



ORDINARY MEETING OF COUNCIL

To be held at 5pm on

Tuesday 21 August 2018

Council Chambers

11 Manning Street, KIAMA NSW 2533

Order of Business

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

Members

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

COUNCIL OF THE MUNICIPALITY OF KIAMA

Council Chambers
11 Manning Street
KIAMA NSW 2533

15 August 2018

To the Chairman and Councillors:

NOTICE OF ORDINARY MEETING

You are respectfully requested to attend an **Ordinary Meeting** of the Council of Kiama, to be held in the **Council Chambers, 11 Manning Street, KIAMA NSW 2533** on **Tuesday 21 August 2018** commencing at **5pm** for the consideration of the undermentioned business.

Yours faithfully



Kerry McMurray
General Manager

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**AGENDA FOR THE
ORDINARY MEETING OF KIAMA MUNICIPAL COUNCIL
TUESDAY 21 AUGUST 2018**

1 APOLOGIES

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Ordinary Council meeting held on 17 July 2018

Attachments

- 1 Minutes - Ordinary Council - 17/07/18 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held on 17 July 2018 be received and accepted.



MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5.02pm on

TUESDAY 17 JULY 2018

Council Chambers
11 Manning Street, KIAMA NSW 2533

Item 3.1

Attachment 1

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS, KIAMA, ON TUESDAY 17 JULY 2018 AT 5.02PM

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

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

1 APOLOGIES

An apology was received from Councillor Reilly.

Apology

OC-18/231

Resolved that the apology be accepted and a leave of absence granted.

(Councillors Steel and Sloan)

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Ordinary Council meeting held on 26 June 2018

OC-18/232

Resolved that the Minutes of the Ordinary Council Meeting held on 26 June 2018 be received and accepted.

(Councillors Brown and Watson)

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

4 BUSINESS ARISING FROM THE MINUTES

Nil.

5 PUBLIC ACCESS

Name	Item No.	Subject
Steve McBride	9.3	Sponsorship request: 2018 Jamberoo Car Show and Family Day
Mathew Santucci Deborah Santucci David Cannon	10.2	10.2017.265.1 - Lot 38 DP 9760 - 127 Charles Avenue, Minnamurra - 2 Lot Torrens Title Subdivision
Natalie Allan	10.3	10.2017.320.1 - Lot 324 DP 703905 - 82 Barton Drive, Kiama Downs - Demolition of Existing Carport and 2 Lot Torrens Title Subdivision
Kelly Henson Ian Henson	10.4	10.2017.60.2 - Lot 11 DP 258846 - 95 Shoalhaven Street, Kiama - Demolition of Existing Dwelling and 2 Lot Torrens Title Subdivision
Sandra McCarthy	10.5	10.2018.49.1 - Lot 179 DP 14188 - 10 Renfrew Road Werri Beach – Proposed detached shed and carport
Andy Higgins	16.1	NSW State Government Library funding cuts

6 MAYORAL MINUTE

Nil

7 MINUTES OF COMMITTEES**7.1 Minutes: Health & Sustainability Committee meeting held on 12 June 2018****OC-18/233**

Resolved that the Minutes of the Health & Sustainability Committee Meeting held on 12 June 2018 be received and accepted.

(Councillors Rice and Westhoff)

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

7.2 Minutes: Kiama Local Traffic Committee meeting held on 3 July 2018

OC-18/234

Resolved that the Minutes of the Kiama Local Traffic Committee Meeting held electronically on 3 July 2018 be received and accepted.

(Councillors Way and Brown)

7.3 Minutes: Blue Haven Advisory Committee meeting held on 4 July 2018

OC-18/235

Resolved that the Minutes of the Blue Haven Advisory Committee Meeting held on 4 July 2018 be received and accepted.

(Councillors Watson and Rice)

COMMITTEE OF THE WHOLE

OC-18/236

Resolved that at this time, 5.05pm, Council form itself into a Committee of the Whole to deal with matters listed in the reports as set out below:

- Report of the General Manager
- Report of the Director Environmental Services
- Report of the Acting Director Corporate, Commercial & Community Services
- Report of the Director Engineering and Works
- Report of the Director Blue Haven
- Addendum to Reports

(Councillors Way and Westhoff)

8 PUBLIC ACCESS REPORTS

OC-18/237

Committee recommendation that at this time, 5.05pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Steel and Way)

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

9.3 Sponsorship request: 2018 Jamberoo Car Show and Family Day

OC-18/238

Committee recommendation that Council support the Jamberoo Car Show and Family Day by providing \$1,500 sponsorship and the in-kind donation of the provision of waste and cleaning services for the event.

(Councillors Brown and Way)

10.2 10.2017.265.1 - Lot 38 DP 9760 - 127 Charles Avenue, Minnamurra - 2 Lot Torrens Title subdivision

It was **moved** by Councillor Way and seconded by Councillor Steel that Council approve development application 10.2017.265.1 under section 4.16 of the environmental planning assessment act 1979, subject to the conditions at the end of this report.

The Motion was withdrawn.

OC-18/239

Committee recommendation that Council defer development application 10.2017.265.1 to the August 2018 Council meeting to allow new information to be considered and assessed.

(Councillors Brown and Steel)

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

Against: Nil

10.3 10.2017.320.1 - Lot 324 DP 703905 - 82 Barton Drive, Kiama Downs - demolition of existing carport and 2 Lot Torrens Title subdivision

OC-18/240

Committee recommendation that Council approve development application 10.2017.320.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, and delegate authority to Council Officers to issue all necessary consent conditions.

(Councillors Brown and Steel)

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

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

Against: Councillors Rice, Sloan and Westhoff

10.4 10.2017.60.2 - Lot 11 DP 258846 - 95 Shoalhaven Street, Kiama - demolition of existing dwelling and 2 Lot Torrens Title Subdivision

OC-18/241

Committee recommendation that Council approve the Section 4.55 modification of consent application 10.2017.60.2 under Section 4.55 of the Environmental Planning and Assessment Act 1979, subject to the following modified condition:

Vegetation Management

1. The following trees shall be removed;

- Tree 3 Liquidambar
- Tree 9 Norfolk Island Pine
- Tree 10 Date palm
- Tree 11 Bangalow palm
- Tree 17 Radiata pine
- Tree 18 Privet
- Tree 23 Privet
- Tree 24 Red cedar
- Tree 25 Bangalow palm
- Tree 26 Red cedar,
- Mulberry tree north west corner
- Macadamia tree near tree 22
- Tree 30 Casuarina – on sewer manhole in the road reserve and
- all other Pittosporums, Olives, Privets and vegetation less than 3m tall.

The Project Arborist is to identify these trees for the contractor. Refer to Arboricultural Development Assessment Report by Moore Trees dated October 2016.

(Councillors Way and Rice)

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

Against: Nil

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

10.5 10.2018.49.1 - Lot 179 DP 14188 - 10 Renfrew Road Werri Beach – proposed detached shed and carport

It was **moved** by Councillor Brown and Seconded by Councillor Watson that Council refuse development application 10.2018.49.1, under Section 4.16 of the Environmental Planning and Assessment Act 1979 for the following reasons:

1. The proposed development is inconsistent with Kiama Local Environmental Plan 2011, Zone R2 Low Density Residential, (3. Permitted with consent table) which does not allow for the stand alone use development of a shed and carport.
2. The proposed development is inconsistent within the definition of ancillary use, which means it must serve the dominant purpose being that of a dwelling house which is permitted in the zone.
3. Having regard to the proposal it would not be in the public interest and would create an undesirable precedent.

OC-18/242

An amended motion was moved by Councillor Rice and seconded by Councillor Steel that Council defer development application 10.2018.49.1 to the August 2018 meeting to allow further discussions with the applicant.

The amended Motion on being put was **Carried**.

The amendment therefore became the motion.

(Councillors Rice and Steel)

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

Against: Nil

16.1 NSW State Government Library funding cuts

OC-18/243

Committee recommendation that Council:

1. Notes with concern the significant cut to Public Library funding in the 2018-2019 State Budget.
2. Writes to the NSW Premier requesting:
 - a) An explanation as to why this funding decision has disregarded the recommendation for increased funding submitted by the Library Council of NSW.
 - b) Suggestions as to how NSW Councils are expected to maintain library service levels when demand continues to increase and funding has

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

decreased to that of 20 years ago.

- c) The NSW Government reverse the funding cuts and instead increase public library funding.
3. Sends copies of this letter to the Minister for the Arts, The Hon. Don Harwin and Local Member Gareth Ward MP
4. Notes the imminent Local Government NSW and NSW Public Libraries Association 'Renew Our Libraries' campaign.

(Councillors Rice and Watson)

9 REPORT OF THE GENERAL MANAGER

9.1 Sponsorship request: 2018 Palliative Care NSW Conference

OC-18/244

Committee recommendation that Council provide in kind sponsorship for the Pre-Conference Dinner Drinks on 9 November 2018 by providing free of charge:

- use of the SunSmart marquee
- 2-6 trestle tables for food and drink stations
- 10 small bar tables
- glassware
- reserve hire for Coronation Park
- hire of the Old Fire Station for the Palliative Care Art Display.

(Councillors Westhoff and Brown)

9.2 Sponsorship request: 2018 Relay for Life

OC-18/245

Committee recommendation that Council support the 2018 Relay for Life through the donation of reserve hire fees, provision of waste services, the use of a meeting room at the Pavilion for monthly meetings and use of Council equipment such as witches hats, tables, chairs and marquees.

(Councillors Way and Watson)

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

10 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

10.1 Public Exhibition of Draft DCP Chapter 13 - Tourist Accommodation

OC-18/246

Committee recommendation that Council endorse and exhibit:

1. draft Chapter 13 Tourist Accommodation subject to the following amendments:
 - a) The inclusion of the following note at the end of all relevant sections that mention the requirement for 24hour contact information:

“NOTE: this number should connect to a person who is able to respond on-site if necessary within 30 minutes of a call being logged.”
 - b) The correction of any incorrect accommodation type referencing as relevant in each section.
2. the repeal of Chapter 12 to be replaced with the attached Short-Term Rental Accommodation Policy subject to the following amendments to the policy:
 - a) the inclusion of the following point i. in relation to waste education resources and the amendment of the existing provision relating to additional waste services as presented in ii:
 - i. Council provides additional education resources for STRA properties that include:
 - a sticker to go on the front of the food waste caddy that each property should have received from Council when the new service began, otherwise, if properties do not have a caddy, please contact Council
 - a magnetic information card outlining what goes in the recycling bin to go on the fridge
 - a sticker for internal kitchen bins to clearly label which one is for garbage, and which one is for recycling
 - bin stickers for each of the Council issued external bins
 - information sheet for property compendium
 - waste service calendars providing information on Council's waste service, important waste events, what can go in each bin and other waste related information.

Where these resources are provided, the STRA operator is required to display the information prominently to encourage short stay users of the property to use source separate their food waste into the 7 litre kitchen caddy supplied and to source separate their recyclables to minimize waste going to landfill.

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

- ii. 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 organic bin and the applicable annual Domestic Waste Management Charge, or
 - engage a private waste contractor to remove excess waste from the property as required, or
 - STRA Weekly 240L all red bin garbage service - or
 - an additional 240L red lid bin garbage serviced fortnightly.
- b) The maximum number of guests permitted at a STRA must not exceed a maximum of 2 adults per bedroom.

(Councillors Rice and Sloan)

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

Against: Nil

11 REPORT OF THE ACTING DIRECTOR CORPORATE, COMMERCIAL & COMMUNITY SERVICES

11.1 2018 Australian Age-friendly Cities Forum

OC-18/247

Committee recommendation that Council

1. nominate Councillor Steel to attend the Age-friendly Cities Australia Forum
2. endorse attendance at the Forum by an appropriate staff member.

(Councillors Brown and Way)

11.2 Statement of Investments - June 2018

OC-18/248

Committee recommendation that Council receive and adopt the information relating to the Statement of Investments for June 2018.

(Councillors Westhoff and Brown)

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

11.3 NSW Public Libraries Conference 2018

OC-18/249

Committee recommendation that Council recommend the attendance of Councillor Rice and Councillor Westhoff to the NSW Public Libraries Conference.

(Councillors Brown and Way)

12 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

12.1 Supply and Lay Asphaltic Concrete 2018-19

OC-18/250

Committee recommendation that Council purchase approximately 6,000 tonnes of asphaltic concrete from Roadworks at an average cost of \$156.12 + GST per tonne.

(Councillors Watson and Brown)

13 REPORT OF THE DIRECTOR BLUE HAVEN

Nil

14 REPORTS FOR INFORMATION

OC-18/251

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

- 14.1 Minutes: South Precinct Meeting held on 21 June 2018
- 14.3 Parking Statistics - June 2018
- 14.4 Minutes: Country Mayors' Association meeting held on 1 June 2018
- 14.5 Question for future meeting: Free camping in the Local Government Area
- 14.6 Ken Donnellan writing competition
- 14.7 Clause 4.6 Variations to LEP Development Standards
- 14.8 Minutes: Minnamurra Progress Association meeting held on 5 July 2018
- 14.9 Stronger Country Communities Fund Update
- 14.10 Question for Future Meeting: Adequacy of lighting in Lockett Place
- 14.11 Minutes: Jamberoo Valley Ratepayers and Residents Association meeting held on 5 June 2018

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

14.12 Questions for future meetings register as at 10 July 2018.

(Councillors Brown and Sloan)

14.2 Ocean Lifeguard Service Report

OC-18/252

Committee recommendation that Council investigate measures to improve safety / reduce risk of drownings occurring at South Bombo beach.

(Councillors Sloan and Way)

15 ADDENDUM TO REPORTS

OC-18/253

Committee recommendation that at this time, 6.03pm, Council bring forward and deal with matters pertaining to the Addendum to Reports.

(Councillors Brown and Sloan)

15.1 NSW Police Force - Saddleback Mountain radio tower replacement

OC-18/254

Committee recommendation that Council endorse the proposal of NSW Police to replace their existing telecommunications tower on Lot 2 DP234762 (R95574) with a new tower and Council commence commercial negotiations with NSW Police relating to this including review of Council's current tower infrastructure on Saddleback Mountain Reserve.

(Councillors Brown and Watson)

15.2 Blue Haven Care Home - Re-accreditation outcome

OC-18/255

Committee recommendation that Council:

1. note the re-accreditation of Blue Haven Care Home for a 3 year period
2. formally acknowledge and thank Fiona Whittaker in her role of Manager Operations and Strategy for her work in overseeing and coordinating the process

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

3. formally acknowledge and thank the staff, from across Council, for the work undertaken to achieve this outcome.

(Councillors Honey and Way)

15.3 Kiama Tourism Opportunities Plan

OC-18/256

Committee recommendation that Council adopt the Kiama Tourism Opportunities Plan.

(Councillors Brown and Westhoff)

16 NOTICE OF MOTION

Item 16.1 has been dealt with in Public Access Reports.

RESUMPTION OF ORDINARY BUSINESS

OC-18/257

Committee recommendation that at this time, 6.08pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Way and Sloan)

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

OC-18/258

Resolved that Council formally confirm, adopt and endorse the Committee recommendations made by Council sitting as a Committee of the Whole as detailed in the Committee recommendations numbered OC-18/237 to OC-18/257 above.

(Councillors Westhoff and Steel)

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

17 QUESTIONS FOR FUTURE MEETINGS

17.1 Blue Haven access - speed humps

Councillor Steel requested a site meeting at Blue Haven Terralong be arranged with residents to inspect the speed humps in the access driveways.

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

18 CONFIDENTIAL SUMMARY

Public Representations:

The Mayor called for representations regarding issues which had been proposed to be disclosed in Confidential Committee of the Whole. No such representations were received.

18.1 Exclusion Of Press And Public:

OC-18/259

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

19.1 KENDALLS ON THE BEACH HOLIDAY PARK CONTRACT

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

19.2 BLUE HAVEN BONAIRA - CONSTRUCTION UPDATE

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

19.3 BLUE HAVEN BONAIRA - MONTHLY UPDATE

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

(Councillors Steel and Way)

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

OC-18/260

Resolved that at this time, 6.10pm, Council form itself into a Confidential Committee of the Whole to deal with matters listed in the recommendations as set out below subject to the consideration of any representations relating to such action.

(Councillors Brown and Westhoff)

19 CONFIDENTIAL REPORTS

19.1 Kendalls on the Beach Holiday Park Contract

OC-18/261

Committee recommendation that Council:

1. extends the contract for C.L Curls and K.E Francis Pty Ltd for a further two years commencing 1 July 2018, and
2. delegates to the General Manager the authority to sign the Letter of Extension to C. Curls and K.E Francis Pty Ltd, on behalf of Kiama Municipal Council

(Councillors Brown and Sloan)

19.2 Blue Haven Bonaira - Construction Update

OC-18/262

Committee recommendation that Council note the information contained in the report.

(Councillors Way and Westhoff)

19.3 Blue Haven Bonaira - Monthly Update

OC-18/263

Committee recommendation that Council note the information contained in the report.

(Councillors Westhoff and Steel)

MINUTES OF THE ORDINARY MEETING

17 JULY 2018

Close of Confidential Committee of the Whole:

OC-18/264

Committee recommendation that at this time, 6.14pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Watson and Way)

Adoption of Report

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

OC-18/265

Resolved that that the Confidential Committee of the Whole recommendations numbered OC-18/261 to OC-18/264 be confirmed and adopted.

(Councillors Brown and Rice)

20 CLOSURE

There being no further business the meeting closed at 6.15pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 21 August 2018.

.....
Mayor

Item 3.1

Attachment 1

3.2 Youth Engagement Meeting on 2 August 2018

Attachments

- 1 Minutes - Youth Engagement - 02/08/18 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Youth Engagement Meeting held on 2 August 2018 be received and accepted.

Item 3.2



MINUTES OF THE YOUTH ENGAGEMENT MEETING

commencing at 10am on

THURSDAY 2 AUGUST 2018

Kiama High School
Saddleback Mountain Road, KIAMA NSW 2533

Item 3.2

Attachment 1

MINUTES OF THE YOUTH ENGAGEMENT MEETING

2 AUGUST 2018

MINUTES OF THE YOUTH ENGAGEMENT MEETING OF THE
MUNICIPALITY OF KIAMA HELD AT THE KIAMA HIGH SCHOOL,
KIAMA, ON THURSDAY 2 AUGUST 2018 AT 10.33AM

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

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

1 APOLOGIES

Apologies were tendered on behalf of Councillors Brown, Watson and Way.

YOU-18/001

Resolved that the apologies as tendered be accepted and leave of absence granted.

(Councillors Reilly and Rice)

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Youth Engagement Meeting on 3 August 2017

YOU-18/002

Resolved that the Minutes of the Youth Engagement Meeting held on 3 August 2017 be received and accepted.

(Councillors Reilly and Sloan)

MINUTES OF THE YOUTH ENGAGEMENT MEETING

2 AUGUST 2018

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 REPORTS FOR INFORMATION

YOU-18/003

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

- 5.1 Kiama Cultural Grants
- 5.2 Work experience and opportunities for students
- 5.3 Mental health services for young people
- 5.4 Scholastic opportunities for students
- 5.5 Road Safety Information
- 5.6 Kiama Library - program update
- 5.7 Kiama Strategic Planning Review
- 5.8 The Climate Council Cities Power Partnership Program – Kiama Council Partnership Action Pledges Update
- 5.9 Question for Future Meeting: Installation of a water refill station half way along the Kiama Heights to Gerringong Coastal walking track
- 5.10 Question for Future Meeting: Compost Bins in Public Places
- 5.11 Blue Haven Bonaira construction information
- 5.12 Apprenticeship Opportunities
- 5.13 2019 Young Citizen of the Year
- 5.14 Communications Update
- 5.15 Indigenous activities in the Municipality.

(Councillors Westhoff and Steel)

6 SUBMISSIONS BY STUDENT REPRESENTATIVE COUNCIL

6.1 The Student Representative Council advised that there is a lack of awareness of various services available at both SENTRAL and within the community for local youth and suggested the following options to promote awareness:

- secular media such as Facebook, Instagram, etc
- Posters in shops, train stations, libraries, school notice boards
- Radio advertising
- Larger signage outside premises

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

6.2 The Student Representative Council advised that they were in opposition to the alleged redevelopment of Blowhole Point but would prefer the focus to be on the harbour.

MINUTES OF THE YOUTH ENGAGEMENT MEETING

2 AUGUST 2018

The Mayor thanked the SRC for their comments and assured them that Council has no intention of demolishing the cabins at Blowhole Point..

- 6.3 The Student Representative Council requested consideration be given to provision of a shuttle bus service for the Municipality covering the region from Gerroa in the south to Jamberoo in the west and Minnamurra in the north. They also suggested that Opal cards should be able to be used on all transport services not just State government operations.

It was noted that this is primarily the role of the State Government. The Mayor referred the matter to the Director Engineering & Works who advised that Council was still investigating the possibility of shuttle services within the LGA. He further stated that the matter of Opal card use should be referred to the Member for Kiama and Minister for Transport.

- 6.4 The Student Representative Council drew attention to the problem of plastic and other litter in Council parks and reserves and requested that Council consider promoting the use of bio-degradable utensils, banning the use of plastic bags in shops, creating an Environmental Community Club and promoting organisations such as Take 3 for the Sea.

The Mayor advised that he would write to the Chamber of Commerce asking for their consideration towards making Kiama a “plastic bag free” town and also requesting shop owners to use biodegradable utensils. The Mayor also suggested that the SRC should consider making a presentation to the Chamber on this subject. He advised that Council could facilitate the SRC address to the Chamber if required.

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

- 6.5 The Student Representative Council advised that the Kiama Library currently only stays open until 8pm on a Tuesday evening and requested that Council give consideration to longer opening hours for Kiama Library on additional weeknights.

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

- 6.6 The Student Representative Council requested consideration be given to having more live music and music festivals in the summer months creating activities for the younger members of the community and providing performance opportunities for local bands. The SRC also advised that Kiama High School also had an event planning committee that would be happy to assist with events and raising funds.

The Senior Youth Worker advised that there was a performance stage at the SENTRAL Youth Centre available for use by anyone and interested persons should contact SENTRAL.

MINUTES OF THE YOUTH ENGAGEMENT MEETING

2 AUGUST 2018

The Mayor thanked the SRC for their support and referred the matter of music festivals to the General Manager for investigation and report. He also requested that the SRC consider putting together a proposal of activities and presenting it to Council for consideration.

- 6.7 The Student Representative Council requested that Council consider more ceremonies and celebrations in Kiama for Aboriginal people who want to celebrate NAIDOC. The SRC suggested that elder storytelling, smoking ceremonies and celebrations in Hindmarsh Park are a few options for local NAIDOC celebrations that Council could consider.

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

- 6.8 The Student Representative Council requested consideration of central job listing board or site for local businesses to advertise opportunities for youth looking for local employment.

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

7 QUESTIONS FOR FUTURE MEETINGS

Nil

8 CLOSURE

There being no further business the meeting closed at 12.33pm

These Minutes were confirmed at the Ordinary Meeting of Council held on
21 August 2018

.....
Mayor

4 BUSINESS ARISING FROM THE MINUTES

5 PUBLIC ACCESS SUMMARY

6 MAYORAL MINUTE

6.1 Renew Our Libraries Campaign

Attachments

Nil

Enclosures

Nil

RECOMMENDED

That Council

1. endorse the NSW Public Libraries Association and Local Government NSW library funding advocacy initiative, Renew Our Libraries
2. take a leading role in activating the campaign locally and encouraging community participation
3. formally advise the NSW Public Libraries Association and Local Government NSW that Council has endorsed the library funding advocacy initiative.

REPORT

I am calling on Councillors to support the Renew Our Libraries Campaign. Renew Our Libraries is an advocacy initiative bringing together councils, public libraries and supporters into a grassroots effort to demand action and funding commitments.

Public Library funding has been an ongoing issue over the 10 last years. At the 2017 Local Government NSW Conference, all councils unanimously agreed to joint advocacy and the NSW Public Libraries Association and Local Government NSW have united to create Renew Our Libraries.

Public libraries are a vital part of local community across the state and are a focal point for people to access information and ideas. They support literacy in young children, bridge the digital divide, foster social inclusion and serve as a meeting place for older Australians and bring together people from all walks of life.

Current library programs are consistently filled to capacity and the community constantly requests the library to run more programs across the range of children's and adult events.

The NSW State Government contributes 7.8% to libraries which is the lowest in Australia far behind Victoria (18%) and Queensland (12%). NSW public libraries are struggling to keep up with the increasing demand for their services and library funding is at a crisis point.

NSW public libraries receive over 35 million visit per year (up from 27 million in 2000) and recurrent funding has not increased to match demand.

Disappointingly, the 2018-19 NSW state budget delivered a 5% cut to current library funding. The State Government has completely ignored the recommendation of its

Mayoral Minute

6.1 Renew Our Libraries Campaign (cont)

own expert panel, the Library Council of NSW which, in consultation with the State Library of NSW and the NSW Public Libraries Consultative Committee, recommended an increase in public library funding to \$30M in 2018-19.

The Public Library Funding Strategy 2017/2018 consisted of \$40,091 per capita funding and \$26,247 subsidy adjustment. An expected cut of \$3,315 would result in a reduction of library programs and resources provide to our community by our library service this financial year.

The State Budget also cut off access to infrastructure funding for all metropolitan libraries. Funding has been shifted across to the Regional Arts Program. While it seems country libraries will be eligible to apply they would be competing against other arts and Council projects.

The key issues are:

- NSW public libraries receive the lowest per-capita funding from State Government compared to all other states in Australia
- NSW councils are currently paying 92.5% of the costs to operate public libraries, up from 77% in 1980
- The NSW Government contributes just \$23.5M each year to support over 380 libraries across the State. This compares with a local government contribution of over \$314M.
- The total funding available through the NSW Public Library Funding Strategy is not indexed to population growth or consumer price index (CPI), thereby contributing to the ongoing attrition of State Government funding.
- Physical and virtual visitation, library borrowing and participation in library programs continue to increase year on year.
- Libraries play a major part in supporting the achievement of government literacy targets.
- Libraries provide collections, programs and spaces for marginalised groups including older people, refugee and multicultural communities, and people who are digitally disadvantaged.

The NSW public library network is at serious risk. Neither this Council nor the broader NSW Local Government sector can continue with the high degree of uncertainty about the level of ongoing State Government funding for public libraries.

The 5% cut to the contribution provided by the State Library will result in a reduction to the operational funding for library services this financial year and will result in a reduction of programs and resources by our library service.

I am recommending that we support urgent action from the NSW local government sector and NSW Public Libraries Association / Local Government NSW, to reverse the ongoing deterioration of state funding for public libraries to ensure that local councils will not be forced to continue meeting the funding shortfall.

I also recommend that we support the key objectives of the Renew Our Libraries campaign: to double the state government funding contribution, and create a new funding model that is sustainable.

6.2 Rosalie Dawne - Premier's Volunteer Recognition Award**Attachments**

Nil

Enclosures

Nil

RECOMMENDED

That Council formally congratulate Rosalie Dawne on being awarded the Premier's Volunteer Recognition Award.

REPORT

The Premier's Volunteer Recognition Program recognises the contribution volunteers make towards strengthening our communities.

At a recent ceremony Member for Kiama, Gareth Ward presented local Kiama resident, Rosalie Dawne with the Premier's Volunteer Recognition Award for her contribution as a Blue Haven volunteer and a Blue Haven Care Community Services volunteer.

Rosalie has been part of the volunteer team for the past 5 years providing one-to-one social support to residents and clients/carers. She has also promoted the volunteer team by distributing volunteer flyers within the community resulting in a number of new volunteers joining the team.

Rosalie has spent many years helping others in need and this award goes a small way to acknowledging Rosalie's tireless commitment to the Kiama community.

I am sure Council will join with me in congratulating Rosalie on her achievement and thanking her for her volunteering efforts.

6.3 Chris Moore - Kiama Surf Life Saving Club service**Attachments**

Nil

Enclosures

Nil

RECOMMENDED

That Council formally thank Chris Moore for his dedication and years of service to the Kiama Surf Life Saving Club and the Kiama community.

REPORT

Chris Moore has been involved in the Kiama Surf Life Saving Club for over 34 years. He has been a very active member holding various positions at both Club and branch level. Chris's involvement has included beach patrols, manning the radio room for over 25 years (never missing a patrol) and coaching.

Chris has been instrumental in raising much needed funds for equipment for the Club and securing much needed sponsorship. His efforts increased equipment levels from a couple of old damaged boards to 25 new boards. In 1998, Chris and friend, Glenn Shepherd, organised a fundraising golfing event. Now in its 20th year the event has raised around \$100,000 for the Kiama and Kiama Downs Surf Clubs.

As testament to his years of service Chris has also been awarded lifetime membership of the Club.

This acknowledgement comes as Chris steps down from his role as President and I would like to thank him for his contribution and dedication to the local surf life saving community.

6.4 Inaugural Kiama Artisan Food Festival

Attachments

Nil

Enclosures

Nil

RECOMMENDED

That Council formally congratulate the Kiama Show Society on the success of the first Kiama Artisan Food Festival held on the weekend of 11 and 12 August 2018.

REPORT

The Kiama Show Society held the inaugural Kiama Artisan Food Festival on the weekend of 11 and 12 August 2018 at the Showground.

On the Saturday night the festival started with a 3 course dinner created by Indigenous chef Mark Olive. The meal showcased local produce sourced from within 50km and was a sellout.

The Artisan Food Festival on the Sunday was a great celebration of the best of boutique regional produce, local artisan skills and cuisine. There were a number of well attended workshops which included fermenting vegetables, pizza making, beer appreciation, cheese making and free cooking classes for the kids.

The expo provided a platform for emerging small business, information to attendees and a general forum for the exchange of ideas.

I would like to acknowledge the hard work of the Kiama Show Society members in making the Festival such a success. The event was a wonderful reflection of our local artisans and producers, and I congratulate the Society on their efforts.

7 MINUTES OF COMMITTEES

7.1 Minutes: Kiama Youth Advisory Committee meeting held on 5 July 2018

Responsible Director: Environmental Services

Attachments

- 1 Kiama Youth Advisory Committee - Minutes - 5 July 2018 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Kiama Youth Advisory Committee Meeting held on 5 July 2018 be received and accepted.

BACKGROUND

The minutes of the Kiama Youth Advisory Committee meeting held on 5 July 2018 are attached for Councillors' information.

Minutes of the Kiama Youth Advisory Committee meeting held on Thursday 5th July 2018 at Kiama High School at 10:47am

Present: Clr Kathy Rice (Kiama Municipal Council, Chair), Clr. Mark Westhoff (Kiama Municipal Council), Andrew Chatfield (Kiama Municipal Council, minutes), Jane Littrich (Kiama High School staff), Cyrus Piggott, Simon Case, Jayden Wilshire, Bethany Chapman, Amelia Beahan, Josie Mansell, Lauren Perry, Nicholas Gregory, Alexander Wunsch, Emilio Goytizolo, Isaac Baker, Ethan Corkin, Laura Burling, Mackenzie Warfield, Riley O'Byrne.

1. Apologies: Nick Guggisberg (Kiama Municipal Council), Valentine Crome (Kiama Municipal Council Library Services), Ariba Amal, Carly Abbott, Zahli Howard, Taylor Lee Byrne, Alira Morgan.

2. Minutes of previous meeting:

Moved by Nick Gregory and seconded by Simon Case.

CARRIED

3. Business arising from previous meeting:

3.1 Road Safety/Intersection concerns

Clr Mark Westhoff reported that the issue has been raised within Council and that funds have been allocated to address this as part of the 2018/19 budget. A study will be conducted to assess current safety levels. Clr Kathy Rice reported that a pedestrian refuge will be installed at the Shoalhaven St/Bong Bong St intersection which has been funded and that there will also be extra police presence in the area.

Committee recommendation: That the information be noted.

3.2 SRC (Student Representative Council) elections

Andrew Chatfield invited the newly elected SRC along with the current SRC to the Youth Engagement meeting on Thursday August 2nd. The new SRC will be formally inducted on Wednesday 1st August. Lauren Perry informed the committee that Year 12 students will be absent from the Youth Engagement meeting as they have HSC trials.

Committee recommendation: That the information be noted.

4. Reports

4.1 SENTRAL programs

Andrew Chatfield provided an update on current programs and activities at SENTRAL during Term 2 including; Barista training each Wednesday from 4 – 6.30pm, fitness programs continue with group training on Wednesdays from 3.30pm and Yoga on Thursdays from 3.30pm. Munch Out starts on Thursday 31st July from 5 – 8pm and will run for 8 weeks covering topics relating to sourcing and cooking healthy meals and the impact of nutrition on the mind, body and soul.

4.2 Youth Engagement meeting

Andrew Chatfield reported that the Youth Engagement Council meeting will be held on Thursday August 2nd in room L14/15. Andrew encouraged committee members to start working on any presentations they would like to make to Council. Jane Littrich also introduced the new school Captains, Ethan Corkin, Mackenzie Warfield and Riley O'Byrne. Andrew formally welcomed the Captains and invited them to attend the meeting.

4.3 SENTRAL Gym

Andrew Chatfield reported that SENTRAL is currently in negotiations with Deputy Principal Alex Mar, regarding Kiama High School providing a classroom space for SENTRAL to utilize during school terms. The classroom space will hold the SENTRAL Gym and will be a base for SENTRAL Youth Workers to run a range of programs and student support from. The committee was very enthusiastic about this opportunity with Riley O'Byrne and Emilio Goytizolo requesting to be involved in the planning and launching of the space.

ACTION: Andrew Chatfield to work with Riley and Emilio in launching and promoting the SENTRAL space

4.4 KHS Programs

Andrew Chatfield provided information on current joint programs with Kiama High School students during Term 2 2018 including; Youth Advisory Committee, KHS Volunteers program, Event Management and Youth Worker at KHS mentoring program.

4.5 Kiama Library

Clr Kathy Rice informed the committee that Kiama Library would like to work with any young people, especially the Event Management students, to work on the Kiama Readers Festival. Clr Rice encouraged any students interested to contact the Library.

Committee recommendation: That the information be noted.

5. General Business:

5.1 NAIDOC Surfboards

Jane Littrich informed the committee that 4 surfboards have been painted and will be displayed at the NAIDOC Awards night. Jane thanked Zahli Howard, Alira Morgan and Taylor Lee Byrne for their help.

5.2 KHS School car parking

Josie Mansell raised the issue of car parking and asked if Council could help to provide more parking options especially at the Shoalhaven St entrance. Clr Rice replied that Council has tarred the car park next to the Pre School and this can be used by students.

5.3 Mental Health Resources

Clr Rice informed students of a mental health resource she has come across developed in conjunction with St Vincent De Paul called 'This Way Up'. Topics covered include anxiety and depression, but there is a cost of \$49 per person for 3 months' access to online courses and information. Jane Littrich reported that Gareth Ward is providing \$8000 to go towards to Mental Health First Aid training for Year 11 and Year 8 students. Jane also encouraged the committee to help promote these resources.

There being no further business the meeting closed at 11.40am

7.2 Minutes: Kiama Local Traffic Committee meeting held on 7 August 2018

Responsible Director: Engineering and Works

Attachments

- 1 Minutes of Kiama Local Traffic Committee Meeting - 7 August 2018 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Kiama Local Traffic Committee Meeting held on 7 August 2018 be received and accepted.

BACKGROUND

The minutes of the Kiama Local Traffic Committee held electronically on the 7 August 2018 are attached for Councillors' information.



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

Held electronically

TUESDAY 7 AUGUST 2018

Council Chambers
11 Manning Street, KIAMA NSW 2533

Item 7.2

Attachment 1

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE 7 AUGUST 2018

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE OF THE MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS, KIAMA, ON TUESDAY 7 AUGUST 2018 AT 9AM

PRESENT: Councillor M Honey (Mayor) (Chairman), Amy Thomson (RMS Representative), Craig Gray (NSW Police Representative), Darrell Clingan (Local Member's Representative), Gino Belsito (Director Engineering & Works), Darren Brady (Manager Design & Development), Janelle Burns (Kiama Council Road Safety Officer) and Mallory McLennan (Minutes)

1 Apologies
Councillor Mark Way

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Kiama Local Traffic Committee meeting held electronically on 3 July 2018

Resolved that the Minutes of the Kiama Local Traffic Committee Meeting held electronically on 3 July 2018 be received and accepted.

(Councillor Honey and Craig Gray)

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 REPORT OF RMS DELEGATED FORMAL ITEMS

5.1 Princess Highway / Toolijooa Road, Toolijooa – "Stop" and "Stop Ahead" advanced warning road line marking

RECOMMENDATION

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE 7 AUGUST 2018

That the Committee does not support the installation of the proposed 'STOP' and 'STOP AHEAD' pavement messages. There is an existing '60' pavement numeral located on the off ramp from the Princes Highway and installing additional pavement messages in such a short length would be confusing for motorists. The Committee would support the installation of a "Stop Sign Ahead" (W3-1) sign, located halfway between the "60 Ahead" sign and the "60" speed zone sign.

5.2 Work Zone - DA 10.2017.292.1 - 31 Bong Bong Street, Kiama

Resolved that approval be given to the implementation of a work zone in Bong Bong Street, Kiama subject to the Contractor and complying with the following conditions:

- 1 The Bong Bong Street work zone shall be implemented from 7am – 6pm Monday to Friday and 8am – 1pm Saturdays only. On-street vehicle parking shall be made available outside of these times.
- 2 notification of the work zone closures be given to local businesses and residents effected by the closure;
- 3 an advertisement be placed in the local media advising of the work zone closures.
- 4 That all work zones be removed as soon as practicable, following completion of applicable construction work within the adjacent site.
- 5 That no materials are to be stockpiled within the road reserve.

(Councillor Honey and Amy Thompson)

6 CONFIDENTIAL REPORTS

7 CLOSURE

There being no further business the meeting closed at <time>

These Minutes were confirmed at the Ordinary Meeting of Council held on 4 September 2018

.....
.....
Mayor

Director Engineering & Works

7.3 Minutes: Planning Committee meeting held on 5 July 2018

Responsible Director: Environmental Services

Attachments

1 Minutes - Planning Committee - 5 July 2018 [↓](#)

Enclosures

Nil

RECOMMENDED

That the minutes of the Planning Committee meeting held on 5 July 2018 be received and accepted.

BACKGROUND

The minutes of the Planning Committee held on 5 July 2018 are attached for Councillors' information.

Minutes of the Planning Committee meeting held on Thursday 5 July 2018 at Kiama Council, Commencing at 9am

(18/63607)

Present: Mayor, Cllr Mark Honey (Chair), Cllr Kathy Rice, Cllr Mark Way, Cllr Mark Westhoff, Kerry McMurray, Linda Davis, Mark Lyndon, Mark Hitchcock, Darryl Smith, Megan Hutchison, Nick Guggisberg (10am) and Karen Renkema-Lang.

Apology: Cllr Andrew Sloan, Brendan Leo and Penny Morris.

Item 1 - Attending/Apologies

As above.

Item 2 - Minutes of Previous Meeting – 17 May 2018

There were no matters arising from the minutes. Moved: Darryl Smith/Seconded Karen Renkema-Lang.

Item 3 – Responsibilities for Disclosure of Pecuniary Interest

Karen advised that she could not recall having to disclose any Pecuniary Interest. Mark Honey advised that this information is contained within the "Code of Conduct". Kerry advised that it was up to the individual person to advise whether they had any pecuniary interest in any matters that are discussed at meetings. It was agreed that an item be included in any forthcoming Planning Committee agenda stating any "Declaration of Pecuniary Interest".

Action: That the second item after "Apologies" on any forthcoming agenda be "Declaration of Pecuniary Interest".

Item 4 – Town Centre Study

Linda gave an overview on the revised brief for the Kiama Town Centre Study which included a handout of the proposed specific tasks as follows:

1. Economic assessment;
2. Town vision and structure;
3. Urban design and architectural form;
4. Implementation

The minimum required consultation activities and the proposed deliverables of the Study were also discussed in detail.

Karen asked why there had not been more community engagement regarding the Study, including communication to the community about the status of the project. Mark Honey advised that given the limited progress on the project up to this point, there was little information to communicate to the public. In relation to input into the brief, Kerry advised that if Council engaged with the community on every brief then no Council business would be achieved. Linda advised that comments on the preliminary draft brief had been received from a number of committee members and had included suggestions that were of great assistance in finalising the brief.

Action: The key tasks, consultation requirements and deliverables document extracted from the final draft brief to be circulated to Committee members for final comments to be received by Wednesday 11 July. Following any final edits, the brief will be finalised and the procurement process will commence.

Kerry left the meeting at 10.00am. Nick arrived at the meeting at 10.00am.

Item 5 – 12 Month Strategic Plan

Linda gave an overview of the 12 month strategic plan document that was distributed to members. The strategic program is based on the recently released guideline for the development of Local Strategic Planning Statements that will be required to support the comprehensive review of Local Environmental Plans in the future. The proposed program is as follows:

- 1) Undertake a strategic narrative for Kiama (commencing in July 2018);
- 2) Detailed assessment of the community visioning work to identify planning priorities and actions (commencing late 2018/early 2019);
- 3) Council to commence the review of identified strategic and statutory documents as resources permit.

Linda advised that funds had been allocated in Council's budget for phase 1 (strategic vision).

Clrs Westhoff and Rice left the meeting at 10.35am.

Item 6 – Update on Low Rise Medium Density Housing Code

Linda advised that a letter had been forwarded to the Department of Planning and Environment formally requesting deferral of the introduction of the Low Rise Medium Density Housing Code to the Kiama Municipality.

Linda also advised that Kiama (as well as other Council areas) were awaiting advice from the Department on whether a deferral from inclusion in the new Code until 1 July 2019 had been approved.

Post-meeting Update: One year deferral of the application of the Low Rise Medium Density Housing Code to Kiama published on 5 July 2018.

Item 7 – Other Items

a) Planning Proposal

Linda advised that a Planning Proposal had been received (Wednesday 4/7/18) from White Constructions Pty Ltd for Lot 1 DP 707300, Lot 5 DP 740252, Part Lot 101 DP 1077617 and Part Lot 102 DP 1077617, Kiama (west of the bypass and between Saddleback Road and Weir Street. This proposal is to rezone the subject property to R2/R3 with capacity for 410 residential lots.

b) DA 10.2018.7.1 – Lot 12 DP 866128 Jamberoo Road, Croom (Tang)

Linda advised that Penny had sent in an email asking whether it was possible for the Committee to discuss this matter and advise what objections Council intend to put forward to the Land and Environment Court in respect of this proposal.

The Committee was advised that it was not appropriate for the Committee to form a view of the proposal before the assessment was complete. The development application is currently on exhibition until 9 July 2018 and the officer concerned is presently assessing the development application. The matter is scheduled for a Section 34 conciliation conference on 26 October 2018, as a part of the Land and Environment Court process.

c) Akuna Street Development

Linda gave an update on the Akuna Street development. She advised that the applicant had decided not to withdraw the development application and would not be submitting amended plans. Therefore the matter would be resubmitted back to the JRPP for their determination.

d) Planning Certificates

Megan asked whether Planning Certificates could be amended to advise any potential purchaser of a unit in the town centre that there may be some of conflict (eg noise etc). Linda advised that this could be noted on a Part 5 certificate and would be advisory only. If Council receives a complaint regarding noise it would be dealt with under the POEO Act.

e) Circulation of Information

Karen requested that any additional information for meetings should be distributed prior to the meeting and not on the day of the meeting. It was agreed that staff would endeavour to circulate reading material before the meeting where possible.

f) Development of the Kiama Town Centre Study

Karen questioned the rationale for changing the approach for development of the Kiama Town Centre study, as minuted for the August 2017 Planning Committee meeting. In August 2017 the committee discussed the idea of a design competition to establish a 30 year vision for the town with 3 responses to be selected for community workshop. The design competition idea was not progressed in favour of appointing a consultant to undertake a Kiama Town Centre Study. Karen highlighted the value of investing in community engagement as was evidenced in the high quality of the Kiama Charrette. Linda advised that it would be impractical and contrary to probity requirements of the procurement process to engage the community during assessment of responses to the consultant brief. It was noted that the Kiama Charrette cost \$250,000 to produce in 2002 and the budget for the 2018 Town Centre Study was significantly less than that (\$90,000).

Items 8 – Date of Next Meeting

Either 30 August or 6 September to be potential dates for the next meeting. Deb to finalise a date.

**There being no further business
the meeting closed at 11.20am**

7.4 Minutes: Blue Haven Board meeting held on 13 August 2018

Responsible Director: Blue Haven

Attachments

1 Minutes - Blue Haven Board - 13/08/18 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Blue Haven Board Meeting held on 13 August 2018 be received and accepted.

Item 7.4



MINUTES OF THE BLUE HAVEN BOARD MEETING

commencing at 5.30pm on

MONDAY 13 AUGUST 2018

**Council Chambers
11 Manning Street, KIAMA NSW 2533**

Item 7.4

Attachment 1

MINUTES OF THE BLUE HAVEN BOARD

13 AUGUST 2018

MINUTES OF THE BLUE HAVEN BOARD OF THE
MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS,
KIAMA, ON MONDAY 13 AUGUST 2018 AT 5.29PM

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

IN ATTENDANCE: General Manager/CEO, Director Blue Haven, Manager ILU Operations, Care Manager, Chief Financial Officer, Manager Community Programs and Manager Operations & Strategy

1 APOLOGIES

BHB-18/001

Resolved

That the apologies as tendered be accepted and leave of absence granted.

(Councillors Westhoff and Brown)

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

3 BUSINESS ARISING FROM THE MINUTES

Nil

PRESENTATION

A presentation was made on each of the Blue Haven business units listed below:

- Independent Living Units
- Care Home
- Community
- Carer Respite Centre

MINUTES OF THE BLUE HAVEN BOARD

13 AUGUST 2018

4 REPORT OF THE DIRECTOR BLUE HAVEN

4.1 Blue Haven Care Home - Report of the Care Manager

BHB-18/002

Committee recommendation that the CEO develop a comprehensive plan to rectify the disparity between projected and actual vacancies in this facility.

(Councillors Reilly and Sloan)

4.2 Blue Haven Bonaira - Hall naming

BHB-18/003

Committee recommendation that Council endorse the name 'Matterson Hall' for the community hall at Blue Haven Bonaira.

(Councillors Brown and Watson)

4.3 Chief Financial Officer Report

BHB-18/004

Committee recommendation that Council note and accept the draft 2017/2018 financial performance report for Blue Haven Care.

(Councillors Brown and Sloan)

4.4 Blue Haven Care Community Transport - Point to Point Transport Services

BHB-18/005

Committee recommendation that Council endorse the registration of Blue Haven Care Community Transport as a Point to Point provider.

(Councillors Brown and Watson)

MINUTES OF THE BLUE HAVEN BOARD

13 AUGUST 2018

5 REPORTS FOR INFORMATION

- 5.1 Blue Haven Bonaira - marketing update
- 5.2 Blue Haven Care Community Programs

BHB-18/006

Resolved that the above items be received and noted.

(Councillors Brown and Watson)

6 CONFIDENTIAL REPORTS

- 6.1 Blue Haven Advisory Committee - Expressions of Interest for membership

BHB-18/007

Resolved that the decision on the members of the Advisory Committee be deferred until all Board Members can be available to make a determination.

(Councillors Sloan and Brown)

7 CLOSURE

There being no further business the meeting closed at 07.17pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 21 August 2018

.....
Mayor

7.5 Minutes: Audit Risk and Improvement Committee meeting held on 30 July 2018

Responsible Director: Corporate & Commercial Services

Attachments

1 Minutes - 30 July 2017 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the Audit Risk and Improvement Committee Meeting held on 30 July 2018 be received and accepted.

BACKGROUND

The Minutes of the Audit Risk and Improvement Committee meeting held on 30 July 2018 are attached for Councillors' information.



AUDIT RISK AND IMPROVEMENT COMMITTEE MINUTES

Date:	30 July 2018	Time:	4pm	Venue:	CR1
Chairperson:	Dr Philip Ross			Minutes:	Sue Wiaczek
Meeting Objective:	To exchange information and develop corporate strategies to enhance service delivery				
Present:	Clr Andrew Sloan, Clr Neil Reilly, Brian MacDonald, Brian Robertson				
Apologies:					
Observers	Clr Mark Honey, Kerry McMurray, David Mead				
Presenters	Renee Winston, Diane Ellison				

1 Minutes of Previous Meeting

The minutes of the meeting held on 27 February 2018 were confirmed and adopted.

Sloan/MacDonald

2 Aged Care Portfolio and Blue Haven Audit outcome

Due to the inability of Blue Haven staff to attend this meeting, this item was deferred.

3 Risk Management presentation (Renee Winston)

Action: Report noted and discussion around:

1. Corporate Risk Register to be updated, with the first round to be completed by end 2018.
2. An Emergency Drill is to be held at the Council Administration Buildings on Tuesday 31 July.

4 CRIP Audit

Action: Report noted and discussion around:

1. Ensuring the Corporate Risk Register contains all of Council's key strategic risks
2. Strategic Risk Workshops are being planned for Manex
3. Enterprise Risk Management to be included in position descriptions and performance reviews for managers.

5 AS/NZS 4801/2001

Action: Report noted and discussion around:

WHS Management System audit – Health and Safety actions will be inserted into position descriptions for Managers.

6 Leadership Development Update

Action: Report noted.

7 Lean Update

Action: Report noted and discussion around:

1. State Government funded Smart and Skilled grants program – Council has saved approx. \$125,000 on training costs to date.
2. Phil suggested that future reports include details on savings/resources/time and the relative importance of each project.

8 Status of actions from previous minutes

Action: Register of Actions noted and updated.

Action: Charter to be amended to provide for one member (Chair) to be appointed for a three year term and the other two members to each be appointed for a two year term. Each member appointed can serve for a maximum of two terms. Amended Charter to be taken to Council for endorsement.

Ross/Reilly

Action: David to distribute the Financial Statements to Committee in late September/early October with members to respond with any issues.

9 Internal Auditor position

The Committee was advised that the preferred candidate had withdrawn.

Action: High priority internal audits to be identified and for the remainder of 2018, will be outsourced on a priority basis.

10 Audit Office Management Letter

This matter was considered at the February 2018 meeting.

11 Fraud Prevention Audit (Fraud Control Improvement Kit)

Action: A Broad Project Plan is to be created to see what resources are required -v- what resources are available. It was noted that not everything in this Kit was appropriate for Local Government.

12 Local Government report on LG2017

Action: Report noted and discussion around:

Council applied for and was granted an extension.

13 ARIC Annual Work Plan 2018

This work plan will be created on a calendar-based approach for framework on financial year basis.

Action: Phil will provide a draft to the committee for consideration.

14 Audit Committee Maturity Assessment 2018

Agreed that this assessment be postponed until July/August 2019 to allow for a full year's operation of the Committee

15 Internal Audit Report template

Action: The committee agreed to adopt the format used by Blacktown Council with the addition of information concerning sample sizes used for testing. Kerry to circulate the template he created for use at Queenbeyan Council.

16 Review on benchmarking Botany report recommendations for Kiama

Action: Report noted.

17 General Business

Kerry provided a time lapse video on the construction of Blue Haven Bonaira to date.

Action: Sue to provide committee with links to time lapse videos.

Items for next Agenda

Aged Care Portfolio and financials

Blue Haven Audit outcome

Next meeting - scheduled for 27 November 2018

Item 7.5

Attachment 1

8 PUBLIC ACCESS REPORTS

Committee Of The Whole

RECOMMENDATION

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

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

9 REPORT OF THE GENERAL MANAGER

9.1 Local Government NSW Annual Conference 2018

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

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

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

Summary

This report seeks endorsement of the registration of interested Councillors to attend the Local Government NSW Annual Conference from Sunday 21 October to Tuesday 23 October 2018 at the Entertainment Centre, Albury and to select voting delegates.

Finance

To be funded from the Travel and Conference budget for Members.

Policy

Payment of Expenses and Provision of Facilities Policy

Communication/Community Engagement

N/A

Attachments

- 1 Official Notice - Local Government NSW Annual Conference 2018 [↓](#)
- 2 Registration Brochure - 2018 LGNSW Annual Conference [↓](#)
- 3 Draft program - 2018 LGNSW Annual Conference [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council endorse the:

1. registration of Councillors interested in attending the Local Government NSW Annual Conference 2018
2. selection of three Councillors to be registered as voting delegates.

BACKGROUND

Council has received correspondence (attached) from the President of LGNSW, Cllr Linda Scott, advising details of the LGNSW Annual Conference to be held at the

Report of the General Manager

9.1 Local Government NSW Annual Conference 2018 (cont)

Entertainment Centre, Albury from Sunday 21 October 2018 to Tuesday 23 October 2018.

Registration for the Conference is now open and delegates who register prior to 17 September 2018 are eligible for the early bird registration fee of \$840. Registration after that date is \$940 and closes on 9 October 2018. Delegate registration includes all papers, the Opening Reception, all day sessions including refreshments. The Gala dinner is optionally priced.

A copy of the registration brochure and the draft program is attached for Councillors' information.

Motions

Councillors who wish to submit motions for consideration for the Conference should raise them at the meeting. LGNSW are encouraging councils to submit motions by midnight, Sunday 26 August 2018 to facilitate compilation and printing with the final deadline being midnight, Sunday 23 September 2018.

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

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

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

Motions can also be submitted using the online form on the LGNSW Annual Conference webpage <https://lgsw-grants.fluidreview.com/>.

Voting

Council is categorised as a Regional/Rural Council and is entitled to 3 voting delegates. Registration of voting delegates closes Tuesday 2 October 2018.

Delegates are entitled to vote on motions which determine the policies and priorities for LGNSW and the sector.



Our ref: R15/0018 Out-27475

27 April 2018

Mr Kerry McMurray
General Manager
Kiama Municipal Council
PO Box 75
KIAMA NSW 2533

Dear Mr McMurray

Official Notice: Local Government NSW Annual Conference 2018

I write to formally invite you to this year's Local Government NSW (LGNSW) Annual Conference which will be held from **Sunday 21 October to Tuesday 23 October 2018 at the Entertainment Centre, Albury.**

As you are aware, the Conference is the main policy making event for the local government sector where issues are debated and motions put forward for consideration by delegates.

This letter contains important information to help you participate fully in this year's Conference.

Registration – to attend the Conference

Conference attendees should be invited to register online from mid-July on the LGNSW website. Members will be able to take advantage of special 'early bird' rates.

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

Registration – as a voting delegate

Separate from Conference registration, members must register the names of their delegates for voting on motions during formal business sessions.

To be eligible to vote at the Conference, members must be financial on both the calculation date (1 March 2018) and the date that the roll of voters closes (12 midnight, 26 August 2018 AEST). The formula for calculating members' voting entitlements is prescribed at Rule 23 of the LGNSW rules.

The number of voting delegates that each member is entitled to send to this year's Conference is set out in the table at **Annexure A**.

The deadline to provide LGNSW with the name(s) of nominated voting delegates is 5pm (AEST) on Tuesday 2 October 2018. Nominations of voting delegates received after the closing date/time cannot be accepted.

Voting delegates must be either an elected member of a council, county council, the Lord Howe Island Board, Norfolk Island Regional Council or Related Local Government Body or an Administrator appointed in accordance with the *Local Government Act 1993*.

A form for advising LGNSW of the name(s) of members' nominated voting delegates is available on the Annual Conference page of the LGNSW website.

LOCAL GOVERNMENT NSW
GPO BOX 7003 SYDNEY NSW 2001
L9, 28 MARGARET ST SYDNEY NSW 2000
T 02 9242 4000 F 02 9242 4111
LGNSW.ORG.AU LGNSW@LGNSW.ORG.AU
ABN 49 853 913 882

Item 9.1

Attachment 1

Substitution of nominated voting delegates

Subject to the LGNSW rules, a member may notify LGNSW of a change to the name of an already nominated voting delegate (a substitute delegate) by giving notice in writing signed by either the Mayor or the General Manager of the member to Michele O'Neill, Senior Industrial Officer, at Michele.Oneill@lgnsw.org.au, using the "Substitute Delegate – Motions" form available on the Annual Conference page of the LGNSW website.

For further information about substituting nominated voting delegates please contact Michele O'Neill on 02 9242 4144.

Motions

All members can put forward motions to be considered at the Conference. Members will be invited to submit motions online from mid-year using the "LGNSW Conference Business Sessions Submissions Form" on the Annual Conference page of the LGNSW website.

Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions. Members are encouraged to review the Action Reports from previous conferences before submitting motions for the 2018 Conference. Action Reports from previous conferences are available on the Annual Conference page of the LGNSW website.

Deadline for submitting motions

To allow printing and distribution of the Business Paper before the Conference, members are asked to submit their motions by 12 midnight, 26 August 2018 AEST. In line with the LGNSW rules, the latest date motions will be accepted for inclusion in the Conference Business Paper is 12 midnight, Sunday 23 September 2018 AEST.

For further information on submitting motions please contact Elizabeth Robertson, Policy Officer, on 02 9242 4028 or Elizabeth.Robertson@lgnsw.org.au.

Business Papers

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

LGNSW's financial reports will available to members on our website at least 21 days before the Conference.

Accommodation

The 2018 Conference will be based at the Entertainment Centre (Swift Street, Albury).

In line with our sustainability principles, and due to the fact that Albury has a great deal of accommodation within walking distance of the main venue, daily transfers will not be provided. LGNSW encourages delegates to take advantage of the CBD venue choices. To book accommodation, please visit www.visitalburywodonga.com/business-major-events/upcoming-events/local-government-nsw-conference.

Free all-day parking is available at the Wilson Street car park across from the Conference venue.

Outstanding Service Awards

Outstanding Service Awards will be presented at the Gala Dinner during the Conference. For information about the Awards, including where to apply and eligibility, please visit www.lgnsw.org.au/member-services/service-awards.

Conference Gala Dinner

The dinner will be held on Monday 22 October and will be optionally priced for the 2018 Conference.

Privacy Statement

LGNSW, which is regulated by the *Privacy Act 1988* (Cth), collects private information about registered attendees to the Conference such as names, addresses, telephone numbers, credit card information and email addresses. We use the private information you give us to process your registration and to send you information in relation to the Conference.

If you choose not to provide some or all of the private information that we have sought, LGNSW may be unable to process your registration or it may result in you being unable to vote at the Conference. Further information about how LGNSW collects, holds and uses private information is contained in LGNSW's Privacy Policy which is available on the website at the following web address: <http://www.lgnsw.org.au/privacy>

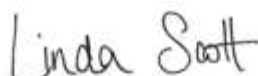
Further details

Further details about the Conference will be published on the LGNSW website as they become available, including about the Gala Dinner, President's Opening Reception, Conference business sessions, programs and 'early bird' pricing.

I trust the information above is of assistance. We will provide further reminders and updates closer to the Conference.

I look forward to seeing you at the Conference in October.

Yours sincerely



Cr Linda Scott
President

Item 9.1

Attachment 1

Annexure A – Members' voting entitlement at the 2018 Local Government NSW Annual Conference

Note: To be eligible to vote at the Conference, members must be financial on both the calculation date (1 March 2018) and the date that the roll of voters closes (12 midnight, 26 August 2018 AEST).

Member	No. of voters for voting on motions
Albury (R/R)	4
Armidale Regional (R/R)	3
Ballina (R/R)	3
Balranald (R/R)	1
Bathurst Regional (R/R)	3
Bayside (M/U)	10
Bega Valley (R/R)	3
Bellingen (R/R)	2
Berrigan (R/R)	1
Blacktown (M/U)	12
Bland (R/R)	1
Blayney (R/R)	1
Blue Mountains (R/R)	4
Bogan (R/R)	1
Bourke (R/R)	1
Brewarrina (R/R)	1
Broken Hill (R/R)	2
Burwood (M/U)	4
Byron (R/R)	3
Cabonne (R/R)	2
Camden (M/U)	5
Campbelltown (M/U)	9
Canada Bay (M/U)	5
Canterbury-Bankstown (M/U)	12
Carrathool (R/R)	1
Castlereagh-Macquarie (R/R)	1
Central Coast (R/R)	7
Central Darling (R/R)	1
Central Murray (R/R)	1
Central Tablelands Water (R/R)	1
Cessnock (R/R)	4
Clarence Valley (R/R)	4
Cobar (R/R)	1
Coffs Harbour (R/R)	4
Coolamon (R/R)	1
Coonamble (R/R)	1
Cootamundra-Gundagai Regional (R/R)	2
Cowra (R/R)	2
Cumberland (M/U)	10

Member	No. of voters for voting on motions
Dubbo Regional (R/R)	4
Dungog (R/R)	1
Edward River (R/R)	1
Eurobodalla (R/R)	3
Fairfield (M/U)	10
Federation (R/R)	2
Forbes (R/R)	1
Georges River (M/U)	9
Gilgandra (R/R)	1
Glen Innes Severn (R/R)	1
Goldenfields Water (R/R)	1
Goulburn Mulwaree (R/R)	3
Greater Hume (R/R)	2
Griffith (R/R)	3
Gunnedah (R/R)	2
Gwydir (R/R)	1
Hawkesbury City (M/U)	5
Hawkesbury River (M/U)	2
Hay (R/R)	1
Hilltops (R/R)	2
Hornsby (M/U)	7
Hunters Hill (M/U)	2
Inner West (M/U)	10
Inverell (R/R)	2
Junee (R/R)	1
Kempsey (R/R)	3
Kiama (R/R)	3
Kimbriki Environmental Enterprises Pty Ltd (M/U)	1
Ku-ring-gai (M/U)	7
Kyogle (R/R)	1
Lachlan (R/R)	1
Lake Macquarie (R/R)	7
Lane Cove (M/U)	4
Leeton (R/R)	2
Lismore (R/R)	3
Lithgow (R/R)	3
Liverpool (M/U)	10
Liverpool Plains (R/R)	1
Lockhart (R/R)	1
Lord Howe Island Board (R/R)	1
Maitland (R/R)	4
Mid-Coast (R/R)	4
Mid-Western Regional (R/R)	3
Moree Plains (R/R)	2

Member	No. of voters for voting on motions
Mosman (M/U)	3
Murray River (R/R)	2
Murrumbidgee (R/R)	1
Muswellbrook (R/R)	2
Nambucca (R/R)	2
Narrabri (R/R)	2
Narrandera (R/R)	1
Narromine (R/R)	1
Newcastle (R/R)	7
New England Tablelands (R/R)	1
Norfolk Island Regional Council (R/R)	1
North Sydney (MU)	5
Northern Beaches (M/U)	11
Oberon (R/R)	1
Orange (R/R)	3
Parkes (R/R)	2
Parramatta, City of (M/U)	11
Penrith (M/U)	10
Port Macquarie-Hastings (R/R)	4
Port Stephens (R/R)	4
Queanbeyan-Palerang Regional (R/R)	4
Randwick (M/U)	7
Richmond Valley (R/R)	3
Riverina Water (R/R)	1
Rous County (R/R)	1
Ryde (M/U)	7
Shellharbour (R/R)	4
Shoalhaven (R/R)	5
Singleton (R/R)	3
Snowy Monaro (R/R)	3
Snowy Valleys (R/R)	2
Strathfield (M/U)	4
Sutherland Shire (M/U)	10
Sydney, City of (M/U)	10
Tamworth Regional (R/R)	4
Temora (R/R)	1
Tenterfield (R/R)	1
The Hills Shire (M/U)	9
Tweed (R/R)	4
Upper Hunter (R/R)	2
Upper Lachlan (R/R)	1
Upper Macquarie (R/R)	1
Uralla (R/R)	1
Wagga Wagga (R/R)	4

Member	No. of voters for voting on motions
Walcha (R/R)	1
Walgett (R/R)	1
Warren (R/R)	1
Warrumbungle (R/R)	1
Waverley (M/U)	5
Weddin (R/R)	1
Wentworth (R/R)	1
Western Sydney Regional Organisation of Councils (M/U)	1
Willoughby (M/U)	5
Wingecarribee (R/R)	3
Wollondilly (R/R)	3
Wollongong (R/R)	7
Woollahra (M/U)	5
Yass Valley (R/R)	2
LGNSW Board (M/U)	10
LGNSW Board (R/R)	9
TOTAL:	494

Item 9.1

Attachment 1



Item 9.1

Attachment 2

Elite Sponsor



LGNSW.ORG.AU

WELCOME

LGNSW ANNUAL
CONFERENCE
REGISTRATION 2018



Welcome from the President

Cr Linda Scott

I look forward to welcoming you to the 2018 LGNSW Annual Conference in Albury.

Once again, we will gather to discuss issues of importance to the communities we serve. We will debate and discuss advocacy priorities for the year ahead.

LGNSW represents all 128 councils in NSW and is the state's peak local government body. The decisions made at conference are the foundation of our ongoing advocacy efforts.

Whether you are from a city, regional or rural council, a mayor, councillor or a senior member of staff, I know you will also value the opportunity this conference provides to meet with, and learn from, other people with similar roles and challenges.

We will hear from the Premier of NSW, as well as the federal and state ministers and shadow ministers for local government. An expert panel will also discuss the theme of 'smart places' and associated innovation, ideas, technology, data and research.

Concurrent sessions will cover: case studies of AR Bluett Award winning councils in 2016 and 2017; legal responsibilities for elected members; and developing capabilities for elected members.

The conference will also feature a significant trade exhibition showcasing the latest products and services available to the sector.

This year's annual conference is not to be missed. I look forward to seeing you in Albury later this year.



Welcome to Albury

Cr Kevin Mack, Mayor of Albury

Welcome to delegates attending the 2018 LGNSW Conference. As a renowned leader of regional councils in NSW, Albury City is proud to welcome our rural, regional and metropolitan colleagues to enjoy our vibrant, relaxed, clean, friendly city.

We know you will enjoy the hospitality of the Albury Entertainment Centre situated in the heart of our cultural precinct. Please take the opportunity to explore the area with a visit to the Art Museum (MAMA) and the Library Museum during your stay. The welcome function on the banks of the Murray will be another highlight – we are about to embark on an exciting \$10 million river re-development project which will be a breathtaking addition to our community and visitor experiences. We are extremely proud that Albury continues to grow and evolve as a jewel in the crown of both southern NSW and regional Australia.

This year's conference will, I'm sure, highlight issues and challenges faced by all local government bodies and it's hoped we can come away with positive strategies and key learnings that make a real difference in our communities.

I wish you all an enjoyable stay in Albury and a successful 2018 conference.

LGNSW ANNUAL
CONFERENCE
REGISTRATION 2018

Item 9.1

Attachment 2

Albury Entertainment Centre

The conference will take place at the Albury Entertainment Centre (AEC) complex in the heart of the CBD. The Square is flanked by the Library Museum, Murray Art Museum Albury (MAMA), historic St Matthews Church and other civic buildings. The Theatre Auditorium will be the venue for the plenary sessions.

The trade exhibition will be in the Convention Centre Ground Floor Auditorium in the adjoining building. The Albury Entertainment Centre is within walking distance of all CBD accommodation, and free all day parking adjacent to the venue is available for delegates.

 If you are tweeting about the LGNSW Annual Conference, please use the hashtag #lgnsw2018



Conference Overview

Full program details will be published on the LGNSW website. www.lgnsw.org.au

Sunday 21 October	
Trade Exhibition Setup	Convention Centre Ground Floor Auditorium
Delegate Registration	Convention Centre Foyer
Councillor Workshop Session 1	Convention Centre Theatrette Level 1
Councillor Workshop Session 2	Retro Lane Café, QEII Square, 525 Swift Street
President's Opening Reception	Noreuil Park, 48 Noreuil Parade (this is an outdoor event)
Monday 22 October	
Trade Exhibition	Convention Centre Ground Floor Auditorium
Business Session Plenary	Theatre Auditorium
Delegates Networking Function	Convention Centre Ground Floor Auditorium
Conference Gala Dinner	Marquee QE11 Square (onsite)
Tuesday 23 October	
ALGWA Breakfast	Retro Lane Café, QEII Square, 525 Swift Street
Trade Exhibition	Convention Centre Ground Floor Auditorium
Business Session Plenary	The Theatre Auditorium
General Managers' Lunch Briefing	Retro Lane Café, QEII Square, 525 Swift Street
Delegates' Networking Function	Convention Centre Ground Floor Auditorium

Registration to Attend the Conference

Registrations open in mid-July on the LGNSW website. We invite councillors, mayors, general managers and senior staff to register as individuals or groups.

Early bird registration rate is \$840 and applies if you register and pay by 17 September 2018

Standard registration rate is \$940 for all registrations from 18 September – 9 October 2018

Dinner is not included in the overall registration cost this year and is an optional added cost of \$110. This change follows member feedback. You will be able to select this as part of your online registration.

Members wanting to take advantage of the early bird rates, who are uncertain of the names of councillors attending can still register and pay now, and confirm names later, provided they do so by 9 October. (Delegates names and alterations to delegates names can be completed online.)

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

Registration as a Voting Delegate

Separate from Conference registration, financial members must nominate the names of their voting delegates for voting on motions.

For all information relating to voting entitlements, nominations and dates, please refer to the LGNSW website.

Register Online at lgnsw.org.au

Online registration is conducted through a secure site which accepts credit cards (Visa or Mastercard with a 0.9% surcharge), cheque and direct deposit payments.

Once you have registered, you will receive a confirmation email and a tax invoice. Your registration will be confirmed once full payment is received.

Delegate Registration Fees

Registration at the event is open from 1.00pm – 4.30pm in the foyer of the Albury Convention Centre on Sunday 21 October. Registration will move to the President's Opening Reception at Noreuil Park from 5.30pm – 7.30pm. On Monday 22 and Tuesday 23 October, registration will take place in the foyer of the Albury Convention Centre.

Delegate registration fees include business papers, the President's Opening Reception, two-day business sessions including morning and afternoon tea, lunch, delegate networking functions, name badge and a satchel. The cost to attend the conference is heavily subsidised by LGNSW and sponsors.

Optional Events

- Councillor training sessions incur a fee of \$44 and are part of the online registration optional events.
- The ALGWA breakfast is not part of the conference registration fee and is priced separately at \$55.
- Sightseeing tours of Albury are available for partners of delegates attending the conference. Register online.

- The conference dinner is optional this year (\$110).
- A special interest session for general managers only is offered free of charge on Monday 22 October. Register online.

The conference fee does not cover accommodation or partner attendance. Partners wishing to attend social functions need to book and pay online.

Sponsor Registration Fees

Each sponsorship level includes a certain number of registrations. If sponsors wish to register additional staff, we have a special rate per person which includes the President's Opening Reception only. Tickets must be purchased separately for the dinner. All sponsors (whether included in your package or extra) must register attendance via the online registration portal.

Registration fees (inclusive of GST)

Early Bird Registration (paid by 17 September 2018)*	\$840
Standard Registration (paid by 9 October 2018)*	\$940
Conference Dinner Ticket (optional)	\$110
Non-member Early Bird Registration (paid by 17 September 2018)	\$1680
Non-member Standard Registration (paid by 9 October 2018)	\$1880
Non-member Conference Dinner Ticket	\$220
Sponsors Extra Staff Registration (paid by 9 October 2018)	\$495
President's Opening Reception	\$88
Conference Dinner Ticket	\$110
Training Sessions (see draft program on website)	\$44
ALGWA Breakfast	\$55

* excludes dinner

Speakers and Special Guests

If you are an invited guest or part of the conference program and would like to attend in full or for a part of the conference program, please email the LGNSW events team directly at events@lgnsw.org.au.

Confirmation, Cancellation Policy and Enquiries

Should you be unable to attend, once registered, a substitute delegate is welcome to attend in your place at no additional charge. All cancellations and amendments must be advised in writing to the Conference Secretariat, Bradley Hayden at Bradley@ccem.com.au. Cancellations made by 5.00pm Tuesday 9 October 2018 will be eligible for a full refund less a \$110 administration fee per registration. Cancellations made after 5.00pm on this date are not refundable.

Special Requirements

If you have any special dietary requirements, access or impairment issues, please ensure you complete the appropriate section of the online registration form. Every effort is made to ensure catering is varied, nutritional and inclusive of differing tastes.

Privacy

LGNSW is the organiser of the Local Government NSW Annual Conference 2018 and is bound by and committed to supporting the principles set out in the *Privacy and Personal Information Act 1998* and the Australian Privacy Principles. LGNSW will collect and store the information you provide in the registration process for the purpose of enabling us to register your attendance. With your permission, LGNSW may disclose some of the information whereby it is reasonably expected that such purpose be related to the offer, provision and improvement of conferences and services.

Delegate Contact Details

Please note that a nametag scanning facility will be available on site for sponsors and exhibitors to scan delegates' nametags, with their agreement, resulting in delegate contact details going straight to the sponsor or exhibitor. By registering for the conference you are deemed to have acknowledged and accepted this process.

Photography

There will be a photographer at the conference who will take pictures during the sessions and social functions. If you have your picture taken it is assumed that you consent to LGNSW using images. Images may be used for print and electronic publications.

Liability for your Registration

In the event of unforeseen circumstances, LGNSW and the Conference Secretariat do not accept responsibility or liability for the loss of expenses incurred by delay, cancellation, or miscommunication. By completing and submitting the online registration form, you are deemed to have read and accepted the cancellation and privacy information.

Contact

The Conference Secretariat, Bradley Hayden, is your contact for:

- Sponsorship enquiries, bookings and the trade exhibition
- Registration and function enquiries for delegates, sponsors and partners including payments and inclusions

Email bradley@ccem.com.au
Phone 0412 461 392
Address PO Box 5013, Albury NSW 2640

LGNSW manages arrangements for delegates, observers and partners attending this year's conference in relation to:

- Business Papers and Conference material
- Applications for Service Awards (to be presented as part of the Conference Gala Dinner)
- All general enquiries regarding the business program

Email events@lgnsw.org.au
Phone 02 9242 4000
Address GPO Box 7003, Sydney NSW 2001

Voting at the Conference on Motions

If you are a voting representative for your council, you **MUST** be in the main auditorium on Monday 22 October so that a quorum can be achieved.

Voting at the conference will be by electronic handsets and a delegate plastic voting card will be distributed at registration. The plastic voting card must be returned at the end of the voting day or a fee of \$100 per card will be invoiced. Electronic handsets will be distributed at accessible points to the main theatre auditorium. A demonstration of the cards and electronic handsets will be given prior to business motion voting. This year, lanyards will also identify those who are voting delegates.

Contact LGNSW regarding:

- Voting delegate entitlements
- The 2018 Annual Conference dates and deadlines

For information relating to council voting entitlements, please contact Adam Dansie on 02 9242 4140. For details regarding your voting entitlements or how to change your voting delegate's name, please refer to the LGNSW website.

A reminder that registration as a voting delegate is a **separate process** to conference registration.

Business Papers

Member councils will receive a printed copy, for each voting delegate, of the Business Paper one week before the conference. Papers will also be available to download from LGNSW's website at this time. Councils may also view the Record of Decisions from the 2017 Conference on LGNSW's website.

Condition of Entry

It is a condition of entry that no delegate may disrupt the order of events or intent of the program. Anyone considered to be disturbing the program intent will be asked to leave. Only pamphlets and brochures approved by the event organisers may be distributed.

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Local Government NSW Annual Conference 2018

A copy of the full draft program is available at www.lgnsw.org.au

Abridged version of the Program as at July 2018

SUNDAY 21 OCTOBER

2.00pm – 4.00pm	Two optional concurrent councillor workshop/information sessions. Workshop 1 – AR Bluett Award winning councils in 2016 and 2017, a special presentation in Albury Convention Centre theatre, Level 1
2.00pm – 3.00pm	Workshop 2a – Elected Members: Update on Legal Responsibilities, Retro Lane Café, QEII Square, 525 Swift Street
3.00pm – 4.00pm	Workshop 2b – Elected Members: Developing Capabilities, Retro Lane Café, QEII Square, 525 Swift Street
5.30pm – 7.30pm	President's Opening Reception at Noreuil Park

MONDAY 22 OCTOBER

9.15am – 9.45am	Address from the Hon Gladys Berjiklian MP , Premier of New South Wales
9.45am – 11.00am	Address from Cr Linda Scott , LGNSW President Opening of the Federal and State Conference, chaired by Cr Linda Scott including demonstration of voting units, adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members
11.30am – 4.00pm	Business session and consideration of motions
4.00pm – 4.30pm	Address from the Hon Gabrielle Upton MP , Minister for Local Government
4.30pm – 6.00pm	Delegate Networking Function
7.30pm – 11.00pm	Conference Dinner on-site Marquee QEII Square Presentation of Awards

TUESDAY 23 OCTOBER

7.30am – 8.45am	Australian Local Government Women's Association (ALGWA NSW) Breakfast
9.00am – 9.05am	Introduction by Ellen Fanning , Master of Ceremonies
9.05am – 9.30am	Address from the Hon Dr John McVeigh MP (Invited)
9.35am – 10.00am	Address from Mr Stephen Jones MP , Federal Shadow Minister for Local Government
10.05am – 10.30am	Association Business and Treasurer's Report
11.10am – 12.40pm	Smart Places: three presentations exploring the relevance and opportunities for all councils in a newly developing area involving innovation, ideas, technology, data, research and adaptation
1.30pm – 2.00pm	Address from the Hon Rob Stokes MP , Minister for Education (invited)
2.05pm – 2.35pm	Address to be advised
2.40pm – 3.10pm	Address from the Hon Peter Primrose MLC , Shadow Minister for Local Government
3.10pm – 4.00pm	Keynote Address: Stephen Bradbury
4.00pm – 4.30pm	Afternoon tea and networking

A copy of the full draft program is available at www.lgnsw.org.au

President’s Opening Reception

Sponsored by the NSW Department of Planning and Environment



Planning & Environment

Sunday 21 October, 5.30pm – 7.30pm

Noreuil Park Foreshore – Noreuil Parade Albury (off Wodonga Place)

Dress code: smart casual for outside evening event on grass. Flat shoes recommended.

Join special guests, fellow councillors, the LGNSW Board, general managers, sponsors and speakers for an official welcome and an informal cocktail reception at the iconic Noreuil Park foreshore on the banks of the Murray River. Enjoy the many talents of singer Miss Kitty and the Memphis Trio featuring Albury General Manager Frank Zaknich on drums. The rockabilly trio formed in July 2016 and have hit the ground running with bookings as far ahead as 2020.

Guests will also be treated to daring feats performed by Albury’s world-renowned Flying Fruit Fly Circus. See ordinary kids doing extraordinary things! The Flying Fruit Fly Circus is dedicated to advancing and innovating the art form of circus. They are one of the world’s leading youth arts companies, both a celebrated producer of contemporary circus-based theatre for young people and a national centre of arts training excellence.

Transfer buses leave AEC from Swift Street from 5.15pm and will loop back to Dean Street at 7.30pm for those wishing to dine locally. A list of available restaurants is on the website and it is strongly suggested you book to secure a table.

A Night on the Green Conference Dinner

Sponsored by StateCover Mutual Limited



Monday 22 October, doors open at 7.30pm

Marquee QE11 Square

Dress Code: after five

Cost \$110

Allocated seating required; register as part of the conference registration process. If you require a dinner transfer from selected hotels, please book online in the registration.

Join us on the green of QE11 Square, under the stars, for a tasteful gala dinner, brought to you with the assistance of Elite Sponsor StateCover.

Be entertained by the unmissable concert from Johnny to Jack. Twenty years before Whispering Jack became the highest selling album in Australian history, a teenager named Johnny Farnham stormed onto the Australian music scene with the unconventional smash hit Sadie (The Cleaning Lady). From Johnny to Jack is the incredible rollercoaster journey of a teen pop idol’s rise and fall, and the making of a rock and roll icon who would become known as ‘The Voice’.

Australian vocal superstar Luke Kennedy (The Voice, The Ten Tenors, Swing On This) and his world-class band will take you on a musical odyssey featuring songs from Farnham’s sensational back catalogue.



Noreuil Park Foreshore

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ALGWA Breakfast



Tuesday 23 October, 7.15am for 7.30am start – 8.45am
Retro Lane Café, QEII Square, 525 Swift Street
Register as part of the conference registration process
Cost \$55

**Special Guest Speaker Sarah Garnett,
Founder of The Benjamin Andrew Footpath Library**

Sarah Garnett is a corporate communications producer and founder of The Benjamin Andrew Footpath Library, a charity which grew from her passion for human diversity and the desire to change attitudes towards homelessness. The Footpath Library gives away thousands of books each month to homeless and disadvantaged people across Sydney, Melbourne, Brisbane and Perth. There is no other library like it anywhere in the world. The free, mobile library collaborates with other community-based providers including Orange Sky Laundry and Vinnies Night Patrol, making it a truly unique service.

Service Awards and the AR Bluett Awards



Outstanding Service and Emeritus Mayor Awards will be presented during the conference dinner to those who have given outstanding service to local government. To enable the processing of awards, councils are asked to advise LGNSW whether or not nominees for the award will be attending the conference and purchasing tickets. The deadline for applications for awards to be presented at the conference is Monday 27 August 2018.

A letter confirming the presentation will be sent to your general manager. If you do not receive confirmation by Monday 10 September, please contact Karen Rolls at LGNSW on 02 9242 4050.

The online nomination form can be found on [LGNSW's website](#).

The AR Bluett Memorial Trustees will also present the prestigious AR Bluett Awards during the dinner program to two councils that have been recognised as the most progressive in NSW in 2017/18.

Partner's Optional Activities

Albury City Tour

Sunday 21 October, 10.00am – 12 noon

Departs and returns to Albury Entertainment Centre

Cost \$20 per person

Enjoy a guided coach tour of the beautiful city of Albury including the Murray River precinct, the WWI Monument and the grand architecture of Dean Street, the Albury Railway Station and other local highlights of historic and contemporary significance.

Minimum numbers apply for tour (maximum 48).



Albury City

Yindymarra Sculpture Walk and Wonga Wetlands

Monday 22 October, 9.30am – 1.00pm

Departs and returns to Albury Entertainment Centre

Cost \$45 per person including lunch

Take in the beauty of the majestic Murray River when you walk the Yindymarra Sculpture Trail. You will be guided by an expert in Wiradjuri culture highlighting some of the magnificent river related sculptures as you wind your way between river and wetlands. Discover Wonga Wetlands, a peaceful ecosystem of lagoons and billabongs, home to variety of wildlife and ancient river red gums. Enjoy a BBQ lunch, a presentation and walk around the wetlands before returning to central Albury.

Minimum numbers apply for tour (maximum 48). Please note any special dietary requirements in the online registration. Walking shoes recommended.



Yindymarra Sculpture Walk

Corowa full day tour

Monday 22 October, 9.30am – 3.30pm

Departs and returns to Albury Entertainment Centre

Cost \$50 per person (lunch additional)

On the way to the riverside town of Corowa, enjoy a stop off at Wrenwood Gallery and Farm Shop to take in the variety of artworks, farm and home produce. On arrival to Corowa, experience the delicious treats at the Corowa Chocolate and Whisky Factory, purchase your own lunch here, and enjoy a factory tour and chocolate tasting. After lunch, visit the Federation Museum and learn about the birthplace of Federation before returning to central Albury.

Minimum numbers apply for tour (maximum 48). Please note any special dietary requirements in the online registration.

Accommodation

In line with our sustainability principles, and due to the fact that Albury has a great deal of accommodation within walking distance of the main venue, daily transfers will not be provided. LGNSW encourages delegates to take advantage of the CBD options. To book accommodation, see [Visit Albury Wodonga](#).

Free all day parking is available at the Wilson Street car park across from the conference venue.

Child Care Arrangements

If delegates require childcare facilities in order to attend the conference or social programs, contact the Albury Visitor Information Centre on 1300 252 879 or visit info@visitalburywodonga.com to connect with local providers.

Environmental Sustainability Commitment

LGNSW is committed to ensuring the LGNSW Annual Conference 2018 is organised and conducted in a sustainable manner to reduce the impact on the planet. The event will adhere to LGNSW Principles and Guidelines for Event Sustainability.

Sponsorships and Partnerships

If you are interested in sponsoring the conference, giving support or taking part in our trade display, please contact the Conference Secretariat, Bradley Hayden, Countrywide Conference and Event Management at bradley@csem.com.au.



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Elite Sponsor



Premier Sponsor



Planning Sponsor



Distinguished Sponsors



Delegates Lounge



Exclusive Coffee Cart Sponsor



Valued Sponsors



Attachment 2



Local Government NSW Annual Conference 2018

Sunday 21 – Tuesday 23 October 2018

Main conference venue is Albury Entertainment Centre, QE11 Square, Swift Street, Albury

This program is correct at the time of publication; speakers and program details may have changed due to unforeseen circumstances.

DRAFT PROGRAM (as of 13 July 2018)

SUNDAY 21 October	
10.00am – 4.00pm	Bump in sponsors to set up trade exhibition Partners tour program on the website
1.00pm – 4.30pm	Registration opens in Albury Convention Centre foyer
2.00pm – 4.00pm	Workshop 1 - AR Bluett Award winning councils in 2016 and 2017, a special presentation in Convention Centre Theatre Level 1
2.00pm – 3.00pm	Workshop 2a) Elected Members: Update on Legal Responsibilities, Retro Lane Café, QE11 Square, 525 Swift Street
3.00pm – 4.00pm	Workshop 2b) Elected Members: Developing Capabilities, Retro Lane Café, QE11 Square, 525 Swift Street
Transfer bus loop from 5.15pm	Bus will loop from main conference venue in QE11 Square to Noreuil Park Registration opens at this event
5.30pm – 7.30pm	President's Opening Ceremony followed by Welcome Reception at Noreuil Park Foreshore, Noreuil Parade Albury (off Wodonga Place). This is an outdoor event. Welcome to Country Welcome from the Mayor of Albury Welcome from LGNSW President, Cr Linda Scott Address from Welcome Reception Sponsor, NSW Department of Planning and Environment
Monday 22 October 2018 – Business Session Day 1 / AEC Theatre and Convention Centre	
7.30am – 5.00pm	Registrations open in Albury Convention Centre
8.15am – 9.00am	Distribution of voting materials and electronic handsets Trade exhibition opens in Albury Convention Centre
9.15am – 9.45am	Address from The Hon Gladys Berejiklian MP , Premier of NSW
9.45am – 11.00am	Address from Cr Linda Scott , LGNSW President Opening of the Federal Conference, chaired by Cr Linda Scott including demonstration of voting units, adoption of standing orders, presentation of the auditor's report, general financial report and operating report to members Business session and consideration of motions

	Opening of the State Conference, chaired by Cr Linda Scott including adoption of standing orders. Presentation of the auditor's report, general financial and operating report to members
	Business sessions and consideration of motions
11.00am – 11.30am	Morning tea in trade exhibition area in Albury Convention Centre, sponsored by Local Government Super
11.30am – 1.00pm	Consideration of conference business continued, chaired by the President
1.00pm – 2.00pm	Lunch in trade exhibition, sponsored by Local Government Super General Managers Lunch at the Retro Lane Café, QEII Square, 525 Swift Street, sponsored by StateCover: a short update from StateCover, Local Government Super and LGP (on best practice procurement)
2.00pm – 3.30pm	Consideration of conference business continued, chaired by the President
3.30pm – 4.00pm	Afternoon tea in trade exhibition area, sponsored by Local Government Super
4.00pm – 4.30pm	Address from the Hon Gabrielle Upton MP , Minister for Local Government
4.30pm – 5.00pm	Consideration of conference business continued, chaired by the President Collection of all electronic handsets and motions voting cards Conference business session closes
5.00pm – 6.00pm	Delegate networking function in trade exhibition area
6.00pm	Trade exhibition closes
7.30pm – 11.00pm	Conference Dinner, Marquee QEII Square
7.30pm	Doors open
7.45pm	Delegates seated and entrée served
8.00pm	LGNSW President introduces Elite Sponsor, StateCover Mutual Limited
8.10pm	LGNSW President and Elite Sponsor present the AR Bluett Awards, Outstanding Service Awards and Executive Certificates for elected members
8.35pm	Main course served
9.35pm	Entertainment and dancing
11.00pm	Close
Tuesday 23 October 2018 – Business Session Day 2 AEC Theatre and Convention Centre	
7.30am – 5.00pm	Registration opens
7.30am – 8.45am	Australian Local Government Women's Association (ALGWA NSW) Breakfast Retro Lane Café, QEII Square, 525 Swift Street. Special Guest Speaker: Sarah Garnett , Founder, The Footpath Library
8.15am – 4.00pm	Trade exhibition opens in Albury Convention Centre
9.00am – 9.05am	Introduction by Ms Ellen Fanning , Master of Ceremonies

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9.05am – 9.20am	Address from The Hon Dr John McVeigh MP , Federal Minister for Local Government (invited)
9.20am – 9.30am	Facilitated questions from the conference to the Federal Minister for Local Government
9.30am – 9.35am	Short address from Premier Sponsor, Office of the NSW Small Business Commissioner & Service NSW
9.35am – 9.50am	Address from Mr Stephen Jones , Federal Shadow Minister for Local Government
9.50am – 10.00am	Facilitated questions from the conference to the Federal Shadow Minister
10.00am – 10.05am	Short address/video from Distinguished Sponsor, Local Government Super
10.05am – 10.20am	Address from Cr Linda Scott , LGNSW President, on Association Initiatives
10.20am – 10.30am	Treasurer’s Report
10.30am – 11.00am	Morning tea in trade exhibition area, sponsored by Environment Protection Authority
11.10am – 12.45pm	Smart Places
11.15am – 11.40am	Facilitated by Simon Hunter , Executive Director, Strategy and Planning, Infrastructure NSW
11.40am – 12.05pm	<ul style="list-style-type: none"> Smart cities and towns: what, why and how? – Adam Beck, Executive Director, Smart Cities Council Australia New Zealand
12.05pm – 12.30pm	<ul style="list-style-type: none"> Smart data: what local government needs to know to thrive – Geof Heydon, Associate at Creatortech and Chair of Platforms and Interoperability at the Internet of Things Alliance Australia
12.30pm – 12.45pm	<ul style="list-style-type: none"> How to implement smart strategies to give your residents better options – Chris Isles, Executive Director of planning, Place Design Group
12.45pm – 1.30pm	Lunch in the trade exhibition area, sponsored by Environment Protection Authority
1.30pm – 2.00pm	The Hon Robert Stokes MP , Minister for Education, will launch the Joint Use Project initiative (invited)
2.05pm – 2.20pm	Address to be advised
2.20pm – 2.35pm	Facilitated questions from the audience to the Minister for Local Government
2.35pm – 2.40pm	Short address/video from Distinguished Sponsor, Environment Protection Authority
2.40pm – 2.55pm	Address from The Hon Peter Primrose MLC , Shadow Minister for Local Government
2.55pm – 3.10pm	Facilitated questions from the audience to the Shadow Minister for Local Government

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Attachment 3

3.10pm – 4.00pm	Keynote address: Stephen Bradbury
4.00pm – 4.30pm	Afternoon tea and delegate networking function in trade exhibition area
Close of Conference	

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Attachment 3

9.2 Delivery Program/Operational Plan Report - April to June 2018

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

CSP Strategy: 4.3 Council and the community working together

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

Item 9.2

Summary

This report provides an update on progress of the 2017-21 Delivery Program and the 2017-18 Operational Plan for the period 1 April to 30 June 2018.

Finance

As per approved 2017-18 budget

Policy

Local Government Act 1993

Communication/Community Engagement

The Delivery Program 2017-21 and Operational Plan 2017-18 were developed following engagement with the community and were adopted after being placed on public exhibition for 28 days.

Attachments

- 1 Delivery Program 2017-21 and Operational Plan 2017-18 Quarterly Report April to June 2018 [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council receives the Delivery Program 2017-21 and Operational Plan 2017-18 progress report for the period April to June 2018.

BACKGROUND

In accordance with the Local Government Act 1993, this Delivery Program and Operational Plan Progress Report provides Councillors and the community with a tool for measuring progress towards the adopted strategies of Council's four-year Delivery Program, and ten-year Community Strategic Plan.



Report of the General Manager

9.2 Delivery Program/Operational Plan Report - April to June 2018 (cont)

This report provides the status of the Operational Plan/Delivery Program for the second half of the 2017-18 financial year. The Operational Plan contains 170 actions and activities, and as at 30 June 2018 the status of these are:


Status	No.
Completed	133
Progressing	28
Not due this quarter	6
Behind target	3

The following Operational Plan activities are currently behind target:

Action Code	Action Name	Performance Measure	Progress	Comments	Responsible Officer Position	Status
4.2.2.5	Develop and promote supported employment placements for people with a disability to develop work skills in Council operations and services	Supported employment placement protocol for people with a disability is endorsed by MANEX	75%	Item to be reviewed by Manex to identify what opportunities may be available.	Human Resources Coordinator	Behind target 
4.3.1.9	Revise Council's website to WCAG 2.0 standard	Website assessed and improvement plan completed	75%	In June an accessibility audit was carried out on Council's website. The audit comprised three stages; audit, Web Content Accessibility Guidelines (WCAG 2.0) certification and PDF accessibility. The site achieved a 74% WCAG compliance score. Staff have undergone training and it is expected that all accessibility issues will be fixed by the end of 2018, when the site will be re-tested.	Communications Officer 01	Behind target 

Report of the General Manager

9.2 Delivery Program/Operational Plan Report - April to June 2018 (cont)

Action Code	Action Name	Performance Measure	Progress	Comments	Responsible Officer Position	Status
4.3.1.10	Provide easy read versions of Council's forms and information documents to effectively respond to enquiries	Priority items identified and format adaption program implemented for Plain English, easy read and low vision readability versions.	50%	During the quarter, a design project to overhaul Council's stationery, forms and correspondence began. The project goal is to achieve consistent branding, provide customers with quality and Plain English information, and satisfy privacy legislation.	Communications Officer 01	Behind target 

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There were a number of significant outcomes during the second half of the 2017-18 financial year, including:

- Blue Haven Care residential care facility underwent an on-site audit in early June. The facility met all 44 expected outcomes across the four standards of accreditation.
- The Intergen 'Munch Out' program was nominated for the 'Best Community Development Program' in the NSW Local Government Awards.
- The SENTRAL Intergen 'Munch Out' recipe book was launched at the Farmers Markets during Youth Week, with over 100 copies sold.
- Blue Haven volunteer program enjoyed the support of 115 active volunteers.
- Consultants have been engaged to develop concept plans for a multi-function arts centre. Funding will continue to be sought to progress this development.
- Blue Haven volunteer annual acknowledgement event was held in May.
- The library held 22 events this quarter, with the Readers Festival attracting 1,400 attendees.
- Kiama Library provided 1,286 hours of internet access for community users.
- The existing museum structure at Gerringong has been removed and relocated, adjacent to the existing Men's Shed.
- SENTRAL Youth Services continue to deliver a range of health and wellbeing programs for young people, including an Aboriginal Culture and Sports day, fitness and yoga programs, Young Men's program, the Youth Week Cup and Munch Out, with over 215 young people being involved this quarter.

Report of the General Manager

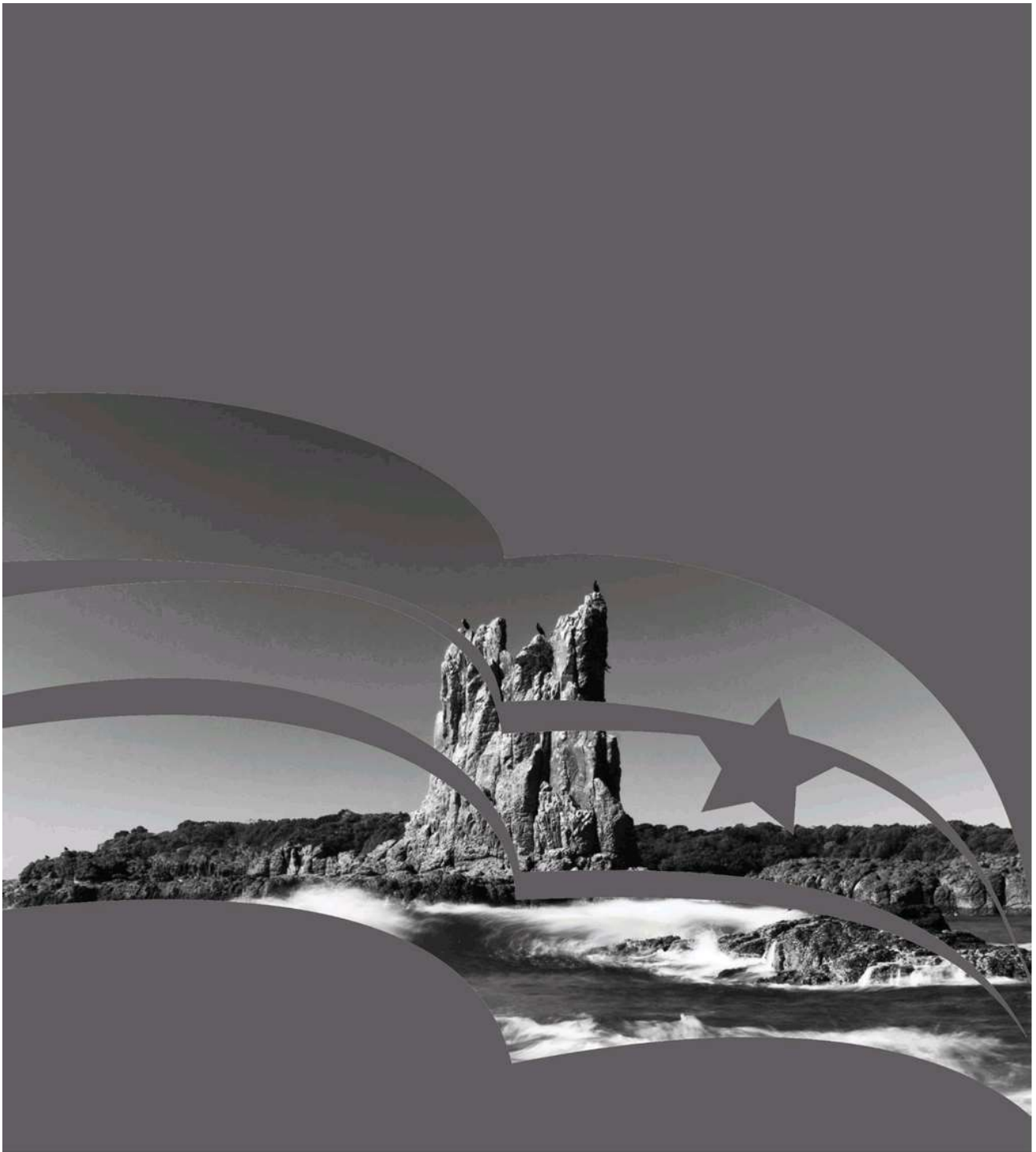
9.2 Delivery Program/Operational Plan Report - April to June 2018 (cont)

- SENTRAL continued to provide one-on-one counselling, including suicide intervention, referrals to specific youth services and provided written and verbal information on youth issues.
- A review of the Kiama Health Plan was completed with the final report being endorsed by Council.
- The Draft Kiama Health Plan 2018-21 was circulated to the Health and Sustainability Committee, with the intent to finalise the Plan later in 2018.
- Eleven sessions of Healthy Cooking for Solo Seniors were completed.
- Round one of the Community Gardens grants has been completed.
- A Health and Sustainability newsletter was circulated during the quarter and a series of World Environment Day workshops were completed.
- Kiama's Health Promotions Officer presented at the NSW Planning for Active and Health Communities conference, which was held at Shoalhaven City Council.
- The floor of the Leisure Centre hall was resurfaced during the quarter and other capital projects completed including the refurbishment of the second family change-room. New diving blocks have been ordered, with installation programmed for August 2018.
- Jamberoo Pool remains closed during this winter quarter, with programmed maintenance and capital works completed, including installation of a new shade sail and partial replacement of the concourse around the main pool.
- Work is nearing completion on the number 2 Leisure Centre car park.
- Construction of the Kiama Aged Care Centre of Excellence continued during the quarter, with basement slabs laid for the independent living units and community services offices. Stormwater detention tanks have been installed and excavation continues for the aged care facility.
- 171 food shop inspections and 22 temporary food stall inspections were undertaken during the quarter.
- 199 swimming pool inspections were undertaken during the quarter, in accordance with the Swimming Pool Barrier Inspection Program.
- Thirty dogs were collected and returned directly to their owners during the quarter. Seven dogs were impounded, with 6 released to owners and 1 retained for rehoming.
- 45 parking complaints were received and investigated, with 3 abandoned vehicles reporting during the quarter.
- 165 parking patrols were undertaken, with 194 infringements issued.
- 32 environmental complaints were received and investigated within 48 hours.
- The Town Centre Brief was finalised and is ready to go out for expressions of interest in the new financial year.

Report of the General Manager

9.2 Delivery Program/Operational Plan Report - April to June 2018 (cont)

- Six Development Application referrals were made to Council's Heritage Advisor for assessment.
- Leachate remediation pumps were commissioned at Minnamurra Landfill site during the quarter.
- Further weed control and planting out of the Gainsborough Coral Tree site was undertaken.
- Council has accepted funding from the Office of Environment and Heritage to undertake the development of a coastal management program for the Kiama Local Government Area over the next 3 years.
- Two biodiversity education workshops were completed this quarter as part of World Environment Day 2018.
- 67 Tree Management Applications were received, with 92 customer action requests received relating to trees.
- 26 reports were received relating to illegal dumping in the Kiama area, this is down 35% on the same period in 2017.
- 2018-20 Waste Services calendars were distributed to 11,000 urban and rural households.
- Three Kiama Small Business Workshop were held, with approximately 50 businesses undertaking professional development and training.
- Council's Economic Development Manager assisted with 15 enquiries relating to proposed new businesses within the area.
- The Pavilion held 74 events in this reporting period.
- Fees and Charges for 2018-19 were adopted by Council in June, following a period of public exhibition.
- The Operational Plan for 2018-19 was adopted in June and submitted to the Office of Local Government within the prescribed time.
- Annual staff competency and performance reviews were completed this quarter.
- Seventy staff members completed Privacy Awareness training this quarter.
- An accessibility audit was undertaken on Council's website, resulting in 74% Web Content Accessibility Guidelines (WCAG) compliance.
- Weekly Kimunico newsletter continued to be produced and delivered to 8,200 households.
- 246 media stories covered Council's activities during the period.



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Attachment 1

Kiama Council

Delivery Program 2017-21 & Operational Plan 2017-18
Quarterly Report April to June 2018



Enquiries may be made to:

The General Manager
Kiama Municipal Council
PO Box 75
Kiama NSW 2533

Telephone: (02) 4232 0444

Facsimile: (02) 4232 0555

Email: council@kiama.nsw.gov.au www.kiama.nsw.gov.au

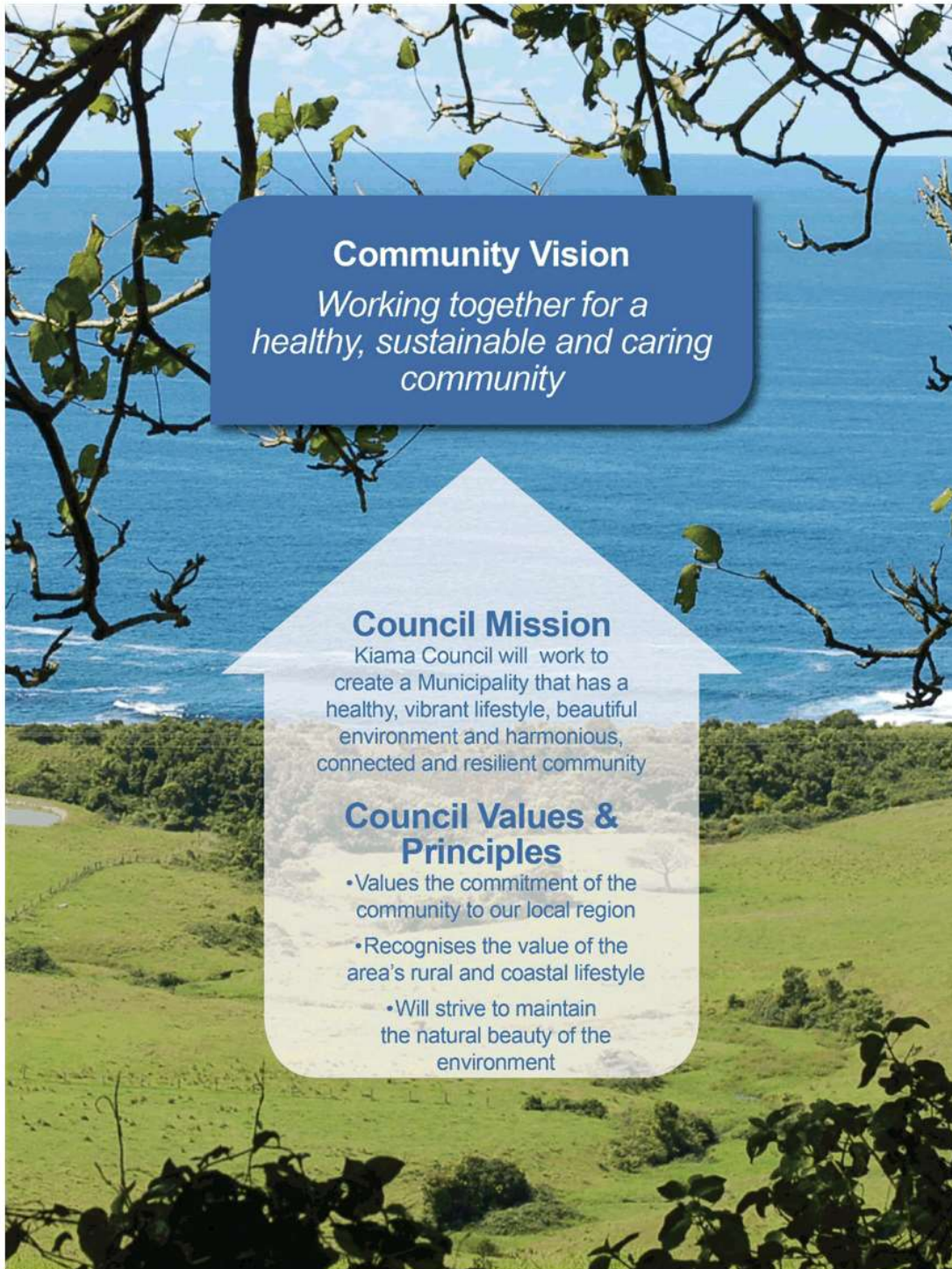
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Attachment 1

Vision, Mission, Values & Principles



Introduction

The **Operational Plan 2017-18** is our annual action plan. It outlines the services, programs events, facilities and infrastructure we will provide and maintain for the 2017-18 financial year, to work towards the commitments made in the four-year *Delivery program 2017-21*.

The Delivery Program details a broad plan for the principal activities we will undertake to implement the strategies established by the **Kiama Community Strategic Plan 2017-2027**.

This Quarterly Review of the Operational Plan/Biannual Review of the Delivery Program is an opportunity to report to the community on how our services and activities are meeting our community's expectations.



Our Objectives

To achieve our vision of Working together for a healthy, sustainable and caring community we will focus on these objectives over the next ten years.

1.0 A Healthy, Safe and Inclusive Community

2.0 Well Planned and Managed Spaces, Places and Environment

3.0 A Diverse, Thriving Economy

4.0 Responsible Civic Leadership that is Transparent, Innovative and Accessible

Overall Performance Summary

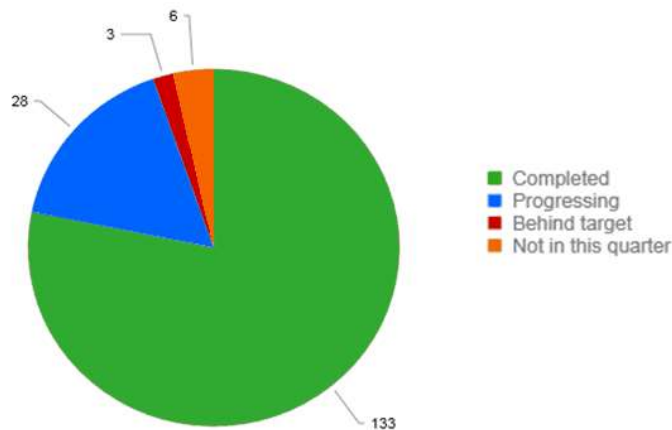
Kiama's 10-year *Community Strategic Plan* reflects the community's long-term priorities and aspirations for the future.

Our Delivery Program sets out a four-year plan to respond to and meet the community's long-term vision and objectives included in this *Community Strategic Plan*.

The annual Operational Plan is a sub-plan of the Delivery Program and sets out the activities and services to be undertaken in each year of the Delivery Program.

To meet legislative requirements, Kiama Council reports biannually against actions contained in its Delivery Program to monitor progress and effectiveness and quarterly on the progress of its Operational Plan.

Below is a progress summary of Council's overall performance as at 30 June 2018 in progressing towards the targets in the *Operational Plan 2017-18*.





A healthy, safe and inclusive community

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Attachment 1

- 1.0: A Healthy, Safe and Inclusive Community**
- 1.1: Developing and implementing services and programs that promote social cohesion, healthy and active lifestyles for residents of all ages, abilities and interests**
- 1.1.1: Improving the liveability of Kiama for those with diverse backgrounds and abilities**


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.1.1	Monitor and improve accessibility within the Municipality	Access Committee regularly advises Council on accessibility issues, infrastructure and developments		100%	100%	Access Committee has met five times in this financial year and addressed 32 issues.	Manager Community & Cultural Development	Completed 
1.1.1.2	Encourage, develop and acknowledge volunteers	Timebanking program set up and promoted		100%	100%	Timebanking is well established in Kiama now, and continues to be promoted with new members joining regularly.	Manager Community & Cultural Development	Completed 
		Annual volunteer acknowledgement event conducted		Completed in May 2018		The annual Blue Haven Care volunteer acknowledgement event was held on Friday 25 May. Blue Haven currently enjoys the support of 115 active volunteers.		
		Blue Haven volunteer program meets supply and demand within regulatory change		Currently have 115 volunteers				

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.1.3	Support Age/Disability sector development	Grant funding received and activity plan targets met	100%	100%	100%		Manager Community & Cultural Development	Completed 
1.1.1.4	Maintain currency of information about the accessibility of Council's public toilets, on the National Public Toilets Register	National Public Toilet Register is kept up to date		100%	100%		Manager Community & Cultural Development	Completed 
1.1.1.5	Assist local businesses and commercial facility owners to identify and address existing barriers to access or use of their business by people with a range of abilities.	Include at least 2 articles in newsletters on the topic		100%	100%		Manager Community & Cultural Development	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.1.6	Work with local business networks to provide training and resource support to develop and promote Kiama as an outstanding accessible community and holiday venue for people with disability.	3 speaker presentations undertaken.		100%	100%		Manager Community & Cultural Development	Completed 
1.1.1.7	Allocate an accessibility budget to support access resources and assistance to ensure maximum opportunity for all residents to genuinely participate in Council functions, consultations,	Annual budget fully expended to assist accessibility of Council's community events and communication.		50%	50%		Manager Community & Cultural Development	Progressing 




Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.1.8	Support the Dementia Friendly Kiama Project	Activities of the Projects Action Plan are implemented, subject to funding		100%	100%		Manager Community & Cultural Development	Completed 

1.1.2: Work collaboratively with the Aboriginal community

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.2.1	Undertake initiatives to engage with Aboriginal community members	Number of events and liaison activities undertaken per year		100%	100%		Manager Community & Cultural Development	Completed 

1.1.3: Provide and promote cultural and artistic activities and programs





Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.3.1	Undertake activities that promote cultural diversity	At least 2 events held		NAIDOC Week	100%	Support provided to Council Aboriginal Liaison Officer for National Aboriginal Islander Day Observance Committee (NAIDOC) Week exhibition at the Old Fire Station. Preparation work undertaken for Regional NAIDOC Awards which will be held in July with Kiama Council hosting.	Community and Cultural Development Officer	Completed 
1.1.3.2	Undertake activities that support the 'Build' strategy identified in Council's BISI cultural planning document	Plans are developed and finalised for a multi-function arts centre in Kiama Funding is sought to progress the development of the new arts centre		Plans at concept level Second Regional Cultural Fund application to be submitted	50%	Consultants are currently being engaged to build concept plans to Development Application level. A second round of the Regional Cultural Fund has been announced and an application will be submitted in September 2018.	Community and Cultural Development Officer	Progressing 




Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.3.3	Undertake activities that support the 'Integrate' strategy identified in Council's BISI cultural planning document	The Music in the Park program is evaluated against contract		100%	100%		Community and Cultural Development Officer	Completed 
		6 Cultural Board meetings are held each year		6 meetings held				
1.1.3.4	Undertake activities that support the 'Sustain' strategy identified in Council's BISI cultural planning document	Nominations are called for the Arts Honour Roll		Nomination round completed with two nominations received	100%		Community and Cultural Development Officer	Completed 
		Arts Biz Conference held bi-annually		Conference changed to an annual program, one workshop held				
		4 Artists Gatherings held		Two Artist Gatherings held				
1.1.3.5	Undertake activities that support the 'Invest' strategy identified in	2 new pieces of permanent, temporary or ephemeral public art are		100%	100%		Community and Cultural Development Officer	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	Council's BISI cultural planning document	installed in the Kiama LGA						
		5 new artists added to 'Weave' directory						
		Two rounds of the Kiama Cultural Grants are held and projects funded.						
		'Weave' directory promoted in local businesses and in tourism magazine						

1.1.4: Provide a range of library resources and services that support our community in recreational and lifelong learning


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.4.1	Manage Library and Family History Centre programs	Number of programs provided	10 programs	22 programs with 1,400 attending	100%	22 events were held during the last quarter, including the Kiama Readers Festival with 1,400 people attending. The 'Paws'n'tales'	Manager Library Services	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.4.2	Manage Library and Family History Centre customer services	Number of enquiries satisfied	100%	100%	100%	sessions have resumed, providing early literacy support for children in our community as they read to a dog and trained volunteer.	Manager Library Services	Completed 
1.1.4.3	Manage Library and Family History Centre loans	Number of loans processed	29,604 issues Kiama and 1,009 Gerringong	29,604 issues Kiama and 1,009 Gerringong	100%	29,604 loans processed at Kiama and 1,009 at Gerringong	Manager Library Services	Completed 
1.1.4.4	Manage literacy programs	Number of literacy programs provided	100%	100%	100%	'Paws'n'tales' program started another Term with 8 sessions held and 4 participants attending each session. Evaluations have been completed and participants' parents and all attendees felt reading skills had improved.	Manager Library Services	Completed 
1.1.4.5	Manage Library and Family History Centre	Number of internet access	100%	100%	100%	1,286 internet hours for the Kiama Library PCs during the last quarter. We are unable to collect	Manager Library Services	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.4.6	Identify opportunities and implement changes to improve disability access and inclusion in facilities and services	2 plus changes completed per annum		Sign language session continue at Story Time sessions	100%	No actions this quarter.	Manager Library Services	Completed 
1.1.4.7	Oversee construction of new Gerringong Library building	Stages of Building Construction Program completed on time and on budget		25%	25%	Existing museum structure has been removed and relocated adjacent to the existing Men's Shed. Project manager to be engaged to oversee the works.	Director Engineering & Works	Progressing 
1.1.4.8	Manage Gerringong Library opening event	Number collaborative meetings with Gerringong Historical Society Transition plan implemented		1 meeting held	50%		Manager Library Services	Progressing 


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.5: Facilitate sport and health related facilities and programs								
1.1.5.1	Implement a range of health and wellbeing programs for young people	80% of program participants report in their evaluations that they feel more confident about their wellbeing having participated in the program		90%	100%	There were a lot of highlight during this period including the release of the SENTRAL InterGen Munch Out Recipe Book featuring recipes from the InterGen Munch Out program. This book was launched at the Farmers Markets during Youth Week, with over 100 copies sold. The program was nominated for the 'Best Community Development Program' in the NSW Local Government Awards, only one of six throughout the state. The Munch Out program also allowed SENTRAL to continue to work with Kiama High School. We have been given a 'classroom' to store gym	Senior Youth Worker	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.5.2	Review the Kiama Health Plan and incorporate strategies into Councils Integrated Planning and Reporting (IP&R) Framework	Review completed with revised strategies ready for incorporation into Council's IP&R for operational year 18/19.		100%	100%	Review of the Kiama Health Plan was completed and the final report endorsed by Council. Draft Kiama Health Plan (2018-21) was written and circulated to Health and Sustainability Committee (to be	Health Promotion Officer	Completed 




Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.5.3	Implement the strategies of the Kiama Health Plan	Minimum of 2 activities are implemented to engage and educate members of the community on healthy, affordable and sustainable food and gardening practices. Minimum of 2 activities are implemented to engage with and educate the community on leading an active, healthy, and		9 activities completed 1 activity completed	100%	finalised by Sep 2018). Revised strategies have been included in the 2018-19 Operational Plan and new strategies will be incorporated into the 2019- 20 Operational Plan. Eleven sessions of Healthy Cooking for solo seniors was completed (8 cooking classes and 4 other activities) Round 3 of the Health and Sustainability Grants preparation begun (to be completed Quarter1 2018-19). Round 1 of the Community Gardens Grants has been completed. Planning for an outdoor fitness program continued. Planning for NSW Bike week commenced.	Health Promotion Officer	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.5.4	Undertake planned program of maintenance to ensure the Leisure centre and Jamberoo pool facilities are maintained to required standards	sustainable lifestyle.				One Health and Sustainability newsletter was circulated.		
		Minimum of 4 activities are implemented to promote Council and community health and sustainability events, information and activities.		1 activity completed		One World Environment Day workshop was completed. Two Health and Sustainability Committee meetings were held. Planning for Fair Food Week 2018 commenced (event to be held Oct). Presentation at Planning for Active and Healthy Communities conference		
		New Residents Kit is updated and distributed throughout year						
		Leisure centre and Jamberoo pool programmed maintenance is completed within budget		Achieved	100%	Daily, weekly and monthly planned maintenance completed for Leisure Centre Jamberoo pool is closed this period.	Leisure Centre Manager	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.5.5	Undertake planned program of improvements and renewal to ensure the Leisure Centre and Jamberoo pool facilities are maintained to required standards	Leisure Centre and Jamberoo pool capital works are completed within budget		Achieved	90%	Hall floor resurfacing was completed with excellent results. The hall was re-opened 28/5/2018. Other capital projects completed in this quarter included, refurbishment of 2nd Family change-room, Leisure Centre HVAC System - Air Exchange Unit, Titanium Coils and Ducting Renewal, Plant Room Electrical Switch Board Replacement, Diving Blocks Replacement (Ordered and to be installed Aug 2018). Remaining capital works program for Jamberoo Pool was due to commence after the pool closed 2/4/18. These works included, partial replacement of concourse around main pool, installation of shade sail, new seat and repairs and railings and building. All work was completed within budget.	Leisure Centre Manager	Completed 


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.5.6	Ensure effective operations of Leisure centre and Jamberoo Pool to meet community needs	Maintain Leisure Centre and Jamberoo pool operations with budget		Achieved	100%	The Outdoor fitness area Plan and scope of works is to be redesigned and rolled into 2018-19 budget. This is to allow for car parking considerations that are an ongoing issue in the Quarry sports complex. Leisure centre and Jamberoo pool's operation have been maintained within the approved budget	Leisure Centre Manager	Completed 
1.1.5.7	Identify opportunities and implement changes to improve disability access and inclusion in facilities and services	2 + changes completed per annum	2 per annum	Achieved	100%	Leisure Centre- Upgrade works to 2nd Access / Family change room has been completed within budget. All other accessibility facilities are being maintained within the weekly work schedules. The new Jamberoo Pool access chair lift is fully operational and in use from 23/12/17.	Leisure Centre Manager	Completed 


1.1.6: Manage footpath and cycleway infrastructure and assets

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.6.1	Manage footpath and cycleway asset renewals	Percentage renewal program completed		100%	100%	All footpaths and cycleways have been maintained in accordance with the current renewals workplan.	Director Engineering & Works	Completed 
		Percentage of renewal budget expended		100%				
1.1.6.2	Manage new footpath and cycleway asset creation	Percentage of new asset program completed		100%	100%	All new footpaths and cycleways have been constructed in accordance with the approved capital works program.	Director Engineering & Works	Completed 
		Percentage of new asset budget expended		100%				
1.1.6.3	Implement maintenance program for footpath and cycleway infrastructure and assets.	Percentage of Unscheduled Maintenance Budget expended		100%	100%	All footpaths and cycleway have been maintained in accordance with the workplan. All Customer Requests for footpath/cycleway repairs have been addressed within the required timeframe	Director Engineering & Works	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.6.4	Consult with people with a range of disability types to establish priorities within Council's pathway management plan	Annual review of pathways planning invites input from Council's Access Committee		100%	100%	Pram/Disable ramps were constructed as identified.	Director Engineering & Works	Completed 
1.1.6.5	Identify and prepare cycleway funding applications	Lodgement of applications for external grant funding for cycleways.		100%	100%		Manager Design and Development	Completed 
1.1.6.6	Process access driveway permits	Driveway access inspections carried out within 48 hours		100%	100%	All driveway access inspections completed within 48 hours of notification.	Manager Design and Development	Completed 

1.1.7: Manage recreation and open space infrastructure to cater for current and future generations

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.1.7.1	Manage recreation and open space renewals	Percentage renewal program completed		100%	100%	Reserves and open space have been maintained in	Director Engineering & Works	Completed 



Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
		Percentage of renewal budget expended		100%		accordance with the work plan.		
1.1.7.2	Manage new recreation and open space asset creation	Percentage of new asset program completed		100%	100%	Work is nearing completion on the No 2 Leisure centre carpark. All other work has been completed in accordance with the approved capital works program.	Director Engineering & Works	Completed 
		Percentage of new asset budget expended		100%				
1.1.7.3	Implement maintenance program for recreation and open space infrastructure.	Percentage of Unscheduled Maintenance Budget expended		100%	100%	Maintenance of all recreation and open space infrastructure has been completed. All Customer Requests have been actioned and rectified.	Director Engineering & Works	Completed 
1.1.7.4	Improve accessibility of recreational facilities including wheelchair access to seating, shaded areas, outdoor	Where facilities are to be upgraded or new facilities provided, the plan for these facilities are tabled at Access Committee for		completed	100%	Jamberoo Pool refurbishment completed and is fully accessible with new ramps, amenities facilities and pool access lift installed.	Manager Design and Development	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	exercise and play equipment	comment with the feedback incorporated into the 4-year work program						

1.2: Planning for and assisting specific needs groups

1.2.1: Operate Blue Haven Care

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.2.1.1	Provide support services through the Community Care Support Program to enable young people with a disability to live independently across the Shoalhaven, Kiama, Shellharbour and Wollongong LGAs.	Meet contractual requirements of all programs – Home Maintenance, Personal Care, Social Support, Domestic Assistance and Respite	100%	100%	100%	All clients have been transitioned out of this program as funding ceased on 30/06/18. Twenty-one clients continue to receive support from Blue Haven Care through their NDIS package. There was no reporting requirement for the Community Care Support Program (CCSP) in this period.	Community Programs Manager	Completed 
1.2.1.2	Provide support services through the Community Care Support	Meet contractual requirements of Case	100%	100%	100%	All required clients have transitioned to the National Disability Insurance Scheme	Community Programs Manager	Completed 


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	Program to enable young people with a disability to live independently across the Shoalhaven, Kiama, Shellharbour and Wollongong LGAs.	Management service until NDIS takes effect.				(NDIS). This program no longer provides Case Management as all funding has ceased. There was no reporting requirement in this period.		
1.2.1.3	Attain recognised certification of Third Party Verification for the Community Care Support Program	Quality standards and systems are aligned with NSW Disability Standards Unit costs aligned with National Disability Insurance Agency Pricing Guide		100%	100%		Community Programs Manager	Completed 
1.2.1.4	Provide grant-funded group and individual transport to targeted service users	Meet contractual requirements to maintain community transport funding		2,157	100%	CTABS new software system has been implemented and has taken some adjustment, but staff and volunteers are becoming more comfortable with using	Community Programs Manager	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.2.1.5	Provide Consumer-directed Care Commonwealth Home Care Packages to eligible people across Shoalhaven, Kiama, Shellharbour and Wollongong LGAs	100% of funded requests for all levels of HCP care accepted.		96	100%	<p>The Home Care Package (HCP) program has had a high level of client movement over the last reporting period and although package numbers have fluctuated, they currently sit at 96. This includes 11 level 4, 6 level 6, 77 level 2 and 2 level 1. There is a high demand for package care and Blue Haven Care have a number of clients within the Commonwealth Home Support Program</p> <p>the system. As CTABS does not have the capability to process taxi vouchers after consultation with Management, Transport NSW (funding body) and Kiama Cabs and surveying of service users, it was decided to cease the program as from 13th May 2018. At this stage there has not been a negative impact on the program.</p>	Community Programs Manager	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.2.1.6	Provide services through Commonwealth Home Care Support Program to assist older people across Shoalhaven, Kiama, Shellharbour and Wollongong LGAs	Meet contractual requirements of all programs including Home Maintenance, Personal Care, Social Support, Domestic Assistance and Respite		7,901	100%	(CHSP) are waiting for an allocation of their package. The estimated wait time is 6-12 months. Most programs met or exceeded their target service hours, but due to budgetary constraints, client intake has been reduced over the last reporting period.	Community Programs Manager	Completed 
1.2.1.7	Oversee construction of Kiama Aged Care Centre of Excellence	Stages of construction plan met			100%	Much progress has been made during the quarter with basement slabs laid for the Independent Living Units (ILUs) and Community Services offices. Stormwater detention tanks have been installed and excavation continues for the aged care facility	Director Community Services	Progressing 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.2.1.8	Provide residential care at Blue Haven	Compliance with aged care accreditation standards		100%	100%	Recruitment was a priority during this quarter. A new Care Manager, Assistant Care Manager and Quality Officer were all appointed. Preparation for the 3 yearly re-accreditation was the other major priority. The on-site audit, undertaken from 5-7 June was successful; with the Home meeting, all 44 expected outcomes across the 4 standards.	Manager Governance and Strategy	Completed 
		Manage services within budget		100%				
1.2.1.9	Plan transition to Kiama Aged Care Centre of Excellence	Activities completed including HR, P&P, Risk and staff development		80%	80%	Due to the focus on re-accreditation and recruitment, planning for the new facility was not as high a priority this quarter.	Manager Governance and Strategy	Progressing 

1.2.2: Operate Blue Haven Independent Living Units

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.2.2.1	Maintain full occupancy of the	Reoccupation within the statutory mandatory refund period		98% reoccupancy	95%	Occupancy levels for Stage 2 to 5 are on target. Due to the type of	Manager Project Development and ILU Operations	Progressing 


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	Independent Living Units	required under the Retirement Village Act.				accommodation and stairs, there are currently two unallocated units in Stage 1.		
1.2.3: Operate the Kiama Youth Centre and facilitate youth services and programs								
1.2.3.1	Develop and implement a program of events for young people	80% of program participants report in their evaluations that they feel more confident about themselves having participated in the program.		100%	100%	This was a busy period at SENTRAL as April featured Youth Week, incorporating a range of programs/ events/ activities for young people. These included: Aboriginal Culture and Sports day Launch of the InterGen Munch Out recipe Book, Open Mic night, Fitness challenge, barista training and the Youth Week Cup. Over 200 young people participated in Youth Week programs. Also during this period, SENTRAL developed relationships with Essential Personnel and PFLAG, two organisations who work with specific groups of young people and their families and who now	Senior Youth Worker	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.2.3.2	Provide a range of educational and recreational community development programs in conjunction with local schools	80% of program participants report in their evaluations that they gained valuable skills and knowledge from participating in the programs		100%	100%	<p>provide their services from SENTRAL Youth Centre. Other programs during this period included; Barista training, SENTRAL fitness, Young Men's Program, Kiama High Volunteers, Munch Out and Youth Advisory Committee. SENTRAL Drop in was strong during this period with 120 young people accessing the service.</p> <p>During this period, SENTRAL worked in conjunction with Kiama High School (KHC) to offer a range of learning opportunities for students including; Young Men's Program, Youth Advisory Committee, KHS Volunteers, Youth Worker mentoring program and most recently Event Management class each Friday. Seventy-six students have participated in these programs.</p>	Senior Youth Worker	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.2.3.3	Provide information, referral, advocacy and support for young people through the CENTRAL youth facility and online mediums	90% of program participants report that the support provided by the Youth Service has assisted them.		100%	100%	During this period, SENTRAL's online presence grew, especially over the Youth Week period. We increased our online participation via a range of interactive posts including short videos, photos and music, along with promoting the latest opportunities from youth service providers. SENTRAL also provided one on one counselling, including suicide intervention, referrals to specific youth services and provided written and verbal information on youth issues.	Senior Youth Worker	Completed 

1.3: We live in a safe community

1.3.1: Provide lifeguard and beach safety services and programs

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.3.1.1	Undertake scheduled patrol programs	Ratio of rescues conducted to preventative		Achieved	100%	The Patrolled Beach period for this quarter was consistent for this quarter. The season	Leisure Centre Manager	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	for Council beaches	actions undertaken				concluded Monday 30/4/18 An Annual Season report has been completed and will be presented to Council at July Council meeting		
1.3.1.2	Conduct surf awareness education programs in local primary schools	Annual program completed		Achieved	100%	Not in this quarter	Leisure Centre Manager	Completed 

1.3.2: Implement public health and community compliance regulations and programs

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.3.2.1	Implement and record registration and inspection program as required by legislation i.e. Food Act and Public Health Act	Statutory registers maintained in accordance with relevant requirements Inspections conducted in accordance with relevant requirements		Register update and maintained 100% of scheduled inspection completed	100%	Onsite Sewerage Management Facilities Total 41 inspected (14 low risk; 27 high risk); 37 or 90% (13 low risk; 24 high risk) compliant. 4 or 10% defective (1 low risk; 3 high) Food Safety Compliance 171 x food shop inspections	Manager Environment and Health	Completed 


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
		and adopted timeframes Actions undertaken to support the implementation of relevant legislation		Compliance action taken for the 100% defective systems		undertaken (64 were rated 5 star; 49 were rated 4 star; 38 were rated 3 star; 15 were rated failure & 5 were satisfactory as they hadn't operated in that quarter) & 24 food shop re-inspections were undertaken (5 was rated 5 star; 11 were rated 4 star; 5 were rated 3 star; 3 were rated failure) 71 Temporary food stall applications received for approval including 3 mobile food vans. 22 temporary food stalls were inspected & passed & 3 mobile food vans were inspected & passed		
1.3.2.2	Implement and record registration and inspection program as required by legislation i.e.				50%	199 Swimming Pool Inspections were undertaken in accordance with Swimming Pool Barrier Inspection Program. April – 90, May – 62 &	Manager Development Assessment	Progressing 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	Local Government Act, Swimming Pool Act and Environmental Planning and Assessment Act					June – 47. This program continues through to end 2019 financial year.		
1.3.2.3	Implement and record registration and inspection program as required by legislation i.e. Companion Animals Act, Roads Transport Act, Impounding Act, Crown Lands Act and Road Rules				100%	72 Companion animal complaints received (100%) investigated within specific timeframes 21 Dog attacks investigated within 24 hours of complaint x 1 – reported to Dept Local Government Nil infringements breach Companion Animals 30 dogs collected and returned directly to owners 7 Dogs impounded 6 Dogs released to owner + 1 at pound for rehoming Nil dogs rehomed	Manager Environment and Health	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.3.2.4	Implement and record registration and inspection program as required by legislation i.e. Roads Act				100%	<p>Nil dogs euthanized 4 Cats impounded 2 Cats released 2 Cats rehomed Nil cats euthanized 45 Parking complaints received 3 Abandoned vehicles reported 165 total patrols 194 infringements issued \$28,565 Face value of infringements 15 Permits to create smoke (pile burning applications) 12 Private overgrown land complaints received and actioned 1 Environmental complaint received</p> <p>Records and registrations of leases, licences, permits etc. are maintained on an ongoing basis. Works continued on reviewing and updating Council's registers to ensure they</p>	Director Finance, Corporate and Commercial Services	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.3.2.5	Investigate public and environmental health complaints	Investigate all complaints within adopted timeframes		100% 32 (100%) of environmental complaints received and investigated within 48 hour time frame	100%	meet the legislative requirements. Priority is land register. 32 (100%) of environmental complaints received and investigated within 48 hour time frame Noise Pollution 6 Water Pollution 11 Litter 0 Odour/dust 1 Smoke Pollution 4 Nuisance Complaints 10	Manager Environment and Health	Completed 

1.3.3: Undertake local community safety initiatives

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.3.3.1	Implement Local Road Safety Action Plan	Endorsed recommendations implemented or included In Asset Management Plan		100% complete	100%	Road Safety Programs for 2017-2018 have been completed and submitted to Roads and Maritime Services as per the Local Government Road	Road Safety Officer	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.3.3.2	Prepare road safety funding applications	Lodgement of applications for external grant funding for road safety initiatives.		100%	100%	Safety Funding Program.	Road Safety Officer	Completed 
1.3.3.3	Implement and manage the ongoing operation of CCTV systems in public spaces identified in Council's Crime Prevention Plan	95% compliance is achieved, identified through an independent audit conducted each council term		90%	90%		Manager Community & Cultural Development	Progressing 
1.3.3.4	Review Council's Crime Prevention Plan each Council term and implement activities	Updated Crime Prevention Plan is presented for Council endorsement			90%		Manager Community & Cultural Development	Progressing 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
1.3.3.5	Action Local Traffic Committee recommendations	Meetings held monthly		100%	100%	Monthly traffic committee meetings held as required and all actions implemented.	Manager Design and Development	Completed 
		Endorsed recommendations implemented or included In Asset Management Plan		100%				




**Well Planned and
Managed Spaces, Places
and Environment**

Item 9.2


Attachment 1

2.0: Well Planned and Managed Spaces, Places and Environment
2.1: Maintain the separation and distinct nature of local towns, villages and agricultural land
2.1.1: Develop and implement appropriate land use plans

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.1.1.1	Prepare catchment flood studies	Complete the preparation of catchment flood studies identified in annual budget Schedules.		ongoing	75%	Ooaree Creek / Werri Lagoon flood study underway with consultation and investigation completed and modelling currently being completed. Study is expected to be finalised at end of 2018 as forecast.	Manager Design and Development	Progressing 
2.1.1.2	Prepare flood study funding applications	Lodgement of applications for external grant funding for flood studies.		100%	100%		Manager Design and Development	Completed 
2.1.1.3	Review and update LEP and Kiama Urban Strategy as required.	Monitoring documents updated and reviewed as required		100%	100%	Town Centre Brief finalised and ready to go out for expressions of interest in first quarter on new financial year.	Manager Strategic Planning	Completed 
2.1.1.4	Assess Planning Proposals	Requests for Planning Proposals are		100%	100%	1 Planning Proposal gazetted during 4th quarter (Housekeeping		Completed 


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	against relevant State Government legislation and Council Policy.	reported/determined within 90 days of lodgement All Planning Proposals are completed within timeframe set out in Gateway Determination				3 x amendments) lodged with DPE for Gateway (Dido St, Housekeeping, Jamberoo Mountain Road), 2 more under assessment. Irvine, Iluka, Golden Valley completed by Council, but awaiting final approval from DPE.	Manager Strategic Planning	

2.1.2: Recognise and protect our heritage

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.1.2.1	Review development proposals to ensure they are carried out in accordance with relevant Heritage requirements	Assessments carried out in accordance with adopted Protocols			100%	Six (6) Development Application referrals to Council's Heritage Advisor for assessment and comment in accordance with the adopted Protocols.	Manager Development Assessment	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.1.2.2	Protect and maintain heritage items through LEP and DCP controls	Controls clearly evident Review and update completed as required			100%	8 items DAs to Heritage Adviser during 4th quarter. No grants became available during quarter.	Manager Strategic Planning	Completed 
2.1.2.3	Establish a Local Heritage Fund (subject to State Government assistance)	Funding received and distributed to approved applicants			0%	Possible funding from NSW Office of Environment and Heritage to open late 2018 subject to program evaluation (up to \$10,000 per year per project).	Manager Strategic Planning	Not in this quarter

2.1.3: Recognise and protect our agricultural lands

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.1.3.1	Protect and maintain productive agricultural lands through ensuring Council's statutory and policy documents contain	Relevant documents are reviewed to maintain relativity.			100%	Amendment to the DCP for changes to tourist and visitor accommodation on rural land prepared during last quarter to minimise impact of these facilities on agricultural productivity. This was to balance the competing land uses as the provision of accommodation is also	Manager Strategic Planning	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	necessary framework					used to supplement farm income to maintain agricultural viability.		

2.2: Our community and natural environments are adaptive, resilient and sustainable and informed of predicted climate change impacts

2.2.1: Implement adopted Coastal Management Programs and legislative requirements

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.2.1.1	Implement actions identified within adopted Coastal Zone Management Plans in accordance with funding and resource availability	Report actions undertaken			100%	Leachate remediation pumps commissioned at Minnamurra Landfill site and preliminary water testing of shallow and deep water bores conducted prior to implementing the pumping regime. Conservation permit being sourced from OEH for undertaking Minnamurra Headland erosion control project to protect small shell deposit and remediate the bank.	Environment Sustainability Officer	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.2.1.2	Implement programs required as a result of the NSW Coastal Reforms process	Coastal management program submitted to Council for funding consideration			90%	Further weed control and planting out of the Gainsborough Coral Tree site was undertaken during this quarter. Approximately 100 Casuarina glauca planted. Council has been offered grant funding from the OEH to undertake the development of a coastal management program for the Kiama LGA. Council has determined to accept the funding and will undertake the development of the coastal management program over the next 3 years.	Environment Sustainability Officer	Progressing 

2.2.2: Protect and maintain environmentally significant natural areas

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.2.2.1	Support and implement local Illawarra Landcare projects	Annual funding allocated.		Funding expended.	100%	All requests for assistance were responded to in a timely manner.	Landscape Officer	Completed 
2.2.2.2	Pursue grant funding for natural area restoration at priority sites on Council land	Number of grant applications considered and/or submitted for funding consideration			100%	No applications submitted for this quarter.	Environment Sustainability Officer	Completed 

2.2.3: Ensure environmental protection compliance

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.2.3.1	Comply with Noxious weeds Biosecurity legislation through Illawarra District Noxious Weeds Authority	100% compliance	100%	100%	100%	Meetings attended, funding supplied and compliance activities for Biosecurity Regulation completed as required.	Landscape Officer	Completed 
2.2.3.2	Undertake and support on-ground	Activities undertaken in accordance			100%	Two biodiversity education workshops completed this quarter as	Environment Sustainability Officer	Completed 




Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	activities and biodiversity education to promote and enhance natural areas	with adopted program				part of the World Environment Day 2018 environmental workshops program put on by Council. One native bee workshop and one birds of the Illawarra workshop conducted with 25 people attending each workshop.		

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

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

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.3.1.1	Process Development Applications within legislative requirements and timeframes	Development applications are processed in accordance with adopted timeframes			100%	Average Development Application processing time continued to increase due to an increase in Development Application volume and complexity, attending to five Class 1 Land and Environment Court Appeals, increased compliance burden, changes to standard documents created by changes to the numbering of Environmental Planning	Manager Development Assessment	Completed 
		Development assessment is documented in accordance with adopted protocol						

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.3.1.2	Undertake Building Inspections as Principal Certifying Authority	100% of requested inspections undertaken on requested day	100%		100%	and Assessment Act 1979, contraction of staff delegations by Councillors and release of planning circular on the use of clause 4.6 Variations which require more Development Applications to be reported to the elected Council for determination. All Development Applications determined were assessed in accordance with statutory obligations under section 4.15 of Environmental Planning and Assessment Act 1979.	Manager Development Assessment	Completed 
2.3.1.3	Process Complying Development Certificates within	100% of Complying Development Certificates	100%		100%	All inspections undertaken on the requested day when booked in accordance with Council's inspection protocol. 36 Complying Development Applications determined by Private Certifiers. Nil Complying Development	Manager Development Assessment	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	Legislative timeframes	processed within 10 days				Applications determined by Council.		
2.3.1.4	Process Construction Certificates and Occupation Certificates	75% of Construction Certificates processed within 10 days after provision of all relevant information	75%		100%	66 Construction Certificates issued (45 by Private) all Council Construction Certificates issued within 10 days after provision of all relevant information. 61 Occupation Certificates issued (57 by Private) all Council Occupation Certificates issued within 10 days after provision of all relevant information.	Manager Development Assessment	Completed 
		100% of Occupation Certificates processed within 10 days of receipt of request	100%					
2.3.1.5	Undertake Caravan Parks Licensing and Inspections	All Caravan parks inspected annually	100%		100%	One (1) Caravan Park or Camping Ground Approvals issued this quarter following annual inspection.	Manager Development Assessment	Completed 
2.3.1.6	Process Section 149 Certificates and maintain required data base to meet statutory requirements	Processing and maintenance carried out in accordance with adopted schedule			100%	Section 10.7 Certificates: 128 Part 2 and 64 Part 5 issued during the quarter, with all issued within the 3 day turnaround time.	Manager Strategic Planning	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.3.1.7	Apply and oversight application of Council's S94 plan(s)	Plans monitored in accordance with adopted schedule			100%	Contributions for the quarter (both Section 7.11 and 7.12) \$131,369.43.	Manager Strategic Planning	Completed 
2.3.1.8	Process engineering development assessment	Engineering development referrals are completed within 14 days		92.4% within 14 days	100%	92.4% within 14 days	Manager Design and Development	Completed 
2.3.1.9	Process road occupation permits	Road Occupation permits processed within 5 days		100%	100%	All road occupation permits completed within 5 days or less	Manager Design and Development	Completed 
2.3.1.10	Process Tree Management applications	Applications processed in accordance with adopted timeframes		(78%) of determined applications processed within 21 working days	100%	67 x Tree management applications received 72 x Tree management applications determined during the quarter 51 x (71% of determined applications) approval granted for removal or pruning 13 x (18% of determined applications) received part approval	Manager Environment and Health	Completed 


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.3.1.11	Conduct Tree Management inspections	Permit and compliance inspections carried out in accordance with adopted timeframes		100% of CRM investigated within 14 day period	100%	8 x (11% of determined applications) applications refused 57 (79.2%) of determined applications processed within 21 working days 92 customer action requests received relating to trees located on Council or private land. 25 of these haven't been completed in the quarter (27 %) still to be finalised 51 open or closed CRM's met the 14 day target	Manager Environment and Health	Completed 

2.4: Effectively manage our waste and resources

2.4.1: Manage waste services

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.4.1.1	Operate Community Recycling Centre	Percentage of total waste tonnage diverted from landfill		115.47 Tonnes	100%	Community Recycling Centre opened for receiving nominated products between the hours of 8 am until 4 pm Monday to Friday and 8 am until midday Saturday.	Manager Waste Services	Completed 
2.4.1.2	Provide scheduled domestic and commercial collections for waste, recycling and organics	100% of services comply with collection and recycling contract and service schedule		All Scheduled Services Completed as required	100%	All Scheduled services for domestic , rural and Commercial serviced have been completed according to Councils requirements	Manager Waste Services	Completed 

2.4.2: Undertake waste management programs

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.4.2.1	Implement programs identified in the Regional Waste Plan	Programs implemented and assessed according to schedule			75%	Regional Waste Strategy managed by ISJO - all programs ongoing.	Waste Minimisation Officer	Progressing 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.4.2.2	Implement programs identified in the Regional Illegal Dumping Plan	Programs implemented and assessed according to schedule		100% of illegal dumping incidents investigated and clean up and enforcement action undertaken with designated timeframes	100%	During the period 1 April 2018 to 30 June 2018 there were 26 reports received relating to illegal Dumping in the Kiama LGA compared to 40 reported incidents for the same period in 2017. This represents a 35% decrease in total incidents compared to previous reporting period. Reported incidents per month 15 incl 6 in May 5 in June March 7 An estimated total of 1 tonnes approximately of material was illegally dumped in this period, waste collected from the other 26 locations. Clean up and disposal costs \$1464 Infringement notices issued 1 x \$2000	Manager Environment and Health	Completed 
2.4.2.3	Implement programs identified in the Regional Litter Strategy	Programs implemented and assessed according to schedule			75%	Litter program - Kiama Boomerang Bags 4,500 made to date.	Waste Minimisation Officer	Progressing 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.4.2.4	Produce multi-accessible online waste and recycling information video on Council's website main page. Format options including Easy English captions, Auslan, audio and other languages, with readability options such as colour and text size	Accessible online waste and recycling information video provided for inclusion on Council's website			75%	<p>Council website continually updated.</p> <p>Council programs/events:</p> <p>2018-2020 Waste Services Calendars printed/distributed to 11,000 urban and rural households</p> <p>7 Workshops held in June as part of World Environment Day 2018, 140 attendees.</p> <p>Council Holiday Parks Waste Infrastructure Upgrade - Seven Mile Beach HP - ongoing</p> <p>Council Facilities Waste Infrastructure Upgrade - ongoing</p>	Waste Minimisation Officer	Progressing 


2.5: Effectively manage our transport, drainage and other infrastructure and assets





2.5.1: Manage road infrastructure through the Road Asset Management Plan




Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.5.1.1	Implement road asset renewal program	Percentage of program completed			100%	Roads renewal program completed.	Director Engineering & Works	Completed 
		Percentage of renewal budget expended						
2.5.1.2	Implement new road asset creation	Percentage of program completed			100%	All new roads have been completed	Director Engineering & Works	Completed 
		Percentage of New Asset budget expended						
2.5.1.3	Implement maintenance program for roads, footpaths and cycleways	Percentage of Unscheduled Maintenance budget expended			100%	Work program has been developed and implemented. Work is on track to be completed in accordance with the program	Director Engineering & Works	Completed 
		100% completion of audit			100%	Road audit complete	Director Engineering & Works	Completed 
2.5.1.4	Complete audit of all accessible parking places and identify improvements	Audit tabled at Access						



Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
		Committee for comment with the feedback incorporated into the 4-year program						
		Inclusion of any identified upgrades required, in 4-year program						
2.5.1.5	Complete audit of all signs at bus stops to assess accessibility for people with a disability	Audit completed with any identified improvements included in 4-year work program			100%	Sign audit complete	Director Engineering & Works	Completed 

2.5.2: Manage drainage infrastructure through Drainage Asset Management Plans

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.5.2.1	Implement drainage asset renewals	Percentage renewal program completed		100%	100%	Stormwater renewals program completed	Director Engineering & Works	Completed 
		Percentage renewal		100%				

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.5.2.2	Implement new drainage asset creation	budget expended						
		Percentage New Asset program completed		100%	100%	All new stormwater drainage completed	Director Engineering & Works	Completed 
2.5.2.3	Implement maintenance program for drainage infrastructure	Percentage of new asset budget expended		100%	100%			
		Percentage of Unscheduled Maintenance Budget expended		100%	100%	Stormwater maintenance completed	Director Engineering & Works	Completed 
2.5.2.4	Manage drainage asset maintenance and operation including gross pollutant traps and drainage pits	Percentage of Unscheduled Maintenance budget expended		100%	100%	All Gross Pollutant Traps maintenance activities completed	Director Engineering & Works	Completed 
2.5.2.5	Preparation of Flood Studies for identified catchments	Number scheduled studies completed		ongoing	75%	Ooaree Creek / Weirri Lagoon flood study underway with consultation and investigation completed. Flood modelling is being	Manager Design and Development	Progressing 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.5.3: Manage community buildings through the Community Building Asset Management Plan								
2.5.3.1	Implement Community Buildings asset renewals	Percentage renewal program completed Percentage of renewal budget expended		100% 100%	100%	Building maintenance and renewals has been carried out in accordance with the work program	Director Engineering & Works	Completed 
2.5.3.2	Implement new Community Buildings asset creation	Percentage New Asset program completed Percentage of new asset budget expended		100% 100%	50%	No further progress. Awaiting grant funding approval to complete the work	Director Engineering & Works	Progressing 
2.5.3.3	Implement maintenance program for community buildings	Percentage of Unscheduled Maintenance Budget expended		100%	100%	All building maintenance activities have been completed in accordance with the work plan.	Director Engineering & Works	Completed 

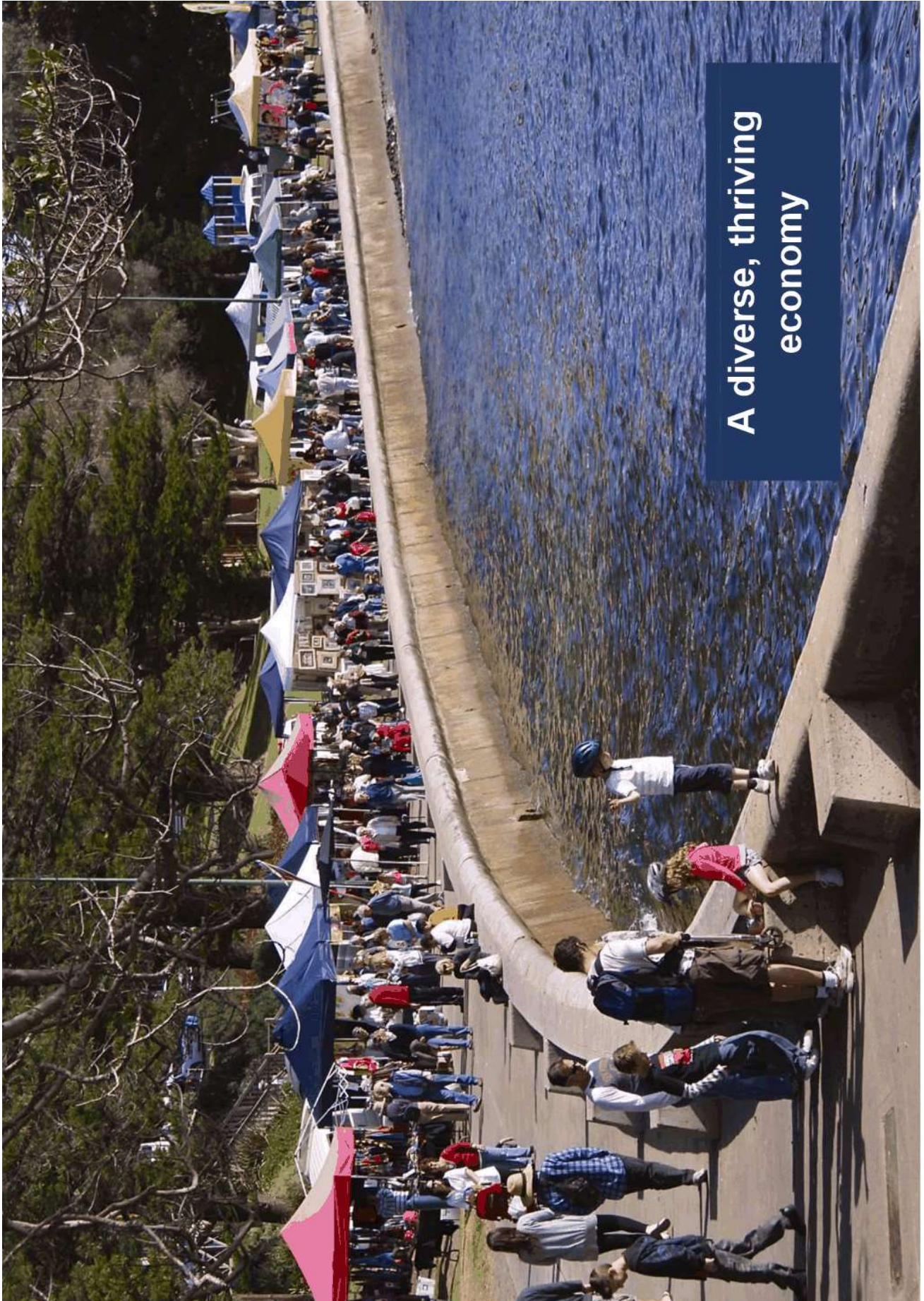
Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.5.3.4	Provide public adult change facilities and ambulant assisted cubicles in each main town, which are easily accessible, well sign-posted and promoted in Council's media	Public adult change facilities and ambulant assisted cubicle installed at: Kevin Walsh Oval Jamberoo 2017/18; Gerringong Library 2018/19; and Kiama Harbour 2017/18		100%	100%		Director Engineering & Works	Completed 
2.5.3.5	Develop a 4-year work program that identifies and measures the number of public toilets and signage on other public buildings to be replaced to	Where facilities are to be upgraded or new facilities provided, the plan for these facilities is tabled at Access Committee for			100%		Director Engineering & Works	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	improve accessibility	comment and feedback incorporated into 4-year work program						

2.5.4: Manage other assets and infrastructure through the Other Asset and Infrastructure Asset Management Plans



Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
2.5.4.1	Implement other assets and infrastructure asset renewals	Percentage of renewal program completed		100%	100%	Asset renewals program completed	Director Engineering & Works	Completed 
		Percentage of renewal budget expended		100%				
2.5.4.2	Implement new other assets and infrastructure asset creation	Percentage of new asset program completed		100%	100%		Director Engineering & Works	Completed 
		Percentage of new asset budget expended.		100%				
2.5.4.3	Implement maintenance program for other assets	Percentage of Unscheduled Maintenance		100%	100%	Workplan has been completed. Work is being carried out in	Director Engineering & Works	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	and infrastructure	Budget expended				accordance with the program		



A diverse, thriving
economy

3.0: A Diverse, Thriving Economy
3.1: Promote and encourage business development and economic prosperity in the local area
3.1.1: Implement the Kiama Economic Development Strategy


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.1.1.1	Prioritise key projects in partnership with the Economic Development Committee	Implementation of projects			90%	Four meetings of the Kiama Economic Development Committee were held during this period. Most of the priorities identified by the committee have either been implemented or progress has been made. The Commercial Market assessment and Kiama Town Centre study are progressing and should be completed by end of December 2018.	Manager Economic Development	Progressing 
3.1.1.2	Develop and review key sector strategies	Completion of review			95%	Elements of the Kiama Economic Development strategy are ongoing with regular reviews and updates being undertaken. The Easy to do Business program was implemented in this period, which will certainly streamline new business applications	Manager Economic Development	Progressing 


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.1.1.3	Ensure an adequate supply of employment lands to meet the future demands	Completion of Demand Study			95%	and reduce red tape for businesses. The Kiama Town Centre study brief has been written and consultants should be engaged in August 18. The commercial market assessment should be completed by December 2018, which will set the scene and provide the background for the development of the study.	Manager Economic Development	Progressing 
3.1.1.4	Review business processes and development strategies for improvement related to business	Reduction of red tape and streamlining the process			100%	Following review of business development applications, the Easy to do business program has been implemented which will reduce red tape for businesses wanted to lodge a development application for Restaurant, Small bar or café. This pilot program may be rolled out to other business types over the next financial year.	Manager Economic Development	Completed 

3.1.2: Develop opportunities to increase the economic output of rural land

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.1.2.1	Develop Agribusiness Policy	Completion of the policy			0%	This policy has not been developed due to the lack of resources for this project.	Manager Economic Development	Not in this quarter
3.1.2.2	Develop ongoing professional training and development for the Agribusiness sector	Network established			85%		Manager Economic Development	Not in this quarter

3.1.3: Encourage business innovation, creativity and diversification opportunities

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.1.3.1	Conduct forums and programs that support Economic Development via the Kiama Small Business Forum	Increased participation of businesses in events			100%	During this period, 3 Kiama Small business workshops were held with approx 50 businesses undertaking professional development and training. In addition, the Kiama community College held 3 specific business development workshops, which were also promoted and open to all local businesses.	Manager Economic Development	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.1.3.2	Work with local business networks to provide training and resource support to develop and promote Kiama as an outstanding accessible community and holiday venue for people with a disability	Speaker presentations undertaken	3 per annum		0%	During this period, there were 12 newsletters and electronic communications to the business database generated. This method of communication remains the single most effect way to connect with the business community.	Manager Economic Development	Not in this quarter
3.1.3.3	Encourage local businesses to enter Tourism Awards	Relevant articles in newsletters	2 per annum		100%		Manager Economic Development	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.1.3.4	Develop and promote Kiama's economic and employment opportunities	Number activities undertaken			100%	During this period, many meetings were held with new businesses. There were 15 new business enquiries, which were assisted with their enquiries, some of which resulted in the establishment of new business.	Manager Economic Development	Completed 

3.2: Recognise and support Council as a significant purchaser in the local area

3.2.1: Procurement protocols encourage local and regional business engagement

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.2.1.1	Monitor and implement procurement policy	6 new regional tenders via IPJO 4 new services via social procurement			100%	Completed	Director Engineering & Works	Completed 

3.3: Promote and support tourism in the local area

3.3.1: Management of Kiama Coast Holiday Parks as viable business entities

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.3.1.1	Operate Kiama Coast Holiday Parks as a financially sustainable, quality accommodation provider	Net financial returns of Kiama Coast Holiday Parks budget achieved. Facilities and operations audited and maintenance completed	100%	\$1,823,516 for the quarter. A total of \$9,246,351 for the year for the 5 Parks, an increase of \$488,091 from forecast Substantial amount of maintenance undertaken.	100%	Net income for the 4th quarter for the five holiday parks = \$1,823,516. An increase of \$181,728 from the previous year. Yearly income exceeded the years forecast. Maintenance works including bathroom refurbishes at Cab 20 at Surf Beach & Cab 9 at Werri Beach, internal painting Cabs 8 & 9 at Kendalls	Holiday Parks Coordinator	Completed 


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
		within budget and on time		Mystery audits undertaken		Beach & Cab 7 at Werri Beach, external painting of Surf Shacks at Seven Mile, replace flooring Cab 16 at Werri Beach. Mystery audits undertaken of each Park, awaiting reports. Attended the Sydney Caravan & Camping Supershow. Booked stands for 3 upcoming shows. Renewed Wollongong Tourism & CCIA memberships. On-line subscription with Roadtrippers. Renewed Yellow Pages advertising. Continued social media work		
		Marketing and industry liaison plan implemented		Attended Sydney Caravan & Camping Supershow. Booked stands for 3 upcoming shows. Renewed Wollongong Tourism & CCIA memberships. On-line subscription with Roadtrippers. Renewed Yellow Pages advertising. Continued social media work		Beach & Cab 7 at Werri Beach, external painting of Surf Shacks at Seven Mile, replace flooring Cab 16 at Werri Beach. Mystery audits undertaken of each Park, awaiting reports. Attended the Sydney Caravan & Camping Supershow and booked stands for the Hawkesbury Caravan & Camping Show, Sydney Caravan, Camping & Lifestyle Show and Canberra Home & Leisure Show. Renewed memberships with Wollongong Tourism & NSW Caravan & Camping. Online subscription with roadtrippers. Renewed Yellow Pages advertising & ordered new merchandise. Continued focus on the Parks social media.		

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.3.1.2	Meet all legislative and accreditation requirements	Licensing and accreditation currency maintained.		Received the approval to operate Kendall's on the Beach Holiday Park	100%	Approval received to Operate Kendalls on the Beach Holiday Park	Holiday Parks Coordinator	Completed 
3.3.1.3	Implement Kiama Coast Holiday Parks Masterplan	Annual capital works and renewals completed within budget and timeframe		Not all completed due to lack of staff resources and project managers appointed half way through the financial year.	45%	Civil design works awarded to SET Consultants Pty Ltd. Completed sewer upgrade to the northern end of Surf Beach Holiday Park. Grant application for \$150,000 towards the construction of an access cabin and a duplex cabin through Destination NSW was successful. Werri Beach Business Development Strategy and Master Plan approved in principle at June Council meeting. Capital renewal works undertaken at Surf Beach Holiday Park and Werri Beach Holiday Park (bathroom refurb of 2 cabins).	Holiday Parks Coordinator	Progressing 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.3.1.4	Identify opportunities and implement changes to improve disability access and inclusion in facilities and services	Changes completed	2 plus changes per annum	Upgrade of tapware in all bathroom refurb. Upgrade to partially accessible cabin at Kendall. Werri Beach BDS approved which includes the construction of 2 accessible cabins & 2 accessible ensuite sites. Successful grant application for the construction of an accessible cabin and duplex cabin at Surf Beach Holiday Park in 2019.	100%	Flick mixers installed in bathroom upgrades at Surf Beach and Werri Beach Holiday Parks, replacing crosshead/spindle style, making it easier to turn on taps. Successful grant submission through Destinations NSW, which will assist with the construction of an accessible cabin at Surf Beach Holiday Park in 2019. Werri Beach Business Development Strategy and Master Plan approved in principle for Werri Beach Holiday Park, which will include the construction of 2 accessible cabins and 2 accessible ensuite sites.	Holiday Parks Coordinator	Completed 

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

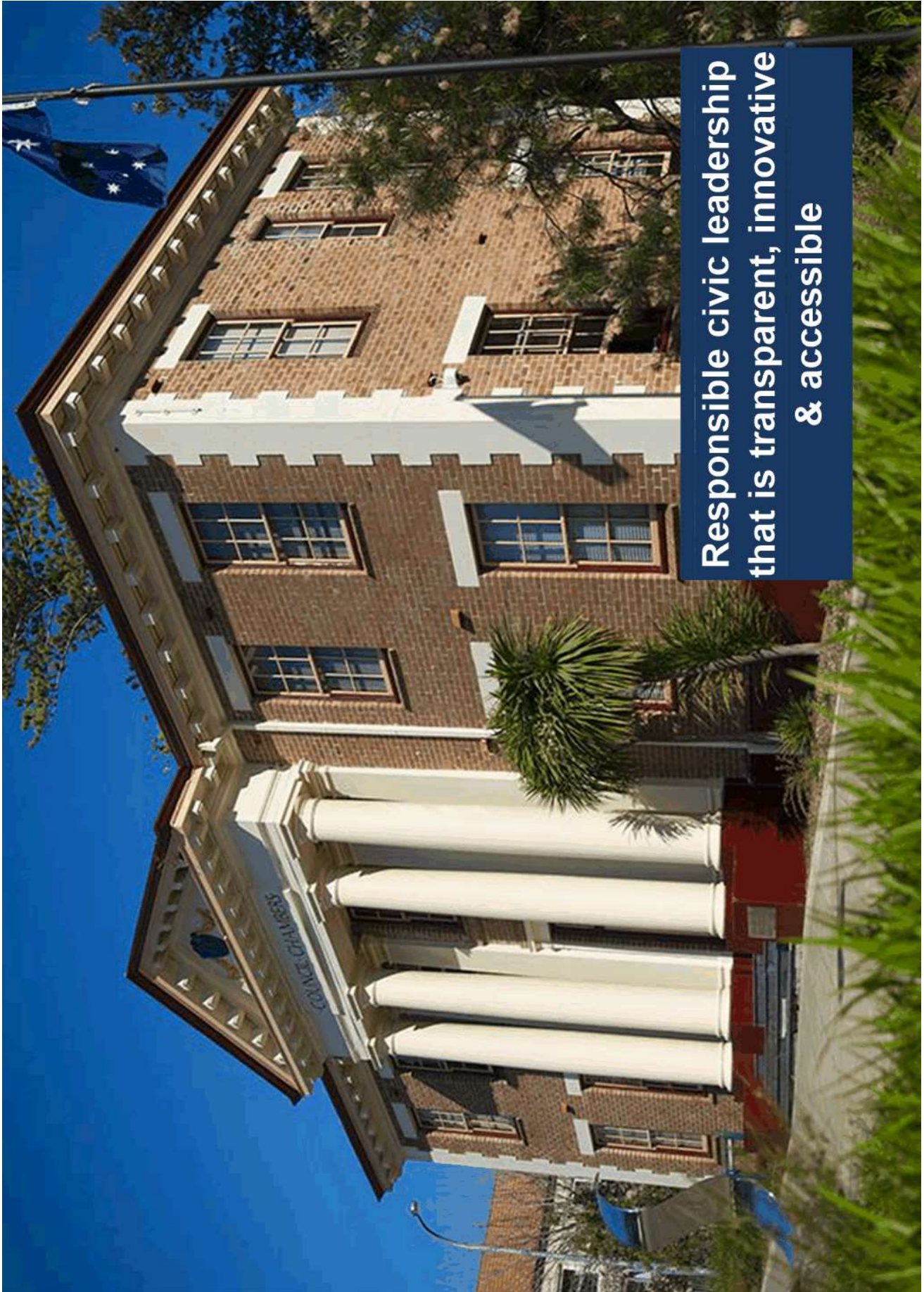
Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status																					
3.3.2.1	Review and implement the Strategic Tourism Plan	Strategic Tourism Plan reviewed and adopted			100%	Whilst implementation of the 2018-2021 Strategic Plan for Tourism and Events is ongoing, key activities for 2017/18 have been successfully completed.	Manager Tourism & Events	Completed 																					
		Strategic Tourism Plan outcomes achieved							3.3.2.2	Actively pursue the attraction of events to Kiama LGA which promote visitation, overnight stays and provides economic benefit for the tourism economy	Increase in annual events held			100%		Manager Tourism & Events	Completed 	Develop a Sponsorship Prospectus			Develop an Event Management Process and Package			3.3.2.3	Operate the Visitors Information Centre to provide high level visitor	Maintain at least Level 1 Accreditation		100%	100%
3.3.2.2	Actively pursue the attraction of events to Kiama LGA which promote visitation, overnight stays and provides economic benefit for the tourism economy	Increase in annual events held			100%		Manager Tourism & Events	Completed 																					
		Develop a Sponsorship Prospectus																											
		Develop an Event Management Process and Package																											
3.3.2.3	Operate the Visitors Information Centre to provide high level visitor	Maintain at least Level 1 Accreditation		100%	100%	The Kiama Visitor Information Centre has maintained its Accreditation. A new Operations Manual has been completed. new	Manager Tourism & Events	Completed 																					
		Increase range of services offered																											

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	services seven days per week	Maintain visitor numbers				record keeping has been created, regular meetings and familiarisations are now being held and new services are being investigated.		
3.3.2.4	Work with local tourism businesses to address existing access barriers for potential customers and users with a disability	Accessibility presentation undertaken for tourism operators			100%	Information on the importance of accessible tourism has been distributed via our monthly e-news to the local Tourism industry and via the Destination Kiama Facebook page. A presentation on Accessible Tourism has been confirmed for July 24 2018 at the Winter Tourism After Hours Event.	Manager Tourism & Events	Completed 

3.3.3: Promote and manage activities and functions at The Pavilion Kiama

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.3.3.1	Pursue opportunities to increase number of events hosted at The Pavilion Kiama	Increase number of events	10% increase	7.2%	100%	The Pavilion held 74 events in this reporting period compared to 69 events in the same reporting period for 2017. These events were made on of	Event & Conference Marketing Coordinator 1	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
3.3.3.2	Implement the provisions of the Disability Inclusion Plan for The Pavilion Kiama	Number of changes implemented			100%	No additional strategies have been put in place to increase accessibility during this reporting period.	Event & Conference Marketing Coordinator 1	Completed 







Item 9.2

Attachment 1

4.0: Responsible Civic Leadership that is transparent, innovative and accessible

4.1: Council is financially sustainable



4.1.1: Meeting and reporting against IPART/Fit for the future benchmarks

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.1.1.1	Maintain financial sustainability	Council meets the seven 'Fit for the Future' financial health and sustainability ratios			100%	Council continues to meet financial health and sustainability ratios with the exception of asset maintenance.	Director Finance, Corporate and Commercial Services	Progressing 
4.1.1.2	Implement financial ledger restructure	Successful implementation		15%	15%	Restructure progressing slowly. Annual audit of the Financial Statements will take priority before progressing further with restructure. Major work ahead with creation of new ledger structure.	Chief Financial Officer	Progressing 
4.1.1.3	Implement Accounts Payable workflow	Time and cost efficiencies		10%	10%	No action this quarter. The project is due for completion by 30/06/2019.	Chief Financial Officer	Progressing 
4.1.1.4	Implement adopted actions from Council Improvement Program including an	Adopted actions from Council Improvement Program are implemented.			100%	Special Rate Variation approved for 12-month term with review to be conducted at end of term.	Director Finance, Corporate and Commercial Services	Progressing 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	Application for a Special Rate Variation of 6% (including rate pegging) for three successive years from 2018-19 submitted to IPART by the increase being retained permanently.	Special Rate Variation application for three successive years from 2018-19 submitted to IPART by required deadline						

4.1.2: Identify opportunities to diversify and maximise funding sources

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.1.2.1	Maximise return from commercial operations	Returns from commercial operations exceeds budget			100%	Sale of identified surplus land is progressing. Investigation of viability of road closures on western side of Riverside Drive for proposed 8 lot subdivision continues. APP Corporation engaged to provide Spring Creek Feasibility Study for potential residential subdivision. Three expressions of interest submitted for lease of Kiama Visitor	Director Finance, Corporate and Commercial Services	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.1.2.2	Comply with all legislative requirements	All requirements met	100%	100%	100%	Centre Café, Warri Beach Holiday Park business development strategy submitted and presented to Council. Akuna Street development on hold whilst discussions take place with possible developer.	Chief Financial Officer	Completed 
4.1.2.3	Maximise interest return from investments	Interest rates exceed benchmarks while meeting investment guidelines	100%	100%	100%	Third Quarterly Budget Review Statements were presented to Council in the May 2018 meeting. Interim Audit conducted for the 2017/18 Year End Financial Statements. Proposed Loan Borrowings Return 2018/19 completed and sent to NSW TCorp. Council has performed above the Reserve Bank 90 day Bank Bill Index (BBSW). Council's average interest rate on Term Deposits as at 30 June 2018 is 2.62%. The return has been 0.55% above the 90 day BBSW.	Chief Financial Officer	Completed 





Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.1.2.4	Review fees and charges annually	Fees and charges other than those subject to legislation or community obligations at least meet Council's expense		100%	100%	Fees & Charges for the 18/19 financial year are complete and have been approved by Council resolution after 28 days on public exhibition.	Chief Financial Officer	Completed 

4.2: Council embraces good governance and better practice strategies

4.2.1: Manage effective risk framework across council

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.2.1.1	Provide timely, comprehensive advice on proposed corporate policy and legislative change.	100% proposed changes reviewed and reported		All planned activities undertaken	100%	All Corporate Policies and Protocols reviewed in accordance with prescribed legislation. Work continues on further development of the online Delegations Database. Code of Conduct and Meeting Code of Practice reviews delayed, pending updated Codes from the Office of Local Government (OLG).	Corporate Planner/Public Officer	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.2.1.2	Maintain legislated corporate reporting requirements including PID, GIPA, Complaints Register, Publication Guide, Code of Conduct	100% compliance		100% compliance	100%	No non-compliance issues recorded. The Operational Plan for 2018-19 was adopted by Council in June 2018. The newly adopted Plan was submitted to the OLG in accordance with legislation. The annual Public Interest Disclosure return was submitted to the NSW Ombudsman by the required date. Reporting under the Government Information (Public Access) Act was completed for the financial year by the IPC on line reporting.	Corporate Planner/Public Officer	Completed 
4.2.1.3	Review, coordinate and implement the Risk Management program of works	Planned program of work delivered within agreed timeframe			100%	All planned work activities either completed or progressing within time and resourcing limitations. a revised work plan will be drafted for 2018/19 FY	Risk Coordinator	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.2.1.4	Review, coordinate and implement the Work Health and Safety program of works	Planned program of work delivered within agreed timeframe		completed	100%	Work program for this period completed	Risk Management Officer - Work Health & Safety	Completed 
4.2.1.5	Review, coordinate and implement the Injury Management program of works	Planned program of work delivered within agreed timeframe		achieved	100%	Implementation of Injury Management Protocol and Return to Work Program is completed. Achieved below base tariff premium for 2017/18 financial year.	Risk Management Officer - Injury Management	Completed 
4.2.1.6	Review, coordinate and implement the Enterprise Risk Management framework	Planned program of work delivered within agreed timeframe			70%	Business unit ERM reviews have commenced following endorsement of the revised policy & protocol, however the complete program has not been achieved by end of 2017/18 FY.	Risk Coordinator	Progressing 
4.2.1.7	Implement continuous improvement for risk management	External audit completed for ISO31000 Standards			70%	The report is being reviewed monthly with MANEX and will be quarterly reviewed by Audit, Risk & Improvement	Risk Coordinator	Progressing 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.2.1.8	Enact corporate risk management strategies	CRIP audit report recommendations implemented			85%	Committee. Progress is being made, currently business continuity drill is being planned which will address 2 more items. The report table also includes proposed due dates may of which are another 6-12 months in future; others await a specific project to arise before the measure can be applied.	Director Finance, Corporate and Commercial Services	Progressing 
4.2.1.9	Establish and maintain Internal Audit Committee	Internal Audit Committee meets at least quarterly and reviews			100%	Recommendations from Audit Risk and Improvement Committee meeting	Director Finance, Corporate and Commercial Services	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
		implementation of risk management strategies and actions.				actioned. Advertising and interviews held for Internal Audit Officer. June meeting rescheduled to July due to membership commitments.	Commercial Services	

4.2.2: Manage an effective workforce in an environment of continuous improvement


Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.2.2.1	Develop, review and implement the Human Resource Management program of works	Planned program of work delivered within agreed timeframe			100%	Negotiation on Outdoor Nine Day Fortnight continued with agreement reached, and in progress of drafting for implementation 1 January 2019. Review of Leave Provisions Protocol and Procedure commenced. Continued to support recruitment initiatives with notable management recruitment of the Manager Commercial Services during this period.	Manager Human Resources	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
						<p>Process improvements to recruitment process continuing to be implemented.</p> <p>Annual Competency and Performance Review System implemented, all outcomes processed.</p> <p>Process improvement initiatives identified and implemented in Payroll system.</p> <p>Blue Haven Care Future Workforce plans continued.</p> <p>Blue Haven Care Annual Performance Review System developed.</p> <p>Reward and Recognition consultation completed, with further action items to occur to develop and implement the system.</p> <p>Interim Organisational Restructure in final stages of implementation</p>		

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.2.2.2	Develop, review and implement the Organisational Development program of works	Planned program of work delivered within agreed timeframe		Work delivered as agreed with Manex	75%	Works progressing. Workshops facilitated as part of Leadership Program; Internal Communications Working Party established and work progressing; Confident Conversations for Leaders training facilitated for MANEX, Managers, Team Leaders, Supervisors and Coordinators; Lunch and Learn sessions held to promote cross-departmental working relationships and successful submission for ongoing training in Competitive Systems and Practices.	Organisation Development Coordinator	Progressing 
4.2.2.3	Coordinate regular disability inclusion awareness training for all Councillors, staff and contractors who	Training completed	1 per year		0%	Meeting scheduled for late July to plan strategy for facilitating appropriate training across the organisation.	Organisation Development Coordinator	Not in this quarter

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.2.2.4	interact with the public Revise Council's recruitment practices to ensure that access and equity principles are actively and consistently implemented	Revised recruitment protocol submitted for endorsement to MANEX		Progressing	75%	HR Officer currently reviewing Recruitment protocol and supporting documentation to provide draft to MANEX in August/September 2018.	Human Resources Coordinator	Progressing 
4.2.2.5	Develop and promote supported employment placements for people with a disability to develop work skills in Council operations and services	Supported employment placement protocol for people with a disability is endorsed by MANEX		Progressing	75%	Item needs to be reviewed and discussed with Manex and Managers to identify if opportunities are available.	Human Resources Coordinator	Behind target 

4.2.3: Council, the Illawarra Pilot Joint Organisation and our neighbour councils working together

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.2.3.1	Initiate and support collaboration through IPJO to advance Council and regional strategic objectives	New joint activities and procedures established for mutual benefit of IPJO stakeholders			100%	ISJO meetings attended in April, May and June. Business Structure Options Assessment in May 2018. AGM held in June.	Director Finance, Corporate and Commercial Services	Completed 

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

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.2.4.1	Initiate and support partnerships at regional level to advance Council's strategic objectives	All approved partnerships are implemented			100%	Cities Power Partnership actions being implemented with agreement entered into with Australian Solar Design for photovoltaic system at Kiama Library.	Director Finance, Corporate and Commercial Services	Completed 
4.2.4.2	Advocate for provision of improved and accessible public transport within and between towns	Advocacy undertaken with key stakeholders			100%	Meetings held with Member for Kiama, Sydney Trains, Boral, Department of Planning and Department of Premier & Cabinet representatives to discuss future of Bombo	Director Finance, Corporate and Commercial Services	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
						Quarry. Feasibility study commenced.		




4.3: Council and the community working together

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

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.3.1.1	Council's website meets legal requirements, industry standards and facilitates effective engagement for community and staff	Annual website review of compliance, quality and useability undertaken			100%	The review and updates to Council's website continued. We modified the home page at relevant times to communicate Council's Special Rate Variation application and promote the availability of new online payments. Twenty Publishers attended a 1-day in house workshop 'Writing for the Web'. The workshop provided training on how to write effectively for websites and make content accessible. Significant positive feedback was received. Investigation into the implementation of a Google Custom Search for Council's Business Papers was	Communications Officer 01	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.3.1.2	Council's social media sites are coordinated for content compliance with Social Media Protocol and Style Guide	100% Council social media sites reviewed			100%	completed, with it due to be installed in early 2018-19. A clean up of content continued with a further 140 out of date or unnecessary articles or documents deleted. A further 245 articles, templates and widgets were updated (158) or added (89). Three more Web Chat sessions took place. The sessions continue to improve Publisher's knowledge and communication. Council webpages were viewed 91,957 times (73,269 unique views) by 21,074 users over 34,443 sessions.	Communications Officer 01	Completed 
4.3.1.3	Council's intranet is reviewed and improved to meet	Annual review of Council's intranet for			100%	We completed the project to connect TRIM and Council's Intranet.	Communications Officer 01	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	legal requirements, industry standards and facilitates business efficiency for staff	compliance, quality and useability				The project has resurrected staff interest in the Intranet and has made the sharing of documents, policies, procedures and plans streamlined and efficient. Further staff training completed on how to use the Intranet and make documents available via the TRIM connection, with a focus on strict version control. We added an updated Organisational Structure and this required work to update team pages. User access to the Intranet increased to 200 up from 184 the last quarter.		
4.3.1.4	Coordinate Council's media functions and provide timely responses to enquiries/requests	Media enquiries response complies with Council's Communications Protocol			100%	Sixteen media releases/statements were issued to local and regional media. Two hundred and forty six media stories that covered Council's activities were published or broadcast. These reached a cumulative	Communications Officer 01	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.3.1.5	Promote availability of more accessible Council information and events	Inventory of access gaps and budgeted improvement strategies completed			100%	No accessible Council information or events applied during this quarter.	Communications Officer 01	Completed 
4.3.1.6	Council's Community Engagement Strategy is revised to ensure a range of accessible participation options are included.	Training programs for Councillors and staff conducted on accessible Community Engagement Strategy.			0%	Not in this quarter - review scheduled to take place in next budget year.	Director Finance, Corporate and Commercial Services	Not in this quarter
4.3.1.7	Council's events and consultation procedures revised to ensure suitable transport, access facilities and services are included.	Accessible Consultation and Events policy and protocol developed and implemented.			100%		Manager Tourism & Events	Completed 
4.3.1.8	Terms of Reference, operations and	Revision of Council's Committee			100%	Terms of Reference for Planning Committee reviewed and adopted by	Director Finance, Corporate and	Completed 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
	accessibility of Council's committees reviewed to ensure equal participation opportunity for residents with a disability	Terms of Reference complete and implemented				Council. Blue Haven Advisory Committee Terms of Reference currently under review.	Commercial Services	
4.3.1.9	Revise Council's website to WCAG 2.0 standard	Website assessed and improvement plan completed			75%	In June, Council contracted me2accessibility to conduct an accessibility audit on its website. The audit comprised three stages; audit, WCAG2.0 certification and PDF accessibility. The site achieved a 74% WCAG compliance score. The instances where the site is not achieving WCAG compliance (use of images, multimedia, colour) were to be expected. During the audit, all website Publishers received professional in-house training on Writing for the Web. Each was equipped with	Communications Officer 01	Behind target 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.3.1.10	Provide easy read versions of Council's forms and information documents to effectively respond to enquiries	Priority items identified and format adaption program implemented for Plain English, easy read and low vision readability versions.			50%	<p>knowledge on how to fix accessibility issues and the Publishing team is now working to rectify issues in the first two quarters of 2018-19. Me2accessibility will re-test the site towards the end of the year and work with Council to help us achieve Level AA WCAG2.0 compliance. Earlier completion of the web accessibility project has not been possible due to staff resourcing and role changes.</p> <p>During the quarter, a design project to overhaul Council's stationery, forms and correspondence began. This project goal is to achieve consistent branding, provide customers with quality and Plain English information, and satisfy new privacy legislation. It is a significant and important first step required before we could</p>	Communications Officer 01	<p>Behind target</p> 

Action Code	Action Name	Performance Measure	Target	Actual	Progress	Comments	Responsible Officer Position	Status
4.3.1.11	Distribute information of Council activities and policies on a regular basis through a range of media	Quarterly newsletter to residents distributed electronically and in hard copy Community Engagement Strategy is met Public notices and regular notifications placed in local newspapers and on Council's website			100%	begin to create accessible and easy read forms and information documents. We have identified a number of forms and documents that will need to be made easy read as a priority. At the completion of the design upgrade, these forms will be created in the 2018-19 financial year. Forty-eight latest news, public notices and notifications added to Council's website during the quarter. Weekly email Kimunico delivered to 191 subscribers. Printed Kimunico delivered to 8200 ratepayer households. Thirty-six public notices placed in council's fortnightly advertising in The Bugle and occasional advertising in Kiama Independent.	Communications Officer 01	Completed 

9.3 Sponsorship request: 2018 South Coast Sevens - Football Tournament

CSP Objective: 3.0 A diverse, thriving economy

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

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

Item 9.3

Summary

This report recommends that Council, through Destination Kiama, provide a Gold level Sponsorship for the South Coast 7's Cup to be held on 23 and 24 September 2018.

Finance

The organiser of the South Coast Sevens is seeking sponsorship to the value of \$1,500. To be funded from Council's Donations Fund.

Policy

Not applicable

Communication/Community Engagement

Not applicable

Attachments

- 1 South Coast Sevens - Sponsorship Prospectus [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council, through Destination Kiama:

1. sponsor the 2018 South Coast Sevens to the value of \$1,500 (Gold Sponsorship)
2. meet with the event organisers to discuss additional leveraging and partnership opportunities, payment and reporting milestones.

BACKGROUND

The South Coast Sevens football (soccer) tournament is being held in Gerringong on Saturday 23 September and Sunday 24 September 2018.

The event is being organised by the Gerringong Breakers and it is anticipated it will attract between 200- 300 participants, plus spectators.

The South Coast Sevens aims to create an annual football tournament that promotes the South Coast, the Kiama area, the Gerringong community and healthy lifestyles through participation in football.

Report of the General Manager

9.3 Sponsorship request: 2018 South Coast Sevens - Football Tournament
(cont)

In establishing the annual 'South Coast 7's Cup' the organisers hope to:

- promote tourism to Gerringong and the Kiama area
- encourage football teams from around NSW and the ACT to Gerringong
- engage the local community
- promote local businesses and services including cafes, accommodation and recreational areas
- develop football and encourage year-round participation
- grow the tournament so it is sustainable and provides ongoing financial assistance to improve shared facilities and amenities to Gerry Emery Reserve and Athol Noble Oval
- support and lead the Breakers footballing community and corporate partners with professionalism, integrity and honesty.

A Gold Sponsorship of this event is valued at \$1,500 and offers:

1. Business logo and business name on Facebook and website
2. 1 x main field naming rights
3. 3 x signs around the venue

South Coast Sevens

Item 9.3

Attachment 1



SOUTH COAST
SEVENS

[South Coast Sevens Sponsorship]



Vision

In 2018, the tournament will be held on Saturday 23rd and Sunday 23rd of September. We anticipate the tournament will be an annual event played at the conclusion of football season, attracting hundreds of participants along. In 2018, we anticipate between 200-300 participants alone, with many more spectators and visitors to the area.

Initially the tournament will be played in the Men's Over 35, All Age Men and All Age Women with anticipated growth.

Mission

South Coast Sevens' aim is to create an annual football tournament, that promotes the South Coast, the Gerringong community and healthy lifestyles through the participation of football.

In establishing the annual 'South Coast 7's Cup' we hope to:

- Promote tourism to Gerringong and surrounding areas
- Engage football teams from around NSW and the ACT to Gerringong
- Engage the local community
- Promote local businesses and services including cafes, accommodation and recreational areas
- Develop football and encourage year round participation
- Grow the tournament so it is sustainable and provides ongoing financial assistance to improve shared facilities and amenities at Gerry Emery Reserve and Athol Noble Oval
- To support and lead the Breakers footballing community and corporate partners with professionalism, integrity and honesty.

Please contact Javid on 0422 639 356 if you would like further details.



What's in it for you?

We are looking for financial support to assist in hosting a successful and established annual tournament. 2018 Sponsorship packages:

Gold Sponsor - \$1500

1. Business logo and Business name on Facebook page and website
2. 1 x Main field naming Rights e.g. field 1 or 2 named after sponsor
3. 3 x Signs around venue (logo provided by Business)

Silver - \$1000

1. Business logo on media platforms
2. 1 x Field naming Rights (field 3 or 4)
3. 1 x Sign (logo provided by Business)

Bronze - \$500

1. Minor (outer field) field naming Rights
2. Business/company logo on Facebook and website

Field Sponsors - \$200 per field

1. Minor (outer field) field naming rights of 1 x field

9.4 Sponsorship request: Lions Club of Gerringong - Sports Stars of Gerringong calendar

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

CSP Strategy: 4.3 Council and the community working together

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

Item 9.4

Summary

Council has received a request from the Lions Club of Gerringong for consideration of sponsorship for the “Sports Stars of Gerringong” calendar which will be sold to raise funds for the National Lions Prostate Cancer Research and Treatment Project.

Finance

To be funded from Council’s Donations Fund.

Policy

Not applicable

Communication/Community engagement

If approved, Council would be acknowledged for the sponsorship in any media releases and also on signage at the points of sale.

Attachments

1 Request for sponsorship letter [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council provide sponsorship of \$500 towards the production of the “Sports Stars of Gerringong” calendar.

BACKGROUND

Council has recently received a request for sponsorship from the Lions Club of Gerringong towards the production of the “Sports Stars of Gerringong” calendar, which is being put together to raise funds for the National Lions Prostate Cancer Research and Treatment project.

The Lions Prostate Cancer Research and Treatment project supports the development of medical services for research and treatment of Prostate Cancer and is funded by the donations of local Lions Club. Prostate cancer is the most common cancer in men and is the second biggest cause of cancer deaths in Australia with an average of nine men dying daily from the disease.

Report of the General Manager

9.4 Sponsorship request: Lions Club of Gerringong - Sports Stars of Gerringong calendar (cont)

The Lions Club of Gerringong have identified that Gerringong has a history of high achieving sports persons to which the area lays claim; names such as Sally Fitzgibbon, Rod Wishart, Michael Cronin, Grace Stewart to name a few and are keen to capitalise on this fact by producing a calendar of not only established sports stars but also up and coming young achievers.

There are various levels of sponsorship on offer for Council consideration:

- \$1000 Name and logo on front cover plus every month page of calendar
- \$500 Name and logo on front page of calendar
- \$250 Name and logo on one selected month of calendar
- \$100 Name and logo on sponsors' page of calendar
- \$50 Name on sponsors' page

In addition to the above, if Council were to sponsor the project the Lions Club of Gerringong would also acknowledge the sponsorship in any media releases and also on signage at the points of sale.

It is recommended that in return for the acknowledgement as mentioned above, Council provide a sponsorship amount of \$500 towards the production of the Lions Club of Gerringong "Sports Stars of Gerringong" calendar.

The Lions Club of Gerringong Inc.

District 201N2

<i>President</i>	<i>Bob Mark</i>	<i>0408150339</i>	
<i>Secretary</i>	<i>Mark Westhoff</i>	<i>0421403662</i>	<i>PO Box 257</i>
<i>Treasurer</i>	<i>Richard Barber</i>	<i>0438678882</i>	<i>Gerringong</i>
			<i>NSW 2534</i>

ABN: 45 908 406 652



09-08-2018

Mr. Kerry McMurray
General Manager
Kiama Municipal Council

The Lions Club of Gerringong would like to request support from Kiama Municipal Council.

The Lions Club of Gerringong are currently in the process of producing a 'Sports Stars of Gerringong' Calendar for 2019, highlighting some of the prominent sports people of this area. The calendar is a Lions initiative to raise fund towards 'The Lions Prostate Cancer Research and Treatment Project'.

This small South Coast community has a proud history of high achieving sports persons in many different sporting arenas. When we started this project, we were pleasantly surprised by the large number of young people who have highly excelled in their chosen sports, and particularly so with the new generation of up and coming young achievers, as well as other already well established sports persons.

Lions are currently seeking sponsorship and financial support to assist with production costs to enable a better return for our chosen charity, and were wondering if Kiama Municipal Council would be able to contribute to this project. If sponsoring, Kiama Municipal Council will be acknowledged in any media release and signage at point of sales, plus within the Lions calendar itself - with position in calendar dependent on the sponsorship contribution level.

Lions calendar sponsorship levels:

\$1000 = Name and logo on front cover, plus every month page of calendar.

\$500 = Name and logo on front page of calendar.

\$250 = Name and logo on one selected month of calendar

\$100 = Name and logo on sponsors page in calendar

\$50 = Name on sponsors page in calendar

For more information on this request and the Lions calendar project, please contact:

Peter Jeffrey
Mobile: 0402802707
Email: peterjeffrey1953@gmail.com

Thank you.

Regards
Peter Jeffrey
Lions Club of Gerringong

Item 9.4

Attachment 1

10 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

10.1 Joint Regional Planning Panel - Council membership

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

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

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

Item 10.1

Summary

Kiama Council Members on the Southern Joint Regional Planning Panel (JRPP) are currently Michael Forsyth and Councillor Mark Honey with Councillor Andrew Sloan as the Alternate Member.

Michael Forsyth has advised that he no longer wishes to hold the role of Council Member however he would accept the role of Alternate Member. Councillor Sloan has the expertise required to hold the position of Council Member.

Elevating Councillor Sloan to the role of Council Member and nominating Michael Forsyth as Alternate Council Member would be consistent with the legislated membership requirements and provide for a seamless transition of membership.

Finance

N/A

Policy

The recommended appointment of Council Members to the JRPP is consistent with the requirements of the Environmental Planning and Assessment Act and Regulation.

Communication/Community Engagement

Community engagement is not required.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council endorse the nomination of Councillor Andrew Sloan as Kiama Council Member and Michael Forsyth as Alternate Council Member on the Southern Joint Regional Planning Panel and that the Panel Secretariat be advised accordingly.

Report of the Director Environmental Services

10.1 Joint Regional Planning Panel - Council membership (cont)

BACKGROUND

The Southern Joint Regional Planning Panel (JRPP) provides independent, merit-based decision making on regionally significant development proposed in the region. The Panel may also have a role in planning proposals, to undertaken rezoning reviews or to act as the relevant planning authority when directed.

The current Southern JRPP that is convened for matters under consideration in Kiama consists of 5 members:

- Three members appointed by the Minister (State members):
 - Pam Allan (Chair)
 - Alison McCabe
 - Renata Brooks.
- Two council members nominated by Kiama Council:
 - Michael Forsyth
 - Mark Honey
 - Andrew Sloan (Alternate).

Each Council identifies how their members are selected however, of the two Council members appointed by each Council, at least one is required to have expertise in one or more of the following areas: planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering or tourism.

Of the three current Council nominated members, both Michael Forsyth (planning) and Andrew Sloan (engineering/environmental planning and local government law) have the required expertise.

Michael Forsyth has indicated that he does not wish to continue as the Council Member on the JRPP however he has indicated that he would accept the role of Alternate Member.

This creates a vacancy which Council, subject to the Act and the Regulation, may make an appointment to fill. Taking the opportunity to elevate Councillor Sloan to Council Member and nominating Michael Forsyth as Alternate Council Member would provide for a seamless transition and be consistent with legislated membership requirements.

Following a change to its nominees, Council is to forward the new member's personal details to the secretariat as soon as possible.

10.2 10.2018.7.1 - Lot 12 DP 866128 - Jamberoo Road Croom - Demolition of existing dairy, new dwelling, second dwelling and farm stay accommodation in 5 cabins, educational building, hay and tractor sheds and roadworks

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

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

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

Item 10.2

Summary

This report reviews Development Application 10.2018.7.1 which involves the demolition of an existing dairy, the construction of a new dwelling (4 storeys high), secondary dwelling and farm stay accommodation in 5 self-contained dwellings, educational building, hay and tractor sheds and roadworks. The proposal has a capital investment value of \$13.1M.

The report recommends that Council refuse DA 10.2018.7.1 for the reasons as outlined in the recommendation.

Finance

N/A

Policy

N/A

Communication/Community Engagement

Required: Yes (newspaper advertisement, onsite notice and letter notification)

Notification Period: 30 days from 9 June 2018 to 9 July 2018

Submissions: 13 submissions

Reason for the Report

This report is submitted to Council as staff do not have delegation to determine development applications:

- involving more than 3 objections;
- involving more than a minor variation to the Development Control Plan; and
- with a construction value of more than \$2,000,000.00.

The application has also been called-up to Council for determination by Councillor Sloan.

Attachments

1 10.2018.7.1 - plans [↓](#)

Enclosures

Report of the Director Environmental Services

- 10.2 10.2018.7.1 - Lot 12 DP 866128 - Jamberoo Road Croom - Demolition of existing dairy, new dwelling, second dwelling and farm stay accommodation in 5 cabins, educational building, hay and tractor sheds and roadworks (cont)
-

Nil

RECOMMENDATION

That Council refuse Development Application 10.2018.7.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, for reasons shown below:

1. Prohibited Development

The development application proposes development that is prohibited in the RU2 Rural Landscape Zone pursuant to the Kiama LEP 2011. In this regard, it has not been demonstrated that the proposed five “*farm stay accommodation*” dwellings satisfy the definition of “*farm stay accommodation*” in the Kiama LEP, and the proposed five dwellings are not otherwise permissible in the RU2 Zone.

The development application proposes development that is prohibited in the RU2 Rural Landscape Zone pursuant to the Kiama LEP 2011. In this regard, it has not been demonstrated that the proposed “*information and education building*” satisfies the definition of “*information and education facility*” in the Kiama LEP and the proposed building is not otherwise permissible in the RU2 Zone.

2. Owners Consent

The applicant has failed to demonstrate that they have (and can) obtained owner’s consent from the Department of Industry - Lands to undertake work over the unformed Crown roads that traverse Lot 12 as shown on Deposited Plan 866128.

3. Staging

The applicant has not adequately demonstrated the staging of the development in the description of the development on the development application form.

4. Kiama Local Environmental 2011

The applicant has failed to demonstrate that the proposal meets the Aims in clause 1.2 of the Kiama Local Environmental 2011, including the Aims in clause 1.2(2)(a) to (g) .

The applicant has failed to demonstrate that the proposal meets the Objectives of the RU2 Rural Landscape Zone.

The applicant has failed to demonstrate that the use of the proposed educational building will be for a purpose described by the definition of “*information and education facility*”.

5. Kiama Development Control Plan 2012

The applicant has failed to demonstrate compliance with the following controls and objectives of the Kiama DCP: Chapter 1 Section 3, Chapter 2, C1, C6, C8, C9, C10, Section 18, C43, C44, C45, Chapter 6, C2, C3, C4, C7, C8, C10, C12, C13, C14, C17, C18, C19, C28, C66, C67, C68, C69 and C75.

6. Site Analysis

The applicant has failed to provide a satisfactory architectural statement, site

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-

analysis plan and site analysis statement.

7. Visual Impact

Approval of the development will reduce the visual amenity of, and will have an adverse visual impact on, surrounding properties. The applicant has failed to provide a satisfactory Visual Impact Analysis showing the imposition of all of the proposed buildings on photomontages in the landscape when viewed from both public and private domains.

8. Architectural Character, Streetscape and Scenic Quality

The design of the proposal, which is excessive in bulk and scale, is unreasonable when considered in relation to the context of the site. The proposal is not compatible with the existing or desired future character of the Jamberoo Valley rural landscape locality.

9. Privacy

The proposal will have a significant adverse impact caused by overlooking of the immediate neighbours to the site. This will cause loss of privacy for those neighbours, particularly the occupants of Lot 10 DP 866128.

10. Sustainability

The applicant has failed to demonstrate that the principal dwelling complies with the principles of ecologically sustainable development.

11. Essential Services

The applicant has failed to demonstrate a suitable means of onsite wastewater disposal because it relies on a reticulated water supply that Sydney Water Corporation advises is not available to the site and effluent treatment areas close to waterways that may give rise to adverse impacts to waterways and adjoining lands.

12. Bushfire Hazard Management

The applicant has failed to demonstrate that the design of all driveways in the development are in accordance with the requirements of the NSW Rural Fire Service document "*Planning for Bushfire Protection 2006*".

13. Easements

The applicant has failed to demonstrate that they have obtained written permission from Endeavour Energy to undertake development in the easement shown as thirdly in the 88B instrument of DP 866128.

14. Contaminated Land Management

The applicant has failed to demonstrate that the requirements of "*Guidelines for Consultants Reporting on Contaminated Site prepared by the NSW Office of Environment & Heritage*" have been satisfied.

15. Traffic Safety

The applicant has failed to demonstrate that the intersection of the access driveway with Jamberoo Road is safe and has not provided comprehensive engineering road

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-

design plans for road work proposed in the road reserve.

16. Flooding and Riparian Land and Watercourses

The applicant has failed to provide a flood assessment report and modelling in accordance with the requirements set out in Section 3 of Chapter 29 of Kiama Development Control Plan 2012.

The applicant has failed to provide a flood study and engineering plans in accordance with the requirements of Control C66 to C70 inclusive of Chapter 6 of Kiama Development Control Plan 2012 demonstrating:

- the location and floor levels for habitable dwellings and ancillary buildings;
- that the design does not adversely affect stream flow, riparian vegetation and water quality and shall include improvements of the riparian land in the vicinity of the crossing to restore its natural form and function; and
- details of elevated crossings for horse riding/walking trails through riparian lands/watercourses clear of the 1 in 100 year storm event levels.

The applicant has not demonstrated that the development is designed, sited and will be managed to avoid any significant adverse environmental impact on riparian land and watercourses.

The applicant has failed to demonstrate consistency with the requirements and objectives of Clauses 6.3 and 6.5 of Kiama Local Environmental Plan 2011.

17. Earthworks and Geotechnical

The proposal will lead to excessive and unnecessary cut and fill.

The applicant has failed to provide an earthworks plan demonstrating all proposed cutting and filling in the proposal.

The applicant has failed to provide a geotechnical report from a suitably qualified engineer which takes into account matters specified in Section 13 of Chapter 6 of Kiama Development Control Plan 2012 and Clause 6.2(3)(a) – (h) (inclusive) of Kiama Local Environmental Plan 2011.

The applicant has failed to demonstrate in the design consideration that the Reserved Roads 10.06 wide in Deposited Plan 866128 may be constructed as a formed road in the future.

The applicant has failed to demonstrate that the proposed access driveway has been designed in accordance with Council's Driveway and Footpath Procedures Manual.

18. Stormwater Management

The applicant has failed to demonstrate satisfactory stormwater management for the secondary dwelling, shed complex and access driveways

19. Soil and Water Management

The applicant has failed to demonstrate satisfactory soil and water management plans prepared for the proposed access driveways.

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-

Landscaping Assessment

20. Vegetation Management

The applicant has failed to demonstrate satisfactory details concerning tree removal for the construction of the access driveway (Road 2 & 3) and for the secondary dwelling and other trees likely to be adversely impacted by the proposal.

21. Species Selection

The application proposes inappropriate plantings utilising plants listed as unsuitable for the Kiama Municipality in the Kiama Development Control Plan 2012 Chapter 8 - Appendix 1.

22. Nominated Integrated Development

The NSW Department of Primary Industry Water (DPI-Water) has not issued General Terms of Approval under Section 89, 90, or 91 of the Water Management Act 2000, and the Council is therefore prevented from favourably determining the application absent the General Terms of Approval and the application must therefore be refused.

23. Terrestrial Biodiversity and Environmental Impact

The site is affected by land mapped as terrestrial biodiversity pursuant to the Kiama Local Environmental Plan 2011. The applicant has failed to demonstrate that the development is designed, sited and will be managed to avoid any significant adverse environmental or ecological impacts. The development is likely to have a negative impact on the natural environment due to the intensity of the proposal, the dispersal of dwellings, buildings, roads and driveways on the site with excessive land take, the excessive cut and fill and the disruption to the rural landscape. The development application is not consistent with the objectives or requirements of clause 6.4 of the Kiama Local Environmental Plan 2011.

24. Insufficient information: access and manoeuvring

The Applicant has failed to provide consistent information and plans which demonstrate indicative sight distances to Jamberoo Road can be met.

BACKGROUND**Development Site**

The property is described as Lot 12 DP 866128 which is located at Jamberoo Road, Croom.

The overall site measures 58.55ha and is rectangular in shape. The site currently contains Class 10 buildings, and is otherwise vacant and is bounded by rural land containing principally rural dwellings and improved pasture.

The site is zoned Part RU2 Rural Landscape/Part E2 Environmental Conservation pursuant to Kiama Local Environmental Plan (LEP) 2011.

The site of the principal dwelling is generally cleared and slopes steeply from the hill in the centre of the property with a fall of 25% or 14.04 degrees.

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The site drains to the natural watercourses that traverse the property.

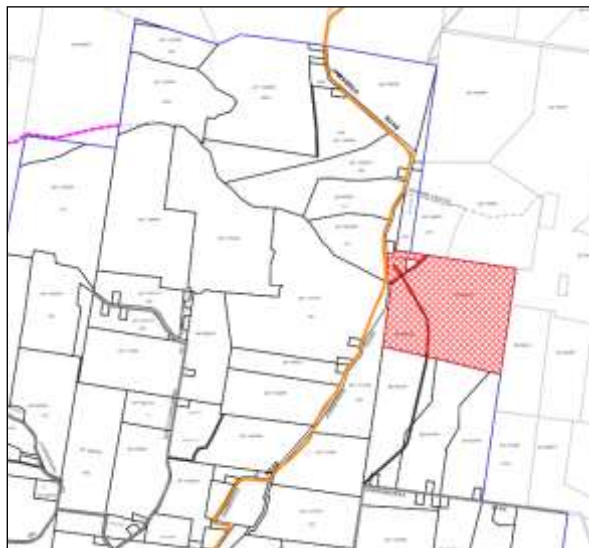


Figure 1 – Locality Plan

Access to the property is gained from Jamberoo Road.

The site is not serviced with water and sewer facilities, with only electricity and telecommunications available.

The site is subject to the following constraints:

- No reticulated water and sewer services;
- Unformed roads and transmission line easements;
- Flooding;
- Contamination; and
- Areas mapped in Kiama LEP as:
 - a) Terrestrial biodiversity;
 - b) Water courses; and
 - c) Riparian land.

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Figure 2 – LEP 2011 Zoning RU2 and Part E2 and Natural Drainage Lines



Figure 3 – Aerial Photograph (10m contours and natural drainage lines)



Figure 4 – Site View Photograph from Jamberoo Road (North View)



Figure 5 – Site View Photograph from Minnamurra Lane (North View)

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Figure 6 – Site View Photograph from Croome Vale Road (South View)

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Background

Land and Environment Court Appeal

The development application history is as follows:

09.01.2018	Development Application lodged
12.01.2018	Council sends first additional information request
15.01.2018	Applicant responds to additional information request
18.01.2018	Council sends second additional information request
22.01.2018	Council sends third additional information request
25.01.2018	Applicant amends Development Application form to include Integrated Development for a permit under the Water Management Act from Department of Primary Industry - Water
27.02.2018	Council rejects Development Application with fourth additional information request
20.04.2018	Applicant lodges Class 1 deemed refusal appeal in Land and Environment Court under Proceeding No 18/114754
09.06.2018	Council re-notifies DA for 31 days from 9 June 2018 to 9 July 2018

Council must file the Statement of Facts and Contentions in the proceedings by 22 August 2018, and must attend a Section 34 Conciliation Conference on 26 October 2018.

A hearing date has not been set down, and this report serves to allow Council to determine the application to allow the proceedings to be discontinued if the application is approved, or defended if the application is refused.

Owners Consent (to the making of the application)

The Deposited Plan 866128 shows that the subject lot is traversed by unformed Crown roads, and works are proposed in the subject application to be undertaken within that area.

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The NSW Department of Industry - Crown Lands was consulted with respect to the requirement for owners consent to the making of the subject application.

An officer from the Department advised, in a telephone call with the Council staff, that the road is a Crown paper road confirming the ownership status of the unformed road as Crown Land. The officer confirmed the owner's consent from the NSW Department of Industry - Crown Lands has not been given with respect to the application.

The officer advised that a road closure and acquisition process had been commenced with the Department by the proponent in the first half of 2018, and that the process may take 3 to 5 years to complete.

The officer was not able to advise whether owner's consent would be given to the application by the Department.

The development application therefore cannot be determined by way of approval absent the owner's consent to the making of the application for the works within the Crown Roads owned by NSW Department of Industry - Crown Lands.

Nominated Integrated Development

The application involves excavation and filling works within 40m of a number of mapped watercourses on the property which requires the issue of a Controlled Activity approval under the Water Management Act 2000 from NSW Department of Primary Industry Water (DPI-Water).

Earthworks within 40m of a natural waterbody is Integrated Development as defined under Section 91 of the Environmental Planning and Assessment Act 1979 and requires General Terms of Approval under Section 89, 90, or 91 of the Water Management Act 2000 from NSW Department of Primary Industries – Water.

The application is *Nominated Integrated Development*, which is required to be advertised for 30 days as *Other Advertised Development* pursuant to Clause 5 of the Environmental Planning and Assessment Regulation 2000.

The application was exhibited accordingly, and referred with the accompanying fee and the application information to NSW Department of Primary Industry Water (DPI-Water) on 6 June 2018 seeking General Terms of Approval under Section 89, 90, or 91 of the Water Management Act 2000.

The NSW Department of Primary Industry Water (DPI-Water) has not issued General Terms of Approval under Section 89, 90, or 91 of the Water Management Act 2000, and the Council is therefore prevented from favourably determining the application without the General Terms of Approval and the application, if it is to be determined, must be refused.

Description of the Proposed Development

The proposal involves the demolition of an existing dairy, and the construction of a new dwelling (4 storeys high), secondary dwelling and farm stay accommodation in 5 self-contained buildings (dwellings), educational building, hay and tractor sheds and roadworks. The proposal has a stated capital investment value (CIV) of \$13.1M.

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The floor areas of the buildings proposed in the development are:

- Principal dwelling: 3340m²
- Secondary Dwelling: 195m²
- Information and Education Building: 162m²
- Farm Stay Dwelling No 1: 185m²
- Farm Stay Dwelling No 2: 185m²
- Farm Stay Dwelling No 3: 238m²
- Farm Stay Dwelling No 4: 238m²
- Farm Stay Dwelling No 5: 238m²

The combined total floor areas of the buildings proposed in the development is 4,605m².

The details of each of the proposed buildings is as follows:

Principal Dwelling - 3340 m² GFA

Ground Floor (1st storey) GFA 872.8 m²

- Porch, Lobby, Lounge Room 1, Dining Room 1, Kitchen & Pantry.
- Hall 1, two lift cores.
- 8 car garage & storage.

First Floor (2nd storey) GFA 696.9 m²

- First floor lobby, Informal Dining Room, Dining Room 2, Bathroom 1, Store 2.
- Hall 2, two lift cores.
- Terrace 1 (external) & Terrace 2 (external).
- Void, Stairwell.

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Second Floor (3rd storey) GFA 1089.4 m²

- Second floor lobby.
- Bedroom 1 with walk in robe (WIR), Bedroom 2 with WIR.
- Bedrooms 3 with ensuite and WIR, 4, 5 & 6 with ensuite and WIR.
- Rumpus 1 & 2.
- Laundry.
- 2 lift cores.
- Storeroom.
- Hall 3, 4, 5 & 6.
- Void, Stairwell.

Third Floor (4th storey) GFA 681.3 m²

- Third floor lobby.
- Bedrooms 7 with ensuite and WIR, 8, 9, 10 & 11 with ensuite and WIR.
- Study, Reading Room.
- 2 lift cores.
- Balcony 1 and 2 (external).
- Hall 7 & 8.
- Void, Stairwell.

The building is stepped down the site in effectively 2 halves.

- The profile/side of the front half is approximately 14.9m high above natural ground level.
- The profile/side of the back half is approximately 13m high above natural ground level.
- The building when viewed from the front appears as 5 storeys and is approximately 17m high above natural ground level.
- The building when viewed from the back appears as 2 storeys and is approximately 10m high above natural ground level.

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Figure 7 – Principle Dwelling - Front and Rear elevation (East/West orientation)



Figure 8 – Principle Dwelling - Front and Rear elevation (East/West orientation)

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Item 10.2

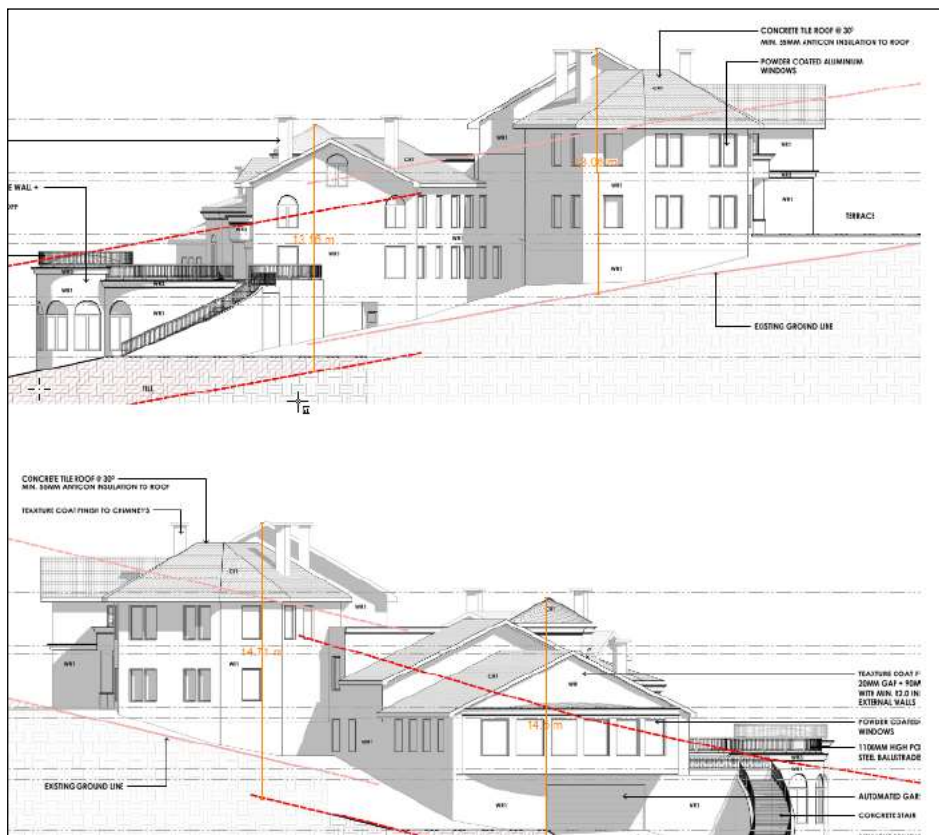


Figure 9 – Principle Dwelling – Side profile elevation (north/south orientation)



Figure 10 – Aerial View 3D Perspective (front)



Figure 10 – Aerial View 3D Perspective (rear)

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-



Figure 11 –3D Perspective (front)



Figure 12 –3D Perspective (North)

Secondary Dwelling - 195 m² GFA

Ground Floor

- Open plan kitchen, dining, lounge, sitting.
 - Bed 1 with WIR, Ensuite.
 - Bathroom with WC.
 - Linen cupboard.
 - Double car garage.
 - Terrace (external).
 - 5000L Rainwater Tank.
 - 3KW photovoltaic system.
 - Solar Hot Water System.
-

Education and Information Building - 162 m² GFA

Ground Floor

- Information Desk.
 - Education Room.
-

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10.2 10.2018.7.1 - Lot 12 DP 866128 - Jamberoo Road Croom - Demolition of existing dairy, new dwelling, second dwelling and farm stay accommodation in 5 cabins, educational building, hay and tractor sheds and roadworks (cont)

Secondary Dwelling - 195 m² GFA

- Mud Room.
 - Resources Room.
 - 2 x Toilet Cubicles.
 - Double car garage.
 - Terrace (external).
 - 5000L Rainwater Tank.
 - 3KW photovoltaic system.
 - Solar Hot Water System.
-

Farm Stay Dwelling 1 185 m² GFA

Ground Floor

- Open plan – entry, kitchen, dining, lounge, sitting.
 - Mud Room.
 - 1 bedrooms (Bed 1 with WIR, Ensuite).
 - Bathroom with WC.
 - Double car garage.
 - Terrace (external).
 - 5000L Rainwater Tank.
 - 3KW photovoltaic system.
 - Solar Hot Water System.
-

Farm Stay Dwelling 2 - 185 m² GFA

Ground Floor

- Open plan – entry, kitchen, dining, lounge, sitting.
 - Mud Room.
 - 1 bedrooms (Bed 1 with WIR, Ensuite).
 - Bathroom with WC.
 - Double car garage.
 - Terrace (external).
 - 5000L Rainwater Tank.
 - 3KW photovoltaic system.
 - Solar Hot Water System.
-

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Farm Stay Dwelling 3 - 238 m² GFA

Ground Floor

- Open plan – entry, kitchen, dining, lounge, sitting.
 - 1 bedrooms (Bed 1 with WIR, Ensuite).
 - Laundry.
 - Carport (stacked) and Single car garage.
 - Terrace (external).
 - 5000L Rainwater Tank.
 - 3KW photovoltaic system.
 - Solar Hot Water System.
-

Farm Stay Dwelling 4 - 238 m² GFA

Ground Floor

- Open plan – entry, kitchen, dining, lounge, sitting.
 - 1 bedrooms (Bed 1 with WIR, Ensuite).
 - Laundry.
 - Carport (stacked) and Single car garage.
 - Terrace (external).
 - 5000L Rainwater Tank.
 - 3KW photovoltaic system.
 - Solar Hot Water System.
-

Farm Stay Dwelling 5 - 238 m² GFA

Ground Floor

- Open plan – entry, kitchen, dining, lounge, sitting.
- 1 bedrooms (Bed 1 with WIR, Ensuite).
- Laundry.
- Carport (stacked) and single car garage.
- Terrace (external).
- 5000L Rainwater Tank.
- 3KW photovoltaic system.
- Solar Hot Water System.

The proposal is shown in Figures 13 to 20 below:

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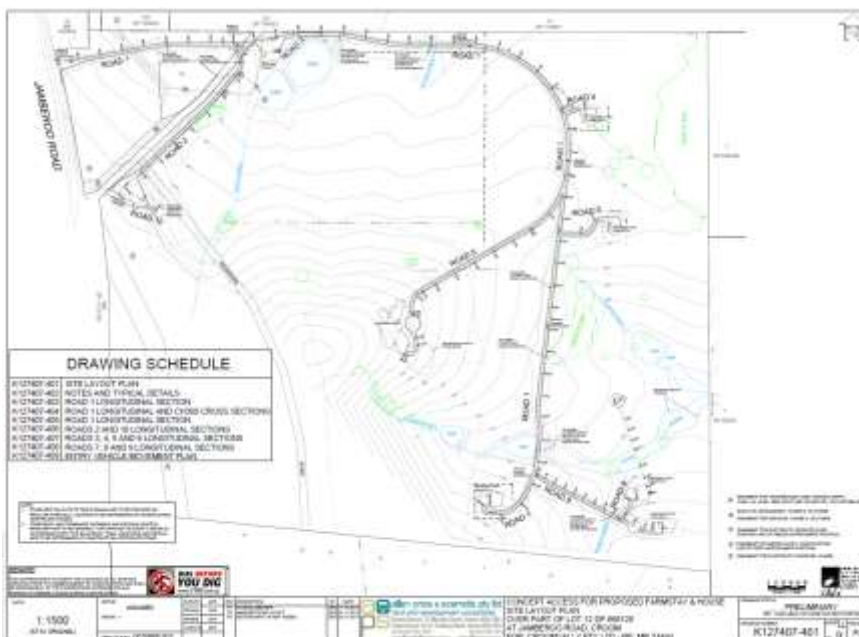


Figure 13 – Site/Subdivision Plan

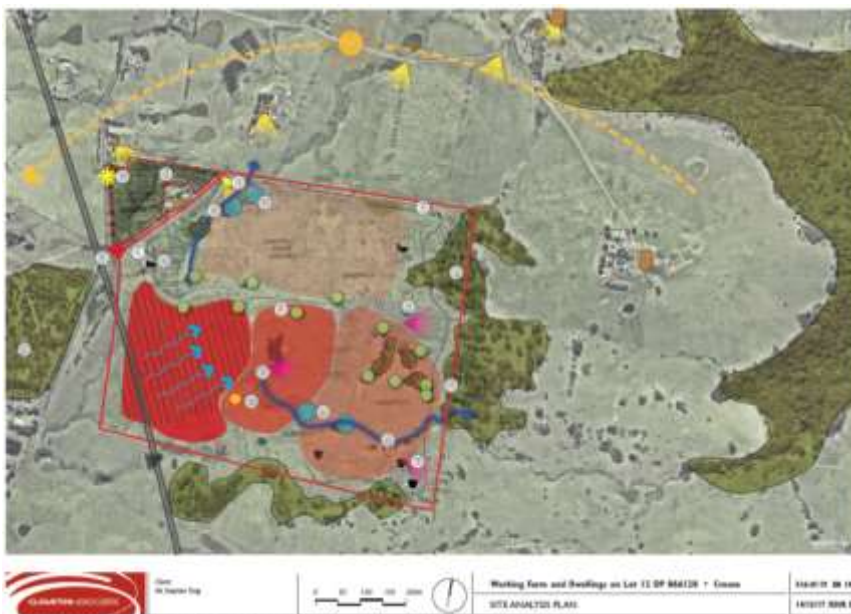


Figure 14 – Site Analysis Plan



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Figure 15 – Secondary Dwelling



Figure 6 – Education and Information Building



Figure 17 – Farms Stay Dwelling 1, 2



Figure 18 – Farms Stay Dwelling 3, 4, 5

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EXTERIOR FINISHES SCHEDULE				EXTERIOR FINISHES SCHEDULE			
ITEM	MATERIAL FINISH	COLOR	SAMPLE	ITEM	MATERIAL FINISH	COLOR	SAMPLE
Painting (Exterior walls, ceilings, downpipes to match wall color)	WHITE COORDINATE PAINT	Monument	[Sample]	Windows + Doors (Including secondary and secondary dwelling only)	EUROPEAN PAPERED GLASS ALUMINIUM	POSS	[Sample]
CONCRETE FLOOR (CR)	MONOLITH - MAGDOON	Bluemund	[Sample]				
SOFTWING (CR)	JAMES HARDIE (CR) SHEET FIBRE CEMENT WITH BECKING (CR) (CR)	SOFT LANTERN MAP	[Sample]				
WEATHERBOARD CLADDING (WB)	JAMES HARDIE WEATHERBOARD PROFILE (WB)	SWIFT Grey 600	[Sample]				
CONCRETE BLOCK (CB)	ADMK - IMPERMEABLE	TRICKY	[Sample]				
CONCRETE BLOCK (CB)	ADMK - IMPERMEABLE	BLACK	[Sample]				
Window + Doors (Including secondary and secondary dwelling)	European Papered Glass Aluminium	Lantern Map	[Sample]				
Ind. roller light (RL)	DUXUX THERMO COOL FINISH	Trig white roller	[Sample]				
Stone cladding (SC)	WHITE HEMLOCK STONE	white hemlock stone 400 x 600 or 600 x 400mm	[Sample]				
Ind. roller windows (RL)	DUXUX THERMO COOL FINISH	SOFT LANTERN MAP	[Sample]				
Daisy Resin (RA)	BLENDED FANUC 400 x 600 MM	TRICKY TRICKY	[Sample]				
Timber cladding (TR)	TRUCKWOOD SHIP LAP (SLASHING PROFILE ACROSS)	TRICKY TRICKY	[Sample]				
garage roller door	2x2 5000 PANEL 27' HEIGHT IN HEMLOCK WITH AL	Fluorescent Monument 4000' (not made in long white roller)	[Sample]				
Stone cladding (SC)	White Stone cladding profile	TRICKY TRICKY	[Sample]				

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Figure 19 – Materials and Finishes

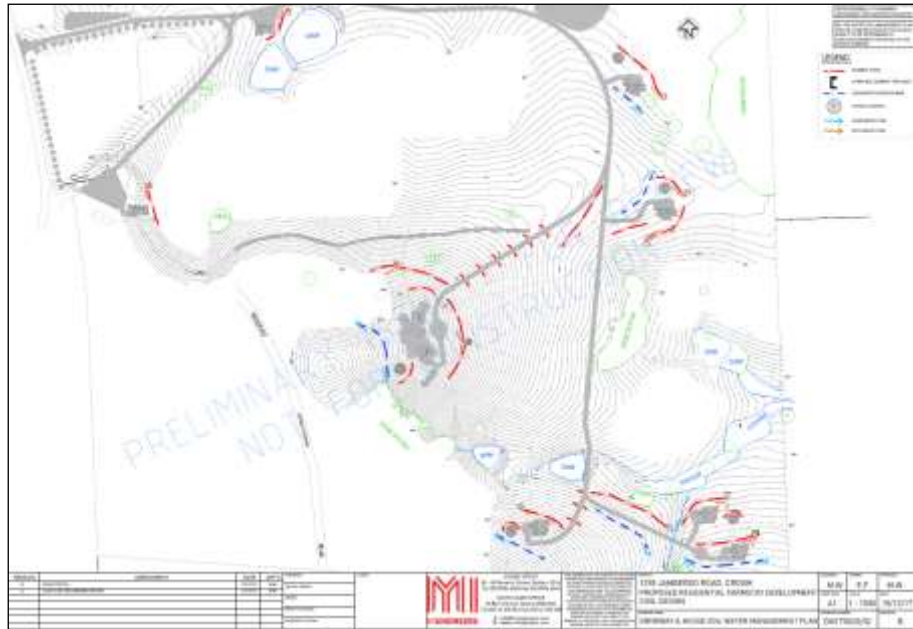


Figure 20 – Soil and Water Management Plan

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Section 4.15 Assessment

The proposed development has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended) and the following matters are considered relevant:

Landuse Characterisation and Permissibility

Permissibility

The land is currently zoned RU2 and E2 under Kiama LEP 2011 which is subject to a 40 hectare development standard under that plan.

The application proposes *Farm Stay Accommodation* within 5 separate buildings on the land. Under the dictionary to the Kiama LEP 2011 *Farm Stay Accommodation* means:

...a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

To assist Council to properly characterise the development, the *Department of Planning and Environment* was consulted to provide information or comments on the underlying intent of the definition of *farm stay accommodation*, in the Standard Instrument LEP, and whether it may be self-contained visitor accommodation as a form of *tourist and visitor accommodation* as compared with *hotel or motel accommodation* or *service apartments* which are prohibited in the RU2 and E2 zones.

The Department advised:

I refer to Kiama Council's letter in relation to a development application for the demolition of an existing dairy, new dwelling, secondary dwelling and five farm stay accommodation cabins at Jamberoo Road, Croom. I note your request for the Department to comment on the underlying intent of the definition of farm stay accommodation in the Standard Instrument LEP.

The Department has prepared the LEP Practice Note (PN 09-006) 'Providing for tourism in Standard Instrument local environmental plans', to assist councils in providing tourism opportunities in their LEP's. The Practice Note identifies that when including tourism uses in a zone, the primary focus of the zone must be maintained so that any identified tourism uses are consistent with the mandatory zone objectives and uses of that zone.

It is noted that farm stay accommodation is defined in the Standard Instrument as follows:

farm stay accommodation means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

The definition does not specify the form which the accommodation must take. However, it does require the following conditions to be met:

- *temporary or short-term accommodation to paying guests; and*

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-
- *on a working farm; and*
 - *the accommodation is a secondary business to primary production.*

While Council must form its own view on whether a proposal satisfies this definition, I hope this information is of assistance.

Characterisation

The application is unclear with respect to its permissibility for 4 reasons:

1. It is unclear that the *Farm Stay Accommodation* is permissible by definition because the farm stay is not proposed in a building, but instead in 5 separate buildings.
2. It is unclear that the *Farm Stay Accommodation* is permissible by definition because the application is without information demonstrating that the land to which the application relates is a working farm.
3. It is unclear that the *Farm Stay Accommodation* is permissible by definition because the application is without information demonstrating that the farm stay accommodation is secondary to the primary production.
4. The design of the *Farm Stay Accommodation* is akin to a dwelling and would be suitable for long term accommodation.

Building or Place

The application proposes *Farm Stay Accommodation* within 5 separate buildings on the land. Under the dictionary contained in Kiama LEP 2011 *Farm Stay Accommodation* means:

...a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

The configuration of the proposed *Farm Stay Accommodation* is not considered to be permissible by definition because it is not proposed in “a building”, but instead in 5 separate buildings.

The proposed farm stay accommodation buildings are proposed to be self-contained dwellings to be used by visitors and are considered to be properly characterised as *hotel or motel accommodation* or *serviced apartments*, because they are each self-contained.

The 5 one bedroom dwellings are considered to be characterised as *serviced apartments* and which are a prohibited landuse in the zone.

On a working farm

The Agricultural Assessment Report referred to in the Statement of Environmental Effects concludes that the working farm is yet to be established, the proposal as required by definition must be on a working farm, not on a yet to be established working farm.

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This is further supported by the fact that the property has a rating classification of Residential, meaning that it has not demonstrated that it is used for primary production.

The Agricultural Assessment Report should include documentary evidence such as receipts, invoices, and other evidentiary documentation demonstrating that the site is a working farm delivering an income for primary production.

It is unclear that the *Farm Stay Accommodation* is permissible by definition because the application is without information demonstrating that the farm stay accommodation is secondary to the primary production.

Therefore, the means by which the working farm is established and documented, and the means by which the farm stay accommodation is established and documented as a secondary business to the primary production has not been adequately made out for the purpose of demonstrating the proposal is not prohibited.

Secondary Business to Primary Production

The *Farm Stay Accommodation* may not be permissible by definition because the *Farm Stay Accommodation* is not a secondary business to primary production.

The Agricultural Assessment Report must include evidence such as receipts, invoices, and other economic information and/or other evidentiary documentation demonstrating that the *Farm Stay Accommodation* is a secondary business to the working farm.

This is a threshold test that requires the cost of the CIV of the construction of the farm stay accommodation structures and the net income from the rental of the accommodation does not exceed the net income from the working farm.

The application does not include supporting evidence demonstrating that the farm stay accommodation is secondary to the working the farm.

To assist Council to properly characterise the development, the *Department of Agriculture* was also consulted to provide information or comments on the working farm potential income.

The Department advised:

I have read the information provided in the CD attached to the letter. In particular, I have studied the document prepared by Cowman Stoddart Pty Ltd, dated November 2017, on the proposed Farm Stay Accommodation, Lot 12, DP 866128 Jamberoo Rd, Croom.

As outlined in the Kiama Local Environmental Plan 2011, farm stay accommodation means:

“a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.”

There is no real definition of working farm, as it can constitute a full time or part time occupation with varying income levels. The key aspect is to determine whether the proposed farm stay accommodation is secondary to the business of primary production.

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-

This could be considered in terms of comparing the income generated from the proposed primary production and the farm stay accommodation.

The Cowman Stoddart Pty Ltd document has used the NSW Department of Primary Industries Beef Cattle Gross Margin (GM) Budget (Farm Enterprise Series February 2017) to calculate gross margins and income potential and are appropriate.

For coastal weaners on unimproved pasture, the GM budget states that \$134.80/ha/year could be achieved. This excludes any fodder costs (crops, hay, grain) and any drought feeding costs.

https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0005/175523/16-North-Coast-weaners-unimproved.pdf

For coastal weaners on improved pasture, the GM budget states that Agriculture states that \$134.80/ha/year could be achieved including pasture costs and \$378.60 excluding pasture costs. This excludes any fodder costs (crops, hay, grain) and drought feeding costs.

https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0004/175522/coastal-weaners-improved-pasture.pdf

Based on those budgets I have made the following calculations:

Unimproved pasture:

\$134.80/ha/year at 42 available hectares (as stated on page 9 in the Cowman Stoddart Pty Ltd report). This equates to \$5661.60 per year.

Improved pasture:

\$316.10/ha/year (including pasture costs) at 42 available hectares. This equates to \$13,276.20 per year.

\$378.60/ha/year (excluding any pasture costs) at 42 available hectares. This equates to \$15,901.20 per year.

It should be noted that the GM budgets are based on a 100 cow unit. The proposal is for 35 cows or 43 steers (page 9 Cowman Stoddart Pty Ltd) which is considerably below the assumptions made for the gross margin.

It should be noted that there is no information in the report provided on other agricultural pursuits mentioned, including viticulture and irrigated vegetable growing. For the purpose of this assessment, they have not therefore been considered.

The potential income generated from the farm should be assessed against any potential income from the proposed farm stay accommodation to determine whether the farm stay accommodation is in fact a secondary or primary source of income. Council would be in the best position to determine the income potential from the farm stay accommodation proposed.

The CIV for establishment of the farm stay accommodation dwellings is as shown below:

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Farm stay 1	\$482,726.00
Farm stay 2	\$502,846.00
Farm stay 3	\$596,554.00
Farm stay 4	\$538,796.00
Farm stay 5	\$538,860.00
TOTAL	\$2,659,782.00

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Based on the Gross Margins provided by the Department, the annual potential income from 35 head of cattle on the 42 hectares of site area available for grazing is 35% of \$13,276.20 which equates to \$4,646.67 annually if the land is considered to be improved pasture.

This potential primary production income will not exceed the potential income from the proposed farm stay accommodation given:

- The CIV for the establishment of the farm stay accommodation dwellings and education building is \$3,075,535 which is a significant investment requiring a significant return
- The applicant has not provided information that demonstrates the income to be derived from the farm stay accommodation uses will less than and therefore secondary to the potential primary production income
- Using researched information (from internet searches and from Destination NSW) about local farm stay rates and regional occupancy rates, a conservative estimate of income from the proposed farm stay accommodation is in the order of \$130,000 per annum (\$250 per night x two nights per week x 5 dwellings x 52 weeks).

Temporary Visitor Accommodation/Long Term Accommodation

The definition of *Farm Stay Accommodation* requires that it be of a temporary or short-term nature for paying guests. Concern is raised that given the self-contained nature and generous size of the built form they are more akin to a dwelling and would be capable of long-term tenancy.

Information and Education Building

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like.

The Statement of Environmental Effects states that the *proposed information and education building is to assist separation and conflict with direct agricultural activities and to be a point of contact for information and education of visitors / guests using the farm stay accommodation*. It further states that *no accommodation facilities are provided in the information and education building*.

The proposition that the building is to be used as an information and education facility is questionable given:

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- The estimated cost of construction of the centre is significant at \$415,753 – and it includes nearly 2m of cut and fill into the landscape
- No details are provided about the nature of the information to be provided to visitors or the educational activities proposed – there is no existing primary agricultural use of the property to be the basis for the centre function
- The traffic impact assessment indicates that zero vehicle movements are expected to be generated by the information and education centre. Therefore it is assumed that no dedicated staff will be employed in the centre and that the centre is solely for the use of farm stay visitors
- No information has been provided about the anticipated occupancy rate for the farm stay accommodation, however the occupancy rate for rented holiday homes in the South Coast reported by Destination NSW is 22.7%. Using this as a guide, a dedicated unstaffed centre to service only up to 15 people visiting for 2 nights per week is not plausible.
- It has no staffing and the intended users would have full facilities at their individual accommodations on site yet it includes a double garage and kitchenette.
- The design of the information and education centre could easily be retrofitted for separate residential use.

The Development Application form, in response to the question about “number of new or additional self-contained units to be created (for new dwellings or units)” stated eight (8). By stating eight (8) to this question the applicant was categorizing the education building as a new self-contained dwelling unit (ie rural dwelling, secondary dwelling, 5 farm stay dwellings and the education building = 8).

The application which includes proposed *Farm Stay Accommodation and Information Education Facility*, is therefore considered to be prohibited and must be refused.

Relevant Environmental Planning Instruments

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

A BASIX Certificate was lodged for the new dwellings, secondary dwelling, and farm stay dwellings with the application which demonstrates that each dwelling has been designed in accordance with BASIX.

- State Environmental Planning Policy No 55 - Remediation of Land

Clause 7 of the SEPP No 55 requires Council to consider whether the land is contaminated and if it is contaminated if remediation works are required. The applicant provided a contamination report that contained numerous errors and failed to fully address the requirements of “*Guidelines for Consultants Reporting on Contaminated Sites*” prepared by the NSW Office of Environment and Heritage. Given the historic agricultural landuse of the site and uncertainty surrounding potential contamination, Council needs to apply a precautionary approach and deem the site unsuitable for the proposed development.

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- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Clause 9 and 10 of the SEPP (Vegetation in Non-Rural Areas) 2017 outlines that consent is required for the clearing of certain vegetation in non-rural areas. No significant trees are proposed to be removed as part of this development.

Kiama LEP 2011

Clause 2.3 Zone objectives and Land Use Table

The subject land is zoned Part RU2 Rural Landscape/Part Environmental Conservation under Kiama LEP 2011.

The proposal is defined as a demolition, dwelling, secondary dwelling, farm stay and information and education facility under the provisions of the LEP 2011, which are permitted with consent in the RU2 Rural Landscape. No development is proposed within the Part E2 Environmental Conservation zone.

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

The objectives of the zone are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscape character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To protect agricultural land for long term agricultural production.*
- *To provide opportunities for employment-generating development that adds value to local agricultural production through food and beverage processing and integrates with tourism.*

The proposal is considered to be inconsistent with the zone objectives because the proposal does not:

- Encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- Maintain the rural landscape character of the land because the proposed buildings are not clustered, and the scale of the principal dwelling with a floor space of approximately 3340m² and a height ranging from 13m to 17m above existing ground level is not in keeping with the character area.
- Provide for a range of compatible land uses, including extensive agriculture because the proposal, if permitted in the configuration proposed make permissible up to 7 dwellings on the minimum 40 hectare lot, which is not compatible with agricultural production due to the competing needs of reasonable amenity for residential accommodation in conflict with the operating hours, noise, chemicals, odours and general impacts of agricultural production.

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-
- Protect class 3 and 4 agricultural land for long term agricultural production due to the proposal being dispersed across the site further limiting the very constrained agricultural production capacity of the land.

Specific clauses requiring consideration:

Clause 5.4(5) Farm Stay Accommodation

If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms.

This requirement is a permissibility threshold rather than a development standard, and if exceeded the development becomes prohibited.

The proposal does not comply with this requirement because the accommodation provided to guests is 5 dwellings each with one bedroom which exceeds this requirement of no more than 5 bedrooms.

If the 5 bedrooms were provided in the principal dwelling or a single purpose-designed building, then development would be permissible, but whilst they are provided within individual self-contained dwellings the proposal is prohibited.

Clause 6.2 Earthworks

Clause 6.2 lists considerations for proposals which involve earthworks.

The objectives of this clause are as follows:

- to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,*
- to allow earthworks of a minor nature without requiring separate development consent.*

The proposal does not comply with the objectives of the clause as the proposed earthworks are ancillary to the proposed dwelling, but are considered to have a significant detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land due to the significant extent of cut and fill required to accommodate the development.

Clause 6.3 Flooding

The objectives of this clause are as follows:

- to minimise the flood risk to life and property associated with the use of land,*
- to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,*
- to avoid significant adverse impacts on flood behaviour and the environment.*

Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

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- (a) *is compatible with the flood hazard of the land, and*
- (b) *is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) *incorporates appropriate measures to manage risk to life from flood, and*
- (d) *is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and*
- (e) *is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

The Council's Development and Subdivision Engineer has advised as follows:

The applicant has supplied a flood report; however, this is not sufficient for Council's assessment purposes.

The site has been identified by Council as being a Possible Flood Affected Property. Control C66 of Chapter 6 of Kiama Development Control Plan 2012 requires a flood study to be prepared to determine appropriate location and floor levels for habitable dwellings and ancillary buildings. The applicant shall prepare a flood assessment report and modelling in accordance with the requirements set out in Section 3 of Chapter 29 of Kiama Development Control Plan 2012.

Control C68 of Chapter 6 of Kiama Development Control Plan 2012 requires all waterway crossings to be above the 1 in 20 year flood level. The applicant shall prepare a flood assessment report and modelling in accordance with the requirements set out in Section 3 of Chapter 29 of Kiama Development Control Plan 2012, to demonstrate that this requirement has been met.

The proposal includes horse riding and walking trails through riparian lands and watercourses. The proposal is inconsistent with the objectives of Clause 6.5 of Kiama LEP 2011. The proposal shall be deleted or elevated crossings shall be provided clear of the 1 in 100 year storm event.

Where culverts and/or bridge crossings are proposed, the applicant shall supply detailed engineering plans for Council's assessment. In accordance with development control C69 and C70 of Chapter 6 of Kiama Development Control Plan 2012, the design shall not affect stream flow, riparian vegetation and water quality and shall include improvements of the riparian land in the vicinity of the crossing to restore its natural form and function.

In these circumstances, consent cannot not be granted to the development because it not been adequately demonstrated that the proposal:

- is compatible with the flood hazard of the land, and
- is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and

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-
- incorporates appropriate measures to manage risk to life from flood, and
 - is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
 - is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

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Clause 6.4 Terrestrial Biodiversity

The objective of this clause is to maintain terrestrial biodiversity by:

- (a) *protecting native fauna and flora, and*
- (b) *protecting the ecological processes necessary for their continued existence, and*
- (c) *encouraging the conservation and recovery of native fauna and flora and their habitats.*

Before determining a development application for development on land to which this clause applies, the consent authority must consider whether or not the development:

- (a) *is likely to have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land,*
- (b) *is likely to have any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna,*
- (c) *has any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land, and*
- (d) *is likely to have any adverse impact on the habitat elements providing connectivity on the land.*

Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided the development is designed, sited and will be managed to minimise that impact, or*
- (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

The site is affected by land mapped as terrestrial biodiversity as shown below:

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Figure 21 – Kiana LEP 2011 – Terrestrial Biodiversity Map and 2016 Aerial Photograph

A Threatened Species Assessment Report has not been provided by the applicant, therefore the application must be refused. This is because Council cannot be satisfied that:

- the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or
- if that impact cannot be reasonably avoided the development is designed, sited and will be managed to minimise that impact, or
- if that impact cannot be minimised - the development will be managed to mitigate any significant adverse environmental impact.

Clause 6.5 Riparian Land and Watercourses

The objective of this clause is to protect and maintain the following:

- (a) *water quality within watercourses,*
- (b) *the stability of the bed and banks of watercourses,*
- (c) *aquatic riparian habitats,*
- (d) *ecological processes within watercourses and riparian areas.*

This clause applies to:

- (a) *land identified as “Category 1 watercourse”, “Category 2 watercourse” or “Category 3 watercourse” on the Riparian Land and Watercourses Map, or*
- (b) *land that is within:*
 - (i) *40m from the top of the bank of a Category 1 watercourse, or*
 - (ii) *20m from the top of the bank of a Category 2 watercourse, or*
 - (iii) *10m from the top of the bank of a Category 3 watercourse.*

Before determining a development application to carry out development on land to which this clause applies, the consent authority must consider whether or not the development:

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- (a) *is likely to have any adverse impact on the following:*
- (i) *the water quality and flows within the watercourse,*
 - (ii) *aquatic and riparian species, habitats and ecosystems of the watercourse,*
 - (iii) *the stability of the bed and banks of the watercourse,*
 - (iv) *the free passage of fish and other aquatic organisms within or along the watercourse,*
 - (v) *any future rehabilitation of the watercourse and its riparian areas, and*
- (b) *is likely to increase water extraction from the watercourse.*

Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

- (a) *the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or*
- (b) *if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact, or*
- (c) *if that impact cannot be minimised - the development will be managed to mitigate that impact.*

The site is affected by land mapped as riparian class 3 as shown below:



Figure 22 – Kiama LEP 2011 – Riparian Map (Class 3) and 2016 Aerial Photograph

A Soil and Water Management Plan and Report has been provided by the applicant.

However, the NSW Department of Primary Industry Water (DPI-Water) has not issued General Terms of Approval under Section 89, 90, or 91 of the Water Management Act 2000, and the Council is therefore prevented from favourably determining the application without the General Terms of Approval and if the application is to be determined then it must be refused.

Also, without the issue of the GTA, the application must be refused because the Council cannot be satisfied that:

- the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or

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- if that impact cannot be reasonably avoided the development is designed, sited and will be managed to minimise that impact, or
- if that impact cannot be minimised - the development will be managed to mitigate that any significant adverse environmental impact.

Any Draft Environmental Planning Instruments

- Draft State Environmental Planning Policy

Draft SEPP 55 – Land Remediation

The draft SEPP is neither imminent nor certain, but the proposal has been considered in the context of the draft instrument, and concerns are raised regarding the unknown extent of contamination on the site such that refusal of the application is warranted at this stage.

Kiama DCP 2012

The proposed development is considered to be inconsistent with the objectives Kiama DCP 2012. The multitude of major and significant non-compliances are addressed in the table below:

Control	Comment
Chapter 1 – Background	
Section 3 –Site Planning and Application Requirements	
Detailed building plans fully dimensioned and at a suitable scale indicating the following particulars: (a) all building elevations. (b) at least 1 cross-section. (c) height of ceilings, maximum ridge height and floor levels. (d) a plan of each floor. (e) full details of footings.	Details of the bathroom fit-out in the principal dwelling have not been provided.
Chapter 2 – Overall Controls	
Section 5 - Maintenance of Views and Vistas	
<u>Objectives</u> • To maintain view sharing principles though the development and	Insufficient information has been provided to demonstrate that the proposal will not have an adverse impact on: • significantly altering views (including water

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Control	Comment
<p>redevelopment of areas.</p> <ul style="list-style-type: none"> • To ensure that where practical new development is designed and sited not to significantly alter views (including water and/or escarpment views). • To ensure that primary private views are maintained through the addition of new development. • To retain views to and from the water. • To protect conserve and maintain the landform of the municipality • To limit potential for large bulky housing and development • To encourage sensitive siting of housing. • To maintain or enhance significant public view corridors and other opportunistic views available from the public domain. 	<p>and/or escarpment views).</p> <ul style="list-style-type: none"> • maintaining primary private views as a result of the new development. • retaining views to and from the water • protecting, conserving and maintaining the landform of the municipality • limiting potential for large bulky housing and development • encouraging the sensitive siting of housing • maintaining or enhancing significant public view corridors and other opportunistic views available from the public domain.
<p>C6 Any development in Kiama should incorporate view sharing principles into the design and siting of development to ensure that where possible with that existing view lines are not detrimentally impacted.</p>	<p>Existing primary view corridors from Lot 10 DP 866128 are unreasonably impacted by the positioning and scale of the proposed Information and Education Building.</p>
<p>C8 Development should ensure, where possible, that there is no unreasonable loss of existing view lines from existing development.</p>	

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Control	Comment
<p>C9 No one dwelling should be sited to maximise the views for its occupants to the exclusion of nearby resident or neighbours.</p>	
<p>C10 Building design should have regard to the topography of the site and avoid unnecessary bulk or alteration of natural ground levels.</p>	<p>The bulk, scale and positioning of the principle dwelling does not avoid unnecessary bulk or alteration of natural ground levels, due to its proposed excessive scale, and its siting on the steepest part of the site to maximise vistas for the intended occupants.</p> <p>The proposal is considered to fail to satisfy this control.</p>

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Section 18 - Reflectivity in Building Materials

<p><u>Objectives</u></p> <ul style="list-style-type: none"> To preserve the visual amenity and the urban, coastal and rural scenic character of the Municipality from potential visual detractor by reflective building materials. To encourage the use of building materials with suitable levels of reflectivity and colours to assist in minimising nuisance glare and reflectivity. To permit the use of metal roofing or cladding where the proposal satisfies the objectives of this chapter and will not set an undesirable precedent in the locality. To acknowledge BASIX and the benefits of lighter coloured walls and roofs in regard to improved energy efficiency and thermal 	<p>The following commentary is provided in relation to the objectives C17, C44 & C45 Controls:</p> <p>The external façade of the primary dwelling is proposed to be a light-coloured render, with little variation in materiality across its massive bulk, in direct contradiction of the desired subdued external colour scheme to minimise visual impact on the landscape.</p> <p>The white colour of the building is starkly contrasted against the hill on which it is located, drawing further attention to its bulk and scale within the rural landscape. Inadequate vegetation is proposed to screen the development. Adequate screening of the primary dwelling is likely impossible to achieve without further impacts on the rural landscape character.</p> <p>The character and architectural style of the primary dwelling is inconsistent with the character of existing dwellings in the area, which are single or double storey buildings with subdued colour schemes incorporating timber, tile, brick and metal cladding. The proposed dwelling, is inconsistent with the local architectural vernacular, further disrupting the</p>
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Control	Comment
comfort.	rural character of the locality.
<p>C17 All materials and colours used should be muted or earthy tones appropriate to the local street and landscape context. The colours and materials chosen for buildings need to be considered in terms of their reflectivity and glare. While lighter roof colours are encouraged for heat deflection and global warming Albedo Effect benefits. Roof designs and location may need to be reconsidered so as to ensure that reflectivity and glare do not adversely affect neighbours' amenity. In some cases, where this amenity cannot be reasonably addressed by redesign, lower reflectivity material may need to be specified. All applications are required to be accompanied by a schedule of finishing materials and colours for Council approval.</p>	
<p>C44 External finishes should not strongly contrast with the background whether by orientation, location, colour or choice of materials.</p>	
<p>C45 Metal roofing should have a solar absorbance classification in accordance with New South Wales BASIX of not less than 0.46 unless the applicant can satisfy Council that the proposal is consistent with the objectives of the Reflectivity in Building</p>	

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Control	Comment
Materials Policy.	
Chapter 6 – Rural Development	
<p><u>Objectives</u></p> <ul style="list-style-type: none"> • To protect agricultural land and restrict its fragmentation for purposes other than primary production. • To ensure that development does not inhibit the use of agricultural land for agriculture. • To minimise the risk to development posed by climate change and natural hazards such as acid sulphate soils, bush fires, flooding, sea level rise and associated rise in water tables, and land instability. • To maintain, protect and improve the natural environment including native vegetation and riparian land. • To ensure that all new development adopts best practice design criteria for climate change. • To protect threatened species, endangered ecological communities, natural habitat and riparian corridors, waterways and wetlands. • To protect and enhance the character of the Kiama area’s coastal and rural scenic visual landscapes 	<p>The proposal is considered to fail the objectives because:</p> <ul style="list-style-type: none"> • The dispersed arrangement of the buildings and infrastructure do not protect agricultural land and restrict its fragmentation • The proposal does not ensure that development will not inhibit the use of agricultural land for agriculture • The proposal does not maintain, protect and improve the natural environment including native vegetation and riparian land. • The proposal does not ensure that all new development adopts best practice design criteria for climate change. • The proposal does not protect and enhance the character of the Kiama area’s coastal and rural scenic visual landscapes

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Control	Comment
<ul style="list-style-type: none"> To protect rural residential amenity 	
<p>Section 1 - Design and Siting Controls for Rural Dwellings/Alterations</p>	
<p><u>Objectives</u></p> <p>To ensure that rural housing and ancillary development is designed and sited to protect agricultural land.</p> <ul style="list-style-type: none"> To ensure that all rural housing and ancillary development does not impact on existing and any possible future agricultural uses on the land on which it is sited or adjoining lands. To protect and maintain Kiama’s scenic rural landscapes and low density rural residential character. To minimise the impact of rural residential development on agricultural land and land occupied by native vegetation, endangered ecological communities and threatened species. To minimise the potential for land use conflict between rural dwellings and agricultural activities carried out or likely to be carried out on adjoining land. To protect rural residential amenity. To protect rural heritage items and their rural landscape settings. <p><u>A dwelling house, secondary</u></p>	<p>The proposal is considered to fail the objectives for the reasons mentioned above.</p> <p>The bulk of the proposed primary dwelling is unprecedented within the locality, with dwellings being predominantly one and two storeys in height.</p> <p>The primary 11-bedroom dwelling presents itself as a large unbroken mass, being perceived as up to five storeys in height and embedded into a prominent hill on the site.</p> <p>The proposed built form will therefore feature very prominently in the landscape from surrounding public roads and residential dwellings.</p> <p>The scale of the building is incompatible with the rural landscape character of the site, becoming a dominant element within the Jamberoo Valley and disrupting its scenic amenity.</p> <p>The primary dwelling is located behind the crest of a hill within the property, away from view of the main site entry from Jamberoo Road.</p> <p>However, as evidenced by views to the eastern face of the hill where the dwelling is to be located, line of sight to the dwelling will be introduced Northward on Jamberoo Road for a stretch of road up to 500m in length, continuing to be prominently visible from Croome Vale Road for a stretch of road up to 850m to the North East and from a small portion of Minnamurra Lane to the South.</p> <p>Due to the high placement of the primary dwelling on the hill and perceived 5 storey height, the visual disruption of the rural landscape character, diminished neighbour amenity and detrimental effect on the scenic</p>

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Control	Comment
<p><u>dwelling or ancillary development or their building envelope must not be located on a ridge, saddle or knoll.</u></p>	<p>quality of the Valley will be impacted over an expansive area, with views to the site from as far as Dunmore 5km to the east.</p> <p>In addition to the primary dwelling, 5 farm-stay buildings and a secondary dwelling are proposed, leading to the visual fragmentation of the rural site.</p> <p>The addition of these buildings in disjointed locations across the site gives the impression of a residential subdivision pattern of development, with great visual impact on the rural landscape character.</p> <p>The principle dwelling is located on a knoll/ridge and presents unacceptable visual impacts from both the public and private domain.</p>
<p>C1 Building height of all development must be determined in consultation with Council development assessment staff. In general, a 2 storey 8.5m building height will be applied in these areas. An exception to this control includes farm buildings and other farm structures such as hay sheds, silos and wind turbines</p>	<p>The building is stepped down the site in effectively two halves.</p> <ul style="list-style-type: none"> • The profile/side of the front half is approximately 14.9m high above natural ground level • The profile/side of the back half is approximately 13m high above natural ground level • The building when viewed from the front appears as five storeys and is approximately 17m high above natural ground level <p>The building when viewed from the front appears as four/five storeys and is approximately 17m high above natural ground level.</p> <p>The building when viewed from the back appears as two storeys and is approximately 10m high above natural ground level.</p> <p>The proposal does not satisfy this control.</p>
<p>C2 Development comprising a mix of a principal dwelling, a secondary dwelling and ancillary</p>	<p>The addition of these buildings in disjointed locations across the site gives the impression of a residential subdivision pattern of development,</p>

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Control	Comment
<p>development (including bed and breakfast accommodation or farm stay accommodation) must be designed in a way to avoid or mitigate the visual impact of development on the landscape as viewed from a public place.</p>	<p>with great visual impact on the rural landscape character.</p> <p>The principal dwelling is located on a knoll/ridge and presents unacceptable visual impacts from both the public and private domain.</p>
<p>C3 Dwellings shall be designed to be energy and water efficient.</p>	<p>Even though a BASIX certificate has been provided for the principal dwelling, due to its large scale and bulk, with multiple bathrooms energy and water efficient still remains to be demonstrated.</p> <p>The principal dwelling has a floor area of approximately 3500m² containing 11 bedrooms, which may accommodate up to 24 people.</p> <p>This equates to 145m² of floor space per person, or floor space equivalent to a standard 4 bedroom apartment per person.</p> <p>In this regard the scale of proposal has the potential for adverse environmental impacts associated with carbon dioxide emissions associated with the extent of construction and the overall operation of the development.</p> <p>The amount of construction materials proposed to be used, the ongoing water consumption, along with the energy consumption for heating, cooling, and the ongoing operation of the development, may negatively contribute to managing climate change impacts.</p> <p>Given the scale and number of intended occupants, a report prepared by a suitably qualified climate change expert setting out whether the proposal is considered to be ecologically sustainable development is required to be provided.</p>
<p>C4 Design should incorporate an external colour scheme which is subdued and locations which are screened by natural</p>	<p>The external façade of the primary dwelling is proposed to be a light-coloured render, with little variation in materiality across its massive bulk, in direct contradiction of the desired subdued</p>

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Control	Comment
<p>vegetation and landform so as to reduce the visual impact of buildings within a rural landscape. Colours and materials which can be demonstrated to improve energy efficiency are encouraged where site circumstances are justified. Where lighter colours are proposed landscaping will be required to reduce visual impact</p>	<p>external colour scheme to minimise visual impact on the landscape.</p> <p>The white colour of the building is starkly contrasted against the hill on which it is located, drawing further attention to its bulk and scale within the rural landscape. Inadequate vegetation is proposed to screen the development. Adequate screening of the primary dwelling is likely impossible to achieve without further impacts on the rural landscape character.</p>
<p>C8 Dwellings and ancillary development in rural areas must be carefully and sensitively sited and designed to complement landscape rather than become conspicuous built elements in the landscape. The siting of habitable buildings should also have regard to any existing or approved agricultural use of adjoining land and the amenity of neighbours.</p>	<p>The development is not inconspicuous and seeks to dominate rather than compliment the landscape of the locality and erodes the agricultural potential of the property.</p>
<p>C13 Ancillary development should also be where possible and practicable clustered around the principal dwelling, or able to utilise the same access ways.</p>	<p>The ancillary development is not clustered around the principal dwelling and is accessed via a lengthy internal road system which fragments and erodes the agricultural potential of the property.</p>
<p>C14 Secondary dwelling must be located to minimise visual impact and the loss of agricultural land and taking into consideration:</p> <ul style="list-style-type: none"> • Clustering with other buildings. • Sites with low visual impact. • Preference being given to 	

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Control	Comment
<p>sites with lower agricultural value.</p> <ul style="list-style-type: none"> Sites should not require removal of vegetation. <p>Preference is given to sites where land take for driveways is minimal</p>	
<p>Section 2 - Rural Setbacks</p>	
<p>C19 A dwelling and any ancillary development must be set back from a public road by a distance of at least 15m, and from a private road by a distance of at least 10m where it is practical to do so without clearing native vegetation</p>	<p>The proposal does not comply because the buildings are not setback a minimum of 15m from any roads, including the 2 Reserved Roads 10.06 wide in Deposited Plan 866128.</p>

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The proposed development clearly does not comply with many of the relevant controls contained in Kiama DCP 2012, and fails to satisfy the objectives of the controls.

Any Planning Agreement

Nil

Any Matters Prescribed by the Regulations

- NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast

The proposal does not compromise the strategic actions or principles (Appendix C - Table 3) adopted within the *NSW Coastal Policy 1997*.
- Australian Standard AS 2601 - 1991: The Demolition of Structures

The proposal is not inconsistent with Australian Standard AS 2601 - 1991: *The Demolition of Structures*

Any Coastal Zone Management Plan

Nil

The Likely Impacts of the Proposed Development

- Streetscape

The design of the proposed development is considered to be unreasonable when considered in relation to the context of the site. The bulk, scale and design of the

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proposal is inconsistent with relevant planning instruments and is inconsistent with the rural streetscape.

- Scenic Quality

The design of the proposed development is considered to be unreasonable when considered in relation to the context of the site. The bulk, scale and design of the proposal is inconsistent with relevant policy requirements and is not consistent with the rural character of the locality.

- Noise

Construction works will generate some noise, though conditions of consent can be imposed to ensure that works are undertaken only within specified hours to limit impacts upon neighbours. No ongoing significant noise impacts are expected as a result of the development if it were to be approved.

- Privacy and Overlooking

Significant concerns are raised in relation to privacy loss and overlooking resulting from the proposed development on the immediate neighbours, particularly the occupants of Lot 10 DP 866128.

- Views

The proposal will have an unreasonable impact upon the rural views currently available from neighbours.

- Vehicular Access, Parking and Manoeuvring

Sufficient car parking is proposed.

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

- Environmental Impacts

Fauna Impacts – The applicant has not demonstrated that the proposal will not adversely 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.

- Social and Economic Impacts

The proposed development will likely have adverse social or economic impacts. The amenity impacts of the proposed development have been considered in detail and concerns raised in submissions warrant refusal of the application.

The Suitability of the Site for the Development

The proposal is inappropriate development for the locality and the site attributes are not considered to be conducive to the proposed development.

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Submissions

Public Submissions

Notification letters were sent to neighbouring property owners who were provided with 30 days in which to comment on the proposal. At the conclusion of the notification period, 13 submissions were received which raised the following (summarised) matters of concern:

	Objection
Item 1	Character and scale is not in keeping with the rural context
Item 2	Principal dwelling is an 'eyesore'
Item 3	Adverse impact on Rural Amenity
Item 4	Adverse visual impact on Scenic Quality
Item 5	Adverse visual impact on residents in Minnamurra Lane
Item 6	Education Establishment adverse Noise Impact
Item 7	Negative Impact on neighbouring property values
Item 9	Education building location adversely impacts ocean views from Lot 10 DP 866128
Item 10	Northern driveway location adversely impacts Lot 10 DP 866128
Item 11	Water access rights to Dam 1 on Lot 12 benefitting Lot 10 DP 866128 must be maintained
Item 12	Adverse Impact on privacy for Lot 10 DP 866128
Item 13	Adverse Impact on Lot 10 DP 866128 because fencing paddock "Grazing 1" is inadequate
Item 14	Adverse Impact on Lot 10 DP 866128 because of landscape planting
Item 15	Farm stay dwellings may be converted to be permanently occupied
Item 16	Education building may be converted to be permanently occupied

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	Objection
Item 17	Size of Farm stay buildings may be readily converted internally to increase the number of bedrooms
Item 18	Size of principal dwelling may be readily converted internally to increase the number of bedrooms
Item 19	Traffic Impacts of high numbers of visitors will adversely impact adjoining residences
Item 20	Construction cost of Farm Stay buildings range from \$482K to \$596K which does not seem to be genuine
Item 21	Height of proposed dwelling exceeds 8.5m height limit
Item 22	Development sets undesirable precedent in the area
Item 23	Farm Stay buildings are not clustered and are out of character dispersed across the property
Item 24	Land is not good for primary production

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The issues of concern received via the public consultation process has been extensively discussed above in the report.

External Referrals

The application was referred to the following State Government Departments.

- The NSW Department of Planning & Environment (DoP&E).

To assist Council to properly characterise the development, the *Department of Planning and Environment* was consulted to provide information or comments on the underlying intent of the definition of *farm stay accommodation*, in the Standard Instrument LEP, and whether it may be self-contained visitor accommodation as form of *tourist and visitor accommodation* as compared with *hotel or motel accommodation* or *service apartments* which are prohibited in the RU2 and E2 zones.

The Department advised:

I refer to Kiama Council's letter in relation to a development application for the demolition of an existing dairy, new dwelling, secondary dwelling and five farm stay accommodation cabins at Jamberoo Road, Croom. I note your request for the Department to comment on the underlying intent of the definition of farm stay accommodation in the Standard Instrument LEP.

The Department has prepared the LEP Practice Note (PN 09-006) 'Providing for tourism in Standard Instrument local environmental plans', to assist councils in providing tourism opportunities in their LEP's. The Practice Note identifies

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that when including tourism uses in a zone, the primary focus of the zone must be maintained so that any identified tourism uses are consistent with the mandatory zone objectives and uses of that zone.

It is noted that farm stay accommodation is defined in the Standard Instrument as follows:

farm stay accommodation means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

The definition does not specify the form which the accommodation must take. However, it does require the following conditions to be met:

- *temporary or short-term accommodation to paying guests; and*
- *on a working farm; and*
- *the accommodation is a secondary business to primary production.*

While Council must form its own view on whether a proposal satisfies this definition, I hope this information is of assistance.

- Department of Primary Industry – Water (DPI-Water)

The application is *Nominated Integrated Development*, which is required to be advertised for 30 days as *Other Advertised Development* pursuant to Clause 5 of the Environmental Planning and Assessment Regulation 2000.

The application was exhibited accordingly, and referred with the accompanying fee and the application information to NSW Department of Primary Industry Water (DPI-Water) on 6 June 2018 seeking General Terms of Approval under Section 89, 90, or 91 of the Water Management Act 2000.

The NSW Department of Primary Industry Water (DPI-Water) has not issued General Terms of Approval under Section 89, 90, or 91 of the Water Management Act 2000, and the Council is therefore prevented from favourably determining the application without the General Terms of Approval and the application, if it is to be determined, must be refused.

- The NSW Department of Agriculture

To assist Council to properly characterise the development, the *Department of Agriculture* was also consulted to provide information or comments on the working farm potential income.

The Department advised:

I have read the information provided in the CD attached to the letter. In particular, I have studied the document prepared by Cowman Stoddart Pty Ltd, dated November 2017, on the proposed Farm Stay Accommodation, Lot 12, DP 866128 Jamberoo Rd, Croom.

As outlined in the Kiama Local Environmental Plan 2011, farm stay accommodation means:

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“a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.”

There is no real definition of working farm, as it can constitute a full time or part time occupation with varying income levels. The key aspect is to determine whether the proposed farm stay accommodation is secondary to the business of primary production.

This could be considered in terms of comparing the income generated from the proposed primary production and the farm stay accommodation.

The Cowman Stoddart Pty Ltd document has used the NSW Department of Primary Industries Beef Cattle Gross Margin (GM) Budget (Farm Enterprise Series February 2017) to calculate gross margins and income potential and are appropriate.

For coastal weaners on unimproved pasture, the GM budget states that \$134.80/ha/year could be achieved. This excludes any fodder costs (crops, hay, grain) and any drought feeding costs.

https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0005/175523/16-North-Coast-weaners-unimproved.pdf

For coastal weaners on improved pasture, the GM budget states that Agriculture states that \$134.80/ha/year could be achieved including pasture costs and \$378.60 excluding pasture costs. This excludes any fodder costs (crops, hay, grain) and drought feeding costs.

https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0004/175522/coastal-weaners-improved-pasture.pdf

Based on those budgets I have made the following calculations:

Unimproved pasture:

\$134.80/ha/year at 42 available hectares (as stated on page 9 in the Cowman Stoddart Pty Ltd report). This equates to \$5661.60 per year.

Improved pasture:

\$316.10/ha/year (including pasture costs) at 42 available hectares. This equates to \$13,276.20 per year.

\$378.60/ha/year (excluding any pasture costs) at 42 available hectares. This equates to \$15,901.20 per year.

It should be noted that the GM budgets are based on a 100 cow unit. The proposal is for 35 cows or 43 steers (page 9 Cowman Stoddart Pty Ltd) which is considerably below the assumptions made for the gross margin.

It should be noted that there is no information in the report provided on other agricultural pursuits mentioned, including viticulture and irrigated vegetable growing. For the purpose of this assessment, they have not been considered therefore.

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The potential income generated from the farm should be assessed against any potential income from the proposed farm stay accommodation to determine whether the farm stay accommodation is in fact a secondary or primary source of income. Council would be in the best position to determine the income potential from the farm stay accommodation proposed.

Internal Referrals

Since the DA is under appeal in the Land and Environment Court, Council staff engaged the expertise of a local architect firm BHI Architects to assess the architectural qualities of the proposal in the context of the site constraints and opportunities.

The architect has provided the following analysis of the proposal:

Introduction

The desired future character of the subject site, as defined by Kiama DCP and LEP, consists of a rural dwelling development which maintains the rural landscape character of the locality, minimises visual impact on the landscape from public views and is sensitively sited to compliment the landscape. This is especially important in the context of the site's location among the foothills of the Illawarra escarpment, with regional visibility of the site.

Neighbour amenity, existing vegetation and clustering of buildings should be taken into consideration for minimal environmental impact. The development should be compatible with the existing character of the locality, respecting the scale, built form, and materiality of existing buildings.

BHI Comments

BHI believes that the development's scale, character, and location is not appropriate for the site, nor is it compatible with the scenic quality of the Jamberoo Valley, as outlined in the comments below.

Visual impact

- The bulk of the proposed primary dwelling is unprecedented within the locality, with dwellings being predominantly one and two storeys in height. The primary 11-bedroom dwelling presents itself as a large unbroken mass, being perceived as up to five storeys in height and embedded into a prominent hill on the site. The proposed built form will therefore feature very prominently in the landscape from surrounding public roads and residential dwellings. The scale of the building is incompatible with the rural landscape character of the site, becoming a dominant element within the Jamberoo Valley and disrupting its scenic amenity.*
- The primary dwelling is located behind the crest of a hill within the property, away from view of the main site entry from Jamberoo Road. However, as evidenced by views to the Eastern face of the hill where the dwelling is to be located, line of sight to the dwelling will be introduced Northward on Jamberoo Road for a stretch of road up to 500m in length, continuing to be prominently visible from Croome Vale Road for a stretch*

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of road up to 850m to the North East and from a small portion of Minnamurra Lane to the South. Due to the high placement of the primary dwelling on the hill and perceived 5 storey height, the visual disruption of the rural landscape character, diminished neighbour amenity and detrimental effect on the scenic quality of the Valley will be impacted over an expansive area, with views to the site from as far as Dunmore 5km to the East.

- *In addition to the primary dwelling, 5 farm-stay buildings and a secondary dwelling are proposed, leading to the visual fragmentation of the rural site. The addition of these buildings in disjointed locations across the site gives the impression of a residential subdivision pattern of development, with great visual impact on the rural landscape character.*

Environmental impact

The bulk and scale of the development, as well as the scattered location of all 5 farm-stay buildings and the secondary dwelling across the site, will have a negative impact on the natural environmental and scenic landscape surroundings.

- *Dispersing the dwellings on the site with extensive land take for driveways, rather than clustering them in line with the desired rural character, results in a greater impact on the rural landscape character and the natural environment.*
- *The excessive bulk and location of the primary dwelling on the sloped hill will necessitate a great magnitude of excavation and fill, shown to be equivalent to an entire storey in places across the site. This will be detrimental on the rural landscape character and the natural environment.*
- *The site contains existing watercourses across the site, directly adjacent to which several of the farm-stay dwellings are located. This may result in detrimental environmental effects and a disruption to the rural landscape character.*

Architectural Character

The external façade of the primary dwelling is proposed to be a light-coloured render, with little variation in materiality across its massive bulk, in direct contradiction of the desired subdued external colour scheme to minimise visual impact on the landscape. The white colour of the building is starkly contrasted against the hill on which it is located, drawing further attention to its bulk and scale within the rural landscape. Inadequate vegetation is proposed to screen the development. Adequate screening of the primary dwelling is likely impossible to achieve without further impacts on the rural landscape character.

The character and architectural style of the primary dwelling is inconsistent with the character of existing dwellings in the area, which are single or double storey buildings with subdued colour schemes

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incorporating timber, tile, brick and metal cladding. The proposed dwelling, designed in an ostentatious and conspicuous architectural style, is inconsistent with the local architectural vernacular, further disrupting the rural character of the locality.

Conclusion

The proposal reduces the visual amenity of the neighbouring properties and is not compatible with the existing or desired future character of the Jamberoo Valley rural landscape locality.

The 5 storey, massive scale of the development is unprecedented in its context, significantly conflicting with the bulk and scale of single and double storey dwellings in the locality.

The location of the house is disruptive to the Jamberoo Valley's scenic quality, featuring prominently within views to the Illawarra escarpment due to its conspicuous scale, high location within the landscape, light colour scheme and gaudy architectural character.

The visual impact of the development is increased by the proposed buildings being dispersed over the property rather than clustered, giving the impression of a residential subdivision.

The development's siting, scale and architectural character are inconsistent with the landscape qualities of the Jamberoo Valley. BHI therefore considers the proposal to be inappropriate and incompatible with the existing and desired future character of the site.

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

- Building Assessment Officer

An objection has been raised in relation to the proposed development, and the following comments are provided:

1. *Amended plans are required showing the following in the main dwelling:*
 - *Location of all toilets, basins and showers or baths in each bathroom and ensuite.*
 - *Location of the kitchen sink and facilities for the preparation and cooking of food.*
 - *Clothes washing facilities, comprising at least one washtub and space in the same room for a washing machine*
 2. *As each of the Farm Stay Accommodation Buildings appear to be class 1b buildings, amended plans are required for Farm stay units 1 & 2, to show Clothes washing facilities, comprising at least one washtub and space in the same room for a washing machine.*
- Subdivision & Development Engineer

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An objection has been raised in relation to the proposed development, and the following comments are provided:

The referral has been assessed for the following considerations:

- *Application;*
- *Access and Manoeuvring;*
- *Car Parking Compliance;*
- *Traffic Generation;*
- *Stormwater Treatment;*
- *Flood Impact;*
- *Geotechnical/Land Contamination; and*
- *Impact on Public Domain.*

The following comments are provided in regard to the application made:

Application

- **Note:** *The geotechnical recommends large and deep retaining walls and piers in the construction of the main dwelling. The assessing officer shall consider as to whether the cost summary submitted has been accurately prepared and requires revision.*
- *Drawing K127407-401-RevP3 by Allen Price & Associates P/L dated 20.11.2017 indicates tree removal in the construction of Road 2. It is unknown what these trees are. An Arborist report shall be provided.*
- *The applicant has not provided a site analysis plan that addresses all the requirements in Control C1 in Chapter 1 of Kiama Development control Plan 2012. A site analysis plan shall be provided.*
- *The applicant has not provided a site analysis statement in accordance with Control C2 in Chapter 1 of Kiama Development control Plan 2012. A site analysis statement shall be provided.*

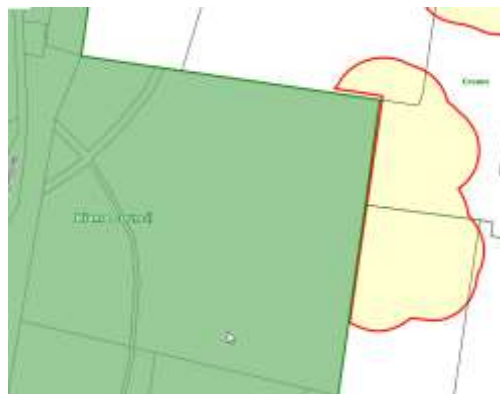
Access & Manoeuvring

- *A traffic impact statement (TIS) has been provided in support of the application (See Trim 18/10280) which discusses access.*
- *The location shown in the indicative sight distance diagrams are inconsistent with Drawing K127407-401-RevP3 by Allen Price & Associates P/L dated 20.11.2017. The applicant shall provide a sight distance confirmation plan (for both directions) which has been prepared by a Registered Surveyor. The location of the driver's position shall be confirmed on the plan and be consistent with Figure 3.2 of Australian Standard AS2890.1:2004.*

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- *Drawing K127407-401-RevP3 by Allen Price & Associates P/L dated 20.11.2017 shall also be amended to include an offset distance from the centreline of Road 1 to the north-west corner of Lot 20 in DP622046, 1276 Jamberoo Road Croom.*
- *The Shellharbour City Council online Bushfire Maps indicates that the adjacent site is bushfire affected. See excerpt below:*



Although the development site is not bushfire affected, it appears that it should have been. As bushfire is a natural hazard, Council has a responsibility to ensure that occupants and guests have the ability to safely evacuate the site in a timely manner. The applicant shall design all roads in the development in accordance with NSW RFS document Planning for Bushfire Protection 2006. In this regard passing bays shall be provided at 200 metre intervals and a turning circle (with a 12 metre outer radius) shall be provided at Farmstay 1 and Farmstay 2. The plans shall be revised accordingly.

Car Parking Compliance

- *No concerns are raised at this time.*

Traffic Generation

- *A traffic impact statement (TIS) has been provided in support of the application (See Trim 18/10280) which discusses traffic generation. No concerns are raised at this time.*

Stormwater Treatment

- *The applicant has supplied concept stormwater management plans for all buildings except for secondary dwelling and shed complex. The plans shall be revised accordingly.*
- *The applicant has not provided concept stormwater management plans for the proposed roads. The plans shall show how the water is treated for pollutants and disposed of within the site. The plans shall be revised accordingly.*
- *The soil and water management plans prepared by MIEngineers (Trim 18/10276) are deficient in that they do not take into account the proposed*

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roads. The engineering plans by Allen Price & Associates (Trim 18/1275) show typical details but do not provide treatments in detail. The soil and water management plans shall be revised to take into account all roads to be provided in the development.

Flood Impact

- *The applicant has supplied a flood report; however, this is not sufficient for Council's assessment purposes.*
- *The site has been identified by Council as being a Possible Flood Affected Property. Control C66 of Chapter 6 of Kiama Development Control Plan 2012 requires a flood study to be prepared to determine appropriate location and floor levels for habitable dwellings and ancillary buildings. The applicant shall prepare a flood assessment report and modelling in accordance with the requirements set out in Section 3 of Chapter 29 of Kiama Development Control Plan 2012.*
- *Control C68 of Chapter 6 of Kiama Development Control Plan 2012 requires all waterway crossings to be above the 1 in 20 year flood level. The applicant shall prepare a flood assessment report and modelling in accordance with the requirements set out in Section 3 of Chapter 29 of Kiama Development Control Plan 2012, to demonstrate that this requirement has been met.*
- *The proposal includes horse riding and walking trails through riparian lands and watercourses. The proposal is inconsistent with the objectives of Clause 6.5 of Kiama LEP 2011. The proposal shall be deleted or elevated crossings shall be provided clear of the 1 in 100 year storm event.*
- *Where culverts and/or bridge crossings are proposed, the applicant shall supply detailed engineering plans for Council's assessment. In accordance with development control C69 and C70 of Chapter 6 of Kiama Development Control Plan 2012, the design shall not affect stream flow, riparian vegetation and water quality and shall include improvements of the riparian land in the vicinity of the crossing to restore its natural form and function.*

Geotechnical/Land Contamination

- *The Road 1 long-section (Drawing K127407-401-RevP3 by Allen Price & Associates P/L dated 20.11.2017) indicates extensive filling at the site entrance and earthworks adjacent to the adjoining property at Chainage 330 to 390. The applicant shall supply an earthworks plan demonstrating all proposed cutting and filling. Cross-sections shall also be supplied at (minimum) 50-metre intervals.*
- *The applicant has supplied a geotechnical report. The report does not take into account the education facility. The report shall be revised.*

Report of the Director Environmental Services

10.2 10.2018.7.1 - Lot 12 DP 866128 - Jamberoo Road Croom - Demolition of existing dairy, new dwelling, second dwelling and farm stay accommodation in 5 cabins, educational building, hay and tractor sheds and roadworks (cont)

- *The applicant has provided a contamination report (Trim 18/10281). There are a number of concerns with the report. They are as follows:*
 - *Section 1.0 – The report states that there are 5 residences. This is not the case as there are seven proposed.*
 - *Section 1.0 - The report provides a plan that is inconsistent with the proposal.*
 - *Section 2.0 – The scope of work is inconsistent with “Guidelines for Consultants Reporting on Contaminated Site prepared by the NSW Office of Environment & Heritage (online).*
 - *Section 4.2 - The report provide aerial photographs. It is unknown where the site is in these photographs*
 - *Section 4.3. – The report states that it is a greenfield development. Anecdotal evidence suggests that the site has been used as a dairy farm for a very long time.*
 - *Section 4.4 – It is suggested that land surrounding the site has not been used for agricultural or residential purposes. A site visit would indicate that this is not the case. The claim is also inconsistent with the site description in Section 3.0 of the report.*
 - *Section 5.0 – the report mentions that waste stockpiles were located on the site. These stockpiles shall be investigated further.*

A revised report shall be prepared by suitably qualified and experienced person(s) that fully addresses the requirements of “Guidelines for Consultants Reporting on Contaminated Site prepared by the NSW Office of Environment & Heritage”

- *The applicant has not provided an Asbestos and Hazardous Waste Assessment Audit in accordance with Control C1 in Chapter 2 of Kiama Development control Plan 2012. An Asbestos and Hazardous Waste Assessment Audit shall be provided.*

Impact on Public Domain & Services

- *The proposal appears to incorporate the two (2) Reserved Roads 10.06 wide in Deposited Plan 866128 into the design. The design shall be revised to take into account that a formed road may be provided sometime in the future. The proposed internal road shall be redesigned taking into account Council’s Driveway and Footpath Procedures Manual. **Note:** Council will not consent to any change of levels in the road reserves without a full road design for its entire extent being submitted.*
- *In accordance with Control C19 of Chapter 6 of Kiama DCP 2012 all proposed buildings shall be setback a minimum of 15 metres from the two (2) Reserved Roads 10.06 wide in Deposited Plan 866128. The plans for the educational facility and the secondary dwelling shall be revised showing that off-sets have been complied with.*

Report of the Director Environmental Services

10.2 10.2018.7.1 - Lot 12 DP 866128 - Jamberoo Road Croom - Demolition of existing dairy, new dwelling, second dwelling and farm stay accommodation in 5 cabins, educational building, hay and tractor sheds and roadworks (cont)

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- *The proposed entry road traverses an electrical easement (Trim 18/10282). The easement is shown as thirdly in the 88b instrument of DP 866128 (Trim 18/10283). The terms of the easement require written permission from Illawarra Electricity (now known as Endeavour Energy). Written permission from Endeavour Energy shall be provided to Council.*

The proposal in its current form is unsatisfactory.

The following matters shall be addressed by the applicant and re-referred for further consideration:

1. *Drawing K127407-401-RevP3 by Allen Price & Associates P/L dated 20.11.2017 indicates tree removal in the construction of Road 2. An Arborist report shall be provided*
2. *A site analysis plan that addresses all the requirements in Control C1 in Chapter 1 of Kiama Development control Plan 2012 has not been provided. A site analysis plan shall be provided.*
3. *A site analysis statement in accordance with Control C2 in Chapter 1 of Kiama Development control Plan 2012. A site analysis statement shall be provided.*
4. *The location shown in the indicative sight distance diagrams in the Traffic Report are inconsistent with Drawing K127407-401-RevP3. A sight distance confirmation plan (in both directions) prepared by a Registered Surveyor shall be submitted. The location of the driver's position shall be confirmed and be consistent with Figure 3.2 of Australian Standard AS2890.1:2004.*
5. *Drawing K127407-401-RevP3 by Allen Price & Associates P/L dated 20.11.2017 shall be amended to include an offset distance from the centreline of Road 1 to the north-west corner of Lot 20 in DP622046, 1276 Jamberoo Road Croom.*
6. *The Shellharbour City Council online Bushfire Maps indicates that the adjacent site is bushfire affected. Although the development site is not bushfire affected, it appears that it should likely have been. As bushfire is a natural hazard, Council has a responsibility to ensure that all occupants have the ability to safely evacuate the site in a timely manner. The applicant shall design all roads in the development in accordance with NSW RFS document "Planning for Bushfire Protection 2006". In this regard passing bays shall be provided at 200 metre intervals and a turning circle (with a 12 metre outer radius) shall be provided at Farmstay 1 and Farmstay 2. The plans shall be revised accordingly.*
7. *Concept stormwater management plans have not been supplied for the secondary dwelling and shed complex. The plans shall be revised accordingly.*
8. *The applicant has not provided concept stormwater management plans for all the proposed roads. The plans shall show how the water is treated*

Report of the Director Environmental Services

10.2 10.2018.7.1 - Lot 12 DP 866128 - Jamberoo Road Croom - Demolition of existing dairy, new dwelling, second dwelling and farm stay accommodation in 5 cabins, educational building, hay and tractor sheds and roadworks (cont)

for pollutants and disposed of within the site. The plans shall be revised accordingly.

9. *The soil and water management plans prepared by MIEngineers are deficient in that they do not take into account the proposed roads. The engineering plans by Allen Price & Associates show typical details but do not provide treatments in detail. The soil and water management plans shall be revised to take into account all roads to be provided in the development.*
10. *The site has been identified by Council as being a Possible Flood Affected Property. Control C66 of Chapter 6 of Kiama Development Control Plan 2012 requires a flood study to be prepared to determine the location and floor levels for habitable dwellings and ancillary buildings. The applicant shall prepare a flood assessment report and modelling in accordance with the requirements set out in Section 3 of Chapter 29 of Kiama Development Control Plan 2012.*
11. *Control C68 of Chapter 6 of Kiama Development Control Plan 2012 requires all waterway crossings to be above the 1 in 20 year flood level. The applicant shall prepare a flood assessment report and modelling in accordance with the requirements set out in Section 3 of Chapter 29 of Kiama Development Control Plan 2012 to demonstrate that this requirement has been met.*
12. *The proposal includes horse riding/walking trails through riparian lands/watercourses. The proposal is inconsistent with the objectives of Clause 6.5 of Kiama LEP 2011. The proposal shall be deleted or elevated crossings shall be provided clear of the 1 in 100 year storm event.*
13. *Where culverts and/or bridge crossings are proposed, the applicant shall supply detailed engineering plans for Council's assessment. In accordance with development control C69 and C70 of Chapter 6 of Kiama Development Control Plan 2012, the design shall not affect stream flow, riparian vegetation and water quality and shall include improvements of the riparian land in the vicinity of the crossing to restore its natural form and function.*
14. *The Road 1 long-section (Drawing K127407-401-RevP3 by Allen Price & Associates P/L dated 20.11.2017) indicates extensive filling at the site entrance and earthworks adjacent to the adjoining property at Chainage 330 to 390. The applicant shall supply an earthworks plan demonstrating all proposed cutting and filling in the proposal. Cross sections shall also be supplied at (minimum) 50-metre intervals.*
15. *The geotechnical report does not take into account the education facility. The report shall be revised.*
16. *The applicant has provided a contamination report. There are a number of concerns with the report. They are as follows:*

Report of the Director Environmental Services

10.2 10.2018.7.1 - Lot 12 DP 866128 - Jamberoo Road Croom - Demolition of existing dairy, new dwelling, second dwelling and farm stay accommodation in 5 cabins, educational building, hay and tractor sheds and roadworks (cont)

-
- *Section 1.0 – The report states that there are 5 residences. This is not the case as there are seven proposed.*
 - *Section 1.0 - The report provides a plan that is inconsistent with the proposal.*
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 - *Section 4.2 - The report provide aerial photographs. It is unknown where the site is in these photographs*
 - *Section 4.3. – The report states that it is a greenfield development. Anecdotal evidence suggests that the site has been used as a dairy farm for a very long time.*
 - *Section 4.4 – It is suggested that land surrounding the site has not been used for agricultural or residential purposes. A site visit would indicate that this is not the case. The claim is also inconsistent with the site description in Section 3.0 of the report.*
 - *Section 5.0 – the report mentions that waste stockpiles were located on the site. These stockpiles shall be investigated further.*

A revised report shall be prepared by suitably qualified and experienced person(s) that fully addresses the requirements of “Guidelines for Consultants Reporting on Contaminated Site prepared by the NSW Office of Environment & Heritage”

17. *An Asbestos and Hazardous Waste Assessment Audit in accordance with Control C1 in Chapter 2 of Kiama Development control Plan 2012. An Asbestos and Hazardous Waste Assessment Audit shall be provided.*
18. *The proposal appears to incorporate the Reserved Roads 10.06 wide in Deposited Plan 866128 into the design. The design shall be revised to take into account that a formed road may be provided sometime in the future. The proposed internal road shall be redesigned taking into account Council’s Driveway and Footpath Procedures Manual. Note: Council will not consent to any change of levels in the road reserves without a full road design for its entire extent being submitted.*
19. *In accordance with Control C19 of Chapter 6 of Kiama DCP 2012 all proposed buildings shall be setback a minimum of 15 metres from the two (2) Reserved Roads 10.06 wide in Deposited Plan 866128. The plans for the educational facility and the secondary dwelling shall be revised showing that off-sets have been complied with.*
20. *The proposed entry road traverses an electrical easement. The easement is shown as thirdly in the 88b instrument of DP 866128. The terms of the easement require written permission from Illawarra Electricity (now known as Endeavour Energy). Written permission from Endeavour Energy shall be provided.*

Report of the Director Environmental Services

10.2 10.2018.7.1 - Lot 12 DP 866128 - Jamberoo Road Croom - Demolition of existing dairy, new dwelling, second dwelling and farm stay accommodation in 5 cabins, educational building, hay and tractor sheds and roadworks (cont)

The applicant has failed to submit all of the additional information requested by the development engineer.

- Landscape Design Officer

An objection has been raised in relation to the proposed development, and the following comments are provided:

The proposal is unsatisfactory in its current form.

The following information and/or amendments should be submitted to Council and then re-referred to myself for endorsement prior to the issue of any development consent:

The trees to be removed for Road 2 & 3 and the trees to be removed for the construction of the secondary dwelling shall be identified and assessed in an arborist report along with any other tree likely to be adversely impacted by the development.

*The plant species *Acacia baileyana*, *Polygala grandiflora* (synonym *myrtifolia*) and *Pennisetum alopecuroides* are listed as plants considered unsuitable for Kiama Municipality in accordance with Kiama Development Control Plan 2012 Chapter 8 appendix 1.*

*These three species shall be changed on the landscape plans– *Acacia maidenii*, *Bauera rubioides* and *Poa labillardieri* are suggested as suitable substitutes.*

Consideration should be given to replacing the row of Norfolk Island pines with a species of less monumental size or deleting the row altogether.

- Environmental Health Officer

No objection has been raised in relation to the proposed development, and the following comments are provided:

The Harris Environmental Consulting Report ‘Soil and Site Assessment for on-site wastewater disposal’ submitted by the proponent is satisfactory to make a determination.

The systems for both the main dwelling, farm stay villas, secondary dwelling and site office have been designed in accordance with AS / NZS 1547:2012 and the Department of Local Government (1998) Onsite sewage management for single households.

The peak occupancy design flow for the main dwelling OSSM is 3,600 litres/day, which equates to potential peak occupancy of 24 people based on 150 litres/person/day.

The peak occupancy design flow for the 1 bedroom dwellings is 300 litres/day, which equates to peak occupancy of 2 people per bedroom, or 150 litres/person/day.

The following conditions should be included with the Development Consent:

Report of the Director Environmental Services

10.2 10.2018.7.1 - Lot 12 DP 866128 - Jamberoo Road Croom - Demolition of existing dairy, new dwelling, second dwelling and farm stay accommodation in 5 cabins, educational building, hay and tractor sheds and roadworks (cont)

1. *A separate Application to Install a New Sewage Management Facility shall be submitted to Council for each individual on-site sewage management system prior to release of the construction certificate.*
2. *A certificate of compliance for each AWTS confirming installation has been carried out in accordance with the requirements of the report by Harris Environmental Consulting 'Soil and Site Assessment for Onsite Wastewater Disposal', Ref 2106WW Version 1 dated 17 August 2017, shall be submitted to Council before occupation of the building.*

Conditions of development consent have been recommended should the application be approved.

- Waste Officer

No objection has been raised in relation to the proposed development, and the following comments are provided:

The proposal in its current form is satisfactory. I have no requirement for conditions of consent to be included on the development consent.

Waste Services to commercial, rural, retail and industrial premises, tourist and visitor accommodation (excluding serviced apartments), rural industry and other types of developments may utilise Council or private services. For more information please contact Kiama Council's Waste Services on 4237 5148.

No conditions of development consent have been recommended should the application be approved.

The Public Interest

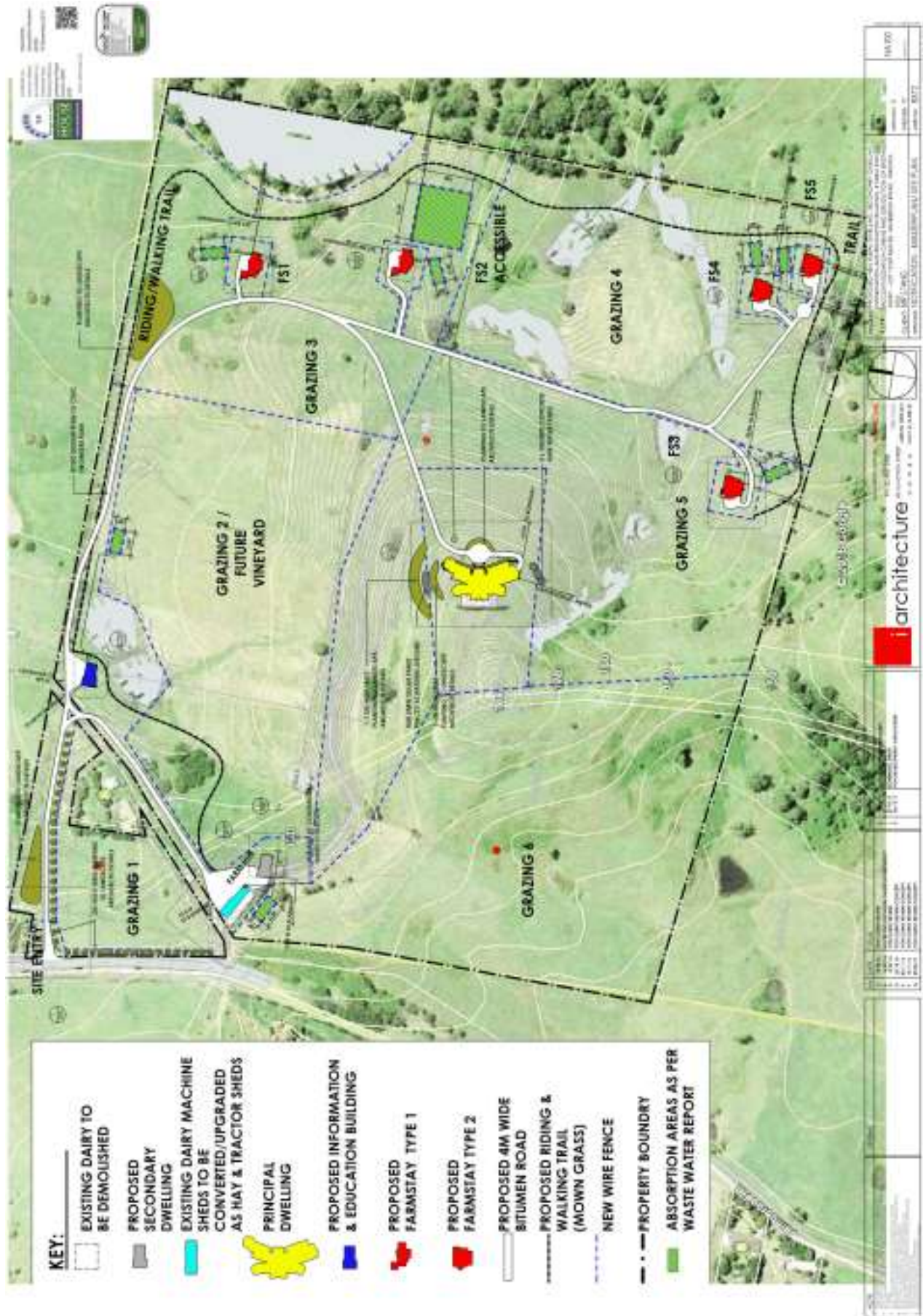
The proposal is considered to be inconsistent with a number of relevant Environmental Planning Instruments and Kiama Development Control Plan 2012, is likely to cause significant adverse impacts to the natural or built environment, is likely to cause significant adverse social and economic impacts, unsuitable for the site and therefore is considered to be inconsistent with the public interest.

Final Comments and Conclusions

The proposed development has been assessed having regard to all relevant matters for consideration prescribed by Section 4.15 of the Environmental Planning and Assessment Act, 1979. The proposal is inconsistent with Kiama LEP 2011 and relevant Development Control Plans. The proposed development is inconsistent with the objectives of the Part RU2 Rural Landscape/Part E2 Environmental Conservation zones.

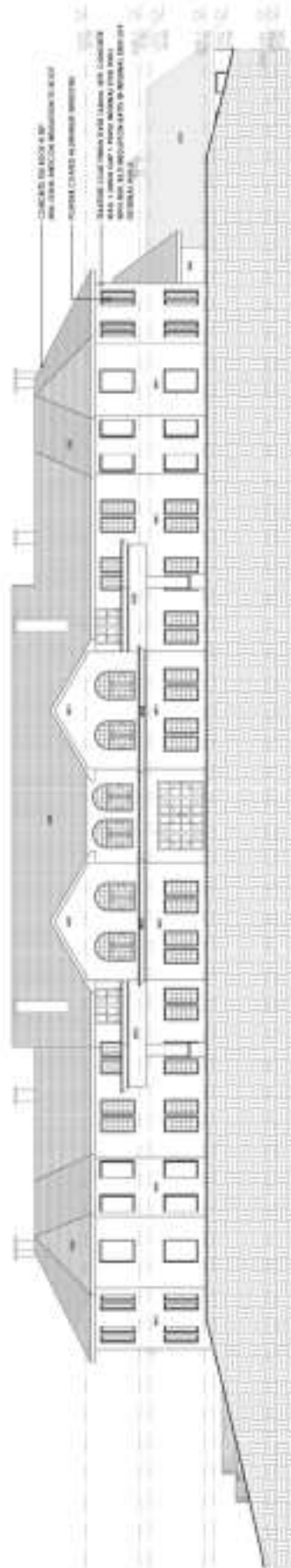
Consideration has been given to the social, economic and environmental impacts of the proposed development and significant concerns are raised. Concerns raised in submissions have been considered and warrant refusal of the application.

The proposed development is considered to be unreasonable and refusal is recommended.





1 MAIN RESIDENCE - EAST ELEVATION
 1:100



2 MAIN RESIDENCE - WEST ELEVATION
 1:100

NOTES

1. ALL WORK TO BE COMPLETED BY 15/08/2018.
2. ALL WORK TO BE COMPLETED BY 15/08/2018.
3. ALL WORK TO BE COMPLETED BY 15/08/2018.
4. ALL WORK TO BE COMPLETED BY 15/08/2018.
5. ALL WORK TO BE COMPLETED BY 15/08/2018.
6. ALL WORK TO BE COMPLETED BY 15/08/2018.
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8. ALL WORK TO BE COMPLETED BY 15/08/2018.
9. ALL WORK TO BE COMPLETED BY 15/08/2018.
10. ALL WORK TO BE COMPLETED BY 15/08/2018.

HYDRO

ARCHITECTURE

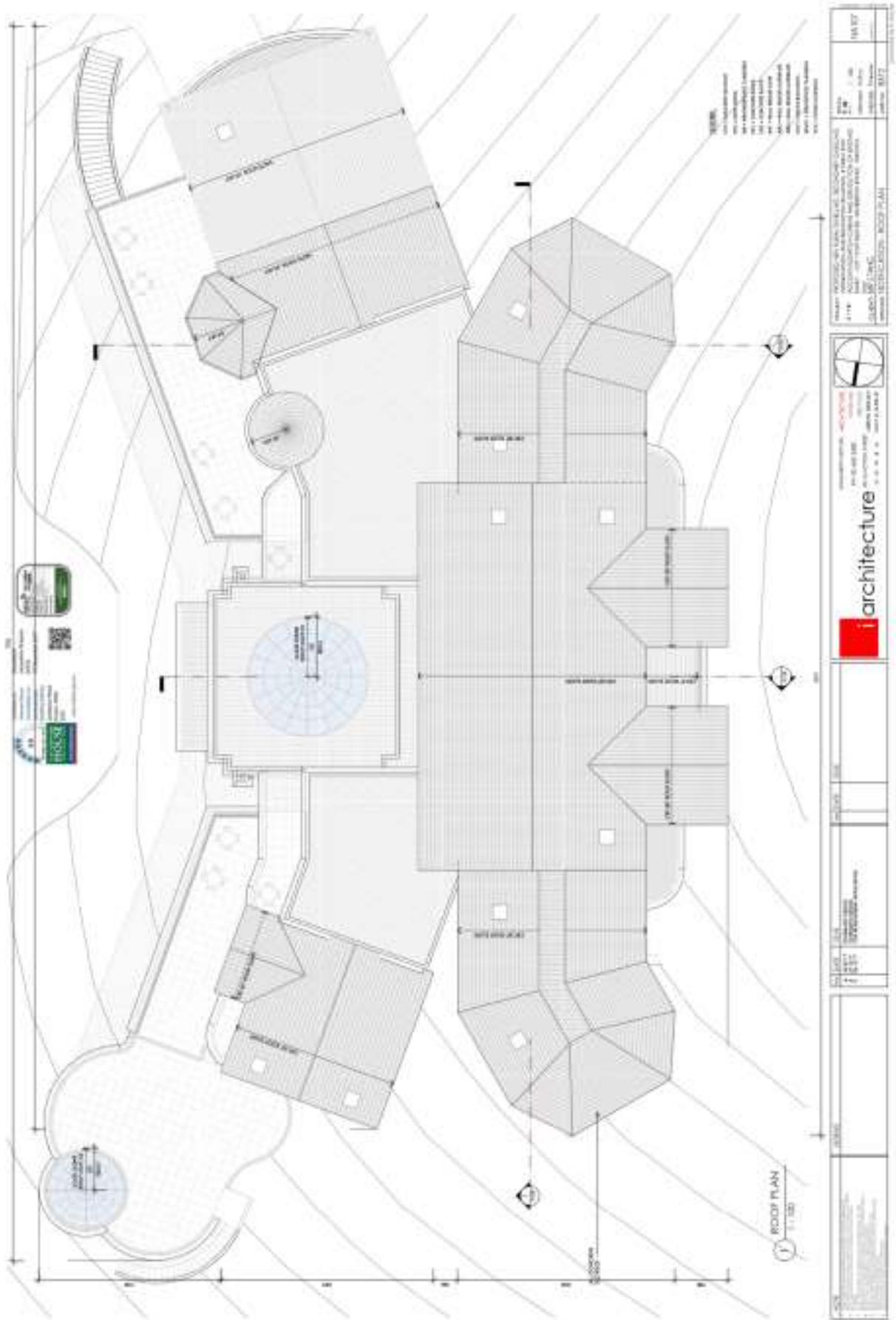
PROJECT

NO. 102	DATE	DESCRIPTION	BY	CHECKED	DATE
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2	15/08/2018	ISSUED FOR PERMIT	ARCHITECT	ARCHITECT	15/08/2018

PROJECT PROJECT NO. 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

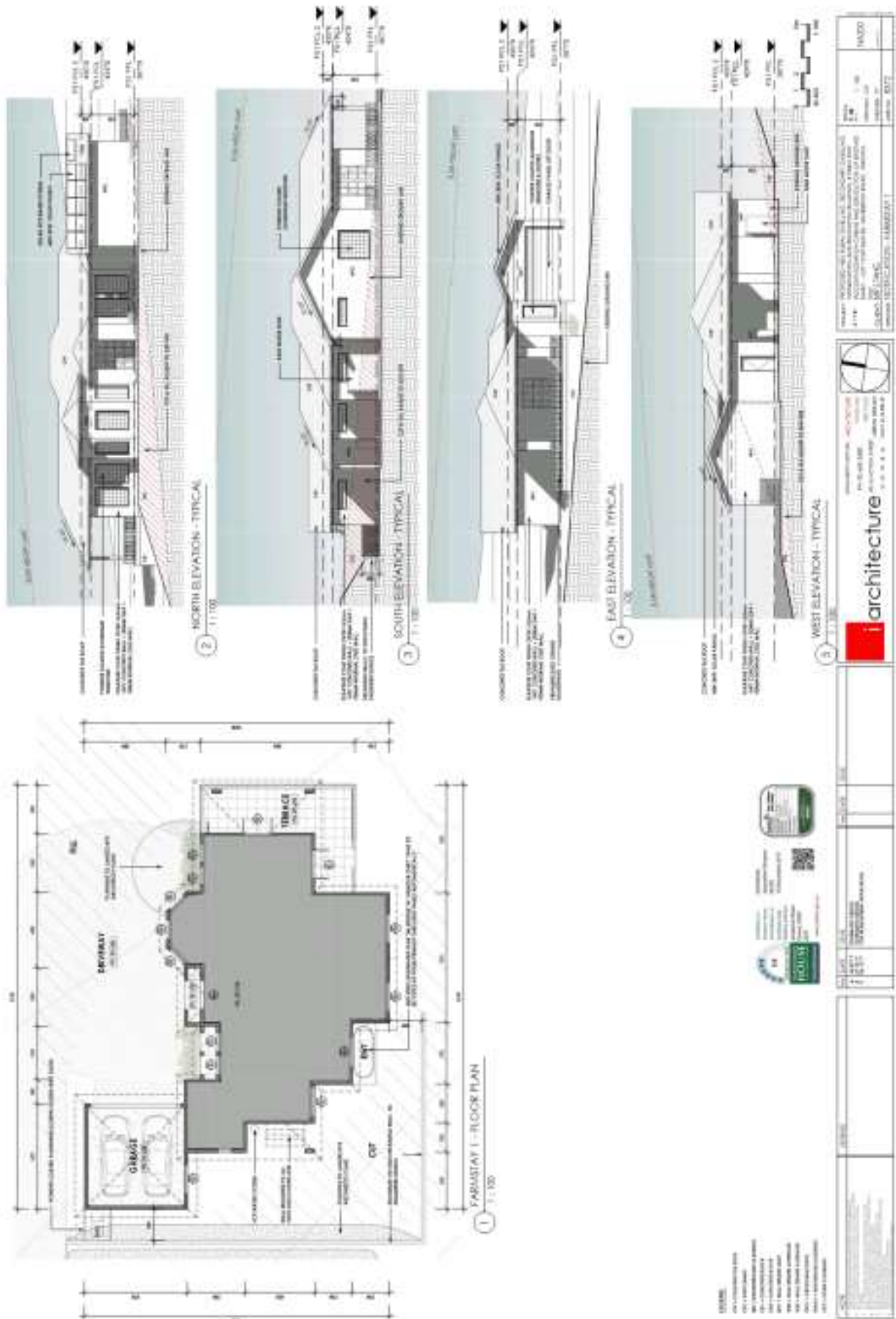


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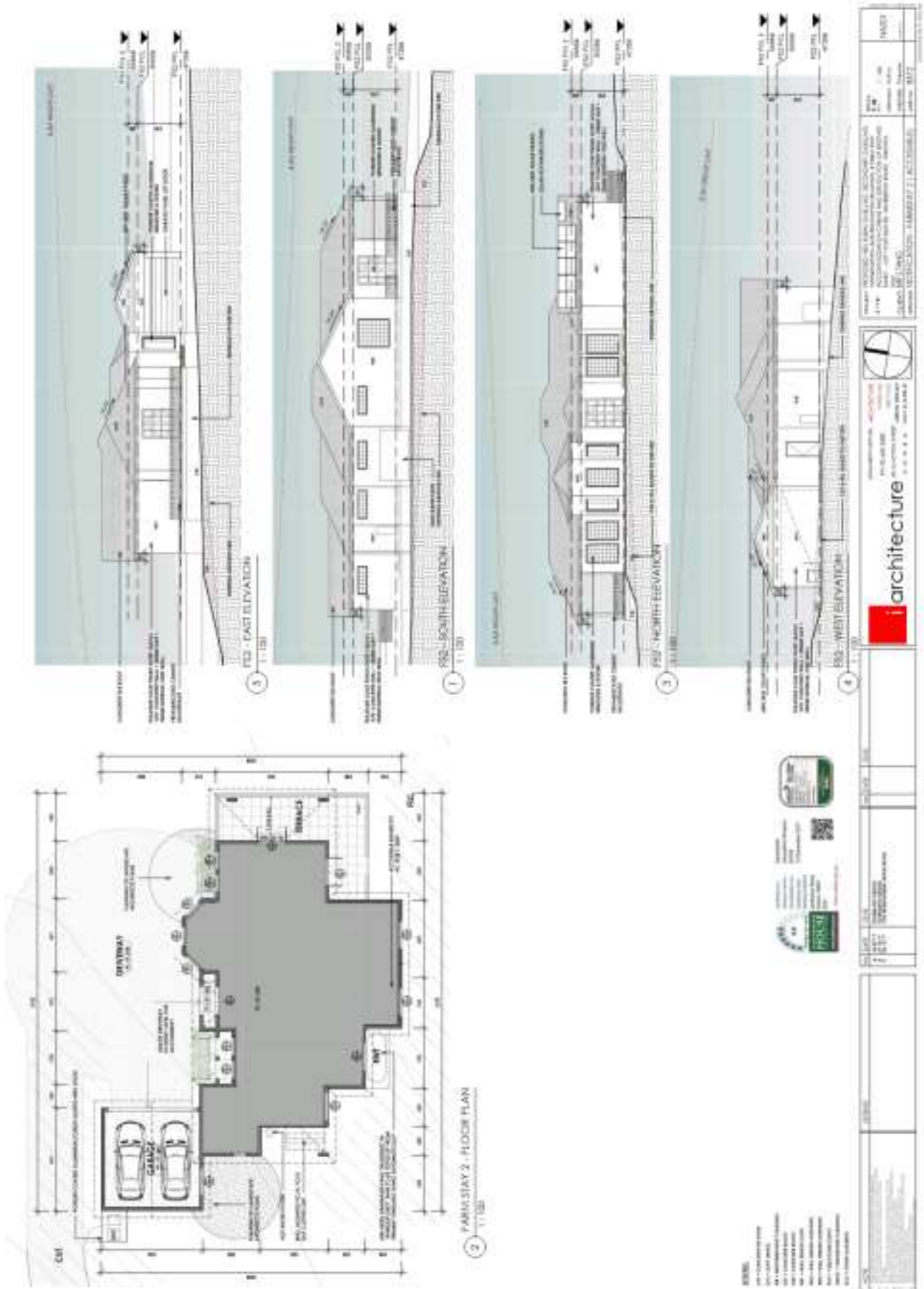
Item 10.2

Attachment 1



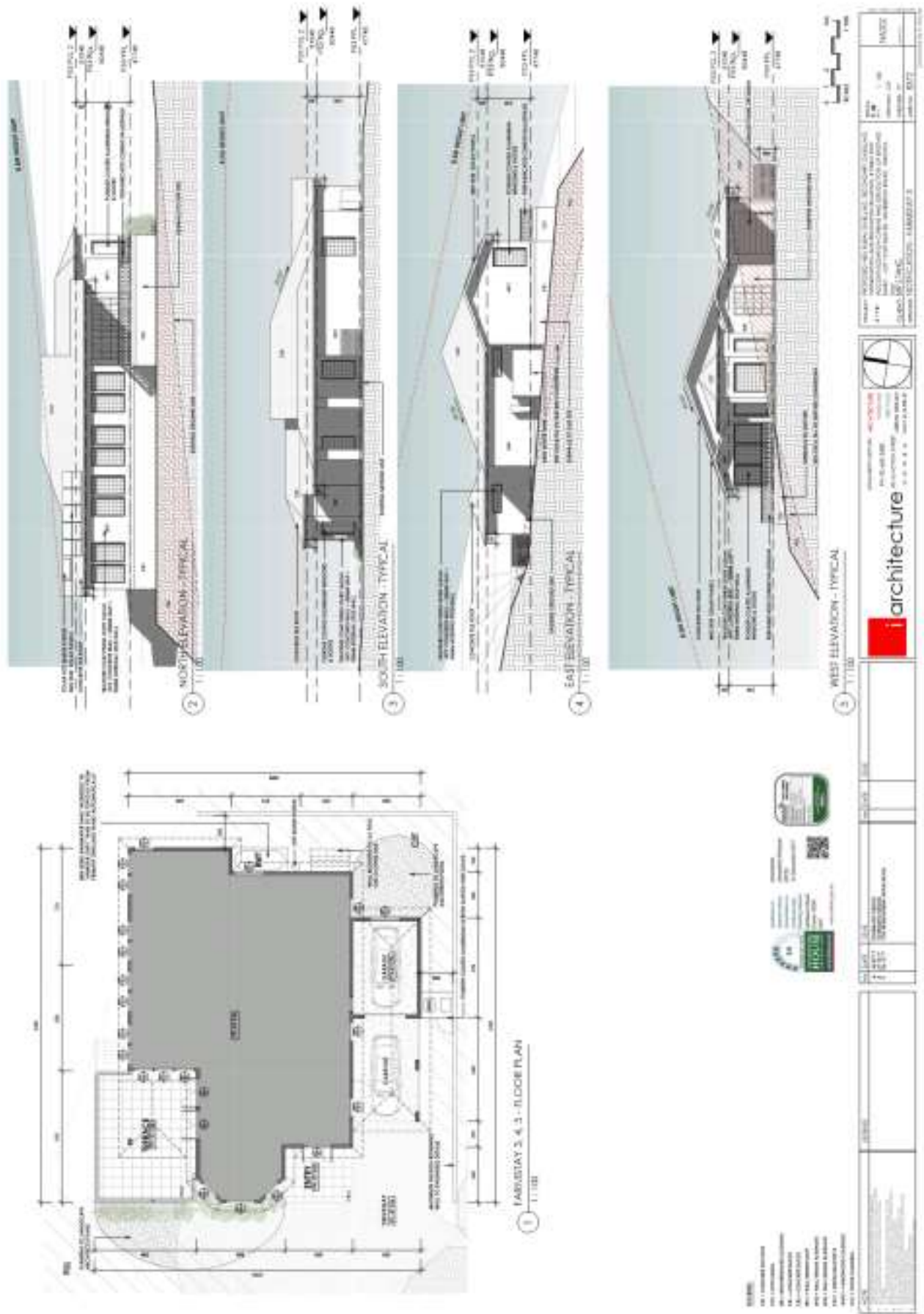
Item 10.2

Attachment 1



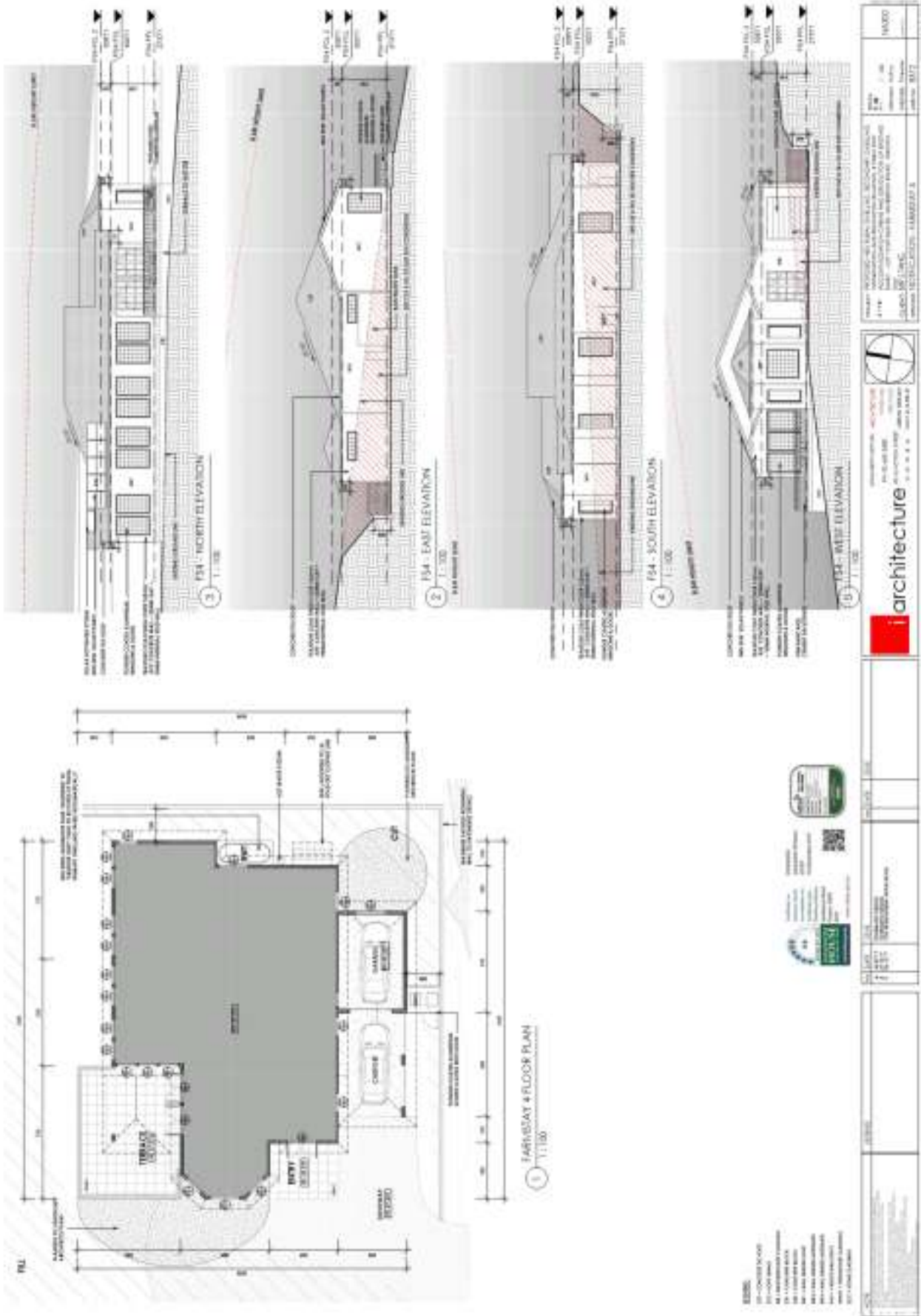
Item 10.2

Attachment 1

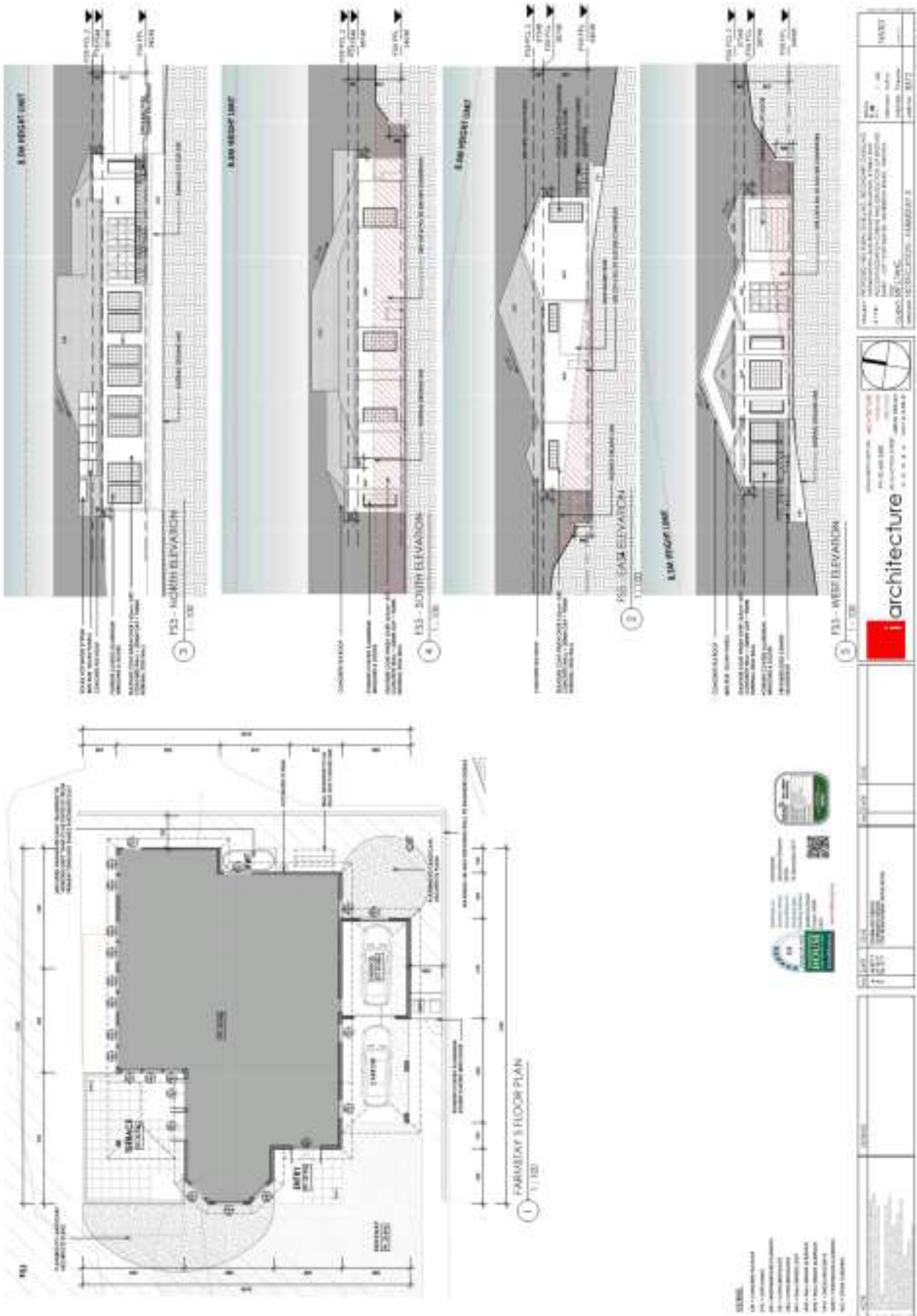


Item 10.2

Attachment 1

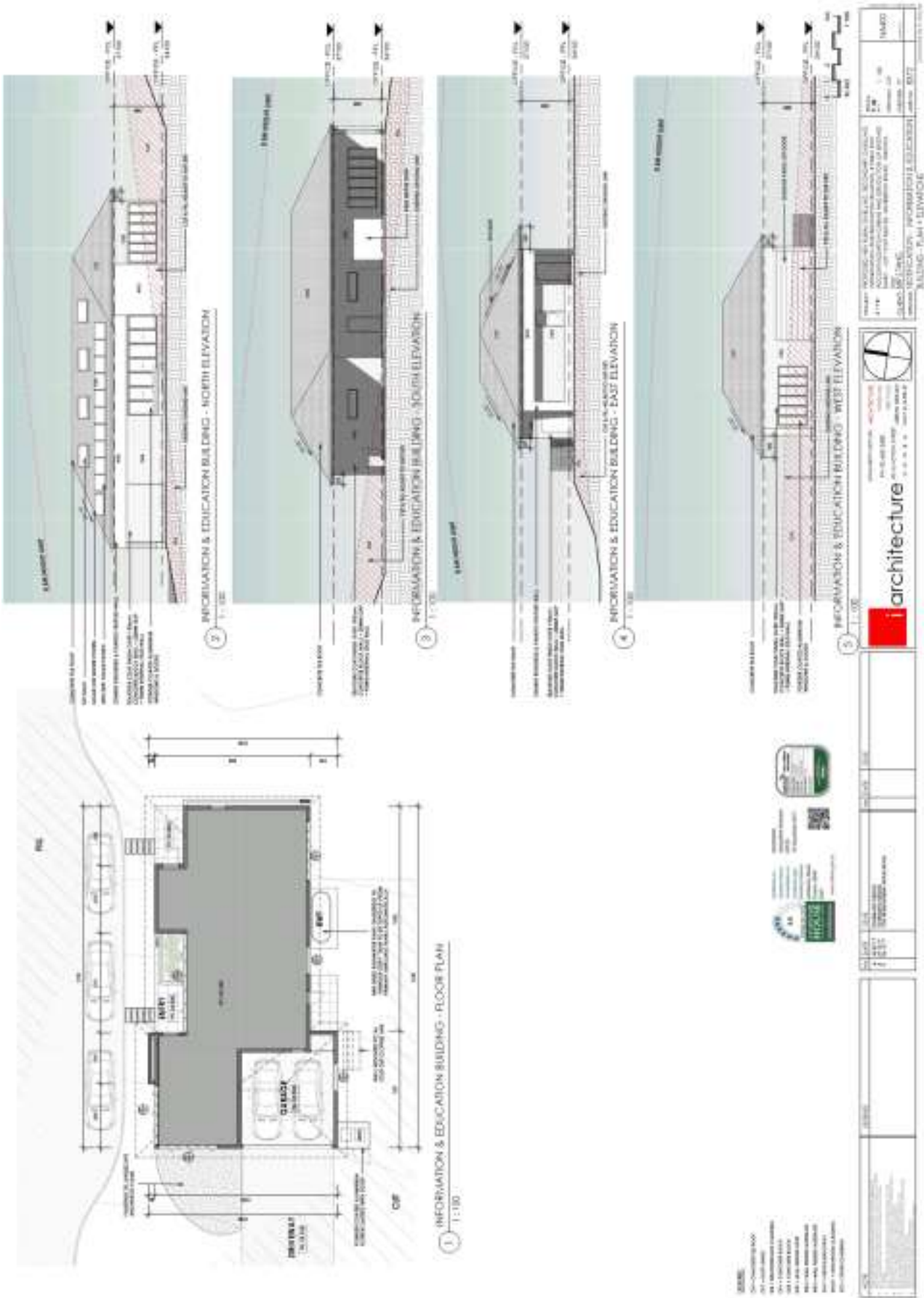


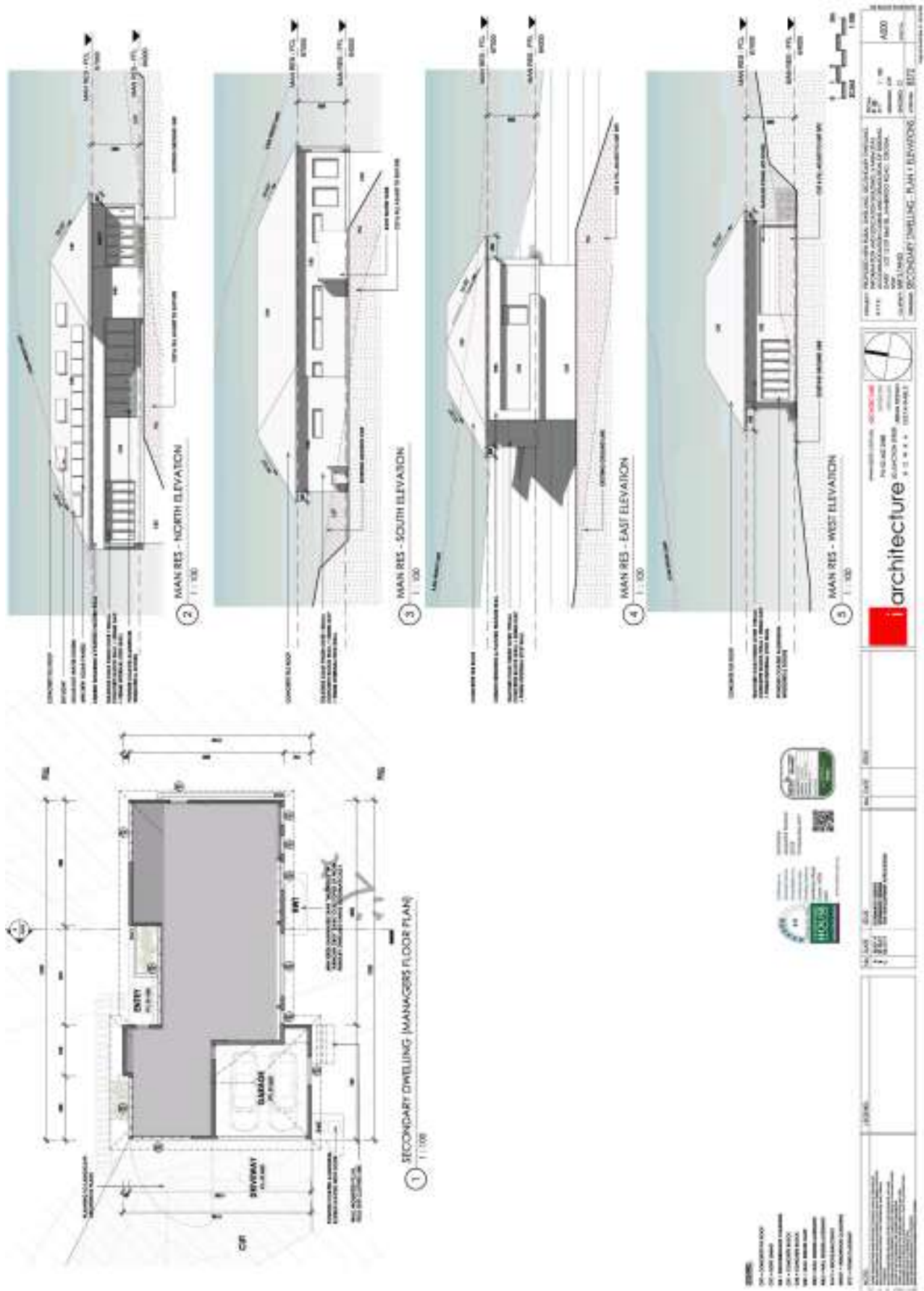
				<p>PROJECT: JAMBEROO ROAD, CROOM, VIC. - NEW DWELLING, SECOND DWELLING, FARM STAY ACCOMMODATION IN 5 CABINS, EDUCATIONAL BUILDING, HAY AND TRACTOR SHEDS AND ROADWORKS</p> <p>DATE: 10/2018</p> <p>SCALE: 1:100</p> <p>PROJECT NO: JAMBEROO 10.2</p>	
<p>DATE: 10/2018</p> <p>SCALE: 1:100</p> <p>PROJECT NO: JAMBEROO 10.2</p>		<p>DATE: 10/2018</p> <p>SCALE: 1:100</p> <p>PROJECT NO: JAMBEROO 10.2</p>		<p>DATE: 10/2018</p> <p>SCALE: 1:100</p> <p>PROJECT NO: JAMBEROO 10.2</p>	



Attachment 1

Item 10.2





10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama – Proposed dwelling alterations & additions

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

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

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

Item 10.3

Summary

This report reviews the development application 10.2018.21.1, which seeks consent for the construction of dwelling alterations & additions.

The report recommends that Council refuse development application 10.2018.21.1.

Finance

N/A

Policy

N/A

Communication/Community Engagement

Required: Yes (letter notification)

Notification Period: 14 days from 14/02/2018 to 28/02/2018

Submissions: 9 submissions

Reason for the Report

A Councillor has requested that Council consider this matter and 9 submissions were received.

Attachments

1 10.2018.21.1 - plans [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council refuse Development Application No 10.2018.21.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979 for the following reasons:

1. The building alignment of the proposed development is not consistent with the objectives under Chapter 2 Section 8 Kiama DCP 2012 – “Building Line Setbacks in Context”.
2. The rear building line does not comply with Chapter 2 Section 12 of Kiama DCP 2012.
3. The proposed development is not consistent with the requirement of Control C2 under Chapter 4 Kiama DCP 2012.

Report of the Director Environmental Services

10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama
– Proposed dwelling alterations & additions (cont)

-
4. The proposed development will be sited inappropriately in relation to neighbouring dwellings.
 5. The proposed development does not comply with the objectives and controls of Chapter 2 Section 5 of Kiama DCP 2012 – Maintenance of views and vistas and as such will impact unreasonably on views from properties to the west.
 6. The proposal is not in the public interest.

Item 10.3

BACKGROUND**Development Site**

The property is described as Lot 80 DP 1168560 at 29 Saddleback Mountain Road, Kiama. The zoning of the property is R2 Low Density under Kiama LEP 2011. The total area of the 30m wide property is approximately 1133m², and is irregular in shape and slopes away to the rear in a northerly direction.

The site currently contains a dwelling and swimming pool. Residential dwellings adjoin both side boundaries of the property with rural land to the rear and across the road to the south.

Description of the Proposed Development

The proposal involves the construction of a two-storey extension from the north elevation on the western boundary between the existing house and the existing pool cabana/shed and an infill of an existing verandah/deck to create an additional living room. The extension is connected to the existing first floor balcony/deck by stairs dropping down to another deck. The first floor contains a bedroom and ensuite bathroom, the ground floor contains a gym. The proposed extension covering an area of approximately 5.590m x 3.820m (excluding deck) with an overall height of 6.88m.

Amended Plans

The applicant had been provided with an opportunity to address concerns regarding view sharing.

The original plans and Statement of Environmental Effects (SOEE) have been amended as follows:

1. The rear addition (western side) two-storey portion of the development being reduced in height approximately 840mm.
2. The amended plans were submitted with a revised Statement and Justification prepared by Allen Price & Scarratts Pty Ltd land and development consultants dated 03/07/2018.

The amended building design and its placement on the allotment will still create a significant disparity with the existing rear building lines of adjoining dwellings, consequently affecting views of the western adjoining dwelling.

The applicant has not specifically addressed the issue of rear building line nor have they acknowledged the full impact of the proposed development. The site analysis

Report of the Director Environmental Services

10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama
– Proposed dwelling alterations & additions (cont)

provided clearly demonstrates how the design does not respond to the existing neighbouring dwellings.

The current proposal does not meet the applicable objectives nor provide rationale for the non-compliance in regard to the rear building line.

The report from Allen Price & Scarratts has argued that the view-sharing principals have been complied with and provided justification in their response.

Section 4.15 Assessment

The proposed development has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended) and the following matters are considered relevant:

Relevant Environmental Planning Instruments

- State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71)

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

The proposed development is considered to satisfy the requirements of the SEPP.

- Kiama LEP 2011

The subject land is zoned R2 low density residential under Kiama LEP 2011. Dwelling houses and their ancillary structures are permitted with consent in the zone. The proposal is considered consistent with the zone objectives.

Specific clauses requiring consideration:

- Clause 4.3 height of buildings - maximum 8.5m vertical distance between the existing ground level and the highest point of the building, including plant and lift overruns. The maximum height indicated will be 6.88m therefore the proposal is consistent with this standard.
- Clause 4.4 floor space ratio (maximum 0.45:1) - the proposal is consistent with this standard.

Any draft Environmental Planning Instruments

Nil.

Kiama Development Control Plan 2012

The relevant sections of Kiama DCP 2012 are discussed below:

Chapter 2- Building Lines

The issue of building lines is dealt with extensively this chapter, commencing at Section 8, which provides the overall context and objectives for the maintenance of various building lines.

Section 8 – “Building Lines Setbacks in Context”, provides commentary and a number of objectives to be considered when assessing development proposals. Three of the objectives are felt to be particularly relevant in assessing the subject proposal:

- To protect the amenity of the locality in which the development is situated.

Report of the Director Environmental Services

10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama
– Proposed dwelling alterations & additions (cont)

-
- To prevent dwelling houses and structures being sited inappropriately in relation to neighbouring dwellings and the waterfront.
 - To prevent unreasonable loss of views

Section 12 of Kiama DCP 2012 deals specifically with rear building lines and states that:

“habitable structures shall be generally sited on the established rear building line of the adjoining development or six (6) metres whichever is the greater; subject to such development having a reasonable economic life.”

In this locality, the established rear building line is greater than 6m and is therefore taken to be the rear building line. The existing dwelling, incorporating the proposed infill deck/living room, has a rear building line setback that is consistent with the established building line in the locality. The new 2-storey bedroom/gym addition is proposed to be setback approximately 4.8m beyond the existing dwelling/deck and therefore does not comply with the established rear building line.

The applicant has not satisfactorily addressed the issue of the rear building line. The potential for redevelopment of adjoining dwellings has been considered, however, having regard to the existing setbacks and view corridors achieved by a number of properties in the area, the current proposal is not considered to meet applicable objectives nor the acceptable solution in regard to rear building lines.

Chapter 4 - Control C2 of Kiama DCP 2012 provides a further control in that:

“where development greater than single storey is proposed, that component greater than one storey shall be located within 12.0 metres of the applicable front building line:

- *Development in excess of one storey beyond this point will be more critically analysed in respect to the amenity impacts on adjoining properties, by the development, with particular reference to the following:*
- *Maintenance of privacy into the adjoining dwellings and private open space areas*
- *Access to natural light and/or overshadowing*
- *Visual bulk*
- *Treatments to reduce the likely amenity impacts on adjoining properties might include screens, opaque glazing, highlight windows, increased side setbacks, broken rooflines, split floor levels or a general height reduction.*
- *New development shall comply with the Building Height Plane.”*

Whilst Control C2 highlights areas of particular reference, it is not exclusive to these amenity impacts.

The proposal has two storey elements extending in excess of 12m from the front building line, and it is these elements that have the greatest impact on view sharing.

Chapter 2 Section 12 – Design Standards – Building Lines in Urban Areas - The rear building lines for properties with a 6m front building line is 6m. In the case of allotments affected by a 6m front building line, habitable structures shall be generally

Report of the Director Environmental Services

10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama
– Proposed dwelling alterations & additions (cont)

sited on the established rear building line of the adjoining development or 6m whichever is the greater; subject to such development having a reasonable economic life. It must be demonstrated that the objectives of this plan are satisfied where a departure from an established building line is sought

Single storey structures including garages, pools, pergolas and barbecue areas may be sited at a lesser distance from the rear property boundary, where such a structure satisfies the objectives of this plan and where, in the opinion of Council, no unreasonable impacts on neighboring properties will result.

Should the proposal be lodged without the second storey detached bedroom it may be considered reasonable to support the reduced rear boundary setback.

Chapter 2 Section 5 - Maintenance of Views and Vistas

- Control C6 - Any development in Kiama should incorporate view sharing principles into the design and siting of development to ensure that where possible that existing view lines are not detrimentally impacted.
- C8 - Development should ensure, where possible, that there is no unreasonable loss of existing view lines from existing development.
- C9 - No one dwelling should be sited to maximise the views for its occupants to the exclusion of nearby resident or neighbours.
- C11 - Where there is a potential for view loss Council may require a maximum building height of less than the maximum allowable for part of the proposed building to ensure view sharing.
- C12 - Council may consider varying setbacks and building lines where variance would result in a positive view sharing outcomes
- C13 - Reference is to be made to principles handed down in the Land and Environment Court with regard to view sharing.

The proposed bedroom/gym additions have been designed with little regard to these controls and the siting of this proposed 2 storey addition has significant impact to adjoining property's existing views.

DCP 2012 – Chapter 11 Waste Requirements - A waste management plan was supplied with the application which deals with demolition and construction waste.

View Sharing Principles

The applicant's submission attempts to address the view sharing principles and provides their argument in favour of the development in relation to the Tenacity Principle.

1. *The views affected are water views but also partial views from the side and rear of adjoining dwellings to the west.*
2. *The property views are from the due west of the subject site and are therefore partial views only from side boundaries as viewed over the subject area.*
3. *Standing view from the rear of No. 31 Saddleback Mountain Road are unlikely to be affected. Sitting views are unrealistic to maintain and already potential*

Report of the Director Environmental Services

10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama
– Proposed dwelling alterations & additions (cont)

obscured by the existing boundary fence and by the balcony rail on the first level. Siting views as set out by Tenacity are difficult to maintain.

4. *The affected view is over a length of 5.6m and affects the rear/side views from No.31 this view loss would be marginal being on the absolute periphery of the view extents. Views from side boundaries under the Tenacity principles are also considered unrealistic to maintain/share.*

The proposed design has considered the principles and lowered the height of the proposed extension to 6.88m, which is below the first floor balcony rail level of the adjoining house at No 31 Saddleback Mountain Road.

There is a gap of nearly 2m between the rear of the existing dwelling and the extension filled by the existing veranda dropping down to a lower deck

Views from the ground level balcony/afresco area will still be achieved between the two buildings through this gap.

No views from public places will be affected by the proposed development, due to the location behind the existing dwelling and due to the relatively low natural ground level where the extension is proposed.

It is considered that view loss to No 31 is not unreasonable. As per the principles in “Tenacity” the view loss is over a side boundary at ground level. Views from the first floor at No 31 are maintained. Therefore, the principle of view sharing has been incorporated in the design due to the lowering of the ridge height from that originally proposed to allow for views over the side boundary from the first floor balcony.

The proposed extension only takes up a portion of the coastal views (5.6m) immediately to the east of the existing row of houses on this section of Saddleback Mountain Road. Given the orientation of the lots, view sharing is not readily achievable, as water views are over side boundary fences. Properties further west of the site sit at a higher level than the proposed extension and are less likely to be affected by view loss.

The building design does not include any changes to existing ground levels, as the extension area is located well below ground level at the boundary due to the steep topography.

The proposed extension height was below 8.5m as originally proposed (7.72m) this height has been further reduced in the amended plans to 6.88m to ensure view sharing with the first floor level of No 31 Saddleback Mountain Road.

As discussed in this report, view sharing principles have been considered in the design, as set out in the comment below, view sharing principles are hard to apply to side boundary views. The proposal as amended does provide for views over the extension from the first floor balcony of the property at No. 31 Saddleback Mountain Road.

The Land & Environment Court has a well-established planning principle in respect of the assessment of impacts of development on views, which was set out in Tenacity Consulting v Warringah Council (2004) NSW LEC 140 (“Tenacity”).

A ‘planning principle’ is not binding law. It is described by the Court as a statement of a desirable outcome from a chain of reasoning aimed at reaching a planning

Report of the Director Environmental Services

10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama
– Proposed dwelling alterations & additions (cont)

decision, or a list of appropriate matters to be considered in making a planning decision. Although a planning principle is not binding on a decision maker, the Court will try to apply the principle consistently in appeals before it, unless it is inconsistent with the council's applicable controls. If a planning principle is observed by the Council when assessing a development, the planning decision is more likely to be sound in the eyes of the Court.

In other words, if an application is made to a council for development, which has the potential to impact on neighbouring views, then it is desirable that the council assess the impact on views in accordance with the 4-step process set out in Tenacity, including determining whether the impact is negligible, minor, moderate, severe or devastating.

However, Tenacity does not provide that anyone has a proprietary right to retain all or part of the views enjoyed (or capable of enjoyment) from their land. The Court specifically acknowledges that entire loss of a view in some cases (although a devastating impact) could be reasonable in the circumstances) Also the case is merely concerned with the planning decision, and does not deal with whether a landowner can enforce any right to a view against another landowner.

Council's Assessment of the View Impacts

When assessing the impact on view, Kiama DCP Chapter 2 Section 5 requires reference to the Planning Principles adopted by the Land and Environment Court. The current view sharing principle is contained in "Tenacity Consulting v Warringah Council (2004) NSWLEC 140". "NSWLEC 140" calls for qualitative assessment when determining the various degrees of view loss expressed as follows - "negligible, minor, moderate, severe or devastating".

The first step according to "NSWLEC 140" for assessing view impact is an assessment of the value of the view to be affected:

"The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, eg a water view in which the interface between land and water is visible is more valuable than one in which it is obscured".

In the case of No 31 Saddleback Mountain Road, the proposed development will obscure water views and iconic views of Kiama's headland including Blowhole Point and the Lighthouse. This view is currently obtained across their eastern side boundary and is highly valued by the occupants of 31 Saddleback Mountain Road.

In the second step of the Tenacity Principal that "*the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. The expectation to retain side views and sitting views is often unrealistic.*"

It is asserted by the applicant that views from No 31 Saddleback Mountain Road are obtained diagonally across the side boundary. It is Council's opinion that the view is obtained diagonally across the rear portion of the rear boundary of No 29 Saddleback Mountain Road.

Report of the Director Environmental Services

10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama
– Proposed dwelling alterations & additions (cont)

In the third step of the Tenacity Principal - Council's assessment of the extent of impact has been considered for the whole of the property, not just for the views that are affected. Whilst some ocean views would prevail if the proposed development was to precede, the majority of the highly valued view and interface would be impacted upon. From a qualitative viewpoint, it is considered that the loss of this high value and significant view from No 31 Saddleback Mountain Road would be described as a severe loss.

The fourth and final step of the 'Tenacity Principle' states that:-

*"The fourth step is to assess the **reasonableness** of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable".*

It is important to note that it has been established during assessment that the proposed development proposal does not comply with (2) 'planning controls'; the 'rear building line' (Section 12, Chapter 2, Kiama DCP 2012) and Control C2 of Chapter 4 Kiama DCP 2012. The applicant states that they have lowered the two storey addition to allow for view sharing and does not unduly impact on the adjoining property. It is still considered to be an unreasonable view loss that would require a variation to Council's DCP controls.

The fourth step is meant to assess the 'reasonableness' of the development proposal. It is the breach of 2 'planning controls' in this case that has directly resulted in view impacts. The applicant has also not indicated why other potential sitings for the extension (on the eastern side of the property for instance) are not suitable. The reasonableness of the subject development proposal is therefore not considered to be demonstrated.

It is Council's assessment that the view impacts have been slightly improved by the reduction in height as a result of the amended plans the view loss is still considered to be substantial and unreasonable.

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*.

The likely Impacts of the Proposed Development

- Noise

Construction works will generate some noise, though conditions of consent can be imposed to ensure that works are undertaken only within specified hours to limit impacts upon neighbours. No ongoing significant noise impacts are expected as a result of the development.

- Privacy and Overlooking

No concerns have been raised from the proposed development.

Report of the Director Environmental Services

10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama
– Proposed dwelling alterations & additions (cont)

- Overshadowing

No concerns have been raised from the proposed development

- 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.

- Social and Economic Impacts

The proposed development will have minimal economic impacts. The amenity impacts of the proposed development have been considered in detail and when considered in conjunction with the concerns raised in submissions, indicate an unacceptable social impact on adjoining property owners and warrant the recommendation for refusal of the application.

Public Submissions

Notification letters were sent to neighboring property owners who were provided with 14 days in which to comment on the proposal. At the conclusion of the notification period, nine submissions were received, however only 1 was received from a property owner in the vicinity of the proposal.

Since the initial neighbour notification period the applicant has already responded to an additional information request that included plan revisions that did not warrant that additional neighbour notification be undertaken. The recent objections generally remain unchanged.

The following summarised concerns were raised in submissions:

Item 1 - View Loss

Comment - Assessment has concluded that in relation to No.31 Saddleback Mountain Road, the view impact of the proposed development will be 'severe' where as the impact on the other objectors has not been substantiated.

Item 2 - Rear setback

Comment - This matter has been assessed in regard to the context of the allotment depth, allotment shape and development expectation of this land. This proposal has opted for a reduced rear setback with a (2) two storey addition, which does not comply with DCP objectives and impacts on existing views.

Item 3 - Height

Comment - The proposed development has been assessed to have a (2) two storey addition beyond the established rear building line that impacts on views.

Internal Referrals

Report of the Director Environmental Services

10.3 10.2018.21.1 - Lot 80 DP 1168560 – 29 Saddleback Mountain Road Kiama
– Proposed dwelling alterations & additions (cont)

No internal referrals were required for the proposal.

The Public Interest

The proposal is considered to be consistent with Kiama LEP 2011 but not Kiama Development Control Plan 2012 with all the building line objectives under Section 8 Chapter 2 and the numeric requirement under Control C2 Chapter 4 of DCP 2012 and accordingly does not meet the view sharing principles of Section 5, Chapter 2, Kiama DCP. Therefore, the development proposal is considered to be not in the public interest.

Final Comments and Conclusions

The proposed development has been assessed having regard to all relevant matters for consideration prescribed by Section 4.15 of the Environmental Planning and Assessment Act, 1979. The proposed development is considered inconsistent with Kiama DCP 2012.

It is Council's opinion that the applicant's site analysis has not provided any detailed design response in regard to the chosen rear building line nor has it identified the existing 'view corridor' extending from the properties to the west.

The applicant has attempted to lessen the impact by reducing the overall height of the 2 storey addition in an effort to maintain open views of the property directly to its west. It is believed that the reduction has not achieved the desired outcome in this case.

Whilst the applicant has argued that they have reduced the overall height of the proposal to address view loss from the neighbouring property. Council staff disagree that the view loss is acceptable. The area of concern is that part of the proposal consisting of a 2 storey, ground floor gym and upper level bedroom extending into the established rear building line and it is this element that impacts on view sharing.

Having regard to the above non-compliances and the impact on views, the proposed 2 storey detached bedroom/gym is considered unreasonable.

It should be noted that even if a proposal meets applicable planning controls the issue of a "more skillful" design should be considered. In this instance the applicant has a large envelope to work within, and having regard to the slope of the land, may be able to design a lower profile built form that meets relevant objectives and preserves existing views.

Assessment of this development proposal in relation to the western adjoining dwelling has revealed that the current proposal is unreasonable.

WORKING DRAWINGS FOR ALTERATIONS AND ADDITIONS AT

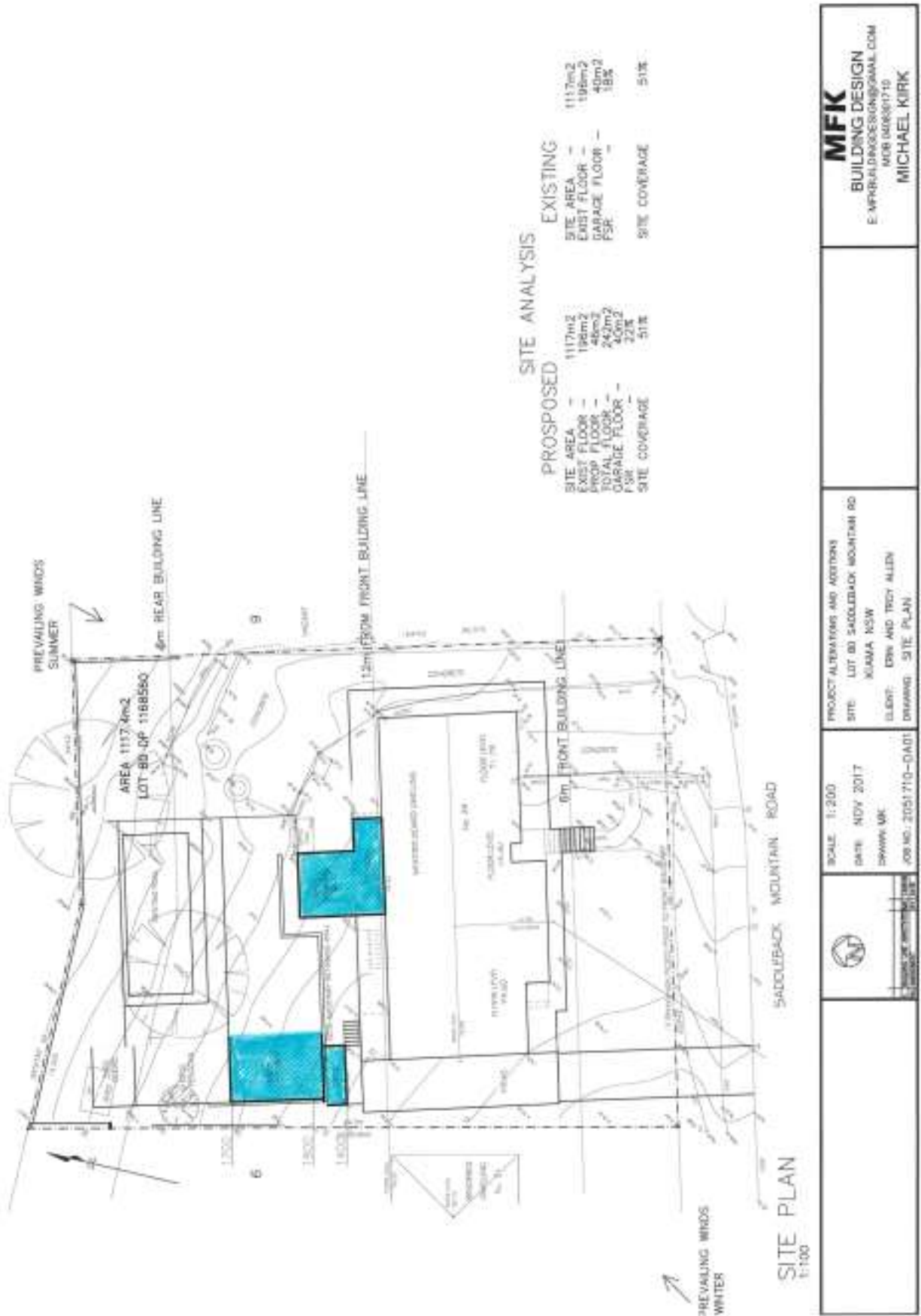
SADDLEBACK MOUNTAIN RD

KIAMA

ERIN AND TROY ALLEN
LOT 80 DP 1168560

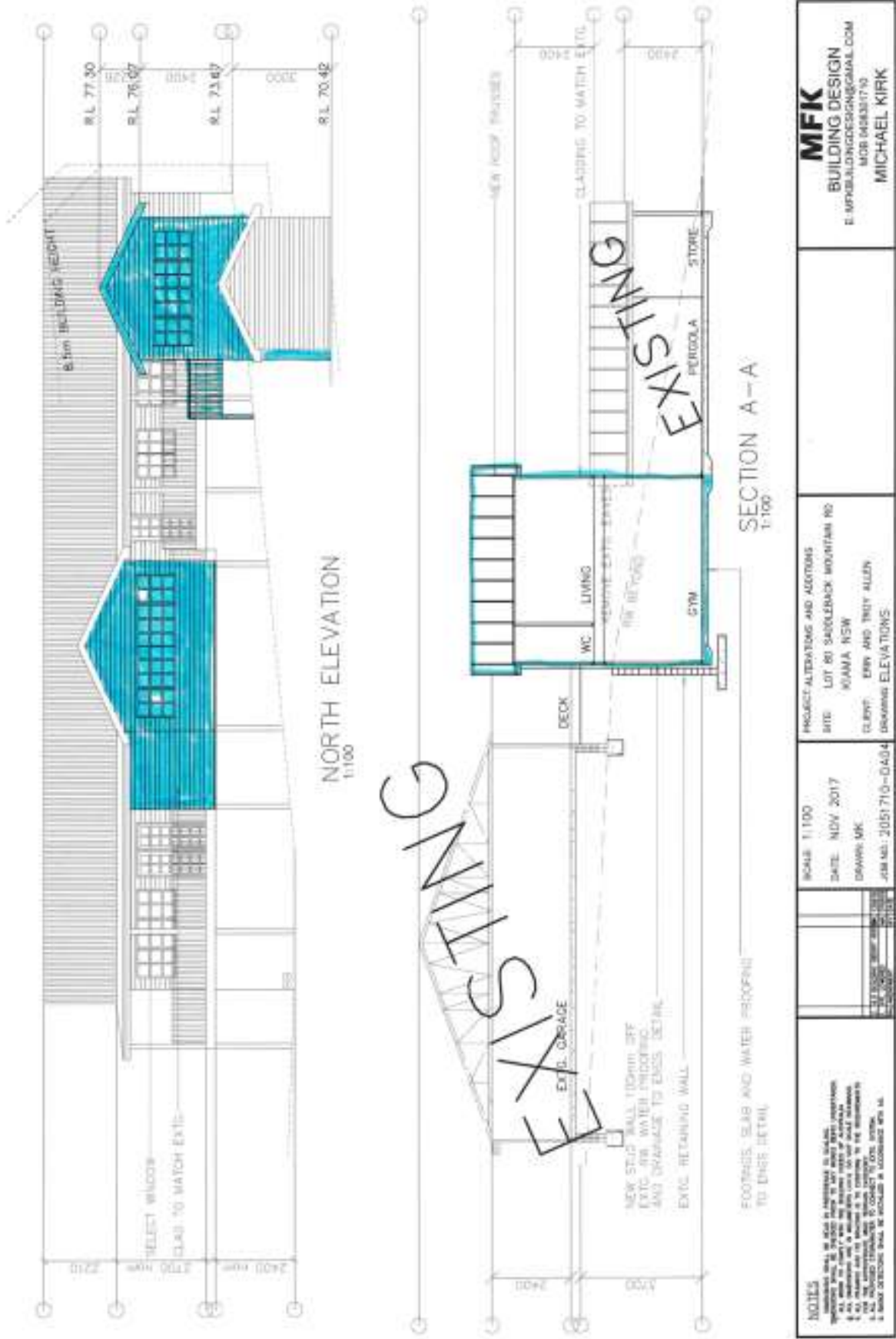
- DA01 SITE PLAN
- DA02 FLOOR PLAN
- DA03 ELEVATIONS
- DA04 SECTION-ELEVATIONS







<p>NOTES</p> <p>1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS 2011 AND THE NATIONAL CODE OF ACCEPTABLE PRACTICES.</p> <p>2. ALL MATERIALS AND WORKMANSHIP TO BE TO THE SATISFACTION OF THE ARCHITECT.</p> <p>3. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.</p> <p>4. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.</p> <p>5. ALL WORK TO BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.</p>	<p>SCALE: 1:100</p> <p>DATE: NOV 2017</p> <p>DRAWN: MK</p> <p>JOB NO.: 2051710-D403</p>	<p>PROJECT ALTERATIONS AND ADDITIONS</p> <p>SITE: LOT 80 SADDLEBACK MOUNTAIN RD</p> <p>KIAMA NSW</p> <p>CLIENT: ERIN AND TRISTY ALLEN</p> <p>DESIGNER: MFK</p>	<p>MFK</p> <p>BUILDING DESIGN</p> <p>E: MFKBUILDINGDESIGN@GMAIL.COM</p> <p>M: 0483331713</p> <p>MICHAEL KIRK</p>
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10.4 10.2018.65.1 - Lot 22 DP 9760, Lot 1510 DP 1204286 - 110 Charles Avenue Minnamurra - Construction of watercraft storage facility, deck and rock revetment works

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

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

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

Item 10.4

Summary

This report reviews the DA 10.2018.65.1 which involves the completion of a watercraft storage facility, construction of deck, stairs and rock revetment works. The report recommends that Council refuse DA 10.2018.65.1.

Finance

N/A

Policy

N/A

Communication/Community Engagement

Required: Yes (onsite notice and letter notification)

Notification Period: 30 days from 5 April 2018 to 7 May 2018

Submissions: Nil submissions

Reason for the Report

This report is submitted to Council because only the elected Council:

- Can assume concurrence of the Secretary of the Department of Planning & Environment under the LEP clause 4.6 to vary a non-numerical development standard, as a result of a new direction given by the Department on 15 December 2017 withdrawing the use of staff delegation in such circumstances. This direction has since be reconfirmed in Planning Circular PS18-003 dated 21 February 2018;
- Determine applications involving more than a minor variation to the DCP.

Attachments

1 10.2018.65.1 - plans [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council refuse Development Application 10.2018.65.1 under Section 4.16 of the Environmental Planning and Assessment Act 1979, for the following reasons:

Report of the Director Environmental Services

10.4 10.2018.65.1 - Lot 22 DP 9760, Lot 1510 DP 1204286 - 110 Charles Avenue Minnamurra - Construction of watercraft storage facility, deck and rock revetment works (cont)

Item 10.4

1. The component of the proposed development located within Lot 22 DP 9760 (110 Charles Avenue) is inconsistent with the provisions of Clauses 5.5 'Development within the coastal zone', 6.3 'Flood planning' and 6.7 'Foreshore building line'. And as such development consent cannot be granted for this component of the development.
2. The component of the proposed development located within the Crown Reserve is prohibited within the E2 Environmental Conservation zone.
3. The proposed development is inconsistent with the aims of the SEPP 71 as access to and along the foreshore for pedestrians is affected by the proposal as it will entrench the private occupation of public land. The proposal will restrict new opportunities for public access to and along coastal foreshores.
4. The proposed development is inconsistent with the objectives of the SEPP and restricts new opportunities for public access to and along coastal foreshores. The proposal does not satisfy the Matters for Consideration under Clause 8.
5. The proposed development is inconsistent with the objectives of Section 17 – Foreshore Building Lines of Chapter 2 of the Kiama Development Control Plan (DCP) 2012. The proposal does not comply with Controls 14, 17, 19 and 21 of Chapter 2 of the DCP.
6. The proposed development does not comply with Chapter 29 – Flood Liable Land of the DCP.

BACKGROUND

The property is described as Lot 22 DP 9760 which is located at 110 Charles Avenue Minnamurra.

The overall site measures 777.8m² and is rectangular in shape. The site currently contains an existing dwelling and is bounded by residential land containing principally dwellings.

The site is zoned R2 Low Density Residential under the Kiama LEP 2011.

The site is generally cleared and slopes slightly from the Southwest corner to the Northeast corner with a fall of 2m or 3%. The site drains to the adjoining public road.



Figure 1 – Locality Plan

Report of the Director Environmental Services

10.4 10.2018.65.1 - Lot 22 DP 9760, Lot 1510 DP 1204286 - 110 Charles Avenue Minnamurra - Construction of watercraft storage facility, deck and rock revetment works (cont)

Item 10.4

Access to the property is gained via direct frontage to Charles Avenue (Public Road). The site is serviced by Sydney Water’s water and sewerage infrastructure and Endeavour Energy’s electrical infrastructure as well as telecommunications infrastructure.

The site is subject to the following constraints

- Areas mapped in Kiama LEP 2011 as riparian land and water courses and acid sulphate soils
- Foreshore building line as identified by the Kiama LEP 2011 and the Kiama DCP 2012.



Figure 2 – Site Photograph (Foreshore Building Line)

Development History

Works associated with the current proposal commenced prior to obtaining the necessary approvals. The structural works associated with the watercraft storage facility have been completed. Council officers instructed the owner to cease works immediately. The subject development application has since been lodged.

Description of the Proposed Development

The proposal involves the construction of watercraft storage facility, deck, stairs and rock revetment works.

Watercraft Storage Facility (Lot 22 DP 9760 (110 Charles Avenue))

Prior to the commencement of construction works on the site, the land at the riverfront of the subject site was terraced by 2 retaining walls – one at the waterline and a second just inside the property boundary. Without obtaining the relevant approvals the owner commenced construction of a new retaining wall on the terraced area outside the original wall.

The unauthorised watercraft storage facility currently consists of a concrete floor and reinforced, core-filled concrete blockwork walls. Works to complete the watercraft storage facility will include the provision of a concrete slab roof with a balustrade to its edges; stone-facing to the exposed sides and front of the structure; and, provision

Report of the Director Environmental Services

10.4 10.2018.65.1 - Lot 22 DP 9760, Lot 1510 DP 1204286 - 110 Charles Avenue Minnamurra - Construction of watercraft storage facility, deck and rock revetment works (cont)

of timber sliding doors. The concrete slab roof of the watercraft storage facility will be at the same level as the adjacent natural ground level.

Deck and Stairs (Crown Reserve)

The existing grassed area between the proposed watercraft storage facility and the lower retaining wall will be covered with a variable width timber deck. Access from the upper level yard area to the timber and then down to the water's edge will be provided via a new set of 2.4m wide concrete stairs, which will replace the existing narrow stairs leading down to the water.

The lower retaining wall is proposed to be strengthened through the provision of timber bollards on its exposed side and the placing of 300mm to 400mm bluestone rock revetment work against the wall and sloping out into the river. As well as providing a structural function, the timber bollards will work with the proposed timber deck to give the appearance of a wharf at the river's edge.

Revetment Works (Crown Reserve)

The size of the bluestone rocks to be used in the revetment works has been determined based on advice from Footprint consulting engineers to ensure that rocks do not become displaced during a significant flood event. Footprint noted that the material currently placed on the riverbed is under-sized, and has recommended that this material be retained in place (to avoid further disturbance of the river bed), re-shaped to form a triangular shape with the existing vertical wall, and covered with at least one layer of 300mm to 400mm rock.

The proposal is shown in Figures 3-6 below:

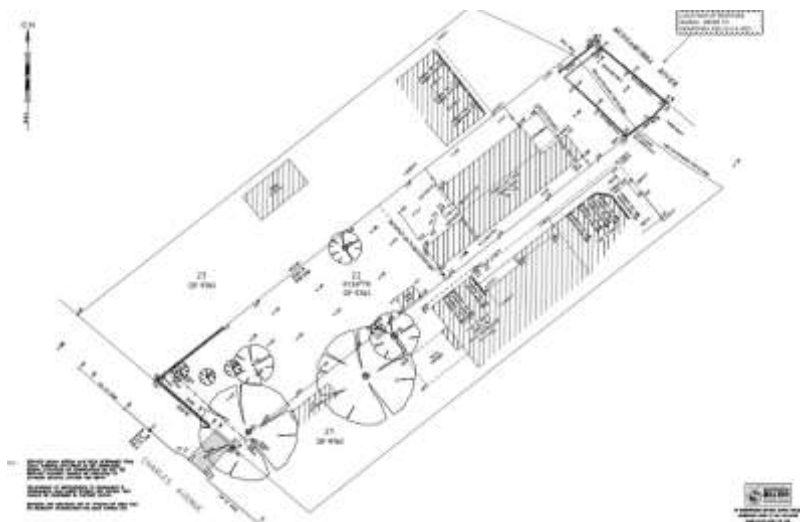


Figure 3 – Site Plan

Item 10.4

Report of the Director Environmental Services

10.4 10.2018.65.1 - Lot 22 DP 9760, Lot 1510 DP 1204286 - 110 Charles Avenue Minnamurra - Construction of watercraft storage facility, deck and rock revetment works (cont)

Item 10.4

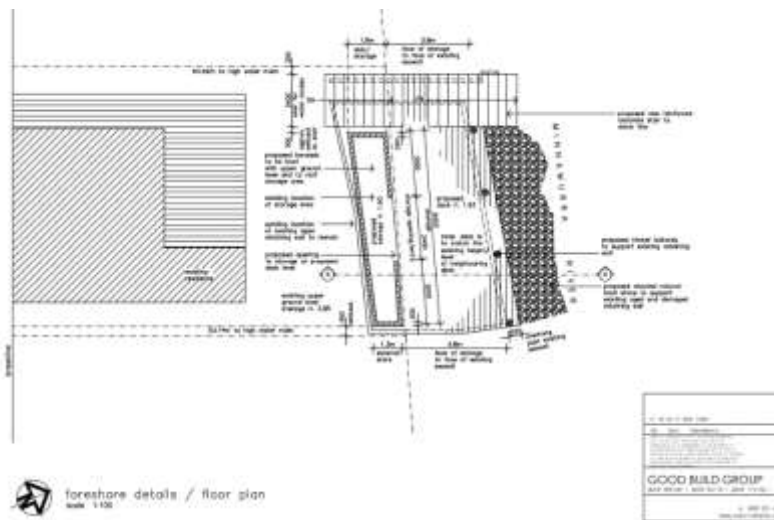


Figure 4 – Floor Plan

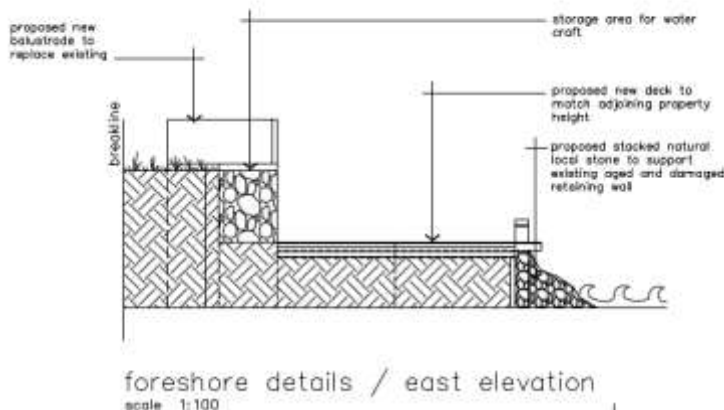


Figure 5 –Eastern (side) Elevation

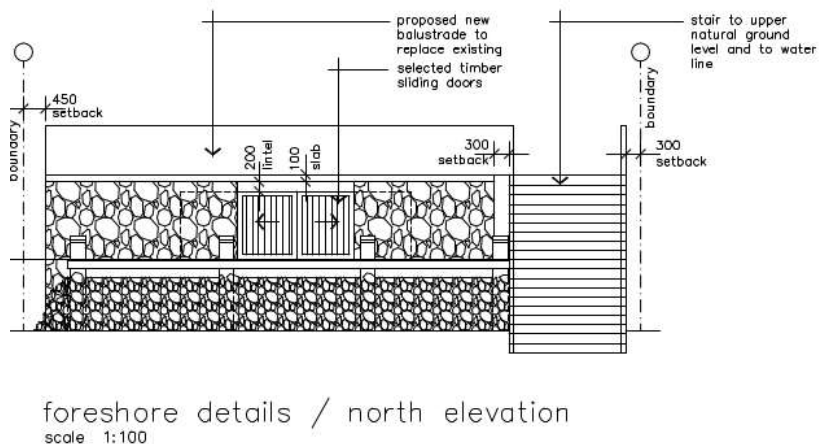


Figure 6 – Northern (foreshore) Elevation

Section 4.15 Assessment

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The proposed development has been assessed in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended) and the following matters are considered relevant.

Relevant Environmental Planning Instruments

- State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71)

As the subject development application was lodged prior to SEPP 71 being repealed it is to be assessed against its provisions rather than the recently gazette SEPP (Coastal Management) 2018.

In broad terms, the aims of the SEPP seek to protect and manage the unique attributes of the NSW coast by encouraging sensitive and appropriate development. The SEPP 71 is a means of implementing the State's *Coastal Policy*.

SEPP 71 aims to protect the unique attributes of the NSW Coast by ensuring that flora and fauna are protected, heritage is conserved and that development is appropriate. SEPP 71 applies to land and development within the coastal zone as defined by the *Coastal Protection Act 1979*.

The site is within the coastal zone as defined by the Coastal Protection Act being within 1km of the coastline, but is not within a coastal sensitive location.

The watercraft storage facility component of the proposed development is considered to be inconsistent with the aims of the SEPP 71 as it will entrench the private occupation of public foreshore land. The aims of the SEPP 71 are to identify and realise new opportunities for public access to and along the foreshore. The presence of a watercraft storage facility on the property boundary will reinforce the existing private occupation of public land (i.e. Crown Reserve).

Consideration has been given to the Matters for Consideration under Clause 8. The proposed development is considered to be inconsistent with the objectives of the SEPP and restricts new opportunities for public access to and along coastal foreshores. The proposal does not satisfy the Matters for Consideration under Clause 8.

In accordance with Part 3 of SEPP 71 Council cannot determine the application until it has consulted with the Director-General as the development is within 100m or below the mean high water mark of an estuary. A copy of this application was forwarded to the Department of Planning and Environment (DPE) who confirmed that no additional matters outside of Clause 8 Matters for Consideration under SEPP 71 are required to be considered by Council in determining this DA.

- State Environmental Planning Policy No 55 - Remediation of Land

Clause 7 of the SEPP No. 55 requires Council to consider whether the land is contaminated and if it is contaminated if remediation works are required. Council is unaware of any historic land use which would deem the site unsuitable for the proposed development, therefore the land is considered to be suitable for the proposed use.

- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

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Clause 9 and 10 of the SEPP (Vegetation in Non-Rural Areas) 2017 outlines that consent is required for the clearing of certain vegetation in non-rural areas. Council's Development Control Plan (DCP) 2012 outlines that certain trees can be removed without requiring consent. No trees are proposed to be removed as part of this development.

- Kiama LEP 2011

Clause 2.3 Zone objectives and Land Use Table

The subject land is zoned R2 Low Density Residential and E2 Environmental Conservation under the Kiama Local Environmental Plan (LEP) 2011. The individual components of the proposed development is best characterised as:

- Watercraft storage facility (Lot 22 DP 9760 (110 Charles Avenue))

boat shed means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure.

- Deck & Stairs (Crown Reserve)

environmental facility means a building or place that provides for the recreational use or scientific study of natural systems, and includes walking tracks, seating, shelters, board walks, observation decks, bird hides or the like, and associated display structures.

- Rock Revetment Works (Crown Reserve)

An **innominate use** is one which is not specifically referred to in a land use table.

Boat sheds are permissible with consent within the R2 Low Density Residential zone and *environmental facilities* are permissible with consent within the E2 Environmental Conservation zone.

The submitted Statement of Environmental Effects suggests that the revetment works are a form of *earthworks* and that by virtue of Clause 6.2 are permissible in the E2 zone. As outlined below, Clause 6.2 confirms that *earthworks* require development consent and lists considerations for proposals which involve earthworks. Clause 6.2 itself does not permit *earthworks*. The submitted Statement of Environmental Effects has not outlined that the revetment works are ordinarily ancillary or incidental to the *boat shed* or *environmental facilities*. As such the proposed revetment works are prohibited in the E2 Environmental Conservation zone.

It is noted that the new SEPP (Coastal Management) 2018 makes *coastal protection works* permissible with consent within any zone.

coastal protection works means:

- beach nourishment activities or works, and*
- activities or works to reduce the impact of coastal hazards on land adjacent to tidal waters, including (but not limited to) seawalls, revetments and groynes.*

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However, the applicant has failed to outline how the works will reduce the impact of coastal hazards on the land and as such does not satisfy the definition for coastal protection works.

The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.

Zone R2 - Low Density Residential

1. Objectives of zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To increase the supply of secondary dwellings for affordable rental housing stock.*
- *To provide economic and employment opportunities for people who conduct business activities from their homes where these will not adversely affect the amenity of neighbours or the neighbourhood.*

As the proposal will provide for other land uses that provide facilities or services to meet the day to day needs (enjoyment) of residents is considered to be not inconsistent with the zone objectives.

Zone E2 - Environmental Conservation

1. Objectives of zone

- *To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.*
- *To prevent development that could destroy, damage or otherwise have an adverse effect on those values.*
- *To ensure adequate environmental buffers are provided, maintained or rehabilitated in the vicinity of high ecological value areas and waterways.*

The proposal will not ensure that adequate environmental buffers are provided, maintained or rehabilitated in the vicinity of waterways. It is considered that the proposal is not consistent with the zone objectives.

Specific clauses requiring consideration:

Clause 4.3 Height of Buildings

Clause 4.3 requires that the height of the building does not exceed the maximum height shown on the Height of Buildings Map. The height of building map identifies that a maximum building height of 8.5m applies to the site. The proposed watercraft storage facility will have a maximum height of 2.35m above existing ground level and as such complies.

Clause 4.4 Floor Space Ratio

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Clause 4.4 requires that the floor space ratio does not exceed the maximum floor space ratio shown for land on the Floor Space Ratio (FSR) map. The Floor Space Ratio (FSR) map of the Kiama LEP 2011 identifies that a maximum floor space ratio of 0.45:1 applies to the site. As per the definition provided in the Kiama LEP 2011 the *gross floor area* of the proposed development is 9.2m². In this regard the proposed development, in conjunction with the approved development on site, has a FSR of 0.316:1 with the site and as such complies.

Clause 4.6 Exceptions to Development Standards

Clauses 5.5 (Development within the Coastal Zone), 6.3 (Flood Planning) and 6.7 (Foreshore Building Line) are considered to be non-numerical development standards under Kiama LEP 2011.

Clause 4.6 provides for exceptions to development standards. The applicant has not requested any variations to the LEP development standards. Only the elected Council can assume concurrence of the Secretary of the Department of Planning & Environment under the LEP clause 4.6 to vary these non-numerical development standards.

Clause 5.5 Development within the Coastal Zone

The clause lists requirements for development within the coastal zone.

The development is on land that is wholly or partly within the coastal zone.

The proposal is inconsistent with the objectives of the clause as it restricts opportunities for public access to and along coastal foreshores and does not protect the amenity and scenic qualities of the coastal area.

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

Provision	Comment
Existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to: (i) maintaining existing public access and, where possible, improving that access, and (ii) identifying opportunities for new public access	The watercraft storage facility component of the proposed development will entrench the private occupation of public land (i.e. Crown Reserve). As a Crown Reserve members of the public are legally entitled to access this area. The Crown Reserve stretches from North Street Reserve to 116 Charles Avenue. The presence of other structures on the Reserve is irrelevant.

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Provision	Comment
<p>The suitability of the proposed development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:</p> <ul style="list-style-type: none"> (i) the type of the proposed development and any associated land uses or activities (including compatibility of any land-based and water-based coastal activities), and (ii) the location, and (iii) the bulk, scale, size and overall built form design of any building or work involved 	<p>The proposed development is not considered to be suitable due to its placement forward of the foreshore building line. The proposal will detract from the natural scenic quality of the area when viewed from the Minnamurra River and from the Crown Reserve along the foreshore.</p>
<p>The impact of the proposed development on the amenity of the coastal foreshore including:</p> <ul style="list-style-type: none"> (i) any significant overshadowing of the coastal foreshore, and (ii) any loss of views from a public place to the coastal foreshore 	<p>The amenity of the coastal foreshore is affected as a result of the proposal as it will detract from the natural scenic quality of the area when viewed from the Minnamurra River.</p>
<p>How the visual amenity and scenic qualities of the coast, including coastal headlands, can be protected</p>	<p>The visual amenity and scenic qualities of the coast can be protected by refusing this application.</p>
<p>How biodiversity and ecosystems, including:</p> <ul style="list-style-type: none"> (i) native coastal vegetation and existing wildlife corridors, and (ii) rock platforms, and (iii) water quality of coastal waterbodies, and (iv) native fauna and native flora, and their habitats, (v) can be conserved 	<p>The biodiversity and ecological values is not adversely affected by the proposal, however the health of the river ecosystem would be a risk from fuel and contaminants that may wash into the river during flood events.</p>
<p>The cumulative impacts of the proposed development and other development on</p>	<p>There are foreseeable adverse cumulative effects of the development</p>

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Provision	Comment
the coastal catchment.	affecting the coastal zone. The watercraft storage facility component of the proposed development will entrench the private occupation of public land (i.e. Crown Reserve) and set an undesirable precedent.

The development is on land that is wholly or partly within the coastal zone and the following matters have been satisfied:

Matter	Comment
Whether the proposed development will impede or diminish, where practicable, the physical, land-based right of access of the public to or along the coastal foreshore	The watercraft storage facility component of the proposed development will entrench the private occupation of public land (i.e. Crown Reserve).
Whether if effluent from the development is disposed of by a non-reticulated system, it will have a negative effect on the water quality of the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform	The site is serviced by a reticulated sewerage system.
Whether the proposed development will discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform	Stormwater is proposed to be connected to the existing system constructed for the subdivision, which includes water quality control measures.
Whether the proposed development will: (i) be significantly affected by coastal hazards, or (ii) have a significant impact on coastal hazards, or (iii) increase the risk of coastal hazards in relation to any other land	The development will neither be significantly affected by coastal hazards or significantly impact on coastal hazards, or increases the risks of coastal hazards on any other land.

Clause 6.1 Acid Sulfate Soils

Clause 6.1 lists requirements for land affected by Acid Sulfate Soils.

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The site is subject to Acid Sulfate Soils Class 3 and the provisions requires that an Acid Sulfate Soils management plan be prepared and lodged with the development application for the proposed work unless more than 1 tonne of soil is disturbed by the proposal.

Minimal excavation is proposed because the site is already benched, therefore less than 1 tonne of soil is expected to be disturbed.

This requirement has been satisfactorily addressed.

Clause 6.2 Earthworks

Clause 6.2 lists considerations for proposals which involve earthworks. The proposal complies with the objectives of the clause and as the proposed earthworks are ancillary to the proposed dwelling separate development consent is not required.

Clause 6.3 Flood planning

Clause 6.3 lists considerations for proposals on land at or below the flood planning level. The flood planning level means the level of a 1:100 flood event plus 0.5m which involve earthworks. The 1:100 flood event has previously be determined as RL2.25m AHD, with the flood planning level being RL2.75m (i.e. 2.2.5m plus 0.5m). The submitted plans show that the storage facility will have a finished RL of 1.93m. This means that the storage facility will be submerged to a depth of 0.32m in a 1:100 year flood event.

While it is acknowledged that the storage facility is non-habitable this extent of inundation is not considered to be acceptable. It is possible that fuels and other contaminating substances may be stored in the storage facility and in the event of inundation these contaminates will be washed into the river causing a pollution incident.

Clause 6.5 Riparian land and watercourse

Clause 6.5 lists considerations for proposals on riparian land and watercourses. The land is within 40m from the top of the back of a Category 1 watercourse (i.e. Minnamurra River).

The NSW Department of Primary Industries (DPI) – Fisheries and DPI – Water have issued Council's with General Terms of Approval that will ensure that the revetment works do not have any adverse impacts on the water quality, sea grasses, marine species, aquatic species and the free passage of fish etc. The proposal complies with the objectives of the clause.

Clause 6.7 Foreshore building line

Clause 6.7 lists considerations for proposals for land within the foreshore building line. Approximately 30m of Lot 22 DP 9760 (110 Charles Avenue) is affected by the foreshore building line. The Crown Reserve is not affected by the foreshore building line, therefore only the storage facility and part of the access stairs are affected by the foreshore building line.

Clause 6.7(2) outlines that Council can only grant development consent on land in the foreshore area in special circumstances. Development for the purposes of boat

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sheds and waterway access stairs are listed as one of the circumstances where Council can grant development consent.

Clause 6.7(3) outlines that Council can only grant development consent when it is satisfied that:

- (a) *the development will contribute to achieving the objectives for the zone in which the land is located, and*
- (b) *the appearance of any proposed structure, from both the waterway and adjacent foreshore areas, will be compatible with the surrounding area, and*
- (c) *the development will not cause environmental harm such as:*
 - i. *pollution or siltation of the waterway, or*
 - ii. *an adverse effect on surrounding uses, marine habitat, wetland areas, fauna and flora habitats, or*
 - iii. *an adverse effect on drainage patterns, and*
- (d) *the development will not cause congestion of, or generate conflicts between, people using open space areas or the waterway, and*
- (e) *opportunities to provide continuous public access along the foreshore and to the waterway will not be compromised, and*
- (f) *any historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance of the land on which the development is to be carried out and of surrounding land will be maintained, and*
- (g) *in the case of development for the alteration or rebuilding of an existing building wholly or partly in the foreshore area, the alteration or rebuilding will not have an adverse impact on the amenity or aesthetic appearance of the foreshore, and*
- (h) *the development will not be impacted by sea level rise or change of flooding patterns as a result of climate change.*

It is considered that the appearance of the storage facility is not compatible with the surrounding area when viewed from the waterway. The proposal will detract from the natural scenic quality of the area when viewed from the Minnamurra River. Council has refused development within the foreshore area for this reason in the past (see commentary regarding DCP below). The watercraft storage facility component of the proposed development will entrench the private occupation of public foreshore land (i.e. Crown Reserve). For these reasons it is considered that the proposal is not consistent with the provisions of Clause 6.7.

The component of the proposed development located within Lot 22 DP 9760 (110 Charles Avenue) is permissible within the R2 Low Density Residential zone but is considered to be inconsistent with the provisions of Clauses 5.5 'Development within the coastal zone', 6.3 'Flood planning' and 6.7 'Foreshore building line'. Development consent cannot be granted for this development.

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The component of the proposed development located within the Crown Reserve is prohibited within the E2 Environmental Conservation zone.

The submitted Statement of Environmental Effects has not addressed the permissibility of the development and did not request any variations to the LEP development standards.

Staff did not request additional information from the applicant regarding the non-compliances with Clause 5.5, 6.3 and 6.7 as significant works (see Figure 7 below) have already commenced for the watercraft storage facility. No additional information could be provided to justify the prohibition of the proposed revetment works.



Figure 7 – Unauthorised Works

Draft State Environmental Planning Policy

- Draft SEPP – Coastal Management

The draft Coastal Management State Environmental Planning Policy (SEPP), with accompanying maps, was on public exhibition until 23 December 2016 and 20 January 2017 (for the maps).

The draft Coastal Management SEPP:

- Seeks to balance social, economic and environmental interests by promoting a coordinated approach to coastal management, consistent with the objectives of the Coastal Management Act 2016.
- Is part of the NSW Government's commitment to improving the way the coastal zone is managed, due to its unique environmental, social and economic values.
- Reviews and consolidates existing SEPP 14 (Coastal Wetlands), SEPP 26 (Littoral Rainforests) and SEPP 71 (Coastal Protection). These older policies will be repealed once the Coastal Management SEPP is finalised.

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- Seeks to redefine the coastal zone into four areas, rather than by a single fixed area along the entire coastline, to enable more targeted management of the diversity of environments and interests in the coast.

Separate development controls apply to each area and focus on achieving specific objectives.

The 'coastal zone' is defined in the Coastal Management Act 2016 as four coastal management areas comprising: *Coastal Wetlands and Littoral Rainforests Area*; *Coastal Environment Area*; *Coastal Use Area*; and *Coastal Vulnerability Area*.

The site of the construction of watercraft storage facility, deck, stairs and rock revetment works are within the mapped *Coastal Use Area*.

In the *Coastal Use Area* the focus is on ensuring appropriate urban development for coastal areas, taking into account urban design issues such and maintaining scenic qualities, visual amenity and aboriginal cultural heritage and places.

The draft SEPP states:

Development consent must not be granted to development on land that is wholly or partly within the coastal use area unless the consent authority:

- (a) *has considered whether the proposed development is likely to cause an adverse impact on the following:*
 - (i) *existing, safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
 - (ii) *overshadowing, wind funnelling and the loss of views from public places to foreshores,*
 - (iii) *the visual amenity and scenic qualities of the coast, including coastal headlands,*
 - (iv) *Aboriginal cultural heritage, practices and places,*
 - (v) *cultural and built environment heritage, and*
- (b) *is satisfied that:*
 - (i) *the development is designed, sited and will be managed to avoid an adverse impact referred to in paragraph (a), or*
 - (ii) *if that impact cannot be reasonably avoided - the development is designed, sited and will be managed to minimise that impact, or*
 - (iii) *if that impact cannot be minimised - the development will be managed to mitigate that impact, and*
- (c) *has taken into account the surrounding coastal and built environment, and the bulk, scale and size of the proposed development.*

The proposed location of the construction of watercraft storage facility, deck, stairs and rock revetment works:

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- does not impact the existing access to the foreshore. There are existing structures on the Crown Reserve, associated with 104, 106 and 108 Charles Avenue, which currently restrict public access along the foreshore. The design of the proposed deck and stairs will not preclude members of the public from walking along the deck (i.e. foreshore) as the deck will remain in public land. However, the watercraft storage facility component of the proposed development will entrench the private occupation of public land (i.e. Crown Reserve).
- does not cause overshadowing or wind funnelling; and
- does not cause the loss of views from public places to foreshores, and
- will adversely impact the visual amenity or scenic qualities of the coastline when viewed from Minnamurra River.

The gazettal of the draft SEPP bringing it into law, occurred shortly after the subject application was lodged.

Development Control Plan (DCP)

- Kiama Development Control Plan (DCP) 2012

The proposed development is inconsistent with the objectives of the Kiama DCP 2012. The non-compliances are outlined in the table below:

Control	Comment
Chapter 2 – Overall Controls	
<p><i>Section 16 – Foreshore Building Lines</i> <i>C14 Council cannot grant consent to any development of land affected by a Foreshore Building Line unless it is satisfied that the development will be consistent with the following objectives.</i></p> <p><u>Objectives</u></p> <ul style="list-style-type: none"> • To site dwellings having regard to possible risks to life and property resulting from storm surge, tidal inundation, flooding, erosion and sea level changes resulting from climatic changes/changing weather pattern. • Control the bulk, scale and location of development at the water’s edge. 	<p>The applicant has provided justification, shown below (response to C17), for varying this control.</p> <p>The proposal is not consistent with the objectives of Section 16 – Foreshore Building Lines.</p>

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Control	Comment
<ul style="list-style-type: none"> • Restrict development and redevelopment below the Foreshore Building Line. • Reduce the number of structures below the Foreshore Building Line, particularly upon redevelopment of foreshore land. • Restore the land below the Foreshore Building Line, as far as practicable, to a natural state, with a minimum intrusion of artificial structures. • Preserve and enhance the natural features and vegetation at the interface of land and water. • Avoid pollution of, and adverse ecological impacts on, waterways, riparian vegetation and aquatic life. • Preserve the foreshore vista in a natural state where the foreshore is undeveloped. • Provide for separation between private land uses and public access along the foreshore. • Provide visual separation between land-based development and water-based activities. • Minimise the disturbance of Acid Sulfate Soils. • Mitigate the potential for property loss or damage by ensuring buildings are not subjected to structural damage as a result of erosion, flooding or other coastal or riverine processes and hazards. 	
<p><i>Section 17 – Site Specific Foreshore</i></p>	<p>The proposal will reduce the existing</p>

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Control	Comment
<p><i>Building Lines</i></p> <p><i>C17 New building work shall not reduce the existing setback to the Minnamurra River.</i></p>	<p>setback to the Minnamurra River of 6.8m to zero. The applicant has provided the following justification for varying this control:</p> <p><i>Council’s support for the proposed setback variations to the Minnamurra River, to enable the construction of the proposed watercraft storage facility, is requested on the following grounds:</i></p> <ul style="list-style-type: none"> • <i>Whilst the proposed watercraft storage facility will be located closer to the Minnamurra River than the existing dwelling house, the watercraft storage facility is located on a lower terrace to the existing dwelling house and its roof level will essentially be at the same level as the ground level immediately in front of the house.</i> • <i>As it is located at a lower level to the existing house and the neighbouring dwellings houses at No108 and No112 Charles Avenue, the watercraft storage facility will not impede views from any of those dwellings.</i> • <i>As well as its roof being at a level consistent with the upper natural ground level of the subject site, the roof level of the watercraft storage facility and its front wall align with the natural ground level and face of the retaining wall in front of No 112 Charles Avenue, immediately next door to the site.</i> • <i>The proposed watercraft storage facility is a minor structure, with a floor area of just 9.2m² (which is comparable to that of a 3m x 3m garden shed), and will not dominate the foreshore area in front of No 110 Charles Avenue.</i> • <i>The watercraft storage facility will be</i>

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Control	Comment
	<p><i>finished using bluestone-facing to its exposed front and side walls and will have natural timber access doors. The use of these raw and recessive materials will ensure that the structure is not visually dominant when viewed from the river. The overall appearance of the structure will compliment and blend in with the retaining walls and decks constructed along the Minnamurra River foreshore immediately downstream of the subject site.</i></p> <ul style="list-style-type: none"> <i>The proposal is consistent with the objectives for foreshore building lines as set out in Section 16 of Chapter 2.</i> <p>The proposal is not consistent with the objectives of Section 16 – Foreshore Building Lines as it does not reduce the number of structures below the Foreshore Building Line, does not restore the land below the Foreshore Building Line to a natural state and does not mitigate the potential for property loss or damage by ensuring buildings are not subjected to structural damage as a result of flooding.</p> <p>It is noted that the internal floor to ceiling height of the Watercraft Storage Facilities does not comply with the BCA. In order to comply the roof level would need to be raised by at least 100mm. This would mean that contrary to the applicant’s justification above the roof level would not align with the natural ground level.</p> <p>Council has refused similar requests for additional structures on land below the Foreshore Building Line at 126 and 136 Charles Avenue.</p>
<p><i>C19 New building work, including roofs, shall be designed so as to not increase the bulk and scale of the development</i></p>	<p>Any additional structures on land below the Foreshore Building Line will contribute to the bulk and scale when viewed from</p>

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Control	Comment
<i>as it appears from the Minnamurra River and adjoining public areas</i>	the Minnamurra River. The applicant has not requested or justified a variation to this control.
<i>C21 The existing side boundary setbacks shall not be reduced</i>	<p>Council recently approved extensions to the dwelling on the site. This approval also included a request to reduce the existing side (eastern) setback from 2.15m to 1.25m. This request was approved as the encroaching part of the development was a low, open veranda that contains no enclosing wall, therefore it could be argued that the side setbacks are not reduced as such.</p> <p>The current proposal will reduce the existing side (western) setback from 950mm to zero. The applicant has provided the following justification for varying this control:</p> <p><i>Council's support for the proposed setback variations to the southern side boundary, to enable the construction of the proposed watercraft storage facility, is requested on the following grounds:-</i></p> <ul style="list-style-type: none"> • <i>The proposed side boundary setback of 450mm exceeds the minimum zero side boundary setback allowed for this type of development by Kiama DCP 2012 and the deemed-to-satisfy provisions of the Building Code of Australia.</i> • <i>The proposal is consistent with the objectives for foreshore building lines as set out in Section 16 of Chapter 2.</i> <p>The proposal is not consistent with the objectives of Section 16 – Foreshore Building Lines as it does not reduce the number of structures below the Foreshore Building Line, does not restore the land below the Foreshore Building Line to a natural state and does not mitigate the</p>

Item 10.4

Report of the Director Environmental Services

10.4 10.2018.65.1 - Lot 22 DP 9760, Lot 1510 DP 1204286 - 110 Charles Avenue Minnamurra - Construction of watercraft storage facility, deck and rock revetment works (cont)

Control	Comment
	<p>potential for property loss or damage by ensuring buildings are not subjected to structural damage as a result of flooding.</p> <p>Council has refused similar requests for additional structures on land below the Foreshore Building Line at 126 and 136 Charles Avenue.</p>
<p>Chapter 4 – Low Density Development</p>	
<p><i>C1 All applications for low density development must meet the following controls:</i></p> <ul style="list-style-type: none"> • <i>all Principal development standards as set by LEP 2011.</i> • <i>all development must be designed to minimise any environmental risks associated with its location.</i> 	<p>The implications of the non-compliance with Clauses 5.5, 6.3 and 6.7 of the LEP have been discussed in the report above.</p> <p>The applicant has not requested a variation to this control.</p> <p>With the exception of flood risks (see below) the environmental risks of the development have been reasonably mitigated.</p>
<p>Chapter 29 – Flood Liable Land</p>	
<p><u><i>Building Components</i></u></p> <p>Any portion of the building or structure below the Flood Planning level (FPL) is to be built from flood compatible materials and all electrical installations to be above the FPL.</p>	<p>While it is acknowledged that the storage facility is non-habitable this extent of inundation is not considered to be acceptable. It is possible that fuels and other contaminating substances may be stored in the storage facility and would be washed into the river during a flood event creating a pollution incident.</p>
<p><u><i>Structural Soundness</i></u></p> <p>A report shall be provided from a suitably qualified and experienced engineer certifying the building can withstand forces of floodwaters including debris and buoyancy forces up to the 1% AEP flooding scenario and that the structure will not become floating debris during such an event.</p>	<p>No report has been supplied to address this requirement.</p>

Item 10.4

Report of the Director Environmental Services

10.4 10.2018.65.1 - Lot 22 DP 9760, Lot 1510 DP 1204286 - 110 Charles Avenue Minnamurra - Construction of watercraft storage facility, deck and rock revetment works (cont)

Staff did not request additional information from the applicant regarding the non-compliances with Chapters 4 and 29 as significant works have already completed for the watercraft storage facility. The applicant's request to Section 16 of Chapter is not justified.

- Views

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

- Vehicular Access, Parking and Manoeuvring

Sufficient car parking exists.

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

- Stormwater Management

A satisfactory drainage design has been provided with the application.

All stormwater will drain to the street.

- Environmental Impacts

Vegetation Removal – No vegetation is to be removed.

Fauna Impacts – The proposal if approved, has the potential to negatively affect fauna and its habitat if fuel and other contaminating substances stored in the storage facility are washed into the river during a flood event.

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.

- Social and Economic Impacts

The proposed development will likely have minimal adverse social or economic impacts. The restrictions on public access to the foreshore and impact on amenity and scenic qualities of the coastal area present an unacceptable social impact.

The Suitability of the Site for the Development

The proposal is considered to be unsuitable in the locality for the reasons described above.

Submissions

Public Submissions

Notification letters were sent to neighbouring property owners who were provided with 30 days in which to comment on the proposal. At the conclusion of the notification period, no submissions were received.

External Referrals

Report of the Director Environmental Services

10.4 10.2018.65.1 - Lot 22 DP 9760, Lot 1510 DP 1204286 - 110 Charles Avenue Minnamurra - Construction of watercraft storage facility, deck and rock revetment works (cont)

The application was referred to the following State Government Departments.

- The NSW Department of Planning & Environment (DPE).

The DPE confirmed that no additional matters outside of Clause 8 Matters for Consideration under SEPP 71 are required to be considered by Council in determining this DA.

- Department of Primary Industry – Water (DPI-Water)

The DPI-Water issued their General Terms of Approval. No objection has been raised in relation to the proposed development. Conditions of development consent have been recommended should the application be approved.

- Department of Primary Industry – Fisheries (DPI- Fisheries)

The DPI-Water issued their General Terms of Approval. No objection has been raised in relation to the proposed development. Conditions of development consent have been recommended should the application be approved.

Internal Referrals

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

- Building Assessment Officer

No objection has been raised in relation to the proposed development. Council's Building Assessment Officer has noted that the internal floor to ceiling height of the Watercraft Storage Facilities does not comply with the BCA. In order to comply the roof level would need to be raised by at least 100mm. Should approval be granted compliance with the BCA will be conditioned.

- Subdivision & Development Engineer

No objection has been raised in relation to the proposed development.

- Property Manager

No objection has been raised in relation to the proposed development.

The Public Interest

The proposal is considered to be inconsistent with several requirements of relevant Environmental Planning Instruments and Kiama Development Control Plan 2012, causes a significant adverse impacts to the public foreshore and is unsuitable for the site and therefore is considered to be inconsistent with the public interest.

Final Comments and Conclusions

The proposed development has been assessed having regard to all relevant matters for consideration prescribed by Section 4.15 of the Environmental Planning and Assessment Act, 1979. The proposal is inconsistent with Kiama LEP 2011 and relevant DCP. The proposed development is consistent with the objectives of the R2 Low Density Residential zone but is inconsistent with the objectives of the E2 Environmental Conservation zone. The proposed development is prohibited in the E2 Environmental Conservation zone and is inconsistent with the Foreshore Building Line controls in the LEP and DCP.

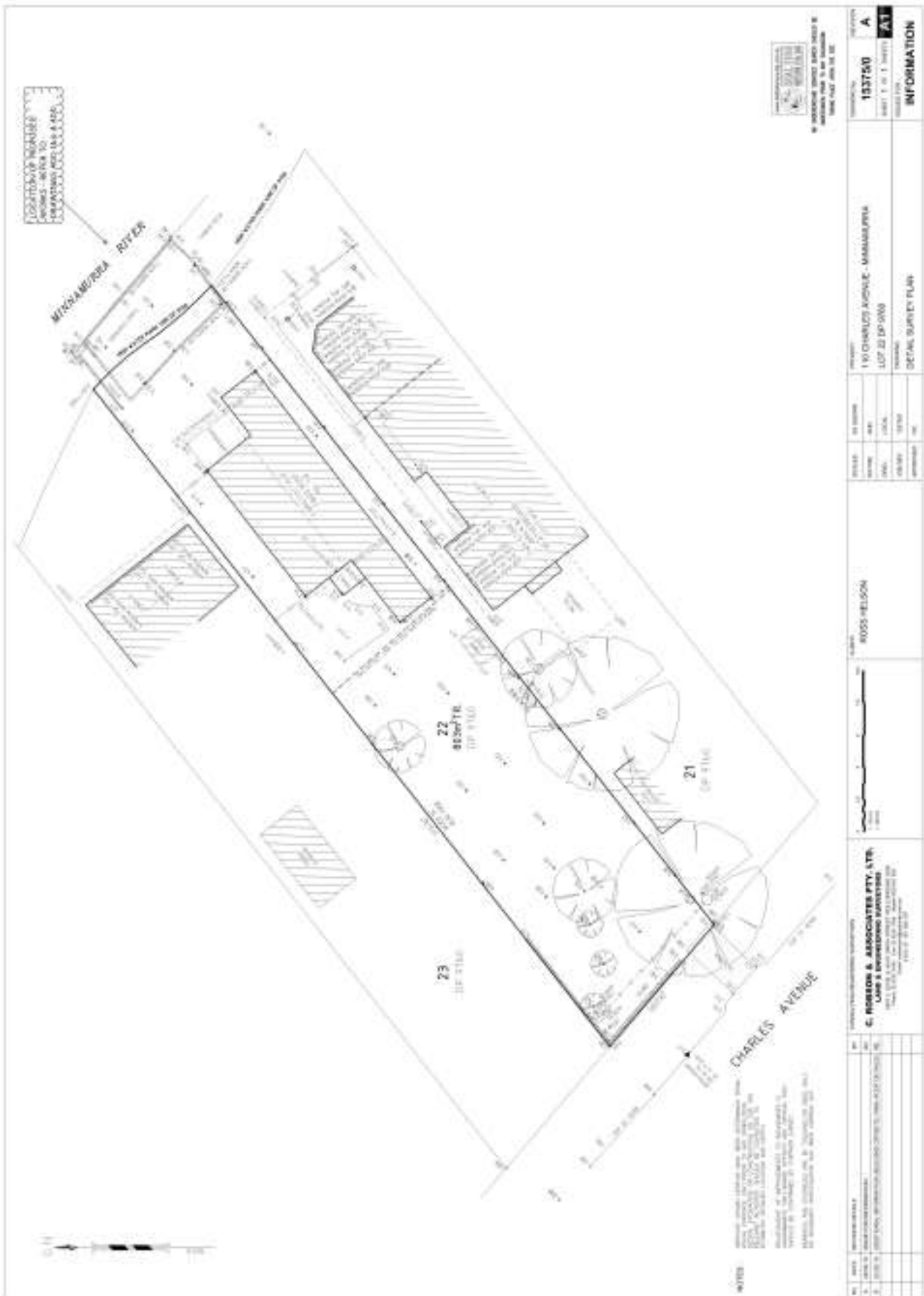
Report of the Director Environmental Services

10.4 10.2018.65.1 - Lot 22 DP 9760, Lot 1510 DP 1204286 - 110 Charles Avenue
Minnamurra - Construction of watercraft storage facility, deck and rock
revetment works (cont)

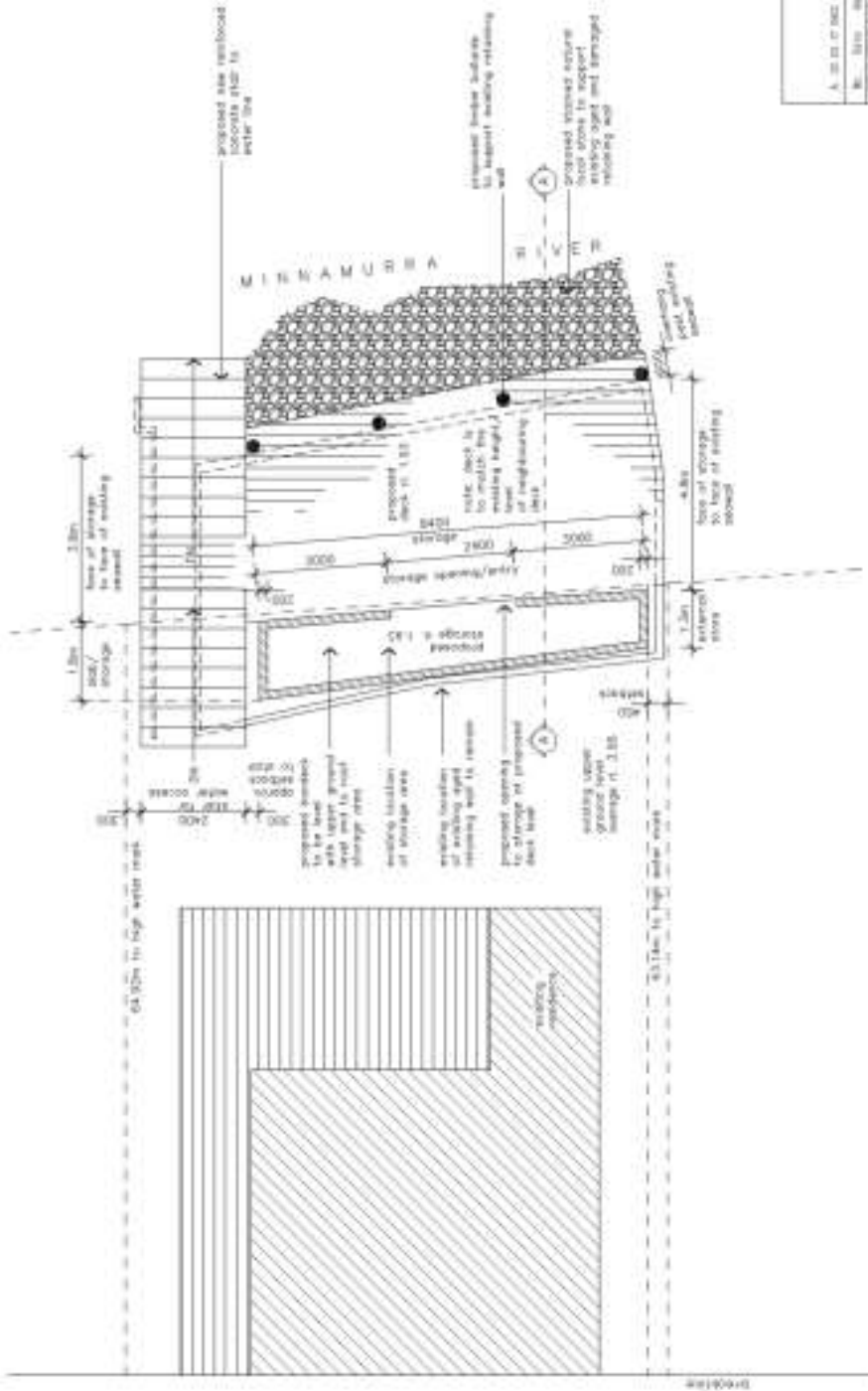
Consideration has been given to the social, economic and environmental impacts of the proposed development and concerns are raised in relation to social and potential environmental impacts.

The proposed development is considered to be unreasonable and refusal is recommended.

Item 10.4



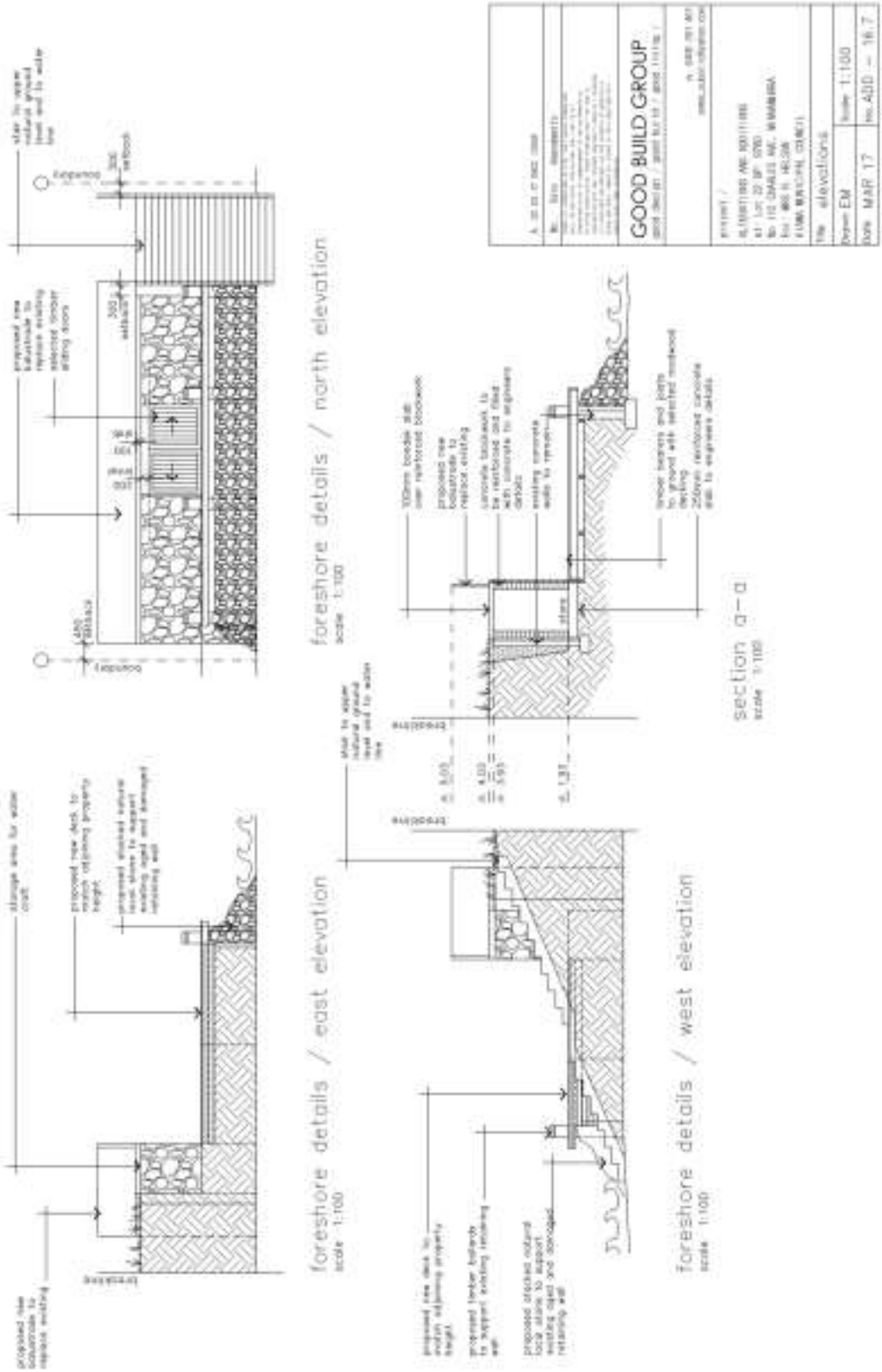
Attachment 1 Item 10.4



A. 22 DP 9760	
B. 1510 DP 1204286	
<p>PROPOSED CONSTRUCTION OF WATERCRAFT STORAGE FACILITY, DECK AND ROCK RETEWMNT WORKS</p>	
<p>GOOD BUILD GROUP</p>	
<p>2200 CHARLES AVENUE, MINNAMURRA, WA 6330</p>	
<p>PH: 0895 951 807</p>	
<p>WWW.GOODBUILDGROUP.COM</p>	
<p>PREPARED BY</p>	
<p>ENGINEERING AND ARCHITECTURE</p>	
<p>87 LOT 22 DP 9760</p>	
<p>80-110 CHARLES AVE., MINNAMURRA</p>	
<p>WA 6330</p>	
<p>PLANNING AND DESIGN</p>	
<p>PLANNING AND DESIGN</p>	
<p>THE FLOOR / SITE PLAN</p>	
<p>Drawn: EM</p>	
<p>Scale: 1:100</p>	
<p>Date: MAR 17</p>	
<p>No. ADD: 16 R</p>	

Item 10.4

Attachment 1



11 REPORT OF THE ACTING DIRECTOR CORPORATE AND COMMERCIAL SERVICES

11.1 Revotes of Expenditure into 2018/19

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

CSP Strategy: 4.1 Council is financially sustainable

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

Summary

This report recommends the revote of expenditure for works not completed in 2017/18 to the 2018/2019 budget year.

Finance

Variations to Council's 2018/2019 Budget.

Policy

This report is a requirement under the Local Government Act 1993.

Communication/Community Engagement

N/A

Attachments

1 Carry overs and revotes from 2017-2018 to 2018-2019 [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council revote the expenditure items as listed to the 2018/2019 budget year.

BACKGROUND

The purpose of this report is to advise of budget items from 2017/2018 that were not completed in that year and are proposed to be carried forward or for Council to revote to 2018/2019.

The works attached to this report were partially or wholly unexpended at the end of the last financial year, however, not all the funds are automatically carried forward and require Council resolution.

There is \$1,310,257 of works and services not commenced in 2017/2018 that are being requested for revote by Council into the 2018/2019 financial year. This mainly comprises of capital works that Council approved in the 2017/2018 budget.

Report of the Acting Director Corporate and Commercial Services

11.1 Revotes of Expenditure into 2018/19 (cont)

There are a number of works and services that have been carried out or started in the 2017/2018 financial year that will carry over into the 2018/2019 financial year. A majority of these have been funded by restricted assets or grants. All carried over works were budgeted for in the previous financial year with only the remainder of those budget amounts being spent in the 2018-2019 financial year. The total of the carryover works comes to \$5,172,671 with \$2,698,745 being for the Gerringong Library and Museum.

REVOTES OF EXPENDITURE FROM 2017/2018 OPERATIONS

<u>Department</u>		<u>Revenue</u>	<u>Section 94</u>	<u>S94</u>	<u>Grants/</u> <u>Recoups</u> <u>Contribs.</u>	<u>Loans</u>	<u>Total</u>
<i>Works & Services Not Commenced (Revotes)</i>							
Community Services	Young Womens & Mens programs				7,947		7,947
Engineering & Works	Admin Building Airconditioning	300,000					300,000
Engineering & Works	Admin LED Lighting	40,119					40,119
Engineering & Works	Bonaira Oval Parking & Drainage	25,000					25,000
Engineering & Works	Fern/Noble Streets Landscaping & Improvements	180,000					180,000
Engineering & Works	Footpath Boneyard Reserve	90,000					90,000
Engineering & Works	Jamberoo Mountain Road Heritage Stone Wall & Entrance	20,000					20,000
Engineering & Works	Kevin Walsh Oval Upgrade	427,191					427,191
Engineering & Works	Kiama SLSC Roof Renewal	40,000					40,000
Engineering & Works	Street Access Lighting Gainsborough	25,000					25,000
Leisure Centre	First Aid Room Upgrade - new doorway and extension to im	20,000					20,000
Strategic Planning	Town Planning DCP	85,000					85,000
		1,252,310	-	-	7,947	-	1,260,257
<i>Works & Services commenced but not completed (carryovers)</i>							
Community Services	CCTV at Kiama Harbour	-			8,188		8,188
Community Services	Dementia Friendly	-			3,769		3,769
Engineering & Works	Admin Amenities Refurb	44,647					44,647
Engineering & Works	Building and Land Valuations Consultants	50,000					50,000
Engineering & Works	Charles/Oxley Ave Pedestrian Refuge Crossing	25,749					25,749
Engineering & Works	Christmas Decorations	19,470					19,470
Engineering & Works	Cloonty Road Bridge	9,585					9,585
Engineering & Works	Coronation Park Reserve Seating Replacement	30,000					30,000
Engineering & Works	Council Administration Building Upgrade Stage 1	22,419					22,419
Engineering & Works	Dog Pound	79,344					79,344
Engineering & Works	Figtree Lane Car Park Redesign & Development	215,811					215,811
Engineering & Works	Gerringong Library & Museum	2,062,476			1,250,000		3,312,476
Engineering & Works	Hyams Creek Pedestrian Bridge Footpath	177,117					177,117
Engineering & Works	Jamberoo Pool Amenities	-			22,631		22,631
Engineering & Works	Kiama Harbour-B'Hole Carpark/Landscaping	122,750					122,750
Engineering & Works	Retaining Wall (Storm Event)	350,000					350,000
Environmental & Health	Ooaree Creek Flood Study	13,674			27,350		41,024
Information Technology	Server and Storage Refresh 2018 (VP104280)	256,026					256,026
Kendall'S Beach Holiday Park	Cabin Renewals	72,465					72,465
Kendall'S Beach Holiday Park	Design of Kendalls Beach Holiday Park camp	4,940					4,940
Kiama Harbour Cabins	Cabin 6 & 13 Renewal	16,220					16,220
Leisure Centre	Gymnastics airtrack	4,681					4,681
Leisure Centre	Outdoor fitness area	80,000					80,000
Leisure Centre	Replacement Floor scrubber	4,301					4,301
Leisure Centre	Replacement pool grates	7,370					7,370
Life Saving Program	Life Guard Tower - grant of \$35,000	-			35,000		35,000
Seven Mile Beach Holiday Park	Cabin Renewals	8,203	-				8,203
Seven Mile Beach Holiday Park	To Supply Shade Sail , to cover entire pillow, for cabin 20 Renewal	32,250					32,250
Surf Beach Holiday Park		5,488	-	-			5,488
Surf Beach Holiday Park	Design work for Surf Beach Holiday Park	17,600					17,600
Surf Beach Holiday Park	Project Management of Surf Beach Holiday Park	65,760					65,760
Werri Beach Holiday Park	Cabin Renewals	6,787					6,787
		3,805,133	-	-	1,346,938	-	5,152,071

Item 11.1

Attachment 1

11.2 Statement of Investments - July 2018

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

CSP Strategy: 4.1 Council is financially sustainable

Delivery Program: 4.1.2 Identify opportunities to diversify and maximise funding sources

Summary

This report recommends receipt and adoption of the Statement of Investments for July 2018.

Finance

N/A

Policy

Clause 625 of the Local Government Act 1993 (NSW)

Clause 212 of the Local Government (General) Regulation 2005

Kiama Municipal Council – Investment Policy

Communication/Community Engagement

N/A

Attachments

1 Statement of Investments - July 2018 [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council receive and adopt the information relating to the Statement of Investments for July 2018.

BACKGROUND

Attached is a copy of the Statement of Investments for July 2018.

Investment commentary

Council's direct investments are often rolled over on maturity with the same financial institution, if competitive, and based on whether funds are required for operations.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Comparisons are made between existing investments with available products that are not part of Council's portfolio. Independent advice is sought on new investment opportunities.

A decision by the Reserve Bank board meeting on 3 July 2018 has seen the cash rate unchanged at 1.50%. "The low level of interest rates is continuing to support the

Report of the Acting Director Corporate and Commercial Services

11.2 Statement of Investments - July 2018 (cont)

Australian economy'. As progress in lowering unemployment and having inflation return to the midpoint of the target was expected to be only gradual, members also agreed that there was not a strong case for a near-term adjustment in monetary policy. (Minutes of the Monetary Policy Meeting of the Reserve Bank Board, Reserve Bank Australia, 3 July 2018)

The Commonwealth Bank is quoting the following rates:

3 Months	6 Months	9 Months	12 Months	18 Months
2.68%	2.74%	2.76%	2.77%	2.78%

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in this report have been made in accordance with Section 625 of the Local Government Act 1993, clause 212 of the Local Government (General) Regulation 2005 and Council's Investment Policy.

(b) Council Investments as at 31 July, 2018

DIRECT INVESTMENTS: INSTITUTION	S & P RATING	MARKET VALUE \$	INVESTMENT TYPE	DATE LODGED	MATURITY DATE	TERM (DAYS)	RATE %
AMP	A	1,000,000	Term Deposit	21/02/18	21/11/18	273	2.65
AMP	A	1,000,000	Term Deposit	06/06/18	12/12/18	189	2.75
AMP	A	500,000	Term Deposit	18/10/17	24/10/18	371	2.60
Beyond Bank	BBB+	1,000,000	Term Deposit	11/07/18	16/01/19	189	2.80
Bankwest	AA-	1,000,000	Term Deposit	13/06/18	19/12/18	189	2.75
Bank of Qld	BBB+	2,000,000	Term Deposit	22/11/17	22/08/18	273	2.60
Bank of Qld	BBB+	1,500,000	Term Deposit	29/11/17	29/08/18	273	2.60
Bendigo	BBB+	1,000,000	Term Deposit	04/07/18	09/01/19	189	2.70
Community Alliance Credit Union	N/R	1,000,000	Term Deposit	13/09/17	12/09/18	364	2.65
Community Alliance Credit Union	N/R	1,000,000	Term Deposit	13/09/17	12/09/18	364	2.60
Credit Union Australia	BBB	1,500,000	Term Deposit	29/11/17	26/09/18	301	2.55
ME Bank	BBB	1,500,000	Term Deposit	25/07/18	30/01/19	189	2.83
ME Bank	BBB	1,000,000	Term Deposit	18/07/18	23/01/19	189	2.83
NAB	AA-	1,000,000	Term Deposit	04/07/18	05/12/18	154	2.76
NAB	AA-	1,000,000	Term Deposit	13/06/18	10/12/18	180	2.76
NAB	AA-	1,000,000	Term Deposit	27/09/17	26/09/18	364	2.60
NAB	AA-	2,000,000	Term Deposit	25/10/17	24/10/18	364	2.55
SA Police Credit Union	N/R	1,000,000	Term Deposit	14/02/18	15/08/18	182	2.61
Suncorp	A+	1,000,000	Term Deposit	13/06/18	17/10/18	126	2.80
Suncorp	A+	1,000,000	Term Deposit	11/07/18	06/12/18	148	2.70
Total Term Deposits		23,000,000					2.68

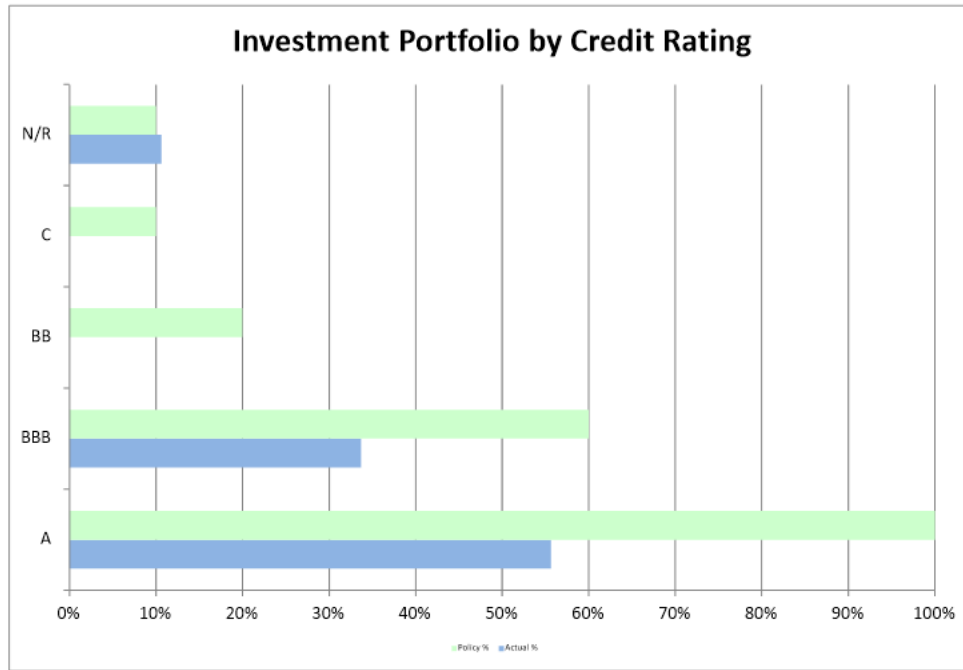
TcorpIM Cash Fund	AAA	3,075,271	Cash Fund		AT CALL		2.62%
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Westpac	AA-	2,028,670	Bank Account	-	AT CALL		1.79
Westpac	AA-	81,579	Maxi Account	-	AT CALL		0.50
Total 'At Call' Funds		5,185,520					1.15

TOTAL CASH & INVESTMENTS		28,185,520			Average Rate- Jul 2018		2.65
					Average Rate- Jul 2017		2.56

TOTAL INVESTMENTS Jun 2018	32,816,478	-16.43%	Change in total investment over prev 1 month
TOTAL INVESTMENTS Jul 2017	42,375,813	-33.49%	Change in total investment over prev 12 months

Note: The Westpac Bank Account balance shown above of \$2.03M includes deposits at month-end not processed to Council's financial system and excludes cheques that have not been presented.



(c) Application of Invested Funds

Restricted Funds:	Description	Value (\$)
Externally Restricted	S94 Developer Contributions	4,376,008
	Grants	298,611
	Domestic Waste	2,813,863
	Waste & Sustainability	403,006
	Southern Council's Group	2,407,231
Internally Restricted	Blue Haven ILU*	151,138
	Blue Haven Care-Residential*	1,017,601
	Carer Respite Centre	1,379,706
	Land Development	2,662,484
	Waste Business Unit (Plant Replacement)	1,081,912
	Plant Replacement	2,160,252
	Employee Leave Entitlements	2,400,000
	S94 Recoupments	2,182,802
	Carry-over works*	-
	Holiday Parks	1,779,238
	Contingencies	529,730
	Computer	807,522
	Property Insurance	120,000
	Community Bus	263,239
	CACP	110,856
	Organisational Development	111,000
	Fleet Replacement	100,000
	Council Election	100,000
	Leisure Centre Renewal	180,000
	Revolving Energy Fund	315,000
Future Project Development	70,000	
Arts Precinct	59,000	
The Pavilion	80,000	
Unrestricted Funds:	Funds to meet current budgeted expenditure	170,321
TOTAL INVESTMENTS		28,185,520

Note:

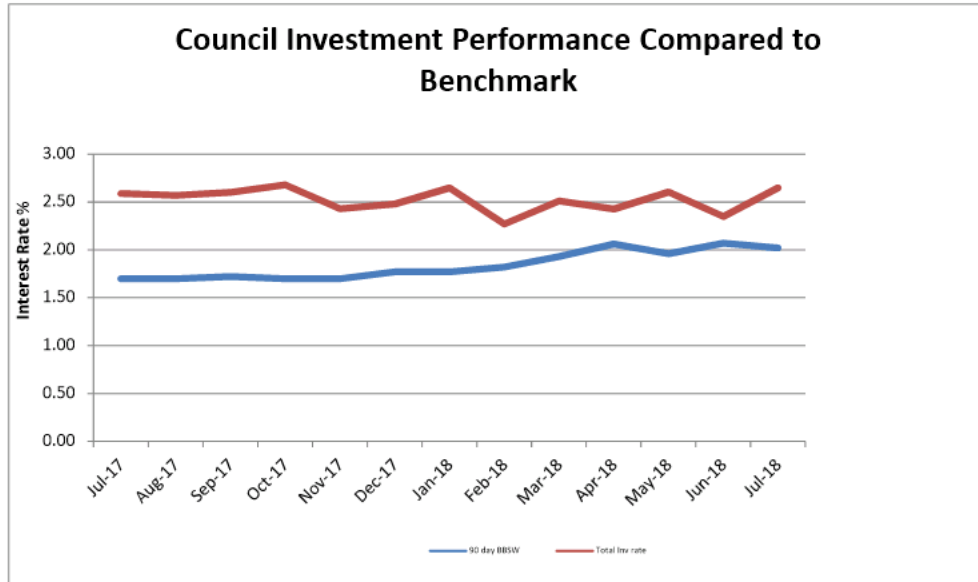
The above Application of Invested Funds are preliminary and are subject to change during the 2018 end of financial year audit process.

The Unrestricted Funds balance forms available cash to fund Council's ongoing budget operations.

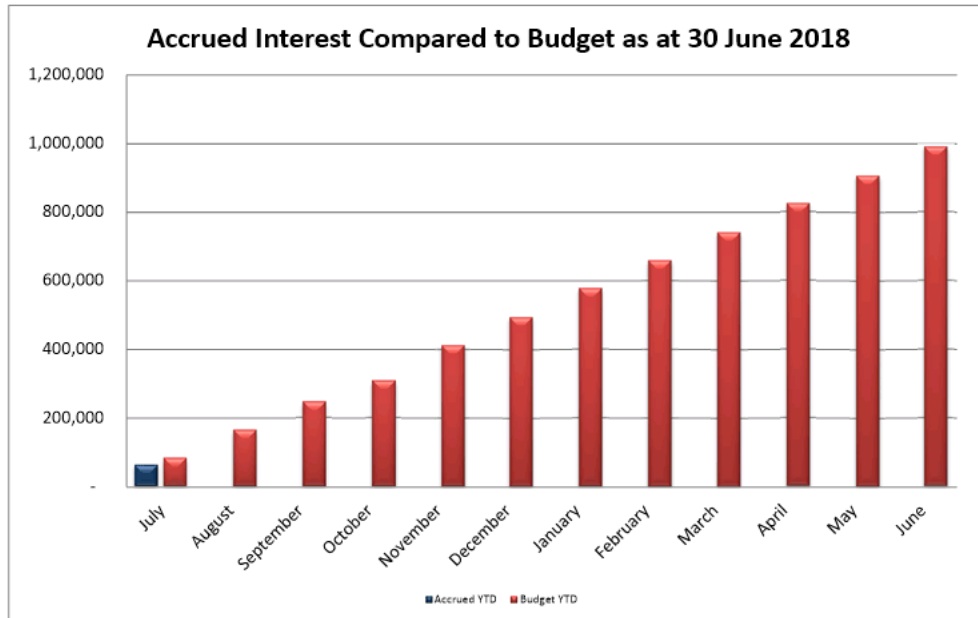
(d) Investment Portfolio Performance

Investment Performance vs Benchmark

	Investment Portfolio Return (%pa)	Benchmark:BBSW 90 day Bank Bill Index (source RBA)
1 month	2.65	2.07
3 months	2.53	2.02
6 months	2.47	1.98
12 Months	2.52	1.85



Council has been able to consistently perform above the Reserve Bank 90 day Bank Bill Index.



11.3 Lease Renewal for Riding for the Disabled Association

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

CSP Strategy: 2.12 Effectively manage recreation and open space infrastructure to cater for current and future generations

Delivery Program: 2.12.1 Manage recreation and open space infrastructure for the community by the implementation of the Recreation and Open Space Asset Management Plan actions

Item 11.3

Summary

Council entered into a ten (10) year lease agreement with Riding for the Disabled Association (NSW) Illawarra Centre (RDANSW Illawarra) on 1 November 2008 until 31 October 2018 with an option to renew for a period of five (5) years. This report recommends that Council renew the lease agreement for the five (5) year term.

Finance

Council receives a nominal rental income for the leased site however the lessee will pay outgoings as required during the lease term and any extension of that term.

Policy

Local Government Act 1993

Communication/Community Engagement

N/A

Attachments

- 1 Leased Area - Riding for the Disabled NSW - Lot 40 DP 841082 - Mount Brandon Road, Jerrara [↴](#)
- 2 Lease - Lot 40 DP 841082 - Riding For The Disabled Association [↴](#)

Enclosures

Nil

RECOMMENDATION

That Council renew the lease agreement with Riding for the Disabled Association (NSW) Illawarra Centre for the continued use of Lot 40 DP 841082, Mount Brandon Road, Jerrara as a riding school subject to the following:

1. lease term of five (5) years
2. rental of \$1.00 per annum
3. lessee to be responsible for outgoings including all rates, taxes and charges for electricity and gas consumption, excess water usage and building insurance
4. delegate authority to the Mayor and the General Manager to sign under seal or on behalf of Council as required.

Report of the Acting Director Corporate and Commercial Services

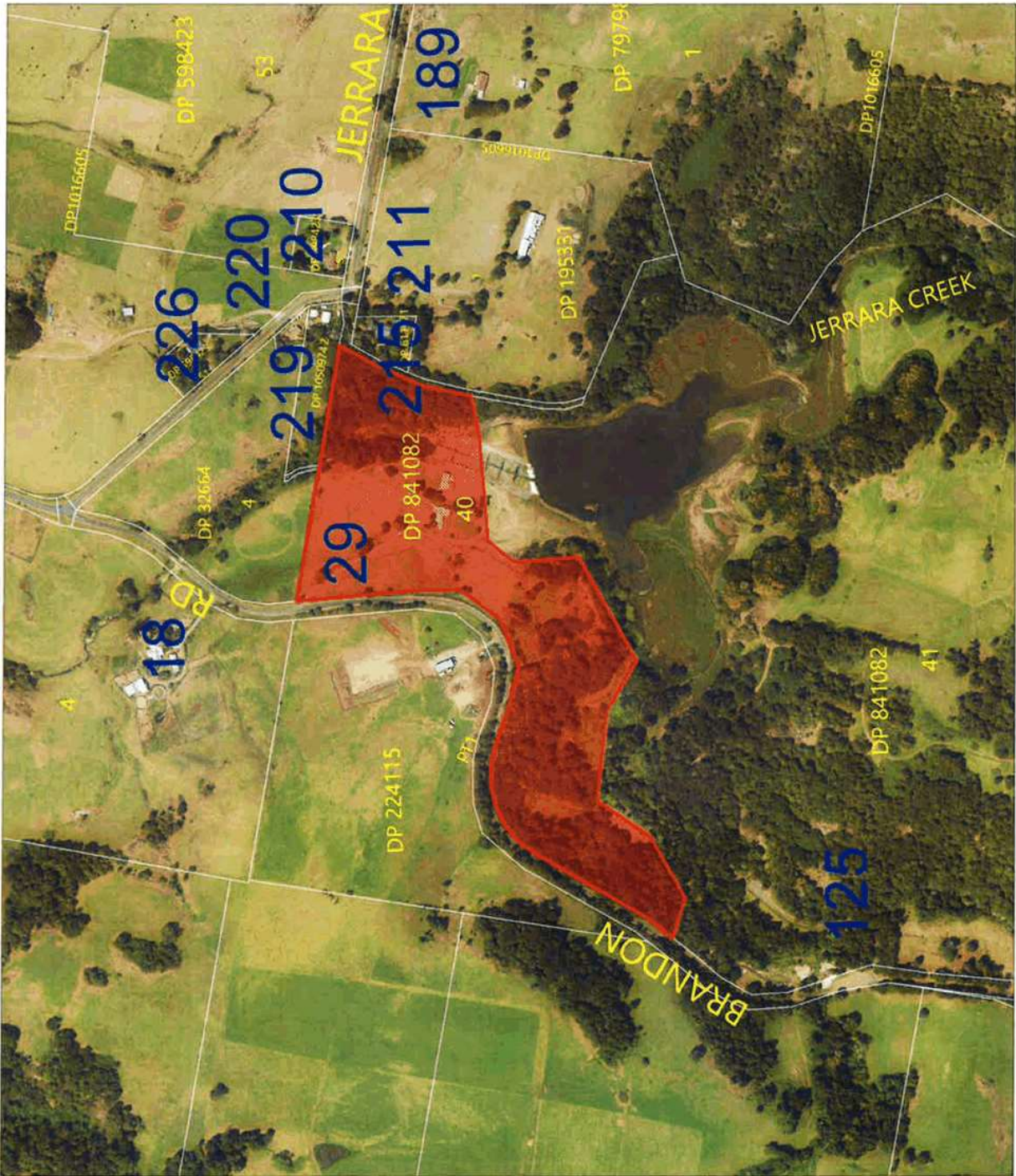
11.3 Lease Renewal for Riding for the Disabled Association (cont)

BACKGROUND

Council entered into a ten (10) year lease agreement with Riding for the Disabled Association (NSW) on 1 November 2008 until 31 November 2018. A five (5) year option to renew was included.

The Riding for the Disabled Association has notified Council of their intention to exercise the renewal option and it is proposed that Council re-enter a lease agreement for a further five (5) year term from 1 November 2018 to 31 October 2023 under the same conditions as the current lease.

Item 11.3



Subject Site



Projection: GDA 1984
MGA Zone 56
Scale: 1:5000 @ A4
Cadastral Copyright
LPWA NSW, 2007/18

This map is supplied by Council on condition that Council will not be responsible for any errors or omissions contained in the map. To establish site boundaries and ownership which should be obtained from a surveyor, legal advisor or LPI New South Wales. Map & contents Copyright Kiama Municipal Council and others under licence. For further information Contact Planning@kiamac.nsw.gov.au

"A"

THIS IS THE SCHEDULE OF COVENANTS CONDITIONS AND PROVISOS ANNEXED TO THE LEASE BETWEEN THE COUNCIL OF THE MUNICIPALITY OF KIAMA (lessor) and RIDING FOR THE DISABLED ASSOCIATION (NSW) (lessee) DATED DAY OF ,1994

1. It is hereby declared that in the interpretation of this lease and the said conditions and except to the extent that such interpretation shall be excluded by or be repugnant to the context but not to the exclusion of any interpretation under the Conveyancing Act 1919 the following expressions shall bear the meanings attributed thereto:-
 - (a) The word "premises" shall mean the property hereby demised.
 - (b) The words importing the singular or plural number shall include the plural and singular number respectively and the words importing the masculine gender shall include the feminine or neuter gender.
2. The lessee covenants with the lessor to pay during the term hereby granted the rent of one dollar (\$1.00) per annum payable in advance on the first day of October of each year of the term the first of such payments to be made on the 1st day of October One thousand nine hundred and ninety four.
3. The lessor covenants with the lessee for quiet enjoyment.
4.
 - (a) The lessee shall pay the proper authorities all charges for electricity and gas consumed on the premises and for all excess water and all meter rents and in default of any such payments the same may be paid by the lessor at his option and be recoverable from the lessee as and by way of overdue rent.
 - (b) The lessee covenants with the lessor to pay all rates, taxes and assessments charged upon the premises.
5. The lessee shall not do or suffer to be done any of the following without the written consent of the lessor first had and obtained:-
 - (a) Use the premises otherwise than for activities in accordance with the objects and rules of the memorandum and articles of association of the lessee.
 - (b) Use the premises or any part thereof for any noxious noisy immoral offensive or unlawful purpose.
 - (c) Bring to or do or keep anything in the premises which shall increase the rate of fire insurance on the premises or which may conflict with the laws or regulations relating to fires or any insurance policy upon the premises or the regulations or ordinances of any public authority for the time being in force or use chemicals burning fluids acetylene gas or alcohol in lighting the premises.

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- (d) Paint affix or erect on any part of the exterior of the premises any notices advertisements signs or other devices.
6. Should the lessee continue to occupy the premises beyond the expiration of the term with the consent of the lessor he shall do so as a monthly tenant only at a weekly rent equal to one months's proportion of the rent hereby reserved payable weekly and subject to the said conditions such tenancy being determinable at the will of either the lessor or lessee by one week's notice in writing expiring at any time.
7. Sections 84 and 85 of the Conveyancing Act 1919, are expressly negatived.
8. It is hereby expressly agreed and declared that notwithstanding anything herein contained upon the happening of any event entitling the lessor to re-enter or determine this lease the residue of the said term for the time being unexpired shall at the option of the lessor immediately upon notice of the exercise of such option being given to the lessee become reduced to one week and thereafter the tenancy hereby created shall be and remain a tenancy from week to week at a weekly rental equal to one week's proportion of the rent hereby reserved commencing from the date of service of such notice and shall be determinable by one week's notice to quit terminating on any day of the week.
9. The lessee shall duly comply with and observe all notices received from any statutory or public authority relating to the premises or the nature of the business carried on therein or thereon and will carry out the requirements thereof at his own expense.
10. (a) The lessee may apply to the lessor as the relevant consent authority for the construction of all buildings, equestrian rings, carparks and other structures reasonably required or incidental to the use of the premises in accordance with the uses permitted by this lease provided however:-
- i. the lessee shall obtain the necessary development approval and building approval for the erection of any structures from the lessor and shall pay all fees charges and expenses in association therewith.
 - ii. the lessor agrees to execute all necessary consents to lodgement of applications in relation to carrying out of activities approved by this lease should it be asked so to do by the lessee.
 - iii. notwithstanding anything else herein contained the lessee shall not be permitted to construct a residence for occupation of a manager/caretaker or any other person.
- (b) The lessee shall at all times during the continuation of the term keep all buildings erected on the premises clean and in good repair reasonable wear and tear and damage by fire storm or tempest excepted.

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- (c) Upon the determination of this lease the lessee may remove all buildings and fixtures erected by it on the premises PROVIDED HOWEVER should such removal of buildings and fixtures not have taken place by the time stated for the determination of the lease the lessee shall yield up the premises with any new buildings and works completed by the lessee to the lessor and such buildings and works shall become the absolute property of the lessor and no compensation shall be paid by the lessor to the lessee in respect thereof.
11. No act matter or thing whatsoever shall at any time during the term be done by the lessee his servants agents licensees or invitees in or upon the premises which shall or may be or grow to the annoyance nuisance grievance damage or disturbance of the occupiers or owners of properties adjoining the premises.
 12. Notwithstanding any implication or rule of law to the contrary the lessor shall not be liable for any damage or loss the lessee may suffer by the act default or neglect of any other person or by reason of the lessor neglecting to do something to the building of which the premises form part and which as between the lessor and lessee it might be legally liable to do.
 13. The lessee will indemnify and hold harmless the lessor from and against all damages sums of money costs charges expenses actions claims and demands which may be sustained or suffered or recovered or made against the lessor by any person for any injury such person may sustain when using or entering or near any portion of the building whether in the occupation of the lessor, the lessee or any other person where such injury arises or has arisen as a result of the negligence of or as a result of the creation of some dangerous thing or state of affairs by the lessee or by any clerk servant agent workman or employee of the lessee and whether the existence of such dangerous thing or dangerous state of affairs was or ought to have been known to the lessor or not AND the lessee will forthwith take out insurance against such risks with some insurance office approved by the lessor in the sum of FIVE MILLION DOLLARS (\$5,000,000.00) or such greater sum nominated from time to time by the lessor in the joint names of the lessor and the lessee and will keep such insurance on foot during the continuance of the Lease or any renewal hereof or any holding over hereunder AND the lessee will deliver to the lessor the original policy of insurance and will ensure that copies of all renewal notices for such policy are sent by such insurance office to the lessor and will upon request of the lessor show to the lessor the receipt for the last premium paid for such insurance.
 14. The lessee will effect and keep effected at all times during the continuance of this lease a policy of insurance insuring all buildings and structures erected on the premises and all fixtures, fittings, fed equipment and other items stored on the premises to the full insurable value thereof against loss or damage by fire, fire fighting activities, fusion, explosion, lightning, civil commotion, water, storm and tempest, earthquake, burglary or other damage with an insurance company approved by the lessor. The lessee will deliver to the lessor the original policy of insurance and will ensure that copies of all renewal notices for such policy are sent

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by such insurance office to the lessor and will upon request of the lessor show to the lessor the receipt for the last premium paid for such insurance.

15. It is hereby expressly agreed and declared that the lessor shall not be liable for any damage the lessee or any servant, licensee, invitee, workman, employee, client, agent, customer, or visitor of the lessee may suffer by reason of any injury or damage to any person or property who or that may be at any time on the premises arising from the overflow of water supply or rainwater which may issue or flow from any part of adjoining land under the ownership or control of the lessor or arising from any defects in the gas, electric or water supply connections or any fittings or appliances used in connection with the premises.
16. Any notice or request hereunder may be served in the manner mentioned in Section 170 of the Conveyancing Act, 1919.
17. Any covenants herein contained which are restrictive of the use of the premises shall be subject to the following:-
 - (a) In the case of lessee's covenants the benefit shall be appurtenant to the reversionary interest of the lessor in the premises, and the estate or interest of the lessor in all adjoining land and premises and the leasehold interest of the lessee in the premises shall be subject to the burden thereof.
 - (b) In the case of lessor's covenants the benefit shall be appurtenant to the said leasehold interest of the lessee, and the said reversionary interest of the lessor shall be subject to the burden thereof, but only whilst the said lease shall subsist.
 - (c) The said covenants or any of them may, at any time from time to time, be released, varied or modified by the lessor and lessee jointly.
18. Should any infectious illness transpire in or about the premises the lessee will give due notice thereof in writing to the lessor and will thoroughly fumigate and disinfect the premises at its own expense to the satisfaction of the local health office.
19. The legal costs and disbursements of the lessor calculated on the basis of schedule two of the Conveyancing Act of and incidental to this lease including all stamp duty and registration fees (if any) shall be paid by the lessee.
20. Notwithstanding anything hereinbefore contained the lessee shall at all times during the continuance of the term:-
 - (a) Keep the premises free from dirt and rubbish and in particular shall store and keep all trade waste trash and garbage in proper receptacles and dispose of it promptly;



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- (b) Not without the consent in writing of the lessor first had and obtained erect or place in or outside the premises any radio or television aerial or antenna and shall not without the like consent use or permit to be used any loudspeaker or other equipment or like media likely to be heard or seen from outside the premises and such consent if given at all may be given subject to such conditions as the lessor thinks fit and may be withdrawn at any time;
 - (c) Not permit or suffer to be used the lavatories toilets sinks and drainage and other plumbing facilities in the premises for any purpose other than those for which they were constructed nor deposit or permit to be deposited therein any sweepings rubbish or other matter and any damage thereto caused by misuse shall be made good by the lessee forthwith.
21. No waiver by the lessor of one breach of any covenant obligation or provision in this lease contained or implied shall operate as a waiver of another breach of the same or of any other covenant obligation or provision in this lease contained or implied.
 22. If the lessee shall desire to take a renewed lease of the demised premises for a further term of five years from the expiration of the term of this lease and of such desire shall prior to the expiration of the term give to the lessor six (6) calendar months previous notice in writing and shall in the meantime duly perform and observe the covenants and agreements by and on the part of the lessee contained in this lease up to the expiration of the term hereby granted the lessor will at all the usual and proper cost and expense of the lessee demise to the lessee the premises for a further term of five years at a rental of one dollar (\$1.00) per annum and otherwise upon and subject to the same covenants agreements and provisos as are contained in this lease with the exception of this present covenant.
 23. The lessee shall at its own cost provide and maintain fences to the standards and requirements of the lessor on all boundaries of the premises except for the boundary between the northern and southern areas of the dam which adjoins the premises on its south eastern boundary.
 24. Notwithstanding anything else herein contained the lessee may at the time during the term of this lease elect to surrender the lease by giving to the lessor six (6) months written notice of such surrender. The date given to the lessor in the Notice of Surrender of Lease shall be the date of determination of the lease for the purposes of removal of buildings and fixtures in accordance with clause 10(c) hereof.
 25. At all times during the term of this lease and any holding over thereunder the lessor and all persons authorised by it shall have the right to go pass and repass over the premises at all times and for all purposes with or without animals or vehicles or both for the purposes of access to adjoining land owned by the lessor to the north of the premises and the lessor may construct a gate or other means of passage from the premises to such adjoining land in the fence constructed on the

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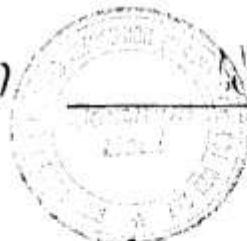
northern boundary of the premises.

- 26. During the term of the lease the lessee shall not take onto the premises any animals except for horses, cattle and guide dogs. All guide dogs on the premises must be restrained at all times.
- 27. (a) All water courses on the premises are to be fenced off and protected from grazing animals.
(b) The fenced banks of the water courses must be revegetated by planting of species in accordance with a list to be provided to the lessee by the lessor's Tree Preservation Officer.
- 28. (a) The lessee shall not remove vegetation from the premises without the prior written approval of the lessor.
(b) This prohibition does not apply to plants which are defined as noxious weeds under the Noxious Weeds Act, 1993. During the term of the lease the lessee shall institute a plan of management for the active removal and control of noxious weeds on the premises. The lessor may at any time ask the lessee for details of the plan of management and what works have been undertaken in accordance with that plan.

THE COMMON SEAL of THE COUNCIL
 OF THE MUNICIPALITY OF KIAMA
 was affixed in the presence of the undersigned
 on the 19th day of December, 1994
 pursuant to a resolution of the Council

)
) J. E. Whentley
) [Signature]
)
)

THE COMMON SEAL of Riding for
 the Disabled Association (N.S.W.)
 was herewith affixed this
 7th day of November, 1994
 in the presence of


) [Signature]
) Leony Carlo
) SECRETARY

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Form: 07L
 Licence: 05-11-667
 Licensee: Softdocs
 (Firm/Name)

LEASE
 New South Wales
 Real Property Act 1900



AE482128C

PRIVACY NOTE: Section 31B of the Real Property Act 1900 (RP Act) authorises this form for the establishment and maintenance of the Real Property Act Register, made available to any person for search upon payment of a fee, if any.

STAMP DUTY

Office of State Revenue use only

RECORDED
 FEB 2009
 TIME: 10-10

(A) **FOLIO OF THE REGISTER**

Property leased: if appropriate, specify the part or premises

40/841082

(B) **LODGED BY**

Document Collection Box

Name, Address or DX, Telephone and LLPN if any

CODE

361H

HAZLETT & CO 123257W

Reference (optional):

KEARNS: 82423

L

(C) **LESSOR**

THE COUNCIL OF THE MUNICIPALITY OF KIAMA

The lessor leases to the lessee the property referred to above.

(D)

Encumbrances (if applicable):

(E) **LESSEE**

RIDING FOR THE DISABLED ASSOCIATION (NSW) ACN 001 823 267

(F)

TENANCY:

off L 4915607

(G) 1. **TERM** 10 years

2. **COMMENCING DATE** 1 November 2008

3. **TERMINATING DATE** 31 October 2018

4. With an **OPTION TO RENEW** for a period of 5 years set out in clause 25 of Annexure "A"

5. With an **OPTION TO PURCHASE** set out in clause N.A. of N.A.

6. Together with and reserving the **RIGHTS** set out in clause N.A. of N.A.

7. Incorporates the provisions or additional material set out in **ANNEXURE(S)**

"A"

hereto.

8. Incorporates the provisions set out in N.A. Lands, Land and Property Information Division as No(s). N.A.

in the Department of

9. The **RENT** is set out in 2 of Annexure "A"

Form: 07L

DATE 22 / 01 / 09



(H) Certified correct for the purposes of the Real Property Act 1900 by the corporation named below the common seal of which was affixed pursuant to the authority specified and in the presence of the authorised person(s) whose signature(s) appear(s) below. Corporation: THE COUNCIL OF THE MUNICIPALITY OF KIAMA

Authority: Section 127 of the Corporations Act 2001

Signature of authorised person: [Signature]

Name of authorised person: BRYAN WHITTAKER
Office held: ACTING GENERAL MANAGER

Signature of authorised person: [Signature]

Name of authorised person: CLR SANDRA KAY MCCARTHY
Office held: MAYOR

Note: where applicable, the lessor must complete the statutory declaration below

Signed for and on behalf of RIDING FOR THE DISABLED ASSOCIATION (ACN 001 823 267) by those authorised persons whose signatures appear below by authority of the Committee

Signature of authorised person: [Signature]
Name of authorised person: Denise TOZER
Office held: Secretary

Signature of authorised person: [Signature]
Name of authorised person: Linda Patten
Office held: President

(I) STATUTORY DECLARATION*

I, Denise Tozer

solemnly and sincerely declare that -

- 1. The time for the exercise of option to renew/purchase in expired lease No. has ended;
- 2. The lessee under that lease has not exercised the option.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1900 and I certify this lease correct for the purposes of the Real Property Act 1900.

Made and subscribed at Dapto in the State of New South Wales

on 27/12/08 in the presence of:

Signature of witness: [Signature]
Name of witness: MURCIANN #173764
Address of witness: 72 RIDGEMOUTH AVE, DAPTO

Signature of lessor: [Signature]

Qualification of witness: [X] Justice of Peace [] Practising Solicitor [] Other qualified witness (specify)

* As the Department of Lands may not be able to provide the services of a justice of the peace or other qualified witness, the statutory declaration should be signed and witnessed prior to lodgment of the form at Land and Property Information Division.

THIS IS THE SCHEDULE OF PROVISIONS MARKED "A" ANNEXED TO THE LEASE

BETWEEN: THE COUNCIL OF THE MUNICIPALITY OF KIAMA ("lessor")

AND: RIDING FOR THE DISABLED ASSOCIATION (NSW) ("lessee")

DATED 22 DAY OF January 2009 ~~2008~~

1. In interpretation of this lease and except to the extent that the interpretation is excluded by or repugnant to the context but not to the exclusion of any interpretation under the Conveyancing Act 1919 the following expression will bear the meaning attributed thereto:
 - (a) The word "premises" shall mean the property hereby demised.
 - (b) The words importing the singular or plural number shall include the plural and singular number respectively and the words importing the masculine gender shall include the feminine or neuter gender.
2. The lessee covenants with the lessor to pay during the term the rent of one dollar (\$1.00) per annum payable in advance on the first day of November of each year of the term the first of such payments to be made on 1 November 2008.
3. The lessor covenants with the lessee for quiet enjoyment.
4.
 - (a) The lessee shall pay the proper authorities all charges for electricity and gas consumed on the premises and for all excess water and all meter rents and in default of any such payments the same may be paid by the lessor at his option and be recoverable from the lessee as and by way of overdue rent.
 - (b) The lessee covenants with the lessor to pay all rates, taxes and assessments charged upon the premises.
5. The lessee shall not do or suffer to be done any of the following without the written consent of the lessor:
 - (a) Use the premises otherwise than for activities in accordance with the objects and rules of the memorandum and articles of association of the lessee.
 - (b) Use the premises or any part thereof for any noxious noisy immoral offensive or unlawful purpose.
 - (c) Bring to or do or keep anything in or on the premises which shall increase the rate of fire insurance on the premises or which may conflict with the laws or regulations relating to fires or any insurance policy upon the premises or the regulations or ordinances of any public authority for the time being in force or use chemicals burning fluids acetylene gas or alcohol in lighting the premises.
 - (d) Paint affix or erect on any part of the exterior of the premises any notices advertisements signs or other devices.
6. Should the lessee continue to occupy the premises beyond the expiration of the term with the consent of the lessor it shall do so as a monthly tenant only at a weekly rent equal to one month's proportion of the rent payable weekly and subject

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to these provisions and to the tenancy being determinable at the will of either the lessor or lessee by one week's notice in writing expiring at any time.

7. Sections 84 and 85 of the Conveyancing Act 1919, are expressly negated.
8. Notwithstanding anything contained in the lease upon the happening of any event entitling the lessor to re-enter or determine the lease the residue of the said term for the time being unexpired will at the option of the lessor immediately upon notice of the exercise of such option being given to the lessee become reduced to one week and thereafter the tenancy will be and remain a tenancy from week to week at a weekly rental equal to one week's proportion of the rent commencing from the date of service of such notice and will be determinable by one week's notice to quit terminating on any day of the week.
9. The lessee must comply with and observe all notices received from any statutory or public authority relating to the premises or the nature of the business carried on in or on the premises and will carry out the requirements thereof at its own expense.
10.
 - (a) The lessee may apply to the lessor as the relevant consent authority for the construction of all buildings, equestrian rings, carparks and other structures reasonably required or incidental to the use of the premises in accordance with the uses permitted by this lease provided however:
 - i. The lessee shall obtain the necessary development approval and building approval for the erection of any structures from the lessor and pay all associated fees charges and expenses.
 - ii. The lessor agrees to execute all necessary consents to lodgment of applications in relation to carrying out of activities approved by this lease should it be asked so to do by the lessee.
 - iii. Notwithstanding anything else contained in the lease the lessee shall not be permitted to construct a residence for occupation of a manager/caretaker or any other person.
 - (b) The lessee shall at all times during the continuation of the term keep all buildings created on the premises clean and in good repair reasonable wear and tear and damage by fire storm or tempest excepted.
 - (c) Upon the determination of this lease the lessee may remove all buildings and fixtures erected by it on the premises PROVIDED HOWEVER should such removal of buildings and fixtures not have taken place by the time stated for the determination of the lease the lessee will yield up the premises with any new buildings and works completed by the lessee to the lessor and such buildings and works will become the absolute property of the lessor and no compensation will be paid by the lessor to the lessee.
11. No act matter or thing whatsoever will at any time during the term be done by the lessee his servants agents licensees or invitees in or upon the premises which will or may be or grow to the annoyance nuisance grievance damage or disturbance of the occupiers or owners of properties adjoining the premises.
12. Notwithstanding any implication or rule of law to the contrary the lessor shall not be liable for any damage or loss the lessee may suffer by the act default or neglect of any other person or by reason of the lessor neglecting to do something to the

building of which the premises form part and which as between the lessor and lessee it might be legally liable to do.

13. The lessee will indemnify and hold harmless the lessor from and against all damages sums of money costs charges expenses actions claims and demands which may be sustained or suffered or recovered or made against the lessor by any person for any injury such person may sustain when using or entertaining or near any portion of the building whether in the occupation of the lessor, the lessee or any other person where such injury arises or has arisen as a result of the negligence of or as a result of the creation of some dangerous thing or state of affairs by the lessee or by any clerk servant agent workman or employee of the lessee and whether the existence of such dangerous thing or dangerous state of affairs was or ought to have been known to the lessor or not.
14. The lessee must take out public liability insurance against those risks with an insurance company approved by the lessor in the sum of TWENTY MILLION DOLLARS (\$20,000,000.00) or such greater sum nominated from time to time by the lessor in the joint names of the lessor and the lessee.
15. The lessee must keep such insurance on foot during the continuance of the lease or any renewal or any holding over.
16. The lessee will deliver to the lessor the original policy of insurance and will ensure that copies of all renewal notices for such policy are sent by the insurance company to the lessor and will upon request of the lessor show to the lessor the receipt for the last premium paid for such insurance.
17. The lessee will effect and keep effected at all times during the continuance of this lease a policy of insurance insuring all buildings and structures erected on the premises and all fixtures, fittings, feed equipment and other items stored on the premises to the full insurable value thereof against loss or damage by fire, fire fighting activities, fusion, explosion, lightning, civil commotion, water, storm and tempest, earthquake, burglary or other damage with an insurance company approved by the lessor. The lessee will deliver to the lessor the original policy of insurance and will ensure that copies of all renewal notices for such policy are sent by such insurance office to the lessor and will upon request of the lessor show to the lessor the receipt for the last premium paid for such insurance.
18. It is hereby expressly agreed and declared that the lessor shall not be liable for any damage the lessee or any servant, licensee, invitee, workman, employee, client, agent, customer or visitor of the lessee may suffer by reason of any injury or damage to any person or property who or that may be at any time on the premises arising from the overflow of water supply or rainwater which may issue or flow from any part of the adjoining land under the ownership or control of the lessor or arising from any defects in the gas, electric or water supply connections or any fitting or appliances used in connection with the premises.
19. Any notice or request hereunder may be served in the manner mentioned in Section 170 of the Conveyancing Act, 1919.
20. Any covenants herein contained which are restrictive of the use of the premises shall be subject to the following:
 - (a) In the case of the lessee's covenants the benefit will be appurtenant to the reversionary interest of the lessor in the premises, and the estate or interest of the lessor in all adjoining land and premises and the leasehold interest of the lessee in the premises shall be subject to the burden thereof.

- (b) In the case of lessor's covenants the benefit will be appurtenant to the said leasehold interest of the lessee, and the said reversionary interest of the lessor will be subject to the burden thereof, but only whilst the said lease subsists.
 - (c) The said covenants.
21. Should any infectious illness transpire in or about the premises the lessee will give due notice thereof in writing to the lessor and will thoroughly fumigate and disinfect the premises at its own expense to the satisfaction of the local health office.
22. The legal costs and disbursements of the lessor of and incidental to this lease including all stamp duty and registration fees (if any) must be paid by the lessee.
23. Notwithstanding anything hereinbefore contained the lessee shall at all times during the continuance of the term:
- (a) Keep the premises free from dirt and rubbish and in particular shall store and keep all trade waste trash and garbage in proper receptacles and dispose of it promptly.
 - (b) Not without the consent in writing of the lessor erect or place in or outside the premises any radio or television aerial or antenna and shall not without the like consent use or permit to be used any loudspeaker or other equipment or like media likely to be heard or seen from outside the premises and such consent if given at all may be given subject to such conditions as the lessor thinks fit and may be withdrawn at any time.
 - (c) Not permit or suffer to be used the lavatories toilets sinks and drainage and other plumbing facilities in the premises for any purpose other than those for which they were constructed nor deposit or permit to be deposited therein any sweepings rubbish or other matter and any damage caused by misuse must be made good by the lessee.
24. No waiver by the lessor of one breach of covenant obligation or provision in this lease contained or implied shall operate as a waiver of another breach of the same or of any other covenant obligation or provision in this lease contained or implied.
25. If the lessee wants to take a renewed lease of the premises for a further term of five years from the expiration of the term of this lease the lessee must prior to the expiration of the term give to the lessor six (6) calendar month's previous notice in writing. The lessor will at all the usual and proper cost and expense of the lessee give to the lessee the premises for a further term of five (5) years at a rental of one dollar (\$1.00) per annum and otherwise upon and subject to the same provisions as are contained in the lease with the exception of this provision.
26. The lessee will at its own cost provide and maintain fences to the standards and requirements of the lessor on all boundaries of the premises except for the boundary between the northern and southern areas of the dam which adjoins the premises on its south eastern boundary.
27. Notwithstanding anything else contained in the lease the lessee may at the time during the term of this lease elect to surrender the lease by giving to the lessor six (6) month's written notice of such surrender. The date given to the lessor in the Notice of Surrender of Lease will be the date of determination of the lease for the purposes of removal of buildings and fixtures in accordance with clause 10(c).

- 28. At all times during the term of the lease and any holding over the lessor and all persons authorised by it will have the right to go pass and repass over the premises at all times and for all purposes with or without animals or vehicles or both for the purposes of access to adjoining land owned by the lessor to the north of the premises and the lessor may construct a gate or other means of passage from the premises to such adjoining land in the fence constructed on the northern boundary of the premises.
- 29. During the term of the lease the lessee must not take onto the premises any animals except for horses, cattle and guide dogs. All guide dogs on the premises must be restrained at all times.
- 30.
 - (a) All water courses on the premises are to be fenced off and protected from grazing animals.
 - (b) The fenced banks of the water courses must be revegetated by planting of species in accordance with a list to be provided to the lessee by the lessor's Tree Preservation Officer.
- 31.
 - (a) The lessee must not remove vegetation from the premises without the prior written approval of the lessor.
 - (b) This prohibition does not apply to plants which are defined as noxious weeds under the Noxious Weeds Act, 1993. During the term of the lease the lessee shall institute a plan of management for the active removal and control of noxious weeds of the premises. The lessor may at any time ask the lessee for details of the plan of management and what works have been undertaken in accordance with that plan.

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Attachment 2

THE COMMON SEAL of THE COUNCIL)
 OF THE MUNICIPALITY OF KIAMA was)
 affixed in the presence of the undersigned)
 on the 22 day of January, 2009)
 pursuant to the resolution of the Council)



signed for and on behalf of

THE COMMON SEAL OF RIDING FOR THE)
 DISABLED ASSOCIATION (NSW) was)
 hereunto affixed on the 22 day of January)
 2009 in the presence of by the)
 authorised persons whose signatures)
 appears to the right by)
 authority of the Committee.

X *S. K. McCarthy*)
 Mayor)
 CLR SANDRA KAY MCCARTHY)
 X *B. Whittaker*)
 General Manager - ACTING)
 BRYAN WHITTAKER)
 X *Puller*)
 Director)
 X *D. Page*)
 Secretary)

BOX 381H
(AE482128)

NEW SOUTH WALES

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1900



TORRENS TITLE

REFERENCE TO FOLIO OF THE REGISTER	
IDENTIFIER: 40/841082	
EDITION	DATE OF ISSUE
3	23/2/2009
CERTIFICATE AUTHENTICATION CODE	
TMPQ-NJ-PJMY	

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.



REGISTRAR GENERAL

ANY ATTEMPT TO ALTER THIS CERTIFICATE COULD RESULT IN HEAVY FINES OR IMPRISONMENT (S.141 REAL PROPERTY ACT).

LAND

LOT 40 IN DEPOSITED PLAN 841082
AT JERRARA.
LOCAL GOVERNMENT AREA: KIAMA.
PARISH OF KIAMA COUNTY OF CAMDEN
TITLE DIAGRAM: DP841082

FIRST SCHEDULE

THE COUNCIL OF KIAMA

SECOND SCHEDULE

1. LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912)
2. DP841082 EASEMENT FOR WATER SUPPLY WORKS 6 WIDE AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
3. DP841082 RESTRICTION(S) ON THE USE OF LAND
4. AE482128 LEASE TO RIDING FOR THE DISABLED ASSOCIATION (NSW) EXPIRES: 31/10/2018. OPTION OF RENEWAL: 5 YEARS.

**** END OF CERTIFICATE ****

Kearns + Garside

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

2745230

Item 11.3

Attachment 2

Certificate of Title

Certificate of Title

Item 11.3

Attachment 2

REA Lease * *

Kaye Wye
PO Box 169
KIAMA 2533

- Development Application
- Approval ~~RTA~~

2100

Copy of
lease
2/6/99
sheet

Item 11.3

Attachment 2

BOX 71Y
(U915607)

NEW SOUTH WALES

CERTIFICATE OF TITLE
REAL PROPERTY ACT, 1900



TORRENS TITLE

REFERENCE TO FOLIO OF THE REGISTER	
IDENTIFIER	40/841082
EDITION	DATE OF ISSUE
2	4. 1. 1995

PERSONS ARE CAUTIONED AGAINST ALTERING OR ADDING TO THIS CERTIFICATE OR ANY NOTIFICATION HEREON

I certify that the person described in the First Schedule is the registered proprietor of an estate in fee simple (or such other estate or interest as is set forth in that Schedule) in the land within described subject to such exceptions, encumbrances, interests and entries as appear in the Second Schedule and to any additional entries in the Folio of the Register.

K. Mettle

REGISTRAR GENERAL



LAND

LOT 40 IN DEPOSITED PLAN 841082
AT JERRARA
LOCAL GOVERNMENT AREA: KIAMA
PARISH OF KIAMA COUNTY OF CAMDEN
TITLE DIAGRAM: DP841082

FIRST SCHEDULE

THE COUNCIL OF KIAMA

SECOND SCHEDULE

1. LAND EXCLUDES MINERALS (S.141 PUBLIC WORKS ACT, 1912)
2. DP841082 EASEMENT FOR WATER SUPPLY WORKS 6 WIDE AFFECTING THE PART SHOWN SO BURDENED IN THE TITLE DIAGRAM
3. DP841082 RESTRICTION(S) ON THE USE OF LAND
4. U915607 LEASE TO RIDING FOR THE DISABLED ASSOCIATION (NSW). EXPIRES 30.9.2003 OPTION OF RENEWAL 5 YEARS

WARNING: BEFORE DEALING WITH THIS LAND SEARCH THE CURRENT FOLIO OF THE REGISTER

Item 11.3


Attachment 2

Certificate of Title

Certificate of Title

Item 11.3

Attachment 2

97-071.  **LEASE** Land Titles Office use only
Real Property Act 1900

Office of State Revenue use only

U 915607 F

(A) **PROPERTY LEASED**
Show no more than 20 References to Title. Specify the part or premises if appropriate.

Folio Identifier
40/841082 at Jerrara

(B) **LODGED BY**

L.T.O. Box	Name, Address or DX and Telephone
	REFERENCE (max. 15 characters):

(C) **LESSOR**
THE COUNCIL OF THE MUNICIPALITY OF
KIAMA

(D) The lessor leases to the lessee the property described above subject to the following **ENCUMBRANCES**
1. Nil 2. 3. 4.

(E) **LESSEE**

L	RIDING FOR THE DISABLED ASSOCIATION (NSW) ACN 001 823 267 a company limited by guarantee and having its registered office at 7 Conrad Road, Kellyville
	TENANCY:

(G) 1. **TERM:** 10 years
2. **COMMENCING DATE:** 1st October, 1994
3. **TERMINATING DATE:** 30th September, 2003
4. With an **OPTION TO RENEW** for a period of 5 years set out in Clause 22
5. ~~With an **OPTION TO PURCHASE** set out in~~
6. Together with and reserving the **RIGHTS** set out in Clause 25
7. Incorporates the provisions set out in **ANNEXURE "A"** hereto.
8. ~~Incorporates the provisions set out in **MEMORANDUM No.** filed in the Land Titles Office.~~

INSTRUCTIONS FOR FILLING OUT THIS FORM ARE AVAILABLE FROM THE LAND TITLES OFFICE CHECKED BY (office use only)

Item 11.3
Attachment 2

(II) DATE 19/12/94 We certify this dealing correct for the purposes of the Real Property Act 1900.

Signed in my presence by the lessor who is personally known to me.

THE COMMON SEAL of THE COUNCIL OF THE MUNICIPALITY OF KIAMA)
Signature of Witness)
was affixed in the presence of the)
undersigned on the 19th day of)
December, 1994 pursuant to a)
Name of Witness (BLOCK LETTERS))
resolution of the Council)

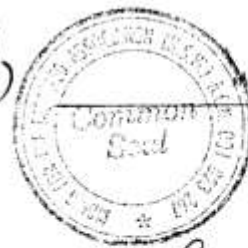
J. E. Whately
Director

Address of Witness

Signature of Lessor

Signed in my presence by the lessee who is personally known to me

THE COMMON SEAL of R. I. D. A. THE DISABLED ASSOCIATION (N.S.W.))
Signature of Witness)
was hereto affixed on)
7th day of November) 1994
Name of Witness (BLOCK LETTERS))
in the presence of)


Director
Leony Carlo
SECRETARY
Signature of Lessee

Address of Witness

Signature of Lessee

(I) I solemnly and sincerely declare that the time for the exercise of the Option to Renew/Purchase in expired lease No. has ended and the lessee under that lease has not exercised the option.
I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths Act, 1900.
Made and subscribed at in the State of on 19.....
in the presence of

Signature of Witness

Name of Witness (BLOCK LETTERS)

Address and Qualification of Witness

Signature of Lessor

Item 11.3
Attachment 2

11.4 Licence Agreement - Jamberoo Markets

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

CSP Strategy: 2.12 Effectively manage recreation and open space infrastructure to cater for current and future generations

Delivery Program: 2.12.1 Manage recreation and open space infrastructure for the community by the implementation of the Recreation and Open Space Asset Management Plan actions

Item 11.4

Summary

The Jamberoo Markets have recently received development consent (10.2018.56.1) for the continued operation of the monthly markets in Reid Park, Jamberoo. This report recommends entering into a new licence agreement for the operation of the markets subject to Council's advertisement of the proposed occupation of the land as required under the Local Government Act 1993.

Finance

The Jamberoo Markets will pay a licence fee per stall, in accordance with Council's fees and charges.

Policy

Local Government Act 1993.

Communication/Community Engagement

Advertising of the proposed occupation of the land will be undertaken, as per the Local Government Act 1993.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council:

1. Advertise the proposed licence for the Jamberoo Markets being on community land as required under the Local Government Act 1993
2. Enter into a licence agreement with the Australian Red Cross – Jamberoo Branch for the running of the Jamberoo Markets in accordance with development consent 10.2018.56.1 and licence conditions for a period of three (3) years.
3. Delegate all authority to the Mayor and General Manager to sign all documentation associated with the licence agreement.

Report of the Acting Director Corporate and Commercial Services

11.4 Licence Agreement - Jamberoo Markets (cont)

BACKGROUND

The Jamberoo Markets require a licence agreement to formalise the occupation of Council community land (Reid Park, Jamberoo). A licence agreement over community land requires advertising under the Local Government Act. Subject to satisfactory advertising of the proposal, it is recommended that a licence be issued for the continued operation of the markets.

A new development consent has been issued to the Jamberoo Markets for a period of three (3) years.

The markets are considered a positive addition to the Jamberoo Township and should be supported by way of a licence agreement.

Item 11.4

11.5 Hardship rate relief for drought affected farmers

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

CSP Strategy: 4.3 Council and the community working together

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

Item 11.5

Summary

This report is requesting Council to consider implementing a temporary Emergency Drought Relief application form for drought affected farmers.

Finance

Council's 2018/19 rates income will be impacted and there is a potential negative flow-on effect to the operating performance ratio under Fit for the Future. Council's Farmland Rating income is approximately \$607,000 or 3.7% of Council's annual rate income.

Policy

n/a

Communication/Community Engagement

n/a

Attachments

1 Emergency Drought Relief Application - Hardship [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council approve the implementation of a temporary Emergency Drought Relief Application form, which includes no interest charged on overdue farmland rates for farms that meet the criteria, until May 2019 with a further review in June 2019.

BACKGROUND

It is undeniable that Australia is in the grip of a severe drought, indeed one that is arguably the worst since 1968 with 100% of NSW officially in drought. It has had a devastating effect on the agricultural industry, which has affected farmers conducting farming activities across Australia and within the Kiama Municipality financially and emotionally.

The Australia Government announced a \$190 million relief package to help farmers and their communities fight one of the worst droughts of the past century. Farmers will be able to access up to \$12,000 in cash payments under the package which also includes a boost for mental health services.

Report of the Acting Director Corporate and Commercial Services

11.5 Hardship rate relief for drought affected farmers (cont)

The government is also changing the assets test to allow an estimated 8,000 more farmers to access support.

The NSW State Government recently announced a package of \$500M to assist drought-affected farmers, taking the total response to \$1billion. This package included a transport subsidy, water for stock and livestock to pasture etc. Transport subsidies have been backdated to January 2018.

As part of this emergency funding the State Government announced waivers on Local Land Services annual rates, fixed charges for water licences, registration costs for class one agricultural vehicles, etc.

The situation is being continually monitored by the State Government.

Council would also like to ensure that drought affected farmers are aware that they can apply for rate relief under Council's Hardship Policy. Council would like to temporarily include an Emergency Drought Relief Application for those farmers affected by the drought who may not fully meet the requirements set out in the current Hardship Policy.

The Hardship Policy permits Council to enter into payment agreements with ratepayers who cannot meet their normal instalment payments. Accrued interest on rates and charges may also be written off in cases of hardship.

Drought affected farmers may apply for hardship relief on Council's Rates and Charges Hardship Application Form in conjunction with the Emergency Drought Relief Application.

Council's Hardship Policy, the Hardship Application form and Emergency Drought Relief Application form are all available on Council's website.

Council staff are keen to provide financial assistance and are considering several options for raising funds. One option under consideration is conducting a Fiver for a Farmer day at work where staff donate \$5 and come dressed in jeans, flannelette shirts and boots to show their support. Under consideration also is an additional \$5 donation being charged for a country bake morning tea complete with scones, jam and cream on the day.

Emergency Drought Relief Application

This form is to be read/completed in conjunction with the Hardship Rate Relief Application Form.

Applicants must provide evidence that they have accessed the State Government’s freight subsidies and reduced Local Land Services fees.

Assessment Process

Each case will be considered individually and on its merits and will take into account, but will not be limited to:

- 1 The property for which the hardship application applies must be the principal place of residency of the applicant/s and be categorised as Farmland for rating purposes.
- 2 The applicant must be the owner of the property and be liable for the payment of rates on the property.
- 3 Ratepayer’s financial circumstances, including income and expenses from all sources.
- 4 Repayment history, including any previous defaults or arrangements.
- 5 The stock on the property must be owned by the ratepayer.

Hardship Concession Termination

The concessions granted may be withdrawn for any of the following reasons:

- 1 The ratepayer no longer owns the land.
- 2 The ratepayer advises Council that the hardship no longer applies.
- 3 The ratepayer defaults on a payment arrangement if a payment arrangement has been entered into.
- 4 Council receives information that proves the hardship no longer exists.
- 5 Council sees fit to cancel the hardship relief at any time.
- 6 Where property ownership changes on any assessment with rate relief provisions in place, all rates and charges must be fully paid at the of settlement. Hardship concessions are not transferable.

Hardship Concession Provisions

- 1 Periodic payment arrangement
- 2 Charge interest of 0% on overdue amounts for a set period of time

12 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

12.1 Pesticide Notification Plan - adoption

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

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

Delivery Program: 2.2.3 Ensure environmental protection compliance

Summary

The Pesticide Notification Plan was reviewed in accordance with the Pesticide Regulation 2017. It was put on public exhibition for 28 days and two submissions were received. This report recommends adoption of the plan.

Finance

N/A

Policy

Pesticide Notification Plan

Communication/Community Engagement

This Plan has been placed on public exhibition for 28 days and once adopted will be added to Council's website.

Attachments

1 Draft Pesticide Notification Plan version 2 - 2018 [↓](#)

Enclosures

Nil

RECOMMENDATION

[That Council adopt the Pesticide Notification Plan 2018.](#)

BACKGROUND

The Pesticide Notification Plan must be reviewed in accordance with the NSW Pesticide Regulation 2017. The draft Pesticide Notification Plan was put on public exhibition and two submissions were received.

The first submission asked that notification signs remain in place for the length of the withholding period for any applications that have a withholding period. For example, the withholding period for fruit trees is the time between the application of spray and the time the fruit is safe to eat. Most chemicals used by Council have no withholding period. For herbicides (Roundup) the re- entry period is the duration of the drying time of the spray.

The issue of leaving the notification signs in place was discussed at the meeting of Illawarra District Weed Authority (IDWA). It was expressed by representatives of

Report of the Director Engineering and Works

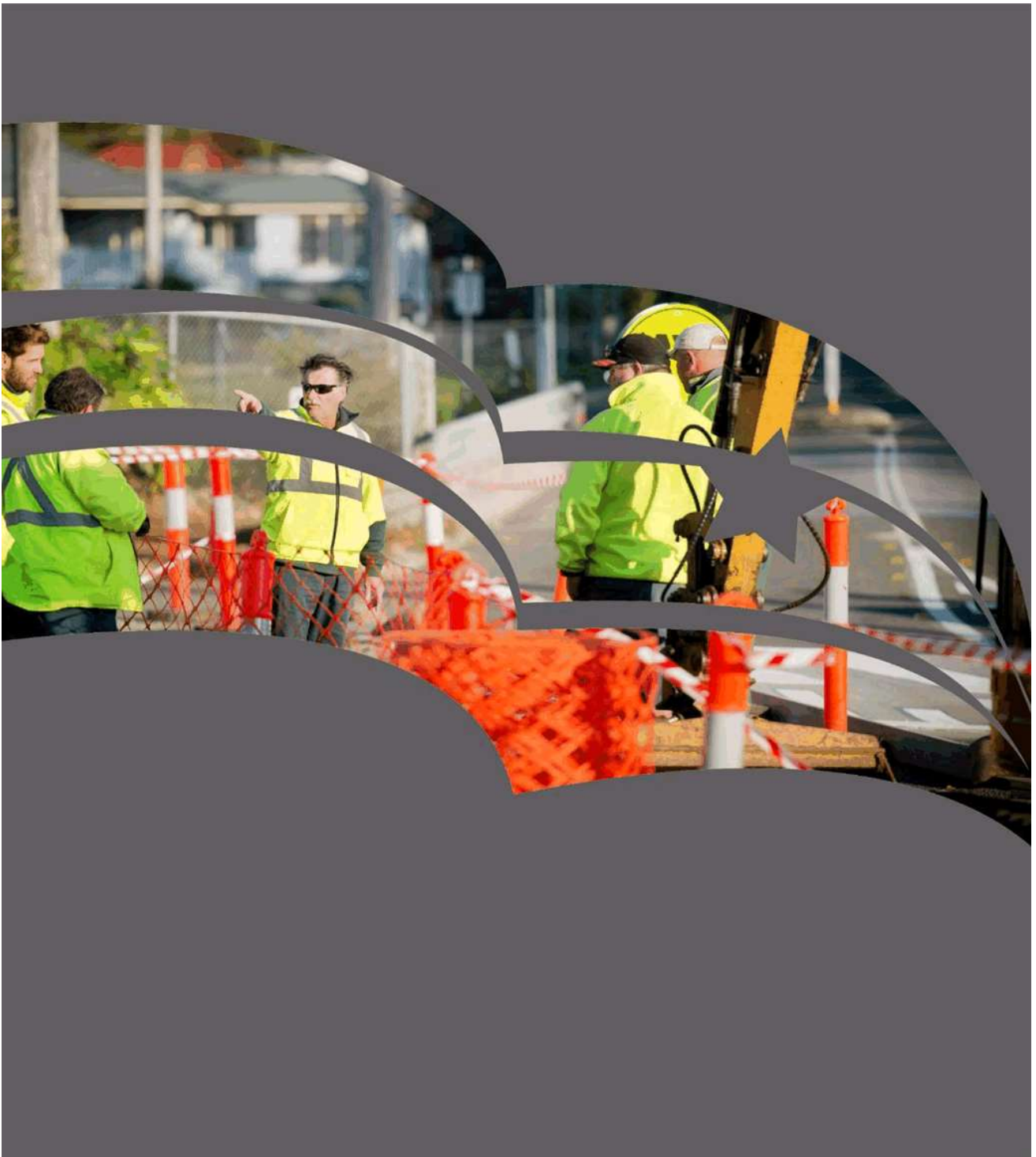
12.1 Pesticide Notification Plan - adoption (cont)

Wollongong and Shellharbour City Councils that the Pesticide Notification Plans for all three councils should remain similar and that withholding periods in most cases was the re-entry period meaning that no change to the plan was necessary. The IDWA also explained that in the case of blackberry spraying, conducted by the Authority on behalf of Council, that the practice was to display a sign on the road near to where properties have been sprayed and that sign remains in place for 14 days.

The second submission had two main points, that:

- the name of the pesticides used should be named in the Plan – the names of the pesticides used are displayed on the notification sign.
- glyphosate (Roundup) is carcinogenic and harmful to humans and the environment – Council adheres to the advice of the Australian Pesticides and Veterinary Medicines Authority that glyphosate is legal to use and safe to use in accordance with the directions for application of that product.

The above submissions have been taken into consideration and the amended Pesticide Notification Plan is attached, recommended for adoption.



Item 12.1

Attachment 1

DRAFT Pesticide Notification Plan
Adopted:
Engineering and Works





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Item 12.1

Attachment 1

Pesticide Notification Plan

1.0 Introduction

This Notification Plan has been prepared in accordance with the requirements of the Pesticides Regulation 2017. The plan period is from 1 January 2018 to 31 August 2021

The aim of this plan is to meet the community's general right to know about pesticide applications made to public places. The plan allows members of the community to take action to avoid contact with pesticides, if they wish. It does not mean that the community is at any greater risk or harm from pesticides. Kiama Council ensures that pesticides are applied to public places in a safe, responsible manner, without harm to the community or the environment.

The plan sets out how Kiama Council will notify members of the community of any pesticide applications made by Council to public places. It describes:

- what public places are covered by the Plan
- who is most likely to use or access these public places and an estimate of the level of use
- how and when Kiama Council will provide the community with information about its pesticide applications (i.e. what notification arrangements will be used)
- how the community will be informed of the notification arrangements contained in the Plan
- how future reviews of the plan will be conducted
- contact details for anyone wishing to discuss pesticide notification with Kiama Council.

2.0 Public places covered by this Notification Plan

This Notification Plan must describe where it operates and the categories of public places it covers. Public places include the following areas that the public is entitled to access:

- Public reserves, parks and gardens
- Playgrounds
- Sporting fields and ovals
- Road verges
- Laneways and pathways
- Drains and easements
- Golf courses (owned or controlled by Council)
- Caravan/holiday parks
- Cemeteries
- Swimming pool grounds

A public place also includes any other outdoor property that is leased out but the public is entitled to access.

3.0 Who uses these public places

3.1 Public Reserves, Parks and Gardens

Kiama Council estimates that the level of usage and community access to public reserves, parks and gardens is medium to high. The main groups of the community that use or have access to these public places are:

- children and young families
- elderly people
- general recreational users (eg. joggers, dog-walkers, picnickers)
- local residents living adjacent to a reserve, park or garden
- visitors to the area.

3.2 Playgrounds

Kiama Council estimates that the level of usage and community access to public playgrounds is high. The main groups of the community that use or have access to these public places are:

- children and young families.

3.3 Sporting fields and ovals

Kiama Council estimates that the level of usage and community access to public sporting fields and ovals is high. The main groups of the community that use or have access to these public places are:

- sporting clubs and associations
- school sports groups
- general recreational users (eg. joggers, dog-walkers).

3.4 Council laneways and pathways

Kiama Council estimates that the level of usage and community access to laneways and pathways that are owned or maintained by Council is medium to high. The main groups in the community that use or have access to these public places are:

- local residents
- people who work in the area
- visitors to the area.

3.5 Council drains and easements

Kiama Council estimates that the level of usage and community access to drains and easements that are owned or maintained by Council is low to medium. The main groups in the community that use or have access to these public places are:

- local residents living adjacent to a drain or easement
- local residents or visitors who walk or drive past a drain or easement.

3.6 Road shoulders and verges

Rural Roads - Kiama Council estimates that the level of usage and community access to road shoulders and verges on rural roads that are owned or maintained by Council is low. The main groups in the community that use or have access to these public places are:

- local residents or visitors walking or driving on the road.

Urban Roads - Kiama Council estimates that the level of usage and community access to road shoulders and verges on urban roads that are owned or maintained by Council is medium to high. The main groups in the community that use or have access to these public places are:

- local residents or visitors walking or driving on the road.

3.7 Caravan/Holiday Parks

Kiama Council estimates that the level of usage and community access to public caravan and holiday parks is medium to high, depending on the season. The main groups of the community that use or have access to these public places are:

- families
- visitors to the area.

3.8 Cemeteries

Kiama Council estimates that the level of usage and community access to cemeteries is low to medium. The main groups in the community that use or have access to these public places are:

- families
- visitors to the area
- local residents

3.9 Swimming pool grounds

Kiama Council estimates that the level of usage and community access to swimming pool grounds is low to high depending on the season. The main groups in the community that use or have access to these public places are:

- children and young families
- visitors to the area
- sporting clubs and associations
- school groups
- general public
- local residents.

4.0 How notification will occur

Whenever a pesticide is applied to a public place as identified above, notice will need to be made according to the notification process detailed below.

4.1 Public Reserves, Parks and Gardens

Whenever a pesticide is applied by Kiama Council staff to a public reserve, park or garden, notice will be provided by:

- prominently displaying signs at the main entrances to the public reserve, park or garden and/or
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.



These notification arrangements are based on Council's assessment that:

- (i) the level of usage by members of the public that use public parks and gardens is high.
- (ii) members of the public regularly use these areas.

4.2 Playgrounds

Whenever a pesticide is applied by Kiama Council staff to a public playground, notice will be provided by:

- prominently displaying signs at the main entrances to the playground and/or
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) level of usage by members of the public that use public playgrounds is high.
- (ii) members of the public regularly use these areas.

4.3 Sporting Fields and Ovals

Whenever a pesticide is applied by Kiama Council staff to a public sporting field or oval notice will be provided by:

- prominently displaying signs at the main entrances to the sporting field or oval and/or
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.

Where sporting fields or ovals are to be treated with a ground boom spray application, Council will take the additional step of:

- advising all sporting clubs, associations and other user groups who use the sporting fields on a regular basis, by email, fax or post.

These notification arrangements are based on Council's assessment that:

- (i) level of usage by members of the public that use sporting fields and ovals is high.
- (ii) members of the public regularly use these areas.

4.4 Council laneways and pathways

Whenever a pesticide is applied by Kiama Council staff to a laneway or pathway that is maintained or owned by Council, notice will be provided by:

- displaying pesticide details on the spray vehicle, including a contact number; and
- responding to all reasonable requests for information made directly to the operator applying the pesticide or to Council itself.



These notification arrangements are based on Council's assessment that:

- (i) level of usage for public Council laneways and pathways is medium to high.

4.5 Council drains and easements

Whenever a pesticide is applied by Kiama Council staff to a drain or easement that is owned or maintained by Council, notice will be provided by:

- displaying pesticide details on the spray vehicle, including a contact number; and
- responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) level of usage for public Council drains is medium to low.

4.6 Road shoulders and verges

Rural Roads - Whenever a pesticide is applied by Kiama Council staff to a road shoulder or verge on rural roads that are owned or maintained by Council, notice will be provided by:

- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) level of usage by walking or driving on road shoulders, verges and reserves on rural roads maintained by Council is low.

Urban Roads - Whenever a pesticide is applied by Kiama Council staff to a road shoulder or verge on urban roads that are owned or maintained by Council, notice will be provided by:

- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made directly to Council.

These notification arrangements are based on Council's assessment that:

- (i) level of usage by walking or driving on road shoulders, verges and reserves on urban roads that are owned or maintained by Council medium to high.

4.7 Caravan/Holiday Parks

Whenever a pesticide is applied by Kiama Council staff to a public caravan/holiday park, notice will be provided by:

- prominently displaying signage outside the main office to the park and/or
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to the Park Manager or operator applying the pesticide.



These notification arrangements are based on Council's assessment that:

- (i) the level of usage by members of the public that use caravan and holiday parks is medium to high (seasonal).
- (ii) members of the public regularly use these areas.

4.8 Cemeteries

Whenever a pesticide is applied by Kiama Council staff to a public cemetery notice will be provided by:

- prominently displaying signs at the main entrances to the cemetery and/or;
- displaying pesticide details on the spray vehicle including a contact number; and
- responding to all reasonable requests for information made to Council.

These notification arrangements are based on Council's assessment that:

- (i) the level of usage by members of the public that use cemeteries is low to medium.
- (ii) members of the public regularly access these areas.

4.9 Swimming pool grounds

Whenever a pesticide is applied by Kiama Council staff to a public swimming pool area, notice will be provided by:

- prominently displaying signage at the main entrance to the pool grounds;
- responding to all reasonable requests for information made directly to the operator applying the pesticide, to pool staff or directly to Council.

These notification arrangements are based on Council's assessment that:

- (i) the level of usage by members of the public that use swimming pools is low to high (seasonal).
- (ii) members of the public regularly use these areas.

5.0 When notification will occur

5.1 Public reserves, parks and gardens

Whenever a pesticide is applied by Kiama Council staff to a public reserve, park or garden, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrance to the public place during the application); and removed when the spraying is completed.

5.2 Playgrounds

Whenever a pesticide is applied by Kiama Council staff to a playground, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main



entrance to the public place during the application); and removed when the spraying is completed and the product dry.

5.3 Sporting fields and ovals

Whenever a pesticide is applied by Kiama Council staff to a sporting field or oval, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrance to the public place during the application); and removed when the spraying is completed.

Additionally, a pesticide applied to a sporting field or oval using ground boom spray application, notice will be provided:

- five days prior to the application via email, fax or post to all association/ groups who have booked use of the space.

5.4 Council laneways and pathways

Whenever a pesticide is applied by Kiama Council staff to a laneway or pathway that is owned or maintained by Council, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application); and removed when the spraying is completed.

5.5 Council drains and easements

Whenever a pesticide is applied by Kiama Council staff to a drain or easement that is owned or maintained by Council, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application) and removed when the spraying is completed.

5.6 Road shoulders and verges

Rural Roads - Whenever a pesticide is applied by Kiama Council staff to a road shoulder or verge on a rural road that is owned or maintained by Council, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application); and removed when the spraying is completed.

Urban Roads - Whenever a pesticide is applied by Kiama Council staff to a road shoulder or verge on an urban road that is owned or maintained by Council, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle during the application); and removed when the spraying is completed.

5.7 Caravan/holiday parks

Whenever a pesticide is applied by Kiama Council staff to a public caravan or holiday park, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or outside the main office to the caravan/holiday park during the application); and removed when the spraying is completed.



5.8 Cemeteries

Whenever a pesticide is applied by Kiama Council staff to a public cemetery, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed on the spray vehicle and/or at the main entrances to the public place during the application) and removed when the spraying is completed.

5.9 Swimming pool grounds

Whenever a pesticide is applied by Kiama Council staff to a public swimming pool area, notice will be provided:

- during the application of the pesticide (Council will ensure that signs are prominently displayed at the main entrance to the public place during the application) and removed when the spraying is completed.

6.0 Types of pesticide use

Public places	Regular user groups	Level of use in public place	Type of pesticide use
a) Public reserves, parks and gardens	General public (families, children, elderly people); recreational users; visitors to the area.	Medium to high	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Spot spraying insecticides • Broadscale boom spraying: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides
b) Playgrounds	Children and young families.	High	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides • Spot spraying insecticides
c) Sporting fields and ovals	Sporting clubs and associations; school sports groups; general recreational users.	High	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Spot spraying insecticides • Broadscale boom spraying: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides
d) Road verges	Local residents.	Low	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides
	General public.	High	<ul style="list-style-type: none"> • Broadscale boom spraying: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Pre-emergent Herbicides
e) Laneways and pathways	Local residents; families; people who work in the area, visitors to the area.	Medium to high	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides

Public places	Regular user groups	Level of use in public place	Type of pesticide use
f) Drains and easements accessible to the public	Local residents	Low to medium	<ul style="list-style-type: none"> • Spot spraying herbicides: non-selective herbicides
g) Caravan/Holiday Parks	Visitors to the area; families	Medium to high (seasonal)	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Spot spraying insecticides • Rodenticides • Spray ant control
h) Cemeteries	General public; visitors to the area	Medium	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Pre-emergent herbicide
i) Swimming Pool Grounds	General public; visitors to the area	Low to high (seasonal)	<ul style="list-style-type: none"> • Spot spraying herbicides: <ul style="list-style-type: none"> ○ non-selective herbicides ○ selective herbicides • Spot spraying insecticides • Rodenticides • Spray ant control

7.0 Pesticides and use situations not covered by this Notification Plan

Poisons scheduling is the system used to classify substances based on their potential health risk. The National Drugs and Poisons Schedule Committee assess substances and list those that are classified as poisons in the Uniform Poisons Standard. States then enforce this classification – the relevant legislation in NSW is the Poisons and Therapeutic Goods Act 1966.

There are four schedules applicable to pesticides:

- (i) Unscheduled substances are not considered poisons.
- (ii) Schedule 5 (S5) poisons have low toxicity or a low concentration and pose only a low to moderate hazard.
- (iii) Schedule 6 (S6) poisons have moderate to high toxicity and can cause injury if used inappropriately.
- (iv) Schedule 7 (S7) poisons are substances with high to very high toxicity. There are restrictions on the purchase and use of S7 poisons.

For the purposes of this Notification Plan, notification will not be required to be provided in the use of the following pesticides or use situations:

(a) Any unscheduled substance

The heading on the product label indicates which poison schedule the pesticide belongs to. Material Safety Data Sheets (MSDS) also contain this information.

This decision is based on the knowledge that unscheduled substances pose very low health risk and when applied as per label directions should not pose any serious health or safety risk.

(b) Non-spray methods

The application of any pesticide by Cut-stump, Stem Injection or Basal Bark techniques.

(c) Small use situations

Domestic style pesticide use involving knapsack application only using pesticides widely available at retail outlets or in aerosol cans and small baits.

(d) Pesticide use by members of the public

In some circumstances, members of the public may use pesticides to maintain public places such as laneways and pathways or whilst undertaking environmental remediation works in public reserves. Where Kiama Council allows such pesticide use notice will not be required.

(e) Emergency pesticide use

In cases where emergency pesticide applications are required to deal with a dangerous pest infestation, Council will not be required to give notice. Such situations include dealing with biting and dangerous pests or rapidly invasive pest infestations e.g. couch fly, spiders, wasps and rodents. Council will endeavour however, to provide information on the pesticide application on request at Council offices or to the person applying the pesticide.



8.0 Special notification measures for sensitive places

This Notification Plan must separately state what notification arrangements will be in place to provide special protection where pesticides are used in public places that are adjacent to sensitive places. A sensitive place is any:

- school, pre school, kindergarten or childcare centre
- hospital
- community health centre
- nursing home

Whenever a pesticide is applied by Kiama Council staff to any public place (as listed under Section 2 of this Notification Plan) within 20 metres of a common boundary with a sensitive site, notice will be provided by phone, email, fax, letter box drop or post depending what is practicable at least five working days prior to the application process.

During the application process notification will also be provided by displaying pesticide details on the spray vehicle including a contact number and responding to all reasonable requests for information made directly to Council.

Five days advance notification of sensitive places will also be provided in the use of pesticides or use situations as identified under Section 7 of this Plan, with the exception of *Emergency Pesticide Use*. Notice in this instance however, will still need to be given prior to the application process

9.0 Arrangements governing pesticide use by contractors and lessees of public places

Where contractors apply pesticides on Kiama Councils behalf both the Council and the contractor are responsible for ensuring notification occurs in accordance with this plan.

In public places over which persons or organisations hold an existing lease on Council land, or leases on Crown land for which Council is the trustee, Kiama Council will not provide notification of pesticide use. However, it will request the lessee to carry out notification of the lessee's pesticide use in a manner consistent with the plan. Where possible, Kiama Council will require lessees, as a condition of the lease, to comply with this plan.

10.0 What information will be provided

The following information will be provided on all notification required under this plan:

- the product name of the pesticide used as it is listed on the pesticide label
- the purpose of the application, including the pest that is being treated
- the date or date range that the pesticide was or will be applied
- product specific warnings on the subsequent use of the land (if appropriate)
- contact details of the Council officer who people contact regarding the notice
- the place where the pesticide is to be used
- any warnings regarding re-entry to or use of, the place of application specified on the product label or the Australian Pesticides and Veterinary Medicines Authority.



11.0 How the community will be informed of this Plan

Kiama Council will consult with the community on the draft Notification Plan, including the types of public places covered and the proposed notification methods. The draft Notification Plan will be placed on public display for 28 days at the Council Chambers at 11 Manning Street, Kiama. A copy of the draft plan will also be available on the Council’s website.

Council will consider all comments from the community prior to finalising the plan.

Council will advise residents of the contents of the final Notification Plan by:

- making a copy of the plan available for public viewing in all Council’s libraries and at the front counter of Council’s Administration Building
- placing a copy of the plan on the Council website
- placing a notice in the NSW Government Gazette.

12.0 Future reviews of this Plan

The Notification Plan will be reviewed in three years then every five years thereafter. The review will include:

- report on progress of implementing the Notification Plan
- public consultation on the notification methods outlined in the Notification Plan
- recommendation for alterations (if applicable) to the Notification Plan.

13.0 Contact

Anyone wishing to contact Kiama Council regarding the Notification Plan should contact;

Council’s Landscape Officer
 Po Box 75 Kiama NSW 2533
 Phone 02 4232 0444
 Email council@kiama.nsw.gov.au

14.0 Document control

Directorate:	Engineering & Works
Document name:	Pesticide Notification Plan
Date adopted by Council or N/A:	
Date endorsed by MANEX:	N/A
Last revision date:	August 2018
Next review date:	31 August 2021
Trim doc number:	17/39494



13 REPORT OF THE DIRECTOR BLUE HAVEN

Nil

14 REPORTS FOR INFORMATION

14.1 Letter of appreciation: Bega Valley Shire Council - Tathra Bush Fire Appeal

Responsible Director: Office of the General Manager

A letter of appreciation has recently been received from Bega Valley Shire Council Mayor, Kristy McBain, thanking Council for the financial support provided following the devastating bushfire in March this year.

Councillors may recall that a donation of \$5,000 was provided to the Bega Valley Mayor's Bushfire Appeal Fund to assist with recovery operations. A copy of the letter is attached.

Attachments

- 1 Letter of appreciation [↓](#)



PO Box 492, Bega NSW 2550
P. (02) 6499 2222
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E. council@begavalley.nsw.gov.au
www.begavalley.nsw.gov.au
ABN. 26 987 935 332
DX. 4904 Bega

Ref:

11 July 2018

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

Mr Kerry McMurray
General Manager

Dear Mayor Honey and Mr McMurray

Thank you

On behalf of the Bega Valley Shire Council and the community of the Shire, particularly those of Tathra, Vimy Ridge and Reedy Swamp, thank you for your generous offers of assistance in supporting Council in one of its greatest times of need following the devastating March 18 Bushfire.

The Tathra and District community lost an unprecedented number of houses with many more damaged. Fortunately there was no loss of life and for that we can all be thankful.

There is an amazing positive recovery taking place in our community as blocks are cleared and residents commence planning the rebuild of their homes and lives, but the road to recovery is a long one. Kiama Municipal Council's has played a vital role in this recovery with the generous donation to the Mayor Appeal Fund and your thoughts and kind words.

Council has been supported by the Recovery Coordinator Euan Ferguson, Office of Emergency Management staff, staff from a range of other State agencies, local community organisations, not for profit groups, and businesses. We have also received financial support to fund the clean-up and now the emotional support for those impacted which is our highest priority.

On behalf of the Councillors, staff and the community, thank you for your contribution to our recovery journey.

Yours sincerely



Cr Kristy McBain
Mayor



14.2 2018-2019 NSW Environment Protection Authority Better Waste Funded ProjectsResponsible Director: Environmental Services

The NSW EPA has approved funding of \$65,282 as part of the 2018-2019 NSW Better Waste program the following projects:

Project 1: Commercial waste education program (funding \$35,000)

This program aims to encourage selected commercial businesses to increase the diversion of recyclable materials (including food organics) from landfill. This will be completed through waste education specific to commercial premises.

The program will be implemented involving two stages: Stage 1 will involve commercial businesses that currently use Council's Waste Services and Stage 2 will involve commercial businesses who do not currently use Council's Waste Services.

Project 2: Blue Haven Organics Kiama Program (funding \$30,282)

This project involves the trial introduction of the Organics Kiama recycling program to the existing Blue Haven Care independent living units. The trial will also be used for the implementation of the Organics Kiama recycling program into the new Blue Haven Bonaira.

The aim is to minimise waste going to landfill by a minimum of 20% and the project aims to start before Christmas 2018.

The funds will be paid to Council in late August 2018. This will be included and reported to Council as part of the 2018-2019 first quarter budget review process.

14.3 NSW State Government's 20-Year Economic Vision for Regional NSWResponsible Director: Office of the General Manager

The NSW State Government recently released its economic vision document for Regional NSW over the next 20 years.

The document identifies the industries driving the regions now and in the future as well as trends impacting on the economy.

The document also identifies what the NSW Government see as the 10 principles for investment in infrastructure, skills, advocacy and promotion and the business environment. Delivery of this vision has been financially backed through the \$4.2 billion Snowy Hydro Legacy Fund which has been reserved entirely for regional towns and communities.

NSW has been broken into smaller functional economic regions (FER) and the Kiama region has been categorised as Metro Satellite FER along with the Central Coast and Lake Macquarie, Hunter, Lithgow, Tweed, Wingecarribee and Capital regions. Metro Satellite is defined as having a relatively high-density community on the outskirts of major centres of economic activity with the higher population reflecting stronger economic growth through industries such as mining, tourism, food manufacturing and residential care.

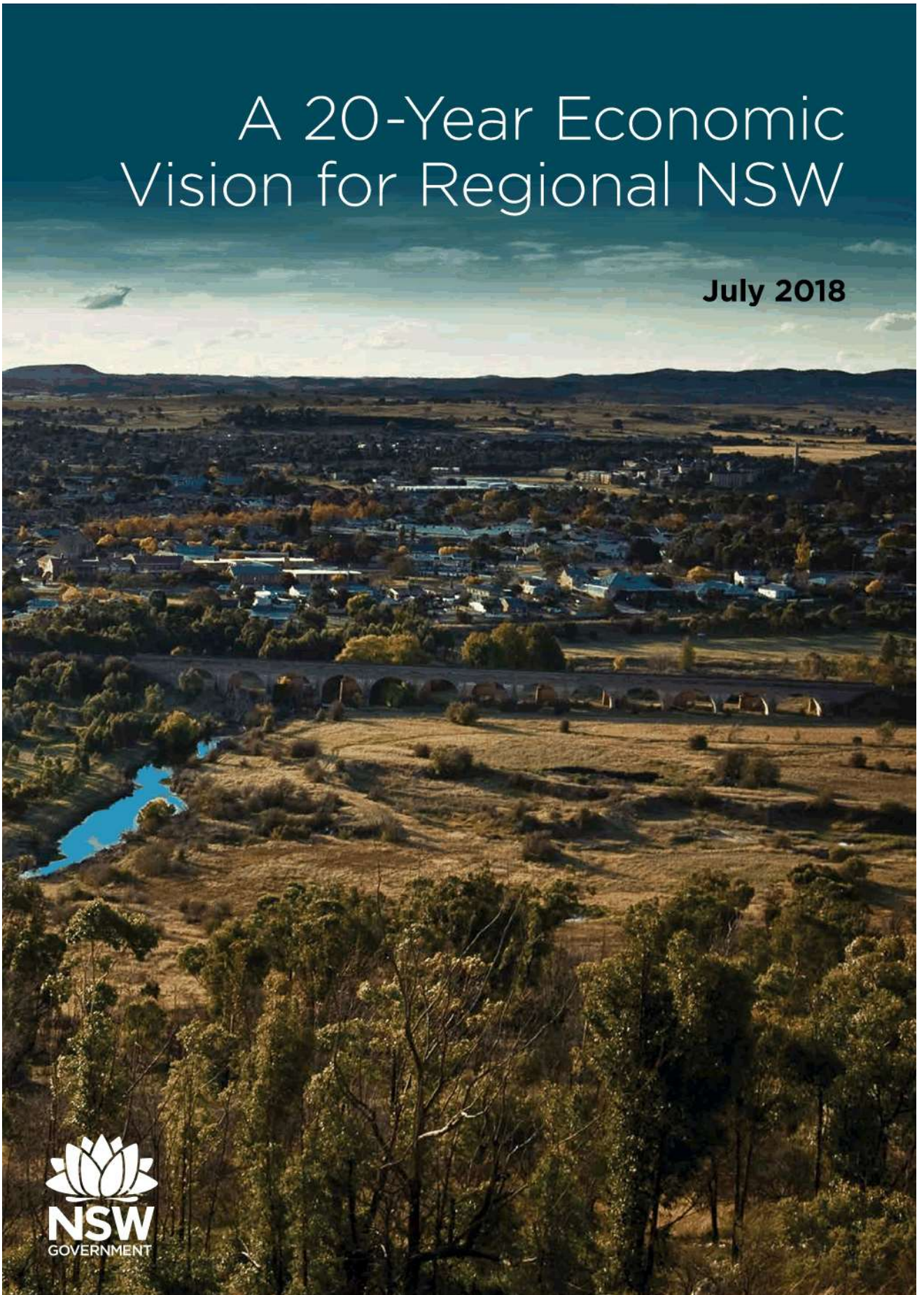
The Kiama FER is predicted to have a strong population for over the next two decades and is likely to transform from a satellite area of Wollongong into a major hub attracting a large number of families seeking new lifestyle and employment opportunities.

Attachments

- 1 A 20-Year Economic Vision for Regional NSW [↓](#)

A 20-Year Economic Vision for Regional NSW

July 2018



Item 14.3

Attachment 1

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Cover image: Goulburn



The Hon. John Barilaro
Deputy Premier, NSW
Minister for Regional NSW

Deputy Premier's Foreword

When people ask me what I want to achieve for regional NSW, the answer is fairly simple.

I want people living in regional NSW to have a great life. Moreover, I want people living outside of regional NSW to look to our regional towns and cities and think 'I could also have a great life there', because they know regional NSW is a great place to raise a family, start and grow a business, get a fulfilling job, participate in vibrant community activities, play sport at quality facilities, and access the quality health and education they deserve.

Since 2011, the NSW Government has been hard at work rebuilding NSW. I'm proud of what we've achieved to date, but the job is far from done. We now have the opportunity not just to improve regional living, but transform it.

Today, NSW's economy has been restored to its proper position as the nation's leading economy, with a first-class infrastructure pipeline that is creating jobs, skilling our young people and ensuring NSW has the infrastructure it needs to meet current and future demands.

Regional NSW is at the forefront of this.

People are sick of governments that are short-sighted - failing to plan properly, and in turn, giving priority to the city over the bush.

This government, however, is determined to ensure we are meeting the needs for today while also making sure we are better prepared for a stronger tomorrow.

We are not just futureproofing our regions (making them more resilient to change, so they thrive, not just survive) but also turbocharging visionary projects - so they don't just sit on paper, but actually become reality.

Our 20-year vision will ensure regional NSW is poised to take advantage of future opportunities for growth.

Most importantly, this is a vision for regional people and businesses. Regional NSW is already a great place to live, raise a family, start a business or visit. We also need to support sustainable, thriving regional communities that have a strong local identity, attract younger generations and offer valued alternatives to city living.

Many of our regional centres have room to grow, draw in more investment and attract skilled workers, as well as provide job opportunities for our children. We want our communities to have access to sporting and cultural facilities, without compromising a sense of community and connectedness.

Through strategic investment we can address issues like skill shortages, the ageing workforce and digital disruption, while capitalising on emerging industries that align with a region's local strengths.

Our vision is to accelerate economic growth in key sectors such as agribusiness, tertiary education and health care, taking full advantage of trade and tourism opportunities with Asia to ensure regional NSW continues to play a critical role in the Australian economy.

This work also brings together long-term planning and existing strategies like the *Future Transport Strategy 2056*, *NSW State Infrastructure Strategy*, and the regional plans.

I am personally determined to leave a lasting legacy of strong, sustainable and vibrant regional communities.

This vision will help outline how we will get there.

01

Regional NSW today



Vineyard near Orange

4

A 20-YEAR ECONOMIC VISION FOR REGIONAL NSW

Item 14.3

Attachment 1

Regional NSW is Australia's largest and most diverse regional economy. Rich with natural resources, it is home to a third of the state's population, and produces one-fifth of NSW's gross state product. Regional NSW has thriving agricultural, energy and resources industries and strong manufacturing, tourism and service sectors.



Item 14.3

Attachment 1

In this document, 'regional NSW' refers to all of the state except the metropolitan areas of Greater Sydney, Newcastle and Wollongong.

A state of many smaller economies

Regional NSW can be divided into five types of regional economy, based on their underlying geography, population and economic features. These are:

- Metro Satellite
- Growth Centre
- Coastal
- Inland
- Remote.

Look more closely, and you will see NSW is actually made up of many smaller local economies across these five categories.¹ The NSW Government refers to these smaller economies as functional economic regions (FERs), each mapping out the regional communities that have strong economic links, mainly where people live and work.²

In total, regional NSW can be categorised into 37 FERs, as outlined in the map below. Some of these cross state boundaries into Queensland, Victoria and the Australian Capital Territory (ACT). The FERs are colour coded, to indicate the five types of regional economy.



Figure 1: The functional economic regions of regional NSW

1 Centre for Economic and Regional Development (2017), *Regional Economic Growth Enablers Report*
 2 Also by community input and economic measures

FER	Included local government areas
Abercrombie	Bathurst Regional, Oberon
Albury-Wodonga	Albury, Federation, Greater Hume Shire
Capital	Queanbeyan-Palerang Regional
Castlereagh	Gilgandra, Warrumbungle Shire
Central Coast and Lake Macquarie	Central Coast, Lake Macquarie
Central Orana	Narromine, Dubbo Regional
Clarence Valley	Clarence Valley
Coffs Coast	Bellingen, Coffs Harbour
Cowra	Cowra
Eastern Riverina	Coolamon, Junee, Lockhart, Wagga Wagga
Far South Coast	Bega Valley, Eurobodalla
Far West	Broken Hill, Central Darling, Unincorporated NSW
Hastings-Macleay	Kempsey, Port Macquarie-Hastings
Hunter	Cessnock, Dungog, Maitland, Muswellbrook, Port Stephens, Singleton, Upper Hunter Shire
Kiama	Kiama
Lithgow	Lithgow
Lower North West	Gunnedah, Liverpool Plains, Tamworth Regional
Mid-Coast	Mid-Coast
Mid-Lachlan	Forbes, Lachlan, Parkes
Mid-Western	Mid-Western Regional
Murray	Berrigan, Edward River, Murray River
Nambucca	Nambucca
Northern New England High Country	Glen Innes Severn, Tenterfield
Northern Rivers	Ballina, Byron, Kyogle, Lismore, Richmond Valley
Orange, Blayney and Cabonne	Blayney, Cabonne, Orange
Shoalhaven	Shoalhaven
Snowy Monaro	Snowy Monaro Regional
Snowy Valleys	Snowy Valleys
South Western Slopes	Bland, Gundagai, Hilltops, Temora, Weddin
Southern New England High Country	Armidale Regional, Uralla, Walcha
Southern Tablelands	Goulburn-Mulwaree, Upper Lachlan, Yass Valley
Tweed	Tweed
Upper North West	Gwydir, Inverell, Moree Plains, Narrabri
Western Murray	Balranald, Hay, Wentworth
Western Plains	Bogan, Bourke, Brewarrina, Cobar, Coonamble, Walgett, Warren
Western Riverina	Carrathool, Griffith, Leeton, Murrumbidgee, Narrandera
Wingecarribee	Wingecarribee






Illabo

Metro Satellites

Metro Satellites are relatively high-density communities on the outskirts of major centres of economic activity such as Sydney, Canberra, Newcastle, Wollongong and the Gold Coast. Metro Satellite FERs include towns such as Gosford, Queanbeyan, Maitland, Kiama, Lithgow and Tweed Heads. Metro Satellites are home to 53 per cent of regional NSW's population and produce the highest economic output of the five broad categories.

Their higher populations reflect strong economic growth, which is based on traded clusters³, concentrations of industries such as mining, tourism, food manufacturing and residential care, and bolstered by their proximity to growing major cities.

 FERs	 Population	 Jobs
<ul style="list-style-type: none"> • Capital and Lake Macquarie • Hunter • Kiama • Lithgow • Tweed • Wingecarribee 	<ul style="list-style-type: none"> • 53.0% of the population of regional NSW • Experiencing above-average population growth (1.7% p.a. compound annual growth rate (CAGR)[*], 2006-2016) 	<ul style="list-style-type: none"> • Gross value added (GVA)** of \$105bn, with a growth rate of 2.1% annually in the past five years (CAGR, 2011-2016) • Health and mining are key traded clusters, with 26,100 employees and 23,100 employees respectively • Unemployment rate of 6.4% (2016), having grown by 2.0% annually in the past five years (CAGR, 2011-2016)^{***}




^{*} Compound annual growth rate is the average growth rate each year over the long term

^{**} Gross value added is the value of goods and services collectively produced in these FERs

^{***} Jobs numbers from PwC's Geospatial Economic Model based on ABS 2016 Census data




Growth Centres

These areas are hubs of growth in regional NSW.⁴ Populations are rapidly increasing as people migrate to regional cities such as Bathurst, Orange, Tamworth, Dubbo, Lismore, Wagga Wagga and Coffs Harbour, attracted by their lifestyles and employment industries. The hubs in Growth Centres typically provide sophisticated health, education and cultural services to surrounding Inland areas.

 FERs	 Population	 Jobs
<ul style="list-style-type: none"> • Abercrombie • Albury-Wodonga • Orange, Blayney and Cabonne • Central Orana • Coffs Coast • Eastern Riverina • Hastings-Macleay • Lower North West • Mid-Western • Northern Rivers • Shoalhaven • Southern Tablelands 	<ul style="list-style-type: none"> • Growth Centres contain key regional centres and a further 25.9% of the population of regional NSW • They are experiencing population growth of 1.0% p.a. on average (CAGR, 2006-2016) 	<ul style="list-style-type: none"> • \$44bn in GVA in 2016, driven by 1.3% growth over the five years prior (CAGR, 2011-2016) • Agribusiness is the largest traded cluster in the Growth Centres, with 26,500 employees • The unemployment rate of the Growth Centres has increased slightly over the years, to 6.6% in 2016, with a growth rate of 0.5% annually (CAGR, 2011-2016)




Coastal

Coastal areas contain a smaller proportion of the overall population of regional NSW (7 per cent) but are growing. This growth is mainly driven by those aged 65 and over. Coastal areas have remained relatively stable in terms of employment, with pockets of employment clusters (such as health services, agribusiness and tourism) growing moderately.

 FERs	 Population	 Jobs
<ul style="list-style-type: none"> • Clarence Valley • Far South Coast • Mid-Coast • Nambucca 	<ul style="list-style-type: none"> • Key coastal areas contain 7.1% of the population of regional NSW • They are experiencing average population growth (0.7%, CAGR, 2006-2016), mainly driven by those aged 65+ 	<ul style="list-style-type: none"> • The coastal areas generate a total GVA of \$7.6bn. In the past five years, the areas grew by 1.0% (CAGR, 2011-2016) • Key industries include health (3,400 employees) and agribusiness (2,600 employees) • A high unemployment rate of 8.5% in 2016, with minor decreases in unemployment over the past five years (-0.02% annually, CAGR, 2011-2016)

Inland

Inland areas radiate further from the metropolitan areas, lying beyond the Coastal and Metro Satellite areas between and around Growth Centres, and are more rural in character. They have relatively small, stable populations.

 FERs	 Population	 Jobs
<ul style="list-style-type: none"> • Cowra • Western Murray • Mid-Lachlan • Murray • Northern New England • High Country • Snowy Monaro • Snowy Valleys • South Western Slopes • Southern New England • High Country • Upper North West • Western Riverina 	<ul style="list-style-type: none"> • The Inland regions contain 13.4% of the population of regional NSW • They are experiencing stable population growth (0.3%, CAGR, 2006-2016) 	<ul style="list-style-type: none"> • Economic decline of 1.2% annually (GVA, CAGR, 2011-2016). In 2016, the total GVA of the area was \$21.5bn • Agribusiness is the largest industry in Inland regions, with 27,700 employees • There was an unemployment rate of change of 1.8% in the last five years (CAGR, 2011-2016). Overall, the unemployment rate was 6.0% in 2016

3 Groups of related industries that serve markets beyond the region in which they are located, i.e. sell to other regions and nations
 4 Note: Many of these are considered regional centres or regional cities in Transport for NSW's *Future Transport Strategy 2056*, and NSW Department of Planning and Environment's 2016 regional plans.



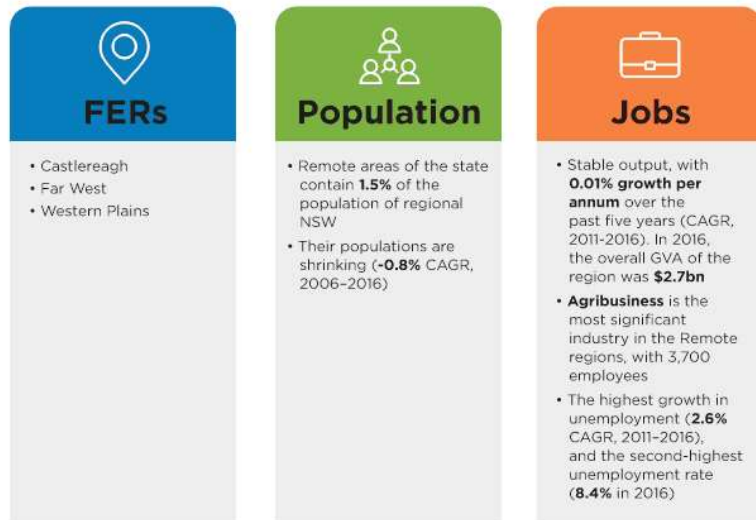
Coffs Harbour



Broken Hill

Remote

Remote areas continue to support a significant proportion of agricultural and mining activity in NSW, but are experiencing population decline.



The 'engine' industries driving our regions

Around the world, economies are narrowing and deepening, including in regional NSW. This means that a smaller number of key sectors are employing a larger share of the workforce.⁵

Key regional industries that are surviving or thriving are linked to economic endowments, or an area's inherent or created strengths. For example, areas rich in minerals can sustain strong performance in mining, whereas an area not located between producers and their markets or distributors will likely yield low or unsustainable growth in transport logistics. These sectors and others that service markets beyond their local region are considered 'traded clusters'.

Regions may also have economic endowments in service sectors such as health or residential care. For example, health services are available throughout NSW. However, a region with a health endowment may have a health-service specialisation that will draw people to relocate there - either as employees or patients.

Engine industries are those that employ a higher proportion of people in that region compared to other regions. They usually reflect the area's competitive advantages. In any region, most of the workforce is employed in population-serving industries. However, engine industries are often a key reason why a town or region exists.

Figure 2 shows an illustration of regional NSW's 'engine industries'.

⁵ Centre for Economic and Regional Development (2017), *Regional Economic Growth Enablers Report*



Figure 2: Regional NSW 'engine industries'

Source: NSW Centre for Economic and Regional Development (2017), *Regional Economic Growth Enablers Report*; Australian Department of Employment (2017), *Employment Outlook to May 2022*.

Agribusiness and forestry

NSW is a significant producer of agricultural commodities, using 75 per cent of NSW land and employing more than 60,000 people (6.7 per cent of all jobs in regional NSW). Key products include beef, poultry, wheat, rice, milk, cotton, wool and forestry products, as well as value-added food and beverages.

Resources and mining

For more than a century, regional NSW has been a significant source of resources. Our reserves of coal, gold, copper, zinc, lead, silver, nickel and cobalt are in high demand, while lithium and rare earth deposits may serve future industries. Regions with large-scale mining have had the highest jobs growth since 2005⁶, with more than 23,000 jobs in mining in NSW today.

Tourism

Regional NSW's hospitality and diverse natural beauty – including outback, country, alpine, coastal, island and subtropical landscapes – draw more visitors from Australia and overseas every year. Each year from 2012 to 2017, overnight visitor numbers to regional NSW grew by 5 per cent. Altogether, overnight visitors to regional NSW spent more than \$12.4 billion in the year to December 2017.⁷ More than 81,000 regional jobs – 9 per cent – support tourism.

Tertiary education

The \$1.9 billion education sector in regional NSW serves a growing domestic and international market for high-quality education. Leading research centres in agricultural technology have emerged in Orange,

Armidale and Wagga Wagga, while renewable energy research centres have developed in the South East and Tablelands region. More than 82,000 regional jobs – 9 per cent – are in tertiary education and skills.

Health and residential care

Increasing life expectancy and population growth are driving demand for health and aged care facilities in regional NSW, particularly along the mid and north coast. There are almost 139,000 jobs – or 14.9 per cent of regional jobs – in this sector. Regional providers have a key cost advantage. In 2016, they had the lowest expenses per day on average.⁸

Freight and logistics

Freight, logistics and distribution services are the backbone of regional NSW, providing more than 32,000 regional jobs in towns like Albury-Wodonga, Dubbo, Moree, Tamworth and Wagga Wagga.⁹ These towns – given they are near major roads and/or freight rail lines to large freight terminals – play a crucial role in connecting businesses to markets throughout Australia and across the world.

Defence

NSW is home to the most defence bases and facilities in Australia¹⁰, with several in regional areas such as Wagga Wagga, Singleton, Bungendore and Nowra, and defence industry clusters in the Shoalhaven and the Hunter. Defence industry capabilities in NSW include systems integration, cybersecurity and advanced materials. Defence and related industries employ 40,000 people across regional NSW.

6 NSW Regional Investment Prospectus: investregional.nsw.gov.au

7 Destination NSW tourism statistics accessed at: www.destinationnsw.com.au/wp-content/uploads/2018/01/regional-nsw-snapshot-ye-sep-17.pdf

8 NSW Regional Investment Prospectus: investregional.nsw.gov.au

9 Centre for Economic and Regional Development (2017), *Regional Economic Growth Enablers Report*

10 Department of Industry, investregional.nsw.gov.au/sectors/defence-and-aerospace

People moving to regional NSW

People are moving to regional NSW every year, with it attracting 12,000 more residents overall in the 2015-16 financial year. Close to 90,000 people moved into regional NSW, with many of these new residents coming from Greater Sydney. This continues a long-term trend of migration out of Sydney towards growing regional centres in NSW. Large proportions of new residents are also moving from Queensland and Victoria. While some people are also moving away from the regions, net migration to regional NSW is still positive.

Although overseas migration typically contributes less to growth in regional NSW than in Sydney, some international migrants and refugees are settling in regional areas.

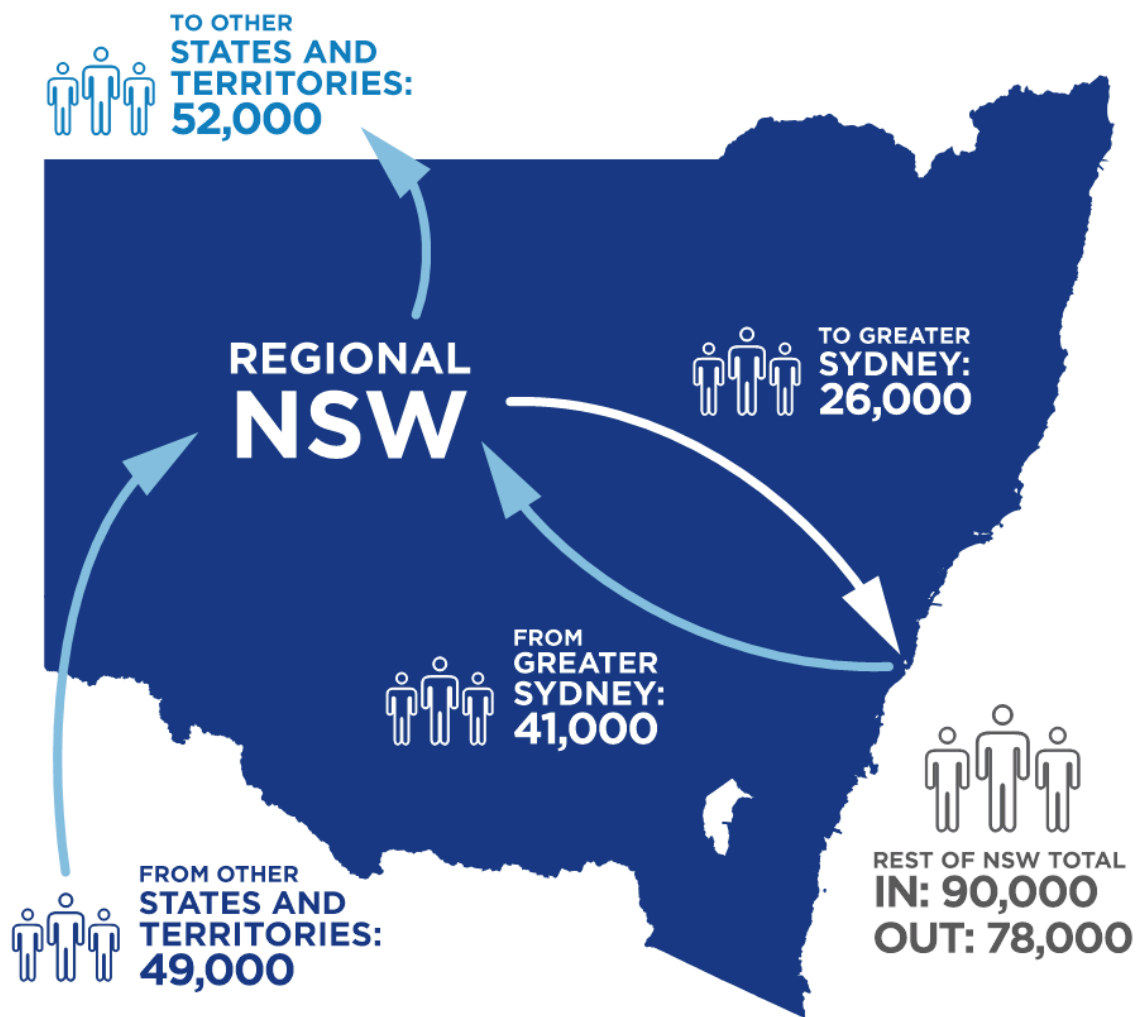


Figure 3: Regional internal migration estimates by region of arrival and departure, 2015-16¹¹

¹¹ ABS regional internal migration estimates by region of arrival and departure (SA4 and above) 2015-16: <http://stat.data.abs.gov.au>. Note, the referenced data includes Wollongong and Newcastle in regional NSW, while this vision document excludes them

02

Global forces shaping our regional economies



Santos gas fields near Narrabri

Since 2000, the global environment in which NSW competes has radically changed. With the pace of change likely to increase in coming years, we need to consider the implications of trends.

'Megatrends' represent major shifts in environmental, social and economic conditions that change the way people live. While megatrends are often big-picture changes occurring overseas, they influence us too. For example, ageing populations will affect our population's lifestyles, the services they demand, and the structure of the labour force.

There are four key megatrends affecting regional NSW.

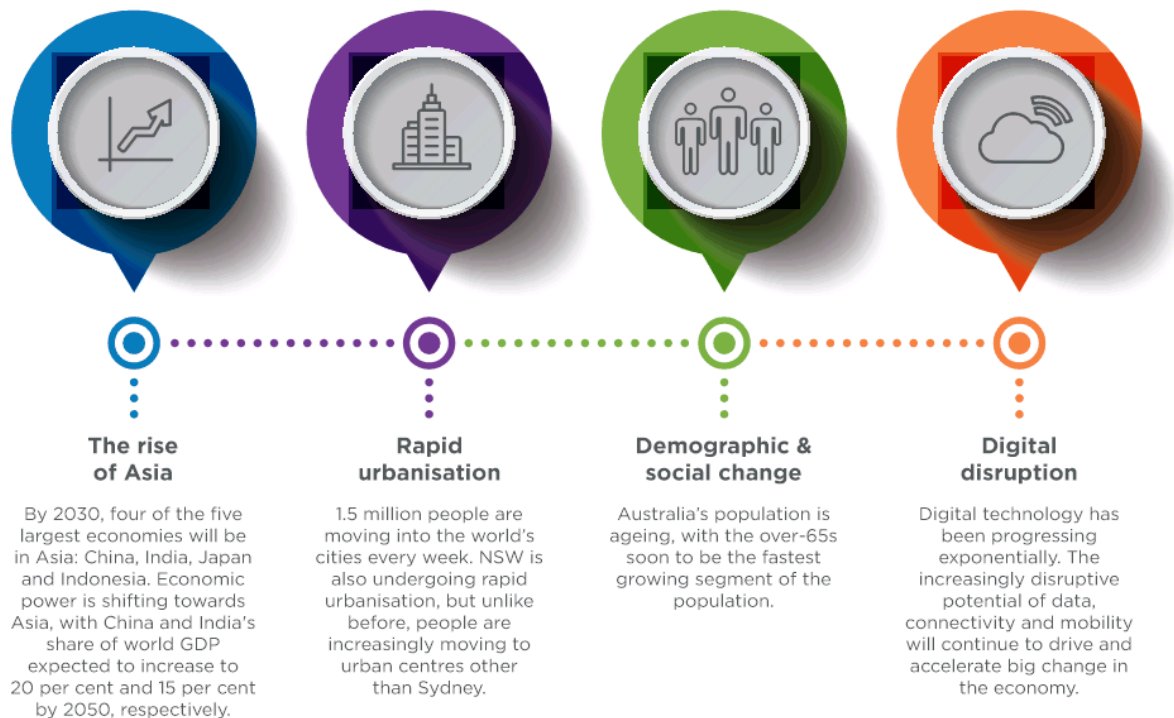


Figure 4: Megatrends affecting regional NSW

Source: PwC analysis of open-source data, including megatrends considered by Transport for NSW, NSW Department of Planning and Environment, and CSIRO in their paper *Our Future World*

Megatrend 1: The rise of Asia

A considerable economic shift is taking place, transitioning away from the traditional 'West' and towards Asia. By 2030, four of the five largest economies will be in Asia, with China already the largest economy in the world. Australia is strategically positioned to service these growing economies and their burgeoning middle class.

As incomes in Asia rise, the spending power of younger generations is rapidly increasing, creating a growing market for premium products and quality goods and services. NSW cannot feed all of Asia, but is well-positioned to be its delicatessen, producing and marketing value-added food products. The evolution of the social and consumption patterns of the new middle class will shape the export profile of regional NSW. This is also increasing spending on tourism and higher education, both of which could be significant for regional NSW, particularly with the deregulation of Chinese tourism and consequent growth in the number of independent travellers. Additionally, the advent of longer-distance non-stop international flights will open up more timely market access for regional businesses.

Megatrend 2: Rapid urbanisation

For the first time in 2015, more than half the world's population lived in cities. Urban centres are drivers of productivity and growth (due to 'agglomeration'), generating 85 per cent of global GDP. Mirroring global trends, regional NSW is also experiencing a movement away from its rural areas towards regional cities and towns. This is not to suggest everyone is moving to Sydney, as people choose where to live based on a wide variety of career, family, affordability and lifestyle considerations. Regional NSW offers a diversity of choice in terms of lifestyles, and the increasing importance of regional centres is reflected in the hub-and-spoke model underpinning the *NSW Future Transport Strategy 2056*.

The geographic constraints of Greater Sydney have seen nearby areas of NSW grow. Described in more detail in Section 1, these 'Metro Satellites' are a key destination for people moving out of the dense environment of Sydney. These regional areas have the potential to unlock and capitalise on urban productivity and innovation, but this must be balanced by providing infrastructure and developing cities that are smart and sustainable.

Megatrend 3: Demographic and social change

Developed countries are all experiencing ageing populations, and Australia is no different. This is driven by two factors: Australian families are, on average, having fewer children; and people are living longer. The result is that the fastest growing segment of the population will be the over-65s.

This has implications for regional NSW, as the younger generations move to cities and regional centres looking for education and employment opportunities. However, regional NSW has the potential and opportunity to provide the workforce to serve the older population. The rise in demand for aged care and health services and the changing economic and social patterns provide new opportunities for careers in health care and social assistance, with over 34,000 additional jobs forecast by 2022 in regional NSW.¹²

¹² Australian Department of Jobs and Small Business, 2017 Industry Employment Projections, <http://lmip.gov.au/default.aspx?LMIP/GainInsights/EmploymentProjections>. Note, this report includes Wollongong and Newcastle in regional NSW, though this vision excludes them



Shanghai, China



Megatrend 4: Digital disruption

Digital technology is driving big changes in the global economy. Increasingly, we are seeing the power and potential of data connectivity and mobility, enabled by technological progress. Australia is on a digital evolution to leverage the potential of technology in accelerating economic change, productivity and growth.

Advances in digital technologies and connectivity have also facilitated an ideal environment for entrepreneurship. Ranked fifth in the world for our favourable entrepreneurship environment¹³, Australia is a great place for entrepreneurs, start-ups and innovators. NSW has the greatest opportunity of all states and territories to increase small business income over the next decade, with the potential to unlock up to \$16 billion of additional economic output if those businesses can fully leverage mobile and internet technologies.¹⁴

For regional NSW, state-wide digital connectivity and disruptive technology have the potential to transform the future of farming, education, healthcare, local business and standards of living. This potential is described in more detail in the *NSW State Infrastructure Strategy*.

Whether they choose to work for established businesses or start their own, people will have choices about where to live and how this affects their work, as the need to live close to an office in a metropolitan city reduces. This may manifest in different ways, from people balancing part-week commuting with part-week working from home, to 'digital nomads' working from anywhere with an internet connection.

Regional NSW is well positioned to take advantage of the opportunities presented by these megatrends. It has the quality goods and services demanded by the Asian middle class, and an advanced agriculture and manufacturing base supported by some of the best research and development organisations in the world. Moreover, it has a favourable climate for agriculture with access to global markets; the beaches, parks and bush coveted by tourists and retirees; and the know-how to take advantage of new technologies in freight and logistics, and agricultural technology.

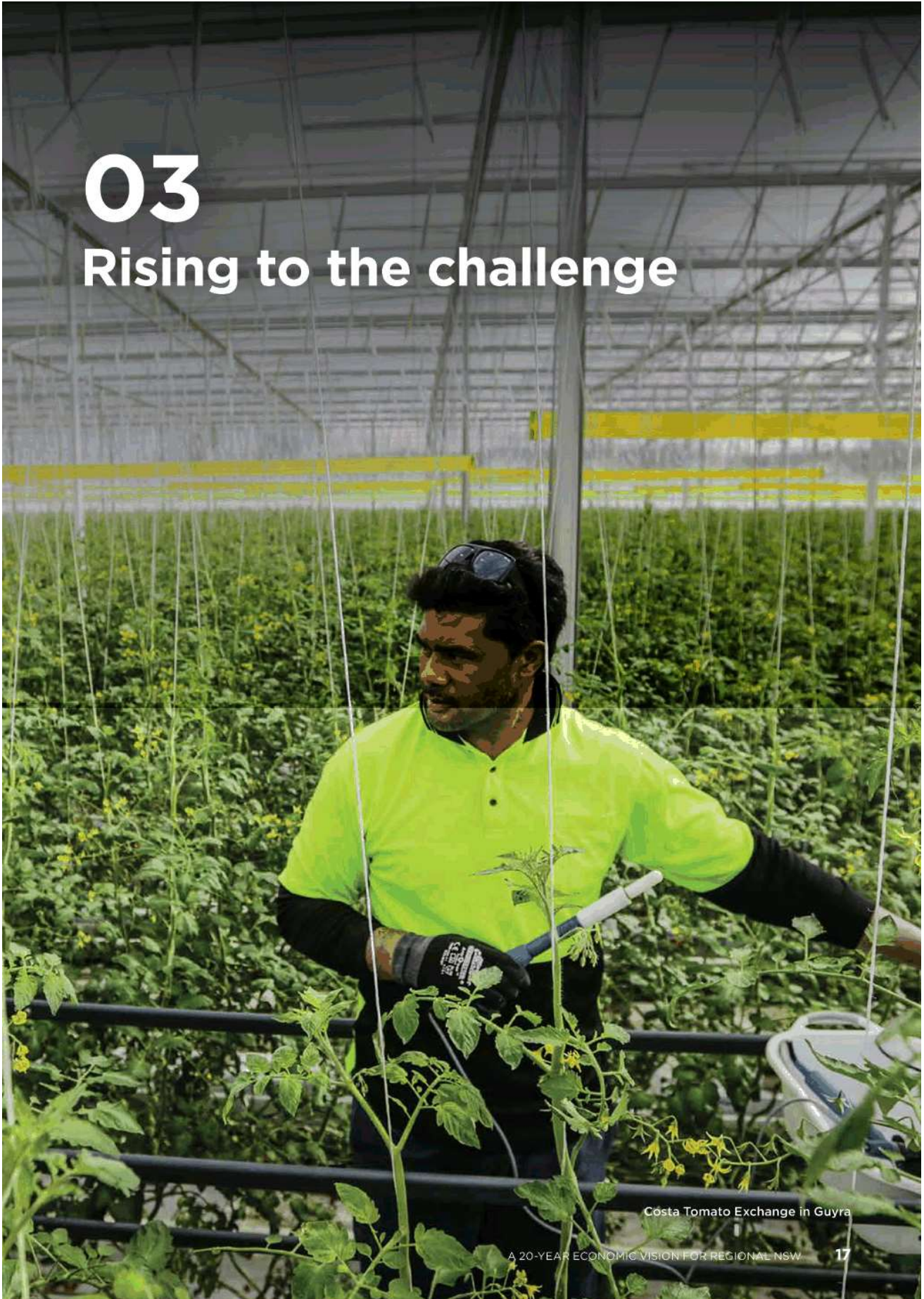
Capitalising on these megatrends will not be possible from a standing start. NSW needs to plan for the long term and give people and businesses the tools and environment they need to seize those opportunities when they arise.

¹³ Global Entrepreneurship and Development Institute, 2018 Global Entrepreneurship Index, <http://thegeedi.org/global-entrepreneurship-and-development-index/>

¹⁴ PwC (2015), Small Business: Digital Growth, www.digitalinnovation.pwc.com.au/small-business-digital-growth/index.html

03

Rising to the challenge



Costa Tomato Exchange in Guyra

What it will take

NSW is an economic powerhouse for Australia and an internationally competitive economy in its own right. For regional areas to further flourish, they depend upon these key points:

- Strong trade agreements and relationships – International trade and investment makes up a large proportion of the NSW economy. Relationships and trade agreements are central to driving regional growth in the long term, particularly trade with other Asia-Pacific nations.
- Migration and foreign investment – These will become more important as more skilled workers are demanded by regional businesses, accompanied by a shift in family-owned businesses such as farms being bought by international companies. An emphasis on younger migrants can also serve to balance ageing populations. With the right local support, migrants settling in regional NSW can play a role both in helping to fill immediate workforce shortages and to create new jobs.
- A strong and thriving Sydney – The success of regional NSW is tied to the continued success of Sydney, Australia's largest city and most important global gateway.
- Governments working together – With Commonwealth and local governments working alongside the NSW Government, we can create a growth-friendly environment, from facilitating favourable terms of trade, to providing water connections and streamlined planning approvals.
- Governments and industry working together – Rising to the challenge will overwhelmingly benefit the private sector. We can create a business-friendly environment by ensuring regulatory settings protect the community while not hindering enterprise, and leveraging private-sector investment where benefits are largely private.
- Governments and communities working together – Engaging communities in government decision-making helps local economic development initiatives better address the needs of different community members, and forges a joint commitment to better outcomes.
- Aboriginal economic participation – Aboriginal economic activity is a vital and growing area that will build a stronger foundation for social, economic and cultural prosperity in NSW. Supporting greater participation and opportunities for Aboriginal people will create jobs and employment, lift education and skills, and activate regional economic potential.
- A focus on growth – Targeting investment in regional centres that are forecast to grow will prioritise efforts for the greatest and most sustainable growth, and cement those regional centres as hubs for their surrounding areas, in line with the *Future Transport Strategy 2056* hub-and-spoke model.

Industries driving the economic future of regional NSW

The 'engine industries' that will drive regional NSW economies over the next 20 years include seven established sectors, and three emerging sectors that are gaining ground in their share of the regional economy.



Figure 5: Future 'engine industries' in regional NSW

Source: NSW Centre for Economic and Regional Development (2017), *Regional Economic Growth Enablers Report*; Australian Department of Employment (2017), *Employment Outlook to May 2022*

1. Agribusiness and forestry

Regional NSW will continue to be a significant producer of agricultural commodities. The shape of employment will change as primary producers move to value-added products and capitalise on the premium branding status of NSW produce. In addition to value-added food and beverages, key products will include meats, vegetables, grains, milk, cotton, wool and forestry products. Success is underpinned by productive farmland, diverse growing conditions, efficient technology use and a reputation for quality.

2. Resources and mining

Resources and mining will continue to be an economic specialisation in a small number of regions. Raw materials from this sector will continue to be in demand across a broader number of regions and in industries such as construction. Advances in automation and digitisation are expected to transform the future mining workforce, reducing total jobs in these industries and increasing the proportion of highly skilled and technical jobs.

3. Tourism and hospitality

A growing international tourist market from Asia and beyond will visit NSW looking for different travel experiences. Regional NSW's diverse and natural beauty will continue to draw domestic and overseas visitors, with opportunities growing for niche and personalised travel experiences championed by small and medium-sized businesses.

4. Tertiary education and skills

Both the domestic and international market for tertiary education will grow, boosted by increasing urbanisation and the rapid economic growth of Asia. Innovation in tertiary education, and vocational education and training will help ensure regional NSW adapts to increased automation in traditional industries while leveraging new opportunities offered by digital disruption.

5. Health and residential care

Australia's population is not only projected to grow and age, but to have an increased life expectancy. Moreover, ageing will be more pronounced in regional NSW. By 2038, the health and residential care industry will employ almost 80,000 extra people, accounting for nearly 20 per cent of regional jobs. Advances in digital and telehealth may accelerate support for older Australians to 'age in place', enabling people to stay in their own home longer if they choose.

6. Freight and logistics

Freight, logistics and distribution services are already a backbone industry of regional NSW. Better freight connectivity with and along the east coast will enable more efficient and cost-effective logistics solutions, and could drive the development of distribution centres in Metro Satellite regions.

7. Defence

Defence and supporting industries will capitalise on the Australian Government's policy of having a locally developed and built defence supply chain, supported by the newly-created Defence NSW organisation and NSW Defence and Industry Strategy. Developing defence industry precincts and networks will focus on locally relevant projects that build on a region's comparative strengths. Each \$1 billion in government operational spending on defence in NSW contributes \$1.4 billion in Gross State Product and 10,000 jobs.

8. Advanced manufacturing

With state-of-the-art facilities and cutting-edge technology across regional NSW, advanced manufacturing is driving economic growth. Leading manufacturers are attracted to regional areas by skilled workforces, low-cost environments, and access to markets and leading research centres. High-tech design and development, innovative research, product customisation, and client-focused support and repair services are all future drawcards.

9. Renewable energy

NSW has excellent renewable energy resources by international standards. Strategic infrastructure projects such as regional energy zones would capitalise on the state's significant energy resources, and signal to the market new high-potential areas for renewable energy project development, to support a more secure, affordable and clean energy system for people and businesses in regional NSW.

10. Technology-enabled primary industries

Agricultural technology - or 'agtech' - businesses have developed partnerships with research institutions to lead technology advances in regional NSW. Developing local innovations in agricultural practices including planting, fertilising, feeding, monitoring, pest control, harvesting and monitoring livestock movements could significantly grow this sector. Agtech could become an economic engine industry in its own right.

The role of government

Market forces and megatrends will continue to generate economic opportunities and challenges during the next two decades.

Government has the potential to help industries, businesses and communities to better harness those opportunities as they arise.

This means working more closely with regional economies and stakeholders, and better coordinating across government agencies. Fundamentally, each region of NSW is unique and decision-making should be tailored, rather than 'one size fits all'.

The NSW Government should identify and remove market failures that serve as obstacles to competition and regional growth. In doing so, it is important to avoid unsustainable industry assistance. However, where a market failure can be addressed through better coordination, regulatory improvements or efficient public investment, the government can and should act to promote sustainable growth.

The *Regional Economic Growth Enablers Report*, released in 2017, identified key economic enablers that government can most effectively use to encourage growth. These include:

- infrastructure
- skills
- advocacy and promotion
- providing a growth-conducive business environment.

The regional growth plans, *NSW State Infrastructure Strategy* and *Future Transport Strategy 2056* provide a long-term road map of how the government will use its enablers of infrastructure and planning (which shape the business environment) to maximise long-term sustainable growth and amenity across the state.

A great example of where the government has been able to directly foster growth in regions is the health sector in Orange. This vibrant sector has grown from the foundations of basic service provision through government planning, including investment in a new base hospital. It has grown to become the largest employing industry in Orange¹⁵, encompassing not just government services but private industry, tertiary medical education and allied health; and providing services well beyond the local population.



¹⁵ Regional Development Australia, investnswcentralwest.com.au/opportunities-by-region/orange-2

Summer Street in Orange

Our government’s framework for regional economic development

Our 20-year vision is an extension of the Regional Development Framework, which launched three core objectives:

1. Amenity	Providing quality services and infrastructure in regional NSW
2. Growth	Aligning effort to support growing regional centres
3. Potential	Identifying and activating economic potential

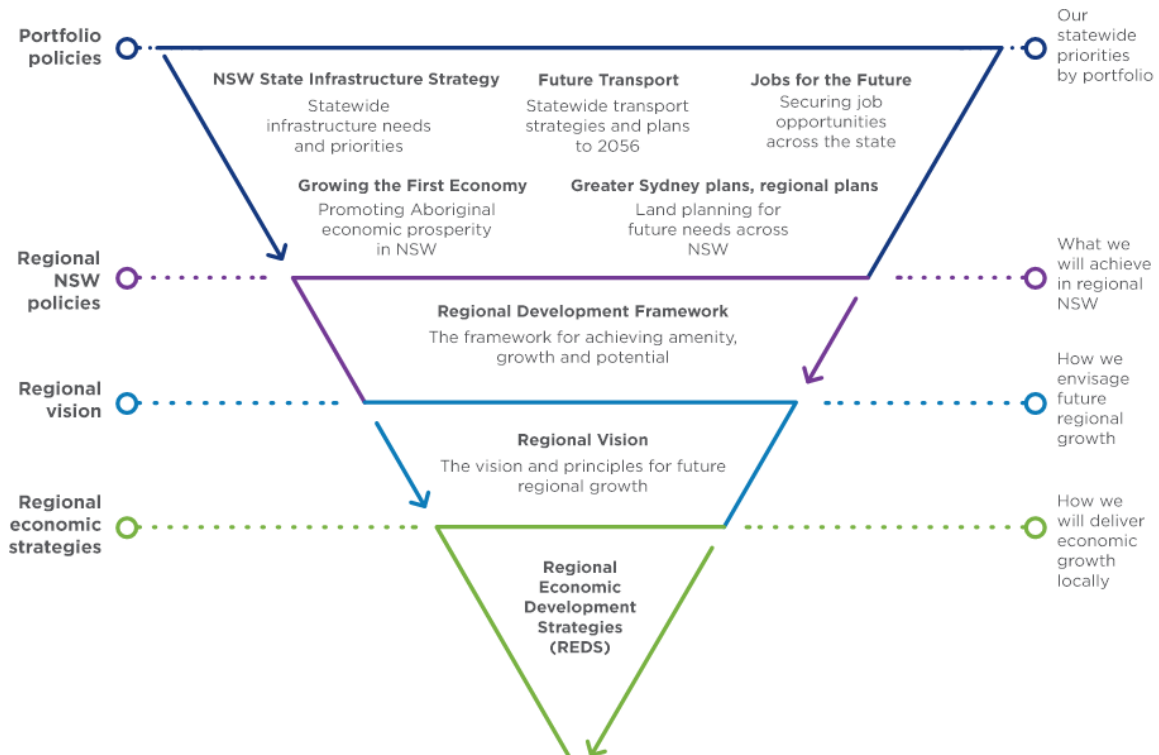


Figure 6: Related NSW Government policies and strategies

Principles for future investment

On top of the Regional Development Framework's three core objectives, we are focused on seven key principles to guide us when making decisions on regional economic development. These principles are aligned with the economic enablers.¹⁶



Item 14.3

Attachment 1

¹⁶ Note, this does not replace, supersede or negate the important role of business cases, cost-benefit analyses and other investment analyses to determine projects and funding; the principles are a higher-level guide to, for example, the types of project that should be prioritised for further examination. The most efficient funding mechanism would be considered – which may, but would not necessarily, include government spending.

04

An even brighter future



Item 14.3

Attachment 1

Little Big Dairy Co, Dubbo

A 20-YEAR ECONOMIC VISION FOR REGIONAL NSW 23

Our vision charts economic growth in key sectors, increased regional populations, and supporting infrastructure and services.

This 20-year plan focuses on economic growth that promotes wellbeing in regional communities. It maximises economies of scale in infrastructure and services, while minimising 'big city' characteristics of traffic congestion, pollution and affordability issues.¹⁷ Many regional centres have room to grow to a size that can bring benefits including greater cultural and leisure activities, knowledge economies, and more specialist goods and services, without compromising a sense of community and connectedness.

We envisage more employment opportunities in regional NSW, which in turn retains and attracts younger generations and creates sustainable, thriving regional cities and towns. We see our regions retaining their local identity, rather than becoming more like Sydney. Regional areas will offer valued alternatives to city living and connect via the hub-and-spoke model described in the *Future Transport Strategy 2056*.

Sustainable jobs growth will be supported by regions' endowments, created or natural. Innovation in regional NSW will develop high-value service and commodity sectors to leverage cutting-edge technology. For example, NSW already has nascent industries working on generating and storing energy to meet our future needs. We also see opportunities for innovation on issues such as retaining experienced employees in the workforce for longer, and better connecting young regional people to the training, job exposure and mentorship that those experienced workers can provide.

How we are looking to the future

We modelled two economic and demographic scenarios¹⁸ to see the outcomes of our 20-year vision for regional NSW. These were:

1. Business as usual (BAU), based on current trajectories of economic growth
2. A scenario based on the NSW Government applying this vision's principles to guide economic development decisions.

We looked at trends observed in recent years and forecast using well-regarded economic modelling methodologies and population projections. However, we do not suggest regional NSW's future is constrained by what happened previously, nor can we predict events of the next 20 years. However, based on what we know, there is a wealth of opportunities for regional NSW. Forethought and evidence-based decisions are needed to realise these opportunities.

For example, scenarios that could drive this growth are:

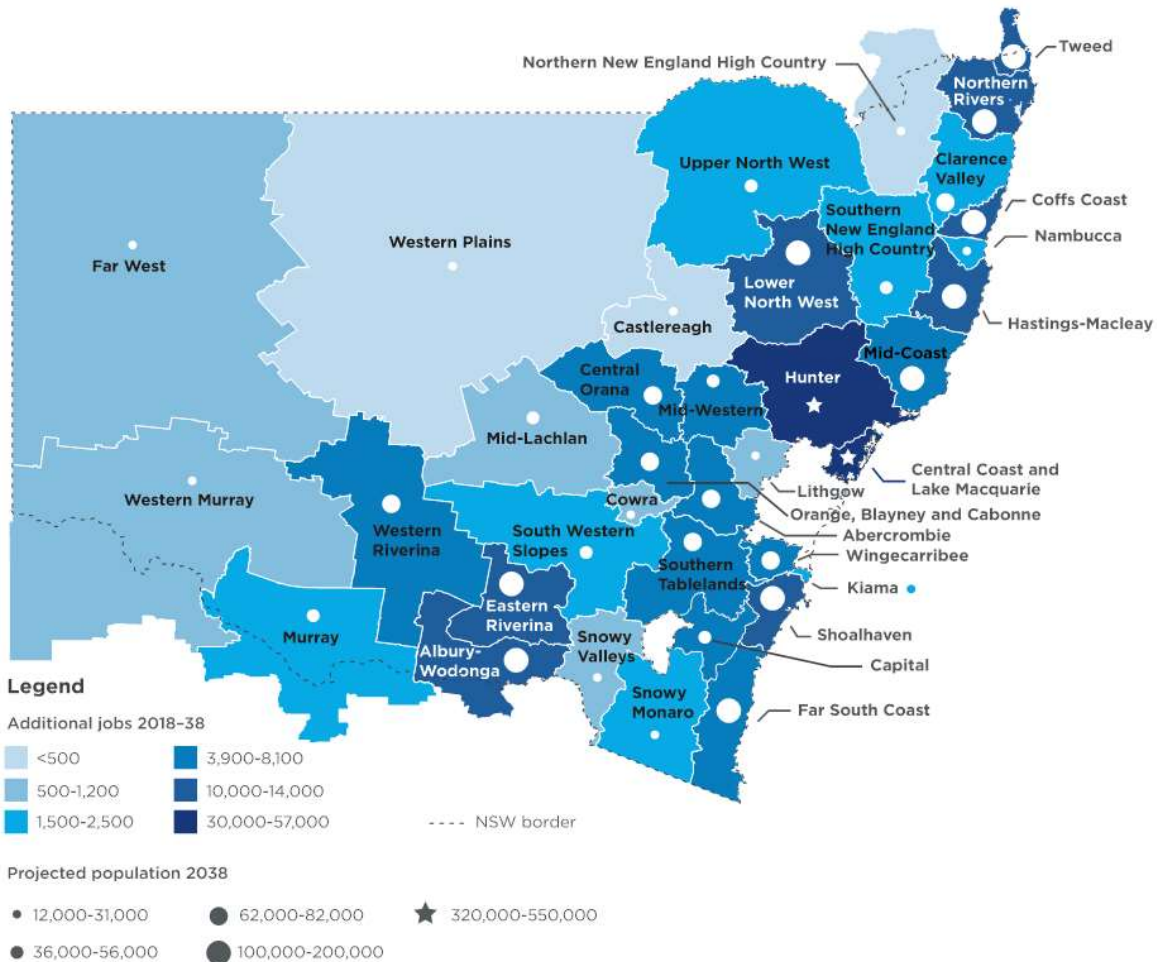
- investing in transport infrastructure to enable faster and more affordable business links to global supply chains to open new high-value export opportunities
- providing programs for faster and more reliable digital connectivity to complement the Australian Government's National Broadband Network (NBN) rollout. This could increase uptake of tech-assisted production in sectors like agriculture
- prioritising skills and support programs to target youth unemployment in key sectors
- improving regulatory settings to encourage productivity.

¹⁷ Pugalis, Lee (2017) 'Optimal Spatial Development Distribution in NSW: Key Issues Associated with New Towns and Accelerated City Development', University of Technology Sydney

¹⁸ The 'business as usual' scenario forecast jobs increases to 2038, constrained by the Department of Planning and Environment's NSW 2016 Population Projections. The 'vision' scenario shocked key sectors' growth by different percentages in line with NSW regional investment commitments, and the results were cross-checked against previous instances of investment-induced growth. The 'vision' scenario population figures are not constrained by other population projections, and are based on the vision employment projections and assuming a participation rate derived from demographic projections. The baseline year for both scenarios was 2016, to align with population data and to reflect the impact of the Regional Development Framework and Regional Growth Funds from 2016. Note that employment figures are based on place of work while population figures are based on place of residence.

The future this vision can deliver

We believe that applying these principles will result in higher population and jobs growth. Regional NSW is already forecast to grow by 620,000 people by 2038. However, our visionary approach could boost this by more than 185,000 extra people, so that the regional NSW population grows by close to a million people.



Biggest growth

The Capital region is expected to be the fastest growing, adding more than 65 per cent more people, followed by Hunter, which will grow by close to 50 per cent. Across NSW, projected population growth is on average more than 29 per cent greater than BAU.

Areas forecast to add the most people are Central Coast and Lake Macquarie, and the Hunter, which are estimated to reach approximately 725,000 people and 405,000 people respectively.

Significant growth

The regions which include Albury, Maitland, Coffs Harbour, Wagga Wagga, Port Macquarie, Tamworth, Byron-Ballina-Kyogle, Shoalhaven and Tweed could reach populations of more than 100,000 people. The Mid-Coast area could exceed 90,000 people.

Regional NSW could add over 260,000 jobs between now and 2038. In total, that means almost 1.1 million jobs in the regions by 2038.



Jindabyne

Metro Satellites

In the next two decades, Metro Satellites will transform from satellite areas of bigger cities, to become major hubs in their own right, attracting large numbers of families seeking new lifestyle and employment opportunities. Transport links are essential to existing and future Metro Satellites and nearby Growth Centres, to enable the flow of commuters, goods and services.

Most of these increases will be in Central Coast and Lake Macquarie, where populations will reach nearly 725,000, and Hunter, where numbers will reach nearly 406,000. The Capital region and Kiama will also see particularly strong population growth. In the coming 20 years, we forecast the population of Metro Satellites could grow by more than 426,000.

In 20 years there will be more than 110,000 new jobs in Metro Satellites, an increase of 34 per cent from today. There will more jobs in the construction, retail, accommodation and food service industries. As these areas become major hubs, their self-sufficiency will increase and employment sources will shift towards local industries that provide goods and services beyond the immediate region. Metro Satellites' key employing industry will be healthcare and social assistance, which will have almost 25,000 more jobs between now and 2038. This will be particularly apparent in areas such as Tweed, the Hunter and the Central Coast, where growing populations of retirees will generate demand for health and lifestyle services.

Employment sectors in Metro Satellites are diverse, spanning health (particularly in the Central Coast and Lake Macquarie), mining (in the Hunter region), defence (near Singleton), and tourism (linked to the Gold Coast and Hunter Valley). While mining is a particularly large job cluster, future employment is hard to predict due to increasing automation and variable commodity prices. Mining in these areas will face significant competition from other states, and will need to improve productivity to remain competitive. Implementing our vision could see nearly 89,000 more people and 25,000 more jobs across all industries in Metro Satellites compared to BAU.

Growth Centres

Spread along the coast and across inland regional areas, Growth Centres have the potential to welcome more than 300,000 new residents in the next 20 years, and add almost 117,000 jobs. That is almost 90,000 extra people and 35,000 extra jobs compared to BAU. Supporting this anticipated growth will require long-term planning and additional investment to ensure there is adequate infrastructure, housing and services.

Over a third of the regions' population growth and almost half of its jobs growth will be in Growth Centres. While all will grow, the largest growth rates will be in and around Wagga Wagga, Albury, Nowra-Bomaderry, Port Macquarie-Hastings, Tamworth and the Northern Rivers (including Lismore and Ballina). These places will particularly benefit from growth in population-serving sectors that will drive rises in living standards and contribute to more vibrant communities.

Almost 26,000 new jobs are expected to arise in health care and social assistance, with a further 20,000 in construction, 10,000 in accommodation and food services, and 10,000 in education and training. Other large employment sectors are expected to be retail (adding almost 5,000 jobs) and agriculture, forestry and commercial fishing (9,000 jobs).

Tertiary education will provide a range of jobs in Bathurst and Wagga Wagga; the defence sector will provide more roles in Shoalhaven and Wagga Wagga; while Orange is a centre of medical and health excellence. Agribusiness is also a key employer across regional NSW, and is well-positioned for opportunities presented by increasing international 'food bowl' demands. These areas will need to continue to attract a younger workforce to ensure they have the right skills to support growth.

Coastal

In 2038, we see the opportunity for Coastal regions to grow by more than 35,000 people, primarily in the Mid Coast and Far South Coast - in towns like Taree, Forster-Tuncurry, Myall Lakes, Hawks Nest, Batemans Bay, Moruya, Narooma, Bega and Eden. Together with Nambucca - and the towns of Macksville and Nambucca Heads - and the Clarence Valley towns of Grafton and Yamba, these regions have the opportunity to add more than 14,000 jobs to the NSW economy between now and 2038, with the retail, and health and social care industries being key local employers (adding almost 4,000 and 3,000 new jobs respectively). Other sectors leading jobs growth include administrative and support services (1,400 new jobs) and accommodation and food services (1,300).

The natural beauty of coastal areas should see further growth in tourism and continued migration from across NSW. A challenge will be to see how further expansion of a residential care market can drive ongoing employment opportunities while boosting related sectors such as construction and maintenance.



Darling River

Item 14.3

Attachment 1



Inland

We expect more than 19,000 new jobs in Inland regions over the next two decades, with most of these in agriculture, forestry and commercial fishing (4,100), construction (2,500), healthcare and social assistance (2,400) and administrative and support services (2,400). Mining, which is a smaller employer in these regions, could add an extra 39 per cent to current job figures. Population growth in the Inland areas will be led by the Southern New England High Country area (which includes Armidale and Walcha), followed by Murray (containing Deniliquin and Moama), Western Riverina (Griffith, Leeton and Narrandera), Upper North West (containing Moree, Inverell and Narrabri), and South Western Slopes (Young).

Inland areas have specialisation in a number of traded clusters – including agribusiness – and are well positioned to take advantage of future export opportunities as well as growing demand in NSW. However overall economic output has declined in recent years, suggesting further specialisation and productivity improvements are required to build on existing strengths.

Underpinning this is the need for better transport connections, as Inland areas still suffer from relative remoteness and perceptions of distance. Improving connectivity to other regional centres and capital cities will help to boost business activity, deepen labour force pools and improve the overall pull of Inland regions as a destination for people and business. Population growth of almost 47,000 people is expected (almost 3,500 greater than BAU).

Remote

Remote areas continue to support a significant proportion of agricultural and mining activity in NSW, and are vital to maintaining supplies of beef, wool, raw commodities and minerals. Key challenges for remote areas are ongoing growth in these industries and the resilience of local businesses, against the backdrop of ongoing population decline. Regional centres such as Broken Hill will continue to play an important role servicing local communities.

Government will play an important role in ensuring those in remote areas are supported with services and infrastructure appropriate to their populations, supporting potential opportunities and offering pathways for transition into other industries and locations. The government is also committed to funding local innovation, and investing in emerging industries with growth potential.

Life in 2038

Our goal is for people living in our regions in 2038 to enjoy higher standards of living, greater cultural and community engagement, and healthier and happier lifestyles than today. This will be through better incomes, job opportunities, services, infrastructure, access to housing, and support from youth through to old age.

People will have access to high-quality education. New technologies will provide engaging learning experiences. People will build skills through both face-to-face and virtual training, completing simulated and real projects with classmates and teachers from across the state. Education and training pathways will see young and lifelong learners achieve qualifications from well-respected institutions, applying their skills as they learn and gain workplace experience.

People in regions will use fast, reliable internet. They will travel easily to regional centres for work, services or amenities. There will be better access to a regional lifestyle's benefits, yet greater connectivity to larger cities and what they offer. People will upskill more regularly through accessible future-oriented training as skill demands shift. There will be a wider choice of where to live, knowing that quality aged care services are widely available.

We see businesses in our regions in 2038 specialising in key sectors based on each region's competitive advantages. They will employ a local and remotely skilled workforce in a business-friendly regulatory environment. Large amounts of data will be easily accessible to provide insights and real-time updates on multiple business facets. A growing customer base will easily find, order and enjoy boutique regional products. Our regions' businesses will access efficient freight options and online opportunities to connect to ever-expanding markets through global gateways.

05

Priorities now for the NSW Government

Item 14.3

Attachment 1

Lake Macquarie

A 20-YEAR ECONOMIC VISION FOR REGIONAL NSW

29

To achieve this vision, the NSW Government will prioritise its focus in regional NSW by applying its principles for future investment and using the 'enablers' we know have the greatest likelihood of success.

These priorities will complement the initiatives already committed and recommended under other government strategies and long-term plans, such as the *Future Transport Strategy 2056*, *NSW State Infrastructure Strategy* and regional plans, which are already aligned with this vision. The government will also remain open to future opportunities not yet known or considered in this document, but which align with the pursuit of growth outlined in this vision.

The government expects that the initiatives below will benefit engine industries across the board.

Broken Hill

INFRASTRUCTURE

The government will:

 1. Leverage existing infrastructure and other technologies in Growth Centres for a digitally connected future.		
Within 5 years we will investigate: <ul style="list-style-type: none"> improving digital connectivity across regional NSW beyond the NBN technology-enabled regional public transport such as on-demand transport innovative delivery methods for essential services in areas such as health, education and justice, to improve access and quality. 	Over 5 to 10 years we will investigate: <ul style="list-style-type: none"> options to provide uninterrupted mobile phone and internet connectivity along major state and regional roads low-bandwidth infrastructure for agricultural areas for tech-enabled production and monitoring methods. 	In the next 10 to 20 years we will investigate: <ul style="list-style-type: none"> planning for and activating smart cities technologies in Metro Satellites and Growth Centres.
 2. Make regional travel faster and easier between and within regional centres, and to metropolitan areas.		
Within 5 years we will investigate: <ul style="list-style-type: none"> more day-return services to/from and between regional centres regional public transport to assist commuters to travel to Sydney and regional centres to access work opportunities options to improve public transport services to access regional centres from surrounding areas. 	Over 5 to 10 years we will investigate: <ul style="list-style-type: none"> rail and road upgrades on lines between regional centres seamless digital ticketing within NSW and across borders. 	In the next 10 to 20 years we will investigate: <ul style="list-style-type: none"> higher-speed rail links between Sydney and regional centres that have Metro Satellite or commuter hub potential.
 3. Improve freight networks from regional NSW to global gateways, to increase exports.		
Within 5 years we will investigate: <ul style="list-style-type: none"> inland intermodals near the production of agricultural products more efficient transport between inland intermodals and global gateways. 	Over 5 to 10 years we will investigate: <ul style="list-style-type: none"> optimising or increasing container flows through ports benefits that can be realised from Inland Rail. 	In the next 10 to 20 years we will investigate: <ul style="list-style-type: none"> more efficient east-west transport connections, including between inland NSW and Newcastle, Sydney and Wollongong air freight potential in regional areas.
 4. Manage vital energy and water resources sustainably to ensure supply will meet long-term regional needs.		
Within 5 years we will investigate: <ul style="list-style-type: none"> the potential for energy zones and transmission requirements research and development investment in energy and water security and resilience, particularly for engine industries. 	Over 5 to 10 years we will investigate: <ul style="list-style-type: none"> focused energy projects relevant to engine industries climate-resilient water infrastructure options. 	In the next 10 to 20 years we will investigate: <ul style="list-style-type: none"> ongoing infrastructure to provide safe and secure water to regional communities.

SKILLS		
<div style="display: flex; align-items: center;">  <div> <p>5. Provide clear skills pathways to jobs in regions.</p> </div> </div>		
Within 5 years we will investigate:	Over 5 to 10 years we will investigate:	In the next 10 to 20 years we will investigate:
<ul style="list-style-type: none"> models for greater integration of students' learning and work experience, prioritising growth industries in regional areas training support to improve student success, including mentoring, accommodation and transport assistance targeted skills and work experience approaches for groups that are under-represented in regional economic participation, including Aboriginal people advocating the benefits and attractions of relocating to regional NSW, including campaigns and targeted initiatives for skilled workers. 	<ul style="list-style-type: none"> specialised vocational and technical high schools innovative training delivery models that leverage online learning, mobile classrooms and hybrid learning models. 	<ul style="list-style-type: none"> flexible models to acquire job-oriented skills and qualifications – which facilitate a shift from training and work as separate activities, to a more integrated simultaneous progression.
<div style="display: flex; align-items: center;">  <div> <p>6. Boost regional NSW's knowledge economy and excellence in innovation, particularly in agricultural technology, aged care, energy, aerospace, logistics, advanced manufacturing, and other areas linked to the future of regions.</p> </div> </div>		
Within 5 years we will investigate:	Over 5 to 10 years we will investigate:	In the next 10 to 20 years we will investigate:
<ul style="list-style-type: none"> industry, government and university partnerships to tackle specific regional NSW issues such as economic and social challenges, or growth sector opportunities to become national leaders in niche fields. 	<ul style="list-style-type: none"> partnerships to elevate areas of strength from nationally recognised to internationally recognised. 	<ul style="list-style-type: none"> opportunities to foster industry clusters in sectors of future strength in regional NSW.

ADVOCACY AND PROMOTION



7. Draw in more domestic and international tourists in areas with tourism potential.

Within 5 years we will investigate:	Over 5 to 10 years we will investigate:	In the next 10 to 20 years we will investigate:
<ul style="list-style-type: none"> infrastructure and transport to support tourism to wine and produce regions – particularly where those goods are exported internationally and NSW’s brand is recognised overseas. 	<ul style="list-style-type: none"> increasing the efficiency of east-west transport connectivity including across the Blue Mountains options to activate tourism potential based on regional endowments and cultural heritage opportunities for underutilised public land and infrastructure to play a bigger role in tourism – for example, as rail trails. 	<ul style="list-style-type: none"> the potential to sustain a new global gateway in what is currently regional NSW (air or sea) for both people and goods.



8. Attract more domestic and international students to regional NSW.

Within 5 years we will investigate:	Over 5 to 10 years we will investigate:	In the next 10 to 20 years we will investigate:
<ul style="list-style-type: none"> marketing and promotion to further raise the profile of regional NSW’s education, training and research strengths. 	<ul style="list-style-type: none"> dedicated campuses or precincts for international students to study in regional NSW. 	<ul style="list-style-type: none"> tertiary-accredited integrated work-study qualifications in sectors of strength in regional NSW.

BUSINESS ENVIRONMENT



9. Provide an attractive environment for businesses to establish and invest in regional NSW locations, consistent with regions' economic endowments.

Within 5 years we will investigate:	Over 5 to 10 years we will investigate:	In the next 10 to 20 years we will investigate:
<ul style="list-style-type: none"> improving the customer experience of planning processes for business investment, set-up and expansion in regional NSW initiatives to attract skilled labour to regions, and increase the participation of women and older people in the regional labour force potential growth areas (hubs) for targeted industries in specific locations options to encourage greater in-country value adding in engine industries such as agriculture and manufacturing. 	<ul style="list-style-type: none"> streamlining regulatory requirements to attract related and co-dependent businesses in engine industries supporting engine industries through international trade advocacy, maintaining favourable trade relationships, and considering regulatory and other supports building flexibility into Crown land use to better respond to economic opportunities while protecting environmental, cultural and other significance. 	<ul style="list-style-type: none"> cooperative business investment models with key trading partners.



10. Grow vibrant places to live and work to encourage business and population growth.

Within 5 years we will investigate:	Over 5 to 10 years we will investigate:	In the next 10 to 20 years we will investigate:
<ul style="list-style-type: none"> cultural infrastructure investment across regional NSW investment models to improve recreational infrastructure in growing regional centres to enhance wellbeing and lifestyles. 	<ul style="list-style-type: none"> planning arrangements in all growing regional centres that ensure appropriate housing, utilities and transport to support growth, while maintaining liveability, sense of community and local identity opportunities to activate regional town centres with growth potential, to support night-time economies. 	<ul style="list-style-type: none"> management of coastal land to optimise accessibility and balance commercial and residential uses.





Item 14.3

Attachment 1

More information

www.nsw.gov.au

Contact us

Website: dpc.nsw.gov.au/contact-us

Phone: (02) 9228 5555

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CS0420

14.4 Low Rise Medium Density Code for the Kiama Local Government AreaResponsible Director: Environmental Services

Council has received correspondence from the Department of Planning and Environment (DoPE) concerning Council's requested deferral of the commencement of the Low Rise Medium Density Code (the Code) for the Kiama Local Government Area (LGA).

An extract is as follows:

"I refer to your letter dated 21 June 2018 in which you have requested a deferral on the commencement of the Low Rise Medium Density Code for the Kiama LGA.

I can appreciate the issues you have raised over the implication of the Code and I am pleased to advise you that alternative arrangements are available to address your circumstances.

The Minister has asked the Department to prepare a recommendation to defer application of the Code to the Kiama Municipal Council area to allow you time to consider the application of the Code to your residential zones.

A deferral provides you with the opportunity to review these areas and provide a planning proposal to the Department. I note that Council is considering the introduction of new controls into Kiama's LEP for the R2 Low Density Residential and R3 Medium Density Residential Zones.

I look forward to resolving this matter with you over the coming 12 months."

The formal deferred application of the Code to the Kiama LGA was published on 5 July 2018 and excludes the application of the Code until 1 July 2019.

The DoPE has also issued a Gateway Determination in response to the Council's resolution to prepare a Planning Proposal to introduce minimum lot sizes for dual occupancy, manor houses and multi-dwelling housing (terraces) in the R2 and R3 zones and to permit multi-dwelling housing (terraces) in the R2 zone. Key elements of the determination include:

1. The planning proposal is to be updated prior to consultation to:
 - a. Remove the introduction of the E4 Environmental Living zone
 - b. Provide details on the average lot size of subdivided multi-dwelling housing and dual occupancy developments approved in the R2 and R3 zoned in the last 5 years
 - c. Quantify the impacts of proposed subdivision controls against the likely benefits of permitting multi-dwelling housing (terraces) in the R2 zone
 - d. Include a savings transition clause.
2. The planning proposal must be publically exhibited for 28 days and Council is required to write to all affected landowners providing notice of the exhibition and the effect of the proposed amendments.
3. Consultation is required with the NSW Rural Fire Service.

Reports for Information

14.4 Low Rise Medium Density Code for the Kiama Local Government Area
(cont)

-
4. Despite being issued a Gateway determination to proceed with the Planning Proposal, Council will need to obtain agreement of the Secretary to comply with Directions relating to Residential Zones and Planning for Bushfire Protection.
 5. Council has not been issued with plan-making authority to make the final Local Environmental Plan (LEP).

Council will need to liaise with the DoPE in relation to some aspects of the Gateway Determination to clarify their intent and the process for satisfying the requirements.

The introduction of new controls into the Kiama LEP to enable a more appropriate application of the Code to our residential places was one the reasons for requesting deferred application of the Code. The second reason for the deferral was to provide the opportunity to liaise with the DoPE about potential amendments to the operation of the Code that would support local urban design and character controls developed in collaboration with communities.

The Director Environmental Services recently discussed this matter with the Deputy Secretary for Policy and Strategy during a regional roundtable with the DoPE senior executive. The Deputy Secretary agreed to discuss this matter further and contact has been made to make arrangements for a meeting.

14.5 Local Government Week 2018 - 30 July to 5 AugustResponsible Director: Office of the General Manager

Kiama Council celebrated 'The Power of Community' as part of Local Government Week (30 July to 5 August).

During the week, Council set up pop-up shops in Kiama, Gerringong and Jamberoo. Staff were on-hand to show our community first hand, many of the projects and programs happening in the municipality.

Residents were given the opportunity to learn about these projects and programs, as well as ask questions from the staff in attendance. However, unlike the previous year, the pop-up shops were not well attended:

- Gerringong – 37 customers
- Jamberoo – 4 customers
- Kiama Village Shopping Centre on Thursday – 33 customers
- Kiama Village Shopping Centre on Friday – 43 customers.

Council staff will meet in May 2019 to re-work the program for Local Government Week 2019 in an attempt to engage more residents.

A highlight of the week was the annual youth engagement meeting at Kiama High School held on Thursday, 2 August. The SRC were given the opportunity to present Council with their thoughts on issues that affect them and also to ask Council questions about future plans in areas such as waste, transport and youth activities to name a few.

Local Government Week culminated with the Kiama Council Community Achievement Awards on Friday 3 August at The Pavilion. Our 2018 Young Citizen of the Year, Sarah Young was the MC for the evening.

Recipients of the awards were:

- Sports Achievement Award – Riley Nicoll (Soccer and Futsal)
- Sports Achievement Commendation – Wil Da'lbara (Golf)
- Service to the Environment Award – The Hillside Native Food Forest Landcare Group

The evening also involved international rugby league players Josh and Brett Morris being formally added to Kiama's Sporting Honour Roll.

14.6 Working Space and Community Hub to open in KiamaResponsible Director: Corporate & Commercial Services

Worklife is a new co-working space and community hub scheduled to open in Kiama late August/early September 2018.

The property is at 29 Collins Street Kiama and owner and founder Kate Dezarnaulds is inviting expressions of interest from creatives, freelancers, professionals, sole traders, small businesses, remote workers and consultants.

There is a definite shift away from traditional work spaces with more people demanding flexibility than ever before. Co-working is important to both small and big businesses as it provides an entrepreneurial and collaborative environment that provides the perfect breeding ground for innovation. Co-located work spaces also provide the opportunity to improve the work/life balance with workers becoming more productive, and happier in this type of environment.

This is the second location for Worklife with their first co-working space successfully opened in Berry in 2017.

There are suites available for full time occupancy, or part time and visiting memberships also available from \$50.00 per week.

For more information contact Kate Dezarnaulds at kate@berryworklife.com.au.

14.7 Minutes: Kiama Central Precinct - meetings 22 May 2018 and 24 July 2018

Responsible Director: Office of the General Manager

The minutes of the Kiama Central Precinct meetings held on 22 May 2018 and 24 July 2018 are attached for Councillors' information.

Attachments

- 1 Kiama Central Precinct Minutes - meeting 22/05/18 [↓](#)
- 2 Kiama Central Precinct Minutes - meeting 24/07/18 [↓](#)

***Kiama Central Precinct Meeting 22 May 2018
Executive Summary***

Attendance:

John Krill, Kim Elder, Neil Reilly, Peter Stuckey, Heather Bell, Gordon Bell, Ginny Rhys, Vlado Damjanovski, Sue Eggins, Julie Wardell, Diane Westgate, L Schneider, Roz Davies, Su Montgomery-Brady, Nick Brady, Robyn Dorney, Dick Dorney, Margaret Watson, Karen Lang, Geoff, Wilson, Mark Graves, Chris Murray, Vicki Murray, RJ Phipps, Anne Greaves, Shane Gardner, Susan Alexander, Janelle Fowler Rick Scott-Murphy, Judy Losco, Ken McGrade, Mark Croxford.

1. Annual General Meeting resulted in no nominations for positions, so Peter O'Neill and Kim Elder will stay on as the executive.
2. Mayor Honey delivered his presentation on his vision of 'Kiama's Future' which included (but was not limited to) a main street makeover and improved agricultural prosperity.
3. Peter Stuckey spoke on the necessity of delivering vastly improved road safety for Shoalhaven and Bong Bong Streets, successfully putting a motion requesting council increase budget in this area.
4. Overall and continuing concern at increased development without proper controls, parking or infrastructure having the effect of spoiling amenity and diminishing the character of our town.

***Kiama Central Precinct
Meeting Minutes***

AGM

The meeting commenced at 7pm with Kim Elder in the chair. Kim then handed the chair to Clr. Neil Reilly, who acted as returning officer for the Annual General Meeting

All executive positions were declared vacant. There were no nominations to fill the positions, as such, Clr Reilly sought the approval of the meeting to continue

in the chair to deal with the meeting's business, permission was given by assent.

I. Administrative Business

Apologies:

Peter and Heather O'Neill, Ron Parkinson, Doug Faulkner, Clr. Andrew Sloan, Margaret, Libby Eggins,

Correspondence:

Email from Linda Davis, Director of Environmental Services KMC

Minutes of Last Meeting:

Approved

Matter's Arising from Minutes:

Nil

Finance:

Annual Finance Statement Approved

II. General Business

- a) CCAG Update by Karen Lang
- b) Heritage precinct. Ongoing
- c) JRPP hearing, Akuna Street
- d) Guest Speaker: Mayor Mark Honey. "My Future Vision For Kiama"
 - (i) Enhanced Main Street Façade
 - (ii) Improved Utility of Harbour
 - (iii) Improved Parking
 - (iv) Identify sites of heritage value to ensure new development would be sympathetic
 - (v) Improved Parking
 - (vi) Flourishing Rural Business

- (vii) The future visions for Kiama will be addressed in the Kiama Town Centre Plan
- (viii) The Planning Committee has commenced work on this plan and Karen Renkema-Lang is the KCP representative on the Planning Committee.
- (ix) The Mayor made a commitment that the KCP would be consulted during the development of the Town Centre Plan.

III. Open Business

- a) Road and Pedestrian Safety in the area of Shoalhaven & Bong Bong Streets: Peter Stuckey
 - (i) Motion: That Council include sufficient funding in the forthcoming budget to action all of the requirements of the Pedestrian and Movement Safety Plan in 2018. M: Peter Stuckey S: Chis Hollaway
- b) Question regarding Bombo Development and Spring Creek Development
 - (i) Councillor Reilly undertook to seek clarity on this issue in the form of a brief report from council that can be distributed to precinct members, it is hoped, within a week

IV. New business

- a) Council response to emails was said to be unsatisfactory. Clr. Reilly to investigate and report to next meeting

V. Adjournment

Clr Reilly adjourned the meeting at time 8:45.

Minutes submitted by: Neil Reilly

KIAMA CENTRAL PRECINCT MEETING
24 JULY 2018.

Meeting opened at 7pm

1. GENERAL ELECTION

Presided by Linda Davis

Elections were held and following positions filled;

President, Peter O'Neill
Nominated Kim Elder
Seconded Ron Parkinson

Vice President, Kim Elder
Nominated Susie Eggins
Seconded Sandra Puglisi

Vice President, Chris Murray
Nominated Kim Elder
Seconded Heather O'Neill

Secretary, Bruce Elder
Nominated Neil Reilly
Seconded Susie Eggins

Treasurer, Karen-Renkema Lang
Nominated Kim Elder
Seconded Fran Carter

Meeting resumed chaired by Peter O'Neill

2. ATTENDANCE

Peter O'Neill, Heather O'Neill, Kim Elder, Fran Carter, Camilla Kerr Ruston, Pamela Wilson, Ron Parkinson, Sue Eggins, Peter O'Brien, Barbara O'Brien, Anne Greaves, Malcolm Bracken, Karen Forsyth, Vicky McGee, Sandra Puglisi, Annette Levering, Laraine Conder, Peter Lyall, Bette Wilson, George Threlfo, Chris Murray, Andrew Sloan, Peter Stuckey, Janelle Fowler, Vicki Murray, Lenore Pennington, Geoff Wilson, Michelle Higgins, Neil Reilly, Andy Higgins, Mark Greaves.

3. APOLOGIES

Karen Lang, Doug Faulkner, Libby Eggins.

4. BUSINESS FROM PREVIOUS MINUTES

Moved (Heather O'Neill) that the following correction be added to minutes of 26th June.

Guest Speaker: Mayor Mark Honey. "My Future Vision for Kiama".

- The future visions for Kiama will be addressed in the Kiama Town Centre Plan
- The Planning Committee has commenced work on this plan and Karen Renkema-Lang is the KCP representative on the Planning Committee.
- The Mayor made a commitment that the KCP would be consulted during the development of the Town Centre Plan.

5. GENERAL BUSINESS

- a) The Planning Proposal from White Constructions Pty Ltd for Lot 1 DP 707300, Lot 5 DP 740252, Part Lot 101 DP 1077617 and Part Lot 102 DP 1077617, Kiama (west of the bypass and between Saddleback Road and Weir Street).

This proposal is to rezone the subject property to R2/R3 with capacity for 410 residential lots.

Council Response - the proposal is currently being reviewed and assessed before it is referred to Council for a decision about whether it or not it should proceed. Points of concern for this development is the size, as well as access and egress. The planned access streets will be Weir St, Saddleback Mountain Rd (High School access) and the underpass under the bypass (single lane only).

Q. How will these small roads handle up to 1500 cars from possibly up to 800 dwellings with the proposed zoning (low and medium density)?

A. Linda Davis remarked it was very early days as it was just sent to Council.

- b) Spring Creek DCP (for Council and Boral land) is approximately 2 months away before presentation to the Council and to the Community. Consultants are in the process of identifying areas of risk. Once the report is finalised, it will be handed over the statutory arm (Planning Division) to move forward with the preparation and public exhibition of a draft Development Control Plan. State Rail land is not currently included in the plan.
- c) Consultants are being engaged for a Town Centre Study and a Harbour Study. At this stage there is no community consultation allowed on what is in the consultant's brief. Andrew Sloan suggested there is an opportunity to participate in community workshops at a later date when all studies have been formalised, however the meeting felt this had limited value as the plans had been written by then. Chris Murray brought up his concerns that it

appears Councillors are being directed by Council Officers when Councillors should be setting the direction of Council. Discussion on the different roles of staff (operational matters) and councillors (strategic issues). Question asked – who makes the decision on what is operational and what is strategic? The meeting expressed concern that the community had not been consulted in developing the consultant's briefs, as this will limit what the consultants can review.

- d) Akuna St. Ron Parkinson brought to the attention of the group that an Akuna St modified DA could be brought before the JRPP and moved a motion asking for clarification about community consultation. Before the JRPP considers a revised DA, would it go back to public consultation? At the moment a DA stays with the land, so if a modified DA is passed, could a new owner implement the new DA without the need for further approvals?
6. Peter O'Neill gave a presentation of the new Tourism Opportunities Plan (TOP - Link to plan attached). The TOP contains a large number of plans for attracting tourists to the Kiama LGA, not just the plan to demolish the cabins. While there had been extensive industry consultation, there was concerns expressed about the apparent lack of community consultation, with the public meetings being poorly advertised and attended. Only one member was aware of or had attended a public meeting, despite Matt Brown assuring an earlier KCP meeting that residents would be consulted about future tourism plans. Genuine public consultation could have ensured a more comprehensive plan with greater public acceptance. Meeting expressed concern that no negative impacts of new tourism initiatives (e.g. noise, traffic, parking, rubbish, toilets) had been identified and felt they should have been included in the TOP. Neil Reilly pointed out that most of the TOP was nothing more than a series of suggestions which had not been passed by Council. Andy Higgins (Labor candidate for Kiama) stated that he supported the retention of the cabins and that it was not ALP policy to demolish them.
 7. Future Meetings. Meeting agreed to continue monthly meetings and to introduce a closed Facebook page to encourage communication between members.
 - a) Guest speakers. Andrew Sloan is the only other councillor who has accepted an invitation to speak at a meeting (August or September). Letter to be sent to Gino Belsito inviting him to speak at a KCP meeting regarding our concerns about the traffic and parking issues in Kiama and the lack of an overall traffic strategic plan that would include the impact of new developments. Traffic studies for new developments only look at the impact of each DA and there

doesn't appear to be any mechanism to look at the cumulative effect of these developments.

8. MOTIONS TO BE BROUGHT TO COUNCILS ATTENTION

- a) That Council undertake an overarching strategic traffic management plan, taking into account future developments and the influx of future tourism traffic.

Motion Moved by Janelle Fowler
Seconded by Annette Levering
Carried

- b) That if a modified version of the Akuna St DA is lodged with the JRPP then a 3D model and the revised plans be put to public exhibition and circulated to all interested parties for comment.

Motion Moved by Ron Parkinson
Seconded by Chris George
Carried

- c) The Kiama Central Precinct does not support in its present form, the current Tourism Opportunity Plan and request the community be given the opportunity for input and consultation to develop a revised plan.

Moved by Peter Stuckey
Seconded Chris George
Carried

Meeting closed at 8pm

Reports for Information

14.8 Minutes: Gerroa Sand Resource Community Consultative Committee meeting held on 26 July 2018

Responsible Director: Office of the General Manager

The minutes of the Gerroa Sand Resource Community Consultative Committee meeting held on 26 July 2018 are attached for Councillors' information.

Item 14.8

Attachments

- 1 Gerroa Sand Resource Community Consultative Committee meeting 26/07/18 - minutes [↓](#)

Minutes of the Ordinary Meeting
Cleary Bros Gerroa Sand Resource Community Consultative Committee
Held at the Gerroa Fishermans Club, Gerroa
Thursday 26 July 2018 at 10:37 am

Item 14.8

Attachment 1

Present:

Chairperson	Brian Weir (BW)
Community Representative	Kel Sekulic (KS)
Kiama Municipal Council Representative	Cr Andrew Sloan (AS)
Cleary Bros Environmental Officer	Mark Hammond (MH)
Cleary Bros Representative	Ashley Mathie (AM)

Welcome

BW welcomed all members and acknowledged the Traditional Owners of the land and paid his respects to Elders past and present.

Item 1: Apologies

Chris Rowland submitted his apologies for the meeting.
Terry Barrett submitted his apologies for the meeting.

Item 2: Declaration of pecuniary or other interests

Brian Weir indicated that he received a small sitting fee to chair the meeting.
Mark Hammond and Ashley Mathie indicated they are employees of Cleary Bros.

Item 3: Business arising from previous minutes

No matters arising.

In reply to a question from AS, BW advised that he is in the pool for Chairs for the Illawarra area. No additional correspondence has been received from the DPE since the last meeting regarding operation of CCC's. CCC is to continue to run as it currently runs. BW advised that the key is for the Chair to be accepted by all members and to ensure the running of effective meetings. There is a greater governance responsibility on Chairs to ensure that CCC meetings operate within the Guidelines.

**Cleary Bros Gerroa Sand Resource
Community Consultative Committee**

**Ordinary Meeting
26 July 2018**

Item 4: Correspondence

MH reported that Chris Rowland has advised him that he will be resigning from CCC as he is moving away from the area. MH requested that he send formal notice to the Chairperson, so that a replacement can be sought.

Item 5: Cleary Bros reports and overview of activities

The following report was provided to all members prior to the meeting, and read out by MH:

i) Progress of the project

Sand production from the Gerroa resource has steadied in the past 6 months, with total production for FY18 of 48,206 tonnes (approximate figure only at this stage). Cleary Bros continue to supplement the Gerroa sand supply with alternative sources including manufactured sand and sand sourced from 3rd parties. Production rates are expected to return closer to maximum permissible extraction levels in the short to medium term.

ii) Issues arising from site visits

No site visit is planned for this CCC meeting. There have been no significant changes to site operation since the last site visit in December 2016.

iii) Monitoring and environmental performance

Meteorology

Automatic weather station continues to operate well.

Dust

Deposited dust levels in two of the three gauges has reduced slightly in FY18, despite the dry conditions. Dust gauges 1A and 2A have reduced to an average of 1.4g/m²/month and 1.2g/m²/month respectively, while dust gauge 3A has averaged 3.4g/m²/month for FY18, skewed by a single anomalous result of 28.2g/m²/month in May 2018. Excluding this result, gauge 3A averaged 1.2g/m²/month for FY18.

Dredge Pond

Dredge pond water quality is generally stable and consistent with historical level results. It has shown a close relationship with rainfall patterns, with the water level continuing to decline in recent months due to the ongoing rainfall deficit. Total Oxidisable Sulphur of sand extracted has returned to traditional levels in the past few months, with all results recorded since February 2018 in the range of 0.02-0.03%.

Boreholes

Borehole water levels have continued to fluctuate following rainfall patterns with most bores continuing to decline in recent months due to the extended rainfall deficit. Despite the general decline in water levels, water quality of the bores has remained largely stable with all measurements generally within the historical range of recorded measurements for each bore with the exception of bore MW1. Bore MW1 continues to exhibit a saline influence, while all other bores appear unaffected.

Cleary Bros Gerroa Sand Resource Community Consultative Committee

**Ordinary Meeting
26 July 2018**

Revegetation and Rehabilitation

Rehabilitation works are now in the maintenance phase. Infill planting continues where suggested by the ecologist to boost revegetation success and weed control is ongoing when conditions permit. Ongoing management of these areas continues based on the advice provided in the quarterly internal inspections and annual inspections by an ecologist.

iv) Community complaints and response to these complaints

No community complaints have been received since the last CCC meeting.

v) Information provided to the community and any feedback

The Cleary Bros website is regularly updated to ensure all required information is current, including approvals, management plans, and environmental monitoring data.

An information session was held on the 14th February 2018 in relation to the proposed modification to the Gerroa Sand Resource. This provided the opportunity for two-way discussion with various stakeholders regarding the proposed modification.

Cleary Bros recommends the above report is received and noted by the CCC

Signed: Mark Hammond (Environmental Officer) 4/7/2018

Verbal report to the meeting

MH provided further updates as follows:

FY18 production updated to 49,128 tonnes.

Borehole water levels generally increased in July 2018, following the approximately average rainfall recorded in June 2018.

Discussion

AS mentioned that water quality has shown expected trends, with short term spikes in some bores eg MW04 had a phosphorus spike which has since returned to normal, however is unlikely related to dredging activities.

Resolved: Report be received and noted

Item 6: Other Agenda Items

i) Proposed Modification to the Gerroa Sand Quarry

MH advised that as per the information session held on 14th February 2018, Cleary Bros have applied to the Department of Planning and Environment to modify the Conditions of Consent for the Gerroa Sand Quarry. The intention of this modification is to permit extraction from currently undeveloped areas of the property. These areas have been cleared or significantly altered in the past for agricultural activities, and would support the continued extraction of sand from the property for the next 20 years.



Cleary Bros Gerroa Sand Resource Community Consultative Committee

Ordinary Meeting
26 July 2018

The period of public exhibition for the project has now closed, and Cleary Bros are currently reviewing the submissions, prior to providing a response to the Department of Planning and Environment. Cleary Bros has not yet considered the submissions in detail, and as such are not in a position to comment specifically on these. For more information, refer to the major projects website of the Department of Planning and Environment.

AS asked how long the review by Cleary Bros is likely to take.

MH replied that it was hard to say at this stage, given that the submissions have not yet been reviewed in detail, but expected it to take a few months.

BW asked who will assess Cleary Bros response to the submissions.

MH explained that the Department of Planning and Environment were the consent authority in this case, and they would assess Cleary Bros response, as well as any conditions of the consent.

KS asked what the key issues raised in the submissions were.

MH explained that Cleary Bros had not yet had time to review the submissions in detail, so weren't sure at this stage.

KS suggested Cleary Bros must have an idea at this stage what the key issues related to.

MH explained that the submissions were only received from the Department of Planning and Environment via the consultant last week, and MH personally had only reviewed 2 submissions at this stage, so could not provide any further advice regarding the key themes of the submissions.

MH advised that Cleary Bros will now review the submissions in detail and provide a formal response to the Department of Planning and Environment. This response will consider the matters raised in the submissions and may require further assessment.

AS asked about the role of the Department of Planning and Environment and whether there is further community input.

MH explained that from previous experience, the Department would review Cleary Bros response, and take into consideration the matters raised in all submissions. MH stated that he is unsure exactly how the Department will proceed.

AS asked if Cleary Bros response would be made public on the major projects website.

MH acknowledged that this would be the case, and it would likely be uploaded by the Department once they have received it.

AS asked about the life left in the existing operation.

AM stated that there was about 2 years left.

BW acknowledged that this was consistent with previous meetings.

KS asked whether demand from the construction industry was likely to change and its impact on production from the site.

MH clarified that current demand was currently driven by the availability of third party supplies of sand, more so than construction industry activity at present.

AM clarified that Cleary Bros regularly sources sand from third parties where possible.

Cleary Bros Gerroa Sand Resource Community Consultative Committee

**Ordinary Meeting
26 July 2018**

BW advised the meeting that it was not the role of the CCC to become involved in the DA process, except with respect to information sharing regarding the progress of the proposal.

ii) Other Matters

No further matters raised

Item 7: General Business

BW checked that all persons had received the 2017-18 Annual Environmental Management Report for Gerroa.

MH stated that all committee members except Terry Barratt had now received a copy of the report. MH explained he would mail this report to Terry tomorrow.

Meeting Closed 11:11 am

Next meeting proposed for Thursday 13th December 2018 10:30am.

An agenda will be issued prior to the meeting to confirm meeting time and date.

Item 14.8

Attachment 1

14.9 Minutes: Country Mayors' Association meeting held on 3 August 2018

Responsible Director: Office of the General Manager

The minutes of the Country Mayors' Association meeting held on 3 August 2018 are attached for Councillors' information.

Attachments

- 1 Country Mayors' Association - minutes - meeting 03/08/18 [↓](#)



Country Mayors Association of NEW SOUTH WALES

Chairperson: Cr Katrina Humphries
PO Box 420 Moree NSW 2400
02 6757 3222
ABN 92 803 490 533

MINUTES

GENERAL MEETING

FRIDAY, 3 AUGUST 2018 PRESTON STANLEY ROOM, PARLIAMENT HOUSE, SYDNEY

The meeting opened at 9.00 a.m.

1. ATTENDANCE:

Albury City Council, Cr Kevin Mack, Mayor
Albury City Council, Ms Tracey Squire, Acting General Manager
Armidale Regional Council, Cr Simon Murray, Mayor
Armidale Regional Council, Ms Susan Law, CEO
Bathurst Regional Council, Cr Graeme Hanger, Mayor
Bega Valley Shire Council, Mr Anthony Basford, Acting General Manager
Bellingen Shire Council, Cr Dominic King, Mayor
Bland Shire Council, Cr Tony Lord, Mayor
Bland Shire Council, Mr Ray Smith, General Manager
Blayney Shire Council, Cr Scott Ferguson, Mayor
Blayney Shire Council, Ms Rebecca Ryan, General Manager
Broken Hill City Council, Cr Marion Browne, Deputy Mayor
Broken Hill City Council, Mr James Roncon, General Manager
Cabonne Shire Council, Cr Kevin Beatty, Mayor
Cabonne Shire Council, Mr Stephen Harding, General Manager
Clarence Valley Council, Cr Jim Simmonds, Mayor
Clarence Valley Council, Mr Ashley Lindsay, General Manager
Coffs Harbour City Council, Cr Denise Knight, Mayor
Coffs Harbour City Council, Mr Stephen McGrath, General Manager
Coolamon Shire Council, Mr Tony Donoghue, General Manager
Coonamble Shire Council, Cr Michael Webb, Mayor
Coonamble Shire Council, Mr Rick Warren, General Manager
Cowra Shire Council, Cr Bill West, Mayor
Dubbo Regional Council, Mr Michael McMahon, CEO
Dungog Shire Council, Cr Tracy Norman, Mayor
Dungog Shire Council, Ms Coralie Nichols, General Manager
Edward River Council, Cr Norm Brennan, Mayor
Edward River Council, Mr Adam McSwain, General Manager
Federation Council, Cr Patrick Bourke, Mayor

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Forbes Shire Council, Cr Jenny Webb, Deputy Mayor
Forbes Shire Council, Mr Steve Loane, General Manager
Glen Innes Shire Council, Cr Steve Toms, Mayor
Goulburn Mulwaree Council, Cr Bob Kirk, Mayor
Griffith City Council, Cr John Dal Broi, Mayor
Griffith City Council, Mr Brett Stonestreet, General Manager
Gunnedah Shire Council, Cr Jamie Chaffey, Mayor
Gwydir Shire Council, Cr John Coulton, Mayor
Gwydir Shire Council, Mr Max Eastcott, General Manager
Hilltops Council, Cr Brian Ingram, Mayor
Hilltops Council, Mr David Aber, Acting General Manager
Kempsey Shire Council, Cr Liz Campbell, Mayor
Kiama Municipal Council, Cr Mark Honey, Mayor
Kiama Municipal Council, Mr Kerry McMurray, General Manager
Kyogle Council, Cr Danielle Mulholland, Mayor
Leeton Shire Council, Cr Paul Maytom, Mayor
Leeton Shire Council, Ms Jackie Kruger, General Manager
Lockhart Shire Council, Cr Roger Schirmer, Mayor
Lockhart Shire Council, Mr David Webb, Acting General Manager
Moree Plains Shire Council, Cr Katrina Humphries, Mayor
Moree Plains Shire Council, Ms Alice Colbran, Governance Project Officer
Murray River Council, Cr Christopher Bilkey, Mayor
Murray River Council, Cr Gen Campbell, Deputy Mayor
Murrumbidgee Council, Mr Craig Moffitt, General Manager
Narrabri Shire Council, Cr Catherine Redding, Mayor
Narrabri Shire Council, Mr Stewart Todd, General Manager
Narrandera Shire Council, Cr Neville Schenka, Mayor
Narrandera Shire Council, Mr George Cowan, General Manager
Narromine Shire Council, Cr Dawn Collins, Deputy Mayor
Narromine Shire Council, Mr Lane Redden, General Manager
Oberon Shire Council, Cr Kathy Sajowitz, Mayor
Oberon Shire Council, Mr Garry Wallace, General Manager
Orange City Council, Cr Reg Kidd, Mayor
Parkes Shire Council, Cr Ken Keith, Mayor
Shoalhaven City Council, Mr Russell Pigg, General Manager
Singleton Council, Cr Sue Moore, Mayor
Snowy Valleys Council, Cr James Hayes, Mayor
Tamworth Regional Council, Cr Col Murray, Mayor
Tamworth Regional Council, Mr Paul Bennett, General Manager
Temora Shire Council, Cr Rick Firman, Mayor
Temora Shire Council, Mr Gary Lavelle, General Manager
Tenterfield Shire Council, Cr Peter Petty, Mayor
Tenterfield Shire Council, Mr Terry Dodds, CEO
Upper Lachlan Shire Council, Cr Brian McCormack, Mayor
Upper Lachlan Shire Council, Mr Gary Woodman, Acting General Manager
Uralla Shire Council, Cr Michael Pearce, Mayor
Wagga Wagga City Council, Cr Greg Conkey, Mayor
Walcha Council, Cr Eric Noakes, Mayor
Walcha Council, Mr Jack O'Hara, General Manager
Warren Shire Council, Cr Milton Quigley, Deputy Mayor
Warren Shire Council, Mr Glen Wilcox, General Manager

Warrumbungle Shire Council, Cr Peter Shinton, Mayor
Warrumbungle Shire Council, Mr Roger Bailey, General Manager
Yass Valley Council, Cr Rowena Abbey, Mayor
Yass Valley Council, Ms Sharon Hutch, Acting General Manager
Regional Infrastructure, Mr Don McMurray
Regional Infrastructure, Mr Brue Whitehill
Regional Infrastructure, Mr Nick White
Freight Taskforce, Mr Michael Kneipp

APOLOGIES:

As submitted

SPECIAL GUESTS:

Hon John Barilaro MP, Deputy Premier, Minister for Regional NSW, Minister for Skills and Minister for Small Business
Mr Terry Dodds, Chief Executive, Tenterfield Shire Council regarding "Waste to Energy"
Hon Gladys Berejiklian MP, Premier
Mr Ken Gillespie, Regional Infrastructure Coordinator, NSW Premier and Cabinet

2. **Hon John Barilaro MP, Deputy Premier, Minister for Regional NSW, Minister for Skills and Minister for Small Business**
The Government is supplying significant funding to the regions in conjunction with local Government. The Regional Vision Statement was released this week and funding from the sale of the Snowy Hydro is to go to the regions in total. The government is forging better relationships with local government and has received a number of submissions from Councils in response to the Regional Growth Funds Expression of Interest. Joint Organisations now have the opportunity to change the landscape in NSW. The Deputy Premiers vision for Joint Organisations is that they are the vehicle to undertake the projects in NSW. In the next 20 years there will be an addition 100,000 people living in rural NSW. The State Government does not have all the answers and it depends on input from the community. Communities need certainty in funding and having funding available over a ten year period creates certainty.
3. **ADOPTION OF MINUTES OF PREVIOUS MEETING:**

RESOLVED that the minutes of the General Meeting held on 1 June 2018 be accepted as a true and accurate record (Tenterfield Shire Council / Glen Innes Severn Council).
4. **Matters Arising from the Minutes**
NIL

5. **Membership**

RESOLVED :That Cabonne Council be admitted as a member of the Association
(Oberon Council/ Parkes Shire Council)

6. **CORRESPONDENCE**

Outward

- (a) Hon Anthony Roberts MP, Minister for Planning, Minister for Housing and Special Minister of State Re Low Rise Medium Density Code
- (b) Cr Linda Scott, President, Local Government NSW, requesting a Skilled Based Board be appointed to Local Government Super
- (c) Mr Tim Hansen, Stakeholder Specialist, Engagement and Partnerships, National Heavy Vehicle Regulator Thanking him for his presentation on 1 June 2018
- (d) Mr David Smith, Chief Executive Officer, Local Government Super thanking him for his presentation on 1 June 2018 and forwarding resolutions regarding operation of the Board
- (e) Mr David Harris, Chief Executive Officer, Water NSW thanking him for his presentation on 1 June 2018
- (f) Cr Abb McAlister, Mayor Cootamundra-Gundagai Regional Council, advising that his Council has been admitted as a member of the Association
- (g) Cr Danielle Mulholland, Mayor, Kyogle Council advising that her Council has been admitted as a member of the Association
- (h) Hon Anthony Roberts MP, Minister for Planning, Minister for Housing and Special Minister of State advising that the Association supports the Waste from Energy recommendations
- (i) Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government, and Minister for Heritage advising that the Association supports the Waste from Energy recommendations
- (j) Mr Michael Marom, Area General Manager, Board Chair Northern Regional NSW, Telstra Customer Sales and Service thanking him for organizing the team that presented on 1 June 2018
- (k) Mr Chris Taylor, Area Regional Manager, Telstra Country Wide thanking him for his presentation on 1 June 2018
- (l) Hon Gabrielle Upton MP, Minister for the Environment, Minister for Local Government and Minister for Heritage regarding recycling new funding and seeking clarification of definitions "recycle" and "recyclate"
- (m) NSW EPA regarding recycling new funding and seeking clarification of definitions "recycle" and "recyclate"

Inward

- (a) Mr David Smith, CEO, Local Government Super, regarding CMA resolutions 1 June 2018 (Copy Attached)
- (b) Hon John Barilaro MP, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business regarding streamlining government funding programs (Copy Attached)
- (c) Hon John Barilaro MP, Minister for Regional New South Wales, Minister for Skills, and Minister for Small Business regarding Royal Far West funding (Copy Attached)

RESOLVED That the response from Local Government Super is unsatisfactory and should be followed up (Yass Valley Council/ Kyogle Council)

7. **FINANCIAL REPORT**

RESOLVED That the financial reports for the last quarter were tabled and accepted (Moree Plains Shire Council / Glen Innes Severn Council)

8. **Mr Terry Dodds, Chief Executive, Tenterfield Shire Council regarding "Waste to Energy"**

Tenterfield Shire Council and the New England Joint Organisation is endeavouring to gain financial assistance from the State and or Federal Government to allow completion of a comprehensive feasibility study to convert municipal and other sources of waste into energy at a local scale.

Municipal waste is an ongoing challenge and not likely to improve in the short to medium term. State and Federal Governments have been giving so much encouragement towards the burgeoning new sustainable or (but mainly only renewable) energy industries. The agenda for discussion with the EPA will include the waste to energy opportunities and barriers identified. The cost of conversion of waste to energy was historically high, but any things have changed over the last five (5) years:

- Access to the electricity distribution network has become less burdensome
- Technologies have evolved in both Waste to Energy and also the control of the electricity input sources (Microgrids)
- The problem of municipal waste management has become widely known
- The uptake of domestic power generation is exponentially rising

The feasibility study will determine whether the combination of changed circumstances mentioned above is enough to warrant a pilot plant being built in this point in time. Waste to Energy projects are not new, however, technologies have advanced so much over the past five years, particularly across Europe, we think it is time that they are reviewed in Australia – at a small scale.

RESOLVED That the Country Mayors Association provide a letter of support to Tenterfield Shire Council and the New England Joint Organisation to seek seed funding from governments to undertake a feasibility study and the Premier be advised of this support (Yass Valley Council/Glen Innes Severn Council)

RESOLVED That the Country Mayors Association invite other Joint Organisations to support the initiatives of Tenterfield Shire Council and the New England Joint Organisation to make Waste to Energy a reality (Leeton Shire Council/ Tenterfields Shire Council)

RESOLVED That the Country Mayors Association request Mr Ken Gillespie, Regional Infrastructure Coordinator to facilitate a meeting of State Government leaders including OEHL, EPA and DPC with local government representatives to discuss the issues that could be facing making Waste to Energy a reality (Orange City Council/ Yass Valley Council)

9. **Unratable Land Sub Committee Report**

RESOLVED That the information be noted (Temora Shire Council/Tenterfield Shire Council)

10 **Notice of Motion signed by Cr Cathy Redding, Narrabri Shire Council, Cr Kathy Sajowitz, Oberon Shire Council and Cr Peter Petty, Tenterfield Shire Council "That the current Chairperson, Vice Chairperson and Secretary be allowed to nominate for executive positions of the Country Mayors Association at the 2018 Annual General Meeting, as is permissible under clause 26 of the Association's Constitution"**

The Chairperson Cr Katrina Humphries vacated the Chair. Executive Member Cr Liz Campbell was asked to chair the meeting for the discussion of the item The Chairperson Cr Katrina Humphries and Deputy Chairman Cr Michael Pearce left the meeting room

RESOLVED That the current Chairperson, Vice Chairperson and Secretary be allowed to nominate for executive positions of the Country Mayors Association at the 2018 Annual General Meeting, as is permissible under clause 26 of the Association's Constitution (Narrabri Shire Council/Tenterfield Shire Council)

The Chairperson Cr Katrina Humphries and Deputy Chairman Cr Michael Pearce returned to the meeting and Cr Katrina Humphries resumed her role as Chairperson

11. **Hon Gladys Berejiklian MP, Premier**

We need to speak up for poor communities and the government will listen to concerns and ideas. Probity is important and announcements need to be delivered as quickly as possible. The Government does not always get everything right. \$1 in every \$3 is spent in regional areas and all the money received from the sale of the Snowy Hydro will be spent in regional NSW. Money needs to be allocated to social issues as well as economic issues. Drought assistance has been increased by \$500 million to \$1 billion. The Regional Vision for the next 10 years has been announced. Digital connectivity is important and is part of the vision. Water security is also important and is a work in progress. A strong NSW is a strong Australia.

11. **Mr Ken Gillespie, Regional Infrastructure Coordinator, NSW Premier and Cabinet**

Mr Gillespie introduced his team that is undertaking the review of Regional Infrastructure in NSW. He agrees that Joint Organisations are an important part of the States future and they need to be successful. There are so many council issues that need to fit in with the Joint Organisations priorities. Councils need to prioritise their top 5 issues. A lot of red tape has been reduced. Funds are being made available to Joint Organisations and bureaucrats are not parking the money but distributing it. The Expenditure Review Committee now considers applications monthly instead of half yearly

12. Saleyard Expo

Mr Steve Loane provided information on the recent Saleyard Expo at Casino and advised the Country Mayors resolution regarding the Volumetric Livestock Loading Scheme are to be implemented

13. Future Meeting Venues

The Chairperson is to hold discussions with Parliament House regarding suitable meeting rooms for future meetings

There being no further business the meeting closed at 12.38pm.

Cr Katrina Humphries
Chair – Country Mayor's Association of NSW

Item 14.9

Attachment 1

14.10 Minutes: North Kiama Community Forum held 11 July 2018

Responsible Director: Office of the General Manager

Attached for Councillors' information are the Minutes of the North Kiama Community Forum meeting held on 11 July 2018.

Attachments

- 1 North Kiama Community Forum Minutes - 11/07/18 [↓](#)

Minutes of the North Kiama Community Forum Meeting

Held on Wednesday 11th July 2018 at North Kiama Neighbourhood Centre

From 7.30pm

Attendance; as per attendance book (30)

Apologies; nil

Guests; Kerry McMurray GM Kiama Council, Mark Way Mayor, Cathy Rice Deputy Mayor

Meeting opened; 7.35pm

Chair;

Mark Yutzuss welcomed everyone to the first meeting of the North Kiama Community Forum (North Precinct) and introduced Sharon Parker who will take minutes

Welcome to country – Acknowledgment of the traditional owners of this land that we all meet on and we pay our respects to the past, present and future owners.

Mark stated that for the next few meeting speakers have been asked to attend and then in November 2018 an AGM will be held to fill positions on the board,

Positions would be,

President/chairperson

Vice president

Secretary/public officer

Treasurer

Talks coordinator

The meeting will follow the Kiama Municipal Council Precinct system operational guidelines of 6th July 2015

Guest Speaker – General Manager Kerry McMurray

- Kerry spoke about the Kiama Council operational plan 20-19 and the Delivery Program 2017-21 and Community Strategic plan 2017-2027.

Kerry touched on 1/Kiama Health facility 2/Minnamurra Boardwalk 3/ Driverless Buses 4/ Bombo viewing platform 5/ Town Services Studies 6/ Kiama Arts Precinct 7/ Revitalisation around Kiama Harbour 8/ Bombo Quarry 9/ Cycle ways for future Bombo and Jamberoo links.

Kerry then took Questions without notice to be reported back at meeting

Confirmation of Minutes;

Nil as first meeting

Business Arising;

Questions for speaker, these will be answered by next meeting and posted on the Facebook page (Kiama Downs Community Forum)

Mark Whalan congratulated Kiama Council on the Bombo eco walk

Correspondence IN;

Chris Cassidy from North precinct in offering any help and wishing us the best

Council Papers;

Ordinary meeting of council Tuesday 17th July 2018 – items of interest, these can be accessed on the Kiama municipal website-www.kiama.nsw.gov.au - go into section, Your Council and Business Papers

127 Charles Ave Minnamurra – 2 lot Torrens Title subdivision

82 Barton Drive Kiama Downs – Demolition of existing carport and 2 lot Torrens Tile Subdivision

Correspondence OUT;

Letter to General Manger to attend meeting and run a presentation on Kiama Downs area

Poster for the start of the new Kiama Downs Community Forum Meeting

Letter to invite the Lake Illawarra representative to the next meeting

General Business;

setup Facebook page, put into Bugle local paper, also put into Kiama Municipal Community Directory page

Meeting Closed; 9pm

Next meeting; Wednesday 8th August 2018 from 7.30pm with Guest Speaker Acting Inspector Lee Ingmire Lake Illawarra Police District

14.11 Minutes: Jamberoo Valley Ratepayers and Residents Association meeting held 3 July 2018 and Annual General Meeting held 7 August 2018

Responsible Director: Office of the General Manager

The minutes of the Jamberoo Valley Ratepayers and Residents Association meeting held on 3 July 2018 together with the draft minutes of the Annual General Meeting held on 7 August 2018 are attached for Councillors' information.

Attachments

- 1 Minutes - JVRRA - general meeting 03/07/18 [↓](#)
- 2 Minutes - JVRRA - Annual General meeting 07/08/18 [↓](#)

JAMBEROO VALLEY RATEPAYERS AND RESIDENTS ASSOCIATION Inc.

PO Box 146
JAMBEROO
NSW 2533

JVRRASecretary@gmail.com

**Minutes of the General Monthly Meeting of the JVRRA
7.30pm, Tuesday 3 July 2018 at Club Jamberoo**

Attendees

Glenys Day, John Zimmer, Bob Neilson, Ros Neilson, Rob McKinnon, Geoff Reid, Mary Lou Reid, Garry Cochran, Diane Thompson, Stuart Richards, Peter Brown, Ray Nolan, Narelle Day, Max Brennan, Phil Lewis, Hazel Lewis, Julie Clough, Gregory Clough, Andrew Waugh, Veronica Baker, Sid Baker, Vivienne Marris, Susie Nash, Graham Pike, Roger Lyle, Alan Smith, Kylie Jullien.

Apologies

Tristram Miall, Sandra Dingle, Jim Dingle, John Friedmann, Tony Day, Robyn Letham, Graham Letham, Ros McKinnon, Marea Gardner, Jeannie Lyall, Helen Cochran, Julie McDonald, Paul Rogers, Sally Rogers, Geoff Boxsell, Viv Boxsell, Ken Jeffrey, Gloria Jeffrey, Margaret Stephens, Ann Pike, Neil Reilly.

The meeting was opened at 7.30 p.m. by Chairman, Rob McKinnon.

GUEST SPEAKER

Brodie Brady, Health Promotions Officer at Kiama Council, provided a presentation on Health and Well-Being at Kiama Council. She began with a definition of 'health', including the useful reminder that social connections and friendship are at least as important to individuals' well-being as the absence of disease. Brodie mentioned that Kiama Council has a proud history of being a leader amongst local councils in the area of health promotion, and she gave examples of an interesting range of initiatives that Kiama Council routinely organises to promote and support health and well-being in local communities. A copy of her presentation is [HERE](#), and she noted that she is happy to discuss any issues Jamberoo residents may wish to raise with her (contact Brodie Brady via Kiama Council.)

1. Minutes of the previous JVRRA General Meeting of Tuesday 5 June 2018

The [Minutes](#) of the June 5 meeting as published and circulated were carried unanimously.

2. Matters arising from the previous Minutes not listed elsewhere in the Agenda

There were no matter arising.

3. Correspondence

[Correspondence IN](#)

- From Council: CCTV camera request not going ahead due to expense, although other options for monitoring Raid Park and Kevin Walsh areas will continue to be

1

Item 14.11

Attachment 1

considered; Ranger patrols for camping areas to be set up according to visitation numbers in the area.

- Financial issues:
 - Letter from Andy Waugh requesting consideration of breakdown of amounts from various sources in planning for markets
 - Confirmation from auditor Joe Murphy (Greg Rogers & Associates) of the audit of accounts from June 2017, confirming that the breakdown of amounts from various sources were not included in the audit.
- Information from Mayor Honey re medium density housing debate.
- Copy of letters to the Bugle from Graham Pike.

Correspondence OUT

- Letter to NSW Minister for Planning re medium density housing proposal.
- Letters to Council and Councillors re motions passed 5 June: Not claiming that Jamberoo is dying; enforcing camping regulations.
- Submission to Council re DA 10.2108.74.1. re visibility concerns relating to 26 Drualla Road subdivision.
- Congratulations to Betty Chittick re Order of Australia award.
- Emails to Vivienne Maris and Andy Waugh inviting them to discuss financial concerns that they had raised with the committee.

4. Matters Arising from the Correspondence not listed elsewhere in the Agenda

There were no matters arising.

5. Treasurer's Reports

- Treasurer's report to end May 2018
 - Report of income and expenditure for Markets 1 May to 30 June 2018
- The reports as published and circulated were accepted unanimously.

6. Infrastructure Reports

Roger Lyle reported that Gino Belsito, Director of Engineering and Works, has informed him that the footpath extension to the Hyam's Creek bridge is in the fabrication stage, and is going well.

Stuart Richards provided the following report from the Combined Sporting Association:

The Jamberoo Combined Sporting Clubs Inc. has been successful in obtaining funding for further upgrading of The Kevin Walsh Oval sporting precinct. A total of \$40,000 has been raised with a \$20,000 Federal Government grant, a \$12,000 grant from the Kiama District Sporting Association and a further \$8,000 which has been donated from the Jamberoo 175th Anniversary Committee. These were excess funds raised by the festival committee at that time and kindly donated. Work at Kevin Walsh Oval and Keith Irvine Oval consists of the following:

- Installation of a path from the Youth Hall to the Kevin Walsh Oval facilities linking the two. (Now on hold)
- Additional sideline seating on Kevin Walsh Oval
- A footpath from the rear of the Tennis Club across the creek to Keith Irvine Oval (wheelchair accessible)

- Fencing off Keith Irvine Oval to prevent vehicle access and vandalism of the ground.
- Drainage works at Keith Irvine Oval entry & access road and parking area.

Ros Neilson mentioned she has been informed that Council will be contacting JVRRA and the Jamberoo community in August or September for ideas for the upgrading of the children's playground area in Reid Park.

7. Publicity

Ros Neilson reported that, as a follow-up from discussions at JVRRA meetings earlier this year, the JVRRA committee has collaborated to design a flyer that can be used to inform Jamberoo residents about the Association. She commented that information about an earlier flyer designed by Andy Waugh and Vivienne Maris had been considered, and it was decided that the new incarnation of the flyer would not duplicate theirs because it served slightly different purposes. Excellent quality photos have kindly been donated by Linda Faiers and Joe Neilson. Two preliminary quotes for printing 1000 colour copies of a three-fold brochure have been sought (\$376 and \$425 respectively); another quote will be sought by Geoff Reid. Narelle Day asked whether JVRRA could do the printing in-house, but it was pointed out that JVRRA's printer is black-and-white, so it cannot be used for this purpose. The current draft version of the flyer is linked [HERE](#).

8. CCAG Report

Roger Lyle reported that CCAG meetings have recently been canvassing the issue of Council's recent change to the terms of reference of the Planning Committee, which provides community representation to Council. CCAG members are concerned that Council seems to be attempting to resist community input.

9. Jamberoo Markets

The following information via email from Vivienne Maris was received by the committee on 16 June:

"I have advised Roz [Ros Neilson] and John [Friedmann] as he was the interim Chair that I will complete the markets for June and July then hand them over to whom ever is assigned the coordinators task. ... I will complete my market involvement at the end of the accounting year for the JVRRA."

Having considered Vivienne's communication, the following motion was proposed by Roger Lyle, seconded by Ros Neilson:

JVRRA extends hearty thanks to Vivienne Maris, who with the help of Margaret Stephens has put a tremendous effort into running the Jamberoo Markets successfully for many years.

The motion was carried unanimously.

Ros Neilson reported that the current DA renewal for the markets is stalled at Council because there were concerns about the quality of the detail in the map originally provided, and concerns about compliance with the stipulation of a 15-metre space separating stalls and cars from any children's playground. Ros then made some suggestions for how the markets might at this stage be adapted to include more community involvement, and to change the layout of the stalls in a way that might make the music in the rotunda more

central to the stalls themselves. JVRRA members were asked to consider joining a sub-committee to run the markets.

Vivienne Maris then proceeded to inform the meeting that she does indeed intend to continue coordinating the markets, and reported that she has made a verbal agreement with Jamberoo Branch of the Red Cross that they will include the markets in their public liability insurance, while allowing her to continue to organise the markets herself. She informed the meeting that she will re-submit the DA that is currently lodged with Council, making appropriate changes, and mentioned that she has been informed by Bruce McLeish at Kiama Council that the exclusion zone relating to children's playgrounds is 10 metres, not 15 metres.

Graham Pike stated that JVRRA would need confirmation of Vivienne's agreement with the Red Cross and suggested that the meeting should empower JVRRA to write to Jamberoo Red Cross requesting this confirmation.

The wording of a relevant motion was not finalised at the meeting, but there was unanimous agreement that Vivienne's general plan of action should be carried forward, with JVRRA no longer taking any responsibility for the Markets. It was agreed that all donations that have been received by JVRRA to sponsor Music at the Markets will be forwarded appropriately so that the funding can continue to be used for this purpose.

ACTIONS:

- Communication with Red Cross confirming JVRRA's intention to relinquish responsibility for the Jamberoo Markets after July 2018
- Letter to Council confirming change to the entity that applied for the DA
- Refund of music sponsorship money to the donors so that they can re-direct their donations to the appropriate bank account

10. JVRRA allocation of funds

Mary Lou Reid tabled a [report](#) presenting a revised breakdown of funds for Rotunda Fund, Jamberoo Business Group, Jamberoo Markets, and Music in the Park as of June 2017. The analysis included historical evidence of income and expenditure from JVRRA bank statements from 2012 onwards.

A related motion that had been placed on the Agenda by Andy Waugh about Treasurer's reports reflecting the breakdown of the 'constituents' of JVRRA finances was withdrawn, given the meeting's decision about JVRRA no longer being involved in the markets.

A motion was proposed by Graham Pike, seconded by Geoff Reid, that *the Treasure's review of the breakdown of funds as at 30 June 2017 be accepted*. The motion was passed with no objections.

11. Motion withdrawn:

A motion that had been placed on the Agenda by Graham Pike regarding Kiama's Council's confirmation that there will be consistent enforcement of the Jamberoo Development Control Plan (JDCP) was withdrawn, given that he has been informed that the JDCP will in fact be applied to the Golden Valley Road development.

12. DA discussion: Lot 12, DP866128, at 1298 Jamberoo Road, Croom

Roger Lyle presented a discussion of the current DA 10.2018.7.1, involving the same farm-stay proposal that had been discussed at the JVRRA March meeting, and which is up for public comment once again. Documents related to the DA are [HERE](#), and Roger's presentation is [HERE](#).

Concern was expressed at the meeting about whether the proposal really did represent a genuine farm-stay that might bring tourism to Jamberoo. It was felt that the buildings were too large for a farm-stay and were out of character with the local built environment. Mention was made of the visibility of the main house from Minnamurra Lane. The meeting resolved unanimously to submit another objection to the proposal within the time frame specified by Kiama Council (9 July).

ACTION: Submission to Council.

13. Ongoing budget considerations

Ros Neilson raised a query about anticipated JVRRA budget expenditure. Insurance will be reconsidered now that market insurance is no longer needed. Other upcoming expenses include NSW Fair Trading fees, and printing of the publicity flyer. There was some discussion about the cost of mailing hard copies of the minutes and agendas to JVRRA members who do not use email.

14. Planning for AGM

Members are reminded that nominations are open for all committee positions at the AGM to be held in August: President, Vice-President, Treasurer, Secretary and Publicity Officer. Nomination forms are available [HERE](#), and a copy of the JVRRA Constitution is available [HERE](#). Nominations for the committee positions must be received by the Secretary one week before the AGM – that is, by Tuesday 31 July 2018.

It will also be necessary to elect CCAG representatives at the AGM, and it would be ideal if members can confirm their roles on the Infrastructure and Gardens committees.

Members are reminded that they must renew their JVRRA membership by the end of July 2018 in order to be eligible to vote. Instructions for paying membership fees are available on the membership form [HERE](#). Members are encouraged to bring along new participants, too, as they can join before the AGM starts and be eligible to vote.

15. General Business

Alan Smith raised the possibility of publicising JVRRA membership on his Jamberoo-What's Happening Facebook page.

16. Next JVRRA Annual General Meeting: Tuesday 7 August 2018, 7.30 p.m.

Next JVRRA General Monthly Meeting: Tuesday 7 August, 8.00 p.m.

Guest Speaker: Josephine St John, about Kiama Council's Waste Strategies.

17. Close of meeting at 9.05 pm.

Jamberoo Valley Ratepayers and Residents Association Inc.

PO Box 146
JAMBEROO, NSW 2533
JVRRASecretary@gmail.com

**Minutes of the Annual General Meeting
7 August 2018
Club Jamberoo**

Attendees

Bob Neilson, Ros Neilson, Geoff Reid, Mary Lou Reid, John Friedmann, Lesley Friedmann, Rob McKinnon, John Zimmer, Glenys Day, Stuart Richards, Narelle Day, Carry Cochran, Robyn Letham, Graham Letham, Diane Thompson, Roger Lyle, Sidney Baker, Veronica Baker, Hazel Lewis, Phil Lewis, Paul Morris, Sandra Dingle, Jim Dingle, Greg Harris, Neil Reilly, Susie Nash, Marea Gardner, Max Brennan, Andrew Waugh, Ray Nolan, Jacqueline Jakeman, Kevin Mills, Ian Harrison, Darren Collins, Vivienne Maris, Alan Pirie, Geoff Wilson, Fran Geraghty

Apologies

Gordon Streek, Colin Hollis, Tristram Miall, Marilyn Hodgson, Bill Hodgson, Graham Pike, Anne Pike, Ros McKinnon, Paul Rogers, Sally Rogers, Eve Richards, Tony Day, Helen Cochran, Julie McDonald, Penelope Morris, Barbara Jakeman, Carole Harrison, Margaret Stevens, Jennie Breeze, Jeannie Lyall, Colin Smith

Chair Rob McKinnon declared the AGM open at 8.00 p.m., and welcomed JVRRA members and guests.

1. Minutes of the previous Annual General Meeting of 1 August 2017 as circulated were accepted (moved Glenys Day, seconded Stuart Richards.)
2. The Chair's Report as circulated and distributed at the meeting was accepted by general consensus.
3. The Treasurer's Report as circulated and tabled at the meeting was accepted (moved Geoff Reid, seconded Ros Neilson.) The NSW Fair Trading Annual Return was tabled.
4. Election of Office Bearers for the 2018-2019 Membership Year:
Only one nomination was received for each position. The positions were declared filled as follows:
Chair: Rob McKinnon
Vice-Chair: Graham Pike
Treasurer: Mary Lou Reid
Secretary: Ros Neilson
Publicity Officer: Glenys Day.
5. Annual Fees: It was resolved that the JVRRA Annual Fees would remain at \$20 per household (moved John Friedmann, seconded Bob Neilson).

- 6. The retiring Vice-Chair, Roger Lyle, was heartily thanked for his contribution to JVRRA over the years.

- 7. The AGM closed at 8.15 p.m.

Signed as a true record of the 2018 AGM:

Chair: Rob McKinnon

Item 14.11

Attachment 2

14.12 Minutes: Minnamurra Progress Association meeting held 7 August 2018

Responsible Director: Office of the General Manager

The minutes of the Minnamurra Progress Association meeting held on 7 August 2018 together with the treasurer's update are attached for Councillors' information.

Attachments

- 1 Minutes - Minnamurra Progress Association - meeting 07/08/18 [↓](#)
- 2 Treasurer's update - Minnamurra Progress Association - meeting 07/08/18 [↓](#)

MINNAMURRA PROGRESS ASSOCIATION -----MINUTES 7th AUGUST 2018.

PRESENT: Bruce COLE, Graeme COLLINSON-SMITH, Ian DODSWORTH, Nellie DELHAAS, Glenda FOSTER, Pat PHELAN, Wayde SIEMAN, Aapo SKORULIS, Ray SMITH, Arthur and Robyn SMITHERS, Robert WESTLEY, Andrew WILSON, Jen CORNISH, [14] +guest Gavin McDONALL.

APOLIGIES: Cliff MASON, Barry MAHONEY, Cheryl COLLINSON-SMITH, Janice WESTLEY, Rae McCYLMONT, Wendy and Murray STEELE. Moved: Arthur S., Sec., Robert W., CARRIED.

MEETING OPENED 7.15 PM.

*GC-S in chair as Cliff away.

*Introduced guest speaker Gavin McDONELL, District Fisheries Officer.

*Welcome new member, and new resident Jen CORNISH.

*Meeting paid respects to past long serving member, and executive member David PROBERT who recently passed away. His contributions and loss was outlined.

*Welcome to new treasurer Aapo. New method to sign attendance sheet.

*General discussion about August 1st boardwalk meeting at Golf Club. Reminder of next session on Aug 15th at 2.00 pm. Most expressed desire to attend and to put forward their positive views.

MINUTES 3rd July: Moved: Ian D., Seconded: Glenda F., CARRIED.

No business arising.

CORRESPONDENCE: 1. From KMC re Density Code.

Moved: Ray S., Seconded: Robert W., CARRIED.

TREASURERS REPORT: Presented by Aapo outlining members, donation and statements. See attachment for details and motions below.

- MOTION:
1. Public Liability be paid.
 2. Bank statements etc [mail] be directed to Treasurer 29 Charles Avenue.

Moved: Aapo S., Sec: Arthur S., CARRIED.

GUEST SPEAKER: Mr Gavin McDONALL spoke on his Department's view of boardwalk--- options, impacts, and how it was part of the consulting process. Stated it would have minimal impact on river. He also answered questions regarding by catch from professional fishermen on Minnamurra Beach, health and protection of sea grass in river, disposal of uncooked infected prawns, and mud whelk collection quotas. Various brochures were given out.

Gavin was thanked and was well received by attendees.

FINAL DISCUSSION by Andrew W., re writing to various media outlets to reply to comments by Jamberoo RPA representative, and another person who were vocal about boardwalk [acid sulphate soil???] All stressed need to complete feedback surveys, or email thoughts to Council. Need to attend Aug 15 presentation. On Cliff's return there is a need to write to various parties on behalf of Progress Assoc.

- Raffle won by Aapo.
- Tea hosted by Nellie.
- Ian D., stated that he was unavailable to deliver notices as he will be away. Aapo said he will do his run for September and October.
- Janice W., to host next meetings supper. 4th SEPTEMBER.

CLOSED 8.15 PM.

7 August Meeting

Treasurer update

42 Members recorded to date for 2018/19 - each contributing \$5 (\$210) received.

Donation of \$15 from Rob Glasson

Deposited \$175 on 19 July and \$40 on 26 July

We have \$1,100 in a term deposit trust account and \$1,362.54 in our cheque account - a total of \$2,462.54

Resolutions required by meeting:

- 1) That the members of the Minnamurra Progress Association agree that a payment of \$515.00 be made for public liability insurance with Zurich Australian Insurance Ltd. Our policy is changing to align with end of month so it is proposed that the new period extend from 4.00pm on 8 August 2018 to 4.00pm on 31 August 2019.
- 2) That the members of the Minnamurra Progress Association agree that the Bank statement be sent to Treasurer at 29 Charles Avenue Minnamurra.

14.13 Questions for future meetings register as at 14/08/18

Responsible Director: Office of the General Manager

Attached for Councillors' information is the questions for future meetings register as 14 August 2018.

Attachments

- 1 QFFM Register as at 14/08/18 [↓](#)

Questions for Future Meetings Register

16/73192

No	Details	Actions
18 July 2017		
17.1	<p>Bombo walking track – name Councillor Steel requested that a report be provided on suggested names for the walk between Darien Avenue and the Bombo quarry look out, where the new signs will be placed. The Mayor referred this matter to the Director Engineering & Works for investigation and report.</p>	<p>To be reported to a future Council meeting once eco-walk is complete</p>
15 May 2018		
17.2	<p>Seating Locations Councillor Rice requested a progress report that examines all factors to date on an item from a past Economic Development meeting that suggested documenting the best roadside locations for seating and/or picnic tables. The Mayor referred the matter to the Director Engineering & Works for investigation and report.</p>	<p>To be reported to a future Council meeting</p>
26 June 2018		
17.3	<p>Terms of Reference Councillor Reilly requested a report on Council defining specific terms that are used in our Terms of Reference for Committees. The Mayor referred this matter to the General Manager for investigation and report.</p>	<p>To be reported to September 2018 Council meeting</p>
17 July 2018		
17.1	<p>Blue Haven access - speed humps Councillor Steel requested a site meeting at Blue Haven Terralong be arranged with residents to inspect the speed humps in the access driveways. The Mayor referred this matter to the Director Engineering & Works for action.</p>	<p>To be reported to a future Council meeting – Arranging meeting with Cllr Steel and 2 Bluehaven representatives upon his return</p>

14.14 Regional Illegal Dumping Investigations Officer's Quarterly Report - 1 April 2018 to 30 June 2018

Responsible Director: Environmental Services

During the period 1 April 2018 to 30 June 2018 there were 26 reports received relating to illegal dumping in the Kiama Local Government Area (LGA) compared to 40 reported incidents for the same period in 2017. This represents a 35% decrease in total incidents.

Reported incidents by month

	April	May	June
Total reports	15	6	5

Reported incidents by day of the week

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
2	8	4	6	3	2	1

There has been a return to the previously discernible pattern of illegal dumping occurring on weekends. This is evidenced by an increase in early week reporting. The majority of dumping continues to occur in the hours of darkness.

Investigations carried out

Current Investigations

Investigations are ongoing in relation to waste dumped in one location across the LGA from April to June 2018.

- Thornett Way, Kiama Downs

On 12 January 2018, a large amount of household waste was illegally dumped adjacent to the amenities block off Thornett Way, Kiama Downs. Investigations are now complete.

Penalty Notice of \$2,000 issued for 'transporting waste to an unlawful facility'.

- Crooked River Road, Gerroa

Household waste was located that contained identification. After interview with the possible offender, there was insufficient evidence to continue the investigation.

- Chapman Reserve, Kiama

After identification was found, investigations are continuing into the misuse of the public reserve bins at Chapman Reserve.

Hot Spot dumping incidents

There were four incidents in this period for Riverside Drive, Minnamurra and one each for Swamp Road and Panama Street.

Reports for Information

14.14 Regional Illegal Dumping Investigations Officer's Quarterly Report - 1 April 2018 to 30 June 2018 (cont)

There is an emerging trend in this period for Chapman Reserve. There was also a marked increase in the number of larger household items dumped. Further data to be collected and strategies employed to reduce those occurrences.

Illegal dumping materials recovered

Material Recovered	No of Incidents
Household Waste - General	1
Household Waste - Furniture	13
Mattresses	3
Other	0
Construction	1
Greenwaste	1
Commercial and Industrial	0
Asbestos	0
Tyres	1
Wood	0
Electronics	2
Soil	1
Liquid	2
Packaging	0
Metal	1

Illegal dumping proactivity

Proactive patrols were carried out on ten occasions, with an additional seven when performing Ranger duties.

Illawarra Shoalhaven Joint Organisation funding was provided for the supply and installation of automatic solar lighting poles at Saddleback Mountain lookout car park. Installation occurred in July.

Illegal dumping enforcement actions

Total Protection of the Environment Operations Act (POEO) fines issued - \$2,000.

Action type	No issued
Infringement Notices	1 – Section 143 of POEO – Deposit Waste - \$2,000
Referral to Environment Protection Authority	Nil

Reports for Information

14.14 Regional Illegal Dumping Investigations Officer's Quarterly Report - 1 April 2018 to 30 June 2018 (cont)

Clean up and other costs

The estimated cost of wages, materials and plant was \$310.

The actual cost of disposal fees was an additional \$1,154.

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14.15 Regional Illegal Dumping Investigations Officer's Annual Report - 1 July 2017 – 30 June 2018

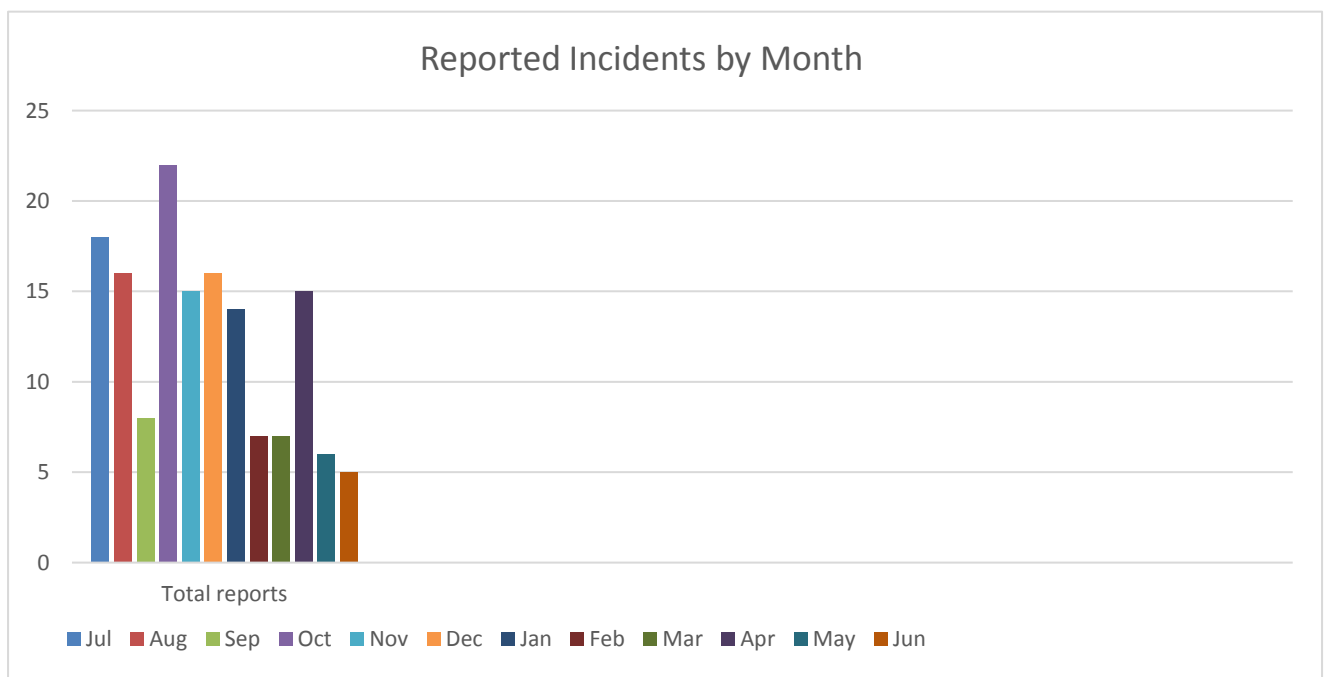
Responsible Director: Environmental Services

Illegal dumping incidents reported

During the period 1 July 2017 to 30 June 2018 there were 149 reports received relating to illegal dumping in the Kiama Local Government Area (LGA) compared to 154 reported incidents for the same period in 2016-17. This represents a 3% decrease in total incidents. The last two quarters have seen more than 40% reductions from the previous year.

Reported incidents by month

	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Total Reports	18	16	8	22	15	16	14	7	7	15	6	5



Reported incidents by day of the week

	Mon	Tue	Wed	Thu	Fri	Sat	Sun
No	24	31	25	21	18	12	18

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Reports for Information

14.15 Regional Illegal Dumping Investigations Officer's Annual Report - 1 July 2017 – 30 June 2018 (cont)

Hot Spot DataSaddleback Mountain Car park

This site has been managed, after trialing several strategies, by the installation of solar lighting. This lighting provides the advantage of allowing night vision for evidence gathering, along with the overall deterrent effect. Data will be analysed after installation to determine effectiveness.

Swamp Road, Jamberoo

This hot spot was identified in 2017. A number of strategies, including enforcement and patrols, resulted in a reduction to 4 incidents in 2018. Construction and household waste were the common items located.

Panama Street, Bombo

This hot spot was identified in 2017. Two incidents recorded in 2018, prior to a partnership with Sydney Trains (adjoining landowner) to erect a fence at the entry point of the disused Council roadway. This strategy has removed any future dumping opportunity.



Reports for Information

14.15 Regional Illegal Dumping Investigations Officer's Annual Report - 1 July 2017 – 30 June 2018 (cont)

Riverside Drive

A warning sign (this area may be under surveillance), was erected at the location after several incidents involving household waste being deposited in the Council Reserve Bin. Three Penalty Notices were issued to offenders for this location.



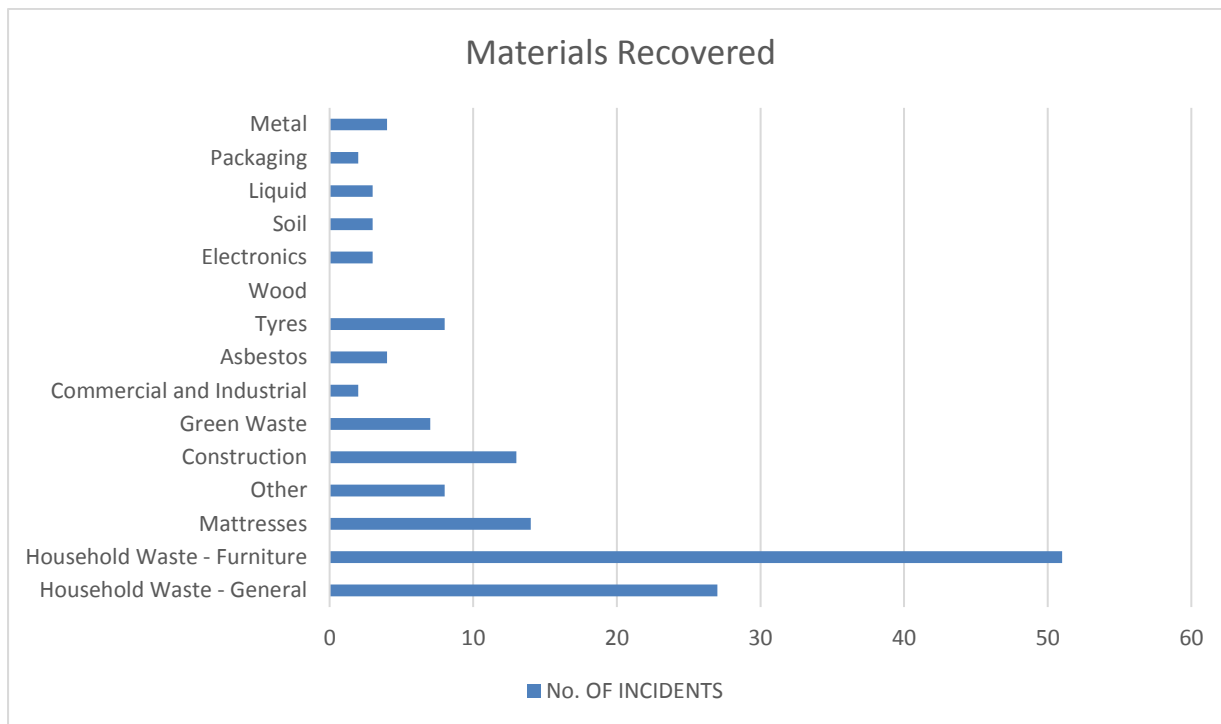
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Illegal dumping materials recovered

Material recovered	No of incidents
Household waste - general	27
Household waste - furniture	51
Mattresses	14
Other	8
Construction	13
Green waste	7
Commercial and industrial	2
Asbestos	4
Tyres	8
Wood	0
Electronics	3
Soil	3
Liquid	3
Packaging	2
Metal	4

Reports for Information

14.15 Regional Illegal Dumping Investigations Officer's Annual Report - 1 July 2017 – 30 June 2018 (cont)



Item 14.15

Larger household items, in particular furniture and whitegoods are now the most frequent waste illegally dumped in the Kiama LGA.

Annual training undertaken

- Environment Protection Authority (EPA) Surveillance Course - August 2017
- EPA Regional Illegal Dumping (IRD) Stock Conference – November 2017
- Illawarra Shoalhaven Joint Organisation (ISJO) RID Anti-Corruption Meeting – November 2017

Patrols undertaken

- Pro-active patrols = 144
- Kilometres travelled = 5,943

Education and media

ISJO RID Anti-Corruption Meeting – November 2017

Training was provided to 25 Council staff members on the importance of the information collected at the time of complaint, and its use by authorised officers.

As part of a recent funding grant, an on- site information day and media release will form part of the Saddleback Mountain improvements.

Proactive initiatives

A full audit of Council reserve bins was conducted, with updated sticker notices applied to ensure successful future prosecutions for misuse.

Reports for Information

14.15 Regional Illegal Dumping Investigations Officer's Annual Report - 1 July 2017 – 30 June 2018 (cont)



Council also participated in the Asbestos Awareness Week programs.

A trial of restricted access reserve bins in ‘Dog Off-Leash’ areas has seen a reduction in misuse.



A partnership with a private landholder resulted in the elimination of a known hot spot at Bombo with the closure of a disused Council road, and the partner erecting a fence to add security to their premises (see Hot Spot Data for photographs).

ISJO RID funding has been utilised to design and install 2 solar lights at a remote carpark at Saddleback Mountain. The works are due for completion in August 2018, with an onsite and media release to accompany the strategy.

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Reports for Information

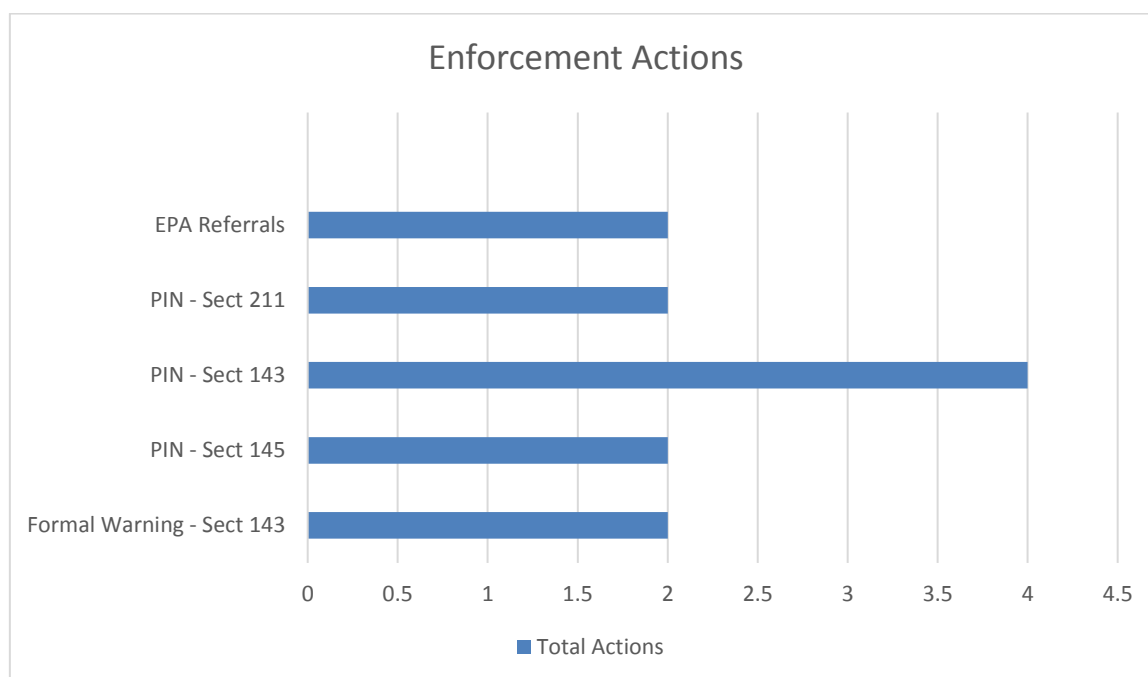
14.15 Regional Illegal Dumping Investigations Officer's Annual Report - 1 July 2017 – 30 June 2018 (cont)

Illegal dumping enforcement actions

Total Protection of the Environment Operations Act (POEO) fines issued - \$2,000.

Action type	Section	No. issued	\$ Value
Formal Warning	Sect 143 – POEO	2	0
Infringement Notices	Sect 143 - POEO	4	8,000
	Sect 211 – POEO	2	1,500
	Sect 145 - POEO	2	700
EPA Referrals	Sect 143 - POEO	2	0
			10,200

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Reports for Information

14.15 Regional Illegal Dumping Investigations Officer's Annual Report - 1 July 2017 – 30 June 2018 (cont)



EPA Referral.....\$2000·PIN--Sect·143(1)¶

Item 14.15

Clean up and other costs

The annual estimated wages and other costs totaled \$35,084. This expenditure includes on costs such as superannuation and workers compensation.

The annual clean up and landfill disposal costs for illegally dumped waste was \$6,219.77.

Total RID costs = \$41,303.77

RID income

The following annual income was received:

ISJO EPA Payment – RID Officer Funding	\$22,095
Fines Face Value	\$10,200
ISJO Funding Grant	\$21,000
	\$53,295

14.16 Parking Statistics - July 2018

Responsible Director: Environmental Services

CBD Parking

Parking patrols conducted 21 specific – 31 general area

Infringements issued – 67

Vehicle spaces inspected – 1,560

Manning Street 2P – 4 patrols

Manning Street – Surf Beach 2P – 2 patrols

Fern Street 1/2P – 1 patrol

Terralong Street 2P – 5 patrols

Terralong Street 1/2P – 5 patrols

Collins Street 2P – 3 patrols

Farmer Street 2P – 1 patrol

School Zone Patrols

Kiama High School – 2 patrols – 2 penalty notices

Reactive Patrols

Bus Zone – 3 penalty notices

No Stopping – 5 penalty notices

No Stopping Yellow Line – 2 penalty notices

Motor Bike – 1 penalty notice

Not Angle Park – 1 penalty notice

No Parking – 1 penalty notice

Path/Strip – 1 penalty notice

Total amount of infringements issued = \$ 9648

Note Parking Officer annual leave July 2018.

Specific patrols for August will be for locations nominated above.

15 ADDENDUM TO REPORTS

16 NOTICE OF MOTION

16.1 Kiama Harbour mini breakwall grant funding

Clr Mark Way has submitted the following Notice of Motion for Council's consideration:

MOTION

That Council

1. write to the Member for Kiama seeking information on possible NSW Government Grants for a mini-breakwall at Kiama Harbour.
2. write to the Member for Gilmore seeking information on possible Commonwealth Grants for a mini-breakwall at Kiama Harbour.
3. formally resolve to seek grant funding for future business cases, design, construction and delivery of a mini-breakwall at Kiama Harbour.

Signed Councillor Mark Way

Commentary

- The mini-breakwall has been identified and adopted in the Kiama Harbour and Blowhole Management Plan.
- The proposed mini-breakwall "Groyne" is to be located at the northern end of wharves at Kiama Harbour (approximately 20 metres in length) that will protect Council's wharf infrastructure valued at \$2M and eliminates risk.
- It will protect the boat launching ramp in north-easterly swells that make the ramp dangerous for recreational boating and commercial operators using this facility.
- A mini-breakwall will provide safe loading and unloading of passengers on wharves that will encourage passenger vessels to come to Kiama and their tenders can then use the wharves. It would also provide safe use for Charter operators.
- Construction on the northern side of this facility would provide direct access for smaller passenger and commercial vessels. Tourists would have access to Kiama with no additional vehicles.
- The economic benefit for tourism would be substantial for the Kiama CBD.
- This would also provide employment opportunities.
- A mini-breakwall could encourage marine related events such as boating, fishing, sailing etc. plus water related events like carnivals/festivals from Black Beach to the ramp.

Notice of Motion

16.1 Kiama Harbour mini breakwall grant funding (cont)

- With Shellharbour Marina close to completion, Kiama will have a viable alternative to compete.
- Location of the proposed mini-breakwall is based on sand bottom/rock foundation with no environmental problems for construction.

Item 16.1

17 QUESTIONS FOR FUTURE MEETINGS

18 CONFIDENTIAL SUMMARY

CONFIDENTIAL COMMITTEE OF THE WHOLE

Submitted to the Ordinary Meeting of Council held on 21 August 2018

PROCEDURE

- Recommendation to go into Closed Committee.
- Mayoral call for Public Representations.
- Consideration of Representations and issues to be removed from Closed Committee.
- Recommendation to exclude Press and Public if required.
- Closed Committee discussions if required.

18.1 Exclusion Of Press And Public:

RECOMMENDATION

That in accordance with Sections 10 and 10A of the Local Government Act, 1993 as amended, Council close the meeting of the Confidential Committee of the Whole to the Press and Public on the grounds detailed under the report headings as detailed below.

19.1 EXPRESSIONS OF INTEREST FOR KIOSK/CAFE AT BLOWHOLE POINT RESERVE

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

19.2 MINUTES: KIAMA CULTURAL BOARD MEETING HELD ON 12 JULY 2018 AND ARTS HONOUR ROLL

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. .

19.3 NORTH KIAMA NEIGHBOURHOOD CENTRE - TERMINATION OF CONTRACTURAL RELATIONSHIP

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. .

19.4 LOT 200 DP1017091, LOT 100 DP1211384, PT LOT 1 DP506764 AND LOT 1 DP50193 BETWEEN TERRALONG, AKUNA AND SHOALHAVEN STREETS, KIAMA

Reason for Confidentiality: This matter deals with information that would, if

disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business as per Section 10A(2)(c) of the Local Government Act. .

19 CONFIDENTIAL REPORTS

19.1 Expressions of Interest for Kiosk/Cafe at Blowhole Point Reserve

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

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

19.2 Minutes: Kiama Cultural Board meeting held on 12 July 2018 and Arts Honour Roll

CSP Objective: 1.0 A healthy, safe and inclusive community

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

Delivery Program: 1.1.3 Provide and promote cultural and artistic activities and programs

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).

19.3 North Kiama Neighbourhood Centre - Termination of Contractual Relationship

CSP Objective: 1.0 A healthy, safe and inclusive community

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

Delivery Program: 1.1.3 Provide and promote cultural and artistic activities and programs

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).

19.4 Lot 200 DP1017091, Lot 100 DP1211384, Pt Lot 1 DP506764 and Lot 1 DP50193 between Terralong, Akuna and Shoalhaven Streets, Kiama

CSP Objective: 3.0 A diverse, thriving economy

CSP Strategy: 3.1 Promote and encourage business development and economic prosperity in the local area

Delivery Program: 3.1.1 Implement the Kiama Economic Development Strategy

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

20 CLOSURE