



ORDINARY MEETING OF COUNCIL

To be held at 5pm on

Tuesday 20 October 2015

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 Director Environmental Services
- 10 Report of the General Manager
- 11 Report of the Director Corporate and Commercial Services
- 12 Report of the Manager Corporate Services
- 13 Report of the Director Engineering and Works
- 14 Report of the Director Community Services
- 15 Reports for Information
- 16 Addendum To Reports
- 17 Notice of Motion
- 18 Questions Without Notice
- 19 Confidential Summary
- 20 Confidential Reports
- 21 Closure

Members

His Worship the Mayor
Councillor B Petschler
Councillor W Steel
Deputy Mayor
Councillor M Honey
Councillor G McClure
Councillor N Reilly
Councillor K Rice
Councillor D Seage
Councillor A Sloan
Councillor M Way

COUNCIL OF THE MUNICIPALITY OF KIAMA

Council Chambers
11 Manning Street
KIAMA NSW 2533

20 October 2015

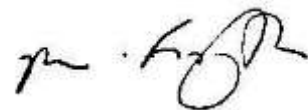
To the Chairman & Councillors:

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 October 2015** 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 OCTOBER 2015**

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

Nil

4 BUSINESS ARISING FROM THE MINUTES

5 PUBLIC ACCESS SUMMARY

6 MAYORAL MINUTE

6.1 State Government Response to Request for Policy

Attachments

- 1 Response from State Government - Installation and Upgrade of Electricity Networks
- 2 Letter to Hon. Mike Baird - request for policy

Enclosures

Nil

RECOMMENDED

That the item be received and noted.

REPORT

In April this year a letter was sent to the NSW Premier supporting a request by the Mayor of Wingecarribee Shire Council that an urgent meeting be held with Local Government NSW to discuss the preparation of a policy to oversee the installation and upgrade of electricity utilities prior to any form of leasing or privatization by the NSW Government. A copy is attached.

Council recently received a response from the Minister for Local Government's Chief of Staff advising, in part, as follows:

"... network operators must comply with the Electricity Supply Act 1995. This requires operators to implement safety management systems to protect public safety and property. In addition, operators must protect trees from damage and prepare tree management plans with input from councils, residents and community groups. Should council's wish to raise any specific concerns, they may be directed to providers and, if appropriate, with the Energy and Water Ombudsman NSW.

The letter further advised that Council's letter had been forwarded to the the Minister for Industry, Resources and Energy, the Hon. Anthony Roberts MP and that IPART will be responsible for future regulatory arrangements which will include a new Code of Practice for Authorised Network Operators which councils will be able to comment on.

A copy of the full response is attached.



The Hon Paul Toole MP
Minister for Local Government

Ref: MF:NM-SC1448
MIN: 2015-6122
Doc ID: A428535

Clr Brian Petschler
Mayor
The Council of the Municipality of Kiama
PO Box 75
KIAMA NSW 2533



23 SEP 2015

Dear Clr Petschler

Thank you for your letter to the Premier, the Hon Mike Baird MP, about the installation and upgrade of electricity networks. Your letter was referred to the Minister for Local Government, the Hon. Paul Toole MP, who has asked that I respond on his behalf.

I appreciate the impact that electricity infrastructure works can have on vegetation, road safety and local infrastructure. It is important that these activities are carried out safely and with as little detriment and inconvenience to communities as practicable.

Relevantly, network operators must comply with the *Electricity Supply Act 1995*. This requires operators to implement safety management systems to protect public safety and property. In addition, operators must protect trees from damage and prepare tree management plans with input from councils, residents and community groups. Should councils wish to raise any specific concerns, they may be directed to providers and, if appropriate, with the Energy and Water Ombudsman NSW.

You have requested a new policy to oversight network activities. As this is a matter for the Minister for Industry, Resources and Energy, the Hon. Anthony Roberts MP, I have sent him a copy of your letter for consideration. I can advise, however, that Independent Pricing and Regulatory Tribunal will be responsible for future regulatory arrangements. This will include a new Code of Practice for Authorised Network Operators, which I understand councils will be able to comment on in the near future.

I hope this information is of assistance.

Yours sincerely

A handwritten signature in black ink, appearing to read "Emma Logan".

Emma Logan
Chief of Staff

Cc. Premier of NSW (Ref: A1176758)



KIAMA MUNICIPAL COUNCIL

4232 0444

MF: NM – SC1448

7 April 2015

The Hon Mike Baird MP
Premier NSW
GPO Box 5341
SYDNEY NSW 2001

Dear Mr Baird

I am aware that the Mayor of Wingecarribee Shire Council, Councillor Duncan Gair, has written to you encouraging an urgent meeting with Local Government NSW to discuss the urgent preparation of a policy to oversee the installation and upgrade of electricity utilities prior to any form of leasing or privatization by the NSW Government.

It is suggested that the policy will:

- a. Focus on the need to ensure that the upgrade of utility infrastructure by service providers is undertaken in consultation with local councils and communities and that road safety matters are adhered to and streetscapes are not scarred by continued tree butchering in rural and urban landscapes.
- b. Require minimum clear zones be mandated for electricity pole replacements based on the Roads and Maritime Services best practice.

I write in support of the Mayor of Wingecarribee Shire Council calling for the earliest preparation of the policy to ensure that the road safety and streetscape issues of concern are appropriately addressed.

Your favourable consideration of the above is respectfully requested.

Yours faithfully

Brian Petschler
Mayor

ALL CORRESPONDENCE

THE MAYOR'S OFFICE
COUNCIL CHAMBERS
PO BOX 75
KIAMA NSW 2533

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your council
your community

Item 6.1

Attachment 2

6.2 Mayor's Giving Tree - Support for Local Children**Attachments**

Nil

Enclosures

Nil

RECOMMENDED

That Council endorses the 2015 Mayoral Christmas Tree Appeal.

REPORT

Each year the Mayor of Kiama has a "Giving Tree" for children at Christmas. Residents and organisations are invited to place gifts for children from 0 – 14 years under the tree which are distributed to local children for Christmas.

In past years, this expression of support from our Municipality, particularly for those in our community who may not be able to fully celebrate Christmas, has been both strong and enthusiastic.

I would like to express my appreciation for that support and hope that, with the help of our charities, voluntary organisations and individuals, we can again bring some Christmas joy to many who may otherwise miss out.

Gifts may be left under the "Giving Tree" situated in the Kiama Library and the foyer of the Council Chambers. We hope this year, once again, the residents of Kiama will support this project which benefits many children in our community.

I will be at the Council Chambers on 18 November 2015 between 11.30am to 12.30pm to personally receive gifts or they can be placed under the trees during opening hours from Monday 16 November to Thursday 10 December 2015. It would be appreciated if the gifts were not wrapped as they need to be sorted into age groups for distribution.

If every organisation in the area can give just one present many children in the Kiama area will enjoy and share the happiness of Christmas which they might not otherwise do.

7 MINUTES OF COMMITTEES

7.1 Kiama Local Traffic Committee - Minutes

Responsible Director: Engineering and Works

Attachments

- 1 Kiama Local Traffic Committee - Minutes

Enclosures

Nil

RECOMMENDED

That the Minutes of the Kiama Local Traffic Committee Meeting held on 6 October 2015 be received and accepted.

BACKGROUND

The Minutes of the Kiama Local Traffic Committee meeting held on 6 October 2015 are attached for information.

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE MEETING HELD IN COMMITTEE ROOM 1, COUNCIL ADMINISTRATION BUILDING ON 6 OCTOBER 2015

COMMENCING AT: Meeting commenced at 9.05am

PRESENT: Mayor Councillor Brian Petschler (Chairperson), Bryan Whittaker (Director Engineering and Works), Darren Brady (Manager Design & Development), Darrell Clingan (Local Member's Representative), Ben Borger (RMS Representative), Kevin Brown (NSW Police Representative), Janelle Burns (Kiama Council Road Safety Officer), Councillor Neil Reilly (Observer) and Joanne Henry (Minutes)

APOLOGIES: Nil

The Chair, Mayor Councillor Brian Petschler welcomed Kiama High School Deputy Principal Mr Gerard Kelly and Kiama High School P&C representative Ms Sharon Blair, to address the Committee on Item 5 of the agenda.

At this time, 9.07am, Item 5 of the agenda was brought forward and dealt with as the first item of business.

5 Kiama High School - Pedestrian Safety

Mr Kelly and Ms Blair addressed the meeting outlining the High School's safety concerns in Saddleback Mountain Road. The High School seeks the support of the Committee for a solution to this matter. Council staff described the proposed U-turn facility as identified in the Pedestrian Access and Mobility Plan for Kiama High School and presented plans for the consideration of the Committee.

Draft plans of an additional drop-off facility at the northern entrance to the School were also tabled for information.

CR037

Committee recommendation that:

- 1 the detailed design plan for the "U" turn facility in Saddleback Mountain Road subject to incorporating a concrete median, pavement arrows and additional "No Stopping" signage as well as the proposed linemarking in the U-turn Bay be approved;
 - 2 the proposed concepts for improved drop-off facilities at the Kiama High School northern entrance be supported, with a further detailed design to be presented at a future meeting;
 - 3 Council forward a letter to the Member for Kiama requesting support for advanced funding for the provision of the U-turn facility; and
 - 4 Council investigate the installation of additional School Zone signage at the entry to the High School precinct on Saddleback Mountain Road.
-

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE MEETING HELD IN COMMITTEE ROOM 1, COUNCIL ADMINISTRATION BUILDING ON 6 OCTOBER 2015

Mr Kelly and Ms Blair left the meeting at 9.38am.

The Chair, Mayor Councillor Brian Petschler welcomed Mr Clyde Poulton representing the Waratah March Re-enactment Committee to address the Committee Item 6 on the agenda.

At this time, 9.39am, Item 6 of the agenda was brought forward and dealt with as the second item of business.

6 Waratah March - Gerringong Jamberoo and Kiama

Mr Poulton addressed the Traffic Committee and outlined the proposal for the upcoming Waratah March Re-enactment in the Kiama LGA to take place in late November and early December. The NSW Police representative advised the Committee that the NSW Police will be managing all aspects of traffic control for this event.

CR038

Committee recommendation that approval is given to the organisers of the Waratah March events at Gerringong, Kiama and Jamberoo to temporarily close various roads and intersections from Sunday 29 November to Tuesday 1 December 2015, subject to the following:

- 1 a Traffic Management Plan (TMP) for each road closure be prepared and implemented by NSW Police; and
- 2 an advertisement be placed in the local media advising of the event and subsequent road closures.

Mr Poulton left the meeting at 9.58am.

INFORMAL LATE ITEM (TRAFFIC ENGINEERING ADVICE)

1 Banksia Drive Kiama

Councillor Neil Reilly addressed the Committee advising that he and all other Councillors had received a request by email from a resident in Banksia Drive, Kiama expressing concerns with illegal parking which has been occurring at this location since the implementation of new "No Stopping" signs.

The Committee agreed that this was basically an enforcement issue and resolved as follows. It was also noted that a number of infringements have been issued by Council's Ranger Service and that the construction of nine additional roadside parking bays with the current adjoining subdivision works will assist with this issue.

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE MEETING HELD IN COMMITTEE ROOM 1, COUNCIL ADMINISTRATION BUILDING ON 6 OCTOBER 2015

CR039

Committee recommendation that:

- 1 Council investigate the need for additional signage at this location; and
- 2 Council Rangers and the NSW Police be requested to conduct additional patrols at this location with details to be provided by the Ranger Service in a report to a future Council meeting.

Councillor Reilly left the meeting at 10.03am.

1 Minutes of Previous Meeting

Bryan advised that the Charity Fun Run Event on Saddleback Mountain Road (Item 3) has been cancelled.

Item 1 of Late Business has been addressed later in the Minutes.

CR040

Committee recommendation that the minutes of the 4 August 2015 meeting be received and accepted.

FORMAL ITEMS (UNDER RMS DELEGATIONS)

2 Fern Street Gerringong - Proposed Street Parade – Gerringong Sunrise Rotary Club Inc

CR041

Committee recommendation that approval is given to holding this parade subject to organisers and suitably qualified traffic controllers complying with the following conditions:

- 1 the road closures to be undertaken by organisers using suitably qualified traffic controllers in compliance with the traffic management plan No. 5577 prepared by Platinum Traffic Services Pty Ltd;
- 2 notification of this closure be given to Police, Local Emergency Services, businesses and residents effected by the closure; and
- 3 an advertisement be placed in the local media advising of the closure.

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE MEETING HELD IN COMMITTEE ROOM 1, COUNCIL ADMINISTRATION BUILDING ON 6 OCTOBER 2015

**3 Bong Bong and Terralong Streets Kiama - Temporary Road Closures
Kiama Show 2016**

CR042

Committee recommendation that approval is given to the Kiama Show Society to temporarily close the eastern ends of Bong Bong and Terralong Streets on 22 and 23 January 2016, subject to compliance with the following conditions:

- 1 the road closures to be undertaken by suitably qualified traffic controllers in compliance with the traffic management plan No. T2305-0361 prepared by Traffic Management Services Pty Ltd;
 - 2 notification of this closure be given to Police, Local Emergency Services, businesses and residents effected by the closure; and
 - 3 an advertisement be placed in the local media advising of the closure.
-

4 Blue Haven Aged Care Facility – No Parking Zone

A plan was tabled and Janelle Burns outlined the parking issues at this location raised by the Council’s Community Transport Section.

CR043

Committee recommendation that the existing “No Stopping” zone on the southern side of Terralong Street adjacent to the entrance of Blue Haven Aged Care Facility (Stage 2), be changed to a “No Parking (buses excepted)” zone.

7 Thomson Street Kiama - No Stopping Zone

CR044

Committee recommendation that the existing “No Stopping” zone be extended on the western side of Thomson Street, Kiama, near the intersection of Terralong Street up to the driveway of No 43 in accordance with the tabled signage and linemarking plan.

8 Blackwood Street Gerringong - No Stopping Zone

Darren Brady outlined the parking issues at this location.

CR045

Committee recommendation that “No Stopping” signs and linemarking be installed on the northern side of Blackwood Street, Gerringong opposite Greta Street in accordance with the tabled signage and linemarking plan.

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE MEETING HELD IN COMMITTEE ROOM 1, COUNCIL ADMINISTRATION BUILDING ON 6 OCTOBER 2015

INFORMAL ITEMS (TRAFFIC ENGINEERING ADVICE)

1 Traffic Committee Information Report - Speed Monitoring Program Kiama LGA

Janelle Burns outlined the program with regards to collecting and analysing speed data in the Kiama LGA. The program will run for the next twelve months. The location of the VMS will vary each 6 weeks.

CR046

Committee recommendation that the information be noted.

2 Morrow Street Gerringong - One-way Road

Bryan advised the Committee that traffic modelling will be taking place to seek the best solution for traffic flow at this location. Recommendations will then be reported back to the Committee at a future meeting.

CR047

Committee recommendation that the information be noted.

LATE BUSINESS

1 Retirement of Joanne Henry

The Chair, Mayor Brian Petschler advised that Joanne Henry will be retiring from Council and consequently her role of Minutes Secretary to the Kiama Local Traffic Committee. Brian thanked Joanne for her outstanding service on behalf of the Committee and Council.

There being no further business the meeting closed at 10.24am.

The next meeting of the Committee will be held on Tuesday 3 November 2015.

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 Director Environmental Services
- Report of the General Manager
- Report of the Director Corporate and Commercial Services
- Report of the Manager Corporate Services
- Report of the Director Engineering and Works
- Report of the Director Community Services
- Reports for Information
- Addendum to Reports

9 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.9 Ensure the principles of sustainable development and legislative compliance underpin our land uses and the design of our buildings and subdivisions

Delivery Program: 2.9.1 Comply with Development Regulation

Summary

This report reviews the development application seeking consent for demolition of the existing buildings and the construction of a multi dwelling housing development consisting of five (5) attached three (3) storey, three (3) bedroom dwellings.

The proposed development seeks variation to DCP 2012 Chapter 5 control C23, which relates to solar access to living areas and private open space (units 2, 3, 4 & 5 do not comply); control C24, which relates to orientation of living areas; and control C32 which requires a minimum 25m² private open space directly accessible from the internal living area (units 3, 4 & 5 do not strictly comply). The proposed development will also result in overshadowing, in particular, of the neighbouring villa at 2/130 Shoalhaven Street, Kiama, and generates unacceptable impacts in regard to privacy and overlooking of adjoining residential development.

The report recommends that the application be refused.

Finance

N/A

Policy

N/A

Reason for the Report

The development application is reported to Council at the request of Councillor Sloan.

Attachments

1 Plans

Enclosures

Nil

RECOMMENDATION

That Council refuse development application 10. 2015.162.1 pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, for the reasons put forward in this report.

Report of the Director Environmental Services

- 9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)
-

BACKGROUND

Applicant: Design Workshop Australia
Owner: Mr EV & Mrs CJ Spindler
Site Zoning: R3 Medium Density Residential

Development Site

The property is described as Lot 2 DP 155220 which is located at 30 Barney Street Kiama.

The overall site measures 676.6m² in size and is rectangular in shape and orientated on a northeast by southwest axis. The site currently contains a dwelling-house and outbuilding and is bounded to the northeast by Barney Street, to the southeast by residential land (medium density development), to the northwest by residential land (dwelling house) and to the southwest by residential land (medium density development).

The site is zoned R3 Medium Density Residential pursuant to Kiama Local Environmental Plan (LEP) 2011.

The site is cleared and slopes moderately from West to East.

Access to the property is obtained from Barney Street and the site drains to Barney Street.

The allotment is serviced by water, sewer, electricity and telecommunications.

Description of the Proposed Development

The proposal involves the demolition of the existing dwelling and garage and construction of a multi dwelling housing development consisting of 5 attached 3 storey, 3 bedroom dwellings.

The proposed dwellings each consist of:

- Ground floor - two car (stacked) lock up garage with general storage area, garbage bin storage and internal access to the dwelling;
- Level 1 - bedroom, WC, laundry, open plan kitchen/living/dining area opening onto southeast facing balcony/private open space. The dwellings also open to the west onto a very small drying court.
- Level 2 - two bedrooms (master bedroom with ensuite), bathroom and study nook.

Dwellings 1 & 2 are the nominated adaptable dwellings and each have a gross floor area of 135.1m². Dwellings 3 – 5 inclusive have a gross floor area of 108.02m² each, as outlined on the plan set Site + Roof Plan. The dwellings each have an identical floor layout, although dwellings 1, & 2, being the adaptable units, are wider to accommodate required circulation spaces.

Principal private open space is proposed by way of a southeast-facing deck accessed from the living area of each dwelling.

Report of the Director Environmental Services

- 9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)

Vehicular access is obtained from Barney Street adjacent the south eastern property boundary. The dwellings each have a two car (stacked) garage and a single visitor parking/car wash space is situated at the rear of the site.

Individual waste storage bays are proposed for each dwelling on the ground floor. Kerbside waste collection in Barney Street is proposed.

It is proposed that the building be finished with the following materials and colours:-

- Roof – Colorbond ‘Shale Grey’
- Rendered brickwork – Dulux ‘Grid’
- Hardies ‘Stria’ wall cladding – Dulux ‘White on White’
- Hardies ‘Matrix’ wall cladding – Dulux ‘Water Worn’

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.

The site is located outside of the ‘sensitive coastal location’.

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 (Building Sustainability Index: BASIX) 2004 (BASIX)

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

- State Environmental Planning Policy No 55 - Remediation of Land

The land is considered to be suitable for the proposed use. There is no evidence of site contamination at the subject property.

- State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development

Clause 4(3) of SEPP 65 states that “*this Policy does not apply to a building that is a class 1a or 1b building within the meaning of the Building Code of Australia.*” The proposed building is a Class 1a building; therefore SEPP 65 does not apply to the proposal.

- Illawarra Regional Environmental Plan No 1 (IREP 1)

The proposal is not inconsistent with the aims and objectives of IREP 1.

- Kiama Local Environmental Plan 2011 (KLEP 2011)

Report of the Director Environmental Services

- 9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)

The subject land is zoned R3 Medium Density Residential pursuant to Kiama Local Environmental Plan 2011 (KLEP 2011). The proposal (*multi dwelling housing*) is permitted with consent in the zone and is considered to be consistent with the general zone objectives.

Specific clauses requiring consideration:-

Clause 4.3 requires that the height of the building does not exceed the maximum height shown on the Height of Buildings Map (11m in this instance). The height of the proposal in its current form is in the order of 8.446m, being within the permitted height limit.

Clause 4.4 requires that the floor space ratio does not exceed the maximum floor space ratio shown for land on the Floor Space Ratio map. In this instance the LEP permits an FSR of 1:1. The proposed development has an FSR of 0.875:1 and is thereby compliant.

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

Any draft Environmental Planning Instruments

Nil.

Development Control Plans (DCPs)

- Kiama Development Control Plan (DCP) 2012

The proposed development is not considered to be consistent with the provisions of Kiama DCP 2012. Chapters 5 and 9 are most relevant to the proposal and are discussed below:

Chapter 5 – Medium density

Visual and Acoustic Privacy

Chapter 5 contains a set of overarching objectives applicable to all forms of medium density development. The first of these objectives is:

- *“To provide sufficient separation and articulation to provide a high level of visual and acoustic privacy for existing and new occupants”.*

The issue of privacy and associated amenity is further addressed in Section 2 – Setbacks, Section 3 – Building Separation and Section 4 End User Amenity, of Chapter 5. Each of these Sections has a list of minimum controls that may assist in achieving the overall objective. In the case of Section 2 – Setbacks, a minimum side boundary setback of 900mm for buildings less than 8.5 metres in height is referenced. This is also the side setback specified for low density residential development and it is considered to be appropriate where there is no active element

Report of the Director Environmental Services

- 9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)
-

of a development fronting the side boundary. In the case of the proposed development, each balcony of the 5 dwellings extends to within 1 metre of the side boundary. Each of these balconies has a length in the order of 5 metres, giving a total balcony length in excess of 25 metres adjoining the south-eastern boundary. Adjoining on this boundary is the outdoor private open space for an existing multi dwelling housing development containing 3 dwellings. The balconies will be in the order of 3 metres above the adjoining outdoor private open space areas, and whilst the proposal has included opaque balustrading, the likelihood of overlooking is significant. In addition to the overlooking of the adjoining dwellings, proposed dwellings will overlook outdoor private open space within the development. The proposed private open space areas are proposed at level two which is directly overlooked from the Master bedroom windows located on the third level.

The proximity of the proposed balconies to the existing open space on the adjoining property and to the bedrooms/living areas of proposed adjoining units also presents a significant impediment to achieving a satisfactory level of acoustic privacy.

Solar Access

Section 5 – Solar Access has an objective that:

- *“All development must incorporate design to the internal layout and the siting of the development on the site to ensure a high level of solar access to both end users of the development and existing surrounding development”.*

Control C23 requires a minimum of 70% of dwellings to receive a minimum of three hours direct sunlight between 9am and 3pm on 22 June to living rooms and private open spaces

Only the northern unit (proposed Unit 1) complies i.e. 20% of the proposed dwellings

All living areas are orientated to the southeast. This is a design response by the applicant, utilizing a single building, which runs almost the entire length of the allotment following side boundaries. The result of this design response is that 4 of the 5 units do not receive the required sunlight to the living areas or to private open space areas.

Control C24 requires that dwellings should be designed to locate living areas to the north and service areas to the south and west of the development.

As noted in control C23 above, living areas are orientated to the southeast due to the design of the proposed development. Whilst the applicant contends that living areas are orientated to the southeast to maximise views available, no provision has been made, with the exception of proposed unit 1, to also gain a northern orientation for living areas.

Open Space

Section 8 open Space has an objective;

Report of the Director Environmental Services

9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)

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- *“to ensure, that as densities increase, that useable well designed open space is provided”*

Control C32 requires a minimum private open space area of 25m² to be provided for each dwelling that is directly accessible from the internal living area.

Proposed units 3, 4 & 5 have a private open space balcony of 22.5m², 22.5m² & 22m² respectively, that is directly accessed from the indoor living area.

The applicant contends that there is a secondary private open space area for each dwelling along the north-western edge of each unit. This area is 1 metre wide and the length is commensurate with each units width ie 5.7 - 4.6 metres. Having regard to these dimensions and the potential for 1.8 metre high fencing bounding each courtyard, this area is not considered suitable as an outdoor recreation space.

The non-compliance with the DCP private open space control for proposed units 3, 4 & 5, could be considered relatively minor in a numeric sense, however there will be significant periods of the year when the balconies will not receive adequate sunlight, thus not providing one of the basic functions of such spaces.

The combination of the balconies being less than the required size and not meeting solar access requirements result in the objectives for open space not being met.

Façade

Section 12 – Façade has the following objectives:

- *“To ensure high architectural quality in medium density developments.*
- *To ensure that all medium density developments create a positive relationship to their site and their environment.*
- *To ensure that the facade of the development is designed to minimise the overall bulk of the building and adds positively to the architectural merit of the streetscape”*

The façade and streetscape presentation of the proposed development has been the subject of discussion between Council staff and the applicant. As a result, the overall height, bulk and scale have been reduced and attempts made to incorporate elements with a residential scale that will integrate with surrounding development.

The principle issue with the proposal is that the development consists of a single building, forming a row of attached “town house” type dwellings that address the side, south-eastern boundary of the property. Whilst attempts have been made to provide residential elements on the front façade, these are not considered to be satisfactory for the following reasons:

- the entry door to unit 1, whilst being in the front façade, is below street level and has no presence in the streetscape.
- full length windows have been added to the front façade, however these open onto a “powder room”, laundry and under stair area. Besides the practicality of installing windows in such areas, they offer no surveillance of the street from living areas.

Report of the Director Environmental Services

- 9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)
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Chapter 9 – Car Parking Requirements

This chapter draws on the RMS Guide to Traffic Generating Developments where medium density residential development is proposed and recommends a minimum number of off-street, resident parking spaces of:

- 1 space for each unit (5 units = 5 spaces), plus
- an additional 1 space per each 2 x 3 (or more) bedroom unit or part thereof (5 x 3 bedroom = 3 spaces), plus
- an additional one space per each five units for visitor parking or part thereof (5 units = 1 visitor space).

Consequently a total of 8 on-site car parking spaces are required (i.e. 5 + 3 + 1 = 8) and 11 are proposed in this instance.

A car washing bay (i.e. one required per 12 dwellings or part thereof) has been provided in accordance with the DCP. The proposed car wash bay doubles as the visitor parking space, as permitted by Section 19.

Bike storage is available within the unit garages.

The proposal is consistent with the provisions of Chapter 9.

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

See comments under “Façade” above.

- 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.

The potential for adverse noise impact on adjoining development, and development within the proposed development has been highlighted earlier in this report.

Report of the Director Environmental Services

- 9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)
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- Overshadowing

Shadow diagrams have been supplied with the development application, which indicate that the overshadowing impacts of the proposed development will, between 9.00am and 3.00pm on June 22, mostly impact the 17 unit villa complex to the south (130 Shoalhaven Street) and, within that, most directly impact unit number 2.

Council's DCP 2012, Chapter 5 – Medium Density Development, control C14 states: "*Design should not unreasonably reduce sunlight permeation to adjacent development by greater than 30% of existing levels.*" The interpretation of this requirement may be subjective, in that if an existing dwelling receives full sunlight (ie 6hours between 9am – 3pm) to its living/outdoor areas a reduction of 108 minutes would represent 30%, however would the reduction need to be to the full area or partial area? As a result it is also useful to consider the controls adopted for low density residential development i.e. a development shall not overshadow more than 50% of neighbouring private open space or living areas for more than 3 hours between 9.00am and 3.00pm on June 22. Whilst this standard is achieved for the majority of units at 130 Shoalhaven Street, it is not achieved for unit 2/130 Shoalhaven Street.

In relation to unit 2/130 Shoalhaven Street, the exterior of this unit is affected by shadow from the proposed development up until approximately 12.30pm on June 22 and greater than 50% of that units private open space is overshadowed up until approximately 1.00pm on June 22.

This is considered to be an unacceptable outcome.

- Views

The proposed development will have some impact on the eastern view of the existing neighbour to the west (32 Barney Street). No objection to the proposed development has been received from this address.

Although the permissible building height applying to the site is 11m, the applicant has emphasised that the proposed building height has been kept to below 8.5m in order to reduce the impact of view loss for neighbours to the west (coastal views are to the east/northeast). The incorporation of a low profile roof also minimises the impacts of view loss.

The proposal will have no unreasonable impact upon views currently available from neighbours.

- Vehicular Access, Parking and Manoeuvring

Sufficient car parking is proposed, as discussed under 'DCP 2012 Chapter 9' above.

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.

Report of the Director Environmental Services

- 9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)
-

- Environmental Impacts

Vegetation Removal – No vegetation is to be removed.

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

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

Impact on Water Resources – A rainwater tank is proposed to be provided to each dwelling, as required by BASIX. Stormwater will be conveyed to the street.

- 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 significant concerns are raised in regard to the adverse impacts in this regard.

The Suitability of the Site for the Development

The proposal is permissible within the R3 zone and satisfies the zone objectives and the site attributes are considered to be able to accommodate medium density development.

However, as highlighted above, the form of this proposal is such that creates a number of adverse impacts, which cumulatively, render this site not suitable for the form of development proposed.

Ongoing significant noise and privacy impacts are expected as a result of the 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, one (1) submission was received, which raised the following (summarised) matters of concern:

Item 1: The development will overshadow my kitchen, living area and rear balcony during the autumn and winter months and adversely impact the thermal performance of my home.

Response: This matter has been discussed above and it is agreed that the impact on the dwelling unit concerned is unacceptable.

Item 2: Privacy loss from the most southern unit (unit 5) “*looking directly into my property.*”

Response: There are two (2) windows on the southern elevation of the building. One of those windows is a high-sill window and neither of the windows are off of a living

Report of the Director Environmental Services

- 9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)
-

area. Further, in this instance, the proposal is some 6 metres from the adjoining and as such the property is not considered to be unreasonably impacted by privacy loss or overlooking as result of the development proposed.

As highlighted earlier in this report, the impact on privacy and acoustic impact is considered to be unacceptable on those residential units bordering to the south-east, however no submission was received from the single owner of these 3 residences.

Item 3: Tree plantings along the rear boundary of the development will further reduce solar access.

Response: The original Landscape Plan included vegetation, including two (2) Illawarra Flame trees, in the rear section of the property. These trees have subsequently been excluded from the amended proposal. Landscaping proposed in the rear section of the property will not result in unreasonable impact of overshadowing of the objector's property.

External Referrals

Nil

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

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

- Landscape Design Officer

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

The Public Interest

The proposal is considered to be generally consistent with relevant Environmental Planning Instruments however significant internal and external amenity issues have been identified in regard to the provisions of Development Control Plan 2012. Having regard to these impacts the proposal is not considered to be in the public interest.

Final Comments and Conclusions

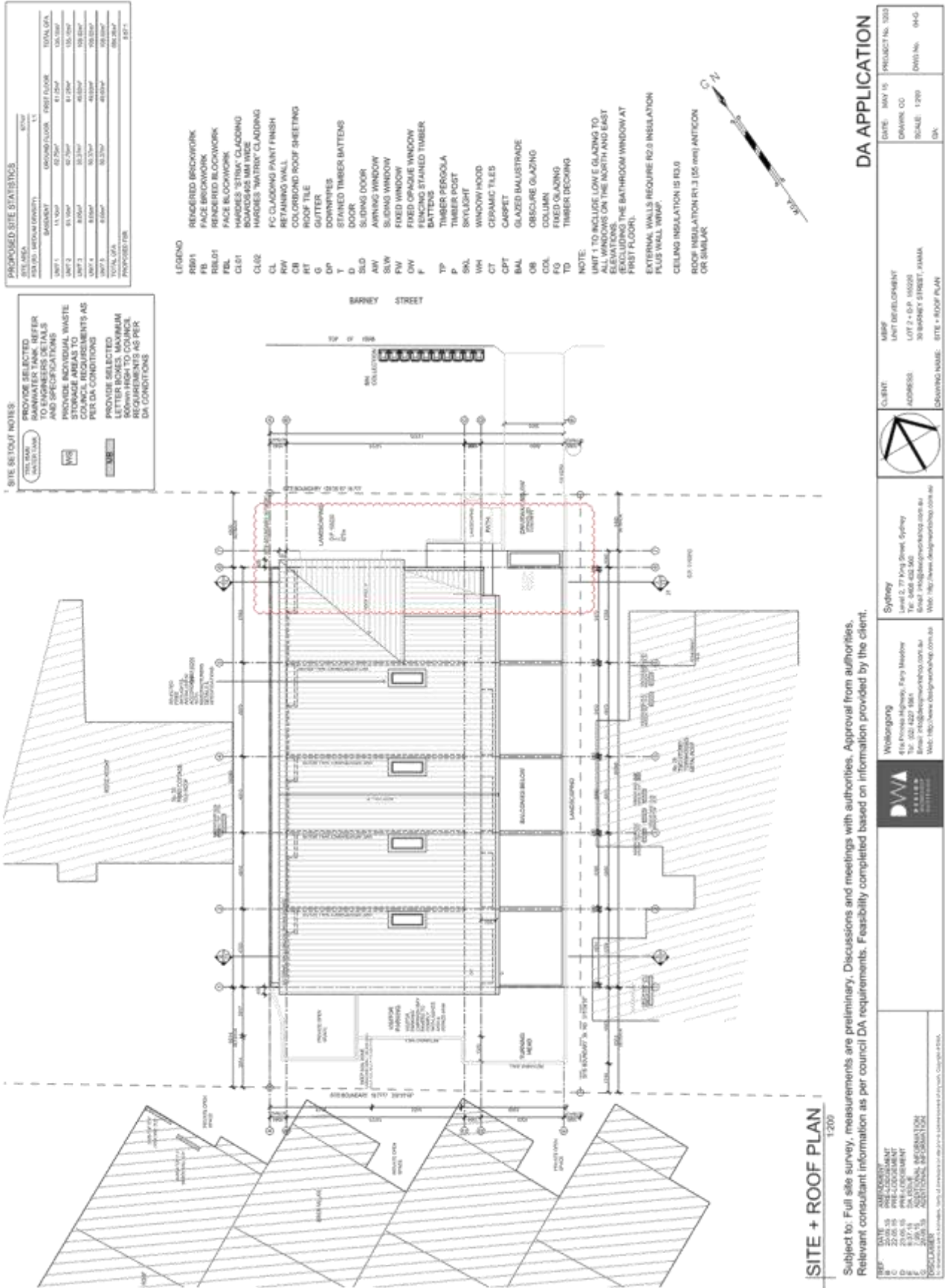
Whilst multi dwelling housing is a permitted form of land use in this zone, and the proposal meets the LEP requirements for height and floor space ratio, the design response in this instance has been to propose a single building, containing 5 dwellings, which follows the axis established by the side boundaries of the property. As a result there are a number of areas where the amenity, internally and externally of the site, does not meet acceptable levels. In addition, this style of building does not present in a satisfactory manner in the streetscape.

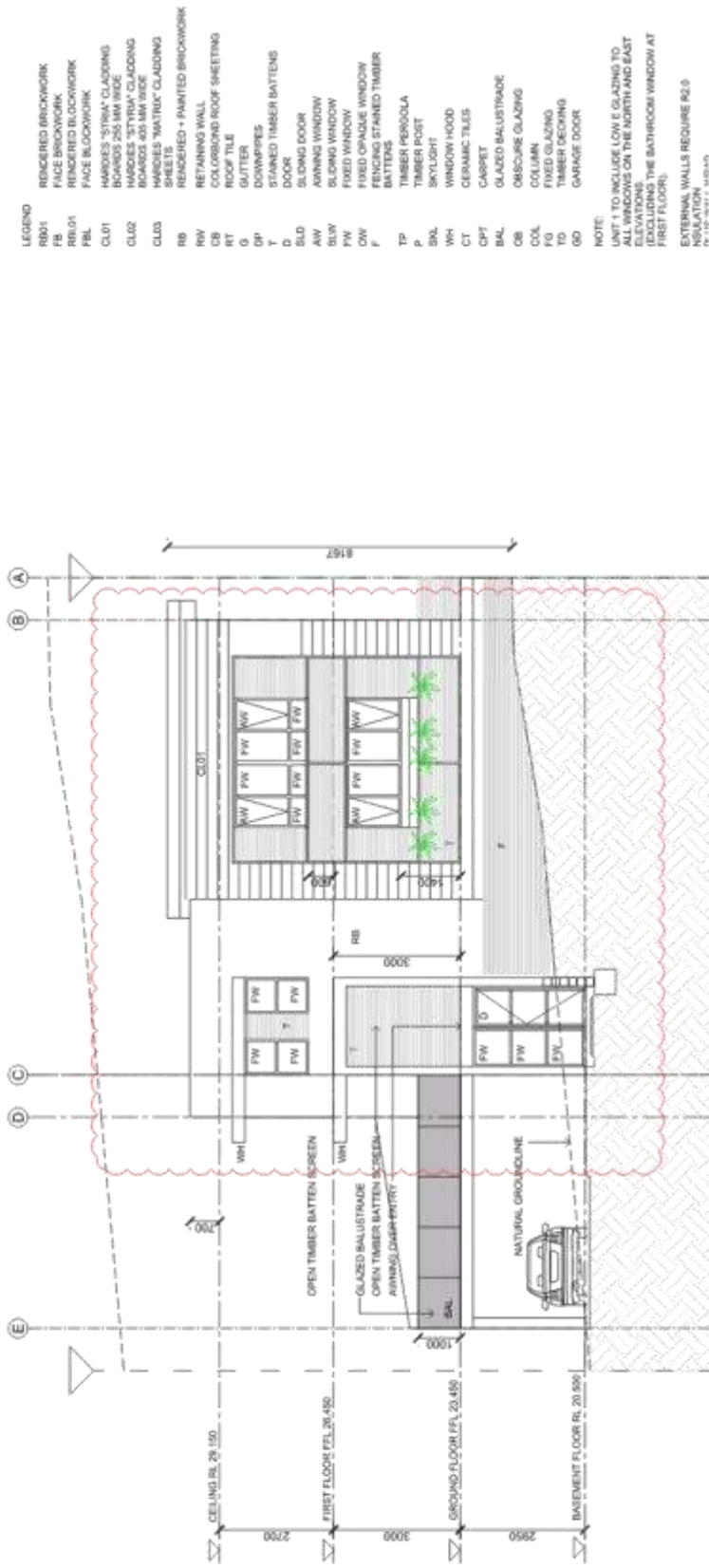
Report of the Director Environmental Services

- 9.1 Lot 2 DP 155220 No 30 Barney St, Kiama - demolition of existing dwelling and construction of 5 x 3 storey units (10. 2015.162.1)
(cont)
-

As a result it is recommended that Development Application 10.2015.162.1 be refused under the provisions of Section 80 of the Environmental Planning and Assessment Act for the following reasons:

1. The proposed development is not considered to meet the objectives or be consistent with the provisions of Kiama DCP 2012, Chapters 5, particularly in regard to:
 - the proposal does not provide sufficient separation and articulation to provide a high level of amenity, daylight, visual and acoustic privacy for existing and new occupants.
 - the proposal has not been designed to minimise overshadowing of adjacent properties and private open space.
 - the proposal has not been designed to incorporate design to the internal layout and the siting of development on the site to ensure a high level of solar access to both end users of the development and existing surrounding development.
 - the proposal has not ensured that useable, well designed open space has been provided with satisfactory solar access.
 - the proposal does not does not create a positive relationship to the site, streetscape and local environment.
2. Having regard to the impact and general amenity issues identified, the proposed development is not in the public interest.





LEGEND

RB01	RENDERED BRICKWORK
FB	FACE BRICKWORK
RB0A	RENDERED BLOCKWORK
FB0A	FACE BLOCKWORK
CL01	HARDIES "STRYKA" CLADDING
CL02	HARDIES "STRYKA" CLADDING
CL03	HARDIES "MATTUK" CLADDING
SH01	RENDERED + PAINTED BRICKWORK
RV	RETAINING WALL
CB	COLORBOND ROOF SHEETING
RT	ROOF TILE
G	GUTTER
DP	DOWNPIPES
T	TIMBER TRUSS
TD	DOWNED TIMBER BATTENS
BLD	DOORING DOOR
AW	AWNING WINDOW
SW	SLIDING WINDOW
FW	FIXED WINDOW
CW	FIXED CASULE WINDOW
F	FENCING STAINED TIMBER BATTENS
TP	TIMBER PERGOLA
P	TIMBER POST
SKL	SKYLIGHT
WH	WINDOW HOOD
CT	CERAMIC TILES
GPT	GARPET
BAL	GLAZED BALUSTRADE
OB	OBSCURE GLAZING
COL	COLUMN
FG	FIXED GLAZING
TD	TIMBER DECKING
GD	GARAGE DOOR

NOTE:
 UNIT 1 TO INCLUDE LOW E GLAZING TO ALL WINDOWS ON THE NORTH AND EAST ELEVATIONS.
 INCLUDE THE BATHROOM WINDOW AT FIRST FLOOR.
 EXTERNAL WALLS REQUIRE R2.0 INSULATION.

NORTH ELEVATION
1:100

Subject to: Full site survey, measurements are preliminary. Discussions and meetings with authorities. Approval from authorities. Relevant consultant information as per council DA requirements. Feasibility completed based on information provided by the client.

REF.	DATE	DESCRIPTION
01	22/01/15	PRELIMINARY
02	03/02/15	DA 500K
03	23/02/15	DA 500K
04	23/02/15	ADDITIONAL INFORMATION
05	23/02/15	ADDITIONAL INFORMATION
06	23/02/15	ADDITIONAL INFORMATION

Wollongong
 E.L. Design Pty Ltd
 Email: info@eldesign.com.au
 Web: http://www.eldesign.com.au

DMA
 5. STAR RATED
 DESIGNERS

Sydney
 E.L. Design Pty Ltd
 Email: info@eldesign.com.au
 Web: http://www.eldesign.com.au

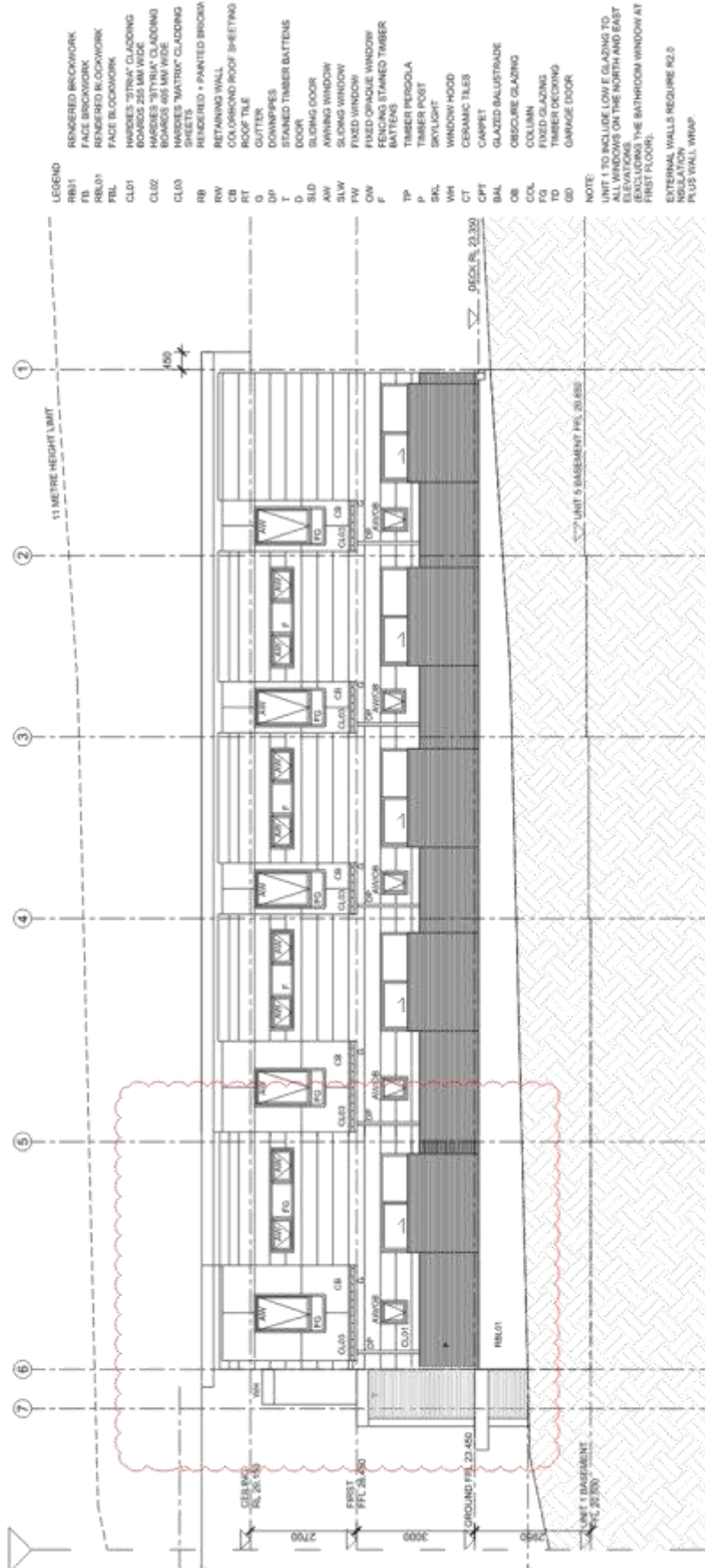


CLIENT: UNIT DEVELOPMENT
 LOT 2 - DP 155220
 30 BARNEY STREET, KIAMA

DRAWING NAME: NORTH ELEVATION

DA APPLICATION

DATE	MAY '15	PROJECT No.	1020
DRAWN	CC	SCALE	1:100
DWG No.	08-G	GP	



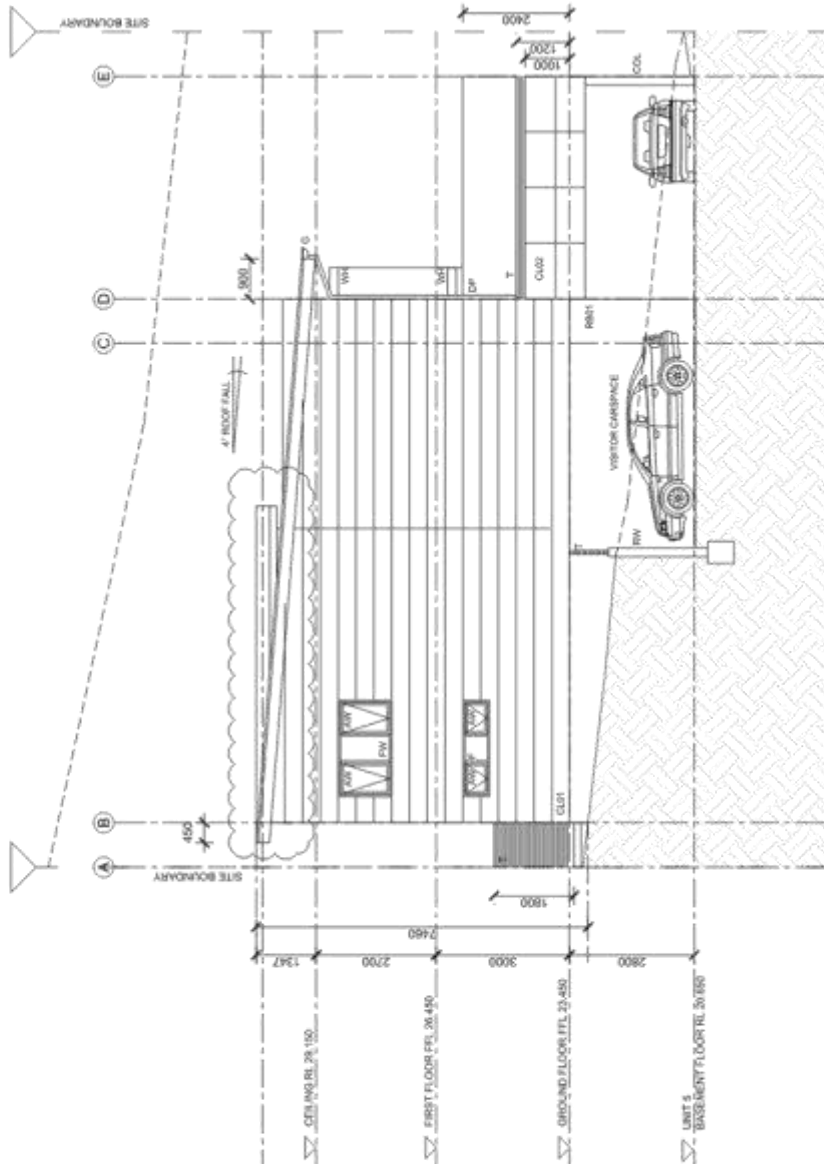
WEST ELEVATION
1:100

Subject to: Full site survey, measurements are preliminary. Discussions and meetings with authorities. Approval from authorities. Relevant consultant information as per council DA requirements. Feasibility completed based on information provided by the client.

DA APPLICATION

<p>DATE: MAY 15 PROJECT NO.: 1029</p> <p>DRAWN BY: [Name] SCALE: 1:100 DRAWN NO.: 1040</p> <p>CHK: [Name]</p>	<p>CLIENT: MBSF UNIT DEVELOPMENT LOT 2 + DP 155220 30 BARNEY STREET, KIAMA</p> <p>CLIENT ADDRESS: [Address] CLIENT NAME: WEST ELEVATION</p>	<p>SYDNEY: Level 2, 77 King Street, Sydney Tel: 0655 425 340 Email: info@designworkshop.com.au Web: 1802 www.designworkshop.com.au</p> <p>WOLLONGONG: 814 Kross Highway, Fairy Head Tel: 052 4227 1861 Email: info@designworkshop.com.au Web: 1802 www.designworkshop.com.au</p>	<p>DWA DESIGN WORKSHOP ARCHITECTS</p> <p>REGISTERED: 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025</p>
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- LEGEND**
- RS/01 RENDERED BRICKWORK
 - RS/02 FACE BRICKWORK
 - RS/03 FACED BRICKWORK
 - RS/04 FACE BLOSSOM
 - CL/01 HARDIES "STRAY" CLADDING
 - CL/02 HARDIES "STRAY" CLADDING
 - CL/03 HARDIES "MATRIX" CLADDING SHEETS
 - RS/05 RENDERED + PAINTED BRICKWORK
 - RW RETAINING WALL
 - CB COLORBOND ROOF SHEETING
 - RT ROOF TILE
 - G GUTTER
 - DP DOWNPIPES
 - T STAINED TIMBER BATTENS
 - D DOOR
 - SLO SLIDING DOOR
 - AW AWNING WINDOW
 - SLW SLIDING WINDOW
 - FW FIXED WINDOW
 - OW FIXED OPAQUE WINDOW
 - F FENCING STAINED TIMBER
 - TP TRIPLE PANEGLASS
 - P TIMBER POST
 - SAL SKYLIGHT
 - WH WINDOW HOOD
 - CT CERAMIC TILES
 - CPT CARPET
 - BAL GLAZED BALUSTRADE
 - CB OBSICURE GLAZING
 - COL COLUMN
 - FG FIXED GLAZING
 - TD TIMBER DECKING
 - GD GARAGE DOOR
- NOTE:**
 UNIT 1 TO INCLUDE LOWE GLAZING TO ALL WINDOWS ON THE NORTH AND EAST ELEVATIONS (EXCLUDING THE BATHROOM WINDOW AT FIRST FLOOR).
 EXTERNAL WALLS REQUIRE R2.0 INSULATION PLUS WALL WRAP.
 CEILING INSULATION IS R3.0
 ROOF INSULATION IS R1.0 WITH 40MM AIRTYM

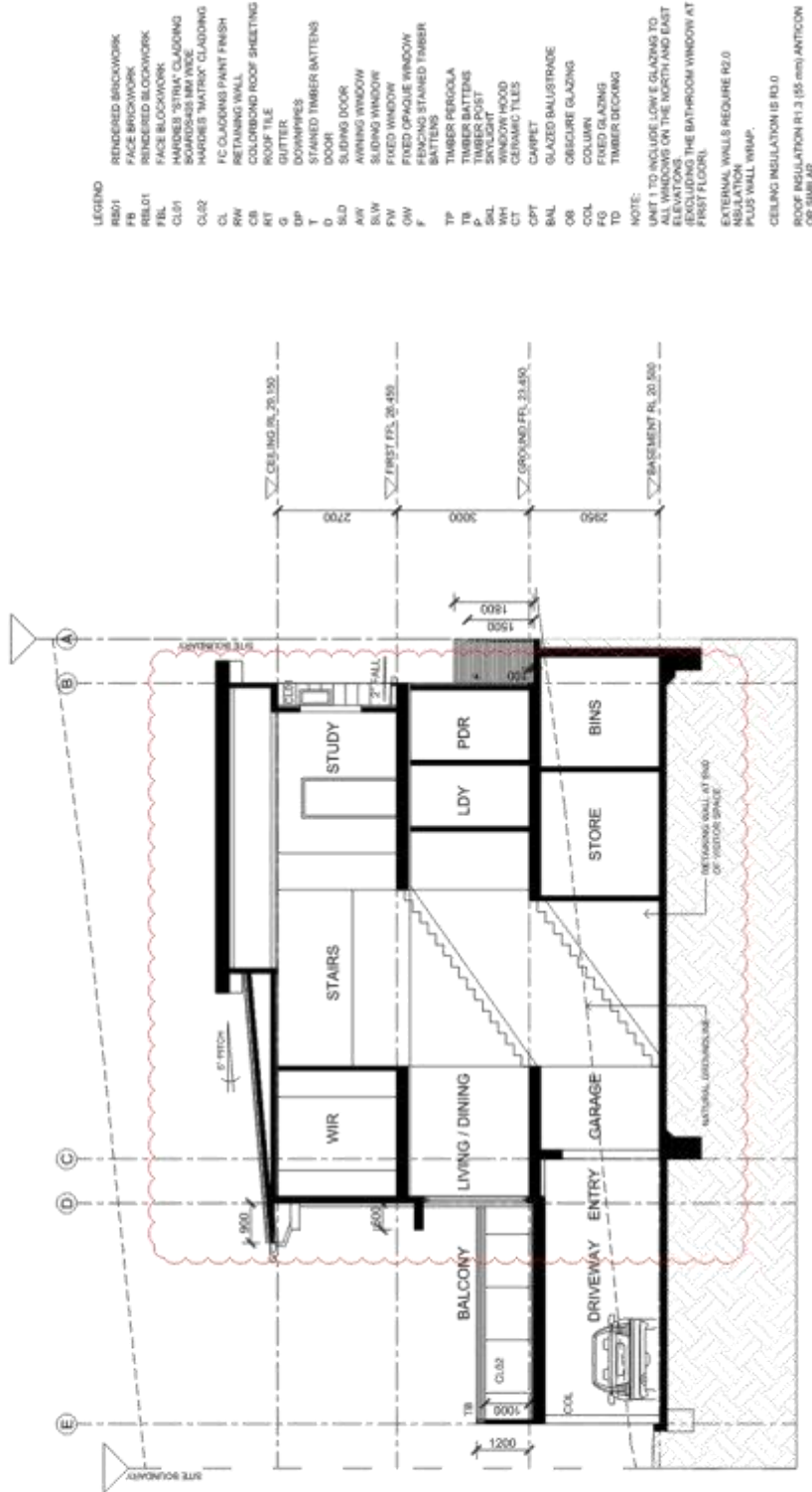


SOUTH ELEVATION
1:100

Subject to: Full site survey, measurements are preliminary. Discussions and meetings with authorities. Approval from authorities. Relevant consultant information as per council DA requirements. Feasibility completed based on information provided by the client.

DA APPLICATION

<p>SUBJECT</p> <p>DP 155220 30 BARNEY STREET KIAMA NSW 2556</p> <p>DATE 15/05/2015</p> <p>PROJECT NO. 1029</p>	<p>CLIENT</p> <p>MBSF UNIT DEVELOPMENT LOT 2 + DP 155220 30 BARNEY STREET, KIAMA</p> <p>DATE 15/05/2015</p> <p>SCALE 1:100</p> <p>DRAWN BY [Signature]</p> <p>CHECKED BY [Signature]</p>
<p>SYDNEY</p> <p>Level 2, 77 King Street, Sydney Tel: 0655 452 340 Email: info@designworkshop.com.au Web: http://www.designworkshop.com.au</p>	<p>WOLLONGONG</p> <p>814 Princes Highway, Fairy Meadow Tel: 002 4227 1861 Email: info@designworkshop.com.au Web: http://www.designworkshop.com.au</p>
<p>DATE 15/05/2015</p> <p>TIME 10:00 AM</p> <p>BY [Signature]</p> <p>FOR [Signature]</p> <p>PROJECT 1029</p> <p>SCALE 1:100</p> <p>ADDITIONAL INFORMATION</p>	<p>PROJECT NO. 1029</p> <p>DRAWN BY [Signature]</p> <p>CHECKED BY [Signature]</p> <p>DATE 15/05/2015</p> <p>SCALE 1:100</p> <p>DRAWN BY [Signature]</p> <p>CHECKED BY [Signature]</p>

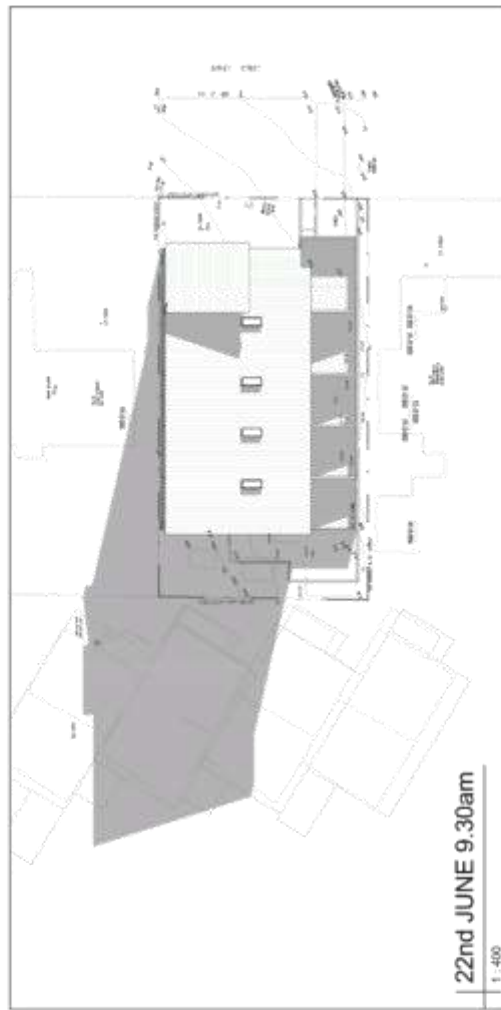
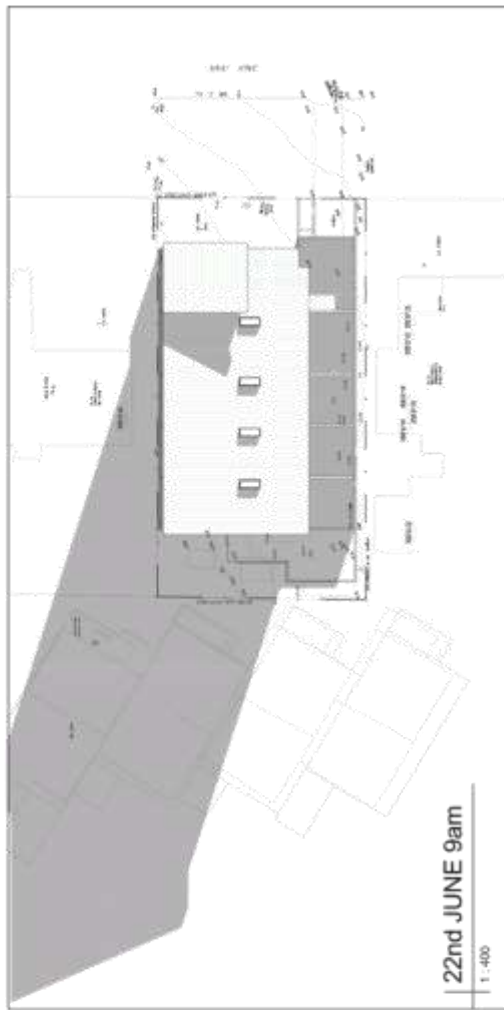


- LEGEND**
- RENDERED BRICKWORK
 - FACE BRICKWORK
 - REBLOT
 - FACE BLOCKWORK
 - FACE BLOCKWORK
 - HANDED "STRIA" CLADDING
 - BOARDING 38MM WIDE
 - HANDED "MATRIX" CLADDING
 - FC CLADDING PAINT FINISH
 - RETAINING WALL
 - COLORBOND ROOF SHEETING
 - ROOF TILE
 - GUTTER
 - DOWNPIPES
 - STAINED TIMBER BATTENS
 - DOOR
 - SLIDING DOOR
 - AWNING WINDOW
 - SLIDING WINDOW
 - FIXED WINDOW
 - FIXED OPAGUE WINDOW
 - FENCING STAINED TIMBER BATTENS
 - TP
 - TIMBER PERGOLA
 - TB
 - TIMBER BATTENS
 - P
 - SKYLIGHT
 - WH
 - WINDOW HOOD
 - CERAMIC TILES
 - CPT
 - CARPET
 - BAL
 - GLAZED BALUSTRADE
 - OB
 - OBSCURE GLAZING
 - COL
 - COLUMN
 - FG
 - FIXED GLAZING
 - TD
 - TIMBER DECKING
- NOTE:**
 UNIT 1 TO INCLUDE LOW E GLAZING TO ALL WINDOWS ON THE NORTH AND EAST ELEVATIONS EXCLUDING THE BATHROOM WINDOW AT FIRST FLOOR.
 EXTERNAL WALLS REQUIRE R2.0 INSULATION PLUS WALL WRAP.
 CEILING INSULATION IS R3.0 OR BR14K.

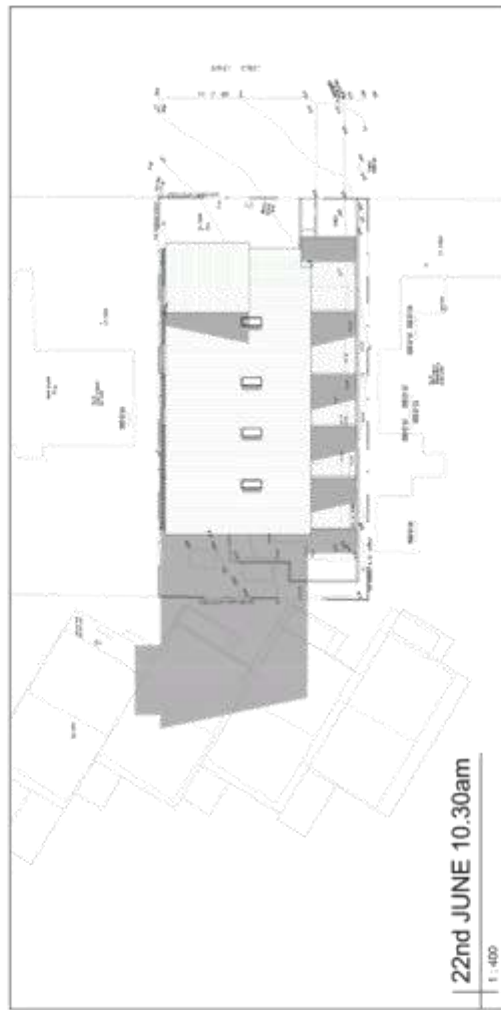
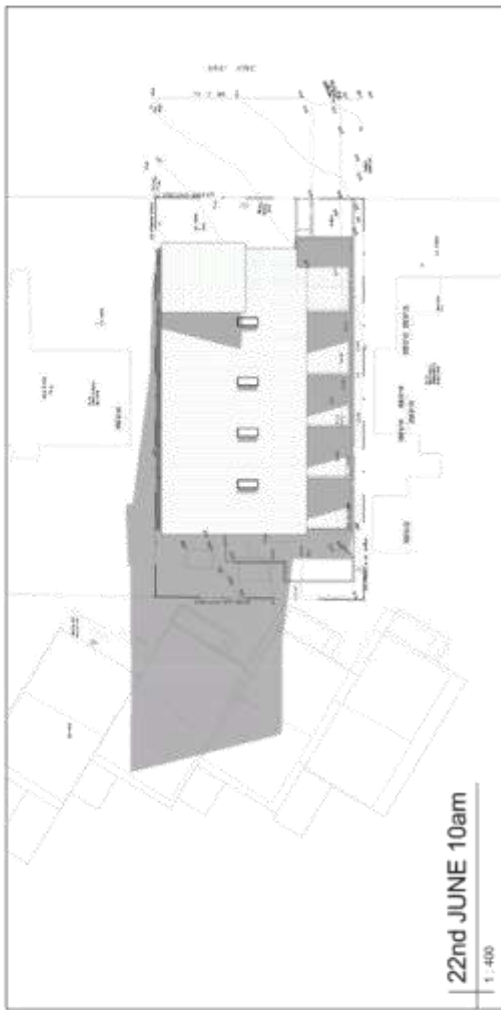
SECTION A-A
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Subject to: Full site survey, measurements are preliminary. Discussions and meetings with authorities. Approval from authorities. Relevant consultant information as per council DA requirements. Feasibility completed based on information provided by the client.

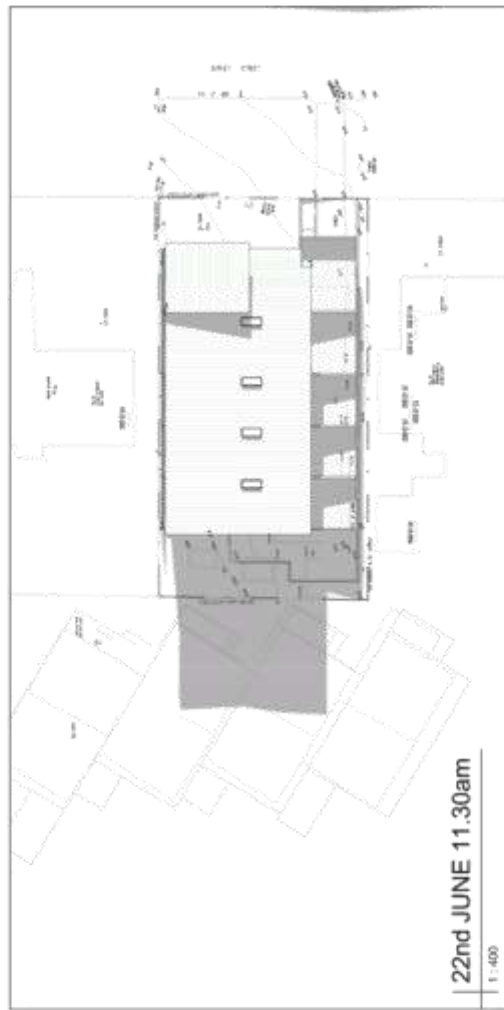
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<p>DAW CONSULTANTS 114 Pitt Street, Sydney Level 2/114 Pitt Street, Sydney Email: info@dawconsultants.com.au Web: http://www.dawconsultants.com.au</p>	<p>CLIENT: UNIT DEVELOPMENT LOT 2 - DP 155220 30 BARNEY STREET, KIAMA</p>
<p>DAW CONSULTANTS 114 Pitt Street, Sydney Level 2/114 Pitt Street, Sydney Email: info@dawconsultants.com.au Web: http://www.dawconsultants.com.au</p>	<p>DRAWING NAME: SECTION A-A</p>




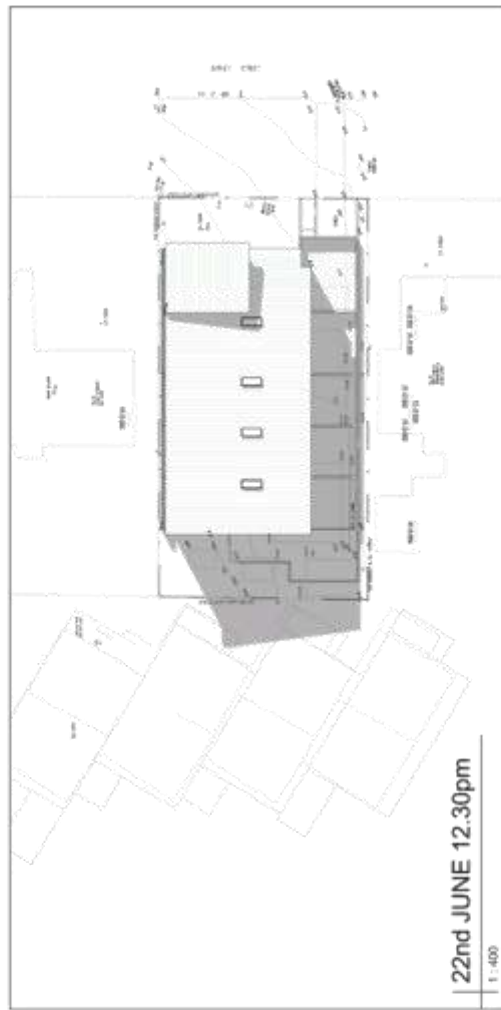
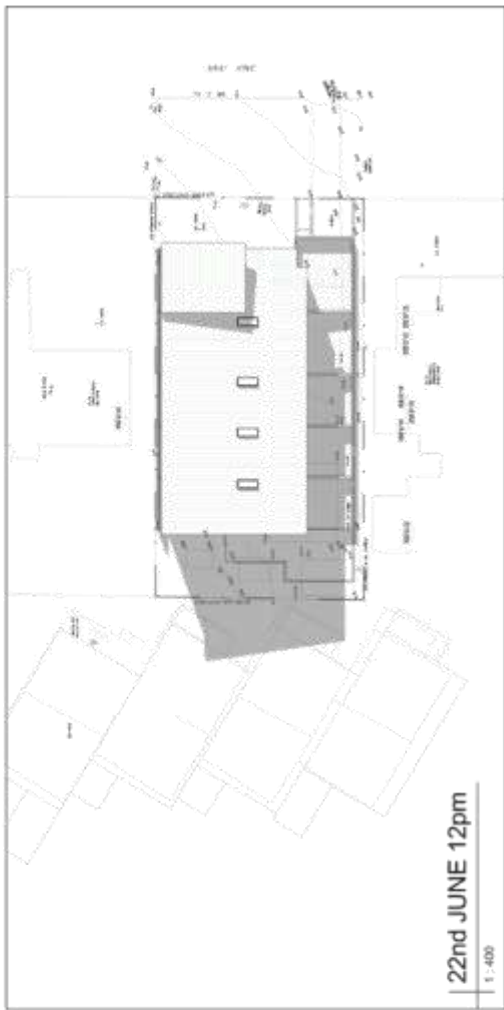
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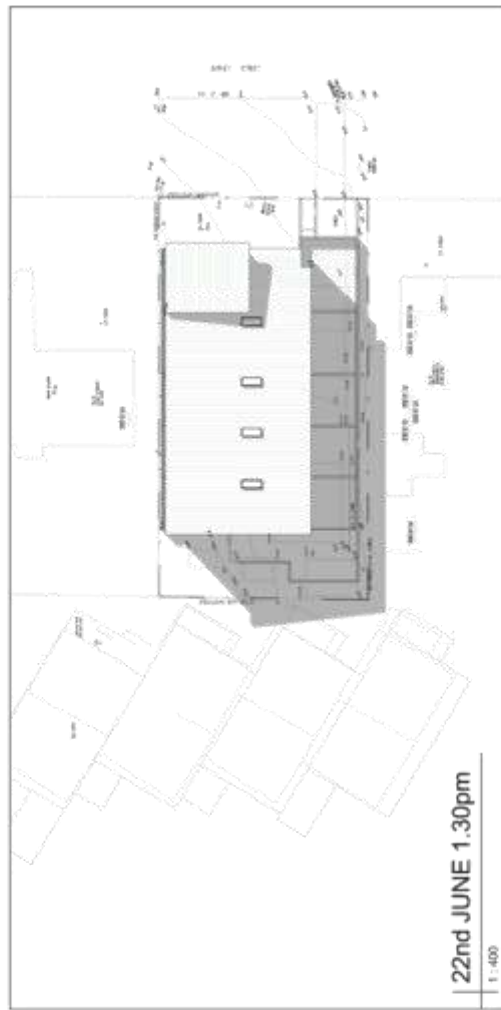
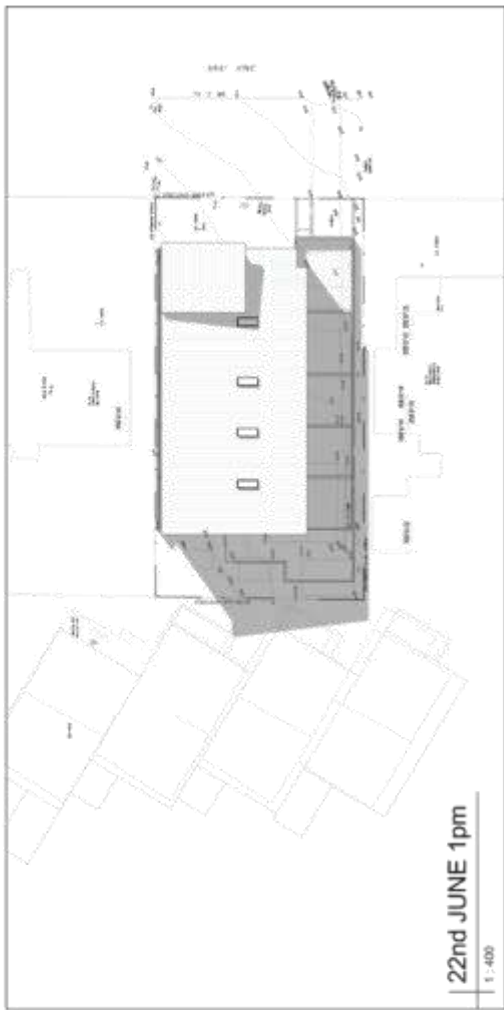
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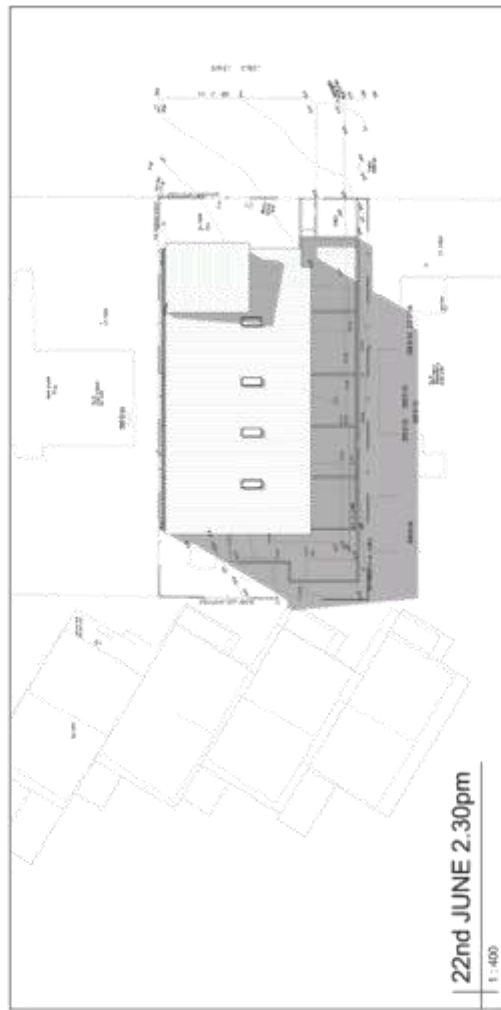
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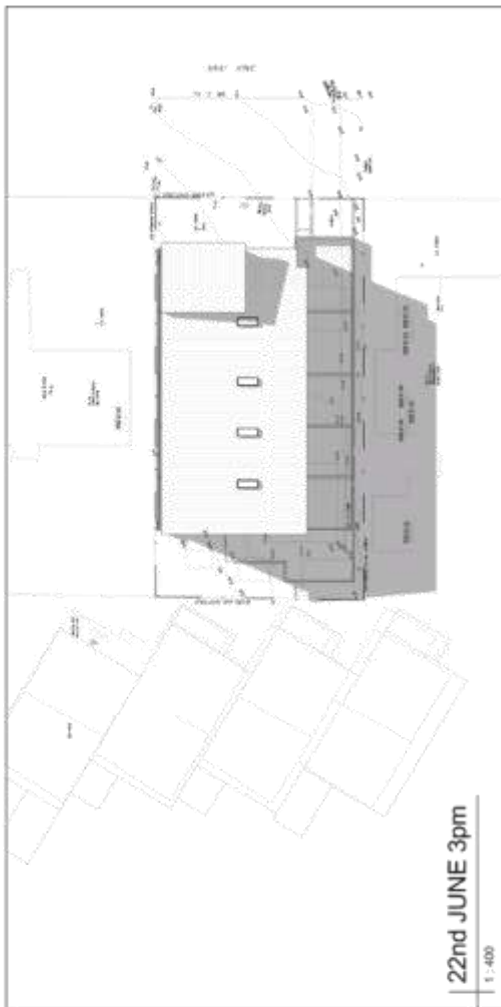
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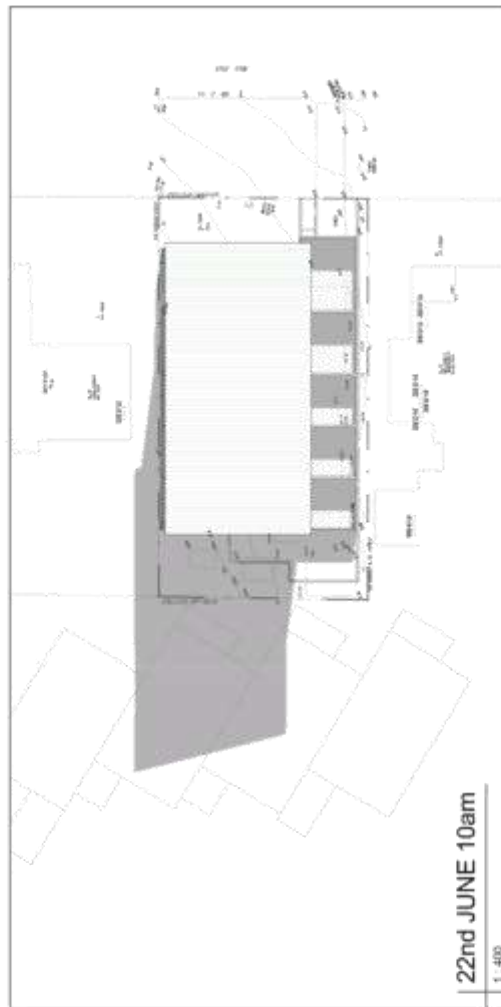
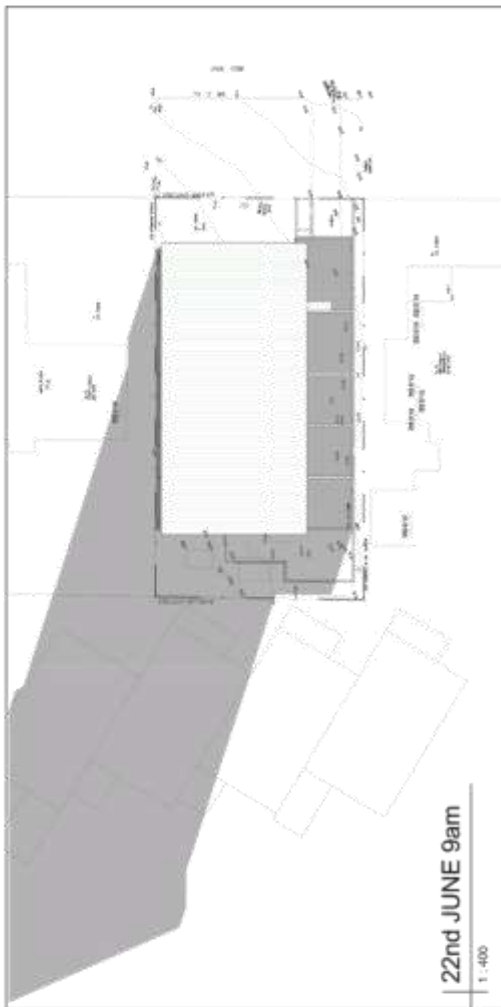
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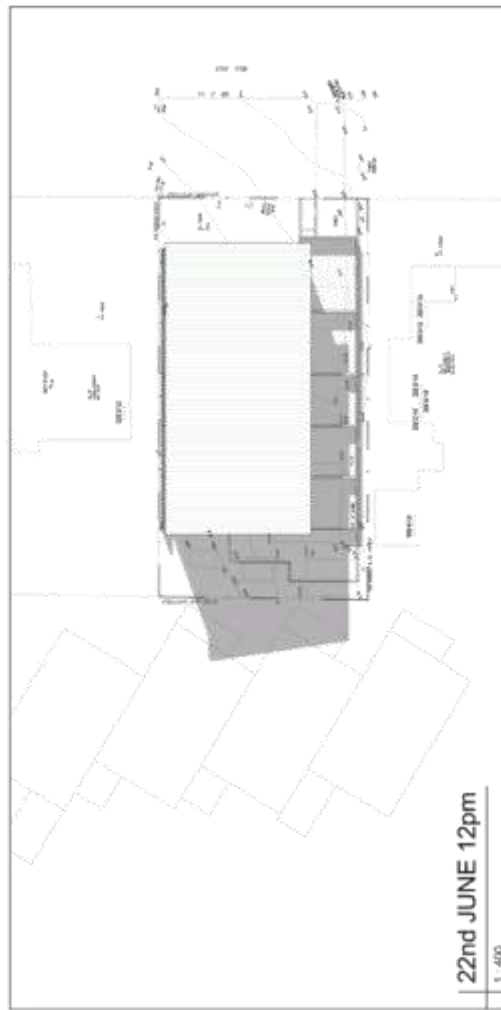
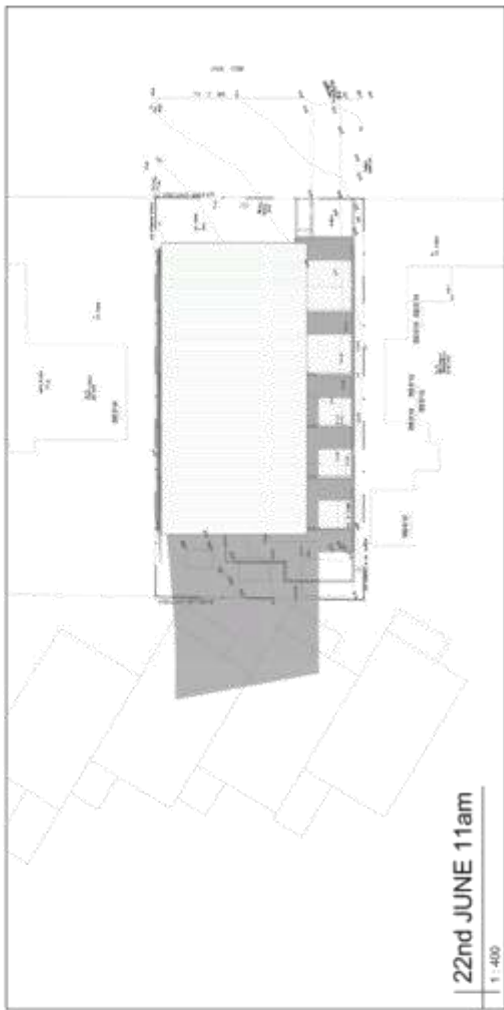
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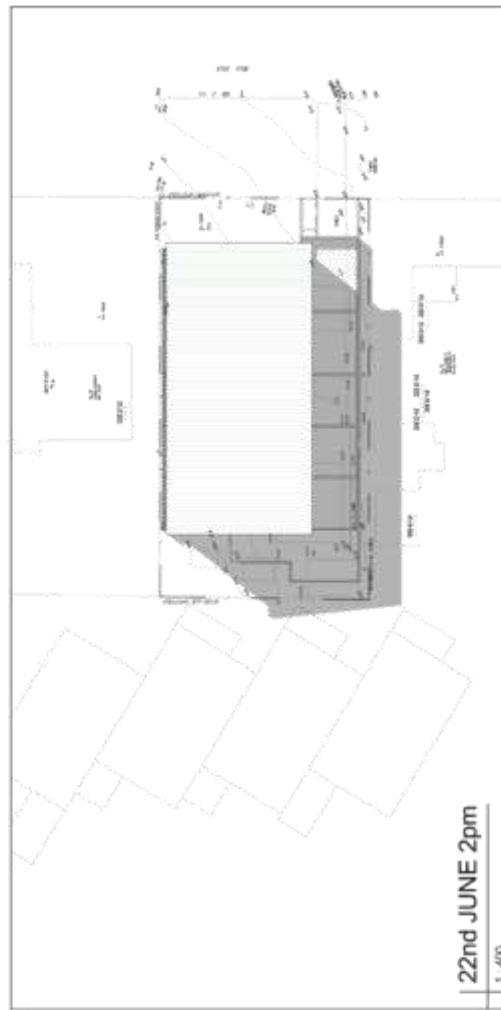
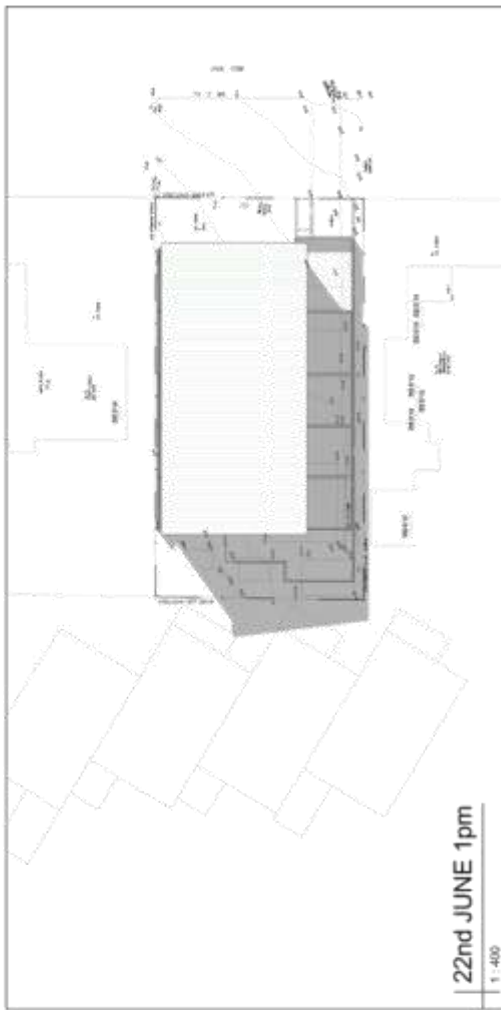
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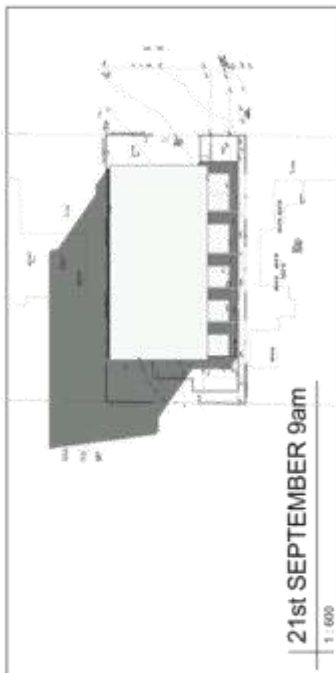
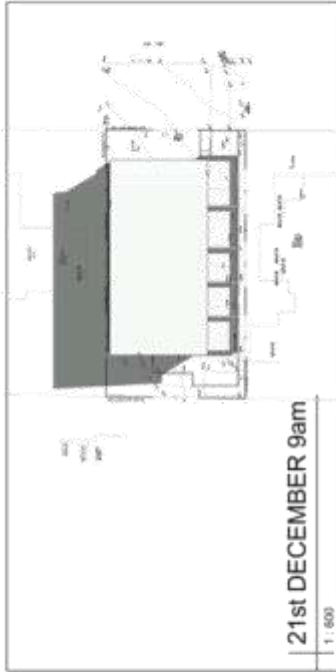
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9.2 Revision of Chapter 12 – Kiama DCP 2012 – Short Term Rental Accommodation

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.9 Ensure the principles of sustainable development and legislative compliance underpin our land uses and the design of our buildings and subdivisions

Delivery Program: 2.9.4 Review the Development Control Plan and amend as required

Summary

Council at its meeting of 21 July 2015 considered a report (Item 9.4) regarding the proposed revision to the waste requirements contained in the Kiama Development Control Plan (DCP) 2012 – Chapter 12 – Short Term Rental Accommodation (STRA) and resolved to place the 'draft' document on public exhibition.

Chapter 12 has been exhibited in accordance with Council's resolution and a final 'draft' document is attached to this report for Council's consideration.

Finance

There would be minimal cost to Council associated with this change. Staff time on administration tasks such as a mailout to STRA property owners will be financed through the Kerbside Organics Collection grant funds. Educational resources provided to STRA to compliment and support this initiative will also be financed from the grant funding.

Policy

N/A

Reason for Report to Council

Pursuant to the requirements of the Environmental Planning and Assessment Act 1979, adoption of a new or revised Development Control Plan, or part thereof, requires the endorsement of the Council.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council endorse 'draft' revised Chapter 12 – Short Term Rental Accommodation for inclusion within Kiama Development Control Plan 2012.

BACKGROUND

Kiama Development Control Plan (DCP) 2012 was adopted by Council on 31 July 2012. Due to the ongoing rollout of the Organics Kiama kerbside collection service, the

Report of the Director Environmental Services

9.2 Revision of Chapter 12 – Kiama DCP 2012 – Short Term Rental Accommodation (cont)

waste components of the DCP have been reviewed. Amendments are proposed to the waste requirements within the existing Chapter 12 – Short Term Rental Accommodation to address identified issues and prevent further problems arising once the new waste service is operating right across the municipality.

It was recommended at Council's meeting 21 July 2015 that:

1. Council endorse the amendments to Chapter 12 of Kiama DCP – Short Term Rental Accommodation. Such amendments relate to the minimum requirements for STRA properties regarding waste bin size, being:
 - a. STRA which accommodate up to two guests must have a minimum 140 litre garbage bin (red lid bin)
 - b. STRA which accommodate more than two guests must have a minimum 240 litre garbage bin (red lid bin)
 - c. additional Best Practice Guidelines related to waste management.
2. The endorsed amendments be placed on public exhibition for a period of not less than 28 days.
3. Following public exhibition a further report be submitted to Council for consideration.

In addition to notification of public exhibition printed in the Kiama Independent, all known managing agents and owners of privately managed short term rental accommodation were notified by email, where possible. Contact was made with managers or owners of approximately 355 properties which would potentially be affected by the amendments.

Following the exhibition period, one submission was received. Comments on the main points raised in the submission are below:

1. *The Kiama economy relies on the tourism industry, so you are making it a rather unpleasant experience for them when they rent a holiday home if red bins are only collected fortnightly. The smell and pests that will be present as a result will not be a pleasant experience. We already have a terrible ant problem in the area that is hard to combat, this will only make it worse.*

Comment: The Organics Kiama waste service is adopted as fortnightly across the Local Government Area. This is an issue to be considered in regard to the overall servicing regime, not the document on public exhibition.

2. *Requesting tenants to freeze meat and fish products isn't at all practical, especially if there is a changeover in tenants the freezers needs to be left clean and empty.*

Comment: Again, this point relates to the Organics Kiama waste service, not the document on public exhibition.

3. *Enforcing properties to have a larger bin will partly solve the practical purpose of overflowing garbage bins, however this may actually cause additional costs to the landlords as the bin will probably get filled in the first week, and then the tenants in the second won't have space for their rubbish but only have the unfortunate problem of smelling someone else's garbage for another week.*

Report of the Director Environmental Services

9.2 Revision of Chapter 12 – Kiama DCP 2012 – Short Term Rental Accommodation (cont)

Comment: As part of the amendments to Chapter 12 – Short Term Rental Accommodation, it is stated that:

“If the waste generated by the STRA exceeds the capacity of this [residential] service, the following options are available:

- Order a second urban waste service for the STRA from Council, consisting of an additional garbage, recycling and organics bin and the applicable annual Domestic Waste Management Charge.
- Engage a waste contractor to remove excess waste from the property as required.”

It is acknowledged that, as they are essentially operating as commercial accommodation, STRA may have greater waste disposal needs than purely residential properties in the same zone. In this case, it is considered reasonable to expect that owners of STRA will cover any costs additional to a domestic waste service to meet these needs.

4. *You mentioned that you would bear the cost of upsizing the bin to a 240L one, however what about the additional yearly collection charge. The 140L is an annual charge of \$492.44 and the 240L would be \$691.44, an additional \$168.50 each holiday rental property would need to pay the council per year. I already have very high costs with paying the local cleaners, laundrette, gardeners (all helping the local economy), you are adding another cost to my rental that would in turn need to be passed on to the tenants, creating another problem for attracting tourism to the region.*

Comment: The costs to property owners associated with having an increased garbage bin size were detailed in the original report. As STRA are commercial enterprises which operate from residential properties, they avoid many of the requirements generally associated with business operations. The proposed amendments to the DCP are designed to ensure that they are receiving an appropriate level of waste service for a commercial accommodation premises. The additional costs referred to in the example above are slightly incorrect. The difference between the Domestic Waste Management Charge for a 140 litre garbage service and a 240 litre service currently is \$160.84. This equates to an additional \$3.09 per week payable by the property owner, an amount unlikely to deter prospective tenants to the property if added to the current weekly accommodation charges. The property in question accommodates 8 guests, which is a much greater number of people than the average sized household that a 140 litre bin is suitable for.

5. *I'm not sure where you buy biodegradable bin liners from, council will need to ensure that local supermarkets have a supply. Yet another additional cost to me as landlord.*

Comment: Compostable caddy liners are listed in the ‘Best Practice Guidelines’ in the revised Chapter 12 – Short Term Rental Accommodation. Supplying these would not be a requirement, but rather a recommendation. Compostable caddy liners are currently available at IGA Kiama Downs and Jamberoo. As the new service moves into additional zones, council staff are working with retailers in those areas to encourage them to stock this product. If these amendments are endorsed, a mail-out

Report of the Director Environmental Services

9.2 Revision of Chapter 12 – Kiama DCP 2012 – Short Term Rental
Accommodation (cont)

will be conducted to all known STRA property owners with information on how to up-size the bins, as well as other relevant information including suppliers of compostable liners.

6. *Including expectations in regards to waste in the terms & conditions is just asking tenants to a) reconsider staying at our property or b) reconsider the area if all properties include the same terms. This has a major impact for me as the owner and the council for the tourism attracted to the area.*

Comment: Incorporating waste guidelines in the terms & conditions would not be a requirement, but rather a recommendation.

As there was only one submission received, and, as detailed in the comments above, concerns in this submission have been adequately addressed, no subsequent changes are deemed necessary to the attached 'draft' revised Chapter 12 – Short Term Rental Accommodation.

It is now requested that Council endorse the draft chapter to allow necessary amendments to be made to the Kiama DCP 2012.



12

Short Term Rental Accommodation

- This Chapter was adopted by Council on 21 July 2015.

Chapter 12 – Kiama Development Control Plan 2012 – Short Term Rental Accommodation

Short Term Rental Accommodation

Introduction

STRA is one of a number of holiday accommodation options in the Kiama area. STRA offers accommodation for a limited time period in a privately owned dwelling. Some STRA are located in rural areas, however the majority are located in residential areas. This mix of 'holiday accommodation' within a residential setting requires a sensitive approach to ensure that the operation of the STRA does not negatively impact on the amenity for the surrounding residents.

Council acknowledges the operation of STRA under Clause 6.10 of Kiama LEP 2011 without the need to gain specific development consent. Such operation is conditional on established amenity levels of an area being maintained. Failure to maintain the standard may result in a site specific prohibition being put in place to prevent the operation of the STRA.

Council have produced the STRA Policy to:

- outline the mechanism to enable property owners/managers to manage STRA letting (including setting the maximum number of adult guests and visitors);
- outlining indications of what will constitute breaches to 'amenity'; and
- set out the mechanisms that Council will use to regulate and respond to issues arising as a result of STRA.

It should be noted that breaches of amenity as outlined may result in non compliance with this policy and may result in Penalty Infringement Notices (PIN) being issued under the *Environmental Planning and Assessment Act 1979 as amended*.

All STRA operators must comply with the STRA Policy.

Section 1 - The Short Term Rental Accommodation (STRA) Policy

Objectives

- To ensure that the current amenity of the locality is not adversely affected by Short Term Rental accommodation.
- That dwellings utilised for STRA provide a high standard of amenity and safety for users.
- To ensure that normal residential privacy standards are maintained.
- To ensure that STRA will comply with established amenity levels.

Chapter 12 – Kiama Development Control Plan 2012 – Short Term Rental Accommodation

Controls

Dwelling Suitability

- C1 STRA's must only be conducted in dwellings that have been lawfully constructed and comply with Building Code of Australia requirements.
- C2 STRA's must be offered in a clean, safe and habitable state.

Maximum Number of Guests and Visitors

- C3 The maximum number of guests permitted at a STRA must not exceed a maximum of 2 adults per bedroom.
- C4 Due to overall numbers and activities, guests and their visitors must not adversely impact upon amenity and must comply at all times with the terms of this STRA Policy.
- C5 Visitors are the responsibility of the guest at all times.

Amenity

- C7 STRA must not compromise the amenity of surrounding neighbours. Amenity breaches include (but are not limited to):
 - Guests and visitors must not create noise which is offensive to neighbours at any time during their occupancy, but especially between the hours 10 pm and 8 am.
 - Exceeding in the number of permissible guests in the STRA.
 - An unreasonable number of visitors to the STRA.
 - Any activities which may unduly impact on the health and/or safety of adjoining or nearby residences.
 - Inappropriate street parking so as to cause traffic hazards, significant or ongoing loss of parking for adjoining or nearby residences.
 - Unmanaged waste disposal or littering of the property surrounds.
 - The use of outdoor spas, pools and BBQs between the hours of 10 pm and 7am.
 - The use of decks/balconies/verandas between the hours of 10 pm and 8 am is subject to ensuring that no offensive noise and/or behaviour is carried out.
 - Instances of anti-social behaviour.
 - Any issues with the response of the nominated 24 hour contact such as:
 - Failure to be able to make contact with the 24 hour contact within a reasonable timeframe, (this also includes not returning calls),
 - Failure of the 24 hour contact person to act on complaints or refer to the appropriate regulatory authority where required.

Any breaches of amenity by residents or their guests in association with STRA is a noncompliance with this Policy and may result in Penalty Infringement Notices (PIN) being issued under the relevant legislation and a requirement by Council for mandatory signage of the premises. The requirement for mandatory signage will be imposed after two confirmed breaches. Council will also consider Land and Environment Court proceedings if the breaches are ongoing.

Chapter 12 – Kiama Development Control Plan 2012 – Short Term Rental Accommodation

Car parking

Car parking must be provided on site at the rate outlined below:

- 1 space for STRA with 1-2 bedrooms, and
- 2 spaces for STRA with 3+ bedrooms.

Council may consider the variation of this clause where it can be demonstrated that there is no car parking associated with the dwelling/unit (ie older style strata units), and there is sufficient street parking.

24 Hour Contact/Management/Information

C8 All STRA must provide 24 hour contact details for a local management agent who can respond if required to noise/parking/amenity issues. It should be noted that the appropriate regulatory authority should be contacted if required.

C9 The management contact will need to have delegated authority to attend to issues arising. The contact must be appropriately qualified/experienced person to deal with possible amenity issues which may arise. This may include responding on site or following up on contacting regulatory authorities.

C10 The management agents must be able to act at the time of the complaint to ensure that ameliorating actions are undertaken. This may include responding on site or following up on contacting regulatory authorities.

C11 STRA operators can choose one (1) of the following two (2) methods to convey contact information:

a. Provision of Contact Signage

STRA sites can provide one Business Identification sign no greater than 0.5 m² in area located in the front garden as near as practicable to the letterbox, or for strata units a small size sign located as near as practical to the letter box and able to be read clearly from the street indicating the following:

- That (insert address) is used for STRA.
- In the event of any issues with noise, amenity etc please call the 24 hour contact on – (insert 24 hour contact details).

or

b. Information given to adjoining owners

Adjoining property owners or managing agents could be given information detailing:

- That (insert address) is used for STRA and is under the management of (insert Real Estate/or other contact).
- In the event of any issues with noise, amenity etc please call the 24 hour contact on – (insert 24 hour contact details).

All STRA websites must contain contact details.

Chapter 12 – Kiama Development Control Plan 2012 – Short Term Rental Accommodation

- C12 Contact signage/ details must be kept updated with current information. Updated contact information must be redistributed to adjoining property owners / managing agents when changes to contact numbers etc occurs to ensure current information is available.
- C13 Council will be required to be notified in writing of all complaints within 48 hours by the 24 contact/management person. Council will require the following information: the date, time and type of complaint, and actions taken.

Information for Guests

- C14 Signage and information located within the STRA must cover the following information:
- That the STRA is located in a residential neighbourhood and guests will need to abide by the STRA Policy.
 - That guests need to be aware of noise impacts on residential neighbours. Guests and visitors must not create noise which is offensive to neighbours at any time during their occupancy, but especially between the hours 10 pm and 8 am.
 - That failure to comply with the STRA policy may result in fines and termination of permission to occupy the STRA.
 - That a 24 contact/management number may be called if adjoining areas have impacts on amenity.
- C15 The STRA Policy or summary thereof shall be given and explained to guests of the STRA with the key pickup.

- C16 A copy of the STRA Policy shall to be posted on a notice board within the STRA.

Waste Management

- C17 General waste management requirements can be found in Chapter 11 of this DCP. All urban residential zoned properties must pay the appropriate annual Domestic Waste Management Charge outlined in Council's current Revenue Policy as mandated in Section 496 of the Local Government Act, 1993.
- C18 Bins must be on the kerbside available for each collection day (refer to Chapter 11 Waste Requirements).
- C19 As a minimum requirement, urban residential STRA which can accommodate more than two guests must be in receipt of (and charged the applicable domestic waste management charge for) the largest size urban residential waste service. This consists of a 240 litre garbage bin, 240 litre recycling bin and 240 litre organics bin.

As a minimum requirement, urban residential STRA which accommodates a maximum of two guests must be in receipt of (and charged the applicable domestic waste management charge for) the equivalent of a standard waste service. This includes a 140 litre garbage bin. In the case of multi-unit developments with limited storage space, shared garbage, recycling and organics bin may be made available by Council.

Chapter 12 – Kiama Development Control Plan 2012 – Short Term Rental Accommodation

If the waste generated by the STRA exceeds the capacity of this service, the following options are available:

- Order a second urban waste service for the STRA from Council, consisting of an additional garbage, recycling and organics bin and the applicable annual Domestic Waste Management Charge.
- Engage a waste contractor to remove excess waste from the property as required.

Advertisement for the STRA

C20 The STRA must not be offered, described or advertised:

- in a false or misleading manner.
- for more than the maximum number of guests.

Section 2 – Breaches to this Policy

- Breaches of this Policy may result in Penalty Infringement Notices being issued.
- Breaches to the policy may result in the termination of permission to occupy the STRA.
- Breaches of this policy may also result in the prohibition of the land use.

Best Practice Guidelines

The following provides an overview of best practice strategies that will assist in ensuring that STRA are carried out appropriately with consideration for the ongoing amenity of the existing residential area.

- Dwellings used for STRA should be designed so that potential noise sources do not impact on living or sleeping areas of neighbouring properties.
- STRA with common areas or decks which overlooking neighbouring living areas or bedrooms have the potential to cause noise impacts for adjoining owners. This is mainly a problem after 10pm and before 8am. Consideration of potential noise generation from these sources should be undertaken with a view to limiting disturbing noise from these areas after 10pm and before 8am. Signage in the STRA alerting guests to this potential issue.
- Dwellings used for STRA should comply with all relevant legislation in terms of Workplace Health and Safety. The Tourism Accommodation Industry has developed Best Practise Guidelines for the operation of STRA - *Holiday Code of Conduct*. Council supports the adoption and implementation of such guidelines by owners and managing agents of STRA's.
- Bins should not sit on the kerbside for longer than 1 day after collection.
- A clearly labelled dual bin system should be installed within the kitchen of the STRA for ease of separation of recyclable waste.

Chapter 12 – Kiama Development Control Plan 2012 – Short Term Rental Accommodation

- The food organics kitchen caddy supplied by Council is installed in STRA receiving the OK Organics Kiama waste service.
- Compostible liners should be provided by the owner for guests of the STRA suitable for the kitchen organics caddy in OK Organics Kiama zones.

The terms and conditions for property bookings should include expectations on guests with regard to waste. This includes specifying that garbage, recyclables and food organics are to be separated and placed in the correct waste bins. For OK Organics Kiama zones, a requirement that no food is to be disposed of in the garbage bin could be included.

Item 9.2

Attachment 1

10 REPORT OF THE GENERAL MANAGER

10.1 Disclosure Of Interest-Councillors and Designated Staff

CSP Objective: 4 Responsible Civic Leadership that is Transparent, Innovative and Accessible

CSP Strategy: 4.4 Ensure a policy framework exists which meets all legislative requirements and community expectations

Delivery Program: 4.4.1 Ensure corporate legislative compliance

Summary

This report recommends Council note the receipt of the Disclosure of Interest Returns for 2014/2015.

Finance

Not applicable

Policy

In accordance with the Local Government Act 1993.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council note receipt by the statutory due date of 30 September 2015 of Disclosure of Interest Returns by nine Councillors and designated staff for the year ending 30 June 2015.

BACKGROUND

The statutory last date for the completion and return of Disclosure of Interest Returns for the year ending the 30 June 2015 was 30 September 2015.

Nine Councillors and all designated staff member completed their forms and returned them to Council's Public Officer before the due date.

The register containing these returns will be tabled at the meeting in accordance with Section 450A of the Local Government Act.

10.2 Council Meetings 2016

CSP Objective: 4 Responsible Civic Leadership that is Transparent, Innovative and Accessible

CSP Strategy: 4.9 Manage Council staff in a fair, equitable and sustainable manner to ensure the most efficient outcomes for the Community Strategic Plan

Delivery Program: 4.9.2 Maintain a harmonious workplace culture characterised by mutual respect

Summary

This report recommends that Council not hold a meeting in January 2016.

Finance

Not applicable.

Policy

Proposed meeting dates are a variation of Council's normal meeting date which is the third Tuesday of each month.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That the first Council meeting in 2016 be held on 2 February 2016.

BACKGROUND

Council meetings are normally held on the third Tuesday of each month. As has occurred in the past, it is proposed that Council vary meeting dates around the Christmas/New Year holiday period. It is proposed that the January meeting be cancelled with the next meeting being held on the first Tuesday of February being 2 February 2016.

10.3 Joint Organisations - Emerging Directions Paper

CSP Objective: 4 Responsible Civic Leadership that is Transparent, Innovative and Accessible

CSP Strategy: 4.1 Ensure we remain a strong, independent and sustainable local government authority to plan, deliver and advocate for the needs of our community

Delivery Program: 4.1.1 Undertake a program of engagement with State, regional and local authorities and organisations, and community members to ensure Council remains an independent and viable entity

Summary

This report provides an overview of the Joint Organisations Emerging Directions Paper and seeks Council's views on relevant issues.

Finance

N/A

Policy

N/A

Attachments

- 1 Joint Organisations - Emerging Directions Paper - Emerging Direction - Governance and Accountability

Enclosures

Nil

RECOMMENDATION

1. That Council make a submission advising that it agrees with the proposed governance and accountability principles other than for the proposed number of representatives for each full member council and employment of an Executive Officer at an equivalent level to a General Manager.
2. That Council advise that while appropriate authority for core regional functions should be delegated to the Joint Organisation this should not preclude individual Council activity continuing.

BACKGROUND

There are currently five (5) pilot joint organisations trialing in Central NSW, the Hunter, Illawarra, Namoi and Riverina regions. As part of the Illawarra, Kiama Council has been participating with Wollongong City Council, Shellharbour City Council and Shoalhaven City Council in the pilot trial.

The NSW Office of Local Government has released a Joint Organisation Emerging Directions discussion paper, a copy of which has been circulated to Councillors.

Report of the General Manager

10.3 Joint Organisations - Emerging Directions Paper (cont)

The paper provides a brief outline of the pilot progress to date and reflects on the key elements of the emerging model. The reflections are grouped into three areas: purpose, principles and functions; entity and power; and governance and accountability. The reflections are followed by statements titled “Emerging Direction” a copy of which is attached.

The Office of Local Government advises that this is the first consultation paper for the Joint Organisation Model and does not attempt to answer all aspects of the model. Further work will be undertaken in the coming months to explore additional considerations.

While there will be further opportunity to make comment on the joint organisation framework it is important for each council to make comment and raise concerns at this stage.

Generally many of the proposed principles are sensible and agreed with. There are a couple of principles not agreed with.

The paper proposes that there be only one representative from each full member Council. While this may be appropriate for a joint organisation with a large number of councils it is not appropriate for the Illawarra which only has four (4) participating councils. The former Southern Councils Group operated successfully with two (2) representatives per Council. The pilot Illawarra Joint Organisation is also operating successfully with two (2) representatives per council. It is argued that if the joint organisations are to remain the responsibility of councils the legislation should not dictate the method of selection of delegates to councils.

The paper proposes that appropriate authority for core regional functions should be delegated to the joint organisation. While this is acceptable it is suggested that this should not preclude individual council activity continuing. For example advocacy on a matter by the joint organisation should not preclude additional, supportive or locally specific member council advocacy.

The paper proposes that joint organisations be required to employ an executive officer at an equivalent level to a general manager or senior staff member in a council. It is unlikely that the level of responsibility of a joint organisation executive officer will be equal to these positions in terms of staff, financial and risk management. It is argued that each joint organisation should determine the level of responsibility and remuneration of an executive officer.

Emerging Direction – Governance and Accountability

Composition of the Joint Organisation Board:

- One representative from each full member council
- DPC regional coordinator is an associate (non-voting) member
- Representative of member councils must be an elected representative and chosen by the council based on capability and capacity
- Appointment to the Joint Organisation Board is 2 years to align with proposed changes to mayoral terms
- The Chair of the Joint Organisation Board is to be chosen by the voting members of the Board.

Voting and decision making:

- Member councils should have equal voting rights
- The Chair should not have a casting vote
- Appropriate authority for core regional functions should be delegated to the Joint Organisation
- A majority vote on a Joint Organisation Board (75%) should be required for a decision to be made, to recognise the importance of regional-scale decision making.

Role of Joint Organisation Board members:

- The Joint Organisation member role should be modelled on the councillor role in the Act but includes a need to act in the best interest of the Joint Organisation and region as a whole
- The role of the Chair should be modelled on the role of the Mayor (less the urgent policy making function), with a requirement to act in the best interests of the region as a whole.

Planning and Reporting:

- Joint Organisations should be required to develop succinct work plans drawn from existing local and regional plans, in collaboration with the State Government and others and identify Key Performance Indicators (KPIs)
- Joint Organisations should be required to produce succinct Annual Performance Statements to show key stakeholders the extent to which they are achieving their priorities according to the KPIs identified by the Joint Organisation
- Current minimum requirements in the Local Government Act for financial reporting and accounting for councils apply to Joint Organisations.

Resourcing:

- Joint Organisation members should receive a Joint Organisation Board sitting fee
- Members fund ongoing administration and regional priorities from available sources, most likely largely based on contributions from member councils using a locally negotiated formula.
- Joint Organisation staff be employed under the Local Government (State) Award
- Joint Organisations be required to employ an Executive Officer, with the equivalent capabilities and at an equivalent level to a General Manager, senior staff member in a council or a Department of Premier and Cabinet Regional Coordinator.

11 REPORT OF THE DIRECTOR CORPORATE AND COMMERCIAL SERVICES

11.1 The Economic Development Committee - Recommendations

CSP Objective: 3 A Diverse, Thriving Economy

CSP Strategy: 3.5 Actively engage Federal, State, Local government and business organisations to develop and promote Kiama's economic and employment opportunities

Delivery Program: 3.5.1 Maintain and develop economic partnerships with Government agencies and business organisations

Summary

This report requests Council's consideration of recommendations from the Economic Development Committee.

Finance

N/A

Policy

2013-2017 Delivery Program

Attachments

- 1 Economic Development Committee Minutes
- 2 Kiama East Precinct Map - Concept Design Competition

Enclosures

Nil

RECOMMENDATION

That Council considers the recommendations from the Economic Development Committee.

BACKGROUND

At the Economic Development Committee meeting of 23 September 2015, the following recommendations were resolved for Councils consideration:-

Committee Minutes 5 Committee Review

Under the current charter of the committee, a review of the membership, charter, procedures and the function of the Kiama Economic Development Committee will be carried out every two years, or earlier if determined by Council.

The last review of the committee was carried out in December 2012, and a new committee inducted in February 2013. Since this time, the committee has undertaken projects such as the Kiama Economic Development Strategy and has also made many recommendations to council.

Report of the Director Corporate and Commercial Services

11.1 The Economic Development Committee - Recommendations (cont)

It was agreed that a review of the committee be undertaken and a report to council prepared, calling for expressions of interest for new non-councillor committee members to form a new committee. Existing members will be welcome to express an interest.

The Charter will also need to be reviewed and amended to incorporate four councillor members as nominated at the September Council meeting (the current charter states three councillor members). The councillors endorsed as committee delegates are Councillors Reilly, Honey, Rice and McClure.

Recommendation that Council:

1. Disbands the current Economic Development Committee after the October committee meeting;
2. Calls for expressions of interest for non-Councillor representation to be appointed to a newly formed Economic Development Committee;
3. Thanks current members of the committee for their valuable input; and
4. Amends the current charter to reflect there now being four councillor delegates on the committee.

Committee Minute 6.2 Concept Design Competition - Bong Bong/Terralong/Manning Streets including harbour precincts

The committee has had many discussions about vision and future development plans for the Kiama Town Centre. In 2002, the Kiama Charrette was released with some innovative ideas, with the guiding principles of a “shared vision for the future of Kiama’s Town Centre”.

As the Charrette was never formally adopted the committee feels that there still needs to be a clear and inspirational vision, to ensure that future developments enhance Kiama’s character and that rather than wait for disappointing designs to be presented, Council takes a more proactive approach.

The committee is proposing to run a competition to design the Kiama East precinct (see map attached), and invite innovative designers to shape this very important space and create a vision for the potential of this area. There have been examples of successful architectural design competitions in such areas as Barangaroo and Green Square in Sydney. The concept would provide an inspirational vision that would capitalise on the existing assets and identify the potential creation of quality public spaces that maximise the potential of our parks, harbour area and building designs.

There would be very few parameters around the competition to encourage innovative ideas and not stifle creative thinking, but the main criteria would be that any relocation of the council building would need to be cost neutral and that designs should embrace the heritage nature of existing buildings incorporating them into the designs.

Recommendation that Council:

Endorses an architectural competition to design a concept plan for the area indicated above (including the harbour) that would include the cost neutral relocation of the main council administration building with all heritage aspects maintained, and the existing showground area remaining unaltered.

**Minutes of the Kiama Municipal Council Economic Development Committee meeting held
on 23 September 2015 at The Pavilion Kiama**

1 Present: Councillor Neil Reilly, Councillor Mark Honey, Councillor Kathy Rice,
Steve Thomas, Michael Cole, Gerry McInerney, Andrew Waugh, Sandy
Rendel, Roy Schmidt, Patrick Mahedy

Attending: Megan Hutchison,

Apologies: Gavin McClure, Chris Quigley, Lisa Evans

2 Acceptance of minutes of 28 July 2015

Moved: Gerry McInerney

Seconded: Michael Cole

****Note – There was no August meeting due to severe weather conditions**

3 Business Arising

NIL

4 LEP Review Panel – Update

Patrick Mahedy gave a report and updated the committee on the LEP Review Panel identifying a list of possible priorities for the committee. Patrick expressed some concern at the length of time taken to progress the priorities and that there appeared to be a missing link of an action plan to implement these priorities.

One of the issues raised was the LEP “housekeeping” review and standard “tidy up”, which appeared to be well overdue since the current LEP has been in place since 2011. It was unclear what the scope of the housekeeping was, and Patrick has agreed to take this back to the review panel for further investigation and clarification.

The issue of updating town centre precinct plans was discussed especially in relation to the Shoalhaven/Akuna Street Masterplan. The committee were advised that at the council meeting of 15 September a report was submitted recommending that consultants be engaged to develop a masterplan to look at options for the use of:-

- council owned property in Akuna Street
- public car parking provision
- pedestrian accessibility/linkages and community involvement

At that meeting, council agreed to defer the recommendation of the Shoalhaven Street working party to appoint the appropriate consultants to enable additional input by the LEP review Committee and The Economic Development Committee.

Action: Megan to circulate the consultants brief to the committee.

Comments and feedback to be received by Megan no later than Friday 16 October and comments will be reported back to the next committee meeting on 27 October.

5 Committee Review

Under the current charter of the Committee, a review of the membership, charter, procedures and the function of the Kiama Economic Development Committee will be carried out every two years, or earlier if determined by Council.

The last review of the committee was carried out in December 2012, and a new committee inducted in February 2013. Since this time, the committee has undertaken projects such as the Kiama Economic Development Strategy and has also made many recommendations to council.

It was agreed that a review of the Committee is to be undertaken, and a report to council be prepared calling for expressions of interest for new non councillor committee members to form a new committee. Existing members will of course be welcome to express and interest.

The Charter will also need to be reviewed and amended to now incorporate four councillor members as nominated at the September council meeting (the current charter states three councillor members). The councillors endorsed as committee delegates are Councillors Reilly, Honey, Rice and McClure.

Recommendation:

- 1. Disband the current Economic Development Committee;*
- 2. Call for Expressions of interest for non Councillor representation on a newly formed Economic Development Committee; and*
- 3. Thank members of the committee for their valuable input*
- 4. Amend the current charter to reflect there now being four councillor delegates on the committee.*

6. General Business

6.1 Kiama and District Business Chamber

The Kiama and District Business are investigating the establishment of a business hub and serviced offices in the Kiama area. The chamber is seeking premises and once a suitable location has been obtained they would like to work closely with the committee to ensure that they are capitalising on all possible opportunities for local businesses.

Motion: *The Committee congratulate the Chamber on this initiative and invite the Chamber to continue to liaise closely with council to assist wherever possible.*

Moved: Councillor Honey
Seconded: Councillor Reilly

6.2 Concept Design Competition- Bong Bong/Railway/Terralong/Mainning Sts including harbour precincts

The committee have had many discussions about vision and future development plans for the Kiama town Centre. In 2002, the Kiama Charette was released with some innovative ideas, with the guiding principles of a “shared vision for the future of Kiama’s town Centre”.

As the Charette was never formally adopted the committee feel that there still needs to be a clear and inspirational vision, to ensure that future developments enhance Kiama’s character and that rather than wait for disappointing designs to be presented, take a more proactive approach.

The Committee are proposing to run a competition to design the Kiama East precinct (see map below), and invite innovative designers and bright minds to shape this very important space and create a vision for the potential of this area. There have been examples of successful architectural design competitions such areas as Barangaroo and Green Square in Sydney. The concept would provide an inspirational vision that would capitalise on the existing assets and identify the potential creation of quality public spaces that maximises the potential of our parks, harbour area and building designs.

There would be very few parameters around the competition to encourage innovative ideas and not stifle creative thinking, but the main criteria would be that any relocation of the council building would need to be cost neutral and that designs should embrace the heritage nature of existing buildings incorporating them into the designs.

Recommendation *That the Committee supports an architectural competition to design a concept plan for the area indicated above and would include the relocation of the main council administration building which should be cost neutral to council. All heritage aspects should be maintained, and the existing showground area should remain unaltered.*

*Moved: Sandy Rendel
Seconded Councillor Honey*

6.3 Bombo Headland Quarry Botanical Gardens

Following on from the Council meeting of 15 September, Councillor Honey raised the issue of the Bombo Headland Quarry, and the potential to establish a Botanical Garden in this area. The project would involve the transformation of the Bombo Headland quarry area into a unique and innovative botanical garden. The topography of the area and the basalt base would be sure to attract visitors and tourism to the area.

The Committee endorsed this project and there was agreement to support and investigate the project further and liaise closely with councils Engineering department to progress this project.

Action: Megan to liaise with Councils Director of Engineering to progress this project.

6.4 Retirement of Director of Corporate Services Chris Quigley

The Chair of the Committee Councillor Reilly would like to acknowledge the work that Chris has undertaken on behalf of the Committee. Chris was instrumental in establishing the committee in 2005 and since then has been passionate about economic development in the Kiama area and has also been proactive in regional development initiatives and served on the boards of RDA Illawarra and TAFE Illawarra.

Next meeting is on 27 October downstairs at The Pavilion Kiama.



Item 11.1

Attachment 2

11.2 Holiday Parks Advisory Committee

CSP Objective: 3 A Diverse, Thriving Economy

CSP Strategy: 3.6 Encourage and Support Tourism in the Kiama Municipality

Delivery Program: 3.6.1 Coordinate the management of Kiama Coast Holiday Parks as viable business entities

Summary

This report provides a draft Terms of Reference for the Holiday Parks Advisory Committee.

Finance

N/A

Policy

N/A

Attachments

1 Holiday Park Advisory Committee - Terms of Reference

Enclosures

Nil

RECOMMENDATION

That Council adopts the draft Terms of Reference for the Holiday Parks Advisory Committee.

BACKGROUND

At its meeting of 15 September 2015 when discussing a report about establishing a Holiday Park Advisory Committee, Council resolved to:

1. establish an advisory committee comprising those outlined in this report;
2. prior to the above establishment, develop Terms of Reference for the proposed committee;
3. invite nominations from interested residents living close to Werri Beach Holiday Park to participate on this proposed committee, and
4. defer further consideration of the Kiama Coast Holiday Parks' Sustainable Improvement Strategy and Masterplan until this proposed committee has properly consulted.

With respect to point 2 above a draft Terms of Reference for this committee is attached to this report for approval by Council.

Subject to the Terms of Reference being approved it is proposed to invite nominations from interested residents living close to the Werri Beach Holiday Park to participate on this proposed committee in accordance with point 3 above.



**Kiama Municipal Council
Holiday Parks Advisory Committee:
Terms of Reference**

Name of committee	Holiday Parks Advisory Committee
Status	Council committee <input type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee <input checked="" type="checkbox"/>
Purpose	<p>The Holiday Park Advisory Committee has been established as a vehicle for sharing information about Council's proposed development at Werri Beach and Seven Mile Beach Holiday Parks. The Committee aims to represent a diverse range of viewpoints to assist Council in making future decisions relating to the development Werri Beach and Seven Mile Beach Holiday Parks.</p> <p>The function of the committee will be to provide input to Council in relation to the future development of Werri Beach and Seven Mile Beach Holiday Parks.</p> <p>The committee is advisory only and has no direct decision making power in relation to the future development or any other aspect relevant to the management of Council's Holiday Parks.</p>
Objectives	To provide information and recommendations to Council.
Committee Meetings	Meetings are to be held as and when requested by the Chair.
Venue	Meetings will be held at the Kiama Council Chambers unless otherwise advised.
Membership	The Committee could comprise the following: <ul style="list-style-type: none"> • the Mayor, and one or two Councillors nominated by Council • the General Manager and Director of Finance, Corporate and Commercial Services or their respective nominees • the Holiday Park Managers of Werri Beach and Seven Mile Beach holiday parks • two interested residents living within the vicinity of Werri Beach Holiday Park endorsed by Council following an expression of interest process • four representatives of holiday van owners namely, Peter Aloisio, Graham Smith, Mark Vine and Kym Roylance.

<p>Meeting Quorum</p>	<p>A Quorum will be deemed to have been met under the following criteria:</p> <ul style="list-style-type: none"> i. Minimum of 50% plus 1 ii. At least one Councillor.
<p>Meeting administration</p>	<p>Agenda items are to be forwarded to the Director of Finance, Corporate and Commercial Services at least ten days prior to scheduled meetings</p> <p>The minutes of the previous meeting, final agenda and pre-reading material will be distributed to members at least seven days prior to scheduled meetings.</p> <p>An update about the status of previous items discussed and/or advice given will be provided at each of the meetings.</p> <p>The meeting will be chaired by the Mayor or his/her delegated Councillor of Kiama Council.</p> <p>Minutes of meetings, highlighting any agreed actions or advice will be recorded by a member of staff.</p> <p>Minutes of meetings will be included as information items in the business paper of the next available Council meeting. Items requiring a Council decision will be the subject of a Director's report in the business paper at the next available Council meeting.</p> <p>Confidentiality</p> <p>Some matters of a confidential nature may be brought to the attention of the Holiday Parks Advisory Committee. Members are to ensure these items are not discussed outside of the meetings of the Holiday Parks Advisory Committee. This will NOT apply to most items on the agenda. Where exceptional items are identified as being of a confidential nature this will be clearly conveyed to members.</p> <p>Review</p> <p>A review of the membership, charter, procedures and the function of the Holiday Parks Advisory Committee will be carried out every two years, or earlier if determined by Council.</p>
<p>Selection of members</p>	<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 for local residents and from a nomination from holiday van owners to fill a holiday van owner position 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 persons relevant experience & expertise ii. committee members are able to demonstrate that they are "connected and representative" of the holiday van owners or local residents adjacent to Werri Beach Holiday Park.
<p>Responsibility</p>	<p>It is expected that members of the Holiday Parks Advisory Committee shall have some relevant knowledge of park operations and should be willing to work constructively with Council.</p>

	<p>As such all members would be expected to:</p> <ul style="list-style-type: none"> • Liaise with their colleagues and networks in order to draw upon ideas and insights from holiday van owners and local residents and disseminate information and outcomes being considered by the Committee in an accurate and unbiased way. • Respect confidentiality of information and matters discussed that have been clearly identified as being confidential and for consultation of the Holiday Park Advisory Committee only. • Read minutes of previous meeting ready to amend or ratify at the following meeting. • Read other pre-reading material prior to meetings to ensure efficient use of members' time during meetings. <p>Member Councillors will:</p> <ul style="list-style-type: none"> • Ensure that Council considers the input or feedback from the Holiday Parks Advisory Committee on relevant matters. • Inform Council about advice form the Holiday Parks Advisory Committee. • Ensure that all meetings are chaired by the Mayor or a Councillor and that the Chair facilitates contributions by all participating members of the Holiday Parks Advisory Committee. <p>Council staff will:</p> <ul style="list-style-type: none"> • Ensure that agendas are prepared and distributed to all members no less than seven days in advance of upcoming meetings of the Holiday Parks Advisory Committee. • Provide minutes, pre-reading material with agendas no less than seven days prior to meetings. • Provide feedback about progress made in relation to advice provided at earlier meetings of the Holiday Parks Advisory Committee. • Provide information to the Committee members to assist them to fulfil their functions. <p>Committee members will:</p> <ul style="list-style-type: none"> • Receive information from Council about the proposed development of Werri beach & Seven Mile Beach Holiday Parks. • Provide feedback to Council on information provided at these meetings. • Provide strategic guidance on implementation of Holiday Park programs and initiatives • Provide important links to the communities they represent in promoting and delivering information regarding the Holiday Park Development Plans • Participate in working parties as needed • At all times comply with Council's Code of Conduct • At all times contribute in a positive and respectful manner • Avoid disruption, contrary conduct or being wasteful of time and resources • Use social media as a means of comment in an accurate, reflective and non-provocative manner.
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Term of membership	Non Councillor membership of the Holiday Parks Advisory Committee will be for the length of the sunset committee.
Termination of membership	<p>Non Councillor member positions will be declared vacant/terminated when a member:</p> <ul style="list-style-type: none"> i. resigns their membership, in writing, to the Chairperson ii. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson iii. 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 may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>
Code of Conduct	At all times Councillors, employees and Council officials must comply with Council's Code of Conduct.

15/73471

12 REPORT OF THE MANAGER CORPORATE SERVICES

12.1 Statement of Investments

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 September 2015.

Finance

Not Applicable

Policy

Requirement of the Local Government (General) Regulation 2005.

Attachments

1 Investments September 2015

Enclosures

Nil

RECOMMENDATION

That the information relating to the Statement of Investments for September 2015 be received and adopted.

BACKGROUND

Attached is a copy of the Statement of Investments for September 2015.

Report of the Manager Corporate Services

12.1 Statement of Investments (cont)

a) Investment Commentary

The total investment portfolio decreased by \$1.5M during September 2015. Various revenue was received totalling \$5.4M, including rate payments amounting to \$1.8M, grants and contributions of \$600K and user fees and charges and other revenue of \$1.45M, Blue Haven unit sales of \$650K and Debtor receipts of \$900K. Payments to suppliers of \$5.1M, investment lodgement of \$2.5M and employee wages of \$1.2M amounted to total expenditure of \$8.8M.

Note that the Westpac Bank Account balance shown in (a) of \$709K includes deposits at month-end not processed to Council's financial system and cheques that have not been presented. The interest to 30 September 2015 is \$316K with an annual budget estimate for 2015/2016 of \$1.125M. Included in the actual interest income figure is interest income on Section 94, Blue Haven ILU & Hostel Restricted Assets.

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. Interest rates have been dropping for a number of years. With the Reserve Bank cash rate now at 2.0% there does not appear to be any likelihood of any change in rates upward in the short term. The current 90 day investment rate quoted by National Australia Bank on 30 September 2015 was 2.88%. The previous month's was 2.83% with September 2014 rate being 3.42%. Council's interest on investment budget estimate has been conservative based on the trend with interest rates. Council has been able to consistently perform above the Reserve Bank 90 day bank bill index. Council staff have been reviewing long term investment rates with two longer term investments currently included in our portfolio. The National Australia Bank is currently quoting 90 days 2.88%, 1 year 2.7%, 2 years 2.7% and 3 years 2.7%.

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.

**Phil Mison**

Responsible Accounting Officer

Manager Corporate Services

(b) Council Investments as at 30 September, 2015

DIRECT INVESTMENTS: INSTITUTION	RATIN G	MARKET VALUE \$	INVESTMENT TYPE	DATE LODGED	MATURITY DATE	TERM (DAYS)	RATE %
AMP	A+	500,000.00	Term Deposit	09/09/15	09/03/16	182	2.80
ANZ	AA-	1,000,000.00	Term Deposit	14/07/15	14/10/15	92	2.70
ANZ	AA-	1,000,000.00	Term Deposit	20/05/15	25/11/15	189	2.70
Bankwest	AA-	1,000,000.00	Term Deposit	26/05/15	28/10/15	155	3.00
Bankwest	AA-	1,000,000.00	Term Deposit	03/06/15	02/12/15	182	2.90
Bankwest	AA-	1,000,000.00	Term Deposit	23/09/15	23/03/16	182	2.85
Bank of Qld	A-	1,000,000.00	Term Deposit	03/06/15	06/01/16	217	3.00
Bank of Qld	A-	1,000,000.00	Term Deposit	30/09/15	30/03/16	182	2.95
Bank of Qld	A-	1,500,000.00	Term Deposit	11/08/15	15/02/16	188	2.90
Bank of Qld	A-	1,000,000.00	Term Deposit	15/07/15	18/01/16	187	2.95
Bank of Qld	A-	1,000,000.00	Term Deposit	17/06/15	20/01/16	217	3.00
Bendigo	A-	1,000,000.00	Term Deposit	04/06/15	03/02/16	244	2.80
Bendigo	A-	1,000,000.00	Term Deposit	22/09/15	22/06/16	274	2.80
Commonwealth Bank	AA-	500,000.00	Term Deposit	28/07/15	01/03/16	217	2.80
ME Bank	BBB+	1,000,000.00	Term Deposit	08/07/15	09/11/15	124	2.95
ME Bank	BBB+	1,500,000.00	Term Deposit	01/07/15	01/10/15	92	2.95
ME Bank	BBB+	1,000,000.00	Term Deposit	02/09/15	01/03/16	181	2.75
NAB	AA-	1,000,000.00	Term Deposit	29/07/15	04/02/16	190	2.96
NAB	AA-	1,470,000.00	Term Deposit	08/04/15	08/10/15	183	2.97
NAB	AA-	1,000,000.00	Term Deposit	27/05/15	17/02/16	266	2.97
NAB	AA-	1,000,000.00	Term Deposit	14/11/14	11/11/15	362	3.50
NAB	AA-	1,000,000.00	Term Deposit	24/06/15	23/11/15	152	2.99
NAB	AA-	1,000,000.00	Term Deposit	19/05/15	16/12/15	211	2.96
NAB	AA-	2,000,000.00	Term Deposit	09/09/15	09/03/16	182	2.95
Newcastle B/S	BBB+	1,000,000.00	Term Deposit	21/07/15	27/01/16	190	2.80
Newcastle B/S	BBB+	1,000,000.00	Term Deposit	16/09/15	15/12/15	90	2.70
IMB Society	BBB	1,000,000.00	Term Deposit	13/05/15	18/11/15	189	2.80
IMB Society	BBB	1,000,000.00	Term Deposit	15/06/15	13/01/16	212	2.80
ING Bank	A-	1,000,000.00	Term Deposit	22/07/15	25/01/16	187	2.45
ING Bank	A-	1,000,000.00	Term Deposit	29/07/15	02/02/16	188	2.44
ING Bank	A-	1,000,000.00	Term Deposit	15/04/15	19/10/15	187	2.46
ING Bank	A-	1,000,000.00	Term Deposit	04/08/15	09/02/16	189	2.44
Rural Bank	A-	1,000,000.00	Term Deposit	05/08/15	10/02/16	189	2.85
Suncorp	A+	1,000,000.00	Term Deposit	09/06/15	09/12/15	183	2.95
Suncorp	A+	1,000,000.00	Term Deposit	25/05/15	21/10/15	149	2.85
Suncorp	A+	1,000,000.00	Term Deposit	03/06/15	04/11/15	154	2.95
Westpac	AA	1,000,000.00	Term Deposit	26/08/15	26/11/15	92	2.77
Westpac	AA	1,000,000.00	Term Deposit	09/09/15	09/12/15	91	2.81
Westpac	AA	709,342.16	Bank Account	-	AT CALL		0.84
Westpac	AA	881,578.82	Maxi Account	-	AT CALL		3.05
TOTAL DIRECT INVESTMENTS		41,060,920.98			Average Rate-Sept 2015		2.80
					Average Rate-Sept 2014		3.48

Item 12.1
Attachment 1

TOTAL INVESTMENTS	41,060,920.98
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TOTAL INVESTMENTS AUG 2015	42,608,523.73	-3.77%	Change in total investment over prev 1 month
TOTAL INVESTMENTS SEPT 2014	43,313,277.07	-5.20%	Change in total investment over prev 12 month

(c) Application of Invested Funds

Restricted Funds:	Description	Value (\$)
Externally Restricted	S94 Developer Contributions	3,511,541.52
	Grants	1,025,442.00
	Domestic Waste	1,922,907.00
	Waste & Sustainability	228,464.18
	Southern Council's Group	2,729,743.92
Internally Restricted	Blue Haven ILU	4,238,450.00
	Blue Haven Care-Residential	9,907,920.00
	Land Development	3,206,920.00
	Waste Business Unit (Plant Replacement)	1,775,436.00
	Plant Replacement - Engineers	1,315,375.00
	Employee Leave Entitlements	1,000,000.00
	S94 Recoupments	818,620.96
	Carry-over works	1,625,084.00
	Holiday Parks - Crown Reserves	1,213,526.00
	Holiday Park - Kendall's Beach	607,585.00
	Contingencies	779,730.00
	Property Insurance	120,000.00
	Community Bus	174,969.00
	CACP	66,983.00
	Unrestricted Funds:	Funds to meet current budgeted expenditure
TOTAL INVESTMENTS		41,060,920.98

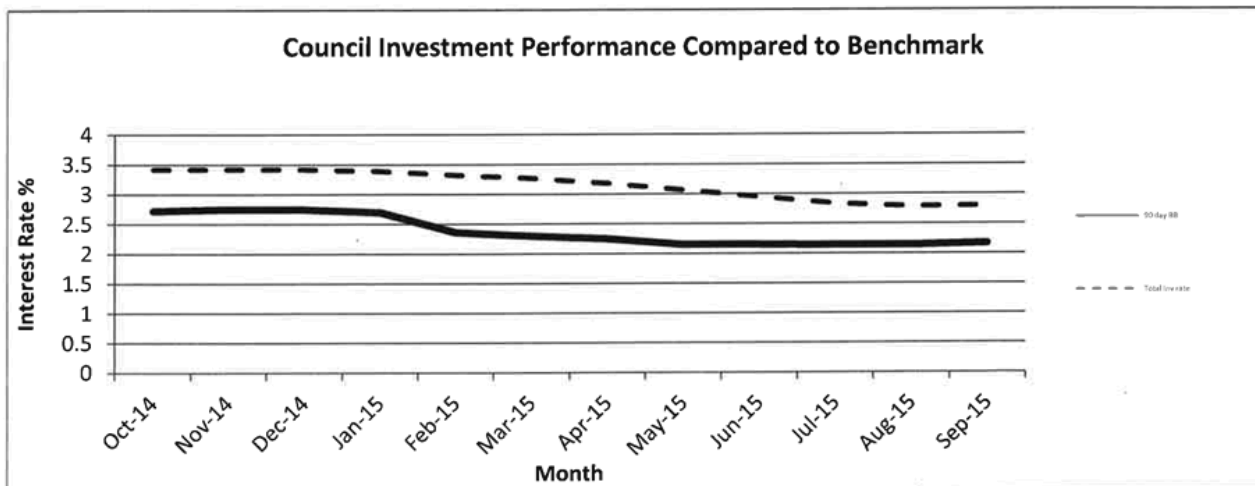
Note:

The above Application of Invested Funds reflects unaudited balances as at 30 June 2015. 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.

(d) Investment Portfolio Performance

Investment Performance vs Benchmark

	Investment Portfolio Return (%pa)	Benchmark: BBSW 90 day Bank Bill Index (source RBA)
1 month	2.80	2.17
3 months	2.81	2.15
6 months	2.94	2.17
12 Months	3.16	2.38



13 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

13.1 Plant Replacement

CSP Objective: 4 Responsible Civic Leadership that is Transparent, Innovative and Accessible

CSP Strategy: 4.12 Effectively manage Plant Assets to meet Community Strategic Plan requirements

Delivery Program: 4.12.1 Manage Council Plant by the creation and implementation of the Plant Asset Management Plan actions.

Summary

This report informs council of the process and outcomes of the request for quotations for the purchase of three (3) Crew Cab trucks.

Finance

The capital expenditure of \$176,086.35 + GST will be made available from the Engineering Services Plant Replacement budget. This purchase was identified in the 2015/2016 budget.

Policy

The RFQ has been undertaken in accordance with the Local Government Tender Regulations 2005.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council purchase three (3) Isuzu NPR Crew Cab trucks from Dwyers Truck Centre with a total capital value of \$176,086.35 + GST.

BACKGROUND

As part of the 2015-2016 Plant Replacement Program, Plant Numbers 9164, 9172 and 9177 have been identified as being at the end of its economical life and requiring replacement.

A specification was developed in consultation with stakeholder to ensure the vehicle will meet the operational needs of the Construction section.

A request for quotation was then placed with the Local Government Procurement Vendor Panel system. The request for quotation was sent to all panel members under LGP contract 1608-2 and NPN04-13.

Council received four submissions with an average cost of \$178,304.25 + GST.

Report of the Director Engineering and Works

13.1 Plant Replacement (cont)

All submissions were evaluated using 6 different criteria including price, specification, warranty, after sales support, Australian content and an operator assessment.

The combined scores for each criteria were then inputted into the LGP evaluation matrix. This produced an overall ranking and recommendation for the vehicle that best meets our requirements.

The Isuzu NPR from Dwyer Truck Centre ranked number one after completion of the evaluation and as such is recommended for purchase.

13.2 Reserve Maintenance - Corner Willawa Ave and Fern St 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

At Council's meeting of 15th September 2015, Councillor McClure requested a report on the feasibility of the formation of a Gerringong Resident's Group to maintain the land on the corner of Fern St and Willawa Ave Gerringong. This report investigates the proposal and recommends an approach to Local Service Clubs.

Finance

The reserve is currently maintained by Councils Parks & Gardens staff. It is cut and edged on average every 4 weeks (subject to seasonal variation and weather) due to its prominent location at a cost of approximately \$840 per year. Maintenance by a local Service Club would achieve savings of this order.

Policy

N/A

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council contact Local Service Clubs to determine if there is an interest in maintaining the reserve on the corner of Willawa Ave and Fern Street Gerringong.

BACKGROUND

At Council's meeting of the 15th September 2015, Council resolved not to proceed with a Planning Proposal for residential development of part of the community land on the corner of Willawa Ave and Fern Street Gerringong. Councillor McClure subsequently asked for a report on the feasibility of the formation of a Gerringong Residents Group to maintain the Reserve.

The Reserve is currently maintained by Councils Parks & Gardens staff. It is cut on a regular basis at an approximate cost of \$840 per year. The maintenance of public reserves by groups other than by registered service clubs or properly formed Landcare Groups is problematic due mainly to the risks associated to both the members of the group and/or the general public.

Report of the Director Engineering and Works

13.2 Reserve Maintenance - Corner Willawa Ave and Fern St Gerringong. (cont)

There are numerous examples of both Service Clubs and Landcare Groups carrying out reserve maintenance with Council consent on public reserves throughout the Municipality. These groups carry their own public liability insurance and have demonstrated an ability to carry out the work safely and with a degree of competence. The intent behind proposal to use a "Group of Residents" who may have a direct interest in the reserve is understood, however it is considered that the proposal should not be supported due to risk issues involved. Also Landcare Groups are generally involved in the rehabilitation of bushland or coastal dune areas, not the general mowing of open space reserves.

Council has resolved to refer a proposal to name this reserve the "Arthur Campbell" Reserve to the Streets and Reserves Naming Committee. The referral to the committee was deferred pending resolution on the planning proposals. It is proposed that this will now be considered by the committee in the near future and if supported by Council be referred to the Geographical Names Board for determination. The naming of the Reserve after Arthur Campbell and its prominent location may well make it an attractive proposition for local service clubs to maintain. Accordingly it is recommended that Council contact the local service clubs in the Gerringong area to determine if they have an interest in maintaining this reserve.

13.3 Draft Amendments to Kiama Development Control Plan 2012 - Chapter 7 Subdivision Road Widths

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.9 Ensure the principles of sustainable development and legislative compliance underpin our land uses and the design of our buildings and subdivisions

Delivery Program: 2.9.4 Review the Development Control Plan and amend as required

Summary

This report seeks Council endorsement to place on public exhibition, draft modifications to the *Kiama Development Control Plan 2012 - Chapter 7 Subdivisions*, in relation to residential subdivision road widths.

Finance

N/A

Policy

N/A

Attachments

Nil

Enclosures

Nil

RECOMMENDATION**That Council:**

- 1) publicly exhibit for a minimum 28 day period, draft amendments to residential subdivision road widths contained in *Kiama Development Control Plan 2012 - Chapter 7 Subdivisions*.
- 2) prepare a future report at the close of the public exhibition on submissions received.
- 3) Refer to draft amendments to the Development Industry Committee for information and comment.

BACKGROUND

Council has received a growing number of community concerns related to on-street parking and travel issues on narrowed residential streets, especially in areas of higher density development. This has prompted a review of the Kiama Development Control Plan (DCP) – Chapter 7 Subdivisions, Section 16, which specifies the design requirements for new roads including minimum street widths.

Report of the Director Engineering and Works

13.3 Draft Amendments to Kiama Development Control Plan 2012 - Chapter 7
Subdivision Road Widths (cont)

At present, the DCP lists the minimum road and verge widths for new urban subdivisions based on the different road classification type as outlined in Appendix A. These road width requirements were originally sourced from the Commonwealth Government's, 'A National Resource Document for Residential Development', (known as AMCORD) published in 1997 as a national guideline for the planning, design, assessment and implementation of residential development (other than high-rise housing). It is for use by designers, builders, developers and government officers responsible for housing development and has been extensively adopted by Councils across the country as the basis for planning controls. Items for consideration when specifying minimum road widths include:

1. The need for drivers to be able to differentiate the road hierarchy based on street width. At present a narrower roadway would indicate a local street, whereas wider streets indicate collectors. If local streets were of the same width as collectors for example, it may result in 'rat' runs through residential streets.
2. Numerous studies have identified that the wider the street width and more open the environment, the more likely that drivers will increase speed due to their perception of a reduced risk. In many instances in older areas with wide streets, Road Authorities have had to retrofit traffic calming measures ie chicanes, speed humps, road narrowing points, etc to address speeding traffic complaints.
3. Increases in road widths, reduce development areas which may have an impact on meeting minimum planning yield targets.

However given the increasing residential densities through smaller lot sizes, dual occupancy, senior's living and medium density developments etc, issues with the current narrower road widths have arisen in terms of availability of on-street parking and traffic flows in new subdivision areas.

In response to these issues, it is proposed that amendments be made to the current DCP – Chapter 7 'Subdivisions' in relation to minimum road widths and associated requirements and provide clarity to previously ambiguous definitions. The proposed changes to Section 16 are as outlined in Appendix B. The road hierarchy used in the proposed amendments to Section 16 relate to the division of the road network into identifiable road types as follows:

Access Place

Are relatively short in length (up to 100m), generally straight and cater for up to 10 dwellings. They are to be designed as shared zones with good passive surveillance. Access ways may either be dedicated as public road or alternatively may be private roads under a Community Title subdivision

Access Street

Generally cater for up to 30 dwellings, with low traffic volumes and low parking demand. The street would generally comprise two travel lanes or a travel lane and staggered parking.

Access Road

Are local roads to cater for low volume, localised short distance travel and access to properties and cater for traffic up to 100 dwellings. They are the predominant street

Report of the Director Engineering and Works

13.3 Draft Amendments to Kiama Development Control Plan 2012 - Chapter 7
Subdivision Road Widths (cont)

type in a neighbourhood subdivision. The street would generally comprise two 3m wide travel lanes and a parking lane.

Minor Collector Roads

Are used to connect the local road network to the sub-arterial or arterial roads. They generally cater for up to 300 dwellings and usually carry local bus routes within as well as between neighbourhoods. Local centres are usually located along these routes. The street would generally comprise two 3.5m wide travel lanes and a parking lane.

Major Collector Roads

As per minor collectors, however they are wider to accommodate additional traffic flows from up to 600 dwellings. The street would generally comprise two 3.5m wide travel lanes and a parking lane either side.

Sub-Arterial Roads

Cater for high traffic volumes and/or longer distance travel for through traffic. They carry traffic from on sub-region to another sub-region and often include major public transport routes. These roads do not have direct property access and are designed in accordance with Austroads / RMS guidelines.

The main amendments relate to the increase in minimum street widths to 6.5, 8, 9.5 and 11.5 metres for Access streets, Access Roads and Minor and Major Collector roads respectively, based on traffic volumes. These draft changes are similar to those recently adopted by a number of Councils (including Wollongong) and are comparable to NSW Landcom's street design guidelines.

As with all major changes to Council's DCP, the draft amendments to the minimum subdivision road widths will require public exhibition for a minimum 28 day period to allow public submissions to be received and addressed. At the close of the exhibition period a further report will be presented to Council on the outcome of the public exhibition and future adoption (or otherwise) of the amended DCP document.

Report of the Director Engineering and Works

13.3 Draft Amendments to Kiama Development Control Plan 2012 - Chapter 7
Subdivision Road Widths (cont)

Appendix A - Existing

C61 Characteristics of Roads In Residential Road Networks

Street Type	Traffic Volume ⁽¹⁾ (vpd)	Target Speed ⁽²⁾ (km/h)	Carriageway width ⁽³⁾ (m) [Road Reserve Width ⁽⁴⁾ (m)]	Verge Width Minimum (m) Each side ⁽⁵⁾	Parking Provision within Street Reserve	Footpath	Shared Path ⁽⁶⁾
Access Lane	0 - 100	15	3 ⁽⁷⁾ [Varies]	Not specified	No	No	No
Access Place ⁽⁸⁾	0 - 300	15	Single Lane 3.5-3.7 ⁽⁹⁾ [10.5]	3.5	Minimum 1 hardstand verge space per 2 dw.	No	No
Access Street	0 - 300	40	5 [12.0]	3.5 ⁽¹⁰⁾	Carriage way	No	No
Access Street	300 - 1000	40	5.0-5.5 ⁽¹¹⁾ [13.0-13.5]	4.0 ⁽¹⁰⁾	Carriageway	No	No
Access Street	1000 - 2000	40	5.5 or 7 [13.5-15.0]	4.0 ⁽¹⁰⁾	Carriage way	1.2m wide one side ⁽¹²⁾	No
Minor Collector	1000 - 3000	50	7.0-7.5 or 6.0-6.5 plus indented parking [16.0-16.5 or 15-15.5 plus indented parking]	4.5 ⁽¹⁰⁾	Carriage way or indented	1.2m wide both sides located away from kerb	Provide within street pavement ⁽¹³⁾
Major Collector	3000 - 6000	60					
Sub-Arterial	>6000	60					

Report of the Director Engineering and Works

13.3 Draft Amendments to Kiama Development Control Plan 2012 - Chapter 7
Subdivision Road Widths (cont)

Notes:

- 1) For single dwelling allotments apply a traffic generation rate of 10 vpd or a rate based on local data. For multi-unit dwellings apply a traffic generation rate of 6 vpd or a rate based on local data. Peak hour traffic volume is assumed at 10% of Annual Average Daily Traffic.
- 2) Streets are to be designed to achieve the target speed, and sight distances to accord with design speed.
- 3) The carriageway width must make provision for service vehicles to manoeuvre. Widening is required at bends to allow for wider vehicle paths (using AUSTRROADS Turning Templates). The provisions of the NSW Rural Fire Service publication "*Planning For Bushfire Protection*" guidelines must also be met and will take precedence.
- 4) The minimum street reserve widths apply after satisfying the other criteria within this table and other site-specific requirements.
- 5) Each verge must be of sufficient width to accommodate relevant services, landscaping and, unless other noise attenuation methods are used, to ensure a total setback to residential dwellings which satisfies prescribed traffic noise exposure levels at the facade.
- 6) Shared path is required if the street is part of a dedicated off road cycle route.
- 7) Lane Width is determined by requirements for access to garages.
- 8) An integrated design of street and building layout is necessary for speed control and to achieve the optimum result. Appropriate considerations are required for the collection of waste.
- 9) This requires parking provision and provision for widening to 5.0 m if necessary in the future. Maximum length is 100 m. A passing bay is required if the length is greater than 80m.
- 10) Where an Access Place or Access Street is adjacent to public open space, the verge adjacent to the open space may be reduced to 1 m.
- 11) Width is limited to 5.5 m to deter vehicles parking opposite each other and blocking traffic.
- 12) Footpaths are to be provided on both sides of streets serving as bus routes.
- 13) Refer to AUSTRROADS guidelines.
- 14) Where lots have the potential for re-subdivision and/or dual occupancy, such potential shall be taken into account when estimating AADT.

Appendix B - Draft

C61 Characteristics of Roads In Residential Road Networks

Street Type	Traffic Volume ⁽¹⁾ (vpd)	Target Speed ⁽²⁾ (km/h)	Carriage way width ⁽³⁾ (m)	Verge Width ⁽⁴⁾ (m)	Road Reserve Width ⁽⁵⁾ (m)	Pavement Type	Parking Provision in Road Reserve	Concrete Footpath	Shared Path ⁽⁶⁾
Access Place ⁽⁷⁾	<100	15	3.5	3.5 ⁽⁸⁾	10.5	Reinforced Concrete	1 hardstand verge space per 2 dwellings	No	No
Access Street	<300	40	6.5	3.5 ⁽⁸⁾	13.5	Asphalt	Carriage Way ⁽⁹⁾	No	No
Access Road	301-1000	40	8	3.5 ⁽⁸⁾	15	Asphalt	Carriage way ⁽⁹⁾	1.2m wide one side ⁽¹⁰⁾	No
Minor Collector	1001 - 3000	50	9.5	3.5 ⁽⁸⁾	16.5	Asphalt	Carriage way	1.2m wide one side away from kerb ⁽¹⁰⁾	Provide within street pavement ⁽¹¹⁾
Major Collector ⁽¹²⁾	3001 - 6000	50 ⁽¹³⁾	11.5	Min. 3.5	Min 18.5	Asphalt	Carriage way	1.2m wide along one side away from kerb	2.5m wide along one side
Sub-Arterial ⁽¹⁴⁾	>6000	60 ⁽¹³⁾	Design using road performance criteria & guides ie Austroads, RMS standards etc ⁽¹⁵⁾						

Item 13.3

Report of the Director Engineering and Works

13.3 Draft Amendments to Kiama Development Control Plan 2012 - Chapter 7
Subdivision Road Widths (cont)

Notes:

- 1) For single dwelling allotments apply a traffic generation rate of 10 vehicles per day. For multi-unit dwellings apply a traffic generation rate of 6 vpd or a rate based on local data. Peak hour traffic volume is assumed at 10% of Annual Average Daily Traffic. Where lots have the potential for re-subdivision and/or dual occupancy, such potential shall be taken into account when estimating AADT.
- 2) Streets are to be designed to achieve the target speed and sight distances to accord with design speed.
- 3) The carriageway width must make provision for service vehicles to manoeuvre. Widening is required at bends to allow for wider vehicle paths (using AUSTRROADS Turning Templates). The provisions of the NSW Rural Fire Service publication "Planning For Bushfire Protection" guidelines must also be met and will take precedence.
- 4) Each verge must be of sufficient width to accommodate relevant services, landscaping and to ensure a total setback to residential dwellings which satisfies prescribed traffic noise exposure levels at the facade.
- 5) The minimum street reserve widths apply after satisfying the other criteria within this table and other site-specific requirements.
- 6) A shared path is required if the street is part of a dedicated off road cycle route.
- 7) Maximum length is 100 m. A passing bay is required if the length is greater than 80m.
- 8) Where an Access Place or Access Street is adjacent to public open space on rural zoned land, the verge adjacent to the open space or rural land may be reduced to 1m.
- 9) Lot layouts shall be designed to ensure staggered on-street parking in order to present a clear travel lane with passing opportunities.
- 10) Footpaths are to be provided on both sides of streets serving as bus routes.
- 11) Refer to AUSTRROADS guidelines.
- 12) Painted centreline and edge lines are required to define carriageway lanes.
- 13) Reduced speed environments is required at designated pedestrian and shared crossing points.
- 14) Direct vehicle access to lots not permitted.
- 15) An acoustic assessment is required to assess the need for wider verges and/or acoustic barriers.

13.4 Expression of Interest - Christmas Carnival Black Beach Kiama

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

Council recently sought Expressions of Interest (EOI) for the operation of the annual Christmas carnival on Black Beach (School Flat) Kiama for the next three year period. This report recommends that PH & A Laurie trading as Laurie's Amusements Pty Ltd be awarded the tender to operate the traditional Christmas amusement carnival under licence agreement for the period of the EOI.

Finance

Council's Fees and Charges prescribe the fees for the carnival to be held over the nominated period.

Policy

Crown Lands Act 1989

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council endorse PH & A Laurie trading as Laurie's Amusements Pty Ltd as the successful tenderer for the operation of the Black Beach (School Flat) Christmas Carnival in Kiama between 2015/16 and 2017/18 and a licence agreement be entered into for the term of the expression of interest, subject to approval of a development application, and that the next tender process for the carnival be for the 2018/19-2020/21 period.

BACKGROUND

Laurie's Amusements Pty Ltd has operated the Christmas Carnival at the School Flat adjacent to Black Beach for the last twenty five years. In 2012 Council resolved that the operation of the carnival should be awarded through an Expression of Interest process. Laurie's Amusements was the successful tenderer in 2012.

Council has just completed the Expression of Interest (EOI) process for the operation of the carnival for a further three (3) year period commencing 2015/16. The EOI was placed on Tenderlink between 21 August and 11 September 2015. Laurie's Amusements was the only conforming tender submission. As a result it is

Report of the Director Engineering and Works

13.4 Expression of Interest - Christmas Carnival Black Beach Kiama (cont)

recommended to award the operation of the traditional Christmas carnival on School Flat, Black Beach Kiama to PH & A Laurie trading as Laurie's Amusements Pty Ltd until 2017/18.

Item 13.4

13.5 Gerringong Mens Shed Inc - Jubilee Oval Gerringong facility

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

The Gerringong Mens Shed Inc. has been in discussions with Council regarding the potential to establish a new mens shed facility at Jubilee Oval Gerringong. The group is also requesting Council for the use of the Gerringong School of Arts hall as a temporary storage facility until the mens shed is constructed and ready to occupy.

This report recommends that Council provide its consent as landowner to the lodgement of a development application to seek approval for the construction of the mens shed facility on part of Jubilee Oval at Gerringong. If development consent is able to be issued, it is also recommended that a licence agreement be entered into for the use of the land.

Finance

As the Gerringong Mens Shed Inc. is a not for profit organisation with a broad objective of engaging community members into active social networking activities, it is considered appropriate to donate the standard hire fees for the Gerringong School of Arts Hall for the period of use.

Any licence agreement with the Gerringong Mens Shed Inc. following any development consent for the use will be subject to Council's Fees and Charges.

Policy

Local Government Act 1993

Attachments

- 1 Mens Shed site plan
- 2 Mens Shed elevation drawings

Enclosures

Nil

RECOMMENDATION

That:

1. Council endorse the exclusive use of the Gerringong School of Arts Hall as a temporary storage facility by the Gerringong Mens Shed Inc. for the period of

Report of the Director Engineering and Works

13.5 Gerringong Mens Shed Inc - Jubilee Oval Gerringong facility (cont)

time before the proposed new facility is occupied.

2. Council donate the standard hall hire fees for the Gerringong School of Arts hall for the corresponding period.
3. Council provide landowner's consent to the lodgement of a development application by the Gerringong Mens Shed Inc. for a mens shed on part Lot 7010, DP1026773, Blackwood Street Gerringong,
4. Council provide, subject to a development application being approved, in-principle support to a mens shed facility on the subject land and that a licence agreement be entered into for the establishment of a future mens shed on the land at that time and that delegated authority be given to the General Manager to sign a licence agreement.

BACKGROUND

Council has received a request from the Gerringong Mens Shed Inc. to establish a new mens shed facility on a section of Jubilee Oval at Gerringong. The site indicated is generally adjacent to Council's maintenance shed on the western side of the playing fields and netball courts. The proposed location is over current grassed area removed from any car parking, access or other use.

The group currently uses the Gerringong Netball Club facility on a shared basis. However they are seeking a more permanent location and larger facility of a size which accommodates their requirements and expected growth. The site nominated is considered to be suitable for the proposed use under a licence agreement on the basis that this part of the reserve is not being used for any other purpose and is not likely to be utilised for any future recreational or ancillary uses.

The land is classified as community land and Council is able to consider entering into a licence agreement with the Gerringong Men's Shed Inc. on the basis of the proposed use being an activity providing services appropriate to the needs of the community in relation to social and intellectual welfare of people. In addition, the utilisation of the proposed site by the mens shed group will introduce additional passive surveillance and activity within the precinct and this is considered to have positive impacts in general. The proposed structure will occupy a slightly larger footprint than the adjoining Council maintenance facility.

However the group firstly needs to secure a development consent which authorises the land use under the current RE1 Recreation zoning which is a pre-requisite in being able to enter into a licence agreement.

The group also seeks to use a secure area within the School of Arts building nearby for storage whilst completing the development. A similar request made by the Gerringong District Historical Society was supported by Council in July whilst works were being carried out within the Gerringong Museum.

The Gerringong School of Arts building does not provide a separate secure area and the entire building would be required for exclusive use for the period.

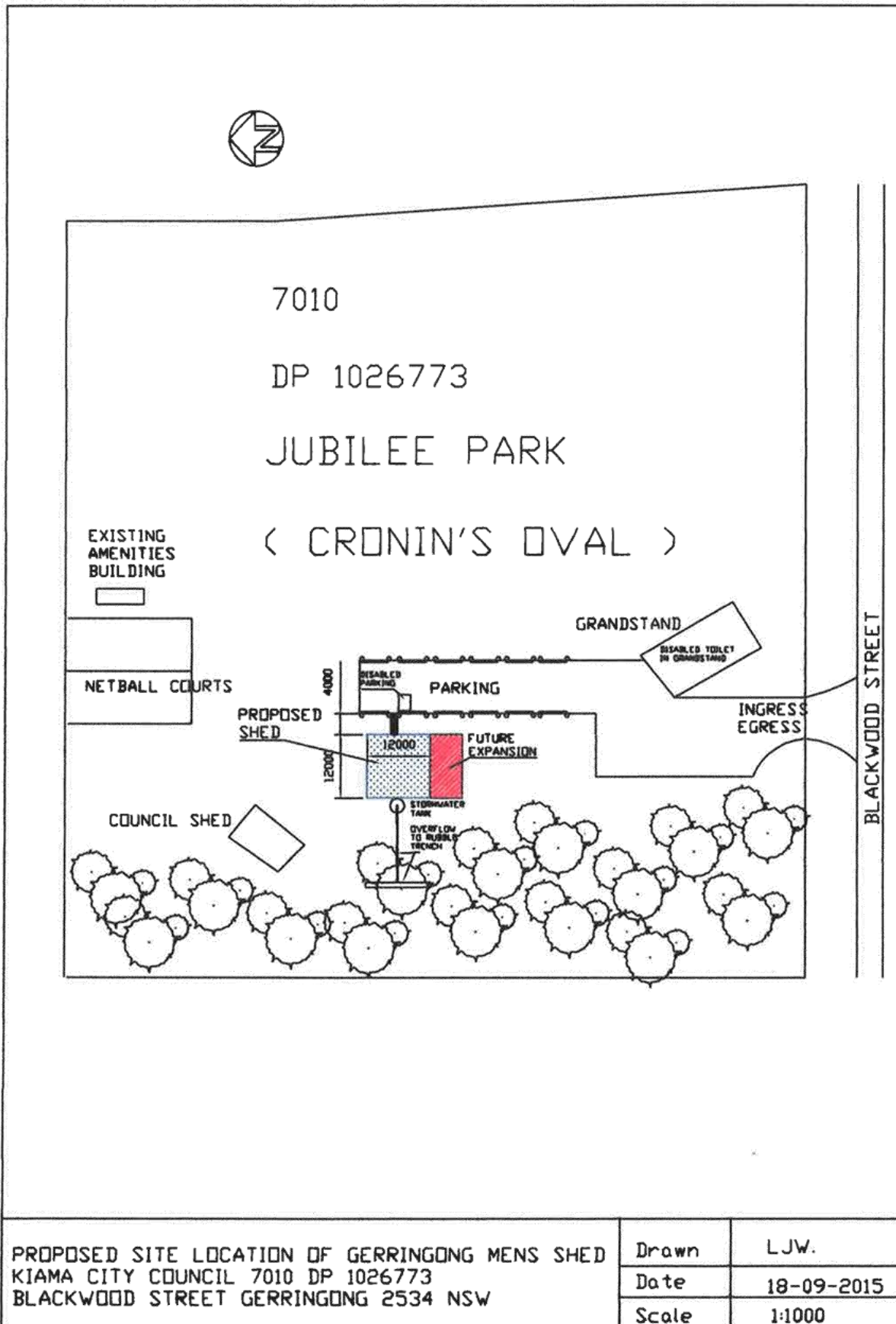
The Gerringong School of Arts Hall is at present not suitable for hire due to its current condition. The renewal of the hall is anticipated with its redevelopment as

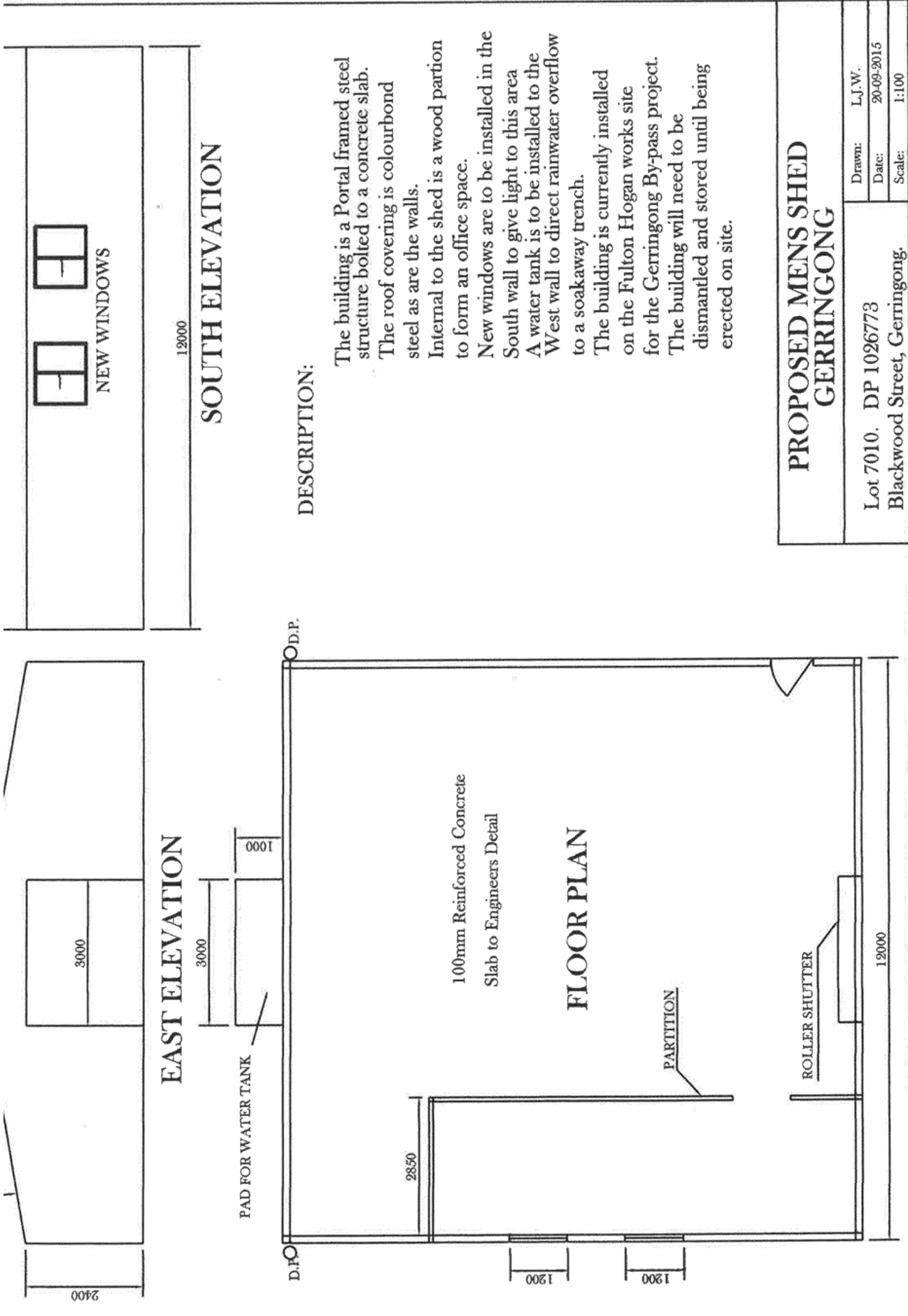
Report of the Director Engineering and Works

13.5 Gerringong Mens Shed Inc - Jubilee Oval Gerringong facility (cont)

part of the Museum/Library proposal for the site. Therefore no income for Council would be lost over this period.

It should be noted however that, any use of the School of Arts would be subject to Council's standard Hall Hire Policy with the exception of any conditions relating to fees and charges and the Gerringong Mens Shed Inc. would need to comply with all conditions of hire including public liability insurance.





DESCRIPTION:

The building is a Portal framed steel structure bolted to a concrete slab. The roof covering is colourbond steel as are the walls. Internal to the shed is a wood partition to form an office space. New windows are to be installed in the South wall to give light to this area. A water tank is to be installed to the West wall to direct rainwater overflow to a soakaway trench. The building is currently installed on the Fulton Hogan works site for the Gerringong By-pass project. The building will need to be dismantled and stored until being erected on site.

**PROPOSED MENS SHED
GERRINGONG**

Lot 7010, DP 1026773 Blackwood Street, Gerringong.	Drawn: L.J.W.
	Date: 20-09-2015
	Scale: 1:100

13.6 Public Exhibition of Concept Design for refurbishment of Amenities Building at Kevin Walsh Oval, Jamberoo

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.13 Effectively manage other assets to cater for current and future generations (including car parks, community buildings, cemeteries and dams)

Delivery Program: 2.13.1 Manage community buildings by the creation and implementation of the Community Buildings Asset Management Plan actions

Summary

This report seeks Council endorsement to place on public exhibition, the concept plan for the refurbishment of the existing amenities building at Kevin Walsh Oval, Jamberoo.

Finance

Council has allocated funds for Capital Renewal of the Kevin Walsh Oval Amenities Building in the 2015/16 budget.

Policy

N/A

Attachments

Nil

Enclosures

- 1 Kevin Walsh Oval amenities building concept plan

RECOMMENDATION

That Council:

1. publicly exhibit for a minimum 28 day period, the concept plan for the refurbishment of the existing amenities building at Kevin Walsh Oval, Jamberoo
2. receive a report at the close of the public exhibition on submissions received.

BACKGROUND

Council at its meeting of 16 June 2015 allocated funds in the 2015/16 budget for the refurbishment of the existing amenities building at Kevin Walsh Oval, Jamberoo.

The existing amenities building is located on land owned by Kiama Municipal Council and has been classified "Community" land under the provision of the Local Government Act 1993. The original toilet facilities, kiosk and change rooms were constructed many decades ago, with multiple updates and minor works occurring since that time, with a major extension added to the building for storage in the early 2000's. The existing public toilets are external to the main amenities building and while clean and functional, are very outdated and considered to be of low standard

Report of the Director Engineering and Works

13.6 Public Exhibition of Concept Design for refurbishment of Amenities Building at Kevin Walsh Oval, Jamberoo (cont)

for a well-used community amenity. The existing buildings are also not compliant with Australian Standard 1428.1-2009 in terms of disabled access and mobility.

Following a quotation process in accordance with Council's procurement policy, local consultants BHI Architects were selected to prepare the concept design for the refurbishment works based on feedback received through stakeholder consultations and public exhibition. To assist in the consultation process, a Working Group was established comprising of Councillors, Council staff, BHI Architects and representatives from the Jamberoo Sports Association, Jamberoo Valley Residents and Ratepayers Association and Jamberoo local businesses.

Following a number of working group meetings, a concept design has been formulated that meets the project budget and comprises the following main features:

- Retention of the existing building;
- Demolition of the existing external toilets and removal of adjacent tree;
- Extension of the building to the south to create new public toilets, disabled accessible toilet (including child change table) and canteen;
- New verandahs to the northern and southern sides.
- Extension and refurbishment of the existing team toilet/shower areas;
- Conversion of the existing canteen into a storage room.

A copy of the concept design plans is enclosed. .

Given the high usage of the facility and the prominent location in Jamberoo, it is proposed to place the concept design on public exhibition for a minimum 28 day period to allow public submissions to be received and addressed. A further report will be tabled to Council on the outcomes of the exhibition process.

Following the finalisation of the concept design, detailed design will be commenced in consultation with the working group, to prepare construction plans and specifications for the materials, fittings and fixtures to enable public tenders to be called for the construction of the facility.

13.7 Compulsory Acquisition for Easement

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.11 Effectively manage the drainage network to cater for current and future generations

Delivery Program: 2.11.1 Manage drainage infrastructure for the community by the implementation of the Drainage Asset Management Plan actions

Summary

On 18 August 2015 Council resolved to compulsorily acquire an easement for stormwater drainage under the Land Acquisition (Just Terms Compensation) Act 1991 over part of the Werri Beach Caravan Park for the purposes of formalising an existing public stormwater drainage system and to appropriately manage potential future stormwater arising from development of land in the catchment.

This report recommends that Council proceed with the acquisition on the same terms and basis however noting the change to the legal lot description. There is no other change to Council's previous resolution however the property description needs to be corrected for the matter to be finalised.

Finance

Costs will be incurred in the creation of the easement associated with registration of the plan (LPI NSW) and compensation payable for easement acquisition.

Policy

Crown Lands Act 1989

Land Acquisition (Just Terms Compensation Act) 1991

Attachments

1 Proposed Easement Lot 269 DP728043

Enclosures

Nil

RECOMMENDATION

That Council;

1. proceed with the compulsory acquisition of an easement over Lot 269 DP728043 for the purposes of stormwater in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991;
2. make an application to the Minister and the Governor for approval to acquire the easement for stormwater described over Lot 269 DP728043 by compulsory process under section 186(1) of the Local Government Act 1993;
3. classifies the land as operational land;

Report of the Director Engineering and Works

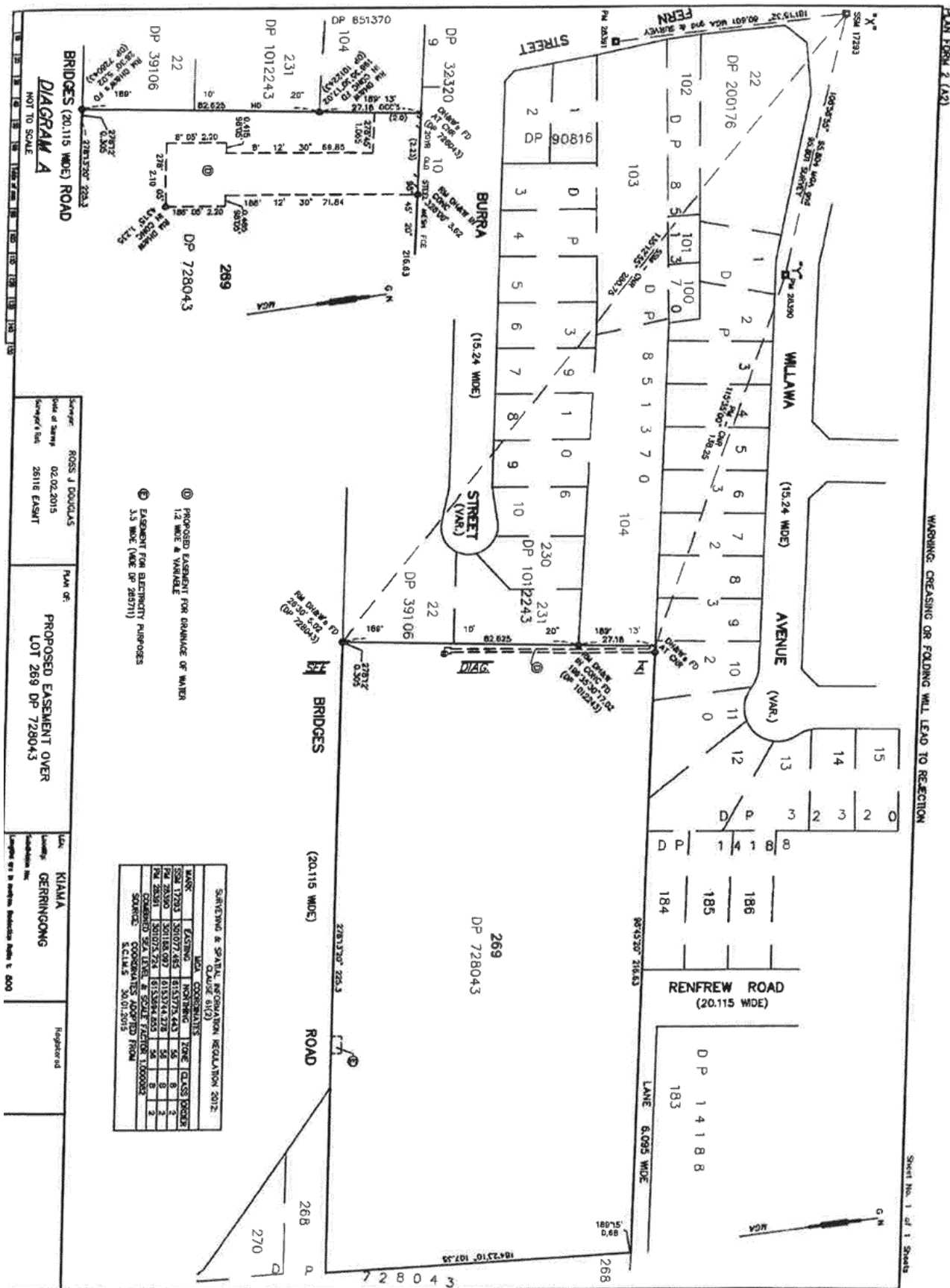
13.7 Compulsory Acquisition for Easement (cont)

4. requests the Minister for Local Government approve a reduction in the notification period from 90 to 30 days; and

give the Mayor and General Manager delegated authority to the signing of all documents associated with the easement and compulsory acquisition including the seal of Council.

BACKGROUND

The subject land is part of the Werri Beach Caravan Park and Council is the Reserve Trustee. The compulsory acquisition has previously been resolved by Council and this report only seeks to correct the lot description pertaining to the land to enable the compulsory acquisition process to be completed.



13.8 Water Refill/Drinking Stations

CSP Objective: 2 Well Planned and Managed Spaces, Places and Environment

CSP Strategy: 2.8 Provide supportive environments that encourage a healthy and sustainable lifestyle

Delivery Program: 2.8.1 Develop, implement and promote infrastructure, policies and programs that support a healthy and sustainable lifestyle

Summary

Report on the investigation of providing water refill/ drinking stations at various locations in the Municipality.

Finance

For consideration in the 2016/17 Budget preparation.

Policy

N/A

Attachments

1 Water refill station proposed locations for October 2015 Council meeting

Enclosures

1 Water station location maps for October 2015 Council meeting

RECOMMENDATION

That Council consider the installation of water refill/drinking stations in its 2016/17 Budget preparations, in the locations identified in this report.

BACKGROUND

An information report was tabled at the Council meeting on the 17 December 2013 responding to a request to investigate the cost of providing water filling stations at popular locations throughout the Municipality.

This request followed a recommendation from Council's Walking Tracks and Cycleways Committee, that a water station be provided on the coastal walking track at Minnamurra Headland for use of walkers, cyclists and dog owners from the nearby dog-off leash area. The information report outlined the trial installation of a filtered drinking and water refill station outside the existing amenities in Terralong Street, Kiama in 2010. The unit cost at the time was approximately \$5,000, with installation of water supply and stormwater drainage an additional \$2,000. The station has proven to be well used with no operational issues.

The water station at Minnamurra Headland was not of the filtered water type and consisted of an extension to an existing water service and installation of a basic bubbler and tap arrangement at an approximate cost of \$500 with an additional \$2000 in water supply and plumbing costs. This type of water station arrangement

Report of the Director Engineering and Works

13.8 Water Refill/Drinking Stations (cont)

was seen as an economical solution when installing at more isolated locations with lower usage demand.

As part of the resolution approving the Minnamurra Headland water station, the Council requested the Walking Tracks and Cycleways Committee to consider other possible locations for water stations for future budget consideration. The Committee recommended locations prioritised as follows:

1. Loves Bay
2. Blowhole Point (in vicinity of visitors centre)
3. South Bombo beach
4. South Headland, Gerringong (dog off leash area)

Location 1) has been incorporated into the design of the toilet facility and carpark at Loves Bay, due to commence in the near future. Item 3) was reviewed by Council as part of the 2015/16 draft budget consideration, however it did not attract a budget allocation for the estimated cost of \$11,150 for supply and installation.

Notwithstanding the Committee's listing above, Engineering and Works staff have undertaken a more widespread audit of existing water supply plumbing, to identify possible locations for the installation of additional water stations in future. A list of the identified locations are included in Attachments with cost estimates based on the availability of water supply, plumbing and drainage requirements and whether a higher quality unit is required. Maps of each of the locations are included in the Enclosures.

As there is currently no budget allocated for any water stations in the 2015/16 budget, it is recommended that these items be considered as part of the budget consideration for the 2016/17 financial year.

Water Refill Station Proposed Sites

Suburb	Location	Advantages	Utilisation	Water / Drainage	Vandalism	Maintenance	Unit	Plumbing/ Drainage	Underbore/ restoration	Total Est. Cost
Miramara	James Oats, Reserve	High usage area- Tennis courts, BBQ's, playground, coast walk and boat ramp nearby	Families at the playground, walkers, general community use	Available on site near toilet block	Not known though isolated at night	Near other facilities maintained by KMC	\$ 500	\$ 500	\$ -	\$ 1,000
Kiama Downs	North Kiama Dr	Adjacent to Surf Club, main beach access & vicinity of shops	Coast walkers, beach users, surfers, visitors.	Water available on site, sand drainage	Not known though isolated at night	Near other facilities maintained by KMC	\$ 500	\$ 500	\$ -	\$ 1,000
Bombio	North end of Beach	High usage area. Close to beach & coastal walking track	Walkers, surfers, visitors	Water available on site, sand drainage	Some, isolated at night	Near other facilities maintained by KMC	\$ 500	\$ 500	\$ -	\$ 1,000
Bombo	South end of Beach	Near access point to beach & dog off leash area	Walkers, surfers, dog off leash owners.	Water in industrial St. Sand drainage	Not known though isolated at night	Not near other facilities maintained by KMC	\$ 500	\$ 2,500	\$ 8,150	\$ 11,150
Kiama	West Terraling Street	Close to commercial areas & Blue Haven	Shoppers and visitors	Available (under concrete)	Low- public area	Near the existing water refill station	\$ 2,150	\$ 2,000	\$ 1,000	\$ 5,150
Kiama	Black Beach (near playground)	High usage area	Walkers, market days, tourists	Available on site near toilet block	Not known	Near the existing water refill station	\$ 2,150	\$ 1,000	\$ 500	\$ 3,650
Kiama	Tourism Office, Blowhole Point	Hospitality to tourists	Tourists	Available on site	Not known though isolated at night	Near other facilities maintained by KMC	\$ 2,150	\$ 1,000	\$ 1,000	\$ 4,150
Kiama	Surf Beach Coronation Park	High usage area. Close to beach, playground, coastal walking track	Walkers, surfers, visitors. High use in peak periods.	Available nearby	High. Reported instances	Near other facilities maintained by KMC	\$ 2,150	\$ 500	\$ -	\$ 2,650
Kiama	Kendall's Beach Reserve near playground	Near Holiday Park, playground, beach and coast walking track	Walkers, campers. High use in peak periods.	Available on site near playground	Very low, park manager nearby	Possible maintenance by park management	\$ 500	\$ 500	\$ -	\$ 1,000
Kiama	Little Blowhole near viewing platform	On the coastal walk- rest area	Walkers and drive in visitors	Water on site- no drain pipe	High- isolated site with reported occurrences	Not near other facilities maintained by KMC	\$ 500	\$ 500	\$ 500	\$ 1,500
Werrri Beach	Lloyd Rees Reserve, Pacific Avenue	At Entry/ Exit to Kiama Coast Walking Track	Coast walkers, beach users, surfers, visitors.	Available on site near toilet block	Isolated location at night	Near other facilities maintained by KMC	\$ 500	\$ 500	\$ -	\$ 1,000
Werrri Beach	Pacific Avenue, South Werrri	Adjacent to Surf Club, Playground, fitness equipment & Carpark	Families at playground, fitness equipment users, beach goers.	Water available on site, sand drainage	Isolated location at night	Near other facilities maintained by KMC	\$ 500	\$ 500	\$ -	\$ 1,000
Gerringsong	South Headland, Tasman Drive	On coastal walking track, near whale watching platform & dog off leash area	Walkers, visitors, dog off leash owners	Water 150m away. Drainage infiltration on site	Maybe high- depends on after hours park usage	Not near other facilities maintained by KMC	\$ 500	\$ 3,000	\$ 7,000	\$ 10,500
Gerringsong	Old School Park, Fern Street	In the centre of town available to large number of people	Families at the playground, general community use	Water 100m away - drainage near steps to Fern St	Not known though isolated at night	Near other facilities maintained by KMC	\$ 2,150	\$ 2,500	\$ 1,000	\$ 5,650
Gerroa	Burke Pde, near footbridge	Main access point to beach	Walkers, surfers, visitors. High use in peak periods.	Water available on site, sand drainage	Opposite residences	Near other facilities maintained by KMC	\$ 500	\$ 500	\$ -	\$ 1,000
Total of estimated costs										\$ 51,400

13.9 Road Safety Officer Projects 2015-2016 - Roads and Maritime Service Funding Grant

CSP Objective: 1 A Healthy, Safe and Inclusive Community

CSP Strategy: 1.6 Recognise and promote community safety throughout the Municipality

Delivery Program: 1.6.6 Facilitate Local Road Safety and Traffic Committees

Summary

The report outlines the Road Safety Programs for 2015-2016 and recommends acceptance of the grant from Roads and Maritime Service as part of the Local Government Road Safety Program (LGRSP).

Finance

\$21,200 grant funding.

Policy

Not applicable.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council accept the offer of grant from the Roads and Maritime Services and direct the Road Safety Officer to establish and implement the programs with the required evaluation and financial reporting as per the RMS funding conditions.

BACKGROUND

An offer of \$21,200 has been received from the RMS for the implementation of seven road safety behavioural programs for the 2015-2016 financial years. Council is asked to participate in the program by providing the time required for the Road Safety Officer to administer the programs and to cover the associated administrative costs. Acceptance of the grant is subject to Council accepting the RMS funding conditions relating to evaluation and financial reporting.

The programs seek to improve the safety of road users in our local traffic environment and are supported by Councils Road Safety Steering Committee.

Report of the Director Engineering and Works

13.9 Road Safety Officer Projects 2015-2016 - Roads and Maritime Service
Funding Grant (cont)

The following is a list of the local road safety projects to be funded:

Funding Source	Project	Funding Amount
Young Drivers	Graduated Licensing Scheme Workshops	\$1,800
LGRSP	Log Book Run	\$2,000
LGRSP	Kiama Seniors	\$1,200
LGRSP	Motorcycle Safety	\$2,00
LGRSP	Shared Path- Joint Illawarra Promotion	\$1,000
Bike Week	Kiama Family Fun Bike Ride	\$3000
Alcohol	Night Bus Funding- Alternative Transport	\$12,000
	Total	\$21,200

Item 13.9

Project Outlines

Graduated Licensing Scheme

Three graduated licensing scheme (Learner Driver) workshops will be held in Kiama to help supervisors of learner drivers complete the task of teaching a learner to drive. The presentations outline the restrictions on L and P plate drivers and provide practical advice on completing the learner log book.

Log Book Runs

Five Learner Driver Log Book Runs will be held in conjunction with Shellharbour Council. These events provide an opportunity for learners and their supervisors to experience a wide range of road and traffic conditions as well as experiencing random breath testing, driver reviver stop and radar speed checks helping learners to complete the required 120 log book hours.

A combined Illawarra Log Book Run is scheduled to be held on 20 March 2016 in conjunction with Wollongong City Council, Shellharbour City Council and Kiama Municipal Council.

Motorcycle Safety

The motorcycle safety project involves the support of activities during Motorcycle Awareness Week with the aim to reduce the high crash rate of motorcycle riders in the municipality.

A meet and greet event will be held at the Robertson Pie shop during Motorcycle Awareness Week in October where Road Safety Officers will be asking riders to take part in an interactive map location survey to help identify motorcycle crash locations and high risk areas on the regions roads.

Report of the Director Engineering and Works

13.9 Road Safety Officer Projects 2015-2016 - Roads and Maritime Service
Funding Grant (cont)

The event is run in conjunction, Wingecarribee Shire Council, Kiama Municipal Council, Shellharbour City Council, and supported by Transport for NSW, Roads and Maritime Services and Motorcycle Council of NSW.

Shared Path – Joint Illawarra Promotion

The aim of the project is to promote the safe use of shared paths throughout the Illawarra region through the update and re-launch the 'Share the Track- the path is ours to share' flyer resource.

The project increases awareness of the correct use of shared paths that are widely used by pedestrians and bicycle riders with the aim to avoid collisions and make using these paths a pleasant experience and encouraging pedestrians and cyclists to watch out for each other by following a few simple rules, such as keeping to the left and obeying the rules.

The flyer will be distributed by Wollongong, Shellharbour and Kiama's Road Safety Officers.

Kiama Seniors- On the Road 65 Plus Workshops

Mobility Scooter and On the Road 65 Plus Workshops are a guide to provide safety tips to help seniors make safer choices when driving, riding, walking, using a mobility scooter or catching public transport. Workshops will be held during senior's week, March 2014 and other dates during the year.

Bike Week

NSW Bike Week is an annual celebration of cycling, encouraging people from all walks of life to get on a bike and ride. Transport for NSW, in partnership with Roads and Maritime Services, will provide local event organisers with funding to support their efforts to promote cycling to their communities.

In 2015 NSW Bike Week will run from Saturday, 14 September until Sunday, 20 September.

NSW Bike Week Family Fun Ride was scheduled to take place on Saturday 19 September 2015 at Black Beach Harbour.

The aim of the Bike week event is to Increase the use of local cycling infrastructure for transport and recreation. While providing a safe and secure environment for new and less confident cyclists to improve their cycling skills. Educating the community on the importance of road safety and relevant road rules and promoting cycling as a safe and healthy mode of transport for short trips.

Kiama Night Bus- Alternative Transport Scheme

Report of the Director Engineering and Works

13.9 Road Safety Officer Projects 2015-2016 - Roads and Maritime Service
Funding Grant (cont)

The Kiama Night Bus Service, supported by Kiama Liquor Accord is aimed to help transport patrons quickly, efficiently and safely home and can also benefit the local community by reducing rates of drink driving and drink walking on a Saturday night.

The benefits of the Kiama Night Bus service include an increase of late night transport services in Kiama. Increased safety of patrons when leaving licensed premises, drink driving and drink walking may be reduced in the community leading to less demands on

14 REPORT OF THE DIRECTOR COMMUNITY SERVICES

14.1 Request for Sponsorship Kiama Red Cross - 2016 Kiama Fun Run

CSP Objective: 1 A Healthy, Safe and Inclusive Community

CSP Strategy: 1.2 Promote and support a range of social, cultural and artistic activities, practices and programs for creating sustainable health and well being

Delivery Program: 1.2.4 Implement and support community, cultural and artistic activities and development programs

Summary

The Kiama Red Cross has requested Council support the 2016 Kiama Fun Run, proposed to be held 5 June 2016. The event, which will be in its third year, continues to grow in participation numbers. It aligns with Council's philosophy of being a healthy city and has an impact on attracting tourism.

Finance

\$2,000

Policy

Council has a Partnership Agreement with Red Cross

Attachments

- 1 Request permission to hold - Kiama Fun Run - 5/06/16 - Kiama Coastal Walk to Coronation Park - Request Sponsorship - Judi O'Brien Australian Red Cross

Enclosures

Nil

RECOMMENDATION

That Council provides \$2,000 sponsorship to the Kiama Red Cross for the purpose of holding the 2016 Kiama Fun Run.

BACKGROUND

The Kiama Red Cross has written to Council (letter attached) to formally request permission to run the Kiama Fun Run on the 5th June 2016, utilising the Coastal Walk and Coronation Park as the finish. In addition \$2,000 sponsorship has been requested.

This event was first held in 2014 as part of the Red Cross centenary celebrations. Due to its success it was again held in June 2015. Both years Council has provided sponsorship. In 2015 the money was provided from Council's tourism budget.

According to the participation figures provided by the Red Cross the number of entrants has doubled in the two years the event has been held. It is recommended

Report of the Director Community Services

14.1 Request for Sponsorship
Kiama Red Cross - 2016 Kiama Fun Run (cont)

that this event continue to be supported. Council also has a partnership agreement with Red Cross and Council's support would be in the spirit of the agreement.

Item 14.1



14 McBrien Drive
Kiama Downs 2533

The General Manager
Mr M. Forsyth
Kiama Municipal Council
PO Box 75
Kiama 2533

4th September 2015

Dear Michael

Kiama Red Cross would like to firstly, formally request permission to run the Kiama Fun Run on 5th June 2016 using the Kiama Coastal Walk and Coronation Park for the finish.

Secondly, we would like to ask for your support of this event by way of \$2,000 sponsorship.

In both 2014 and 2015 Kiama Red Cross ran this event with much success. We had 161 entrants in 2014 and 320 entrants in 2015. We are hoping to continue to grow the Fun Run by making it an annual event and with Kiama Council's continued assistance we think this can happen.

Many of the previous participants, both local and visitors, were extremely impressed with the beauty and amenity of the Kiama Coastal Walk. Visitors came from as far away as the Hunter Valley and the Blue Mountains. Several mentioned how they would advertise Kiama to their friends and bring more entrants to the event if held again. Many of the participants supported local cafes and restaurants and several

14.2 Sponsorship **Request**
Kiama Show Society, Kiama Show 2016

CSP Objective: 1 A Healthy, Safe and Inclusive Community

CSP Strategy: 1.2 Promote and support a range of social, cultural and artistic activities, practices and programs for creating sustainable health and well being

Delivery Program: 1.2.4 Implement and support community, cultural and artistic activities and development programs

Summary

The Kiama Show Society has requested Council sponsorship toward the 2016 Kiama Show and the Show Ball.

Finance

\$5,301

Policy

Council's Community Donations Policy is relevant

Attachments

1 Kiama Show Society request for sponsorship

Enclosures

Nil

RECOMMENDATION

That Council provide sponsorship to the Kiama Show Society through

- 1) the provision of waste services for the show
- 2) donating the Leisure Centre hall hire fees and charges for the Show Ball on the 9th January.

BACKGROUND

As in previous years the Kiama Show Society has written to Council requesting support to hold the 2016 Kiama Show (letter attached). The Society has requested that Council donate the cost of waste charges for the two days of the show and donate the hire fees for the Leisure Centre for the Show Ball. Council has traditionally supported the Society and the Show, which will be in its 167th year. The Show is a popular fixture on the Kiama calendar, well supported by the community as demonstrated by both attendance rates and the large volunteering commitment that allows the Show to proceed.

The sponsorship funding represents \$1,176 for the Leisure Centre hire, set-up and staff costs, \$486 waste charges for the ball, \$1,317 waste charges for the Carnival set up 18th-21st January, and \$2,322 waste charges for the 2 days of the show.



Secretary
Sue Granger-Holcombe
P.O. Box 354 Kiama NSW 2533

Phone: 02 4233 1597
Email: secretary@kiamashow.com.au
Website: www.kiamashow.com.au
ABN: 53 539 060 852

24 September 2015

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

Dear Michael

The Kiama Show is a Kiama icon and 2016 will be the 168th celebration and promotion of the agricultural and horticultural resources of Kiama and surrounding areas and the advancements through exhibition, competition and entertainment. Over 15,000 people will enter the gates of the Showground on the 22nd and 23rd of January.

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

Sponsors, large and small, have loyally supported the Kiama Show Society each year thus enabling this quality and much loved family event to be enjoyed by the community for 167 years. However, this year Show Society is under considerable financial pressure with a financial loss for the past financial year.

As sponsorship is vital to the operation of the Kiama Show, the Society is again requesting Councils financial assistance through "in kind" sponsorship for 2016 Kiama Show. As such we would again request the waiving of the garbage removal costs for the 2015 Kiama Show and the Leisure Centre hire fee and charges for the 2016 Kiama Show Ball booked for Saturday 9th January.

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

Yours faithfully,

David Young
Sponsorship Coordinator
Kiama Show Society Inc.

14.3 Concept Design for Gerringong CCTV

CSP Objective: 1 A Healthy, Safe and Inclusive Community

CSP Strategy: 1.6 Recognise and promote community safety throughout the Municipality

Delivery Program: 1.6.7 Develop and implement a Community Safety Plan

Summary

This report presents the Concept design for a CCTV system in Gerringong and seeks Council's endorsement to conduct community consultation on the concept design.

Finance

As budgeted for in the 2015/16 CCTV budget

Policy

Nil

Attachments

1 Gerringong CBD CCTV System Description

Enclosures

Nil

RECOMMENDATION

That Council endorse public consultation on the concept design for installing CCTV in Gerringong CBD.

BACKGROUND

Action 1.4 from Council's Crime Prevention Plan is to..."Review the strategy [to install CCTV cameras in the municipality] to address the other towns and suburbs as soon as practicable, subject to funding."

Funding was secured through the Commonwealth Government for the installation of cameras in both Kiama CBD and Gerringong CBD. With the system in Kiama CBD fully installed and operational, plans for Gerringong have been pursued with the Concept Design now ready for public consultation.

The plan for Gerringong includes conducting public consultation during November, then finalise the detailed design and specifications for a Request for Quotes (RFQ) in December; ready for release during January 2016. It is intended that a report will be submitted to the March Council meeting seeking endorsement to award the contract for supply and installation to start in April, and have the system operational by the end of May.

Gerringong CBD CCTV System Description

Recording and Communications.

The system shall record onto a local dedicated Networked Video Recorder (NVR) located in the Gerringong Town Hall.

There will be a continuous live feed from the cameras back to Council's main administration building via a microwave link.

Images will be viewable from the Council main administration building for management, maintenance and export purposes, and the live feed and recorded images from Kiama Police Station once this link is installed.

The connection shall be via Saddleback Mountain to the Pavilion, then via the fibre network back to the main administration building on the Kiama CCTV network.

Cameras

The cameras and poles shall be installed in 2 stages.

Stage 1.

Poles 1 and 2 (Cameras 1 to 4) which will give about an 80- 90% coverage of the CBD will be installed first.

Stage 2.

Pole 3 (cameras 5 & 6), for which the connectivity shall be assessed during stage 1, will be installed subject to funding. This stage is more challenging due to:

- (a) The lack of easy and affordable access to power, and
- (b) No easy network solution to steam the camera feeds back to the Gerringong Town Hall.

Once installed, these cameras would then give the CBD complete coverage including the proposed developments in the northern end of the CBD.



15 REPORTS FOR INFORMATION

15.1 Bombo Headland Quarry - Conservation Management Plan.

Responsible Director: Engineering and Works

The Bombo Headland Quarry Geological Site is a State Heritage listed item.

At its meeting of 16 June 2015 to consider the draft operational plan and budget, the preparation of a Conservation Management Plan to direct further development of the site was discussed. An extract of the report on the matter follows:

“At Councils February 2015 meeting a report on the cost, feasibility, safety issues and consent requirements associated with constructing a viewing platform and stairs at the northern face of the Bombo Headland Quarry was requested. The Bombo Headland Quarry is a Heritage Listed site with geological significance owned by the Department of Planning. Council has a trustee role similar to that which it has with Crown Land. Due to the heritage nature of the site the consent of the Heritage Council is required for any works within the Bombo Headland Quarry area.

A Conservation Management Plan should be developed, identifying how the site will be managed having regard to its heritage and geological significance. The plan would include any works or infrastructure proposed to be undertaken. Following approval of the Conservation Management Plan, implementation of the works identified therein could be undertaken. The cost, feasibility and safety issues would be addressed during the preparation of the plan. Therefore should Council wish to proceed with further development of the site the initial step would be the preparation of the Conservation Management Plan. This would require the engagement of a consultant with the necessary expertise in the field.

The Director of Engineering and Works/Assistant General Manager has estimated the cost for the preparation of the plan, based on previous engagements, would be \$25,000. A grant may be able to be provided by the Office of Environment & Heritage, otherwise funding would need to be provided by Council.”

At Council's meeting of 15 September 2015, Councillor Honey requested a report on the progress made in gaining funding for the Conservation Management Plan for Bombo Headland and whether approaches have been made to the Member for Kiama. Councillor Honey further requested that approaches be made to Wollongong Botanical Garden with the intention to include a coastal botanical garden on all or part of the headland. The Mayor referred this item to the Director of Engineering and Works for investigation and report.

The Office of Environment and Heritage (OEH) do provide grants up to a maximum of \$10,000 for the preparation of Conservation Management Plans for State Heritage Listed items. The Bombo Headland Quarry Geological site was gazetted as a State Heritage item on 2 April 1999, (State Heritage Register Number 00177).

Applications for grants closed on 16 January 2015. Council has been advised that the next round of applications are due to be opened between October and the end of December 2015. Applications will be open for a period of 8 weeks. Council has requested email notification when applications are opened.

Reports for Information

15.1 Bombo Headland Quarry - Conservation Management Plan. (cont)

Therefore in response to Councillor Honey's question an application is proposed to be submitted during the next round of funding as indicated above. The support of the Local Member will be sought at the time.

Consultation with the Wollongong Botanic Gardens can be undertaken with the preparation of the application.

It should also be noted the Bombo Headland Quarry site is owned by both the Department of Planning and Infrastructure and the Sydney Water Corporation. Council has care, control and management of the Department of Planning and Infrastructure section of the site by way of a Government gazette Notice for Public Recreation use and a license agreement with Sydney Water Corporation over their section restricting Council's activities to cycleways, walkways, carparking, amenities provision etc.

The consent of both agencies will also be required for the submission of an application. It is considered that a least a concept or draft conservation management plan will need to be developed before Council is in a reasonable position to approach them for their consent.

15.2 Magiq Software ConferenceResponsible Director: Community Services

Conference Report – Tracy Sligar, Finance Manager, Blue Haven Care:

As the main administrator for the software package Magiq Performance, that council uses to manage the budget process and other ad hoc financial reports, I was able to attend the annual conference held in Melbourne from 2-4 September. I found the agenda to be very topical with a number of presentations from Councils on how they are using the Magiq software to better manage and control their budgets.

The conference was opened by the CEO, Mr Colin Lillywhite, who outlined the roadmap for the software's future development. As with most software programs, they will be transitioning to the 'cloud', to allow for much greater ease of access to the software from anywhere and on any platform.

I took this opportunity to develop some contacts with other Councils, outside of NSW, include the City of Whittlesea. I will be contacting them further to get their guidance on setting up some processes and reports to assist with the monitoring of our budgets. Whittlesea implemented a module that allows them to monitor their utility bills. In one year of implementation they were able to save over \$300,000 by identifying incorrect billing from a service provider.

City of Whittlesea is also using this software to accurately cost their services. That is, they have implemented activity based costing to allow them to determine how much it actually costs council to provide a service. This was all done by using the software with no major changes to their General Ledger structure. I will be contacting them to discuss how they went about this as we will be undertaking a similar process.

I was also able to meet staff of Aged Care services. With the ongoing changes in our Community Services department brought about by changes implemented from the State Government, we are seeing an unprecedented level of financial management required. There are a number of Aged Care services in Victoria currently using the Magiq software. I will be contacting them to discuss how they are using the software.

Overall I found the conference to be very educational and interesting to hear how other Council's, not just NSW Councils, are using the software. It is a very powerful tool that I believe we are underutilising. I have had the opportunity to expand my network of professional colleagues and I am sure I will keep in touch with them.

15.3 Blue Haven Care - Home Care Services - Quality ReviewResponsible Director: Community Services

On 3 September 2015 Blue Haven Care's Home Care Services participated in the Quality Review process undertaken by the Australian Aged Care Quality Agency. The Quality Review assesses the performance of the Home Care Service against the 18 expected outcomes of the Home Care Standards. These expected outcomes fall under three broad standards comprising:

Standard 1: Effective Management

Standard 2: Appropriate Access and Service Delivery

Standard 3: Service User Rights and Responsibilities

Three Assessors from the Australian Aged Care Quality Agency attended both Home Care Service outlets and interviewed staff, volunteers and management about systems and processes, interviewed care recipients about their experience of service provided by Blue Haven Care, reviewed documentation and observed Centre Based Day Care activities in progress on the day.

Blue Haven Care received the final Quality Review Outcome Report on 23 September 2015 with the service meeting 18 of the 18 Home Care Standard expected outcomes.

The assessors from the Australian Aged Care Quality Agency indicated that they were impressed with the amount of work that had been done in preparation for the reforms including the introduction of consumer directed care in the Home Care Package program and the organisational restructure to meet the demands of the changing service landscape.

15.4 South Precinct Meeting - Minutes

Responsible Director: Office of the General Manager

The minutes of the South Precinct meeting held on 17 September 2015 are enclosed in Councillor's are attached for information.

Enclosures

- 1 South Precinct Meeting Minutes - 17 September 2015

15.5 Community Drug Education

Responsible Director: Community Services

At Council's September meeting, following the presentation of an information report about a youth and parent survey being conducted by the SENTRAL Youth Service, a motion was passed that:

Council investigate the formation of a forum involving partnerships between Kiama Council, local police, schools and parents to educate our community about the scourge of MDMA otherwise known as "ice".

In responding to this motion the following background information is provided. Community education around illicit drugs is already conducted through a partnership called Community Drug Action Teams (CDAT). CDATs, supported by The Australian Drug Foundation (ADF), are groups of volunteers who work together to minimise and prevent the harmful use of alcohol and other drugs in their neighbourhoods. Since 1999, CDATs have led thousands of activities to engage at-risk youth, educate parents and the wider community through community activities and campaign to curb alcohol-fuelled violence and drug use. The ADF supports the CDATs through the Community Engagement and Action Program (CEAP) funded by NSW Health.

Members of CDATs are drawn from parents, schools, TAFE and universities, government and health workers, law enforcement, businesses, community organisations and local residents who want to create safer and healthier communities.

Council's Youth Service already participates in the activities of the local Shellharbour/Kiama CDAT. Therefore, it is proposed that Council's Youth Service will lead the organisation of the requested forum with participation from the local CDAT. Due to the proximity to December and the time required to prepare and promote the forum for maximum success, it is anticipated that a date will be set in early 2016.

In addition, Council's Senior Youth Worker Andrew Chatfield sits on the organising committee for a Youth Services professional development seminar scheduled for 18 November to held at the Pavilion. One of the sessions at this seminar is about "Drug use and substance abuse". Andrew plans to video this session and make it available on the Youth Services Facebook page.

15.6 Section 94 Development Funds

Responsible Director: Office of the General Manager

Below is a table showing Section 94 developer contributions received each month.

S94 Developer Contributions

2014/15	
July	\$17,420
August	\$20,963
September	\$24,542
October	\$134,555
November	\$27,469
December	\$159,599
January	\$217,043
February	\$63,668
March	\$62,015
April	\$246,313
May	\$53,438
June	\$87,154
Interest	\$111,755
	\$1,225,934

S94 Recoupments from Plans

2014/15	
July	\$28,827
August	\$9,245
September	\$10,420
October	\$79,621
November	\$10,086
December	\$88,151
January	\$124,513
February	\$30,566
March	\$28,606
April	\$142,648
May	\$27,317
June	\$31,651
	\$611,651

2015/16	
July	\$16,126
August	\$206,061
September	\$43,412
	\$265,599

2015/16	
July	\$0
August	\$0
September	\$0
	\$0

Item 15.6

15.7 10/50 Vegetation Clearing Code of Practice review and amendmentsResponsible Director: Environmental Services

This report updates Council on the recent review of the 10/50 Vegetation Clearing Entitlement Scheme under the Rural Fires Act. The review found the policy objectives of the scheme remain valid, but a number of issues have been identified to improve the scheme. Thirty recommendations have been made as a result of the review. These recommendations can be found in the final report 'Review of the 10/50 vegetation clearing entitlement scheme', August 2015, available on the NSW Rural Fire Service (RFS) website.

Legislative changes as a result of the review came into effect on 28 August 2015 and the 10/50 Vegetation Clearing Code of Practice has now been amended and took effect as of 4 September 2015.

Advice on the NSW RFS website states that any person wishing to utilise the 10/50 Vegetation Clearing Entitlement must now consider how the following changes affect the clearing proposal:

1. The definition of a tree has been amended to include multi stemmed trees. This means you can no longer remove multi stemmed trees beyond 10 metres.
2. The distance at which a tree may be removed has been clarified. You may only remove a tree if any part of the trunk that measures more than 30 centimetres in circumference (around the trunk) at a height of 1.3 metres above the ground, is within 10 metres of the external wall of a building.
3. If you are using the distance from a building on your neighbours land to use the 10/50 entitlement (and your buildings are not within 10 metres or 50 metres respectively), you must receive their written consent. Where the tree or vegetation is within 10 metres or 50 metres respectively of buildings on more than one adjoining parcel of land, you must receive written consent from each land owner who adjoins your land.
4. Clearing adjacent to farm sheds is now permitted under the 10/50 scheme.

Changes have also been introduced to identify vegetation that cannot be cleared, including types of trees. A number of these changes relate to types of vegetation in Kiama LGA. These types of vegetation include:

- SEPP 14 Coastal Wetlands as mapped and provided by the Department of Planning and Environment;
- SEPP 26 Littoral Rainforest (not including the 100 metre buffer) as mapped and provided to the NSW RFS by the Department of Planning and Environment;
- Within 100 metres of the coastline or estuaries of NSW;
- Records of critically endangered plants as mapped and provided by the Office of Environment and Heritage;
- Land mapped as Critical Habitat by the Office of Environment and Heritage;
- Mangroves and saltmarsh may not be cleared.

Reports for Information

15.7 10/50 Vegetation Clearing Code of Practice review and amendments (cont)

Riparian zones have been clarified and given enhanced protection. The clearing of vegetation including trees is not allowed within 10 metres of a lake, or river that is two metres or more in width between the highest opposite banks. The distance is measured from the highest bank or tidal limit if there is no defined high bank. This buffer applies to either side of the river or lake.

Enhanced protection has also been given to aboriginal and other cultural heritage. The online tool is informed by maps provided to the NSW RFS by the relevant Government authority. Types of vegetation that may not be cleared are separated into three categories:

1. An Aboriginal Place as mapped and provided to the NSW RFS by the Office of Environment and Heritage (OEH);
2. NSW State heritage as mapped and provided to the NSW RFS by the OEH;
3. Local heritage as mapped by councils and provided to the NSW RFS by the Department of Planning and Environment.

A number of other amendments to the code have been made and can be found in the updated '10/50 Vegetation clearing Code of Practice for New South Wales', 4 September 2015, also available on the NSW RFS website.

**15.8 Regional Illegal Dumping Compliance Officer - Quarterly Return – 1 July
to 30 September 2015**Responsible Director: Environmental Services

During the period 1 July to 30 September 2015 there were a total of 50 reports received relative to Illegal Dumping in the Kiama Municipality. This is up by 12 on last quarter and down by 28 from the January to March quarter this year.

Investigative actions carried out

As part of the investigative functions carried out into these matters a total of 10 Notices were issued to individuals under the Protection of the Environment Operations Act. Five (5) individuals were formally interviewed and statements or Records of Interview recorded. One draft Clean-Up Notice was issued relative to an unlawful waste facility operating on a rural property at Curramore. The person of interest in this matter is due to be interviewed by way of audio and video recording during October.

As part of the investigation into a separate unlawful waste facility operation at Jamberoo, a comprehensive brief of evidence was provided to RMB Lawyers for advice. Subsequently a recommendation was returned that Council proceed by way of Court Attendance Notice (CAN) in the Local Court for 8 offences against the Protection of the Environment Operations Act committed by 3 persons. The CAN's and Facts Sheets are currently being prepared and a mention date is pending.

One illegal dumping matter has been declined as the only link to the person of interest was through the identity of a primary school aged child.

Hot spot dumping incidents reported

Of the 50 Illegal Dumping reports, 9 have occurred in identified Hot Spot locations within Kiama Municipality. These have been recorded on the hot spot database which is available for perusal on the TRIM system.

Illegal dumping materials recovered

In accordance with the strategies set out in Councils Littering and Illegal Dumping Integrated Plan, in all but 1 case, materials subject of reports of Illegal Dumping have been cleaned up. The materials most commonly found in these incidents were Domestic Waste and included mattresses, furniture and household waste. Motor vehicles parts and tyres along with building and demolition waste made up the remainder. Two asbestos related matters were reported to the Regional Illegal Dumping Compliance Officer. One of these incidents was cleaned up by the RID Officer and the other matter has been referred to the EPA for investigation and clean up action. The amount of material involved in this matter reached the threshold of a scheduled activity and must be dealt with by the EPA.

Illegal dumping pro-activity

A total of 25 proactive patrols of Illegal Dumping Hot Spots were carried out during the period. In the first quarter this year it was reported that a developing Hot Spot was Fountaindale Road, Jerrara near to Saddleback Mountain Road. A lot of attention was paid to this location by way of proactive patrolling, covert camera

Reports for Information

- 15.8 Regional Illegal Dumping Compliance Officer - Quarterly Return – 1 July to 30 September 2015
(cont)
-

surveillance, clean up of waste deposited and the conduct of 2 protracted investigations relative to waste found at this location. These have been completed and one of the matters is subject to criminal proceedings to be commenced in the near future.

One Charity was required to remove a clothing bin from Council land as it was attracting and contributing to illegal dumping.

Illegal dumping enforcement actions (PINS, warnings and cautions)

A total of 2 Warnings were issued to adult persons for littering offences involving the depositing of green waste onto reserve land and household waste lost from a trailer enroute to a waste facility. 1 warning under the Young Offenders Act was given to a person who was a child at the time of the offence. During the quarter 3 General Penalty Notices were issued by the Regional Illegal Dumping Compliance Officer against 3 individuals for offences under the Protection of the Environment Operations Act totaling \$4750.00.

Motor vehicle usage

During the quarter a total of 1397km was travelled in council vehicles in the performance of my duties.

Clean up and other costs

Council's costs relative to the clean-up and investigation are not ascertainable at this stage and further discussion may be required to allow estimates to be recorded.

15.9 Operational Hours during the Christmas New Year period at Kiama & Gerringong Libraries and the Family History Centre

Responsible Director: Community Services

The Library and Family History Centre will be closing for the following dates across the Christmas period:

	Closes (2015)	Reopens (2016)
Kiama Library	5.30pm, Thurs 24 th Dec	9.30am, Sat 2 nd January
Gerringong Library	12.30pm, Thurs 24 th Dec	9.30am, Thurs 7 th January
Family History Centre	2pm, Sat 19 th Dec	9.30am, Mon 4 th January

**15.10 Community
Recent Bequests****Services**Responsible Director: Community Services

The Community Services department would like to acknowledge the great generosity of two previous clients who have bequeathed money from their estates to support the services they were receiving.

Firstly, \$10,000 was bequeathed with the condition that it be used for the following purpose:

‘specifically to assist with transportation for people with disabilities as a practical expression of his appreciation for the service provided to him during his lifetime’

This money will be used to provide outings and trips for people who have disabilities, thus supporting them not only with transport but also providing social support. The client had previously enjoyed these opportunities.

Secondly, \$30,000 has been bequeathed for the Community Options program. This was originally bequeathed by a client in 2010, however, due to the will being disputed, an agreement was reached for the bequest to be included in the will of the client’s husband. He subsequently passed away in January 2015 and Council has recently been notified. The bequest will be shared by programs that align with the objectives of the Community Options program which ceased at the end of June 2015 and will be used for additional activities beyond what is normally covered by funding.

15.11 Bryan Whittaker - retirementResponsible Director: Office of the General Manager

The Director of Engineering and Works, Bryan Whittaker who has been employed at Kiama Municipal Council since 5 March 1973 has advised of his retirement which is to take effect on 15 January 2016. An extract from Bryan's letter advising of his retirement is as follows:

"I leave Council after over 42 years of service with the fondest of memories and many lifelong friendships. I consider myself to have been fortunate to have enjoyed the support of both Council and staff and to have been entrusted with a position in which I have been able to contribute to the ongoing development and growth of the Municipality in which I live. I wish to sincerely thank Council for providing me with this opportunity.

I firmly believe that Kiama Council remains in a sound and sustainable position and that the level of service and leadership it provides to its community to be amongst the best in the state. In this regard I wish Council and all of the staff nothing but the best for the future."

Bryan was initially employed as a cadet engineer and following a number of promotions was appointed the Director Engineering and Works in 2000. In 2002 he was also appointed as the Assistant General Manager.

Bryan has been an excellent employee and senior officer who has made a highly significant contribution to the Kiama Municipality. During his career at Kiama he has been responsible for a large range of major capital works, policies and programs. He has diligently and efficiently carried out these responsibilities always with the aim of achieving the best outcome. Projects have included the development of the new Kiama Showground Pavilion, Old School Park in Gerringong, Kiama Harbour improvements, Manning Street and Terralong Street upgrades and more recently the de-commissioning of Jerrara Dam and Jamberoo streetscape works.

As the Local Area Emergency Management Committee Chair Bryan has played a pivotal role in preparing and responding to emergencies including floods, windstorms and tornadoes. Following the tornadoes that created substantial damage in the Municipality in 2013 Bryan worked tirelessly and very effectively with the various emergency services agencies in the response and recovery.

Bryan has acted on many Council and regional committees including the Local Traffic Committee, Commercial Centres and Community Safety Management Committee, Streets and Reserves Naming Committee, Illawarra Bush Fire Management Committee and the Regional Emergency Management Committee.

As the Assistant General Manager, Bryan has also been exceptional and during my periods of leave he has carried out the roles of Acting General Manager in a very accomplished manner.

Bryan will leave a great legacy and I am sure Council will join with me in wishing Bryan all the best in his retirement and thank him for his excellent service.

15.12 Flugelman SculptureResponsible Director: Community Services

Council is advised that community consultation for the location of the Flugelman sculpture *Making Waves* was undertaken throughout September 2015. The consultation was delivered via an online survey on four locations. These being:

- Kiama Harbour (west)
- Kiama Harbour (South)
- Storm Bay
- Entrance to Blowhole Point

Sixty three (63) responses to the survey were received with inconclusive results.

Following this outcomes, expert advice was sought from Greer Taylor, a Wollongong based artist with a strong background in public art installation. Preferred sites recommended by her are:

- Coronation Park, Surf Beach
- Storm Bay
- Entrance to Blowhole Point

A further community consultation will now be undertaken on these three shortlisted sites to determine the preferred location of the sculpture.

15.13 Kiama Cultural Board

Responsible Director: Community Services

The Cultural Board's minutes for meeting held 1 October 2015 are included for Councillors information.

Council is advised that as per approval by Council at its September 2015 meeting the Cultural Grants application for Dynamic Earth now includes a revised budget which has been review and accepted by the Cultural Board.

Enclosures

- 1 Kiama Cultural Board - Minutes - 2015 October

15.14 Parking Statistics - September 2015Responsible Director: Environmental Services

CBD Parking:

Parking patrols conducted – 21 site specific, 30 general area.

Infringements issued – 39.

Vehicle spaces inspected – 2074.

Market Day Inspections- 2/9, 9/9,16/9, 20/9, 26/9 and 30/9.

Areas Patrolled;

Collins Street 2P, Shoalhaven Street 2P, Railway Street 2P, Terralong Street – all,
Fern Street 1/2P**School Parking Patrols:**

Kiama High School – 3 parking patrols resulting in Nil infringements.

Minnamurra Public School – 4 parking patrols resulting in 3 infringements.

St Peter and Paul's School – 3 parking patrols resulting in 3 infringements.

Reactive Issues:

No Stopping resulting in 12 Infringements.

Bus Zone resulting in 2 Infringements.

Driveway Obstruction resulting in 1 Infringement.

Footway resulting in 1 Infringement.

Total amount of Infringements - \$6590

Specific patrols for October will be for locations nominated above.

15.15 EDA Conference - Moreton Bay RegionResponsible Director: Corporate and Commercial Services

Council's Economic Development Manager attended the 2015 Economic Development Australia Conference held at Redcliffe, Moreton Bay Region on 8, 9 and 10 September 2015. The Moreton Bay LGA has a population of approximately 420,000 with projections of growth to 622,000 by 2036. This is certainly an area that is experiencing vast investment driven by population growth.

The theme of the national conference was "Future-Proofing Australia – It's Time to Rethink Everything!" The theme touched on the challenges that face councils in a dynamic economic environment, and explored new ways to harness innovation, access new sources of funding for projects and to build resilience.

Queensland Premier Anastacia Palaszczuk opened the conference and outlined the Queensland Government's vision for economic development in the State. She also highlighted a number of strategic investment projects occurring in the Moreton Bay area such as the \$1bn Moreton Bay rail link. We toured this project which included the establishment of six new railway stations that will link into the Queensland City Rail network providing much improved access to Brisbane. We also toured the Cabulture Hub which was a \$25m investment by the Moreton Bay Regional Council. This Hub offers something for everyone ranging from Conference facilities, training and meeting room hire, business pods, and educational facilities. It also incorporates the library, art gallery and digital training rooms.

Presentations focussed on driving a better economic position for Australia in a global marketplace. There was also a focus on "moonshot thinking" and that productivity gains will occur with the uptake in advanced technology and innovative thinking. There was a focus on the need to educate youth to think about the jobs of the future and to rethink the types of education on offer to youth and the ways that they learn. The conference also provided an excellent opportunity to talk to other councils about common issues and projects that may be replicable in our [area](#).

15.16 Local Environmental Plan Review Committee - Record of Meeting held on 29 September 2015Responsible Director: Environmental Services

A meeting of the above Committee was held on Tuesday 29 September. Councillor Andrew Sloan chaired the meeting and unfortunately, a number of apologies resulted in a quorum not being achieved. Those present determined to continue the meeting and make recommendations to the next Committee meeting for consideration.

Attached is a record of the meeting, including comments regarding the Draft Akuna Street Masterplan.

Attachments

- 1 Minutes - 29 September 2015

**Minutes of the LEP Review Committee meeting held on Tuesday 29 September 2015
at Kiama Council, Commencing 3.00pm**

Present: Councillor, Andrew Sloan (Chair), Councillor Kathy Rice, Councillor Mark Way, Patrick Mahedy (Economic Development Committee), Michael Forsyth (General Manager), Kim Bray (Manager of Strategic Planning), Phil Costello (Director of Environmental Services).

Apologies: Councillor Dennis Seage, Mayor, Councillor Brian Petschler, Councillor Mark Honey, Stuart Dixon (Kiama Development Industry Committee), Mark Hitchcock (Kiama), Cliff Mason (North Kiama/Kiama Downs/Minnamurra), Sandra McCarthy (Gerringong/Werri Beach/Gerroa), Leonardo Murgo (Health and Sustainability Committee), John Friedmann (Jamberoo), and Deborah Boles (Executive Assistant).

Councillor Andrew Sloan chaired the meeting. As there was not a quorum of Committee members, it was determined to continue the meeting and make recommendations to the next Committee meeting for consideration.

2. Matters Arising from the Minutes

One correction to the previous minutes of 1 September 2015: Kim Bray noted that under Item 5 that she is liaising with Council's Heritage Advisor on the formulation of a specific DCP Chapter – not the Heritage Office as noted in the minutes.

Noting this correction, the minutes from previous meeting were recommended for endorsement.

3. Draft Akuna Street Masterplan

Councillor Sloan gave some background information regarding the Council resolution for input into the Masterplan.

The Committee held discussion on the scope of works as presented. Issues included the need for the Masterplan to consider relationship and connectivity with the greater CBD area, the opportunity to provide a Masterplan for the whole block showing potential connection/flows and outcomes for both Council and non-Council owned sites. Discussion was also held on the need to present information visually ie 3D model to enable a better conceptualisation of possible outcomes and relationship of different sites.

Recommendations:

- That a suggestion by this group be forwarded to the Shoalhaven and Akuna Streets Development Committee of Council, that the brief include a statement that the Masterplan needs to take into consideration the relationship and connectivity within the greater CBD area, the opportunity to provide a Masterplan for the whole block showing pedestrian and traffic connection/flows and outcomes for both Council and non-Council owned sites including those fronting Terralong Street.
 - That the brief include a statement requesting some form of 3D modelling to be included to aid conceptualization of the relationship between the Akuna Street sites and remainder of CBD sites, having regard to development potential of those sites.
-

4. Review/prioritization of LEP Committee action list

Committee reviewed the list of considerations and dot points plus the additional comments submitted by Mark Hitchcock. The following recommendations are made for each of the action list items:

1. SEPP 65, applicability of standards to other development not currently covered by the SEPP ie medium density town house, villas etc.

Recommendations:

- That a working group be formed to review medium density controls (ie setbacks etc) with the aim of recommending amendments/additions to controls. The working group is to include representatives from the LEP review Committee, Council staff, Architects (suggested Patrick Mahedy and Mark Hitchcock plus one additional 'external' perhaps Rowan Hancock from AE Design).
- That Council staff develop a brief for the involvement/role of the Architects, including investigation of Councils ability to offer a fee for service for the DAU or provision of 'external' architect within this service. Investigation and development of roles, cost implications etc will be developed and progressed by staff in conjunction with the General Manager.
- That Council obtain independent design advice on any DAs (including DAU concepts) for medium density development comprising of 4 or more dwellings.

2. Height limits -v- Storeys in LEP

Patrick Mahedy suggested deferring this discussion pending a presentation that he is preparing.

Recommendation: The Committee agreed to defer this until the next meeting.

3. LEP/DCP relationship, as the DCP gives guidance to the LEP is it valid to consider the more contentious DCP controls? If so identify.

The Committee thought that this would be able to be dealt with by the working group in #1 above.

Recommendation: The Committee agreed to review Item 3 within the working group.

4. The "good the bad and the ugly – review of built form against Planning instruments, including a review of the DAs currently causing concerns in the community.

The Committee thought that item 4 could also be looked at by the working party. Patrick Mahedy raised the need to include a definition of "desired future character" in the reviewed documents.

Recommendations:

- The Committee agreed to review Item 4 within the working group.
- The Committee agreed to include works on desired future character within the review of current planning documents.

5. Implementing a Design Review Panel/or Architect attendance at DAU

Committee briefly discussed format, membership, costs etc.

Recommendation: That pending details on above, Council implement a Design Review Panel for 4 or more units.

6. E3 zone – land use tables require some amendments (e.g. inclusion of horticulture)

This would need some more investigation. Any LEP amendment may require additional controls drafted in the DCP to give additional guidance. Patrick Mahedy raised the applicability of CI 4.6 of the LEP and thought we could provide an overview of what may be considered.

Recommendation: Investigation of "administrative" type PPs can occur at any time and that requests for same need to be forwarded to Council for further investigation.

7. Review of sunset clause 4.2A(4) ie 5 year timeframe

Recommendations:

- The need for review is not clearly evident as there are few allotments impacted
- Potential to advise applicants that applications will not be formally refused if not up to standard, opportunity will be given to withdraw.

8. Review and update Town Centre precinct plans - (Kiama, Gerringong, Jamberoo)

Discussion was held on Items 8, 9 and 10 together noting their interrelatedness.

Recommendation: That Council start the consultation process taking into consideration the factors raised in items 8, 9 and 10 in preparation for the detailed LEP review.

9. Review heights/FSR/Developer incentives/consolidation/amalgamation in R3/town centres.

Discussion was held on items 8, 9 and 10 together noting their interrelatedness.

Recommendation: That Council start the consultation process taking into consideration the factors raised in items 8, 9 and 10 in preparation for the detailed LEP review.

10 LEP Objectives – are they contemporary and relevant?

Discussion was held on items 8, 9 and 10 together noting their interrelatedness. Councillor Rice and Sandra McCarthy had provided a detailed overview of some of the issues/anomalies with the LEP objectives. This is attached to the minutes.

Recommendation:

- That Council start the consultation process taking into consideration the factors raised in items 8, 9 and 10 in preparation for the detailed LEP review.
- That the Committee has requested some advice back on each of the points raised by Councillor Rice and Sandra McCarthy including do the suggested changes comply with the template, relationship to state instruments?

11. Heritage – members identify issues

Kim Bray stated that a review of the inventory sheets is a project that Council is aiming to start when Council's Heritage Advisor returns from leave.

12. How can the LEP encourage viable agricultural enterprise?

Kim Bray stated that when we have some targeted feedback regarding issues with LEP and agriculture we can investigate how the LEP is having an impact on agricultural enterprise, and identify what changes are required (land use additions etc). Once these are identified – need to do an overview of potential impacts.

Recommendation: That investigations/review of #6 and #12 can be bundled together for investigation/review.

5. General Business

Councillor Mark Way raised the issue of road widths and his desire to see these changed. Staff indicated that this had commenced review in house. Patrick Mahedy stated that Mirvac have included larger number of passing bays in there subdivisions which appears to be alleviating a lot of the issues arising from narrow roads.

Recommendation: That staff report back to the Committee regarding were the road width review was up to, and who was handling the review.

There being no further business the meeting closed at 5.20pm

15.17 Blue Haven Redevelopment UpdateResponsible Director: Community Services

Development Application

The public exhibition period of the Development Application closed on Friday 25 September. Seven submissions were received and will be reviewed as part of the assessment being undertaken by an external planning consultant.

Members of the Joint Regional Planning Panel met with Council planners and the independent assessor and conducted a site visit on Wednesday 30 September. It is hoped that a hearing will be scheduled for early December.

Project Workshop

A Value Management workshop, facilitated by Premier Consulting, is to be held on 17 November with a number of the project consultants with the aim of identifying areas within the project where costs may be reduced. It is hoped to identify \$3 - \$4 million in savings without compromising on the integrity of the project or the value of the units.

Project Management

Premier Consulting have been engaged to prepare documentation required to tender for a Project Manager for the future stages of the project. Due to the value of the work to be undertaken, a tender process will be required. Premier Consulting will not be tendering for this role.

Aged Care Approval Round

The application for the Aged Care Approvals Round was submitted on 25 September for an additional 52 places. If successful in this application, the existing provisional allocation will be relinquished.

Project Timeline

The following project milestones are being reported against to Infrastructure NSW on a monthly basis. These dates do not include the Independent Living Units (ILUs) as they are not included in the funding. Construction on the ILUs will commence upon Stage 1 of the project, which includes the aged care facility, Barroul House, community offices, community hall and Assisted Living Units. More detailed milestones will be developed as the project planning progresses.

Reports for Information

15.17 Blue Haven Redevelopment Update (cont)

Blue Haven residential facility and Barroul House

Milestone	Original Dates	Revised dates	Completion Date	Comments - Sept 2015
Site/building acquired	1/03/2015	1/10/2015		Negotiations continuing
Finance approved	1/07/2015	1/02/2016		Preliminary advice recieved
DA approved	1/03/2016	1/01/2016		Awaiting JRPP hearing
Project Manager/consultants appointed		1/02/2016		Tender documentation being prepared
Construction documentation complete		1/07/2016		Not started
Tender finalised		1/09/2016		Not started
Demolition commenced		Dependent on ISLHD timeline *		
Construction commenced	1/07/2016	1/09/2016		
Construction completed	28/02/2018	1/09/2018		
Commencement of service	1/04/2018	1/10/2018		

15.18 Kiama Liquor Accord - Minutes

Responsible Director: Engineering and Works

The Minutes of both the Kiama Liquor Accord Annual General Meeting and the Ordinary Meeting held on Wednesday 9 September 2015 are enclosed for Councillors' information.

Attachments

1 Minutes - Ordinary Meeting

Enclosures

1 Minutes - Annual General Meeting

MINUTES OF THE KIAMA LIQUOR ACCORD MEETING HELD AT THE GERROA BOAT FISHERMAN'S CLUB ON WEDNESDAY 9 SEPTEMBER 2015 COMMENCING AT 10.30AM

1 Attendance

John Bambury (Jamberoo Lodge), David Rootham (Kiama Golf Club), Lauren Parker (Gerringong Bowling Club), Jeff Morris (Gerringong Bowling Club), Jeremy Blue (Kiama Inn Hotel), Ben Cuthbert (Kiama Bowling Club), David Hoade (IGA Jamberoo and Kiama Downs, Doug McCallum (Gerroa Boat Fisherman's Club) . Gillian Smith (Illawarra Health Service), Mark Gilmore (Grand Hotel), Erica Warren (Jamberoo Pub)

Also - Clr. Dennis Seage (Councillor Kiama Municipal Council), Janelle Burns, Road Safety Officer (Kiama Municipal Council) Nick Guggisberg (Kiama Municipal Council)

Apologies – Mick Cronin (Cronin's Hotel) and Simon Blue (Kiama Inn Hotel)

2 Report Minutes of 27 May 2015 Meeting

Tabled. Accepted as a true record of the meeting.

3 Matters Arising

Nil

4 Correspondence

Information exchange co regulators workshop invitation

Members of the Accord were invited to attend an information exchange meeting by OLGR

The Information Exchange is a half day event which will provide a valuable opportunity for you and your team to connect and collaborate with local accord and community groups on strategies for promoting safe, sustainable and vibrant local industries.

Events are being held in Batemans Bay, Wagga Wagga, Dubbo, Coffs Harbour, Blacktown and Sydney CBD.

Members were unable to attend the Batemans Bay event on 8 September 2015.

The Sydney event is scheduled to be held on Tuesday 13 October 2015, this will be distributed to members for those who may be interested in attending.

MINUTES OF THE KIAMA LIQUOR ACCORD MEETING HELD AT THE GERROA BOAT FISHERMAN'S CLUB ON WEDNESDAY 9 SEPTEMBER 2015 COMMENCING AT 10.30AM

Workshop aims are listed below:

- gain tips on how to promote and strengthen collaboration between your agency, local liquor accord and other community groups
- find out about how to support and work with accord groups
- learn about OLGR's priorities and regulatory approach
- discuss complex issues of compliance
- share best practice examples for enforcing liquor legislation
- discuss opportunities for joint enforcement operations

Wake Up Workshops

Kiama Liquor Accord received correspondence from Wake Up advising the Accord the availability of Workshops on offer.

Wake up is a not-for-profit organisation driving a cultural change in Australia concerning violence, alcohol misuse, drugs, sexual assault and peer pressure. We are leaders in peer to peer education, delivering informative and empowering presentations on safe partying at schools, starting the conversation at an early age.

5 Treasurer's Report

Financial report tabled for period 1 May 2015 to 30 June 2015. Closing balance of \$12,173.94.

Membership fees for 2015 are now due and many were still outstanding. The Accord Treasurer, Ms Lauren Parker will follow-up on membership fees.

Financial Structure

The Kiama Liquor Accord will operate with a bank account signatory's to be operated by the three elected executive with any two to sign including electronically signed documents.

The agreed three signatory's consist of the accord executive committee members to include, Mr John Bambury, Kiama Liquor Accord President, Mr David Rootham, Kiama Liquor Accord Secretary and Ms Lauren Parker Kiama Liquor Accord Treasurer.

Reports by the Treasurer are to be presented at quarterly meetings held in February, May, August and November each year.

The annual report and audited reports are approved at the annual general meeting which is held in August each year.

The above executive committee were re-elected at the AGM held following the general meeting of the Kiama Liquor Accord held on Wednesday 9 September 2015.

MINUTES OF THE KIAMA LIQUOR ACCORD MEETING HELD AT THE GERROA BOAT FISHERMAN'S CLUB ON WEDNESDAY 9 SEPTEMBER 2015 COMMENCING AT 10.30AM

The executive committee will remain elected for the following two years as per the current constitution. The next election of the executive committee of Kiama Liquor Accord will be due to be held in August 2017.

6 OLGR Report- Terms Update

Kiama Liquor Accord Terms

Kiama Liquor Accord Terms are now signed by members and the Code of Conduct and Standard Baring Policy were agreed upon by Committee members. A copy of these documents will now be sent to Liquor Accord Delivery Unit of Office of Liquor Gaming and Racing (OLGR) for finalization and sign off.

It was reported that this has been completed and is now registered with the Department of Fair Trade.

7 Alternative Transport (Update)

As part of the Local Government Road Safety Program, Kiama Municipal Council has been successful in receiving funding to the amount of \$12,000 to support Kiama Liquor Accord with the running of the Kiama Nigh Bus Service – Alternative Transport for the 2015-2016 financial year.

The Kiama Night Bus is an Alternative Transport scheme that helps transport late night patrons safely home and has benefits such as reducing the rates of drink driving, drink walking and violence on the streets

The service operates each Saturday Night throughout the year dropping passengers off North to Minnamurra and South to Gerringong.

Expressions of interest have been advertised and closed on 06/08/2015.

Successful and non successful applicants have been advised.

Kiama Mini Coach Charters where announced as the successful applicants.

8 Police Report

Nil

MINUTES OF THE KIAMA LIQUOR ACCORD MEETING HELD AT THE GERROA BOAT FISHERMAN'S CLUB ON WEDNESDAY 9 SEPTEMBER 2015 COMMENCING AT 10.30AM

9 Community Grants Committee (Nick Guggisberg)

Nick Guggisberg, Manager of Community and Cultural Development, Kiama Municipal Council raised with the committee the possibility of establishing a Community Grants Committee for the local area.

Mr Guggisberg reported that he would look further into the Guidelines and liaise with the secretary of Kiama Liquor Accord Mr David Rootham in regards to the establishment of a Community Grants Committee for the Kiama LGA.

10 General Business

1 Gerringong Food and Craft Festival

Kiama Liquor Accord was contacted with a proposal from Gerringong Night Markets Friday Night Foodies and Live Music Markets to be held at Michael Cronin Oval - Blackwood Street, Gerringong on the 1st Friday of the month. And every Friday during January School Holidays.

The Accord was asked to support the approval for bar facilities.

The proposal for selling alcohol at the Gerringong Night Markets was not supported by Kiama Liquor Accord due to concerns for safety, relating to the sale of alcohol, possible drink walking incidents and the risk of increased crime related incidents in the main street of Gerringong and concerns of secondary supply of alcohol to minors.

11 Next Meeting

Kiama Liquor Accord to be held at 10.00am on Wednesday 25 November 2015, at the Kiama Golf Club.

The President of the Kiama Liquor Accord, Mr John Bambury, on behalf of the Committee Members thanked the staff and management of Gerroa Boat Fishermans Club for hosting the meeting and providing excellent refreshments.

The meeting closed at 11.45 am.

15.19 Australian Coastal Councils Association Inc - Annual General MeetingResponsible Director: Office of the General Manager

The minutes of the Annual General Meeting of the Australian Coastal Councils Association Inc (formerly National Sea Change Task Force) including the outcome of the election of the Committee of Management and Task Force office bearers have been circulated to Councillors. Councillor Neil Reilly represented Council at the Annual General Meeting. Matters raised in the Chairman's report included:

- the repositioning of the organisation from the National Sea Change Task Force to the now formed Australian Coastal Councils Association Incorporated
- the Productivity Commission inquiry into natural disaster funding
- the current methodology for collecting population data as part of the national census
- the coastal policy
- the Australian Coastal Council Conference held in Victoria earlier this year.

While the organisation had retained profits of \$49,501.12 this is a reduction from \$86, 507.15 for the previous financial year as a result of a loss of \$34,413.29 during the financial year ending on 30 June 2015.

Membership of the Association has remained stable during the year with their being 44 financial member councils.

The Association has announced that registrations for the 2016 conference open on Monday 12 October 2015 with the conference being held at Rockingham in Western Australia from Wednesday 4 to Friday 6 May 2016.

The proposed conference topics include:

- Introduction to the new Australian Population Survey, currently being developed by the Australian Bureau of Statistics;
- Release of the new coastal climate risk management tool by the National Climate Change Adaptation Facility (NCCARF);
- Emerging strategies for minimising the risk of shark attack; and
- Strategies for stimulating economic growth in coastal communities.

Councils may wish to nominate councillors to attend the Conference with early bird registration closing on 11 December 2015.

15.20 Kiama Aboriginal Reference Group Minutes of meeting held 10 September 2015

Responsible Director: Community Services

The minutes of the Kiama Aboriginal Reference Group meeting held 10 September 2015 are enclosed for Council's information. Please note, there was no quorum achieved for this meeting.

Attachments

- 1 Kiama Aboriginal Reference Group Minutes September 2015

Minutes of the Kiama Aboriginal Reference Group Committee meeting held on Thursday 10 September 2015 in the Council Chambers Committee Room 1 at 9.15am.

Present: Paul Beupark, Christine Gallagher, Kylie Tikkeros , Elaine Hudson , Nick Guggisberg (for only part of the meeting due to other commitments).

1. Apologies: Clr. Neil Reilly and Eion Peters

1.1 Minutes Silence

1.2 Koori Time

2. Minutes from Previous Meeting

Minutes from previous meeting were **moved** by Paul Beupark and **seconded** by Elaine Hudson as true and correct record of the meeting. **CARRIED**

3. Business Arising:

3.1. Aboriginal Heritage tool kit

Action: Elaine / Nick to follow up to invite Mark Biondich to next KARG meeting.

3.2 Yullunga logo was presented to KARG for their endorsement. Due to a lack of a quorum, a formal motion couldn't be moved. However KARG members would like to see the logo and/or the word 'Yullunga' used throughout council to signal to Aboriginal and Torres Strait Islander (ATSI) people that they are welcome and that Kiama Council is an ATSI friendly organisation.

3.3 ALO flyer was present to KARG members for input. All present indicated support for its design and use for promoting the ALO position.

Action: Elaine to follow up with the graphic designer re: changing the wording of Kiama to Municipality.

3.4 Resident Robyn McLeavy wrote to Council in August to check if she needed permission from local Aboriginal people to name their unit 'Kiaram-a'. While council has no role to play in determining names for residents homes, the KARG considered her request.

Action: Elaine to email Robyn re: use of the name 'Kiaram-a' and that KARG members have no issue with the use of the Aboriginal name for her home.

3.5 Youth service seminar looking for Welcome to Country 16th November.

Action: Elaine to contact Aunty Lorraine Brown

3.6 Informed KARG re: state title knee boarding being held in Kiama starting tomorrow going for a week. Aunty Joyce doing welcome to country

3.7 Informed KARG re: ALO at Kiama High School is Kellie Evens, and the ALO at St Peters and Paul is Sharralyn Robinson.

3.8 KARG members asked if Neil becomes Mayor what of KARG?

3.9 Elaine asked for support from KARG members to link into community.

Action: Christine Gallagher offered to help link Elaine in to community.
Paul Beaupark suggested contacting Les Bursill

Action: Elaine to make contact

Action: Kylie to contact Holy Spirit and Edmund Rice.

4 Next Meeting

The next meeting of the KARG will be held on Thursday 5 November 2015 at 9:15 in the Council Chambers Committee Room 1.

With no further business the meeting was closed at 10.30am.

15.21 Validation of complaintsResponsible Director: Office of the General Manager

At its meeting on 15 September 2015 Councillor McClure requested a report on the way Council can validate complaints and ensure that all complaints are valid at all times.

When a person makes a complaint the person should be requested to provide the following details:

- name and address
- a description of the problem or incident
- relevant dates and times
- copies of any relevant documentation
- any additional information the person thinks is important
- contact details if they require a response.

When a general complaint is received a preliminary investigation should be carried out to confirm the information that is provided and to determine the significance of the complaint. As a result of the preliminary investigation it may be determined that the complaint is insignificant or vexatious and requires no further action.

If the activity that has led to the complaint is confirmed and is determined to be significant there may be several courses of action that may be taken including the following:

1. Seeking the cooperation of the person carrying out the activity to cease or modify the activity or in relevant cases seek an application to legitimise the activity.
2. The serving of a notice of intent to serve an order
3. In the case of an emergency or when there is serious impact, serve an immediate order to cease.

When an application relating to an activity is the subject of objections Council needs to determine the objection/complaint having regard to relevant legislative standards, the merits of the application and the reasonableness of any impact of the activity.

Reports for Information

15.22 Kiama Access Committee meeting minutes for 9 October 2015

Responsible Director: Community Services

The minutes from the Kiama Access Committee held 9 October are enclosed for Council's information.

Attachments

- 1 Minutes - Access Committee 9 October 2015

Item 15.22

Minutes of the Kiama Access Committee meeting held on Friday 9 October 2015 in the Council Chambers Committee Room 1 at 10am.

Present: Clr. Gavin McClure, Graham Fairbairn, Beryl Batten, Darren Brady, Janelle Burns, Nick Guggisberg, Chris Fuller.

1. **Apologies:** Paul Hartley, Freda Simpson, Sara Willyan-Payne.

2. Minutes of previous meeting

Motion: to accept the minutes of the meeting held 7 August 2015 as a true and accurate record with the correction of the spelling of Graham Fairbairns' surname from Fairburn to Fairbairn.

Moved: Clr. McClure **Seconded:** Graham Fairbairn **CARRIED**

3 **Business arising from the minutes**

3.1 *Illegal use of Disabled Parking in the LGA.*

Nick Guggisberg spoke with Council's Communications Unit who agreed to include community education on the issue in future mayoral columns and on Council's website.

3.2 *High Retaining Wall at Kiama Harbour*

Darren Brady reported the wall in question is under consideration for replacement and that safety will be incorporated into any new design.

3.3 *Deaf Awareness Training*

Nick Guggisberg spoke with Michael Innes in Customer Service (CS) in regards to CS potentially participating in Deaf Awareness Training. Michael indicated that they would be happy to attend any training organised. In addition Michael stated they are aware of the National Relay Service but they have had no requirement to use as yet. Clr McClure suggested that if the CS area is renovated, then a hearing loop should be included.

4. **Correspondence**

Letter from Gareth Ward MP in regards to correspondence he's had with a resident from Nowra in regards to accessibility issues in Kiama.

A copy of the letter was tabled and discussed.

Action: Nick Guggisberg to write to the resident and:

- acknowledge the issues she has raised,
- inform her of the accessible ramp into the Continental Pool in Kiama,
- suggest that Seven Mile Beach at the northern end may be a suitable location for wheelchair access to the water,
- inform her of the availability of beach accessible wheelchairs at Surf Beach and Gerroa, and
- inform her of Council's current development of a Disability Inclusion Action Plan and plans to address access issues in Kiama that Council has responsibilities for as resources are secured over time.

[15/73780]

This is **Page 1** of the Kiama Access Committee meeting held on 9 October 2015.

5. **Any Relevant DA Applications**

5.1 *98 Fern Street Gerringong*

Chris Fuller stated the development will be required to have access compliance therefore does not really need to come to the Access Committee.

5.2 *Hospital redevelopment*

The development team includes an Access Consultant therefore the DA does not really need to come to the committee.

6. **Other Business**

Beryl Batten raised the following issues:

6.1 Path opposite the Commonwealth Bank from Terralong St down to Black Beach has just been resurfaced but the handrail has not been replaced as yet.

Action: Darren Brady to follow up.

6.2 There is still an ongoing issue with street furniture and shop signage blocking walkways in front of shops.

Action: Chris Fuller to follow up.

6.3 Mobility scooter access on the footpath along Manning Street past the developments opposite Catholic Church has been very difficult at times during the development. Darren Brady informed the meeting that any development works within the road reserve requires a permit from Council. As part of this approval, the contractor must maintain a safe pedestrian access route around the works area, which can sometimes include closing on-street parking and diverting pedestrians onto the road pavement. This is included in their traffic management plan (vehicles and pedestrians) that they submit as part of their permit application. While Council staff do undertake intermittent inspections for compliance, if a resident has issues or difficulties at a work site location, they should contact Council in the first instance, so we can investigate.

6.4 Nick Guggisberg asked to revisit the offer by John Moulang to present to the committee, emphasising that John was offering to provide the committee with some education around access standards rather than raise specific non-compliance access issues. The committee agreed for John to be invited to provide a 20 minute presentation.

Action: Nick Guggisberg to invite John to present at the December meeting.

7. **Next meeting**

The next meeting of the Kiama Access Committee will be held on Friday 4 December at 10am in the Council Chambers Committee Room 1

There being no further business the meeting closed at 10.45am

[15/73780]

This is **Page 2** of the Kiama Access Committee meeting held on 9 October 2015.

15.23 Questions Without Notice Register

Responsible Director: Office of the General Manager

At the meeting held on 15 September 2015 Councillor McClure requested that Council create a register of Questions Without Notice with the register to include the status of all Questions Without Notice asked by the Councillors and for this to be reported to each Ordinary Council meeting.

A draft register including Questions Without Notice and their status has been prepared and is attached.

Attachments

- 1 Questions Without Notice Register as at 131015

Questions Without Notice Register

No	Details	Actions
21 July 2015 meeting		
18.1	<p>Local Environmental Plan Review Committee Councillor Rice advised that two objectives of the newly formed Local Environmental Plan review committee are:</p> <ul style="list-style-type: none"> • To form a consistent and open path of communication from the community to the committee and Council; and • To facilitate the dissemination of information to the community in regard to the operation and review of the LEP. <p>Councillor Rice requested a report that details how these two objectives will be comprehensively met as the committee goes about receiving and deliberating on the business before it. The Mayor referred this matter to the General Manager for investigation and report.</p>	Matter addressed at subsequent Local Environmental Plan Review Committee
18.2	<p>Display of Motions Councillor Seage requested that motions be displayed live on screen as they are being typed for Council review prior to voting. The Mayor referred this matter to the General Manager for investigation and report.</p>	Actioned
18 August 2015 meeting		
18.1	<p>New SEPP 65 Regulation Councillor McClure requested a report on the effects that the new SEPP 65 regulations will have on Kiama Council's DCP and LEP. The Mayor referred this matter to the Director Environmental Services for information and report.</p>	Report to be submitted to October or November Council meeting
18.2	<p>Farmers Market Councillor Steel requested a report on the number of stall holders who operate at the farmers market and live within a 50km radius of Kiama. . The Mayor referred this matter to the General Manager for information and</p>	Report submitted to September Council meeting

No	Details	Actions
	report.	
18.3	<p>Free Shuttle Bus Councillor Steel requested a report on the possibility of the provision of a free shuttle bus from the Leisure Centre parking area to Hindmarsh Park on market and festival days that could be funded from the fees paid by the markets to operate. The Mayor referred this matter to the General Manager for information and report.</p>	Report submitted to September Council meeting
18.4	<p>Temporary Closure of Terralong Street Councillor Steel requested advice regarding the proposed temporary closure of Terralong Street for the Jazz and Blues Festival. The General Manager advised that the Jazz and Blues Club are investigating various options for greater opportunities for the Festival, one of which is the temporary closure of Terralong Street. He advised Councillor Steel that he had requested the Jazz and Blues Club to consult with the main street retailers with regard to this option. The General Manager also advised that any request for a street closure would need to be reported to the Traffic Committee. He further advised that he was aware that the Chamber of Commerce had conducted a survey of retailers that would be affected by the street closure and that he had received a letter from the Chamber of Commerce prior to the meeting tonight but had not as yet opened the letter so was unaware of the results.</p>	Response provided at meeting
18.5	<p>Capacity of Bombo Sewage Treatment Plant Councillor Sloan requested that Council contact Sydney Water to formally request advice, in both Equivalent Person (EP) and flows, about the remaining dry and wet weather treatment capacity at the Bombo Sewage Treatment Plant. The Mayor referred this matter to the Director Environmental Services for information and report.</p>	Report submitted to September Council meeting
18.6	<p>Herbicide Usage Councillor Rice requested a report that outlines the health and safety criteria that currently underpin Council's regime of herbicide usage on parks and</p>	Report submitted to September Council meeting

No	Details	Actions
	ovals. The Mayor referred this matter to the Director Engineering and Works for information and report.	
18.7	<p>The Boneyard Councillor Way requested a report on the feasibility of applying to the Geographical Names Board to formally identify and confirm Kiama's iconic surfing location north of Bombo Headland as the "Boneyard". The Mayor referred this matter to the Director Engineering and Works for information and report.</p>	Report submitted to September Council meeting and name referred to Streets & Reserves Naming Committee
18.8	<p>Proposed Kiama Arts Centre Councillor Reilly requested a report on the means and possibility of funding the proposed Kiama Arts Centre in the 2016/17 budget year. The Mayor referred this matter to the General Manager for information and report.</p>	Report submitted to September Council meeting
18.10	<p>Holiday Park Advisory Committee Councillor Reilly requested a report on the implementation of a holiday park advisory committee consisting of councillors, staff, caravan owners, park managers and residents prior to the November Council meeting. The Mayor referred this matter to the Acting Director Corporate & Commercial Services for information and report.</p>	Report submitted to September Council meeting
15 September 2015 meeting		
18.1	<p>Validation of complaints Councillor McClure requested a report on the way Council can validate complaints and ensure that all complaints are valid at all times. The Mayor referred this item to the General Manager for investigation and report.</p>	Report submitted to October Council meeting
18.2	<p>Question without Notice Register Councillor McClure requested that Council create a register of Questions Without Notice with the register to include the status of all Questions Without Notice asked by the Councillors and for this to be reported to each Ordinary Council meeting. The Mayor referred this item to the General Manager for</p>	Completed

No	Details	Actions
	investigation and report.	
18.3	<p>Gerrington Residents' Group Councillor McClure requested a report on the feasibility of the formation of a Gerrington Residents' Group to maintain the land on the corner of Fern and Willawa Streets, Gerrington. The Mayor referred this item to the Director of Engineering and Works for investigation and report</p>	Report submitted to October Council meeting
18.4	<p>Causeways Councillor Seage requested a report listing the causeways within the LGA and identifying a recommended priority list to address the safety issues outlined in an email sent by Aleysha Brooke-Smith after the recent heavy rains. The Mayor referred this item to the Director of Engineering and Works for investigation and report.</p>	Matter requires significant investigation and will be reported to a meeting later in the year
18.5	<p>Police Residence Councillor Steel requested a report on the future of the Police Residence in Terralong Street. The Mayor advised that the Member for Kiama had recently advised that some funding had been provided to undertake minor aesthetic repairs to the residence, however any further works were pending the result of a Native Title Claim on the land.</p>	No action required
18.6	<p>Parking in Thomson Street Councillor Steel requested a report on the provision of a No Parking zone on the western side of Thomson Street, Kiama near the Terralong Street intersection. The Mayor referred this item to the Director of Engineering and Works for investigation and report.</p>	Reported to October Local Traffic Committee
18.7	<p>CCTV at Kiama Harbour and Blowhole Point Councillor Way requested an estimate of costs associated with the installation of CCTV at both Kiama Harbour, the harbour boat trailer parking areas and Blowhole Point. The Mayor referred this item to the Director of Corporate & Commercial Services for investigation and report.</p>	Report to October Council meeting

No	Details	Actions
18.8	<p>Tourist Information Map at Kiama Station Councillor Way requested that an estimate of costs for the installation of a tourist information map/sign, similar to the sign at Minnamurra Station, which features routes to tourist destinations in the local area, be erected at Kiama Station. He also suggested that the map should display the WiFi and App information on the base. The General Manager advised that Council is working with Kiama Tourism to upgrade existing tourist information signage within the area. The Mayor referred this item to Director of Engineering & Works for investigation and report.</p>	Actioned
18.9	<p>Bombo Headland Councillor Honey requested a report on the progress made in gaining funding for the Conservation Management Plan for Bombo Headland and whether approaches have been made to the Member for Kiama. Councillor Honey further requested that approaches be made to Wollongong Botanical Garden with the intention to include a coastal botanical garden on all or part of the headland. The Mayor referred this item to the Director of Engineering & Works for investigation and report.</p>	Report to October meeting
18.10	<p>Book dispenser Councillor Reilly requested a report on the construction and placement of a book dispenser similar to those found in other areas, where books may be left and borrowed in a public place. The Mayor referred this item to the Director of Community Services for investigation and report.</p>	Report to be submitted to November meeting
8.11	<p>Street lighting The Mayor requested information regarding the cost associated with extending the footpath lighting from the new subdivision at the northern end of South Kiama Drive to Kiama Heights. He referred the item to the Director of Engineering and Works for investigation and report.</p>	Report to October Council meeting

15.24 Future of Port Kembla Steeworks - use of Australian steelResponsible Director: Office of the General Manager

At its previous meeting Council endorsed strong support for the retention of the regional steel industry and for a bipartisan and coordinated response to the employment issues arising from the current economic impacts on the Illawarra Region.

Subsequently Council received a letter from a group of Illawarra residents seeking councils' position on the use of 100% Australian Steel in their project and maintenance work. While it is not clear who the signatories of the letter represent it is likely that they are employees or relatives of employees who work at the Port Kembla Steelworks. An extract from the letter is as follows:

"Many ratepayers in your Council area have great dependence on the Port Kembla Steelworks.

A large proportion of those ratepayers enthusiastically signed the Community petition for the NSW State government to specify 100% good quality Australian Steel in their infrastructure projects. 14,300 signatures were obtained and the issue will be debated in State Parliament soon.

We believe that this response confirms that many ratepayers within your council area – perhaps even a majority – support the idea of Public Authorities specifying 100% Australian steel in their Project and Maintenance work.

It would be greatly appreciated if you could bring this issue up at your next Council meeting and feed back to us the answers to the questions below please.

We are closely engaged with the local media and our plan is to widely publish a chart showing the position of all Councils in the region on this matter.

*Will your Council specify that 100% Australian Steel must be used in all **Projects** executed by the Council?*

*Will your Council specify that 100% Australian steel must be used in all **Maintenance work** executed by the Council?*

Note: Because there can potentially be complexities, provisos, caveats or conditions placed on the two answers we must keep life simple and request that there are only two possible answers. If a Council wishes to give a guarded, reduced percentage or conditional answer that will be logged down as a "no". We believe that this is fair and reasonable because precedents have already been set in other jurisdictions with 100% yes.

Thank you for your consideration of this important matter and we look forward to your reply."

Council has adopted a local preference policy to achieve best "overall value for money" in its procurement of goods and services, while (when possible) giving preference to local suppliers, and non-local suppliers using local content, to support the Municipality's economic development. A 5% price differential is given to local suppliers and materials when an assessment is being made.

Reports for Information

15.24 Future of Port Kembla Steeworks - use of Australian steel (cont)

In the spirit of Council's local preference policy and in support of a major regional industry which has a large number of associated employees, a policy which aims for Council to procure 100% Australian-made steel has merit.

While Council projects generally do not involve significant quantities of steel and it is understood that not all steel types are manufactured in Australia, it is proposed that Council specify preference for 100% Australian steel when practicable and available, on future projects and maintenance works.

15.25 World Health Organisation Global Network of Age-Friendly Cities and Communities MembershipResponsible Director: Community Services

In April 2015, Council endorsed making an application for Kiama Municipal Council to become a member of the World Health Organisation Global Network of Age-Friendly Cities and Communities. This report is to inform Council of the success of the application and the receipt of a certificate of membership that is valid until August 2017.

There are no membership fees, but participation in the network requires a commitment to ongoing development of age-friendly environments, and to share learning and achievements with fellow network members.

Membership is not a certification of age-friendliness. Rather, it reflects a city's commitment to listen to the needs of their ageing population, assess and monitor their age-friendliness and work collaboratively with older people and across sectors to create accessible physical environments, inclusive social environments, and an enabling service infrastructure.

15.26 Illawarra Pilot Joint OrganisationResponsible Director: Office of the General Manager

The Illawarra Pilot Joint Organisation held an annual NSW Parliament House meeting on Wednesday 16 September 2015.

The agenda of the meeting included discussion on the following matters:

- the regional growth plan
- youth education and employment strategy
- regional economic framework
- raw steel production in the Illawarra
- the financial and management reports
- regional procurement

The meeting being held at Parliament House allows for the Illawarra Pilot Joint Organisation to meet with a number of ministers on relevant issues. Ministers that attended the meeting included: the Minister for Local Government, the Hon Paul O'Toole; the Minister for Planning, the Hon Rob Stokes MP; and the Minister for Regional Development, Skills and Small Business, the Hon John Barilaro. The Member for Kiama and Parliamentary Secretary to the Premier, for the Illawarra and the South Coast, Mr Gareth Ward; and the Hon Paul Green MLC also attended.

There were a range of issues discussed with the parliamentarians including the following:

- major public infrastructure including the Albion Park bypass, Berry bypass, Wollongong Hospital extension and carpark, and the proposed expansion of Shellharbour Hospital
- the F6 extension from Waterfall to St Peters and the need for ongoing support from Illawarra Councils for this project
- other infrastructure projects including necessary infrastructure to support the West Dapto urban release area and the Maldon to Dombarton railway which will provide benefits to the Illawarra and broader NSW
- the issue of the downturn in the Australian steel industry and impact on Blue Scope at Wollongong was extensively discussed.

The Minister for Local Government referred to the review of rating provisions to be undertaken later in the year. He also advised that the State borrowing facility should be available early next year with loans of between 3 to 20 years able to be undertaken. He advised that IPART was progressing well with the review of individual council Fit for the Future proposals and that a report should be submitted to him and the Cabinet by the end of October 2016.

On other matters the meeting was advised that the responsible minister is attempting to expedite priority aboriginal land claims and planning reforms are likely to be returned to NSW Parliament for consideration.

Reports for Information

15.26 Illawarra Pilot Joint Organisation (cont)

The Hon Paul Green MLC referred to a number of upper house inquiries including an inquiry into regional planning processes in NSW and an inquiry into TAFE training.

15.27 Effects of SEPP 65 on Council's DCP and LEP

Responsible Director: Environmental Services

At the Council meeting held on 18 August 2015, a question without notice was raised by Councillor McClure requesting a report on the effects that the new State Environmental Planning Policy (SEPP) 65 requirements will have on Council's local Environment Plan (LEP) and Development Control Plan (DCP).

The New South Wales Government has recently reviewed and updated State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65), along with the former residential Flat Design Code which has been renamed the *Apartment Design Guide*. The updated documents were published on the NSW legislation website on 19 June 2015 with a commencement date of 17 July 2015.

A SEPP is a higher order planning instrument than a Local Environment Plan (LEP) or local policy ie Development Control Plan, (DCP) and as such the provisions of the SEPP will prevail over those of the lower order documents.

Application of SEPP 65

Clause 4 of SEPP 65 specifies that the policy applies to residential flat buildings, shop top housing or mixed use development with a residential accommodation if:

- (a) the development consists of any of the following:
 - (i) the erection of a new building,
 - (ii) the substantial redevelopment or the substantial refurbishment of an existing building,
 - (iii) the conversion of an existing building, and
- (b) the building concerned is at least 3 or more storeys (not including levels below ground level (existing) or levels that are less than 1.2 metres above ground level (existing) that provide for car parking), and
- (c) the building concerned contains at least 4 or more dwellings.

Therefore, development such as multi unit dwellings (Town Houses), attached dwellings, dual occupancies etc are not subject to the provisions of the SEPP.

Clause 28(2) of the SEPP relates to the determination of development applications and states; *"In determining a development application for consent to carry out development to which this Policy applies, a consent authority is to take into consideration (in addition to any other matters that are required to be, or may be, taken into consideration):*

- (a) *the advice (if any) obtained from the design review panel, and*
- (b) *the design quality of the development when evaluated in accordance with the design quality principles, and*
- (c) *the Apartment Design Guide".*

It is noted that the above are items for consideration as opposed to items specified as "shall comply with". The Design Quality Principles referred to above are contained

Reports for Information

15.27 Effects of SEPP 65 on Council's DCP and LEP (cont)

in Schedule 1 of the SEPP and refer to such issues as built form and scale, density, context and neighbourhood character etc. The principles are objective in nature and do not contain any numeric or deemed to satisfy standards.

Relationship between SEPP 65, LEP 2011 and Kiama DCP 2012

SEPP 65 and the accompanying Apartment Design Guide contain a mixture of objective standards and those that have a numeric, measurable basis. The areas of overlap between SEPP 65 and Council's LEP relate to overall development height and floor space ratio. As SEPP 65 has only objective controls in regard to these elements, the numeric standards contained in the LEP are the principle consideration.

Kiama Development Control Plan 2012 (DCP 2012)

Chapter 5 of DCP 2012 applies to the following types of development: *"for the purposes of this chapter development encompassing 3 or more dwellings/units is classed as medium density development and include: Residential Flat Buildings, Multi dwelling Housing, Boarding houses, Group Homes, Seniors Housing, and Shop Top housing"*. Thus there is some overlap in the application of SEPP 65 and the DCP.

DCP 2012 Ch 5 currently contains controls relating to:

- Setbacks
- Building separation
- End user amenity
- Solar access
- Storage
- Open space
- Ceiling heights
- Safety/security design criteria
- Building footprint
- Façade
- Bin storage facilities
- Additional Controls for mixed development(Commercial/residential)
- Drying Areas, Letter boxes, Aerials
- As well as referencing additional controls contained in other chapters including but not limited to car parking and landscaping controls.

If a development application falls into the definition of applicability of SEPP 65 then the SEPP controls will override Council's DCP controls.

This is confirmed in Clause 6A of SEPP 65 which states *"If a development control plan contains provisions that specify requirements, standards or controls in relation to a matter to which this clause applies, those provisions are of no effect."*

Reports for Information

15.27 Effects of SEPP 65 on Council's DCP and LEP (cont)

SEPP 65 contains controls/design criteria/design guidance that may be worth consideration for incorporation into DCP 2012. This is an issue currently being considered by Council's LEP Review Committee and will be the subject of minutes/report from that Committee.

15.28 CCTV at Kiama Harbour and Blowhole Point

Responsible Director: Corporate and Commercial Services

At the Ordinary Meeting held on 15 September 2015 Councillor Way requested an estimate of costs associated with the installation of CCTV at Kiama Harbour, the harbor boat trailer parking areas and Blowhole Point.

In Stage 2 of the previous Terralong CCTV installation provision was made for future expansion to cover the Harbour and Blowhole Point precincts. Based on previous Stage 2 costings the installation of three cameras would be in the order of \$35,000 with ongoing maintenance costs in the order of \$3,000 per annum. Please note that a detailed design is required for a more accurate estimate.

15.29 Appreciation of donation - Gerringong Sunrise Rotary Club

Responsible Director: Office of the General Manager

Attached is a letter from the Gerringong Sunrise Rotary Club thanking Council for their donation towards the running of the Gerringong Christmas Street Parade.

Attachments

- 1 Letter of Thanks - Gerringong Sunrise Rotary Club

Item 15.29



Gerringong Sunrise Rotary Club

PO Box 202, Gerringong, NSW 2534

ABN:66 150 620 868



Be a gift to the world

30th September, 2015.

Kiama Municipal council,
PO Box 75,
Kiama 2533

Dear Sir,

On behalf of the Gerringong Sunrise Rotary club I would like to thank you for your generous donation towards the running of the Christmas Street Parade in Gerringong.

Please find our receipt enclosed.

Yours faithfully,

A handwritten signature in cursive script that reads "Pam Daniel".

Pam Daniel,
Secretary.

15.30 State of Regional Australia Report 2015

Responsible Director: Office of the General Manager

Council recently received a copy of the Department of Infrastructure and Regional Development's *State of Regional Australia Report 2015*.

The report can be used to help inform when considering regional planning as it focuses on issues such as ageing population; economic wellbeing; changes in industry structure; social progress; and infrastructure.

Interested Councillors can view the enclosed report or download the report and other relevant publications from <http://regional.gov.au/regional/publications/>.

Enclosures

- 1 State of Regional Australia 2015 report

15.31 Letter of thanks - Kneeboard Surf Australia

Responsible Director: Office of the General Manager

Attached is a letter of thanks from the Event Director, Jim Brown, on behalf of Kneeboard Surf Australia and International Surfing Australia, for the support provided by Council and staff in helping to make the recent 2015 ISA World Kneeboard Championships in Kiama a success.

The letter has been forwarded to the relevant staff for their information and record.

Attachments

- 1 Letter of thanks - Kneeboard Surf Australia



25/9/15

Attn. Mr. Michael Forsyth
General Manager
Kiama Municipal Council

Michael,

I would like to thank you, and all the staff at Council for their huge amount of help, support, and assistance, in making the 2015 ISA World Kneeboard Championships a resounding success.

All of the staff were a pleasure to deal with, from our initial discussions with Russell Park last year, through Jackie at the Pavillion, and Lisa at Tourism, their enthusiasm and support enabled the event to be such an enjoyable time for all the visitors from interstate and overseas.

The pro active attitude of council to events like ours is a credit to the region and has left our visitors with a very positive impression of Kiama, and of how the region is managed. Many of our guests commented on the great facilities, and the cleanliness of Kiama, and the surrounding region. They have left for home, and many will return again.

Kneeboard Surf Australia will continue with their ongoing connection with Kiama.

The Australian Kneeboard Titles is comprised of Round 1 at Phillip Island, Round 2 at Yamba, Round 3 at Encounter Coast South Australia, and Round 4 at Kiama, including the circuit presentations at the completion of the Kiama event.

Thank you again for your support, and please pass this on to all the staff.

Regards Jim Brown
Event Director
President Kneeboard Surf Australia.

EVENT DIRECTOR JIM BROWN
Mobile +61438 360 166
Email piglets@waterfront.net.au
www.worldkneeboardtitles.com



**15.32 Blue
Carers Award****Haven****Care**Responsible Director: Community Services

The NSW Carers Awards acknowledge and celebrate the outstanding contribution carers make to the lives of people in NSW.

Blue Haven Care Community has recently been advised that it has received a NSW Carers Award, for the second year in a row. This is a positive reflection on all staff and the support they provide, however, special mention must go to Myriam Marchant, who coordinates the carer programs operated by BHC.

In addition, the Blue Haven Care Volunteer Team were recognised as an Illawarra finalist in this year's NSW Volunteer of the Year Awards.

Attachments

- 1 2015 NSW Carers Award - awarded to Blue Haven Care - Hon John Ajaka
Minister for Ageing Disability Services & Multiculturalism
- 2 BHC - Volunteer Team Award 2015



The Hon John Ajaka MLC
Minister for Ageing
Minister for Disability Services
Minister for Multiculturalism

Ref No. AT15/78549

Ms Marianna Parish
Blue Haven Care
Po Box 75
Kiama NSW 2533

Dear Ms Parish,

I am pleased to advise Blue Haven Care has been selected to receive a 2015 NSW Carers Award.

The NSW Carers Awards acknowledge and celebrate the outstanding contribution carers make to the lives of people in NSW. Your nomination demonstrates that your efforts in caring make a positive difference to both the person for whom you care and to your community. In 2015, 65 individuals and organisations will be a recipient of an award.

Please find enclosed a certificate in recognition of your organisation's efforts. By accepting a NSW Carers Award, you will be helping to create awareness of the important and valuable role of carers.

On behalf of the NSW Government, I would like to thank Blue Haven Care for the valuable support you provide in NSW. I also encourage you to get involved with Carers Week, 11-17 October 2015.

Congratulations on being selected for this award. If you would like any further information about the 2015 NSW Carers Awards, please contact Ms Skye Smith, Project Manager, NSW Carers Awards on 02 8753 9408 or email carers-awards@fac.s.nsw.gov.au.

Yours sincerely,

John Ajaka MLC

Encl.



Local Carers Award


Awarded to

Blue Haven Care

In honour and recognition
of your care

John Ajaka MLC
Minister for Ageing
Minister for Disability Services
Minister for Multiculturalism






**NSW VOLUNTEER
OF THE YEAR AWARD**


Volunteer Team Finalist
Illawarra

**Blue Haven Care
Volunteer Team**


Gemma Rygate
Gemma Rygate
Chief Executive Officer
The Centre for Volunteering

Principal Partners

 Family & Community Services



Supporter



15.33 Request to Host Concert on New Year's EveResponsible Director: Office of the General Manager

The Kiama Chamber of Commerce has written to Council seeking a meeting with Council to discuss a proposal to host a concert in Hindmarsh Park on New Year's Eve immediately following the fireworks. Copy of letter attached.

The Chamber have indicated that they would like to work with the Kiama Jazz Club to source local musicians and that the event would run for approx. 90 minutes. The Chamber anticipate that the concert would allow people to exit the Black Beach area in a relaxed way by stopping to listen to music and possibly taking advantage of any local businesses that are offering late night trading.

The proposal has much merit and as such is supported. Further details will be provided to Councillors following the General Manager's meeting with the representatives of the Chamber.

Attachments

- 1 Letter: Request to host NYE concert - Kiama Chamber of Commerce

Data Received

08 OCT 2015

Kiama Municipal Council



PO Box 275, KIAMA NSW 2533

ABN: 33 384 396 711

October 8th 2015

Attn: Mr Michael Forsyth
General Manager
Kiama Municipal Council

Dear Michael,

Following the Chambers' Board Meeting last night, we would like to discuss the possibility of the Kiama & District Business Chamber hosting a concert in Hindmarsh Park on New Years Eve from approximately 9.30pm (directly following the conclusion of the Fireworks) for approximately an hour and half.

The Chamber sees this as encouraging people to exit the Black Beach area in a more relaxed way- stopping at the park to listen to some music for a period before heading home- and giving local business the opportunity for some late night trading.

We think it would work in well with the Fireworks event at Black Beach and compliment this event.

We anticipate using a local band if possible with perhaps a local support musician as well and would like to work with the Kiama Jazz Club to source local musicians and to organize any "front of house" equipment necessary.

We are happy to meet with you to discuss this proposal in more detail but would appreciate an early indication of the likelihood of Council approving the proposal so we can start securing the musicians as soon as possible.

Yours faithfully,

Marie Biekmanis
President
Kiama & District Business Chamber

Email: executive@kiamachamber.com.au Website: www.kiamachamber.com.au

15.34 Street Lighting in South Kiama Drive to Kiama HeightsResponsible Director: Engineering and Works

At Council's meeting held on 15 September 2015, The Mayor, Councillor Petschler, requested information regarding the cost associated with extending the footpath lighting from the new subdivision at the northern end of South Kiama Drive to Kiama Heights.

Following a similar request in 2014, Engineering and Works staff sought a quotation and cost estimate for the design and installation of street lighting at the requested location from its certified street lighting consultant.

The consultant's report indicated that there are existing electrical poles on the eastern side of South Kiama Drive around the shared cycle path which may be suitable to have an overhead street light circuit and street light lanterns brackets and lanterns installed on them, however some additional mid span poles may be required to maintain minimum lighting levels and clearance requirements. A certified street lighting design will be required for the installation of any new lighting based on Australian Standard 1158 and be approved by Endeavour Energy. It would be at this detailed design stage that the actual number of new lanterns, poles and cabling requirements would be determined. The area also contains hard rock which would significantly impact on the costs for the installation of poles and cable trenching.

With these variables the consultant could only give a ranged cost estimate as follows:

Design and certification = \$8000

Installation = \$140,000 - \$200,000

This cost estimate was included in Council's budget consideration for the 2014/15 and 2015/16 financial years, however it was unsuccessful in securing a budget allocation in each instance. The matter will again be referred for consideration in the 2016/17 draft budget.

16 ADDENDUM TO REPORTS**17 NOTICE OF MOTION**

Nil

18 QUESTIONS WITHOUT NOTICE**19 CONFIDENTIAL SUMMARY****CONFIDENTIAL COMMITTEE OF THE WHOLE**

Submitted to the Ordinary Meeting of Council held on 20 October 2015

PROCEDURE

- Recommendation to go into Closed Committee.
- Mayoral call for Public Representations.
- Consideration of Representations and issues to be removed from Closed Committee.
- Recommendation to exclude Press and Public if required.
- Closed Committee discussions if required.

19.1 Exclusion Of Press And Public:***RECOMMENDATION***

That in accordance with Sections 10 and 10A of the Local Government Act, 1993 as amended, Council close the meeting of the Confidential Committee of the Whole to the Press and Public on the grounds detailed under the report headings as detailed below.

20.1 EXECUTIVE OFFICERS' PERFORMANCE AGREEMENTS - REVIEW FOR THE PERIOD FROM 1 JULY 2014 TO 30 JUNE 2015

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

20 CONFIDENTIAL REPORTS**20.1 Executive Officers' Performance Agreements - Review for the period from 1 July 2014 to 30 June 2015*****REASON FOR CONFIDENTIALITY***

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for

business relating to personnel matters concerning particular individuals (other than councillors).

21 CLOSURE

Item 20.1 CONFIDENTIAL