.
3. Carrying out an education program advising of the benefits of the dune system in terms of property protection and habitat.
4. Replacing vegetation with similar native species to those damaged/killed.



Subject Area



Projection: GDA 1984
MGA Zone 56
Cadastral Copyright
LPMA NSW, 13/03/18
Scale: 1:1500 @ A4

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9.5 Cities Power Partnership Summit at Kiama Pavilion, 18-19 October, 2018

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

CSP Strategy: 2.2 Our community and natural environments are adaptive, resilient and sustainable

Delivery Program: 2.2.3 Ensure environmental protection compliance

Summary

This report advises of the Cities Power Partnership Summit to be held in Kiama on 18 – 19 October 2018 and the proposed Council sponsorship.

Finance

Council sponsorship involving the provision of the Kiama Pavilion and discounted accommodation at Council-owned holiday parks is being sought.

Policy

Not applicable

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council confirm its sponsorship of the event and thank the organisers for selecting Kiama Pavilion.

BACKGROUND

The Cities Power Partnership of which Council is a signatory and member has advised that the Kiama Pavilion has been chosen as the venue for the summit to be held on 18 – 19 October 2018.

An extract from the letter of advice is as follows:

The 2 day summit, themed “Accelerating Local Action”, will target the existing 70 CPP member council mayors & councillors, sustainability and communications staff, as well as prospective member councils, community energy groups and carbon solutions providers who will be invited to participate in a small trade exhibition.

One year on from our launch, the Summit aims to inspire, engage & deliver practical information to assist councils implement carbon emissions reduction projects that contribute to the action pledges across Renewable Energy, Energy Efficiency, Sustainable Transport & Work Together & Influence.

We will also be celebrating best practice by profiling leading low carbon project case studies from CPP member councils and via a CPP Awards Ceremony to be held as part of the conference dinner. The attached postcard provides a more detailed summit overview. Importantly, the summit will provide an opportunity for us to

Report of the General Manager

9.5 Cities Power Partnership Summit at Kiama Pavilion, 18-19 October, 2018
(cont)

generate revenue to support the ongoing offering of the Cities Power Partnership program services free to councils in future rounds and to decrease our reliance on Climate Council donors.

As we place Kiama in the national climate action spotlight, we would like to propose a host sponsorship package that both acknowledges your support and further increases your climate leader profile.

CPP Summit Hosting benefits

- *A boost in tourism & economic activity from the expected 2-300 delegates. The summit has been scheduled on a Thursday – Friday to facilitate weekend tourism stay extensions.*
- *Opportunity to showcase your achievements to a national audience via conference welcome Day 1.*
- *3 complimentary summit registrations -valued at \$3K*
- *Complimentary summit & awards ceremony dinner table for 10 guests -valued at \$2K*
- *Increased profile through national media spotlight*
- *Logo placement on conference website, program and PowerPoint reel at summit.*

Host sponsor cost –

- *Pavilion venue hire waiver for 3 days October 17-19 - Value \$6K (The venue hire price quoted from the Pavilion team including data projector, large screen, lectern and microphone, 3 cordless microphones, lapel microphone and internet access for all delegates for the duration of the conference.)*
- *Accommodation discount for delegates at Council owned holiday parks.*

While the event will enable Council to showcase its initiatives and commitment to the power partnership it should also bring significant tourism and economic benefits with 200-300 delegates expected.

Three complimentary summit registrations and a complimentary summit and awards ceremony table is also to be provided to Council as a primary sponsor.

It is recommended that Council confirm its sponsorship of the event and thank the organisers for selecting the Pavilion Kiama.

10 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

10.1 Planning Proposal Policy to establish a new Development Control Plan Policy

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 10.1

Summary

The purpose of this report is to review the existing Planning Proposal Policy and to establish a new preparation of a Development Control Plan Policy to ensure that Council can meet both its financial and legislative requirements.

Finance

NA

Policy

This report seeks to provide clarity for the Planning Proposal process and to ensure the consistent preparation and assessment of Planning Proposals. This report also seeks to ensure the consistent preparation of Development Control Plans (DCP) and associated chapters.

Attachments

- 1 Planning Proposal Policy [↓](#)
- 2 DCP Policy [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council endorse both the draft Planning Proposal Policy, to replace the existing policy adopted in 2012, and the draft preparation of Development Control Plans Policy.

BACKGROUND

The purpose of this report is to review the existing Planning Proposal Policy and to establish a new Development Control Plan Policy to ensure that Council can meet both its financial and legislative requirements.

Planning Proposal Policy

Four (4) amendments to Kiama LEP 2011 were published in 2017, with another two (2) amendments currently with the State Government awaiting imminent publication.

Report of the Director Environmental Services

10.1 Planning Proposal Policy to establish a new Development Control Plan Policy (cont)

With these amendments Council will have completed 9 separate Planning Proposals in 2017/early 2018.

Both externally and internally driven LEP amendments utilise a significant amount of Council's resources. Council's adopted fees and charges enable Council to recoup some of financial costs associated with carrying out the Planning Proposal process that are requested by external parties.

However, in the past certain Planning Proposals have not followed normal procedure with additional public exhibition being carried out etc. These additional tasks have not been captured by Council's adopted Fees and Charges and as such monies have had to be allocated from unbudgeted sources. For example, the Golden Valley Planning Proposal was publicly exhibited prior to being considered by Council. This exhibition was outside of the legislative requirements and as such Council was unable to recoup the costs associated with this exhibition period from the applicant. By carrying out additional and unlegislated exhibitions also extends the timeframes associated with amending LEPs. This enables applicants to request Rezoning Reviews etc from the Department of Planning and Environment.

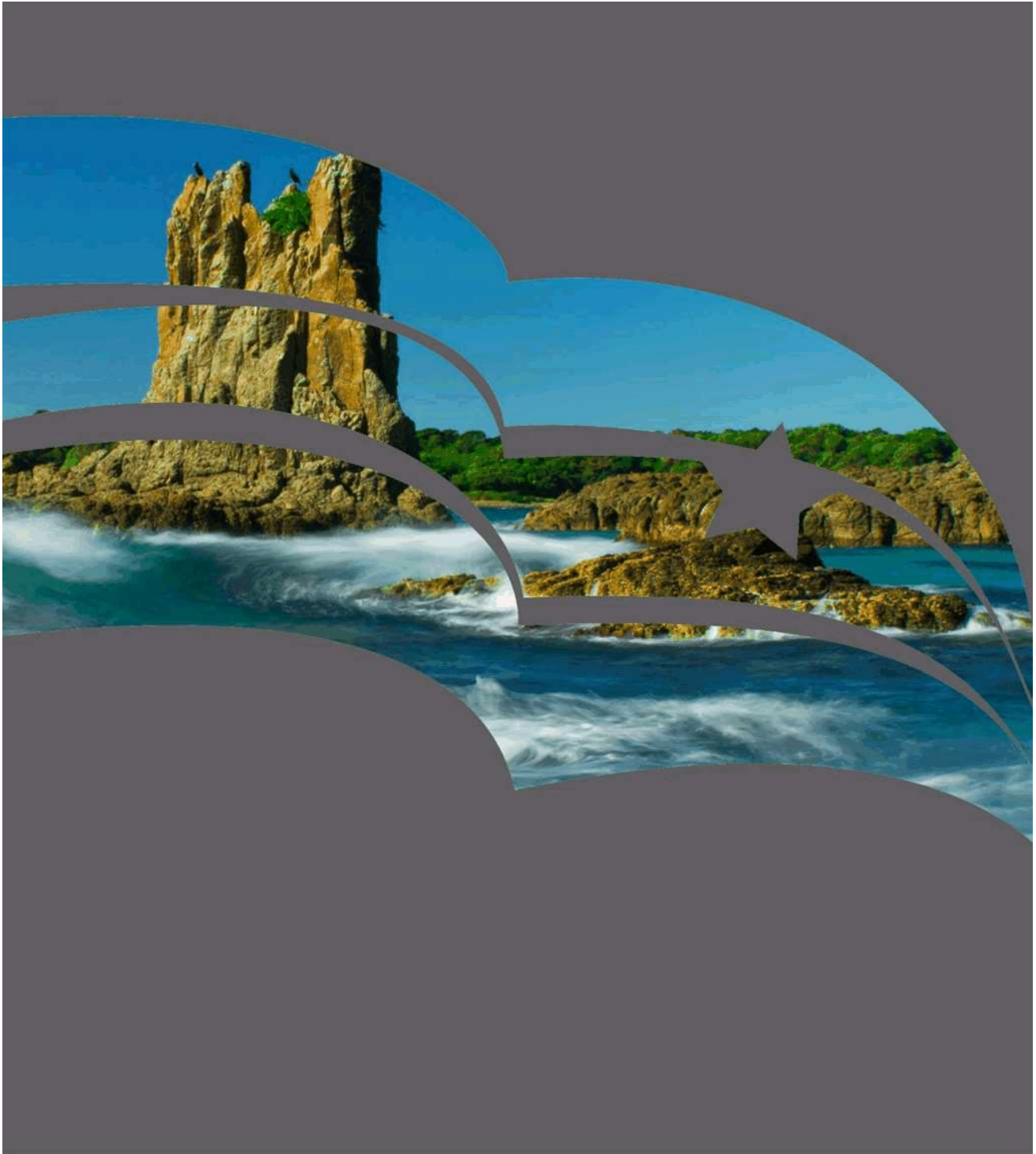
Council has a limited budget for internally driven amendments to the LEP. The proposed changes to the Planning Proposal Policy seek to standardise Council's preparation and review of both internally and externally driven Planning Proposals. The proposed changes also provide additional guidance and clarification of the Planning Proposal process including Gateway Determination, Rezoning Review and the Minister's plan making delegations.

Development Control Plans Policy

With the preparation and adoption of the Jamberoo Village specific chapter of the Kiama DCP 2012, Council spent approximately \$12,500 on advertising, external consultant fees, workshops, staff wages and materials. This cost far exceeded the 2017/2018 financial year budget for the preparation/amendment of the DCP.

It is acknowledged that the Jamberoo Village specific chapter of the DCP required significant community and staff input. However, to ensure Council meets its financial requirements, future amendments to the DCP need to be carried out in a consistent and structured fashion.

The proposed DCP Policy seeks to standardise Council's preparation and adoption of DCP chapters and amendments. The proposed policy also provides guidance and clarification of the process including community consultation.



Item 10.1

Attachment 1

PLANNING PROPOSAL POLICY

Adopted 21 February 2012

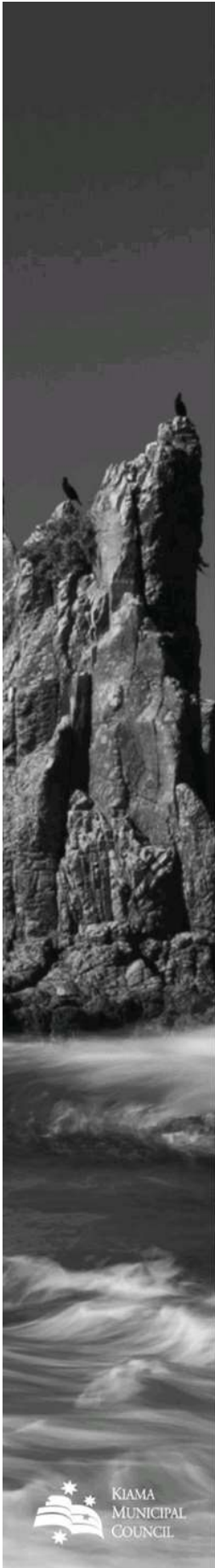
Amendment 1 adopted 18 October 2016

Amendment 2 adopted xxxxxx

Environmental Services



KIAMA
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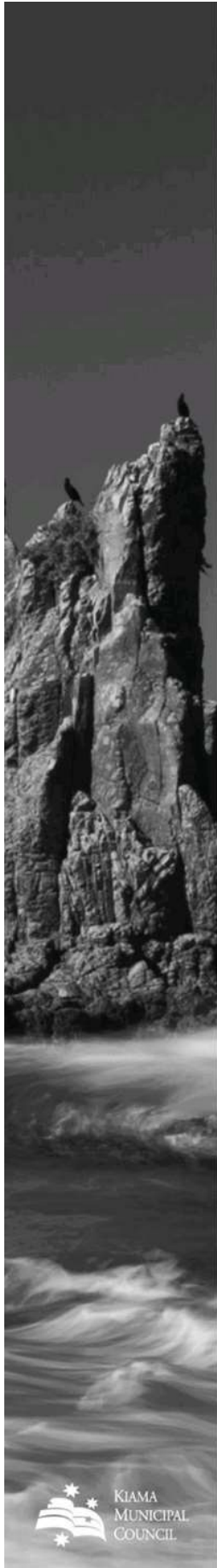


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Item 10.1

Attachment 1



Planning Proposal Policy

1.0 Purpose

The purpose of this Policy is to guide and standardise Council's preparation and review of Planning Proposals.

A Planning Proposal is the document that explains the intended effect of, and justification for, a proposed amendment to the Local Environmental Plan (LEP).

Planning Proposals can be prepared by an applicant however they must be endorsed by Council and the Department of Planning and Environment in order to take effect. There are two (2) main types of Planning Proposals; external proponent or Council driven proposals.

Generally, external proponent driven Planning Proposals are specific to an individual site and include, but are not limited to: rezoning, the introduction of new minimum lot sizes or the establishment of additional permitted uses on a site.

Council driven Planning Proposals can involve broad scale rezoning of areas, the introduction of new zones or provisions or 'housekeeping' amendments to the existing provisions of the Kiama LEP 2011. To ensure that Council can meet both its financial and legislative requirements Council will only prepare a maximum of two (2) 'housekeeping' Planning Proposals per calendar year.

2.0 References

This document should be read in conjunction with:

- Kiama Urban Strategy,
- Department of Planning & Environment's (DPE) 'Guide to Preparing Local Environmental Plans',
- DPE's 'Guide to Preparing Planning Proposals',
- Illawarra-Shoalhaven Regional Plan, and
- *Environmental Planning and Assessment Act 1979*

3.0 Steps in Process

With the adoption of this policy all Planning Proposals will need to adhere to the following process.

1. Meet with Council Staff

All proponents are required to meet with Council staff to discuss concept proposals. If the proposal meets any of the following criteria Council staff may agree in principle that a concept Planning Proposal be prepared:

- Land is identified as a nominated area in the Kiama Urban Strategy.
- Land can be identified as assisting to meet Council's strategic direction.
- A clear zoning anomaly exists on site.

Staff will provide proponents with a copy of the minutes of the meeting to outline any constraints or additional matters that need to be considered.

Public authorities, included elected Council members, should also discuss concept proposals with staff prior to submitting or resolving to prepare Planning



Proposals. This will ensure that all Planning Proposals follow the same process and that Council resources are utilised efficiently.

2. Proposal lodged with Council

All proposals submitted to Council are to be accompanied with the relevant lodgement fees, in line with the adopted Fees and Charges, and a completed 'Application for Planning Proposal form'.

All Planning Proposals will need to be prepared in accordance with relevant sections (including sections 3.32 and 3.33) of the *Environmental Planning and Assessment Act 1979* and the Department of Planning & Environment's (DPE) 'Guide to Preparing Local Environmental Plans' and 'Guide to Preparing Planning Proposals' as well as this Policy.

All Planning Proposals must include the following information:

- Part 1 A statement of objectives and intended outcomes of the proposal,
- Part 2 An explanation of the provisions that are to be included in the proposed instrument,
- Part 3 The justification of those objectives, outcomes and process of for their implementation. Including consideration of:
 - Section A - Need for the planning proposal
 - Section B - Relationship to strategic planning framework
 - Section C - Environmental, social and economic impact
 - Section D - State and Commonwealth interestsAn Information Checklist is available in Attachment 1 of 'Guide to Planning Proposals'
- Part 4 Maps, where relevant, to identify the intent of the Planning Proposal and the area to which it applies,
- Part 5 Details of the community consultation that is to be undertaken on the planning proposal,
- Part 6 A project timeline to detail the anticipated timeframe for the plan making process for each planning proposal.

Where technical studies were carried out as a part of the Planning Proposal, consideration of their findings will need to be described under relevant headings in this section. Technical studies submitted with the Planning Proposal will be made available during consultation with the community and public authorities.

Where required, maps will need to be prepared in accordance with the DPE's 'Standard Technical Requirements for Spatial Datasets and Maps'.



3. Proposal Supported by Council

The request to prepare a Planning Proposal will need to be considered by Council. Council staff will prepare a report on the concept proposal, including an overview of findings of the reports including where required, peer review of any consultant's reports lodged.

At the completion of review of the concept Planning Proposal, Council has the following options available:

- Council may resolve to support the concept proposal. In this instance Council will forward the Planning Proposal to the DPE for a "Gateway Determination".
- Council may seek amendments or changes to the concept proposal. In this instance the proposed changes will be made before Council forward the proposal to the DPE.
- Council may resolve not to support the concept proposal. In this instance Council will inform the proponent that the proposal is not supported

It should be noted that even if Council resolves to prepare or support a Planning Proposal this does not guarantee that the subsequent proposal or rezoning will proceed.

If Council determines not to support a proposal or fails to indicate its support with 90 days of the initial submission of the proposal or fails to submit the proposal for a Gateway determination within a reasonable time a proponent may request a review by the Joint Regional Planning Panel (JRPP). This process is called a Rezoning Review where the JRPP assume the role of Council in determining if a Planning Proposal should be forwarded to the DPE for a Gateway Determination. The DPE's 'Guide to Preparing Local Environmental Plans' outlines the fees associated with processing a Rezoning Review.

4. Gateway Determination

If supported, Council will request the payment of additional fees, in line with the adopted Fees and Charges, before forwarding the Planning Proposal to the DPE to receive a Gateway Determination. This process is undertaken by the Minister (or delegate) and will determine whether the Planning Proposal proceeds.

The Gateway Determination process reviews the proposal and may indicate if further detailed studies are to be undertaken. The Gateway Determination will also outline the required community consultation process, which can involve both the community and public authorities, is determined at this time.

The Gateway Determination will also prescribe the timeframe for the LEP amendment to be completed.

The Minister or their delegate can vary the planning proposal at this time.

The Gateway Determination also informs Council if the delegation of the NSW Minister of Planning to make LEP amendment has been granted or not. (See below for further information on Minister's delegations).



If Council or the proponent are dissatisfied with the Gateway Determination either party can request a review of the determination by the JRPP. This process is called a Gateway Review where the JRPP provides advice on whether the original Gateway Determination should be altered. The Minister's final decision on whether to alter the Gateway Determination will be informed by this advice. The DPE's 'Guide to Preparing Local Environmental Plans' outlines this process. The DPE's 'Guide to Preparing Local Environmental Plans' outlines the fees associated with processing a Gateway Review.

5. Consultation

The Gateway Determination will outline which public authorities are to be consulted. Copies of all relevant materials will be forwarded to applicable public authorities prior to consulting with the community. This will ensure that the public authorities' comments can be made available when the proposal is publicly exhibited.

The Gateway Determination will outline the length of the time the proposal is to be publicly exhibited. The DPE's 'Guide to Preparing Local Environmental Plans' outlines that the Planning Proposal is to be publicly exhibited in the following manner:

- Notification in a newspaper that circulates in the area affected by the proposal;
- Notification on Council's website; and
- Notification in writing to affected and adjoining landowners, unless Council is of the opinion that the number of landowners makes it impractical to notify them.

Council will notify the affected and adjoining landowners. Generally, this will include contacting the adjoining landowners and any landowners Council deems to be affected by the proposal (i.e. owners of land fronting road that will provide access to site). Council will also notify the appropriate community representative group. Consultation will be carried out in accordance with any community participation plan/policy adopted by Council.

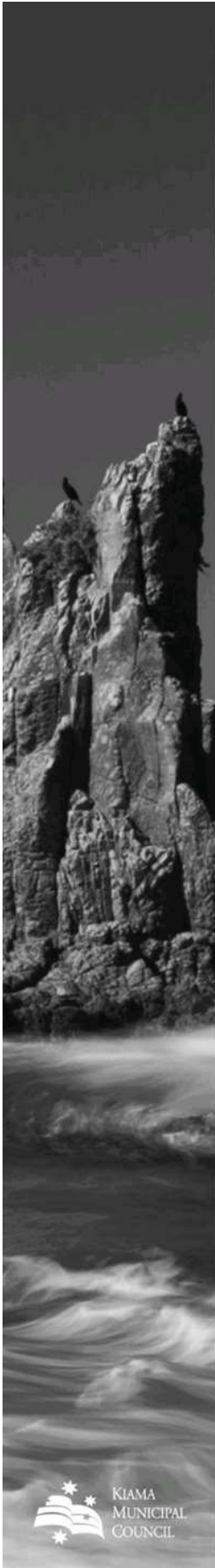
Certain types of Planning Proposals may require a public hearing (see below).

6. Assessment & final endorsement

Council reviews all of the submissions made by the relevant public authorities and the community during the consultation period. The Planning Proposal may be varied at this point as a response to concerns raised.

The finalised Planning Proposal is again considered by Council. Council may at this point:

- Resolve to support the proposal. In this instance Council will either carry out the regulatory process for making the LEP amendment or request that the DPE undertake this process.
- Council may seek amendments or changes to the proposal. This may require requesting an amendment to the Gateway Determination and subsequent re-exhibition.



- Council may resolve not to support the Planning Proposal. This will require Council contacting the Minister (or delegate) and request that the LEP amendment not proceed.

7. Regulatory Making of Amendment

If endorsed, Council will request the payment of additional fees, in line with the adopted Fees and Charges, for the regulatory making of the LEP amendment.

If delegation of the NSW Minister of Planning to make LEP amendment has been granted, as part of the Gateway Determination, Council will be responsible for:

- Consulting with the NSW Parliamentary Counsel (State Government's legal service) regarding legal wording of LEP amendment;
- Authorising/signing the legal documents (this is usually done by Council's General Manager, Director of Environmental Services or Manager Strategic Planning); and
- Requesting publication of the LEP on the NSW legislation website.

If delegations have not been received, the Minister (or delegate) will be responsible for carrying out the above processes.

If delegations have not been received Council will still need to form an opinion on whether or not the LEP amendment should ultimately be made. In doing so Council may request the Minister to determine that the matter not proceed. It will ultimately be up to the Minister to determine to if he/she wishes to agree to this request.

Once published on the NSW legislation website, the LEP amendment comes into force and the Planning Proposal process is complete.

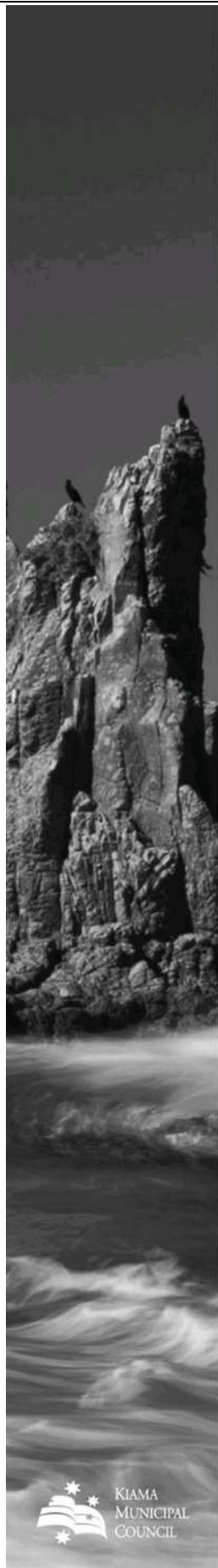
4.0 Public Meetings/Hearings

Council may arrange a public meeting/hearing if it considers such a meeting/hearing is warranted due to the nature of the Planning Proposal.

Section 29 of the *Local Government Act 1993* requires Council to arrange a public hearing for any Planning Proposal that seeks to reclassify community land to operational land, unless a public hearing has already been held in respect of the same matter.

Council will arrange for an independent consultant to chair any public hearing, required as part of a Planning Proposal, and to prepare the required report.

If a public hearing is required as part of a Planning Proposal Council will request the payment of additional fees, in line with the adopted Fees and Charges, for the public hearing to be held.



5.0 Notes

1. There are costs associated with the Council's consideration of planning proposals. An overview of associated costs can be found in Council's fees and charges schedule.
2. Council has the ability to recoup costs associated with preparing planning proposals. Section 3.32(3) of the Environmental Planning and Assessment Act provides that where an owner of land asks a relevant planning authority to exercise its powers under Division 3.4 (and prepare a planning proposal), the relevant planning authority may recover the costs of preparing the planning proposal from the landowner. The regulations allow relevant planning authorities to enter into an agreement with such persons for payment of the costs and expenses incurred by the authority in undertaking studies and other matters required in relation to the planning proposal.
3. Council may also recoup, from the applicant, costs associated with a peer review of any consultant report provided during the concept planning proposal stage.

"Clause 3.32 (3) A planning proposal authority that is requested by the owner of any land to exercise its functions under this Division in relation to the land may, as a condition of doing so, require the owner to carry out studies or provide other information concerning the proposal or to pay the costs of the authority in accordance with the regulations."

6.0 Fees

Please refer to Council's fees and charges for the processing of a planning proposal.

7.0 Document control

Directorate:	Environmental Services
Policy name:	Planning Proposal Policy
Date adopted by Council or N/A:	21 February 2012
Date endorsed by MANEX:	N/A
Last revision date:	18 October 2016
Next review date:	February 2020
Trim doc number:	16/76433

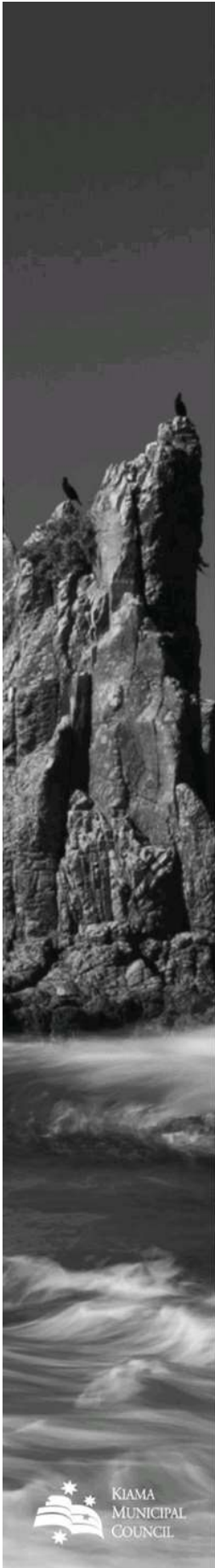


Item 10.1

Attachment 2

**PREPARATION OF DEVELOPMENT
CONTROL PLANS POLICY**
Adopted xxxxxx
Environmental Services



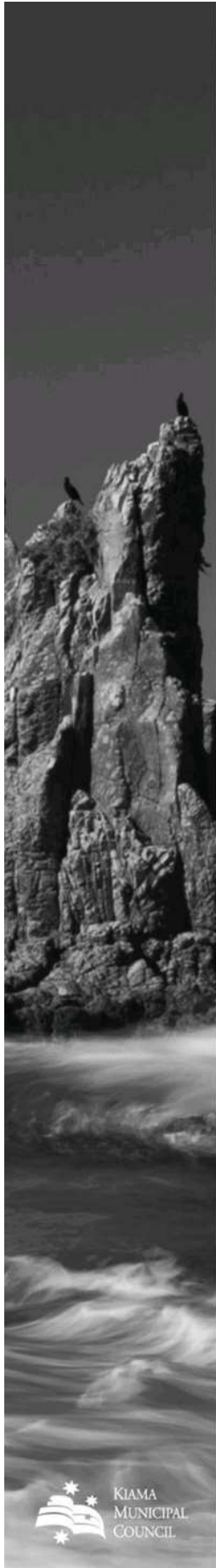


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Item 10.1

Attachment 2



Preparation of Development Control Plans Policy

1.0 Purpose

The purpose of this Policy is to guide and standardise Council's preparation of Development Control Plans (DCP) and associated chapters.

The principal purpose of DCP is to provide guidance on the following matters to the persons proposing to carry out development:

- giving effect to the aims of the Kiama Local Environmental Plan (LEP),
- facilitating development that is permissible under the Kiama LEP,
- achieving the objectives of land zones under the Kiama LEP.

The provisions of a DCP are not statutory requirements. A DCP cannot be inconsistent with the provisions of the Kiama LEP and cannot prohibit development where it is permitted by the Kiama LEP.

The Kiama Development Control Plan 2012 (DCP 2012) was adopted by Council on 31 July 2012. The DCP 2012 contains general development control as well as site specific area for specific locations throughout the Municipality.

This policy is concerned with the preparation of new chapters, amendments to existing chapters and the preparation of entirely new DCPs.

2.0 References

This document should be read in conjunction with:

- Kiama Local Environmental Plan 2011
- Kiama Development Control Plan 2012, and
- *Environmental Planning and Assessment Act 1979*

3.0 Steps in Process

With the adoption of this policy, the preparation of all DCPs will need to adhere to the following process.

1. Preparation of draft DCP

Generally, for new chapters or entirely new DCPs, Council staff will prepare the desired structure and generic controls. Specific controls may be omitted from the first draft to enable constructive consultation.

Where a new chapter is required to be prepared as part of a Planning Proposal the proponent will be required to pay relevant fees, in line with Council's adopted Fees and Charges. Applicants who wish to prepare their own chapter will still need to adhere to the requirements of this policy.

Specific amendments to existing chapters will be made clear in any draft.

Public authorities, included elected Council members, and members of the public should also discuss concept DCPs with staff prior to submitting or resolving to prepare a DCP. This will ensure that the preparation of all DCPs follow the same process and that Council resources are utilised efficiently.

2. Draft adopted by Council



All draft DCPs will be reported to Council for adoption prior to exhibiting publicly.

3. Consultation

Section 18 of the *Environmental Planning and Assessment Regulation 2000* outlines that a draft DCP is to be publicly exhibited in the following manner:

- Notify in a newspaper of the places, dates and times for inspection of the draft plan,
- Publicly exhibit a copy of the draft DCP and the LEP, and
- Specify in the notice the period during which submissions about the draft may be made.

The *Environmental Planning and Assessment Regulation 2000* prescribes that a draft DCP must be publicly exhibited for at least 28 days.

For site specific chapters/controls Council will notify the affected and adjoining landowners. Council will also notify the appropriate community representative group. Consultation will be carried in accordance with any community participation plan/policy adopted by Council.

Certain types of draft DCP may require a public workshop (see below).

4. Final draft and adoption of DCP

Council reviews all of the submissions made during the consultation period. The draft DCP may be varied at this point as a response to concerns raised.

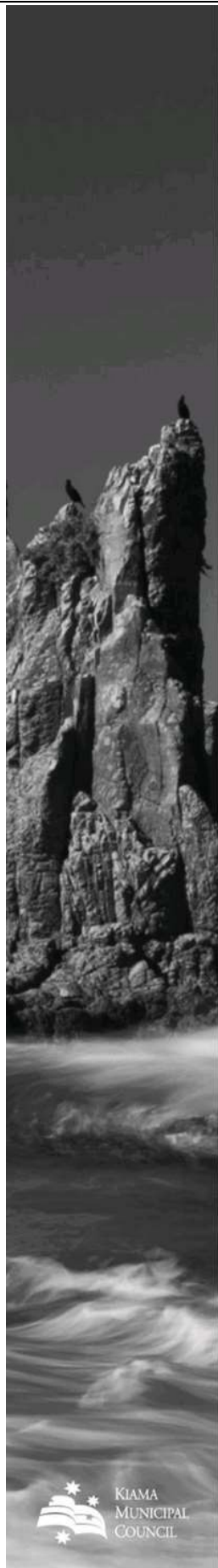
The final draft DCP is again reported to Council. Council may at this point:

- Resolve to adopt the draft DCP.
- Resolve to adopt the draft DCP with amendments or changes to the draft. Depending on the magnitude of changes this may require re-exhibition.
- Council may resolve not to proceed with the draft DCP. Notice of a decision not to proceed with a draft DCP must include the Council's reasons for the decision.

5. Publication of DCP

If adopted, Council will prepare for a public notice to be placed in a local newspaper within 28 days of the decision being made. Due to office closures over the Christmas period Council will generally not consider draft DCPs at the December meeting. This will ensure that Council is able to meet its legislative requirements.

A DCP comes into effect on the date that the public notice is given in the local newspaper, or on a later date specified in the notice.



4.0 Public Workshops

When establishing new chapters or significant changes to existing controls Council may hold a public workshop in order to ascertain the community's opinion on the matter.

Public workshops will be open to all members of the public to express their opinions.

Public workshops will be carried in accordance with any community participation plan/policy adopted by Council.

5.0 Notes

1. There are costs associated with the preparation of DCPs. An overview of associated costs can be found in Council's fees and charges schedule.
2. Council has the ability to recoup costs associated with the assessment and preparation of DCP. Section 25AA of the Environmental Planning and Assessment Regulation provides that where an owner of land asks a relevant planning authority to either prepare or assess a DCP, the relevant planning authority may recover the costs of preparing the planning proposal from the landowner.

6.0 Fees

Please refer to Council's fees and charges for the assessment and preparation of a DCP.

7.0 Document control

Directorate:	Environmental Services
Policy name:	Preparation of Development Control Plans Policy
Date adopted by Council or N/A:	N/A
Date endorsed by MANEX:	N/A
Last revision date:	N/A
Next review date:	February 2020
Trim doc number:	18/5660

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision

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 10.2

Summary

This report reviews DA 10.2017.236.1 which involves the construction of an attached dual occupancy and 2 Lot Torrens Title Subdivision.

The report recommends that Council approve DA No 10.2017.236.1 as the proposal is:

- permissible in the R2 Low Density Residential zone and complies with the zone objectives even though it is inconsistent with the relevant development standards of the Kiama Local Environment Plan 2011 (LEP), including:
 - a 45% variation to the subdivision development standard restricting the size of the lots resulting from the subdivision to an area of not less than 450m² each; and
 - a 4.22% variation to the maximum floor space ratio of 0.45:1 shown for the land on the Floor Space Ratio map; and
- generally consistent with the Kiama Development Control Plan 2012 (DCP), with the exception of the controls requiring garages to be setback 6.0m, with both garages setback approximately 5.5m, departing from strict compliance with the control by 8%. The non-compliance is considered acceptable because the garage setbacks comply with Australian Standard 2890 – Parking Facilities which permits a vehicle parking space to be not less than 5.5m long, and the each unit has a double garage alleviating the driveway from being a required parking area for the development.

Requests to vary this LEP development standards and the DCP control have been received.

It is noted that this matter is related to Council's resolution to amend the minimum lot size for resulting lots created as a result of subdividing dual occupancy development.

Finance

N/A

Policy

N/A

Reason for the Report

This report is submitted to Council because only the elected Council can assume concurrence of the Secretary of the Department of Planning and Environment under the LEP clause 4.6 to vary a development standard by more than 10%, as a result of

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a new direction given by the Department on 15 December 2017 withdrawing the use of staff delegation in such circumstances. This direction has since be reconfirmed in Planning Circular PS 18-003 released on 21 February 2018.

Attachments

- 1 10.2017.236.1 - plans

Enclosures

Nil

RECOMMENDATION

That Council approve Development Application No 10.2017.236.1 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 73 DP 1206414 which is located at 7 Blair Street, Kiama.

The overall site measures 494.6 m² and is rectangular in shape. The site currently is vacant and is bounded by vacant residential allotments within the Cedar Grove Stage 2 subdivision which has been released.

The site is zoned R2 Low Density Residential pursuant to Kiama LEP 2011.

The site is cleared and slopes up moderately from south to north with a vertical rise of 4.93m from the street front at RL 61.37m to the rear of the allotment at RL 66.3m (16.5% or 9.37 degrees).

The site drains to the public road drainage network. Access to the property is gained from the southern frontage through a Public Road. The site is serviced with utilities. The locality plan is shown below in Figure 1:

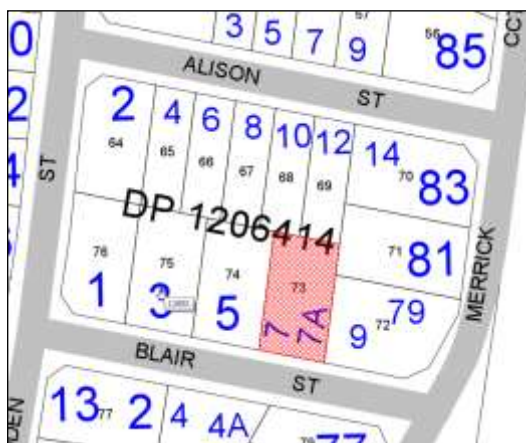


Figure 1 – GIS Plan

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The proposal involves an attached dual occupancy and 2 lot Torrens Title Subdivision. The plans for the proposal are shown in Figures 2, 3, 4, 5, 6 and 7 below:

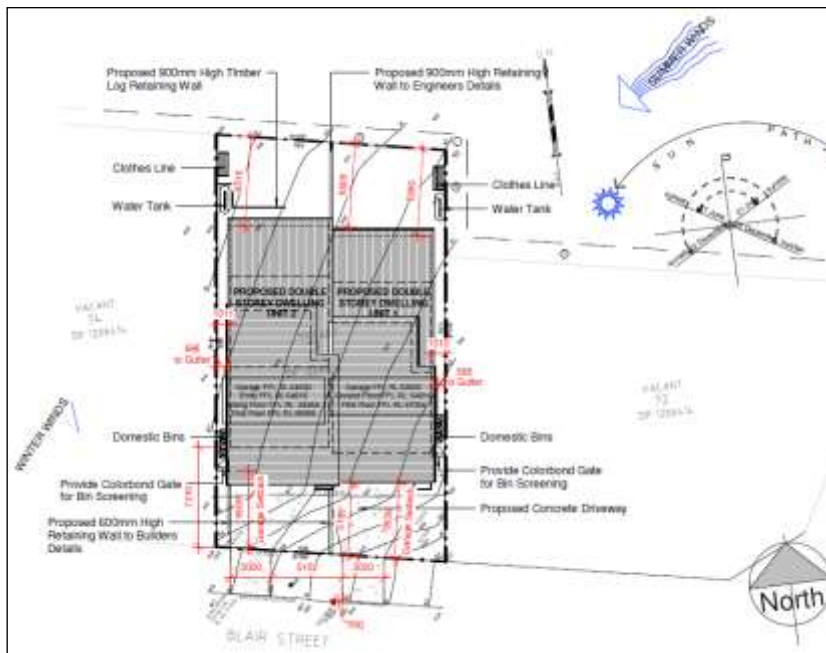


Figure 2 – site plan



Figure 3 – north-western oblique 3D perspective (southern frontage facing Merrick Circuit)

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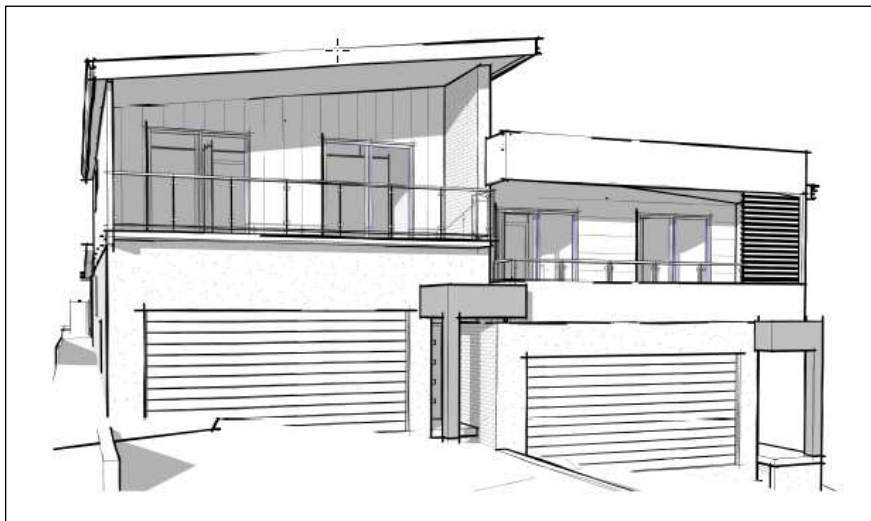


Figure 4 – north-eastern oblique 3D perspective (southern frontage facing Merrick Circuit)

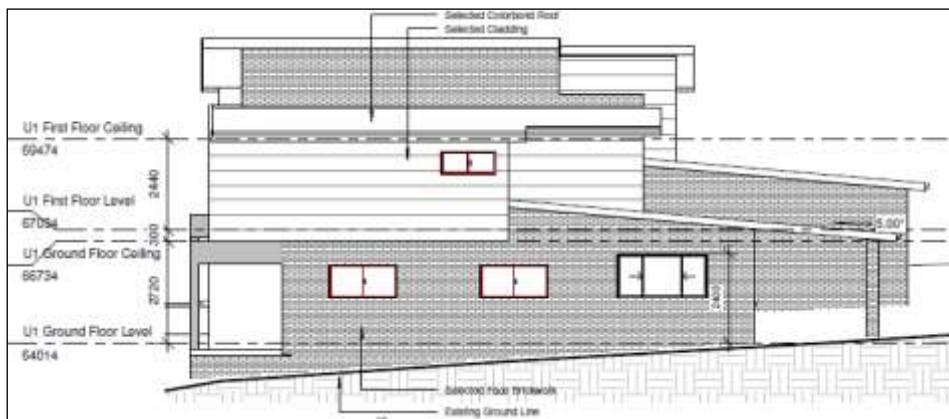


Figure 5 – west elevation

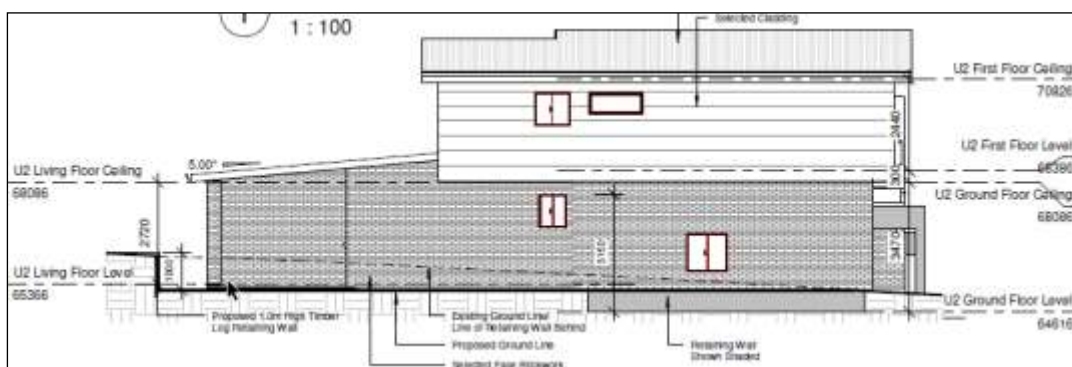


Figure 6 – East Elevation

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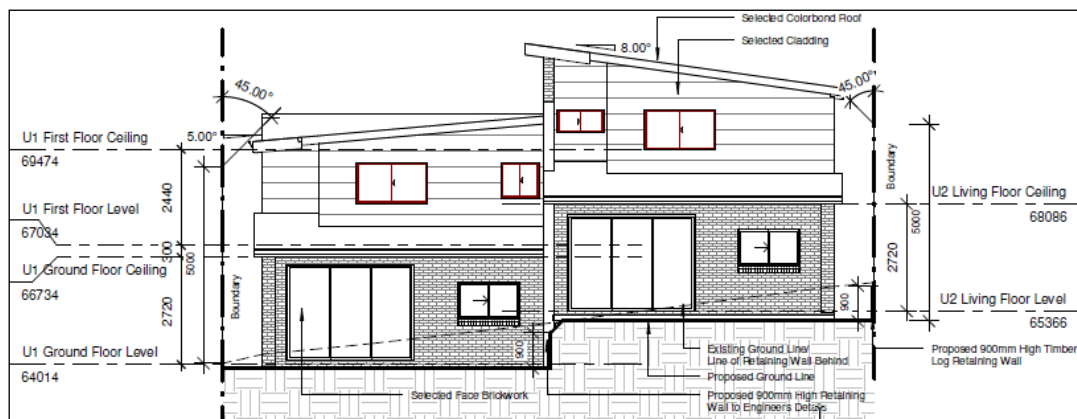


Figure 7 – north (rear) elevation (rear)

The proposal is described as follows:

- Two lot Torrens title subdivision with Lot 1 proposed at 247 m², and Lot 2 proposed at 248 m².
- The attached dwellings have a mixture of materials, with a simple skillion roof.
- The dwellings have been stepped to address the fall of the land and ensure that vehicles can access garaging to comply with the Australian Standard and to ensure vehicles do not bottom out on the driveway.
- Rear covered decks provide a logical extension of the indoor living room space, as required for modern day living to extend indoors to outdoors.
- Front balconies are proposed to increase the architectural interest of the development, provide passive surveillance of the street, and reduce the visual dominance of the vehicle garaging in the streetscape.

Dwelling 1 – 110 m ² GFA (3 Bedrooms)	Dwelling 2 – 113 m ² GFA (3 Bedrooms)
<ul style="list-style-type: none"> • Double garage, living/dining, kitchen and Laundry on the ground floor • Three bedrooms; Bedroom 1 with ensuite and walk in robe, Bedrooms 2 and 3 each with access to front balcony; and bathroom 	<ul style="list-style-type: none"> • Double garage, living/dining, kitchen and Laundry on the ground floor • Three bedrooms; Bedroom 1 with ensuite and walk in robe, Bedrooms 2 and 3 each with access to front balcony; and bathroom

Section 79C 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 No 71 – Coastal Protection (SEPP 71)

The site is located within the coastal zone, as defined by SEPP 71.

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Consideration has been given to the objectives of the SEPP 71 and the matters prescribed by Clause 8. The proposed development is considered to be consistent with the objectives of the SEPP.

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

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

The land is suitable for the proposed use.

- Kiama LEP 2011

The subject land is zoned LEP 2011 - R2 Low Density Residential pursuant to Kiama LEP 2011. The proposal is permitted with consent in the zone and is considered to be consistent with the zone objectives.

Specific clauses requiring consideration:

Clause 4.1 Minimum Subdivision Lot Size

Clause 4.1 requires that the minimum subdivision resulting lot size is not less than the minimum size shown on the Lot Size Map. The proposal **does not comply** with the minimum resulting lot size of 450m² for subdivision requirement indicated on the Lot Size Map. Each of the proposed resulting lots has an area of 247m² (45% undersized) and 248m² (44.8% undersized).

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 proposal has a height of 7.75m which does not exceed the maximum height of 8.5m shown on the Height of Buildings Map.

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 map. The proposal has an FSR of 0.469:1 (4.22% variation) which **does not comply** the maximum floor space ratio of 0.45:1 shown for land on the Floor Space Ratio map.

Clause 4.6 Exceptions to Development Standards

Clause 4.6 provides for exceptions to development standards. The applicant has requested a variation to the minimum lot size development and floor space ratio standards.

The applicant has provided the following justification to varying the minimum lot size development standard:

The basis of this report is to demonstrate that the above lot size requirement is unreasonable considering the specific circumstances of this case.

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Therefore is not appropriate given the character of the locality and the minimal adverse environmental impacts, including amenity impacts on neighbouring residential properties resulting from the proposed dwellings.

This clause only applies where a development does not comply with clause 4.1.

Clause 4.1 – Minimum Lot Size

- a) *to ensure that subdivision reflects and reinforces the predominant subdivision pattern of the area,*
- b) *to minimise any likely impact of subdivision and development on the amenity of neighbouring properties.*

It is considered that the development is not inconsistent with this objective, in that there are a mixture of lot sizes within the immediate area of this estate.

As such there is no consistent subdivision pattern for the immediate area and therefore we are of the opinion that the use of Clause 4.6 of the LEP can be considered by Council having regard to the above decisions.

It is also considered that the subject development will not unreasonably impact on privacy, overshadowing or visual intrusion on adjoining developments (objective 1(b)). Refer to the report accompanying this application for details.

Justification for Non-Compliance with the Development Standards

Compliance with the development standards under Clause 4.1 is both unreasonable and unnecessary in this case given that the characteristics of the site and the circumstances of the proposed development with the development reflecting two large houses.

The proposed development is considered reasonable for the following reasons:

- *The proposed dwellings have been carefully designed to minimise adverse amenity impacts on adjoining properties. Careful site responsive design has ensured that the technical non-compliance with the minimum lot size proposed does not give rise to significant amenity impacts for the immediate adjoining residential development; and*
- *As discussed above, the proposed development is consistent with the objectives of Clause 4.1 of Kiama LEP 2011.*

In our opinion, the best planning practice should recognise these constraints and respond to the opportunity to value add to this infill development by going beyond basic numerical compliance checking, and consider broader structural and urban design frameworks. On this basis, the opportunity is available to consider variations through the proposed building's siting and the general high quality building design, and as stated above, to comply with clause 4.1.

Conclusion

It has been demonstrated above, that the development is one that satisfies the objectives of Clause 4.1, in particular subclauses 1(a) and (b) and that Council can use its discretion under Clause 4.6 to vary the minimum lot size, noting that

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Council will be amending the LEP to allow the subdivision of dual occupancy development less than 450m².

Having regard to the above we consider that the approach taken serves the objects of the Act of promoting the orderly and economic use of land.

It is not considered that a variation to the development standard in these circumstances would act as a general planning change more appropriately dealt with under Part 3 of the Environmental Planning & Assessment Act 1979.

It is considered that this case represents an individual circumstance in which Clause 4.6 was intended to be available to set aside compliance with unreasonable or unnecessary development standards.

The applicant has provided the following justification to varying the floor space ratio development standard:

What is the objective of the standard?

Clause 4.4 'Floor space ratio'

(1) The objectives of this clause are as follows:

(a) to ensure that development is in keeping with the optimum capacity of the site and the local area,

(b) to define allowable development density for generic building types

How is strict compliance with the development standard unreasonable or unnecessary in this particular case?

The FSR Variation of only 4.22% will not contribute to the bulk and scale of the building and this would not create any adverse addition overshadowing from if compliance was achieved.

How would strict compliance hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the Act.

If we achieve the 45% compliance then the occupants of the dwelling will not have the additional storage area as if we remove this variation we would only have the minimum required storage area under the DCP and now we are able to have twice as much storage and this is an advantage for future occupants.

Would strict compliance with the standard, in your particular case, would be unreasonable or unnecessary? Why?

I feel that if compliance was achieved this would disadvantage the occupants by reducing habitable living areas to accommodate additional storage. If compliance was achieved it would hinder the current functional internal layout

Are there sufficient environmental planning grounds to justify contravening the development standard? Give details.

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Yes, we are providing the housing needs to meet the needs of the affordable housing for first home buyers by providing a functional dwelling to meet the day to day needs of the occupants. The 4.22% variation is very minor and would not affect any other adjoining properties or cause any nuisance to the public.

Compliance with the development standards is unreasonable as dual occupancies are permissible in the R2 Low Density Residential zone and the development satisfies the DCP objectives and the building height requirements of the LEP 2011. The applicant has outlined that the proposal is consistent with the objectives of Clause 4.1 and 4.4.

The proposed variations will not result in a significant increased residential density in the area. It is noted that the subdivision of other dual occupancies within this estate has already been approved. Generally, the proposed dual occupancy complies with all of the relevant DCP controls.

In this regard the proposed variation is consistent with the objectives of Clause 4.1 and 4.4 as well as the objectives of the R2 Low Density Residential zone (i.e. provision of low density residential development that meets the needs of the community).

The variation to the Clause 4.4 FSR at 4.22% is within the 10% limit permitting staff assuming the Secretary's concurrence to determine the application under delegation.

Accordingly, it is considered that the variations are in the public interest. It is considered that the provision of additional housing is in the public interest. It is also important to note that Council has varied clause 4.1 in the past for similar developments.

It is also noted that Council has prepared a Planning Proposal (draft LEP) for subdivision housekeeping amendments which would enable this type of proposal without the requirement to vary Clause 4.1. This Planning Proposal has been exhibited to the community, and was reported to the December 2017 Council meeting at which time the Council resolved to grant final endorsement.

In light of this it is considered appropriate to vary the minimum lot size requirements of clause 4.1 of the LEP 2011.

Under clause 64 of the *Environmental Planning and Assessment Regulation 2000* the Director-General's concurrence has been assumed for the variations applied for, in accordance with Planning Circular PS 08-003.

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.

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Development consent must not be granted unless the consent authority has considered the following provisions:

Provision	Comment
<p>Existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to:</p> <ul style="list-style-type: none"> (i) maintaining existing public access and, where possible, improving that access, and (ii) identifying opportunities for new public access 	<p>Access to and along the foreshore for pedestrians is not affected by the proposal.</p>
<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"> (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 (ii) the location, and (iii) the bulk, scale, size and overall built form design of any building or work involved 	<p>The broader visual impacts of the Cedar Grove Stage 2 subdivision were considered at the time the land was rezoned for urban purposes and again before the residential subdivision was granted consent.</p> <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"> (i) any significant overshadowing of the coastal foreshore, and (ii) any loss of views from a public place to the coastal foreshore 	<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>

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Provision	Comment
<p>How biodiversity and ecosystems, including:</p> <ul style="list-style-type: none"> (i) native coastal vegetation and existing wildlife corridors, and (ii) rock platforms, and (iii) water quality of coastal waterbodies, and (iv) native fauna and native flora, and their habitats, (v) can be conserved 	The biodiversity and ecological values is not adversely affected by the proposal.
The cumulative impacts of the proposed development and other development on the coastal catchment.	There are no foreseeable adverse cumulative effects of the development affecting the coastal zone.

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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.
<p>Whether the proposed development will:</p> <ul style="list-style-type: none"> (i) be significantly affected by coastal hazards, or (ii) have a significant impact on coastal hazards, or (iii) increase the risk of coastal hazards in relation to any other land 	The development is neither affected by coastal hazards, or adversely impacts on coastal hazards, or increases the risks of coastal hazards on any other land

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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.

Any draft Environmental Planning Instruments

- Draft Kiama LEP 2011

Planning Proposal for administrative 'housekeeping' amendments to the subdivision controls.

On 21 March 2017 Council resolved to prepare a Planning Proposal (PP) for administrative 'housekeeping' amendments to the subdivision controls of the *Kiama LEP 2011*. Accordingly, staff prepared the attached PP with the following objectives:

1. Increase the minimum lot size for the Torrens Title Subdivision of dual occupancies on land zoned R2 Low Density Residential and R3 Medium Density Residential; and
2. Retain the existing minimum lot size for the Torrens Title Subdivision of multi dwelling housing on land zoned R3 Medium Density Residential; and
3. Permit semi-detached dwellings within the R2 Low Density Residential zone; and
4. The adjustment of allotment boundaries on land zoned RU1 Primary Production, RU2 Rural Landscape and E3 Environmental Management.

As outlined above once published this Planning Proposal (draft EPI) would negate the requirement for a clause 4.6 variation to the minimum lot size.

- Draft State Environmental Planning Policy (Coastal Management) 2016

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 '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*.

Separate development controls apply to each area and focus on achieving specific objectives.

The site of the development is within the mapped *Coastal Use Area*.

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 proposed location of the development:

- 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

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- 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.

The gazettal of the draft SEPP bringing it into law, is not considered to be immanent or certain because the public consultation periods closed in January 2017.

Development Control Plans (DCPs)

- 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 2 – Section 14 - Car Accommodation – Building Lines for Garages or Carports	
<p><i>Car parking shall be provided behind the building line.</i></p> <p><i>In the case of properties subject to front building lines of less than 6.0m, car accommodation in the form of either garages or carports shall be setback a minimum distance of 6.0m from the street boundary. This will enable sufficient space to allow additional visitor car parking within the driveway and wholly within the property boundaries.</i></p>	<p>The subject site is identified by the DCP 2012 at Chapter 32 – Cedar Grove Stage 2 as having a Front Boundary Setback of 4.0m with garages and carports required to be setback a minimum of 6.0m.</p> <p>The proposed Dwelling 1 has a proposed setback of 5.185 metres from Blair Street (i.e. front building line) and complies, with the garage setback 5.536 metres, which does not comply. The proposed Dwelling 2 has a proposed setback of 5.0m from Blair Street (i.e. front building line) and complies, with the garage setback 5.5m, which does not comply.</p> <p>The car accommodation arrangements for the development therefore generally complies with the setback requirements because all required car parking is behind the 4.0m front building line setback. However, a minor departure, in the order of 8%, is proposed by the proposed garages being setback approximately 5.5m.</p> <p>The required parking for the development is provided in a double garage for each dwelling, with the use of the driveway for parking expected to be intermittent, and used only by visitors to the dwelling, rather than the dwelling occupants.</p> <p>The minor variation is considered to be acceptable because the setbacks are in compliance with Australian Standards 2890 – Parking Facilities (parking space 5.5m long), and allow for a vehicle to be parked on the driveway, satisfying the intention of the controls.</p>

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Control	Comment
Chapter 4 – Low Density Development	
<p><i>C1 All applications for low density development must meet the following controls:</i></p> <ul style="list-style-type: none"> <i>all Principal development standards as set by LEP 2011.</i> <i>all development must be designed to minimise any environmental risks associated with its location.</i> 	<p>The implications of the non-compliance with both Clause 4.1 and 4.4 of the LEP have been discussed in the report above.</p> <p>The environmental risks of the development have been reasonably mitigated. The proposal exhibits a good streetscape appearance, and does not cause for unreasonable overshadowing or privacy impacts on neighbours.</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

The Likely Impacts of the Proposed Development

- 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.

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- 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

The submitted shadow diagrams show that the proposed development will cast shadows over the likely future building footprint, side and front setback areas of the adjoining vacant properties to the east and west of the site.

However, the impacts are considered acceptable because:

- at 9am on the winter solstice, the adjoining site to the west is overshadowed, but is unaffected at 3pm in the afternoon; and conversely
- the adjoining site to the east is overshadowed at 3pm in the afternoon, but is unaffected at 9am in the morning.

In the morning the vacant site to the west is overshadowed by up to approximately 15%, and in the afternoon the vacant site to the east is overshadowed by up to approximately 30%.

The overshadowing impacts are considered acceptable because both of the adjoining sites receive 6 hours of sunlight on the winter solstice to the northern facing rear yards. The northerly aspect of the rear portion of the subject site, and the adjoining sites, ensures that they all receive good solar access through the middle of the day mid-winter.

In light of this, the proposed overshadowing is considered acceptable as the proposed development will not overshadow the adjoining properties likely future living areas or private open space areas as shown in Figures 8, 9, and 10 below.

In an urban residential context a degree of overshadowing is unavoidable, and it is not reasonable to ensure total uninterrupted solar access at all times.

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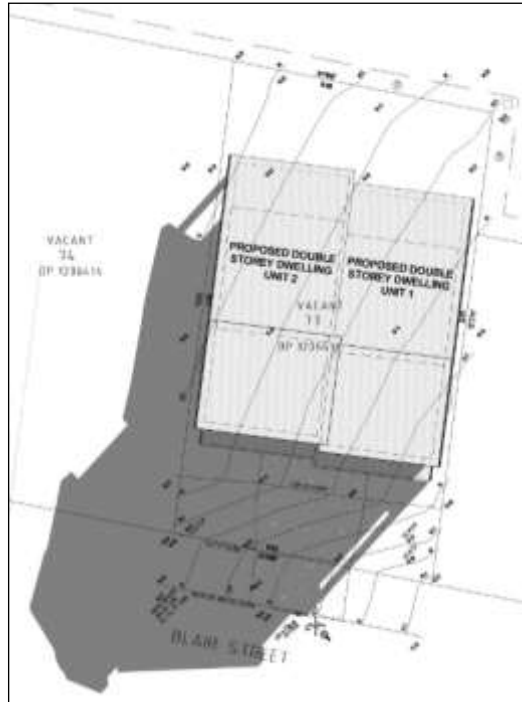


Figure 8 – 9am shadows mid-winter

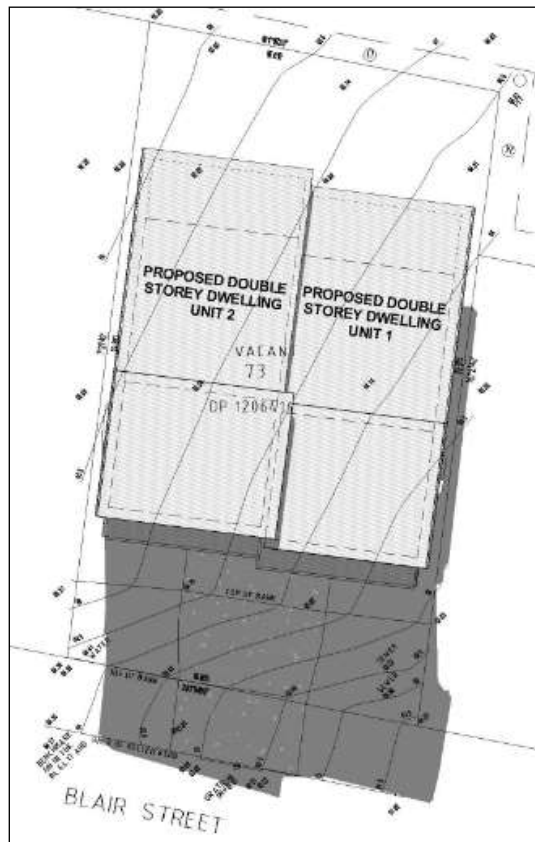


Figure 9 – 12 noon Shadows Mid-winter

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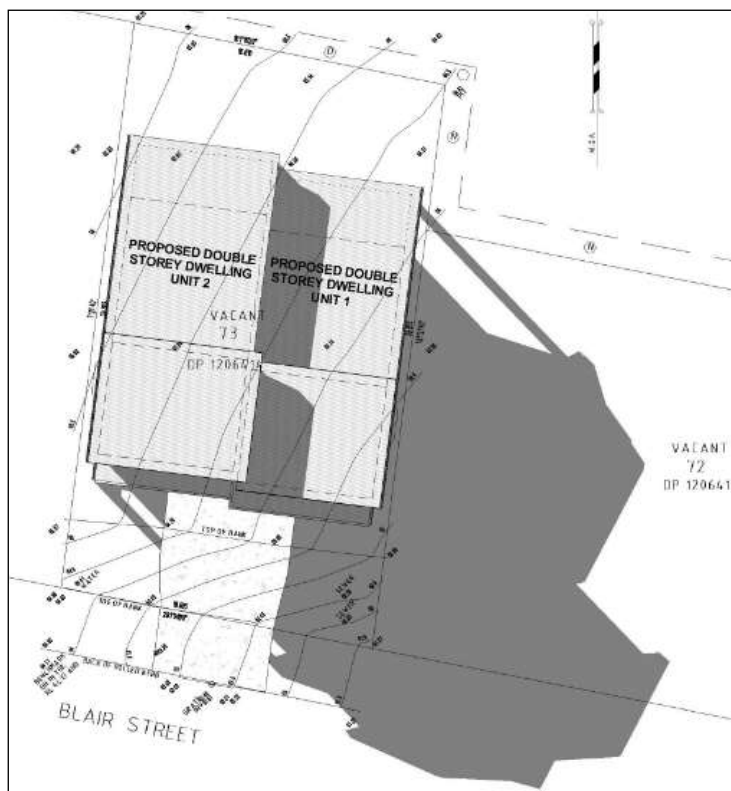


Figure 10 – 3pm shadows mid-winter

- Views

The proposal will have no unreasonable impact upon views currently available from neighbours.

- 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 street.

- 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.

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Impact on Water Resources – A rainwater tank will be provided for each dwelling. Stormwater will be conveyed to the street. 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 provided with 14 days in which to comment on the proposal. At the conclusion of the notification period, no submissions were received.

External Referrals

Nil

Internal Referrals

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

- Building Surveyor

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.

- 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 the objectives and intent of all relevant Environmental Planning Instruments and Development Control Plans, 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.

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

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 Local Environmental Plan 2011 and relevant Development Control Plans. The proposed development is consistent with the objectives of the LEP2011 - 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.

The proposed development is considered to be reasonable and conditional approval is recommended.

Draft Conditions of Development Consent:**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 10.2017.236.1 dated - 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 release 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-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) This Development Consent is limited to a period of 5 years from the endorsement date of consent. (g080.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 under Section 138 of the Roads Act 1993 make application to the Road Authority for permission to occupy the public road reserve for the purpose of carrying out activities associated with the development. All of the conditions of approval shall be complied with at all times during occupation of the public road reserve. (g145.doc)

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

-
- (9) 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)
- 10) Standard Torrens Title addressing applies. Letterboxes to be located at access point and public road boundary. Proposed house numbering to be applied:
- Proposed Lot 1 – 7A Blair Street
 - Proposed Lot 2 – 7 Blair Street

Item 10.2

Bonds and Contributions

- (1) A contribution pursuant to Section 94 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 **\$7,036.84**. (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 **\$3,200.00**, 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.

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

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 applicant must provide, to Council, the appropriate fee for the inspections required for the construction of the footpath crossing/access driveway in accordance with Council's adopted fees and charges. This inspection fee must be paid prior to the commencement of works within the road reserve area.

Work undertaken within the road reserve may only be undertaken by a Council approved contractor. A list of approved contractors may be obtained from Council's Engineering and Works Department. (pt016.doc)

- (4) 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 shall be submitted to Council prior to release of the Construction Certificate.

Note: The roof colours shall be the medium to darker colours. (pt017.doc)

- (5) 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)

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

-
- (6) The BASIX commitments shall be indicated on the plans to the satisfaction of Council or an Accredited Certifier prior to the release of the Construction Certificate. (pt034.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:
- Showing the name, address and telephone number of the Principal Certifying Authority for the work;
 - 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
 - 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 Certifying Authority for any reinforced concrete slabs, footings or structural steel. (pt062.doc)
- (9) Submission of stormwater disposal details for disposal of stormwater on site, designed by a suitably qualified person. Details are to be provided to the satisfaction of the Principal Certifying Authority, prior to the release of the Construction Certificate. (pt067.doc)
- (10) 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)
- (11) 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)

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)
- (2) The applicant must provide, to Council, the appropriate fee for the inspections required for the construction of the footpath crossing/access driveway in accordance with Council's adopted fees and charges. This inspection fee must be paid prior to the commencement of works within the road reserve area.

Work undertaken within the road reserve may only be undertaken by a Council approved contractor. A list of approved contractors may be obtained from Council's Engineering and Works Department. (ac020.doc)

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

Car Parking and Vehicular Access

- (1) Car parking and manoeuvring shall comply with the requirements of the Standards Australia publication AS/NZS 2890.1 Parking Facilities Part 1: Off Street Car Parking. (c035.doc)

Stormwater Management

- (1) 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)
- (2) Surface water which is likely to discharge from the development site onto the road reserve shall be intercepted at the property boundary and conveyed to the kerb via a pipe outlet. (sm025.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 Principal 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/water quality system meets with the approved design. The certification shall be provided to the Principal Certifying Authority prior to the release of any of the Occupation 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 Principal 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 Principal Certifying Authority for assessment prior to the release of the Construction Certificate. (sm150.doc)

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

-
- (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.
 - (10) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that allowance is made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other adjoining properties

Civil Engineering Construction

- (1) 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)

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) 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)

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

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 6.00 pm
Saturdays - 8.00 am to 1.00 pm

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

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) All landscape areas shown on the approved landscape plans (drawing numbers 1712) 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 26 weeks commencing from the date of issue of the Occupation Certificate. (lw020.doc)
- (3) At the end of the 26 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) The landscape works shall remain in situ for the perpetuity of the development. (lw040.doc)
- (5) Prior to release of the Occupation Certificate or Subdivision Certificate the developer shall provide a Compliance Certificate from a suitably qualified landscape professional or Council's Landscape Officer stating that all

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

landscape works have been completed in accordance with the approved landscape plans and the conditions of the development consent. (lw170.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
 - 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)

Prior to Occupation

- (1) The completed Waste Management Compliance Sheet (Appendix 1C) shall be submitted to and approved by Council prior to release 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 licensed plumber shall provide to the Principal Certifying Authority a Compliance Certificate to certify:
 - Compliance with Sydney Water requirements in regard to rainwater tank installations
 - Compliance with technical specifications for rainwater tanks and associated plumbing configurations prior to the issue of any Occupation Certificate. (po004.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 Clause 109M 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)

Report of the Director Environmental Services

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

-
- (5) The developer shall complete all civil engineering works prior to the issue of any occupation certificate. (po010.doc)

Conveyancing Requirements

- (1) Under the provisions of Section 88B/88E of the Conveyancing Act 1919 the developer shall provide a restriction on the use of land and a positive covenant in favour of Kiama Municipal Council detailing protection measures and long term maintenance requirements for on-site stormwater detention system and associated stormwater drainage infrastructure.

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 released until all conditions of this Development Consent are complied with or satisfactory arrangements are made with the Principal Certifying Authority. (sub005.doc)
- (2) All landscape works shall be completed in accordance with the approved landscape plan prior to the issue of the Subdivision Certificate. Written certification that the landscape works are complete shall be provided to Council and the Principal Certifying Authority. (sub010.doc)
- (3) The developer shall submit the following items to the Principal Certifying Authority prior to the issue of a Subdivision Certificate:
- All relevant Construction and Compliance Certificates (where these have not been issued by Council).
 - Payment of fees in accordance with Council's adopted fees and charges.
 - 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 including a clear reference to the relevant Development Application number.

- An original Deposited Plan Administration Sheet and one copy, prepared in accordance with NSW Land & Property Information requirements.
- 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

10.2 10.2017.236.1 – Lot 73 DP 1206414 – 7 Blair Street, Kiama – Attached Dual Occupancy with 2 lot Torrens Title Subdivision (cont)

-
- 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 94 Contributions identified in this consent.
 - j) An Occupation Certificate for each dwelling to be separately titled. (sub020.doc)
- (4) The developer shall submit to the Principal Certifying Authority, prior to the release of the subdivision certificate, two (2) copies of 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 have no adverse impact on adjacent properties. (sub025.doc)
- (5) The developer shall acknowledge all existing restrictions on the use of the land on the final plan of subdivision. (sub045.doc)
- (6) The developer shall acknowledge all existing easements on the final plan of subdivision. (sub060.doc)

PROPOSED DUAL OCCUPANCY & TORRENS TITLE SUBDIVISION

7 BLAIR STREET - KIAMA, LOT 73 in DP 1206414

DEVELOPMENT APPLICATION

Window Schedule					
Mark	Location	Window Style	Height	Width	Remarks
1	Unit 1	Siding	900	1810	Obscured
2	Unit 1	Siding	600	1810	Obscured
3	Unit 1	Siding	1300	3410	
4	Unit 1	Siding	944	1870	
7	Unit 1	Siding	600	1450	Obscured
8	Unit 1	Siding	1032	1810	
9	Unit 1	Siding	800	975	Obscured

Window Schedule					
Mark	Location	Window Style	Height	Width	Remarks
1	Unit 2	Siding	1032	1890	
2	Unit 2	Siding	800	730	Obscured
3	Unit 2	Siding	944	1870	
8	Unit 2	Siding	600	1450	Obscured
9	Unit 2	Siding	600	975	Obscured
10	Unit 2	Siding	1032	1810	
11	Unit 2	Siding	600	1210	Obscured

Sheet Number	Sheet Name
SH-01	Cover Page
SH-02	Site Analysis Plan
SH-03	U1 & U2 Ground Floor Plan
SH-04	U1 & U2 First Floor Plan
SH-05	U2 Post Adaptation Ground Floor Plan
SH-06	U2 Post Adaptation First Floor Plan
SH-07	Section
SH-08	North & South Elevations
SH-09	East & West Elevation
SH-10	Floor Plan
SH-11	Shadow Diagrams
SH-12	Torrens Title Subdivision Plan
SH-13	3D Perspectives
SH-14	Site Waste Management Plan
SH-15	FSR Calculation Plans

Door Schedule				
Mark	Location	Height	Width	Comments
D1	Unit 1	2400	3260	
D1	Unit 2	2400	3260	
D2	Unit 2	2100	2060	
D3	Unit 1	2100	2060	
D5	Unit 1	2100	2060	
D6	Unit 1	2100	2060	

Cover Page

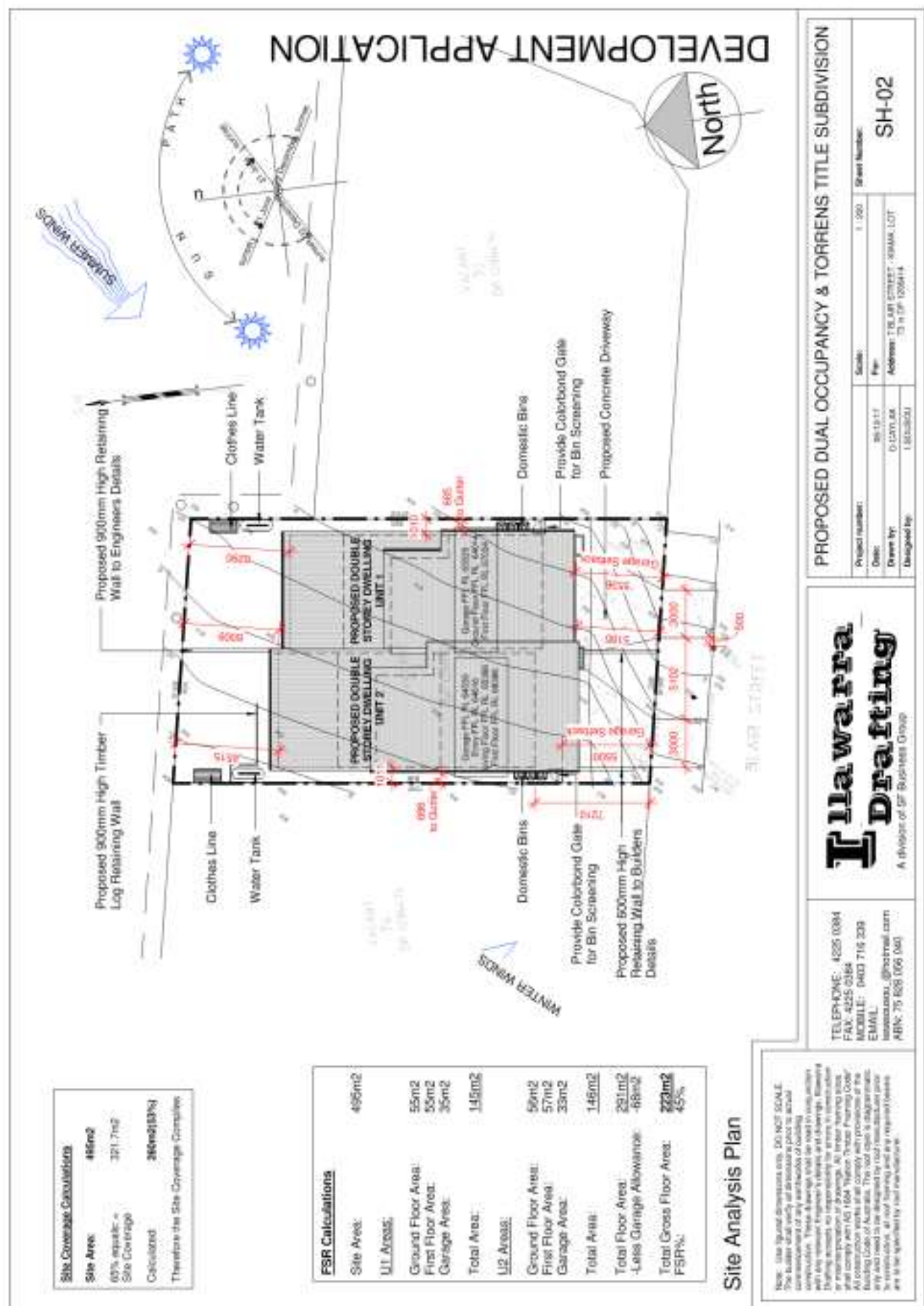
Note: Use Imperial dimensions only. DO NOT SCALE. The submitter shall verify all dimensions prior to actual commencement of any works/works of construction. These drawings shall be used to verify, measure and certify all dimensions, errors in construction or any discrepancy with AS 1684 'Vision Through Framing Code' Building Code of Australia. The roof span is diagonal. Any and all need to be designed by suitably qualified professional engineers, all roof framing and any required bracing are to be specified by the manufacturer.

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 ABN: 79 658 106 040



PROPOSED DUAL OCCUPANCY & TORRENS TITLE SUBDIVISION

Project number:	Scale:	Sheet number:
Date:	File:	SH-01
Drawn by:	Address:	
Designed by:	73 in DP 1206414	



DEVELOPMENT APPLICATION

1 North Elevation
1 : 100

- U1 First Floor Ceiling 68474
- U1 First Floor Level 67704
- U1 Ground Floor Ceiling 68734
- U1 Ground Floor Level 64014

2 South Elevation
1 : 100

- U2 First Floor Ceiling 70826
- U2 First Floor Level 69396
- U2 Ground Floor Ceiling 68586
- U2 Ground Floor Level 64816

North & South Elevations

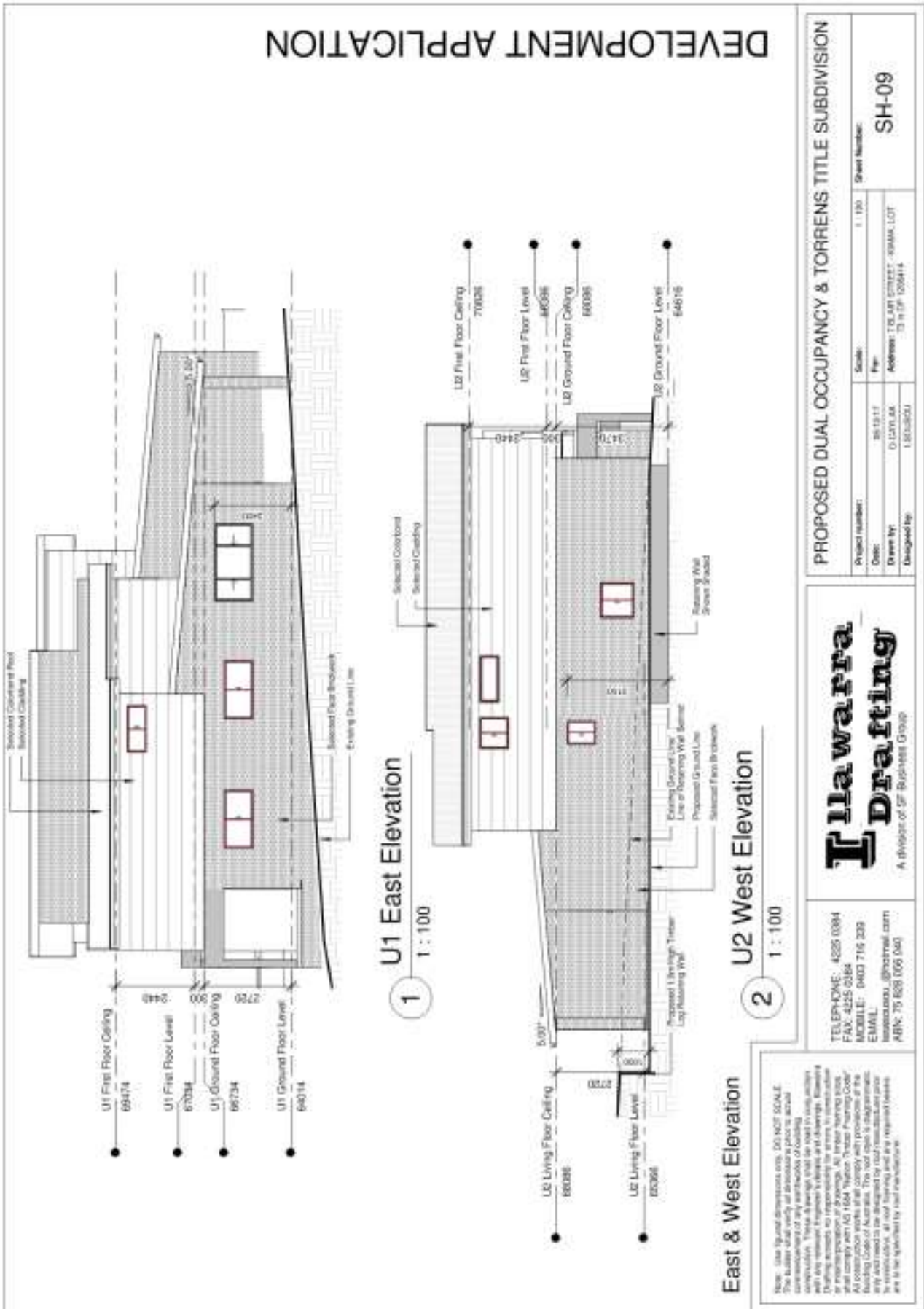
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Notes: Use Imperial dimensions only. DO NOT SCALE. The number shall verify all dimensions prior to actual construction. These drawings shall be used in conjunction with any relevant Engineering Reports or other documents. All construction works shall comply with provisions of the Building Code of Australia. The roof span is diagonal. In construction, all roof framing and/or support beams are to be specified by roof manufacturer.

PROPOSED DUAL OCCUPANCY & TORRENS TITLE SUBDIVISION

Project number:	1 : 130	Sheet Number:	SH-08
Date:	26/12/17	For:	
Drawn by:	D.L.M.A.	Address:	73 BLAIR STREET - KIAMA, LOT 73 DP 1206414
Designed by:	I.D.D.B.U.		



DEVELOPMENT APPLICATION

9am 21 June

12pm 21 June

3pm 21 June

Shadow Diagrams

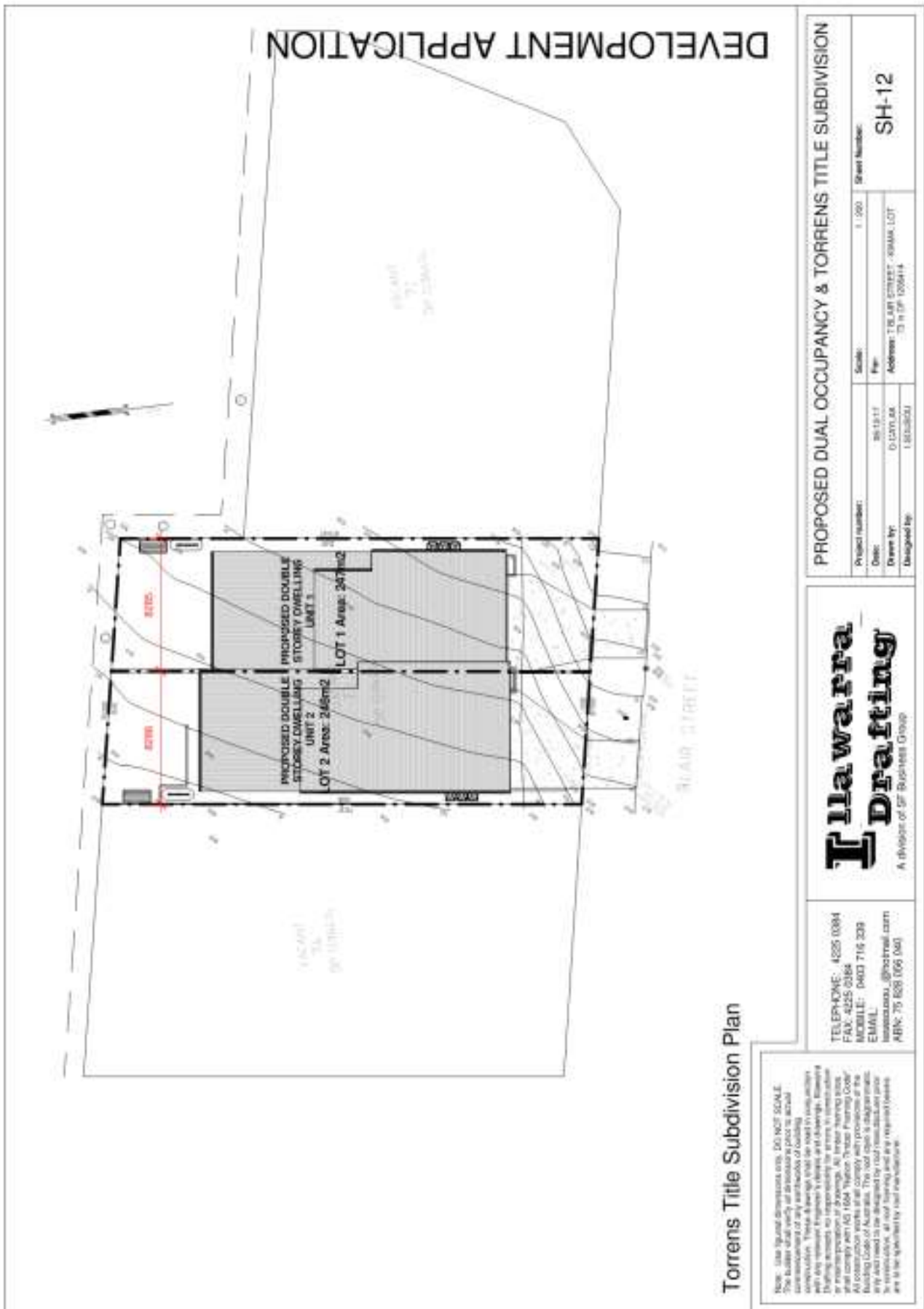
Note: Use figured dimensions only. DO NOT SCALE. The shadow cast by any structure prior to actual construction. These drawings shall be used to verify compliance with any relevant English's orders or at all times. Planning drawings are not to be used for construction. All construction works shall comply with provisions of the Building Code of Australia. The roof apex is diagrammatic. In construction, all roof framing and any required bracing are to be specified by the fabricator.

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A Division of 2P Business Group

PROPOSED DUAL OCCUPANCY & TORRENS TITLE SUBDIVISION

Project number:	Scale:	Sheet number:
Date:	File:	SH-11
Drawn by:	Address: 7 BLAIR STREET - KIAMA, LOT 73 DP 1206414	
Designed by:	1:500(0:1)	



DEVELOPMENT APPLICATION

PROPOSED DUAL OCCUPANCY & TORRENS TITLE SUBDIVISION

Project number:	Scale:	Sheet number:
Date:	File:	SH-13
Drawn by:	Address: 7 BLAIR STREET - KIAMA, LOT 73 DP 1206414	
Designed by:		

3D Perspectives

Note: Size listed dimensions only. DO NOT SCALE. The submitter shall verify all dimensions prior to actual construction. These drawings shall be used to verify, confirm and certify all dimensions, errors in construction and compliance with AS 1564. These drawings shall comply with AS 1564. These drawings shall comply with the Building Code of Australia. The user shall be responsible for any and all requirements for construction and any required permits are to be obtained by the manufacturer.

Illawarra Drafting
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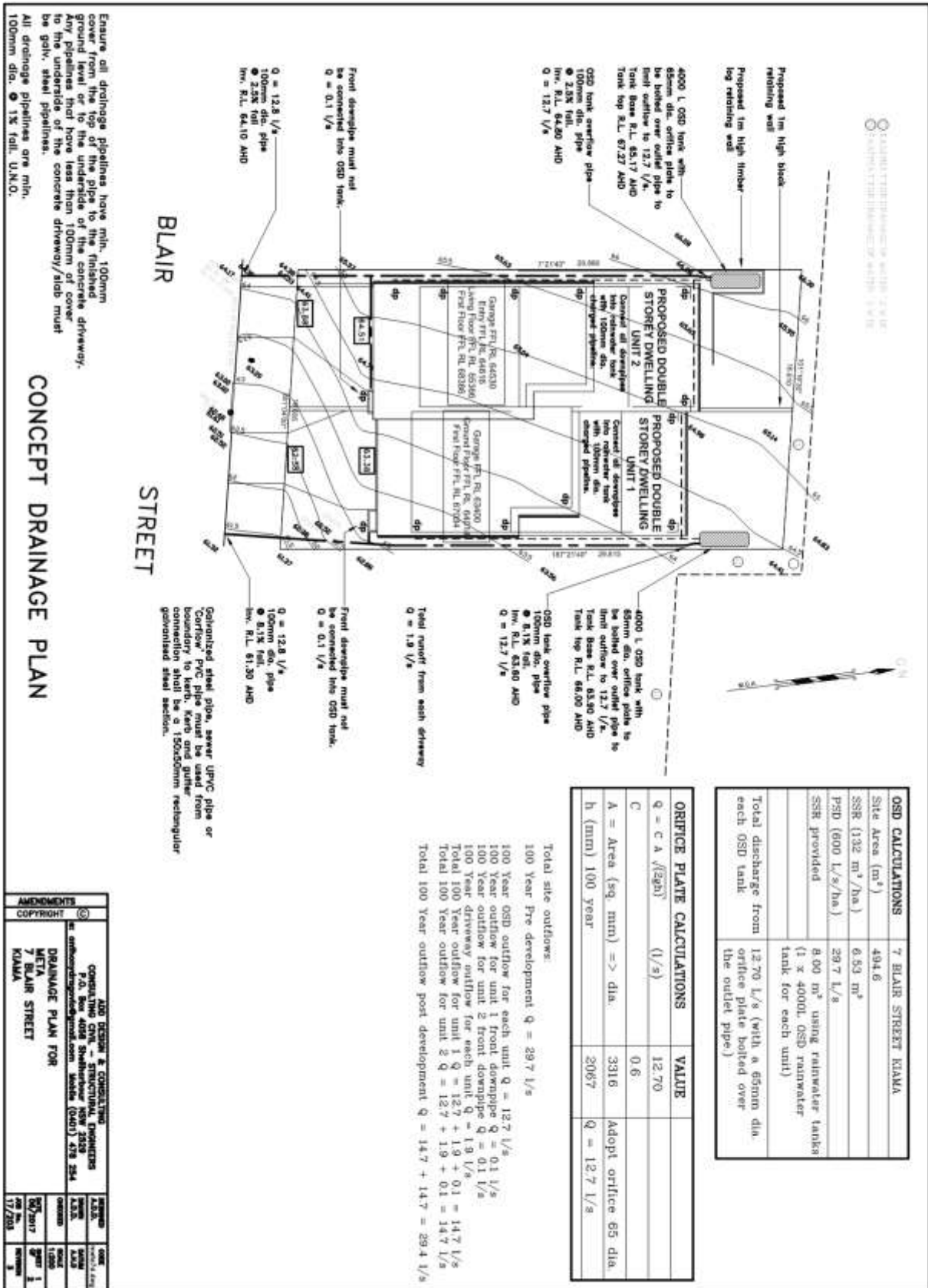
Exterior Colour Schedule

Site address: 7 Blair St Kiama

Area	Material	Colours
Roof	Colorbond	Monument
Gutter	Colorbond	Monument
Facia	Colorbond	Monument
Walls	Brick	Austral, Bramptons
	Cladding	Surfmist
	Render	Grey
Window frames	Colorbond	Dark Grey
Garage door	Panel lift door	Surfmist
Entrance door	Painted timber	Surfmist

Item 10.2

Attachment 1



**10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision**

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

Summary

This report reviews the development application seeking consent for a 2 lot Torrens Title subdivision of the subject land.

The proposed development generally complies with the provisions of the Kiama LEP and Kiama DCP 2012. The main issue of concern is the constraints of the land and the resulting relatively confined building envelopes, particularly relating to proposed Lot 1.

More than 3 submissions were received objecting to the proposed development.

Finance

N/A

Policy

N/A

Attachments

1 10.2017.56.1 - working plan - 69 Werri Street [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council approve Development Application No 10.2017.117.1 under Section 4.16 of the Environmental Planning and Assessment Act, 1979, subject to conditions at the end of the report.

BACKGROUND**Development Site**

The property is described as Lot 280 DP 14188 which is located at 69 Werri Street Werri Beach.

The overall site measures 1,454m² in size and is irregular in shape. The site is currently vacant and is bounded by residential land (containing principally dwellings) to the south and west, Werri Lagoon to the north and 'Lloyd Rees' reserve and Werri Beach to the east.

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

The site is zoned R2 Low Density Residential pursuant to Kiama LEP 2011.

The site contains 3 mature Norfolk Island Pines and a smaller pine towards Werri Street. The site is generally level until it reaches the bank to Werri Lagoon.

The site drains to the adjoining public road (Werri Street).

Access to the property is obtained from Werri Street.

The site is serviced by water, sewer, electricity and telecommunications.

Item 10.3



Locality Plan

The site is subject to the following constraints:

- Bushfire affectation.
- Potential flooding affectation.
- Potential contamination.
- Areas mapped in Kiama LEP as riparian land and water courses (Category 1 – Werri Lagoon) and acid sulphate soils (Class 4 & 5).

Description of the Proposed Development

The proposal involves the 2 lot Torrens Title subdivision of the subject lot to create proposed Lot 1 fronting Werri Street at 698m² in size (450m² excluding the RoW) and Lot 2 at the rear of the site fronting Werri Lagoon and measuring 756m² in size.

A 5m wide Right of Way access (burdening proposed Lot 1 and benefitting proposed Lot 2) is proposed along the eastern boundary of the site.

The proposed subdivision works will include the construction of a 3m wide access driveway using permeable paving, the construction of stormwater drainage infrastructure and the connection of public utility services to both proposed lots.

Section 79C Assessment

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

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 No 71 – Coastal Protection (SEPP 71)

The site is located within the coastal zone, as defined by SEPP 71.

The site is located within a 'sensitive coastal location' as defined by SEPP 71. The proposal was referred to the Department of Planning & Infrastructure who have raised no concerns with the proposal and have approved a Masterplan waiver.

Consideration has been given to the objectives of SEPP 71 and the matters prescribed by Clause 8. The proposed development is considered to be consistent with the objectives of the SEPP.

- State Environmental Planning Policy No 55 - Remediation of Land

Clause 7 of SEPP No 55 requires Council to consider whether the land is contaminated and if it is contaminated, if remediation works are required. The application is supported by a validation report which indicates that the land is suitable for the proposed use. Council's Environmental Health Officers have raised no further concerns subject to the imposition of conditions of consent should the development be approved.

- Kiama LEP 2011

The subject land is zoned R2 Low Density Residential under Kiama LEP. The proposal is permitted with consent in the zone and is considered to be consistent with the zone objectives.

Specific clauses requiring consideration:

Clause 4.1 requires that the minimum subdivision lot size is not less than the minimum size shown on the Lot Size Map (450m²). The proposal complies with the minimum lot size requirement indicated on the Lot Size Map. Proposed Lot 1 fronting Werri Street is 698m² in size (450m² excluding the RoW) and Lot 2, at the rear of the site fronting Werri Lagoon, measures 756m² in size.

Clause 5.5 lists requirements for development 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, treatment of effluent and disposal of stormwater.

Clause 5.9AA stipulates that trees or vegetation which are not of a species or kind prescribed for preservation in a development control plan may be cut down, lopped or removed. The proposal includes species on the site which are not included within the development control plan and are permitted to be removed as part of the development approval. The mature Norfolk Island Pines will be retained.

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

Clause 6.1 lists requirements for land affected by Acid Sulfate Soils. The site is subject to Acid Sulfate Soils (Classes 4 & 5). Works associated with the proposed subdivision will not extend more than 2m below natural ground surface nor will they likely result in the lowering of the watertable. This Clause has been satisfactorily addressed.

Clause 6.3 lists requirements for the development of land which is at or below the known flood planning level. The 100 year ARI catchment event combined with the 20yr ARI ocean tailwater level, gives a flood level in Werri Lagoon of RL 2.6m AHD. Minimum flood planning floor levels are 500mm above this (ie RL 3.1m AHD).

From the edge of the lagoon the subject site rises steeply to the top of the bank, having levels of about RL 7.0m AHD, through to the southern Werri Street boundary at about RL 6.8m AHD. Having regard to these land levels and the 15m foreshore building line (Clause 6.7 below), the proposal meets with the objectives of the clause and the matters which are required to be satisfied prior to issue of consent.

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. General Terms of Approval have been granted from the NSW Department of Primary Industries – Water, which will be incorporated into the consent notice should development consent be granted.

Clause 6.7 relates to Foreshore Building Lines (FBL), whereby the site is subject to a 15m FBL. Proposed Lot 2 is reasonably capable of being developed without encroaching on the mapped FBL. The subdivision proposal does not involve any works within the FBL.

Any draft Environmental Planning Instruments

- Draft State Environmental Planning Policy (Coastal Management) 2016

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).

In the *Coastal Use Area* (being 1 of 4 coastal management areas defined in the Coastal Management Act 2016) 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:*

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

-
- 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 subdivision:

- does not impact access to a foreshore, beach, headland or rock platform,
- does not cause unreasonable 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.

The gazettal of the draft SEPP bringing it into law, is not considered to be immanent or certain.

Development Control Plans (DCPs)

- Kiama DCP 2012

Chapter 2 – Overall Controls

Section 36 – Fencing - Side and rear fencing abutting a reserve

Control C56 stipulates that side fencing abutting a reserve may be:

- Maximum 1800mm high
- Maximum 2/3 length of the boundary (the remaining 1/3 to be returned front fencing)
- Constructed of solid metal fencing (amongst other acceptable materials and finishes)

For bushfire protection measures, the NSW Rural Fire Service requires that a “*minimum 1.8m high radiant heat shield constructed of non-combustible materials shall be constructed along the Eastern boundary adjacent to the hazard excluding 15m from the foreshore and 6m from the front Southern boundary.*”

In this instance, the radiant heat shield requirement of the RFS accords with the ‘side fencing abutting a reserve’ standards of control C56, as outlined above.

No detail has been provided from the applicant (e.g. plans) identifying the type of radiant heat shield proposed. Should Council approve the development, it is

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

recommended that it be a deferred commencement consent requiring full details of the proposed radiant heat shield to be submitted to Council for consideration.

Chapter 7 – Subdivision

Section 4 refers to Council's '*Lot Width and Depth Requirements*', with the following objectives identified:

- To ensure residential lots are designed to provide sufficient lot width and depth, to cater for a suitable range of dwelling styles having regard to any site constraints or environmental qualities of that land.
- To ensure residential lots in low density residential areas provide sufficient site area to cater for detached dwelling-houses with sufficient rear private open space which fairs appropriate sunlight access during mid-winter.

There are no performance controls to augment the objectives listed.

Comment: The existing 1,454m² residential lot is a 'fanned' shaped parcel, being narrowest at Werri Street and widest at Werri Lagoon to the rear. The shape and proportions of the existing lot result in a proposed narrow lot (Lot 1) fronting Werri Street and a more regular shaped lot (Lot 2) at the rear of the site, accessed by right of carriageway.

Proposed Lot 1 is constrained by the proposed right of carriageway and an established Norfolk Island Pine, while proposed Lot 2 is constrained by a 15m foreshore building line to Werri Lagoon. Both lots are furthermore constrained by a 6m wide bushfire protection Asset Protection Zone (APZ) extending along the eastern boundary, which coincides with (overlaps) the 5m wide right of carriageway over proposed Lot 1. These constraints restrict the available building envelope on both lots, with proposed Lot 1 likely to be the most challenging given the elongated building envelope available.

The applicant supplied a preliminary dwelling design with the original proposal demonstrating how a dwelling could potentially be constructed on Lot 1 within the available building envelope, reasonably addressing the first objective. The subdivision configuration was later amended, with the right of carriageway extending along the eastern boundary rather than the western boundary to address bushfire protection measures. While the preliminary house design is no longer suitable to the new configuration, it does still serve to illustrate how a dwelling could be constructed on the elongated proposed Lot 1. Development of Lot 1 will require creative design however given the highly desirable location of the land and its associated likely value, it is anticipated that future development of the lot will be suitably considered and designed.

In relation to the second objective, development on proposed Lot 1 would be required to have a 6m rear setback, meaning the development would have a rear private open space area with a northern aspect for maximum sunlight access. Proposed Lot 2 is subject to a 15m foreshore building line, with this area also having a full northern aspect. This outcome satisfies the second objective

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
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(cont)

The proportions of the existing vacant lot (e.g. 1454m² area, 67m depth) means it carries development potential beyond that of a single dwelling house. The alternative to the proposed subdivision would be a dual occupancy development (the frontage to Werri Street, with the road curvature, is >15m) that would most likely still result in a development (and subdivision) pattern similar to that brought about with the proposed subdivision.

It is acknowledged that the elongated configuration of the land and its constraints (Asset Protection Zone, 15m foreshore building line) make development of the site challenging should the proposed subdivision be approved. However by the same token it is acknowledged that the site is a large residential parcel in a highly desirable beachside location, so more intensive residential use of the land is expected. Under the circumstances the proposed subdivision with the proposed lot widths and depths, is considered to be reasonable.

Section 6 refers to '*Building Envelopes*', with the following objectives identified:

- To ensure each residential lot has a suitable building envelope to accommodate a range of different dwelling styles, in order to minimise any potential amenity or privacy impacts upon adjoining residential properties.
- To ensure the building envelope for each residential lot takes into account all relevant constraints of the site and / or any easement or other restrictions pertaining to the land.
- To ensure the building envelope for each residential lot takes into account any area of the subject land which contains significant remnant trees or other significant vegetation (including riparian vegetation).
- To ensure building envelopes are appropriately positioned to maximise solar access opportunities and energy efficiency for future dwellings and rear private courtyards for each residential lot.

As with Section 4, there are no performance controls to augment the objectives listed.

The building envelope available for proposed Lot 1 has an area of approximately 230m² and the building envelope available for proposed Lot 2 has an area of approximately 218m².

Section 6 essentially expands upon the lot width and depth requirements in Section 4. As discussed in detail above in Section 4, although the proposed lots and resulting building envelopes are constrained (particularly proposed Lot 1) in their configuration, they do nonetheless make reasonable provision for future residential development and reasonably satisfy the objectives for building envelopes.

The proposed development is not inconsistent with Kiama DCP 2012.

Any Planning Agreement

Nil

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10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

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

Demolition of the existing dwelling and buildings was approved under a separate development application and demolition has since occurred.

Any Coastal Zone Management Plan

Nil

The Likely Impacts of the Proposed Development

- Streetscape

The proposed subdivision will result in the creation of Lot 1 and with that the potential to build a dwelling that is sited forward of the two nearest neighbouring dwellings on the northern side of Werri Street. These neighbouring dwellings (on lots that each exceed 1,000m²) are likely to be nearing the end of their economic lifespan, particularly being on lots of a size and location (lagoon front) that are likely to attract more intensive redevelopment. In this respect it is anticipated that future development of these neighbouring lots will result in development closer to Werri Street and aligning with the streetscape presentation proposed for Lot 1.

It is also acknowledged that the subject land fronts Werri Street on an acute angle (rather than square on) where the street bends. The curvature of the street and the resulting frontage of the site at this location, combined with the adjoining reserve to the east and the large setback of dwellings to the west, exacerbate the perception of visual protrusion of likely future development on proposed Lot 1 within the streetscape.

Werri Beach is an established urban area that is steadily being redeveloped with the replacement of older beach homes with newer (and more often than not), larger residential dwellings and dual occupancy development. Council has always encouraged the promotion of infill development rather than outward urban expansion and this subdivision, while creating relatively constrained lots, facilitates more efficient use of the existing residential land resource.

- 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 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.

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

- Overshadowing

Overshadowing will need to be considered with future development of the lots, should the subdivision be approved. At this stage it is not anticipated that overshadowing issues will be problematic.

- Views

The proposal will have no unreasonable impact upon views currently available from neighbours.

- Vehicular Access, Parking and Manoeuvring

Sufficient car parking is available within the proposed lots.

Manoeuvring appears to be capable of complying 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 street.

- Environmental Impacts

Vegetation Removal – The Cook Island Pine tree (*Araucaria columnaris*) identified as Tree no. 2 in the arborist report (prepared by David Potts 24/2/2016) is to be removed for the access driveway. Council's Landscape Officer has raised no objection to this, noting that removal of this tree will benefit the Norfolk Island Pine in the adjoining reserve, allowing it to grow unrestricted.

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 – Stormwater will be conveyed to the street. 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.

Other issues to consider include:

- (a) Traffic and Access

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
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(cont)

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

(b) Contamination from previous land uses

A Validation Report has been submitted that verifies the land is suitable for the proposed use. Council's Environmental Health Officers have raised no further concerns subject to the imposition of conditions of consent should the development be approved.

(c) Effect on public domain

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

(d) Utility needs and supply

The proposal is serviced by all essential services.

(e) Safety, security & crime prevention

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

(f) Operational waste

The proposal considers waste storage and collection from Werri Street.

(g) Operational noise and vibration

No significant concern is raised.

(h) Risks to people & property from natural & technological hazards

The developable land is clear of flood impact. Bushfire protection measures will be imposed with the subdivision (eg APZ, BAL) that will apply to future development of the land. There are no other known risks.

(i) BCA compliance

A Council building officer has reviewed the proposal and raises no concerns in relation to future BCA compliance. Conditions of consent are recommended in terms of bushfire protection measures for future dwellings.

(j) 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 14 days in which to comment on the proposal. At the conclusion of the notification period, 7 submissions were received which raised the following (summarised) matters of concern:-

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

Item 1: Objection is made to any vegetation clearing or easement within the adjoining RE1 Public Recreation zoned land for the purpose of bushfire protection.

Response: The proposal has been amended so that there is no encroachment onto the adjoining reserve. The bushfire protection Asset Protection Zone (APZ) will be contained within the development site without the need for clearing or easement within the reserve.

Item 2: Concern is expressed about the potential impact on the Norfolk Island Pines within the site.

Response: The proposal is accompanied by an arborists report that has been reviewed by Council's Landscape Officer. A 3m wide building exclusion zone is identified around the mature Norfolk Island pines on the site. The driveway is proposed to be constructed with permeable paving. Council's Landscape Officer has raised no objection to the proposal and has recommended conditions of consent be imposed should approval be granted.

Item 3: The solid wall along the eastern boundary will cause erosion and be detrimental to dune stability.

Response: Land owners have a right to fence their land in accordance with Kiama DCP 2012 Chapter 2 Section 36 – Fencing, control C56 - *Side and rear fencing abutting a reserve*, as discussed above under DCP 2012. In this instance the 1.8m high side boundary fence will also serve the purpose of a radiant heat shield for bushfire protection.

Item 4: Subsequent development of the lots will be visible and obtrusive with adverse amenity impact for neighbours. Concern is also expressed about visibility of development from the beach.

Response: Subsequent development of the land will be considered on its merits, including in terms of visual impact from the beach. It is emphasized however that the land is zoned residential and may be developed accordingly having regard to the development standards and controls applicable at the time such application is made.

Item 5: The two lot subdivision will result in overdevelopment of the site with subsequent development.

Response: As above, subsequent development of the land will be assessed on its merits. The same Kiama LEP and DCP development standards and controls apply to the site irrespective of if 1 dwelling or a dual occupancy is erected on the existing large lot, or it is subdivided and a smaller dwelling is constructed on each lot.

Item 6: Development of the site will block the view of the beach from neighbouring 67 Werri Street.

Response: This view is limited, as indicated in the submission, by the existing amenity building in the reserve and by the dune vegetation. Furthermore, views from the neighbouring land over the subject site will have been brought about with the demolition of all structures on the subject land (dwelling, garage, carport).

The principal views from the neighbouring land are northward views over Werri Lagoon and the farmland/Mount Pleasant, as is evident from the orientation of the

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

dwelling. Any view eastward/south-eastward over the development site is a secondary view to the principal northward views.

Issues of view loss will be assessed in detail, on merit, with future development of the land.

Item 7: Subsequent development of the lots will create a wind tunnel effect between the buildings during north-easterlies.

Response: Any potential adverse impact of this type are not considered to be of such significance so as to warrant refusal of the proposal.

Item 8: Objection is made to the extension of the stonewall encroaching on the lagoon.

Response: This development application does not involve extension of the retaining walls. The development referred to was separately approved by Council on 18/07/2017 by way of development application 10.2017.50.1

Item 9: Objection is made to the pool and access stairs into the dune.

Response: This development application does not involve a pool or access stairs. The development application for the pool (10.2016.213.1) was withdrawn by the applicant and the unauthorised access stairs into the dune have been removed.

External Referrals

The application was referred to the following State Government Departments.

- The NSW Rural Fire Service (RFS)

The RFS issued their Bushfire Safety Authority. The conditions will be incorporated into the consent notice should development consent be granted.

Part of the RFS requirement for bushfire protection is for a 1.8m high radiant heat shield to be constructed along the southern boundary of the allotment bordering Council's reserve (which is the potential bushfire threat source).

No detail has been provided from the applicant (e.g. plans) identifying the type of radiant heat shield proposed. Should Council approve the development, it is recommended that it be a deferred commencement consent requiring full details of the proposed radiant heat shield to be submitted to Council for consideration.

- The NSW Department of Primary Industries – Water

The Office of Water issued their General Terms of Approval (GToA). The GToA will be incorporated into the consent notice should development consent be granted.

Internal Referrals

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

- 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

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10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
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(cont)

No objection has been raised in relation to the proposed development. It is noted that Council has created some informal parking that encroaches on this property and that will no longer be available for public access. 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.

- Environmental Health Officer

No objection has been raised in relation to the proposed development. Conditions of development consent have been recommended (under the previous subdivision DA 10.2016.144.1 (withdrawn)) that will be applied should the application be approved.

- Property Manager

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 Development Control Plans, 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 79C of the Environmental Planning and Assessment Act, 1979. The proposal is consistent with Kiama LEP and relevant Development Control Plans. 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 Development Consent

Deferred Commencement Conditions

This deferred commencement consent is issued pursuant to s.80(3) of the Environmental Planning and Assessment Act, 1979. This consent is not to operate

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(cont)

until the Applicant satisfies the Council, within **12 months** of the date of this consent, of the following matters:

1. Full details of the radiant heat shield required by the NSW Rural Fire Service in their General Terms of Approval condition 5 under the sub-heading 'Design and Construction'.
2. An amended Plan of Subdivision that provides proposed Lot 2 with a 2.5m wide access handle so that the access way is located over both allotments.

END OF DEFERRED COMMENCEMENT CONDITIONS

General terms of other approvals integrated as part of the consent:

- **General Terms of Approval (*Rural Fires Act, 1997*)**

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

- (1) At the issue of Subdivision Certificate and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.
- (2) As the issue of a Subdivision Certificate, suitably worded instruments shall be created pursuant to section 88 of the 'Conveyancing Act 1919' over Lots 1 and 2 which prohibit the construction of buildings other than class 10b structures within 6 metres of the Eastern boundary. Kiama Council shall be nominated as the prescribed authority for variation or removal of the instrument.

Water and Utilities

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

- (3) Water, electricity and gas are to comply with the following requirements of section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

- (4) At the issue of a Subdivision Certificate, suitably worded instruments shall be created pursuant to section 88 of the 'Conveyancing Act 1919' over Lots 1 and 2 which require any new dwelling house or other structure constructed on the lot(s) to be built to BAL 40 on the Eastern elevation and roof and 29 on the remaining elevations in accordance with Australian Standard AS3959-2009

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection 2006' (or equivalent).

- (5) A minimum 1.8 metre high radiant heat shield constructed of non-combustible materials shall be constructed along the Eastern boundary adjacent to the hazard excluding 15m from the foreshore and 6m from the front southern boundary.

• **General Terms of Approval (*Water Management Act, 2000*)**

Plans, standards and guidelines

- (1) These General Terms of Approval (GTA) only apply to the controlled activities described in the plans and associated documentation relating to 10.2017.56.1 and provided by Council:

- (i) Site plan, map and/or surveys
- (ii) Statement of Environmental Effects

Any amendments or modifications to the proposed controlled activities may render these GTA invalid. If the proposed controlled activities are amended or modified DPI Water (formerly the NSW Office of Water) must be notified to determine if any variations to these GTA will be required.

- (2) Prior to the commencement of any controlled activity (works) on waterfront land, the consent holder must obtain a Controlled Activity Approval (CAA) under the Water Management Act from DPI Water. Waterfront land for the purposes of this DA is land and material in or within 40 metres of the top of the bank or shore of the river identified.
- (3) The consent holder must prepare or commission the preparation of:
- (i) Construction Plans
 - (ii) Erosion and Sediment Control Plan
- (4) All plans must be prepared by a suitably qualified person and submitted to the DPI Water for approval prior to any controlled activity commencing. The following plans must be prepared in accordance with DPI Water's guidelines located at www.water.nsw.gov.au/Water-Licensing/Approvals:
- (i) Vegetation Management Plans
 - (ii) Laying pipes and cables in watercourses
 - (iii) Riparian Corridors
 - (iv) In-stream works
 - (v) Outlet structures
 - (vi) Watercourse crossings

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

- (5) The consent holder must (i) carry out any controlled activity in accordance with approved plans and (ii) construct and/or implement any controlled activity by or under the direct supervision of a suitably qualified professional and (iii) when required, provide a certificate of completion to DPI Water.

Rehabilitation and maintenance

- (6) The consent holder must reinstate waterfront land affected by the carrying out of any controlled activity in accordance with a plan or design approved by the DPI Water.

Access-ways

- (7) The consent holder must not locate ramps, stairs, access ways, cycle paths, pedestrian paths or any other non-vehicular form of access way in a riparian corridor other than in accordance with a plan approved by DPI Water.

Disposal

- (8) The consent holder must ensure that no materials or cleared vegetation that may (i) obstruct flow, (ii) wash into the water body, or (iii) cause damage to river banks; are left on waterfront land other than in accordance with a plan approved by DPI Water.

Erosion control

- (9) The consent holder must establish all erosion and sediment control works and water diversion structures in accordance with a plan approved by DPI Water. These works and structures must be inspected and maintained throughout the working period and must not be removed until the site has been fully stabilised.

Excavation

- (10) The consent holder must ensure that no excavation is undertaken on waterfront land other than in accordance with a plan approved by DPI Water.
- (11) The consent holder must ensure that any excavation does not result in (i) diversion of any river (ii) bed or bank instability or (iii) damage to native vegetation within the area where a controlled activity has been authorised, other than in accordance with a plan approved by DPI Water.

END OF GENERAL TERMS OF APPROVAL**Conditions of Operational Development Consent (when all Deferred Commencement Conditions have been satisfied):**

(including Section 94 conditions)

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 10.2017.56.1 dated - except as amended by the following conditions: (g005.doc)

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

- (2) 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 release of a Construction Certificate. (g030.doc)
- (3) 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:
- The variation in hours required.
 - The reason for that variation.
 - The type of work and machinery to be used. (g165.doc)
- (4) Any septic tank/s or absorption trenches and associated plumbing and drainage lines that are currently located on the development site must be removed from any of the proposed allotments.
- (5) A Construction Environment Management Plan (CEMP) is to be prepared for any work proposed as part of the subdivision and submitted to the Accredited Certifying Authority prior to the issuing of the Construction Certificate.
- (6) Any construction waste and soil from the construction of the proposed subdivision shall be disposed of at a licensed waste disposal facility and in compliance with any requirements specified the Protection of Environment Act 1997 and Protection of the Environment (Waste) Regulation 2014 and any other applicable legislation.
- (7) Standard Torrens Title addressing applies. Letterboxes shall be located at the access point and public road boundary. The proposed house number allocation will be:
- Proposed Lot 1 – 71 Werri Street
 - Proposed Lot 2 – 69 Werri Street

Contributions

- (1) A contribution pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 (as amended) and Kiama Council's Section 94 Contributions Plans Nos. 1 & 3 shall be paid to Council prior to the issuing of the Subdivision Certificate. The total contribution required for the development is **\$7,336.02**. (bo015.doc)

Prior to Commencement of Works

- (1) The developer shall lodge with Council a bond of **\$2,800**, 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.

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10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

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)

Tree Management

- (1) Protection fencing shall be erected around the Norfolk Island Pines to be retained on site so as to prevent damage to the roots of the trees. The fencing shall be erected prior to the commencement of works. The fencing shall consist of 1.8 metres high cyclone wire supported on galvanised steel posts at a minimum 3.0 metre centres. The fencing shall be maintained and shall remain in situ until all works are completed. No machinery, builder's materials and/or waste shall be located inside the fencing. Refer to the arborists report prepared by David Potts 24/2/2016 Section 4.1 (c) for special protection for Tree no.5 – timber battens around the trunk. (pt035.doc)
- (2) The Cook Island Pine tree (*Araucaria columnaris*) identified as Tree no. 2 in the arborist report prepared by David Potts 24/2/2016 shall be removed for the access driveway. The arborist consultant or Council's Landscape Officer shall identify the correct tree to the tree contractor prior to commencement of any tree work.
- (3) The lower branches of the Norfolk Island Pine trees may be removed for vehicle access. The branches shall be removed following recommendations of the arborist consultant to the tree contractor prior to commencement of any tree work.

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

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

-
- 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, passing bay and T-head arrangement;
 - c The proposed pavement treatment to the access driveway, passing bay and T-head arrangement;
 - d Strategically located passing bays, where required, shall be positioned within the access driveway to accommodate minimum design requirements;
 - e The location and reduced level of all services under the control of public utilities or agencies;
 - f A Construction Environmental Management Plan (CEMP) shall be prepared in accordance with Australian Standard AS/NZS ISO 14001: 2004 for all civil engineering work associated with the development.

All reduced levels shall relate to Australian Height Datum (AHD). (ced030.doc)

- (2) A T-Head arrangement shall be provided at the end of the proposed access way. The T-Head shall be of a suitable size to allow a B99 Vehicle (Australian Standard AS2890.1) to complete a three-point turn. Details shall be shown on the Construction Certificate plans for approval of the Certifying Authority.

Erosion and Sedimentation Controls / Soil and Water Management

- (1) The developer shall submit to the Principal Certifying Authority for approval prior to the issue of the construction certificate, a detailed Soil and Water Management Plan (SWMP) designed in accordance with the requirements of *Managing Urban Stormwater: Soils and Construction Volume 1* (Landcom 2004) and *Managing Urban Stormwater: Soils and Construction Volume 2* (Department of Environment and Climate Change 2007).

All works on the site must be in accordance with the approved SWMP for the full duration of construction works and must provide an overall site detail. For staged development a SWMP shall be provided for each stage of the development. (esc010.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)

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)

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

Stormwater Management

- (1) 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 Principal Certifying Authority prior to the release of a Construction Certificate. (sm055.doc)
- (2) The developer shall provide compliance certification from the hydraulic engineer verifying that the constructed stormwater drainage infrastructure/water quality system meets with the approved design. The certification shall be provided to the Principal Certifying Authority prior to the release of any of the Subdivision Certificate. (sm130.doc)
- (3) 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 Principal Certifying Authority for assessment prior to the release of the Construction Certificate. (sm150.doc)

Civil Engineering Construction

- (1) 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)
- (2) The developer shall control the emission of dust from the site and in this regard watering and dust suppression equipment shall be kept on the site and used for this purpose. The developer must ensure that the contractor is able to control emission of dust from the site on weekends when windy conditions prevail. (cec025.doc)
- (3) All new construction work shall make smooth junctions with existing work. (cec060.doc)
- (4) 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)
- (5) 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)
- (6) The roadway, footpath or Council reserve shall not be used to store construction material without the prior approval of Council. (bu086.doc)

Item 10.3

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

-
- (7) All excavations and backfilling must be executed safely in accordance with appropriate professional standards. (bu090.doc)
- (8) All excavations must be properly guarded and protected to prevent them from being dangerous to life or property. (bu095.doc)
- (9) Construction work, delivery of materials and plant, etc shall only take place between the following hours:
- Monday to Friday - 7.00 am to 6.00 pm
- Saturdays - 8.00 am to 1.00 pm
- No construction work is to take place on Sundays or Public Holidays. (bu151.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 the issuing of the Subdivision Certificate. (us010.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)

Landscaping Works

- (1) Prior to release of the Occupation Certificate or Subdivision 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)
- (2) The one metre wide landscape strips along each side of the driveway shall be low shrubs or groundcovers of low flammability in accordance with Planning for Bush Fire Protection 2006. *Atriplex cinerea* (Coast saltbush) *Dianella caerulea* (Paroo lily) and *Carpobrotus* (Native pigface) are suggested.

Conveyancing Requirements

- (1) Prior to the issue of a Subdivision Certificate, the developer shall prepare an Instrument under Section 88B of the Conveyancing Act 1919, for approval by the Principal Certifying Authority that incorporates the following easements and restrictions on the use of land:
- a. Easement for services;
 - b. Reciprocal Right of way which includes the T-Head and passing bay;

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

-
- c. Restriction on the use of land over the 1% AEP flood inundation area of the natural watercourse which prohibits the erection of structures, including fences and the placement of fill;
 - d. Restriction on the use of land which prohibits the construction of dwellings with 6 metres of the eastern boundary, as per NSW RFS Asset Protection Zone requirements;
 - e. Restriction on the use of land defining minimum floor levels for any lots that have any part of the lot below the 1% AEP flood level. The developer shall provide the 1% AEP flood profile of the natural watercourse with superimposed lot boundary location;
 - f. Restriction on the use of land over Lots 1 & 2 which specify that any dwelling or other structure shall be built to BAL 40 along its eastern elevation and roof and BAL 29 on all other elevations in accordance with Australian Standard AS3959-2009 'Construction of buildings in bush fire prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014 as appropriate and section A3.7 Addendum Appendix 3 of Planning for Bushfire Protection 2006' (or equivalent); and
 - g. Restriction on the use of land over Lots 1 & 2, which specifies that any dwelling or other structure built on the land, shall be protected by a 1.8-metre radiant heat shield constructed of non-combustible materials along the eastern boundary of the allotment; and
 - h. Easement for tree protection zones.

Prior to Issuing of Subdivision Certificate

- (1) The Subdivision Certificate shall not be released 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.

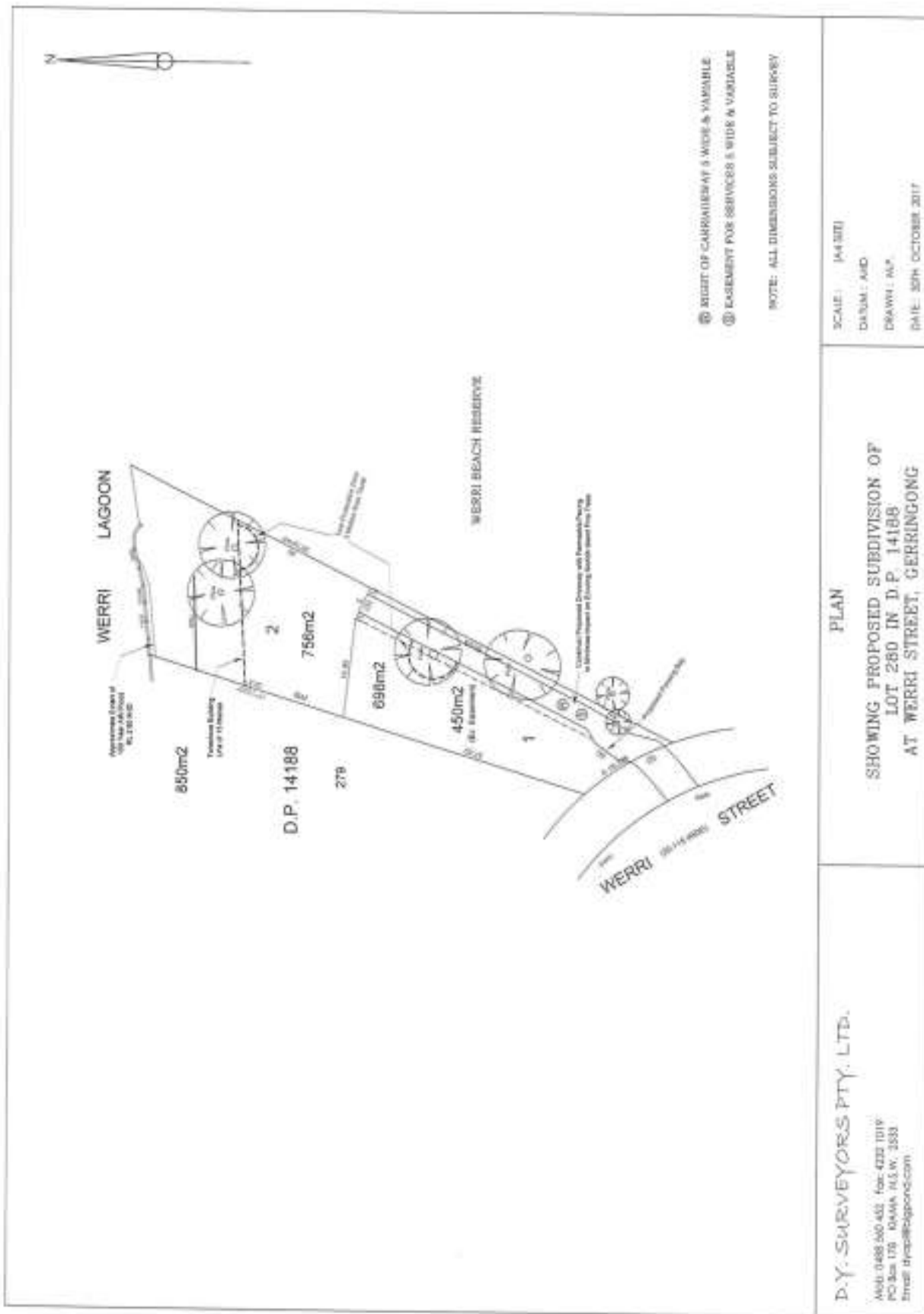
A copy of the satisfactory final plan of subdivision shall also be provided as an electronic file in either DXF or DWG format. In this regard the electronic copy must be on MGA (Zone 56) orientation, where this is required by the Surveying Regulation 2001, and should preferably use co-ordinates based 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

Report of the Director Environmental Services

10.3 10.2017.56.1 - Lot: 280 DP 14188 - 69 Werri Street, Werri Beach - 2 Lot
Torrens Title subdivision
(cont)

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.
 - 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 94 Contributions identified in this consent. (sub020.doc)
- (3) The developer shall submit to the Principal Certifying Authority, prior to the release of the Subdivision Certificate, two (2) copies of 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 have no 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)
 - (6) The developer shall show the 1% AEP storm event inundation line on the Works-As-Executed plan for all watercourses and overflow paths to demonstrate that the building envelope for each lot and access to that envelope is flood free. (sub075.doc)
 - (7) The developer shall chart the natural watercourse on the final plan of subdivision. (sub080.doc)



SCALE: 1:41 (S1)
 DATUM: AHD
 DRAWN: M.P.
 DATE: 20th OCTOBER 2017

PLAN
 SHOWING PROPOSED SUBDIVISION OF
 LOT 280 IN D.P. 14188
 AT WERRI STREET, GERRINGONG

D.Y. SURVEYORS PTY. LTD.
 Mob: 0488 560 401 Fax: 0222 1019
 PO Box 178, DAWNA N.S.W. 2533
 Email: dyc@bigpond.com

- Ⓢ RIGHT OF CARRIWAY & WIDE & VARIABLE
 - Ⓣ EASEMENT FOR SERVICES & WIDE & VARIABLE
- NOTE: ALL DIMENSIONS SUBJECT TO SURVEY

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama

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 10.4

Summary

Council has received a Planning Proposal for consideration of Lot 3 DP 1018217, Dido Street, Kiama (Attachment 1). This report overviews the reports submitted by the applicant against criteria outlined in Council's Planning Proposal Policy and recommends the Planning Proposal proceed to the Department of Planning and Environment to obtain a Gateway determination.

Finance

A fee structure for submittal and review of planning proposals has been developed by Council and is contained in Council's fees and charges schedule. Relevant fees have been paid for this proposal.

Policy

Consideration of requests for rezoning of land require consideration of a number of Acts, Government policies, Council environmental planning instruments and planning documents. Specifically the *Environmental Planning and Assessment Act 1979*, *Kiama Local Environmental Plan 2011*, Illawarra-Shoalhaven Regional Plan, Kiama Urban Strategy and the Kiama Planning Proposal Policy.

Attachments

- 1 Concept Planning Proposal – prepared by SET Consultants Pty Ltd [↓](#)
- 2 Current zoning, proposed zoning and conceptual subdivision [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council:

1. Endorse this Planning Proposal to proceed to the Department of Planning and Environment for a Gateway determination
2. Request plan making delegations for this proposal as a part of the Gateway determination.
3. On receipt of the Gateway Determination, proceed with recommendations including requesting any further studies and public exhibition.

Report of the Director Environmental Services

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama (cont)

Item 10.4

BACKGROUND

Council has received a Planning Proposal (PP) for consideration for Lot 3 DP 1018217, Dido Street, Kiama (known hereafter as ‘the subject site’). In line with the Kiama Planning Proposal Policy, this report details the submitted concept PP and provides an assessment of the specialist consultant reports.

Planning Proposal Details

The subject site (figure 1 attached), Lot 3 DP 1018217, is located at Dido Street, Kiama. The site is approximately 8,870m². The site gains vehicular access via direct frontage to Dido Street. The site is currently vacant, but does provide legal access to Lot 4 DP 1018217, 17 Dido Street, which is located immediately to the west of the subject site. The site is currently zoned RU1 Primary Production under the provisions of the *Kiama Local Environmental Plan (LEP) 2011*.



Figure 1: Location Map

Intent of Planning Proposal

The PP aims to rezone Lot 3 DP 1018217 from RU1 Primary Production to R2 Low Density Residential and apply the associated controls in keeping with the adjacent land on the eastern side of Dido Street. The subject site is identified as Site 8 in the Kiama Urban Strategy as it is within the western boundary of Kiama, as established by the Cedar Grove developments.

The PP seeks the following amendments to the *Kiama Local Environmental Plan 2011* to ensure that the 8,870m² site is consistent with the existing residential development on the eastern side of Dido Street. An outline of the existing and proposed controls is provided below:

Controls	Current controls	Proposed controls
Zone	RU1 Primary Production	R2 Low Density

Report of the Director Environmental Services

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama (cont)

		Residential
Floor Space Ratio (FSR)	FSR – none	FSR – C 0.45:1
Height of Building (HOB)	HOB – none	HOB – I 8.5
Lot Size	Lot size - AB 40ha	Lot size – G 450 (m ²)

Item 10.4

Review and Assessment of the Planning Proposal

The results of the review and assessment of the PP are framed around the requirements of the:

- Department of Planning and Environment's (DoPE) 'Guide to Preparing Planning Proposals,
- Illawarra-Shoalhaven Regional Plan,
- Kiama Planning Proposal Policy and Kiama Urban Strategy (KUS),
- relevant *State Environmental Planning Policies (SEPPs)*, and
- applicable Section 9.1 Ministerial Directions.

Guide to Preparing Planning Proposals

The Department of Planning and Environment's (DoPE) 'Guide to Preparing a Local Environment Plan' (the 'Guide') outlines what information needs to be addressed by a PP. The 'Guide' outlines that a PP needs to comprise of five (5) parts:

- Part 1 A statement of the objectives and intended outcomes of the proposed instrument
- Part 2 An explanation of the provisions that are to be included in the proposed instrument
- Part 3 The justification for those objectives, outcomes and the process for their implementation
- Part 4 Maps, where relevant, to identify the intent of the planning proposal and the area to which it applies
- Part 5 Details of the community consultation that is to be undertaken on the planning proposal

Upon review it has been determined that the proponent's Concept PP has been prepared in accordance with the 'Guide' and has satisfactorily answered the questions contained within Part 3 of the 'Guide' (see below).

The Illawarra-Shoalhaven Regional Plan

Question 3 of Part 3 of the 'Guide' asks if the PP is consistent with the objectives and actions of the applicable regional plan. The applicable regional plan for the Kiama municipality is the Illawarra-Shoalhaven Regional Plan (ISRP). The ISRP contains five (5) goals which need to be considered when assessing this PP:

- Goal 1 A prosperous Illawarra-Shoalhaven
- Goal 2 A variety of housing choices, with homes that meet needs and

Report of the Director Environmental Services

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama (cont)

Item 10.4

- lifestyles
- Goal 3 A region with communities that are strong, healthy and well-connected
- Goal 4 A region that makes appropriate use of agricultural and resource lands
- Goal 5 A region that protects and enhances the natural environment

The subject PP assists in achieving Goal 2, specifically Direction 2.1 ‘Provide sufficient housing supply to suit the changing demand of the region’ and Direction 2.2 ‘Support housing opportunities close to existing services, jobs and infrastructure in the region’s centres’.

The Kiama Planning Proposal Policy & Kiama Urban Strategy

The Kiama Planning Proposal Policy outlines that Council may agree with a proponent’s request if any of the following criteria can be met:

Criterion for proceeding	Compliance
Land is identified as a nominated area in the Urban Strategy.	The subject site is identified as Site 8 in the Kiama Urban Strategy as it is within the western boundary of Kiama, as established by the Cedar Grove developments.
Land can be identified as assisting to meet Council’s strategic direction.	N/A
A clear zoning anomaly exists on site.	N/A

As can be seen above the subject PP is supported by the Kiama Planning Proposal Policy as it is identified as Site 8 in the Kiama Urban Strategy (KUS).

Question 4 of Part 3 of the ‘Guide’ asks if the PP is consistent with Council’s local strategy or other local strategic plan. The Kiama Urban Strategy (KUS), which was adopted by Council on 20 September 2011, is Council’s adopted local strategy and identifies Kiama’s overarching strategy to meet housing targets identified in the ISRP. The Site is identified in the KUS as Site 8 as it is within the western boundary of Kiama, as established by the Cedar Grove developments.

Report of the Director Environmental Services

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama (cont)

Item 10.4

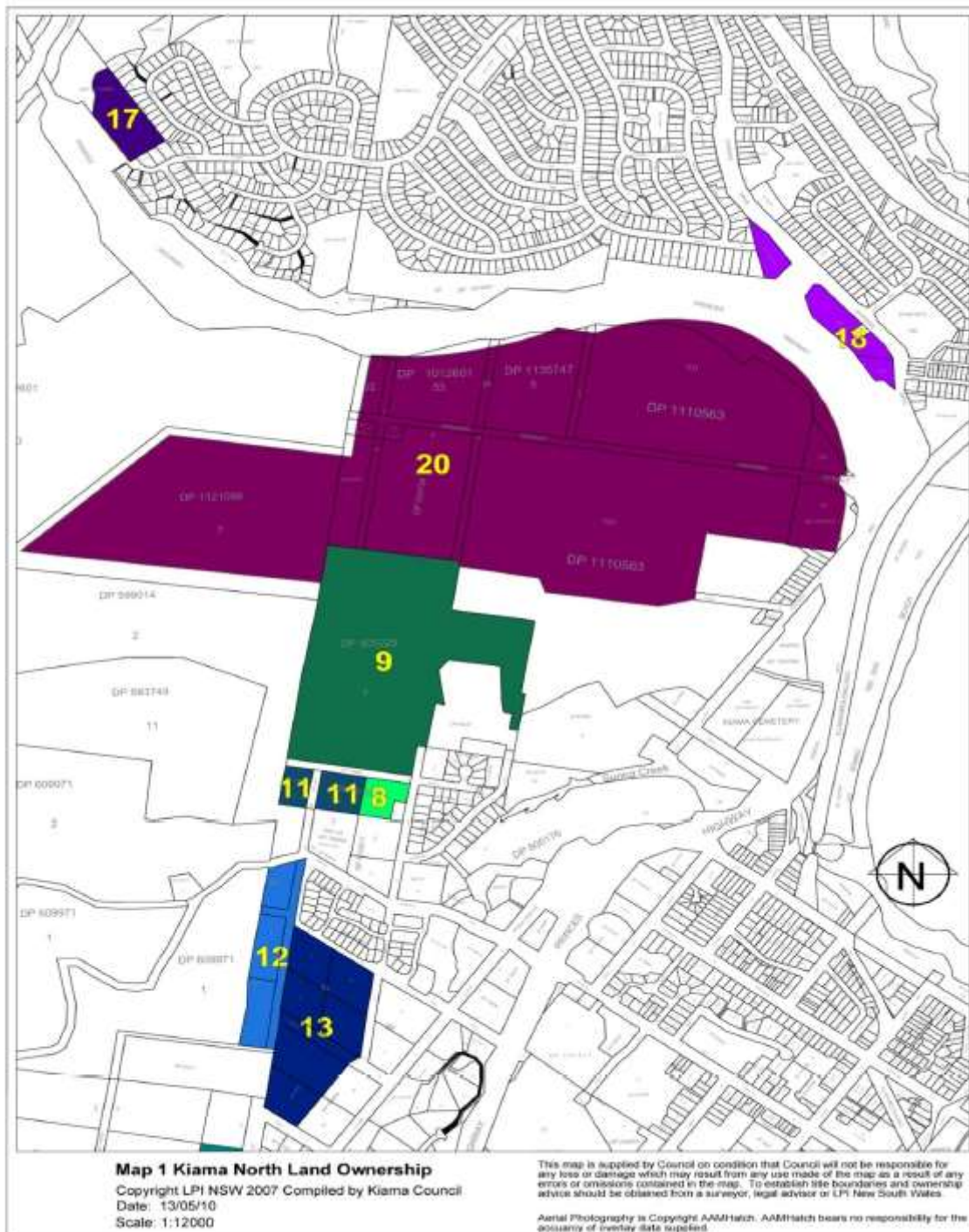


Figure 2: Residential Expansion at Kiama North (greenfield sites).

The KUS recommended that the Site “should be included in a Planning Proposal” to allow it to be rezoned for future residential development. The KUS outlines that Site 8 as a Stage 2 site, suitable for rezoning within 5-10 years of the adoption of the KUS. The KUS also envisioned a potential lot yield for the site of approximately 11-12. The supplied concept subdivision plan proposes a lot yield of 10 lots.

Report of the Director Environmental Services

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama (cont)

The Kiama Planning Proposal Policy outlines that in order to adequately ascertain the appropriateness of any concept PP specialist reports/statements may need to accompany the initial request. In order to assess the viability of the land for residential development a number of specialist consultant reports/statements were requested by staff. The reports were requested to be undertaken by the applicant as part of the Concept PP in order to demonstrate:

- environmental impacts
- bushfire risk
- visual impact
- aboriginal cultural heritage, and
- retention of legal access for Lot 4 DP 1018217.

Staff have reviewed the specialist reports/statements and found at this point to have met the required level of detail. The results of this assessment process have been summarised below under the heading 'Specialist Reports and Statements'.

State Environmental Planning Policies

Question 5 of Part 3 of the 'Guide' asks if the PP is consistent with applicable *State Environmental Planning Policies* (SEPPs). The following SEPPs are applicable to the subject PP:

The proponent has prepared an assessment against the relevant sections of the applicable SEPPs. Staff have reviewed the proponent's assessment against the applicable SEPPs and have concluded that the proposal is consistent with the relevant SEPPs including SEPP No 55 – Remediation of Land, SEPP No 71 – Coastal Protection and SEPP (Rural Lands) 2008.

Section 9.1 Ministerial Directions Compliance Assessment – Prepared by SET Consultants Pty Ltd.

Question 6 of Part 3 of the 'Guide' asks if the PP is consistent with applicable Section 9.1 Ministerial Directions. The following 9.1 Directions are applicable to the subject PP:

The proponent has prepared an assessment against the applicable Section 9.1 Ministerial Directions. With the exception of Directions 1.2 Rural Zones and 1.5 Rural Lands the Concept PP was found to be consistent with the relevant Section 117 Ministerial Directions. As the Concept PP is consistent with the adopted Kiama Urban Strategy the inconsistencies with Directions 1.2 and 1.5 are justified. Staff have reviewed the proponent's assessment against the applicable Ministerial Directions and concur that these inconsistencies are justified by the Kiama Urban Strategy.

Specialist Reports and Statements

Questions 7 and 8 of Part 3 of the 'Guide' ask if there are any likely environmental effects, particularly in relation to critical habitat or threatened species, populations or ecological communities, associated with the PP. Question 9 of Part 3 of the 'Guide'

Report of the Director Environmental Services

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama (cont)

ask if the PP has adequately addressed any social and economic effects. Question 10 of Part 3 of the 'Guide' ask if there is adequate public infrastructure for the PP.

In order to satisfactorily answer Questions 7, 8, 9 and 10 of Part 3 of the 'Guide' the following specialist reports/statements have been provided:

- Flora & Fauna
- Bushfire
- Visual Impact
- Aboriginal Heritage Information Management System Search

Flora & Fauna Assessment – Prepared by Biosis Pty Ltd

An assessment on any ecological constraints associated with the site that might impact upon the PP was requested by staff. A Flora & Fauna Assessment was prepared by Biosis Pty Ltd on behalf of the applicant. The Flora & Fauna Assessment included a field survey of the site. The Assessment identified that the site supports a small area of Illawarra Subtropical Rainforest EEC which is a high constraint to the development. The Assessment also identified that the study area also has a medium potential to be used by a number of highly mobile threatened fauna as non-limiting foraging and dispersal habitat. The Assessment recommends avoiding direct impacts, including:

- Avoiding clearing 130sqm of the EEC,
- Site any stormwater easements or outflows away from the EEC, and
- Install any bushfire Asset Protection Zones (APZs) outside of the EEC.

Biosis Pty Ltd recommended

...that where feasible, the EEC remnant be retained within a park/green space with a minimum 10 metre buffer between the EEC and any proposed development features. If the EEC is retained the consent authority are likely to require a vegetation management plan to improve and provide ongoing management.

Staff Comment

The report was peer reviewed by staff who agreed with the results and conclusion of the submitted Flora & Fauna Assessment and concluded that the PP could proceed for a Gateway Determination.

Bushfire Risk Assessment – Prepared by SET Consultants Pty Ltd

As the site immediately adjoins land identified as being bushfire prone land staff requested the preparation of a bushfire assessment report. A Bushfire Risk Assessment was prepared by SET Consultants Pty Ltd as per the requirements of Ministerial Direction 4.4 'Planning for Bushfire Protection'. The Bushfire Risk Assessment identified the likely severity of a bushfire event due to the existing slopes and vegetation on site. In accordance with Ministerial Direction 4.4 this PP will need to be referred to the NSW Rural Fire Service following receipt of a Gateway Determination.

Report of the Director Environmental Services

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama (cont)

The Assessment identified that the concept subdivision layout could comply with the relevant deemed-to-satisfy requirements of 'Planning for Bushfire Protection 2006'. The Assessment has recommended that the inner site being maintained as an Inner Protection Zone.

Staff Comment

The report was peer reviewed by staff who agreed with the results and conclusion of the submitted Bushfire Risk Assessment and concluded that the PP could proceed. Consultation with the NSW Rural Fire Service is required prior to community consultation.

Visual Impact Assessment – Prepared by SET Consultants Pty Ltd

As the site is located in a prominent and elevated position in the landscape staff requested the preparation of a bushfire assessment report.

SET Consultants Pty Ltd. prepared a Visual Impact Analysis. The Analysis identified that the magnitude and sensitivity of the visual impact of the proposal, when viewed from the surrounding public places, was generally assessed as Moderate to Low. This is due to the physical separation between the site, the intervening foreground of natural landscape and other urban development seen to be falling below the scenic backdrop of Saddleback Mountain.

Staff Comment

The Analysis was peer reviewed by staff who agreed with the results and conclusion of the submitted Visual Impact Analysis and concluded that the PP could proceed. The development at Cedar Grove Stage 2 is located at a similar elevation to the subject site and as such, development on this site will have a similar visual impact.

Aboriginal & European Heritage

The applicant provided a copy of a Basic Aboriginal Heritage Information Management System (AHIMS) Search, which showed that there are no known Aboriginal sites or places recorded or declared in or within 200m of the subject site.

The applicant has outlined that an old dry stone wall is shown on the current deposited plan along the southern boundary of the site. This wall was not identified during a site inspection. It is noted that dry stone walls are listed as heritage items by the Kiama Local Environmental Plan 2011. The applicant has confirmed that retention and preservation of any dry stone walls would occur as part of future residential subdivision, as it would provide a visual delineation between the site and the adjoining rural land.

Staff Comment

The preservation of both Aboriginal and European heritage is a paramount importance to Council. Staff are of the opinion that the proposed rezoning itself will not be detrimental to the ongoing preservation of Aboriginal and European heritage, and as such have concluded that the PP could proceed for a Gateway Determination.

Topography & Access

Report of the Director Environmental Services

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama (cont)

The site is constrained by its steep topography. The applicant has acknowledged this constraint in the commentary on page 26 of the PP. The applicant has also provided a concept subdivision layout to show the potential lot yield when taking into account the topographical constraints.

While initially requested by Council, the applicant has not prepared either a Geotechnical or Stage 1 Preliminary Investigation Report. The applicant has outlined that they are of the opinion that it would be more appropriate to prepare these reports following and in accordance with any Gateway Determination.

Staff Comment

Council's Subdivision & Development Engineer has reviewed the concept subdivision layout and has agreed that the proposed road layout could potentially satisfy Council's engineering standards. Council's Subdivision & Development Engineer has noted that retaining walls will be required as part of the construction of the public road as well as a temporary T-head at the western boundary of the site in order for service vehicles (i.e. garbage etc.) to service the site. These requirements will ultimately require a redesign of the concept subdivision layout. The existing right-of-way may also need to be extinguished as part of any future subdivision. This will require the consent of the owner of Lot 4 DP 1018217.

Staff will request that the DPE condition the preparation of these reports, prior to consultation, as part of any Gateway Determination. The reports may trigger a redesign of the concept subdivision layout and may result in larger residential products (i.e. lots).

Assessment Summary

Report	Appropriate to proceed to Gateway
Concept Planning Proposal Report – Prepared by SET Consultants Pty Ltd.	✓
State and Regional Environmental Planning Policies (SEPPs and REPs) Compliance Assessment – Prepared by SET Consultants Pty Ltd.	✓
Section 117 Ministerial Directions Compliance Assessment – Prepared by SET Consultants Pty Ltd.	✓
Flora & Fauna Assessment - Prepared Biosis Pty Ltd.	✓
Bushfire Hazard Assessment - Prepared SET Consultants Pty Ltd.	✓
Visual Impact Analysis - Prepared SET Consultants Pty Ltd.	✓
Basic Aboriginal Heritage Information Management System Search	✓

Plan Making Delegations

Report of the Director Environmental Services

10.4 Supporting Initial Gateway Consideration of the Planning Proposal for Lot 3 DP 1018217, Dido Street, Kiama (cont)

Council has received delegations for local plan making powers under Planning Circular PS16-005 and Section 3.36 of the *Environment Planning and Assessment Act 1979*. It is intended to request delegations Plan making powers for planning proposals consistent with an endorsed strategy and /or surrounding zones such as this PP. This request will be sent to gateway with the planning proposal delegation following council approval to proceed. Following the Gateway determination, Council will be directed as to any further requirements to obtain additional studies, consult with public authorities and exhibit the Draft Kiama LEP.

Conclusion

The Planning Proposal meets the criteria outlined in the Planning Proposal Policy, as it is an endorsed site, (Site 8) under the Kiama Urban Strategy.

The site is constrained by its steep topography. Staff will request that the DPE condition the preparation of a Geotechnical and Stage 1 Preliminary Investigation Report, prior to consultation, as part of any Gateway Determination. The reports may trigger a redesign of the concept subdivision layout and may result in larger residential products (i.e. lots).

The technical reports obtained by the applicant have provided enough information to enable Council staff to support this stage of the Concept Planning Proposal.

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Planning Proposal

Amendment to KLEP 2011 to Rezone Land

Dido Street,
Kiama
Lot 3 DP 1018217

7 December 2017
Reference: L103410

Item 10.4

Attachment 1

SET Consultants Pty Ltd

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Attachment 1

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1 Statement of Objectives or intended outcomes

The objective of this planning proposal is to amend the Kiama Local Environmental Plan (LEP) 2011 for Lot 3 DP 1018217 from RU1 Primary Production to R2 Low Density Residential in accordance with the Kiama Urban Strategy (KUS) to permit subdivision and low density residential development of this land.

2 Explanation of Provisions

The intended outcome will be achieved by amending Kiama LEP 2011 as follows:-

1. Amend the Land Zoning Map – Sheet LZN_012 applying to Lot 3 DP 1018217 from zone RU1 to zone R2.
2. Amend the Lot Size Map – Sheet LSZ_012 applying to Lot 3 DP 1018217 from minimum lot size of AB 40ha to G 450 sqm.
3. Amend the Floor Space Ratio Map – Sheet FSR_012 applying to Lot 3 DP 1018217 to apply a FSR of C 0.45:1.
4. Amend the Height of Buildings Map – Sheet HOB_012 applying to Lot 3 DP 1018217 to apply a maximum height of I 8.5m.

3 Justification

3.1 Need for a Planning Proposal

3.1.1 Is the Planning proposal the result of any strategic study or report?

Yes. The Planning Proposal is in accordance with the Kiama Urban Strategy (KUS).

The KUS was adopted by Council on 20 September 2011 and identified land for urban expansion. The subject site is identified under Section 8 of the KUS as land for which a planning proposal should be undertaken to satisfy the housing mix outlined in the then Regional Plan (the *Illawarra Regional Strategy*)¹.

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

¹ Kiama Municipal Council *Kiama Urban Strategy* Adopted 20 September 2011, p41.

Planning Proposal
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Rezoning the land to R2 Low Density Residential and amending the Development Standards to reflect the Development Standards of residential land to the east of the subject site is considered the best way of achieving the intended outcome of permitting low density residential development of the land. The dwelling yield for the subject site indicated in the KUS is approximately 11-12 dwellings². The proposed LEP amendments will allow for a subdivision and development which will meet this yield and assist to meet the detached housing mix for growth in Kiama.

Consideration was given to rezoning some of the land to R3 Medium Density Residential to allow for multi-dwelling housing or amending the minimum lot size to 350sqm to increase the lot yield as has been applied to portions of other urban release land to the south. However, given the topography of the land and its visibility from the coastal foreshore the resultant built form likely from such LEP amendments were not considered the best means of achieving the intended outcome and would result in a the dwelling yield greater than indicated in the KUS.

Note:

Consideration was also given to zoning a small portion of the site E2 Environmental Conservation to reflect the Endangered Ecological Community (EEC) identified by the Flora and Fauna Constraints Assessment undertaken by Biosis (Appendix 4). This assessment finds that this pocket of Illawarra Subtropical Rainforest EEC has an area of 130m². Such as small pocket of E2 Environmental Conservation land within a R2 Low Density Residential Zone would be unusual and unnecessarily hinder subdivision layouts should further assessment confirm removal is suitable.

This EEC land is not currently zoned E2 Environmental Conservation. Rezoning the site to R2 Low Density Residential does not remove the legislative requirement for appropriate Flora and Fauna assessments to be undertaken at the time of Development Assessment for subdivision. In this regard it is recommended in the Constraints Assessment, that *a 5 Part Test Impact assessment under Section 7.3 of the BC Act for EEC as part of a Flora and Fauna Assessment to be submitted with a development application to subdivide the study area.*³

The report also acknowledges that the total clearing of the EEC would be below the threshold and not require a Species Impact Statement (SIS) or a Biodiversity Development Assessment Report (BDAR) it also notes that clearing is unlikely to result in significant impact. However, should the 5 Part Test find that clearing the vegetation would result in a significant impact and Council concludes that this EEC needs to be retained, then the subdivision plan would be designed accordingly without the need for the land to be zoned E2 Environmental Conservation.

3.2 Relationship to Strategic Planning Framework

² Using a site area of 8874m² and an average of 773m² per lot created derived from the approximate 75lots for 5.8ha stated in the Kiama Municipal Council *Kiama Urban Strategy* Adopted 20 September 2011, p46

³ Biosis *Flora and Fauna Constraints Assessment for Lot 3 DP 1018217*, 4 September 2017, p7 (see Appendix 4)

3.2.1 Is the planning proposal consistent with objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan and exhibited draft strategies)?

The applicable regional strategy for the area is the *Illawarra-Shoalhaven Regional Plan* (ISRP) published in November 2015. The Planning Proposal is consistent with the vision detailed in the ISRP. The ISRP projects that housing needed in the Kiama LGA over the next 20years would be 2,850. The ISRP also found that *“analysis indicates that there is not enough land or ‘market ready’ infill development in the planning pipeline to meet this demand.”*⁴

The 2016 Illawarra - Shoalhaven Urban Development Program Update (UDP) prepared by the NSW Government indicates that the dwelling approvals and greenfield housing activity for Kiama LGA is likely to decrease in the short term. The report goes on to state that *“this has the potential to impact the provision of a mix of housing types to cater for first home buyers, young families, retirees and support ageing in place. The shortage of greenfield land supply also raises concerns in relation to Kiama’s housing affordability when compared to the rest of the Region.”*⁵

The UDP update acknowledges Kiama Council’s desire to move from greenfield to infill development while still identifying a number of potential greenfield areas contained in its Urban Strategy that can assist in meeting demand.

This Planning Proposal will assist Kiama Municipal Council meet housing demand identified in the ISRP and is consistent with Directive 2.2. The Planning Proposal would provide an additional 10 (approximate) residential lots suitable for either detached dwellings or dual occupancies under the proposed zoning and applies to a lot identified under Council’s Urban Strategy as a potential greenfield site.

3.2.2 Is the planning proposal consistent with a Council’s local strategy or other local strategic plan?

The Kiama Urban Strategy (KUS) was adopted by Council on 20 September 2011 and is Kiama’s overarching strategy to meeting housing targets identified in the then Illawarra Regional Strategy (IRS). The KUS had a direct influence on the preparation of the Kiama LEP 2011.

The land affected by this Planning Proposal was considered for and identified by the KUS as a site which should be assessed further in a Planning Proposal for urban expansion. The site is known in the KUS as ‘Site 8’. Section 9 of the KUS indicates Site 8 (and other sites) as suitable for Stage 2 (5-10years). In the Kiama area only Site 13 was identified as Stage 1 (0-5years). Site 13 refers to Cedar

⁴ NSW Government Planning & Environment *Illawarra Shoalhaven Regional Plan* Published November 2015, p34

⁵ NSW Government Planning & Environment *Illawarra Shoalhaven Urban Development Program* Published October 2016, p41

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Lot 3 DP 1018217 Dido Street, Kiama

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Grove which has now been developed. Therefore, with regards to both staging order and indicated timeframes, the proposed development is consistent with the KUS.

Section 9 also identifies lot yield for the site of approximately 11-12 lots⁶ although Section 6.1 acknowledges that a more accurate lot yield potential and density would need be established. Reflecting site constraints including bushfire, topography and the potential need to protect land identified as EEC a concept subdivision plan has been prepared which illustrates a lot yield of 10 lots. Further investigation of these constraints may increase this lot yield to be closer to that identified by the KUS. Notwithstanding this it is noted that under the proposed zone Dual Occupancy would be a permissible form of development and a number of the sites may be suited to such development. As such the overall dwelling yield may be more reflective of the lot yield derived from the KUS.

The Planning Proposal is consistent with the KUS.

3.2.3 Is the planning proposal consistent with applicable State Environmental Planning Policies?

The Planning Proposal is consistent with applicable State Environmental Planning Policies (SEPPs) as detailed below in Appendix 2.

SEPP 55 – Remediation of Land

SEPP 55 aims to provide a planning approach to the remediation of contaminated land for the purposes of reducing risk of harm to human health or any other aspect of the environment. Specifically, relevant is that SEPP 55 specifies certain matters to be considered when rezoning land.

The Planning Proposal seeks to rezone the land to residential. Whether or not the land is contaminated must therefore be considered if a purpose referred to in Table 1 to the contaminated land planning guidelines could have lawfully been carried out on that land.

Council's records which date back to the late 1950's do not indicate any development history related to the site. An existing driveway (right of carriageway which provides access to the properties to the west) is construction on the site. The DP registered in November 2000 shows an old stone wall located on the southern boundary. The indication of a stone wall suggests that the site may have been used for agricultural activity in the past. Furthermore, the current zoning lawfully permits extensive agriculture without consent.

A Stage 1 Preliminary Investigation Report, required under Clause 6 of SEPP 55 and detailed in 'Managing Land Contamination Planning Guidelines SEPP 55 – Remediation of Land' should be carried out after an in accordance with any Gateway determination to ensure that the site is suitable or can be remediated to be suitable for residential use.

⁶ Using a site area of 8874m² and an average of 773m² per lot created derived from the approximate 75lots for 5.8ha stated in the Kiama Municipal Council *Kiama Urban Strategy* Adopted 20 September 2011, p46

SEPP 71 – Coastal Protection

SEPP 71 aims:-

- to protect and manage the natural, cultural, recreational and economic attributes of the New South Wales coast, and
- to protect and improve existing public access to and along coastal foreshores to the extent that this is compatible with the natural attributes of the coastal foreshore, and
- to ensure that new opportunities for public access to and along coastal foreshores are identified and realised to the extent that this is compatible with the natural attributes of the coastal foreshore, and
- to protect and preserve Aboriginal cultural heritage, and Aboriginal places, values, customs, beliefs and traditional knowledge, and
- to ensure that the visual amenity of the coast is protected, and
- to protect and preserve beach environments and beach amenity, and
- to protect and preserve native coastal vegetation, and
- to protect and preserve the marine environment of New South Wales, and
- to protect and preserve rock platforms, and
- to manage the coastal zone in accordance with the principles of ecologically sustainable development (within the meaning of section 6 (2) of the Protection of the Environment Administration Act 1991), and
- to ensure that the type, bulk, scale and size of development is appropriate for the location and protects and improves the natural scenic quality of the surrounding area, and
- to encourage a strategic approach to coastal management.

The site is located within the SEPP 71 Coastal Zone but is not within a ‘sensitive coastal location’ as defined by SEPP 71. Matters to be considered when preparing a draft Local Environmental Plan are detailed under Clause 8. These are addressed in the Table 1 below.

Table 1: SEPP 71 Matters for consideration	
Matters for consideration	Consistency with Planning Proposal
a) aims of the policy set out in clause 2,	The Planning Proposal is consistent with the aims set out in Clause 2 of the SEPP.
b) existing public access to and along the coastal foreshore for pedestrians or persons with a disability should be retained and, where possible, public access to and along the coastal foreshore for pedestrians or persons with a disability should be improved,	The land is setback from foreshore areas and does not provide any direct public access paths to or along the foreshore. A right of way exists over the site which provides access to Dido Street from western properties. Any future subdivision is likely to widen, improve and potentially relocate this access route.
c) opportunities to provide new public access to and along the coastal foreshore for pedestrians or persons with a disability,	No significant opportunities given the setback of the land from the coastal foreshore area.

Table 1: SEPP 71 Matters for consideration	
Matters for consideration	Consistency with Planning Proposal
<i>d) the suitability of development given its type, location and design and its relationship with the surrounding area,</i>	The planning proposal involves the rezoning of land to a zone and application of development standards consistent with lower lying land to the east and land recently rezoned on the ridge to the south.
<i>e) any detrimental impact that development may have on the amenity of the coastal foreshore, including any significant overshadowing of the coastal foreshore and any significant loss of views from a public place to the coastal foreshore,</i>	Given the setback of the site from the coastal foreshore the intended future development would not overshadowing the foreshore. The site is located below surrounding ridge lines. Land to the south west is identified as Crown Land however due to the topography of this Crown Land and existing vegetation, the intended future development of the subject site would not result in any significant loss of views from this land to the coastal foreshore.
<i>f) the scenic qualities of the New South Wales coast, and means to protect and improve these qualities,</i>	The site is visible from the coast. Vistas from the coast which encompass this site are also likely to encompass other areas of residential development. Depending on the vantage point these may include the northern portion of the Kiama Township, the higher part of the existing housing in the Spring Creek area or the more recent development occurring in Cedar Grove. That is the proposal will result in development which will alter the view of hills to the west of the township of Kiama, however this view from the coast exists within the context of existing residential development associated with Kiama.
<i>g) measures to conserve animals (within the meaning of the <u>Threatened Species Conservation Act 1995</u>) and plants (within the meaning of that Act), and their habitats,</i>	The land is not mapped as Biodiversity land. A Flora and Fauna Constraints Assessment was undertaken for the subject site (see Appendix 4). This found only a low likelihood of occurrence of threatened flora species and a low likelihood of impact on the threatened fauna species investigated. A 130m ² area of Illawarra Subtropical Rainforest was recorded on the site in low condition.

Table 1: SEPP 71 Matters for consideration	
Matters for consideration	Consistency with Planning Proposal
	An assessment of significance will be prepared if required by the Gateway determination.
<i>h) measures to conserve fish (within the meaning of Part 7A of the Fisheries Management Act 1994) and marine vegetation (within the meaning of that Part), and their habitats</i>	The land is setback from areas of marine life. The Planning Proposal is unlikely to impact on fish, marine vegetation or their habitats.
<i>i) existing wildlife corridors and the impact of development on these corridors,</i>	The land is not mapped as Biodiversity land. An area to the south-west of the site is mapped as Biodiverse land. The Flora and Fauna Constraints Assessment undertaken for the subject site (see Appendix 4) describes the site as follows:- “Dense growing vegetation, surrounded by open rural land extends across the study area and to the west for approximately 500 metres. This area is isolated from other vegetation patches by rural land and low density residential development to the north and south east.” ⁷
<i>j) the likely impact of coastal processes and coastal hazards on development and any likely impacts of development on coastal processes and coastal hazards,</i>	Given the setback and elevation of the site from the coastal foreshore development of the site for residential uses will not adversely impact on coastal processes and coastal hazards.
<i>k) measures to reduce the potential for conflict between land-based and water-based coastal activities,</i>	The Planning Proposal will not result in any conflicts between land and water based coastal activities.
<i>l) measures to protect the cultural places, values, customs, beliefs and traditional knowledge of Aboriginals,</i>	The proposal will not impact on any items of known cultural importance of Aboriginals. A web search of the Aboriginal Heritage Information Management System (AHIMS) does not reveal any Aboriginal sites recorded or declared in or near the site. See Appendix 9.
<i>m) likely impacts of development on the water quality of coastal waterbodies,</i>	Future residential development would be subject to development assessment with

⁷ Biosis Flora and Fauna Constraints Assessment for Lot 3 DP 1018217, 4 September 2017, p1 (see Appendix 4)

Table 1: SEPP 71 Matters for consideration	
Matters for consideration	Consistency with Planning Proposal
	sediment control and waste management measures required as necessary.
n) the conservation and preservation of items of heritage, archaeological or historic significance,	The land contains no listed items of heritage, archaeological or historic significance. An old stone wall is shown on the current DP plan (DP 1018217) along the southern boundary of the subject lot. Should this wall be located on the site and identified as of heritage significance it could be able to be retained as part of any future subdivision. (See Section 3.3.3 below)
o) only in cases in which a council prepares a draft local environmental plan that applies to land to which this Policy applies, the means to encourage compact towns and cities,	The Kiama Urban Strategy is focused on creating compact towns. The Planning proposal aims to rezone land identified in the Kiama Urban Strategy for urban expansion at the western edge of the Kiama township.

State Environmental Planning Policy (Rural Lands) 2008

This SEPP applies to the subject site. The subject site is currently zoned RU1 Rural Landscape. Clause 7 contains Rural Planning Principles which are considered in Table 2 below as per Direction 1.5 issued under Section 117(2) of the Environment Planning and Assessment Act.

Table 2 Rural Planning Principles	
Rural Planning Principle	Response
<i>The promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas</i>	The Proposal seeks to rezone land from RU1 Rural Landscape to R2 Low Density Residential. While the site is not currently used for productive economic activity, the proposal and intended future residential development would prevent such future rural use.
<i>Recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State</i>	The site is less than 1ha in area and is directly adjacent to residential land to the east. Properties to the north and west appear to be used for rural residential living with landscaped lawns. The site is not currently used for agriculture and given its small nature and surrounding land uses is unlikely to be used for agricultural purposes. The site is located to the east of a ridgeline used to visually separate Kiama from rural land to the west.

Planning Proposal

Lot 3 DP 1018217 Dido Street, Kiama

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<p><i>Recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development</i></p>	<p>The site is located on the urban/township side of ridges which separate Kiama from land to the west. Land to the west is more commonly used for agriculture. The proposal does not impact on these productive agricultural land uses located further to the west.</p>
<p><i>In planning for rural lands, to balance the social, economic and environmental interests of the community</i></p>	<p>The KUS responds to the balance needed in providing for additional housing with the need to protect rural lands. It emphasises infill development opportunities while also providing for some consideration to greenfield sites to ensure a housing mix is provided. The subject site was identified as one of these greenfield sites.</p>
<p><i>The identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land</i></p>	<p>A Flora and Fauna Constraints Assessment undertaken for the subject site (see Appendix 4) reports that the majority of the site contains mainly exotic vegetation in low condition not listed under state or federal biodiversity legislation.</p> <p>A small pocket of EEC was also identified on the site. While this is noted as a high constraint, it was also found to be in low condition. The Planning Proposal does not propose to zone this land for Environmental Conservation. Should the 5 Part Test find that clearing the vegetation would result in a significant impact and Council concludes that this EEC needs to be retained, then the subdivision plan would be designed accordingly without the need for the land to be zoned E2 Environmental Conservation.</p>
<p><i>The provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities</i></p>	<p>The planning proposal seeks to rezone the land to low density residential. Housing likely to be developed on the site will not be of a rural nature. Notwithstanding this the dwellings will be located within close distance to rural land uses to the west.</p>
<p><i>The consideration of impacts on services and infrastructure and appropriate location when providing for rural housing</i></p>	<p>The Planning Proposal would not result in rural housing. Service provision and the impact on services is discussed in Section 3.4.1 of this Planning Proposal.</p>

Item 10.4

Attachment 1

<p><i>Ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General</i></p>	<p>See Sections 3.2.1 and 3.2.2 of this Planning Proposal. This site has been identified in the KUS which seeks to address the housing targets and mix identified in the Regional Strategy.</p>
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3.2.4 Is the planning proposal consistent with applicable Ministerial Directions (s117 directions)?

The Planning Proposal has been assessed against the relevant Ministerial Directions. The proposal is consistent with these Directions with the exception of Directive 1.2 Rural Zone and 1.5 Rural Lands. These inconsistencies are justified as the site is specifically identified in the Kiama Urban Strategy (KUS) which seeks to address the housing targets identified in the Regional Strategy.

A checklist has been provided in Appendix 3.

3.3 Environmental Social and Economic Impact

3.3.1 Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

The land is not mapped as Biodiversity land. The land is also not mapped as containing Riparian Land.

A Flora and Fauna Constraints Assessment was undertaken by *Biosis* (see Appendix 4). This found only a low likelihood of occurrence of threatened flora species. No threatened fauna was recorded within the study area during site investigations and based on a number of factors considered the assessment found only a low likelihood of impact on the threatened nomadic fauna species which were specifically considered based on habitat values present.

A 130m² area of Illawarra Subtropical Rainforest was recorded on the site. While this Endangered Ecological Community (EEC) was noted as a high constraint, it was recorded to be in low condition. The assessment also acknowledges that the total clearing of the EEC would be below the threshold and not require a Species Impact Statement (SIS) or a Biodiversity Development Assessment Report (BDAR). It also notes that clearing is unlikely to result in significant impact. Notwithstanding this, the report does recommend that where feasible this EEC remnant be retained and a 5 Part Test Impact assessment under Section 7.3 of the BC Act for EEC as part of a Flora and Fauna Assessment be submitted with a development application to subdivide the study area.

Retention of the EEC land is possible, however would have significant impacts on the lot yield as a result of its location, potential buffer and bushfire implications. An assessment of significance will be prepared if required by the Gateway determination.

3.3.2 Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Bushfire

The subject site is mapped as Bushfire Prone. The vegetation on site had been cleared previously and the majority of vegetation onsite is regrowth forming a 'Closed Exotic Shrubland'. Vegetation posing a threat to the site comes from the vegetation located to the south and west over Lot 2 and 4 of DP1018217 and Lot 701 DP 1026775. In accordance with, *Kevin Mills and Associates (2006) 'The Natural Vegetation in the Municipality of Kiama NSW'*, this vegetation is a community of Complex Subtropical Rainforest. Given the small isolated nature of the vegetation over Lot 2 and 4 of DP1018217 and Lot 701 DP 1026775 and the limited fire runs it is unlikely the vegetation would support a fully developed fire due, therefore it is considered to be a low bushfire threat. As a result, the short fire methodology has been utilised to assess the bushfire threat and determine the required Asset Protection Zones. It is believed that the short fire run methodology currently provides the most accurate representation of the fire behaviour relating prevailing bushfire hazard impacting on the subject site.

The proposed planning proposal meets the requirements of Section 117 (2) of the EP& A Act by satisfying the requirements of Ministerial Direction 4.4 'Planning for Bushfire Protection' (2006). If future development resulting from the proposed rezoning is undertaken in accordance with the recommendations outlined in the Bushfire Report provided in Appendix 5 it will comply with performance requirements provided in Planning for Bushfire Protection (2006) and will provide adequate provision for fire fighting strategies.

It should be noted only a small corner of the subject site is considered bushfire prone, therefore the majority dwelling houses likely to be developed on the subject site following a future subdivision would not trigger 79BA of the Act. However, in order to ensure that the intended outcome of the Planning Proposal is achievable, the Bushfire Assessment modelled the APZ required to comply with BAL 29. The Bushfire Assessment found that a dwelling could be erected on each of the proposed lots which if constructed and maintained in accordance with the recommendations outlined in that report would comply with the performance requirements provided in Planning for Bushfire Protection (2006) and would provide adequate provision for firefighting strategies. While the recommendations of this report, nor the modelled APZ form part of the proposed amendment to the LEP, it does demonstrate that development of the site for future dwellings would be possible. It also demonstrates that dwellings could be located on the site such that the Asset Protection Zones required for Bushfire proposes would result in minimal need for vegetation clearing. In this regard the Asset Protection Zones would not extend beyond the rezoned land.

Traffic

The subject site gains vehicle access from Dido Street. Dido Street intersects Jamberoo Road at a T-intersection. Currently this intersection is the only vehicle entry point into and out of the existing Spring Creek residential area.

The land is likely to generate approximately ten (10) residential lots. Under the R2 zoning proposed, dwellings, dual occupancies and secondary dwellings are all permitted uses. As such it is likely that some sites may be developed with dual occupancies or contain secondary dwellings. The RMS *Guide to Traffic Generating Development* calculates a daily vehicle trip rate of 9 trips per dwelling based on surveys conducted in areas where a new residential subdivision is being built. This Guide goes on to state that to provide allowance for some later additional dual occupancy development the AMCORD rate of 10 trips per dwelling could be applied⁸. Using the AMCORD rate, the likely development resulting from the Planning Proposal would create an average of 100 additional trips per day.

In addition to the subject site, the KUS identified Council owned land to the north-east of Dido Street as a site for investigation for urban expansion (known as Glenbrook Drive, Kiama)⁹ and subsequently zoned this land R2 – Low Density Residential under the Kiama LEP 2011. Given its land size, the lot yield for this land will be significantly higher than the subject site. Should an alternative access point to Spring Creek not be established at that time this north-eastern land is subdivided, then an upgrade of the Dido Street / Jamberoo Road intersection would need to be investigated. Given the likely lot yield of the subject site relative to this undeveloped residential land to the north-east, any intersection upgrade required would more appropriately occur at that time.

Notwithstanding the above, the ability of the existing intersection to perform adequately with the additional 100 additional trips per day would need to be considered as part of the the Development Assessment (DA) process required to be undertaken in accordance with the Environmental Planning and Assessment Act 1979, to subdivide the site for residential purposes.

Topography and Geotechnical

The subject site rises steeply to the north-west with an average slope of approximately 30%. Concept subdivision plans have been prepared which respond to this gradient. The proposed access road is positioned in line with contours and larger lots are provided to ensure adequate building envelopes and designs options can be achieved. However, given the gradient of the site a Preliminary Geotechnical Assessment to assess site stability and residential construction classification in accordance with AS2870 will be prepared following and in accordance with any Gateway Determination. This report will occur in conjunction with the Stage 1 Preliminary Investigation Report discussed in Section 3.2.3 of this Proposal.

⁸ RMS *Guide to Traffic Generating Development*

⁹ Including whole or part lots - Lot 11 DP 810839, Lot 45 DP 805299 and Lot 101 DP 1110563.

Acid Sulphate Soils

The site is mapped as being affected by Acid Sulfate Soils (Class 5). The topography of the locality results in the subject site having AHD levels higher than Class 2 and 1 land located 200m or more to the east. Future subdivision of the site could occur in a manner which allows lots to be stepped up the site thereby minimising the level of excavation required. An Acid Sulphate Soils study is therefore not considered necessary as part of this Planning Proposal. Notwithstanding this, such a study will be carried out prior to undertaking community consultation should it be required as part of the Gateway determination.

Further to the above, the Development Assessment (DA) process required to be undertaken in accordance with the Environmental Planning and Assessment Act 1979, to subdivide and develop the site for residential purposes provides the appropriate legislative framework through which other environmental effects associated with any future residential development of this land would be assessed.

3.3.3 Has the Planning Proposal adequately addressed any social and economic effects?

Views and Visual Impact

The Planning Proposal will permit low density residential development on the site. Such development will alter the existing view of hills to the west of the township of Kiama. A Visual Impact analysis has been undertaken and is provided in Appendix 8. This Visual Impact Analysis concludes that the *“capacity for visual impact as a consequence of low density residential development on the subject site is considered low and will not adversely affect Council’s objectives for managing scenic qualities of the urban fringe areas.”*

Development of the land for residential development may impact on views gained from the existing dwelling on the adjoining lot to the west (Lot 4 DP 1018217). The Planning Proposal applies development standards to the site which are consistent with the existing residential area to the east and the Cedar Grove development located on the ridge to the south. These development standards include a maximum building height of 8.5m. Any issues that may arise regarding views would be addressed during the assessment of any future development application(s) for the sites. In this regard, a building envelope for any lot proposed in the north-western corner of the site may need to be considered in light of view corridors at time of subdivision. Notwithstanding this it is noted that this adjoining western site is also mapped in the KUS for potential urban expansion.

Access

A 3.5m right of carriage way and easement for services burdens the subject site to the benefit of the three properties to the west (Lot 4 and 5 DP 1018217 and Lot 1 DP 194021). The Planning Proposal will not extinguish this right of carriage way or easement.

Concept subdivision plans show continued access from Dido Street to these western properties. Repositioning of the access route and easement for services and any services contained therein

may be proposed at time of subdivision. This would be assessed as part of any development application for subdivision.

Old Stone Wall

An old stone wall is shown on the current DP plan (DP 1018217) along the southern boundary of the subject lot. This stone wall was not detected during site inspections and is not mapped on Council's Heritage LEP map. However, dry stone walls form a valued part of Kiama's heritage and consideration will need to be given to any such wall as part of the Development Assessment process. The land to the south is not identified within the KUS as suitable for urban expansion. Retention of any wall would provide a visual delineation between the zones and any such wall in this location would be able to be retained as part of any future subdivision.

3.4 State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the planning proposal?

The Planning Proposal seeks to rezone land to low density residential. This question typically applies to planning proposals that result in residential subdivisions in excess of 150 lots¹⁰. As a result of the Planning Proposal future development of the land for residential purposes is expected. The land is likely to generate approximately ten (10) residential lots. Under the R2 zoning proposed, dwellings, dual occupancies and secondary dwellings are all permitted uses.

Utility services are available in the locality and service the existing residential development to the east. Council advised that service feasibility letters from service providers should be obtained. Given the relatively small scale of development and the location of the site adjacent to land already zoned and developed for residential purposes, it is considered that these letters be obtained after and in accordance with any gateway determination.

Development of this land for residential purposes would result in an increase in demand for other public infrastructure such as health, education, and emergency services etc. This increase in demand would be minor relative to the existing demand generated by the established residential population of the Kiama area.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

No State or Commonwealth authorities have been consulted as part of the preparation of this Planning Proposal.

¹⁰ NSW Government Planning & Environment *A guide to preparing planning proposals* August 2016, p17

It is requested that the Gateway determination confirm the following list of State authorities to be consulted and nominate any other State or Commonwealth authorities required for consultation.

- NSW Department of Planning and Environment;
- NSW Rural Fire Service;

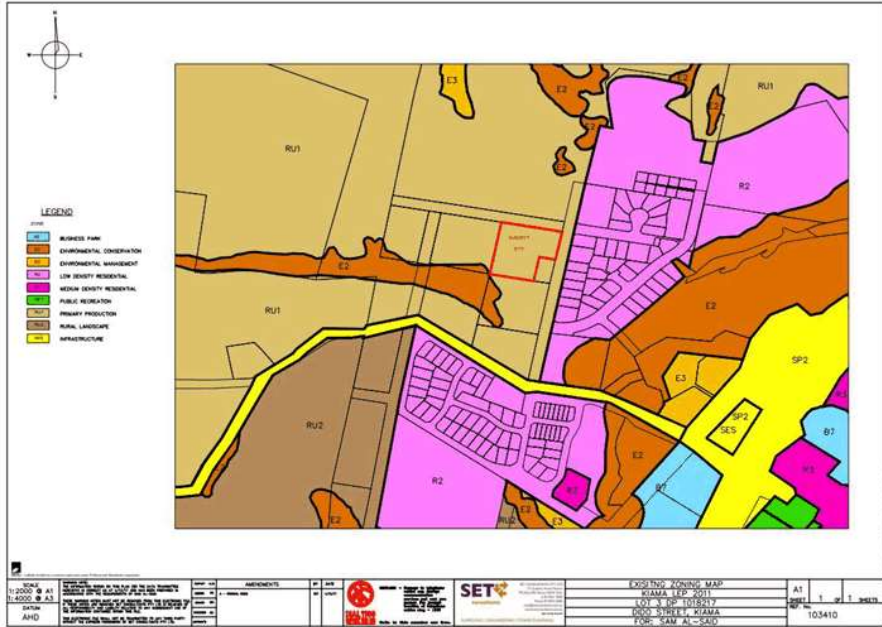
4 Mapping

The following illustrates the current land use zoning of the subject site and proposed land use zoning map amendments to the Kiama LEP 2011. Changes to the Principal Development Standards are outlined in Section 2 and also illustrated below. The maps below are reproduced in **Appendix 1**. A shape file for these maps has not been provided as the amendments follow existing property boundaries.

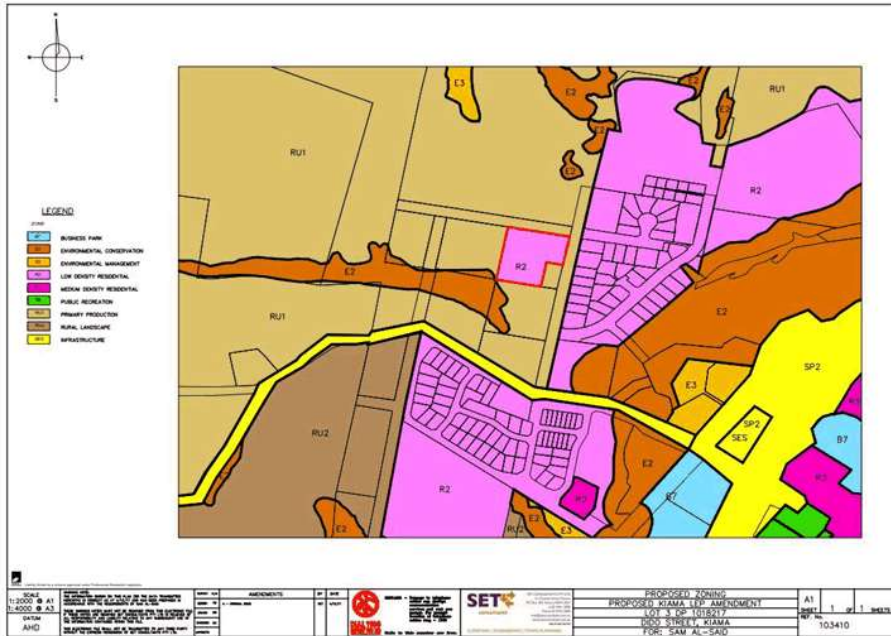
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Lot 3 DP 1018217 Dido Street, Kiama

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4.1 Current Land Use Zone under the Kiama Local Environmental Plan 2011



4.2 Proposed Land Use Zone under this Planning Proposal



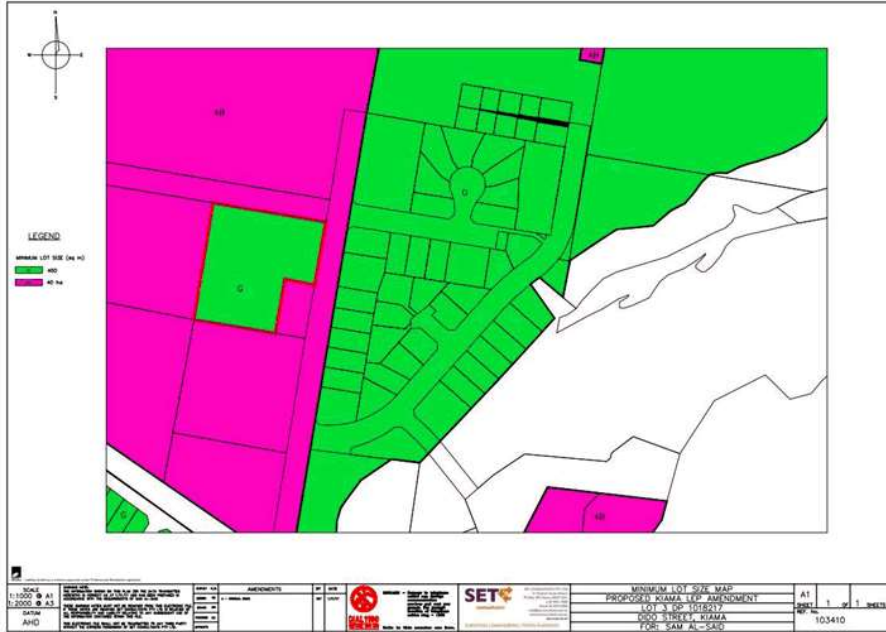
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Attachment 1

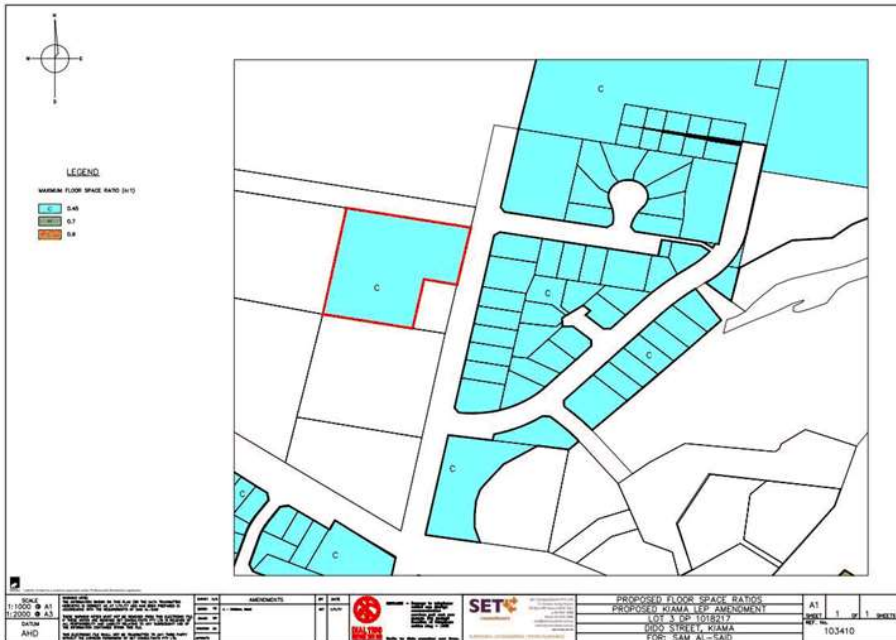
Planning Proposal
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4.3 Proposed Minimum Lot Size under this Planning Proposal



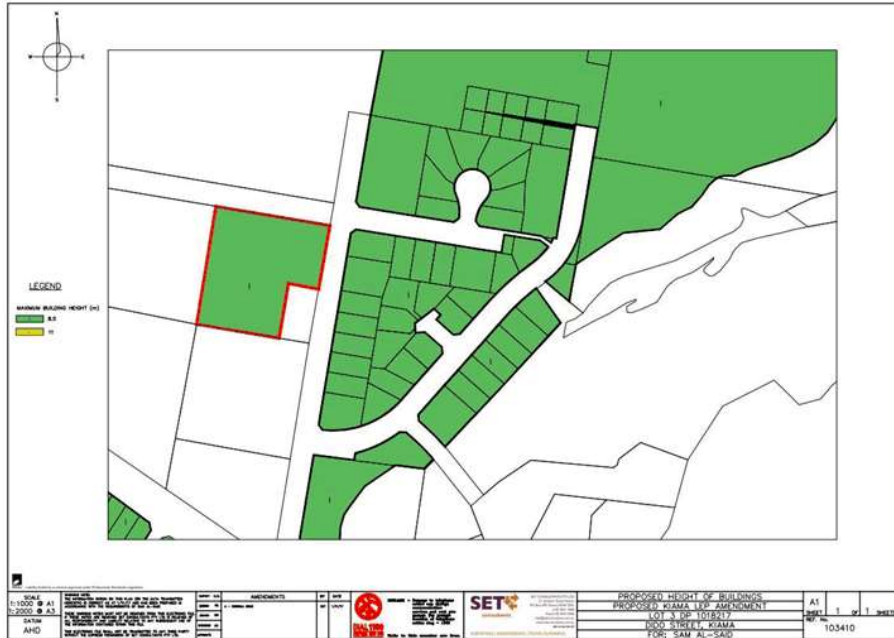
4.4 Proposed Floor Space Ratio under this Planning Proposal



Item 10.4

Attachment 1

4.5 Proposed Maximum Height of Building under this Planning Proposal



Item 10.4
Attachment 1

5 Community Consultation

A notification period of 14 days is recommended for this Planning Proposal. This would include:-

- Notification in local newspaper;
- Hard copies made available at the Council Administration Building;
- Electronic copy on Council’s website;
- Notification letters to adjoining and surrounding property owners;
- Letters to any State and Commonwealth Public Authorities identified in the gateway determination; and
- any other consultation methods deemed appropriate for the proposal.

6 Project Timeline

Table 3 below outlines the anticipated timeline for the project. This timeline has been established on the basis of the proposal being reported to the Council meeting in February 2018.

Table 3: Project Timeline		
Stage	Anticipated Timeframe	Possible Dates
Planning Proposal to the Department	Following Council meeting February 2018	February 2018



Table 3: Project Timeline		
Stage	Anticipated Timeframe	Possible Dates
Gateway determination	4 weeks from Council forwarding the Planning Proposal to the Minister	March 2018
Completion of technical information or studies as determined by Gateway	6 weeks from the gateway determination	May 2018
Consultation with State / Commonwealth agencies	4 weeks from the completion of any technical information or studies	June 2018
Exhibition of Planning Proposal (assuming Director General's approval for community consultation was issued with the Gateway determination)	2 weeks	June/July 2018
Review of submissions and preparation of report to Council.	Immediately after the exhibition period.	July 2018
Report to Council	First available Council meeting after review of submissions and report preparation.	August 2018
Submission to the department to finalise	4weeks from Council meeting	September 2018
Anticipated date LEP will be notified		October 2018

Planning Proposal
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7 Appendix

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Attachment 1



APPENDIX 9

AHIMS Search



**AHIMS Web Services (AWS)
Search Result**

Purchase Order/Reference : Planning Proposal Dido St
Client Service ID : 287215

SET Consultants Pty Ltd
PO Box 495
Nowra New South Wales 2541
Attention: Peter Dowse
Email: peter@setconsultants.com.au
Dear Sir or Madam:

Date: 20 June 2017

AHIMS Web Service search for the following area at Lot : 3, DP:DP1018217 with a Buffer of 200 meters, conducted by Peter Dowse on 20 June 2017.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

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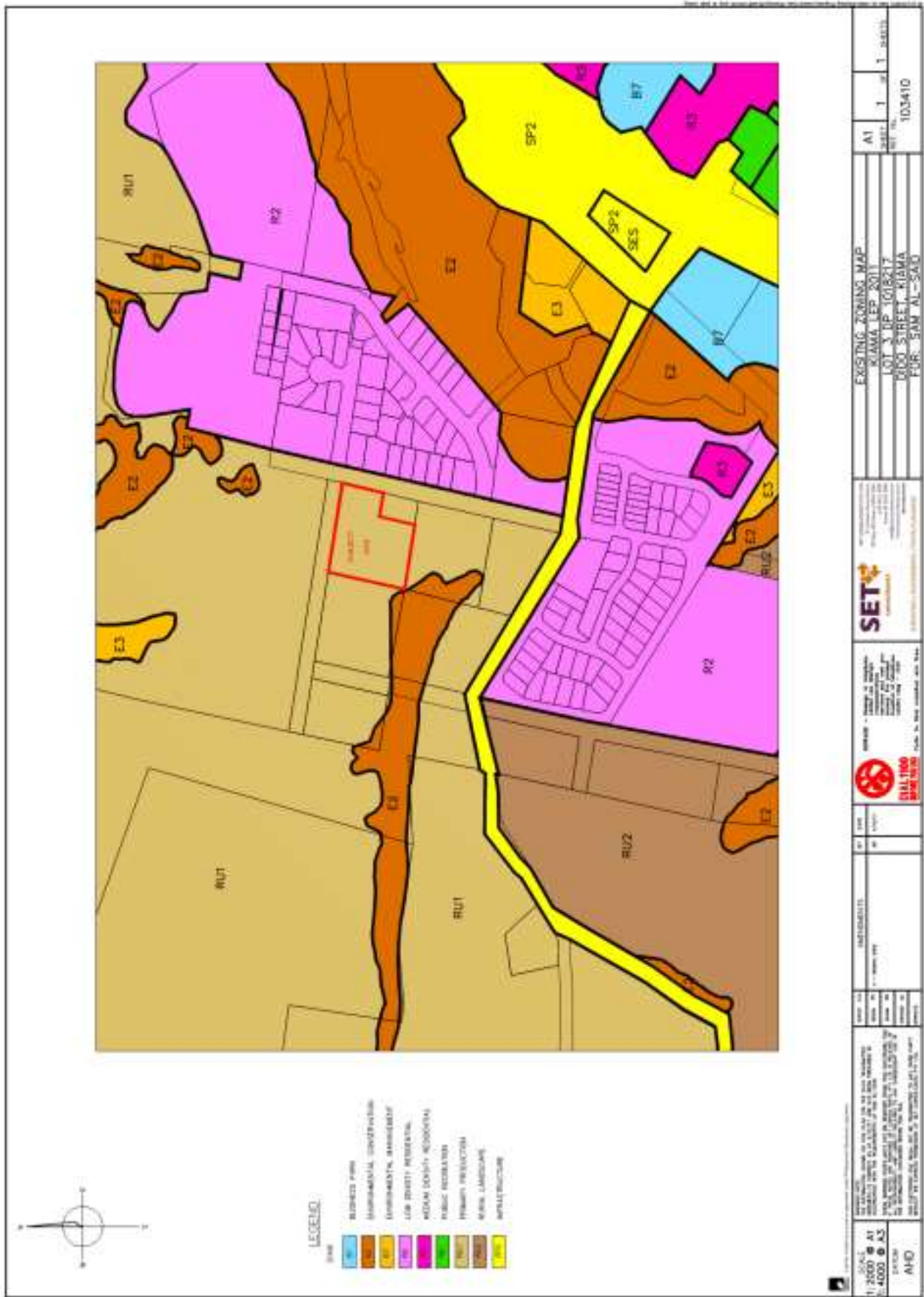
Attachment 1

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

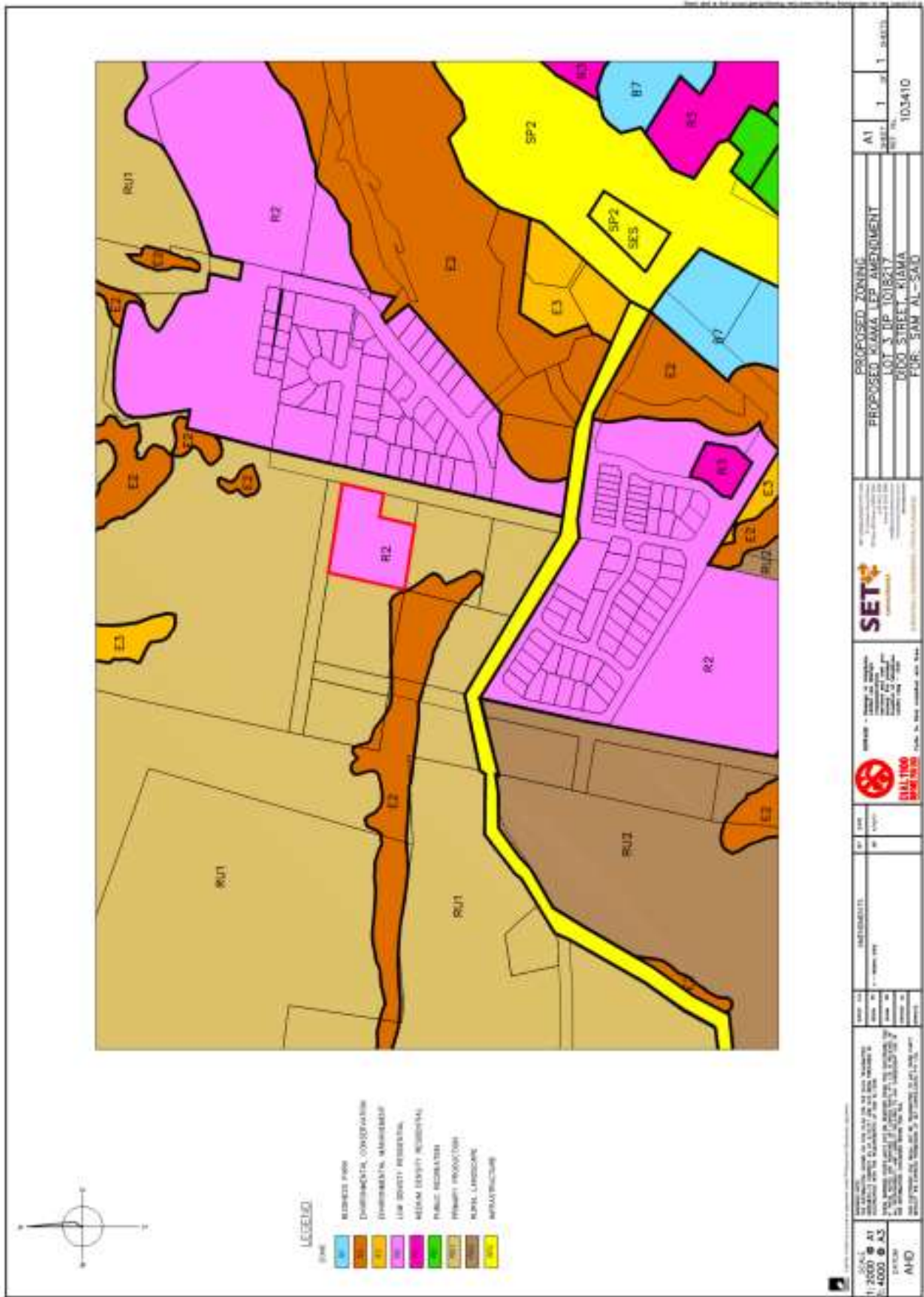
Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date .Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.

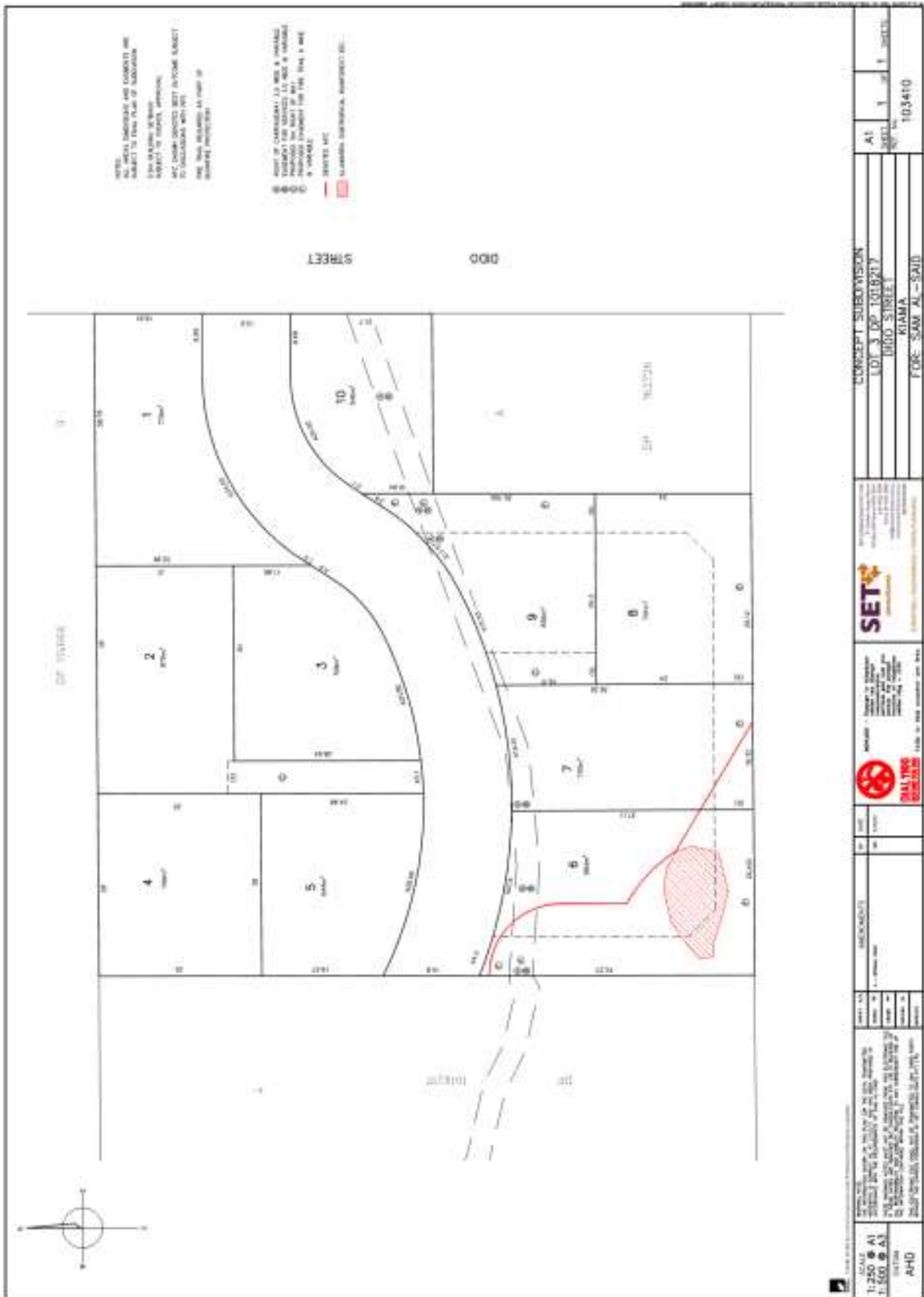


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Attachment 2



Attachment 2 Item 10.4



Attachment 2 Item 10.4

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision

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

This report reviews DA No 10.2017.304.1 which involves the construction of a detached dual occupancy and subsequent two (2) lot Torrens Title subdivision.

The report recommends that Council approve DA No 10.2017.304.1 as the proposal is:

- permissible in the R2 Low Density Residential zone and is consistent with the relevant development standards of the Kiama LEP 2011, with the exception of the development standards restricting the resulting minimum lot size for subdivisions; and
- generally consistent with the Kiama DCP 2012, with the exception of the controls requiring a 6m rear setback, and controls restricting two-storey buildings to being positioned more than 12m from the front building line.

Requests to vary this Kiama LEP development standard and these DCP controls have been received.

It is noted that this matter is related to Council's resolution to amend the minimum lot size for resulting lots created as a result of subdividing dual occupancy development.

The application is Integrated Development for subdivision of the bushfire prone land under to Section 100B of the Rural Fires Act 1997. General Terms of Approval have been sought and obtained from the NSW Rural Fire Service.

Finance

N/A

Policy

N/A

Reason for the Report

This report is submitted to Council because only the elected Council can assume concurrence of the Secretary of the Department of Planning and Environment under the LEP clause 4.6 to vary a development standard by more than 10%, as a result of a new direction given by the Department on 15 December 2017 withdrawing the use of staff delegation in such circumstances. This direction has since been reconfirmed in Planning Circular PS18-003 dated 21 February 2018.

Attachments

1 10.2017.304.1 - plans [↓](#)

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

Enclosures

Nil

RECOMMENDATION

That Council approve Development Application 10.2017.304.1 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 splayed corner property is described as Lot 72 DP1206414 which is located at 79 Merrick Circuit, Kiama at the intersection with Blair Street in the Cedar Grove Stage 2 residential subdivision. The overall site measures 627.2 m² and is generally rectangular in shape. The site is vacant, and adjoins other vacant allotments.

The site is zoned R2 Low Density Residential under Kiama LEP.

The site is cleared and slopes moderately from north-west corner to the south-east corner with a fall of 6 metres or 19.35%. The site drains to the adjoining public roads that provide access to the property. The site is serviced with utilities.

The site is Bushfire Prone Land and the locality plan is shown below in Figure 1:

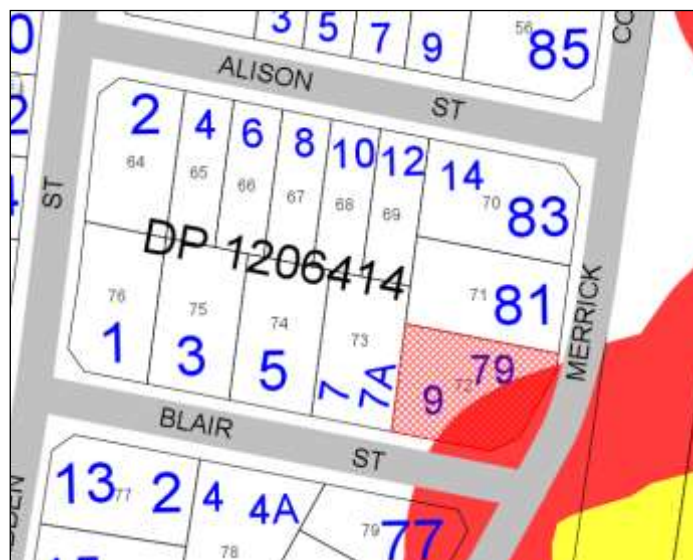


Figure 1 – GIS Locality Plan (showing Bushfire Prone Land layer)

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Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

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Figure 2 – Site Photograph (Corner Merrick Circuit frontage) west view

Description of the Proposed Development

The proposal involves the construction of a detached dual occupancy development with retaining walls & fencing along with a two (2) lot Torrens Title subdivision.

The proposal is shown in Figures 3, 4, 5, 6, 7, and 8 below:

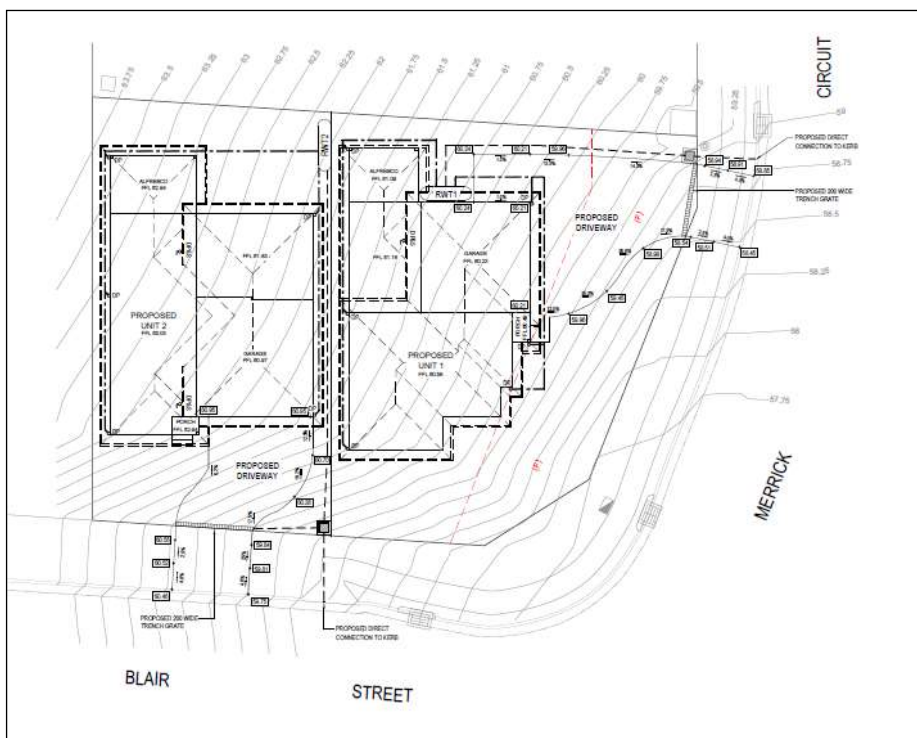


Figure 3 – Site Plan

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

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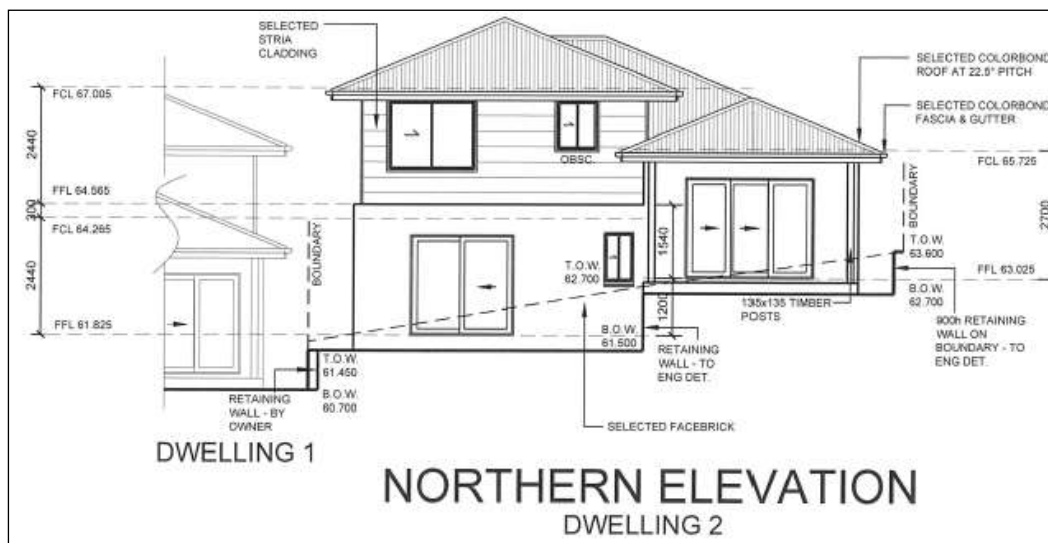


Figure 7 – Northern Elevation Dwelling 2 (rear view)



Figure 8 – Landscape Plan

The proposal is described as:

- Subdivision of Lot 72 DP 1206414 into Lot 721 and 722 each lot with an area of 350.60m² and 276.60m² respectively
- The construction of two free standing two-storey dwellings, one on each of the proposed allotments, with separate driveways and landscaped areas
- The dwellings have a combined gross floor area (GFA) of 264.24m²

The details of each of the dwellings is as follows:

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

Dwelling 1 (Lot 721) 140.27m ² GFA	Dwelling 2 (Lot 722) 123.97m ² GFA
<p><u>Ground Floor</u></p> <ul style="list-style-type: none"> • Open plan kitchen, dining, living • Bed/Study with Ensuite • Laundry, Alfresco • Double car garage at Merrick Street <p><u>First Floor</u></p> <ul style="list-style-type: none"> • 3 x bedrooms (Bed 1 with WIR, Ensuite) • Balcony (external from Bed 1) • Bathroom with Separated WC • Linen cupboard 	<p><u>Ground Floor</u></p> <ul style="list-style-type: none"> • Open plan kitchen, dining, living • Laundry, Rumpus, Powder Room • Study, Alfresco • Double car garage at Blair Street <p><u>First Floor</u></p> <ul style="list-style-type: none"> • 3 x bedrooms (Bed 1 with WIR, Ensuite) • Bathroom with WC • Linen cupboard

Item 10.5

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 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 off 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".

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

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

A BASIX Certificate (868289M) 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 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. The land is suitable for the proposed use. Council is unaware of any historic land use which would deem the site unsuitable for the proposed development.

- 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.

- Kiama LEP 2011

Clause 2.1 Land Use Zones

The subject land is zoned R2 Low Density Residential under Kiama Local Environmental Plan (LEP) 2011. The proposal is defined as a *dual occupancy* under the provisions of the LEP 2011, which are permitted with consent in the R2 Low Density Residential zone. As the proposal will provide for the housing needs of the community within a low density residential environment is considered to be consistent with the zone objectives.

Specific clauses requiring consideration:

Clause 4.1 Minimum Subdivision Lot Size

Clause 4.1 requires that the minimum subdivision resulting lot size is not less than the minimum size shown on the Lot Size Map. The proposal **does not comply** with the minimum resulting lot size of 450m² for subdivision requirement indicated on the Lot Size Map. Each of the proposed resulting lots has an area of 350.6m² (Lot 721 - 22% undersized) and 276.6m² (Lot 722 - 38.5% undersized).

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 proposal has a height of 7.5 metres which does not exceed the maximum height of 8.5m shown on the Height of Buildings Map.

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 map. The proposal has an FSR of 0.421:1 which does not exceed the maximum floor space ratio of 0.45:1 shown for land on the Floor Space Ratio map.

Clause 4.6 Exceptions to Development Standards

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Clause 4.6 provides for exceptions to development standards. The applicant has requested a variation to the minimum lot size and height of building development standards.

The applicant has provided the following justification to varying the minimum lot size development standard:

The Development Standard is Unreasonable or Unnecessary

Typically, the method by which compliance with a development standard is established as unreasonable or unnecessary is by proving that the underlying objectives of the development standard are achieved. However, Preston J in Wehbe v Pittwater Council (2007) NSWLEC 827 identified to four (4) other means by which it is possible to establish that compliance is unreasonable or unnecessary as follows:

- (a) establish that the “underlying objective or purpose is not relevant to the development” and consequently compliance is unnecessary;*
- (b) establish that the “underlying objective or purpose would be defeated or thwarted if compliance was required”, and therefore compliance is unreasonable;*
- (c) establish that the “development standard has been virtually abandoned or destroyed by the Council’s own actions in granting consents departing from the standard”, therefore compliance is both unreasonable and unnecessary; or*
- (d) establish that “the zoning of particular land’ was ‘unreasonable or inappropriate’ so that ‘a development standard appropriate for that zoning was also unreasonable or unnecessary as it applied to that land’”, and therefore compliance with the standard is unreasonable and unnecessary.*

In this instance, the minimum lot size development standard is considered to be unreasonable and unnecessary on the basis that the underlying objectives of the development standard are achieved in spite of the reduced allotment size.

Proposed Lot 721, with an area of 350.6m², and proposed Lot 722 (276.6m²) are 99.4m² (22%) and 173.4m² (38.5%), respectively, of achieving the minimum allotment size. Despite the shortfall in achieving the minimum allotment size, each proposed allotment is of adequate size and dimensions to accommodate a dwelling and ancillary aspects – including appropriate setbacks from the site boundaries; adequate provision for access and car parking; adequate landscaped area; functional private open space; and, ancillary services and facilities. Accordingly, there is no need to insist upon the allotments strictly adhering to the minimum lot size standard.

Despite the non-compliance with the minimum lot size development standard the underlying objectives of the development standard have been achieved by the development proposal (refer to section 4.1 below).

The subdivision of dual occupancy under Torrens Title has long been an accepted form of low-density residential development throughout the Kiama Council area, having been implemented originally back in the early 1990s. The

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acceptability of this form of development is echoed by clause 4.1B of KLEP 2011 which allows for the Torrens Title subdivision of dual occupancy developments (albeit those existing as at 16th December 2011) without the need to achieve the minimum lot size. From Council's DA Tracking it is noted that there are a number of similar Torrens Title dual occupancy proposals currently under consideration throughout Stage 2 of the 'Cedar Grove Estate', including one on the neighbouring property at No.7 Blair Place (DA 10.2017.236.1). This points to the general acceptability of this type of development within the Kiama LGA.

There are Sufficient Environmental Planning Grounds

The proposed subdivision of the dual occupancy is not expected to result in any adverse environmental impacts, in particular:-

- As both proposed allotments will have already been developed, the potential environmental and amenity impacts of residential development on the subject site, and on its neighbours, would have already been assessed as satisfactory. The subdivision of the completed dual occupancy does not give rise to any new or increased impacts.*
- Unlike a subdivision creating a vacant lot or lots of less than 450m², allowing the subdivision of the dual occupancy will not give the visual perception that the land will be being developed for a more intensive purpose. At 0.416:1, the combined GFA of Dwellings 1 and 2 is less than 0.45:1. In addition, the individual FSR for the separate dwellings on proposed Lots 721 and 722 is also less than 0.45:1 (at 0.40:1 and 0.448:1, respectively).*
- Bearing in mind the FSR of the development, both as a whole and as individual dwellings on the proposed allotments, will be less than 0.45:1, it is apparent that there is an appropriate relationship between the GFA of each dwelling and the area of their respective allotments.*
- Despite the limitations on GFA imposed by the smaller allotment sizes, both dwellings are a good-sized three-bedroom homes, with separate living spaces and/or possible fourth bedroom, and provide ample residential amenity.*

Conclusion

The Torrens Title subdivision of the proposed dual occupancy to create two (2) new allotments of less than 450m² has been reviewed having regard to the provisions of clause 4.6 of KLEP 2011. As a result of this review, it is concluded that the proposed subdivision will be consistent with the objectives of the development standard and those for the R2 zone.

Strict compliance with the minimum lot size development standard is considered to be unreasonable and unnecessary in the circumstances as the underlying objectives of the development standard will be achieved by the development proposal, and the absence of any deleterious impacts is supporting proof that there are sufficient environmental planning grounds to support the variation. The development proposal is not inconsistent with State

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or Regional planning matters and will promote the public interest through the provision of housing diversity, choice and affordability.

For the reasons outlined in this submission, the variation of the minimum lot size development standard to allow the Torrens Title subdivision of the proposed dual occupancy is recommended for Council's support and approval.

Compliance with the development standard is unreasonable as dual occupancies are permissible in the R2 Low Density Residential zone and the development satisfies the FSR and the building height requirements of the LEP 2011. The applicant has outlined that the proposal is consistent with the objectives of Clause 4.1.

The proposed variations will not result in a significant increased residential density in the area. It is noted that the subdivision of other dual occupancies within this estate has already been approved. Generally, the proposed dual occupancy complies with all of the relevant DCP controls.

In this regard the proposed variation is consistent with the objectives of Clause 4.1 as well as the objectives of the R2 Low Density Residential zone (i.e. provision of low density residential development).

Accordingly, it is considered that this variation is in the public interest. It is considered that the provision of additional housing is in the public interest. It is also important to note that Council has varied Clause 4.1 in the past for similar developments.

It is also noted that Council has prepared a Planning Proposal (draft EPI) for subdivision housekeeping amendments which would enable this type of proposal without the requirement to vary Clause 4.1. This Planning Proposal has been exhibited to the community. It is noted that the Planning Proposal was reported to the December 2017 Council meeting at which time the Council resolved to grant final endorsement.

In light of this it is considered appropriate to vary the minimum lot size requirements of clause 4.1 of the LEP 2011.

Under clause 64 of the *Environmental Planning and Assessment Regulation 2000* the Director-General's concurrence has been assumed for the variations applied for, in accordance with Planning Circular PS 08-003.

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:

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Provision	Comment
<p>Existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to:</p> <ul style="list-style-type: none"> (i) maintaining existing public access and, where possible, improving that access, and (ii) identifying opportunities for new public access 	<p>Access to and along the foreshore for pedestrians is not affected by the proposal.</p>
<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"> (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 (ii) the location, and (iii) the bulk, scale, size and overall built form design of any building or work involved 	<p>The broader visual impacts of the Cedar Grove Stage 2 subdivision were considered at the time the land was rezoned for urban purposes and again before the residential subdivision was granted consent.</p> <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"> (i) any significant overshadowing of the coastal foreshore, and (ii) any loss of views from a public place to the coastal foreshore 	<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>

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Provision	Comment
<p>How biodiversity and ecosystems, including:</p> <ul style="list-style-type: none"> (i) native coastal vegetation and existing wildlife corridors, and (ii) rock platforms, and (iii) water quality of coastal waterbodies, and (iv) native fauna and native flora, and their habitats, (v) can be conserved 	<p>The biodiversity and ecological values are 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
<p>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</p>	<p>Access to the coast is not affected by the proposal</p>
<p>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</p>	<p>The site is serviced by a reticulated sewerage system.</p>
<p>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</p>	<p>Stormwater is proposed to be connected to the existing system constructed for the subdivision, which includes water quality control measures.</p>
<p>Whether the proposed development will:</p> <ul style="list-style-type: none"> (i) be significantly affected by coastal 	<p>The development is neither affected by coastal hazards, or adversely impacts on coastal hazards, or</p>

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<ul style="list-style-type: none"> (ii) hazards, or have a significant impact on coastal hazards, or (iii) increase the risk of coastal hazards in relation to any other land 	<p>increases the risks of coastal hazards on any other land</p>
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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.

The proposed development is consistent with the relevant provisions of the Kiama LEP 2011 and is permissible within in both the R2 Low Density Residential zone.

Any draft Environmental Planning Instruments

Draft Kiama LEP 2011

Planning Proposal for administrative ‘housekeeping’ amendments to the subdivision controls.

On 21 March 2017 Council resolved to prepare a Planning Proposal (PP) for administrative ‘housekeeping’ amendments to the subdivision controls of the *Kiama Local Environmental Plan (LEP) 2011*. Accordingly, staff prepared the attached PP with the following objectives:

1. Increase the minimum lot size for the Torrens Title Subdivision of dual occupancies on land zoned R2 Low Density Residential and R3 Medium Density Residential; and
2. Retain the existing minimum lot size for the Torrens Title Subdivision of multi dwelling housing on land zoned R3 Medium Density Residential; and
3. Permit semi-detached dwellings within the R2 Low Density Residential zone; and
4. The adjustment of allotment boundaries on land zoned RU1 Primary Production, RU2 Rural Landscape and E3 Environmental Management.

As outlined above once published this Planning Proposal (draft LEP) would negate the requirement for a clause 4.6 variation to the minimum lot size.

Draft State Environmental Planning Policy (Coastal Management) 2016

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 '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*.

Separate development controls apply to each area and focus on achieving specific objectives.

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The site of the development is within the mapped *Coastal Use Area*.

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 proposed location of the development:

- 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.

The gazettal of the draft SEPP bringing it into law, is not considered to be imminent or certain because the public consultation periods closed in January 2017.

Development Control Plans (DCPs)

- Kiama Development Control Plan (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 2 – Section 12 - Design Standards - Building Lines in Urban Areas	
<p><u>Rear Building Lines for Designated Properties</u></p> <p><i>Rear building lines are 6 metres unless otherwise identified on the Building Line Maps.</i></p>	<p>In this case, the site is on a corner therefore there is technically no rear boundary of the site.</p> <p>However, the DCP nominates the rear boundary of the site as the western lot boundary as it is the boundary opposite the primary frontage (i.e. narrowest frontage to Merrick Circuit). A setback of 6.0m is therefore required from the western boundary in order to comply.</p> <p>Such an outcome is not considered preferable compared with that which is proposed in the amended scheme, because it would result in a 6.0m gap in the streetscape alignment of buildings. Further, strict compliance would mean the private open space area would be visible from the public domain, diminishing its performance as a private useable area without the introduction of 1.8m high privacy screen which would be visible in the streetscape, further adversely impacting the orderly urban design of the street.</p> <p>The applicant seeks a departure, by proposing a 0.95m</p>

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Control	Comment
	<p>setback from the western boundary, which would present as a side setback in the streetscape, and otherwise complies with the minimum 0.9m side setback requirements.</p> <p>This arrangement is considered to be a superior outcome from an urban design perspective (compared with a 6.0m setback), because the uniform placement of dwellings across site frontage is maintained by the proposal with conventional side setbacks.</p>
<p>Chapter 4 – Low Density Development</p>	
<p><i>C1 All applications for low density development must meet the following controls:</i></p> <ul style="list-style-type: none"> • <i>all Principal development standards as set by LEP 2011.</i> • <i>all development must be designed to minimise any environmental risks associated with its location.</i> 	<p>The implications of the non-compliance with Clause 4.1 of the LEP have been discussed in the report above.</p> <p>The environmental risks of the development have been reasonably mitigated. The proposal exhibits a good streetscape appearance, and does not cause for overshadowing or unreasonable privacy impacts on neighbours that cannot be resolved by the imposition of conditions of consent.</p>
<p><i>C2 Generally, where development greater than single storey is proposed, that component greater than one storey shall be located within 12.0m of the applicable front building line:</i></p> <ul style="list-style-type: none"> • <i>Development in excess of one storey beyond this point will be more critically analysed in respect to</i> 	<p>The entirety of the development is greater than one storey, with upper levels positioned behind the street front building lines for a distance of 8 metres for Dwelling 1 (which complies) and a further 8 metres for Dwelling 2 totalling 16m (which does not comply).</p> <p>The component of the two-storey development located beyond 12m of the front building line is the upper level of Dwelling 2. However, it's positioning does not adversely impact upon the privacy of adjoining neighbours because its upper level mass is within 6 metres of the secondary building line, allowing for a 5.3m setback from the northern boundary of the site.</p> <p>This arrangement means the upper level mass is</p>

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Control	Comment
<p><i>the amenity impacts on adjoining properties, by the development, with particular reference to the following:</i></p> <ul style="list-style-type: none"> • <i>Maintenance of privacy into the adjoining dwellings and private open space areas</i> • <i>Access to natural light and/or overshadowing</i> • <i>Visual bulk</i> • <i>Treatments to reduce the likely amenity impacts on adjoining properties might include, screens, opaque glazing, highlight windows, increased side setbacks, broken roof lines, split floor levels or a general height reduction.</i> 	<p>distributed as a 'street wall' with the upper level building bulk located towards the street-front property boundaries, and away from the common boundaries with neighbouring allotments, minimising the adverse effects of overlooking and overshadowing.</p> <p>The proposed upper level building separation from adjoining site boundaries and placement of windows ensures that the proposed development does not adversely affect the privacy of adjoining properties.</p> <p>The submitted shadow diagrams show that the proposed development will cast shadows over the public road to the south and east of the site.</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

N/A

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Any Coastal Zone Management Plan

Nil

The Likely Impacts of the Proposed Development

- 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 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.

The proposed separation between adjoining allotments and placement of windows will ensure that the proposed development does not unreasonably adversely affect the privacy of adjoining properties. The windows on the top floor of the development are either associated with bedrooms or the passageway areas, with the upper level balcony proposed for Dwelling 1 facing Merrick Street.

- Overshadowing

The orientation of the allotment is such that the submitted shadow diagrams show that the proposed development will overshadow the front setbacks of the subject site and the adjoining site and adjoining public roads located to the south and east of the proposed dwellings.

Shadow diagrams have been supplied with the development application which indicate that the overshadowing impacts of the proposed development will be reasonable.

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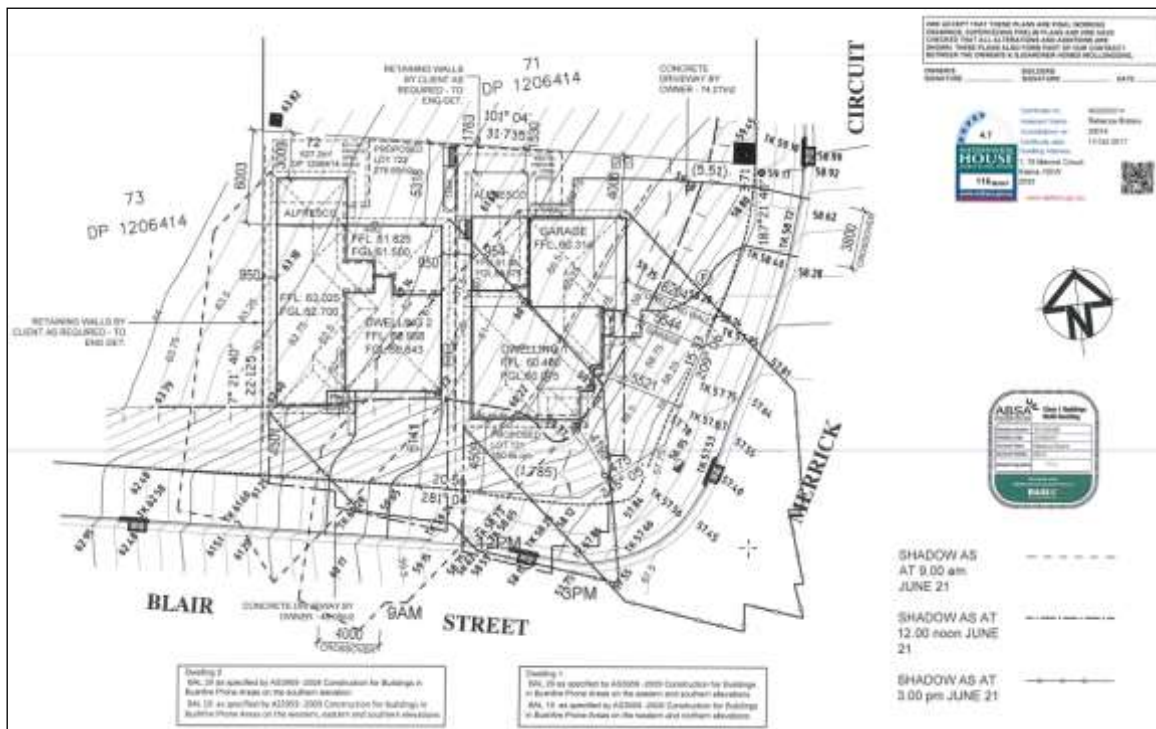


Figure 9 - Shadow Diagrams

• Views

The proposal will have no unreasonable impact upon views currently available from neighbours.

• 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 street.

• 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 – Rainwater tanks will be provided, as required by the submitted BASIX Certificate. Stormwater will be conveyed to the drainage easement. Controls will be implemented during construction to minimise sedimentation.

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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.

- Effect on public domain

As the proposed development will be occurring entirely within the subject site it is unlikely that the proposed development will impact upon the public domain.

- Utility needs and supply

Utility services are already supplied to the subject site.

- Safety, security & crime prevention

As the proposed development seeks to establish to new occupancies the safety of the area will benefit from additional passive surveillance.

- Operational waste

It will be conditioned that the waste generated as part of the construction process is to be managed in accordance with the submitted Waste Management Plan.

- BCA compliance & Construction impacts

It is noted that impacts (i.e. noise etc.) are likely to occur during construction. Conditions will be added to mitigate construction impacts (i.e. construction hours) and compliance with the BCA.

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 provided with fourteen (14) days in which to comment on the proposal. At the conclusion of the notification period, no submissions were received.

External Referrals

The proposal was referred NSW Rural Fire Service as integrated development due to section 100B of Rural Fires Act 1997 requiring that a Bushfire Safety Authority be provided for the residential subdivision of bushfire prone land.

The General Terms of Approval (GTA) were received from the NSW Rural Fire Service on 16 November 2017 and have been included in the recommended conditions of consent.

Internal Referrals

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

- Development Assessment Officer - Building

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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.

- 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 Development Control Plans, 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 Local Environmental Plan 2011 and relevant Development Control Plans. The proposed development is consistent with the objectives of the LEP2011 - R2 Low Density Residential.

Consideration has been given to the social, economic and environmental impacts of the proposed development and no significant concerns are raised.

The proposed development is considered to be reasonable and conditional approval is recommended.

Draft Conditions of Consent

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 10.2017.304.1 dated - 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 release 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)

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- (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-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) This approval is in respect of the plans submitted with the development application and as modified by the terms of this consent. If for any reason, including the making of alterations necessary to meet the requirements of another Authority, changes to the approved building design layout are proposed, then the approval of Council shall be obtained prior to commencement of any works on site. (g065.doc)
- (7) This Development Consent is limited to a period of 5 years from the endorsement date of consent. (g080.doc)
- (8) 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)
- (9) The developer shall under Section 138 of the Roads Act 1993 make application to the Road Authority for permission to occupy the public road reserve for the purpose of carrying out activities associated with the development. All of the conditions of approval shall be complied with at all times during occupation of the public road reserve. (g145.doc)
- (10) 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)
- (10) Standard Torrens Title addressing applies. Letterboxes to be located at access point and public road boundary. Proposed house numbers to be allocated:
- Proposed Lot 721 – 79 Merrick Circuit
 - Proposed Lot 722 – 9 Blair Street

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 7.11 Contributions Plans Nos. 1 & 2 shall be paid to Council prior to the issuing of

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the Construction Certificate. The total contribution required for the development is **\$7,036.84**. (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 **\$5000.00**, 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 applicant must provide, to Council, the appropriate fee for the inspections required for the construction of the footpath crossing/access driveway in accordance with Council's adopted fees and charges. This inspection fee must be paid prior to the commencement of works within the road reserve area.

Work undertaken within the road reserve may only be undertaken by a Council approved contractor. A list of approved contractors may be obtained from Council's Engineering and Works Department. (pt016.doc)

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

-
- (4) 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 shall be submitted to Council prior to release of the Construction Certificate. **Note:** The roof colours shall be the medium to darker colours. (pt017.doc)
- (5) 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)

- (6) The BASIX commitments shall be indicated on the plans to the satisfaction of Council or an Accredited Certifier prior to the release of the Construction Certificate. (pt034.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 Certifying Authority for any reinforced concrete slabs, footings or structural steel. (pt062.doc)

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

-
- (9) 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 release of the Construction Certificate. (pt065.doc)
 - (10) Submission of stormwater disposal details for disposal of stormwater on site, designed by a suitably qualified person. Details are to be provided to the satisfaction of the Principal Certifying Authority, prior to the release of the Construction Certificate. (pt067.doc)
 - (11) 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)
 - (12) 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)
 - (13) Prior to release of the Construction Certificate an appropriately qualified professional shall provide details to the Certifying Authority in regard to disposal of stormwater on site. The on-site disposal area shall be designed so that any overflow from the site will surcharge in a sheet fashion rather than in a concentrated form. (pt071.doc)

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)
- (2) The applicant must provide, to Council, the appropriate fee for the inspections required for the construction of the footpath crossing/access driveway in accordance with Council's adopted fees and charges. This inspection fee must be paid prior to the commencement of works within the road reserve area.

Work undertaken within the road reserve may only be undertaken by a Council approved contractor. A list of approved contractors may be obtained from Council's Engineering and Works Department. (ac020.doc)

Car Parking and Vehicular Access

- (1) Car parking and manoeuvring shall comply with the requirements of the Standards Australia publication AS/NZS 2890.1 Parking Facilities Part 1: Off Street Car Parking. (c035.doc)

Stormwater Management

- (1) 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)

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

-
- (2) Surface water which is likely to discharge from the development site onto the road reserve shall be intercepted at the property boundary and conveyed to the kerb via a pipe outlet. (sm025.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 Principal 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/water quality system meets with the approved design. The certification shall be provided to the Principal Certifying Authority prior to the release of any of the Occupation Certificate. (sm130.doc)
- (6) 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 Principal Certifying Authority for assessment prior to the release of the Construction Certificate. (sm150.doc)
- (7) 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)
- (8) 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.
- (9) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that allowance is made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other adjoining properties.

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

Civil Engineering Construction

- (1) 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)

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) 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)

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)

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

-
- (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 6.00 pm
- Saturdays - 8.00 am to 1.00 pm
- 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.

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

-
- 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)

Bushfire Hazard Management

- (1) The development shall be completed in accordance with "*Planning for Bush Fire Protection*" and conditions imposed by the Rural Fire Service. (bhm005.doc)
- (2) The construction shall be undertaken in accordance with the recommendations of the Bushfire Hazard Assessment Report prepared by the BPAD CERTIFIED PRACTITIONER, BPAD-L3-26927 prepared by Harris Environmental dated 08/09/2017.

Landscaping Works

- (1) A detailed landscape plan shall be approved by Council prior to release of the Construction Certificate. The plan shall be prepared in accordance with Chapter 8 of Kiama Development Control Plan 2012 and shall be consistent with the landscape concept plan. The Landscape Plan shall be in accordance with the provisions of Planning for Bush Fires 2006 as detailed in the bush fire assessment prepared by Harris Environmental Consulting as detailed in *Section 4 Landscaping*. (lw010.doc)
- (2) The landscaping shall be maintained actively and regularly for a period of 26 weeks commencing from the date of issue of the Occupation Certificate. (lw020.doc)
- (3) At the end of the 26 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 release of the Occupation Certificate or Subdivision 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)
- (5) The street tree in Blair Street may need to be relocated to avoid conflict with the driveway crossover. If so the tree should be relocated a minimum 2.5 metres from the crossover. Should the tree fail to thrive after relocation it shall be replaced with another tree of the same species and size such that a healthy tree exists at the time of issue of the occupation certificate.

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

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
 - 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)

Prior to Occupation

- (1) The completed Waste Management Compliance Sheet (Appendix 1C) shall be submitted to and approved by Council prior to release 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 licensed plumber shall provide to the Principal Certifying Authority a Compliance Certificate to certify compliance with Sydney Water requirements in regard to rainwater tank installations prior to the issue of any Occupation Certificate. (po004.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 Clause 109M 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) The developer shall complete all access and drainage prior to the issue of any occupation certificate. (po010.doc)

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

Conveyancing Requirements

- (1) Under the provisions of Section 88B/88E of the Conveyancing Act 1919 the developer shall provide a restriction on the use of land and a positive covenant in favour of Kiama Municipal Council detailing protection measures and long term maintenance requirements for on-site stormwater detention system and associated stormwater drainage infrastructure.

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 released 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 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.
- 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.

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

-
- i) The payment of all required Section 7.11 Contributions identified in this consent.
 - j) An Occupation Certificate for each dwelling to be separately titled. (sub020.doc)
- (3) The developer shall submit to the Principal Certifying Authority, prior to the release of the subdivision certificate, two (2) copies of 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 have no adverse impact on adjacent properties. (sub025.doc)

- (4) The developer shall submit to the Principal Certifying Authority, prior to the release of the subdivision certificate an electronic copy of the Works-as-Executed drawing as follows:-
- a A full set of engineering drawings in either DWG or DXF format;
 - b An ASCII point file database of all surveyed points in PENZD (point number, easting, northing, elevation, description) format in MGA coordinates.
 - c An Infrastructure Asset Register template (as provided by Council) that lists all constructed assets within the development that are to be transferred to, and maintained by Council in future. (sub030.doc)
- (5) The developer shall acknowledge all existing easements on the final plan of subdivision. (sub060.doc)
- (6) The developer shall acknowledge all existing restrictions on the use of the land on the final plan of subdivision. (sub070.doc)

NSW Rural Fire Service – General Terms of Approval

Asset Protection Zones

The intent of measures is to provide sufficient space and maintain reduced fuel loads so as to ensure radiant heat levels of buildings are below critical limits and to prevent direct flame contact with a building. To achieve this, the following conditions shall apply:

1. At the issue of subdivision certificate and in perpetuity the entire property shall be managed as an inner protection area (IPA) as outlined within section 4.1.3 and Appendix 5 of 'Planning for Bush Fire Protection 2006' and the NSW Rural Fire Service's document 'Standards for asset protection zones'.

Water and Utilities

Report of the Director Environmental Services

10.5 10.2017.304.1 - Lot 72 DP 1206414 No 79 Merrick Circuit Kiama - Detached dual occupancy and 2 Lot Torrens Title subdivision (cont)

The intent of measures is to provide adequate services of water for the protection of buildings during and after the passage of a bush fire, and to locate gas and electricity so as not to contribute to the risk of fire to a building. To achieve this, the following conditions shall apply:

2. Water, electricity and gas are to comply with section 4.1.3 of 'Planning for Bush Fire Protection 2006'.

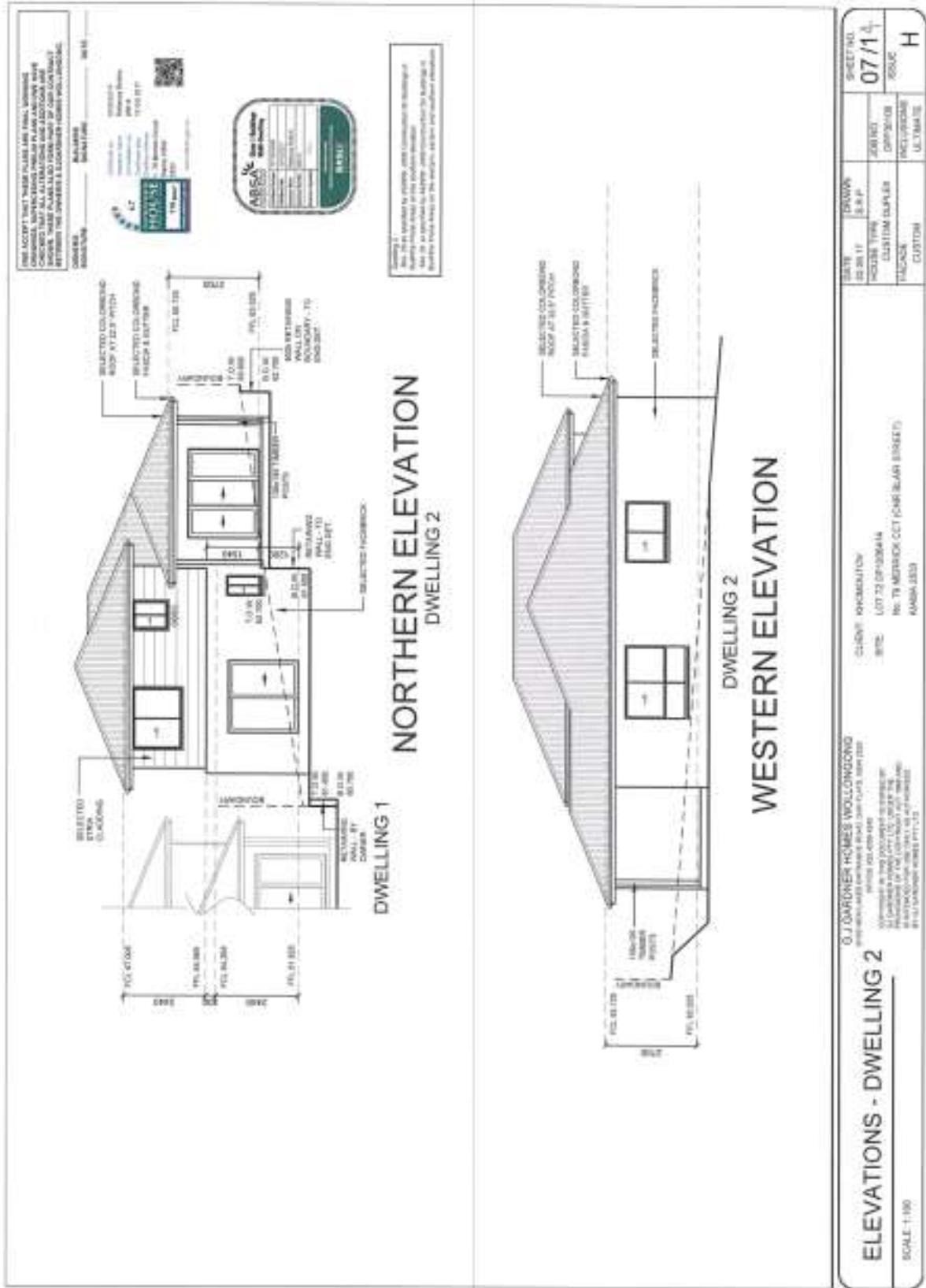
Design and Construction

The intent of measures is that buildings are designed and constructed to withstand the potential impacts of bush fire attack. To achieve this, the following conditions shall apply:

3. Construction of proposed Dwelling 1 shall comply with section 3 and section 7 (BAL 29) on the roof, northern, eastern and southern elevation(s) and section 3 and section 6 (BAL 19) on the western elevation(s) of Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection' 2006'.
4. Construction of proposed Dwelling 2 shall comply with section 3 and section 7 (BAL 29) on the roof and southern elevation(s) and section 3 and section 6 (BAL 19) on the northern, eastern and western elevation(s) of Australian Standard AS3959-2009 'Construction of buildings in bush fire-prone areas' or NASH Standard (1.7.14 updated) 'National Standard Steel Framed Construction in Bushfire Areas – 2014' as appropriate and section A3.7 Addendum Appendix 3 of 'Planning for Bush Fire Protection' 2006'.

Landscaping

5. Landscaping to the site is to comply with the principles of Appendix 5 of 'Planning for Bush Fire Protection 2006'.



Attachment 1

Item 10.5



11 REPORT OF THE DIRECTOR CORPORATE, COMMERCIAL & COMMUNITY SERVICES

11.1 Licence Renewal for Gosse Bros Pty Limited temporary site fencing adjoining Noble Street Development - Fern Street, Gerringong

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.12 Effectively manage recreation and open space infrastructure to cater for current and future generations

Delivery Program: 2.12.1 Manage recreation and open space infrastructure for the community by the implementation of the Recreation and Open Space Asset Management Plan actions

Summary

A licence renewal for Gosse Bros Pty Limited is requested to allow temporary site/safety fencing onto part Lot 53 DP 884475, Fern Street, Gerringong.

Finance

The licence agreement fee will be charged at an annual charge of \$50.00 per square metre excluding GST.

Policy

Local Government Act 1993

Council's Guidelines for the use and hire of public land and property (Dec 2016)

Attachments

1 Site Fencing boundary - Gosse Bros Pty Limited - Noble Street Development [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council enter into a licence agreement with Gosse Bros Pty Limited for a further twelve (12) months for the use of part Lot 53 DP884475 Fern Street Gerringong to allow temporary site/safety fencing to be erected subject to the following:

1. Licence term of twelve (12) months.
2. Annual charge of \$50.00 per square metre excluding GST.
3. The temporary site fencing to be setback no more than three (3) metres from Lot 52 DP884475 boundary as outlined in the attached plan.
4. That the licence monies be set aside and utilised on the enhancement works to be carried out on the reserve.
5. The General Manager or Mayor be authorised to sign any documentation associated with this licence.

Report of the Director Corporate, Commercial & Community Services

11.1 Licence Renewal for Gosse Bros Pty Limited temporary site fencing adjoining Noble Street Development - Fern Street, Gerringong (cont)

BACKGROUND

Noble Bros (Gerringong) Pty Limited have been given consent (10.2015.232.1) for the development of Lot 51 & 52 DP 884475. The subject development comprises of the following:

- Lot 51 - Tourist apartments and retail building
- Lot 52 - Paved outdoor terrace and boundary balustrading

Lot 52 is owned by Kiama Council and its development as a paved outdoor terrace was embodied within the Gerringong Charette. There is also a current lease agreement in place between Kiama Council and Noble Bros (Gerringong) Pty Limited specifically permitting the creation of the outdoor terrace and ultimate use for outdoor furniture for the benefit of the patrons/public.

In consideration of the development of Lot 51 & 52 DP 884475 being built to the property boundary resulting in insufficient room for site fencing, Council considers the temporary placement of site fencing onto the adjoining Council owned land described as Lot 53 DP 884475 be approved. The attached plan indicates, the temporary site fencing is to be setback no more than three (3) metres from the Lot 52 DP 884475 boundary.

It is considered to enter into a further twelve (12) month temporary licence agreement with Gosse Bros Pty Limited. This will allow the continuation of the site fencing to encroach onto the adjoining Council community land (Part Lot 53 DP884475) given the development has not been completed.

The current activity is permitted under Section 46(1)(b)(iii) *Local Government Act 1993*, Section 116(4) *Local Government (General) Regulation 2005* and within Council's "Guidelines for the use and hire of public land and property".



Item 11.1

Attachment 1

11.2 Proposed Road Closure - Corner Gray and Bergin Street, Gerringong

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.12 Effectively manage recreation and open space infrastructure to cater for current and future generations

Delivery Program: 2.12.1 Manage recreation and open space infrastructure for the community by the implementation of the Recreation and Open Space Asset Management Plan actions

Item 11.2

Summary

An application has been made by the adjoining property owner to close a section of unformed road reserve adjacent to their property located at Lot 1 DP 797886 Gray Street, Gerringong.

Finance

Following the closure process, Council will receive the proceeds of sale for the land based upon the valuation amount determined by a registered Valuer.

Policy

Roads Act 1993

Attachments

- 1 Survey Plan - Corner gray & Bergin Street, Gerringong - Unformed Road Reserve [↓](#)

Enclosures

Nil

RECOMMENDATION

1. Council approves the closure of the road reserve adjoining Lot 1 DP 797886 Gray Street, Gerringong as outlined in the attached survey.
2. Council approves a formal road closure application to be lodged with Crown Lands seeking closure of the subject road reserve adjoining Lot 1 DP 797886.
3. The subject parcel be classified as operational land upon closure and the issue of a Certificate of Title subject to public notice of the proposed classification under Section 34 of the Local Government Act.
4. The General Manager and Mayor have delegated authority to sign under seal any documentation associated with the road closure.
5. The applicant is required to meet all on-going relevant costs associated with the road closure and purchases the subject land as determined in value by the registered Valuer.

Report of the Director Corporate, Commercial & Community Services

11.2 Proposed Road Closure - Corner Gray and Bergin Street, Gerringong (cont)

BACKGROUND

An application has been received for the closure and purchase of a section of unformed road reserve adjoining Lot 1 DP 797886 Gray Street, Gerringong as an extension/parking area to the adjoining automotive business.

The applicant has engaged the services of a registered surveyor to define the area of the proposed acquisition which is outlined in the attached survey plan. The proposed acquisition/road closure area has received a pre-allocated plan number and is now identified as Lot 11 DP 797866.

As required under Section 35 Roads Act 1993, Council must provide a mandatory 28 day submission/notification period to the public and appropriate service authorities of the proposed road closure. During the 28 day period, Council received a submission from Endeavour Energy objecting to the closure due to the existing underground cables and overhead power lines located on the road reserve. As such, Endeavour Energy required easements to be created for both the powerlines and cables in accordance with their standard easement widths prior to the removal of their objection.

Subsequently, a Section 88B instrument was prepared in order to satisfy Endeavours requirements for the easement creation of which Council has now executed. The Section 88B instrument has been forwarded to Endeavour Energy for endorsement and execution and following this Endeavour Energy has agreed to remove their objection.

As part of the road closure process the road reserve is required to be valued by a registered Valuer. Council has engaged Walsh & Monaghan to carry out the required valuation on the prospective property and the applicant has agreed to pay \$30,000.00 plus GST, which is in accordance with the value determined by Walsh & Monaghan.

Following formal resolution, Council will then be required to make an application to the Crown to close the road.

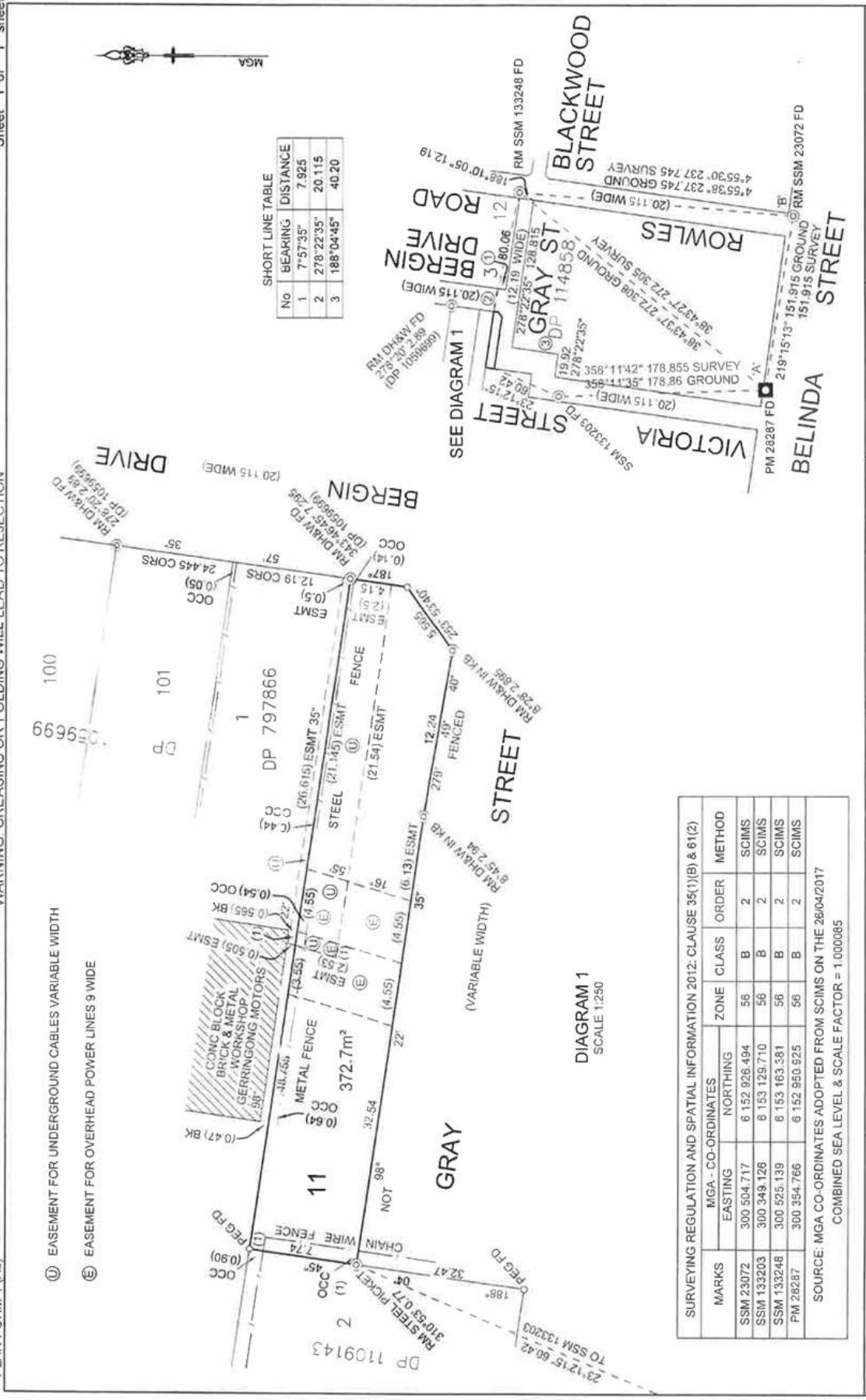
Upon finalisation of the road closure and disposal, Section 43 Roads Act 1993 requires the proceeds of sale of the land to be used by Council for acquiring land for public road or for carrying out road work on public roads.

Item 11.2

Sheet 1 of 1 sheets

WARNING: CREASING OR FOLDING WILL LEAD TO REJECTION

PLAN FORM 1 (A3)



SHORT LINE TABLE

NO	BEARING	DISTANCE
1	7°57'35"	7.925
2	278°22'35"	20.115
3	188°04'45"	40.20

SURVEYING REGULATION AND SPATIAL INFORMATION 2012: CLAUSE 35(1)(B) & 61(2)

MARKS	MGA - CO-ORDINATES		ZONE	CLASS	ORDER	METHOD
	EASTING	NORTHING				
SSM 23072	300 504.717	6 152 926.494	56	B	2	SCIMS
SSM 133203	300 349.128	6 153 129.710	56	B	2	SCIMS
SSM 133248	300 525.139	6 153 163.381	56	B	2	SCIMS
PM 28287	300 354.766	6 152 950.925	56	B	2	SCIMS

SOURCE: MGA CO-ORDINATES ADOPTED FROM SCIMS ON THE 26/04/2017
 COMBINED SEA LEVEL & SCALE FACTOR = 1.000085

Surveyor: DAVID MERVYN YATES Date of Survey: 10th MAY 2017 Surveyor Ref: P10664/10317	PLAN OF ACQUISITION OF PART OF GRAY STREET	LGA: KIMMA LOCALITY: GERRINGONG SUBDIVISION No: Lengths are in metres Reduction Ratio: 1:250	REGISTERED	DP
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11.3 Health & Sustainability Grants - Round 2 - Jan 18 & Minutes of Committee

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: 1.1.5 Facilitate sport and health related facilities and programs

Summary

This report provides the minutes of the Health & Sustainability Committee meeting held Tuesday 13 February 2018, which contains a recommendation for Council to endorse the Health & Sustainability Committee's recommendations for the 2nd round of the grants program.

Finance

Within existing budget.

Policy

Health & Sustainability Grants Program Guidelines.

Attachments

Nil

Enclosures

1 Minutes - Health & Sustainability Committee meeting - 13 February 2018⇒

RECOMMENDATION

That Council

- a) Note the minutes of the Committee meeting held 13 February 2018
- b) Approve the following recommended Health & Sustainability Grants funding applications:
 - a. Kiama U3A: Live Long: Play Ping Pong - \$1,000
 - b. Landcare Illawarra: The Nature Weekend - \$1,000
 - c. Kiama Community Garden: Fascinating Fungi & Magnificent Mushrooms - \$1,000

BACKGROUND

The minutes of the Health & Sustainability Committee meeting held 13 February 2018 are enclosed for Councillors' information. Contained within the minutes is a recommendation from the Committee to award three organisations as successful applicants for the second round of the Health & Sustainability Grants Program in January 2018.

Report of the Director Corporate, Commercial & Community Services

11.3 Health & Sustainability Grants - Round 2 - Jan 18 & Minutes of Committee
(cont)

For the second round of the Health & Sustainability Grants Program, four applications were received. The Health & Sustainability Grants Working Group reviewed and assessed the applications and reported the results of its assessment to the full Health & Sustainability Committee. As reported in the minutes, the Committee passed a motion to recommend three of the four applicants to be recommended for funding for Council's final determination.

The Health & Sustainability Grants Program offers \$4,000 every financial year to bring together local residents and community groups with an interest in health and sustainability, to drive small projects that will contribute to health and environmental outcomes for the Kiama community.

The funding is made available over two rounds each year (January and July), with applicants able to apply for up to \$1000 (matched funds).

During this round (Round 2), four applications were received and assessed according to the following criteria:

Project Category Areas:

- Provide and promote opportunities for the community to engage in regular physical activity;
- Provide and promote opportunities for the community to develop skills in sustainable food practices (excluding community gardening)
- Provide and promote opportunities for the community to develop skills in healthy eating and active living principle.

Funding criteria:

- Project fitting in one of the category areas above.
- Health and sustainability promotion to residents in Kiama Local Government Area
- Opportunities for participation and positive community connections, connecting neighbours, residents, etc....
- Capacity built from project through awareness raising, increasing knowledge and skills, etc.
- Extent to which project can be expanded or used as a model for other projects
- Existing buy-in for the project and degree to which community engagement has been thought through.
- Preference for cash matching versus in-kind.
- Capacity of group to manage projects
- Realistic timeframe and budget

Report of the Director Corporate, Commercial & Community Services

11.3 Health & Sustainability Grants - Round 2 - Jan 18 & Minutes of Committee
(cont)

The following applications were submitted for funding:

Recommended as successful:

Kiama U3A

Live Long: Play Ping Pong \$1,000

The project envisages the purchase of 2 foldaway table tennis tables with accessories. These will form the basis of a program offering 2 hours of play per week for 32 weeks per year to both existing and new KU3A members at the North Kiama Neighbourhood Centre. If the response warrants it, the program could be expanded to 4 hours or 6 hours per week subject to time slots being available at the North Kiama Neighbourhood Centre.

The project will offer members the opportunity to engage in regular moderate exercise, and reap the benefits of social interaction, especially for men who often become isolated as they age. It may also entice more men to join the association, which presently has a 3:1 ratio of women to men.

Kiama Community Garden (KCG)

Fascinating Fungi & Magnificent Mushrooms \$1,000

KCG proposes to run a workshop on home mushroom cultivation using waste materials like coffee grounds, logs and sawdust for 20 participants. The workshop will be open to all interested community members (including school-aged children, families and older people) and will be delivered by an external specialist. It will include a mix of theory, demonstration, samples and provision of support materials that participants can take with them. This workshop will promote this healthy, homegrown food product to participants whilst encouraging them to reduce waste by recycling/reusing the growing medium materials.

Kiama Community Garden (KCG) is a garden based on permaculture principles; its members endeavour to promote and educate the local community on issues around organic food production, healthy eating and lifestyles, community engagement and sustainability.

Report of the Director Corporate, Commercial & Community Services

11.3 Health & Sustainability Grants - Round 2 - Jan 18 & Minutes of Committee
(cont)

Landcare Illawarra

The Nature Weekend \$1,000

Landcare Illawarra propose to organise and run a weekend camping trip with 20 participants aged 16-18 to introduce young people to rural areas and country life. Some of the participants will be drawn from the Kiama Council SENTRAL Youth Service's Young Men's and Young Women's programs.

The project aims to encourage participants to work as a team to escape the trappings of modern technological life by using the environment around us and to understand sustainability and local sources of healthy food. The project will include visiting and meeting local young adults that have successful careers in local rural industry, (horticulture, dairying, parks management, viticulture, etc.). The project will help participants to:

- develop an understanding of the sources and production of local healthy food,
- appreciate the natural environment,
- understand the joys of outdoor activities e.g. bushwalking, native plants, bush foods and medicines, & camping, and
- educate participants about the potential careers in active outdoor employment.

Landcare Illawarra is a community-based organisation that helps the Illawarra community to get involved in a broad range of environmental repair activities.

Recommended as unsuccessful:

Kiama Bicycle User Group

Social Cycling for Adults \$1,000

The project proposal was to co-fund a new supply of high visibility cycling jerseys for the ride leaders and participants so that they are noticeable to other road users. Kiama Bicycle User Group (KBUG) is an adult bicycle-riding club that organises four weekly rides (30-60km) in and around local areas. The cycling activities aim to encourage local residents to cycle, improving their fitness and wellbeing as well as support strong social interactions during and after the rides.

If Councillors would like to see the full original applications, they can be provided upon request.

11.4 Kiama Tourism Advisory Committee - Minutes of meeting held on 13 February 2018

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 11.4

Summary

This report requests endorsement of the recommendations contained in the Minutes of the Kiama Tourism Advisory Committee for the meeting held on 13 February 2018.

Finance

n/a

Policy

n/a

Attachments

- 1 Kiama Tourism Advisory Committee - Minutes of Meeting held 13 February 2018 [↓](#)
- 2 Kiama Coastal Classic funding request [↓](#)
- 3 Gerringong Surf Music Festival 2018 [↓](#)
- 4 New Years Eve 2017 - Post Event Report [↓](#)
- 5 Events Strategy 2018-2021 [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council receive and accept the draft Minutes of the Kiama Tourism Advisory Committee meeting held on 13 February 2018 and endorse the recommendations contained therein.

BACKGROUND

The draft minutes of the Kiama Tourism Advisory Committee of the meeting held on 13 February 2018 are attached for review and endorsement.

DRAFT STRATEGIC NOTES
DESTINATION KIAMA TOURISM ADVISORY COMMITTEE MEETING
HELD 13 FEBRUARY 2018
PARK RIDGE RETREAT

Item 11.4

Attachment 1

PRESENT: Councillor Warren Steele, Rob Sciacchitano, Perrie Croshaw, Kerry McMurray (Director Finance, Corporate and Commercial Services), Karen Ronning (Manager Tourism and Events)

Item 1 - Welcome to Country

Item 2 - Apologies: Councillor Matt Brown, Sue Thorley, Liz Lewis, Michael Forsyth (General Manager)

The meeting noted with sadness the recent passing of Mr Brian Longbottom. Mr Longbottom made a significant contribution to tourism in Kiama and the South Coast.

Item 3 – Business arising from the previous Minutes

3.1 Tourism and Events – Reward and Recognition program

The Destination Kiama 'Above and Beyond' Award was launched at the February Tourism After Hours. The Award details are available at <https://kiama.com.au/above-and-beyond-award>

3.2 Tourism Opportunity Plan

As per the Strategic Tourism and Events Plan, work has progressed on the Kiama Tourism Opportunity Plan. A 'Request for Quotation' was sent to a short list of eight contractors. Responses are due by February 23, with suggested key dates and timelines noted below:

- W/C - March 12 – Review of responses / selection of short listed contractors
- W/C – March 19 – Presentation by short listed applicants to the Tourism Advisory Committee (in person or via Skype)
- W/C – March 26 – Contractor appointed
- W/C – April 9 – Consultation commences
- W/C – May 28 – Preliminary 'Plan' received
- June – Tourism Opportunity Plan finalised

A Meeting with Hon. Gareth Ward MP to discuss the Kiama Tourism Opportunity Plan is being held on February 21.

3.3 Visitor Servicing - staffing update

Honni Proctor and Dirk Williams have been appointed as the Visitor Services Officer/s, based at the Visitor Information Centre. They will commence on flexible work arrangements in March 2018. Sally Bursell is the Visitor Servicing Co-ordinator and Aaron Castro Matis, the Tourism Co-ordinator. Aaron will work three days per week at the Visitor Information Centre and two days per week from the

Council building. Existing Casual staff have been offered ongoing Casual contracts and will continue to be rostered as needed.

3.4 Training of Hospitality Staff and Chefs

The importance of offering quality food experiences in our destination was discussed and noted. The dining facility at the proposed new Arts Precinct presents an opportunity to showcase local produce and local talent as well as possibly offering training facilities.

3.5 Resignation of James Cook

The Committee noted the receipt of the resignation of James Cook from Jamberoo Action Park and thanked him for his contribution, wishing him well in his new role at Port Stephens.

Item 4. Destination Kiama membership update

After only six months, Destination Kiama currently has 123 members. A review of membership categories and benefits for 2018/19 will commence at the April Tourism Advisory Committee meeting.

Item 5. Kiama Tourism and Events Strategy / Priority Projects

5.1 Destination and Experience Development

Hero Experience identification – To be discussed at the next Tourism Advisory Committee meeting

5.2 Develop and Promote a Year round Events Calendar

Work has commenced on the creation of a comprehensive Events Calendar, which was tabled at the meeting. This spreadsheet not only captures events held in our region, organiser contact details, event genre etc. but also the Council support received, both financial and in-kind. This information will be key for the development of the new Events Strategy.

New Year's Eve Review

A report on the successful 2017 New Years Eve was tabled.

World Junior Surfing Championships

A post event report from the World Surfing League is anticipated in coming weeks.

Surfing NSW Partnership 2018-2021

A proposal from Surfing NSW has been received regarding an ongoing partnership, based on the current arrangement of \$1000 per month for three years to secure a year round program of events. This will be further discussed at the April Tourism Advisory Committee Meeting.

2018 Kiama Bodyboard Slam – May 2-13

This is a proposed new event for Kiama put forward by the Association of Professional Bodyboarders World Bodyboarding Tour and Surfing NSW. For the event to proceed, funding (approx. \$60 000) is needed and is being sought from Destination NSW. Kiama Municipal Council has agreed to support the event application for funding by committing \$10 000. A decision is expected shortly.

Australia Day & Queens Baton Relay

Australia Day and the Queens Baton Relay held recently were both successful events. The significant contribution of Peta Horner and Keryn Calcraft in assisting with organising of both of these events was acknowledged by the Tourism Advisory Committee.

Events Strategy Development

As per the Kiama Strategic Tourism and Events Plan, a DRAFT process for the development of a new Events Strategy, inclusive of 'event categories' was tabled, discussed and accepted at the meeting. Work will now commence in developing this key strategy, inclusive of a comprehensive revision of all Council event funding, the event funding application process, and event reporting for all categories.

Event promotions – social, seasonal & weekly

A new quarterly/seasonal Events flyer has been created, printed and distributed in both hard copy and online. Ongoing event promotion continues via our social media activity.

Events Boot Camp.

Work is progressing on the organisation of an Events Boot Camp and mentoring for Event organisers. Date and venue are to be confirmed.

Event Funding

The following two applications for event funding were received and considered by the Tourism Advisory Committee:

- ***Kiama Coastal Classic – 24th June 2018***
 - *Seeking \$5000 + GST*
 - *To Market the event*
 - *500+ participants*

Recommendation:

That Destination Kiama / Kiama Municipal Council support the Kiama Coastal Classic to the value of \$5000 plus GST.

Moved: *Perrie Croshaw, Seconded Rob Sciacchitano*

- ***Gerringong Surf Music Festival – 4th – 6th May 2018***
 - *Seeking \$2000 + free hire of the Gerringong Town Hall for one day + Waste Recycling and Cleaning Services*
 - *To Market the event and cover insurance overheads*
 - *1500 + participants (over the weekend)*

Recommendation:

That Destination Kiama / Kiama Municipal Council support the Gerringong Surf Music Festival to the value of \$2000 plus GST, plus free hire of the Gerringong Town Hall for one day, plus Waste Recycling and Cleaning Services.

Moved: *Rob Sciacchitano, Seconded Perrie Croshaw*

Item 6. Market and Promote visitation to Kiama

6.1 UNSPOILT Campaign 2017 & 2018

Results from the 2017 UNSPOILT Campaign will be available from Destination NSW in mid-March. Planning for the 2018 UNSPOILT Campaign (due to commence in April) is progressing well. Karen will participate in a South Coast product update presentation to Destination NSW staff in Sydney in March 2018.

6.2 Kiama Wedding/s initiative and promotion

Led by The Sebel and caterers Culinarius, a new collaborative Wedding Trail called 'Kiama I Do' will be held on April 29 2018 featuring four local wedding venues who will be working alongside approximately forty five suppliers. Brides and Grooms will be invited to Kiama on that date, to visit and view each venue and to meet with key suppliers. Karen to discuss Destination Kiama sponsorship of this event with the organisers.

6.3 Style Guide

A Destination Kiama Style Guide has been completed and was tabled at the meeting.

6.4 Logo trademarking

Trademarking the 'Splash' logo used by Destination Kiama was discussed.

6.5 Social Media update

The third Destination Kiama Social Media report was tabled at the meeting.

6.5 Qantas Magazine

Thanks to Destination NSW, Qantas Magazine recently visited the South Coast including Gerringong for a feature that is due to run in April 2018.

6.6 Entry Signs

To be discussed at the next meeting

Item 7. Community and Industry Engagement

7.1 February Tourism After Hours – Thursday Feb 8, The Sebel

An excellent turn out to the recent February Tourism After Hours Events at The Sebel, with special guests the Hon. Mayor Mark Honey and Hull FC representatives

7.2 Next Tourism After Hours Event/s –April/May

It was agreed that the next Tourism After Hours Event be held in April/May. Venue TBC

7.3 Kiama Tourism and Events Forum

Destination Kiama was pleased to welcome the NSW Minister for Tourism the Hon. Adam Marshall MP as a guest of Hon. Gareth Ward MP to Kiama for a South Coast Tourism Forum on Monday February 5.

Item 8. Industry Development

8.1 Events Boot Camp

Work is progressing on an Events Boot Camp and Mentoring for Event Organisers. Date and venue TBC.

8.2 Trip Advisor / Google

Kiama and Shellharbour are collaborating on a Trip Advisor / Google workshop for industry. Date and venue TBC.

8.3 Australian Tourism Data Warehouse (ATDW)

Destination Kiama has organised a day of ATDW Workshops being held on March 13. These one hours workshops will provide businesses and events practical assistance in how to create and update a listing.. Businesses listed on ATDW (which is fee) will then be shown on the Destination NSW website in time for the UNSPOILT Campaign.

Item 9. Tourism Development and Strategic Partnerships

9.1 Tourism Development Opportunities Plan

As previously discussed and noted above.

9.2 Destination Sydney Surrounds South Destination Management Plan

At the time of this meeting, stakeholders are waiting to receive a copy of the latest DRAFT of the Destination Sydney Surrounds South Destination Management Plan.

9.3 Grand Pacific Drive

Grand Pacific Drive opportunities and options we understand are being considered as part of the Destination Sydney Surrounds South Destination Management Plan

9.4 Destination NSW

The Manager Tourism and Events is continuing fortnightly conversations with key contacts at Destination NSW.

9.5 Tourism Australia

Karen will attend the Tourism Australia Destination Forum In Melbourne on March 15.

Tourism Australia representatives have also advised that they are keen to work with us on a suitable date to visit.

9.6 Department of Premier and Cabinet

Marine Tourism Strategy

A Marine Tourism Strategy is in development and a preliminary meeting was held with the Manager Tourism and Events.

9.7 TAFE NSW – Events Work Experience Student

Destination Kiama is partnering with Bombaderry TAFE to host an Events Work Experience student

9.8 KMC Walks and Trails Committee

This Committee is meeting this week. Mr Neville Frederick has proposed an Escarpment Walking Trail for the region, which will be discussed and considered by this group.

9.9 Visitor Servicing

The Kiama Visitors Centre serviced over 10 000 'walk in' visitors in January 2018. Congratulations to the staff and volunteers for their continued excellent service.

Item 10. General Business

10.1 Kiama Tourism Monitor Report – Year ending Sept 17

Our quarterly report and modelling of the Tourism Research Australia data, indicates that the Kiama LGA Visitor Expenditure Total has been rising and is now approximately \$200million pa.

10.2 Short Term Holiday Rentals

The committee discussed the Kiama Municipal Council Code of Conduct for Short Term Holiday Rentals. A recurring issue at a property in Gerringong was raised as neighbours had followed the Code and complained to Council a number of times, yet felt that no action has been taken.

ACTION: Kerry McMurray to follow up.

10.3 Next Meeting/s

Monday April 23
Thursday June 21
Thursday August 16
Thursday October 11
Tuesday December 6

Item 11. Meeting Close



Request for Funding

Kiama Coastal Classic,
24th June 2018
Kiama, NSW

Item 11.4



Attachment 2



www.eliteenergy.com.au



Kiama Coastal Classic

ABOUT THE EVENT

Kiama Coastal Classic: 14k

The Kiama Coastal Classic, the main event of the day. The course is from Gerringong to Kiama along the coastal track along the headland. This breathtaking course will mesmerise runners with rolling green hills on one side and incredible ocean views to the other. Open to all levels of ability, the views will make the kms disappear with ease as participants are welcome to run, jog or walk the entire course.

Blowhole Dash: 10k

In the 10km classic (and popular) distance runners will take in the coastal views along this fast rolling course. This is a 2 lap out and back course from Black Beach Reserve to Kiama Surf Club. Perfect for those runners and walkers that are still working their way up to the 14km Kiama Coastal Classic. This event can also be entered as a two person team event consisting of two separate 5km laps of the course, widening the reach of our audience.

Lighthouse Bolt: 2.5k

The 2.5km dash is an out and back run from Black Beach reserve Kiama. This is aimed at the little ones, those new to running or those not ready to take on anything longer. This run sees participants from the small to the tall take in the iconic vista of the Kiama blowhole. For the big and little kids, this fast and flat course is an easy course to run or walk. This distance is perfect for everyone.

Volunteers

At this event we will have volunteers helping runners by taking positions at key spots along the course to ensure all runners go the right direction and at turnaround points. They will also help hand out water to runners at 'aid stations' Elite Energy offers all volunteers a donation to their club or charity of choice. We will require around 30 local volunteers to help us.

Local Business Opportunities

There is an opportunity for local businesses to get involved in the event by supplying a coffee/ food van at the event or to attend our expo to display their wares to the participants. We will also work with local and Council approved accommodation providers for our staff, officials and participants. There is also an opportunity for any local businesses to have access to our database to encourage whole family participation and staying in the Kiama area to enjoy the tourist sights and activities such as the Blowhole, the local shopping and many walks and Jamberoo action park.



www.eliteenergy.com.au



Kiama Coastal Classic

EVENT PARTICIPANTS

Age.

Participants aged 7-70 participate in Elite Energy events. 67% of Elite Energy event participants are aged between 19 and 49 years of age.

Gender.

53% of participants across Elite Energy's event portfolio are female.

Personal.

93% of Elite Energy event participants said they would spend more time to enhance their non-working lifestyle.

Income.

63% of Elite Energy event participants have an annual household income above \$130,000.

Education.

70% of participants have college or university degrees and are opinion leaders in their communities.

Work.

67% of Elite Energy event participants are business owners or hold high level management positions.

Source: Based on Elite Energy's Database and previous surveys and information collected during the registration process



Kiama Coastal Classic

Kiama Coastal Classic Demographic Information

PARTICIPANTS

Previous years totals between 400 and 500, expecting 2018 500+ due to no clashes with other established running events and price adjustments. We changed the date to stay away from other major events.

Last Year 23 interstate athletes attended the event, with 2 International participants.

There were 91% of competitors from outside the Postcodes of 2533, with many visitors traveling from Sydney and the Shoalhaven as well as the ACT

DEMOGRAPHICS

Competitors are aged from 4 to 71

The largest group of competitors took part in the Kiama Coastal Classic (57%)
62% of athletes across all distances were female

69% of athletes were aged between 25 to 55 yrs.



www.eliteenergy.com.au



Kiama Coastal Classic

FEEDBACK FROM LAST YEARS EVENT

Brutal course! Legs don't work like they used to! But soo pretty and well worth getting out of bed for. Thanks Elite Energy. **CasseJ**

After the Kiama Fun run, having a couple of hours drive home, the staff were more than helpful to hand out podium medals early without hesitation. The course was marked perfectly and all changes were announced in the early stages of race briefing. And from a competitors perspective every race I have been to has been professional. Keep up the good work guys I know majority of the running and triathlon community love your events and will continue to for years to come. **Dean Sherratt**

Fantastic run events. Friendly folks and they are actively working on new locations. **Jess Edwards**

Thanks to the organisers and volunteers - great event, beautiful course. Loved it! **Cath McCallum**



www.eliteenergy.com.au



Kiama Coastal Classic

COUNCIL FUNDING REQUEST

Elite Energy Requests \$5,000 + GST to run the event.

How the funding will be spent: To help market the event and bring visitors from outside the Kiama Municipal area. This will include social media paid advertising, event creation on Facebook, local press ads, radio and Google Display Ads, as well as other run specific magazines and calendars. The aim being to notify runners in the wider Sydney and ACT areas of the event to encourage travel to participate and make a weekend of Visiting Kiama.

Council Recognition of funding:

- Councils signage will be displayed at the Finish Line, around event central- any banners, flags etc., on the competitor information email (sent to ALL competitors prior to the event- content supplied by Kiama Municipal Council), on our website under the 'partners' section on the event page and in our social media via numerous posts.

Elite Energy will promote the area for 'Things to do' in the area via this link <http://www.visitnsw.com/destinations/south-coast/kiama-area/kiama> on athlete registration confirmation emails, and on the website.

Elite Energy hopes to grow this event year on year and make it a stable in our calendar for years to come.



www.eliteenergy.com.au



Kiama Coastal Classic

ECONOMIC BENEFIT TO THE COMMUNITY

According to statistics gathered by Elite Energy in previous years, visitors to an event spend the following average amounts per day:
\$150 per person per over night stay and \$57 per person per day competitor

Our surveys suggest that each visiting athlete will bring 2.2 people with them to this event, on average a minimum of 20% of all athletes indicate staying a minimum of 1 night.

Estimated Economic Impact to Kiama

Based on the last 2 years entries we estimate:

Total Return to the Kiama Economy = \$100,000

Plus engaging local contractors to assist with event set up of around \$1,000 as well as approx. \$1,500 of direct community donations, as a result of our volunteer program.

We look forward to many more successful years running the Kiama Coastal Classic Event.



www.eliteenergy.com.au



KEY CONTACTS

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GERRINGONG
SURF MUSIC FESTIVAL

ALONG WITH THE WERRI SLASH

Mitch Anderson
and the Organic Orchestra

Mac Tango • Kingdog and the Catz • Salty Jack Rose • Sean Emmett • Seven Suns • The Traks
Argy Rakis • Grapevine Jane • Fripps and Fripps
Sandy Feet • The Zilzies • Tinderry

Food, Beer & Wine Stalls, Jumping Castle & Face Painting
6th May 2017 - Gerringong Town Hall and Park

12 - 5 pm | 12 - 12 pm
\$10 | **\$20**
TICKETS AT THE DOOR - KIDS FREE

Find us on **f**
Gerringong Surf Music Festival

Item 11.4

Attachment 3

Kiama Council Funding Proposal

Gerringong Surf Music Festival

4-6 May 2018

Overview

The Gerringong Surf Music Festival is a weekend long celebration of surfing and surf culture featuring the best local bands from the Kiama region.

Held during the first week of May and in association with the Werri Slash surf competition, the GSMF aims to be a weekend tourism destination event and a boost for local businesses in Gerringong, Kiama and Berry.

The GSMF was first held in 2015 at the Gerringong Bowling Club with support provided by local businesses. In 2017 the GSMF successfully moved to a weekend long, multiple venue format with a main event at the Gerringong Town Hall and Park. The new format GSMF adopted a sustainable business model generating 70% of its total income from ticket, food and wine sales and the remaining 30% from sponsorships.

2017 Statistics

- Approximately 1500 people attended 4 separate events across the weekend.
- 15 local business sponsored the event with goods in kind.
- 14 bands in total including 8 from Kiama, 4 from Wollongong and 2 from Sydney.
- Employed 10 local staff
- Employed 5 local businesses (security, food, wine stalls and production)
- All food and wine sourced from local suppliers
- Local cafes, restaurants and the towns hotels all reported increased business
- The Park Ridge Hotel, Mecure and Werri Beach Van Park all reported increased bookings for the weekend.

in 2018 the GSMF aims to build upon its 2017 success and build audience numbers, encourage more local cafes and restaurants to host live music events and build better marketing relationships with local hotels.

Kiama Council Proposal 2018

The GSMF is seeking

- \$2000 in funding for marketing and insurance overheads
- Free hire of the Gerringong Town Hall and the Park Reserve for one day.
- Waste Recycling and Cleaning services

Benefits For Local Businesses and Community

- A much needed major annual event for Gerringong
- An event based around an activity (surfing) that many Gerringong residents are passionate about
- Influx of visitors bringing business for local accomodation, hotels, restaurants and mixed business
- Boost for local business in May, traditionally a slower time of trade

2018 Events and itinerary

FESTIVAL LAUNCH (FRIDAY MAY 4, 7PM)

A live music, drinks and food night hosted by the Mecure Hotel. Free event for all ages.

WERRI SLASH SURF COMPETITION (SATURDAY MAY 5 TO SUNDAY MAY 6, 7AM)

Held on Warri Beach across the weekend, the Warri Slash attracts over 100 of the best surfers from the Illawarra and South Coast.

MUSIC FESTIVAL (SATURDAY MAY 5, 3-11PM)

Held in the Gerringong Town Hall this will be the GSMF signature event featuring some of the best live bands, food and wine from the south coast. Limited tickets and age restrictions.

MUSICAL LUNCHES (SATURDAY MAY 5, 1-3PM)

Gerringong restaurants and cafes will be hosting live music lunches on Saturday.

WERRI SLASH AWARDS PARTY (SUNDAY MAY 6, 6PM)

Official awards presentation ceremony and afternoon of live music, food and drinks. Hosted by the Gerringong Bowling Club. Free event for all ages.



Budget

Budget Summary	
Income	
Kiama Council	\$ 2,000.00
Local Sponsorship	\$ 500.00
Ticket sales	\$ 6,000.00
Food and beverage sales	\$ 7,000.00
	\$ 15,500.00
Costs	
Production overheads	\$ 4,500.00
Insurances	\$ 900.00
Staff	\$ 3,500.00
Bands	\$ 5,000.00
Marketing and PR	\$ 1600.00
	\$ 15,500.00
Balance	\$ 0.00

Item 11.4

Attachment 3



2017 Marketing, Media and website bulletin Coverage	
Poster	Distributed in Gerringong, Kiama, Berry, Shoalhaven Heads, Nowra
Street banners	Displayed Cnr Fern and Belinda Street
GSMF Facebook page	640 followers. Best Post 18,315 reach
Power FM - Live Wire interviews	April 7,21, 28, May 5
Power FM - Daily advertising promotions	May 1- 6. 10 times daily
Power FM - Live cross from festival	x 5
i98 FM	Listed on website and announced
Kiama Tourism: https://kiama.com.au/events/event/gerringong-surf-music-festival-145981?d=2016-05-14	Listed on website
visitwollongong.com.au	Listed on website
Destination NSW website	Listed on website
Around You website: http://www.aroundyou.com.au/whats-on/events/gerringong-surf-music-festival-2017	Listed on website
Illawarra Mercury article 96,000 weekly print circulation, 567,000 weekly browsers	http://www.illawarramercury.com.au/story/4598425/gerringong-surf-festival-returns-for-second-year/
Advertiser Lake Times: http://www.advertiserlaketimes.com.au/story/4598425/gerringong-surf-festival-returns-for-second-year/?cs=309	Listed on website
Kiama Indépendant article 18,000 weekly readership	http://www.kiamaindependent.com.au/story/3807092/celebration-of-surf-culture-at-gerringong/
Kiama Bugle article May 4 27,000 fortnightly readership	May 4
Love Gerringong website	Listed on website
Triple J unearthed website	Listed on website
Gerringong Village Whispers, May edition 9000 monthly readership	April and May editions
Haworth Guitars website (15k reach)	http://www.haworthguitars.com.au/news/events/the-very-first-gerringong-surf-music-festival/

2017 Sponsors	
MAJOR SPONSORS	LOCAL SUPPORTERS
Kiama Council	Mecure Resort
Crooked River Wines	Park Ridge Retreat
Power FM 96.9	Haworth Guitars
	Oportos
	Wax Wood
	Gerringong Motors
	DSN Surfboards
	Gerringong Physio
	Werri Beach Holiday Park
	The Kiama Bugle
	Natural Necessity
	Gerringong Bowling Club

Marketing Schedule												
	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
Register festival details with tourism websites												
PR campaign to print media												
Updates to GSMF website												
Marketing via GSMF social media sites												
Printing and distribution of GSMF posters												
Finalise Sponsorships												
PR campaign to local radio and TV												
Finalise Band line up												
Sponsors PR												
Event day												

Letter of Support - Park Ridge Hotel

Hi Adam,

As the only accommodation in Gerringong CBD, we did have bookings that were made directly because of the Gerringong Surf Music Festival

More importantly we had full accommodation that weekend, which is not normal for the off season starting in May. Although the weather was a contributing factor to people booking accommodation that weekend, we can confirm after talking to guests, they attended the Gerringong Surf Music festival, because it was live entertainment. They also commented the event was well run, and with so many bands to listen to it made for a great day.

Our restaurant was also booked out, with people from out of the area, wanting a meal at dinner, between the day and night sessions of entertainment.

There has also been a number of enquiries into summer accommodation, with people visiting us over that weekend.

Overall we saw a full house for that weekend, and most of it can be attributed to the Music surf Festival.

There could be a strong return in expanding the event through out the Local LGA, and this is where Kiama Tourism should be able to help, regarding venues etc, with their expertise.

Kind Regards,

Shane Douglas
PARK RIDGE HOTEL



Letter of Support - Mecure Hotel

To Whom it May Concern,

We are writing to express our support for the Gerringong Surf Music Festival event. We have proudly supported this event for the past two years, and plan to continue our support for this great community event.

We accommodated guests here at the resort whom had travelled to Gerringong for the event this year, so also benefited financially from the event. We have plans to partner more closely with the event next year to promote a package which will include accommodation and event tickets. It is still in the planning phase, but we believe there is demand for it, and foresee it being a successful promotion.

We believe that the event will continue to grow with Adam doing a fantastic job at promoting the festival and getting local businesses on board, and will generate some much welcomed revenue to the town with festival visitors also dining and staying overnight.

Sincerely,
Sophie Campbell
Marketing Coordinator



Organisation

Ad-Lib Events PL is the organiser and promoter of the GSMF. Adam Loxley, a Gerringong local has been the Director of Ad-Lib since its inception in 1998.

Ad-Lib Events PL has team of 5 and currently produces Wakakirri Performing Art Festivals in every Capital city in Australia.

Previous events and production work include Award nights for LJ Hooker Real Estate, Castle Hill and Sutherland Councils and sound and lighting production for numerous organisations.

Ad-Lib also produced film festivals for remote Indigenous schools and communities in Association with the Australian Government Department of Education for 5 years.

Ad-Lib has worked with Federal and State Governments and major charities including the Australian Conservation Foundation and Reconciliation Australia.

www.ad-lib.com.au
ABN: 99 071 271 273
Ph: 02 9669 3777

For more details please contact

Adam Loxley
Ad-Lib Events PL
ABN: 99 071 271 273
Phone: 0416 294 801





NYE KIAMA SKY SHOW 2017

POST EVENT REPORT



INTRODUCTION

WHO	Kiama Municipal Council, Destination Kiama and Kiama District Business Chamber
WHAT	The NYE Kiama Sky Show
WHEN	Sunday 31 December 2017
WHERE	Black Beach & Hindmarsh Park, Kiama
WHY	To celebrate the end of 2017, and welcome in the beginning of 2018. A safe, family friendly community event for locals and visitors to the Kiama area.

Event history

Traditionally run but the Kiama Visitor Centre, 2017 saw the first year the event was run by Kiama Municipal Council in conjunction with the Kiama & District Business Chamber.

Objective

To celebrate the end of 2017, and welcome in the beginning of 2018. A safe, family friendly community event for locals and visitors to the Kiama area.

KPIs

- Waste wise awareness for all visitors and vendors to the event. Through marketing & announcements.
- Smoke free event across the entire footprint.
- Obtain \$10,000 in Sponsorship from local stakeholders.
- Safe, family-friendly event
- Attract at least 10,000 visitors to the event including locals and out of area attendees.
- Achieve 10 positive comments on social media, post event.

Sponsors

- Kiama Municipal Council
- Destination Kiama
- The Sebel
- Kiama Golf Club
- Kiama and District Chamber of Commerce
- 96.5 Wave FM
- The Pavilion Kiama
- Terralong Terrace Apartments Kiama
- Kiama Holiday Parks
-

Key event staff (internal and external)

Internal and external stakeholders involved with the planning and delivery of the event.

Organising Committee

Kiama Municipal Council	
Kerry McMurray	Director Finance, Corporate and Commercial Services
Gino Belsito	Director of Engineering & Council Works
Karen Ronning	Manager Tourism & Events
Tony Hardy	Manager of Waste Services
John Green	Acting, Manager Operations & Maintenance
Paul Czulowski	Manger Environment and Health
Nick Guggisberg	Community & Cultural Development Manager
Renee Winston	Risk Management Coordinator
Wayne Blackall	Maintenance Coordinator
Keryn Calcraft	Events Coordinator
Aaron Castro Matis	VIC Coordinator
Lisa Kelsey	VIC Coordinator
Brent Blackburn	Media Officer
Bruce McLeish	Risk Management Officer (Safety)
Josephine St John	Waste Management Officer
Brooke Ramaekers	Property Officer
Sally Bursell	Relief Executive Assistant Finance, Corporate and Commercial Services
Mallory McLennan	Relief Executive Assistant Engineering & Works

Darren Brennan	Properties Services Working Team Leader
District Business Chamber	
Marie Beikmanis	President
Gavin McNiven	Vice Chair / President
Seamus McAlary	Executive Officer
Cameron McDonald	Board member

Event Contact List (excluding the organising committee)

Kiama Municipal Council	
Tom Ward	Ranger
Joel Mallam	Outdoor Staff
Khan Elfurson	Outdoor Staff
Graeme Willard	Outdoor Staff
Nathan Maloney	Outdoor Staff
Kane Graham	Outdoor Staff
Corey Primmer	Outdoor Staff
Bruce Brownlow	Outdoor Staff
Howard Storey	Outdoor Staff
Dave Arcus	Outdoor Staff
Geoff McKinnerny	Outdoor Staff
Ben Gear	Outdoor Staff
Mark Bevilaqua	Outdoor Staff
District Business Chamber	
Gavin McClure	Vice Chair
Ed De Vincenzo	MC, Hindmarsh Park
Joel King	Kiama AV
Emergency Services	
Sr Constable Kevin Brown	Police
Joe Lopez	Insight Security
Goran Joveski	Insight Security
Jane Keating, Sr Constable	Police (Lake Illawarra) Crime Prevention Office
Karen Williams	Ambulance
Paul Houghton	St John Ambulance - Divisional Superintendent from Kiama Combined division
Captain Terry Dryburgh	Fire Service (Station Commander)
Suppliers	
Murray Guest	Fireworks Australia
Kayne Trotter	Fireworks Australia
David Bongy	Fireworks Australia
Arthur Ipsaros	Genius Laser Technology
Dean Kesby	Wave FM
Lydia Crates	Wave FM
Brendan	IPS

Natalie Reynolds	Coates Hire, North Wollongong
Daniel Ottach	Coates Hire, Port Kembla
Anthony (Tony) Laurie	Owner, Lauries Carnival
Luke Chambers	Lauries Carnival
Dee Kramer	Dee Kramer Photography
Kath	Dee Kramer Photography
Dave & Tamara (KISS Arts)	The Talking Lamppost, The Laughter House Team
Emma Khourey	LED Garden Girl, Tina Green Circus
Gerard Quinn	Gerard Quinn Electrical
Jordan	SOS Plumbing
Sharon Heffernan	BTW Communications
Ryan Swedlow	Liquid Promotions
Sean Fergusin	Liquid Promotions
Ben Kearney	Bungy Bounce
Craig Duren	Kiama Harbour Boat Owners Association
Tobi Panazzo	CMG AV

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Attachment 4



Kiama Municipal Council event staff – Renee Winston, Sue Basa, Darren Brennan, Karen Ronning & Aaron Castro Matis.

EVENT CATEGORIES

Stall holders

Overview

Hindmarsh Park

- 7 food vendors
- Organised by the Kiama and District Chamber of Commerce
- Managed by Cameron McDonald on the day/night
- 2pm - 3pm bump in, 10.30pm bump out

Black Beach

- 10 vendors
- Organised by Kiama Municipal Council
- Managed by Keryn & Karen on the day/night
- 1pm - 3pm bump in, 10.30pm bump out

Feedback from Organising Committee

What Worked Well	Feedback & suggestions for improvements
Sponsors received great value/ ROI this year. Above and beyond what was promised.	Use of stall holders that are already on our system for 2018 planning. (This will streamline the process).
All vendors in one location, freed up areas for visitors to sit in both Hindmarsh Park & Black Beach.	Increase the number and variety of food vendors (only 1 coffee provider) for both Black Beach & Hindmarsh Park.
People loved the burger vendor (Norma's Burger Bar).	Glow stick stalls not waste wise and a bit too much 'tatt'.
Early bump in at Black Beach (1pm – 3pm).	Move all food vendors to Hindmarsh Park to free up more area in Black Beach for the fireworks. (Need to consider power supply.)
Availability of food at the event.	Food vendors too slow creating long lines.

	Need adequate lighting around and inside food vendors. (Festoon lighting?).
	Add council stalls – there were a lot of questions at the event (information tent) about bin collection days/ calendar, rates, etc.
	Bump out time to be better communicated with stall holders. One person working at each location to manage bump in/out for the entire duration (until last vendor has left).
	Consultation with Ben from Bungy Bounce earlier in the planning stage
	Congested areas in black beach blocking pathway
	New site for food vendors to create an 'Eat Street'
	Need to consider stall holders vehicles
	Mark out sites day prior
	Consistency in pricing of stalls
	Communication with shop owners on Terralong Street. Needs to happen early and promote in marketing material.
	Event information stall in Hind marsh Park also
	<p>WASTE:</p> <ul style="list-style-type: none"> • Make is a complete Waste Wise Event • Vendors to have signs “our packaging can go in the green bins”. • Compostable packaging only – no plastic. Communication needs to be clear with vendors • Waste disposal communication to avoid stall holders placing their waste in our bins at the end of the event.

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Attachment 4



Food vendors in Hindmarsh Park – Norma's Burgers, Twist Potato & Family Gozleme



Potential idea for 2018 NYE – create an 'Eat Street' with all food vendors in one central location (ie. Shoalhaven Street) and create atmosphere with festoon lights.

Fireworks & Laser lights show

Overview

Fireworks

- 9pm – Fireworks (12 minutes)
- Fireworks supplier - Fireworks Australia
- Second biggest display on the south coast after Sydney
- Fireworks display synced up with music

Laser lights

- 9.15pm - First Laser Show, directly after the fireworks (10 minutes)
- 10pm – Second & different Laser Show (10 minutes)
- Laser supplier – Genius Laser Technology
- laser shows synced up with music

Feedback from Organising Committee

What Worked Well	Feedback & suggestions for improvements
<p>FIREWORKS</p> <ul style="list-style-type: none"> • Fireworks are for everyone – from everywhere 	<p>FIREWORKS:</p> <ul style="list-style-type: none"> • 2 fireworks points on either side of the harbor? Cost? • Have a giant button to press at the launch (start) of the fireworks. Accompanied by a loud countdown.
<p>Family friendly time</p>	<p>High percentage of people left the event after the fireworks (especially children).</p>
<p>LASERS</p> <ul style="list-style-type: none"> • Lasers had the 'WOW' factor • Laser show assisted with traffic dispersal and management <p>Laser lights were awesome if you were in the right location</p>	<p>SOUND</p> <ul style="list-style-type: none"> • dead spot – black beach, northern side near event management (council/information) tent • Timing of the music was out of sync with the show • Music for laser was too dark • Not enough volume for Laser shows & fireworks
	<p>LASERS</p>

	<ul style="list-style-type: none">• Incorporate lasers with the fireworks, at the same time.<ul style="list-style-type: none">• How to make the laser show different and interesting year to year?• Council laser light expenditure could be spent on more fireworks or beach cleaning• Laser light could not be seen from most vantage points around the harbor. Including Pheasant Point Drive• Have the lasers to Star Wars theme music
	New entertainment idea - a water screen.
	Wave FM said – Diners in restaurants stated it was too loud & booming



The NYE Kiama Sky Show 2017, Fireworks supplier – Fireworks Australia, setup on event day at Kiama Harbour.



The NYE Kiama Sky Show 2017 – photo of the Fireworks Display taken by a local, Rudi Vavra (above) and suggestion of combining the fireworks with the lasers at the same time (below).



Laurie's Carnival

Overview

- Extended trading hours 5pm – 11pm for NYE event
- Located on the school flats, 12 amusements
- Closed: 8.50pm – 9.30pm & 10pm – 10.15pm for fireworks & laser displays
- Open over the school holidays 7pm – 10pm

Feedback from Organising Committee

What Worked Well	Feedback & suggestions for improvements
Opening at 5pm	If the carnival had food stalls, they need to advise prior to event who are attending.
Cooperation from the operator	Space out the setup of the ride a little more – very hard to move at peak.
People could use left-over tickets another night	Can we utilise the school flats in a more ideal way. Look at the Carnivals DA.
Signage provided to operator detailing closures for fireworks and laser display	Look at additional activities for children near same location (face painting, [not a petting zoo] etc).



Street theatre & Hindmarsh Park Entertainment

Overview

- 2 different street theatre acts - from 7pm – 9pm
 - Talking Lamppost
 - 2 x lampposts at the entry to Black Beach near the crossing.
 - Talked to pedestrians as they walked past.
 - Run by Kiss Arts (Tamara & Dave).
 - LED Hula Hoop Girl
 - A girl with led lights wrapped around her. Performs with hula hoops that light up.
 - Walks around Black Beach area doing short performances.
 - Run and performed by Tina Green Circus.
- Hindmarsh Park
 - 4 performers on the main stage over the duration of the event.
 - Organised by The Business Chamber
 - 5pm - 10.45pm

Feedback from Organising Committee

What Worked Well	Feedback & suggestions for improvements
Roving entertainment - fantastic	Street theatre poor
When the sun went down, the LED hula hoop looked good and caught people's eyes. We were able to capture some nice photos of this.	Good to have roving performers at event. Need to explore other types available, such as:
Street theatre added a great feel to the event atmosphere	<ul style="list-style-type: none"> • Beach patrol (men on stilts) • https://instinctmusic.com.au/entertainment/outdoor-festivals-events/sydney/page/3/ • Fire twirler at night • Roving music next year – Hot potato band, Honk Oz, etc
Helped entertain crowd who were waiting for long periods (especially children)	
Having entertainment in Hindmarsh Park	Hindmarsh park bump out of food vendors & musicians to be at the same time
	Performance for children on stage (younger target audience) as the first act of the day (5pm)

	Roving performers targeted at the kids – popular characters?
	Hindmarsh park music: <ul style="list-style-type: none">• only 3 acts• commencing at 5pm• finishing at commencement of Fireworks (9pm)• bump out at same time as food vendors• better music: more contemporary/ originals, nor covers

Item 11.4



Attachment 4

Hindmarsh Park.



Entertainment on stage at Hindmarsh Park (left) and roving performer – LED Garden Hula Hoop Girl, performing at the NYE Kiama Sky Show 2017. Performance by Tina Green Circus. (BELOW) Potential options for 2018 NYE event.



Event organisation

Feedback from Organising Committee

What Worked Well	Feedback & suggestions for improvements
We survived!	Water available at Hindmarsh Park
Team effort and team approach	A letter to nearby residents – at least one month prior advising of event, road closures, etc.
Director support and active participation	Specifically state 'staggered finish time' on advertising. Reduce traffic complaints
Partnership with the Chamber	If music after fireworks in Hindmarsh park, consider pop-up bar/ alcohol sales in park.
People feel safe	Planning for NYE 2019 to commence earlier
Overall, great positive, safe vibe at event.	<p>LIGHTING</p> <ul style="list-style-type: none"> • Need to provide lighting along pathway – consider solar lights? • Better lighting needed in Hindmarsh park and on edge of stage (dangerous with little kids)
	Two-way radios to be tested and on the same network
	Supply earn and return mobile bank at event
	Free shuttle bus for event from Leisure Center (park & ride)
	Have the MC (Wave FM) have more of a presence at the event instead of hiding near their car on Terralong Street. (stall/ stage)
	Plan the layout of the event with a detailed map in order to optimise the use of space available.
	<p>Event survey</p> <ul style="list-style-type: none"> • ATTENDEES – 2 x staff members to roam and take surveys on iPad/ paper. In order to collect data for the night (number of attendees/ age/ where from/ why they

Item 11.4

Attachment 4

	<p>come/ how they heard, etc) Attendee surveys are important, they inform decisions for future events and will assist in writing post-event report & measure against our event objectives & KPIs. It's helpful to use attendee quotes to use in next year's marketing and on website – need to get a signature from attendee on form</p> <ul style="list-style-type: none"> • VENDORS post event – for feedback • SPONSORS post event – for feedback and inclusion in the entire event process
	<p>Drone – Gino has a contact for a Drone that can estimate the crowd attendance on the day.</p>
	<p>NEW IDEAS/ ATTRACTIONS</p> <ul style="list-style-type: none"> • Party cruise (ticketed). Leaves from the harbor – come back towards to watch the fireworks, enters the harbor after the fireworks/lasers. • Water Screen • Social Media competition – tag @kiamansw • Selfie Frame – prop stand with event branding and Destination Kiama logo, for people to use on social media and tag @kiamansw #kiama • VIP area – ticketed, garden party/ marquee/ apartment
	<p>Welcome to country and/or indigenous performance before fireworks</p>
	<p>Define the Purpose of the event.</p>

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Attachment 4



Example of a selfie frame promoting an event.

Marketing, promotions & sponsorship

Overview

- Program of events
- Facebook & Instagram
- Wave FM
 - Ads leading up to the day
 - Live crosses from the event (7pm – 9pm)
- Kummunico
- Creation of generic assets in line with branding – event brand/ logo.
- Sponsors:
 - Kiama & District Chamber of Commerce
 - The Sebel
 - Kiama Golf Club
 - The Pavilion Kiama
 - Terralong Terrace Apartments
 - 69.5 Wave FM
 - Kiama Holiday Parks

Feedback from Organising Committee

What Worked Well	Suggestions for improvements
Inclusion in Kummunico	More sponsors?
Event branding	Hand out event flyers at the train station
Sponsors got great value/ ROI this year above and beyond what was promised	Tiered and tailored packaged? (VIP area, etc)
Social media – cost effective and targeted	Now we can use video and stills we have acquired
Partnership with the Chamber	More promotional material supplied to the shops prior to the event.
	Kummunico distributed too late.
	Increased Marketing



**THE NYE
KIAMA
SKY
SHOW**

PROGRAM OF EVENTS www.kiama.com.au #KIAMA #NYEKIAMA17

4.00 – 10.30pm	Eat Street @ Hindmarsh Park & Black Beach
5.00 – 10.45pm	Live Music @ Hindmarsh Park
5.00 – 10pm	Carnival Rides
9.00 – 9.12pm	Fireworks at Kiama Harbour
9.15 – 9.30pm	Laser Sky Show (1) at Kiama Harbour
10.00 – 10.12pm	Laser Sky Show (2) at Kiama Harbour



Food Vendors @ Black Beach
Zoe's Children's Home, Crescent Star Food, Le Caffina, Mary's Pastries, Summerlife Kiama, Steve's Mobile Pizza, Kiama Rotary, Popping Mad Popcorn, JJ's Indian Restaurant, JetExpresso & Chinese Dumplings.



Food Vendors @ Hindmarsh Park
Ola Chola, Norma's Burger Bar, Inner Cupcakes, Twist Potato, The Fix coffee van & Family Gozleme.

Illuminated Buildings
Old Council Chambers – 15 Dec until 31 Dec 2017, when a new projection will begin until 2 January 2018



Tune in to **96.5 Wave FM** to listen to the 9pm Fireworks simulcast digitally synched soundtrack. The audio for the two Laser shows can be heard via the speakers located around the Kiama Harbour.

In the interest of keeping this beautiful town clean and tidy, please use the bins provided. It is important that you place all recyclable material in the yellow lidded bins and other waste in the red lidded bins. On behalf of Kiama Municipal Council, we thank you for your assistance and hope you enjoy the event!

Proudly presented by



www.sydneyrains.info/timetables/

Event program (page 1) produced for the event. Printed for distribution and uploaded online.

Accessibility

Kiama Municipal Council is committed to improving access and support for people with disability. In line with the recent implementation of our Disability Inclusion Action Plan, an area will be designated for clear NYE entertainment viewing. This space will be clearly marked and self-policed for the sole use of people with disability. People planning to use the area are encouraged to contact Council before Friday 22 December and check Council's website for further information www.kiama.nsw.gov.au

ENTERTAINMENT @ HINDMARSH PARK

5.00 – 5.45pm	Pearl Essence Band
15 min	Interval
6.00 – 6.45pm	Pearl Essence Band
15 min	Interval
7.00 – 7.45pm	Giles Robinson
15 min	Interval
8.00 – 8.45pm	Kevin Sullivan
15 min	Interval
9.00 – 9.12pm	FIREWORKS
9.15 – 9.27pm	LASER SHOW 1
9.30 – 10.00pm	The Benn Gunn Band
10.00 – 10.12pm	LASER SHOW 2
10.15 – 10.45pm	The Benn Gunn Band

Kevin Sullivan

Giles Robinson

Pearl Essence Band

The Benn Gunn Band

Remember:

- Arrive early for best viewing – consider wider area vantage points
- Avoid taking your car
- Secure your pets & livestock before you leave

Bring with you:

- A rug to sit on
- Refillable water vessel
- Sun protection
- Weather appropriate clothing
- Hunger for some good food and coffee
- Sense of good fun

We've partnered with Sydney Water to provide water stations in Hindmarsh Park and Bleak Beach so we can help reduce plastic waste! Use your own water bottle to refill all night long and keep hydrated.

Where to Park

This is a smoke free event

Please be mindful that specialised equipment to supply pyrotechnics and laser light displays will be on site. We ask you to please adhere to location areas and keep children under consistent supervision at all times. Fireworks will be used as part of the Kiama New Year's Eve Sky Show at Coors Road Harbour Sunday, 26 December 2017. There will be noise associated with the fireworks and we thank you in advance for your understanding and consideration for your pets and feedback.

Event program (page 2) produced for the event. Printed for distribution and uploaded online.

Risk, safety & security

Overview

- Risk assessment
- St John's Ambulance attended
- Safety – one serious incident
- Security provider – Insight Security

Feedback from Organising Committee

What Worked Well	Feedback & suggestions for improvements
Staff in high visibility vests	Risk assessment good.
	<p>SECURITY</p> <ul style="list-style-type: none"> • An extra guard to be stationed at the rocks as people were climbing the fences whilst the fireworks were happening • 3 guards (instead of 4) on the 30th. • 3 guards (instead of 2) on the 31st. • Security needed for laser areas.
	<p>LIGHTING</p> <ul style="list-style-type: none"> • Turn on harbor lights at event end • Better lighting needed on both nights for safety & security
	St John's have 2 setup points
	More radios – one channel
	No smoking signs to be erected

Waste management

Overview

- Bins
 - Green, 21 x red & 21 x yellow available in various locations
 - Cleaned every hour
- Toilets
 - Cleaned every hour
 - Hire of portaloos
- Stall holders to take own waste with them

Feedback from Organising Committee

What Worked Well	Feedback & suggestions for improvements
Motivated, hard working team	Consider engaging Green Connect to manager waste services at this event
Well managed	Waste services staff working on the night are to be congratulated on their efforts
Keeping portaloos shut until event day	Great feedback from residents on the toilets cleaning services
	More bins. There was no or very little overflow, but people complaining about walking to far
	Collection of all bins after event and secure safely behind the fire station
	Chaining portaloos together or securing to the ground
	Make a waste wise event
	More signage for toilets. Especially for where disabled toilets are. Suggestion of map at toilets with location of other toilets. Females have very long lines.
	Council should purchase prefab toilet block

Council lights & AV suppliers

Overview

Building lights

- Kiama & Gerringong
- Buildings lit by CMG AV

Event AV in black Beach

- Supplier IPS
- Bump in day before event (Saturday 30th)

Event AV in Hindmarsh Park

- Supplier Kiama AV
- Bump in day of event (Sunday 31st)

Feedback from Organising Committee

What Worked Well	Feedback & suggestions for improvements
Positive feedback from the public on the lights on the Kiama Chamber building	<p>BUILDING AV</p> <ul style="list-style-type: none"> • Setup in council chamber building not neat. Difficult to leave building at end of day. • supplier of the buildings very disappointing • No sky lights into harbor area if having lasers again • Waste of money lighting the buildings • Like to expand lighting to other landmarks
	Restricts cords across paths or sufficiently stored in cable trays. Communication with AV suppliers.
	Dates of Christmas lights needed for marketing and promotion
	<p>BLACK BEACH AV</p> <ul style="list-style-type: none"> • Could not hear PA from council tent very well

- Sound to be provided right around the harbor. Can we digitize the sound and also provide via other means?



Lights on Kiama Council Chamber.
Photo posted by Nardia Guillamumier on Facebook via Kiama Community Page.

Traffic management – disabled access

Overview

- Two car spots reserved for disabled drop off zone with bollards and signage

Feedback from Organising Committee

What Worked Well	Feedback & suggestions for improvements
Used by one person	Closing street between Terralong Street and The Sebel (need to consider access to Sebel car park)
Council shown to be pro-active and meeting our commitments	Better disabled signage. Disabled viewing area was used for prams.
Laser show delayed mass exodus	Traffic Management – almost adequate, still tons of traffic after
	Booking system for disabled viewing area
	A person in charge to man the reserved disabled drop off zone for the entire event. (thought we were getting two people at 5.30pm.)
	Traffic management at roundabouts and pedestrian crossing (all on Terralong Street) post event. Assist in equal amount of flow from all directions (top queening across round-about) and allow traffic to flow with a break in pedestrians crossing the road.
	Pedestrian crossed required traffic management (traffic marshal)

Events Strategy 2018 -2021

Process

What: Create an Events Strategy for the Kiama Municipality as identified as a key body of work in the Tourism and Event Strategy 2018 - 2021

Why:

- To clarify why Kiama Municipal Council and Destination Kiama organises and supports (via in kind and financial) events, and what outcomes are we seeking
- What do we do, to best service, partner, support, fund, attract, create, organise, grow, promote and improve our events, our event calendar and destinations offer.
- How do we deliver this, what is the process, priorities, communication and resources needed
- Who should be involved in delivering this strategy, internal and external
- When will this happen

How: To deliver an Events Strategy that has clear parameters and provides a clear framework for Kiama to move into the future. We are mapping out the strategy, the process and then presenting it to stakeholders to have input into and help refine the strategy. The final strategy will then go to a Council meeting for final adoption.

Who: Consultation with stakeholders, both internal to Council and external.

External: Event organisers, community, tourism industry, Destination NSW, Kiama Business Chamber

Internal: Elected Council representatives, tourism advisory committee, cultural committee and Council staff (key departments' outlined below, alphabetical order after Office of General Manager)

Council Staff

- **Office of the General Manager**
- **Communications**

Directorate Corporate, Commercial and Community Services

- **Community and Cultural Development**
- Aboriginal Liaison
- Youth Services
- **Commercial Services**
- Holiday Parks
- Property
- Leisure Centre
- Pavilion
- **Corporate Services**
- Customer Service

- Finance
- **Economic Development**
- **Human Resources**
- Risk Management
- **Information Technology**

Directorate Environmental Services

- Environment and Health
- Ranger Services

Directorate Engineering and Works

- Design and Development
- Property Management

Depot

- Workshop
- Supply/Store

Waste Services

- Cleaning Services
- Waste Services

Works

- Parks and Gardens
- Maintenance
- Construction

RESEARCH	FINDINGS	STRATEGY DRAFT	FINAL FEEDBACK	COUNCIL ENDORSEMENTS
<p>FEBRUARY 2018</p> <ul style="list-style-type: none"> ✓ Reviewing best practice ✓ Desktop research (other Councils) ✓ Reviewing data of Tourism visitors ✓ Current situational analysis ✓ Prepare SWOT (Strengths, Weaknesses, Opportunities and Threats) ✓ Compile an Events Calendar ✓ DRAFT Event Categories ✓ Feedback on current processes and support from event organisers <p>TAC Meeting 13 Feb present:</p> <p>DRAFT Event Categories Events Calendar</p> <p>POST TAC 13 Feb Meeting: Amended Event Categories document back to TAC via email for sign-off</p>	<p>MARCH 2018</p> <ul style="list-style-type: none"> ✓ Hold Internal Council Events Strategy Workshop 1 ✓ Report finding of DRAFT SWOT ✓ Present EVENT CATEGORIES ✓ Group to workshop SUGGESTIONS FOR IMPROVEMENT of Current Council Events Processes and Events Support <p>Report WORKSHOP OUTCOMES back to TAC via email correspondence</p> <p>✓ One-on-one meetings as required</p>	<p>APRIL 2018</p> <ul style="list-style-type: none"> ✓ DRAFT Events Strategy complete for first review <ul style="list-style-type: none"> - What - Why - How - When <p>TAC Meeting 23 April (TBC) present:</p> <p>DRAFT Events Strategy</p> <p>POST TAC Meeting 23 April</p> <p>Amended DRAFT Events Strategy back to TAC via email for sign-off</p> <p>Hold Internal Council Events Strategy Workshop 2</p> <p>present:</p> <p>DRAFT Events Strategy</p> <p>Gain feedback</p> <ul style="list-style-type: none"> ✓ Any FINAL amendments to DRAFT Events Strategy 	<p>MAY 2018</p> <ul style="list-style-type: none"> ✓ COMPLETED DRAFT Events Strategy available for any final feedback and tweaks ✓ Any public suggestion amends back to TAC for final review ✓ This month to finalise and engage with any stakeholders again, prior to the strategy going public as final 	<p>JUNE 2018</p> <p>Completed Events Strategy steps for final approval:</p> <ul style="list-style-type: none"> ✓ Manex (Management Executive) meeting 7 June 2018 ✓ Staff Business Paper Review Report due 8 June 2018 ✓ Councillor Business Paper Report due 18 June 2018 ✓ Council Meeting for adoption on 19 June 2018 ✓ Events Strategy now FINAL and endorsed <p>TAC Meeting 21 June 2018 present:</p> <p>Circulation timeline of Events Strategy to community and stakeholders</p> <ul style="list-style-type: none"> ✓ Circulate EVENTS STRATEGY
<p>Present Events Strategy at Indoor Council Quarterly Staff Meeting on 21,22 August and Outdoor Quarterly Staff Meeting on 22 August 2018</p>				
<p>REVIEW EVENTS STRATEGY DECEMBER 2018</p>				

11.5 Statement of Investments - February 2018

CSP Objective: 4 Responsible Civic Leadership that is Transparent, Innovative and Accessible

CSP Strategy: 4.2 Ensure finances are managed responsibly to meet the goals of the Community Strategic Plan and to protect financial investments and assets

Delivery Program: 4.2.3 Ensure maximum revenue return is achieved

Summary

This report recommends receipt and adoption of the Statement of Investments for February 2018.

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

Attachments

1 Statement of Investments February 2018 [↓](#)

Enclosures

Nil

RECOMMENDATION

That the information relating to the Statement of Investments for February 2018 be received and adopted.

BACKGROUND

Attached is a copy of the Statement of Investments for February 2018.

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 in December has seen the cash rate unchanged at 1.50%. "*The low level of interest rates is continuing to support the Australian economy*". There does not appear to be any likelihood of any change in rates moving upward in the short term and the hold on the cash rate is "consistent with sustainable growth in the economy and achieving the inflation target overtime." (February 2018 Monetary Policy Decision, Media Release, No. 2018- 05).

The Commonwealth Bank is quoting the following rates:

3 Months	6 Months	9 Months	12 Months	18 Months
2.43%	2.54%	2.58%	2.62%	2.69%

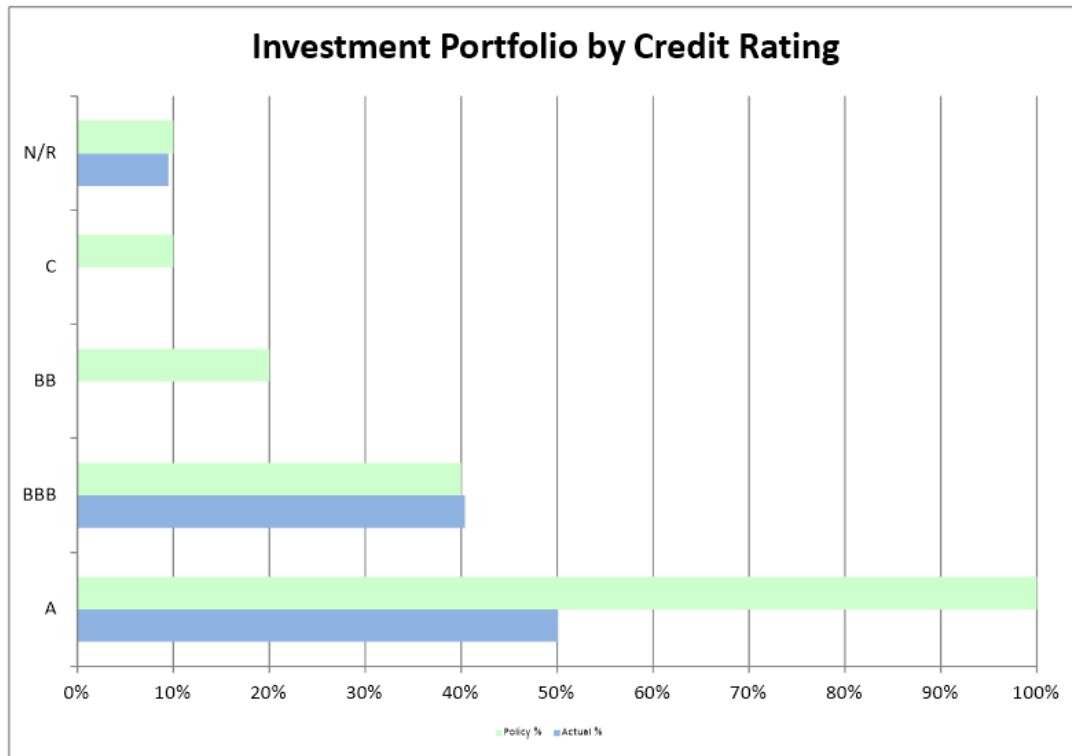
Certification – Responsible Accounting Officer

I 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 28 February, 2018

DIRECT INVESTMENTS: INSTITUTION	S & P RATING	MARKET VALUE \$	INVESTMENT TYPE	DATE LODGED	MATURITY DATE	TERM (DAYS)	RATE %
AMP	A	500,000	Term Deposit	13/09/17	13/06/18	273	2.60
AMP	A	1,000,000	Term Deposit	30/08/17	30/05/18	273	2.60
AMP	A	1,000,000	Term Deposit	30/08/17	30/05/18	273	2.60
AMP	A	1,000,000	Term Deposit	21/02/18	21/11/18	273	2.65
AMP	A	1,000,000	Term Deposit	06/09/17	06/06/18	273	2.60
AMP	A	500,000	Term Deposit	18/10/17	24/10/18	371	2.60
Beyond Bank	BBB+	1,000,000	Term Deposit	10/01/18	11/07/18	182	2.55
Bankwest	AA-	1,000,000	Term Deposit	11/01/18	13/06/18	153	2.55
Bank of Qld	BBB+	1,000,000	Term Deposit	12/07/17	11/04/18	273	2.65
Bank of Qld	BBB+	2,000,000	Term Deposit	22/11/17	22/08/18	273	2.60
Bank of Qld	BBB+	1,500,000	Term Deposit	29/11/17	29/08/18	273	2.60
Bank of Qld	BBB+	1,500,000	Term Deposit	08/11/17	09/05/18	182	2.60
Bank of Qld	BBB+	1,000,000	Term Deposit	31/08/17	07/03/18	188	2.55
Bendigo	BBB+	1,000,000	Term Deposit	02/08/17	02/05/18	273	2.55
Bendigo	BBB+	1,000,000	Term Deposit	04/10/17	04/07/18	273	2.55
Bendigo	BBB+	1,000,000	Term Deposit	31/08/17	31/05/18	273	2.50
Community Alliance Credit Union	N/R	1,000,000	Term Deposit	13/09/17	12/09/18	364	2.65
Community Alliance Credit Union	N/R	1,000,000	Term Deposit	13/09/17	12/09/18	364	2.60
Credit Union Australia	BBB	1,500,000	Term Deposit	29/11/17	26/09/18	301	2.55
ME Bank	BBB	1,000,000	Term Deposit	13/12/17	13/06/18	182	2.55
ME Bank	BBB	1,500,000	Term Deposit	24/01/18	25/07/18	182	2.60
ME Bank	BBB	1,000,000	Term Deposit	18/10/17	18/04/18	182	2.52
ME Bank	BBB	1,000,000	Term Deposit	15/01/18	18/07/18	184	2.60
NAB	AA-	1,000,000	Term Deposit	03/01/18	04/07/18	182	2.50
NAB	AA-	1,000,000	Term Deposit	13/12/17	13/06/18	182	2.45
NAB	AA-	1,000,000	Term Deposit	27/09/17	26/09/18	364	2.60
NAB	AA-	2,000,000	Term Deposit	25/10/17	24/10/18	364	2.55
NAB	AA-	1,000,000	Term Deposit	11/10/17	11/04/18	182	2.57
SA Police Credit Union	N/R	1,000,000	Term Deposit	14/06/17	20/06/18	371	2.92
SA Police Credit Union	N/R	1,000,000	Term Deposit	14/02/18	15/08/18	182	2.61
Suncorp	A+	1,000,000	Term Deposit	15/11/17	13/06/18	210	2.61
Suncorp	A+	1,000,000	Term Deposit	06/12/17	06/06/18	182	2.55
Suncorp	A+	1,000,000	Term Deposit	10/01/18	11/07/18	182	2.45
Total Term Deposits		36,000,000					2.58
TcorpIM Cash Fund	AAA	3,049,730	Cash Fund		AT CALL		1.92
Westpac	AA-	2,931,741	Bank Account	-	AT CALL		1.62
Westpac	AA-	81,579	Maxi Account	-	AT CALL		0.60
Total 'At Call' Funds		6,063,050					1.11
TOTAL CASH & INVESTMENTS		42,063,050			Average Rate- Feb 2018		2.27
					Average Rate- Feb 2017		2.72
TOTAL INVESTMENTS Jan 2018		41,326,509	1.75%	Change in total investment over prev 1 month			
TOTAL INVESTMENTS Feb 2017		45,455,025	-7.46%	Change in total investment over prev 12 months			

Note: The Westpac Bank Account balance shown above of \$2.93M includes deposits at month-end not processed to Council's financial system and excludes cheques that have not been presented.



(c) Application of Invested Funds

Restricted Funds:	Description	Value (\$)
Externally Restricted	S94 Developer Contributions	5,116,008
	Grants	298,611
	Domestic Waste	2,346,477
	Waste & Sustainability	403,006
	Southern Council's Group	2,730,925
Internally Restricted	Blue Haven ILU	5,732,557
	Blue Haven Care-Residential	5,833,996
	Carer Respite Centre	1,379,706
	Land Development	2,913,984
	Waste Business Unit (Plant Replacement)	1,081,912
	Plant Replacement	2,006,982
	Employee Leave Entitlements	2,400,000
	S94 Recoupments	2,182,802
	Carry-over works*	1,604,488
	Holiday Parks	1,779,238
	Contingencies	779,730
	Computer	879,698
	Property Insurance	120,000
	Community Bus	263,239
	CACP	110,856
	Organisational Development	200,000
	Fleet Replacement	100,000
	Council Election	55,000
	Leisure Centre Renewal	180,000
Revolving Energy Fund	315,000	
Future Project Development	70,000	
Arts Precinct	85,000	
The Pavilion	210,000	
Unrestricted Funds:	Funds to meet current budgeted expenditure	828,835
TOTAL INVESTMENTS		42,063,050

Note:

The above Application of Invested Funds reflects audited balances as at 30 June 2017. Actual movement in these balances are recorded at the end of the financial year.

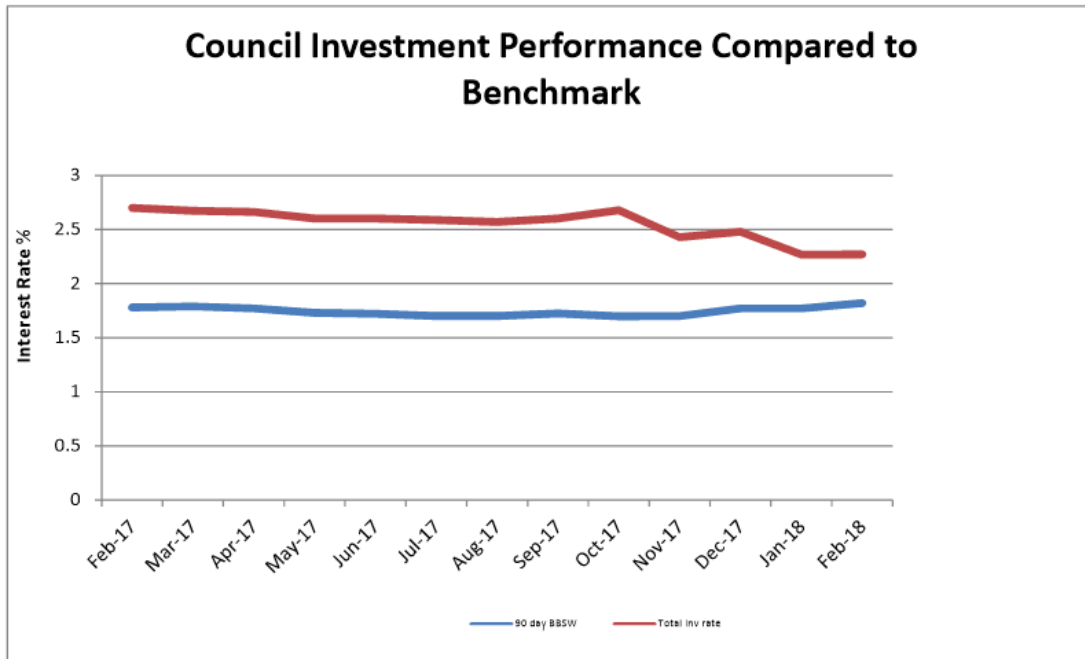
The Unrestricted Funds balance forms available cash to fund Council's ongoing budget operations.

*Adjusted as expensed during financial year.

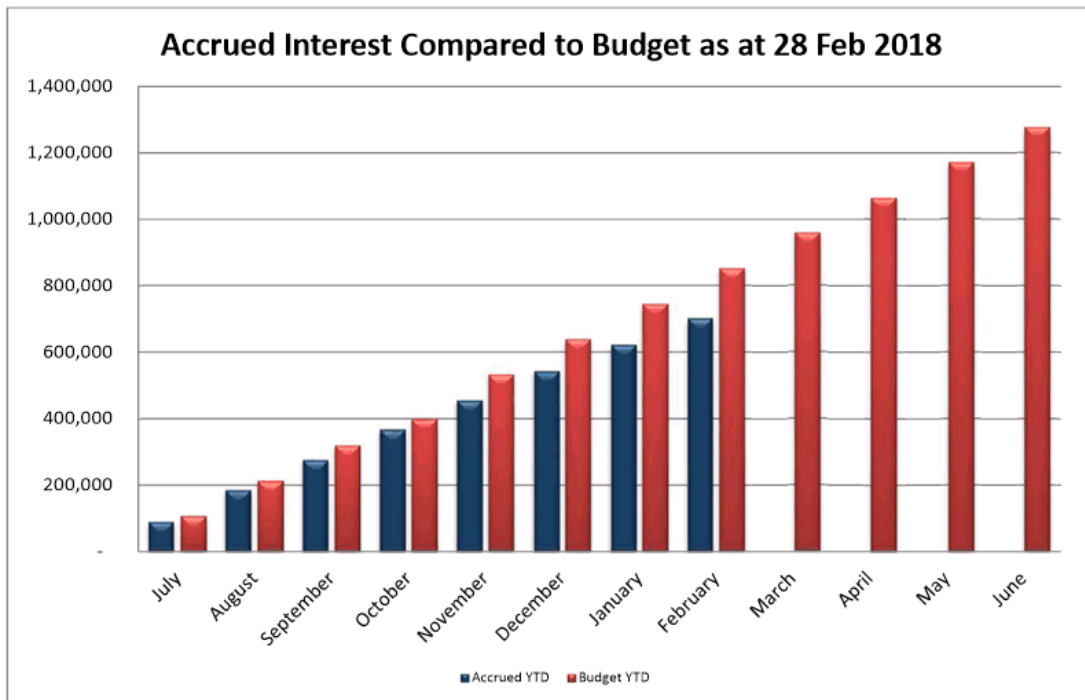
(d) Investment Portfolio Performance

Investment Performance vs Benchmark

	Investment Portfolio Return (%pa)	Benchmark:BBSW 90 day Bank Bill Index (source RBA)
1 month	2.27	1.82
3 months	2.34	1.79
6 months	2.45	1.75
12 Months	2.54	1.74



Council has been able to consistently perform above the Reserve Bank 90 day Bank Bill Index.



*Interest forecast will be adjusted once cash flow expenditure for the KACCOE project is finalised.

11.6 Sponsorship of Film project in Kiama

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 11.6

Summary

The report requests council endorsement to provide sponsorship to attract an international movie to be shot partially in Kiama.

Finance

Economic Development Budget

Policy

Nil

Attachments

Nil

Enclosures

1 "Back of the Net" Synopsis [⇒](#)

RECOMMENDATION

That Council agree to provide sponsorship of \$10,000 from the Economic Development Budget as our contribution towards the attraction of the movie "Back of the Net" to be filmed in and around Kiama.

BACKGROUND

Council have been approached by an international film production company to provide sponsorship to enable the film "Back of the Net" to be filmed in and around Kiama.

Following the success of the recently produced motion picture "Rip Tide" shot on locations in Kiama and across the Illawarra in 2016, the production company have approached council to assist with meeting costs to produce a further film.

"Back of the Net" is a tween soccer film that is aimed at young women 8-12 years old which will receive wide theatrical releases in Australia as well as a strong international release. The film will be directed by Louise Alston, an L.A. based Australian director whose last film premiered at the Toronto International Film Festival. "Back of the Net" stars Sofia Wiley, star of Disney's hit TV show "Andi Mack". The film will also feature a number of recognizable Australian stars.

"Rip Tide" was shot entirely on location in and around Kiama, Wollongong and the Illawarra on a \$3m budget employing 70+ crew members for the duration of the shoot.

11.6 Sponsorship of Film project in Kiama (cont)

“Rip Tide” was released on over 80 screens across Australia in late 2017 and was one of the top ten grossing Australian films of the year. In addition it was released globally by Netflix and is trending on the most popular list in multiple territories including the US, Canada, UK and many European territories. This sort of exposure contributes to wide scale international interest in the Illawarra as can be evidenced by the number of social media comments made by audiences.

Further to the success of “Rip Tide” on Netflix there have also been preliminary discussions around the possibility for “Rip Tide” to be turned into series which would also shoot locally.

It is proposed that “Back of the Net” shoot for four consecutive weeks in the Illawarra dividing production between Kiama and Wollongong. It is proposed that in partnership with Kiama Council a number of high spec marketing assets that will be used by both parties to cross promote the region and the film. These assets would include:-

- A bespoke version of the film trailer featuring and naming Kiama locations and landscapes;
- A social media “vignette” detailing how Kiama is featured in the film;
- A high resolution version of the above “vignette” to be supplied to cinemas and television stations nationwide as a promotional tool. (these vignettes will also be supplied to Kiama Council to be used for their own publicity);
- As version of the film poster featuring and naming Kiama exclusively as a key location in the film. This poster will be made available to cinemas nationwide;
- Still photos from the shoot to be provided to the council copyright free;
- Local premiere “event” screening with guests and Q & A with the cast and crew;
- Catering for the weeks filming in Kiama to be provided by a local company;
- Local actors to be employed.

If council were to commission a company to provide standalone vignettes and marketing collateral for our use such as mentioned above, that alone would cost in excess of \$10,000. The provision of the above collateral and additionally the far reaching exposure of a major film and TV publication would justify this investment.

One of the major benefits of film induced tourism is that it can bring higher revenues to the local community via the ability to generate a sense of pride in the community. Recent research suggests that films can have a strong influence not only on decision making for short-term holidays, but can affect tourism revenues and long-term prosperity of destinations. Travellers are wanting more “experience” based tourism and when people watch a film they quickly want to visit and experience what they have seen. Quite often tourists will want to visit places shown in movies as it brings back fond memories and emotions that they have experienced whilst watching the film.

The benefit to Kiama from hosting and sponsoring “Back of the Net” will exceed that of “Rip Tide” and will include local expenditure as well as opportunities for local businesses and artists. There may also be opportunity to involve on set training for

Report of the Director Corporate, Commercial & Community Services

11.6 Sponsorship of Film project in Kiama (cont)

local emerging practitioners, youth or people from disadvantaged or disabled backgrounds. The benefits of providing funding for this type of promotional activity and the probability that this film will be viewed for years to come, far exceed those of a static event, and will provide a legacy of the region for years to come.

Item 11.6

12 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

12.1 Draft Pesticide Notification Plan - Public Exhibition

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

CSP Strategy: 2.2 Our community and natural environments are adaptive, resilient and sustainable

Delivery Program: 2.2.3 Ensure environmental protection compliance

Summary

The Pesticide Notification Plan informs the public about Council's use of pesticides in public places. The plan, last reviewed in 2012, must be reviewed every three to five years in accordance with the Pesticides Regulation 2017. This report recommends that the draft Pesticide Notification Plan 2018 be put on public exhibition.

Finance

N/A

Policy

Pesticide Notification Plan.

Attachments

1 Draft Pesticide Notification Plan [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council place the draft Pesticide Notification Plan on public exhibition for 28 days for comment and report to Council after consideration of submissions.

BACKGROUND

The Pesticide Notification Plan must be reviewed in accordance with the Pesticides Regulation 2017. The draft Pesticide Notification Plan 2018 is substantially unchanged from the 2012 version except for the review period being changed from five years to three years and contact details being updated. The review period has been changed so that Kiama Council as part of the Illawarra District Weeds Authority will synchronise with Wollongong and Shellharbour Councils when they review their Pesticide Plans in 2021.

Pesticides notification is based on the principle that the community has a basic 'right to know' about pesticide use in public places. Giving people notice about pesticide use lets them reduce their contact with pesticides, if they wish. Pesticides include herbicides, fungicides, insecticides, fumigants, bactericides, rodenticides, baits, lures, repellents and pesticides used on animals to control external parasites.



Item 12.1

Attachment 1

DRAFT Pesticide Notification Plan
Adopted:
Engineering and Works





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Item 12.1

Attachment 1





Pesticide Notification Plan

1.0 Introduction

This Notification Plan has been prepared in accordance with the requirements of the Pesticides Regulation 2017. The plan period is from 1 January 2018 to 31 August 2021

The aim of this plan is to meet the community's general right to know about pesticide applications made to public places. The plan allows members of the community to take action to avoid contact with pesticides, if they wish. It does not mean that the community is at any greater risk or harm from pesticides. Kiama Council ensures that pesticides are applied to public places in a safe, responsible manner, without harm to the community or the environment.

The plan sets out how Kiama Council will notify members of the community of any pesticide applications made by Council to public places. It describes:

- what public places are covered by the Plan
- who is most likely to use or access these public places and an estimate of the level of use
- how and when Kiama Council will provide the community with information about its pesticide applications (i.e. what notification arrangements will be used)
- how the community will be informed of the notification arrangements contained in the Plan
- how future reviews of the plan will be conducted
- contact details for anyone wishing to discuss pesticide notification with Kiama Council.

2.0 Public places covered by this Notification Plan

This Notification Plan must describe where it operates and the categories of public places it covers. Public places include the following areas that the public is entitled to access:

- Public reserves, parks and gardens
- Playgrounds
- Sporting fields and ovals
- Road verges
- Laneways and pathways
- Drains and easements
- Golf courses (owned or controlled by Council)
- Caravan/holiday parks
- Cemeteries
- Swimming pool grounds

A public place also includes any other outdoor property that is leased out but the public is entitled to access.

3.0 Who uses these public places

3.1 Public Reserves, Parks and Gardens

Kiama Council estimates that the level of usage and community access to public reserves, parks and gardens is medium to high. The main groups of the community that use or have access to these public places are:

- children and young families
- elderly people
- general recreational users (eg. joggers, dog-walkers, picnickers)
- local residents living adjacent to a reserve, park or garden
- visitors to the area.

3.2 Playgrounds

Kiama Council estimates that the level of usage and community access to public playgrounds is high. The main groups of the community that use or have access to these public places are:

- children and young families.

3.3 Sporting fields and ovals

Kiama Council estimates that the level of usage and community access to public sporting fields and ovals is high. The main groups of the community that use or have access to these public places are:

- sporting clubs and associations
- school sports groups
- general recreational users (eg. joggers, dog-walkers).

3.4 Council laneways and pathways

Kiama Council estimates that the level of usage and community access to laneways and pathways that are owned or maintained by Council is medium to high. The main groups in the community that use or have access to these public places are:

- local residents
- people who work in the area
- visitors to the area.

3.5 Council drains and easements

Kiama Council estimates that the level of usage and community access to drains and easements that are owned or maintained by Council is low to medium. The main groups in the community that use or have access to these public places are:

- local residents living adjacent to a drain or easement
- local residents or visitors who walk or drive past a drain or easement.

3.6 Road shoulders and verges

Rural Roads - Kiama Council estimates that the level of usage and community access to road shoulders and verges on rural roads that are owned or maintained by Council is low. The main groups in the community that use or have access to these public places are:

- local residents or visitors walking or driving on the road.

Urban Roads - Kiama Council estimates that the level of usage and community access to road shoulders and verges on urban roads that are owned or maintained by Council is medium to high. The main groups in the community that use or have access to these public places are:

- local residents or visitors walking or driving on the road.

3.7 Caravan/Holiday Parks

Kiama Council estimates that the level of usage and community access to public caravan and holiday parks is medium to high, depending on the season. The main groups of the community that use or have access to these public places are:

- families
- visitors to the area.

3.8 Cemeteries

Kiama Council estimates that the level of usage and community access to cemeteries is low to medium. The main groups in the community that use or have access to these public places are:

- families
- visitors to the area
- local residents

3.9 Swimming pool grounds

Kiama Council estimates that the level of usage and community access to swimming pool grounds is low to high depending on the season. The main groups in the community that use or have access to these public places are:

- children and young families
- visitors to the area
- sporting clubs and associations
- school groups
- general public
- local residents.

4.0 How notification will occur

Whenever a pesticide is applied to a public place as identified above, notice will need to be made according to the notification process detailed below.

4.1 Public Reserves, Parks and Gardens

Whenever a pesticide is applied by Kiama Council staff to a public reserve, park or garden, notice will be provided by:

- prominently displaying signs at the main entrances to the public reserve, park or garden and/or
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.



These notification arrangements are based on Council's assessment that:

- (i) the level of usage by members of the public that use public parks and gardens is high.
- (ii) members of the public regularly use these areas.

4.2 Playgrounds

Whenever a pesticide is applied by Kiama Council staff to a public playground, notice will be provided by:

- prominently displaying signs at the main entrances to the playground and/or
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) level of usage by members of the public that use public playgrounds is high.
- (ii) members of the public regularly use these areas.

4.3 Sporting Fields and Ovals

Whenever a pesticide is applied by Kiama Council staff to a public sporting field or oval notice will be provided by:

- prominently displaying signs at the main entrances to the sporting field or oval and/or
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.

Where sporting fields or ovals are to be treated with a ground boom spray application, Council will take the additional step of:

- advising all sporting clubs, associations and other user groups who use the sporting fields on a regular basis, by email, fax or post.

These notification arrangements are based on Council's assessment that:

- (i) level of usage by members of the public that use sporting fields and ovals is high.
- (ii) members of the public regularly use these areas.

4.4 Council laneways and pathways

Whenever a pesticide is applied by Kiama Council staff to a laneway or pathway that is maintained or owned by Council, notice will be provided by:

- displaying pesticide details on the spray vehicle, including a contact number; and
- responding to all reasonable requests for information made directly to the operator applying the pesticide or to Council itself.



These notification arrangements are based on Council's assessment that:

- (i) level of usage for public Council laneways and pathways is medium to high.

4.5 Council drains and easements

Whenever a pesticide is applied by Kiama Council staff to a drain or easement that is owned or maintained by Council, notice will be provided by:

- displaying pesticide details on the spray vehicle, including a contact number; and
- responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) level of usage for public Council drains is medium to low.

4.6 Road shoulders and verges

Rural Roads - Whenever a pesticide is applied by Kiama Council staff to a road shoulder or verge on rural roads that are owned or maintained by Council, notice will be provided by:

- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) level of usage by walking or driving on road shoulders, verges and reserves on rural roads maintained by Council is low.

Urban Roads - Whenever a pesticide is applied by Kiama Council staff to a road shoulder or verge on urban roads that are owned or maintained by Council, notice will be provided by:

- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made directly to Council.

These notification arrangements are based on Council's assessment that:

- (i) level of usage by walking or driving on road shoulders, verges and reserves on urban roads that are owned or maintained by Council medium to high.

4.7 Caravan/Holiday Parks

Whenever a pesticide is applied by Kiama Council staff to a public caravan/holiday park, notice will be provided by:

- prominently displaying signage outside the main office to the park and/or
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to the Park Manager or operator applying the pesticide.



These notification arrangements are based on Council's assessment that:

- (i) the level of usage by members of the public that use caravan and holiday parks is medium to high (seasonal).
- (ii) members of the public regularly use these areas.

4.8 Cemeteries

Whenever a pesticide is applied by Kiama Council staff to a public cemetery notice will be provided by:

- prominently displaying signs at the main entrances to the cemetery and/or;
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) the level of usage by members of the public that use cemeteries is low to medium.
- (ii) members of the public regularly access these areas.

4.9 Swimming pool grounds

Whenever a pesticide is applied by Kiama Council staff to a public swimming pool area, notice will be provided by:

- prominently displaying signage at the main entrance to the pool grounds;
- responding to all reasonable requests for information made directly to the operator applying the pesticide, to pool staff or directly to Council.

These notification arrangements are based on Council's assessment that:

- (i) the level of usage by members of the public that use swimming pools is low to high (seasonal).
- (ii) members of the public regularly use these areas.

5.0 When notification will occur

5.1 Public reserves, parks and gardens

Whenever a pesticide is applied by Kiama Council staff to a public reserve, park or garden, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrance to the public place during the application); and removed when the spraying is completed.

5.2 Playgrounds

Whenever a pesticide is applied by Kiama Council staff to a playground, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main

entrance to the public place during the application); and removed when the spraying is completed and the product dry.

5.3 Sporting fields and ovals

Whenever a pesticide is applied by Kiama Council staff to a sporting field or oval, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrance to the public place during the application); and removed when the spraying is completed.

Additionally, a pesticide applied to a sporting field or oval using ground boom spray application, notice will be provided:

- five days prior to the application via email, fax or post to all association/ groups who have booked use of the space.

5.4 Council laneways and pathways

Whenever a pesticide is applied by Kiama Council staff to a laneway or pathway that is owned or maintained by Council, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application); and removed when the spraying is completed.

5.5 Council drains and easements

Whenever a pesticide is applied by Kiama Council staff to a drain or easement that is owned or maintained by Council, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application) and removed when the spraying is completed.

5.6 Road shoulders and verges

Rural Roads - Whenever a pesticide is applied by Kiama Council staff to a road shoulder or verge on a rural road that is owned or maintained by Council, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application); and removed when the spraying is completed.

Urban Roads - Whenever a pesticide is applied by Kiama Council staff to a road shoulder or verge on an urban road that is owned or maintained by Council, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application); and removed when the spraying is completed.

5.7 Caravan/holiday parks

Whenever a pesticide is applied by Kiama Council staff to a public caravan or holiday park, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or outside the main office to the caravan/holiday park during the application); and removed when the spraying is completed.



5.8 Cemeteries

Whenever a pesticide is applied by Kiama Council staff to a public cemetery, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrances to the public place during the application) and removed when the spraying is completed.

5.9 Swimming pool grounds

Whenever a pesticide is applied by Kiama Council staff to a public swimming pool area, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed at the main entrance to the public place during the application) and removed when the spraying is completed.

6.0 Types of pesticide use

Public places	Regular user groups	Level of use in public place	Type of pesticide use
a) Public reserves, parks and gardens	General public (families, children, elderly people); recreational users; visitors to the area.	Medium to high	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Spot spraying insecticides • Broadscale boom spraying: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides
b) Playgrounds	Children and young families.	High	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides • Spot spraying insecticides
c) Sporting fields and ovals	Sporting clubs and associations; school sports groups; general recreational users.	High	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Spot spraying insecticides • Broadscale boom spraying: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides
d) Road verges	Rural	Low	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides
	Urban	High	<ul style="list-style-type: none"> • Broadscale boom spraying: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Pre-emergent Herbicides
e) Laneways and pathways	Local residents; families; people who work in the area, visitors to the area.	Medium to high	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides

Public places	Regular user groups	Level of use in public place	Type of pesticide use
f) Drains and easements accessible to the public	Local residents	Low to medium	<ul style="list-style-type: none"> • Spot spraying herbicides: non-selective herbicides
g) Caravan/Holiday Parks	Visitors to the area; families	Medium to high (seasonal)	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Spot spraying insecticides • Rodenticides • Spray ant control
h) Cemeteries	General public; visitors to the area	Medium	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Pre-emergent herbicide
i) Swimming Pool Grounds	General public; visitors to the area	Low to high (seasonal)	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Spot spraying insecticides • Rodenticides • Spray ant control

7.0 Pesticides and use situations not covered by this Notification Plan

Poisons scheduling is the system used to classify substances based on their potential health risk. The National Drugs and Poisons Schedule Committee assess substances and list those that are classified as poisons in the Uniform Poisons Standard. States then enforce this classification – the relevant legislation in NSW is the Poisons and Therapeutic Goods Act 1966.

There are four schedules applicable to pesticides:

- (i) Unscheduled substances are not considered poisons.
- (ii) Schedule 5 (S5) poisons have low toxicity or a low concentration and pose only a low to moderate hazard.
- (iii) Schedule 6 (S6) poisons have moderate to high toxicity and can cause injury if used inappropriately.
- (iv) Schedule 7 (S7) poisons are substances with high to very high toxicity. There are restrictions on the purchase and use of S7 poisons.

For the purposes of this Notification Plan, notification will not be required to be provided in the use of the following pesticides or use situations:

(a) Any unscheduled substance

The heading on the product label indicates which poison schedule the pesticide belongs to. Material Safety Data Sheets (MSDS) also contain this information.

This decision is based on the knowledge that unscheduled substances pose very low health risk and when applied as per label directions should not pose any serious health or safety risk.

(b) Non-spray methods

The application of any pesticide by Cut-stump, Stem Injection or Basal Bark techniques.

(c) Small use situations

Domestic style pesticide use involving knapsack application only using pesticides widely available at retail outlets or in aerosol cans and small baits.

(d) Pesticide use by members of the public

In some circumstances, members of the public may use pesticides to maintain public places such as laneways and pathways or whilst undertaking environmental remediation works in public reserves. Where Kiama Council allows such pesticide use notice will not be required.

(e) Emergency pesticide use

In cases where emergency pesticide applications are required to deal with a dangerous pest infestation, Council will not be required to give notice. Such situations include dealing with biting and dangerous pests or rapidly invasive pest infestations e.g. couch fly, spiders, wasps and rodents. Council will endeavour however, to provide information on the pesticide application on request at Council offices or to the person applying the pesticide.



8.0 Special notification measures for sensitive places

This Notification Plan must separately state what notification arrangements will be in place to provide special protection where pesticides are used in public places that are adjacent to sensitive places. A sensitive place is any:

- school, pre school, kindergarten or childcare centre
- hospital
- community health centre
- nursing home

Whenever a pesticide is applied by Kiama Council staff to any public place (as listed under Section 2 of this Notification Plan) within 20 metres of a common boundary with a sensitive site, notice will be provided by phone, email, fax, letter box drop or post depending what is practicable at least five working days prior to the application process.

During the application process notification will also be provided by displaying pesticide details on the spray vehicle including a contact number and responding to all reasonable requests for information made directly to Council.

Five days advance notification of sensitive places will also be provided in the use of pesticides or use situations as identified under Section 7 of this Plan, with the exception of *Emergency Pesticide Use*. Notice in this instance however, will still need to be given prior to the application process

9.0 Arrangements governing pesticide use by contractors and lessees of public places

Where contractors apply pesticides on Kiama Councils behalf both the Council and the contractor are responsible for ensuring notification occurs in accordance with this plan.

In public places over which persons or organisations hold an existing lease on Council land, or leases on Crown land for which Council is the trustee, Kiama Council will not provide notification of pesticide use. However, it will request the lessee to carry out notification of the lessee's pesticide use in a manner consistent with the plan. Where possible, Kiama Council will require lessees, as a condition of the lease, to comply with this plan.

10.0 What information will be provided

The following information will be provided on all notification required under this plan:

- the product name of the pesticide used as it is listed on the pesticide label
- the purpose of the application, including the pest that is being treated
- the date or date range that the pesticide was or will be applied
- product specific warnings on the subsequent use of the land (if appropriate)
- contact details of the Council officer who people contact regarding the notice
- the place where the pesticide is to be used
- any warnings regarding re-entry to or use of, the place of application specified on the product label or the Australian Pesticides and Veterinary Medicines Authority.



11.0 How the community will be informed of this Plan

Kiama Council will consult with the community on the draft Notification Plan, including the types of public places covered and the proposed notification methods. The draft Notification Plan will be placed on public display for 28 days at the Council Chambers at 11 Manning Street, Kiama and a notice will be published in the Illawarra Mercury and Kiama Independent advising that the plan is available for public comment. A copy of the draft plan will also be available on the Council's website.

Council will consider all comments from the community prior to finalising the plan.

Council will advise residents of the contents of the final Notification Plan by:

- making a copy of the plan available for public viewing in all Council's libraries and at the front counter of Council's Administration Building
- placing a copy of the plan on the Council website
- placing a notice in the NSW Government Gazette and the Illawarra Mercury, Kiama Independent and The Bugle.

12.0 Future reviews of this Plan

The Notification Plan will be reviewed in three years then every five years thereafter. The review will include:

- report on progress of implementing the Notification Plan
- public consultation on the notification methods outlined in the Notification Plan
- recommendation for alterations (if applicable) to the Notification Plan.

13.0 Contact

Anyone wishing to contact Kiama Council regarding the Notification Plan should contact;

Council's Landscape Officer
 Po Box 75 Kiama NSW 2533
 Phone 02 4232 0482
 Email council@kiama.nsw.gov.au

14.0 Document control

Directorate:	Engineering & Works
Document name:	Pesticide Notification Plan
Date adopted by Council or N/A:	
Date endorsed by MANEX:	N/A
Last revision date:	January 2018
Next review date:	31 August 2021
Trim doc number:	17/39494





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13 REPORT OF THE DIRECTOR BLUE HAVEN

13.1 Blue Haven Advisory Committee

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

Council is asked to endorse the recommendation from the Blue Haven Advisory Committee from its meeting held on 6 March when it agreed to an amended Terms of Reference (TOR) and a more frequent meeting schedule.

Finance

N/A

Policy

N/A

Attachments

- 1 Terms of Reference - Blue Haven Advisory Committee [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council That Council:

1. endorse the updated Terms of Reference for the Blue Haven Advisory Committee
2. endorse the advertising of Expressions of Interest for the community member positions on the Committee

BACKGROUND

There has been an increasing emphasis on the governance structures of aged care services over the past few years. In March 2015 the TOR were updated to reflect the creation of Blue Haven Care and to acknowledge the need to seek people with particular interest and skills in the operation of an organisation delivering a continuum of care and independent living. At that time, the original committee was dissolved and a new committee formed.

Following the local government election in September 2016 Council determined that the membership of all Council Committees should be for a limited time period, normally for the length of the Council term. During discussion with the Councillors it was recommended that, for the sake of good governance, the community positions on the Advisory Committee should not become vacant at the same time as the Councillor vacancies. Instead, the community membership would run for 4 years, but

Report of the Director Blue Haven

13.1 Blue Haven Advisory Committee (cont)

commence mid-Council term. While this was agreed to verbally, due to an administrative oversight, the TOR that were submitted to Council contained the same membership clause as all the other Committees. However, no Expressions of Interest were called for at that time, acknowledging the general agreement for the Committee to operate for the first two years of the Council term.

An updated TOR was submitted to the Advisory Committee on 6 March 2018 and supported. This was subsequently amended to include reference to the new aged care quality standards. The Committee was also asked to consider increasing the frequency of the meetings from quarterly to bi-monthly, to increase the effectiveness of the Committee. Since October 2017, Blue Haven has become a Department in Council, comprising the ILUs, the aged care facility and the community programs. This has created some difficulty in determining what reports should be presented to Council versus the Advisory Committee and the timeliness of reporting. Given the amount of change that will occur during the lead up to the new facility, it was suggested that the Committee could play a more active role in monitoring and advising Council on progress towards this goal. However, quarterly meetings do not achieve this aim. The Advisory Committee supported the change to bi-monthly meetings, effective immediately, with the next meeting to be held in May.

To enact the change of membership period, and with regard to the increased meeting frequency, the final meeting for existing community members would be in July 2018. The intention is to open an Expression of Interest to fill all the community member positions in June 2018 so that a report can be provided to the July Council meeting. Existing members are eligible to apply for an additional term.

The updated Terms of Reference are attached.



Terms of Reference

Name of committee	Blue Haven Advisory Committee:
Status	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee (specify the end date) <input type="checkbox"/>
Purpose	To monitor the activities of Blue Haven (comprising Blue Haven Village, Blue Haven Care Home and Blue Haven Care In Home Support) and provide relevant advice to Council. To provide transparency in decision making relating to Blue Haven and encourage inclusive planning processes
Objectives	The Kiama Council's Blue Haven Advisory Committee forms part of the governance structure of Blue Haven, assisting the organisation to meet the aged care accreditation standards. The role of the committee will be to assist Blue Haven maintain a high quality service. The Committee will: <ul style="list-style-type: none"> • Receive relevant reports from the Executive Officer/General Manager, Director Blue Haven, Manager Operations & Strategy, ILU Manager, ILU Residents Committee, Manager Community Programs and Chief Financial Officer and provide advice and feedback on issues raised including: <ul style="list-style-type: none"> - Financial reporting & ACFI claiming - Vacancy rates - Work Health & Safety issues - New and revised policies - Provide opportunity for consumer representation in decision making about service delivery, enhancement and coordination - Strategic planning - give consideration and provide advice regarding new service development and service expansion - Give feedback and recommendations based on information exchanged with relevant groups or community members represented by the Committee - Consider management and practice issues, in accordance with Council policies and procedures • Matters to be considered may be referred to the Committee by Council. Committee members may raise any other matters of relevance to Blue Haven operations at Committee meetings • Unless authorised by the General Manager, Committee members have no authority to represent the Committee, Blue Haven, or Council, nor to expend funds or incur liabilities • Committee members have no authority to direct staff

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	<ul style="list-style-type: none"> While Committee members must act in accordance with the Committee's Charter and exercise due diligence, individual Committee members have no personal liability for the Committee's recommendations to Council
Committee Meetings	Meetings are to be held bi-monthly on 1 st Wednesday
Venue	Meetings will be held at the Blue Haven Terralong Independent Living Units meeting room
Membership	<ul style="list-style-type: none"> Mayor plus minimum of two nominated Councillors Up to seven non Councillor representatives Staff representation from the following Council departments: Blue Haven and General Manager Other Council officers as required.
Meeting Quorum	A Quorum will be deemed to have been met under the following criteria: <ul style="list-style-type: none"> i. Minimum of 50% plus 1
Meeting administration	<ul style="list-style-type: none"> Meetings are to be chaired by a Councillor or Chairperson elected by the committee and endorsed by Council. Minutes will be taken by a representative of Council. Minutes are required to be submitted for the next Ordinary Meeting of Council immediately following the committee meeting. Minutes and agendas will be circulated no less than seven days prior to next scheduled meeting.
Selection of members	<p>When positions become vacant the selection of new committee members will be undertaken:</p> <ul style="list-style-type: none"> i. through a public invitation for EOI by applicants ii. by consideration of applications by Council iii. by Council approval of successful applicants <p>The following factors will be taken into consideration when determining members:</p> <ul style="list-style-type: none"> i. the person's relevant experience and expertise ii. whether the person is a resident of the Kiama Local Government Area iii. there is a gender balance iv. there is representation from across the full Kiama geographical area v. cultural and age diversity is represented vi. committee members are able to demonstrate that they are "connected and representative" of the community
Responsibility	<p>Committee members will:</p> <ul style="list-style-type: none"> i. act in an advisory role to Council staff ii. provide strategic guidance on implementation of programs and initiatives

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	<ul style="list-style-type: none"> iii. provide important links to the communities they represent in promoting and delivering information iv. participate in working parties as needed v. at all times comply with Councils Code of Conduct vi. at all times contribute in a positive and respectful manner vii. avoid disruption, contrary conduct or being wasteful of time and resources
Term of membership	<p>Non-Councillor membership of the Blue Haven Advisory Committee will for a four year term, commencing September, mid-term of the elected Council.</p> <p>NB: Committee members may reapply to serve on consecutive terms.</p>
Termination of membership	<p>Non Councillor member positions will be declared vacant/terminated when a member:</p> <ul style="list-style-type: none"> i. completes their designated term and retires from the committee ii. competes their term and is not re appointed iii. resigns their membership, in writing, to the Chairperson iv. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson v. acts in a way that is contrary to their responsibility as outlined (above). <p>NOTE: Council on the recommendation of the committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.</p>
Process for termination	<p>Where a (non-Councillor or staff) committee member's behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record.</p> <p>Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling.</p> <p>If the committee member's behaviour does not improve after the formal warning and counselling, the committee member's appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>
Code of Conduct	<p>At all times Councillors, employees, Council officials and Advisory Committee members must comply with Council's Code of Conduct.</p>

14 REPORTS FOR INFORMATION**14.1 Parking Statistics - January 2018**Responsible Director: Environmental Services

CBD Parking

Parking patrols conducted 30 specific – 31 general area

Infringements issued – 97

Vehicle spaces inspected – 1936

Terralong Street 2p – 5 patrols

Railway Parade 2P – 5 patrols

Manning Street 2P – 2 patrols

Rosebank Place 2P – 1 patrol

Ocean Street 4P – 2 patrols

Terralong Street 1P – 4 patrols

Noble Street 2P – 1 patrol

Fern Street 1/2P – 4 patrols

Terralong Street 1/2P – 3 patrols

Wilson Street 4P – 2 patrols

Collins Street 2P – 1 patrol

School Zone Patrols

Jamberoo Public – 1 patrol – Nil

Reactive Issues

No Stopping – 15 penalty notices

Kiama Fair Path – 6 penalty notices

No Parking – 6 penalty notices

Taxi Zone – 1 penalty notice

Total amount of infringements issued = \$ 12,948

Specific patrols for February 2018 will be for locations nominated above.

14.2 Southern Phone Company Ltd - 2016-2017 DividendResponsible Director: Office of the General Manager

Council has received notification from the Southern Phone Company Ltd advising of a shareholder dividend payment of \$25,012.31 for the 2016-2017 financial year. This represents 2.41% of the total dividend pool for the year. This amount is approx. 50% less than the previous dividend payment.

As previously report to Council in July 2017, the Southern Phone Company Ltd advised that the trading conditions for 2017 financial year had been challenging and would affect the forecasted profit of the business. At the time they predicted a negative impact however, as can be seen from the above a shareholder dividend payment was possible.

Although this amount is lower than that included in Council's budget for the 2017/18 year, it lowers the previously expected negative impact on Council's operating budget.

Attachments

- 1 Letter from Southern Phone Company Ltd [↓](#)

15 February 2018



Mr Mark Honey
Mayor
The Council of the Municipality of Kiama
PO Box 75
KIAMA NSW 2533

\$25,012.31

YOUR 2016-17 SOUTHERN PHONE COMPANY DIVIDEND

Dear Mr Honey

I have pleasure in confirming payment of your 2016-17 Southern Phone Company dividend. Your \$25,012.31 dividend represents 2.41% of the total dividend pool for this year, of \$1,000,000.

More information about our performance in 2016-17 is contained in the Annual Report we have previously sent you.

As you would be aware, the dividend calculation is based on 20% of the dividend pool being split equitably by the 35 shareholders, and 80% split based on the Southern Phone revenues generated in your Council area.

Outlook

The telecommunications market continues to evolve, creating challenges and opportunities that company's like ours are responding.

Short-term earnings are likely to be impacted as we meet the demands of the 'new' marketplace by investing in digitising the internal workings of the business and extending our capabilities to create customer outcomes beyond our traditional senior's home phone product range. However, the longer-term prospects of the business are very positive, and I believe the investments that we are making will create efficiencies and growth that will underpin shareholder returns well into the future.

We have a clear strategy that we are deploying that will create a market leading customer experience. We will do this by:

1. Improving the NBN experience and supply-side economics by deploying our own aggregation network that will allow us to directly connect to NBNC0 for data supply,
2. Improve supply economics and open new markets by ~~deploying carrier grade voice switching to~~ create our own VoIP capabilities,
3. Repositioning ourselves in the market by refreshing the Southern Phone brand, and
4. Entering the regional small business market with a range of targeted solutions

Thank you for your support. Southern Phone is a proud and successful Local Government Enterprise.

Yours faithfully

BILL HILZINGER
CHAIRMAN

CC: Mr Michael Forsyth
General Manager
The Council of the Municipality of Kiama

14.3 Minutes - South Precinct Committee Meeting - 15/02/18

Responsible Director: Office of the General Manager

Attached for Councillors' information are the minutes of the South Precinct Committee meeting held on 15 February 2018.

Attachments

- 1 South Precinct Minutes 15/02/18 [↓](#)

**MINUTES OF THE SOUTH PRECINCT MEETING
held on Thursday 15 February 2018 at Gerringong Town Hall**

Meeting Opened at 7.30pm

Attendance: 27 people present

Chair: Stephen Brazier

Minutes: Linda Brazier

Apologies: Alma Macpherson, Robert Coady, Shirley Coady, Geoff McCarthy, Stan Griffiths, Irene Clingan, Darrell Clingan, Hedi Stein, Albert Stein.

A special welcome was extended to Mayor Mark Honey, Emeritus Mayor Sandra Mc Carthy, and Councillors Reilly and Sloan.

Minutes of Previous Meeting

Moved: that the minutes of the ordinary meeting of 21 December 2017 be accepted.

Warren Holder/Roger Collins

carried

Business Arising From Minutes:

1. Alma Macpherson, Gerringong resident – via emailed correspondence, noted that the impact of exercise groups on Cooke Park has been lessened as a result of new regulations.

Correspondence IN:

1. KMC re. DA 61 Belinda Street, (Mayflower) for demolition of existing structures and alterations and additions to existing senior housing development.

2. Gerringong RSL re. Armistice Day 2018 Centenary event planning meeting.

3. Traffic section, KMC re. change of signage to 5 tonne limit for Elambra Estate

4. KMC Christmas card from Mayor, GM, Councillors and staff

Correspondence OUT:

1. To KMC GM MF, re. change of signage Elambra Estate from 10 tonne limit to 5 tonne limit.

Executive Report

1. Combined Community Action Group (CCAG) – a new independent group has formed; includes representatives from Central and South Precincts, and Jamberoo Valley Ratepayers and Residents Association. Main aim is to focus attention on broader planning issues and more effective Council/community engagement .

2. Congratulations to Brian Petschler for his title Emeritus Mayor, and to Gerry McInerney awarded OAM.

Treasurer's Report

Balance as at 15/2/18: \$671.97

Includes expenses of \$99 for repairs to SP laptop computer.

Council Papers

1. Akuna St Kiama – new DA has trebled the size of the original. Concerns re. parking, traffic congestion.
2. Protection of agricultural land – Council's power may be eroded by State Govt proposals; KMC has opposed these changes.
3. Noted that Kiama Readers Festival 11th and 12th May 2018.
4. 35 Jupiter Street DA for Medical Centre, Land and Environment Court hearing held on site on 29 January 2018 at 10.00am. Around 40 people attended.
5. 1 Tasman Dr, recommended refusal of the application.

Other DA's noted:

- 31A Osborne Street
- Lot 4, 58 Fern Street
- Lot 102, 51 Greta Street
- 127A Renfrew Road Fern Street
- 29 Tasman Drive

6. Invitation from Cr Neil Reilly to meet with representatives from SP.

Traffic Committee

No report.

Matter was raised by Park Rd Gerroa resident re. bins collection in turning circle – to be referred to Traffic Committee.

General Business

1. Bendigo Bank:

Shane Douglas, Parkridge Motel reported on progress, which has been very positive. Steering committee of 12 people has formed with Sandra McCarthy chairing. Aiming for a stand alone branch in Gerringong; noted, it could take 18 months to 2 years to open.

2. Seven Mile Beach track widening:

Moved:

Kiama South Precinct expresses its dismay at the unnecessary destruction of bushland and fore-dune by Council employees at the tracks leading onto Seven Mile

Beach. We request that remedial action be immediately undertaken to alleviate the progressive damage that is likely to occur to this bushland due directly to this clearing.

Stephen Brazier/ Susan Griffiths

carried

3. Susan Griffiths, Gerroa resident, re. legal advice about an illegal barrier on nature strip at 164 Stafford St Gerroa. No further information at this point.

4. Trevor Cuthbertson re. extension of handrail along new pathway from Greta St up Figtree Lane to parking area.

Action: Email to GM to request this.

5. Mayflower Development DA 10.2016.265.1

James Wraith, resident of Croft Pl Gerringong raised serious concerns re. exceeding height limit, overlooking and overshadowing and lack of information from Council.

Moved:

*We, the owners of 16 Croft Place, respectfully ask South Precinct to
1) endorse our concerns re. Mayflower development as stated; 2) endorse our request to Council for a Mitigation Plan to restore and protect the privacy and wellbeing of affected neighbours to the south-west of the new building; and 3) endorse our request to Council to release and make public all reports and final approved plans relating to DA 10.2016.265.1*

James Wraith/ Roger Collinns

carried unanimously

6. Re. Mayflower Development DA 10.2016.265.1

Moved:

That SP request from council an immediate stop work order on the development until the matter has been investigated and found to be compliant.

Sandra McCarthy/ Bill Pople

carried unanimously

7. Howard Jones – re. quarterly updates. Howard, through CCAG, is making written submissions to Council.

8. DA tracking system – noted that this is still unsatisfactory and requires upgrading by KMC.

9. Return and Earn refund system vending machine for Kiama – should be referred to State member, Gareth Ward.

10. Old School Park - shade cloth over playground needs replacement.

Action: email to GM re. replacement ASAP

Meeting closed: at 9 pm

Next Meeting: Thursday 15 March 2018 at 7.30pm.

14.4 Minutes - Kiama Liquor Accord meeting - Wednesday 21 February 2018

Responsible Director: Engineering and Works

Attachments

- 1 Kiama Liquor Accord Meeting Minutes - Wednesday 21 February 2018 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Kiama Liquor Accord Meeting held on Wednesday 21 February 2018 be received and accepted.

BACKGROUND

The Minutes of the Kiama Liquor Accord Meeting held on 21 February 2018 are attached for Councillors' information.



**KIAMA LIQUOR ACCORD
Minutes of meeting**

Date & time	Wednesday 21 February 2018	
Location	Kiama Council Chambers, 11 Manning Street, KIAMA	
Present (indicate name & venue/ organisation)	David Rootham Doug McCallum Rohan Adderley Lauren Parker Janelle Burns Peter Grogan Brad Hodgekiss Leigh Drydon Jamie Warren Gary Keevers Mark Gilmore David O'Brien	Kiama Golf Club Gerroa Fishermans Club IGA Kiama Downs and Jamberoo Gerringong Bowling Club Kiama Municipal Council Gerroa Fishermans Club Gerroa Fishermans Club Decant This Jamberoo Pub Lake Illawarra Police Grand Hotel Manning Street Cellars
Apologies	Connie Graf Drink Drive Prevention Co Ordinator David Hoade IGA Kiama Downs and Jamberoo Nick Guggisberg Kiama Municipal Council Jeremy Blue Kiama Inn Simon Blue Kiama Inn Clr Don Watson Kiama Municipal Council Tyler Wakefield, Liquor and Gaming NSW Clr Matt Brown, Kiama Municipal Council Lauren Parker, Gerringong Bowling Club	
Agenda		

Item 14.4

Attachment 1

<p>1. Minutes of last meeting</p> <ul style="list-style-type: none">Adopted without the following change: That Kiama Liquor Accord accept and adopt the amended constitution as tabled Moved Leigh Dryden 2nd Laurne ParkerMoved: Leigh Dryden2nd: Mark GilmoreCarried unopposed <p><i>Business arising: Nil</i></p>
<p>2. Correspondence</p> <ul style="list-style-type: none">NIL <p><i>ACTION ITEMS</i></p> <ul style="list-style-type: none">NIL
<p>3. Treasurers Report</p> <ul style="list-style-type: none">The treasurers report was tabled for the financial period 31st October 2017 to 31 January 2018Opening Balance \$1423.41Closing Balance as of 31 January 2018 \$1703.80 <p><i>ACTION ITEMS</i></p> <p>Membership renewals are due. Kiama Liquor Accord will be issuing invoices for the 2018 calendar year in the next few months.</p>
<p>4. OLGR</p> <ul style="list-style-type: none">NIL <p><i>ACTION ITEMS</i></p> <ul style="list-style-type: none">NIL

Item 14.4

Attachment 1

5. Police Report

The Following Police matters were discussed by Sergeant Garry Keevers Licencing Sargent from Lake Illawarra Local Area Command

- New Commander of Police at Lake Illawarra Command
- Lake Illawarra Police- Re Enginnering no amalgimation of current Command
- Responsible Service of Alcohol
- Risk Assessments for events and concerts in Kiama, such as the Rugby Sevens to be held at the Kiama Showground on Saturday 24 February2018 and the Red Hot Summer Tour to be held at the Kiama Showground on Saturday 14 April 2018
- Alcohol related crime was reported to be low in Kiama over the Christmas New Year Holiday period.
- Drug Use
- Minors in licenced venues
- Motorcycle Gangs in Venues

ACTION ITEMS

Council's Road Safety Officer, Janelle Burns advised that the Road and Maritime Services and Council's Road Safety Officer will be attending the Rugby Sevens with the Plan B breatherliser trailer conducting free breath tests to ensure patrons do not drink and drive.

6. General business

Emma Ringland, Project Coordinator Illawarra Shoalhaven Suicide Prevention Collaborative

Presented to the Kiama Liquor Accord on the Question Persuade Refer (QPR) online training for suicide prevention

Question Persuade Refer (QPR)

What is QPR?

Question Persuade and Refer (QPR) is an evidence-based training program which provides:

- knowledge and skills to identify warning signs that someone may be suicidal
- confidence to talk to that person about suicidal thoughts
- awareness and ability to refer to available supports.

How long does the training take to complete?

The self-paced session takes 60-90 minutes on average to complete and does not need to be completed in a single sitting – you can take as long as you like and take a break as you need.

What will the training cover?

QPR online and QPR face-to-face cover the following content:

- common myths and misconceptions about suicide
- warning signs of suicide (direct verbal, indirect verbal, behavioural, situational)
- how to ask the suicide question (direct and less direct methods)
- how to persuade someone to stay alive
- how to refer individuals to help.

How much does it cost?

\$10 per license (i.e. per person).

Can I purchase more than one license at a time? (E.g. if I would like to organise QPR online training for my organisation or community group.)

Yes, you can purchase as many licenses as you like!

If you are looking to organise QPR online training for your workplace, we can help! Please get in touch via suicideprevention@coordinare.org.au.

- Leigh Dryden commended Emma on her work and thanked her for presenting this information to the Accord members
- Plan B merchandise was delivered to Accord Members by Council Road Safety Officer.

ACTION ITEMS

NIL

<p>7. Next meeting</p> <p>Wednesday 23 May 2018</p>
<p>8. Meeting closed</p> <p><i>At 11.00am</i></p>

Item 14.4

Please contact the liquor accord secretary on 4232 0568 or at janelleb@kiama.nsw.gov.au

1. place items on agendas (deadline 2 weeks prior to scheduled meeting)
2. tender your apologies for a meeting – please send an apology if unable to attend
3. obtain copies of minutes of previous meetings
4. notify of a change of member details

OFFICE USE ONLY

Please include the OLGR Liquor Accord Delivery Unit in your minute's distribution at either accords@communities.nsw.gov.au or at your individual Liquor Accord Project Officer email address.

Attachment 1

Reports for Information

14.5 Minutes - Minnamurra Progress Association meeting 6 February 2018

Responsible Director: Office of the General Manager

The minutes of the Minnamurra Progress Association held on 6 February 2018 are attached for Councillors' information.

Attachments

- 1 Minutes - Minnamurra Progress Association meeting 6 February 2018 [↓](#)

Item 14.5

Minnamurra Progress Association Inc.,

Minutes of Meeting on 6th February 2018

Present: 16 present

President Cliff Mason	Rae McClymont	Carl & Alma Ellefsen
Pat Phelan	Bruce Cole	Arthur & Robyn Smithers
Peter & Carole Mason	Wendy Fenton	Graeme & Cheryl Collinson-Smith
Robert Westley	Glenda Foster	Ray Smith

Apologies:

Barry Mahoney, Cndl Mark Way, Norma Gore, Nellie Delhaas, Richard & Toni Martin, Ian Dodsworth, Janice Westley

Moved Alma Ellefson sec Glenda Foster that apologies be accepted. Carried.

Minutes of 5th December Meeting: Accepted. [Prop: Pat Phelan; Sec: Glenda Foster]

Business Arising:

1. Re letter received from General Mgr Forsythe advising that the Association was welcome to apply for a Community Organisation Donation of up to \$250 to offset costs & supplied forms. Application still to be finalised by Secretary {Action: Barry Mahoney}.
2. Request to Council for safety improvements to Railway Avenue suggested last meeting by Graeme Collinson-Smith. {Action: Cliff Mason}.

Correspondence:

1. Letter from Kiama Municipal Council thanking Progress for nominating Mrs Norma Gore for their Australia Day Senior Citizen of the Year Award but advising that our nomination was unsuccessful given a very strong field of nominees. Graeme C-S asked what we have to do to get Norma's 40 --50 years of service fully recognized? President Cliff noted that the Kiama Community is very well served by many exceptional volunteers, but we can only try. He distributed a copy of the award ceremony program that listed Norma as an award nominee & advised the meeting that he had visited Norma and presented her with her own copy of the program, and she was very touched by this.
2. A personal "Thank You" card was read from Norma expressing her appreciation to Progress for the Australia Day nomination, and noting the privilege it was to help the Minnamurra Community.

[Prop: Rae McClymont; Sec: Arthur Smithers that Correspondence In be received. Carried].

Treasurer's Report:

The Treasurer, Carl Ellefsen, reported an Opening balance \$984.99 , Income \$24-00, Expenses Nil, giving a total balance \$1,008-99, plus the investment \$1,100-00 giving a total balance as at 31/01/18 of \$2,108.99.

Treasurer Carl noted that without a \$250 donation from Kiama Council (yet to be finalised), our expenses will exceed our income and proposed that non-member visitors to meetings be asked to make a gold coin donation (apart from the raffle sales). [Prop: Carl; Sec: Arthur – Carried].

Carl also confirmed that he would use membership renewal envelopes this year as their absence last year meant that renewals dropped off. It was proposed that for the 2018/19 financial year, we adopt one membership fee of \$5.00pa covering both single & family membership.

[Prop: Robert Westley; Sec: Cheryl Collinson Smith; That the Treasurers Report and membership fee change be accepted Carried].

General Business:

President Cliff introduced the discussion topic of **“Minnamurra in 2018 – What’s Great & What Needs Fixing”**.

1. Ray Smith expressed appreciation to Council for the additional rubbish bins installed in James Oates Reserve for Australia Day and their regular collection. He reported that given the very high number of visitors on this and other Christmas holidays, the reserve was left very clean after the public holidays. Graeme Collinson-Smith reported that other Minnamurra Reserves were also left clean with extra bin collections. {**Action:** Letter of thanks to Kiama Council}
2. Pat Phelan expressed appreciation for Council’s lawn mowing crew who ensured that the headland and other reserves were regularly mown, and they looked attractive for visitors.
3. Peter & Carole Mason reported increasing erosion of the headland foreshore near the James Oates Reserve boat ramp especially during the recent king tides and storm surge. President Cliff noted this was an action item under the 2015 update to the Minnamurra River Estuary Plan, but Peter said that urgent action was required before more damage occurs. {**Action:** Pres Cliff to write to Council re this damage}
4. Car parking on public holidays is “getting impossible”. Residents have trouble getting into their driveways and cars are stack parked on lawns and in the marled boat trailer bays at James Oates Reserve (photos available). {**Action:** Pres Cliff to raise with Council}
5. In a related issue, the presence of so many families and children near the James Oates boat ramp poses a danger to them from anyone trying to launch a motorised boat. It was suggested that in future, the presence of power boats in the river should be reviewed from a water safety aspect, as again, many boats exceed the 4-knot speed limit.
6. Carl Ellefson again raised concerns about parking congestion at Minnamurra Railway Station with no properly organised parking bays. He had sent an email to Gareth Ward, but it was agreed that Progress will raise this matter as well. {**Action:** Pres Cliff to write to Gareth Ward}

Next Meeting:

The next meeting is on 6th March and President Cliff will be an apology. V/President Graeme C-S agreed to Chair the meeting in Cliff’s absence. It was also agreed that we would continue the early 7:15pm meeting times and consider starting even earlier at 7pm from the July meeting on. It was also agreed that we should invite Council’s Engineer Gino Balsito to the March meeting, and if not available, Byron Robinson.

Raffle: This was won by Robert Westley. Carl and Graeme will arrange for new raffle prizes to be acquired.

The meeting closed at about 8.30pm and everyone joined for supper. Thanks to Robyn & Arthur for supplying teacake and supper.

End

14.6 Success with Heritage Near Me Expression of Interest.Responsible Director: Corporate, Commercial & Community Services

This report is to inform Council of the success of the initial Expression of Interest (EOI) funding application to the Heritage Near Me funding program.

The EOI was submitted in an effort to secure funding to research and consult with local Aboriginal people, plus others with knowledge of the area, to identify all the Aboriginal culturally significant sites. Once all the sites are identified:

- establish which sites should be publically promoted and which sites should remain un-promoted to the broader community
- Establish any cultural preservation obligations for local Aboriginal people and/or Council
- If appropriate, develop interpretive signage for each site (Aboriginal Heritage Trail)
- If appropriate develop an App that can be used by residents and tourist to tour and visit each site to learn about its cultural significance.

The next stage in the application process is to develop a detailed project plan in partnership with Heritage Near Me, that would then progress to an external committee review for final funding recommendation to the Minister for final determination.

14.7 Minutes - Youth Advisory Committee meeting held 15 February 2018

Responsible Director: Corporate, Commercial & Community Services

This report provides the minutes of the Youth Advisory Committee meeting held 15 February 2018 for Councilors' information.

Enclosures

- 1 Minutes of the Kiama Youth Advisory Committee meeting held on Thursday 15th Feb 2018 at Kiama High S(2) [⇒](#)

Item 14.7

14.8 Minutes - Access Committee meeting held 2 February 2018

Responsible Director: Corporate, Commercial & Community Services

This report provides the minutes of the Access Committee meeting held 2 February 2018 for Councilors' information.

Enclosures

- 1 Minutes of the Access Committee meeting held 2 February 2018 [↗](#)

Item 14.8

14.9 Community Engagement Strategy - Development Assessment - Quarterly UpdateResponsible Director: Environmental Services

At its ordinary meeting 16 May 2017, Council considered a report regarding ways to improve public access to Development Application information and to provide quarterly updates on the recommendations below. This is the second update following the report presented to Council on 21 November 2017.

RECOMMENDATION 1 - Separation of supporting documents on the website.

An internal cross-divisional working group has been established to identify and implement changes to the way Council collects, manages and makes public the information provided with Development Applications. The group is a collaboration across divisions and includes representatives from Customer Service, Records Management, Development Assessment and the Public Officer and has been utilising the ProMap and LEAN approaches to systems improvement.

Outcomes from this collaboration will begin to be implemented in the near future in a staged approach and will include:

1. Changes to the DA forms and checklists to ensure that information is provided as appropriate at the time of lodgement
2. A new format for the packages of information provided with a DA that group documents into batches for permanent public release; notification public release; and non-public information not be made publicly available.
3. Requiring DAs to be lodged in an electronic format and in the required packages of information.

RECOMMENDATION 2 - extra documents such as determination documents being available on Councils website.

A temporary administrative officer has been employed to redact non-public information and separate documents into appropriate packages of information from 2016/2017 DAs so appropriate information can be published onto the Council website. The current phase of the process includes reviewing all of the information that is currently public and removing any information that Breaches GIPPA (e.g. plans and consultants reports protected under copyright and personal information). Phase two of this process will be to review the information that is not currently public to identify additional documents that may be made public.

This is a very labour intensive process and needs to be carried out with appropriate regard for legislative standards. The overall process is expected to take some time to complete.

RECOMMENDATION 3 - promotion of email submissions directly from the website and DA tracker.

This was completed prior to the previous update and is no longer required to be reported on.

RECOMMENDATION 4 - That Council amend the DCP sections relating to DA notifications.

Reports for Information

14.9 Community Engagement Strategy - Development Assessment - Quarterly Update (cont)

This amendment was completed in October 2017.

RECOMMENDATION 5 - Register of approvals with “variations to standards”

Planning Circular PS 18-003 which was released by the Department of Planning and Environment on 21 February 2018 provides new requirements for the procedures and reporting requirements for the use of clause 4.6 variations to LEP development standards. This circular requires the following measures:

- Written application supporting the variation to be provided with the DA
- A publicly available register of variations approved by Council
- A report of all variations approved to be submitted to the Department of Planning and Environment at the end of each reporting quarter
- A quarterly report of all variations approved under delegation to be provided to Council

Development Assessment staff are currently liaising with other Councils and our internal IT division to establish an appropriate data collection and reporting approach that will be compatible with the current operating platforms used by the Council.

An information report listing all clause 4.6 variations for the December 2017 and March 2018 quarters will be presented to the April meeting of Council.

RECOMMENDATION 6 - That Council provide a link to Department of Planning and Environment’s “Planning Portal”.

The Department and Planning and Environment Planning Portal has recently been unavailable as the Department made arrangements to be accommodated in recent legislative amendments to the Act. This has created some issues for Council in providing a link to that facility. The Department has advised that the link will be re-opened in the near future.

RECOMMENDATION - 7 Kiama Urban Strategy - register of dwelling growth vs development targets etc

This register is currently being produced by Strategic Planning and Information Technology staff. These details can also be viewed on the Department of Planning and Environments’ Illawarra Urban Development Program webpage.

According to the data provided on the DPE page, there were 118 detached dwellings and 63 multi-unit dwellings completed during 2017 (DPE, Sydney Water, KMC).

The projected housing need in the Illawarra-Shoalhaven Regional Plan for the period 2016-2036 is estimated to be 2850 (142.5 per year). This data would indicate that in 2017 we provided more than the targeted amount, however with dwindling land supply this figure will become more difficult to achieve each year.

14.10 Illawarra Carer Respite Centre - Future of Carer funding programsResponsible Director: Blue Haven

In February Council was advised that funding for the Commonwealth Respite and Carelink Centre was scheduled to cease at the end of June 2018. On Monday 5 March, a media release announced that the Commonwealth government would be providing an additional \$85.6m over four years for the introduction of new services for carers commencing in September 2019. The additional funding is to provide carers with access to new early-intervention supports and services to improve carer well-being and long term outcomes. The new services will form part of the Integrated Career Support Service (ICSS).

On Tuesday 6 March, Providers were notified that funding would be extended from July 2018 until 30 November 2019. The following is an extract from the notification:

The introduction of the ICSS is the third and final stage of the Government's 2015-16 Budget commitment to develop an Integrated Plan for Carer Support Services (the Plan). The Plan was developed to reflect the Australian Government's priority to recognise, support and sustain the vital work of Australia's unpaid carers.

Stage One of the Plan was the introduction of Carer Gateway in December 2015. Carer Gateway consists of a website (www.carergateway.gov.au) and a national contact centre (1800 422 737).

Stage Two of the Plan focussed on the two year co-design process with the sector and carers to design a service delivery model for the new ICSS.

The implementation of the ICSS will be undertaken in two phases.

- From **October 2018**, carers will be able to access new digital services including peer support, counselling, coaching and educational resources through the Carer Gateway website (www.carergateway.gov.au).*
- From **September 2019**, a new network of Regional Delivery Partners will be established across Australia, providing carers with access to new and improved local services including information and advice, needs assessment and planning, targeted financial support, tailored counselling and coaching, and short-term respite support where required. Carers will be able to access the new and improved services through Carer Gateway or the Regional Delivery Partners from September 2019.*

The Department of Social Services (DSS) will be offering funded carer service providers an extension to their current arrangements for the period 1 July 2018 to 30 November 2019. Current DSS Grant Agreements for the provision of carer services cease on 30 June 2018.

DSS funded carer service providers will receive further advice regarding the extension to funding arrangements in the near future.

It is unclear whether there will be a future role for the existing service in the proposed network of Regional Delivery Partners, however, staff can now plan to continue delivering existing programs for the additional 17 months.

14.11 Blue Haven Care - Introduction of new Aged Care Quality StandardsResponsible Director: Blue Haven

Following an extensive process, the Commonwealth Department of Health has developed a draft single set of quality standards called the Aged Care Quality Standards. These form part of the Single Quality Framework and will replace the current four sets of standards:

- Accreditation Standards (applicable to the aged care facility)
- Home Care Standards (applicable to Commonwealth Home Support Program and Home Care Packages)
- National Aboriginal and Torres Strait Islander Flexible Aged Care Program Quality Framework Standards (not applicable for Blue Haven Care)
- Transition Care Standards (not applicable for Blue Haven Care)

The Aged Care Quality Standards will apply to all aged care services delivered by Blue Haven Care. There will be flexibility in the way the new standards are applied to different services.

The Department of Health website advises:

The Aged Care Quality Standards will focus on quality outcomes for consumers rather than provider processes. This will make it easier for consumers, their families, carers and representatives to understand what they can expect from a service. It will also make regulation simpler for providers working across multiple aged care services, and encourage innovation, excellence and continuous improvement.

Subject to agreement by the Government and parliamentary processes, transition to the Aged Care Quality Standards is expected to commence from 1 July 2018, with assessment against the Standards from 1 July 2019. Providers will have a 12 month transition period during which they will continue to be assessed against the current applicable standards.

There are 8 new standards:

Standard 1 – Consumer dignity and choice

Standard 2 – Ongoing assessment and planning with consumers

Standard 3 – Personal care and clinical care

Standard 4 – Services and supports for daily living

Standard 5 – Organisation’s service environment

Standard 6 – Feedback and complaints

Standard 7 – Human Resources

Standard 8 – Organisational Governance

Reports for Information

14.11 Blue Haven Care

Introduction of new Aged Care Quality Standards (cont)

Each of the eight draft standards includes:

- *a statement of outcome for the consumer*
- *a statement of expectation for the organisation*
- *organisational requirements to demonstrate that the standard has been met.*

The draft standards have been structured so that aged care providers will only have to meet those standards that are relevant to the type of care and services they provide and the environment in which services are delivered.

The draft standards are provided for Councillors as an enclosure to the report.

Enclosures

- 1 Draft - Aged Care Quality Standards [⇒](#)

14.12 Question for Future Meeting: SP3 Tourist Zone

Responsible Director: Environmental Services

Item 14.12

At its Ordinary meeting dated 6 February 2018, Councillor Reilly requested a report be prepared to amend the Kiama LEP to include an SP3 Tourist zone.

Background

There has been substantial pressure on dedicated tourist and visitor accommodation providers from Short-Term Rental Accommodation platforms such as Stayz and Air B’n’B. This combined with the high value of residential accommodation in the town centre has led to a decline in available specialty tourist accommodation in the Kiama area.

The previous Kiama LEP 1996 had a tourist related zone which was located on the eastern end of Bong Bong Street and along Manning Street between Bong Bong Street and Ss Peter and Paul Catholic Church (see 3(d) zone in figure 1 below):



Figure 1: Kiama LEP 1996

The Kiama LEP 2011 applied the B2 Local Centre zone which permitted tourist and visitor accommodation as well as commercial and business related development types.

Council staff are currently in the process of preparing a consultants brief for a holistic study of the Kiama Town Centre. The results of the study will help inform whether there is a need for a dedicated tourism zone in Kiama.

Recommendation

It is recommended that Council wait until the results of the Town Centre Study are finalised before deciding on whether or not an SP3 Tourist zone warrants inclusion in the Kiama LEP 2011.

14.13 Kiama Library - School Holiday ActivitiesResponsible Director: Corporate, Commercial & Community Services

Kiama Library provided a range of entertaining and educational programs during the school holidays including craft activities, movies and the highly anticipated annual Lego building competition. 10 programmed activities catering for a range of ages from 5 to 12 were provided with over 260 children attending.

Both Lego building sessions, facilitated by library staff, were quickly booked out. By drawing on our library volunteers we would able to increase the number of children attending to 55 per session. Director of Environmental Services Linda Davis was on hand to judge the incredible structures and award the prizes for the competition.

The annual Summer Readers club was also a popular activity with over 720 books read during the campaign. Encouraging children to read over the long the six week holidays ensures that children sustain literacy levels, participate in activities that inspire a love of reading, literature and life-long learning. Certificates, prizes and an afternoon tea was a great way to celebrate with children who participated.

14.14 Economic Development Committee Meeting - Minutes- meeting 27 February 2018

Responsible Director: Corporate, Commercial & Community Services

The minutes of the Kiama Economic Development Committee meeting held on Tuesday 27 February 2018 are attached for Councilors' information.

Attachments

- 1 Economic Development Committee Meeting minutes 27 February 2018 [↓](#)

Minutes of the Kiama Municipal Council Economic Development Committee meeting held on 27 February 2018 in the RSL Rooms.

1 Present: Councillor Mark Honey, Councillor Don Watson, Roy Schmidt, Steve Thomas, Matt Brown, Gavin McClure, Geoff Pratt, Michael Hatfield

Attending: Megan Hutchison, Kerry McMurray

Apologies: Councillor Warren Steel, Sandy Rendel, Andrew Waugh

Invited Guest: Linda Davis – Director Environmental Services

2 Acceptance of previous Minutes

Moved: Councillor Watson

Seconded: Steve Thomas

3 Business Arising

NIL

4 Kiama Town Centre Study – Linda Davis Director of Environmental Services

A comprehensive outline of the Kiama Town Centre Planning process was provided by the Director of Environmental Planning Linda Davis. Consultant Tim Fletcher has been appointed to prepare a brief to enable council to appoint specialists to develop a Kiama Town Centre Study. It was important to note that this work will not duplicate any of the studies previously undertaken and will build upon work such as the Kiama Charrette, the Kiama Economic Development Strategy and The Kiama Retail Study. It is intended that the study will focus on:-

- urban design and architectural considerations, especially in terms of how future development can be appropriately accommodated within the town centre and;
- economic considerations regarding the adequacy of supply of existing and future commercial floor space needs as well as development incentives for desirable land uses and project viability.

This work will also incorporate the project recently funded under the Building Better Regions fund, “Kiama Making a great place to work, rest and play”. The study will also include an examination of the prevailing economic conditions that currently affect the Kiama Town Centre and components will include:

- investigation of the extent and availability of existing commercial floor space within the town centre.
- a commercial market assessment of demand for additional floor space and any restrictions or constraints on supply of this anticipated demand.

- consideration of the growing demand for on-line shopping and the resultant impact on the need for future retail floor space.
- investigation of the emerging trends in the food and beverage sector and comment on the applicability of such trends to the town centre.
- comment on ways by which a more active “night economy” may be encouraged, especially incentives for on-street dining.
- investigation of the financial viability of undertaking new commercial development within the town centre noting any constraints or restrictions to achieving viable developments.
- examination and comment on the potential loss of existing commercially zoned land to residential accommodation (whether for permanent or tourist accommodation use) and the overall impact on the viability of the town centre.
- investigation of current “financial drivers” for successful commercial development.

The Committee will continue to be updated on the progress of the project and there will also be extensive community consultation undertaken.

5 Review of 2017 Activities and the year ahead

A broad overview was given of the activities undertaken by the Committee in 2017.

Number of meetings held 6

Identification and priority areas:

1. Urban Businesses
 - Commercial lands
 - Industrial land
 - Investment Attraction
 - Home based Business
 - Digital Economy
2. Agriculture
 - Rural Industry
 - Agritourism
 - Farm Gate
 - Land Share
 - Eco tourism

Outcome was to focus on two elements of Urban business

1. Commercial lands
2. Industrial lands

A tour of available industrial and commercial sites was undertaken at the May meeting.

As a result the Committee has:

1. identified key sites with potential employment generating outcomes
2. commenced Kiama Town Centre Planning – which will include a commercial demand assessment
3. participated in the internal Planning committee on which a representative of from the EDC is a member
4. participated in planning for Bombo Quarry – preliminary internal planning commenced – Steve Thorne presentation given
5. participated in the development of the Kiama Regional Economic Development Strategy

There are a number of projects that the committee has identified as priorities for 2018:

1. development and implementation of the Kiama Regional Economic Development Strategy
2. development and delivery of the Kiama Town Centre strategy
3. development and distribution of the Business Information and Investment snapshots
4. visit to Barangaroo to meet with the place making strategists from Lend Lease.
5. Investigate the implementation of Spendmapp- economic modelling system that will accurately track event impact, growth and escaped expenditure

Kiama Tourism Advisory Committee representative, Matt Brown provided an outline of the priority projects that they are focussing on and recommended that the Economic Development Committee consult with the Tourism Advisory Committee to ensure that the future strategic directions of both committees harmonise and to ensure greater collaboration and more beneficial outcomes between the two groups.

Recommendation:

That the Economic Development Committee consult with the Tourism Advisory Committee to identify and determine priorities that can be delivered in collaboration.

Moved: Councillor Matt Brown
Seconded: Councillor Don Watson

6 Kiama Regional Economic Development Strategy (REDS)

The November meeting of the Economic Development Committee was held to workshop the development of the Kiama Regional Economic Development Strategy (REDS). This strategy is to assist the NSW Government to assess and applications under the recently announced Growing Local Economies Fund, which aims to

provide vital infrastructure to activate regional economies and support local jobs and small businesses.

In addition to the Committee, other key stakeholders were invited to this meeting to provide input into the discussion paper that had been drafted by consultants AgEconPlus Pty Ltd. This session provided attendees the opportunity to provide input into the strategy.

The discussion paper was then placed on public exhibition which closed on 20 January 2018, and emails sent to other stakeholders inviting comment.

The consultants have recently advised that there will be a delay in delivering the strategy due to the fact that they are awaiting updated information from the 2016 Census which has been delayed as the information was released by the ABS then withdrawn.

Once this document is made available, it has been agreed that an extra meeting of the committee will be called to discuss.

7 General Business

Tourism

The Tourism Strategy has now been released and many initiatives have been commenced. Many events have been held over the summer and the team is currently in the process of developing an Events Strategy which will be a major project.

Action: Ensure a copy of the Tourism Strategy has been distributed to all committee members

A request was made to provide a report to EDC meeting supplying data regarding residential and commercial property sales including the median prices and the number of commercial vacancies. It was agreed that the Economic Development Manager would investigate available data and report back to the Committee.

Business Chamber

- advised that chamber have two new staff members, Lisa Kelsey and Margo Griffiths. Together they will focus on memberships and increasing services to local businesses.
- Chamber would also like to see additional initiatives developed to target town centre activation and initiatives designed to encourage businesses to stay open longer in the evening.

Economic Development

- Hull Rugby League team visited Kiama on 4 February 2018. There were 30 squad members that stayed for 8 nights and 60 guests that stayed 4 nights. The Social media coverage of the event was vast and there were a number of media outlets from the North of England present in Kiama during the visit which provided many articles and stories about our region. The team management were so impressed that they considered extending their stay in Kiama
- Red Hot Summer Tour again to be held in Kiama on 14 April 2018.
- 2018 Business calendar of events being developed in conjunction with the Business Chamber and Destination Kiama. Workshop held on the 15 February attended by 20 businesses.

Vale Brian Longbottom

The committee have expressed its condolences to Elaine and family on the passing of long term Kiama businessman Brian Longbottom and acknowledged the valuable contribution that Brian has made to business development in the region.

Meeting closed at 7.20pm. Next meeting will be 5.30pm on 24 April 2018 in the RSL Rooms.

14.15 The 360 Illawarra Shoalhaven Economic OutlookResponsible Director: Corporate, Commercial & Community Services

The NSW Department of Premier and Cabinet, Illawarra Shoalhaven Joint Organisation and University of Wollongong have partnered to develop the 360 Illawarra Shoalhaven Economic Outlook (360 Outlook) which was released in Wollongong on 1 March 2018.

The 360 Outlook highlights the region's economic drivers and the potential benefits of connecting to economic opportunities in Western Sydney, Metro Sydney, ACT/South East NSW and through the Port Kembla International Trade Gateway..

The report details major regional projects, as well surrounding major regional projects which will present a significant potential for sustained growth in the Illawarra Shoalhaven Region.

Connecting to economic opportunities in the surrounding regions has the capacity to deliver jobs and economic growth for the local area. Additionally there is capacity for the region to strengthen its links to export markets and new industries through the Port Kembla International Trade gateway.

Within the Illawarra Shoalhaven region, the Waterfront Shell Cove Development, the transformation of the Wollongong City Centre, expansion of the University of Wollongong and supporting the emerging defence industry cluster all represent significant economic drivers for the region now and into the future.

The full report can be downloaded from the ISJO website at www.illawarrajointorganisation.nsw.gov.au.

14.16 Illawarra Shoalhaven Joint OrganisationResponsible Director: Office of the General Manager

The Illawarra Shoalhaven Joint Organisation (ISJO) met for its Annual General Meeting and first business meeting of the year on 1 March 2018 at Wollongong City Council. Councillor Gordon Bradbery AM, Lord Mayor of Wollongong was re-elected Chairman and Councillor Marianne Saliba, Mayor of Shellharbour, was elected Deputy Chairman.

At the general business meeting it was resolved that offers be made to Wingecarribee, Bega and Eurobodalla Shire Councils to become associate members of the ISJO. This proposal was made because of the synergies and common issues between the Councils in terms of transport connectivity, waste management programs and coastal challenges in the case of Bega and Eurobodalla Councils.

Other matters addressed at the meeting included:

- The Draft Freight and Ports Plan which is open for public comment until 25 March 2018.
- The Princes Highway Corridor Strategy being funded by the Australian Government
- Department of Premier and Cabinet updates including the enablement of Joint Organisations
- The ISJO Strategic Plan for 2017-2020
- Healthy Cities Illawarra and Healthy People Illawarra Conference
- Illawarra Shoalhaven Regional Plan – Monitoring Report
- Regional Procurement Policy Development

Following the meeting there was the formal launch of the Illawarra Shoalhaven 360 Economic Outlook Prospectus; a copy of which has been circulated to Councillors. Also circulated is a copy of the draft minutes of the ISJO meeting and the Annual Report for 2017.

Enclosures

- 1 360 Illawarra Shoalhaven Economic Outlook [⇒](#)
- 2 Draft Minutes - Annual General Meeting [⇒](#)
- 3 Draft Minutes - 1st Business Meeting of 2018 [⇒](#)
- 4 Annual Report 2017 [⇒](#)

14.17 10.2016.304.1 - Lot 1 DP 50193, Lot 3 DP 1104857, Lot 200 DP 1017091, Lot 1 DP 506764, Lot 100 DP 1211384 – 100 Terralong Street Kiama, 3 Akuna Street Kiama, 55 Shoalhaven Street Kiama, 61 Shoalhaven Street Kiama

Responsible Director: Environmental Services

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The site consists of five (5) allotments, comprising of two distinct portions of the development site at ground level and has frontage to Terralong, Akuna and Shoalhaven Streets, Kiama. The combined site area is 7,700m² in area (excluding the lane which has a total area of 304m²) and is centrally located within the Kiama Township.



Proposal - The development application seeks approval for demolition and removal of all structures from the site and construction of a mixed use development (defined as "shop top housing") and associated car parking, on the five subject allotments (and part of the subterranean land of the public laneway). The retail component comprises a supermarket, 6 retail/specialty shops and 3 retail 'kiosks' in the arcade; 2 commercial premises at the upper levels fronting Terralong Street; and 3 shops fronting Akuna and Shoalhaven Street. The shop top housing comprises a total of 100 apartments (67 in eastern Building 1 and 33 in western Building 2). The use of the supermarket (Aldi) and six (6) business identification signs (for Aldi, at the

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14.17 10.2016.304.1 - Lot 1 DP 50193, Lot 3 DP 1104857, Lot 200 DP 1017091, Lot 1 DP 506764, Lot 100 DP 1211384 – 100 Terralong Street Kiama, 3 Akuna Street Kiama, 55 Shoalhaven Street Kiama, 61 Shoalhaven Street Kiama (cont)

Terralong, Shoalhaven and Akuna Street frontages) are also proposed by the development.

Proposal Summary:

- Total number of apartments = 100 (38 x 1 bedroom + study; 60 x 2 bedroom; and 2 x 3 bedroom)
- Total Number of Retail/Commercial Premises: 15 (including supermarket)
- Total Resident car parking spaces = 102
- Total Visitor car parking spaces = 50
- Total Commercial and Retail car parking spaces = 196
- Total Disabled/Adaptable Car Parking spaces = 4 retail in commercial; 25 adaptable residential
- Total 10 car wash bays
- Total Site area = 7,700.6m² (excluding lane)/7,883.1m² (including developed part of lane)
- Proposed Commercial/Retail = 4,936.3m²
- Proposed Residential = 8932.3m²
- Total Proposed GFA = 13,386.6m²
- Proposed Maximum FSR = 1.5:1 (Site A); 2:19 (Site B)

Southern Joint Regional Planning Panel Initial Consideration

The application was considered by the Southern Joint Regional Planning Panel on 11 December 2017, with the Panel resolving to defer the application pending the receipt of revised plans to address to a range of matters including:

1. appropriate relationship of the building to Akuna Street;
2. preservation of significant trees on Akuna Street;
3. increase residential presentation to Akuna Street;
4. explore a pedestrian pathway within the site;
5. resolution of issues concerning trees on adjoining properties;
6. details of the easement for service arrangements;
7. resolution of SEPP 55 contamination;
8. location of communal open space on the western boundary; and
9. improved landscaping with canopy trees.

The Panel also requested that:

- A. the current and amended plans be reviewed by Council's external architect/urban designer consultants to improve the urban design response;

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- B. the amended plans and application be readvertised and notified; and
- C. a further report be prepared assessing the amended proposal in accordance with Section 70C of the Environmental planning and Assessment Act 1979.

BHI Architects were engaged to review the plans and liaise with the proponent on the urban design response.

Revised Plans

Amended plans addressing the matters raised by the JRPP were submitted on 16 February 2018.

The revised plans now show the retention of additional trees along the Akuna Street frontage, with a timber decked footpath and a flexible paved footpath to minimise the impact on the trees. The key amendment which has been undertaken in order to provide the JRPP's requested 'residential presentation to Akuna Street' is the removal of commercial spaces from the Akuna Street frontage within Level 1 of Building B and C. Three retail tenancies fronting the Shoalhaven/Akuna street corner are now proposed.

The application is accompanied by reports prepared by specialist consultants addressing key matters associated with the development of the site, including traffic impacts, arborist report, acoustic report, accessibility report, contamination/geotechnical assessment, hazardous materials assessment and water sensitive urban design.

A Summary of the Amendments extracted from the Statement of Environmental Effects is shown below.

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Item	Amendment to Design
Residential/Commercial Spaces	<ul style="list-style-type: none"> ▪ An increase in the number of residential units from 94 to 100 apartments resulting from replacement of commercial spaces fronting Akuna Street, to provide a residential presentation to this street. ▪ Three (3) shops adjacent to the Akuna and Shoalhaven Street intersection, with a GFA of 285m².
Building A	<ul style="list-style-type: none"> ▪ Residential lobby access from Shoalhaven Street; ▪ Commercial uses maintained fronting Shoalhaven Street, accessed at Shoalhaven St level (approx. RL 20); ▪ Commercial uses extended around the corner along the Akuna frontage accessed from Akuna St & Shoalhaven Street corner (approx. RL 22); ▪ Taller building form provided at corner of Shoalhaven Street by adding an additional level comprising of a cluster of 3 units (comparable to those in units B & C); ▪ The majority of trees along the Akuna Street frontage maintained.
Building B	<ul style="list-style-type: none"> ▪ Residential lobby access from Akuna St; ▪ Maintain natural ground/APZ between tree and buildings and provide bridge/raised walkway to accommodate entry.
Building C	<ul style="list-style-type: none"> ▪ Residential lobby access from Akuna St; ▪ Natural ground/APZ between tree and buildings maintained and bridge/raised walkway provided to accommodate entry; ▪ Tree 30 maintained, public lift relocated away from TPZ, situated within building footprint.
Building D&E	<ul style="list-style-type: none"> ▪ Residential entry path/ disabled ramp from Akuna Street to respective lobbies redesigned to land on Level 1 which results in removal of courtyard walls and addresses amenity issues around overlooking into courtyards to Units E105 and D101; ▪ Communal space adjoining (west) boundary adjoining Building D removed and replaced with significant screen planting.
Terralong Street Frontage	<ul style="list-style-type: none"> ▪ Proposed parapet height reduced to align with adjoining parapet, maintain glazed balustrade at a setback of 1:1 behind parapet line; ▪ Vertical opening proportions provided in lieu of horizontal (eg. by removal of repetitive horizontal sunshades); ▪ Primary pedestrian street entry architecturally identified; ▪ Render provided in lieu of face brick .
Carparking	<ul style="list-style-type: none"> ▪ Reduction in the footprint of the carparking areas to allow for retention of trees fronting Akuna Street; ▪ Change in the RL of carparking levels; ▪ Reduction in size of the Basement 1 carpark and inclusion of a Basement 2 carpark. Provision of an additional mezzanine level residential carpark in the western portion of the development under Building D and E.

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Additional Notification

The amended plans were re-notified in accordance with Section 29 of Chapter 2 of Kiama Development Control Plan 2012. At the close of the exhibition period on 9 March 2018, 79 submissions had been received. These submissions have been referred to the independent town planning consultant to be considered in the preparation of the assessment report to the JRPP.

Southern Joint Regional Planning Panel – Consideration of Amended Plans

A date is yet to be set for the JRPP meeting to consider the amended plans and determine the Development Application.

Once a new assessment report has been prepared, it will be submitted to the JRPP for consideration and uploaded to the JRPP website. The Panel is responsible for

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providing notification about the meeting schedule and opportunities for public access which they will do via their website, a notice in the local paper and direct emails/letters to those who made a submission.

Any person may register to address the JRPP on the Development Application. Specific details about public access opportunities will be at the discretion of the Panel Chair having regard to the following:

- speakers will be limited to 3 minutes unless other arrangements have been agreed to prior to the meeting
- a small number of representative speakers may be requested to speak on behalf of the community if there is significant community interest
- there are no restrictions about the nature of the issues that speakers may choose to raise however, if the same issue has been raised by multiple speakers, the chair may indicate that that issue has been appropriately addressed and focus additional speakers on other matters.

14.18 Question for Future Meeting: Aboriginal Cultural Heritage Management Development Assessment ToolkitResponsible Director: Environmental Services

At its meeting held on 21 November 2017, Councillor Sloan requested a report on how the Aboriginal Cultural Heritage Management Development Assessment toolkit has been implemented.

The Aboriginal Cultural Heritage Management Development Assessment toolkit was prepared as a collaborative regional project under the lead sponsorship of Shellharbour City Council. The toolkit was endorsed in January 2013 as a resource to guide the development assessment process for applications that may impact on items or areas of Aboriginal cultural heritage.

Kiama Council has implemented relevant components of the toolkit approach including the use of the Aboriginal Heritage Impact Management System (AHIMS) to review applications for the presence of items of Aboriginal heritage on a case by case basis. Where necessary, provisions of the Integrated Development Framework are utilised to obtain a general terms of approval from National Parks and Wildlife Service/Office of Environment and Heritage for the issue of an Aboriginal Heritage Impact Permit (AHIP) to mitigate adverse impacts of development on Aboriginal Heritage.

Council officers recently attended a workshop on a draft Aboriginal Cultural Heritage Bill that proposes a new legal framework for protecting, managing and celebrating Aboriginal cultural heritage in New South Wales. The draft Bill is currently going through a public engagement process and if passed will provide for the establishment of a new State-wide body of Aboriginal people called the Aboriginal Cultural Heritage Authority. The Authority would work across stakeholder groups to develop detailed rules (including regulations, policies and guidelines) to inform the establishment of a new legal framework.

The proposed new legislation will be implemented over a number of years, which means the new legislation is proposed to take effect in a few key stages up to 2021. In the meantime, the current system will continue to operate including Council's use of components of the toolkit as appropriate.

14.19 Question for Future Meetings: Gerringong CBD - parking issuesResponsible Director: Engineering and Works

At Council's meeting held on the 19 December 2017 Councillor Reilly requested a report on the status of the proposal to enhance and increase parking behind the Gerringong IGA, to alleviate parking difficulties for residents, visitors and retailers.

The design for the proposed new parking bays at Gerringong IGA has been completed. The design went out for community consultation and a number of improvements including parking restrictions and additional bays were considered and have been included.

The cost for the proposed carpark was reviewed and there is a funding shortfall of approximately \$100,000 from the original estimate of \$190,000.

As a result Council have been seeking additional funds through grant opportunities, however at this stage, there are no suitable grants.

In the absence of a grant, it is proposed to commence with the small parking area which will provide 5 of the 29 planned parking bays and work is expected to start in July during the low holiday season. This work will be carried out by in-house staff in attempt to minimize the cost.

In the meantime, council will continue to source a suitable grant to complete the work.

14.20 Question for Future Meeting: Arthur Campbell Reserve - funding

Responsible Director: Engineering and Works

At Council's meeting held on the 19 December 2017 Councillor Westhoff requested a report on ongoing funding available in the 2018/19 budget for continued work at the Arthur Campbell Reserve, Gerringong.

Council staff have been working with the Arthur Campbell Reserve working party to identify the proposed improvements and provide a cost estimate for the works.

As Council is aware, \$20,000 was allocated in the current budget for the initial work and a request for a further \$20,000 will be submitted in the 2018/19 budget.

Kiama Council is working with the Men's shed and Rotary to complete the work as required.

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14.21 Question for Future Meeting: Noorinan Street -stairway safetyResponsible Director: Engineering and Works

At Council's meeting held on the 6 February 2018 Councillor Reilly requested a small stairway with a handrail be installed connecting the two road levels of Noorinan Street.

As requested by Councilor Reilly a preliminary investigation was carried out regarding the potential to construct a small stairway complete with a handrail to connect the two road levels along Noorinan Street, Kiama.

The height differential between the two existing road levels is approximately 3 metres and from the space available it would be very difficult to construct a standard stairway that meets Building Code requirements, without significant major civil works.

Alternate methods could be considered including an inclinor, however this may be impractical and potentially also cost prohibitive.

No funds have been allocated for this work in the current or future budgets.

14.22 Question for Future Meeting: Kiama Farmers Market - parking signs

Responsible Director: Engineering and Works

At Council's meeting held on 6 February 2018 Councillor Reilly requested an investigation into whether temporary corflute "A" frames could be placed in front of the 2 car spaces outside the medical centre and pharmacist in Manning Street during the Kiama Farmers Market operating times.

As requested temporary corflute signs have been arranged and are installed by the market operators during their event.

In addition limited time parking zones have been considered and endorsed by the Kiama Local Traffic Committee. Subject to Council approval of the recommendation signs will be installed in front of the Medical Centre in Manning Street.

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14.23 Question for Future Meeting: Summer Attire for Councillors

Responsible Director: Office of the General Manager

At the meeting on 6 February 2018 Council Way requested investigation into supplying Councillors and Directors with a short sleeve 100% cotton white shirt with embroidered logo and a wide brim straw hat.

Council’s corporate uniform supplier, BrandWorx, have been contacted and have provided the following information regarding options for Council’s consideration.

- | | |
|---|---------|
| 1. Biz Corporates Hudson short sleeve shirt | \$48.36 |
| 2. Biz Corporates Hudson long sleeve shirt | \$51.27 |
| 3. Biz Corporates Wrinkle Free Chambray shirt | \$26.18 |
| 4. Bisley Chambray short sleeve shirt | \$23.27 |
| 5. Tough Straw Hat with hatband | \$20.36 |

All prices quoted above are ex gst and there is an additional cost of \$4.40 per item for embroidery.

Several of the shirts are also available in ladies sizes and styles.

A panama style Akubra can be sourced for approx. \$75-90 which is a more suitable dress look than the straw hat that can be provided by BrandWorx. The Akubra could be fitted with a small Council badge rather than the embroidered logo.

As Council’s current uniform supplier already has the template for Council’s logo there are no additional setup costs which would be required if Council were to approach another supplier to embroider the logo on items.

Biz Corporates Hudson short sleeve shirt



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Reports for Information

14.23 Question for Future Meeting: Summer Attire for Councillors (cont)

Biz Corporates Chambray short sleeve shirt



Bisley Chambray short sleeve shirt



Tough Straw Hat



Akubra - Byron



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**14.24 Jamberoo Valley Ratepayers & Residents Association meeting minutes -
05/12/17 and 06/02/18**

Responsible Director: Office of the General Manager

Attached for Councillors' information are the minutes of the Jamberoo Valley Ratepayers and Residents Association meetings of 5 December 2017 and 6 February 2018.

Attachments

- 1 05/12/17 Minutes [↓](#)
- 2 06/02/18 Minutes [↓](#)

JAMBEROO VALLEY RATEPAYERS AND RESIDENTS ASSOCIATION Inc.

PO Box 146
JAMBEROO
NSW 2533

JVRRASecretary@gmail.com

**MINUTES OF THE JVRRRA's MONTHLY GENERAL MEETING ON TUESDAY
5 DECEMBER 2017 AT 7.30PM IN CLUB JAMBEROO**

Attendees

Mary Lou Reid, Geoff Reid, Graham Pike, Veronica Baker, Julie Clough, Greg Clough, Lesley Friedmann, John Friedmann, Rob McKinnon, Ros McKinnon, Brian Dixon, Margaret Stephens, Vivienne Marris, Susie Nash, Geoff Boxsell, Phil Lewis, Hazel Lewis, Jeannie Lyall, Kylie Jullien, Stuart Henry, Cathy Law, John Zimmer, Glenys Day, Alan Smith, Jo Osborne, Max Brennan, Pam Rogers, Rhoda Pooley, Stan Judd, Marea Gardner, Andrew Waugh, John Osborne.

Apologies

Graham Letham, James Letham, Robyn Letham, Penny Morris, Paul Morris, Ann Pike, Sidney Baker, Narelle Day, Tony Day, Reg Curnow, Shirley Dixon, S Rogers.

1. **Minutes of the previous general meeting of Wednesday 8 November 2017.**

The minutes as published were carried.

2. **Minutes of the Special Meeting of the JVRRRA on Tuesday 28 November 2017.**

The minutes, as pre-circulated, were carried.

3. **Any Matters arising from the previous Minutes and Special Meeting Minutes not listed elsewhere in the Agenda.**

There were no matters arising.

4. **Correspondence In and Out.**

The inwards letter from Kiama Council's Director of Engineering and Works, Gino Belsito, in response to the JVRRRA's earlier letter about completion times for the Allowrie Street footpaths, was noted.

5. **Treasurer's Report**

The Treasurer notified the meeting that Ms Louise Adams of Solutions 4 Wellbeing in Kiama had made a generous donation to the JVRRRA for sponsorship of Music in the Park on Jamberoo Market Days and thanked Ms Adams for her 'very much appreciated support'.

The Treasurer's Report was accepted.

6. **Infrastructure sub-committee Report** – John Friedman
Nothing to report.

7. **Garden Sub-committee report** – Margaret Stephens

Margaret reported that there is no drinking fountain in Reid Park for either humans or dogs. Her report continued: “Observing the frequent visits by owners of dogs who walk their dogs through Reid Park and the number who turn on a tap to give their dog a drink, I believe a drink fountain is definitely needed in Reid Park.

“The pet-accessible drinking fountain enables dog lovers to provide fresh drinking water for their dogs while out in public places. There is a PF600 model which is becoming increasingly popular with local councils for use in their dog off-leash areas and parks providing water for owners and their dogs. The common “post bubblers” with tap attachments, usually with a plastic bowl placed by a considerate dog owner, is unsightly and will soon be a thing of the past with the introduction of the PF600. Excess water is directed into the dog bowl which can be emptied by a simple tipping of the bowl.

“There are two taps within Reid Park. One is close to the children's play equipment which would be a suitable place to put a drinking fountain.”

Moved Margaret Stephens, seconded John Friedmann, that the JVRRA requests Kiama Council to install a model PF600-model drinking fountain near the children’s play area in Reid Park.

Carried.

8. **Membership and Publicity sub-committee report** – Roger Lyle

Roger reported that JVRRA membership had now reached 160 and encouraged all members to encourage non-members to join up.

9. **The Jamberoo Development Control Plan (DCP)** - Secretary

Kiama Council had undertaken to provide a copy of the final draft of the Jamberoo DCP to the JVRRA on Monday 4 December, in which case the Secretary will circulate it to all members’ for consideration and comment and for formulation of a plan to maximise the Jamberoo community’s input before the final version of the DCP goes to Council’s December meeting.

10. **General Business**

Member Max Brennan asked the Association to request Kiama Council remove vegetation on the southern side of Jamberoo Mountain Road at its intersection with Burra Creek Rd which was limiting vision of motor traffic approaching from the west on Jamberoo Mountain Road.

11. **Date of Next JVRRA Meeting** – Tuesday 6 February 2018, with guest speaker.

12. **Close and Adjournment** to Club Jamberoo for the Members’ Christmas Party.

JAMBEROO VALLEY RATEPAYERS AND RESIDENTS ASSOCIATION Inc.

PO Box 146
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**MINUTES OF THE JVRRRA's MONTHLY GENERAL MEETING ON TUESDAY
6 FEBRUARY 2018 AT 7.30PM IN CLUB JAMBEROO**

Attendees

Mary Lou Reid, Geoff Reid, Graham Pike, Rob McKinnon, John Zimmer, Bob Neilson, Ros Neilson, Gary Cochran, Margaret Stephens, Viv Boxsell, Geoff Boxsell, Narelle Day, Marilyn Hodgson, Grant Taylor, Vivienne Marris, Bill Hodgson, Andrew Waugh, Ray Nolan, Ken Jeffrey, Gloria Jeffrey, , Stuart Richards, Greg Harris, Max Brennan, Michael Brennan, John Booth, Phil Lewis, Hazel Lewis, John Osborne, Veronica Baker, Sidney Baker, Barbara Jakeman, Jacqueline Jakeman, Kevin Mills, Julie Clough, Kylie Jullien, Stuart Henry, Peter Brown, John Friedman, Roger Lyle.

Apologies

Penny Morris, Paul Morris, Anne Pike, Jeannie Lyall, Sandra Dingle, Jim Dingle, Ros McKinnon, Glenys Day, Maria Gardner, Helen Cochran, Tony Day, Leanne DiMico, Alan Smith, Greg Clough, Tristram Miall, Lesley Friedman, Julie McDonald, Trevor Dallas, Connie Dallas.

Meeting opened by Chairman, Rob McKinnon, at 7.30.

1. **[Minutes of the previous general meeting of 5 December 2017.](#)**

The minutes as published were carried.

2. **Any Matters arising from the previous Minutes not listed elsewhere in the Agenda.**

There were no matters arising.

3. **Correspondence [In](#) and [Out](#).**

- Letter received from Council 10/1/2018 regarding discussion of Jamberoo DCP and resolutions adopted at 19 December 2017 meeting. Changes noted re roof pitch and boundary setback.
- Letter sent to Anthony Roberts, Minister for Planning 15/1/2018 (cc. Director of Planning Frameworks, Gareth Ward, Kiama Council) re concerns changes to State Environmental Planning Policy (SEPP).
- Letter received from Kiama Council 30/1/2018 re decision to refer Golden Valley Road Planning Proposal to March meeting of Council, to allow further consideration of matters raised.
- Letter sent by JVRRRA to Kiama Council 1/2/2018 supporting a request for the installation of air conditioning at the Jamberoo School of Arts.
 - Reply received from Michael Forsyth, Kiama Council General Manager, 6/2/2018 announcing that a report will be presented to

Council recommending the installation of air conditioning for Jamberoo School of Arts.

- Letter sent to Council 1/2/2017 requesting dual purpose (human/dog) drinking fountain in Reid Park.
- Letter received from Lake Illawarra Local District Police 8/1/2018 in response to JVRRA's letter of 31/10/2017 commenting on policing policy on the evening of the 2017 Group 7 Rugby League Grand Final. Justification was offered for the current policing policy. Police department hoped to maintain a productive and positive working relationship with the Jamberoo community in the future.
- Letter provided to JVRRA General Meeting 6/2/2018 from Greg Walsh, Chairman of the Jamberoo Combined Sporting Groups Association, providing updates regarding Jamberoo sporting club facilities. Read aloud at the meeting by Stuart Richards. Information covered:
 - Camping at Kevin Walsh Oval (see Garden Sub-Committee Report below);
 - Spending to commence on several sporting facilities (budget \$42,000, with Federal Government grant, Kiama District Sports Association grant, and community contributions);
 - Ongoing discussions with Council re Kevin Walsh Oval Facilities upgrades and the need to set aside adequate funding in 2018/2019 Council budget.

4. JVRRA Casual vacancies

Graham Pike's resignation as Secretary of JVRRA was accepted. Graham provided a brief presentation explaining his reasons for resigning. His dedication, efforts and enthusiasm were gratefully acknowledged by Chairman and the meeting participants.

Casual vacancy for position of Secretary accepted by Roslyn Neilson.

Casual vacancy for position of Publicity Officer accepted by Glenys Day (unable to attend meeting).

Brief discussion followed about future simplification of committee roles and the functions of the sub-committees.

5. [Treasurer's Report](#)

The Treasurer's report as published was accepted.

6. Infrastructure Sub-Committee Report

John Friedman reported on ongoing discussions with Council (contact Neil Reilly):

- Plans for Hyam's Creek bridge have been drawn up – in this year's budget.

- Discussion re erosion problem at Chapel Lane and Churchill Street intersection: concrete drain needed.
- Brookwood Estate grassed area along the creek needs mowing, and local residents have been undertaking this task themselves. It is anticipated that greater efficiency would be achieved if Council could use a slasher to carry out this job when it becomes appropriate for them to do so.
- Footpaths in Chapel Hill Estate and Wyalla Road need to be finished.
- Query from Andy Waugh: Paving along Allowrie Street past the butcher's is to be completed in next expenditure.

7. Garden Sub-committee report

Margaret Stephens reported that Council has been doing a very satisfactory job with Allowrie Street gardens, tidying the car park, and cleaning up the park before Market Days.

Margaret extended thanks to the Jamberoo community for responding so well with Christmas lights on the crepe myrtles. She requested that the community lend a hand with pulling out weeds from the Allowrie Street gardens when necessary, as Council cannot provide regular maintenance.

Ongoing items in discussion with Council: moving the garbage bin currently located outside the antique shop; off-leash dog facilities and drinking fountains.

The issue of camping at Kevin Walsh Oval and adjacent areas was discussed, with consensus that overcrowding and mis-use of facilities is a major problem, especially over the holiday periods. Greg Walsh's report from the Jamberoo Combined Sporting Groups Association confirmed the general community concern. Hazel Lewis mentioned that the tennis court area is affected as well, and suggested an amendment to Margaret's motion (as presented below) to include reference to the courts.

Motion, moved Margaret Stephens, *that the JVRRA requests Council to arrange regular patrols of the Kevin Walsh Oval / Reid Park precinct, particularly at holiday times; to improve the signage at the tennis courts; and to enforce the signposted camping provisions in the area.*

Motion carried.

ACTION: Letter to be sent to Council informing them of the motion.

8. Membership and Publicity sub-committee report

Roger reported that JVRRA membership has now reached 164, with 8 new members and 2 resignations.

9. Golden Valley Planning Proposal Campaign - Graham Pike.

Motion, moved by Graham Pike, seconded by Roger Lyle, that: *The JVRRA informs Kiama Councillors, the State MP for Kiama, the Premier, the NSW Minister for planning and the NSW Minister for Primary Industries that it fully and strongly supports the resolutions passed by the Jamberoo and area community at a public meeting in Jamberoo on 23 January 2018, as set out in a JVRRA news release on the meeting issued on 26 January 2018.*

Discussion of the motion:

- Viv Marris queried the wording of the final resolution – was the word ‘moratorium’ retained? Rob McKinnon: Yes.
- Geoff Boxsell raised concerns about the accuracy of the actual numbers and percentages cited in the press release. Rob McKinnon replied that actual counting was very difficult, but that it was clear that the relevant motions had been carried by a large majority.
- Other comments from the floor included mention of the difficulty in hearing at the back of the hall, and confusion over amendments to the final motion.
- Roger Lyle: the JVRRA committee agreed that several things could have been done to improve the meeting procedure, including providing individuals to count the votes accurately, and better microphones. These issues will be taken into consideration in any future meetings.

Vote on the above motion: In favour 24, Against 11: motion carried.

ACTION: Letters to be sent to Gareth Ward, Kiama Council, Premier NSW, Minister for Planning, Minister for Primary Industries, informing them of the resolution.

10. General Business

- Graham Pike: ABC News has sent a request for comments from Jamberoo community re proposed Kiama Council Rate increases. Andy Waugh suggested that this discussion should be postponed until after the next March meeting, when we will have a guest speaker airing the issue. General discussion about the importance of our taxes being used to support local expenditure by Council.
- John Friedman: Suggest writing letters to relevant ministers suggesting that proposed NSW State Government spending on Sydney sports stadia could be usefully diverted to supporting local sporting infrastructure and facilities. Query
- Veronica Baker: Query re the red garbage bin collection being fortnightly. Further discussion postponed to next JVRRA meeting.
- Ken Jeffrey: Jamberoo needs an off-leash dog area. Motion that this matter be referred to Council. Motion carried. ACTION: Letter to be sent to Council requesting that they consider which areas might be suitable.

11. Guest Presentation

Carole Medcalfe, Kiama Community Precinct Committee, has extensive background in auditing local government outcomes across the State. She introduced a very interesting

discussion that included an account of inherent difficulties in communication between the Division of Local Government and the Division of Planning, and frequent problems in translating strategy into action at the Council level. Her PowerPoint presentation will be circulated to JVRRA members. Take home message: Community groups, such as the various local precinct committees and JVRRA have an important role to play in working constructively with Council to integrate strategic plans and delivery of outcomes. Thanks to Carole for her contribution and encouragement.

12. **Date of Next JVRRA Meeting** – Tuesday 6 March 2018, with guest speaker Kerry McMurray, Kiama Council Director of Finance, re the proposed special rate variations.

13. **Close of meeting** – 9.10 p.m.

14.25 North PrecinctResponsible Director: Office of the General Manager

Council has recently had discussions with representatives of the South Precinct, Central Precinct, Jamberoo Valley Ratepayers Association and Minnamurra Progress Association regarding a number of issues including communication and the possibility of re-establishing a North Precinct to represent the community of North Kiama. The North Precinct would exclude the Minnamurra area north of Eureka Avenue which is already covered by the charter of the Minnamurra Progress Association.

The suburb of Kiama Downs (part of which is often referred to as Gainsborough) does not presently have a representative group as do other parts of the Municipality.

To gauge the interest in the formation of a North Precinct it is proposed that Council hold a meeting at the North Kiama Neighbourhood Centre. If a North Precinct is to be formed it would operate under the umbrella of Council and comply with operational guidelines that apply to the Central and South Precincts. Council's endorsement of this proposal is sought.

15 ADDENDUM TO REPORTS

16 NOTICE OF MOTION

16.1 Tree Preservation Order - 107 Hillview Circuit, Kiama

Clr Matt Brown has submitted the following Notice of Motion for Council's consideration:-

MOTION

That Council:

1. Note the massive size and inappropriate location of the Lemon Scented Gum tree, which is not a native tree to this area, in the northwest corner of 107 Hillview Circuit, Kiama, see attachment A for pictures of this tree.
2. Empathises and understands the safety concerns of the land owners and occupants, the McGhee family of 107 Hillview Circuit, as well their neighbours, Mr and Mrs Perry of 105 Hillview Circuit, where the tree significantly overhangs their south eastern boundary.
3. Commend Mr McGhee for taking appropriate and persistent action to have this large tree removed to provide peace of mind to his family, and that of Mr and Mrs Perry, as well as seeking to remove a potential lethal hazard, and a potential hazard to property, should a limb of this tree, or the whole tree fall, see Attachment B, being the letter Mr Perry sent Councillor Brown.
4. Note that a similar tree near these properties, which was adjacent to 101 Hillview Circuit, was successfully removed following representations from Councillors Brown, Watson and Reilly after Council initially refused its removal after an application from the owners of 101 Hillview Circuit.
5. Note Council's refusal to the removal of this tree, see attachment C from the authorised council officer.
6. Note, that due to the tree not being removed, Mr Perry has had to endure extra time and potentially a less efficient solar panel layout in the positioning solar panels to his roof.
7. Request Council inform Councillors the relevant provision(s) of Kiama Councils' Tree Management Policy which were employed to determine that Mr McGhee not be allowed to remove this tree.
8. Request a draft new Tree Management Policy which deletes, and/or amends, the provisions of the current Tree Management Policy to ensure that any future assessment and determination in relation to the removal of this particular tree will result in it being allowed to be removed upon further application.
9. Further request, in addition to point 8 above, Council draft a new Tree Management Policy which will allow property owners, without the need for Council permission, to remove any tree on their property which has been planted by that property owner, as well as any other tree, except a tree which

Notice of Motion

16.1 Tree Preservation Order - 107 Hillview Circuit, Kiama (cont)

is:

- a. native to this area; and
 - b. more than 6 metres high,
10. subject to that property owner being an owner of residential zoned property which is less than 2000 square metres.

Signed Councillor Matt Brown

Item 16.1

17 QUESTIONS FOR FUTURE MEETINGS

18 CONFIDENTIAL SUMMARY

CONFIDENTIAL COMMITTEE OF THE WHOLE

Submitted to the Ordinary Meeting of Council held on 20 March 2018

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.

18.1 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.

19.1 ADVICE FROM SPARKE HELMORE LAWYERS - BYRNES RUN COMMUNITY TITLE SUBDIVISION

Reason for Confidentiality: This matter deals with information that would, if disclosed, reveal a trade secret as per Section 10A(2)(diii) of the Local Government Act. .

19.2 BLUE HAVEN - FUTURE BRANDING

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. .

19.3 BLUE HAVEN VILLAGE - AGED CARE FACILITY REDEVELOPMENT

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)(dii) of the Local Government Act. .

19 CONFIDENTIAL REPORTS

19.1 Advice from Sparke Helmore Lawyers - Byrnes Run Community Title Subdivison

Responsible Director: Office of the General Manager

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, reveal a trade secret.

19.2 Blue Haven - Future Branding

CSP Objective: 1.0 A healthy, safe and inclusive community

CSP Strategy: 1.2 Planning for and assisting specific needs groups

Delivery Program: 1.2.2 Operate Blue Haven Independent Living Units

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 advantage on a person with whom the Council is conducting (or proposes to conduct) business.

19.3 Blue Haven Village - Aged Care Facility Redevelopment

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 information that would, if disclosed, confer a commercial advantage on a competitor of the council.

20 CLOSURE