



ORDINARY MEETING OF COUNCIL

To be held at 5pm on

Tuesday 6 February 2018

Council Chambers 11 Manning Street, KIAMA NSW 2533

Order of Business

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

Members

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

COUNCIL OF THE MUNICIPALITY OF KIAMA

Council Chambers
11 Manning Street
KIAMA NSW 2533

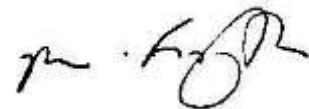
31 January 2018

To the Chairman & Councillors:

NOTICE OF ORDINARY MEETING

You are respectfully requested to attend an **Ordinary Meeting** of the Council of Kiama, to be held in the **Council Chambers 11 Manning Street, KIAMA NSW 2533** on **Tuesday 6 February 2018** commencing at **5pm** for the consideration of the undermentioned business.

Yours faithfully



Michael Forsyth
General Manager

TABLE OF CONTENTS

| ITEM | SUBJECT | PAGE NO |
|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|
| 1 | APOLOGIES | 6 |
| 2 | ACKNOWLEDGEMENT OF TRADITIONAL OWNERS | 6 |
| 3 | CONFIRMATION OF MINUTES OF PREVIOUS MEETING | 7 |
| | 3.1 Ordinary Council on 19 December 2017 | 7 |
| 4 | BUSINESS ARISING FROM THE MINUTES | 26 |
| 5 | PUBLIC ACCESS SUMMARY | 26 |
| 6 | MAYORAL MINUTE | 27 |
| | 6.1 Australia Day 2018..... | 27 |
| | 6.2 Mr Gerard McInerney, OAM..... | 29 |
| 7 | MINUTES OF COMMITTEES | 30 |
| | 7.1 Minutes - Audit, Risk and Improvement Committee meeting - 30 November 2017 | 30 |
| 8 | PUBLIC ACCESS REPORTS | 33 |
| | Committee Of The Whole | 33 |
| 9 | REPORT OF THE GENERAL MANAGER | 34 |
| | 9.1 Request for sponsorship: Kiama Rugby Sevens 2018 | 34 |
| | 9.2 Joint Organisation | 38 |
| | 9.3 Delivery Program/Operational Plan Report - October to December 2017 | 40 |
| | 9.4 Kiama Readers' Festival 2018 | 126 |
| 10 | REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES | 130 |
| | 10.1 10.2017.310.1 - Lot 136 DP: 30126 - 98 Attunga Avenue, Kiama Heights - Demolition of existing dwelling, construction of attached dual occupancy and 2 Lot Torrens Title subdivision | 130 |
| | 10.2 10.2016.301.1 – Lot 34 DP 1181744, 2 Surfleet Place, Kiama - Demolition of Existing Dwelling and Construction of 46 Townhouses and Car Park..... | 161 |
| | 10.3 10.2016.103.3 - Lot 3 DP 1123051, 1 Tasman Drive, Gerringong – proposed modified dwelling..... | 189 |

| | | |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------|------------|
| 10.4 | 10.2017.138.1 - Lot 77 DP 1206414, 13 Fadden Street, Kiama - Detached dual occupancy and 2 lot Torrens Title subdivision | 210 |
| 10.5 | 10.2017.176.1 - Lot 99 DP 1206414, 47 Merrick Circuit, Kiama - attached dual occupancy and 2 Lot Torrens Title subdivision | 250 |
| 11 | REPORT OF THE DIRECTOR CORPORATE, COMMERCIAL & COMMUNITY SERVICES | 286 |
| 11.1 | Request for Sponsorship: KISS Arts Festival 2018 | 286 |
| 11.2 | 2018 Kiama Bodyboard Slam | 301 |
| 11.3 | My Health Record Community Awareness Campaign | 303 |
| 11.4 | South Coast Food Industry Dinner | 305 |
| 11.5 | Gerringong Mens Shed Inc - Jubilee Oval Gerringong..... | 307 |
| 11.6 | Statement of Investments - December 2017..... | 313 |
| 11.7 | Financial Report for the period ending 31 December 2017..... | 318 |
| 11.8 | Interstate Conference - Destination Australia One Day Conference | 331 |
| 11.9 | Community Engagement and Feedback on Proposed Special Rate Variation..... | 333 |
| 12 | REPORT OF THE DIRECTOR ENGINEERING AND WORKS | 338 |
| | Nil | |
| 13 | REPORT OF THE DIRECTOR BLUE HAVEN..... | 339 |
| 13.1 | Blue Haven Care Home - Assessment Contact and Food Safety Audit..... | 339 |
| 14 | REPORTS FOR INFORMATION | 341 |
| 14.1 | Question for Future Meeting: Signage Strategy | 341 |
| 14.2 | MInutes - Minnamurra Progress Association meeting - 5 December 2017 | 342 |
| 14.3 | Regional Illegal Dumping Quarterly Report – 1 October to 31 December 2017 | 346 |
| 14.4 | Parking Statistics - December 2017..... | 350 |
| 14.5 | Question for Future Meeting: Pop-up trucks/shops on roadsides | 352 |
| 14.6 | Minutes - Planning Committee meeting - 11 December 2017 and 10 August 2017 (amended)..... | 353 |
| 14.7 | Local Government NSW Tourism Conference 2018 | 359 |
| 14.8 | Minutes - Kiama Youth Advisory Committee meeting - 9 November 2017 | 364 |
| 14.9 | NAIDOC Week School Initiative Program | 365 |

| | | |
|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 14.10 | Minutes - South Precinct meeting - 21 December 2017..... | 366 |
| 14.11 | NSW Container Deposit Legislation – Return and Earn Reverse Vending Machines | 370 |
| 14.12 | Submission to the Office of Local Government - Consultation on the draft Model Code of Meeting Practice for Local Councils in NSW | 371 |
| 14.13 | Urban Waste Service over the Christmas/New Year period..... | 382 |
| 14.14 | Discharge from Bombo Sewerage Treatment Plant..... | 385 |
| 14.15 | Question for Future Meeting: Strengthening Development Control Plan Provisions..... | 386 |
| 14.16 | Question for Future Meeting: Protection of residential amenity in medium density and dual occupancies | 387 |
| 14.17 | Question for Future Meeting: Affordable Housing State Environmental Planning Policy (SEPP70)..... | 390 |
| 14.18 | Illawarra Respite and Carelink Centre - Funding | 392 |
| 14.19 | Sucessful funding applications..... | 393 |
| 14.20 | Spring Creek - Proposed DCP | 394 |
| 14.21 | Councillor Report on Conference Attendance..... | 397 |
| 14.22 | Local Government NSW Annual Conference 2017 Report | 403 |
| 14.23 | Questions for Future Meetings Register as at 30 January 2018..... | 406 |
| 15 | ADDENDUM TO REPORTS | 409 |
| 16 | NOTICE OF MOTION..... | 410 |
| 16.1 | Rescission of Motion - Item 10.3 Report to Council supporting Initial Gateway Consideration of the Planning Proposal for Housekeeping Amendments to the Kiama LEP 2011 (Council meeting held 19 December 2017)..... | 410 |
| 17 | QUESTIONS FOR FUTURE MEETINGS..... | 411 |
| 18 | CONFIDENTIAL SUMMARY | 411 |
| 18.1 | Exclusion Of Press And Public:..... | 411 |
| 19 | CONFIDENTIAL REPORTS..... | 411 |
| 19.1 | Cultural Board Minutes and Art Honour Roll Nomination | 411 |
| 19.2 | Blue Haven Care - Ransomware Attack..... | 412 |
| 19.3 | ISJO Regional Road/Pavement Line marking RFT | 412 |
| 20 | CLOSURE | 412 |

**AGENDA FOR THE
ORDINARY MEETING OF KIAMA MUNICIPAL COUNCIL
TUESDAY 6 FEBRUARY 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 on 19 December 2017

Attachments

- 1 Minutes - Ordinary Council - 19/12/17 [↓](#)

Enclosures

Nil

RECOMMENDED

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



MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5.07pm on

TUESDAY 19 DECEMBER 2017

Council Chambers
11 Manning Street, KIAMA NSW 2533

Item 3.1

Attachment 1

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS, KIAMA, ON TUESDAY 19 DECEMBER 2017 AT 5.07PM

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

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

1 APOLOGIES

An apology was tendered on behalf of Councillor Brown who had been granted leave of absence.

OC-17/203

Resolved that the apology as tendered be accepted.

(Councillors Honey and Watson)

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 Blue Haven Advisory Committee on 6 December 2017

OC-17/204

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

(Councillors Reilly and Westhoff)

MINUTES OF THE ORDINARY MEETING**19 DECEMBER 2017****3.2 Ordinary Council Meeting on 21 November 2017****OC-17/205**

Resolved that the Minutes of the Ordinary Meeting held on 21 November 2017 be received and accepted subject to the following amendment:

That in relation to Item 10.8 (10.2017.137.1 – Proposed dual occupancy and Strata subdivision – Lot 27 DP 1193900 – 27 Chapel Lane, Jamberoo), the division for voting on this item is recorded as unanimously in favour.

(Councillors Steel and Sloan)

4 BUSINESS ARISING FROM THE MINUTES

Nil.

5 PUBLIC ACCESS

| For/ Against | Name | Item No. | Subject |
|-------------------------|-----------------|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For | Glenys Day | 10.1 | Jamberoo DCP |
| Against | Lisa Tierney | 10.4 | 10.2017.215.1 - Lot 100 DP 1230058 - 8 and 10 Blackwood Street Gerringong – part demolition and relocation of part of Gerringong Historical Society museum building and restoration of Gerringong School of Arts building, which will include construction of a library and community facilities |
| Against | Julie Donnellan | 10.5 | 10.2017.241.1 - Lot 16 DP 1206612 - 11 Northpoint Place Bombo – construction of an attached dual occupancy and subsequent 2 lot Torrens title subdivision |
| For | Alex Kelly | 10.5 | 10.2017.241.1 - Lot 16 DP 1206612 11 Northpoint Place Bombo – construction of an attached dual occupancy and subsequent 2 lot Torrens title subdivision |
| Against | Cathy O'Connor | 10.6 | 10.2017.156.1 - Lot 17 DP 1123051 – 29 Tasman Drive Gerringong – dwelling and swimming pool |

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

| For/ Against | Name | Item No. | Subject |
|-----------------|--------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| For | Adam Roser | 10.6 | 10.2017.156.1 - Lot 17 DP 1123051 – 29 Tasman Drive Gerringong – dwelling and swimming pool |
| Against | Chris George | 10.7 | 10.2017.38.1 – Lot 1 DP 709368 – 4 Dido Street, Kiama – alterations and additions to existing dwelling for a change of use to childcare facility for 39 children and onsite car parking |

6 MAYORAL MINUTE**6.1 Resident Amanda Reid receives NSW Athlete of the Year with a Disability award****OC-17/206**

Resolved that Council formally congratulate Amanda Reid on being awarded the NSW Athlete of the Year with a Disability award.

(Councillors Honey and Way)

OC-17/207

Resolved that at this time, 5.11pm Council bring forward and deal with the Mayoral Minutes Items 15.1 and 15.2 of the Addendum to Reports.

(Councillors Sloan and Westhoff)

15.1 Seasons Greetings**OC-17/208**

Committee recommendation that Council extends to all, the wish for a happy and peaceful Christmas and for a safe and prosperous New Year.

(Councillor Honey)

15.2 Local Government NSW Outstanding Service Award - Councillor Steel**OC-17/209**

Committee recommendation that Council formally congratulate Councillor Steel on receiving the Local Government NSW Outstanding Service award acknowledging over 20 years of service.

(Councillor Honey)

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

7 MINUTES OF COMMITTEES

7.1 Minutes of the Streets and Reserve Naming Committee meeting held on 6 November 2017

OC-17/210

Resolved that:

1. the Minutes of the Streets and Reserve Naming Committee meeting held on 6 November 2017 be received and recommendations accepted with the exception of recommendation CR032.
2. Council approve the second option of Blowhole Road for naming of the existing road around Blowhole Point, Kiama.

(Councillors Reilly and Way)

7.2 Minutes of the Kiama Local Traffic Committee meeting held electronically on 5 December 2017

OC-17/211

Resolved that the Minutes of the Kiama Local Traffic Committee meeting held electronically on 5 December 2017 be received and the recommendations accepted.

(Councillors Steel and Reilly)

7.3 Minutes of the Destination Kiama Tourism Advisory Committee meeting held 6 December 2017

OC-17/212

Resolved that the Minutes of the Destination Kiama Tourism Advisory Committee meeting held on 6 December 2017 be received and accepted.

(Councillors Westhoff and Watson)

7.4 Minutes of the Health and Sustainability Committee meeting held on 5 December 2017

OC-17/213

Resolved that the Minutes of the Health and Sustainability Committee meeting held on 5 December 2017 be received and accepted.

(Councillors Reilly and Sloan)

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

COMMITTEE OF THE WHOLE

OC-17/214

Resolved that at this time, 5.20pm, Council form itself into a Committee of the Whole to deal with matters listed in the reports as set out below:

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

(Councillors Steel and Sloan)

8 PUBLIC ACCESS REPORTS

OC-17/215

Committee recommendation that at this time, 5.20pm, Council bring forward and deal with the matters pertaining to the Public Access Meeting.

(Councillors Reilly and Sloan)

10.1 Jamberoo DCP

OC-17/216

Committee recommendation that Council adopt the final draft of the draft Kiama DCP Chapter 33 – Jamberoo Village as outlined in this report and attachments with the following amendments:

1. Inserting the following text after paragraph 2 on page 5:
Application of this Chapter prevails in the event of an inconsistency between Chapter 33 – Jamberoo Village and any other Chapter of the Kiama DCP 2012.
2. In section A6.1 for both single dwelling and dual-occupancy sections – amend the wording to:
The primary roof structure shall be a pitched roof with a minimum pitch of 25°. Lower pitch skillion roofs are permitted on verandahs and other minor elements of the building.
3. With regards to outbuildings in section A11 for both single dwelling and dual occupancy sections, increase the side boundary setback from 900mm to 1.5m or according to any applicable easement for consistency with dwelling setback. Retain 900mm for rear setback.

(Councillors Rice and Reilly)

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

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

10.4 10.2017.215.1 - Lot 100 DP 1230058 - 8 and 10 Blackwood Street Gerringong – part demolition and relocation of part of Gerringong Historical Society museum building and restoration of Gerringong School of Arts building, which will include construction of a library and community facilities

OC-17/217

Committee recommendation that Council approve Development Application 10.2017.215.1 under Section 80 of the Environmental Planning and Assessment Act 1979 subject to conditions at the end of the report.

(Councillors Westhoff and Way)

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

10.5 10.2017.241.1 - Lot 16 DP 1206612 11 Northpoint Place Bombo – construction of an attached dual occupancy & subsequent 2 lot Torrens title subdivision

OC-17/218

Committee recommendation that Council refuse Development Application 10.2017.241.1 pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, as the proposal:

1. is an overdevelopment of the allotment
2. is too high and too close to the rear boundary
3. has inadequate vehicular access and parking
4. will result in allotments which will be inadequate with one of the dwellings also exceeding the permissible floor space ratio as outlined in Part 4 Clause 4.4(2) of the Kiama Local Environmental Plan 2011.

(Councillors Steel and Watson)

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

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

- 10.6 10.2017.156.1 - Lot 17 DP 1123051 – 29 Tasman Drive Gerringong – dwelling & swimming pool**

OC-17/219

Committee recommendation that Council approve the amended Development Application 10. 2017.156.1, dated 19 December 2017, under Section 80 of the Environmental Planning and Assessment Act 1979, subject to the amended plans submitted.

(Councillors Way and Steel)

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

Against: Nil

- 10.7 10.2017.38.1 - Lot 1 DP 709368 - 4 Dido Street, Kiama - alterations and additions to existing dwelling for a change of use to childcare facility for 39 children and onsite car parking**

Councillor Watson sought leave and left the meeting at 5.53pm and returned to the meeting at 6pm.

OC-17/220

Committee recommendation that Council approve the amended Development Application 10.2017.38.1, dated 19 December 2017, under Section 80 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

(Councillors Way and Reilly)

For: Councillors Reilly, Rice, Sloan, Steel, Watson, Way and Westhoff

Against: Councillor Honey

9 REPORT OF THE GENERAL MANAGER

Nil

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

10 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES

10.2 Report to Council seeking endorsement of the Planning Proposal for Housekeeping amendments to the Kiama LEP 2011

OC-17/221

Committee recommendation that Council proceed with the preparation and finalisation of the draft Kiama Local Environmental Plan, for amendments to the subdivision controls, in conjunction with Parliamentary Counsel and the Department of Planning and Environment.

(Councillors Way and Westhoff)

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

Against: Nil

10.3 Report to Council Supporting Initial Gateway Consideration of the Planning Proposal for Housekeeping amendments to the Kiama LEP 2011

It was moved by Councillor Reilly and seconded by Councillor Watson that 1(c) be amended to refer to 45% of the total floor area of the principal dwelling.

The **Motion** was put and **lost**

For: Councillors Reilly, Steel and Watson

Against: Councillors Honey, Rice, Sloan, Way and Westhoff

OC-17/222

Committee recommendation that Council:

1. Endorse this Planning Proposal to amend the Kiama LEP 2011 in order to:
 - (a) permit Bed & Breakfasts with consent in the RU1, RU2 & E3 zones;
 - (b) permit Eco Tourist Facilities with consent in the RU2 & E3 zones; and
 - (c) reduce the total floor area of secondary dwellings to 25% of the total floor area of the principal dwelling.
2. Proceed to the Department of Planning and Environment for a Gateway determination.
3. Request plan making delegations for this proposal as a part of the Gateway determination.
4. On receipt of the Gateway Determination, proceed with recommendations including requesting any further studies and public exhibition.
5. Concurrently prepare an amendment to Chapter 13 – Bed and Breakfast/Farm Stay of the Kiama Development Control Plan 2012 to include development controls for Eco Tourist Facilities. Report the draft amendment to Council for endorsement to proceed with community consultation.

(Councillors Sloan and Way)

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

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

10.8 10.2017.225.1 - Lot 2 DP 1073383 – 31 Jupiter Street Gerringong – dwelling

OC-17/223

Committee recommendation that Council approve development application 10.2017.225.1, pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, subject to the conditions at the end of this report.

(Councillors Way and Reilly)

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

11 REPORT OF THE DIRECTOR CORPORATE, COMMERCIAL & COMMUNITY SERVICES

11.1 Music in the Park

OC-17/224

Committee recommendation that Council approve:

1. to call for Expressions of Interest for a three-year contract
2. the Music in the Park season to run from May to November each year.

(Councillors Way and Steel)

11.2 Statement of Investments - November 2017

OC-17/225

Committee recommendation that Council:

1. receive and adopt the information relating to the Statement of Investments for November 2017.
2. request a report from the Director on the review of the investment policy.

(Councillors Sloan and Way)

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

11.3 Audited Annual Financial Statements 2016/2017

OC-17/226

Committee recommendation that:

1. The Annual Financial Statements and Audit Reports for the period ended 30 June 2017 be received and adopted.
2. The Audited Financial Statements and Audit Reports be forwarded to the Office of Local Government.

(Councillors Steel and Westhoff)

12 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

Nil

13 REPORT OF THE DIRECTOR BLUE HAVEN

13.1 Illawarra Academy of Sport sponsorship proposal - athlete access to Leisure Centre

OC-17/227

Committee recommendation that Council, as part of its sponsorship to the Illawarra Academy of Sport, provide silver student membership to the Kiama Leisure Centre for scholarship holders in the Kiama LGA.

(Councillors Way and Watson)

14 REPORTS FOR INFORMATION

OC-17/228

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

- 14.1 NSW Coastal Conference 2017 - Councillor Neil Reilly report
- 14.2 Conference Report - NSW Coastal Conference - Councillor Sloan and Reilly
- 14.3 Legislative Updates to the Environmental Planning and Assessment Act 1979 and supporting Regulation
- 14.4 Parking Statistics - November 2017
- 14.5 Catchment and Flood Risk Management Committee - Minutes – 21 November 2017

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

- 14.6 Questions for Future Meeting - Neighbourhood Character and Kiama LEP 2011
- 14.7 Kiama Liquor Accord Meeting Minutes - 29 November 2017
- 14.8 Minutes of the Kiama Liquor Accord AGM held on Wednesday 29 November 2017
- 14.9 Legislative Updates to a number of State Environmental Planning Policies
- 14.10 Question for Future Meeting: Aboriginal Cultural Heritage Management Development Assessment Toolkit
- 14.11 Question for Future Meeting: Use of rural sheds for low scale industrial manufacturing
- 14.12 Kiama Regional Economic Development Strategy
- 14.13 The 2017 Global Eco Asia-Pacific Tourism Conference
- 14.14 Question for Future Meeting: Relocation of Administration Centre
- 14.15 Election of Local Government NSW Board
- 14.16 Australian Coastal Council Association AGM Minutes - 24 November 2017
- 14.17 Letter of Appreciation - Remembering Kiama District Hospital Heydays
- 14.18 Health in All Councils Survey
- 14.19 Questions for Future Meetings register as at 12 December 2017
- 14.20 Councillor Meetings Register as at 12 December 2017
- 14.21 Acting General Manager
- 14.22 South Precinct Committee Meeting Minutes - 16 November 2017.

(Councillors Reilly and Steel)

15 ADDENDUM TO REPORTS

OC-17/229

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

(Councillors Reilly and Steel)

15.3 Australia Day Awards

OC-17/230

Committee recommendation that Council note the report and endorse the recommendations of the Judging Panel for Australia Day Award recipients.

(Councillors Reilly and Westhoff)

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

15.4 Christmas Wishes

OC-17/231

Committee recommendation that Council receive and note this Report for Information.

(Councillors Reilly and Steel)

RESUMPTION OF ORDINARY BUSINESS

OC-17/232

Committee recommendation that at this time, 6.29pm, Council resume the ordinary business of the meeting with all Councillors and Staff present at the adjournment of the meeting being present.

(Councillors Reilly and Steel)

ADOPTION OF COMMITTEE OF THE WHOLE REPORT

OC-17/233

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-17/215 to OC-17/232 above.

(Councillors Reilly and Steel)

16 NOTICE OF MOTION

Nil

17 QUESTIONS WITHOUT NOTICE

17.1 Gerringong CBD - parking issues

Councillor Reilly requests a report on the status of the proposal to enhance and increase parking behind the Gerringong IGA, to alleviate parking difficulties for residents, visitors and retailers.

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

17.2 Affordable Housing State Environmental Planning Policy (SEPP70)

Councillor Sloan commented that several Sydney councils have been granted approval to implement a new housing affordability measure under SEPP70 and requests a report on whether SEPP70 could be used in the Kiama Local

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

Government Area and/or whether other measures might be better to encourage construction of an appropriate amount of affordable housing.

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

17.3 Protection of residential amenity in medium density and dual occupancies

Councillor Sloan commented that the role and ability of our Development Control Plans to protect amenity (views, sunlight, privacy etc) may have been undermined by changes made to the EP&A Act recently and requests a report on how Council can introduce clauses into local planning instruments to achieve “quality and amenity for the end users” of new units, townhouses and dual occupancies that will be enforceable.

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

17.4 Strengthening Development Control Plan provisions

Councillor Sloan requests a report on providing general advice about the best way for Council to strengthen and enforce our DCPs.

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

17.5 Arthur Campbell Reserve - funding

Councillor Westhoff requests a report on ongoing funding available in the 2018/19 budget for continued work at the Arthur Campbell Reserve, Gerringong.

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

17.6 Pop-up trucks/shops on roadsides

Councillor Westhoff requests a report on the rules surrounding pop-up trucks/shops that sell fruit, flowers, etc in the small lay-bays between Kiama and Gerringong.

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

17.7 Memorial Path, Gerringong

Councillor Westhoff requests a report on the proposal to construct a memorial path from the Gerringong cemetery towards the Lone Pine Memorial to commemorate 100 years since the first Armistice in 1918 as requested by the Gerringong RSL Sub-branch.

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

The Director Engineering & Works provided a verbal report advising that arrangements with the Gerringong RSL for the footpath and associated landscaping are to be implemented in early 2018.

18 CONFIDENTIAL SUMMARY

OC-17/234

Resolved that at this time, 6.36pm, 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 Way and Steel)

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-17/235

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

19.1 AKUNA STREET DEVELOPMENT

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 KIAMA AGED CARE CENTRE OF EXCELLENCE

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 LOT 200 DP107091, LOT 100 DP1211389, LOT 1 DP50193 AND LOT 1 DP506764 (EXCLUDING LOT 3 DP40304) BETWEEN TERRALONG, AKUNA AND SHOALHAVEN STREETS, KIAMA

Reason for Confidentiality: This matter deals with information that would, if

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

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.

19.4 GERRINGONG LIBRARY, MUSEUM AND COMMUNITY FACILITY

Reason for Confidentiality: This matter deals with details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property as per Section 10A(2)(f) of the Local Government Act.

19.5 KIAMA AGED CARE CENTRE OF EXCELLENCE

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 Sloan and Watson)

19 CONFIDENTIAL REPORTS

19.1 Akuna Street Development

OC-17/236

Committee recommendation that Council

1. accept the legal advice and the considered view that Council should require the developer to initiate a road closure and purchase the basement stratum under the existing laneway.
2. give approval for the General Manager to be authorised to:
 - seek a valuation for the basement stratum
 - enter into direct negotiation with the developer for the sale of this area below the existing laneway
 - prepare all relevant documentation to formalise the road closure for this area.
 - in the event that the sale option is delayed or is not approved then the General Manager is authorised to negotiate the easement option and to develop the conditions to protect the Council's assets associated with the existing laneway including the basement stratum.

(Councillors Sloan and Watson)

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

Against: Nil

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

19.2 Kiama Aged Care Centre of Excellence

OC-17/237

Committee recommendation that Council receive and consider a late report in relation to the negotiations undertaken with the two highest scoring tenderers for the Kiama Aged Care Centre of Excellence.

(Councillors Reilly and Steel)

19.3 Lot 200 DP107091, Lot 100 DP1211389, Lot 1 DP50193 and Lot 1 DP506764 (excluding Lot 3 DP40304) between Terralong, Akuna and Shoalhaven Streets, Kiama

OC-17/238

Committee recommendation that Council grant a further four-month extension option with a non-refundable fee of \$80,000 + GST to Nicolas Daoud & Co Pty Ltd.

(Councillors Rice and Sloan)

19.4 Gerringong Library, Museum and Community Facility

OC-17/239

Committee recommendation that Council:

1. confirm the previous resolution of Council that neighbours do not enjoy any legal right of access over the Gerringong School of Arts land and associated community land.
2. will not prevent reasonable access requests on a needs basis.

(Councillors Rice and Westhoff)

19.5 Kiama Aged Care Centre of Excellence

OC-17/240

Committee recommendation that Council enter into a Main Works Contract with the preferred tenderer.

(Councillors Westhoff and Reilly)

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

Against: Nil

MINUTES OF THE ORDINARY MEETING

19 DECEMBER 2017

Close of Confidential Committee of the Whole:

OC-17/241

Committee recommendation that at this time, 6.55pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Sloan 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-17/242

Resolved that that the Confidential Committee of the Whole recommendations numbered OC-17/235 to OC-17/241 be confirmed and adopted.

(Councillors Sloan and Way)

20 CLOSURE

There being no further business the meeting closed at 6.56pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 6 February 2018

.....
Mayor

Item 3.1

Attachment 1

4 BUSINESS ARISING FROM THE MINUTES

5 PUBLIC ACCESS SUMMARY

6 MAYORAL MINUTE

6.1 Australia Day 2018

Attachments

Nil

Enclosures

Nil

RECOMMENDED

That Council:

1. Extend congratulations to the 2018 Australia Day awardees.
2. Thank Jeremy Jones AM for his Ambassadorial addresses.
3. Thank Sing Australia, Bronte Guggisberg, Dale and Germaine Wright and the Jamberoo Public School for their performances.
4. Thank the Kiama Coast Holiday Parks for their sponsorship of the Outdoor movie night.
5. Thank Councillors Reilly, Westhoff, Steel, Way, Brown, Watson and Sloan along with the General Manager, Kirrilee McManus, Narelle Mousdale and Carole Johnston for their assistance in organising the successful Australia Day events.
6. Consider the allocation of funds for the installation of appropriate air conditioning in the Jamberoo School of Arts in the 2018/2019 budget.
7. Review the hall hire fee for inclusion in the 2018/2019 fees and charges.

REPORT

On 26 January 2018 the winners of Kiama Council's Australia Day Awards for 2018 were officially presented at a ceremony held at Jamberoo School of Arts Hall. Councillor Reilly as the chair of the Australia Day Committee was the Master of Ceremonies.

Kiama's Australia Day 2016 Award winners were:

- Australia Day Citizen of the Year Barbara Adams
- Australia Day Young Citizen of the Year Sarah Young
- Australia Day Senior Citizen of the Year Noel Edgell
- Australia Day Community Group of the Year Jamberoo Red Cross

The attendees were entertained by Sing Australia, Bronte Guggisberg, Dale and Germaine Wright and students from Jamberoo Public School who performed the National Anthem in both Dharawal and English.

Mayoral Minute

6.1 Australia Day 2018 (cont)

On the Thursday night before Australia Day the movie 'Red Dog True Blue' was shown in Hindmarsh Park with close to 200 people in attendance. This event was generously sponsored by Kiama Coast Holiday Parks.

On Thursday 26 January, Kiama's Australia Day Ambassador, Jeremy Jones AM, 2016 winner of the NSW Government's Stepan Kerkyasharian Medal for promoting Community Harmony and winner of the 2007 Australian Human Rights Medal, gave the Ambassadorial Address as part of Council's Australia Day celebrations at the Kiama Downs Breakfast and Awards/Citizenship Ceremony. Jeremy spoke about the colourful and vast array of life stories of all Australians that make up our rich cultural tapestry.

The Australia Day Citizenship Ceremony was held at the Jamberoo School of Arts Hall welcoming 15 new Australian Citizens to our community, and welcoming close to 300 people at the event. The event was catered this year by the Jamberoo Branch of Country Women's Association who provided some traditional Australian fare such as Anzac slice and lamingtons.

The event was very successful despite the heat which at times made people very uncomfortable. To address the climatic conditions in the hall it is proposed that Council consider the allocation of funds for appropriate air conditioning in the preparation of the 2018/2019 budget. It is also proposed that hall hire fees be reviewed to ensure that the hall is attractive to hire.

The breakfasts were all well attended including those held at Coronation Park in Kiama, Jones Beach - Kiama Downs, Kevin Walsh Oval in Jamberoo and South Werri Reserve at Gerringong. All Australia Day Breakfasts attracted above average numbers of guests on the day with in excess of 1000 guests attending the four breakfasts.

To end the Australia Day long weekend a concert in Hindmarsh Park was held on 28 January 2018 from 1pm – 3pm featuring local artists, Giles Robinson and rock band Care Factor. Concert numbers were down this year with approx. 200 people attending.

6.2 Mr Gerard McInerney, OAM**Attachments**

Nil

Enclosures

Nil

RECOMMENDED

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

REPORT

It is very pleasing that Mr Gerard McInerney, a Kiama resident has been awarded an Order of Australia in the General Division for service to the pharmacy profession, and to the community.

Mr McInerney was Kiama Municipal Council's Citizen of the Year in 2015 and has provided extensive service to a large number of organisations and community groups.

Gerry has been a member of the Pharmacy Board of Australia from 2009-2015 and held positions on the Pharmacy Compounding Working Party, the Registration and Examinations Committee and chaired the Notifications Committee.

He has also been President of both the Pharmacy Board of NSW and the Illawarra Pharmacists' Association, of which Mr McInerney has been made life member, having been a members since 1966.

Mr McInerney has also contributed to the pharmacy profession as follows:

- Member, Bachelor of Pharmacy External Advisory Committee, School of Biomedical Sciences, Faculty of Science, Charles Sturt University, since 2010
- Member, Expert Advisors Panel, Health Care Complaints Commission New South Wales, since 2014
- Fellow, Pharmaceutical Society of Australia, since 2011
- Past Member, Australian Pharmacy Council.

Gerry has been a member of the Kiama Lions Club since 1982 and has been recognised for his outstanding service, being awarded the Melvin Jones Fellowship.

He has been a member of the board of the Kiama Hospital and a past president of the Kiama Knights of the Southern Cross.

7 MINUTES OF COMMITTEES

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

Responsible Director: Corporate, Commercial & Community Services

Attachments

- 1 Audit, Risk and Improvement Committee Minutes - 30/11/2017 [↓](#)

Enclosures

Nil

RECOMMENDED

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

BACKGROUND

The minutes of the Audit, Risk and Improvement Committee meeting held on 30 November 2017 are attached. Council is asked to receive and accept the Minutes and endorse the recommendations contained therein.



**AUDIT RISK AND IMPROVEMENT COMMITTEE
MINUTES**

| | | | | | |
|---------------------------|--------------------------------------------------------------------------------------|--------------|-----|-----------------|-------------|
| Date: | 30 November 2017 | 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 Neil Reilly, Clr Andrew Sloan, Brian MacDonald | | | | |
| Apologies: | Brian Robertson | | | | |
| Observers | Clr Mark Honey, Clr Kathy Rice, Michael Forsyth, Kerry McMurray | | | | |
| Presenters | David Mead, Diane Ellison, Renee Winston | | | | |

4. Election of independent chairperson

The independent members were asked if anyone would like to self-nominate.

Brian MacDonald declared that he was ineligible to stand for the position of Chairperson, as until January 2018, he is still an employee of Illawarra Shoalhaven Joint Organisation, which is managed by Kiama Municipal Council.

Dr Philip Ross was nominated by Clr Sloan/seconded by Clr Reilly and unanimously elected as Chairperson

5. 2016/17 Financial Statements

Action:

Kerry to arrange for a presentation to be prepared providing detail on how Special Schedule 7 is put together. Also to be included in the presentation is Council's strategy to protect its assets.

Ross/Reilly

6. Risk Management presentation (Renee Winston)

Action:

Renee to provide the comparison table of wage percentages used to calculate premiums.

Ross/MacDonald

Action:

Renee to provide the committee with Lost Time Injury Frequency Rate (LTIFR) statistics and benchmarks.

Ross/MacDonald

8. Recruitment of part-time internal auditor

Action:

Kerry to circulate the position description as soon as it is available.

Ross/Reilly

- 2 -

Minutes of the Manex Meeting - Operational

07 November 2017

9. General Business

Action:

Staff to complete the fraud risk assessment.

Ross/Reilly

Action:

Review the seven recommendations in the Botany report and benchmark Kiama against those recommendations.

Ross/MacDonald

Action:

Kerry to arrange for the Aged Care Portfolio to be discussed at a future meeting.

Ross/Reilly

Next meeting

Action:

Sue to distribute proposed dates for 2018 quarterly meetings for feedback and rescheduling if required. Dr Philip Ross is not available on Thursdays and Fridays.

Ross/MacDonald

Action:

Kerry to schedule an extraordinary meeting for the committee in late 2018 to review the annual financial statements before they go to Council.

Ross/MacDonald

The meeting closed at 5.34pm

Item 7.1

Attachment 1

8 PUBLIC ACCESS REPORTS

Committee Of The Whole

RECOMMENDATION

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

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

9 REPORT OF THE GENERAL MANAGER

9.1 Request for sponsorship: Kiama Rugby Sevens 2018

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

Summary

This report recommends that Council again provide a monetary contribution and in-kind donation to the Kiama Rugby Sevens to be held from 23 – 25 February 2018.

Finance

The organiser of the Kiama Rugby Sevens is seeking a financial assistance of \$5,000 in addition to provision of waste and cleaning services, ground maintenance and hire, and use of The Pavilion facilities during the Kiama Rugby Sevens.

Policy

Not applicable.

Attachments

1 Request for sponsorship - Kiama Rugby Sevens 2018 [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council provide support for the 2018 Kiama Rugby Sevens by:

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

BACKGROUND

Council has received a letter from the Kiama Sevens Tournament Director requesting that Council again provide financial and in-kind assistance towards the running of the Kiama Sevens tournament in 2018. A copy of the letter is attached.

The 2018 event will take place from 23 – 25 February and will again include Tier 1 and 2 Men's and Tier 1 Women's competitions as well as the Country Cup.

In previous years Council has provided various levels of assistance and last year provided \$5,000 financial assistance as well as donating the use of The Pavilion and

Report of the General Manager

9.1 Request for sponsorship: Kiama Rugby Sevens 2018 (cont)

grounds for the weekend of the tournament as well as waste, recycling and cleaning services (approximately \$1,500).

Item 9.1



Contact Kiama Sevens
Mail: PO Box 229, Kiama NSW 2533
Mark Bryant: Kiama Sevens Tournament Director M: 0439 640 896
Email: kiamasevens@kiamarugby.com - Web: www.kiamarugby.com

Celebrating 46 Years of Great Sevens Rugby • Kiama Showground • 24 February 2018

Michael Forsyth,

26th September, 2017

General Manager.

Kiama Municipal Council

PO Box 75, KIAMA, 2533

Dear Michael,

The Kiama Sevens is entering its 46th year. With the restructure of the tournament, in consultation with the ARU, the pathway has been set in alignment with the 2016 Olympics. The 2017 Kiama Sevens saw 40 rugby sevens sides travelling to Kiama, in-turn showcasing the region.

The 2018 tournament will include the following competitions:

- * Tier 1 Men's competition 16 teams;
- * Tier 1 Women's competition 12 teams;
- * Country Cup Women's Competition;
- * Country Cup Competition 8 men's teams;
- * Tier 2 Men's competition 8 teams;

To help with the successful running of the 2018 Kiama Sevens I would like to ask for the following assistance from Kiama Municipal Council:

- 1) Use of the Pavilion from Friday 23rd to Sunday 25th of February;
- 2) Waste and Recycle management;



KIAMA SEVENS • KIAMA SEVENS • KIAMA SEVENS • KIAMA SEVENS • KIAMA SEVENS



Contact Kiama Sevens
Mail: PO Box 229, Kiama NSW 2533
Mark Bryant: Kiama Sevens Tournament Director M: 0439 640 896
Email: kiamasevens@kiamarugby.com - Web: www.kiamarugby.com

Celebrating 46 Years of Great Sevens Rugby • Kiama Showground • 24 February 2018

- 3) Restroom cleaning;
- 4) Ground maintenance;
- 5) \$5,000.00 financial assistance.

I look forward to discussing the request.

Regards,

Mark Bryant

Kiama Sevens Tournament Director



KIAMA SEVENS • KIAMA SEVENS • KIAMA SEVENS • KIAMA SEVENS • KIAMA SEVENS

9.2 Joint Organisation

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

Item 9.2

Summary

This report recommends that Council inform the Minister of Local Government of the Council's endorsement of the Minister recommending to the Governor of the establishment of a Joint Organisation comprising Wollongong City Council, Shellharbour City Council, Kiama Municipal Council and Shoalhaven City Council.

Finance

N/A

Policy

N/A

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

In accordance with Part 7 of Chapter 12 of the Local Government Act 1993 (Act) the Kiama Municipal Council resolves:

1. That the council inform the Minister of Local Government of the Council's endorsement of the Minister recommend to the Governor the establishment of a Joint Organisation in accordance with this resolution.
2. To approve the inclusion of the Council's area in the Joint Organisation's area.
3. That the Joint Organisation be established to cover the Council's area and any one or more of the following council areas:
 - a) Wollongong City Council
 - b) Shellharbour City Council
 - c) Shoalhaven City Council.
4. That on the expiry of a period of 28 days from the making of this resolution, the General Manager provide the Minister:
 - a) with a copy of this resolution including the date on which Council made this resolution, and

Report of the General Manager

9.2 Joint Organisation (cont)

b) inform the Minister that this resolution has not been rescinded, for the purpose of the Minister issuing a certificate under section 400P of the Act.

BACKGROUND

In 2016 the Office of Local Government sought feedback on the proposed map of joint organisation boundaries. The proposal map showed the Illawarra Joint Organisation's boundaries consistent with the boundaries of the pilot joint organisation including Wollongong City Council, Shellharbour City Council, Kiama Municipal Council and Shoalhaven City Council areas.

The boundary criteria for joint organization is that each joint organization should:

- align or 'nest' within strategic growth planning boundaries
- demonstrate clear community of interest between member councils and regions
- not adversely impact on other councils or joint organisations, for example, leaving too few councils to form a joint organisation
- be based around a strong regional centre, where possible
- be of appropriate scale and capacity to partner with the NSW Government, Commonwealth Government and other partners.

Council did not resolve to make a submission proposing altering the boundaries.

On 21 November 2017 Council was advised of the NSW Government decision to introduce new laws to allow councils in regional NSW to voluntarily create joint organisations in 2018.

The Local Government Amendment (Regional Joint Organisation) Act 2017 commenced on 15 December 2017. Under the Act Council is required to make a resolution endorsing the Minister recommending to the Governor, the establishment of a joint organisation. The resolution is to be made and submitted to the Minister of Local Government by 28 February 2018. This allows time to undertake the required processes in order to have joint organisations in operation by July 2018. This includes allocation of seed funding to help establish each joint organisation under the NSW Government's \$3.3M commitment.

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

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

CSP Strategy: 4.3 Council and the community working together

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

Summary

This report provides an update on progress of the 2017-2021 Delivery Program and the 2017-18 Operational Plan for the period 1 October to 31 December 2017.

Finance

As per approved 2017-18 budget

Policy

Local Government Act 1993

Attachments

1 Delivery Program/Operational Plan Report - October to December 2017 [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council receives the Delivery Program 2017-21 and Operational Plan 2017-18 progress report for the period October to December 2017.

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.


This report provides the status of the Operational Plan/Delivery Program actions for the first half of the 2017-18 financial year. The Operational Plan contains 170 actions and activities, and as at 31 December 2017 the status of these are:

| Status | No. |
|----------------------|-----|
| Progressing | 148 |
| Completed | 10 |
| Not due this quarter | 11 |
| Behind target | 1 |

Report of the General Manager

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

The following Operational Plan activity is currently behind target.

| Action Code | Action Name | Performance Measure | Progress | Comments | Responsible Officer Position | Traffic Lights |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------------------------------------------------------------------------|
| 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 | 25% | <p>Leisure Centre sauna has been refurbished within budget. Quotes have been received to repair hall floor. These quotes will be assessed in the next quarter for work to be completed as soon as possible.</p> <p>Jamberoo Pool opened 23/12/17. There were delays in opening due to damage to the pool pipe work and weather delays. The children's pool was not completed for the opening day as the pool required extensive work to stabilise the surrounding walls. This pool should be open by late January.</p> | Leisure Centre Manager | <p>Behind Target</p>  |

Item 9.3

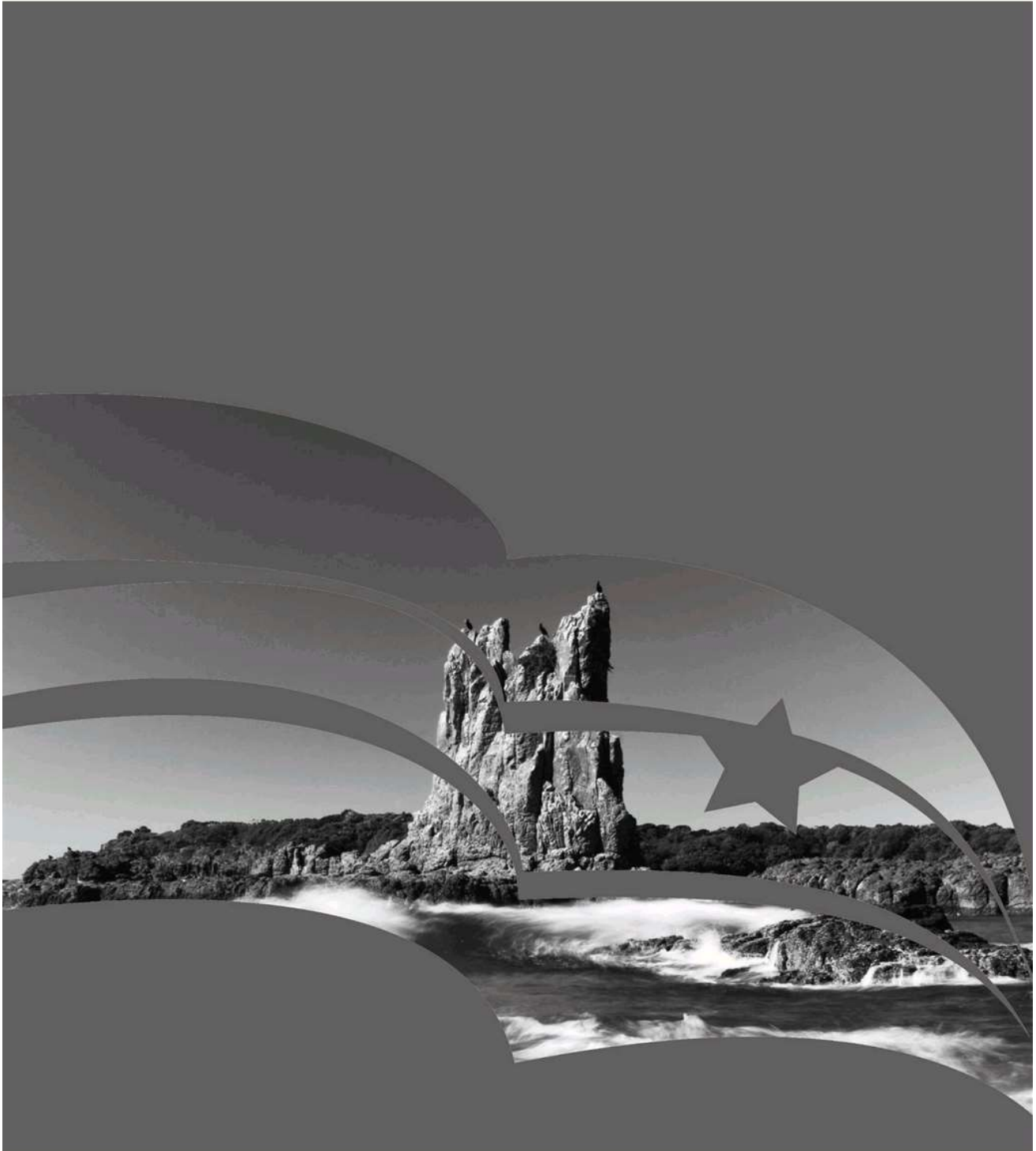
There were a number of significant outcomes during the first half of the 2017-18 financial year, including:

- Jamberoo Pool refurbishment was completed, with the pool reopening on 23 December 2017
- accessibility ramps and a new accessible chair lift became operational on 23 December 2017 at Jamberoo Pool
- the design for additional parking at the Leisure Centre was finalised with work programmed to commence by mid-February 2018
- work on the Kiama Aged Care Centre of Excellence (KACCOE) continued, with remediation of the site almost complete
- a construction contract for the KACCOE development was awarded on 22 December 2017
- a new recreational activities officer has commenced work at Blue Haven Care to run a dementia specific program in the Mackellar unit
- the Jamberoo Development Control Plan was completed and adopted by Council in December 2017
- all complying development applications were determined within 10 days
- the Kiama Library held 21 programs, including a 'HSC Lock In' study group with 40 students in attendance
- Council made application to IPART for a Special Rate Variation
- thirteen story-time and baby story-time programs delivered at the library
- thank you lunch held for volunteers from the Gerringong Historical Society and general community in recognition of assistance in packing museum collection

Report of the General Manager

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

-
- SENTRAL provided a number of health and wellbeing programs for young people, including Munch Out weekly cooking lessons and fitness and yoga sessions
 - Healthy Cooking for Solo Seniors session held
 - Fair Food Week event held at the Pavilion with 160 people in attendance
 - the Leisure Centre sauna was refurbished
 - a youth engagement meeting was held at Kiama High School providing an opportunity for young people to raise concerns or suggestions directly to Council
 - SENTRAL worked with all five local primary schools to deliver a Year 6 Transition program which received excellent feedback and participant satisfaction from students and staff
 - the 2017-18 Patrolled Beach Season continued at both Surf Beach and Warri Beach and patrols commenced at Bombo, Jones, Easts, Kendal and Gerroa beaches on 16 December 2017
 - 161 parking patrols were undertaken in the commercial areas of Kiama and Gerringong and local school zones, resulting in 183 infringement notices being issued
 - 700 Kiama Boomerang Bags were made and distributed
 - the regional litter program "Picitup" has 98 registered participants, who voluntarily collect litter on their walks throughout the Municipality
 - remedial works on Cloonty Bridge were completed, with bank stabilization work to be completed in February 2018
 - an adult change facility was completed at Kiama Harbour
 - the Strategic Tourism and Events Plan 2018-21 was reviewed and finalised in November 2017 and was adopted at the November Council meeting
 - a Christmas Tourism After-hours event was held with 100 people in attendance
 - the 2018 Kiama Visitor Guide was completed and launched in December 2017
 - the 2017 UNSPOILT marketing campaign concluded and planning for the 2018 campaign has commenced
 - a total of 124 events were held at the Pavilion during 2017
 - no non-compliance issues were identified, with annual reporting for Public Interest Disclosures, Government Information (Public) Access Act and Code of Conduct being submitted by due dates
 - an updated Council Information Guide was adopted at the November Council meeting
 - the new Internal Audit Committee held their first meeting on 30 November 2017
 - a successful New Year's Eve Sky Show was held, which included a designated accessible area for people with a disability
 - the summer edition of Kimunico was created and distributed to residents



Item 9.3

Attachment 1

Kiama Council

Delivery Program/Operational Plan Report – July to December 2017



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

Contents

| | |
|------------------------------------------------------------------------------------------------------|----|
| Vision, Mission, Values & Principles | 3 |
| Introduction | 4 |
| Our Objectives | 5 |
|  Community | 9 |
|  Environment | 33 |
|  Economy | 51 |
|  Civic Leadership | 62 |

Item 9.3

Attachment 1

Vision, Mission, Values & Principles

Community Vision
Working together for a healthy, sustainable and caring community

Council Mission
Kiama Council will work to create a Municipality that has a healthy, vibrant lifestyle, beautiful environment and harmonious, connected and resilient community

Council Values & Principles

- Values the commitment of the community to our local region
- Recognises the value of the area's rural and coastal lifestyle
- Will strive to maintain the natural beauty of the environment

Introduction

The **Delivery Program 2017-2021** is our four-year statement of commitment to the community outlining Council's plans, projects and activities for this period in order to progress towards achieving the long-term Objectives identified in the **Kiama Community Strategic Plan 2017-2027**.

This Biannual Review of the Delivery Program/Quarterly Review of the Operational Plan 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

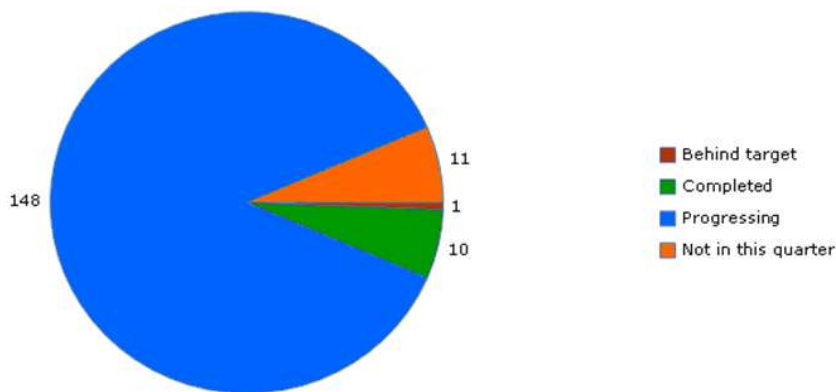
Kiama's 10-year Community Strategic Plan reflects the community's long-term priorities and aspirations for the future.

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 31 December 2017 in progressing towards the targets in the Delivery Program and Operational Plan 2017-18.



Exception Reporting

The following Delivery Program/Operational Plan action was reported as being behind target for the period 1 October to 31 December 2017.

- 1.1: **Developing and implementing services and programs that promote social cohesion, healthy and active lifestyles for residents of all ages, abilities and interests**
- 1.1.5 **Facilitate sport and health related facilities and programs**

| Action Code | Action Name | Performance Measure | Progress | Comments | Responsible Officer Position | Traffic Lights |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------------------------------------------------------------------------|
| 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 | 25% | <p>Leisure Centre sauna has been refurbished within budget. Quotes have been received to repair hall floor. These quotes will be assessed in the next quarter for work to be completed as soon as possible.</p> <p>Jamberoo Pool opened 23/12/17. There were delays in opening due to damage to the pool pipe work and weather delays. The children's pool was not completed for the opening day as the pool required extensive work to stabilise the surrounding walls. This pool should be open by late January.</p> | Leisure Centre Manager | <p>Behind Target</p>  |






A healthy, safe and inclusive community





Item 9.3




Attachment 1




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





| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|---------------------------------|-------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|----------------|
| 1.1.1 | Improving | 1.1.1.1 | Monitor and improve accessibility within the Municipality | Access Committee regularly advises Council on accessibility issues, infrastructure and developments | | 1 meeting held in this period | 50% | Access Committee meets bimonthly with issues referred to the committee addressed and reported back to subsequent meetings | Manager Community & Cultural Development | Progressing |
| 1.1.1 | Improving the liveability of Kiama for those with diverse backgrounds and abilities | 1.1.1.2 | Encourage, develop and acknowledge volunteers | Timebanking program set up and promoted | Program set up | | 50% | Social Work student placement taken on to work on the establishment of Timebanking in Kiama | Manager Community & Cultural Development | Progressing |
| | | | | Annual volunteer acknowledgement event conducted | Held in early December | | | | | |
| | | | | Blue Haven volunteer program meets supply and demand within regulatory change | Currently meeting supply demand | | | | | |
| 1.1.1 | Improving the liveability of Kiama for those with diverse backgrounds and abilities | 1.1.1.3 | Support Age/Disability sector development | Grant funding received and activity plan targets met | 100% | | 50% | 95% of activity plan targets met including the monthly convening of a Disability Consultative Group and the ongoing implementation of the Dementia-friendly Kiama Project | Manager Community & Cultural Development | Progressing |
| 1.1.1 | Improving the liveability of Kiama for those with diverse backgrounds and abilities | 1.1.1.4 | Maintain currency of information about the accessibility of Council's public toilets, on the National | National Public Toilet Register is kept up to date | | | 50% | Currently up to date | Manager Community & Cultural Development | Progressing |




| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------|--------|--------|----------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-------------------------------------------------------------------------------------------------------|
| 1.1.1 | Improving the liveability of Kiama for those with diverse backgrounds and abilities | 1.1.1.5 | Public Toilets Register 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 | | | 50% | 2 articles on why providing disability access is good for business distributed in local business newsletters in this period | Manager Community & Cultural Development | Progressing  |
| 1.1.1 | Improving the liveability of Kiama for those with diverse backgrounds and abilities | 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. | | | 25% | | Manager Community & Cultural Development | Not in this quarter  |
| 1.1.1 | Improving the liveability of Kiama for those with diverse backgrounds and abilities | 1.1.1.7 | Allocate an accessibility budget to support access | Annual budget fully expended to assist accessibility of Council's | | | 50% | Budget allocation brought into the budget in this period. Provision of support for Deaf community to participate in | Manager Community & Cultural Development | Progressing  |



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------|-------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-------------------------------------------------------------------------------------------------|
| | backgrounds and abilities | | resources and assistance to ensure maximum opportunity for all residents to genuinely participate in Council functions, consultations, events and activities. | community events and communication. | | | | upcoming Australia Day events currently being planned. | | |
| 1.1.1 | Improving the liveability of Kiama for those with diverse backgrounds and abilities | 1.1.1.8 | Support the Dementia Friendly Kiama Project | Activities of the Projects Action Plan are implemented, subject to funding | | | 50% | 2 conference presentations delivered, one showcase staged, 2 funding applications submitted, 2 Alliance meetings held. | Manager Community & Cultural Development | Progressing  |
| 1.1.2 | Work collaboratively with the Aboriginal community | 1.1.2.1 | Undertake initiatives to engage with Aboriginal community members | Number of events and liaison activities undertaken per year | | | 50% | Consultative committee established to oversee the establishment of a project that identifies culturally significant sites in Kiama LGA (2 meetings held). | Manager Community & Cultural Development | Progressing  |
| 1.1.3 | Provide and promote cultural and artistic activities and programs | 1.1.3.1 | Undertake activities that promote cultural diversity | At least 2 events held | | 1 event in preparation for May 2018 | 20% | Preparation for Sorry Day 2018 underway. | Community and Cultural Development Officer | Progressing  |
| 1.1.3 | Provide and promote cultural and artistic | 1.1.3.2 | Undertake activities that support the 'Build' strategy identified in | Plans are developed and finalised for a multi-function arts centre in Kiama | | Concept floors plans in development | 25% | Plans tabled until outcome of funding applications has been received. | Community and Cultural Development Officer | Progressing  |



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|--------|----------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|---------------------------------------------------------------------------------------------------------|
| | activities and programs | | Council's BISI cultural planning document | Funding is sought to progress the development of the new arts centre | | 2 EOIs in process | | | | |
| 1.1.3 | Provide and promote cultural and artistic activities and programs | 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 6 Cultural Board meetings are held each year | | Evaluation completed | 50% | December survey for Music in the Park completed, collated and reported to Council | Community and Cultural Development Officer | Progressing  |
| 1.1.3 | Provide and promote cultural and artistic activities and programs | 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 Arts Biz Conference held bi-annually 4 Artists Gatherings held | | | 50% | Arts Honour Roll nominations open 2 April and close 24 June 2018, presentations will be held 17 September 2018. Arts Biz will now be rolled out as a program of workshops throughout the year in collaboration with Wollongong and Shellharbour Councils. EOIs have been called for from interested venues to host the Artists Gatherings in 2018, submission close in February. | Community and Cultural Development Officer | Progressing  |
| 1.1.3 | Provide and promote cultural and artistic activities and programs | 1.1.3.5 | Undertake activities that support the 'Invest' strategy identified in Council's BISI cultural | 2 new pieces of permanent or temporary or ephemeral public art are installed in the Kiama LGA 5 new artists added to 'Weave' directory | | 1 6 | 50% | | Community and Cultural Development Officer | Not in this quarter  |






| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|--------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------|------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| | | | planning document | Two rounds of the Kiama Cultural Grants are held and projects funded. | 1 | | | | | |
| | | | | "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 | 1.1.4.1 | Manage Library and Family History Centre programs | Number of programs provided | 10 programs | 3 Friday Flicks sessions, 5 authors talks, 1 book launch, 1 wrapped with love knitting session. | 50% | 21 programs held in total. HSC Lock in attracted 40 students, 2 movies were held to capacity crowd, launch of the Kiama Hospital Book with 120 attending. | Manager Library Services | Progressing  |
| 1.1.4 | Provide a range of library resources and services that support our community in recreational and lifelong learning | 1.1.4.2 | Manage Library and Family History Centre customer services | Number of enquiries satisfied | | | 25% | No data collected this quarter. | Manager Library Services | Progressing  |
| 1.1.4 | Provide a range of library resources and services that support our community in recreational | 1.1.4.3 | Manage Library and Family History Centre loans | Number of loans processed | | | 50% | Kiama 28,122 Gerringong 975 | Manager Library Services | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------|--------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 1.1.4 | and lifelong learning Provide a range of library resources and services that support our community in recreational and lifelong learning | 1.1.4.4 | Manage literacy programs | Number of literacy programs provided | | | 50% | 13 Storytime and Baby Story Time programs delivered. 575 community members attending. Numbers attending Gerringong Story time are increasing. | Manager Library Services | Progressing  |
| 1.1.4 | Provide a range of library resources and services that support our community in recreational and lifelong learning | 1.1.4.5 | Manage Library and Family History Centre | Number of internet access occasions booked | | | 50% | 1527.5 hours PC bookings this quarter | Manager Library Services | Progressing  |
| 1.1.4 | Provide a range of library resources and services that support our community in recreational and lifelong learning | 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 | | 1 | 50% | A self-server scanner has been install in the library. This equipment can scan documents and format them to MP3 so the document can be listened to if people are unable to read the document. The scanner will also provide audio instructions to guide people throughout the scanning process if they are unable to read the instructions from the monitor. | Manager Library Services | Progressing  |
| 1.1.4 | Provide a range of library resources and | 1.1.4.7 | Oversee construction of new Gerringong | Stages of Building Construction Program completed | | | 20% | Designs have been finalized. Development application has been submitted. Potential | Director Engineering & Works | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|--------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|--------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| | services that support our community in recreational and lifelong learning | | Library building | on time and on budget | | | | project managers are being sourced. | |  |
| 1.1.4 | Provide a range of library resources and services that support our community in recreational and lifelong learning | 1.1.4.8 | Manage Gerringong Library opening event | Number collaborative meetings with Gerringong Historical Society Transition plan implemented including HR, P&P, Risk | 4 meetings held | | 30% | Council representatives continue to work with the community on the relocation of the existing museum building. A thank you lunch was held in December to thank all the volunteers from both the Gerringong Historical Society and general community for all their assistance in packing up the museum collection. A funding report has been provided to the Federal Government. | Manager Library Services | Progressing  |
| 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 | 95% of participants indicated a very high satisfaction levels via feedback survey forms and program evaluations (Munch Out, Young Women's Group) | | 50% | During this period SENTRAL continued to provide a range of health/fitness/nutrition based programs including; Munch Out weekly cooking workshops and inter-generational luncheons engaging 211 participants, SENTRAL fitness sessions engaging 174 participants, Yoga engaging 53 participants and the Young Men's Program with 14 participants. SENTRAL staff were also involved in consultations with young people from Primary School and Kiama High School regarding the proposed bike skills park. | Senior Youth Worker | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|-----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| 1.1.5 | Facilitate sport and health related facilities and programs | 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. | | Initiated | 50% | Community consultations completed; preliminary data results shared with Health & Sustainability Committee; draft report prepared. Draft strategies to be completed in 3rd quarter. | Health Promotions Officer | Progressing  |
| 1.1.5 | Facilitate sport and health related facilities and programs | 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 sustainable lifestyle. Minimum of 4 activities are implemented to promote Council and community health and sustainability | 4 activities completed 2 activities completed 3 activities completed | 75% | <ul style="list-style-type: none"> • Healthy Cooking for Solo Seniors session (Dec) • Health & Sustainability Grants - Round 2 launched • Community Gardens Grants Program launched • Fair Food Week event - Event held Oct 11 at Kiama Pavilion, 160 people in attendance. • Community Gardens Policy updated. • Guidelines for establishment of Community Gardens finalised and advertised. • Health & Sustainability Newsletter - 2 newsletters circulated (Oct 2017 and Dec 2017) • Health & Sustainability Committee Meetings - 2 meetings held (Oct 2017 and Dec 2017) • New Residents Kit is updated, printed and distributed. | Health Promotions Officer | Progressing  | |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------|-----------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 1.1.5 | Facilitate sport and health related facilities and programs | 1.1.5.4 | Undertake planned program of maintenance to ensure the Leisure centre and Jamberoo pool facilities are maintained to required standards | Leisure centre and Jamberoo pool programmed maintenance is completed within budget | | Completed | 50% | Daily, weekly and monthly planned maintenance completed for Leisure Centre and Jamberoo pool for the 2nd quarter. - | Leisure Centre Manager | Progressing  |
| 1.1.5 | Facilitate sport and health related facilities and programs | 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 | | Behind schedule | 25% | Leisure Centre sauna has been refurbished within budget. Quotes have been received to repair hall floor. These quotes will be assessed in the next quarter for work to be completed as soon as possible. Jamberoo Pool opened 23/12/17. There were delays in opening due to damage to the pool pipe work and weather delays. The children's pool was not completed for the opening day as the pool required extensive work to stabilise the surrounding walls. This pool should be open by late January. | Leisure Centre Manager | Behind Target  |



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|-------------|-------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 1.1.5 | Facilitate sport and health related facilities and programs | 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 | | Progressing | 50% | All regular maintenance and operations at the Leisure centre and Jamberoo pool is within budget and completed for this period | Leisure Centre Manager | Progressing  |
| 1.1.5 | Facilitate sport and health related facilities and programs | 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 | Progressing | 50% | The new Jamberoo Pool access chair lift is fully operational and in use from 23/12/17. Leisure Centre- Upgrade works to 2nd Access change room behind schedule due to Hall floor repairs All other accessibility facilities are being maintained within the weekly work schedules | Leisure Centre Manager | Progressing  |
| 1.1.6 | Manage footpath and cycleway infrastructure and assets | 1.1.6.1 | Manage footpath and cycleway asset renewals | Percentage renewal program completed Percentage of renewal budget expended | | | 50% | All footpath have been maintained in accordance with the workplan | Director Engineering & Works | Progressing  |
| 1.1.6 | Manage footpath and cycleway infrastructure and assets | 1.1.6.2 | Manage new footpath and cycleway asset creation | Percentage of new asset program completed Percentage of new asset budget expended | | | 50% | Footpaths in Gerringong and Kiama have been completed in accordance with the workplan. | Director Engineering & Works | Progressing  |
| 1.1.6 | Manage footpath and | 1.1.6.3 | Implement maintenance | | | | 50% | All footpaths and cycleway have been maintained in accordance | | Progressing  |




| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|--------|--------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------|
| 1.1.6 | cycleway infrastructure and assets | | program for footpath and cycleway infrastructure and assets. | Percentage of Unscheduled Maintenance Budget expended | | | | with the workplan. All CRM's for footpath/cycleway repairs have been addressed within the required timeframe | Director Engineering & Works | |
| 1.1.6 | Manage footpath and cycleway infrastructure and assets | 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 | | | 30% | Pram/Disable ramps have been installed as identified. | Director Engineering & Works | Progressing |
| 1.1.6 | Manage footpath and cycleway infrastructure and assets | 1.1.6.5 | Identify and prepare cycleway funding applications | Lodgement of applications for external grant funding for cycleways. | | | 100% | RMS Active transport applications were lodged for new cycleway projects | Manager Design and Development | Completed |
| 1.1.6 | Manage footpath and cycleway infrastructure and assets | 1.1.6.6 | Process access driveway permits | Driveway access inspections carried out within 48 hours | | | 50% | All driveway inspections completed within 48 hours or less. | Manager Design and Development | Progressing |
| 1.1.7 | Manage recreation and open space infrastructure to cater for current and future generations | 1.1.7.1 | Manage recreation and open space renewals | Percentage renewal program completed Percentage of renewal budget expended | | | 50% | Reserves and open space have been maintained in accordance with the work program. Due to the very dry conditions mowing has been reduced however landscaping works has been completed. | Director Engineering & Works | Progressing |
| 1.1.7 | Manage recreation and open space | 1.1.7.2 | Manage new recreation and open space | Percentage of new asset program completed | | | 50% | The design for the new Leisure centre carpark has been completed and work has | Director Engineering & Works | Progressing |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------|----------|------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------|
| | infrastructure to cater for current and future generations | | open space asset creation | Percentage of new asset budget expended | | | | commenced on car park 1 (25 bays) and due to be completed by mid-February. | | |
| 1.1.7 | Manage recreation and open space infrastructure to cater for current and future generations | 1.1.7.3 | Implement maintenance program for recreation and open space infrastructure. | Percentage of Unscheduled Maintenance Budget expended | | | 50% | Maintenance of all rec and open infrastructure has been completed. All CRM's have been actioned and rectified | Director Engineering & Works | Progressing |
| 1.1.7 | Manage recreation and open space infrastructure to cater for current and future generations | 1.1.7.4 | Improve accessibility of recreational facilities including wheelchair access to seating, shaded areas, outdoor exercise and play equipment | Where facilities are to be upgraded or new facilities provided, the plan for these facilities are tabled at Access Committee for comment with the feedback incorporated into the 4-year work program | | | 50% | Jamberoo Pool refurbishment will now be full accessible with new ramps, amenities facilities and pool access lift installed. | Manager Design and Development | Progressing |


1.2: Planning for and assisting specific needs groups



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------|-------------|-------------------------------------------------------------|--------------------------------------------------------------------------------------------------|--------|--------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------|
| 1.2.1 | Operate Blue Haven Care | 1.2.1.1 | Provide support services through the Community Care Support | Meet contractual requirements of all programs – Home Maintenance, Personal Care, Social Support, | | 2,344 | 50% | Block funding has been reduced on a monthly basis in line with clients transitioning to the NDIS. Currently 12 clients have transitioned to the NDIS | Manager Community Programs | Progressing |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|--------|--------------------------------------------------------------------------|----------|------------------------------|-------------------------------------------------------------------------------------------------|
| 1.2.1 | Operate Blue Haven Care | 1.2.1.2 | Program to enable young people with a disability to live independently across the Shoalhaven, Kiama, Shellharbour and Wollongong LGAs. 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. | Domestic Assistance and Respite Meet contractual requirements of Case Management service until NDIS takes effect. | 69 | 50% | | | Manager Community Programs | Progressing  |
| 1.2.1 | Operate Blue Haven Care | 1.2.1.3 | Attain recognised certification of Third Party Verification for the Community | Quality standards and systems are aligned with NSW Disability Standards Unit costs aligned with National Disability Insurance | Not in this period Still working on Unit costs | 50% | Preparing documentation and evidence for onsite review on 6th April 2018 | | Manager Community Programs | Progressing  |




| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|--------|--------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 1.2.1 | Operate Blue Haven Care | 1.2.1.4 | Care Support Program Provide grant-funded group and individual transport to targeted service users | Agency Pricing Guide Meet contractual requirements to maintain community transport funding | | 2501 trips | 50% | In the process of implementing a new software CTABS which will streamline our reporting processes. | Manager Community Programs | Progressing  |
| 1.2.1 | Operate Blue Haven Care | 1.2.1.5 | Provide Consumer-directed Care in Home Care Packages to eligible people across Shoalhaven, Kiama, Shellharbour and Wollongong LGAs | 100% of funded requests for all levels of HCP care accepted. | | 105 packages | 50% | Although our overall numbers are down the HCP program has had an increase in the number of higher level packages which has had a positive impact on the budget. We currently have 13 level 4 and 8 level 3 packages. We also have 8 clients on Start Up Packages awaiting their allocation of package funding and 3 clients awaiting allocation of a higher level package. | Manager Community Programs | Progressing  |
| 1.2.1 | Operate Blue Haven Care | 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 | | 9554 | 50% | Due to the high demand for these services (especially Personal Care & Domestic Assistance) and the long delays of allocation of Home Care Packages for higher needs clients hours have increased within the CHSP program which has impacted on the budget therefore our intake over the next period will be reduced. | Manager Community Programs | Progressing  |



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------|-------------|--------------------------------------------------------------|--------------------------------------------------------------------|--------|--------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|----------------|
| 1.2.1 | Operate Blue Haven Care | 1.2.1.7 | Oversee construction of Kiama Aged Care Centre of Excellence | Stages of construction plan met | | | 50% | TCorp loan approved. Commonwealth grant funding approved for community hall and meeting rooms. Remediation of site almost complete. Construction contract awarded on 22 Dec 2017. | Director Community Services | Progressing |
| 1.2.1 | Operate Blue Haven Care | 1.2.1.8 | Provide residential care at Blue Haven | Compliance with aged care accreditation standards | 100% | 100% | 50% | Service operating within budget. 2 Accreditation site visits conducted with standards met. New Recreational Activities Officer employed to run a dementia specific program in the Mackellar unit with positive outcomes. Recruitment underway for care staff and Registered Nurses. Facility Managers role filled and Care Managers role to be advertised. | Manager Community Programs | Progressing |
| | | | | Manage services within budget | | | | | | |
| 1.2.1 | Operate Blue Haven Care | 1.2.1.9 | Plan transition to Kiama Aged Care Centre of Excellence | Activities completed including HR, P&P, Risk and staff development | | | 40% | Model of care identified with Stewart Brown Consultant Group and budget for new model being developed. Strategic Plan to be developed for BHC and transition plan for the KACCOE. Policies and Procedures are currently under review. Culture change program planned to commence next quarter. | Manager Community Programs | Progressing |
| 1.2.2 | Operate Blue Haven Independent Living Units | 1.2.2.1 | Maintain full occupancy of the Independent Living Units | Reoccupation within the statutory refund period required under the | | 98% | 50% | Waiting list policy amended from 1/1/18. | Manager Project Development and ILU Operations | Progressing |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------|-------------|------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 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 | Retirement Village Act. 80% of program participants report in their evaluations that they feel more confident about themselves having participated in the program. | | Achieved very high satisfaction levels in all programs | 50% | During this period SENTRAL developed and implemented a range of diverse programs/events and activities including the launch of the recent renovations which incorporated aspects of the Event Management and Munch Out programs and engaged over 200 people. The event was a huge success and allowed us to showcase the diversity of youth culture. The Youth Engagement meeting was also held at Kiama High School in August, providing opportunity for young people to raise any concerns/ suggestions directly to Council. Other programs on offer during this period included: Young Women's Group, Kiama High School volunteers group, SENTRAL Fitness, Munch Out, Yoga, Young Men's Program, Youth Advisory Committee, SENTRAL Studios, Youth Worker at KHS mentoring program, Event management, Minnamurra Bike Park consultations, Barista training, Drop in and Year 6 Transition program. 2292 participants were engaged in this period. SENTRAL was also nominated for the NSW Youth Service of the year award. | Senior Youth Worker | Progressing  |




| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|--------|--------------------------------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 1.2.3 | Operate the Kiama Youth Centre and facilitate youth services and programs | 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 | | 95% indicated high satisfaction levels, with a 100% satisfaction level from Primary School staff | 50% | During this period SENTRAL continued to work with Kiama High School on many diverse programs including, Young Men and Women's programs, Event management, Youth Advisory Committee, Youth Engagement meeting, Youth Worker at KHS mentoring program, KHS volunteers and Minnamurra Bike park consultations. SENTRAL also worked with all 5 primary schools in the LGA with the Year 6 Transition program, receiving excellent feedback and participant satisfaction from students and staff. | Senior Youth Worker | Progressing  |
| 1.2.3 | Operate the Kiama Youth Centre and facilitate youth services and programs | 1.2.3.3 | Provide information, referral, advocacy and support for young people through the SENTRAL youth facility and online mediums | 90% of program participants report that the support provided by the Youth Service has assisted them. | | | 50% | SENTRAL continued to provide support, referral, advocacy and information to young people on a range of issues, both through the SENTRAL Youth Centre and online. Through programs, a range of guest speakers from youth related services including Headspace, Area Health, Sport and Recreation, LGBTQ services and Youth Drug and Alcohol provided program participants with information and networks. | Senior Youth Worker | Progressing  |



1.3: We live in a safe community



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-----------------------------------------------------------------------------------------------|
| 1.3.1 | Provide lifeguard and beach safety services and programs | 1.3.1.1 | Undertake scheduled patrol programs for Council beaches | Ratio of rescues conducted to preventative actions undertaken | | | 50% | The 2017/2018 Patrolled Beach season commenced 25th September 2017 with both Surf Beach- (Season opening) and Warri Beach - (School Holiday opening). The remaining beaches, Warri, Bombo, Jones, Easts, Kendall, and Gerroa commenced their patrolled season 16th December 2017. | Leisure Centre Manager | Progressing  |
| 1.3.1 | Provide lifeguard and beach safety services and programs | 1.3.1.2 | Conduct surf awareness education programs in local primary schools | Annual program completed | | | 100% | Council's Professional Supervising Beach Lifeguard delivered eight Surf Education Awareness sessions to 1,100 local primary students at four local schools in September 2017 | Leisure Centre Manager | Completed  |
| 1.3.2 | Implement public health and community compliance regulations and programs | 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 and adopted timeframes Actions undertaken to | | | 50% | Food Safety Compliance 41 x food shop inspections undertaken (16 were rated 5 star, 15 were rated 4 star, 3 were rated 3 star, 5 were rated failure) 29 Temporary food stall applications received for approval including 1 mobile food van. 165 customer enquires received and provided with advice and information about food safety requirements. 5 Food Safety complaints investigated (1 illegal food business, 1 food hygiene and handling complaint, 1 pest infestation, 2 | Manager Environment and Health | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|--------|--------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------|
| 1.3.2 | Implement public health and community compliance regulations and programs | 1.3.2.2 | Implement and record registration and inspection program as required by legislation i.e. Local Government Act, Swimming Pool Act and Environmental Planning and Assessment Act | support the implementation of relevant legislation | | | 50% | food borne illness) 29 food handlers completed online food safety training course 1 Food Safety Newsletter distributed to 300 food premises and operators 5 Food Safety Recall emails were distributed to over 300 food premises and operators Onsite Sewerage Management Facilities Total number of Onsite Sewerage Management Facilities inspected = 87 (67 low risk, 20 high risk) Number of compliant system = 79 or 87.8% (60 low risk; 19 high risk) Number of defective systems = 5 (1 low risk; 4 medium risk) 12.20% | Manager Development Assessment | Progressing  |
| 1.3.2 | Implement public health and community compliance | 1.3.2.3 | Implement and record registration and inspection program as required by legislation i.e. | | | | 50% | 129 (100%) Companion animal complaints received, investigated and actioned within 48 hours. 3 (100%) Dog attacks investigated within 24 hours of | Manager Environment and Health | Progressing  |

| DP Action Code | DP Action Code | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|--------------------------|-------------|--------------------------------------------------------------------------------------------|---------------------|--------|--------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------|
| | regulations and programs | | Companion Animals Act, Roads Transport Act, Impounding Act, Crown Lands Act and Road Rules | | | | | <p>complaint and reported to Department of Local Government</p> <p>7 infringements breach Companion Animals Act Face value : \$1925</p> <p>Dogs impounded : 13 Dogs release to owners : 13 (100%)</p> <p>Cats impounded : 0 Cats released to owners : 0 Cats rehomed : 0 (0% of impounded cats)</p> <p>63 Parking complaints received and 100% investigated and actioned with 48 hours</p> <p>13 Abandoned vehicle reports investigated and action commenced with 48 Hours</p> <p>161 Parking patrols undertake in commercial areas of Kiama and Gerringong and School Zones. Infringements issued, 183 Face value ; \$23,657</p> <p>5 (100%) Protection of Environment fire permits to create smoke processed and issued with 5 days</p> <p>21 (100%) Overgrown land complaints investigated with 5 days</p> | | |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|--------|--------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|------------------------------------------------------------------------------------------------|
| 1.3.2 | Implement public health and community compliance regulations and programs | 1.3.2.4 | Implement and record registration and inspection program as required by legislation i.e. Roads Act | | | | 15% | 4 (100%) Pollution incident investigated within 24 hours Records and registrations of leases, licenses, permits etc. are maintained on an on-going basis. Work has continued on reviewing and updating Council's land register to ensure it captures all relevant land and meets the legislative requirements. Council has commenced community consultation for a proposed new DCP for Spring Creek. | Director Finance, Corporate and Commercial Services | Progressing  |
| 1.3.2 | Implement public health and community compliance regulations and programs | 1.3.2.5 | Investigate public and environmental health complaints | Investigate all complaints within adopted timeframes | | | 50% | 38 (100%) of environmental complaints received and investigated within 48 hour time frame Noise 16 Water 6 Litter 10 Odour/dust 6 | Manager Environment and Health | Progressing  |
| 1.3.3 | Undertake local community safety initiatives | 1.3.3.1 | Implement Local Road Safety Action Plan | Endorsed recommendations implemented or included in Asset Management Plan | | | 50% | 2017/2018 Road Safety Projects are planned and 50% completed as per Action Plan. Pedestrian Safety has been completed with 40 crossing locations in Kiama Municipality being installed with LOOK stencilling to raise awareness to ensure pedestrians walk safely and Look Out before crossing the roadway with caution. Other Road Safety Projects Planned to be held in 2018. | Road Safety Officer | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------------------------------------------------------------------------------------|
| 1.3.3 | Undertake local community safety initiatives | 1.3.3.2 | Prepare road safety funding applications | Lodgement of applications for external grant funding for road safety initiatives. | | | 100% | Learner Driver Workshop Wednesday 18 April 2018 Log Book Run Sunday 25 March 2018, 10 April 2018, 10 June 2018 Seniors Week Workshop Thursday 12 April 2018 Funding received from Roads and Maritime Services Local Government Program. Information Report submitted to November 2017 Council meeting. Road Safety Officer to Develop, implement and Evaluate Programs within the Community as per Local Government Road Safety Program guidelines for 2017-2018. | Road Safety Officer | Completed  |
| 1.3.3 | Undertake local community safety initiatives | 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 | | Crime Prevention Plan review via public consultation held in this period. Outcomes from consultation yet to be reported on. Outcomes from consultation yet to be reported on. Kiama CBD CCTV system damaged by an electrical storm on 17 Nov resulting in damage to a number of cameras and server. Assessment of damage carried out with new equipment currently on order. | 50% | Crime Prevention Plan review via public consultation held in this period. Outcomes from consultation yet to be reported on. Kiama CBD CCTV system damaged by an electrical storm on 17 Nov resulting in damage to a number of cameras and server. Assessment of damage carried out with new equipment currently on order. | Manager Community & Cultural Development | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------|-------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------------------------------------------------------------------------------------|
| 1.3.3 | Undertake local community safety initiatives | 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 | | Assessment of damage carried out with new equipment currently on order. Community consultations as part of review of the plan held during this period. Report from review yet to be finalised. Will be presented to Council for endorsement in next reporting period. | 50% | Community consultations as part of review of the plan held during this period. Report from review yet to be finalised. Will be presented to Council for endorsement in next reporting period. | Manager Community & Cultural Development | Progressing  |
| 1.3.3 | Undertake local community safety initiatives | 1.3.3.5 | Action Local Traffic Committee recommendations | Meetings held monthly Endorsed recommendations implemented or included in Asset Management Plan | | Meetings held monthly or as required All approved recommendations of the Committee have been implemented | 50% | Monthly traffic committee meetings held as required & all actions implemented. | Manager Design and Development | Progressing  |







Well planned and managed spaces, places & environment

Item 9.3



Attachment 1





2.1: Maintain the separation and distinct nature of local towns, villages and agricultural land

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|--------------------------------------------------|-------------|---------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|--------|--------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------|
| 2.1.1 | Develop and implement appropriate land use plans | 2.1.1.1 | Prepare catchment flood studies | Complete the preparation of catchment flood studies identified in annual budget Schedules. | | Ooaree Creek / Werri Lagoon flood study underway | 50% | Ooaree Creek / Werri Lagoon flood study underway with consultation and investigation completed. Study completion expected in mid-2018 | Manager Design and Development | Progressing |
| 2.1.1 | Develop and implement appropriate land use plans | 2.1.1.2 | Prepare flood study funding applications | Lodgement of applications for external grant funding for flood studies. | | 0 | 0% | | Manager Design and Development | Not in this quarter |
| 2.1.1 | Develop and implement appropriate land use plans | 2.1.1.3 | Review and update LEP and Kiama Urban Strategy as required. | Monitoring documents updated and reviewed as required | | | 50% | Jamberoo Development Control Plan completed and adopted by Council in December 2017. | Manager Strategic Planning | Progressing |
| 2.1.1 | Develop and implement appropriate land use plans | 2.1.1.4 | Assess Planning Proposals against relevant State Government legislation and Council Policy. | Requests for Planning Proposals are reported/determined within 90 days of lodgement | | All reported to Council within 90 days. | 50% | All Planning proposals progressed in accordance with legislative requirements. 3 PP's finalised during the reporting period (Shoalhaven Street, Pheasant Point and O'Connell Place). | Manager Strategic Planning | Progressing |
| | | | | All Planning Proposals are completed within timeframe set out in Gateway Determination | | All timeframes met. | | | | |
| 2.1.2 | Recognise and protect | 2.1.2.1 | Review development proposals to ensure they are | Assessments carried out in accordance with | | | 50% | DA referrals for heritage advice sent and received to | Manager Development Assessment | Progressing |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|--------|--------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------------|
| | our heritage | | carried out in accordance with relevant Heritage requirements | adopted Protocols | | | | Council's Heritage Consultant as required. | |  |
| 2.1.2 | Recognise and protect our heritage | 2.1.2.2 | Protect and maintain heritage items through LEP and DCP controls | Controls clearly evident Review and update completed as required | | | 50% | Jamberoo DCP adopted during reporting period. Grant application lodged with Office of Environment and Heritage to assist in preparing a heritage study for proposed Manning Street Heritage Conservation Area. | Manager Strategic Planning | Progressing  |
| 2.1.2 | Recognise and protect our heritage | 2.1.2.3 | Establish a Local Heritage Fund (subject to State Government assistance) | Funding received and distributed to approved applicants | | | 0% | No funding opportunities have become available. | Manager Strategic Planning | Not in this quarter  |
| 2.1.3 | Recognise and protect our agricultural lands | 2.1.3.1 | Protect and maintain productive agricultural lands through ensuring Council's statutory and policy documents contain necessary framework | Relevant documents are reviewed to maintain relativity. | | | 50% | Submission made into proposed new State Environmental Policy for Primary Production with a focus on preventing fragmentation of rural lands. | Manager Strategic Planning | Progressing  |



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





| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|--------|--------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|-------------------------------------------------------------------------------------------------|
| 2.2.1 | Implement adopted Coastal Management Programs and legislative requirements | 2.2.1.1 | Implement actions identified within adopted Coastal Zone Management Plans in accordance with funding and resource availability | Report actions undertaken | | | 50% | <p>Coral tree site at Gainsborough weed control and planting continued</p> <p>Leachate remediation plan at Minnamurra Landfill pumps ordered, water level data loggers ordered, poly pipe ordered.</p> <p>Grant applications for continuation of Minnamurra Wetland Weed Control Program prepared for lodgement with Office of Environment and Heritage.</p> <p>Grant application for preparation of erosion control options for Blue Angel Creek prepared for lodgement with Office of Environment and Heritage</p> <p>Minnamurra Landfill annual return and surface and groundwater monitoring report completed and submitted to the NSW EPA.</p> | Environment Sustainability Officer | Progressing  |
| 2.2.1 | Implement adopted Coastal Management Programs | 2.2.1.2 | Implement programs required as a result of the NSW Coastal | Coastal management program submitted to Council for | | | 50% | <p>Application for Jones Beach and Werri Beach coastal management program assessed by Office of Environment and Heritage.</p> | Environment Sustainability Officer | Progressing  |





| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------|--------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------|---------------------------------------------------------------------------------------------------------|
| | and legislative requirements | | Reforms process | funding consideration | | | | Requested council consider funding a whole of LGA coastal management program for project efficiencies and scale. Council adopted recommendations to resubmit application for whole of LGA coastal management program and allocate funding for the project over the next 3 financial years. | | |
| 2.2.2 | Protect and maintain environmentally significant natural areas | 2.2.2.1 | Support and implement local Illawarra Landcare projects | Annual funding allocated. | | | 50% | Responding to requests for support, materials or technical help as required. | Landscape Officer | Progressing  |
| 2.2.2 | Protect and maintain environmentally significant natural areas | 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 | | | 50% | 2 grant applications prepared for submission under the NSW Office of Environment and Heritage Coast and Estuary Program. | Environment Sustainability Officer | Progressing  |
| 2.2.3 | Ensure environmental protection compliance | 2.2.3.1 | Comply with Noxious weeds Biosecurity legislation through Illawarra District Noxious Weeds Authority | 100% compliance | 100% | 100% | 50% | Attending meetings as required. Supporting actions and works of weed authority. Providing funds as per agreement. | Landscape Officer | Progressing  |
| 2.2.3 | Ensure environmental protection compliance | 2.2.3.2 | Undertake and support on-ground activities and biodiversity education to promote and | Activities undertaken in accordance with adopted program | | | 25% | | Environment Sustainability Officer | Not in this quarter  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-----------|-------------|-----------------------|---------------------|--------|--------|----------|----------|------------------------------|----------------|
| | | | enhance natural areas | | | | | | | |

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




| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------------------------------------|------------------------------------------------------------------------------|--------|--------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------|
| 2.3.1 | Conduct development and building assessment/ approval functions in accordance with statutory requirements, policies and procedures | 2.3.1.1 | Process Applications with legislative requirements and timeframes | Development applications are processed in accordance with adopted timeframes | 100% | 100% | 50% | Average processing time increased due to substantial increase in Development Application volume. Each Development Application considered in accordance with Section 79C of the EP&A Act 1979. | Manager Development Assessment | Progressing  |
| | | | | Development assessment is documented in accordance with adopted protocol | | 100% | | | | |
| | | | | 100% of requested inspections undertaken on requested day | 100% | | | | | |
| 2.3.1 | Conduct development and building assessment/aproval functions in accordance with statutory requirements, policies and procedures | 2.3.1.3 | Process Complying Development Certificates within Legislative timeframes | 100% of Complying Development Certificates processed within 10 days | 100% | | 50% | All complying development applications determined within 10 days. | Manager Development Assessment | Progressing  |
| 2.3.1 | Conduct development | 2.3.1.4 | Process Construction | 75% of Construction | 75% | 100% | 50% | All Construction Certificates received 100% | | Progressing |


| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|--------|--------|----------|----------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------|
| | and building assessment/aproval functions in accordance with statutory requirements, policies and procedures | | Certificates and Occupation Certificates | Certificates processed within 10 days after provision of all relevant information | | | | issued within 10 working days All Occupation Certificates issued 100% issued with 10 days | Manager Development Assessment |  |
| | | | | 100% of Occupation Certificates processed within 10 days of receipt of request | 100% | 100% | | | | |
| 2.3.1 | Conduct development and building assessment/aproval functions in accordance with statutory requirements, policies and procedures | 2.3.1.5 | Undertake Caravan Parks Licensing and Inspections | All Caravan parks inspected annually | 100% | | 50% | No caravan Park Licenses issued in this quarter. | Manager Development Assessment | Progressing  |
| 2.3.1 | Conduct development and building assessment/aproval functions in accordance with statutory requirements, policies and procedures | 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 | | | 50% | 162 Certificates issued within 2nd quarter. 125 Section 149(2) and 37 149(5). | Manager Strategic Planning | Progressing  |
| 2.3.1 | Conduct development and building assessment/aproval functions in accordance with statutory requirements, policies and procedures | 2.3.1.7 | Apply and oversight application of | Plans monitored in accordance | | | 50% | Conditions of consent requiring payment of S94 | Manager Strategic Planning | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------------------------------------------------------------------------------------------|-------------|--------------------------------------------|----------------------------------------------------------------|--------|---------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------|
| | proval functions in accordance with statutory requirements, policies and procedures | | Council's S94 plan(s) | with adopted schedule | | | | contributions applied as required | |  |
| 2.3.1 | Conduct development and building assessment/aproval functions in accordance with statutory requirements, policies and procedures | 2.3.1.8 | Process engineering development assessment | Engineering development referrals are completed within 14 days | | all targets met | 50% | All targets met. | Manager Design and Development | Progressing  |
| 2.3.1 | Conduct development and building assessment/aproval functions in accordance with statutory requirements, policies and procedures | 2.3.1.9 | Process road occupation permits | Road Occupation permits processed within 5 days | | 100% completion within 5 days or less | 50% | All road occupation permits completed within 5 days or less | Manager Design and Development | Progressing  |
| 2.3.1 | Conduct development and building assessment/aproval functions in accordance with statutory requirements, policies and procedures | 2.3.1.10 | Process Tree Management applications | Applications processed in accordance with adopted timeframes | | | 50% | 45 Tree Management Application Received 60 Tree Management Applications determined during the quarter 41 (68 % of determined applications) approval granted for removal or | Manager Environment and Health | Progressing  |



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------------------------------------------------------------------------------------------|--------------|-------------------------------------|-------------------------------------------------------------------------------------|--------|--------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|--------------------------------------------------------------------------------------------------|
| | policies and procedures | | | | | | | pruning 6 (10% of determined applications) received part approval 13 (22% of determined applications) of applications refused 53 or the 60 applications processed (88.3% of determined applications) processed within 21 working days The Tree Management Officer only works three days per week | | |
| 2.3.1 | Conduct development and building assessment/aproval functions in accordance with statutory requirements, policies and procedures | 2.3.1.1 1 | Conduct Tree Management inspections | Permit and compliance inspections carried out in accordance with adopted timeframes | | | 55% | 78 customer action requests received relating to trees located on Council or private. 100 % actioned within 21 days | Manager Environment and Health | Progressing  |

2.4: Effectively manage our waste and resources





| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------|-------------|-----------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|--------|----------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 2.4.1 | Manage waste services | 2.4.1.1 | Operate Community Recycling Centre | Percentage of total waste tonnage diverted from landfill | | 242 Tonnes | 50% | | Manager Waste Services | Progressing  |
| 2.4.1 | Manage waste services | 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 | | 100% compliant | 50% | | Manager Waste Services | Progressing  |
| 2.4.2 | Undertake waste management programs | 2.4.2.1 | Implement programs identified in the Regional Waste Plan | Programs implemented and assessed according to schedule | | | 50% | 2017-21 Regional Waste Strategy - finalized, programs in Q3. Council - waste programs this quarter. *Kiama Boomerang Bags - 700 bags made and distributed. *17 STRA properties on the new weekly waste STRA service. *Awarded NSW Local Government Excellence in the Environment Award for OK Organics Kiama. *Commenced 2 programs NSW EPA 2017-18 | Waste Minimisation Officer | Progressing  |





| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------|-------------|--------------------------------------------------------------------|---------------------------------------------------------|--------|--------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------|
| 2.4.2 | Undertake waste management programs | 2.4.2.2 | Implement programs identified in the Regional Illegal Dumping Plan | Programs implemented and assessed according to schedule | | | 50% | <p>Better Waste Recycling Fund:</p> <p>Holiday Parks Waste Infrastructure Upgrade - Kiama Harbour Cabins - all cabins fitted with dual bins for garbage/recycling, waste education resources and removed 4m3 skip bin and replaced with 240L green waste bins serviced by Council</p> <p>Council Facilities Waste Infrastructure Upgrade - The Pavilion - facility fitted with bins for garbage, recycling and food organics and implemented more cost effective waste management practices.</p> <p>Annual Council Holiday Parks Recycling program - 100-200 yellow polywoven recycling bags and info brochures provided per HP for distribution to campers during the Xmas holiday period.</p> <p>53 reports received relating to illegal Dumping in the Kiama LGA compared to 19 reported incidents for the same period in 2016.</p> | Manager Environment and Health | Progressing  |






| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-----------|-------------|-------------|---------------------|--------|--------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------|
| | | | | | | | | This represents a 150% increase. Reported Incidents by Month Oct 22 Nov 15 Dec 16 An estimated total of 2.8 tonnes approximately of material was illegally dumped in this period, waste collected from the other 41 locations. Total clean-up cost \$2990 labour and tip fees (\$990) | | |
| | | | | | | | | Infringement Notices 1 – Sect 143 of POEO – Deposit Waste - \$2000 1 – Sect 211 of POEO – Non-compliance with Notice - \$750 1- Sect 145 of POEO - Use of place as a waste facility without lawful authority Formal Warnings 2 – Sect 143 POEO - Unlawful use of Council Reserve Bin Pro-active patrols carried out on 28 occasions | | |




| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|--------|--------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 2.4.2 | Undertake waste management programs | 2.4.2.3 | Implement programs identified in the Regional Litter Strategy | Programs implemented and assessed according to schedule | | | 50% | Regional litter programs - the 'pickup' litter program currently has 98 registered participants from the community who voluntarily collect litter on their walks throughout the municipality. Council litter programs - the community group 'Plastic Free Kiama' conducted a clean-up of the Minnamurra River mouth Foreshore on 28/10/17 collecting a total of 25 tonnes of litter. | Waste Minimisation Officer | Progressing  |
| 2.4.2 | Undertake waste management programs | 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 | | | 20% | Council website updated with waste information. New waste education videos to be developed this year and loaded onto website. | Waste Minimisation Officer | Progressing  |




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

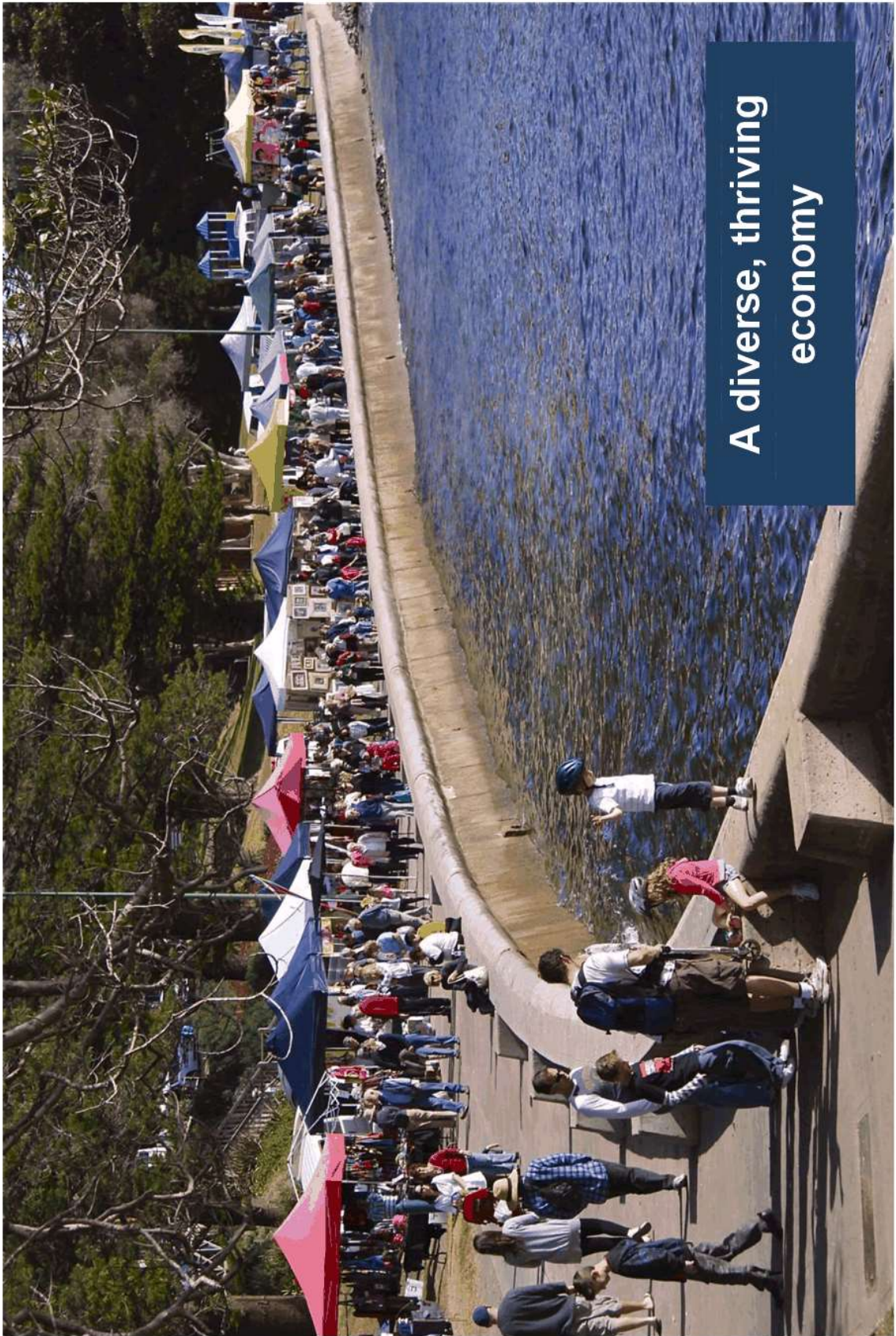
| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------------|-------------|---------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------|--------|----------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 2.5.1 | Manage road infrastructure through the Road Asset Management Plan | 2.5.1.1 | Implement road asset renewal program | Percentage of program completed | | | 60% | Extensive road resurfacing has been completed in Kiama and Gerringong and Minnamurra and is well ahead of schedule | Director Engineering & Works | Progressing  |
| | | | | Percentage of renewal budget expended | | | | | | |
| 2.5.1 | Manage road infrastructure through the Road Asset Management Plan | 2.5.1.2 | Implement new road asset creation | Percentage of program completed | | | 90% | Work on Cloonty Bridge is complete. Bank stabilisation of embankment is in progress and will be completed by February 2018. | Director Engineering & Works | Progressing  |
| | | | | Percentage of New Asset budget expended | | | | | | |
| 2.5.1 | Manage road infrastructure through the Road Asset Management Plan | 2.5.1.3 | Implement maintenance program for roads, footpaths and cycleways | Percentage of Unscheduled Maintenance budget expended | | | 50% | Work program has been developed and implemented. Work is on track to be completed in accordance with the program | Director Engineering & Works | Progressing  |
| | | | | 100% completion of audit | | | | | | |
| 2.5.1 | Manage road infrastructure through the Road Asset Management Plan | 2.5.1.4 | Complete audit of all accessible parking places and identify improvements | Audit tabled at Access Committee for feedback incorporated into the 4-year program | | | 20% | Traffic management information is being collected. | Director Engineering & Works | Progressing  |
| | | | | Inclusion of any identified upgrades | | | | | | |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------|--------|--------|----------|--------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 2.5.1 | Manage road infrastructure through the Road Asset Management Plan | 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 | | | 20% | Audit information being collected | Director Engineering & Works | Progressing  |
| 2.5.2 | Manage drainage infrastructure through Drainage Asset Management Plans | 2.5.2.1 | Implement drainage asset renewals | Percentage renewal program completed | | | 15% | Work to commence 4th quarter | Director Engineering & Works | Progressing  |
| | | | | Percentage renewal budget expended | | | | | | |
| 2.5.2 | Manage drainage infrastructure through Drainage Asset Management Plans | 2.5.2.2 | Implement new drainage asset creation | Percentage New Asset program completed | | | 50% | Chapel lane drain completed | Director Engineering & Works | Progressing  |
| | | | | Percentage of new asset budget expended | | | | | | |
| 2.5.2 | Manage drainage infrastructure through Drainage Asset Management Plans | 2.5.2.3 | Implement maintenance program for drainage infrastructure | Percentage of Unscheduled Maintenance Budget expended | | | 50% | All CRM's for drainage issues have been managed and resolved | Director Engineering & Works | Progressing  |
| | | | | Percentage of Unscheduled Maintenance Budget expended | | | | | | |
| 2.5.2 | Manage drainage infrastructure | 2.5.2.4 | Manage drainage asset maintenance | Percentage of Unscheduled | | | 15% | Work to commence 4th quarter | Director Engineering & Works | Progressing |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------|-----------------------------------------------------------------------------------|--------|--------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|-------------------------------------------------------------------------------------------------|
| | through Drainage Asset Management Plans | | and operation including gross pollutant traps and drainage pits | Maintenance budget expended | | | | | |  |
| 2.5.2 | Manage drainage infrastructure through Drainage Asset Management Plans | 2.5.2.5 | Preparation of Flood Studies for identified catchments | Number scheduled studies completed | | Ooaree Creek / Warri Lagoon flood study underway | 50% | Ooaree Creek / Warri Lagoon flood study underway with consultation and investigation completed. Study completion expected in mid-2018 | Manager Design and Development | Progressing  |
| 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 | | | 50% | Building maintenance and renewals has been carried out in accordance with the work program. | Director Engineering & Works | Progressing  |
| 2.5.3 | Manage community buildings through the Community Building Asset Management Plan | 2.5.3.2 | Implement new Community Buildings asset creation | Percentage New Asset program completed Percentage of new asset budget expended | | | 50% | Kevin Walsh amenities design and tender complete. Awaiting grant funding approval to proceed | Director Engineering & Works | Progressing  |
| 2.5.3 | Manage community buildings through the Community Building Asset | 2.5.3.3 | Implement maintenance program for community buildings | Percentage of Unscheduled Maintenance Budget expended | | | 50% | All building maintenance activities have been completed in accordance with the work plan. | Director Engineering & Works | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------|----------|--------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 2.5.3 | Management Plan Manage community buildings through the Community Building Asset Management Plan | 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 | | | 75% | Adult changes facility at Kiama Harbour was completed and commissioned prior to Christmas. | Director Engineering & Works | Progressing  |
| 2.5.3 | Management Plan Manage community buildings through the Community Building Asset Management Plan | 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 improve accessibility | Where facilities are to be upgraded or new facilities provided, the plan for these facilities is tabled at Access Committee for comment and feedback incorporated into 4-year work program | | | 100% | Audit plan has been completed and will be submitted to the Access committee | Director Engineering & Works | Completed  |
| 2.5.4 | Management Plan Manage other assets and | 2.5.4.1 | Implement other assets and | Percentage renewal program completed | | | 90% | Work on Jamberoo pool has commenced and due | Director Engineering & Works | Progressing  |






| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|----------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------|-------------------------------------------------------|--------|--------|----------|----------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| | infrastructure through the Other Asset and Infrastructure Asset Management Plans | | infrastructure asset renewals | Percentage of renewal budget expended | | | | to be opened on 29 January 2018. | |  |
| 2.5.4 | Manage other assets and infrastructure through the Other Asset and Infrastructure Asset Management Plans | 2.5.4.2 | Implement new other assets and infrastructure asset creation | Percentage new asset program completed | | | 100% | Cloonty Bridge completed. | Director Engineering & Works | Completed  |
| | | | | Percentage of new asset budget expended. | | | | | | |
| 2.5.4 | Manage other assets and infrastructure through the Other Asset and Infrastructure Asset Management Plans | 2.5.4.3 | Implement maintenance program for other assets and infrastructure | Percentage of Unscheduled Maintenance Budget expended | | | 50% | Workplan has been completed. Work is being carried out in accordance with the program. | Director Engineering & Works | Progressing  |








Item 9.3

Attachment 1

3.1: Promote and encourage business development and economic prosperity in the local area

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------|----------------------------------------------------|--------|--------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------------------------------------------------------------------------------|
| 3.1.1 | Implement the Kiama Economic Development Strategy | 3.1.1.1 | Prioritise key projects in partnership with the Economic Development Committee | Implementation of projects | | | 60% | Commended Development of the Kiama Regional Economic Development Strategy. Community Consultation closes on 20 Jan 2018. | Manager Economic Development | Progressing  |
| 3.1.1 | Implement the Kiama Economic Development Strategy | 3.1.1.2 | Develop and review key sector strategies | Completion of review | | | 50% | These strategies will be developed along with the Kiama REDS and ongoing consultation with industry sector groups | Manager Economic Development | Progressing  |
| 3.1.1 | Implement the Kiama Economic Development Strategy | 3.1.1.3 | Ensure an adequate supply of employment lands to meet the future demands | Completion of Demand Study | | | 60% | This project being undertaken jointly with the Town Centre planning study. | Manager Economic Development | Progressing  |
| 3.1.1 | Implement the Kiama Economic Development Strategy | 3.1.1.4 | Review business processes and development strategies for improvement related to business | Reduction of red tape and streamlining the process | | | 60% | During this period have reviewed new project, "Easy to do Business" which council are seeking to implement which will reduce much of the red tape and stream line new business applications. | Manager Economic Development | Progressing  |
| 3.1.2 | Develop opportunities to increase the economic output of rural land | 3.1.2.1 | Develop Agribusiness Policy | Completion of the policy | | | 0% | No activity during this period | Manager Economic Development | Not in this quarter  |


| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-----------------------------------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|-------------|--------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------------|
| 3.1.2 | Develop opportunities to increase the economic output of rural land | 3.1.2.2 | Develop ongoing professional training and development for the Agribusiness sector | Network established | | | 20% | Planning commenced for Local Food industry dinner to take place in March 2018 | Manager Economic Development | Not in this quarter  |
| 3.1.2 | Develop opportunities to increase the economic output of rural land | 3.1.2.3 | Participate in review of LEP to facilitate rural diversification | Redeveloped LEP better facilitates rural diversification | | | 70% | Currently being undertaken with a LEP review being done by the Strategic Planning manager. | Manager Economic Development | Progressing  |
| 3.1.3 | Encourage business innovation, creativity and diversification opportunities | 3.1.3.1 | Conduct forums and programs that support Economic Development via the Kiama Small Business Forum | Increased participation of businesses in events | | | 50% | No Kiama small business workshops held in this quarter. Illawarra Business Awards were held which were sponsored by Council. Mayoral Breakfast held which council facilitated. | Manager Economic Development | Progressing  |
| 3.1.3 | Encourage business innovation, creativity and diversification opportunities | 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 | Speaker presentations undertaken | 3 per annum | | 0% | No activity in this quarter | Manager Economic Development | Progressing  |


| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-----------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------|----------------------------------|-------------|--------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 3.1.3 | Encourage business innovation, creativity and diversification opportunities | 3.1.3.3 | Encourage local businesses to enter Tourism Awards recognising disability inclusion and promote accordingly | Relevant articles in newsletters | 2 per annum | | 100% | There is currently no tourism awards so this initiative will need to be reviewed. | Manager Economic Development | Completed  |
| 3.1.3 | Encourage business innovation, creativity and diversification opportunities | 3.1.3.4 | Develop and promote Kiama's economic and employment opportunities | Number activities undertaken | | | 60% | Working on a number of events and activities for local businesses. The Super League visit will present some business development opportunities for local businesses. | Manager Economic Development | Progressing  |




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


| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------------------------------|-------------|------------------------------------------|--------------------------------------------------------------------------|--------|--------|----------|-----------|------------------------------|------------------------------------------------------------------------------------------------|
| 3.2.1 | Procurement protocols encourage local and regional business engagement | 3.2.1.1 | Monitor and implement procurement policy | 6 new regional tenders via IPJO 4 new services via social procurement | | | 50% | On target | Director Engineering & Works | Progressing  |



3.3: Promote and support tourism in the local area



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------------------------------------------------------------------------|
| 3.3.1 | Management of Kiama Coast Holiday Parks as viable business entities | 3.3.1.1 | Operate Kiama Coast Holiday Parks as a financially sustainable, quality accommodation provider | <p>Net financial returns of Kiama Coast Holiday Parks budget achieved.</p> <p>Facilities and operations audited and maintenance completed within budget and on time</p> <p>Marketing and industry liaison plan implemented</p> | <p>Net income = \$2,103,030</p> <p>100%</p> | <p>Net income = \$2,587,271.</p> <p>No park audits recorded, but thorough inspections undertaken of some cabins.</p> <p>Maintenance upgrades including 2 deck replacements, 1 bathroom refurbishment, 1 cabins flooring replaced; internal painting to 6 cabins, 1 ensuite & 1 reception, external painting to 1 cabin & 1 camp kitchen; repairs to damaged cabin from motorhome accident; returfing of sites; shade sail pole replaced for Pool at Warri Beach; upgrade in bedding configuration at Kiama Harbour Cabins.</p> <p>Boost in posts on corporate & individual Facebook pages resulting in an increase of 120 page</p> | 50% | <p>Net income for the second quarter = \$2,587,271.</p> <p>No park audits recorded, but thorough inspections undertaken of some cabins.</p> <p>Maintenance upgrades including 2 deck replacements, 1 bathroom refurbishment, 1 cabins flooring replaced; internal painting to 6 cabins, 1 ensuite & 1 reception, external painting to 1 cabin & 1 camp kitchen; repairs to damaged cabin from motorhome accident; returfing of sites; shade sail pole replaced for Pool at Warri Beach; upgrade in bedding configuration at Kiama Harbour Cabins.</p> <p>Boost in posts on corporate & individual Facebook pages resulting in an increase of 120 page</p> | Holiday Parks Coordinator | <p>Progressing</p>  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------|-------------|-----------------------------------------------------|--------------------------------------------------|--------|--------------------------------------------------------------------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 3.3.1 | Management of Kiama Coast Holiday Parks as viable business entities | 3.3.1.2 | Meet all legislative and accreditation requirements | Licensing and accreditation currency maintained. | | Awaiting approval for 4 caravan park licences. National accreditation renewed. | 50% | likes for corporate page. Promotion of recipe book & launch of competition to submit recipes. Attendance at Canberra Home & Leisure Show & the State Caravan & Camping MEGA Day Conference. Sponsorship of Kiama's NYE Sky Show & Twilight Jazz Festival. Promotional merchandise ordered plus delivery of the 2018 calendars for guests. Advertising booked in the Wollongong & Kiama Visitors Guides. | Holiday Parks Coordinator | Progressing  |

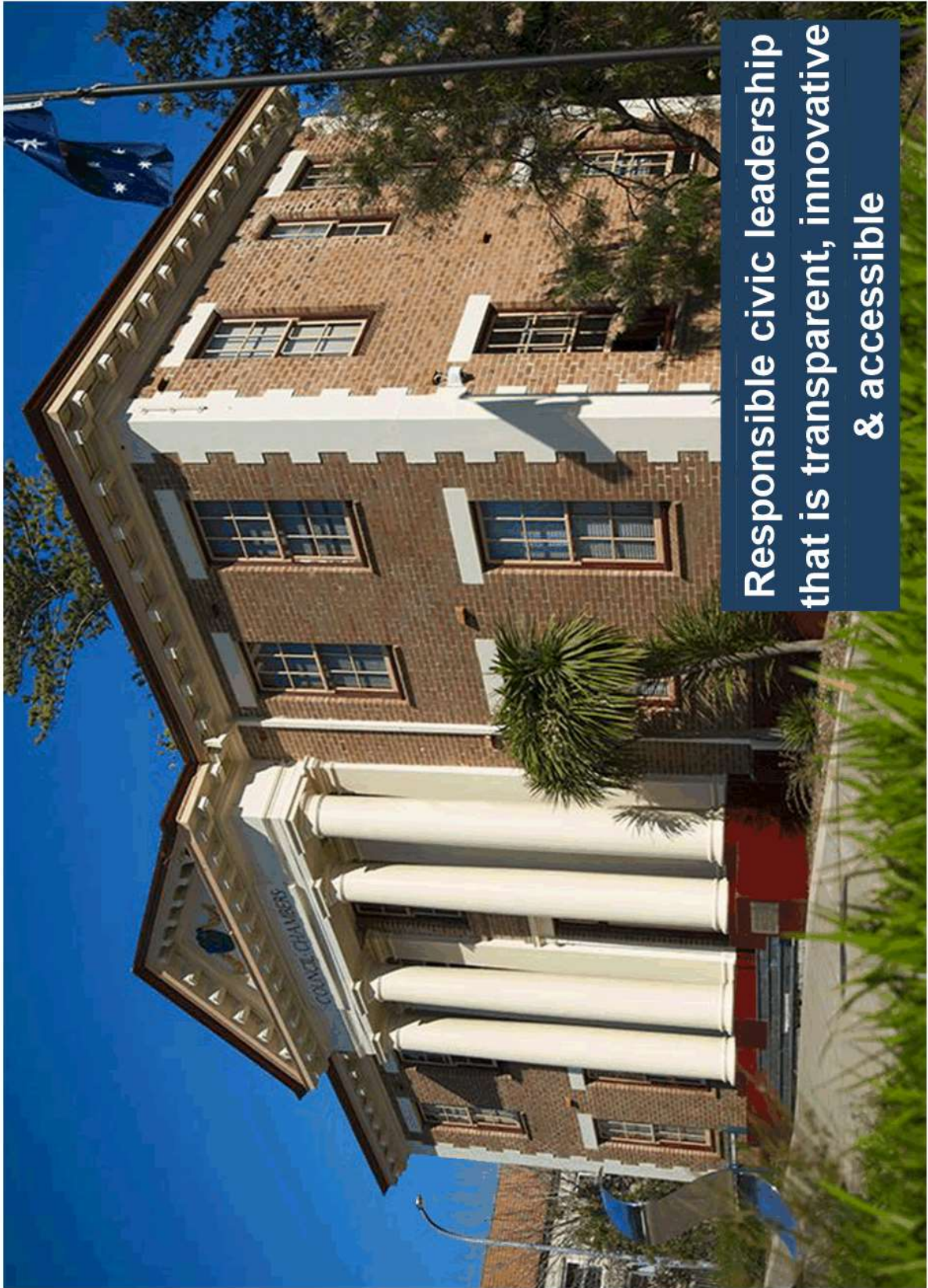
| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------|-------------|--------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 3.3.1 | Management of Kiama Coast Holiday Parks as viable business entities | 3.3.1.3 | Implement Kiama Coast Holiday Parks Masterplan | Annual capital works and renewals completed within budget and timeframe | | Stage 1 of Surf Beach redevelopment has commenced. Draft Business Development Strategies have been developed for Warri Beach & Seven Mile Beach, and still awaiting presentation to Council. | 15% | Awaiting quotes for sewer upgrades to Surf Beach Holiday Park. Consultants engaged to design electrical infrastructure and layout for the redevelopment works. Large storage shed completed at Seven Mile Beach Holiday Park, as per planned capital works. | Holiday Parks Coordinator | Progressing  |
| 3.3.1 | Management of Kiama Coast Holiday Parks as viable business entities | 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 | | 50% | The installation of an accessible cabin will be part of the Surf Beach Holiday Park redevelopment, that has just commenced with the planning stage. This redevelopment will also include the installation of a new pool and water play area. Flick mixers installed in bathroom upgrades as opposed to crosshead/spindle style, making it easier to turn on taps. | Holiday Parks Coordinator | Progressing  |
| 3.3.2 | Maximise the tourism | 3.3.2.1 | Review and implement the | Strategic Tourism Plan | | 100% complete | 90% | The Strategic Tourism and Events | | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------|-----------------------------------------------------------------------------|--------|-------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------|
| | economy through the promotion of the Kiama Municipality as a destination and the provision of product options and experiences for all visitors | | Strategic Tourism Plan | <p>reviewed and adopted</p> <p>Strategic Tourism Plan outcomes achieved</p> | | In progress | | <p>Plan 2018-2021 was reviewed and finalised in November 2017 and adopted at the November Council meeting.</p> <p>Staff recruitment for the Event/s Co-ordinator role, Visitors Services Co-ordinator and Tourism Co-ordinator have been completed, with all staff expected to have commenced by early February. A Christmas Tourism After Hours was held in December, with approximately 100 people in attendance. The 2018 Kiama Visitor Guide was completed and launched in December 2017. A social media strategy was completed in October 2017 and is currently being implemented. The 2017 UNSPOILT Marketing Campaign concluded and the planning for the 2018 Campaign has commenced. Two Australian Tourism Data Base</p> | Manager Tourism & Events |  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|--------|------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 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 | 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 | 50% | 50% | 50% | Workshops have been held with 15 businesses attending. Two industry consultations regarding the new Strategy was held in October with approximately 30 people as well as an online survey. Destination Kiama has worked with several event organisers such as Folk by the Sea, Australian Fly Ball Nationals, Kiama Sevens, Surfing Zane, Artisan Festival, Kiss Arts, Kiama Jazz and Blues, Australian Foot Golf Championships, Jamberoo Music Festival, and the Red Hot Summer Tour. | Manager Tourism & Events | Progressing  |
| | | | | Develop a Sponsorship Prospectus | 100% | 100% | | | | |
| | | | | Develop an Event Management Process and Package | 25% | 25% | | | | |
| 3.3.2 | Maximise the tourism economy through the promotion of the Kiama Municipality | 3.3.2.3 | Operate the Visitors Information Centre to provide high level visitor services | Maintain at least Level 1 Accreditation Increase range of services offered | | Centre has maintained Level 1 Accreditation Services have been maintained | 50% | | Manager Tourism & Events | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|--------------|-------------------------------------------------------------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|-----------------------------------------------------------------------------------------------|
| | as a destination and the provision of product options and experiences for all visitors | | seven days per week | Maintain visitor numbers | | 25% | | | | |
| 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 | 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 | | Information has been provided to the local tourism industry via our e-news and in person at our meetings and functions. | 50% | | Manager Tourism & Events | Progressing  |
| 3.3.3 | Promote and manage activities and functions at The Pavilion Kiama | 3.3.3.1 | Pursue opportunities to increase number of events hosted at The Pavilion Kiama | Increase number of events | 10% increase | 3.3% increase | 50% | 2017 - 124 events 2016 - 120 events Pavilion working consistently hard to increase the amount of commercial events being held each quarter. Community/Internal complimentary events are not reflected in the comparison of final tally count. | Event & Conference Marketing Coordinator | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------------|-------------|----------------------------------------------------------------------------------|-------------------------------|--------|--------|----------|---------------------|------------------------------------------|---------------------------------------------------------------------------------------------|
| 3.3.3 | Promote and manage activities and functions at The Pavilion Kiama | 3.3.3.2 | Implement the provisions of the Disability Inclusion Plan for The Pavilion Kiama | Number of changes implemented | 2 | 2 | 100% | Completed quarter 1 | Event & Conference Marketing Coordinator | Completed  |







**Responsible civic leadership
that is transparent, innovative
& accessible**

Item 9.3



Attachment 1

4.1: Council is financially sustainable

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-------------------------------------------------------------------|-------------|----------------------------------------|-----------------------------------------------------------------------------------------|--------|-----------------------------------------------------------------------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 4.1.1 | Meeting and reporting against IPART/Fit for the future benchmarks | 4.1.1.1 | Maintain financial sustainability | Council meets the seven 'Fit for the Future' financial health and sustainability ratios | | Council continues to meet financial health and sustainability ratios. | 50% | Council continues to generally meet financial health and sustainability ratios. All ratios other than asset maintenance ratio met. | General Manager | Progressing  |
| 4.1.1 | Meeting and reporting against IPART/Fit for the future benchmark | 4.1.1.2 | Implement financial ledger restructure | Successful implementation | | | 5% | Liaised with Pacesetter Services and acquired quotes for initial investigation of financial systems current status plus configuration improvement before ledger restructure can start. Waiting on quotes from Civica for the same service as above. No other known companies who know Civica's Authority Software. | Chief Financial Officer | Progressing  |
| 4.1.1 | Meeting and reporting against IPART/Fit for | 4.1.1.3 | Implement Accounts Payable workflow | Time and cost efficiencies | | | 5% | Timeline changed for the AP Workflow. Advice from | Chief Financial Officer | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------------------------|-------------|--------------------------------------------|---------------------------------------------------|--------|--------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------------------------------------------------|
| | the future benchmarks | | | | | | | other Councils is to have the general ledger structure finalised first before implementing AP Workflow. Implementation aiming for the 18-19 financial year. | | |
| 4.1.2 | Identify opportunities to diversify and maximise funding sources | 4.1.2.1 | Maximise return from commercial operations | Returns from commercial operations exceeds budget | | | 50% | Sale of identified surplus land is progressing. The parcel of land at Glenbrook Drive Kiama is to be subdivided into 5 lots. The DA has been approved by Council. Discussions are currently being held between Council and Sydney trains regarding the release of restriction on title for the subject property. A gateway determination has been submitted to Department of | Director Finance, Corporate and Commercial Services | Progressing  |



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-----------|-------------|-------------|---------------------|--------|--------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------|
| | | | | | | | | <p>Planning to re-categorise a surplus parcel in Irvine St Kiama from Community to Operational land to permit its sale.</p> <p>Reclassification of public land at 9 O'Connell Place, Gerringong has been amended and included within the Kiama LEP 2011 and work can now commence on the disposal of land to Illawarra Housing Trust (to be approved by Council report).</p> <p>Business Development Plans for Kiama Harbour Cabins, Surf Beach Holiday Park and Kendall's Beach Holiday Park were adopted by Council on 18 July 2017 and planning works have commenced.</p> | | |



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------------------------|-------------|-------------------------------------------|----------------------------------------------------------------------|--------|--------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------------------------------------------------------------------|
| 4.1.2 | Identify opportunities to diversify and maximise funding sources | 4.1.2.2 | Comply with all legislative requirements | All requirements met | | | 50% | For the second quarter of the financial year Council has met all legislative requirements for that period. The major requirement for the quarter was for Council to have the 2016/17 Annual Financial Statements audited and lodged with the Office of Local Government. The first quarterly budget review was also reported to Council in the November 2017 meeting. | Chief Financial Officer | Progressing  |
| 4.1.2 | Identify opportunities to diversify and maximise funding sources | 4.1.2.3 | Maximise interest return from investments | Interest rates exceed benchmarks while meeting investment guidelines | | | 50% | Council has been able to consistently perform above the Reserve Bank 90-day Bank Bill Index. Councils average interest rate for the 2 quarters of 2.56% is 0.84% above the Reserve Bank | Chief Financial Officer | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------------------------|-------------|----------------------------------|-------------------------------------------------------------------------------------------------------------------|--------|--------|----------|--------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------------------------------------------------------------------|
| 4.1.2 | Identify opportunities to diversify and maximise funding sources | 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% | Fees & Charges for the 17/18 financial year are complete and have been approved by Council resolution. | Chief Financial Officer | Completed  |


4.2: Council embraces good governance and better practice strategies


| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------|-------------|-------------------------------------------------------------------------------------------|---------------------------------------------|--------|--------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|-----------------------------------------------------------------------------------------------|
| 4.2.1 | Manage effective risk framework across council | 4.2.1.1 | Provide timely, comprehensive advice on proposed corporate policy and legislative change. | 100% proposed changes reviewed and reported | | 100% | 50% | All Corporate Policies and Protocols reviewed in accordance with prescribed legislation. Online Delegations database software purchased, with work commenced on development of this database for KMC. A draft new Code of Conduct was reviewed during | Corporate Planner/Public Officer | Progressing  |


| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------|--------|--------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-------------------------------------------------------------------------------------------------|
| 4.2.1 | Manage effective risk framework across council | 4.2.1.2 | Maintain legislated corporate reporting requirements including PID, GIPA, Complaints Register, Publication Guide, Code of Conduct | 100% compliance | 100% | | 50% | the quarter and work is underway on reviewing the draft Code of Meeting Practice, with a submission to Council in February. No non-compliance issues recorded. All legislative reporting for PID, GIPA and Code of Conduct were prepared and submitted within required timeframe. An updated Publication Guide was adopted in November 2017 and sent to the NSW Information and Privacy Commission, as well as being published on Council's website. | Corporate Planner/Public Officer | Progressing  |
| 4.2.1 | Manage effective risk framework across council | 4.2.1.3 | Review, coordinate and implement the Risk Management program of works | Planned program of work delivered within agreed timeframe | | | 90% | Advanced Risk induction for Managers and Directors has been developed and delivered to new Director Environmental Services | Risk Management Officer - Injury Management | Progressing  |





| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------|-------------|------------------------------------------------------------------------------|-----------------------------------------------------------|--------|-----------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|-----------------------------------------------------------------------------------------------|
| 4.2.1 | Manage effective risk framework across council | 4.2.1.4 | Review, coordinate and implement the Work Health and Safety program of works | Planned program of work delivered within agreed timeframe | | | 100% | <p>December 2017.</p> <p>Claims frequency is steady and are being managed effectively without litigation this quarter.</p> <p>Safety system is current and documentation reviewed.</p> <p>Consultation with staff to identify and resolve safety issues continues.</p> <p>Review of safe work method statements to commence January 2018.</p> | Risk Management Officer - Work Health & Safety | Completed  |
| 4.2.1 | Manage effective risk framework across council | 4.2.1.5 | Review, coordinate and implement the Injury Management program of works | Planned program of work delivered within agreed timeframe | | All planned activities undertaken | 80% | <p>The Return to Work Program and Injury & Illness Management Protocol was endorsed by Manex in December 2017.</p> <p>The injury management program will continue to be reviewed and managed</p> | Risk Management Officer - Injury Management | Progressing  |




| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------|-------------|---------------------------------------------------------------------------|-----------------------------------------------------------|--------|--------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------------------------------------------------------|
| 4.2.1 | Manage effective risk framework across council | 4.2.1.6 | Review, coordinate and implement the Enterprise Risk Management framework | Planned program of work delivered within agreed timeframe | | | 60% | throughout the next 3 quarters. Enterprise Risk Management Protocol & Framework have both been revised but require review presentation to Risk, Audit and Improvement committee which will next meet February 2018. (Inaugural meeting was November 2017). Protocol to be signed off by MANEX but framework will require Council. | Risk Management Officer - Injury Management | Progressing  |
| 4.2.1 | Manage effective risk framework across council | 4.2.1.7 | Implement continuous improvement for risk management | External audit completed for ISO31000 Standards | | | 50% | CRIP audit recommendations have now been placed as an ongoing agenda on the risk MANEX report. All recommendations apart from establishing an internal auditor have been completed or initiated. the identified | Risk Management Officer - Injury Management | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------|-------------|--------------------------------------------|-----------------------------------------------|--------|--------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|-----------------------------------------------------------------------------------------------|
| 4.2.1 | Manage effective risk framework across council | 4.2.1.8 | Enact corporate risk management strategies | CRIP audit report recommendations implemented | | | 50% | opportunities are also underway. Regular 6-monthly summary prepared for the GM's review & Audit Risk & Improvement Committee. Corporate risk register updated to ensure all key strategic risks are included. All Directors are aware that formal risk assessments are required for all major projects. Events Coordinator staff have been appointed & are working towards developing a comprehensive events manual incorporating checklists for all key aspects of events. The development of a formal contractor management manual would assist particularly when new staff are recruited to key positions which manage | Director Finance, Corporate and Commercial Services | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------|-------------|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|--------|----------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 4.2.1 | Manage effective risk framework across council | 4.2.1.9 | Establish and maintain Internal Audit Committee | Internal Audit Committee meets at least quarterly and reviews implementation of risk management strategies and actions. | | New Internal Audit Committee structure reviewed and expressions of interest for community members called | 50% | contractors - WHS Officer will include this concept with the LEAN program currently being undertaken. Risk Coordinator to implement 6 monthly review meetings with all managers to ensure ongoing review of risk register & other ERM matters. Risk Management coordinator has updated the risk appetite statement & risk criteria, & they are ready for review by Risk, audit & Improvement committee on 27 February 2018. | General Manager | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------|-----------------------------------------------------------|--------|--------|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 4.2.2 | Manage an effective workforce in an environment of continuous improvement | 4.2.2.1 | Develop, review and implement the Human Resource Management program of works | Planned program of work delivered within agreed timeframe | | | 50% | <p>Indoor Accrued Time Protocol review complete. To be implemented from 1 January 2018</p> <p>Consultative Committee Constitution endorsed</p> <p>Negotiation on Outdoor Nine Day Fortnight continued, but delayed due to unforeseen and uncontrollable circumstances</p> <p>3 industrial matters continuing - 2 resolved, 1 continuing</p> <p>Continued to support recruitment initiatives, notable recruitment campaigns successfully resolved during this period are the Director Environmental Services, Manager IT,</p> | Senior HR Officer | Progressing  |


| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|------------|------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------|
| 4.2.2 | Manage an effective workforce in an environment of continuous improvement | 4.2.2.2 | Develop, review and implement the Organisational Development program of works | Planned program of work delivered within agreed timeframe | | Completed | 100% | Payroll/HR Officer. Shortlisted 'Values words' refined to final 5. Three Values launch events held - (2) at the Pavilion and (1) at Blue Haven Home. Approximately 60% of staff attended and response was extremely positive. | Organisation Development Coordinator | Progressing  |
| 4.2.2 | Manage an effective workforce in an environment of continuous improvement | 4.2.2.3 | Coordinate regular disability inclusion awareness training for all Councillors, staff and contractors who interact with the public | Training completed | 1 per year | Not yet required | 0% | Work to be included in third quarter 2017/18 | Organisation Development Coordinator | Not in this quarter  |
| 4.2.2 | Manage an effective workforce in an environment of continuous improvement | 4.2.2.4 | 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 | 50% | Progressing - delayed by change in Payroll/HR Officer | Senior HR Officer | Progressing  |
| 4.2.2 | Manage an effective workforce in an environment | 4.2.2.5 | Develop and promote supported employment placements for people with a | Supported employment placement protocol for people with a | | Progressing | 50% | Ongoing - no placements for this quarter | Senior HR Officer | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 4.2.3 | of continuous improvement | | disability to develop work skills in Council operations and services | disability is endorsed by MANEX | | | | | | |
| 4.2.3 | Council, the Illawarra Pilot Joint Organisation and our neighbour councils working together | 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 | | ISJO submitted grant application for Smart Cities funding for projects that will benefit all ISJO stakeholders such as flood warning systems, water treatment and aged care. | 50% | Following the Wollongong Shellharbour Council elections the joint Organisation has met and commenced its reviewing strategic plan | General Manager | Progressing  |
| 4.2.4 | Develop strategic partnerships with regional and other organisations to advance local community priorities | 4.2.4.1 | Initiate and support partnerships at regional level to advance Council's strategic objectives | All approved partnerships are implemented | | Cities Power Partnership entered into with the Climate Council. Destination Wollongong partnership renewed. | 50% | Cities Power Partnership actions to be implemented by Council were endorsed. | General Manager | Progressing  |
| 4.2.4 | Develop strategic partnerships with regional and other organisations to advance local community priorities | 4.2.4.2 | Advocate for provision of improved and accessible public transport within and between towns | Advocacy undertaken with key stakeholders | | Meetings held with Department of Premier & Cabinet representatives to discuss transport issues and | 50% | Meetings held with Member for Kiama, Sydney Trains, Boral, Department of Planning and Department of Premier and Cabinet representatives to discuss | General Manager | Progressing  |



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-----------|-------------|-------------|---------------------|--------|-----------------------------|----------|--------------------------------------------|------------------------------|----------------|
| | | | | | | improvements for the region | | rehabilitation and future of Bombo Quarry. | | |



4.3: Council and the community working together




| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|--------------------------------------------------------------------------------------------------------------------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------|--------|--------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-----------------------------------------------------------------------------------------------|
| 4.3.1 | Foster positive community relationships through open communication, opportunities for participation and sharing of information | 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 | | | 50% | <p>Council's Communications Officer continued a project to ensure compliance, quality and useability of Council's website improves. The popular 'Waste' section was recently restructured and rewritten, while the larger Planning & Development section was overhauled and restructured.</p> <p>In December, the first monthly Web Chat session was held for Council's website Publishers to meet for 15 minutes to share updates on tasks, issues, and feedback from their areas. The sessions are designed to</p> | General Manager | Progressing  |



| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|---------------------------------------------------------------------------------------|-------------|----------------------------------------------------------------------------------------------------------------|------------------------------------------|--------|--------|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------|
| 4.3.1 | Foster positive community relationships through open communication, opportunities for | 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 | | | 50% | <p>improve communication across the organisation and revitalise/encourage Publishers in their work to achieve efficiencies and maintain up-to-date information.</p> <p>Council webpages were viewed 86,306 times (68,241 unique views) by 18,365 users over 32,276 sessions. Council's free public Wi-Fi network provided access for 5109 distinct clients to complete 13,299 sessions. With a total of 2114 live pages during the quarter, 231 were modified, 77 new articles added, 25 articles reached expiry date, and 66 deleted.</p> <p>Across Council's Facebook, Twitter and Instagram pages, our Communications Team completed 391 posts and attracted a total of 6236 engagements.</p> | General Manager | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|------------------------------------------|-------------|------------------------------------|-------------------------------------|--------|--------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------|
| 4.3.1 | participation and sharing of information | 4.3.1.3 | Council's intranet is reviewed and | Annual review of Council's intranet | | | 50% | <p>The refocus of efforts in line with emerging social media trends that was carried out in the last quarter did not affect audience growth, with 399 new followers gained.</p> <p>During the quarter one of Council's Communication Officers organised social media training for approximately 20 key staff across the organisation. Training was conducted by Neryl East and Francine Bishop, and received significant positive feedback by attendees. The training has assisted Council Officers to understand how to adhere to Council's Social Media Policy and how to be efficient and engage their audience with social media.</p> <p>Project Proposal for HPE Content</p> | General Manager | Progressing |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|--------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------|--------|--------|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------------------------------------------------------------------|
| | community relationships through open communication, opportunities for participation and sharing of information | | improved to meet legal requirements, industry standards and facilitates business efficiency for staff | for compliance, quality and useability | | | | Manager and Intranet connection submitted by contractor accepted, with work due to start in February 2018. This will provide a solution to displaying HPE documents live within the Intranet, with greater longevity than the supplied Intranet CMS can provide. Council staff continue to be encouraged to post information and news to the Intranet, and an average of 155 staff logged in each month. | |  |
| 4.3.1 | Foster positive community relationships through open communication, opportunities for participation and sharing of information | 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 | | | 50% | 42 media releases/statements were issued to local, regional and state media. 276 media stories were published or broadcast covering Council activities. These reached a cumulative audience of 1.2M and equated to | General Manager | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|--------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|--------|--------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|--------------------------------------------------------------------------------------------------------|
| 4.3.1 | Foster positive community relationships through open communication, opportunities for participation and sharing of information | 4.3.1.5 | Promote availability of more accessible Council information and events | Inventory of access gaps and budgeted improvement strategies completed | | | 30% | advertising space rate of \$189,600. In the lead up to Kiama's New Year's Eve Sky Show, Council promoted the availability of a designated accessible area at Black Beach for people with a disability. Council also promoted the availability of an Auslan interpreter for two Australia Day events that were attended by Kiama's Australia Day Ambassador for members of the deaf community. Promotion occurred in both print and online media. | General Manager | Progressing  |
| 4.3.1 | Foster positive community relationships through open communication, opportunities for participation and sharing of information | 4.3.1.6 | Council's Community Engagement Strategy is revised to ensure a range of accessible participation options are included. | Training programs for Councilors and staff conducted on accessible Community Engagement Strategy. | | | 0% | No action this quarter | General Manager | Not in this quarter  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|--------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|--------|------------------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|---------------------------------------------------------------------------------------------------------|
| 4.3.1 | Foster positive community relationships through open communication, opportunities for participation and sharing of information | 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 developed and implemented. | | Provided for NYE | 100% | The Destination Kiama organised our New Year's Eve celebrations at which a disabled area was allocated and additional disabled parking spaces provided. | Manager Tourism & Events | Completed  |
| 4.3.1 | Foster positive community relationships through open communication, opportunities for participation and sharing of information | 4.3.1.8 | Terms of Reference, operations and accessibility of Council's committees reviewed to ensure equal participation opportunity for residents with a disability | Revision of Council's Committee Terms of Reference complete and implemented | | | 0% | | General Manager | Not in this quarter  |
| 4.3.1 | Foster positive community relationships through open communication, opportunities for participation and sharing of information | 4.3.1.9 | Revise Council's website to WCAG 2.0 standard | Website assessed and improvement plan completed | | | 0% | | General Manager | Not in this quarter  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|--------------------------------------------------------------------------------------------------------------------------------|-------------|-------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------------------------------------------------------------------------------------------------------|
| 4.3.1 | Foster positive community relationships through open communication, opportunities for participation and sharing of information | 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. | | | 0% | | General Manager | Not in this quarter  |
| 4.3.1 | Foster positive community relationships through open communication, opportunities for participation and sharing of information | 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 | | Kimunico delivered to all ratepayers and residents in mid-December. Community Engagement Strategy considered in a range of projects, including cross-departmental projects. Thirty-three public notices and notifications placed in Council's fortnightly | 50% | The Summer edition of Kimunico was created and distributed a month earlier in order to effectively promote Council's Special Rate Variation and Summer events. Delivered via Australia Post to all ratepayers and residents of the municipality, the distribution reached 13,300 compared to normal distribution via rates notices to approximately 8,500 ratepayers. Community Engagement Strategy considered in a range of projects, including cross-departmental | General Manager | Progressing  |

| DP Action Code | DP Action | Action Code | Action Name | Performance Measure | Target | Actual | Progress | Comments | Responsible Officer Position | Traffic Lights |
|----------------|-----------|-------------|-------------|---------------------|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------|
| | | | | | | <p>advertising page in The Bugle and occasional advertising in Kiama Independent. Fifty latest news, public notices and notifications added to Council's website during the quarter.</p> | | <p>projects. Thirty-three public notices and notifications placed in Council's fortnightly advertising page in The Bugle and occasional advertising in Kiama Independent. Fifty latest news, public notices and notifications added to Council's website during the quarter.</p> | | |

9.4 Kiama Readers' Festival 2018

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

Summary

This report advises of the 2018 Kiama Readers' Festival to be held at The Pavilion Kiama on 11 and 12 May 2018. Council assistance for the event is sought.

Finance

Friends of Kiama Library are seeking assistance from Council in setting up the Kiama Library for the official launch on Friday 11 May 2018 and a donation towards the hire of the Pavilion for the event. Pavilion hire is \$1,325.

Policy

Not applicable.

Attachments

1 Friends of Kiama Library Letter of Request - Readers Festival 2018 [↓](#)

Enclosures

Nil

RECOMMENDATION

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

BACKGROUND

The second Kiama Readers' Festival is to be held on 11 and 12 May 2018. Acclaimed author Nikki Gemmell is to carry out the official launch of the festival at the Kiama Library on Friday 11 May 2018 with the day festival being held on 12 May 2018 at The Pavilion Kiama.

Keynote speakers include:

- Barry Maitland
- Julia Baird
- Catherine McKinnon
- David Hunt
- Suzanne Leal

Report of the General Manager

9.4 Kiama Readers' Festival 2018 (cont)

- Sulari Gentill
- Jim Haines

Wendy Harmer is the guest speaker at the dinner to be held at the Pavilion on the Saturday night.

Friends of Kiama Library have advised that 39 non-residents stayed in Kiama last year for the festival. It is expected that the number of people visiting the area for the event will increase in 2018. Keynote speakers such as Nikki Gemmell and Wendy Harmer will draw large interest to the event.

Friends of Kiama Library should be congratulated on organising an event which is consistent with Council's cultural aims and which will draw locals and visitors from outside the Municipality to the event.

The assistance being sought from the Friends of Kiama Library is reasonable. A copy of their request is attached.



David Stevenson
Secretary
Friends of Kiama Library
Mobile 0400 768 668
Phone 4232 1918

Mr Michael Forsyth,

Thank you for meeting with our President Wendy Leatheam, Committee member Barry Spooner and myself, on Thursday 18 January at the Council Chambers. We appreciate the time you and our Mayor, Councillor Mark Honey, spent with us regarding our second Kiama Readers Festival to be held on 11 May and 12 May 2018.

As requested, we present to the Council the following submission for our Readers Festival. The Festival will be opened on Friday 11 May 2018 in the Library with an Official Launch. This will feature well-known author Ms Nikki Gemmell. The Festival continues in The Pavilion on Saturday 12 May with author sessions from 10am to 3.30pm and finishes the day with a Panel Discussion. The Festival concludes on Saturday evening with a Gala Dinner, again in The Pavilion.

The Council, when we had our first Readers Festival in October 2016, very kindly supported this venture by allowing the Friends to use The Pavilion during the Saturday Author sessions, with no charge. This was very much appreciated and assisted in minimising our costs. The Festival was also allocated a Grant of \$2000 by the Council, which again was very much appreciated.

The 2016 Festival attracted 100 Patrons to our Launch, over 270 Patrons to our Author Sessions and 120 Patrons to the Gala Dinner. Overall, 37% of tickets were to FOKL members and 63% to non-members. Of the non-members, 39 Patrons came from outside the region (Wollongong Region, Sydney Region, NSW Central Coast and the ACT). Many of these stayed in accommodation around the Region. During the Saturday, Patrons visited the many cafes and restaurants in the town for lunch.

In the lead up to the 2018 Festival, many book clubs around Kiama, Shellharbour, Wollongong and Sydney have been contacted and there is considerable interest with at least 6 book clubs, outside the Region, committing to attending. Many have started to book accommodation. Actual numbers are unknown at this stage.

Requests:

- The Friends of Kiama Library are asking if, again, the Council would allow us to use The Pavilion free of charge. The Pavilion has been booked for the Festival and, following receipt of a quotation, have paid the booking fee. If the cost is to stand, the fee would have to be incorporated into our ticket prices which would mean higher prices. The ticket prices will need to be kept low to increase patronage.
- PA System Friday Launch: The Friends are also asking Council if we would be allowed to use the excellent PA system, owned by the Council for our Friday night Launch. This system would be invaluable and is far superior to our own small system that we use for our monthly Author talks in the auditorium downstairs at the Library.

- Chairs – Friday Launch: We are also seeking to have the 70 chairs from downstairs brought up to the Library on the Friday afternoon and returned downstairs on the following Monday. This involves “heavy lifting” and, as most of our FOKL Committee are over 70, it is difficult for us to do. If some outdoor staff could assist us in this way, that would be greatly appreciated.

There may be other assistance required as the Festival nears. If the Friends could seek assistance, again, this would be greatly appreciated.

Your faithfully,

.....
Wendy Leatheam
President of The Friends of Kiama Library

.....
David Stevenson
Secretary of The Friends of Kiama Library

10 REPORT OF THE DIRECTOR ENVIRONMENTAL SERVICES**10.1 10.2017.310.1 - Lot 136 DP: 30126 - 98 Attunga Avenue, Kiama Heights - Demolition of existing dwelling, construction of attached dual occupancy and 2 Lot Torrens Title subdivision**

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

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

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

Summary

This report reviews the development application seeking consent for the demolition of the existing dwelling and outbuilding, construction of an attached dual occupancy and subsequent 2 lot Torrens Title subdivision.

The proposed development seeks exception to Council's minimum lot size development standard. The proposed lot sizes are both 288.17m², whereas the minimum lot size permitted by LEP 2011 Clause 4.1 is 450m². The proposed lot sizes are smaller than the minimum standard by more than 10% (35.9% in this instance). Exception to the minimum lot size standard is sought under Clause 4.6 of the LEP.

The proposed development complies with the prescribed 6m front building setback, however the compatibility of the proposed development with the established building line on the southern side of Attunga Avenue is a matter for consideration.

One submission was received objecting to the proposed development.

The report recommends approval of the application.

Finance

N/A

Policy

N/A

Reason for the Report

The proposed development seeks variation to Council's minimum lot size development standard by more than 10%.

Attachments

1 10.2017.310.1 - plans [↓](#)

Enclosures

Nil

Report of the Director Environmental Services

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

RECOMMENDATION

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

BACKGROUND

Development Site

The property is described as Lot 136 DP 30126 which is located at 98 Attunga Avenue, Kiama Heights.

The overall site measures 594.4m² in size and is rectangular in shape. The site currently contains a dwelling with detached garage and is bounded by residential land containing principally dwellings.

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

The site is predominantly cleared and slopes moderately downward toward the east/south-east.

Access to the property is obtained from Attunga Avenue.

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

Description of the Proposed Development

The proposal involves the demolition of the existing single storey weatherboard dwelling and outbuildings and construction of an attached, two storey dual occupancy with subsequent 2 lot Torrens Title subdivision.

Proposed dwelling 1 has a gross floor area of 127.6m² and proposed dwelling 2 has a gross floor area of 128.32m². Both dwellings have two bedrooms.

The proposed dual occupancy is configured such that the layout of one dwelling is essentially the mirror layout of the other dwelling. On account of the fall of the land toward the east, the dwellings are offset from one another with the floor level of dwelling 1 being 0.75m higher than dwelling 2.

The ground floor of each dwelling includes a single lock-up garage, bedroom 1 with WIR and bathroom, foyer and rumpus room leading to the rear deck and backyard.

The first floor of each dwelling includes bedroom 2, bathroom and open plan kitchen, dining, living area. The dining area has direct access to the northern balcony and the living area has direct access to a larger southern balcony.

Each dwelling has a driveway with individual access from Attunga Avenue.

Bin storage area for each dwelling is available adjacent to the garage behind the building line, with waste collection to take place from the Attunga Avenue road verge.

It is proposed to finish the dual occupancy with Colourbond roof ('Monument' in colour), weatherboard 'Axon' cladding painted a combination of Dulux 'Monument'

Report of the Director Environmental Services

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

and 'White on White', timber cladding (Ironbark natural oil finish) and face brick (Austral bricks 'Biscotti'). The external finish materials proposed differentiate the presentation of each dwelling without compromising the overall cohesion of the development as a dual occupancy.

The proposed Torrens Title subdivision seeks to create 2 lots. Proposed Lot A (with dwelling 1) measures 288.17m² in size and proposed Lot B (with dwelling 2) measures 288.17m² in size.

Summary of non-compliances

- LEP 2011 Clause 4.1 - the proposed lot sizes (288.17m²) are smaller than the minimum standard (450m²) by more than 10% (35.9%). Exception is sought under Clause 4.6
- DCP Chapter 2 Section 8 – the proposed dual occupancy protrudes forward of the established front building line on the southern side of Attunga Avenue.

Section 79C Assessment

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

Relevant Environmental Planning Instruments

- State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71)

The site is located within the coastal zone, as defined by SEPP 71. The site is not located within a 'sensitive coastal location' as defined by SEPP 71.

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

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

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

- State Environmental Planning Policy No 55 - Remediation of Land

The land is suitable for the proposed use.

- Kiama LEP 2011

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

Specific clauses requiring consideration:

Clause 4.1 requires that the minimum subdivision lot size is not less than the minimum size shown on the Lot Size Map. Subdivision of the proposed dual occupancy is proposed that breaches the development standard. Exception is sought pursuant to Clause 4.6.

Report of the Director Environmental Services

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

Clause 4.3 requires that the height of the building does not exceed the maximum height shown on the Height of Buildings Map (8.5m in this instance). The proposal does not exceed the height shown on the Height of Buildings Map, having a height in the order of 6.74m (based on Statement of Environmental Effects). Plans indicate the building is comfortably below the 8.5m building height limit.

Clause 4.4 requires that the floor space ratio (FSR) does not exceed the maximum FSR shown for land on the FSR map (0.45:1 in this instance). Council's calculations verify that the proposal does not exceed the FSR shown for land on the FSR map, having an overall FSR of 0.44:1. Post subdivision, dwelling 1/Lot A will have an FSR of 0.445:1 and dwelling 2/Lot B will have an FSR of 0.442:1.

Clause 4.6 provides for exceptions to certain development standards where requested and justified in writing by the applicant and where Council is satisfied that:

- the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3) (ie that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case and that there are sufficient environmental planning grounds to justify contravening the development standard); and
- the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

In this instance it is proposed to Torrens Title subdivide the proposed dual occupancy to create lots less than 450m² in size which is a breach of the minimum lot size development standard under Clause 4.1. As the subdivision does not meet the criteria for an exemption to the minimum lot size under Clause 4.1B, a variation under Clause 4.6 is required.

The applicant has sought an exemption to the minimum lot size development standard required under Clause 4.1 (450m²) through the provision of a submission under Clause 4.6. Proposed Lot A (with dwelling 1) measures 288.17m² in size and proposed Lot B (with dwelling 2) measures 288.17m² in size.

Applicant's Submission

In addressing Clause 4.6 and seeking exception to Clause 4.1, the applicant has lodged a submission which, in summary, contends that:

- The applicant highlights that the proposal is consistent with the objectives of Clause 4.1 (minimum lot size) in that the construction of the dual occupancy is permissible within the zone.
- The applicant also makes the point that the proposal is consistent with the R2 Low Density residential zone objectives in that the proposed dual occupancy is permissible and will in no way impact on the character of the area or adversely impact the amenity of the surrounding area.
- The applicant contends that Torrens Title subdivision of the dual occupancy with individual title is consistent with the public interest, despite numeric non-

Report of the Director Environmental Services

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

compliance with the development standard, because it will enable individual sale of the dwellings and therefore increases supply and affordability of housing.

- The applicant also argues that the proposed subdivision is consistent with the Kiama Urban Strategy, which “*promotes in-fill residential development as the primary manner in which increased residential growth is to be accommodated.*”

In relation to Clause 4.6(3)(a) of the LEP (that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case), the following matters are noted:

- The layout of the subdivision accommodates all essential services, vehicular access and parking, clothes drying areas and private open space for each dwelling within the boundaries of each proposed lot.
- The proposed subdivision results in lots of equal size and does not alter the density of development nor enable additional development opportunities.
- The proposed subdivision results in no amenity impacts beyond that of the dual occupancy development that brings about the proposed Torrens Title subdivision.
- By the time of the implementation of the proposed subdivision, the dual occupancy will have been constructed, with each of the dwellings having adequate setbacks from boundaries, adequate provision for access and parking, adequate landscaping area, private open space, services and facilities. The applicant thereby contends that there is no need to insist upon the allotments complying with the minimum lot size standard.
- The subdivision is consistent with the public interest in that Torrens Title subdivision of the approved dual occupancy is consistent with Council’s past practices.

As outlined above it is generally accepted that compliance with the development standard is unreasonable and unnecessary under the circumstances.

In relation to Clause 4.6(3)(b) of the LEP (that there are sufficient environmental planning grounds to justify contravening the development standard), the following matters are noted:

- The proposal is generally consistent with the R2 zone objectives despite non-compliance with the minimum lot size standard;
- Despite non-compliance with the minimum lot size standard, the proposal is generally consistent with the objectives of Clause 4.1 and 4.6;
- The development and subdivision is reasonably consistent with the prevailing character of the area and will not substantially alter the low density nature of the existing residential environment;
- Council is currently exhibiting a Planning Proposal to permit subdivision of dual occupancies, effectively in this instance permitting a minimum lot size of 225m²

Report of the Director Environmental Services

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

for subdivision of dual occupancy within a 450m² minimum lot size area. The proposed subdivision is consistent with the subdivision outcomes, should the LEP be amended as sought by the Planning Proposal.

As outlined above it is accepted that there are sufficient environmental planning grounds to justify contravention of the minimum lot size development standard under the circumstances.

It is accepted that compliance with the development standard is unreasonable and unnecessary under the circumstances, there are sufficient environmental planning grounds to justify contravention of the development standard and the proposed subdivision is not contrary to the public interest under the circumstances.

For these reasons outlined in this discussion it is not considered that approval of the subdivision would be contrary to the public interest. The main issues with the development proposal relate to the dual occupancy development, not the subsequent subdivision should the dual occupancy be permitted.

The proposed subdivision is not inconsistent with State or Regional planning matters.

As the proposed exception to the minimum lot size development standard has satisfactorily addressed Clause 4.6(3) of Kiama LEP 2011, it is recommended that the application for exception to the standard be supported.

Clause 5.5 lists requirements for development within the coastal zone. The proposal is not inconsistent with the objectives of the clause. The proposal does not cause increased coastal hazards or adverse impacts by way of diminished foreshore access, treatment of effluent and disposal of stormwater.

Clause 5.9AA stipulates that trees or vegetation which are not of a species or kind prescribed for preservation in a development control plan may be cut down, lopped or removed. The proposal includes species on the site which are not included within the development control plan and are permitted to be removed as part of the development approval.

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

Any draft Environmental Planning Instruments

- Draft SEPP (Coastal Management) 2016

The land is wholly affected by the Draft SEPP (Coastal Management) 2016.

- Draft SEPP (Primary Production and Rural Development)

The Draft SEPP aims to support sustainable agriculture and aquaculture and will replace the following existing SEPPs:

- SEPP (Rural Lands) 2008;
- SEPP 30 - Intensive Agriculture;

Report of the Director Environmental Services

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

-
- SEPP 52 - Farm Dams and Other Works in Land and Water Management Plan Areas;
 - S 62 - Sustainable Aquaculture; and
 - Sydney Regional Environmental Plan 8 - Central Coast Plateau Areas.
- Draft SEPP (Environment)

The purpose of the Draft SEPP is to promote the protection and improvement of key environmental assets for their intrinsic value and the social and economic benefits they provide.

Comment - The proposed development is not inconsistent with the aims and objectives of these draft EPI's.

- Planning Proposal (PP 2017 Kiama 003 00)

Amongst other housekeeping matters, the Planning Proposal seeks to permit subdivision of dual occupancies to permit lot sizes a minimum of 50% of the prescribed minimum lot size relevant to the site.

Comment - As relevant to the proposed development, this will effectively permit a minimum lot size of 225m² for subdivision of dual occupancy (as it is within a 450m² minimum lot size area). The proposed subdivision involves lot sizes of 288.17m² which is consistent with the minimum lot size outcome sought to be made permissible by the Planning Proposal.

Development Control Plans (DCPs)

- Kiama DCP 2012

Chapter 2 – Overall Controls

Section 1 – Demolition Requirements

Control C1 requires that a development application involving demolition be accompanied by an Asbestos & Hazardous Materials Assessment Audit. This information was requested of the applicant, who advised that the Audit will be prepared prior to issue of the Construction Certificate and should be conditioned.

Comment: Although, as identified above, the DCP does stipulate that an Asbestos & Hazardous Materials Assessment Audit accompany the development application, standard conditions that would be applied to the demolition component of the development cover the requirement for the audit report. Such condition of consent requires this information to be submitted prior to issue of the Construction Certificate. Albeit preferable, it is not critical that this information be supplied prior to the issue of consent and as such conditioning the requirement for the audit report is accepted.

Section 8 – Building Line Setbacks in Context

Although Section 7 of Chapter 2 identifies the site as being subject to a minimum 6.0m front building line, Section 8 acknowledges that existing residential areas may have an established building line that differs from the building line prescribed under Section 7. In instances where the setback of neighbouring development is consistent (i.e. there is an established building line), but the established building line exceeds

Report of the Director Environmental Services

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

the minimum setback prescribed by Section 7, Section 8 advocates maintaining and adopting the established building line so as to blend the new development into the streetscape.

An established front building line in the order of 7m exists for dwellings along the southern side of Attunga Avenue. The neighbouring dwelling to the west of the development site has a setback of some 7.5m and the dwelling to the east of the site has a setback of some 7.1m (as measured from the Site Analysis Plan). The existing dwelling at the site has a setback of some 7.4m (excluding the front verandah), each contributing to the established building line.

Although the proposed dual occupancy complies with the prescribed 6.0m front building line under Section 7, it will extend forward of the established building line by over 1m.

The applicant was requested to address DCP 2012 Chapter 2 Section 8 – Building Line Setbacks in Context, but responded by reiterating the 6m building line prescribed under Section 7 rather than specifically addressing Section 8.

Comment: Travelling eastward along Attunga Avenue, observation of the established building line is interrupted by an established tree in front of neighbouring 96 Attunga Avenue. The intervention of this established tree in the streetscape interrupts vision of the building line adjacent to the location of the proposed dual occupancy.

Conversely, travelling westward along Attunga Avenue arguably enables a greater appreciation of the established building line on the southern side of the road, as the road travels uphill (so the streetscape is more prevalent), the established building line can be observed over a greater distance and there are no water views (unlike when eastward bound) to draw attention away from the street. The protrusion of the proposed development forward of the established building line will likely be most evident from easterly vantage points.

Although the proposed dual occupancy will protrude forward of neighbouring dwellings by approximately 1m, this protrusion is generally not considered to be of such significance or so pronounced that the established building line along the southern side of Attunga Avenue is undermined by the proposed development.

It should be noted that the front building line protrusion will likely be exacerbated by a cantilevered balcony measuring 1.15m x 3.68m (4.23m²) extending from the first floor of each dwelling. These are allowable encroachments under Section 10 of DCP Chapter 2. Again, these small balconies are not considered to be unacceptable as they are open, cantilevered elements rather than solid, bulky elements that would otherwise have a more significant impact on the building line.

It is additionally noted that, where the southern side of Attunga Avenue has a reasonably consistent established building line in the vicinity of the development site, development on the northern side of the road does not. Along the northern side of Attunga Avenue there is perceptible variation in the front setbacks of development. This is not a negative depiction on the northern side of the road, as the variations in front setbacks does not detract from the streetscape appeal of the neighbourhood. In the context of the overall streetscape, the minor protrusion of the proposed

Report of the Director Environmental Services

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

development forward of the established building line on the southern side of Attunga Avenue can be seen as reflective of the more variable front setbacks of dwellings on the northern side of Attunga Avenue in the vicinity of the development.

No concerns regarding the inconsistency with the established front building line were raised in submissions.

Chapter 4 – Low Density Development

The development is generally compliant with the objectives and performance controls of Chapter 4.

The proposed development is generally consistent with Kiama DCP 2012.

Any Planning Agreement

Nil

Any Matters Prescribed by the Regulations

- NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast

The proposal does not compromise the strategic actions or principles (Appendix C - Table 3) adopted within the *NSW Coastal Policy 1997*.

- Australian Standard AS 2601—1991: The Demolition of Structures

The proposal is not inconsistent with Australian Standard AS 2601-1991: The **Demolition** of Structures.

Any Coastal Zone Management Plan

Nil

The Likely Impacts of the Proposed Development

- Streetscape

The design of the proposed development is considered to be reasonable when considered in relation to the context of the site. The bulk, scale and design of the proposal is generally consistent with relevant planning instruments and is not inconsistent with the streetscape.

The protrusion of the building forward of the established building line on the southern side of Attunga Avenue has been discussed in detail above (see DCP Chapter 2 – Overall Controls). On balance, the proposed development is considered to be acceptable in terms of building line and streetscape impact.

- Noise

Construction works will generate some noise, though conditions of consent can be imposed to ensure that works are undertaken only within specified hours to limit impacts upon neighbours. No on-going significant noise impacts are expected as a result of the development.

- Privacy and Overlooking

Report of the Director Environmental Services

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

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

- Overshadowing

Shadow diagrams have been supplied with the development application, which indicate that the overshadowing impacts of the proposed development will be reasonable.

- Views

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

- Vehicular Access, Parking and Manoeuvring

Sufficient car parking is proposed.

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

- Stormwater Management

A satisfactory drainage design has been provided with the application.

All stormwater will drain to the street and on-site dispersion pits.

- Environmental Impacts

Vegetation Removal – Some vegetation is to be removed. This issue has been considered by Council's Landscape Officer and no concerns have been raised.

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

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

Impact on Water Resources – A rainwater tank (min. 2750L) will be provided for each dwelling, as required by BASIX. Stormwater will be conveyed to the street and on-site dispersion pits. Controls will be implemented during construction to minimise sedimentation.

- Social and Economic Impacts

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

The Suitability of the Site for the Development

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

Other issues to consider include:

Report of the Director Environmental Services

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

- Traffic and Access

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

- Contamination from previous land uses

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

- Effect on public domain

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

- Utility needs and supply

The proposal is serviced by all essential services.

- Safety, security & crime prevention

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

- Operational waste

The proposal considers waste storage and collection from Attunga Avenue.

- Operational noise and vibration

No significant concern is raised.

- Risks to people & property from natural & technological hazards

No known risks.

- BCA compliance

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

- Construction impacts

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

Submissions

Public Submissions

Notification letters were sent to neighbouring property owners who were provided with 14 days in which to comment on the proposal. At the conclusion of the notification period, 1 submission was received which raised the following (summarised) matters of concern:

Item 1 - Stormwater drainage – The natural flow of water is toward their adjoining property.

Response - A concept stormwater plan accompanies the DA that shows roof water directed to Attunga Avenue and stormwater from the driveway directed to a

Report of the Director Environmental Services

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

dispersion pit in the rear yard of each dwelling. Council's Engineers have considered the concept plan and have raised no concerns with the proposal. Stormwater Management conditions of consent have been recommended.

Item 2 - Removal of asbestos during demolition of the buildings.

Response - Council had requested an Asbestos and Hazardous Materials Assessment Audit report, prepared by an appropriate qualified person, for the demolition of the existing structures at the site in accordance with Kiama DCP 2012 Chapter 1 Section 7 Demolition Requirements. The applicant has requested this be conditioned should the application be approved.

Standard condition dw010 (demolition works) covers requirements for demolition including identification, management and removal of asbestos and other hazardous materials. This condition will be imposed should development consent be granted to the proposal.

External Referrals

Nil

Internal Referrals

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

- Development Assessment Officer - Building

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

- Subdivision & Development Engineer

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

- Landscape Design Officer

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

- GIS Officer

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

The Public Interest

The proposal is considered to be consistent with all relevant Environmental Planning Instruments and DCP 2012, is not likely to cause significant adverse impacts to the natural or built environment, is not likely to cause significant adverse social and economic impacts, is suitable for the site and therefore is considered to be consistent with the public interest.

Final Comments and Conclusions

The proposed development has been assessed having regard to all relevant matters for consideration prescribed by Section 79C of the Environmental Planning and

Report of the Director Environmental Services

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

Assessment Act, 1979. The proposal is consistent with Kiama LEP 2011 and relevant DCP chapters. The proposed development is consistent with the objectives of the R2 Low Density Residential zone.

Consideration has been given to the social, economic and environmental impacts of the proposed development and no significant concerns are raised. Concerns raised in submissions have been considered and do not warrant refusal of the application.

The proposed development is considered to be reasonable and conditional approval is recommended.

Draft Conditions of Consent

General

- (1) The development shall be implemented generally in accordance with the details set out on the plan/drawing and supporting documents endorsed by Council as 10.2017.310.1 dated - except as amended by the following conditions: (g005.doc)
- (2) The development shall be completed in accordance with the approved colour schedule shown on the approved Elevations Plans. (g014.doc)
- (3) No development/work (including demolition) is to take place until a Construction Certificate has been issued for the development and the necessary conditions of development consent satisfied to enable release of a Construction Certificate. (g030.doc)
- (4) The development shall not be occupied until such time as all conditions of this Development Consent are met or unless other satisfactory arrangements are made with the Principal Certifying Authority. (g040.doc)
- (5) This approval is in respect of the plans submitted with the development application and as modified by the terms of this consent. If for any reason, including the making of alterations necessary to meet the requirements of another Authority, changes to the approved building design layout are proposed, then the approval of Council shall be obtained prior to commencement of any works on site. (g065.doc)
- (6) The developer shall under Section 138 of the Roads Act 1993 make application to the Road Authority for permission to occupy the public road reserve, Attunga Avenue for the purpose of carrying out activities associated with the development. All of the conditions of approval shall be complied with at all times during occupation of the public road reserve. (g145.doc)
- (7) The applicant shall submit details of the AC unit's appropriate acoustic engineered design enclosure or be designed so as not to operate:
 - (i) During peak time - at a noise level that exceeds 5 Db(A) above the ambient background noise level measured at any property boundary, or
 - (ii) During off-peak time - at a noise level that is audible in habitable rooms of adjoining residences.

Submission of full details demonstrating compliance is to be submitted to the Accredited Certifier, prior to the release of the Construction Certificate.

Report of the Director Environmental Services

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

-
- (8) The nominated adaptable housing dwelling shall, as a minimum requirement, meet "Adaptable house class C" requirements set out in Appendix A of Australian Standard AS 4299-1995 Adaptable housing. Certification from a suitably qualified professional stating that the Construction Certificate plans have met the requirements listed above shall be submitted to the Certifying Authority prior to the issue of any Construction Certificate.

Contributions

- (1) A contribution pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 (as amended) and Kiama Council's Section 94 Contributions Plans Nos. 1 & 2 shall be paid to Council prior to the issuing of the Construction Certificate. The total contribution required for the development is \$6,170.35. (bo005.doc)

Prior to Commencement of Works

- (1) Building work must not commence until the Principal Certifying Authority for the development to which the work relates has been informed of:

- i The licensee's name and contractor licence number;
- ii That the licensee has complied with Part 6 of the Home Building Act 1989.

In the case of work to be done by any other person, the Principal Certifying Authority:

- a Has been informed in writing of the person's name and owner builder permit number;

or

- b Has been given a declaration, signed by the owner/s of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989. (pt005.doc)

- (2) The developer shall lodge with Council a bond of \$3,000 in the form of an unconditional bank guarantee or cash, prior to the commencement of any work, as a security for new and remedial work associated with the development proposal and covering all work within the public roads administered by Council under the Roads Act 1993 and compliance with the submitted Waste Management Plan during the course of construction.

The developer shall submit a dilapidation survey prior to commencement of any work within the road reserve.

The bond shall be refunded in full subject to the following:

- a There being no damage to the infrastructure within the road reserve.
- b Twelve (12) months has elapsed from the date of issue of the occupation certificate and/or subdivision certificate.

Report of the Director Environmental Services

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

-
- c The submission and approval by Council of a waste compliance certificate, inclusive of supporting documentation (dockets/receipts) verifying compliance with the Waste Management Plan as provided to Council. (pt013.doc)
- (3) Under the provisions of the Act, work may not commence on the development until the following is carried out:
- a Detailed plans and specifications of the building must be endorsed with a Construction Certificate by Council or an Accredited Certifier; and
 - b You must appoint a Principal Certifying Authority (can be either Council or an Accredited Certifier); and
 - c You must notify the Council of the appointment; and
 - d You must give at least two (2) days' notice to Council of your intention to commence work.

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

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

Should you appoint Council as the Principal Certifying Authority, relevant inspection fees will be required to be paid at the time of lodgement of this form. (pt020.doc)

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

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

- (6) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal

Report of the Director Environmental Services

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

Certifying Authority for any reinforced concrete slabs, footings or structural steel. (pt062.doc)

- (7) The applicant shall submit engineer's details of the foundation based on geotechnical advice prepared by a suitably qualified geotechnical engineer. Such detail/advice is to be provided prior to the issue of a Construction Certificate. (pt070.doc)

Demolition Works

- (1) Security fencing shall be provided around the perimeter of the demolition site and any additional precautionary measures taken, as may be necessary to prevent unauthorised entry to the site at all times during the demolition period. (dw010.doc)

- (2) Asbestos – Statement Required

No later than seven days prior to the demolition of any building or structure, a written statement must be provided to Council indicating whether the building or structure contains asbestos or material containing asbestos and, if so, the following must also be provided:

- (a) A hazardous substances audit report prepared by a competent and appropriately qualified person in compliance with AS2601-1991; and
(b) A hazardous substances management plan prepared by a competent and appropriately qualified person in compliance with AS2601-1991.

Asbestos – Licensed Contractors

Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Demolition Licence or a current WorkCover Class 2 (Restricted) Asbestos Licence.

Asbestos – Notification of Neighbours

Fourteen days prior to the commencement of any demolition works involving asbestos, all immediate neighbours should be notified in writing of the intention to carry out asbestos demolition works. Copies of these written notifications should be retained and provided to Council.

Asbestos – Tip receipts

Documentary evidence in the form of tip receipts from an approved Waste Management Facility shall be obtained demonstrating the appropriate disposal of the asbestos waste. Tip receipts shall be provided to Council prior to any further building works being undertaken on the site.

Asbestos – Clearance Certificate

Following the removal of all friable asbestos and prior to further works being carried out on the site, a clearance certificate from an independent competent person in accordance with the National Occupational Health and Safety Commission Code of Practice for the Safe Removal of Asbestos is to be obtained and submitted to Council.

Report of the Director Environmental Services

10.1 10.2017.310.1 - Lot 136 DP: 30126 - 98 Attunga Avenue, Kiama Heights -
Demolition of existing dwelling, construction of attached dual occupancy and
2 Lot Torrens Title subdivision (cont)**Asbestos – Less than 10m² of Bonded Asbestos Sheeting**

Demolition works involving the removal of less than 10m² of bonded asbestos sheeting may be carried out by a licensed builder who has completed an appropriate bonded asbestos removal course.

Completion of demolition works

Council will monitor and review the demolition of the structure to ensure all conditions of consent application to the removal of asbestos has been satisfied.

(dw015.doc)

Erosion and Sedimentation Controls/Soil and Water Management

- (1) All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur. In particular:
 - a A silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). Such fence must be regularly inspected and cleaned out and/or repaired as is necessary, and all collected silt must be disposed of in accordance with Council's Sedimentation Control Policy.
 - b Unnecessary disturbance of the site (eg; excessive vehicular access) must not occur.
 - c All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.
 - d All the above requirements must be in place for the duration of the construction works. (esc005.doc)
- (2) The developer shall ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work. (esc020.doc)

Site Facilities

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

Report of the Director Environmental Services

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

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

Stormwater Management

- (1) The developer shall provide a detailed stormwater drainage network in accordance with the design requirements of "Section D5 Stormwater Drainage" of Kiama Development Code as appended to Kiama Development Control Plan 2012. Full hydrological and hydraulic calculations and civil engineering drawings shall be submitted to the Principal Certifying Authority prior to the release of a Construction Certificate. (sm055.doc)
- (2) The developer shall provide on-site detention storage for stormwater runoff in conjunction with the proposed development drainage network. An on-site detention system shall be designed to ensure that post development flow rates from the site are no greater than pre-developed site runoff at each discharge point for all rainfall events up to 1% Annual Exceedance Probability. The applicant shall provide full hydrological and hydraulic computer modelling of the stormwater drainage system and provide this to the Principal Certifying Authority for assessment and approval prior to the issue of the Construction Certificate. (sm060.doc)
- (3) The developer shall provide compliance certification from the hydraulic engineer verifying that the constructed stormwater drainage infrastructure/water quality system meets with the approved design. The certification shall be provided to the Principal Certifying Authority prior to the release of any of the Occupation Certificate. (sm130.doc)
- (4) The developer shall provide environmental stormwater management controls in the form of post development water quality (including first flush treatments such as trash arresters) and sedimentation control measures to be located within the proposed development site. The proposed treatments shall be submitted to the Principal Certifying Authority for assessment and approval prior to the release of the Construction Certificate. (sm135.doc)
- (5) The developer shall comply with the design requirements of Council's "Water Sensitive Urban Design" policy in association with the design requirements of "Section D5 Stormwater Drainage" of the Kiama Development Code as appended to Kiama Development Control Plan 2012.
Detail shall be submitted to the Principal Certifying Authority for assessment prior to the release of the Construction Certificate. (sm150.doc)
- (6) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 20% Annual Exceedance Probability (AEP). Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP. (sm155.doc)

Report of the Director Environmental Services

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

- (7) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that the design of the development causes no adverse effects to adjoining properties as a result of stormwater runoff.
- (8) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that allowance is made for surface runoff from adjoining properties. Any redirection or treatment of that runoff must not adversely affect any other adjoining properties.

Access Construction

- (1) The developer shall construct the footpath access driveway in compliance with the Standards Australia publication AS/NZS 2890.1 Parking Facilities Part 1: Off Street Car Parking and Council's "Driveway and Footpath Works Procedure Manual". (ac001.doc)
- (2) The developer shall restore any redundant vehicle crossing to barrier kerb in compliance with Council's "Driveway and Footpath Works Procedure Manual". (ac010.doc)
- (3) The applicant must provide, to Council, the appropriate fee for the inspections required for the construction of the footpath crossing/access driveway in accordance with Council's adopted fees and charges. This inspection fee must be paid prior to the commencement of works within the road reserve area.

Work undertaken within the road reserve may only be undertaken by a Council approved contractor. A list of approved contractors may be obtained from Council's Engineering and Works Department. (ac020.doc)

Car Parking and Vehicular Access

- (1) Car parking and manoeuvring shall comply with the requirements of the Standards Australia publication AS/NZS 2890.1 Parking Facilities Part 1: Off Street Car Parking. (c035.doc)

Inspections

- (1) The building work shall be inspected at critical and other stages as required by the Principal Certifying Authority for the development.

NOTE: Should you choose Council to be your Principal Certifying Authority for this development you will be advised of the required building inspections and applicable fees at the time of that appointment. (bu015.doc)

Building Construction

- (1) All building work must be carried out in accordance with the requirements of the Building Code of Australia. (bu010.doc)
- (2) The roadway, footpath or Council reserve shall not be used to store building material without the prior approval of Council. (bu086.doc)
- (3) All excavations and backfilling must be executed safely in accordance with appropriate professional standards. (bu090.doc)

Report of the Director Environmental Services

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

-
- (4) All excavations must be properly guarded and protected to prevent them from being dangerous to life or property. (bu095.doc)
- (5) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must:
- a Preserve and protect the building from damage;
 - b Underpin and support the building in an approved manner, if necessary, and;
 - c At least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work. (bu100.doc)
- (6) The Reduced Levels (RL) of the proposed development must be in accordance with the approved plans. Certification of these levels by a registered surveyor must be submitted to an accredited certifier or Council prior to proceeding past that level. (bu120.doc)
- (7) A survey shall be undertaken and a copy be made available to Council or an accredited certifier, certifying that the building is correctly located in relation to the boundaries of the site and in accordance with the approved plans. Such survey shall be submitted at peg out stage. (bu125.doc)
- (8) Construction and demolition work, delivery of materials and plant, etc shall only take place between the following hours;
- Monday to Friday - 7.00 am to 6.00 pm
- Saturdays - 8.00 am to 1.00 pm
- No construction work is to take place on Sundays or Public Holidays. (bu151.doc)
- (9) The Waste Management Plan shall be strictly adhered to at all stages during the demolition, construction and/or subdivision work. All waste nominated for disposal must be disposed of at a licensed landfill facility. All waste nominated for recycling must be reused or recycled. (bu153.doc)

Landscaping Works

- (1) A detailed landscape plan shall be approved by Council prior to release of the Construction Certificate. The plan shall be prepared in accordance with Chapter 8 of Kiama Development Control Plan 2012 and shall be consistent with the landscape concept plan. (lw010.doc)
- (2) The landscaping shall be maintained actively and regularly for a period of 26 weeks commencing from the date of issue of the Occupation Certificate. (lw020.doc)
- (3) At the end of the 26 week landscape maintenance period and after any defects that occurred during that period have been corrected, a final Compliance Certificate shall be provided from a suitably qualified landscape professional stating that all landscape works have been completed and maintained in

Report of the Director Environmental Services

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

accordance with the approved landscape plans and the conditions of this development consent. (lw035.doc)

- (4) The trees shown on the landscape plan in green hatch shall be retained and protected during construction. The trees are two Bottlebrush, both near the east boundary, one Frangipani and one Yucca species or as selected. All other vegetation and small trees may be removed.

Utility Servicing

- (1) A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The Section 73 Certificate shall be submitted to Council prior to issue of the final Occupation Certificate. (us005.doc)
- (2) All electricity, telecommunications and natural gas services shall be located underground. Common or shared trenching and the document "A Model Agreement for Local Councils and Utility/Service Providers" prepared by the NSW Streets Opening Conference are policies adopted for the Kiama Municipal Council Local Government Area. (us035.doc)
- (3) The developer shall bear the cost of relocation of any service utilities required in the provision of vehicular access. (us045.doc)

Prior to Occupation

- (1) The completed Waste Management Compliance Sheet (Appendix 1C) shall be submitted to and approved by Council prior to release of the Final Occupation Certificate.

Supporting documentation (dockets/receipts) verifying recycling and disposal shall be attached to the Compliance Sheet. (po002.doc)

- (2) The BASIX schedule of commitments shall be complied with prior to the issue of a Final Occupation Certificate for the development and if required a certificate shall be provided to the Principal Certifying Authority from a properly qualified person to certify that the BASIX schedule of commitments have been provided and/or installed. (po003.doc)
- (3) The whole or part of the building must not be occupied unless an Occupation Certificate has been issued in relation to the building or part in accordance with Clause 109M of the Environmental Planning and Assessment Act 1979. (po005.doc)
- (4) The developer shall complete all access and drainage works prior to the issue of any Occupation Certificate. (po010.doc)
- (5) Prior to release of the Occupation Certificate the developer shall provide a Compliance Certificate from a suitably qualified landscape professional or Council's Landscape Officer stating that all landscape works have been completed in accordance with the approved landscape plans and the conditions of the development consent. (lw170.doc)
- (6) The development is to be provided with mail boxes in accordance with Australian Standard AS/NZS 4253 - 1994 which covers the dimensions, installation and positioning for mail boxes for receipt of mail. (sf050.doc)

Report of the Director Environmental Services

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

(7) House numbers shall be allocated as follows:

- Proposed Lot 1 – 98 Attunga Avenue;
- Proposed Lot 2 – 98A Attunga Avenue.

Conveyancing Requirements

(1) Under the provisions of Section 88B/88E of the Conveyancing Act 1919 the developer shall provide a restriction on the use of land and a positive covenant in favour of Kiama Municipal Council detailing protection measures and long term maintenance requirements for onsite stormwater detention and associated stormwater drainage infrastructure.

The document shall meet the standard terms applied by Council and shall be submitted to Council for assessment and approval and shall have these titles registered with NSW Lands & Property Management Authority under Sections 88B/88E of the Conveyancing Act 1919. (cr040.doc)

Prior to Issuing of Subdivision Certificate

(1) The Subdivision Certificate shall not be released until all conditions of this Development Consent are complied with or satisfactory arrangements are made with the Principal Certifying Authority. (sub005.doc)

(2) The developer shall submit the following items to the Principal Certifying Authority prior to the issue of a Subdivision Certificate:

- a) All relevant Construction and Compliance Certificates (where these have not been issued by Council).
- b) Payment of fees in accordance with Council's adopted fees and charges.
- c) A Final Plan of Subdivision and four (4) copies.

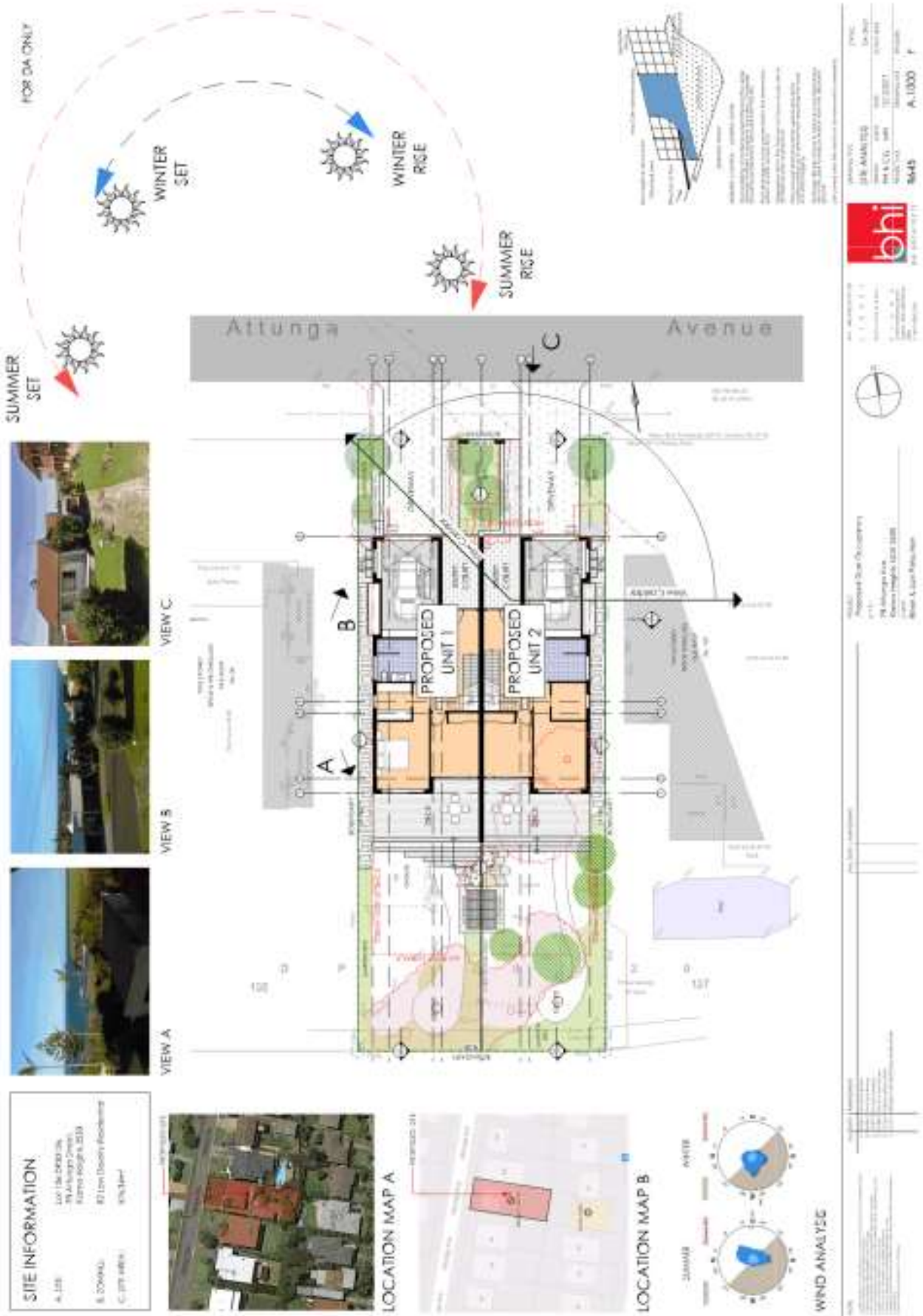
A copy of the satisfactory final plan of subdivision shall also be provided as an electronic file in either DXF or DWG format. In this regard the electronic copy must be on MGA (Zone 56) orientation, where this is required by the Surveying Regulation 2001, and should preferably use co-ordinates based upon the MGA values of the nearest established permanent survey mark connected as part of the survey. It is preferred the raw boundary line work only be provided, excluding final page layout and text where possible. This must be provided electronically by email to council@kiama.nsw.gov.au including a clear reference to the relevant Development Application number.

- d) An original Deposited Plan Administration Sheet and one copy, prepared in accordance with NSW Land & Property Information requirements.
- e) An original Section 88B Instrument and one copy, prepared in accordance with the requirements of the Conveyancing Act 1919.
- f) An original Subdivider/Developer Compliance Certificate (Section 73 Certificate) from Sydney Water Corporation which references the relevant development application number.

Report of the Director Environmental Services

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

-
- g) An original Notification of Arrangement from an electricity provider which references the relevant development application number.
 - h) An original Telecommunications Infrastructure Provisioning Confirmation from a communications provider which references the proposed development.
 - i) The payment of all required Section 94 Contributions identified in this consent.
 - j) An Occupation Certificate for each dwelling to be separately titled. (sub020.doc)
- (3) The developer shall submit to the Principal Certifying Authority, prior to the release of the Subdivision Certificate, two (2) copies of a certified Works-as-Executed (WAE) drawing including (but not limited to) the following:
- a Final locations and reduced levels for all works associated with the development on both public and private land; and
 - b In contrasting coloured ink, all changes to the Approved Drawings and actual values of all levels shown on the Drawings.
- The WAE drawing shall be signed by a Registered Surveyor or Chartered Professional Engineer and certified that all the work as completed, including variations, meets the original intent of the Approved Drawing and will have no adverse impact on adjacent properties. (sub025.doc)
- (4) The developer shall submit to the Principal Certifying Authority, prior to the release of the Subdivision Certificate an electronic copy of the Works-as-Executed drawing as follows:
- a A full set of engineering drawings in either DWG or DXF format;
 - b An ASCII point file database of all surveyed points in PENZD (point number, easting, northing, elevation, description) format in MGA coordinates.
 - c An Infrastructure Asset Register template (as provided by Council) that lists all constructed assets within the development that are to be transferred to, and maintained by Council in future. (sub030.doc)
- (5) The developer must show and label the extent of the party wall on the final plan of subdivision pursuant to the requirements of Section 181B of the Conveyancing Act 1919.
- (6) The developer shall acknowledge all existing easements on the final plan of subdivision. (sub060.doc)
- (7) The developer shall acknowledge all existing restrictions on the use of the land on the final plan of subdivision. (sub070.doc)



FOR DA ONLY



FOR DA ONLY

bhi BUILDING & SITE MANAGEMENT

10.2017.310.1
98 Attunga Avenue
Kiama Heights NSW 2588

Scale: 1:200
Date: 10/2017

Project No: 3045

Site No: 1301

Project Name: Attached Dual Occupancy

Client: [Name]

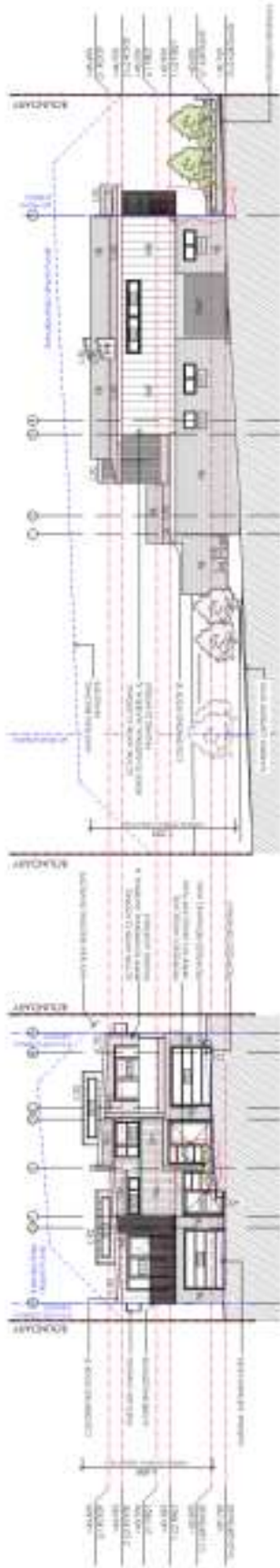
Drawn: [Name]

Checked: [Name]

Project Manager: [Name]

Site Plan

FOR DA ONLY



PROJECT: Attached Dual Occupancy
 98 Attunga Avenue
 Kiama Heights NSW 2586
 Lot 136 DP: 30126

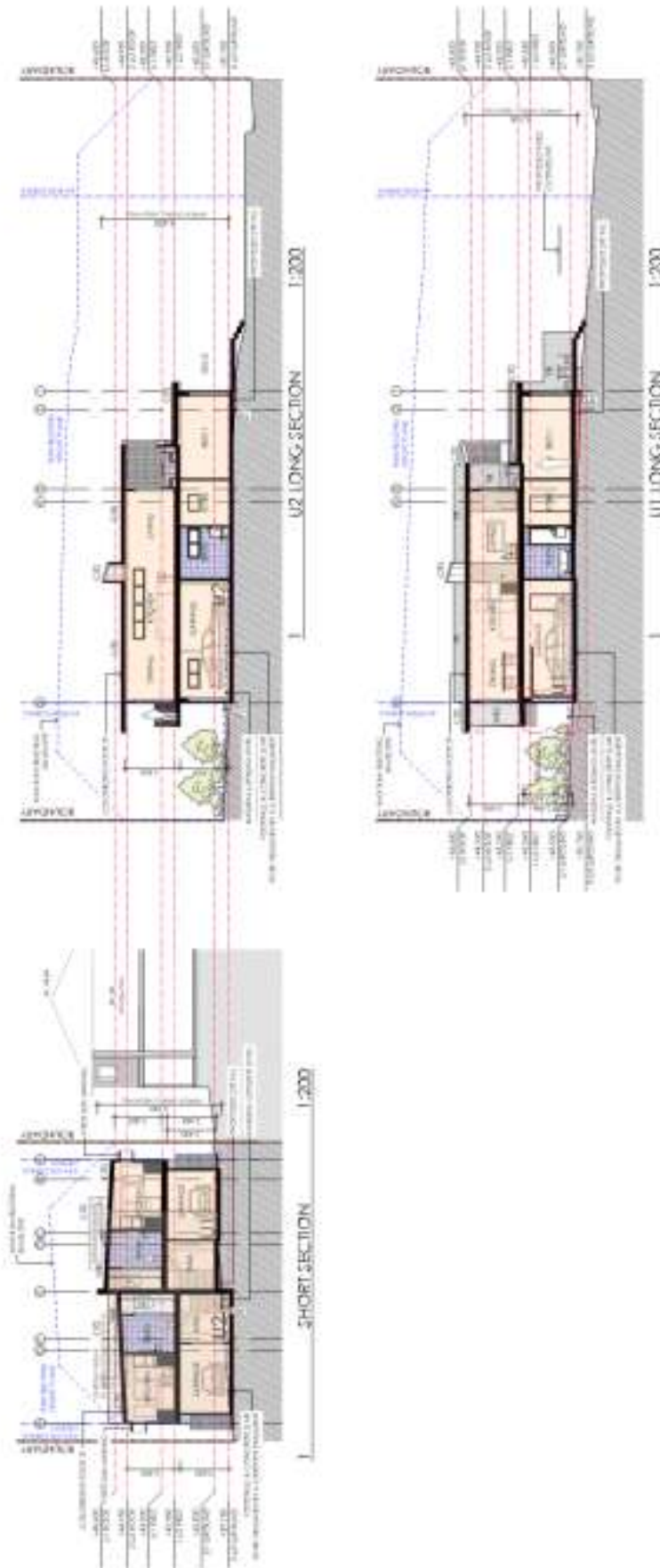
DATE: 11/10/17
 DRAWN BY: [Name]
 CHECKED BY: [Name]

bhil
 10/10/17 11:11 AM
 A-3000

SCALE: 1:100
 SHEET: 10/10/17

Attachment 1 Item 10.1

FOR DA ONLY



| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <p>DATE: _____</p> <p>PROJECT: Attached Dual Occupancy</p> <p>19 Attunga Avenue</p> <p>Kiama Heights NSW 2586</p> <p>Lot: _____</p> <p>Block: Lot 136 DP 30126</p> | | <p>SCALE: 1:200</p> <p>DATE: _____</p> <p>PROJECT: Attached Dual Occupancy</p> <p>19 Attunga Avenue</p> <p>Kiama Heights NSW 2586</p> <p>Lot: _____</p> <p>Block: Lot 136 DP 30126</p> | |
| <p>DATE: _____</p> <p>PROJECT: Attached Dual Occupancy</p> <p>19 Attunga Avenue</p> <p>Kiama Heights NSW 2586</p> <p>Lot: _____</p> <p>Block: Lot 136 DP 30126</p> | | <p>DATE: _____</p> <p>PROJECT: Attached Dual Occupancy</p> <p>19 Attunga Avenue</p> <p>Kiama Heights NSW 2586</p> <p>Lot: _____</p> <p>Block: Lot 136 DP 30126</p> | |
| <p>DATE: _____</p> <p>PROJECT: Attached Dual Occupancy</p> <p>19 Attunga Avenue</p> <p>Kiama Heights NSW 2586</p> <p>Lot: _____</p> <p>Block: Lot 136 DP 30126</p> | | <p>DATE: _____</p> <p>PROJECT: Attached Dual Occupancy</p> <p>19 Attunga Avenue</p> <p>Kiama Heights NSW 2586</p> <p>Lot: _____</p> <p>Block: Lot 136 DP 30126</p> | |

Attachment 1
Item 10.1

FOR DA ONLY

EXTERIOR MATERIAL + COLOUR SCHEDULE

| ITEM | MATERIAL / FINISH | COLOUR / SAMPLE |
|-------|----------------------------------------------------------------------------------------------|-----------------|
| WB | Weatherboard Cladding James Spinks New Zealand White Paint (S&S Repurpose) | |
| WB2 | Weatherboard Cladding James Spinks New Zealand White Paint (S&S Repurpose) on stone | |
| TIM | Timber Cladding Fletcher New Zealand White | |
| FB | Face Bricks Acropolis Perthstone Block | |
| CR2 | Roof Paving Columbus, The Park Resurfacing | |
| GU/OP | Glue + Overlay Columbus Resurfacing | |
| FA | Paint Columbus Resurfacing | |
| SO | Soil New Zealand Resurfacing | |

| ITEM | MATERIAL / FINISH | COLOUR / SAMPLE |
|------|---------------------------------------------------------------------------------------------------------|-----------------|
| PA | Paintwork Finish Columbus Resurfacing | |
| TBR | Timber (Flooring) New Zealand Resurfacing | |
| PO | Paintwork Finish Columbus Resurfacing | |
| TA | Timber Cladding New Zealand Resurfacing | |
| TA2 | Timber Cladding Acropolis Perthstone Cladding Resurfacing | |
| W/D | Weatherboard Cladding Acropolis Perthstone | |
| FGD | Footpath Slab Columbus Resurfacing + Stone | |
| ED | Edge Detail Columbus Resurfacing Cladding Resurfacing | |
| BAL | Clad Balustrade Columbus Resurfacing + Stone | |
| BAL2 | Clad + Reinforcement Cladding Columbus Resurfacing + Stone Paintwork Finish (S&S Repurpose) | |
| BAL3 | Timber Cladding New Zealand Resurfacing | |
| DW | Downpipe Columbus Resurfacing | |

bhi
 111 St Johns Road
 St Johns Park NSW 1503
 Tel: (02) 9437 5000
 Fax: (02) 9437 5001
 Email: sales@bhi.com.au
 Website: www.bhi.com.au

PROJECT NO: 10.2017.310.1
 DRAWING NO: 10.2017.310.1-01
 DATE: 10/01/2018
 DRAWN BY: [Name]
 CHECKED BY: [Name]

10.2017.310.1-01
 EXTERIOR MATERIAL + COLOUR SCHEDULE
 10.2017.310.1-01

FOR DA ONLY



Scale 1:500

Project Name: Attached Dual Occupancy
Site: 98 Attunga Ave, Kiama Heights NSW 2545
Lot: 136 DP 30126

Site Plan

Architect: bhi

Client: [Name]

Date: [Date]

Author: [Name]

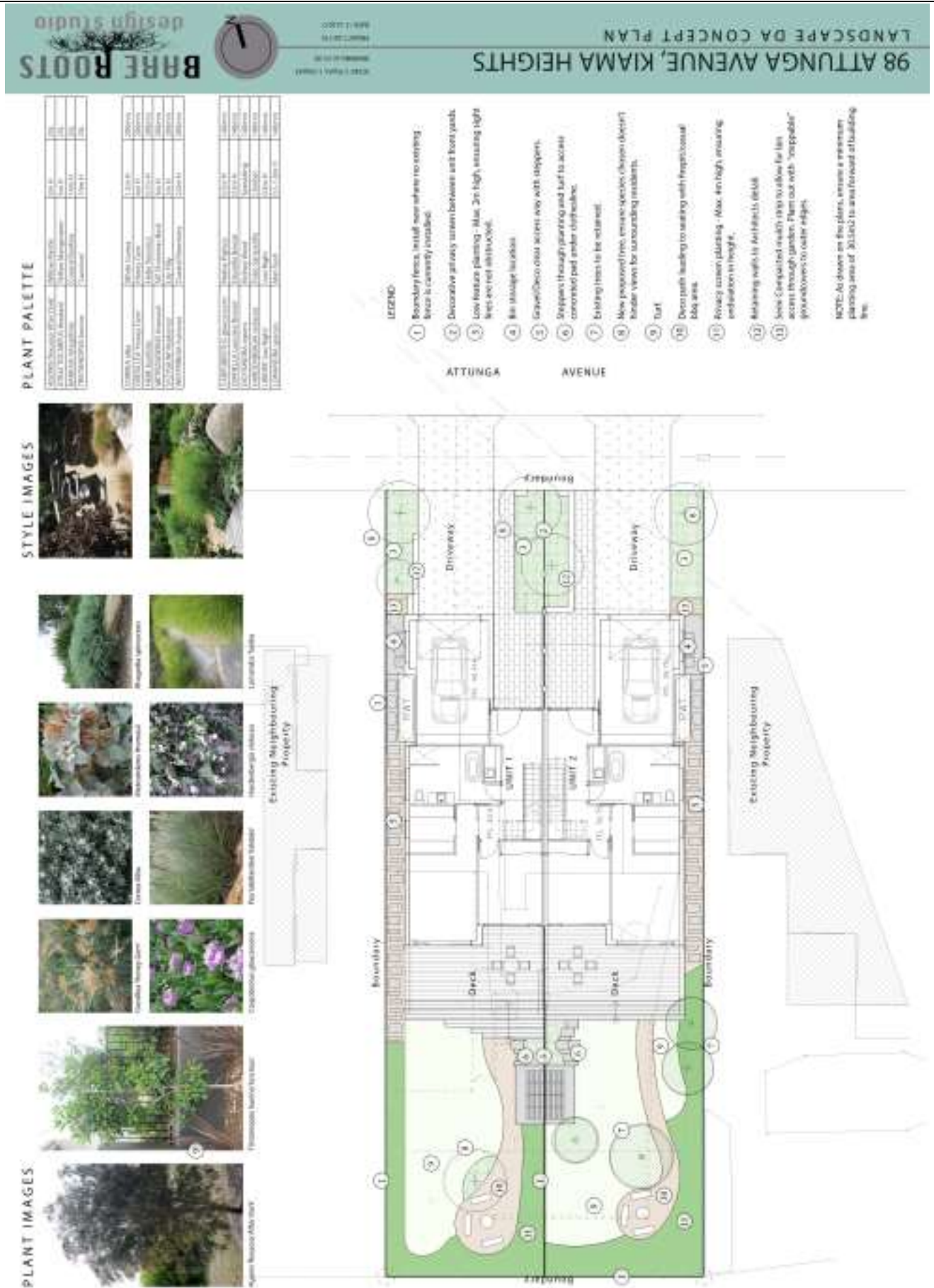
Check: [Name]

Scale: 1:500

| | |
|-------------|----------------------------------------|
| Sheet No. | 1 of 1 |
| Project No. | 2017031001 |
| Client Name | 98 Attunga Ave, Kiama Heights NSW 2545 |
| Site No. | 136 DP 30126 |
| Scale | 1:500 |
| Date | 10/2017 |
| Author | [Name] |
| Check | [Name] |
| Scale | 1:500 |

Attachment 1

Item 10.1



FOR DA ONLY



| | |
|-----------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------|
| | PROPOSED 3M ATTUNGA AVE GPE AREA= 294.17m ² |
| | PROPOSED 1M ATTUNGA AVE SITE AREA= 294.17m ² |

PROJECT INFORMATION

PROJECT NAME: Proposed Dual Occupancy

CLIENT: Mr & Mrs [Name]

ADDRESS: 98 Attunga Ave, Kiama Heights NSW 2588

DATE: 10/10/2017

SCALE: 1:100

PREPARED BY: [Name]

DATE: 10/10/2017

PROJECT NO.: [Number]

CLIENT NO.: [Number]

SCALE: 1:100

DATE: 10/10/2017

FOR DA ONLY

Attachment 1 Item 10.1

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

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 considers amended plans submitted in response to Council's deferral of the development application at the November 2017 Council meeting. The amendments to the design previously reported to Council are summarized as follows:

- Deletion of the 'Marsden Street' access and on-street car parking.
- Reconfiguration of Units 1-6 to occupy the area vacated by the deleted northern access road as well as provide a 6m rear setback to the northern property boundary.
- Introduction of a vehicular ramp ascending from the basement carpark providing access to the garages of units 1-12 and visitor parking spaces 1-5.
- Relocation of visitor car space 7 next to visitor space 12 on the basement level.
- Addition of a new stairway (next to Unit 18) to provide access to the basement from the Ground Floor.
- Relocation of the loading bay to the south of the site adjacent to the basement entry.
- Relocation of the letter box bank to South Kiama Drive.
- Introduction of additional windows along the western façade of the development facing South Kiama Drive.

The report recommends approval of the amended application.

Finance

N/A

Policy

N/A

Attachments

1 10.2016.301.1 - plans [↓](#)

Enclosures

1 10.2016.301.1 - Council Report - 21 November 2017 [⇒](#)

Report of the Director Environmental Services

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

RECOMMENDATION

That Council grant deferred commencement development consent to development application 10.2016.301.1 pursuant to Section 80(3) of the Environmental Planning and Assessment Act 1979, subject to conditions contained at the end of this report.

BACKGROUND

In November 2017 Council considered a report which recommended conditional deferred commencement development consent be granted for a medium density residential development comprising 46 residential units on the subject land with associated car parking.

The application was referred to Council because the value of the development exceeded \$2 million.

The proposed development sought variation to Council's cutting and filling external to building (>900mm) control and side setback control (adjacent to the railway line in this instance), being controls C7 & C9 (respectively) of Development Control Plan (DCP) 2012 Chapter 5 – Medium Density Development.

The original report to Council forms an enclosure to this report. The key considerations from the original report to Council are as follows:

Relevant Environmental Planning Instruments:

No outstanding concerns. Note that Transport Sydney Trains granted concurrence to the development subject to conditions, including deferred commencement conditions, which have been incorporated into the draft conditions of consent.

Development Control Plans:

Non-compliances with Chapter 5 – Medium density development:

- C7 cutting and filling >900mm external to building: the proposed development appropriately responds to the topography of the site and impacts of filled areas on neighbouring properties is reasonable.
- C9 side setback variation (adjacent to railway line): Given that the side setback breaches represent point encroachments only (the buildings are not sited square to the boundary of this irregular shaped lot) and is not adjacent to residential uses, no concern is raised.

Likely Impacts of the Proposed Development:

No significant concerns raised. Note that the Figtree and Norfolk Island Pine are to be retained and protected.

The suitability of the Site for Development:

With the exception of traffic, no significant concerns raised. The previous concern about the intersection treatment at Marsden Street and South Kiama Drive resolved through the redesign and removal of access from 'Marsden Street' unformed road.

Report of the Director Environmental Services

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

Submissions:

Three submissions were received which raised concerns about the scale of development, parking provision and compatibility with existing dwellings. The proposed development complies with FSR, height and parking requirements and is not considered unacceptable for the site in terms of its form, layout or compatibility with surrounding development.

External Referrals:

The application was referred to Transport Sydney Trains and Endeavour Energy. Proximity of the development to the zone substation and rail corridor have been addressed to the satisfaction of these agencies.

Internal Referrals:

No objections raised.

This report considers amended plans submitted in response to Council's deferral of the application at the November 2017 Council meeting and focusses on the implications of the amendments. The matter was deferred for the following reasons:

- to allow clarification of the issues of owner's consent for the use of the unmade section of Marsden Street;
- to enable clarification of the required Marsden Street/South Kiama Drive access intersection design; and
- to redress the window treatments to the western elevation of the development.

Response to reasons for deferral

Deferral points 1 & 2

Since the development was reported to the November Council meeting, Council's Property Management Unit have confirmed that the land in question, identified as 'Marsden Street' adjoining the site, is in fact a privately owned parcel of land. Ownership of this land is currently in the process of being transferred to Council under the Roads Act, at which point Council's Property Management Unit will seek closure of the road leaving a developable parcel of land as Council asset.

In light of this the development has been amended to delete the northern access. This resolves deferral point 1 & 2.

Deferral point 3

The amended plans include additional windows to proposed units 20, 29 & 38 facing South Kiama Drive (the western elevation of the development). These openings add additional punctuation to the western façade of the development as sought by Council. It is considered that deferral point 3 has been satisfactorily addressed by the applicant.

Section 79C Assessment

As described in the Summary above, the proposed amendments primarily involve removal of the 'Marsden Street' access, reconfiguration of Units 1-6 in the place of the northern access driveway, alternative vehicular access to proposed units 1-12

Report of the Director Environmental Services

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

and reconfiguration of the ground floor and basement levels to reflect these changes. The development otherwise effectively remains as reported to Council in November.

Having regard to this, assessment of the amended proposal therefore focuses on Kiama LEP 2011 and DCP 2012 Chapter 9 - Car Parking Requirements, along with subsidiary matters such as vehicular access, as specifically relevant to the amended proposal.

The proposed amended development has been assessed in accordance with Section 79C of the Environmental Planning and Assessment Act 1979 (as amended). This report supplements the report submitted to Council in November 2017. The following matters are considered relevant to the amended proposal:

Relevant Environmental Planning Instruments

- Kiama Local Environmental Plan 2011

Specific clauses requiring consideration:

Clause 4.3 requires that the height of the building does not exceed the maximum height shown on the Height of Buildings Map (being 8.5 metres in this instance – measured vertically from the highest point of the building to the existing ground level below). The proposal does not breach the building height development standard.

Clause 4.4 requires that the floor space ratio does not exceed the maximum floor space ratio shown for land on the Floor Space Ratio map. In this instance the LEP permits an FSR of 0.7:1 for the majority of the lot and 0.45 for the southern portion of the site. The FSR of the original development as identified by the applicant was 0.55:1 (in the mapped 0.7:1 area) and 0.32:1 (in the mapped 0.45:1 area), being compliant with the development standard. The amended proposal reconfigures the floor space and layout of Units 1-6, resulting in a FSR of 0.54:1 in the mapped 0.7:1 area and no change in the mapped 0.45:1 area.

Development Control Plans (DCPs)

- Kiama Development Control Plan (DCP) 2012

Chapter 5 – Medium Density Development

The amended proposal does not trigger any further breaches of Chapter 5 beyond those previously reported to Council (i.e. side setback to the railway corridor, cut and fill beyond 900mm external to the building).

With the confirmation that the proposal does not have frontage to Marsden Street (rather, this is private land), the northern boundary of the site constitutes the rear boundary. The development requires a 6m setback to the northern (rear) boundary under Chapter 5, whereas the setback to the northern boundary was previously put to Council as 4.5m (on the belief that this boundary constituted a secondary road frontage). The amended proposal has reconfigured the layout of Units 1-6 to achieve a compliant 6m rear setback. This has been achieved by reducing the depth of units 1-6 to achieve a 6m setback to the northern boundary and compensating for this reduced depth by increasing the width of the units to occupy the area vacated by the deleted northern access.

Report of the Director Environmental Services

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

Chapter 9 – Car parking requirements

For multi dwelling housing development the DCP prescribes a minimum number of off-street, residential parking spaces of:

- One space per each 1 & 2 bedroom unit (16 x 2 bedroom units) = **16**, plus
- Two (2) spaces per each 3 bedroom (and above) unit (30 x 3 bedroom units) = **60 spaces**, plus
- an additional one space per each two units for visitor parking or part thereof (46 units = **23 visitor spaces**).

Consequently, a total of 99 onsite car parking spaces are required and 107 are proposed in this instance.

The proposed development satisfies Council's DCP requirements for on-site parking.

The proposed development is generally consistent with Kiama DCP 2012.

Internal Referrals

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

- Subdivision & Development Engineer

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

Public Submissions

Notification of the amended proposal was not deemed to be necessary, given the minor nature of the amendments in terms of external impact.

Conclusion

This report supplements the report considered by Council at its November 2017 meeting.

The proposed development has been assessed having regard to all relevant matters for consideration prescribed by Section 79C of the Environmental Planning and Assessment Act, 1979. The proposal is consistent with Kiama LEP 2011 and generally consistent with the relevant DCP Chapters. The proposed development is consistent with the objectives of the R3 Medium Density Residential zone.

Council's previous deferral of the application to enable additional windows to be incorporated into the western elevation has been addressed by the applicant and is considered to be acceptable.

Consideration has been given to the social, economic and environmental impacts of the proposed development and no significant concerns are raised. Concerns raised in submissions have been previously considered and do not warrant refusal of the application.

The proposed development is considered to be reasonable and conditional approval is recommended.

Report of the Director Environmental Services

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

Draft Conditions of Development Consent

Schedule A

Deferred Commencement Conditions

This deferred commencement consent is issued pursuant to s.80(3) of the Environmental Planning and Assessment Act, 1979. This consent is not to operate until the Applicant satisfies the Council, within **12 months** of the date of this consent, that it has obtained approval/certification from Sydney Trains as to the following matters and the approval/certification has been forwarded to the Council:

- (1) The Applicant shall prepare and provide to Sydney Trains for approval/certification the following final version items:
 - (a) Geotechnical and Structural report/drawings that meet Sydney Trains requirements. The Geotechnical Report must be based on actual borehole testing conducted on the site closest to the rail corridor.
 - (b) Construction methodology with construction details pertaining to structural support during excavation. The Applicant is to be aware that Sydney Trains will not permit any rock anchors/bolts (whether temporary or permanent) within its land or easements.
 - (c) Cross sectional drawings showing the rail corridor, sub soil profile, proposed basement excavation and structural design of sub ground support adjacent to the rail corridor. All measurements are to be verified by a Registered Surveyor.
 - (d) Detailed Survey Plan showing the relationship of the proposed developed with respect to Sydney Trains easement and rail corridor land.
 - (e) If required by Sydney Trains, an FE analysis which assesses the different stages of loading-unloading of the site and its effect on the rock mass surrounding the rail corridor.

Any conditions issued as part of Sydney Trains approval/certification of the above documents will also form part of the consent conditions that the Applicant is required to comply with.

- (2) An amended Landscape Plan that is consistent with the amended architectural plans (Drawing No. DA02 Revision E) is to be submitted to and approved by Council. The plan is to include suitable screening of the bin storage areas (to supplement landscaping), ensuring the bins are not visible from the public domain.

END OF DEFERRED COMMENCEMENT CONDITIONS

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

(including Section 94 conditions)

General

- (1) The development shall be implemented generally in accordance with the details set out on the plan/drawing and supporting documents endorsed by Council as

Report of the Director Environmental Services

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

10.2016.301.1 dated *(date of Council determination)* except as amended by the following conditions and as an outcome of deferred commencement conditions:

(g005.doc)

- (2) The development shall be completed in accordance with the approved colour schedule shown on the approved Elevations Plans. (g014.doc)
- (3) No development/work is to take place until a Construction Certificate has been issued for the development and the necessary conditions of development consent satisfied to enable release of a Construction Certificate. (g030.doc)
- (4) The development shall not be occupied until such time as all conditions of this Development Consent are met or unless other satisfactory arrangements are made with the Principal Certifying Authority. (g040.doc)
- (5) This approval is in respect of the plans submitted with the development application and as modified by the terms of this consent. If for any reason, including the making of alterations necessary to meet the requirements of another Authority, changes to the approved building design layout are proposed, then the approval of Council shall be obtained prior to commencement of any works on site. (g065.doc)
- (6) Road Occupancy approval, pursuant to Section 138 of the Roads Act 1993 shall be obtained from Council prior to any proposed interruption to pedestrian and/or vehicular traffic within the road reserve caused by the construction of the development. This shall include, but is not limited to the following activities:
 - (a) erect a structure or carry out work in, on or over a public road;
 - (b) dig up or disturb the surface of a public road;
 - (c) remove or interfere with a structure, work or tree on a public road;
 - (d) pump water into a public road from any land adjoining the road; or
 - (e) connect a road (whether public or private) to a classified road

The following items shall be submitted to Council with the road Occupancy Approval a minimum of five days before approval is required:

- A completed application form;
- Fees in accordance with Council's adopted fees and charges;
- A traffic control plan endorsed by a person with Roads & Maritime Services accreditation. The traffic control plan shall satisfy the requirements of the latest versions of Australian Standard AS1742 – Traffic Control Devices for Works on Roads and the RTMS Traffic Control at Worksites Manual. This plan is required to maintain public safety, minimise disruption to pedestrian and vehicular traffic within this locality and to protect services, during demolition, excavation and construction phases of the development;
- Public liability insurance for an amount of no less than \$20M;
- Where excavation will take place, a security bond in accordance with Council's adopted fees and charges; and

Report of the Director Environmental Services

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

-
- Where road and footpath levels will be varied or the surface is altered, plans and specifications to Council's requirements.
- (7) A suitably qualified person shall prepare a Construction Environmental Management Plan (CEMP) and shall be provided to the Principal Certifying Authority for their written endorsement, prior to any works commencing on site. The CEMP shall include, but not be limited to, the following items:
- timing and duration of works;
 - location of work sites offices, compounds, stockpiles and refuelling areas;
 - a description of the site and surrounds and location of environmentally sensitive areas;
 - description of the impacts associated with the construction; activities and control measures;
 - legislative requirements;
 - on-site staff structure and responsibility;
 - staff training, awareness and competency requirements;
 - emergency planning and response;
 - auditing and monitoring; and
 - the supplementary plans:
 - Soil and Water Management Plan;
 - Noise and Vibration Management Plan;
 - Air Quality (Dust Control) Management Plan;
 - Waste Management Plan; and
 - Traffic Management Plan
- (8) The developer shall not carry out any work other than emergency procedures to control dust or sediment-laden runoff outside the normal working hours, namely, 7.00am to 5.00pm, Monday to Friday and 8.00am to 1.00pm Saturday, without the prior written approval of the Principal Certifying Authority. Any request to vary these hours shall be submitted to the Principal Certifying Authority in writing detailing:
- a The variation in hours required.
 - b The reason for that variation.
 - c The type of work and machinery to be used. (g165.doc)
- (9) The nominated adaptable housing units shall, as a minimum, meet "Adaptable house class C" requirements set out in Appendix A of Australian Standard AS 4299-1995 Adaptable housing. Certification from a suitably qualified professional stating that the Construction Certificate plans have met the requirements listed above shall be submitted to the accredited Certifying Authority prior to the issue of any Construction Certificate.
-

Report of the Director Environmental Services

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

-
- (10) The development is to satisfy the recommendations of the Rail Noise Intrusion Assessment, prepared by Harwood Acoustics and dated 13 October 2016 (Ref: 1607015R-R) unless otherwise amended by Transport Sydney Trains.
 - (11) Construction access shall take place from the Surfleet Place frontage only.
 - (12) This approval does not include any subdivision of the development. A separate development application shall be made should subdivision be proposed.
 - (13) The placement of waste and recycling bins for roadside collection shall be approved by the Roads Authority prior to issue of any Occupation Certificate (OC). The accredited Certifying Authority shall not issue an OC without sighting written evidence of an approval.

Transport Sydney Trains

- (1) If required by Sydney Trains, prior to the commencement of works, prior to the issue of the Occupation Certificate, or at any time during the excavation and construction period deemed necessary by Sydney Trains, a joint inspection of the rail infrastructure and property in the vicinity of the project is to be carried out by representatives from Sydney Trains and the Applicant. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during construction to be observed. The submission of a detailed dilapidation report will be required unless otherwise notified by Sydney Trains.
- (2) An acoustic assessment is to be submitted to Council prior to the issue of a Construction Certificate demonstrating how the proposed development will comply with the Department of Planning's document titled "Development Near Rail Corridors and Busy Roads – Interim Guidelines".
- (3) The design, installation and use of lights, signs and reflective materials, whether permanent or temporary, which are (or from which reflected light might be) visible from the rail corridor must limit glare and reflectivity to the satisfaction of Sydney Trains. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- (4) Given the possible likelihood of objects being dropped, thrown or blown onto the rail corridor from balconies, windows and other external features (e.g. roof terraces and external fire escapes) that face the rail corridor, the Applicant is required to install measures (e.g. awning windows, louvres, enclosed balconies etc) which prevent the throwing of objects onto the rail corridor. The Principal Certifying Authority shall not issue the Construction Certificate until it has confirmed that these measures are to be installed and have been indicated on the Construction Drawings.
- (5) If required by Sydney Trains, prior to the issue of a Construction Certificate a Risk Assessment/Management Plan for the proposed works are to be submitted to Sydney Trains for review and comment on the impacts on rail corridor. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.

Report of the Director Environmental Services

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

-
- (6) No scaffolding or hoarding is to be used facing the rail corridor unless prior written approval has been obtained from Sydney Trains. To obtain approval the proponent will be required to submit details of the scaffolding and hoarding, the means of erecting and securing this scaffolding, the material to be used, and the type of screening to be installed to prevent objects falling onto the rail corridor. Unless agreed to by Sydney Trains in writing, scaffolding shall not be erected without isolation and protection panels.
 - (7) If required by Sydney Trains, a track monitoring plan (including instrumentation and the monitoring regime during excavation and construction phases) is to be submitted to Sydney Trains for review and endorsement prior to the issuing of a Construction Certificate. The Principal Certifying Authority is not to issue a Construction Certificate until written confirmation has been received from Sydney Trains advising of the need to undertake the track monitoring plan, and if required, that it has been endorsed.
 - (8) Unless advised by Sydney Trains in writing, all excavation, shoring and piling works within 25m of the rail corridor are to be supervised by a geotechnical engineer experienced with such excavation projects.
 - (9) No rock anchors/bolts are to be installed into Sydney Trains property or easements.
 - (10) Given the development site's location next to the rail corridor, drainage from the development must be adequately disposed of/managed and not allowed to be discharged into the corridor unless prior approval has been obtained from Sydney Trains.
 - (11) During all stages of the development, environmental legislation and regulations will be complied with.
 - (12) During all stages of the development extreme care shall be taken to prevent environmental harm within the railway corridor. Any form of environmental harm to areas within the railway corridor or legislative non-compliance that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
 - (13) During all stages of the development, extreme care shall be taken to prevent any form of pollution entering the railway corridor. Any form of pollution that arises as a consequence of the development activities shall remain the full responsibility of the Applicant.
 - (14) No work is permitted within the rail corridor, or its easements, at any time unless prior approval or an Agreement has been entered into with Sydney Trains.

Where the Applicant proposes to enter the rail corridor, the Principal Certifying Authority shall not issue a Construction Certificate until written confirmation has been received from Sydney Trains confirming that its approval has been granted.
 - (15) Prior to the issuing of an Occupation Certificate the Applicant is to submit as-built drawings to Sydney Trains and Council. The as-built drawings are to be

Report of the Director Environmental Services

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

-
- endorsed by a Registered Surveyor confirming that there has been no encroachment into Sydney Trains property or easements, unless agreed to be these authorities. The Principal Certifying Authority is not to issue the final Occupation Certificate until written confirmation has been received from Sydney Trains confirming that this condition has been satisfied.
- (16) If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for public liability insurance cover. If insurance cover is deemed necessary this insurance be for sum as determined by Sydney Trains and shall not contain any exclusion in relation to works on or near the rail corridor, rail infrastructure. The Applicant is to contact Sydney Trains Rail Corridor Management Group to obtain the level of insurance required for this particular proposal. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written proof of this insurance in conjunction with Sydney Trains written advice to the Applicant on the level of insurance required.
- (17) If required, prior to the issue of a Construction Certificate the Applicant is to contact Sydney Trains Rail Corridor Management Group to determine the need for the lodgement of a Bond or Bank Guarantee for the duration of the works. The Bond/Bank Guarantee shall be for the sum determined by Sydney Trains. Prior to issuing the Construction Certificate the Principal Certifying Authority must witness written advice from Sydney Trains confirming the lodgement of this Bond/Bank Guarantee.
- (18) Sydney Trains or Transport for NSW (TfNSW), and persons authorised by those entities for the purpose of this condition, are entitled to inspect the site of the development and all structures to enable it to consider whether those structures have been or are being constructed and maintained in accordance with the approved plans and these conditions of consent, on giving reasonable notice to the principal contractor for the development or the owner or occupier of the part of the site to which access is sought.
- (19) Prior to the issuing of a Construction Certificate the Applicant is to submit to Sydney Trains a plan showing all craneage and other aerial operations for the development and must comply with all Sydney Trains requirements. If required by Sydney Trains, the Applicant must amend the plan showing all craneage and other aerial operations to comply with all Sydney Trains requirements. The Principal Certifying Authority is not to issue the Construction Certificate until written confirmation has been received from the Sydney Trains confirming that this condition has been satisfied.
- (20) Copies of any certificates, drawings, approvals/certification or documents endorsed by, given to or issued by Sydney Trains must be submitted to Council for its records prior to the issuing of a Construction Certificate.
- (21) Any conditions issued as part of Sydney Trains approval/certification of any documentation for compliance with the Sydney Trains conditions of consent, those approval/certification conditions will also form part of the consent conditions that the Applicant is required to comply with.

Report of the Director Environmental Services

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

-
- (22) Prior to the commencement of works appropriate fencing is to be in place along the rail corridor to prevent unauthorised access to the rail corridor during construction. Details of the type of fencing and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- (23) The development shall have appropriate fencing fit for the future usage of the development site to prevent unauthorised access to the rail corridor by future occupants of the development. Prior to the issuing of an Occupation Certificate the Applicant shall liaise with Sydney Trains regarding the adequacy of any existing fencing along the rail corridor boundary. Details of the type of new fencing to be installed and the method of erection are to be to the satisfaction of Sydney Trains prior to the fencing work being undertaken.
- (24) To ensure that graffiti can be easily removed, the Applicant is to ensure that fencing along the rail corridor is coated with anti-graffiti paint or other coating.
- (25) To improve the comfort of future occupants, the landscaping and fencing in the plan should be designed to screen views of the rail tracks and reduce exposure to passing trains.
- (26) There is a need to ensure that the roots and foliage of trees being planted beside the rail corridor do not have an impact on the rail corridor. The development landscaping and planting plan should be submitted to Sydney Trains for review.
- (27) The developer must provide a plan of how future maintenance of the development facing the rail corridor is to be undertaken. The maintenance plan is to be submitted to Sydney Trains prior to the issuing of the Occupancy Certificate. The Principal Certifying Authority shall not issue an Occupation Certificate until written confirmation has been received from Sydney Trains advising that the maintenance plan has been prepared to its satisfaction.

Contributions

- (1) A contribution pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 (as amended) and Kiama Council's Section 94 Contributions Plans Nos. 1 & 2 shall be paid to Council prior to the issuing of the Construction Certificate. The total contribution required for the development is **\$300,538.76**. (bo005.doc)

Prior to Commencement of Works

- (1) Building work must not commence until the Principal Certifying Authority for the development to which the work relates has been informed of:
- i The licensee's name and contractor licence number;
 - ii That the licensee has complied with Part 6 of the Home Building Act 1989.
- In the case of work to be done by any other person, the Principal Certifying Authority:
- a Has been informed in writing of the person's name and owner builder permit number;
- or

Report of the Director Environmental Services

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

-
- b Has been given a declaration, signed by the owner/s of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989. (pt005.doc)
- (2) The developer shall lodge with Council a bond of **\$5,000** in the form of an unconditional bank guarantee or cash, prior to the commencement of any work, as a security for new and remedial work associated with the development proposal and covering all work within the public roads administered by Council under the Roads Act 1993 and compliance with the submitted Waste Management Plan during the course of construction.

The developer shall submit a dilapidation survey prior to commencement of any work within the road reserve.

The bond shall be refunded in full subject to the following:

- a There being no damage to the infrastructure within the road reserve.
- b Twelve (12) months has elapsed from the date of issue of the occupation certificate and/or subdivision certificate.
- c The submission and approval by Council of a waste compliance certificate, inclusive of supporting documentation (dockets/receipts) verifying compliance with the Waste Management Plan as provided to Council. (pt013.doc)
- (3) Under the provisions of the Act, work may not commence on the development until the following is carried out:
- a Detailed plans and specifications of the building must be endorsed with a Construction Certificate by Council or an Accredited Certifier; and
- b You **must** appoint a Principal Certifying Authority (can be either Council or an Accredited Certifier); and
- c You **must** notify the Council of the appointment; and
- d You **must** give at least two (2) days' notice to Council of your intention to commence work.

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

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

Should you appoint Council as the Principal Certifying Authority, relevant inspection fees will be required to be paid at the time of lodgement of this form. (pt020.doc)

Report of the Director Environmental Services

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

-
- (4) The BASIX commitments shall be indicated on the plans to the satisfaction of Council or an Accredited Certifier prior to the release of the Construction Certificate. (pt034.doc)
- (5) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
- a Showing the name, address and telephone number of the Principal Certifying Authority for the work;
 - b Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
 - c Stating that unauthorised entry to the work site is prohibited.
- Note:** Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed. The sign will be provided by the nominated Principal Certifying Authority for the relevant fee. (pt060.doc)
- (6) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal Certifying Authority for any reinforced concrete slabs, footings or structural steel. (pt062.doc)
- (7) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal Certifying Authority for the retaining walls in excess of 1.0 metre high. (pt068.doc)
- (8) The applicant shall submit engineer's details of the foundation based on geotechnical advice prepared by a suitably qualified geotechnical engineer. Such detail/advice is to be provided prior to the issue of a Construction Certificate. (pt070.doc)
- (9) A Project Arborist shall be appointed prior to any works commencing on site. The Project Arborist is responsible for:
- a) The placement of protective fencing for the existing trees to be retained
 - b) The supervision of any tree branch pruning
 - c) The supervision of any tree root severing greater than 50mm diameter
 - d) Recommendation and supervision of tree root barriers
 - e) Recommend appropriate treatments as required when construction conflicts with tree protection
 - f) Confirmation that the project arborist has identified to the tree contractor the trees that shall be removed or retained in accordance with the conditions of consent.
 - g) Report attendance and actions by certification to the Principal Certifying Authority prior to issue of the Final Occupation Certificate.

Report of the Director Environmental Services

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

The Project Arborist is to be adequately experienced and qualified with minimum Level 5 (AQF): Diploma in Horticulture (Arboriculture).

Civil Engineering Design

- (1) The developer shall submit details of all civil engineering works on engineering drawings to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate.

The drawings shall include, but shall not be limited to, the following detailed information:

- a The hydrologic modelling and hydraulic treatment detail including detailed calculations, drainage network layout, environmental controls (including the post-development first flush mechanism, water quality and sedimentation controls), all stormwater drainage structures and, where required, the proposed method of accessing the existing public stormwater drainage system. All drainage calculations are to be carried out in accordance with *Australian Rainfall and Runoff* published by Engineers Australia, and are to include a contoured catchment diagram and delineation of flow paths for storms of 1% Average Exceedance Probability (AEP);
- b Plan, longitudinal and cross sectional detail shall be provided for the proposed access driveways, circulation roadway, circulation aisle, ramps, car parking aisles and car parking spaces;
- c The proposed pavement treatment to the access driveways, circulation roadway, circulation aisle, ramps, car parking aisles and car parking spaces. The minimum surface treatment shall be cement concrete/segmental paving;
- d A Construction Environmental Management Plan (CEMP) shall be prepared in accordance with Australian Standard AS/NZS ISO 14001: 2004 for all civil engineering work associated with the development.

All reduced levels shall relate to Australian Height Datum (AHD). (ced030.doc)

Site Facilities

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

Report of the Director Environmental Services

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

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

Erosion and Sedimentation Controls/Soil and Water Management

- (1) All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur. In particular:
 - a A silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). Such fence must be regularly inspected and cleaned out and/or repaired as is necessary, and all collected silt must be disposed of in accordance with Council's Sedimentation Control Policy.
 - b Unnecessary disturbance of the site (eg; excessive vehicular access) must not occur.
 - c All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.
 - d All the above requirements must be in place for the duration of the construction works. (esc005.doc)
- (2) The developer shall submit to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate, a detailed Soil and Water Management Plan (SWMP) designed in accordance with the requirements of *Managing Urban Stormwater: Soils and Construction Volume 1* (Landcom 2004) and *Managing Urban Stormwater: Soils and Construction Volume 2* (Department of Environment and Climate Change 2007).

All works on the site must be in accordance with the approved SWMP for the full duration of construction works and must provide an overall site detail. For staged development a SWMP shall be provided for each stage of the development. (esc010.doc)
- (3) The developer shall ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work. (esc020.doc)
- (4) Any material deposited on public roads resulting from the works must be removed within the same day.
- (5) The emission of dust from the site must be controlled and in this regard watering equipment shall be kept on the site at all times for this purpose.
- (6) A shaker pad is to be installed at the exit point of the site to prevent soil material leaving the site on the wheels of vehicles and other plant and equipment.
- (7) Sediment traps must be installed on-site around all affected stormwater inlets and drainage lines. All sediment control measures must be maintained on a daily basis until the site has been fully revegetated.

Report of the Director Environmental Services

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

Tree Protection

- (1) The trees numbered T1, T2, T4, T5, T6, all trees labeled B – Coral trees, all trees labeled C (dead trees) and all shrubs labelled A (vegetation less than 3 metres tall), as detailed in the Arboricultural Impact Assessment by Allied Tree Consultancy dated 3 June 2016, Reference no. D2782, may be removed for the development. **Note** - The trees to be retained are: **T3** Norfolk Island Pine and **T7** the large Moreton Bay Fig.
- (2) Protection fencing shall be erected around the trees to be retained, trees numbered **T3** – Norfolk Island Pine and **T7** Moreton Bay Fig, as detailed in the Arboricultural Impact Assessment by Allied Tree Consultancy dated 3 June 2016, Reference no. D2782. The fencing shall be erected prior to the commencement of works. The fencing shall consist of 1.8 metres high cyclone wire supported on galvanised steel posts at a minimum 3.0 metre centres. The fencing shall be positioned as shown in the Arboricultural Impact Assessment by Allied Tree Consultancy dated 3 June 2016, Reference no. D2782. The fencing shall be maintained and remain in situ until all building works are completed.
- (3) No machinery, builder's material/s and/or waste shall be located inside the protective fencing.
- (4) Tree no. **T3** – Norfolk Island Pine - the proposed driveway will encroach upon the Structural Root Zone (SRZ) of the tree. The area of the driveway impacting the SRZ shall be made of porous flexible material as directed by the Project Arborist.
- (5) Tree no. **T7** – Morton Bay Fig - the development may impact the Tree Protection Zone (TPZ) of the tree. The Project Arborist shall determine the treatments to minimise the impact of construction on the tree.
- (6) The route of the timber decking path near Unit 38 and the route of the gravel path, both in the vicinity of Tree no. **T7** – Moreton Bay Fig, shall be determined after consulting the Project Arborist. Construction shall be in accordance with any treatments recommended, and with the approval and supervision of the Project Arborist.
- (7) Trenching for stormwater pipes and other works in the vicinity of Tree no. **T3** and Tree no. **T7** shall be with the approval and supervision of the Project Arborist.
- (8) During construction any branches of the trees on site that need pruning for clearance of scaffolding or building shall be removed with the approval and supervision of the Project Arborist.
- (9) During construction any tree roots greater than 50mm diameter that need pruning or severing shall be referred to the Project Arborist for advice on actions or treatments.
- (10) Root barrier should be installed to protect built assets. The type, depth and location of any root barrier shall be determined by the Project Arborist.

Item 10.2

Report of the Director Environmental Services

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

-
- (11) Gutter guards appropriate to the foliage and fruit of the existing trees on site should be installed in areas likely to be in the fruit/foliage fall area of the existing trees.
 - (12) During construction, any other matter arising that may harm the Norfolk Island Pine or the Moreton Bay Fig shall be referred to the Project Arborist.
 - (13) Prior to the release of the Occupation Certificate, a Compliance Certificate from the Project Arborist shall be issued to the Principal Certifying Authority detailing the attendance on site and actions performed in accordance with the conditions of the development consent.

Demolition Works

- (1) Security fencing shall be provided around the perimeter of the demolition site and any additional precautionary measures taken, as may be necessary to prevent unauthorised entry to the site at all times during the demolition period.
(dw010.doc)

- (2) **Asbestos – Statement Required**

No later than seven days prior to the demolition of any building or structure, a hazardous substances management plan prepared by a competent and appropriately qualified person in compliance with AS2601-1991 must be provided to the Principal Certifying Authority.

Asbestos – Licensed Contractors

Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover Demolition Licence or a current WorkCover Class 2 (Restricted) Asbestos Licence.

Asbestos – Notification of Neighbours

Fourteen days prior to the commencement of any demolition works involving asbestos, all immediate neighbours should be notified in writing of the intention to carry out asbestos demolition works. Copies of these written notifications should be retained and provided to Council.

Asbestos – Tip receipts

Documentary evidence in the form of tip receipts from an approved Waste Management Facility shall be obtained demonstrating the appropriate disposal of the asbestos waste. Tip receipts shall be provided to Council prior to any further building works being undertaken on the site.

Asbestos – Clearance Certificate

Following the removal of all friable asbestos and prior to further works being carried out on the site, a clearance certificate from an independent competent person in accordance with the National Occupational Health and Safety Commission Code of Practice for the Safe Removal of Asbestos is to be obtained and submitted to Council.

Asbestos – Less than 10m² of Bonded Asbestos Sheeting

Report of the Director Environmental Services

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

Demolition works involving the removal of less than 10m² of bonded asbestos sheeting may be carried out by a licensed builder who has completed an appropriate bonded asbestos removal course.

Completion of demolition works

Council will monitor and review the demolition of the structure to ensure all conditions of consent application to the removal of asbestos has been satisfied.

(dw015.doc)

Car Parking and Vehicular Access

- (1) The car parking and manoeuvring area shall be line marked and signposted in compliance with the requirements of the Australian Standards AS 1742.2, AS 1743, AS 1744, AS/NZS 1906.1, AS 1906.2, AS 1906.3 and AS 4049.1.
(c025.doc)
- (2) The access driveway, car parking and manoeuvring areas shall be paved in materials other than plain concrete or asphaltic concrete (eg brick pavers, exposed aggregate, coloured concrete, stenciled concrete etc). Details of the proposed paving material, including colour, shall be submitted to the Principal Certifying Authority prior to the issuing of the construction certificate. In this regard;
 - a Masonry pavers shall comply with design requirements of AS/NZS 4455 and AS/NZS 4456.
 - b Cement concrete access driveways shall be designed and constructed in accordance with the principles of the Cement, Concrete and Aggregates Australia technical notes. (c030.doc)
- (3) Car parking and manoeuvring shall comply with the requirements of the Standards Australia publication AS/NZS 2890.1 Parking Facilities Part 1: Off Street Car Parking. (c035.doc)
- (4) All vehicles being loaded and/or unloaded shall stand within the curtilage of the development site. (c085.doc)
- (5) Access and manoeuvring into the proposed loading bay adjacent to the site entry shall comply with the requirements of the Standards Australia AS 2890.2 – Off-street Parking Part 2: Commercial Vehicle Facilities. The accredited Certifying Authority shall ensure that the design of the development reflects this requirement. (c160.doc)
- (6) All visitor parking bays and car wash bays are to be clearly delineated and sign posted.

Stormwater Management

- (1) Surface water which is likely to discharge from the development site onto the road reserve shall be intercepted at the property boundary and conveyed to the kerb via a pipe outlet. (sm025.doc)
- (2) The developer shall provide a detailed stormwater drainage network in accordance with the design requirements of “*Section D5 Stormwater Drainage*” of Kiama Development Code as appended to Kiama Development Control Plan 2012. Full hydrological and hydraulic calculations and civil engineering

Report of the Director Environmental Services

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

-
- drawings shall be submitted to the Principal Certifying Authority prior to the release of a Construction Certificate. (sm055.doc)
- (3) The developer shall provide on-site detention storage for stormwater runoff in conjunction with the proposed development drainage network. An on-site detention system shall be designed to ensure that post development flow rates from the site are no greater than pre-developed site runoff at each discharge point for all rainfall events up to 1% Annual Exceedance Probability. The applicant shall provide full hydrological and hydraulic computer modelling of the stormwater drainage system and provide this to the Principal Certifying Authority for assessment and approval prior to the issue of the Construction Certificate. (sm060.doc)
- (4) The developer shall provide a connection to an underground piped inter-allotment drainage system in accordance with the design requirements of “*Section D5 Stormwater Drainage*” of Kiama Development Code as appended to Kiama Development Control Plan 2012, for all lots which are unable to direct stormwater runoff to the existing road network. Details of the proposed drainage system must be submitted to the Principal Certifying Authority for approval prior to the issue of the Construction Certificate. (sm075.doc)
- (5) The developer shall provide Chartered Professional Engineer’s certification for the structural design and construction of detention tanks to the Principal Certifying Authority prior to the release of any Occupation Certificate. (sm080.doc)
- (6) The developer shall provide compliance certification from the hydraulic engineer verifying that the constructed stormwater drainage infrastructure/water quality system meets with the approved design. The certification shall be provided to the Principal Certifying Authority prior to the release of any of the Occupation Certificate. (sm130.doc)
- (7) The developer shall provide environmental stormwater management controls in the form of post development water quality (including first flush treatments such as trash arresters) and sedimentation control measures to be located within the proposed development site. The proposed treatments shall be submitted to the Principal Certifying Authority for assessment and approval prior to the release of the Construction Certificate. (sm135.doc)
- (8) The developer shall comply with the design requirements of Council’s “*Water Sensitive Urban Design*” policy in association with the design requirements of “*Section D5 Stormwater Drainage*” of the Kiama Development Code as appended to Kiama Development Control Plan 2012.
- Detail shall be submitted to the Principal Certifying Authority for assessment prior to the release of the Construction Certificate. (sm150.doc)
- (9) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 20% Annual Exceedance Probability (AEP). Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP. (sm155.doc)

Report of the Director Environmental Services

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

-
- (10) The developer at its cost shall, carry out any necessary amplification or upgrading of the downstream drainage system, including the negotiation and dedication of appropriate easements, to ensure that the treatment standards of this development consent are complied with. (sm165.doc)
- (11) The Concept Drainage Plans prepared by Ian Baker Consulting P/L - Reference 11605211.1 – Sheets 1 to 12 (inclusive) - Issue D – dated 04/10/2017 shall be updated (to accord with the approved architectural plans) with full construction details and approved by way of a Construction Certificate by the Certifying Authority prior to any works commencing on site. The Principal Certifying Authority shall ensure that all works on the Drainage Plan are fully completed prior to the issue of any Occupation Certificate.
- (11) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that the design of the development causes no adverse effects to adjoining properties as a result of stormwater run-off.
- (12) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that allowance is made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other adjoining properties.
- (13) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that all stormwater surface run-off from the ground floor level is captured in a pipe drainage system prior to entering the basement car parking level.

Item 10.2

Geotechnical Requirements

- (1) There shall be no loss of support or encroachment of fill onto adjoining properties as a result of excavation or filling within the site. (gr050.doc)
- (2) Only clean fill (i.e. natural materials such as earth, rock and stone) is to be used in the development. Under no circumstances are any other material including (but not limited to) building, demolition, concrete, road materials and/or putrescible wastes, permitted to be used as filling on site. (gr060.doc)
- (3) All earthworks associated with the development shall be completed in accordance with AS 3798-2007 Guidelines on Earthworks for Commercial and Residential Developments. (gr075.doc)

Inspections

- (1) The building work shall be inspected at critical and other stages as required by the Principal Certifying Authority for the development.

NOTE: Should you choose Council to be your Principal Certifying Authority for this development you will be advised of the required building inspections and applicable fees at the time of that appointment. (bu015.doc)

Building Construction

- (1) All building work must be carried out in accordance with the requirements of the Building Code of Australia. (bu010.doc)

Report of the Director Environmental Services

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

-
- (2) The roadway, footpath or Council reserve shall not be used to store building material without the prior approval of Council. (bu086.doc)
 - (3) All excavations and backfilling must be executed safely in accordance with appropriate professional standards. (bu090.doc)
 - (4) All excavations must be properly guarded and protected to prevent them from being dangerous to life or property. (bu095.doc)
 - (5) The Reduced Levels (RL) of the proposed development must be in accordance with the approved plans. Certification of these levels by a registered surveyor must be submitted to an accredited certifier or Council prior to proceeding past that level. (bu120.doc)
 - (6) A survey shall be undertaken and a copy be made available to Council or an accredited certifier, certifying that the building is correctly located in relation to the boundaries of the site and in accordance with the approved plans. Such survey shall be submitted at peg out stage. (bu125.doc)
 - (7) Construction and demolition work, delivery of materials and plant, etc shall only take place between the following hours;
Monday to Friday - 7.00 am to 6.00 pm
Saturdays - 8.00 am to 1.00 pm
No construction work is to take place on Sundays or Public Holidays. (bu151.doc)
 - (8) The Waste Management Plan shall be strictly adhered to at all stages during the demolition, construction and/or subdivision work. All waste nominated for disposal must be disposed of at a licensed landfill facility. All waste nominated for recycling must be reused or recycled. (bu153.doc)

Utility Servicing

- (1) A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The Section 73 Certificate shall be submitted to Council prior to issue of the final Occupation Certificate. (us005.doc)
- (2) Prior to the issue of the Construction Certificate for any civil work the developer shall submit to the accredited Certifying Authority:
 - a A detailed design plan of the driveway and pathway network lighting proposed throughout the development that is designed to avoid glare for pedestrians and adjacent dwellings. The lighting design shall comply with the Australian Standard AS/NZS 1158.
 - b The developer shall liaise with Council in order to determine the required design treatment for all public lighting. (us025.doc)
- (3) The wash bay shall be connected to the Sydney Water Corporation's sewer and be subject to a licensed trade waste agreement with the Corporation. (us020.doc)
- (4) The developer shall bear the cost of relocation of any service utilities required in the provision of vehicular access. (us045.doc)

Report of the Director Environmental Services

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

Landscaping Works

- (1) A detailed landscape plan shall be approved by Council prior to release of the Construction Certificate. The plan shall be prepared in accordance with Chapter 8 of Kiama Development Control Plan 2012 and shall be consistent with the landscape concept plan. A row of street trees shall be planted along South Kiama Drive from the unformed Marsden Street to Surfleet Place. The trees shall be *Waterhousea floribunda*, minimum 75 litre size positioned east of the existing footpath at 12 metre centres. The street trees shall be detailed on the landscape plan. (lw010.doc)
- (2) The landscaping shall be maintained actively and regularly for a period of 26 weeks commencing from the date of issue of the Occupation Certificate. (lw020.doc)
- (3) At the end of the 26 week landscape maintenance period and after any defects that occurred during that period have been corrected, a final Compliance Certificate shall be provided from a suitably qualified landscape professional stating that all landscape works have been completed and maintained in accordance with the approved landscape plans and the conditions of this development consent. (lw035.doc)
- (4) Prior to the release of the Occupation Certificate all landscape works shall be completed. The developer shall provide a Compliance Certificate from the Landscape Architect stating that all landscape works have been completed in accordance with the approved landscape plans and the conditions of the development consent.
- (5) Any paved areas within the dripline of the trunk of the Norfolk Island Pine shall be paved using a porous segmented paving. Details of the proposed paving material and specification for installation shall be submitted to Council for approval prior to the issuing of a Construction Certificate. (lw085.doc)
- (6) Mulch (min 100mm thick) is to be spread under the full extent of the canopy of the Moreton Bay Fig tree. (lw115.doc)

Prior to Occupation

- (1) The completed Waste Management Compliance Sheet (Appendix 1C) shall be submitted to and approved by Council prior to release of the Final Occupation Certificate.
Supporting documentation (dockets/receipts) verifying recycling and disposal shall be attached to the Compliance Sheet. (po002.doc)
- (2) The BASIX schedule of commitments shall be complied with prior to the issue of a Final Occupation Certificate for the development and if required a certificate shall be provided to the Principal Certifying Authority from a properly qualified person to certify that the BASIX schedule of commitments have been provided and/or installed. (po003.doc)
- (3) The whole or part of the building must not be occupied unless an Occupation Certificate has been issued in relation to the building or part in accordance with Clause 109M of the Environmental Planning and Assessment Act 1979.

Report of the Director Environmental Services

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

NOTE: A Fire Safety Certificate must be provided in accordance with the Environmental Planning and Assessment Regulations 2000 prior to the issue of an Occupation Certificate excepting Class 1(a), 10(a) & 10(b) structures. (po005.doc)

- (4) The developer shall complete all drainage and access works prior to the issue of any Occupation Certificate. (po010.doc)
- (5) Prior to the issue of an Occupation Certificate the applicant shall obtain accurate street numbering for the development from Council's Geographical Information Services section. (po025.doc)
- (6) A Chartered Professional Engineer's compliant certificate for all drainage and access works carried out within the development site shall be provided to the Principal Certifying Authority prior to the issue of any Occupation Certificate. (po030.doc)
- (7) The development is to be provided with mail boxes in accordance with Australian Standard AS/NZS 4253 - 1994 which covers the dimensions, installation and positioning for mail boxes for receipt of mail. The dwellings shall be numbered in accordance with the addresses issued by Council. Prior to the installation of mailboxes, their location is to be approved by the Roads Authority. (sf050.doc)
- (8) A certified Works-As-Executed (WAE) drawing for all work shall be submitted to the Principal Certifying Authority prior to the release on an Occupation Certificate. The WAE drawing shall show in contrasting coloured ink all changes to the Approved Drawings and actual values of all levels shown on the Drawings. The WAE drawing shall be signed by a Registered Surveyor and certified by the Designer that all the work as completed, including variations, meets the original intent of the Approved Drawing and will have no adverse impact on adjacent properties. (sub040.doc)

Conveyancing Requirements

- (1) Under the provisions of Section 88B/88E of the Conveyancing Act 1919 the developer shall provide a restriction on the use of land and a positive covenant in favour of Kiama Municipal Council detailing protection measures and long term maintenance requirements for on-site stormwater detention and associated stormwater infrastructure.

The document shall meet the standard terms applied by Council and shall be submitted to Council for assessment and approval and shall have these titles registered with NSW Lands & Property Management Authority under Sections 88B/88E of the Conveyancing Act 1919.

The above requirements shall be undertaken prior to the issue of any Occupation Certificate. (cr040.doc)



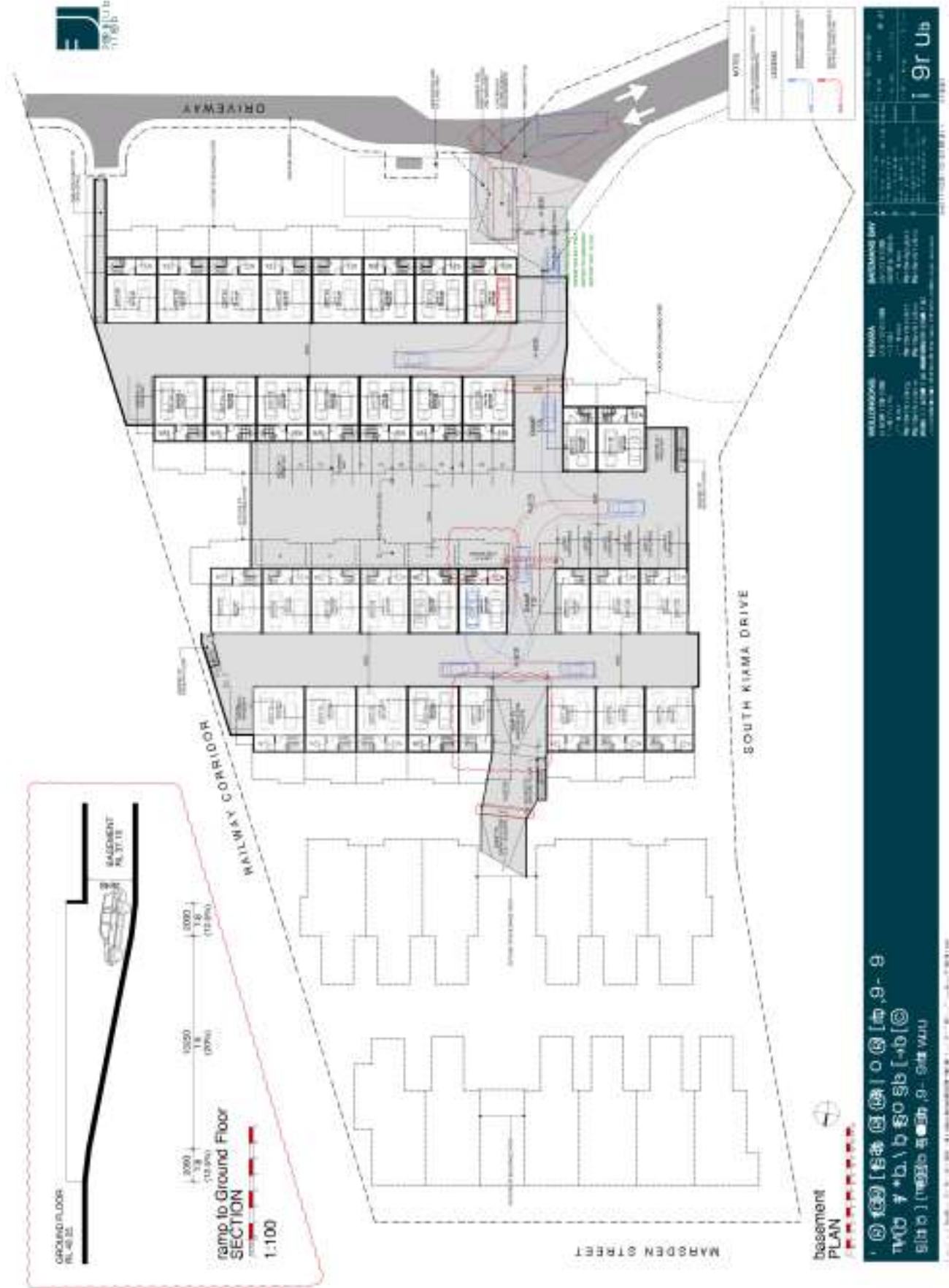
Item 10.2

Attachment 2



Item 10.2

Attachment 2



Item 10.2

Attachment 2

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

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

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

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

Item 10.3

Summary

This report reviews the modified development application 10.2016.103.3 which seeks consent for a modification to the construction of a new dwelling.

The report recommends that Council refuse development application 10.2016.103.3.

Finance

N/A

Policy

N/A

Reason for the Report

This report is submitted to Council following the receipt of 7 Submissions objecting to the modification.

Attachments

1 10.2016.103.3 - Site photo [↓](#)

2 10.2016.103.3 - plans [↓](#)

Enclosures

Nil

RECOMMENDATION

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

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

Report of the Director Environmental Services

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

BACKGROUND

A development application was originally received by Council for the construction of a new dwelling on the above property, under DA 10.2016.103.1, on the 9 May 2016.

Approval under delegation was granted on the 8 August 2016.

A modified development application under DA 10.2016.103.2 to increase the height of the dwelling, was received on 21 July 2017 and refused by Council on 21 November 2017.

Council is now in receipt of a new application to modify the original consent. The modification seeks to modify the RL levels of the floors and raise the height of the dwelling by approximately 250mm and modify the eaves on the southern side of the dwelling.

The submission of the modification is as a result of non-compliance with the original conditions of consent.

Condition (5) under the heading “Building Construction” was placed on the original consent as follows:

“(5) The Reduced Levels (RL) of the proposed development must be in accordance with the approved plans. Certification of these levels by a registered surveyor must be submitted to an accredited certifier or Council prior to proceeding past that level.”

During the course of the construction Council staff, acting as the Principal Certifying Authority, requested confirmation of the levels by a Registered Surveyor in accordance with the condition. The survey, as submitted, indicated that the current levels being constructed were not consistent with those approved.

Council issued a verbal stop work on construction by telephone to the proponent on 18 July which was followed up with the formal issuing of a Notice of Intention to give an Order to comply with the levels approved under development consent 10.2016.103.1 on 27 July 2017. The construction is currently at frame stage and inspection records indicate that construction activities continued after the verbal stop work notice was provided.

In response to the Notice, the applicant has lodged another Section 96(1A) to modify the consent to increase the floor and roof levels and modify the eaves so as to comply with the building height plane.

Property Information

The property is described as Lot 1 DP 1123051 at 1 Tasman Drive Gerringong. The zoning of the property is R2 Low Density pursuant to Kiama LEP 2011. A location map is included in the attachments to this report. The total area of the property is approx. 787m² and is irregular in shape.

The site was previously vacant. Gerringong Headland foreshore reserve bounds the site to the east with dwellings to the north, south and west.

Description of the Proposed (Modified) Development

Report of the Director Environmental Services

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

Approval was granted for the construction of a new dwelling and the dwelling is currently under construction.

The modified proposal involves an increase to the floor levels and overall height of the dwelling by approx. 250mm and reduced eave/gutter on the southern boundary to remove a breach of the building height plane affecting the property.

Section 96(1A) Modification Assessment

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

Relevant Environmental Planning Instruments

- State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71)

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

The proposed development is considered to satisfy the SEPP.

- Kiama LEP 2011

The subject land is zoned R2 Low Density under Kiama LEP 2011.

Clause 4.3 Height of Buildings

The height of a building on any land is not to exceed the maximum height shown for the land on the Height of Buildings Map.

The Height of Buildings Map does not cover the Gerringong Headland Estate. The height limitations for development in Tasman Drive are controlled by the Gerringong Master Plan 6.3.2 Built Form Controls Building Height Plane which is called up by Chapter 25 – Gerringong Headland in Kiama DCP 2012.

Any draft Environmental Planning Instruments

Nil.

Development Control Plans (DCPs)

- Kiama Development Control Plan (DCP) 2012

Chapter 25 Site Specific Controls- Gerringong Headland Site

The proposed modification does not satisfy the Built Form objectives and controls within the DCP.

6.3 Built Form

Built form must be tailored to reinforce the public domain and respond decisively to specific site elements.

On this important coastal site, priority should be given to the provision of strong architectural definition to the Headland Foreshore Reserve as well as an innovative response to site topography to maximize amenity and minimize building bulk.

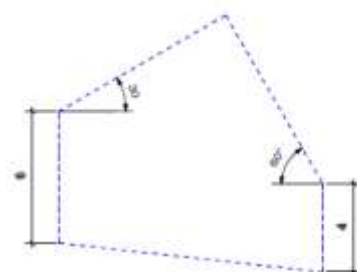
6.3.1 Built Form Objectives not being complied with.

Report of the Director Environmental Services

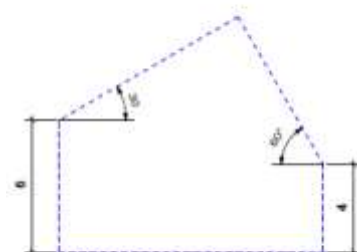
10.3 10.2016.103.3 - Lot 3 DP 1123051, 1 Tasman Drive, Gerringong – proposed modified dwelling (cont)

- (i) Reinforce the spatial definition of the Headland Foreshore Reserve by providing dwellings with strong architectural character and massing that maximize views to and surveillance of the reserve.
- (ii) Coordinate building footprints, finished level, excavation, cut and fill between all lots to provide equitable access to sunlight, outlook and privacy to all dwellings.
- (vi) Minimise the bulk and visual impact of dwellings, particularly roofs. Design roofs to provide a fine, attenuated silhouette to buildings as viewed against the headland. Avoid complex roof forms.

Height requirements are controlled by a Building Height Plane under section 6.3.2 of the DCP. For east-west oriented lots, the Building Height Plane is calculated from a 30° angle 6m above ground level along the southern boundary and 60° from 4m above ground level along the northern boundary as shown in Figure 6.3(ii) below:



Building Height Plane - applied to sloping site



Building Height Plane - applied to level site

Figure 6.3 (ii) Building Height Plane

The proposed modification to the eaves/gutter removes a non-compliant breach of the 30° angle of the southern side boundary and achieves strict compliance with the Building Height Plane. The modification presents as an unconventional recessed eave/gutter that is cut into the steelwork at the top of the southern architectural wall of the dwelling which is a treatment sometimes used to manage roof draining on small lots and/or zero lot line developments. In the context of the Gerringong Headlands Estate, the proposed modification removes part of the articulation on the southern wall of the dwelling and representing a poor architectural outcome.

The proposed finished level of the building is 250mm higher than the approved levels which also results in increases in all levels of the building including garages, windows and balconies. This provides an unacceptable impact on the outlook and privacy of neighbouring properties, particularly to the north. The increase in height also adds to the bulk and visual impact of the dwelling.

Any Matters Prescribed by the Regulations

Report of the Director Environmental Services

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

-
- 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

Visual Impact

Comment - The proposed modification will have an impact on views afforded to the Gerringong Headland and surrounding properties.

The visual impact concerns raised in submissions have been assessed and are considered to be significant enough to warrant refusal of the application.

View from the Public Road Reserve Tasman Drive

The originally approved dwelling whilst an imposing structure, complied with the Building Height Plane affecting the land. The proposed variation, whilst also in compliance with the Building Height Plane, is an unnecessary imposition on the visual qualities of the public domain and there are no mitigating factors such as topography or other site limitations that justify the increase in height. It is not considered unreasonable for the applicant to expect Council to support a modification based on failure to comply with conditions of consent.

- Environmental Impacts

Vegetation Removal – No vegetation is to be removed.

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

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

Impact on Water Resources – Rainwater tanks will be provided, as required by BASIX. Controls will be implemented during construction to minimize sedimentation.

- Social and Economic Impacts

It is considered that the proposed modified development will result in adverse social impact to dwellings in the locality.

Modified Plan Submissions

Public Submissions

Notification letters were sent to neighbouring property owners with 7 submissions being received against the modification and raising the following (summarised) matters of concern:

Item 1: - The modification is unnecessary.

Response: - This matter has been discussed within this report and it is considered that the modification is not justified.

Report of the Director Environmental Services

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

Item 2: - The proposal already dominates the skyline.

Response: - It is considered that the proposed increase in height of the development (plus 250mm) will have a substantial or unacceptable impact on the streetscape and amenity of neighbours.

Item 3: - The applicant should comply with the original approval.

Response: - The applicant has failed to comply with the conditions and approved plans regarding required levels and has sought a 96(1A) modification. Insufficient justification has been provided in support of retaining the height breach.

Internal Referrals

No additional internal referrals were required for the modified proposal.

The Public Interest

The proposal is considered to be inconsistent with the relevant matters contained in Kiama DCP 2012. The modification adds further to a dwelling that is already of a height and bulk that dominates both the streetscape and dwelling immediately to the north. It is not unreasonable to expect compliance with the original levels as approved to ensure that the visual amenity of the area and streetscape is maintained. The proposed modification is not considered to be consistent with the public interest.

Final Comments and Conclusions

The proposed modified development has been assessed having regard to all relevant matters for consideration prescribed by Section 79C of the Environmental Planning and Assessment Act, 1979. The proposed development is consistent with Kiama LEP 2011 however inconsistent with Kiama DCP 2012

The applicant has failed to comply with the approved levels. In response, the applicant proposes to modify the eaves/gutter on the southern side boundary of the dwelling so as to be wholly contained within the Building Height Plane for part of the roof construction adjacent to the southern side boundary. The modification to eaves would result in a poor architectural outcome and will still result will an additional 250mm height added to the original building.

The proponent has argued that the additional height is minimal in the context of the scale of the building and complies with the Building Height Plane. Strict compliance with a development standard should not be taken as a guarantee for approval, as issues of amenity and impact are equally relevant considerations. The approved dwelling on the property will already present as an imposing structure on the streetscape. The additional height of approximately 250mm, together with the overall size and form of the dwelling would add an unnecessary and unacceptable impact on the locality.

Consideration has been given to the social, economic and environmental impacts of the proposed development and concerns have been raised in relation to the environmental impact of the proposal, particularly the unnecessary visual impacts and interruption to views/vistas.

Report of the Director Environmental Services

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

Concerns raised in the 7 submissions have been considered and warrant refusal of the application.

The proposed modified development is considered to be unacceptable and refusal is recommended.

Item 10.3

10.2016.103.3

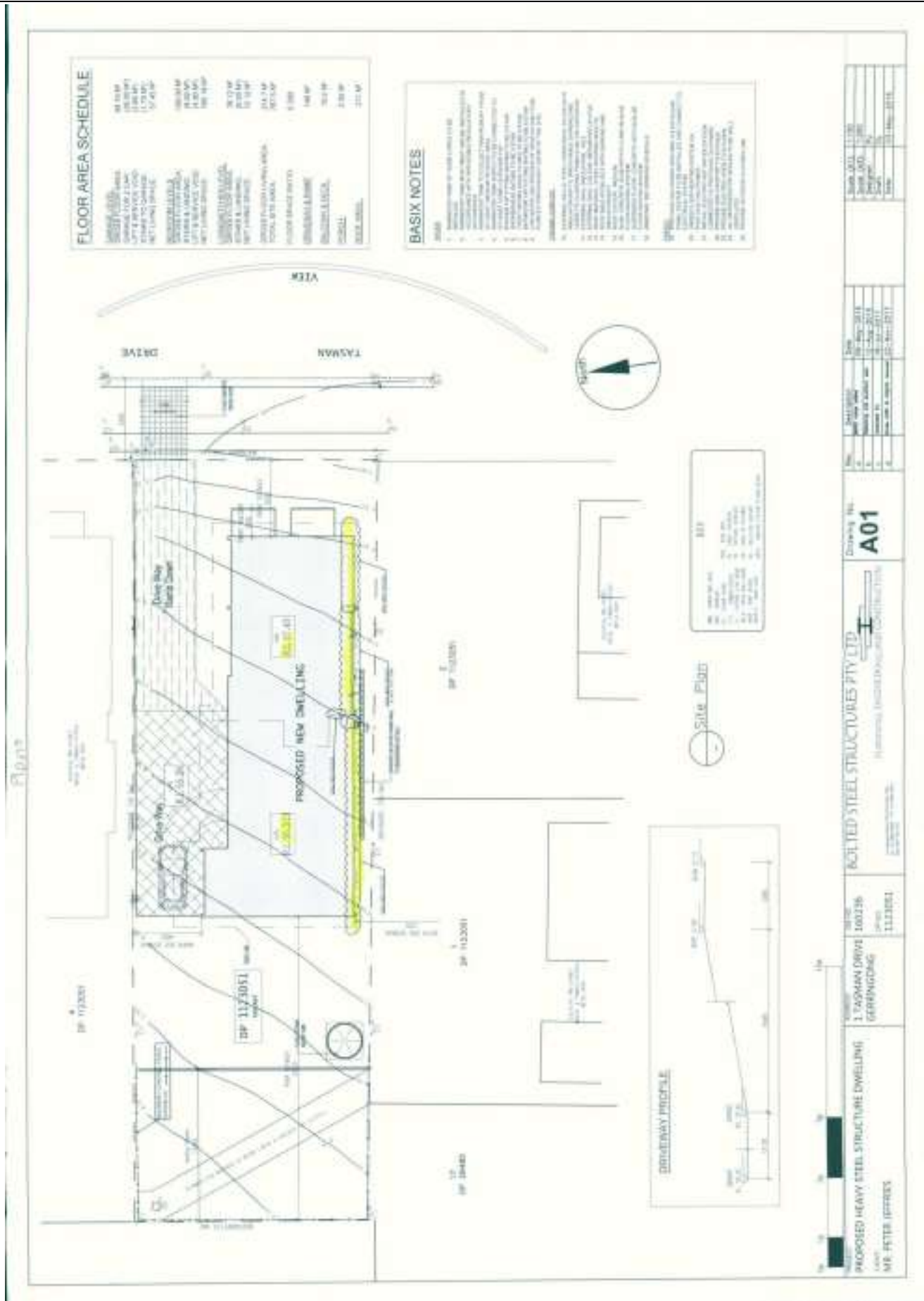
Site Photo

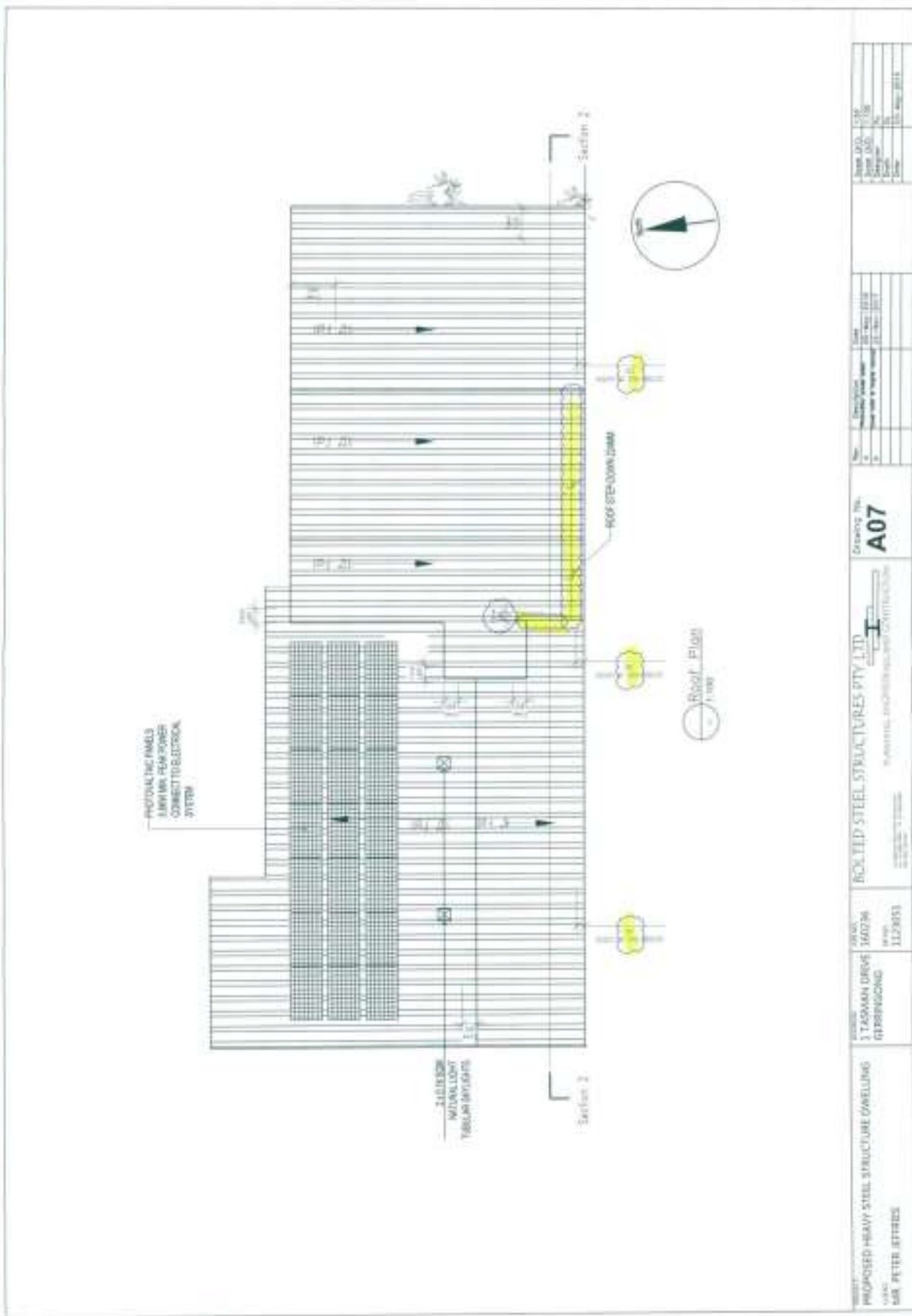
1 Tasman Drive Gerringong of dwelling under construction
(frame stage)



Item 10.3

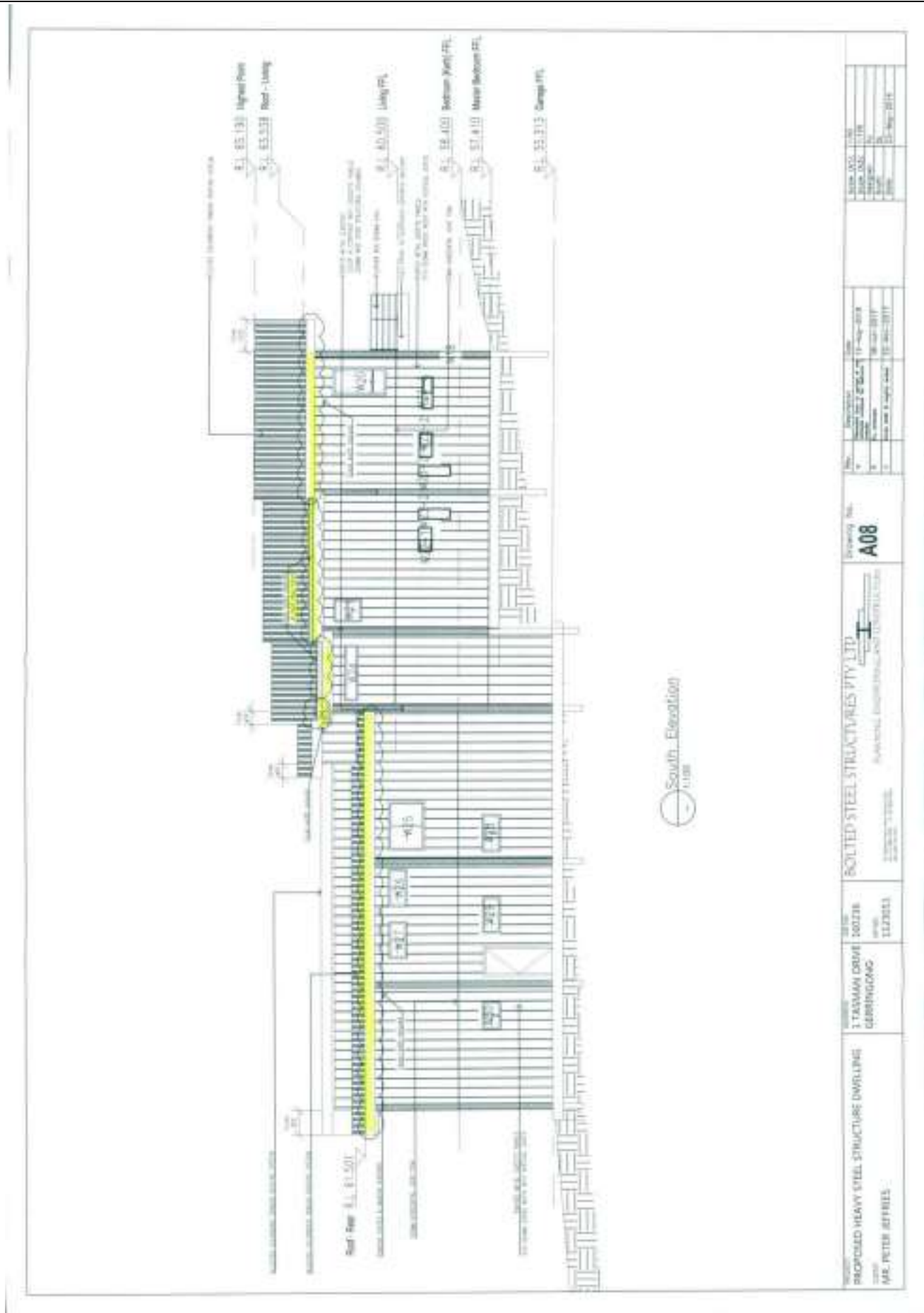
Attachment 1

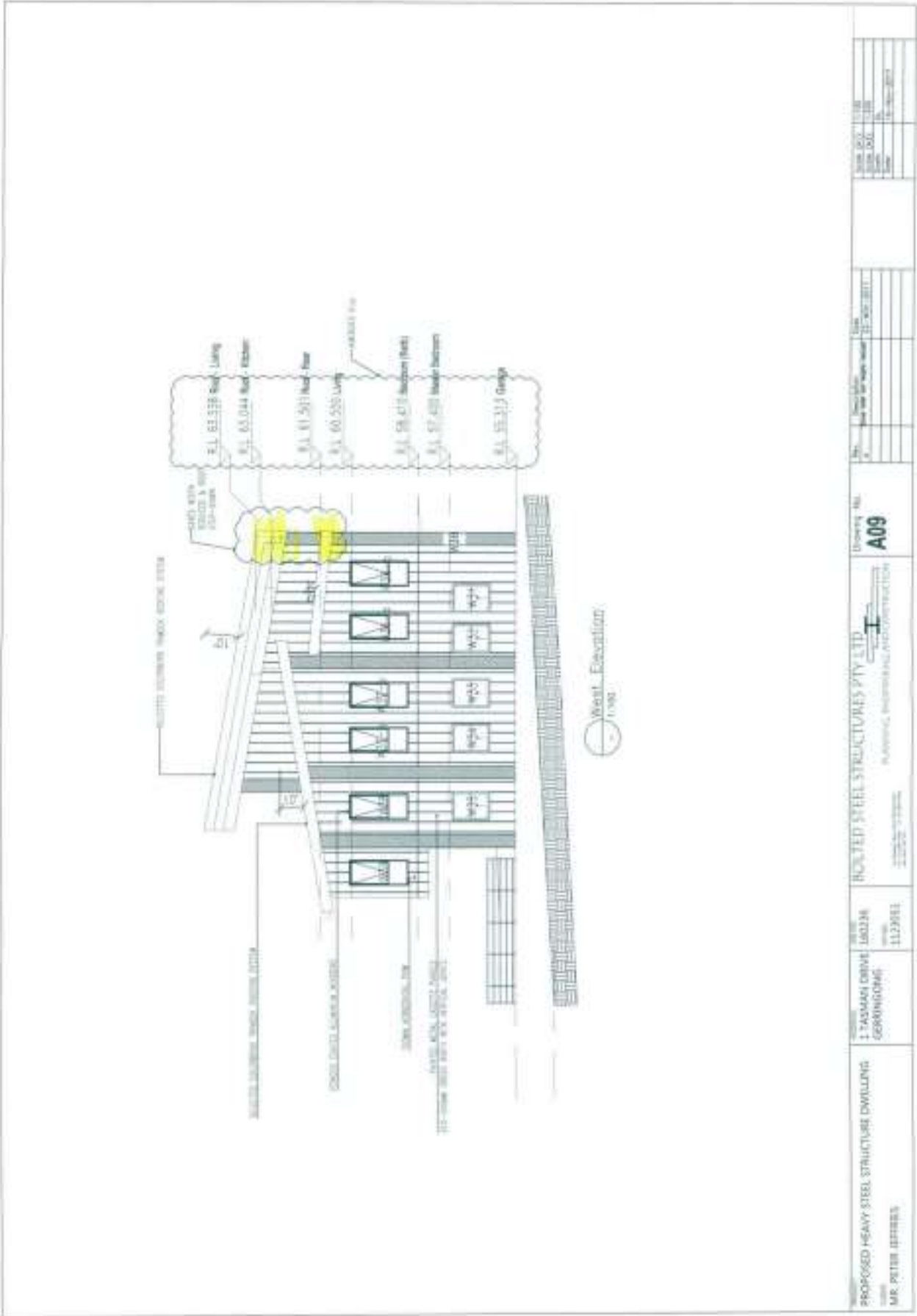




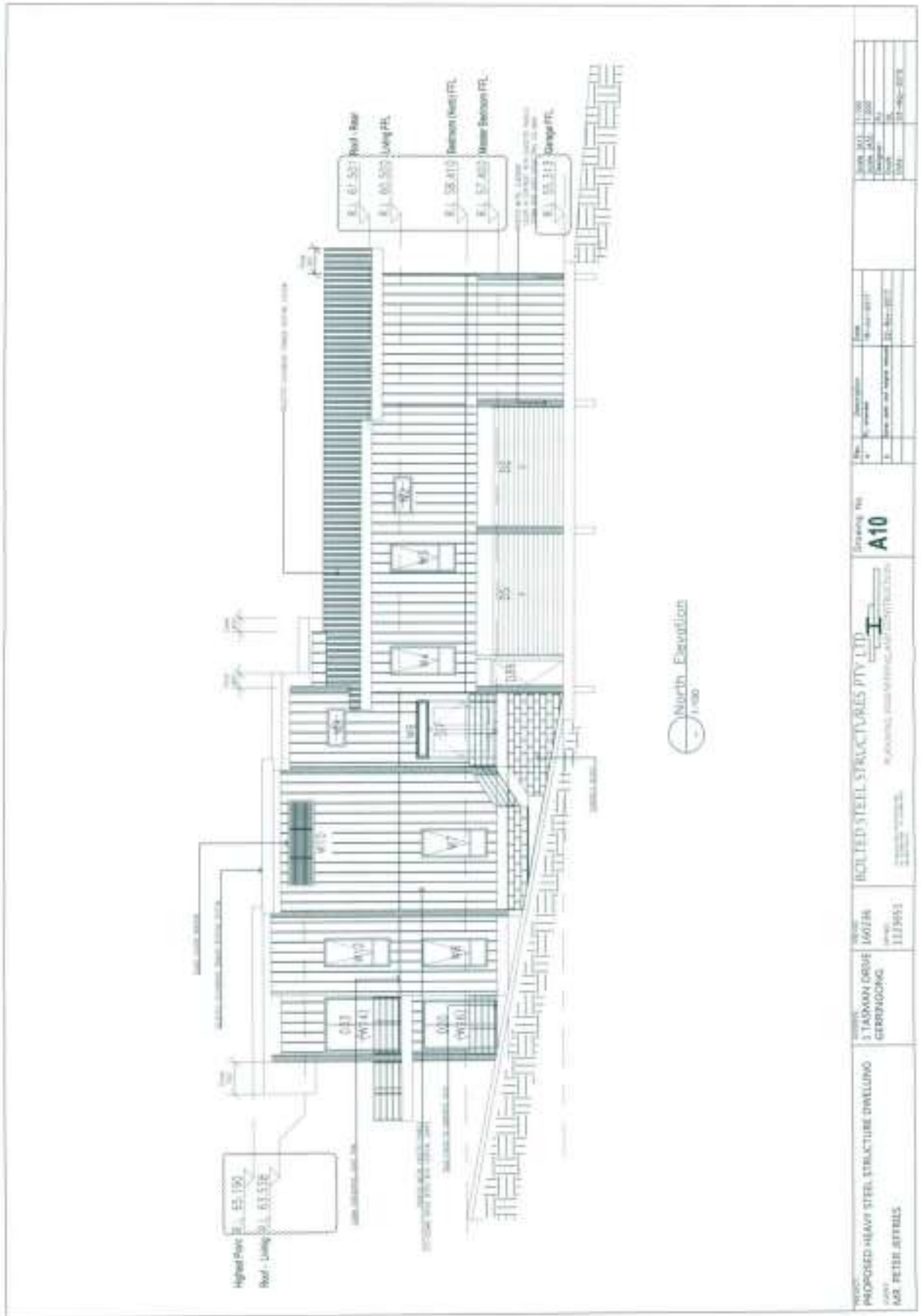
| | | | | | |
|--------------------|------------------------------------------------|--------------------|-------------------------|--------------------|----------------|
| PROJECT | PROPOSED HEAVY STEEL STRUCTURE DWELLING | CLIENT | MRS PETER STRIBS | DATE | 11/2015 |
| ADDRESS | 1 TASMAN DRIVE GERRINGONG | PROJECT NO. | 1123051 | DATE | 11/2015 |
| DESIGNER | ROCKLED STEEL STRUCTURES PTY LTD | DATE | 11/2015 | PROJECT NO. | 1123051 |
| SCALE | 1:100 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |
| PROJECT NO. | 1123051 | DATE | 11/2015 | PROJECT NO. | 1123051 |

Attachment 2 Item 10.3





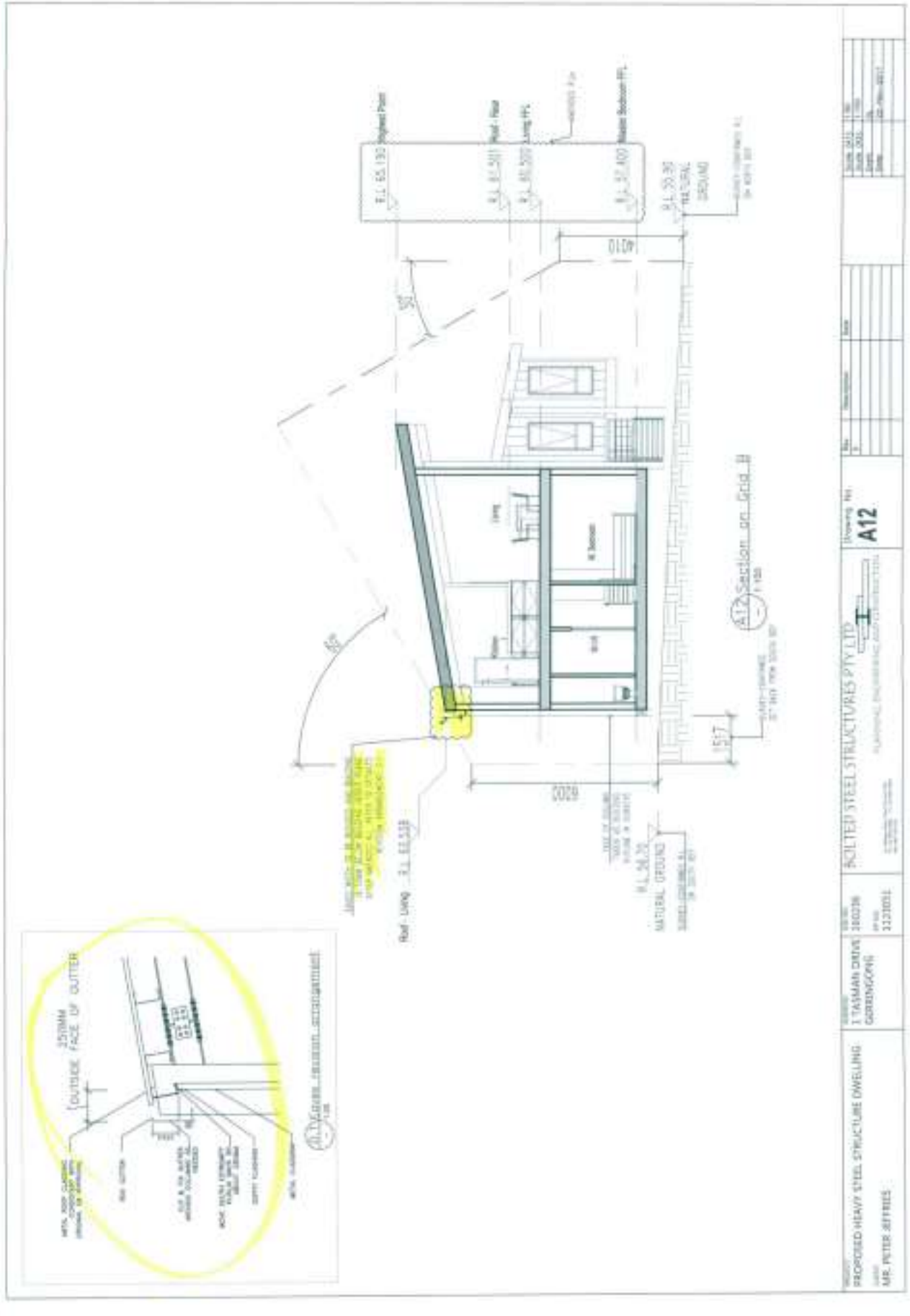
| | | | | | |
|---------------------------------------------------------------------------------------------|--------------------|----------------------------------------------------------------------------------------------|------------------------------|---------------------|---------------------|
| PROPOSED HEAVY STEEL STRUCTURE DWELLING 1 TASMAN DRIVE GERRINGONG MR. PETER DEBBES | 1123051 1123051 | ROSTED STEEL STRUCTURES PTY LTD PLANNING, ENGINEERING AND CONSTRUCTION 2025/20 1123051 | University No. A09 | Date: 21/06/2011 | Date: 15/06/2011 |
|---------------------------------------------------------------------------------------------|--------------------|----------------------------------------------------------------------------------------------|------------------------------|---------------------|---------------------|



Attachment 2 Item 10.3

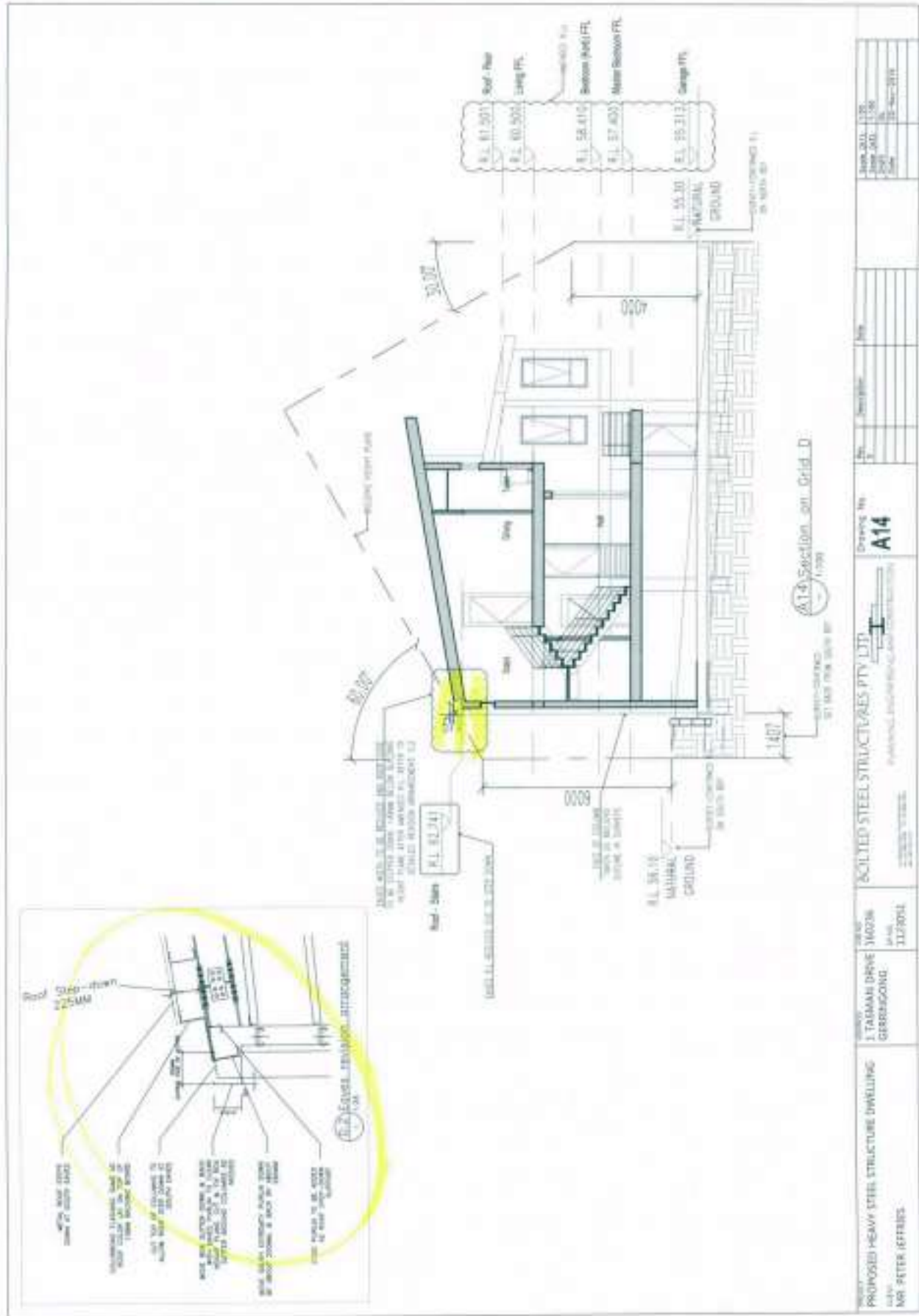


Attachment 2 Item 10.3



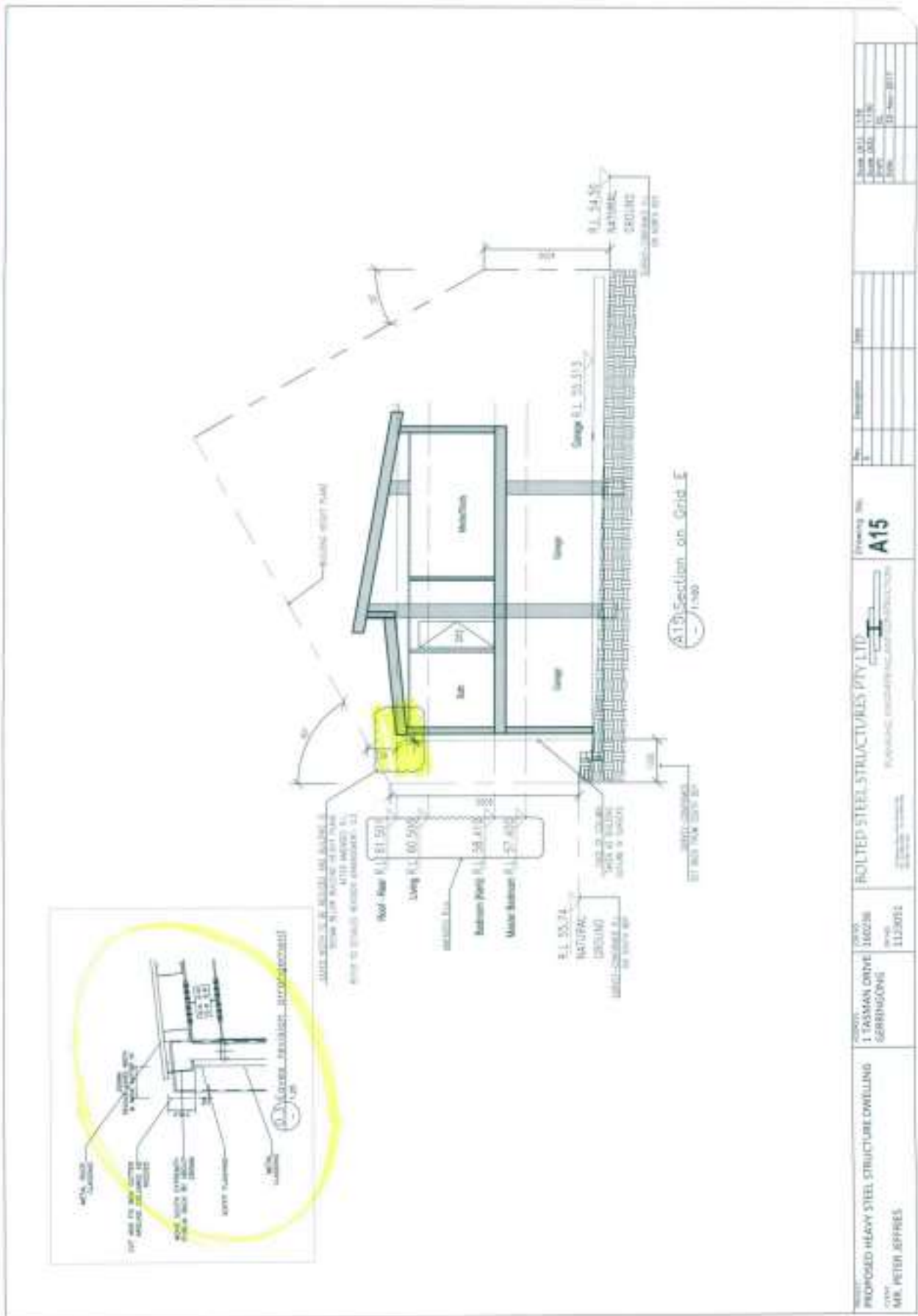
| | | | |
|-----------------|-----------------------------------------|-------------|--------------------|
| PROJECT | PROPOSED HEAVY STEEL STRUCTURE DWELLING | CLIENT | MR. PETER JEFFRIES |
| ADDRESS | 1 TASMAN DRIVE GERRINGONG | DATE | 12/12/2016 |
| SCALE | 1:50 | PROJECT NO. | 1221001 |
| DESIGNER | COLTET STEEL STRUCTURES PTY LTD | ISSUE NO. | 1 |
| DATE | 12/12/2016 | ISSUE DATE | 12/12/2016 |
| PROJECT NO. | A12 | ISSUE NO. | 1 |
| PROJECT NAME | PROPOSED HEAVY STEEL STRUCTURE DWELLING | ISSUE DATE | 12/12/2016 |
| PROJECT ADDRESS | 1 TASMAN DRIVE GERRINGONG | ISSUE NO. | 1 |
| PROJECT NO. | 1221001 | ISSUE DATE | 12/12/2016 |
| ISSUE NO. | 1 | ISSUE DATE | 12/12/2016 |
| ISSUE DATE | 12/12/2016 | ISSUE NO. | 1 |

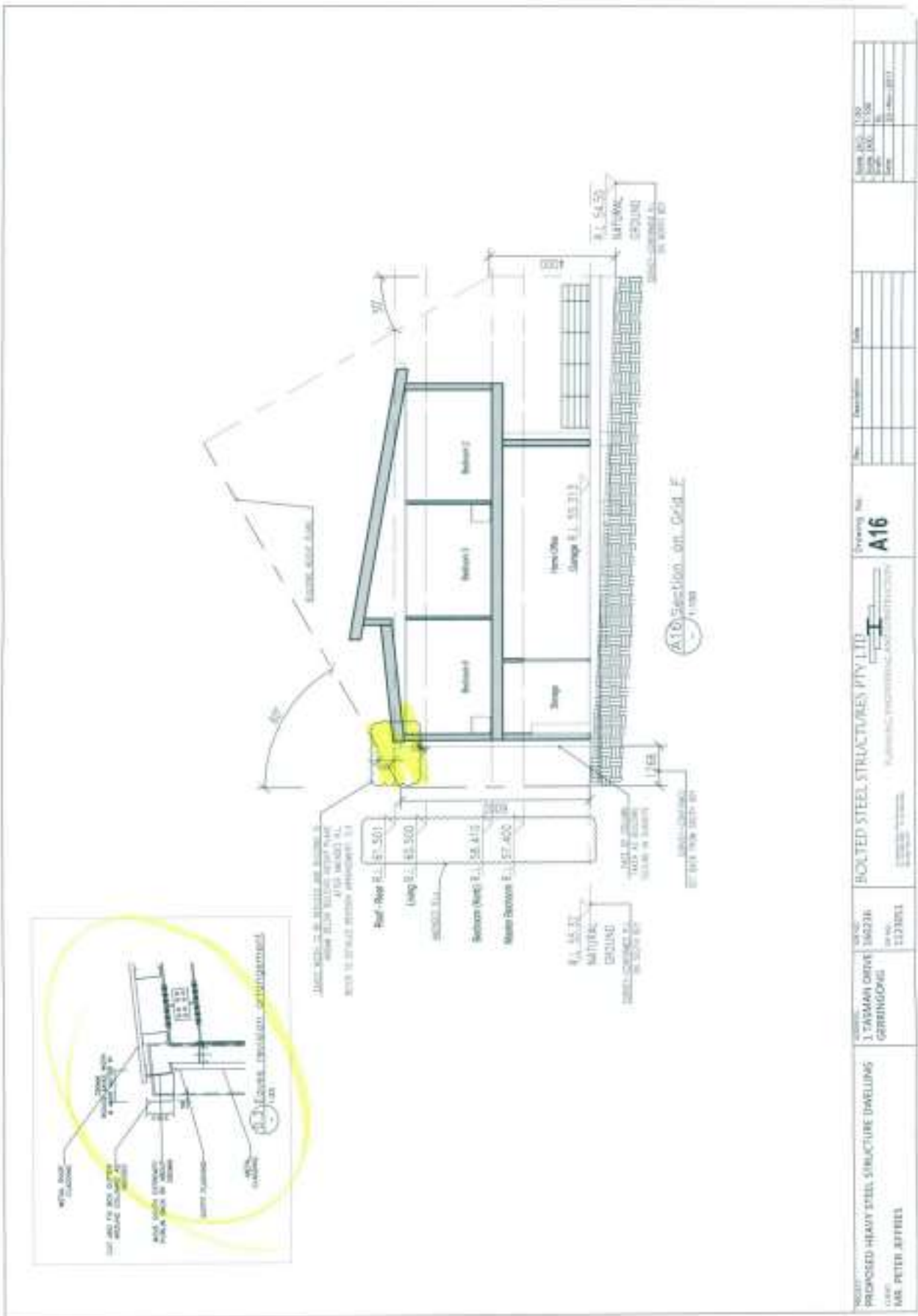
Attachment 2 Item 10.3



| | | | | | |
|-------------|-----------------------------------------|-------------|-----------------------------------|-------------|------------|
| PROJECT | PROPOSED HEAVY STEEL STRUCTURE DWELLING | CLIENT | 1 TASMAN DRIVE GERRINGONG | DATE | 11/03/2016 |
| DRAWN BY | MRS PETER JEFFRIES | SCALE | 1:100 | DRAWING NO. | A14 |
| CHECKED BY | | PROJECT | SCULPTED STEEL STRUCTURES PTY LTD | DATE | 11/03/2016 |
| APPROVED BY | | ADDRESS | 1 TASMAN DRIVE GERRINGONG | DATE | 11/03/2016 |
| DATE | | PROJECT NO. | | DATE | |

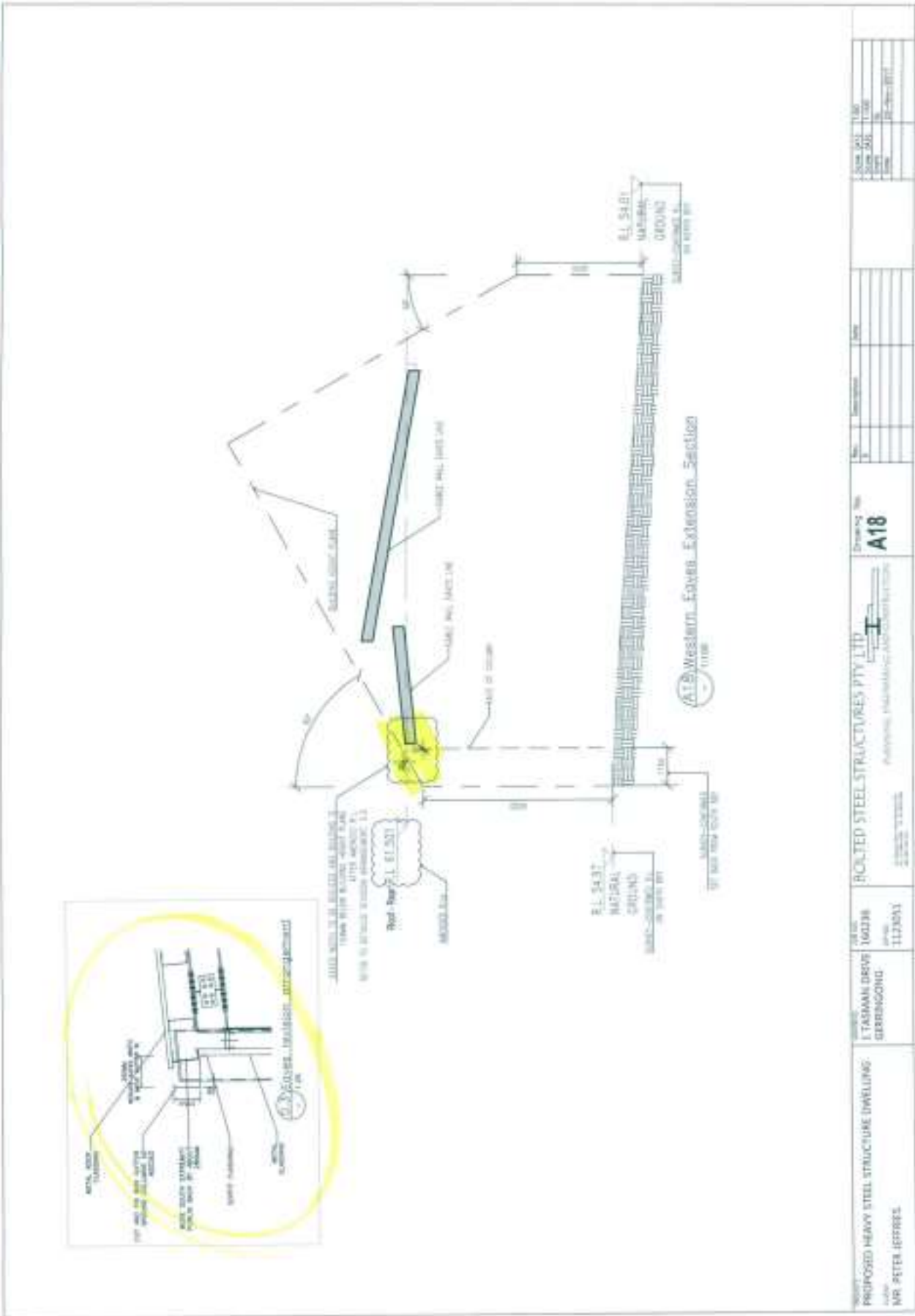
Attachment 2 Item 10.3





Item 10.3

Attachment 2



Attachment 2 Item 10.3

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

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

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

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

Item 10.4

Summary

This report reviews the Development Application No 10.2017.138.1 which involves the construction of a detached dual occupancy and 2 lot Torrens Title subdivision.

The report recommends that Council approve 10.2017.138.1 as the proposal is:

- permissible in the R2 Low Density Residential zone and is consistent with the relevant development standards of the Kiama Local Environment Plan 2011 (LEP), with the exception of the subdivision development standard restricting the size of the lots resulting from the subdivision to an area not less than 450m² each; and
- generally consistent with the Kiama Development Control Plan 2012 (DCP), with the exception of the controls requiring 3 hours' sunlight midwinter to private open space areas.

Requests to vary this LEP development standard and these DCP controls have been received.

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

Finance

N/A

Policy

N/A

Reason for the Report

This report is submitted to Council because only the elected Council can assume concurrence from the Department of Planning and Environment under the LEP clause 4.6 to vary a development standard by more than 10%, as a result of a new direction given by the Department on 15 December 2017 withdrawing the use of staff delegation in such circumstances.

Attachments

1 10.2017.138.1 - plans [↓](#)

Enclosures

Nil

Report of the Director Environmental Services

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

RECOMMENDATION

That Council approve Development Application No 10.2017.138.1 pursuant to Section 80 of the Environmental Planning and Assessment Act 1979, subject to conditions at the end of this report.

BACKGROUND

Development Site

The property is described as Lot 77 DP 1206414 which is located at 13 Fadden Street, Kiama.

The overall site measures 548.5m² and is rectangular in shape. The site currently is vacant and is bounded by vacant residential allotments within the Cedar Grove/Ridge Stage 2 subdivision which has been released.

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

The site is cleared and slopes moderately from north-west to south-east with a fall of 3.28m from RL 69.79m to RL 66.51m. The site drains via an inter-allotment drainage system before discharging to the public road drainage network. Access to the property is gained through a Public Road. The site is serviced with utilities. The locality plan is shown below in Figure 1:



Figure 1 – GIS Plan

Description of the Proposed Development

The proposal involves the detached dual occupancy and 2 lot Torrens Title subdivision.

Since its lodgement in May 2017, the application has been significantly amended by negotiated redesign due to the unacceptability of the original scheme to neighbours and due to the extent of policy non-compliance.

The original scheme imposed significant adverse impacts on neighbours as a result of overlooking and overshadowing, and presented poorly in the streetscape due to the location of private open space in the front setbacks, along with unacceptable garage dominance due to non-compliance with the 6.0m garage setback, coupled with concerns for visitor parking being unable to be accommodated on the driveways.

Report of the Director Environmental Services

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

Item 10.4

The amended scheme has significantly reduced the degree of overlooking and overshadowing by repositioning the upper level building mass to the north, closer to the street front property boundaries, and away from the southern boundary adjoining the neighbours. The private open space areas have been repositioned to the rear of the dwellings and out of the front setbacks, which are supplemented by well-designed upper level balconies facing north to provide improved amenity. The garages have been further setback to generally comply, reducing their visual dominance and allowing visitors to park on the driveway.

The plans for the proposal are shown in Figures 2, 3, 4, 5, and 6 below:

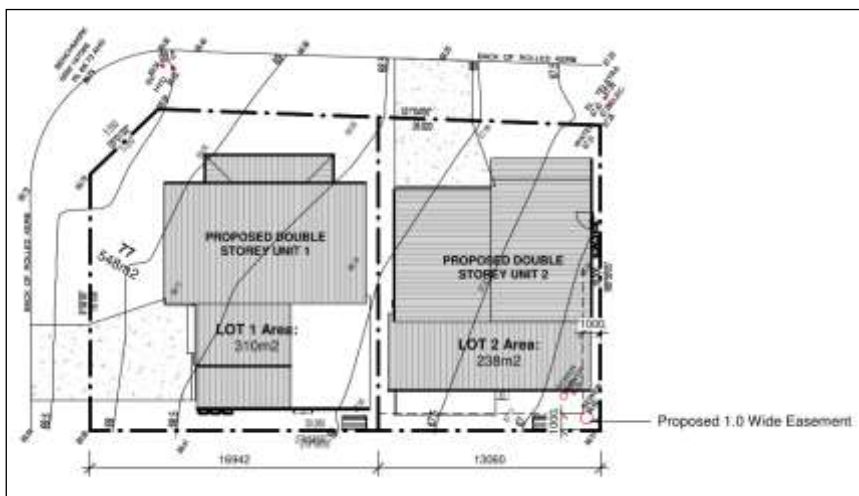


Figure 2 – Site Plan



Figure 3 – Dwelling 1 3D Perspective (facing Fadden Street)

Report of the Director Environmental Services

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

Item 10.4



Figure 4 – Dwelling 2 3D Perspective (facing Blair Street)



Figure 5 – Unit 1 & 2 North-west Corner 3D Perspective (viewed from intersection of Fadden and Blair Streets)



Figure 6 – South-east rear 3D Perspective (viewed from adjoining 15 Fadden Street)

The proposal is described as follows:

- Two lot Torrens title subdivision with Lot 1 proposed at 310 m², and Lot 2 proposed at 238 m²

Report of the Director Environmental Services

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

Item 10.4

- The dwellings have been stepped to address the fall of the land and ensure that vehicles can access each double garage to comply with the Australian Standard and to ensure vehicles do not scrape the driveway
- Dwelling 1 has an operable louvered roof over its outdoor entertainment area, and Dwelling 2 has a skillion roof over its outdoor entertainment area
- Each dwelling has an upper level balcony on the northern side of the development.
- The balconies and private open space areas are a logical extension of the indoor living room space, as required for modern day living to extend indoors to outdoors
- The dwellings have a mixture of materials, with skillion roofs

| Dwelling 1 – 152 m ² Gross Floor Area | Dwelling 2 -159 m ² Gross Floor Area |
|-------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Double garage, living/dining, kitchen (ground floor 82 m ²) and three (3) bedrooms and balcony on first floor (67 m ²). | Double garage, kitchen, living/dining (ground floor 80 m ²) and three (3) bedrooms, sitting area and balcony on first floor (75 m ²). |

Section 79C Assessment

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

Relevant Environmental Planning Instruments

- State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71)

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

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

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

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

- State Environmental Planning Policy No 55 - Remediation of Land

The land is suitable for the proposed use.

- Kiama LEP 2011

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

Report of the Director Environmental Services

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

Specific clauses requiring consideration:

Clause 4.1 Minimum Subdivision Lot Size

Clause 4.1 requires that the minimum subdivision resulting lot size is not less than the minimum size shown on the Lot Size Map. The proposal **does not comply** with the minimum resulting lot size of 450m² for subdivision requirement indicated on the Lot Size Map. Each of the proposed resulting lots has an area of 310 m² (Lot 1) and 238 m² (Lot 2).

Clause 4.3 Height of Buildings

Clause 4.3 requires that the height of the building does not exceed the maximum height shown on the Height of Buildings Map. The proposal has a height of up to 7.72m which does not exceed the maximum height of 8.5m shown on the Height of Buildings Map.

Clause 4.4 Floor Space Ratio

Clause 4.4 requires that the floor space ratio does not exceed the maximum floor space ratio shown for land on the Floor Space Ratio map. The proposal has an FSR of 0.45:1 which does not exceed the maximum floor space ratio of 0.45:1 shown for land on the Floor Space Ratio map.

Clause 4.6 Exceptions to Development Standards

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

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

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

The proposed development is considered reasonable for the following reasons:

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

In our opinion, the best planning practice should recognise these constraints and respond to the opportunity to value add to this infill development by going beyond basic numerical compliance checking, and consider broader structural and urban design frameworks.

Compliance with the development standard is unreasonable as dual occupancies are permissible in the R2 Low Density Residential zone and the development satisfies

Report of the Director Environmental Services

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

Item 10.4

the FSR and the building height requirements of the LEP 2011. The applicant has outlined that the proposal is consistent with the objectives of Clause 4.1.

The proposed variation itself will not result in an increased residential density in the area. It is noted that the subdivision of two other dual occupancies within this estate has already occurred. Generally, the proposed dual occupancy complies with the relevant DCP controls.

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

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

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

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

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

Clause 5.5 Development within the Coastal Zone

The clause lists requirements for development within the coastal zone.

The development is on land that is wholly or partly within the coastal zone.

The proposal is not inconsistent with the objectives of the clause. The proposal does not cause increased coastal hazards or adverse impacts by way of diminished foreshore access, or its relationship with the surrounding area and natural scenic quality.

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: <ul style="list-style-type: none"> (i) maintaining existing public access and, where possible, improving that access, and (ii) identifying opportunities for new public | Access to and along the foreshore for pedestrians is not affected by the proposal. |

Report of the Director Environmental Services

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

| Provision | Comment |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| access | |
| <p>The suitability of the proposed development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:</p> <ul style="list-style-type: none"> (i) the type of the proposed development and any associated land uses or activities (including compatibility of any land-based and water-based coastal activities), and (ii) the location, and (iii) the bulk, scale, size and overall built form design of any building or work involved | <p>The broader visual impacts of the Cedar Grove Stage 2 subdivision were considered at the time the land was rezoned for urban purposes and again before the residential subdivision was granted consent.</p> <p>The colours and materials of the built form outcomes remain a consideration to ensure the visual impacts of the subdivision are reasonably mitigated. Conditions of consent are recommended to ensure the scenic qualities of the coastline are reasonably protected, by restricting the use of whites, and highly reflective colours.</p> |
| <p>The impact of the proposed development on the amenity of the coastal foreshore including:</p> <ul style="list-style-type: none"> (i) any significant overshadowing of the coastal foreshore, and (ii) any loss of views from a public place to the coastal foreshore | <p>The coastal foreshore is not nearby the site of the development therefore its amenity is not affected as a result of overshadowing or loss of views from a public place.</p> |
| <p>How the visual amenity and scenic qualities of the coast, including coastal headlands, can be protected</p> | <p>The site is not on the headland, and the scenic quality of the headland is therefore not adversely affected by the proposal.</p> |
| <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, | <p>The biodiversity and ecological values is not adversely affected by the proposal.</p> |

Item 10.4

Report of the Director Environmental Services

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

| Provision | Comment |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| (v) can be conserved | |
| The cumulative impacts of the proposed development and other development on the coastal catchment. | There are no foreseeable adverse cumulative effects of the development affecting the coastal zone. |

Item 10.4

The development is on land that is wholly or partly within the coastal zone and the following matters have been satisfied:

| Matter | Comment |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Whether the proposed development will impede or diminish, where practicable, the physical, land-based right of access of the public to or along the coastal foreshore | Access to the coast is not affected by the proposal |
| Whether if effluent from the development is disposed of by a non-reticulated system, it will have a negative effect on the water quality of the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform | The site is serviced by a reticulated sewerage system. |
| Whether the proposed development will discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform | Stormwater is proposed to be connected to the existing system constructed for the subdivision, which includes water quality control measures. |
| Whether the proposed development will: <ul style="list-style-type: none"> (i) be significantly affected by coastal hazards, or (ii) have a significant impact on coastal hazards, or (iii) increase the risk of coastal hazards in relation to any other land | The development is neither affected by coastal hazards, or adversely impacts on coastal hazards, or increases the risks of coastal hazards on any other land |

Clause 6.2 Earthworks

Clause 6.2 lists considerations for proposals which involve earthworks. The proposal complies with the objectives of the clause and as the proposed earthworks are ancillary to the proposed dwelling separate development consent is not required.

Any draft Environmental Planning Instruments

Report of the Director Environmental Services

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

- Draft Kiama LEP 2011

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

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

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

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

- Draft State Environmental Planning Policy (Coastal Management) 2016

The draft Coastal Management State Environmental Planning Policy (SEPP), with accompanying maps, was on public exhibition until 23 December 2016 and 20 January 2017 (for the maps).

The 'coastal zone' is defined in the Coastal Management Act 2016 as four coastal management areas comprising: *Coastal Wetlands and Littoral Rainforests Area*; *Coastal Environment Area*; *Coastal Use Area*; and *Coastal Vulnerability Area*.

Separate development controls apply to each area and focus on achieving specific objectives.

The site of the development is within the mapped *Coastal Use Area*.

In the *Coastal Use Area* the focus is on ensuring appropriate urban development for coastal areas, taking into account urban design issues such and maintaining scenic qualities, visual amenity and aboriginal cultural heritage and places.

The proposed location of the development:

- is not near, and does not impact access to a foreshore, beach, headland or rock platform, with the closest features being the Crooked River foreshore 450m away, and the Blackhead headland approximately 850m away, and
- does not cause overshadowing or wind funneling; and
- does not cause the loss of views from public places to foreshores, and
- does not adversely impact the visual amenity or scenic qualities of the coast.

The gazettal of the draft SEPP bringing it into law, is not considered to be immanent or certain because the public consultation periods closed in January 2017.

Development Control Plans (DCPs)

Report of the Director Environmental Services

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

- Kiama Development Control Plan (DCP) 2012

The proposed development is not inconsistent with the objectives Kiama DCP 2012.

The minor non-compliances are addressed in the table below:

| Control | Comment |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chapter 2 – Section 12 - Design Standards - Building Lines in Urban Areas | |
| <p><u>Rear Building Lines for Designated Properties</u></p> <p><i>Rear building lines are 6m unless otherwise identified on the Building Line Maps.</i></p> | <p>In this case, the site is on a corner therefore there is technically no rear boundary of the site.</p> <p>However, the DCP nominates the rear boundary of the site as the eastern lot boundary. This is because it is the boundary opposite the primary frontage (i.e. Fadden Street). A setback of 6.0m is required from the eastern boundary in order to comply.</p> <p>Such an outcome is not considered preferable compared with that which is proposed in the amended scheme, because it would result in a 6.0m gap in the streetscape alignment of buildings. Further, strict compliance would mean the private open space area would be visible from the public domain, diminishing its performance as a private useable area without the introduction of 1.8m high privacy screen which would be visible in the streetscape, further adversely impacting the orderly urban design of the street.</p> <p>The applicant seeks a departure, by proposing a 1.04m setback from the eastern boundary, which would present as a side setback in the streetscape, and otherwise complies with the minimum 0.9m side setback requirements.</p> <p>This arrangement is considered to be a superior outcome from an urban design perspective (compared with a 6.0m setback), because the uniform placement of dwellings across site frontage is maintained by the proposal with conventional side setbacks.</p> |
| Chapter 2 – Section 14 - Car Accommodation – Building Lines for Garages or Carports | |
| <p><i>Car parking shall be provided behind the building line.</i></p> <p><i>In the case of</i></p> | <p>The subject site is identified by the DCP 2012 at Chapter 32 – Cedar Grove Stage 2 as having a Front Boundary Setback of 4.0m with garages setback a minimum of 6.0m.</p> |

Item 10.4

Report of the Director Environmental Services

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

| Control | Comment |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>properties subject to front building lines of less than 6.0m, car accommodation in the form of either garages or carports shall be setback a minimum distance of 6.0m from the street boundary. This will enable sufficient space to allow additional visitor car parking within the driveway and wholly within the property boundaries.</i></p> | <p>On corner sites, secondary building lines shall be a minimum of 3.5m.</p> <p>The proposed Dwelling 1 has a proposed setback of 5.872m from Fadden Street (i.e. front building line) with the garage setback 6.02m, and 4.26m to the secondary frontage all of which comply.</p> <p>A number of allowable encroachments are proposed which add to the architectural interest and articulation of the building including the entry patio, balcony, and veranda.</p> <p>The proposed Dwelling 2 has a proposed setback 3.65m from Blair Street (i.e. secondary building line) and complies.</p> <p>A number of allowable encroachments are proposed which add to the architectural interest and articulation of the building including the entry patio and veranda.</p> <p>The garage for Dwelling 2 is setback 5.72m and does not strictly comply, but still allows for a vehicle to park on the driveway in compliance with Australian Standards 2890 – Parking Facilities.</p> |
| <p>Chapter 4 – Low Density Development</p> | |
| <p><i>C1 All applications for low density development must meet the following controls:</i></p> <ul style="list-style-type: none"> <i>• all Principal development standards as set by LEP 2011.</i> <i>• all development must be designed to minimise any environmental risks associated with its location.</i> | <p>The implications of the non-compliance with Clause 4.1 of the LEP have been discussed in the report above.</p> <p>The environmental risks of the development have been reasonably mitigated. The proposal exhibits a good streetscape appearance, and does not cause for unreasonable overlooking or privacy impacts on neighbours that cannot be resolved by the imposition of conditions of consent.</p> |
| <p><i>Generally, where</i></p> | <p>The entirety of the development is greater than one</p> |

Item 10.4

Report of the Director Environmental Services

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

| Control | Comment |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>development greater than single storey is proposed, that component greater than one storey shall be located within 12.0m of the applicable front building line:</i></p> <ul style="list-style-type: none"> • <i>Development in excess of one storey beyond this point will be more critically analysed in respect to the amenity impacts on adjoining properties, by the development, with particular reference to the following:</i> • <i>Maintenance of privacy into the adjoining dwellings and private open space areas</i> • <i>Access to natural light and/or overshadowing</i> • <i>Visual bulk</i> • <i>Treatments to reduce the likely amenity impacts on adjoining properties might include, screens, opaque glazing, highlight windows, increased side setbacks, broken roof lines, split floor levels or a general height</i> | <p>storey, with upper levels positioned towards the street front building lines a distance of 8.53m for Dwelling 1 and 7.5m for Dwelling 2.</p> <p>The component of the two-storey development located beyond 12m of the front building line is the upper level of Dwelling 2. However, it's positioning does not adversely impact upon the privacy of adjoining neighbours as the windows on the top floor are either associated with bedrooms, bathrooms or the passageway areas.</p> <p>The proposed separation between adjoining dwellings and placement of windows will ensure that the proposed development does not adversely affect the solar access of adjoining properties.</p> <p>The submitted shadow diagrams show that the proposed development will overshadow approximately less than half of the adjacent vacant property to the south at 9am on the winter solstice. By 1pm the proposed development overshadow the adjacent property to the south by less than 25%. The majority of the rear of the adjoining property remains free of shadow during the middle of the day, mid-winter.</p> <p>In light of this the proposed overshadowing is considered acceptable as the proposed development will not unreasonably overshadow the adjoining properties likely future living areas or private open space. In an urban residential context a degree of overshadowing is unavoidable, and it is not reasonable to ensure uninterrupted solar access at all times.</p> |

Item 10.4

Report of the Director Environmental Services

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

| Control | Comment |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>reduction.</i></p> | |
| <p><i>C5 All development should be designed to provide a high level of privacy for end users without compromising access to light and airflow. Where, due to site or design constraints, potential overlooking is unavoidable. Detailing could include:</i></p> <ul style="list-style-type: none"> <i>• offset windows in new development and adjacent development windows,</i> <i>• double glazing,</i> <i>• operable louvres or screen panels to windows and/or balconies,</i> <i>• screening through 1.5m high fencing or landscaping between dwellings.</i> | <p>At the rear of Dwelling 2 (as it presents to Blair Street), is a recessed private open space area providing a 6.68m rear setback (for a length of 6.89m) from the southern boundary of the site. The adjacent single storey rear wall of the Dwelling 2 is proposed to be setback a distance of 2.875m (for a length of 5.13m) from the southern boundary that contains a kitchen window.</p> <p>The kitchen is a high-use area within the dwelling, therefore a condition of consent has been imposed requiring the window sill to be lifted to 1.6m (highlight window) above the finished floor level to prevent persistent overlooking into the rear yard of the neighbouring property at 15 Fadden Street. The covered private opens area is setback up to 6.68m from the southern boundary which complies</p> <p>It is considered that while the proposed development will be setback a minimum of 2.875m from the southern boundary, this component is single storey, and it's building placement will not result in any unreasonable overshadowing or privacy issues due to the upper level massing Unit 2 proposed to be setback 6.88m from the southern boundary.</p> <p>Privacy screens are also proposed to prevent overlooking from the ground level covered Private Open Space areas for each dwelling. It is also noted that upper floor windows are all associated with bedrooms, bathrooms and circulation space rather than living spaces, thus further reducing any privacy and overlooking impacts.</p> |
| <p><i>C10 Where a proposed dwelling house/addition/dual occupancy/secondary dwelling is considered to adversely affect privacy or excessively overshadow an adjoining property, Council may request</i></p> | <p>Since its lodgement in May 2017, the application has been significantly amended by negotiated redesign due to the unacceptability of the original scheme to neighbours and due to the extent of policy non-compliance.</p> <p>The original scheme imposed significant adverse impacts on neighbours as a result of overlooking and overshadowing, and presented poorly in the streetscape due to the location of private open space in the front</p> |

Item 10.4

Report of the Director Environmental Services

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

| Control | Comment |
|------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>modification to the building design, requiring increased building setbacks, or failing this, refuse the application.</i></p> | <p>setbacks, along with unacceptable garage dominance due to non-compliance with the 6.0m garage setback, coupled with concerns for visitor parking being unable to be accommodated on the driveways.</p> <p>The amended scheme has significantly reduced the degree of overlooking and overshadowing by repositioning the upper level building mass to the north, closer to the street front property boundaries, and away from the southern boundary adjoining the neighbours.</p> <p>The private open space areas have been repositioned to the rear of the dwellings and out of the front setbacks, which are supplemented by well-designed upper level balconies facing north to provide improved amenity.</p> <p>The garages have been further setback to generally comply, reducing their visual dominance and allowing visitors to park on the driveway.</p> |

Item 10.4

Chapter 4 – Low Density Development - Section 4 - Private Open Space

| | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>C26 A minimum of 50% of the provided private open space areas are to receive a minimum of 3 hours of sunlight between 9.00am and 3.00pm on June 22. The sunlight must be able to cover the area measured at 1.0m above the finished level of the private open space area.</i></p> | <p>The orientation of the site on the south-east corner of the intersection makes compliance with this control difficult when locating ground level private open space (POS) areas. POS areas are best if they are located to the rear of the dwellings but it causes for them to be the southern side of the dwellings and overshadowed.</p> <p>The proponent has elected to provide Dwelling 1 with an operable louvered roof over its POS area, and a solid skillion roof over the POS area for Dwelling 2 acknowledging that solar access is compromised on this site.</p> <p>Generous upper level balconies facing north have been provided to each unit, that obtain solar access in compliance with this control.</p> <p>In winter the north facing upper level balconies will be the optimum warm POS areas shielded from the cold southerly winds, whereas in summer the covered south facing POS areas will be shaded, cool, and shielded from the prevailing north-east winds.</p> <p>The proposed arrangement is considered an optimal compromise in design for microclimate at the site and is supported for its innovation.</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Report of the Director Environmental Services

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

| Control | Comment |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chapter 4 – Low Density Development - Section 5 – Car Parking | |
| <p><i>C35 Any garaging must be set back a minimum of 6m to allow for stacked parking.</i></p> | <p>The Dwelling 2 garage is proposed to be setback 5.732m which is a technical non-compliance to the required 6.0m garage setback control.</p> <p>The minor departure of 0.268m (or 4.46%) is considered to warrant support because the intent of the setback control is to accommodate a vehicle parked on the driveway. In this case AS2890.1 – Parking Facilities permits a depth of not less than 5.5m for a car space, so the opportunity to park on the driveway is maintained by the departure.</p> |
| Chapter 4 – Low Density Development - Section 7 – Drying Areas | |
| <p><i>C38 Drying areas should have a northerly aspect.</i></p> | <p>The drying areas are located adjacent to the POS areas in the rear of the development on its south side. They are overshadowed, but this non-compliance is considered preferable to them being located in the north facing front setbacks. The variation is considered unavoidable and therefore acceptable.</p> |
| Chapter 4 – Low Density Development - Section 9 – Additional Controls for Dual Occupancy Development and Secondary Dwellings | |
| <p><i>C56 A minimum of 3 hours direct sunlight is to be available between the hours 9.00am and 3.00pm on June the 22nd to at least 50% of the private open space area and living room windows of the subject development including adjoining properties.</i></p> | <p>Discussed above.</p> |

Item 10.4

As can be seen the proposed development generally complies with the relevant controls of the DCP 2012.

Any Planning Agreement

Nil

Report of the Director Environmental Services

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

Any Matters Prescribed by the Regulations

- NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast

The proposal does not compromise the strategic actions or principles (Appendix C - Table 3) adopted within the *NSW Coastal Policy 1997*.

- Australian Standard AS 2601—1991: *The Demolition of Structures*

The proposal is not inconsistent with Australian Standard AS 2601—1991: *The Demolition of Structures*

Any Coastal Zone Management Plan

Nil

The Likely Impacts of the Proposed Development

- Streetscape

The design of the proposed development is considered to be reasonable when considered in relation to the context of the site. The bulk, scale and design of the proposal is consistent with relevant planning instruments and is not inconsistent with the streetscape.

- Noise

Construction works will generate some noise, though conditions of consent can be imposed to ensure that works are undertaken only within specified hours to limit impacts upon neighbours. No on-going significant noise impacts are expected as a result of the development.

- Privacy and Overlooking

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

- Overshadowing

Shadow diagrams have been supplied with the development application which indicate that the overshadowing impacts of the proposed development will be reasonable.

- Views

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

- Vehicular Access, Parking and Manoeuvring

Sufficient car parking is proposed.

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

- Stormwater Management

A satisfactory drainage design has been provided with the application.

Report of the Director Environmental Services

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

Item 10.4

All stormwater will drain to the street.

- Environmental Impacts

Vegetation Removal – No vegetation is to be removed.

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

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

Impact on Water Resources – Stormwater will be conveyed to the street via an inter-allotment drainage scheme. Controls will be implemented during construction to minimise sedimentation.

- Social and Economic Impacts

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

The Suitability of the Site for the Development

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

Submissions

Public Submissions

The application design has been amended and re-notified. The original proposal was sent to neighbouring property owners who were provided with fourteen (14) days in which to comment on the proposal. At the conclusion of the notification period, two submissions were received raising the following issues:

| Item | Objection | Comment |
|--------|------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| Item 1 | On-street parking as 6.0m long driveway not provided | The scheme as originally notified did not comply. The amended proposal complies and allows for visitor parking on the driveway. |

Report of the Director Environmental Services

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

| | | |
|-----------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Item 2 | Overshadowing | The scheme as originally notified had the upper level massing located adjacent the southern and eastern boundaries causing significant overshadowing of the neighbouring property. The amended proposal has repositioned the upper levels towards the street frontages, greatly reducing the overshadowing of neighbours. The level of overshadowing maintains 3 hours of direct sunlight to the rear yard of the neighbours mid-winter. |
|-----------|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Item 10.4

The amended proposal was re-notified for fourteen (14) days, and no submissions were received.

External Referrals

Nil

Internal Referrals

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

- Subdivision & Development Engineer

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

- Landscape Design Officer

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

- GIS Officer

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

The Public Interest

The proposal is considered to be consistent with all relevant Environmental Planning Instruments and Development Control Plans, is not likely to cause significant adverse impacts to the natural or built environment, is not likely to cause significant adverse social and economic impacts, is suitable for the site and therefore is considered to be consistent with the public interest.

Final Comments and Conclusions

The proposed development has been assessed having regard to all relevant matters for consideration prescribed by Section 79C of the Environmental Planning and Assessment Act, 1979. The proposal is consistent with Kiama LEP 2011 and relevant Development Control Plans. The proposed development is consistent with the objectives of the LEP2011 - R2 Low Density Residential/PART PP - NO LZN change - Housekeeping subdivision zone.

Report of the Director Environmental Services

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

Consideration has been given to the social, economic and environmental impacts of the proposed development and no significant concerns are raised. Concerns raised in submissions have been considered and do not warrant refusal of the application.

The proposed development is considered to be reasonable and conditional approval is recommended.

Draft Conditions of Consent

General

- (1) The development shall be implemented generally in accordance with the details set out on the plan/drawing and supporting documents endorsed by Council as 10.2017.138.1 dated xxxxxxxx except as amended by the following conditions:
(g005.doc)
- (2) The development shall be completed in accordance with the approved colour schedule. (g014.doc)
- (3) No development/work is to take place until a Construction Certificate has been issued for the development and the necessary conditions of development consent satisfied to enable release of a Construction Certificate. (g030.doc)
- (4) The development shall not be occupied until such time as all conditions of this Development Consent are met or unless other satisfactory arrangements are made with the Principal Certifying Authority. (g040.doc)
- (5) The developer shall provide and maintain temporary fencing around the development site to prevent unauthorised entry into the site by persons or livestock and shall remove the temporary fencing upon completion of all work.
(g140.doc)
- (6) The developer shall not carry out any work other than emergency procedures to control dust or sediment-laden runoff outside the normal working hours, namely, 7.00am to 5.00pm, Monday to Friday and 8.00am to 1.00pm Saturday, without the prior written approval of the Principal Certifying Authority. Any request to vary these hours shall be submitted to the Principal Certifying Authority in writing detailing:
 - a The variation in hours required.
 - b The reason for that variation.
 - c The type of work and machinery to be used. (g165.doc)
- (7) Standard Torrens Title addressing applies. Letterboxes to be located at access point and public road boundary. Proposed house numbers to be allocated:
 - Proposed Lot 1 – 13 Fadden Street
 - Proposed Lot 2 – 2 Blair Street

Amendments to Approved Plans

- (1) Prior to the issue of any Construction Certificate by any Principal Certifying Authority the approved plans are to be amended to increase the sill height of the kitchen window for Dwelling 2 to be not less than 1.6 metres above the finished floor level to prevent overlooking of adjoining property from a high use room.

Report of the Director Environmental Services

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

-
- (2) Prior to the issue of any Construction Certificate by any Principal Certifying Authority the approved landscape plans are to be amended to ensure that sheet metal fencing along the side and rear boundaries of the site do not extend forward of the building line. Gates returning into the buildings from a side or rear boundary that are visible from the street must not be constructed of sheet metal. Any fencing or gates forward of the building line or facing the street front must be constructed of powder coated aluminium batten screens, or timber batten screens, or timber pickets, or palisade style, or double lapped and capped timber palings.

Bonds and Contributions

- (1) A contribution pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 (as amended) and Kiama Council's Section 94 Contributions Plans Nos. 1 & 2 shall be paid to Council prior to the issuing of the Construction Certificate. The total contribution required for the development is **\$6,678.64**. (bo005.doc)

Prior to Commencement of Works

- (1) Building work must not commence until the Principal Certifying Authority for the development to which the work relates has been informed of:

- i The licensee's name and contractor licence number;
- ii That the licensee has complied with Part 6 of the Home Building Act 1989.

In the case of work to be done by any other person, the Principal Certifying Authority:

- a Has been informed in writing of the person's name and owner builder permit number;

or

- b Has been given a declaration, signed by the owner/s of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989. (pt005.doc)

- (2) The developer shall lodge with Council a bond of **\$5,600.00**, in the form of an unconditional bank guarantee or cash, prior to the commencement of any work, as a security for new and remedial work associated with the development proposal and covering all work within the public roads administered by Council under the Roads Act 1993 and compliance with the submitted Waste Management Plan during the course of construction.

The developer shall submit a dilapidation survey prior to commencement of any work within the road reserve.

The bond shall be refunded in full subject to the following:

- a There being no damage to the infrastructure within the road reserve.

Report of the Director Environmental Services

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

-
- b Twelve (12) months has elapsed from the date of issue of the occupation certificate and/or subdivision certificate.
 - c The submission and approval by Council of a waste compliance certificate, inclusive of supporting documentation (dockets/receipts) verifying compliance with the Waste Management Plan as provided to Council. (pt013.doc)
- (3) The applicant must provide, to Council, the appropriate fee for the inspections required for the construction of the footpath crossing/access driveway in accordance with Council's adopted fees and charges. This inspection fee must be paid prior to the commencement of works within the road reserve area.
- Work undertaken within the road reserve may only be undertaken by a Council approved contractor. A list of approved contractors may be obtained from Council's Engineering and Works Department. (pt016.doc)
- (4) The pre-coloured metal roofing shall not give rise to unreasonable visual intrusion due to reflected glare. In this regard specific details of roof colours shall be submitted to the Principal Certifying Authority prior to release of the Construction Certificate. **Note:** The roof colours shall be the medium to darker colours. (pt017.doc)
- (5) Under the provisions of the Act, work may not commence on the development until the following is carried out:
- a Detailed plans and specifications of the building must be endorsed with a Construction Certificate by Council or an Accredited Certifier; and
 - b You **must** appoint a Principal Certifying Authority (can be either Council or an Accredited Certifier); and
 - c You **must** notify the Council of the appointment; and
 - d You **must** give at least two (2) days' notice to Council of your intention to commence work.
- You will find attached an application form for a Construction Certificate. Should you require Council to issue this Certificate you should complete this application and forward it, together with plans and specifications, to Council for approval.
- You will find attached a form for the "*Notice of Commencement of Building Work and Appointment of Principal Certifying Authority*", which you are required to submit to Council at the appropriate time and at least two (2) days prior to the commencement of work.
- Should you appoint Council as the Principal Certifying Authority, relevant inspection fees will be required to be paid at the time of lodgement of this form. (pt020.doc)
- (6) The BASIX commitments shall be indicated on the plans to the satisfaction of Council or an Accredited Certifier prior to the release of the Construction Certificate. (pt034.doc)
- (7) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

Report of the Director Environmental Services

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

-
- a Showing the name, address and telephone number of the Principal Certifying Authority for the work;
 - b Showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours; and
 - c Stating that unauthorised entry to the work site is prohibited.

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

- (8) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal Certifying Authority for any reinforced concrete slabs, footings or structural steel. (pt062.doc)
- (9) Submission of stormwater disposal details for disposal of stormwater on site, designed by a suitably qualified person. Details are to be provided to the satisfaction of the Principal Certifying Authority, prior to the release of the Construction Certificate. (pt067.doc)
- (10) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal Certifying Authority for the retaining walls in excess of 1.0 metre high. (pt068.doc)
- (11) The applicant shall submit Engineer's details of the foundation based on geotechnical advice prepared by a suitably qualified Geotechnical Engineer. Such detail/advice is to be provided prior to the issue of a Construction Certificate. (pt069.doc)
- (12) Prior to release of the Construction Certificate an appropriately qualified professional shall provide details to the Certifying Authority in regard to disposal of stormwater on site. The on-site disposal area shall be designed so that any overflow from the site will surcharge in a sheet fashion rather than in a concentrated form. (pt071.doc)

Access Construction

- (1) The developer shall restore any redundant vehicle crossing to barrier kerb in compliance with Council's "*Driveway and Footpath Works Procedure Manual*". (ac010.doc)
- (2) The access driveway shall be constructed to meet the design requirements of Council's "*Driveway and Footpath Works Procedure Manual*". The access driveway shall be installed prior to the issue of any occupation certificate. (ac015.doc)

Car Parking and Vehicular Access

- (1) Car parking and manoeuvring shall comply with the requirements of the Standards Australia publication AS/NZS 2890.1 Parking Facilities Part 1: Off Street Car Parking. (c035.doc)

Report of the Director Environmental Services

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

Stormwater Management

- (1) Where roll top kerb is existing, an approved metal adaptor (which converts a round pipe to rectangular shape) will need to be provided to allow sufficient cover of 40 millimetres. (sm015.doc)
- (2) The developer shall provide a detailed stormwater drainage network in accordance with the design requirements of “*Section D5 Stormwater Drainage*” of Kiama Development Code as appended to Kiama Development Control Plan 2012. Full hydrological and hydraulic calculations and civil engineering drawings shall be submitted to the Principal Certifying Authority prior to the release of a Construction Certificate. (sm055.doc)
- (3) The developer shall provide on-site detention storage for stormwater runoff in conjunction with the proposed development drainage network. An on-site detention system shall be designed to ensure that post development flow rates from the site are no greater than pre-developed site runoff at each discharge point for all rainfall events up to 1% Annual Exceedance Probability. The applicant shall provide full hydrological and hydraulic computer modelling of the stormwater drainage system and provide this to the Principal Certifying Authority for assessment and approval prior to the issue of the construction certificate. (sm060.doc)
- (4) The developer shall provide compliance certification from the hydraulic engineer verifying that the constructed stormwater drainage infrastructure/water quality system meets with the approved design. The certification shall be provided to the Principal Certifying Authority prior to the release of any of the Occupation Certificate. (sm130.doc)
- (5) The developer shall provide environmental stormwater management controls in the form of post development water quality (including first flush treatments such as trash arresters) and sedimentation control measures to be located within the proposed development site. The proposed treatments shall be submitted to the Principal Certifying Authority for assessment and approval prior to the release of the Construction Certificate. (sm135.doc)
- (6) The developer shall comply with the design requirements of Council’s “*Water Sensitive Urban Design*” policy in association with the design requirements of “*Section D5 Stormwater Drainage*” of the Kiama Development Code as appended to Kiama Development Control Plan 2012.

Detail shall be submitted to the Principal Certifying Authority for assessment prior to the release of the Construction Certificate. (sm150.doc)
- (7) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 20% Annual Exceedance Probability (AEP). Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP. (sm155.doc)

Report of the Director Environmental Services

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

-
- (8) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that the design of the development causes no adverse effects to adjoining properties as a result of stormwater run-off.
 - (9) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that allowance is made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other adjoining properties

Civil Engineering Construction

- (1) The developer shall carry out work at all times in a manner which will not cause a nuisance, by the generation of unreasonable noise, dust or other activity, to residents of adjacent properties. (cec015.doc)

Utility Servicing

- (1) A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The Section 73 Certificate shall be submitted to Council prior to issue of the final Occupation Certificate. (us005.doc)
- (2) The developer shall bear the cost of relocation of any service utilities required in the provision of vehicular access. (us045.doc)

Geotechnical Requirements

- (1) There shall be no loss of support or encroachment of fill onto adjoining properties as a result of excavation or filling within the site. (gr050.doc)
- (2) Only clean fill (i.e. natural materials such as earth, rock and stone) is to be used in the development. Under no circumstances are any other material including (but not limited to) building, demolition, concrete, road materials and/or putrescible wastes, permitted to be used as filling on site. (gr060.doc)
- (3) All imported fill to the development site shall list the location of its origin and shall be sampled in accordance with AS 4482.2 and tested by a certified National Association of Testing Authorities Australia (NATA) registered laboratory for contaminants. Based on the test results certification shall be provided to the Principal Certifying Authority prior to the issue of any Occupation Certificates by a suitably qualified geotechnical engineering consultant confirming the imported fill is suitable for use in residential development. Any imported fill found to not be suitable for residential use shall be removed/remediated in accordance with the NSW Department of Environment, Climate Change and Water requirements. (gr065.doc)

Inspections

- (1) The building work shall be inspected at critical and other stages as required by the Principal Certifying Authority for the development.

NOTE: Should you choose Council to be your Principal Certifying Authority for this development you will be advised of the required building inspections and applicable fees at the time of that appointment. (bu015.doc)

Report of the Director Environmental Services

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

Building Construction

- (1) All building work must be carried out in accordance with the requirements of the Building Code of Australia. (bu010.doc)
- (2) The roadway, footpath or Council reserve shall not be used to store building material without the prior approval of Council. (bu086.doc)
- (3) All excavations and backfilling must be executed safely in accordance with appropriate professional standards. (bu090.doc)
- (4) Where retaining walls exceed 1.0 metre in height, the wall is to be certified by a practising structural engineer prior to occupation of the building being permitted. (bu110.doc)
- (5) The Reduced Levels (RL) of the proposed development must be in accordance with the approved plans. Certification of these levels by a registered surveyor must be submitted to an accredited certifier or Council prior to proceeding past that level. (bu120.doc)
- (6) Prior to the pouring of concrete slabs and footings a survey shall be undertaken and a copy be made available to Council or an accredited certifier, certifying that the building is correctly located in relation to the boundaries of the site and in accordance with the approved plans. Such survey shall be submitted at peg out stage. (bu125.doc)
- (7) Construction and demolition work, delivery of materials and plant, etc shall only take place between the following hours;
Monday to Friday - 7.00 am to 6.00 pm
Saturdays - 8.00 am to 1.00 pm
No construction work is to take place on Sundays or Public Holidays. (bu151.doc)
- (8) The Waste Management Plan shall be strictly adhered to at all stages during the demolition, construction and/or subdivision work. All waste nominated for disposal must be disposed of at a licensed landfill facility. All waste nominated for recycling must be reused or recycled. (bu153.doc)

Erosion and Sedimentation Controls/Soil and Water Management

- (1) All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur. In particular:
 - a A silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). Such fence must be regularly inspected and cleaned out and/or repaired as is necessary, and all collected silt must be disposed of in accordance with Council's Sedimentation Control Policy.
 - b Unnecessary disturbance of the site (eg; excessive vehicular access) must not occur.
 - c All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.

Report of the Director Environmental Services

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

-
- d All the above requirements must be in place for the duration of the construction works. (esc005.doc)
- (2) The developer shall ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work. (esc020.doc)

Landscaping Works

- (1) All landscape areas shown on the approved landscape plans (drawing numbers 1801) or otherwise required under the conditions of this consent, shall be landscaped and maintained in accordance with the approved plans and conditions. (lw015.doc)
- (2) The landscaping shall be maintained actively and regularly for a period of 26 weeks commencing from the date of issue of the Occupation Certificate. (lw020.doc)
- (3) At the end of the 26 week landscape maintenance period and after any defects that occurred during that period have been corrected, a final Compliance Certificate shall be provided from a suitably qualified landscape professional stating that all landscape works have been completed and maintained in accordance with the approved landscape plans and the conditions of this development consent. (lw035.doc)
- (4) The landscape works shall remain in situ for the perpetuity of the development. (lw040.doc)
- (5) Prior to release of any Occupation Certificate the developer shall provide a Compliance Certificate from a suitably qualified landscape professional or Council's Landscape Officer stating that all landscape works have been completed in accordance with the approved landscape plans and the conditions of the development consent. (lw170.doc)

Site Facilities

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

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

Report of the Director Environmental Services

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

Prior to Occupation

- (1) The BASIX schedule of commitments shall be complied with prior to the issue of a Final Occupation Certificate for the development and if required a certificate shall be provided to the Principal Certifying Authority from a properly qualified person to certify that the BASIX schedule of commitments have been provided and/or installed. (po003.doc)
- (2) The licensed plumber shall provide to the Principal Certifying Authority a Compliance Certificate to certify:
 - Compliance with Sydney Water requirements in regard to rainwater tank installations
 - Compliance with technical specifications for rainwater tanks and associated plumbing configurations, prior to the issue of any Occupation Certificate. (po004.doc)
- (3) The whole or part of the building must not be occupied unless an Occupation Certificate has been issued in relation to the building or part in accordance with Clause 109M of the Environmental Planning and Assessment Act 1979.

NOTE: A Fire Safety Certificate must be provided in accordance with the Environmental Planning and Assessment Regulations 2000 prior to the issue of an Occupation Certificate excepting Class 1(a), 10(a) & 10(b) structures. (po005.doc)
- (4) The developer shall complete all access and drainage works prior to the issue of any Occupation Certificate. (po010.doc)

Conveyancing Requirements

- (1) Under the provisions of Section 88B/88E of the Conveyancing Act 1919 the developer shall provide a restriction on the use of land and a positive covenant in favour of Kiama Municipal Council detailing protection measures and long term maintenance requirements for on-site stormwater detention system and associated stormwater drainage infrastructure.

The document shall meet the standard terms applied by Council and shall be submitted to Council for assessment and approval and shall have these titles registered with NSW Lands & Property Management Authority under Sections 88B/88E of the Conveyancing Act 1919. (cr040.doc)

Prior to Issuing of Subdivision Certificate

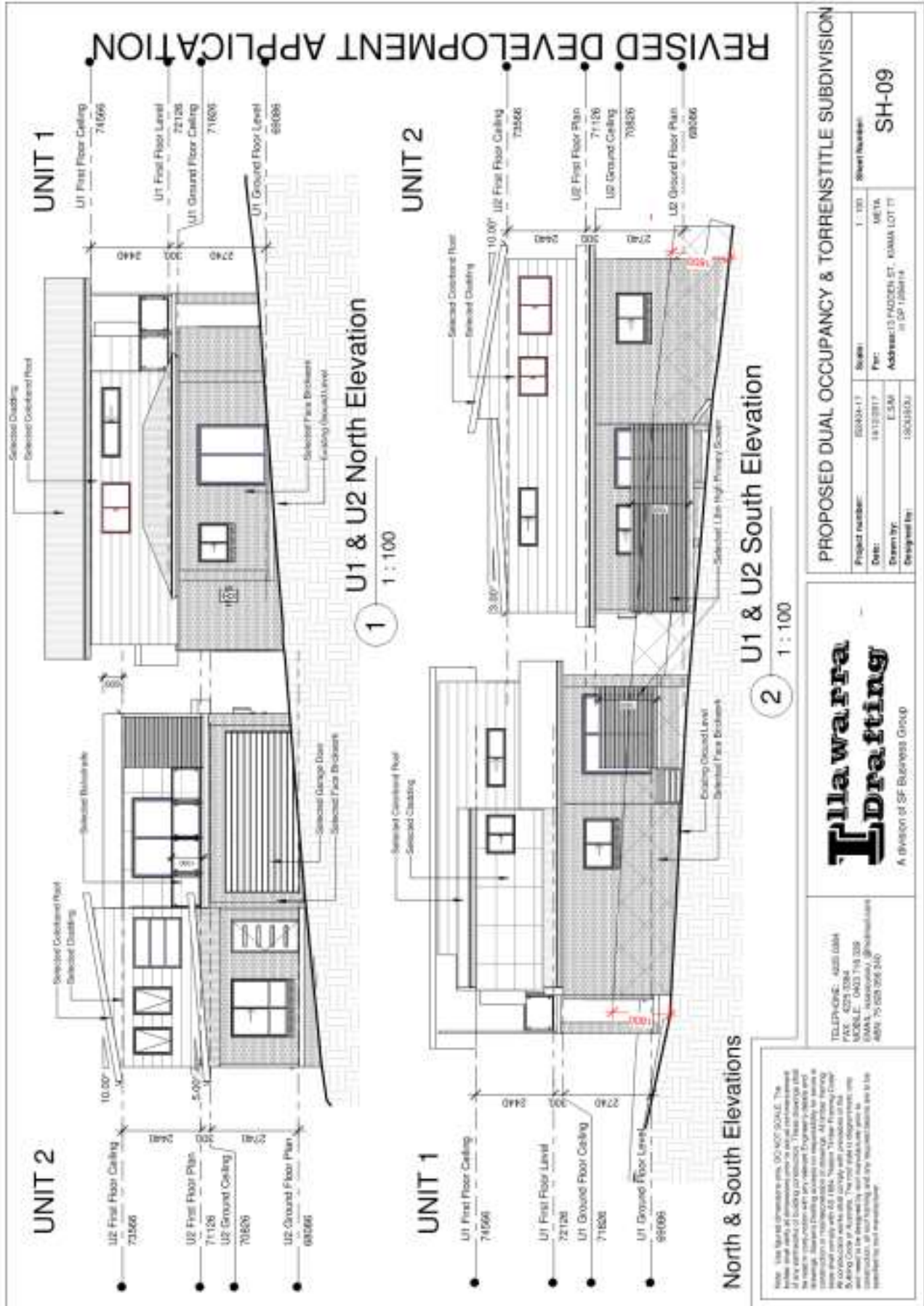
- (1) The Subdivision Certificate shall not be released until all conditions of this Development Consent are complied with or satisfactory arrangements are made with the Principal Certifying Authority. (sub005.doc)
- (2) All landscape works shall be completed in accordance with the approved landscape plan prior to the issue of the Occupation Certificate. Written certification that the landscape works are complete shall be provided to Council and the Principal Certifying Authority. (sub010.doc)
- (3) The developer shall submit the following items to the Principal Certifying Authority prior to the issue of a Subdivision Certificate:

Report of the Director Environmental Services

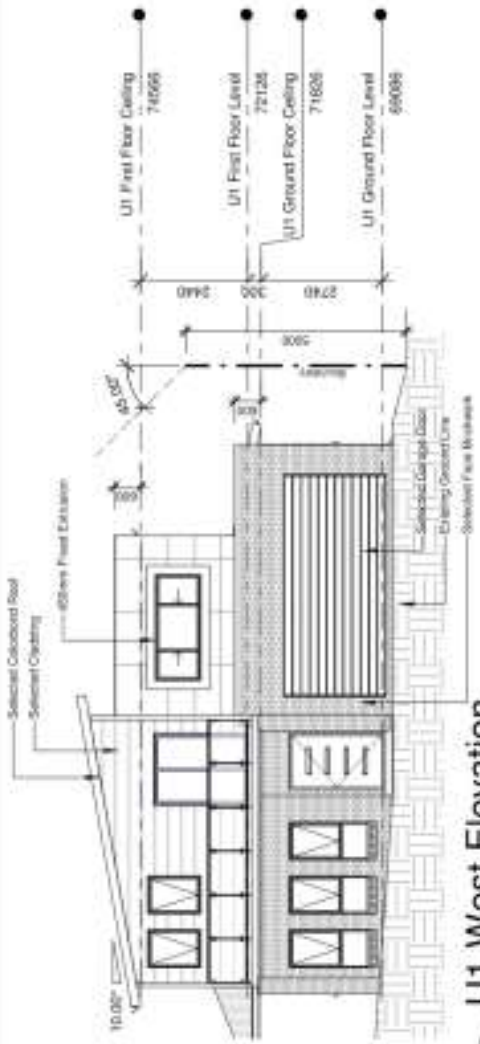
10.4 10.2017.138.1 - Lot 77 DP 1206414, 13 Fadden Street, Kiama - Detached dual occupancy and 2 lot Torrens Title subdivision (cont)

-
- a) All relevant Construction and Compliance Certificates (where these have not been issued by Council).
 - b) Payment of fees in accordance with Council's adopted fees and charges.
 - c) A Final Plan of Subdivision and four (4) copies.

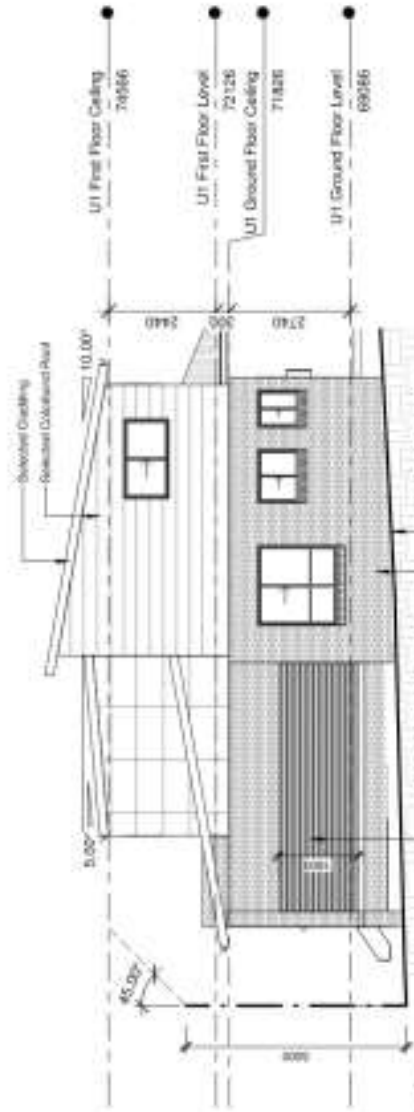
A copy of the satisfactory final plan of subdivision shall also be provided as an electronic file in either DXF or DWG format. In this regard the electronic copy must be on MGA (Zone 56) orientation, where this is required by the Surveying Regulation 2001, and should preferably use co-ordinates based upon the MGA values of the nearest established permanent survey mark connected as part of the survey. It is preferred the raw boundary line work only be provided, excluding final page layout and text where possible. This must be provided electronically by email to council@kiama.nsw.gov.au including a clear reference to the relevant Development Application number.
 - d) An original Deposited Plan Administration Sheet and one copy, prepared in accordance with NSW Land & Property Information requirements.
 - e) An original Section 88B Instrument and one copy, prepared in accordance with the requirements of the Conveyancing Act 1919.
 - f) An original Subdivider/Developer Compliance Certificate (Section 73 Certificate) from Sydney Water Corporation which references the relevant development application number.
 - g) An original Notification of Arrangement from an electricity provider which references the relevant development application number.
 - h) An original Telecommunications Infrastructure Provisioning Confirmation from a communications provider which references the proposed development.
 - i) The payment of all required Section 94 Contributions identified in this consent.
 - j) An Occupation Certificate for each dwelling to be separately titled. (sub020.doc)
- (4) The developer shall acknowledge all existing restrictions on the use of the land on the final plan of subdivision. (sub045.doc)
- (5) The developer shall acknowledge all existing easements on the final plan of subdivision. (sub060.doc)
- (6) The developer shall acknowledge all existing restrictions on the use of the land on the final plan of subdivision. (sub070.doc)



REVISED DEVELOPMENT APPLICATION



U1 West Elevation
1
1 : 100



U1 East Elevation
2
1 : 100

U1 East & West Elevations

Note: This figure is a preliminary drawing. It is not to be used for construction or for any other purpose without the approval of the architect. The architect is not responsible for any errors or omissions in this drawing. The architect is not responsible for any errors or omissions in this drawing. The architect is not responsible for any errors or omissions in this drawing.

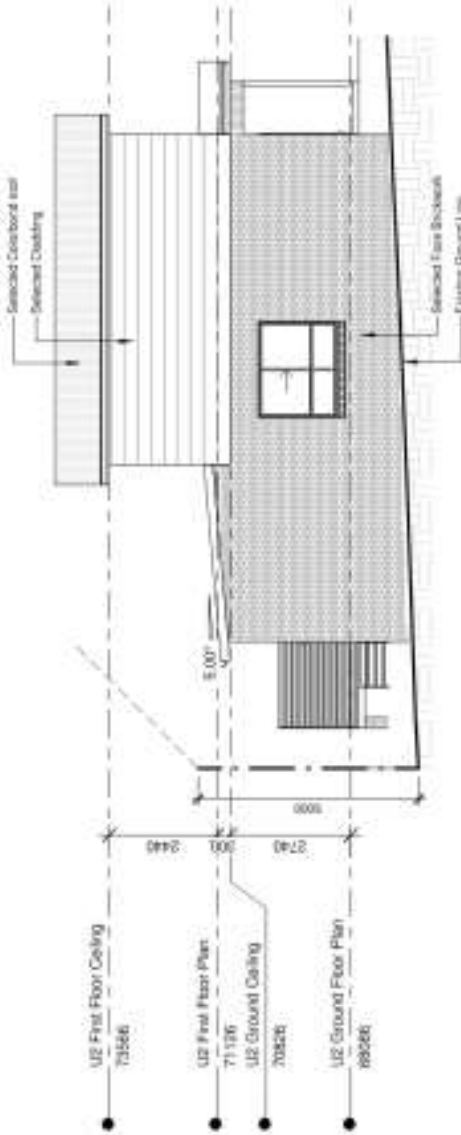


TELEPHONE: 4225 0384
FAX: 4225 0384
MOBILE: 0402 719 239
EMAIL: jillawarrfa@sfbusiness.com.au
ABN: 75 525 256 240

PROPOSED DUAL OCCUPANCY & TORRENTITLE SUBDIVISION

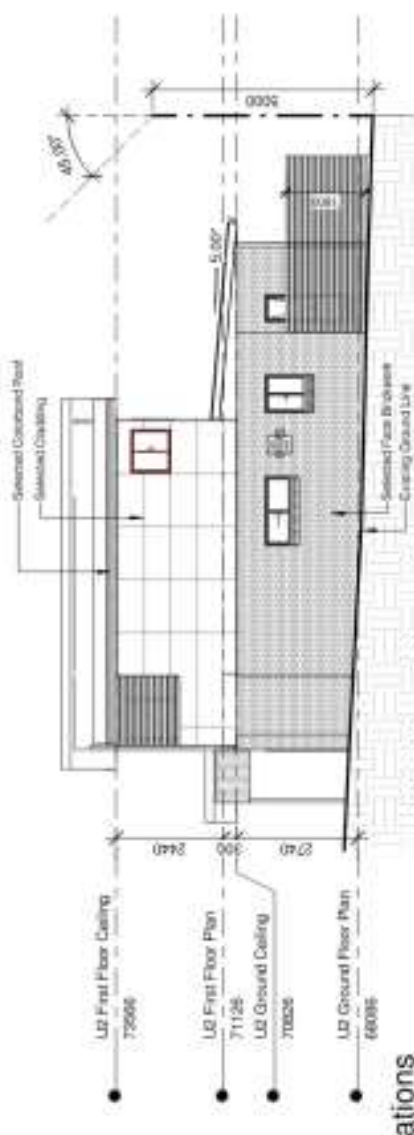
| | | | | | |
|-----------------|------------|----------|----------------------------|---------------|-------|
| Project number: | 102434-17 | Scale: | 1 : 100 | Sheet Number: | SH-10 |
| Date: | 18/12/2017 | File: | MEGA | | |
| Drawn by: | E.S.M | Address: | 13 FADDEN ST, KIAMA LOT 77 | | |
| Designed by: | 102434/01 | | | | |

REVISED DEVELOPMENT APPLICATION



U2 East Elevation

1 1 : 100



U2 West Elevation

2 1 : 100

U2 East & West Elevations

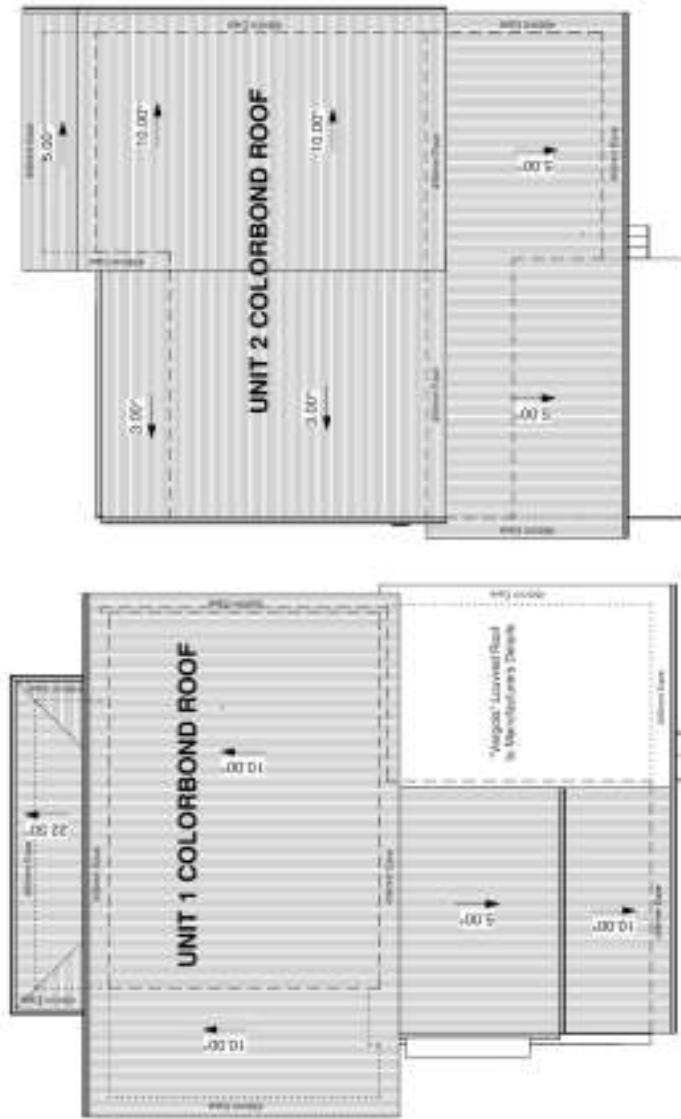
Note: This figure shall be used for information only. DO NOT SCALE. The holder shall verify all dimensions prior to actual construction. These drawings shall be used in conjunction with any relevant Engineering, Planning and Construction documents. All other drawings shall comply with AS 1824, 'Nation's Timber Framing Code'. A contractor shall verify all dimensions and details on site prior to construction. If not following and any subsequent drawings are to be submitted for final construction.



TELEPHONE: 4225 0384
 FAX: 4225 0384
 MOBILE: 0423 719 239
 EMAIL: info@jillawaffra.com.au
 ABN: 75 525 256 240

| | | | |
|--------------------------|--|-------------------------------------|---------------------|
| PROJECT NUMBER: 10243-17 | | Scale: 1 : 100 | SHEET NUMBER: SH-11 |
| DATE: 18/12/2017 | | File: METS | |
| DRAWN BY: E.S.M | | Address: 13 FADDEN ST, KIAMA LOT 77 | |
| DESIGNED BY: 10024303 | | | |

REVISED DEVELOPMENT APPLICATION



U1 & U2 Roof Plan

Note: This figure is a preliminary plan. DO NOT SCALE. The builder must verify all dimensions prior to actual construction of the structure of building per council. These drawings shall be used in conjunction with any relevant Engineering, Planning and Construction or other applicable codes of practice. All other drawings have been prepared with this plan. Kiama Timber Framing Group is a contractor who is able to supply with products in full compliance with the design and any relevant standards and specifications for the construction of the building and any associated structures are to be undertaken by the manufacturer.

TELEPHONE: 4225 0384
 FAX: 4225 0384
 MOBILE: 0402 719 239
 EMAIL: kiama@kiama.com.au
 ABN: 75 525 256 240



PROPOSED DUAL OCCUPANCY & TORRENS TITLE SUBDIVISION

| | | | | | |
|-----------------|------------|----------|----------------------------|---------------|-------|
| Project number: | 10243-17 | Scale: | 1 : 100 | Sheet Number: | SH-12 |
| Date: | 18/12/2017 | File: | MEGA | | |
| Drawn by: | E.S.M | Address: | 13 FADDEN ST, KIAMA LOT 77 | | |
| Designed by: | 10024303 | | | | |

REVISED DEVELOPMENT APPLICATION



9am 21 June



12pm 21 June



3pm 21 June



Shadow Diagrams

Note: This figure is a simulation only. DO NOT SCALE. The shadows are cast from the buildings shown in the site plan and are not intended to be used as a guide for the construction of the buildings. The shadows are cast from the buildings shown in the site plan and are not intended to be used as a guide for the construction of the buildings. The shadows are cast from the buildings shown in the site plan and are not intended to be used as a guide for the construction of the buildings.

TELEPHONE: 4225 0384
 FAX: 4225 0384
 MOBILE: 0423 719 239
 EMAIL: kiama@jillawarra.com.au
 ABN: 75 525 056 540

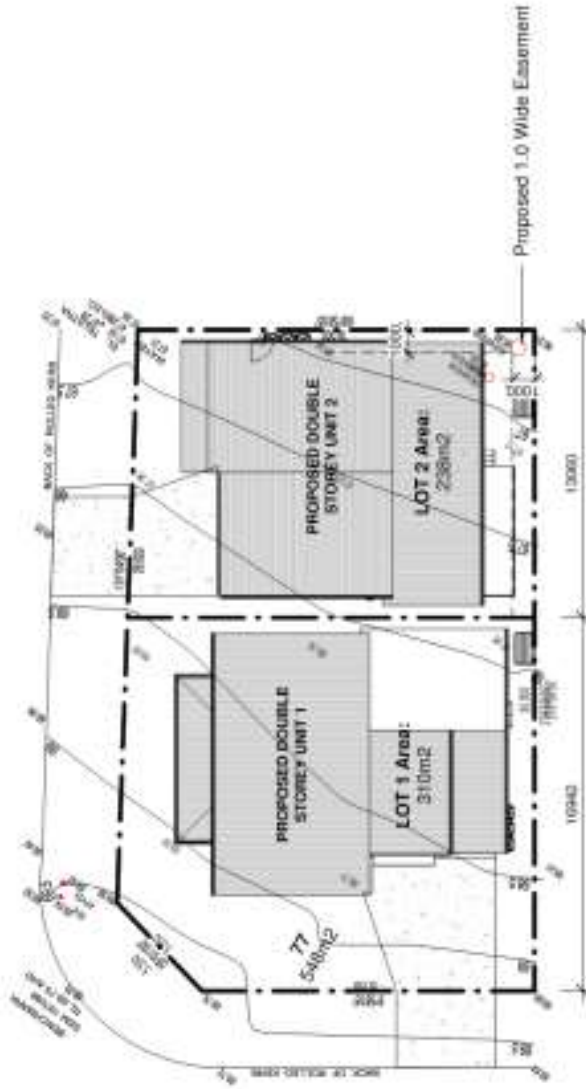


A Division of SF Business Group

PROPOSED DUAL OCCUPANCY & TORRENS TITLE SUBDIVISION

| | | | | | |
|-----------------|------------|--------------|-------------------------------------|---------------|-------|
| Project number: | 10243-13 | Scale: | META | Sheet Number: | SH-13 |
| Date: | 18/12/2017 | File: | Address: 13 FADDEN ST, KIAMA LOT 77 | | |
| Drawn by: | E.S.M | Designed by: | 10243/03 | | |

REVISED DEVELOPMENT APPLICATION



N5005
Refer to Stormwater Drainage Plan for Stormwater Easement Over Lot 2



Torrens Title Subdivision

Note: This layout is a preliminary plan. DO NOT SCALE. The holder and each of the persons named in each of the instruments referred to in the schedule of building particulars, if these drawings are to be used in connection with any relevant Engineering, Planning and Construction Act 1973 (NSW) or any other Act, shall be responsible for the construction of the works shown. All other persons named shall comply with the relevant provisions of the Act. A contractor who is also a party to the building contract shall be responsible for the construction of the works shown and shall be responsible for the construction of the works shown and shall be responsible for the construction of the works shown.

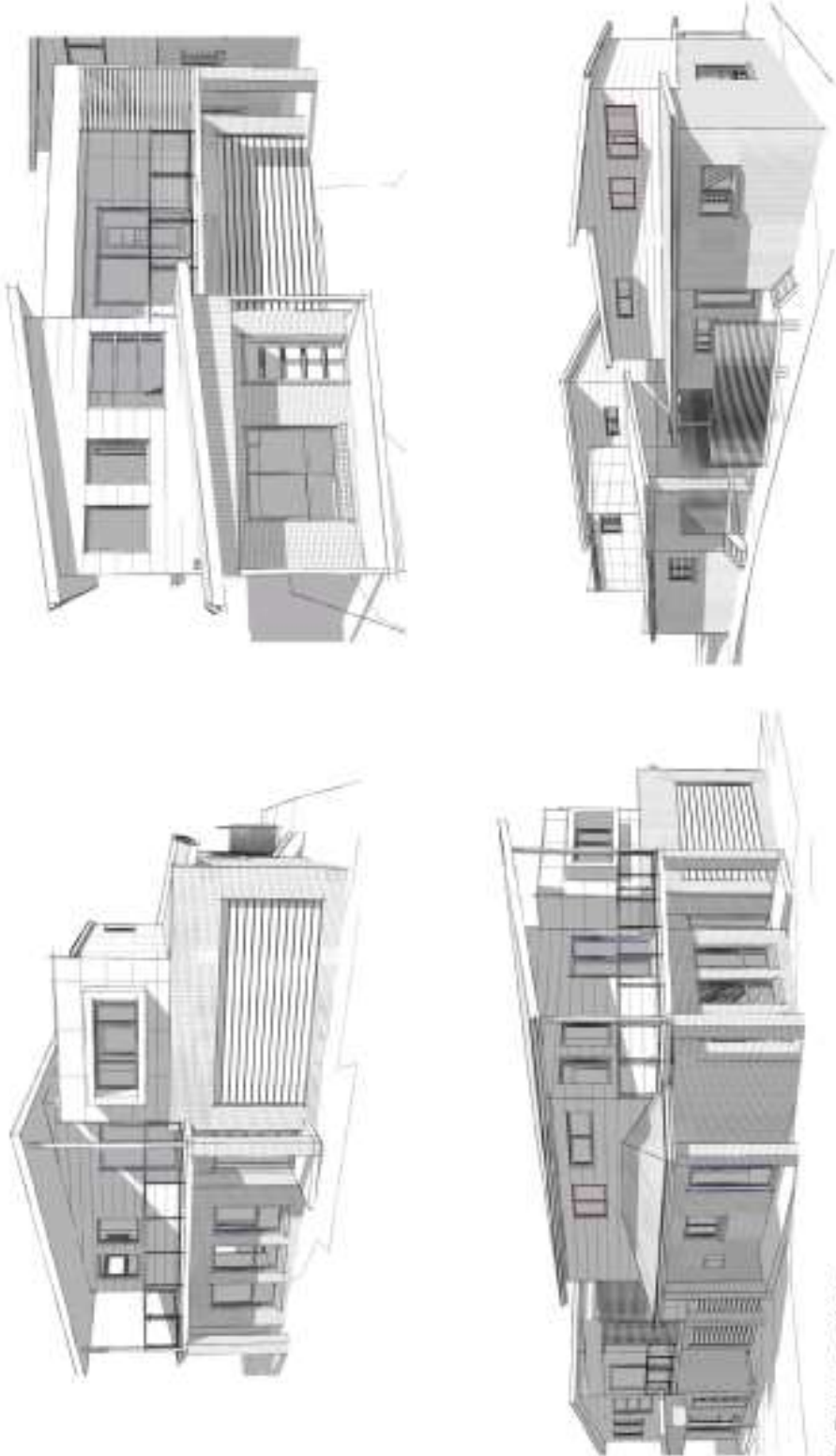
TELEPHONE: 4225 0384
FAX: 4225 0384
MOBILE: 0402 719 239
EMAIL: kiama@jillawarra.com.au
ABN: 75 525 256 240



PROPOSED DUAL OCCUPANCY & TORRENSTITLE SUBDIVISION

| | | | | | |
|-----------------|------------|----------|----------------------------|---------------|-------|
| Project number: | 102434-17 | Scale: | 1:500 | Sheet Number: | SH-14 |
| Date: | 18/12/2017 | File: | ME7A | | |
| Drawn by: | E.S.M | Address: | 13 FADDEN ST, KIAMA LOT 77 | | |
| Designed by: | 100243401 | | | | |

REVISED DEVELOPMENT APPLICATION



3D Perspectives

Note: This figure is illustrative only. DO NOT SCALE. The building shall comply with all dimensions given in all architectural drawings and shall be constructed in accordance with the Building Code of Australia (BCA) and the relevant Australian Standards (AS/NZS). The drawings shall be made in accordance with the relevant Engineering, Planning and Construction (EPC) standards. All other drawings shall comply with AS 1824, 'Urban Planning Drawing Conventions'. A contractor shall comply with provisions of all applicable codes of practice and standards. The drawings are for information only and shall not be used for construction. All construction shall be in accordance with the relevant standards and specifications for the materials and workmanship.

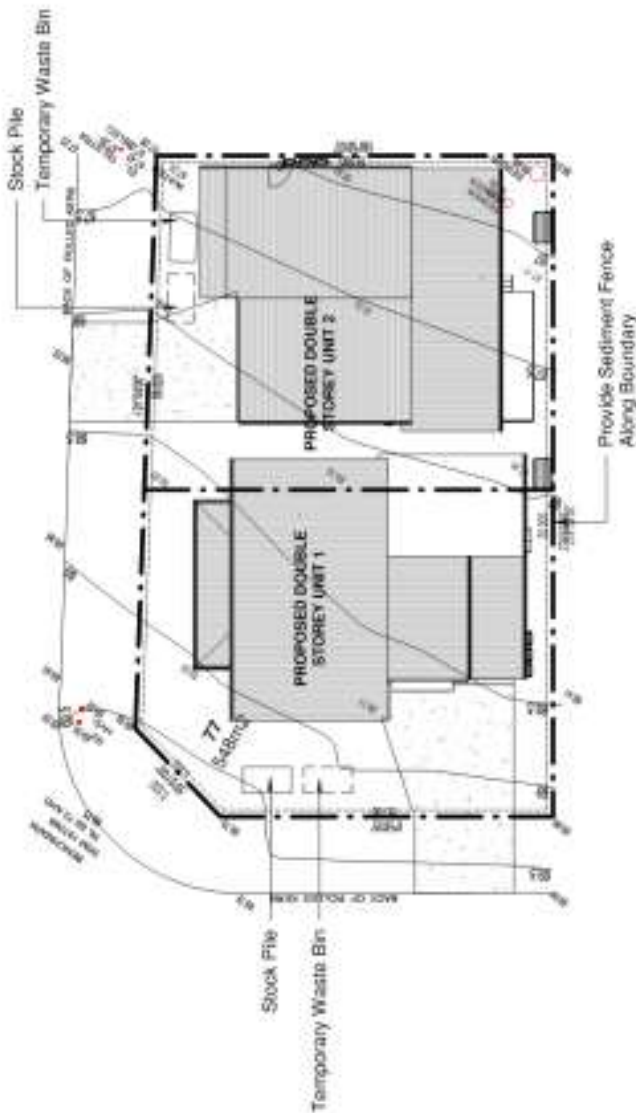
TELEPHONE: 4225 0384
 FAX: 4225 0384
 MOBILE: 0422 719 239
 EMAIL: kiama@jillawarra.com.au
 ABN: 75 525 256 240



PROPOSED DUAL OCCUPANCY & TORRENS TITLE SUBDIVISION

| | | | | | |
|-----------------|------------|----------|----------------------------|---------------|-------|
| Project number: | 102431-17 | Scale: | | Sheet Number: | SH-15 |
| Date: | 18/12/2017 | File: | UETA | | |
| Drawn by: | E.S.M. | Address: | 13 FADDEN ST, KIAMA LOT 77 | | |
| Designed by: | 10243101 | | | | |

REVISED DEVELOPMENT APPLICATION



SOIL EROSION/SEDIMENT CONTROL

EROSION FABRIC SUCH AS TYPARAM OR VEG MATS SHALL BE INSTALLED TO PROVIDE EROSION CONTROL EQUIVALENT TO BE PROVIDED ON ALL BOUNDARIES ALONGSIDE.

FABRIC IS ATTACHED TO A STRAP WITH OVERLAPPING FENCE BOUNDARY WITH 150mm AND 100mm X 100mm SQUARES.

THE LOWER END OF THE FABRIC AND THE BAY TO BE EMBEDED IN THE SOIL.

ALSO CLOTH TO BE EMBEDED SECURELY TO WIND FORCE WITH THE SPACED EVERY 100mm.

GENERALLY FOLLOW THE CONTOUR OF THE LAND.

WHERE SECTIONS OF TYPARAM OR VEG MATS ARE USED THEY SHALL BE OVERLAPPED BY 100mm AND ROLLED OVER.

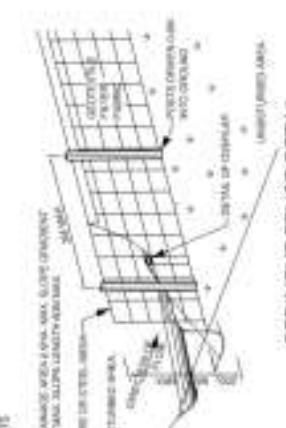
POSTS HOLDING THE MESH ARE OTHER SIZE 100mm X 100mm X 100mm HARDWOOD OR WOODEN LING POSTS. THERE ARE TO BE SPACED TO 2.0m APART.

STOCK PILES ARE TO BE SET UP WITH SEDIMENT CONTROL DEVICES ON THE LOWER SLOPE.

TEMPORARY BARRIERS CONSTRUCTED FROM TIMBER, SYNTHETIC FIBRES OR OTHER MATERIALS WHICH CAN BE REMOVED OR RELOCATED AT ANY TIME SHALL BE INSTALLED AT THE POINTS OF ENTRY TO THE SITE.



BUILDING MATERIAL STOCKPILES DETAIL



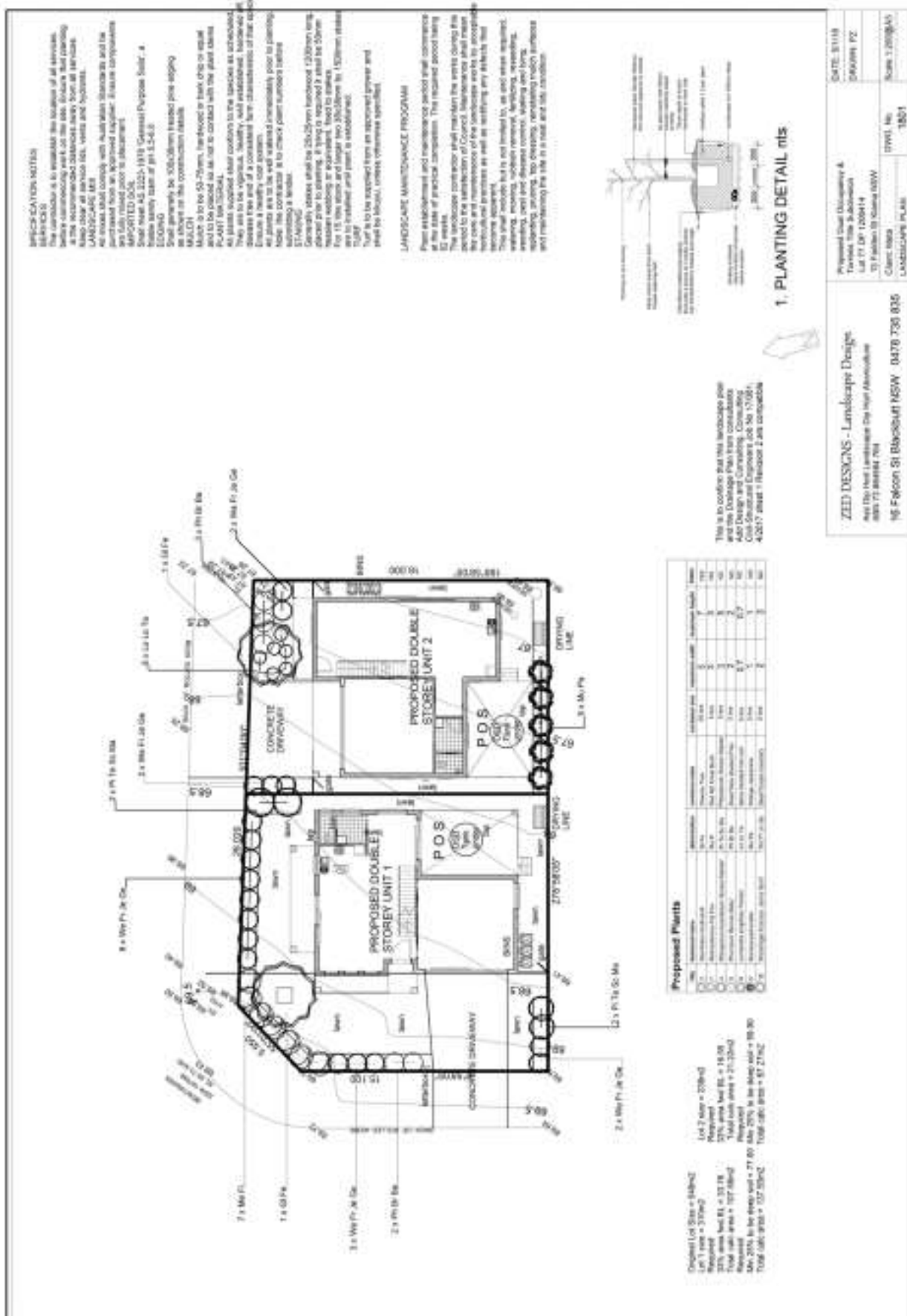
Site Waste Management Plan

Note: This figure is a schematic and does not show the actual construction of the site. The actual construction shall be in accordance with the approved plans and specifications. The contractor shall be responsible for the construction of the site waste management plan. The contractor shall be responsible for the construction of the site waste management plan. The contractor shall be responsible for the construction of the site waste management plan.



TELEPHONE: 4225 0384
 FAX: 4225 0384
 MOBILE: 0402 714 209
 EMAIL: jillawalra@sfbusiness.com.au
 ABN: 75 525 056 240

| | | | |
|--------------------------|--|-------------------------------------|---------------------|
| PROJECT NUMBER: 10243-17 | | Scale: 1:100 | Sheet Number: SH-16 |
| DATE: 18/12/2017 | | Pre: META | |
| DRAWN BY: E.S.M. | | Address: 13 FADDEN ST, KIAMA LOT 77 | |
| DESIGNED BY: 10024303 | | | |



Attachment 1 Item 10.4

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

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

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

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

Item 10.5

Summary

This report reviews the Development Application No. 10.2017.176.1 which involves the construction of a detached dual occupancy and 2 Lot Torrens Title subdivision.

The report recommends that Council approve Development Application No. 10.2017.176.1 as the proposal is:

- permissible in the R2 Low Density Residential zone and is consistent with the relevant development standards of the Kiama LEP 2011, with the exception of the subdivision development standard restricting the size of the lots resulting from the subdivision to an area not less than 450m² each; and
- generally consistent with the Kiama DCP 2012, with the exception of the controls requiring 3 hours' sunlight midwinter to 50% of the private open space area.

Requests to vary this LEP development standard and these DCP controls have been received.

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

Finance

N/A

Policy

N/A

Reason for the Report

This report is submitted to Council because only the elected Council can assume concurrence from the Department of Planning and Environment under the LEP clause 4.6 to vary a development standard by more than 10%, as a result of a new direction given by the Department on 15 December 2017 withdrawing the use of staff delegation in such circumstances.

Attachments

1 10.2017.176.1 - plans [↓](#)

Enclosures

Nil

Report of the Director Environmental Services

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

Item 10.5

RECOMMENDATION

That Council approve Development Application number 10.2017.176.1 pursuant to Section 80 of the Environmental Planning and Assessment Act, 1979, subject to conditions at the end of the report and the following specific conditions regarding:

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

BACKGROUND

Development Site

The property is described as Lot 99 DP: 1206414 which is located at 47 Merrick Circuit, Kiama.

The overall site measures 647.6 in square metres and is rectangular in shape. The site currently is vacant and is bounded by vacant residential allotments within the Cedar Grove/Ridge Stage 2 subdivision which has been released.

The site is zoned LEP2011 - R2 Low Density Residential pursuant to Kiama LEP 2011.

The site is cleared and slopes moderately from south-east to north-west with a fall of 6.44m from RL 25.73m to RL 19.29m (20.7% or 11.7 degrees). The site drains to the public road drainage network. Access to the property is gained through a Public Road. The site is serviced with utilities. The locality plan is shown below in Figure 1:



Figure 1 – GIS Plan

Description of the Proposed Development

The proposal involves the detached dual occupancy and 2 Lot Torrens Title subdivision. The plans for the proposal are shown in Figures 2, 3, 4, 5, and 6 below:

Report of the Director Environmental Services

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

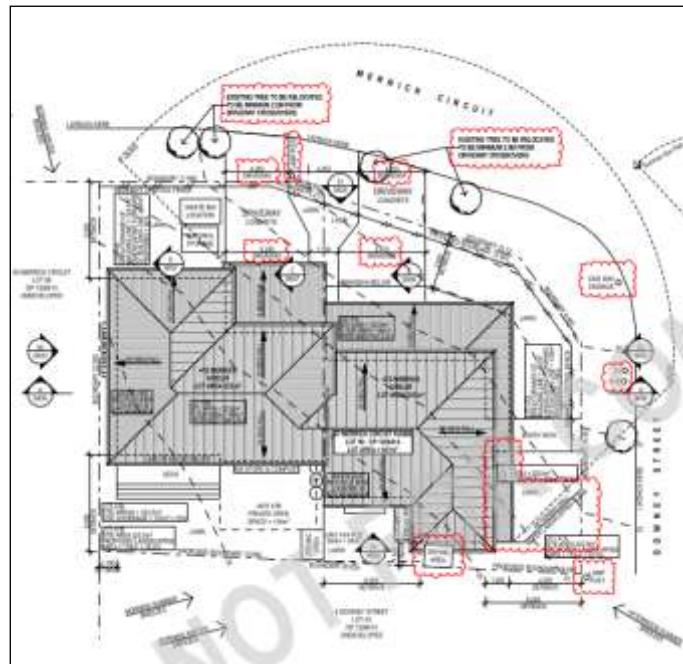


Figure 2 – Site Plan



Figure 3 – Dwelling 2 - 3D Perspective (facing Merrick Circuit)



Figure 4 – Dwelling 1 - 3D Perspective (facing Downey Street)

Item 10.5

Report of the Director Environmental Services

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

Item 10.5



Figure 5 – Dwelling 1 & 2 South-east Corner 3D Perspective (viewed from intersection of Merrick Circuit and Downey Streets)



Figure 6 – South-east rear 3D Perspective (viewed from adjoining 4 Downey Street)

The proposal is described as follows:

- Two lot Torrens title subdivision with Lot 1 proposed at 323.5sqm, and Lot 2 proposed at 323.5m².
- The attached dwellings have a mixture of materials, with a complex hipped roof.
- The dwellings have been stepped to address the fall of the land and ensure that vehicles can access garaging to comply with the Australian Standard and to ensure vehicles do not bottom out on the driveway.
- The balconies are a logical extension of the indoor living room space, as required for modern day living to extend indoors to outdoors.

| Dwelling 1 – 146m ² GFA (3 Bedrooms) | Dwelling 2 – 146m ² GFA (3 Bedrooms) |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> • Entry, 1 bedroom, laundry, double garage on the ground floor • living/dining, kitchen, 2 bedrooms and balcony on first floor | <ul style="list-style-type: none"> • Entry, 1 bedroom, laundry, double garage on the ground floor • living/dining, kitchen, 2 bedrooms and balcony on first floor |

Section 79C Assessment

Report of the Director Environmental Services

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

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

Relevant Environmental Planning Instruments

- State Environmental Planning Policy No 71 – Coastal Protection (SEPP 71)

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

Consideration has been given to the objectives of the SEPP71 and the matters prescribed by Clause 8. The proposed development is considered to be consistent with the objectives of the SEPP.

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

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

- State Environmental Planning Policy No 55 - Remediation of Land

The land is suitable for the proposed use.

- Kiama LEP 2011

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

Specific clauses requiring consideration:

Clause 4.1 Minimum Subdivision Lot Size

Clause 4.1 requires that the minimum subdivision resulting lot size is not less than the minimum size shown on the Lot Size Map. The proposal **does not comply** with the minimum resulting lot size of 450m² for subdivision requirement indicated on the Lot Size Map. Each of the proposed resulting lots has an area of 323.5m² (28% undersized) and 323.5m² (28% undersized).

Clause 4.3 Height of Buildings

Clause 4.3 requires that the height of the building does not exceed the maximum height shown on the Height of Buildings Map. The proposal has a height of 7.57 metres which does not exceed the maximum height of 8.5m shown on the Height of Buildings Map.

Clause 4.4 Floor Space Ratio

Clause 4.4 requires that the floor space ratio does not exceed the maximum floor space ratio shown for land on the Floor Space Ratio map. The proposal has an FSR of 0.447:1 which does not exceed the maximum floor space ratio of 0.45:1 shown for land on the Floor Space Ratio map.

Clause 4.6 Exceptions to Development Standards

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

Report of the Director Environmental Services

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

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

The following reasons show why compliance with the standard is unreasonable or unnecessary in the circumstances of the case:

- i. The proposal to subdivide the finished development will enable each new dwelling to be on-sold to new owners following completion of the build. There is strong demand for low maintenance lots in well-serviced localities throughout the Illawarra region. The subject land is located within reasonable proximity to Kiama's village centre.*
- ii. It is clear that the proposed subdivision element of the proposal will not impact on either the built or natural environment in any way.*
- iii. As outlined above, the proposed subdivision if approved will not result in development taking place that would be contrary to the objectives of the R2 zone or the objectives of Clause 4.1.*
- iv. The site is within a residential area comprising a range of lot sizes and development types.*
- v. The contravention of the 450m² development standard in no way known to the author of this report raises any matter of significance for State or regional environmental planning. Further, there are no identifiable public benefits of the maintaining the 450m² development standard in this instance. The proposal does not represent a significant departure to said standard in the circumstances of the case and this report demonstrates the merits of the application justify approval of the same.*
- vi. Due to the size, scale and nature of the development coupled with the minor variation sought, the proposal will not hinder the attainment of the objects specified in Section 5(a)(i) and (ii) of the EP&A Act.*
- vii. The site is not one that is sensitive to threatened species issues, it is generally free of other major environmental constraints. The site is not steep or unstable land and for these reasons, it is considered that there are sufficient environmental planning grounds to approve the proposal.*
- viii. The proposal is within the public interest for reasons outlined above.*

It is requested that for reasons outlined above the Council approve the creation of the lots proposed pursuant to Clause 4.6 of the Kiama LEP 2011. Other relevant parts of the Kiama LEP 2011 have been reviewed and the proposal complies.

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

The proposed variation itself will not result in an increased residential density in the area. It is noted that the subdivision of two other dual occupancies within this estate has already occurred. Generally, the proposed dual occupancy complies with the relevant DCP controls.

Report of the Director Environmental Services

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

Item 10.5

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

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

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

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

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

Clause 5.5 Development within the Coastal Zone

The clause lists requirements for development within the coastal zone.

The development is on land that is wholly or partly within the coastal zone.

The proposal is not inconsistent with the objectives of the clause. The proposal does not cause increased coastal hazards or adverse impacts by way of diminished foreshore access, or its relationship with the surrounding area and natural scenic quality.

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

| Provisions | Comments |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
| Existing public access to and along the coastal foreshore for pedestrians (including persons with a disability) with a view to: <ul style="list-style-type: none"> (i) maintaining existing public access and, where possible, improving that access, and (ii) identifying opportunities for new public access | Access to and along the foreshore for pedestrians is not affected by the proposal. |

Report of the Director Environmental Services

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

| Provisions | Comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>The suitability of the proposed development, its relationship with the surrounding area and its impact on the natural scenic quality, taking into account:</p> <ul style="list-style-type: none"> (i) the type of the proposed development and any associated land uses or activities (including compatibility of any land-based and water-based coastal activities), and (ii) the location, and (iii) the bulk, scale, size and overall built form design of any building or work involved | <p>The broader visual impacts of the Cedar Grove Stage 2 subdivision were considered at the time the land was rezoned for urban purposes and again before the residential subdivision was granted consent.</p> <p>The colours and materials of the built form outcomes remain a consideration to ensure the visual impacts of the subdivision are reasonably mitigated. Conditions of consent are recommended to ensure the scenic qualities of the coastline are reasonably protected, by restricting the use of whites, and highly reflective colours.</p> |
| <p>The impact of the proposed development on the amenity of the coastal foreshore including:</p> <ul style="list-style-type: none"> (i) any significant overshadowing of the coastal foreshore, and (ii) any loss of views from a public place to the coastal foreshore | <p>The coastal foreshore is not nearby the site of the development therefore its amenity is not affected as a result of overshadowing or loss of views from a public place.</p> |
| <p>How the visual amenity and scenic qualities of the coast, including coastal headlands, can be protected</p> | <p>The site is not on the headland, and the scenic quality of the headland is therefore not adversely affected by the proposal.</p> |
| <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.</p> |

Item 10.5

Report of the Director Environmental Services

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

| Provisions | Comments |
|----------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| The cumulative impacts of the proposed development and other development on the coastal catchment. | There are no foreseeable adverse cumulative effects of the development affecting the coastal zone. |

The development is on land that is wholly or partly within the coastal zone and the following matters have been satisfied:

| Matters | Comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Whether the proposed development will impede or diminish, where practicable, the physical, land-based right of access of the public to or along the coastal foreshore | Access to the coast is not affected by the proposal |
| Whether if effluent from the development is disposed of by a non-reticulated system, it will have a negative effect on the water quality of the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform | The site is serviced by a reticulated sewerage system. |
| Whether the proposed development will discharge untreated stormwater into the sea, or any beach, estuary, coastal lake, coastal creek or other similar body of water, or a rock platform | Stormwater is proposed to be connected to the existing system constructed for the subdivision, which includes water quality control measures. |
| Whether the proposed development will: <ul style="list-style-type: none"> (i) be significantly affected by coastal hazards, or (ii) have a significant impact on coastal hazards, or (iii) increase the risk of coastal hazards in relation to any other land | The development is neither affected by coastal hazards, or adversely impacts on coastal hazards, or increases the risks of coastal hazards on any other land |

Clause 6.2 Earthworks

Clause 6.2 lists considerations for proposals which involve earthworks. The proposal complies with the objectives of the clause and as the proposed earthworks are ancillary to the proposed dwelling separate development consent is not required.

Any draft Environmental Planning Instruments

Draft Kiama LEP 2011

Item 10.5

Report of the Director Environmental Services

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

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

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

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

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

Draft State Environmental Planning Policy (Coastal Management) 2016

The draft Coastal Management State Environmental Planning Policy (SEPP), with accompanying maps, was on public exhibition until 23 December 2016 and 20 January 2017 (for the maps).

The 'coastal zone' is defined in the Coastal Management Act 2016 as four coastal management areas comprising: *Coastal Wetlands and Littoral Rainforests Area*; *Coastal Environment Area*; *Coastal Use Area*; and *Coastal Vulnerability Area*.

Separate development controls apply to each area and focus on achieving specific objectives.

The site of the development is within the mapped *Coastal Use Area*.

In the *Coastal Use Area* the focus is on ensuring appropriate urban development for coastal areas, taking into account urban design issues such and maintaining scenic qualities, visual amenity and aboriginal cultural heritage and places.

The proposed location of the development:

- is not near, and does not impact access to a foreshore, beach, headland or rock platform, with the closest features being the Crooked River foreshore 450 metres away, and the Blackhead headland approximately 850 metres away, and
- does not cause overshadowing or wind funnelling; and
- does not cause the loss of views from public places to foreshores, and
- does not adversely impact the visual amenity or scenic qualities of the coast.

The gazettal of the draft SEPP bringing it into law, is not considered to be immanent or certain because the public consultation periods closed in January 2017.

Report of the Director Environmental Services

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

Development Control Plans (DCPs)

- Kiama Development Control Plan (DCP) 2012

The proposed development is not inconsistent with the objectives Kiama DCP 2012. The minor non-compliances are addressed in the table below:

Item 10.5

| Controls | Comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chapter 2 – Section 12 - Design Standards - Building Lines in Urban Areas | |
| <p><u>Rear Building Lines for Designated Properties</u></p> <p><i>Rear building lines are 6m unless otherwise identified on the Building Line Maps.</i></p> | <p>In this case, the site is on a corner therefore there is technically no rear boundary of the site.</p> <p>However, the DCP nominates the rear boundary of the site as the southern lot boundary. This is because it is the boundary opposite the primary frontage (i.e. Downey Street). A setback of 6.0m is required from the southern boundary in order to comply.</p> <p>Such an outcome is not considered preferable compared with that which is proposed in the amended scheme, because it would result in a 6.0m gap in the streetscape alignment of buildings. Further, strict compliance would mean the private open space area would be visible from the public domain, diminishing its performance as a private useable area without the introduction of 1.8m high privacy screen which would be visible in the streetscape, further adversely impacting the orderly urban design of the street.</p> <p>The applicant seeks a departure, by proposing a 1.1m setback from the southern boundary, which would present as a side setback in the streetscape, and otherwise complies with the minimum 0.9m side setback requirements.</p> <p>This arrangement is considered to be a superior outcome from an urban design perspective (compared with a 6.0m setback), because the uniform placement of dwellings across site frontage is maintained by the proposal with conventional side setbacks.</p> |
| Chapter 4 – Low Density Development | |
| <p><i>C1 All applications for low density development must meet the following controls:</i></p> | <p>The implications of the non-compliance with Clause 4.1 of the LEP have been discussed in the report above.</p> <p>The environmental risks of the development have been</p> |

Report of the Director Environmental Services

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

| Controls | Comments |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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>reasonably mitigated. The proposal exhibits a good streetscape appearance, and does not cause for unreasonable overshadowing or privacy impacts on neighbours that cannot be resolved by the imposition of conditions of consent.</p> |
| <p><i>Generally, where development greater than single storey is proposed, that component greater than one storey shall be located within 12.0m of the applicable front building line:</i></p> <ul style="list-style-type: none"> • <i>Development in excess of one storey beyond this point will be more critically analysed in respect to the amenity impacts on adjoining properties, by the development, with particular reference to the following:</i> • <i>Maintenance of privacy into the adjoining dwellings and private open space areas</i> • <i>Access to natural light and/or overshadowing</i> • <i>Visual bulk</i> • <i>Treatments to</i> | <p>The entirety of the development is greater than one storey, with upper levels positioned behind the street front building lines for a distance of 12m for Dwelling 1 (which complies) and a further 9.5 metres for Dwelling 2 totalling 21.5m (which does not comply).</p> <p>The component of the two-storey development located beyond 12 metres of the front building line is the upper level of Dwelling 2. However, it's positioning does not adversely impact upon the privacy of adjoining neighbours because the slope of the site results in the upper level presenting generally single storey to the common boundaries at the back of the site. Further its upper level mass is within 10.5m of the secondary building line.</p> <p>This arrangement means the upper level mass is distributed as a 'street wall' with the upper level building bulk located towards the street-front property boundaries, and away from the common boundaries with neighbouring allotments, minimising the adverse effects of overshadowing.</p> <p>The proposed upper level building separation from adjoining site boundaries and placement of windows will ensure that the proposed development does not adversely affect the privacy or solar access of adjoining properties.</p> <p>The submitted shadow diagrams show that the proposed development will cast shadows over the likely future building footprint of the vacant property to the south at 9am on the winter solstice (thereby overshadowing the adjoining sites anticipated side setbacks, side walls and roof). It's private open space area is generally unaffected</p> |

Item 10.5

Report of the Director Environmental Services

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

| Controls | Comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><i>reduce the likely amenity impacts on adjoining properties might include, screens, opaque glazing, highlight windows, increased side setbacks, broken roof lines, split floor levels or a general height reduction.</i></p> | <p>by overshadowing.</p> <p>By noon the proposed development overshadows the adjacent property to the south by less than 25%. The majority of the rear of the adjoining property remains free of shadow during the middle of the day, mid-winter.</p> <p>In light of this the proposed overshadowing is considered acceptable as the proposed development will not unreasonably overshadow the adjoining properties likely future living areas or private open space.</p> <p>In an urban residential context a degree of overshadowing is unavoidable, and it is not reasonable to ensure total uninterrupted solar access at all times.</p> |
| <p>Chapter 4 – Low Density Development - Section 4 - Private Open Space</p> | |
| <p><i>C26 A minimum of 50% of the provided private open space areas are to receive a minimum of 3 hours of sunlight between 9.00am and 3.00pm on June 22. The sunlight must be able to cover the area measured at 1.0m above the finished level of the private open space area.</i></p> | <p>The orientation of the site on the south-east corner of the intersection makes compliance with this control difficult when locating ground level private open space (POS) areas. POS areas are best if they are located to the rear of the dwellings but it causes for them to be on the southern side of the dwellings and overshadowed.</p> <p>Generous upper level balconies facing north have been provided to each unit, each of which obtain solar access in compliance with this control.</p> <p>In winter the north facing upper level balconies will be the optimum warm POS areas shielded from the cold southerly winds, whereas in summer the covered south facing POS areas will be shaded, cool, and shielded from the prevailing north-east winds.</p> <p>The proposed arrangement is considered an optimal compromise in design for microclimate at the site and is supported for its innovation.</p> |
| <p><i>C28 Balconies should not be located on the side of developments without appropriate measures to maintain reasonable amenity to adjoining properties.</i></p> | <p>The northern end of the Dwelling 2 upper level balcony is adjacent to and at a higher level than the upper level balcony of Dwelling 1. Therefore, potential adverse impacts arising from overlooking exist unless a fixed privacy screen is installed.</p> <p>A condition of consent to address this issue by the inclusion of a 1.8m high fixed privacy screen has been included in the recommendation.</p> |

Item 10.5

Report of the Director Environmental Services

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

| Controls | Comments |
|----------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Chapter 4 – Low Density Development - Section 5 – Car Parking</i> | |
| <p><i>C34 One double garage must not adjoin another double garage.</i></p> | <p>The proposed garages are adjoining one another.</p> <p>The applicant was requested to consider relocating the driveway for Dwelling 1 to the Downey Street frontage to overcome this non-compliance, so that each dwellings access presented to one of the two street frontage. The applicant investigated this re-design option and has advised as follows:</p> <ul style="list-style-type: none"> <i>i. The slope of Downey Street would make for a troublesome transition from street to driveway to garage.</i> <i>ii. The slope of Downey Street would make it impossible to place rubbish bins on the footpath adjacent to the driveway, without them easily rolling over.</i> <i>iii. The design could be pushed towards the north west corner of the site to help accommodate the driveway and garage to Downey Street. After investigation into this design, we realised this would in fact reduce the buildability of the project due to this corner of the site being the steepest and troublesome to build on.</i> <i>iv. We have amended the retaining wall to the north east corner of Dwelling 1, creating a gentler slope more accommodating to the site to reduce its impact. We have also separated the two garage doors and added a stone retaining walls and planters between the two garage doors to soften this vertical transition. We have also shown stone retaining walls/planters to the north west corner of Dwelling 1 to indicate that the finished landscaping will provide a positive, softer, outcome with minimal impact.</i> <i>v. We believe that the current design is compatible with this site. Working with the slope of the land and taking full advantage of the available outlook</i> <p>The variation is considered acceptable because the garages are stepped horizontally by one metre, and vertically stepped by 1.62m, which requires the associated driveway to be vertically split by a landscape rock retaining wall. This outcome also avoids a monolithic and excessive expanse of concrete driveway presenting to the streetscape. The visual dominance of</p> |

Item 10.5

Report of the Director Environmental Services

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

| Controls | Comments |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | the garaging in the streetscape is also relieved by cantilevered balconies. Considering the applicant considered alternative design options, that were not achievable due to the site slope, this outcome is somewhat unavoidable, and has been sufficient mitigated by design. |
| Chapter 4 – Low Density Development - Section 9 – Additional Controls for Dual Occupancy Development and Secondary Dwellings | |
| <i>C56 A minimum of 3 hours direct sunlight is to be available between the hours 9.00am and 3.00pm on June the 22nd to at least 50% of the private open space area and living room windows of the subject development including adjoining properties.</i> | Discussed above. |

Item 10.5

The proposed development generally complies with the relevant controls of the DCP 2012, and where strict compliance is not achieved the objectives of the controls are maintained.

Any Planning Agreement

Nil

Any Matters Prescribed by the Regulations

- NSW Coastal Policy 1997: A Sustainable Future for the New South Wales Coast

The proposal does not compromise the strategic actions or principles (Appendix C - Table 3) adopted within the *NSW Coastal Policy 1997*.

- Australian Standard AS 2601—1991: *The Demolition of Structures*

The proposal is not inconsistent with Australian Standard AS 2601-1991: *The Demolition of Structures*

Any Coastal Zone Management Plan

Nil

The Likely Impacts of the Proposed Development

- Streetscape

Report of the Director Environmental Services

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

The design of the proposed development is considered to be reasonable when considered in relation to the context of the site. The bulk, scale and design of the proposal is consistent with relevant planning instruments and is not inconsistent with the streetscape.

- Noise

Construction works will generate some noise, though conditions of consent can be imposed to ensure that works are undertaken only within specified hours to limit impacts upon neighbours. No ongoing significant noise impacts are expected as a result of the development.

- Privacy and Overlooking

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

- Overshadowing

Shadow diagrams have been supplied with the development application which indicate that the overshadowing impacts of the proposed development will be reasonable.

- Views

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

- Vehicular Access, Parking and Manoeuvring

Sufficient car parking is proposed.

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

- Stormwater Management

A satisfactory drainage design has been provided with the application.

All stormwater will drain to the street.

- **Environmental Impacts**

Vegetation Removal – No vegetation is to be removed.

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

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

Impact on Water Resources – A rainwater tank will be provided for each dwelling. Stormwater will be conveyed to the street. Controls will be implemented during construction to minimise sedimentation.

- **Social and Economic Impacts**

Report of the Director Environmental Services

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

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

The Suitability of the Site for the Development

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

Submissions

Public Submissions

Notification letters were sent to neighbouring property owners who were provided with 14 days in which to comment on the proposal. At the conclusion of the notification period, no submissions were received.

External Referrals

Nil

Internal Referrals

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

- Development Assessment Officer

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

- Subdivision & Development Engineer

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

- Landscape Design Officer

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

- GIS Officer

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

The Public Interest

The proposal is considered to be consistent with the objectives and intent of all relevant Environmental Planning Instruments and Development Control Plans, is not likely to cause significant adverse impacts to the natural or built environment, is not likely to cause significant adverse social and economic impacts, is suitable for the site, and therefore is considered to be consistent with the public interest.

Final Comments and Conclusions

The proposed development has been assessed having regard to all relevant matters for consideration prescribed by Section 79C of the Environmental Planning and Assessment Act, 1979. The proposal is consistent with Kiama LEP 2011 and relevant DCPs. The proposed development is consistent with the objectives of the

Report of the Director Environmental Services

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

LEP 2011 - R2 Low Density Residential/PART PP - NO LZN change - Housekeeping subdivision zone.

Consideration has been given to the social, economic and environmental impacts of the proposed development and no significant concerns are raised.

The proposed development is considered to be reasonable and conditional approval is recommended.

Draft Conditions of Development Consent

General

- (1) The development shall be implemented generally in accordance with the details set out on the plan/drawing and supporting documents endorsed by Council as 10.2017.176.1 dated xxxxxx except as amended by the following conditions:
(g005.doc)
- (2) The development shall be completed in accordance with the approved colour schedule shown on the approved Elevations Plans. (g014.doc)
- (3) No development/work is to take place until a Construction Certificate has been issued for the development and the necessary conditions of development consent satisfied to enable release of a Construction Certificate. (g030.doc)
- (4) The development shall not be occupied until such time as all conditions of this Development Consent are met or unless other satisfactory arrangements are made with the Principal Certifying Authority. (g040.doc)
- (5) The developer shall provide and maintain temporary fencing around the development site to prevent unauthorised entry into the site by persons or livestock and shall remove the temporary fencing upon completion of all work.
(g140.doc)
- (6) The developer shall not carry out any work other than emergency procedures to control dust or sediment-laden runoff outside the normal working hours, namely, 7.00am to 5.00pm, Monday to Friday and 8.00am to 1.00pm Saturday, without the prior written approval of the Principal Certifying Authority. Any request to vary these hours shall be submitted to the Principal Certifying Authority in writing detailing:
 - a The variation in hours required.
 - b The reason for that variation.
 - c The type of work and machinery to be used. (g165.doc)
- (7) Standard Torrens Title addressing applies. Letterboxes to be located at access point and public road boundary. Proposed house numbers to be allocated:
 - Proposed Lot A – 47 Merrick Circuit
 - Proposed Lot B – 47A Merrick Circuit

Amendments to Approved Plans

- (1) Prior to the issue of any Construction Certificate by any Principal Certifying Authority the approved plans are to be amended to include a minimum 1.8m high fixed privacy screen on the northern end of the front veranda/balcony for

Report of the Director Environmental Services

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

Dwelling 2 designed to prevent overlooking of the Dwelling 1 front veranda/balcony. The privacy screen must be installed prior to the issue of any Occupation Certificate, and must be maintained and must remain in place in perpetuity.

- (2) Prior to the issue of any Construction Certificate by any Principal Certifying Authority the approved landscape plans are to be amended to ensure that sheet metal fencing along the side and rear boundaries of the site do not extend forward of the building line. Gates returning into the buildings from a side or rear boundary that are visible from the street must not be constructed of sheet metal. Any fencing or gates forward of the building line or facing the street front must be constructed of powder coated aluminium batten screens, or timber batten screens, or timber pickets, or palisade style, or double lapped and capped timber palings.
- (3) The existing street trees in the footprint of the driveways will be relocated by the developer a minimum 2.5m from the proposed driveway crossovers. The trees will be regularly and actively maintained in a healthy condition. Should the trees fail to thrive then the trees will be replaced with healthy trees of the same species and size prior to issue of the Final Occupation Certificate. A compliance certificate demonstrating compliance with this condition shall be provided to Council prior to the issue of the Subdivision Certificate.

Bonds and Contributions

- (1) A contribution pursuant to Section 94 of the Environmental Planning and Assessment Act 1979 (as amended) and Kiama Council's Section 94 Contributions Plans Nos. 1 & 2 shall be paid to Council prior to the issuing of the Construction Certificate. The total contribution required for the development is **\$6,678.64**. (bo005.doc)

Prior to Commencement of Works

- (1) Building work must not commence until the Principal Certifying Authority for the development to which the work relates has been informed of:
 - i The licensee's name and contractor licence number;
 - ii That the licensee has complied with Part 6 of the Home Building Act 1989.
 In the case of work to be done by any other person, the Principal Certifying Authority:
 - a Has been informed in writing of the person's name and owner builder permit number;
 - or
 - b Has been given a declaration, signed by the owner/s of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in Section 29 of the Home Building Act 1989. (pt005.doc)

Report of the Director Environmental Services

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

-
- (2) The developer shall lodge with Council a bond of **\$5,000.00**, in the form of an unconditional bank guarantee or cash, prior to the commencement of any work, as a security for new and remedial work associated with the development proposal and covering all work within the public roads administered by Council under the Roads Act 1993 and compliance with the submitted Waste Management Plan during the course of construction.

The developer shall submit a dilapidation survey prior to commencement of any work within the road reserve.

The bond shall be refunded in full subject to the following:

- a There being no damage to the infrastructure within the road reserve.
 - b Twelve (12) months has elapsed from the date of issue of the occupation certificate and/or subdivision certificate.
 - c The submission and approval by Council of a waste compliance certificate, inclusive of supporting documentation (dockets/receipts) verifying compliance with the Waste Management Plan as provided to Council. (pt013.doc)
- (3) The applicant must provide, to Council, the appropriate fee for the inspections required for the construction of the footpath crossing/access driveway in accordance with Council's adopted fees and charges. This inspection fee must be paid prior to the commencement of works within the road reserve area.

Work undertaken within the road reserve may only be undertaken by a Council approved contractor. A list of approved contractors may be obtained from Council's Engineering and Works Department. (pt016.doc)

- (4) The pre-coloured metal roofing shall not give rise to unreasonable visual intrusion due to reflected glare. In this regard specific details of roof colours shall be submitted to Council prior to release of the Construction Certificate. **Note:** The roof colours shall be the medium to darker colours. (pt017.doc)

- (5) Under the provisions of the Act, work may not commence on the development until the following is carried out:

- a Detailed plans and specifications of the building must be endorsed with a Construction Certificate by Council or an Accredited Certifier; and
- b You **must** appoint a Principal Certifying Authority (can be either Council or an Accredited Certifier); and
- c You **must** notify the Council of the appointment; and
- d You **must** give at least two (2) days' notice to Council of your intention to

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

You will find attached a form for the "*Notice of Commencement of Building Work and Appointment of Principal Certifying Authority*", which you are required

Report of the Director Environmental Services

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

to submit to Council at the appropriate time and at least two (2) days prior to the commencement of work.

Should you appoint Council as the Principal Certifying Authority, relevant inspection fees will be required to be paid at the time of lodgement of this form. (pt020.doc)

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

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

- (8) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal Certifying Authority for any reinforced concrete slabs, footings or structural steel. (pt062.doc)
- (9) Submission of stormwater disposal details for disposal of stormwater on site, designed by a suitably qualified person. Details are to be provided to the satisfaction of the Principal Certifying Authority, prior to the release of the Construction Certificate. (pt067.doc)
- (10) No building work is to commence until details prepared by a practising structural engineer have been submitted to and accepted by the Principal Certifying Authority for the retaining walls in excess of 1.0 metre high. (pt068.doc)
- (11) The applicant shall submit Engineer's details of the foundation based on geotechnical advice prepared by a suitably qualified Geotechnical Engineer. Such detail/advice is to be provided prior to the issue of a Construction Certificate. (pt069.doc)

Access Construction

- (1) The developer shall construct the footpath access driveway in compliance with the Standards Australia publication AS/NZS 2890.1 Parking Facilities Part 1: Off Street Car Parking and Council's "*Driveway and Footpath Works Procedure Manual*". (ac001.doc)
- (2) The applicant must provide, to Council, the appropriate fee for the inspections required for the construction of the footpath crossing/access driveway in

Report of the Director Environmental Services

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

accordance with Council's adopted fees and charges. This inspection fee must be paid prior to the commencement of works within the road reserve area.

Work undertaken within the road reserve may only be undertaken by a Council approved contractor. A list of approved contractors may be obtained from Council's Engineering and Works Department. (ac020.doc)

Car Parking and Vehicular Access

- (1) Car parking and manoeuvring shall comply with the requirements of the Standards Australia publication AS/NZS 2890.1 Parking Facilities Part 1: Off Street Car Parking. (c035.doc)

Stormwater Management

- (1) The developer shall provide stormwater outlets to kerb lines converting to 90 millimetre diameter uPVC for barrier kerbs and 127 x 64 x 4 millimetre steel rectangular hollow section hot dip galvanised or aluminium for roll kerb sections. (sm020.doc)
- (2) Surface water which is likely to discharge from the development site onto the road reserve shall be intercepted at the property boundary and conveyed to the kerb via a pipe outlet. (sm025.doc)
- (3) The developer shall provide a detailed stormwater drainage network in accordance with the design requirements of "*Section D5 Stormwater Drainage*" of Kiama Development Code as appended to Kiama Development Control Plan 2012. Full hydrological and hydraulic calculations and civil engineering drawings shall be submitted to the Principal Certifying Authority prior to the release of a Construction Certificate. (sm055.doc)
- (4) The developer shall provide on-site detention storage for stormwater runoff in conjunction with the proposed development drainage network. An on-site detention system shall be designed to ensure that post development flow rates from the site are no greater than pre-developed site runoff at each discharge point for all rainfall events up to 1% Annual Exceedance Probability. The applicant shall provide full hydrological and hydraulic computer modelling of the stormwater drainage system and provide this to the Principal Certifying Authority for assessment and approval prior to the issue of the construction certificate. (sm060.doc)
- (5) The developer shall provide compliance certification from the hydraulic engineer verifying that the constructed stormwater drainage infrastructure/water quality system meets with the approved design. The certification shall be provided to the Principal Certifying Authority prior to the release of any of the Occupation Certificate. (sm130.doc)
- (6) The developer shall provide environmental stormwater management controls in the form of post development water quality (including first flush treatments such as trash arresters) and sedimentation control measures to be located within the proposed development site. The proposed treatments shall be submitted to the Principal Certifying Authority for assessment and approval prior to the release of the Construction Certificate. (sm135.doc)

Report of the Director Environmental Services

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

-
- (7) The developer shall comply with the design requirements of Council's "*Water Sensitive Urban Design*" policy in association with the design requirements of "*Section D5 Stormwater Drainage*" of the Kiama Development Code as appended to Kiama Development Control Plan 2012.

Detail shall be submitted to the Principal Certifying Authority for assessment prior to the release of the Construction Certificate. (sm150.doc)

- (8) Stormwater runoff from all impervious surfaces on the property shall be collected and conveyed to a point suitable for integration with either the natural or constructed stormwater drainage system. A piped drainage system shall be provided to convey runoff from storms up to the 20% Annual Exceedance Probability (AEP). Defined overland flow paths shall be provided to safely convey runoff from storm events up to the 1% AEP. (sm155.doc)
- (9) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that the design of the development causes no adverse effects to adjoining properties as a result of stormwater run-off.
- (10) Prior to issue of any Construction Certificate, the accredited Certifying Authority shall ensure that allowance is made for surface run-off from adjoining properties. Any redirection or treatment of that run-off must not adversely affect any other adjoining properties

Civil Engineering Construction

- (1) The developer shall carry out work at all times in a manner which will not cause a nuisance, by the generation of unreasonable noise, dust or other activity, to residents of adjacent properties. (cec015.doc)

Utility Servicing

- (1) A Section 73 Compliance Certificate under the Sydney Water Act 1994 shall be obtained from Sydney Water. The Section 73 Certificate shall be submitted to Council prior to issue of the final Occupation Certificate. (us005.doc)
- (2) The developer shall bear the cost of relocation of any service utilities required in the provision of vehicular access. (us045.doc)

Geotechnical Requirements

- (1) There shall be no loss of support or encroachment of fill onto adjoining properties as a result of excavation or filling within the site. (gr050.doc)
- (2) Only clean fill (ie natural materials such as earth, rock and stone) is to be used in the development. Under no circumstances are any other material including (but not limited to) building, demolition, concrete, road materials and/or putrescible wastes, permitted to be used as filling on site. (gr060.doc)
- (3) All imported fill to the development site shall list the location of its origin and shall be sampled in accordance with AS 4482.2 and tested by a certified National Association of Testing Authorities Australia (NATA) registered laboratory for contaminants. Based on the test results certification shall be provided to the Principal Certifying Authority prior to the issue of any occupation certificates by a suitably qualified geotechnical engineering consultant

Report of the Director Environmental Services

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

confirming the imported fill is suitable for use in residential development. Any imported fill found to not be suitable for residential use shall be removed / remediated in accordance with the NSW Department of Environment, Climate Change and Water requirements. (gr065.doc)

Inspections

- (1) The building work shall be inspected at critical and other stages as required by the Principal Certifying Authority for the development.

NOTE: Should you choose Council to be your Principal Certifying Authority for this development you will be advised of the required building inspections and applicable fees at the time of that appointment. (bu015.doc)

Building Construction

- (1) All building work must be carried out in accordance with the requirements of the Building Code of Australia. (bu010.doc)
- (2) No building materials or refuse shall be stored on Council's reserve adjacent to the proposed development site. (bu085.doc)
- (3) The roadway, footpath or Council reserve shall not be used to store building material without the prior approval of Council. (bu086.doc)
- (4) All excavations and backfilling must be executed safely in accordance with appropriate professional standards. (bu090.doc)
- (5) All excavations must be properly guarded and protected to prevent them from being dangerous to life or property. (bu095.doc)
- (6) If an excavation extends below the level of the base of the footings of a building on an adjoining allotment of land, the person causing the excavation to be made must:
 - a Preserve and protect the building from damage;
 - b Underpin and support the building in an approved manner, if necessary, and;
 - c At least seven (7) days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars to the owner of the proposed work. (bu100.doc)
- (7) Where retaining walls exceed 1.0 metre in height, the wall is to be certified by a practising structural engineer prior to occupation of the building being permitted. (bu110.doc)
- (8) The Reduced Levels (RL) of the proposed development must be in accordance with the approved plans. Certification of these levels by a registered surveyor must be submitted to an accredited certifier or Council prior to proceeding past that level. (bu120.doc)
- (9) A survey shall be undertaken and a copy be made available to Council or an accredited certifier, certifying that the building is correctly located in relation to

Report of the Director Environmental Services

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

the boundaries of the site and in accordance with the approved plans. Such survey shall be submitted at peg out stage. (bu125.doc)

- (10) Construction and demolition work, delivery of materials and plant, etc shall only take place between the following hours;

Monday to Friday - 7.00 am to 6.00 pm

Saturdays - 8.00 am to 1.00 pm

No construction work is to take place on Sundays or Public Holidays. (bu151.doc)

- (11) The Waste Management Plan shall be strictly adhered to at all stages during the demolition, construction and/or subdivision work. All waste nominated for disposal must be disposed of at a licensed landfill facility. All waste nominated for recycling must be reused or recycled. (bu153.doc)

Erosion and Sedimentation Controls/Soil and Water Management

- (1) All practical measures must be taken to ensure erosion and subsequent sediment movement off-site does not occur. In particular:
- a A silt fence or equivalent must be provided downhill from the cut and fill area (or any other disturbed area). Such fence must be regularly inspected and cleaned out and/or repaired as is necessary, and all collected silt must be disposed of in accordance with Council's Sedimentation Control Policy.
 - b Unnecessary disturbance of the site (eg; excessive vehicular access) must not occur.
 - c All cuts and fills must be stabilised or revegetated as soon as possible after the completion of site earthworks.
 - d All the above requirements must be in place for the duration of the construction works. (esc005.doc)
- (2) The developer shall ensure that sediment-laden runoff from the site is controlled at all times subsequent to commencement of construction works. Sediment control measures must be maintained at all times and checked for adequacy at the conclusion of each day's work. (esc020.doc)

Landscaping Works

- (1) A detailed landscape plan shall be approved by Principal Certifying Authority prior to release of the Construction Certificate. The plan shall be prepared in accordance with Chapter 8 of Kiama Development Control Plan 2012 and shall be consistent with the landscape concept plan. The landscape plan will show the rear boundary of Unit A and B having a minimum 1.0m wide landscape strip for a minimum length of 18 metres from the south west corner of the site along the eastern boundary, and for a minimum length of 6.0 metres from the south west corner of the site along the southern boundary planted with suitable shrubs for screening, in accordance with the requirements of Kiama Development Control Plan 2012 – Chapter 8 – Section 5 – Control C3. The location of stormwater pipes and retention pits, if any, shall be shown on the landscape plan. (lw010.doc)

Report of the Director Environmental Services

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

-
- (2) All landscape areas shown on the approved landscape plans or otherwise required under the conditions of this consent, shall be landscaped and maintained in accordance with the approved plans and conditions. (lw015.doc)
 - (3) The landscaping shall be maintained actively and regularly for a period of 26 weeks commencing from the date of issue of the Occupation Certificate. (lw020.doc)
 - (4) At the end of the 26 week landscape maintenance period and after any defects that occurred during that period have been corrected, a final Compliance Certificate shall be provided from a suitably qualified landscape professional stating that all landscape works have been completed and maintained in accordance with the approved landscape plans and the conditions of this development consent. (lw035.doc)
 - (5) The landscape works shall remain in situ for the perpetuity of the development. (lw040.doc)
 - (6) Prior to release of the Occupation Certificate or Subdivision Certificate the developer shall provide a Compliance Certificate from a suitably qualified landscape professional or Council's Landscape Officer stating that all landscape works have been completed in accordance with the approved landscape plans and the conditions of the development consent. (lw170.doc)

Item 10.5

Site Facilities

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

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

Prior to Occupation

- (1) The completed Waste Management Compliance Sheet (Appendix 1C) shall be submitted to and approved by Council prior to release of the Final Occupation Certificate.
Supporting documentation (dockets/receipts) verifying recycling and disposal shall be attached to the Compliance Sheet. (po002.doc)
- (2) The BASIX schedule of commitments shall be complied with prior to the issue of a Final Occupation Certificate for the development and if required a certificate shall be provided to the Principal Certifying Authority from a properly qualified

Report of the Director Environmental Services

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

person to certify that the BASIX schedule of commitments have been provided and/or installed. (po003.doc)

- (3) The licensed plumber shall provide to the Principal Certifying Authority a Compliance Certificate to certify:

- Compliance with Sydney Water requirements in regard to rainwater tank installations
- Compliance with technical specifications for rainwater tanks and associated plumbing configurations, prior to the issue of any Occupation Certificate. (po004.doc)

- (4) The whole or part of the building must not be occupied unless an Occupation Certificate has been issued in relation to the building or part in accordance with Clause 109M of the Environmental Planning and Assessment Act 1979.

NOTE: A Fire Safety Certificate must be provided in accordance with the Environmental Planning and Assessment Regulations 2000 prior to the issue of an Occupation Certificate excepting Class 1(a), 10(a) & 10(b) structures. (po005.doc)

- (5) The developer shall complete all vehicular access and drainage works prior to the issue of any occupation certificate. (po010.doc)

Conveyancing Requirements

- (1) Under the provisions of Section 88B/88E of the Conveyancing Act 1919 the developer shall provide a restriction on the use of land and a positive covenant in favour of Kiama Municipal Council detailing protection measures and long term maintenance requirements for on-site stormwater detention system and associated stormwater drainage infrastructure.

The document shall meet the standard terms applied by Council and shall be submitted to Council for assessment and approval and shall have these titles registered with NSW Lands & Property Management Authority under Sections 88B/88E of the Conveyancing Act 1919. (cr040.doc)

Prior to Issuing of Subdivision Certificate

- (1) The Subdivision Certificate shall not be released until all conditions of this Development Consent are complied with or satisfactory arrangements are made with the Principal Certifying Authority. (sub005.doc)
- (2) All landscape works shall be completed in accordance with the approved landscape plan prior to the issue of the Subdivision Certificate. Written certification that the landscape works are complete shall be provided to Council and the Principal Certifying Authority. (sub010.doc)
- (3) The developer shall submit the following items to the Principal Certifying Authority prior to the issue of a Subdivision Certificate:
- a) All relevant Construction and Compliance Certificates (where these have not been issued by Council).
 - b) Payment of fees in accordance with Council's adopted fees and charges.
 - c) A Final Plan of Subdivision and four (4) copies.

Report of the Director Environmental Services

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

A copy of the satisfactory final plan of subdivision shall also be provided as an electronic file in either DXF or DWG format. In this regard the electronic copy must be on MGA (Zone 56) orientation, where this is required by the Surveying Regulation 2001, and should preferably use co-ordinates based upon the MGA values of the nearest established permanent survey mark connected as part of the survey. It is preferred the raw boundary line work only be provided, excluding final page layout and text where possible. This must be provided electronically by email to council@kiama.nsw.gov.au including a clear reference to the relevant Development Application number.

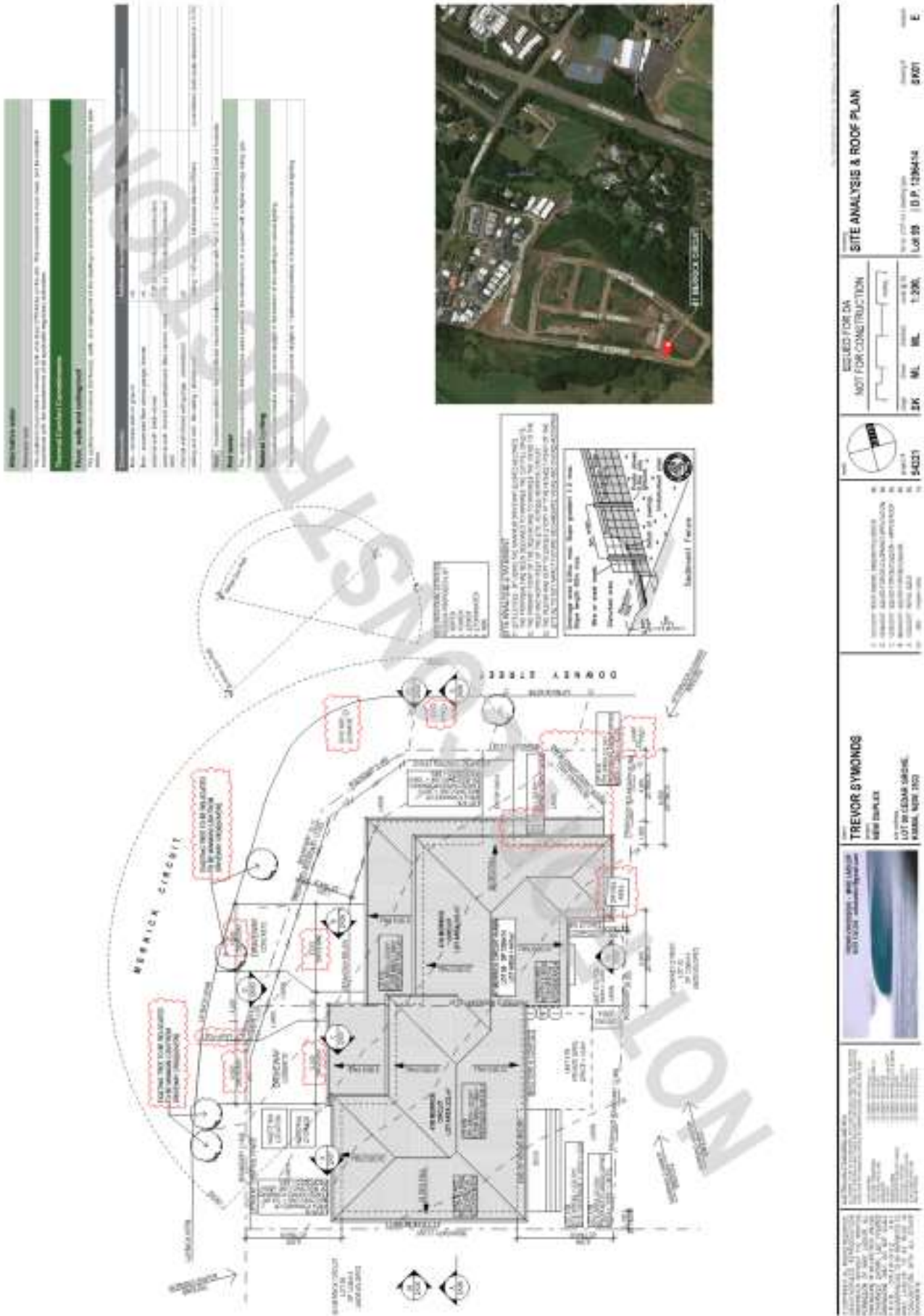
- d) An original Deposited Plan Administration Sheet and one copy, prepared in accordance with NSW Land & Property Information requirements.
 - e) An original Section 88B Instrument and one copy, prepared in accordance with the requirements of the Conveyancing Act 1919.
 - f) An original Subdivider/Developer Compliance Certificate (Section 73 Certificate) from Sydney Water Corporation which references the relevant development application number.
 - g) An original Notification of Arrangement from an electricity provider which references the relevant development application number.
 - h) An original Telecommunications Infrastructure Provisioning Confirmation from a communications provider which references the proposed development.
 - i) The payment of all required Section 94 Contributions identified in this consent.
 - j) An Occupation Certificate for each dwelling to be separately titled. (sub020.doc)
- (4) The developer shall submit to the Principal Certifying Authority, prior to the release of the Subdivision Certificate, two (2) copies of a certified Works-as-Executed (WAE) drawing including (but not limited to) the following:
- a Final locations and reduced levels for all works associated with the development on both public and private land; and
 - b In contrasting coloured ink, all changes to the Approved Drawings and actual values of all levels shown on the Drawings.
- The WAE drawing shall be signed by a Registered Surveyor or Chartered Professional Engineer and certified that all the work as completed, including variations, meets the original intent of the Approved Drawing and will have no adverse impact on adjacent properties. (sub025.doc)
- (5) The developer shall acknowledge all existing restrictions on the use of the land on the final plan of subdivision. (sub045.doc)
 - (6) The developer shall acknowledge all existing easements on the final plan of subdivision. (sub060.doc)
 - (7) The developer shall acknowledge all existing restrictions on the use of the land on the final plan of subdivision. (sub070.doc)

Report of the Director Environmental Services

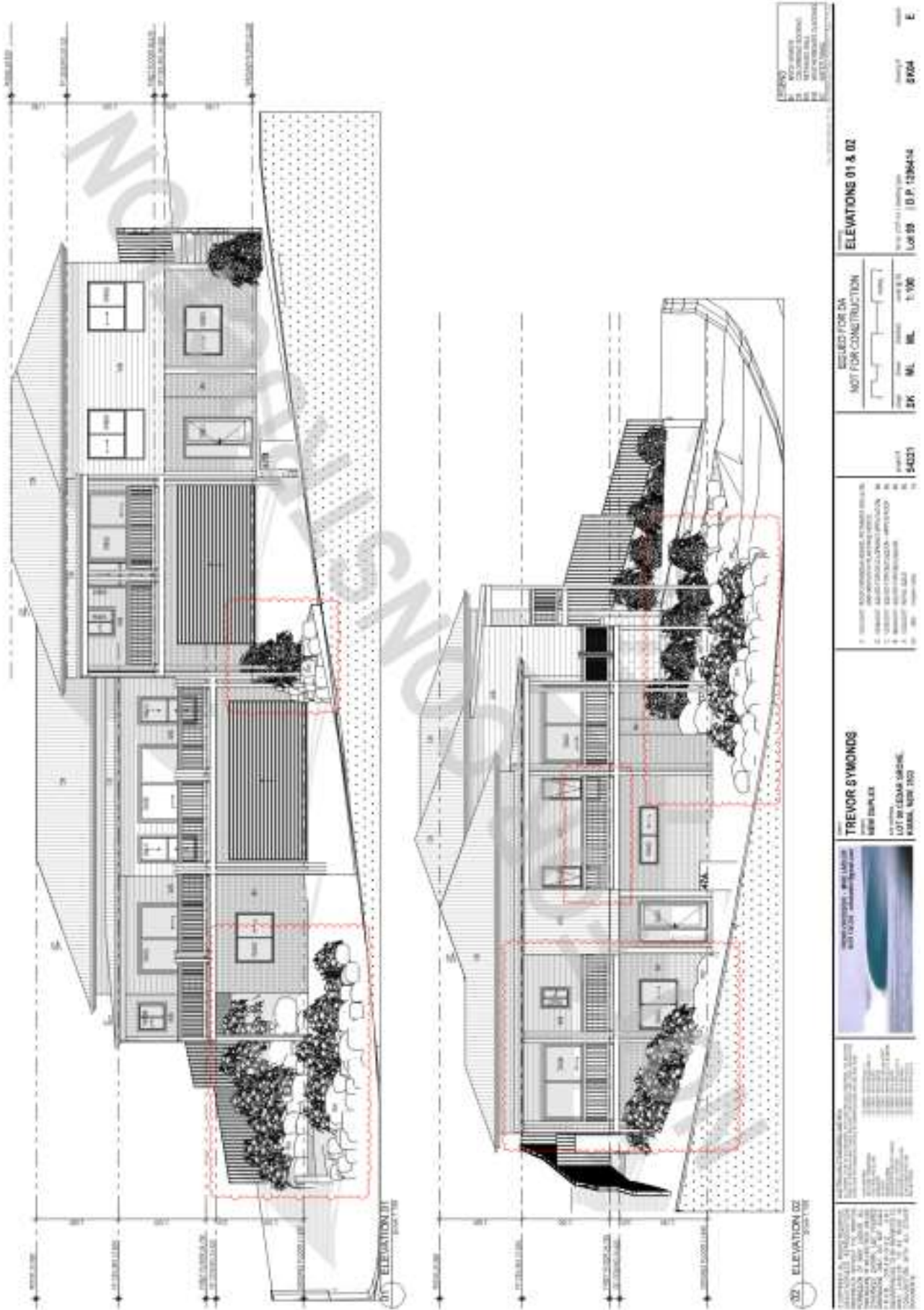
10.5 10.2017.176.1 - Lot 99 DP 1206414, 47 Merrick Circuit, Kiama - attached dual occupancy and 2 Lot Torrens Title subdivision (cont)

- (8) The developer must show and label the extent of the party wall on the final plan of subdivision pursuant to the requirements of Section 181B of the Conveyancing Act 1919.

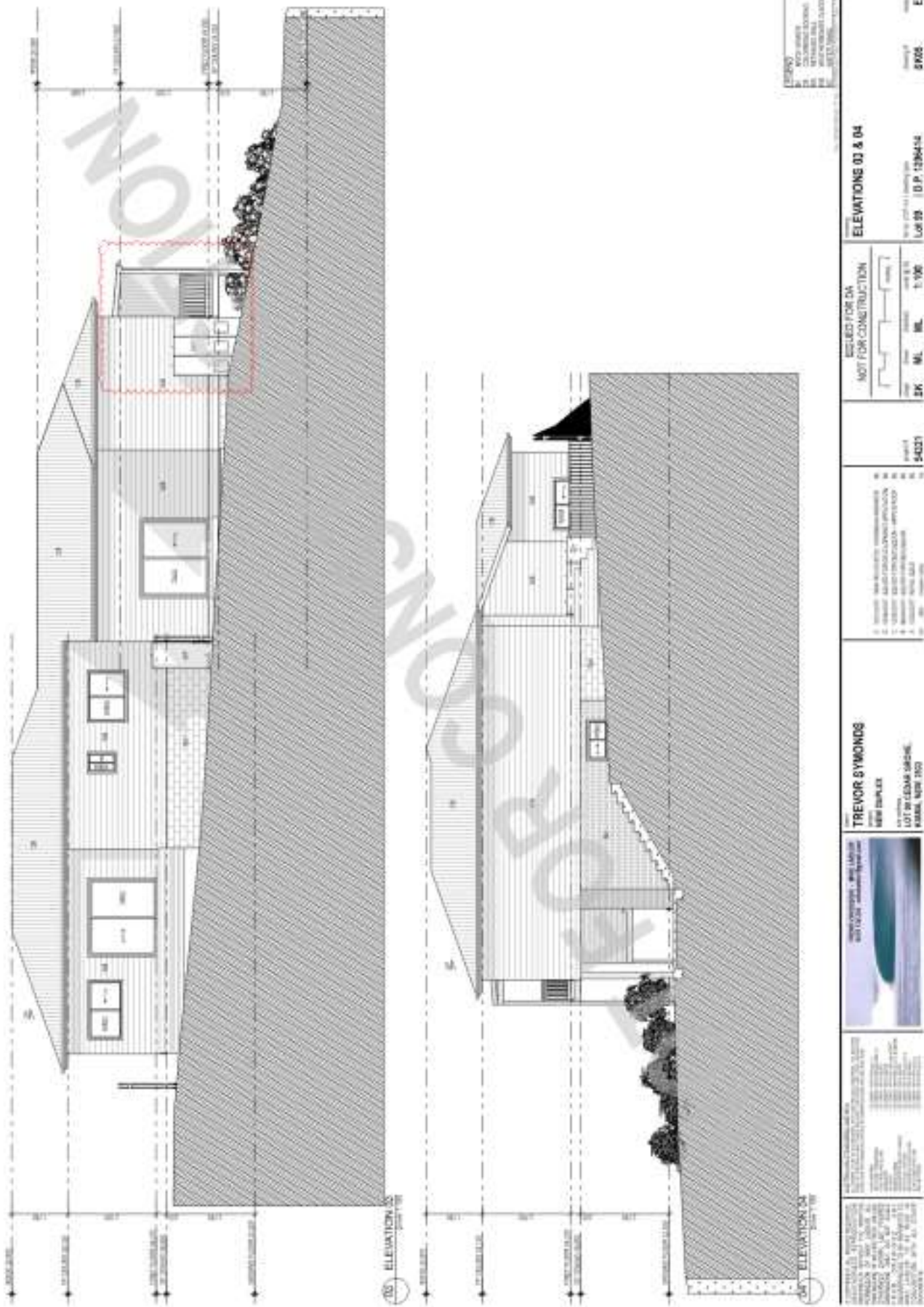
Item 10.5



Attachment 1 Item 10.5



Attachment 1 Item 10.5



Attachment 1

Item 10.5



04 SOUTH WEST VIEW



04 SOUTH EAST VIEW



04 NORTH WEST VIEW



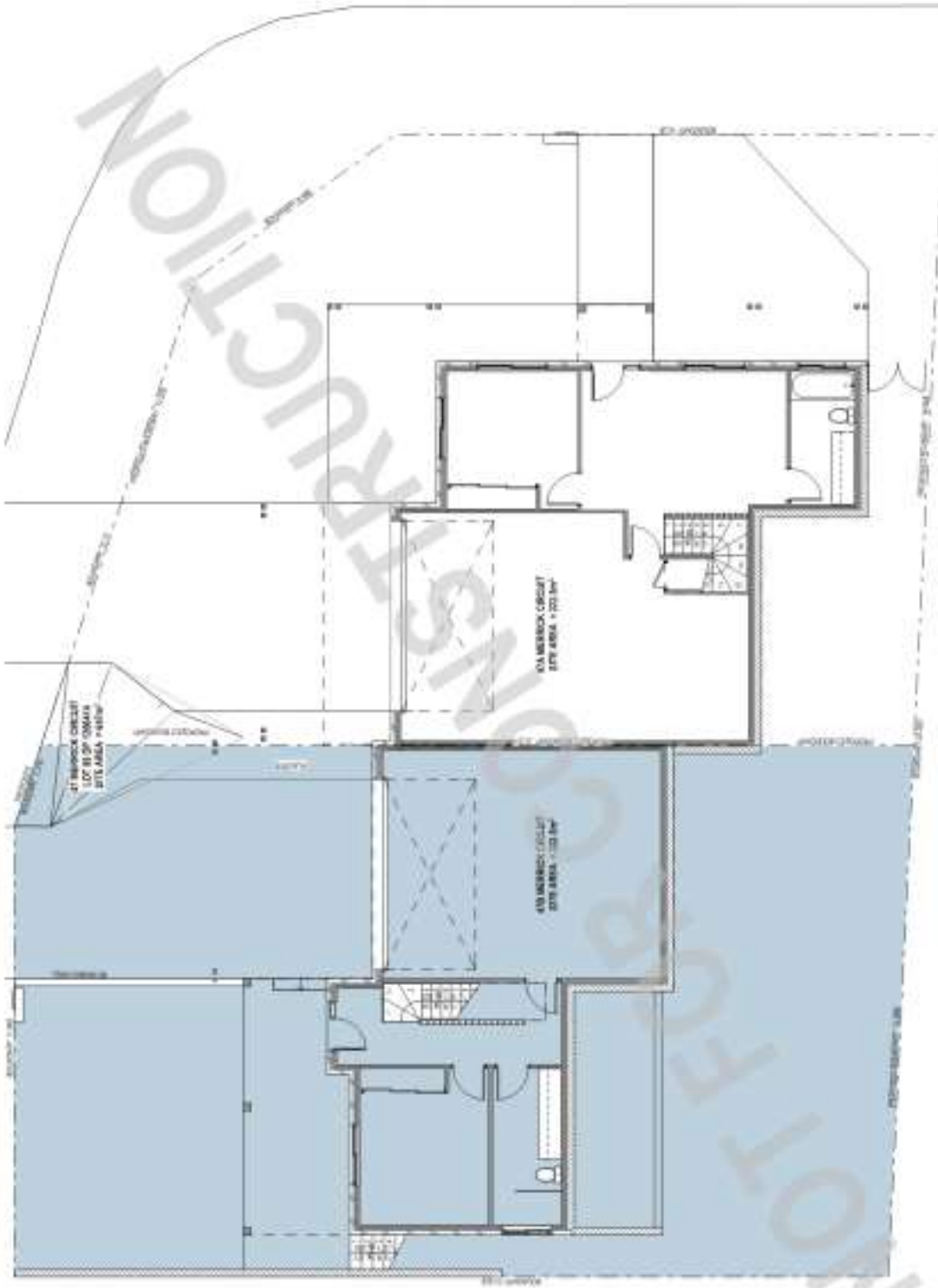
04 NORTH EAST VIEW

TREVOR SYMONDS
 ARCHITECT
 10/1100 WILSON ROAD, WILSON
 ACTON NSW 2560
 TEL: 02 4422 1111
 FAX: 02 4422 1112
 WWW.TREVORSYMONDS.COM.AU

LOT 99 DP 1206414
 47 MERRICK CIRCUIT
 KIAMA NSW 2586

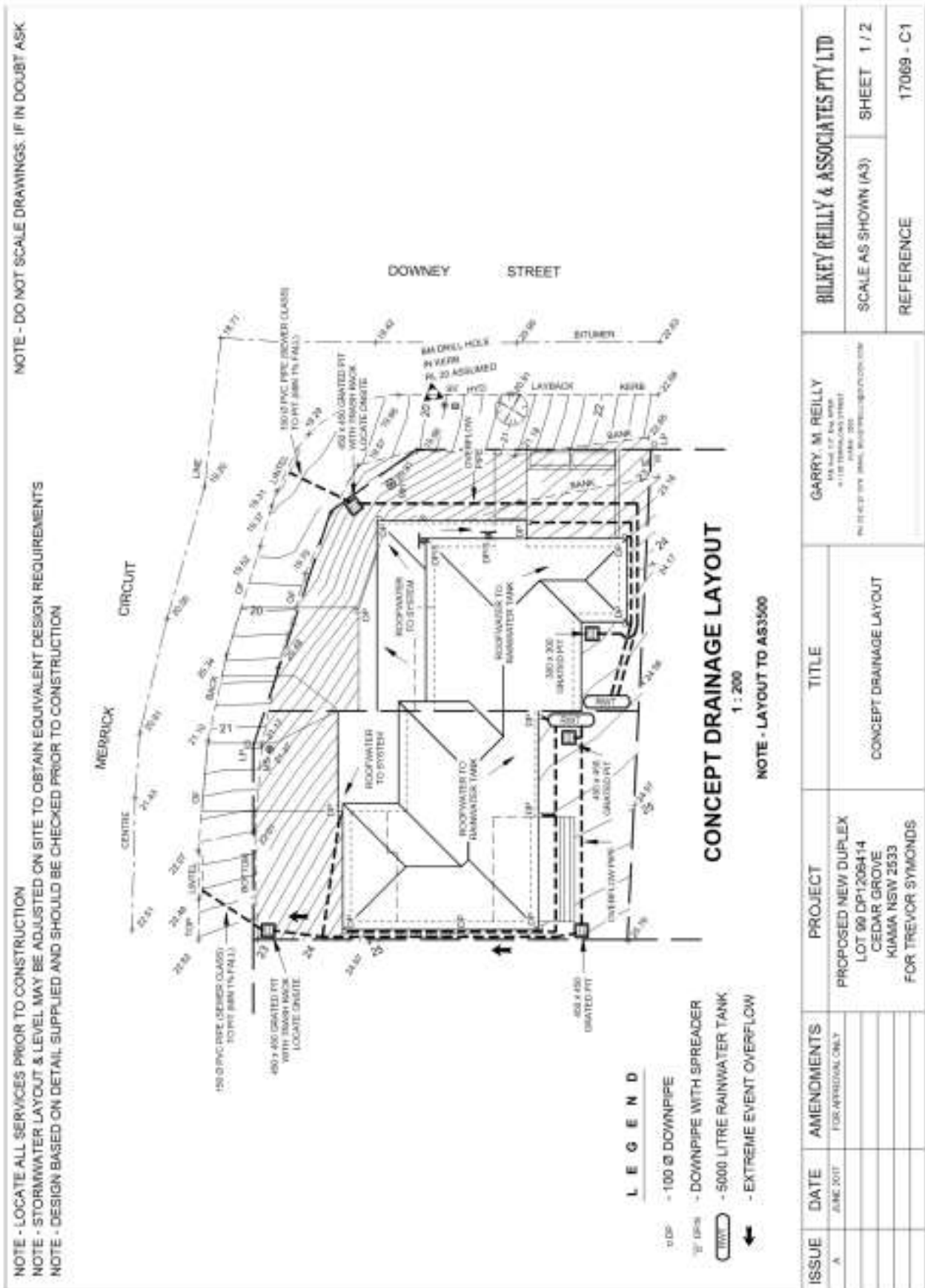
3D VIEWS
 NOT FOR CONSTRUCTION
 DATE: 13/07/2018
 SCALE: 1:100

3D VIEWS
 NOT FOR CONSTRUCTION
 DATE: 13/07/2018
 SCALE: 1:100



| | | | | | |
|--------------------------------------------------------------------------------------------------------------------|--|-------------------------------------------------|------------------------------------------|------------------------------------------|------------------------------------------|
| <p>APPROVED FOR CONSTRUCTION DATE: 10/10/2017 DRAWN BY: [Name] CHECKED BY: [Name] SCALE: 1:100</p> | | <p>REQUIRED FOR DA NOT FOR CONSTRUCTION</p> | <p>DATE: 10/10/2017 SCALE: 1:100</p> | <p>DATE: 10/10/2017 SCALE: 1:100</p> | <p>DATE: 10/10/2017 SCALE: 1:100</p> |
| <p>TREVOR SYMONDS NEW ZEALAND REGISTERED ARCHITECT NO. 1000</p> | | <p>DATE: 10/10/2017 SCALE: 1:100</p> | <p>DATE: 10/10/2017 SCALE: 1:100</p> | <p>DATE: 10/10/2017 SCALE: 1:100</p> | <p>DATE: 10/10/2017 SCALE: 1:100</p> |

Attachment 1 Item 10.5



11 REPORT OF THE DIRECTOR CORPORATE, COMMERCIAL & COMMUNITY SERVICES

11.1 Request for Sponsorship: KISS Arts Festival 2018

CSP Objective: 3.0 A diverse, thriving economy

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

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

Item 11.1

Summary

This report informs Council of a sponsorship request received from the Kiama International Seaside Arts Festival (KISS Arts Festival) to be held from 27-29 April 2018.

Finance

It is proposed that Council provide \$15,000 financial sponsorship in conjunction with donating reserve hire and in-kind support for waste management, waive fees for all applications, hall hire and reserves for the Festival.

Policy

Not applicable.

Attachments

- 1 Request for sponsorship letter [↓](#)
- 2 Post Event Report [↓](#)
- 3 Tourism Impact Report [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council:

1. Support the 2018 KISS Arts Festival by providing \$15,000 sponsorship as a one-off.
2. Provide in-kind support for reserve hire fees for Black Beach/School Flat and Hindmarsh Park and provide extra bins free of charge for the 2018 event.
3. That in receiving these funds, that the KISS Arts Festival undertake to work with the Events Coordinator and the Manager Tourism and Events to:
 - a. Discuss and provide to Council the Event Business Plan / Marketing Plan, inclusive of Budget
 - b. Confirm the events economic impact measurements, payment

Report of the Director Corporate, Commercial & Community Services

11.1 Request for Sponsorship: KISS Arts Festival 2018 (cont)

milestones and schedule, and post event reporting requirements

- c. Discuss event integration with other Kiama area tourism providers, including packaging, in order to drive visitation from outside the region
- d. Discuss and document the recognition of Council/Destination Kiama funding and support, prior to any event promotion

BACKGROUND

The 2017 KISS Arts Festival was highly successful and saw the festival grow exponentially. The event organisers plan to continue building on the existing event by diversifying programs and offerings.

The program has a diverse and very high calibre of content and talent with international artists now participating including Mario Queen of the Circus from the USA and the Dream State Circus (UK) as well as several others. Over 100 applications to participate in the 2018 festival have been received. This event engages the community at all levels by working with schools in the lead up to the lantern festival, providing circus training workshops, connecting with local businesses both as sponsors and participants in the raft race and so much more. It is multi-generational event and is unique to Kiama.

Council increased its level of sponsorship to \$10,000 in 2017. However, the festival organisers advise that an event the size of the KISS Arts Festival will require greater funding support in order to further grow and develop as well as provide appropriate advertising and marketing. The event organisers also sought and received funding from various other businesses within the local area and will be doing so again this year.

It is estimated that the 2017 festival attracted over 3000 visitors each day from across the region as well as from Canberra and Sydney. This was double the amount of the previous year's attendance. It is anticipated that the event attendance will further increase in 2018 as again the festival dates have been selected to avoid clashing with other major events for the area such as the Seaside Markets and Wings over Illawarra.

Following the new guidelines set down by DestinationNSW that excludes including local attendees for an event, the attached Tourism Impact report shows that based on 2000 domestic day visitors (non-locals) over the two-day period and 200 overnight stays the total estimated economic impact for Kiama would be approx. \$200,000 with one additional job being created.

The festival is also held outside of the peak tourism period for Kiama and is a unique form of entertainment which does not duplicate other events already on offer in the region. It should also be noted that the event is provided free of charge and provides families and individuals access to a form of entertainment which they may not otherwise have the opportunity to experience.

The organisers have requested an increase in funding support from Council of \$15,000 in addition to the donation of hire and application fees. The Festival is very exciting, unusual and worthy of Council support however, the pressure on Council's Events budget is increasing with additional support also being requested from other

Report of the Director Corporate, Commercial & Community Services

11.1 Request for Sponsorship: KISS Arts Festival 2018 (cont)

event organisers. \$15,000 funding support with the donation of reserve hire and waste fees is recommended.

The KISS Arts Festival has applied for Regional Event Funding once again and hope to be successful this time.

Item 11.1



To whom it may concern,

Tamara and Dave would like to offer our sincere thanks to Kiama Council and all its staff for their support of the 2017 KISS Arts Festival.

We are thrilled to report that 2017 saw the biggest entertainment program yet with over 16 different shows amongst countless community activities like The Raft Race, Lantern Making workshops and display, the fabulously successful AIR KISS Tent and the moving and beautiful Unity Klama Project. We conservatively estimate that the festival enjoyed over 3000 people each day, roughly doubling last year's attendance.

We credit the success of this year's festival to a strategic social media campaign, greater community involvement and awareness, not clashing with Wings Over The Illawarra, a larger more active committee and excellent weather!

We would like to formally request funding from Council for 2018's Festival. 2017 saw Council give us \$10,000 which, although a considerable sum, barely touched the sides when programming the size of the event that KISS has now become. With this in mind, we would like to formally ask for \$15,000 in 2018. With this extra money, we will be able to once again grow and develop the festival and pay for somebody to advertise and market the festival properly. Last year's in kind support was also invaluable (Reserve hire, Joyce Wheatley Community Hall hire charges and waste disposal + extra bins) and we would like to request the same again please? Unfortunately because there are 5 weekends in April in 2018, the usual festival dates of the last weekend in April will clash with the markets around the harbour. We are currently talking to them about this and will be in touch soon with a definite date request.

Thank you once again and we look forward to working with you in the coming year.

Yours sincerely,
Dave Evans & Tamara Campbell

www.kissartsfestival.com.au
contact@kissartsfestival.com.au



28th - 30th April 2017 Kiama

The KISS Arts Festival 2017 Post Festival Review

1. Overview

In 2017, The KISS Arts Festival held its 6th consecutive annual festival. Starting in a Big Top in Hindmarsh Park in 2011, the festival has spread to take in Jamberoo and Gerringong and since 2016, has called Black Beach its home. With a view to creating a "Festival Hub", The KISS Arts Festival has now firmly established itself around Black Beach and its Harbour. With this stability it has now started to grow exponentially.

We now attract audiences from as far south as Nowra, as far west as Canberra and as far north as Sydney. We are also listed in countless publications attracting tourists who are visiting Australia.

Our reputation within the performing community is now very strong and we attract up to 100 applications a year to perform at the festival from artists from all over the world. For 2017's festival we partnered with The Fremantle Street Arts Festival to bring an artist from UK, this kind of collaboration is expected to continue.

The weather was fantastic over the three days and attendance was high. The dates were carefully chosen to not clash with Wings Over The Illawarra, all of which helped with audience numbers and good press coverage.

The Festival enjoyed increased support from the community

There were no incidents to report.

2. Objectives

The main objective of The KISS Arts Festival has and will always be to provide world class comedy, circus and variety entertainment alongside National and local artists at no charge to the general public.

The KISS Arts Festival aims to provide truly multi-generational entertainment.

The KISS Arts Festival aims to fill a gap in the NSW Event calendar by producing comedy, circus and variety entertainment in an entirely accessible environment.

The KISS Arts Festival aims to encourage the community to participate with the festival on various different levels and seeks to nurture artistic ideas and concepts.

The KISS Arts Festival is completely inclusive and does not prejudice against anybody.

The KISS Arts Festival aims to continue to increase attendance each year.

All of these objectives were met.

3. Event Format

2016 laid the foundations for 2017's festival and many of the same formats were reused. In 2016 we introduced Kiama to Laughter House Entertainment's "little" venues *La Petite Grande* and *Café de Rude*. We staged the already successful Kiama Kabaret alongside the festival using the festival artists as performers. We produced Free Circus Workshops for young and old to try, including Laughter House Entertainment's 6 metre freestanding aerial rig. The public were welcomed at the Shoalhaven street entrance by "The Loonatic Spectacular" installation – quite literally a man in a moon! They were then entertained with Talking Lampposts. We produced the Ray White Street Theatre Stage with headline act Tommy Dean on Saturday night. We fed the public with food from Café de Rude and stalls from The Kiama Farmers Market. We serenaded the public around the harbour in the love boat. We lit the harbour at night with our Lanterns. We introduced the public to one of our favourite charities Sailability and the inaugural KISS Arts Festival Raft Race took place.

In 2017, keen to build on 2016's success we kept *La Petite Grande* and *Café de Rude* with a different line-up, The KISS Arts Festival Kiama Kabaret, the Circus Workshops, the Talking Lampposts, The Ray White Street Theatre Stage, The Lantern making workshop and parade, stalls from The Farmers Market and more and The KISS Arts Festival Raft Race. In addition we finished Saturday Night of with a spectacular Fire Show, we co-produced The AIR KISS Tent with Paula Gowans with life drawing classes and Orry Kelly Themed Costume making workshops. We were also proud to host Penny Sudabin's Unity Kiama: A breath Taking and genuinely emotional community led project identifying community concerns and public statements. Both of these were made possible through Kiama Council funding.

2017's Artists included International Acts: Mario Queen of The Circus (USA), Dream State Circus (AU & UK), Jaardu (Sri Lanka) and Chris Lynam (UK). Local Artists: Mr Gorski (ABC's Hoopla Doopla), Rosalita, Neisha Murphy, Leo, Phat Brass, Kevin Sullivan, The Blowhole Buskers and Soul Flamenco.

All events both old and new ran at capacity.

4. Funding

The KISS Arts Festival remains a sponsored event with the majority of the sponsorship coming from Council. The breakdown is as follows:

\$10,000 – Kiama Council

\$6000 – Ray White Kiama

\$1500 – Kiama Chamber of Commerce

\$1300 – Auction of Becky Guggisburg Painting

\$1000 – The Pines Dairy

\$500 – Bluescope Win Partnership

Big River (Cukuna Kiama) donated wood.

Prizes

Nowra Trees Adventure

Kiama Farmer Market shopping vouchers
 Penny Whistlers meal voucher

In kind sponsorship

Kiama Council Reserve Hire, Hall Hire and refuse collection
 Shellharbour City Council - stage
 Peter Izzard Photography

5. See above

6. Kiama Municipal Council’s logo was on all advertising publicity – posters, fliers, program in the Bugle, www.kissartsfestival.com.au website and facebook advertising.



Item 11.1

Attachment 2

7. The KISS Arts Festival enjoyed articles in The Kiama Independent, The Illawarra Mercury, The Bugle, The South Coast Register and The Lake Times both before, during and after the event. We also had several interviews on ABC Illawarra with both Tony Arthur and Nick Rheinberger, Wave FM and i98 also had live interviews over the weekend. WIN News covered the Raft Race and the days entertainment on Sunday.

<http://www.illawarramercury.com.au/story/4628675/thousands-in-the-mood-for-kiss-arts-festival-in-kiama/?cs=320#slide=4>

<http://www.kiamaindependent.com.au/story/4628688/kiss-arts-festival-photos-video/#slide=1>

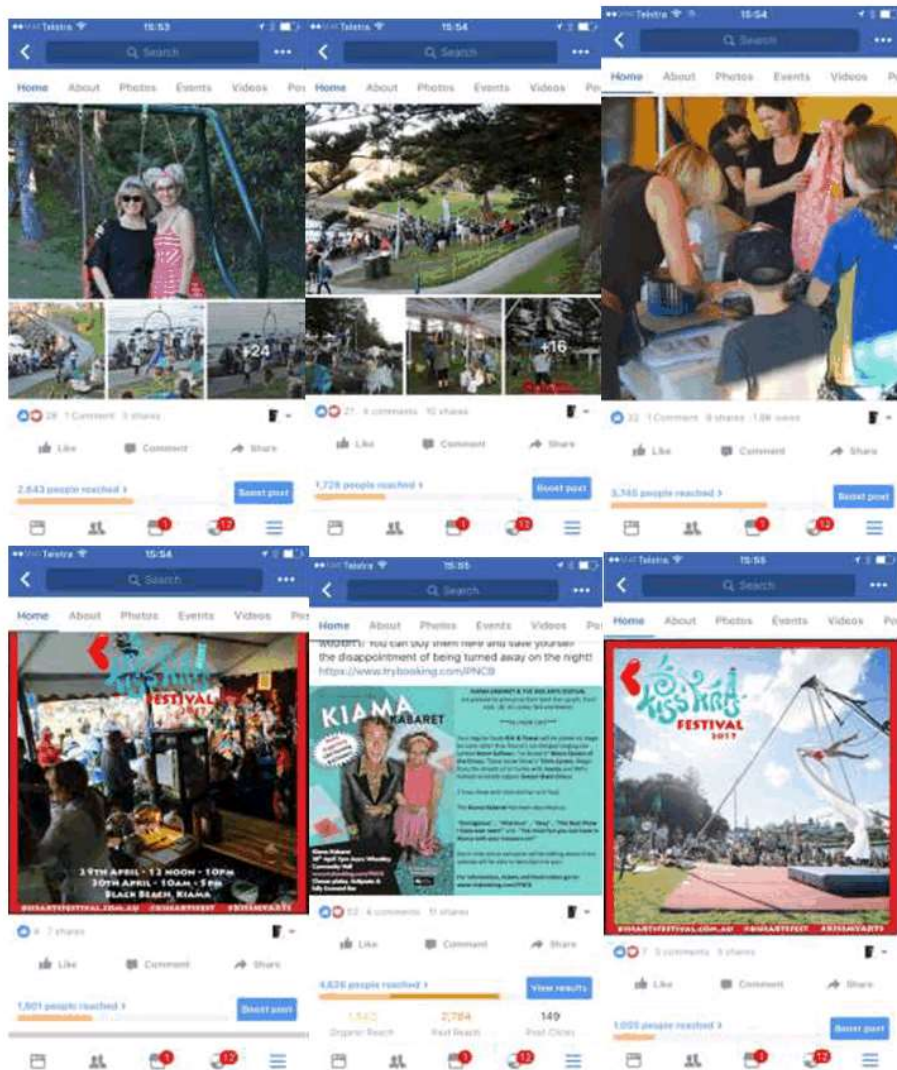
<http://www.kiamaindependent.com.au/story/4611819/time-to-pucker-up-folks/>

<http://www.kiamaindependent.com.au/story/4580800/lip-smacking-laughs-at-kiama/>

<https://thebugleonline.com/2017/05/05/2017-kiss-arts-festival-the-directors-wrap/>

<https://thebugleonline.com/2017/04/06/sneak-preview-of-the-2017-kiss-arts-festival/>





Item 11.1

Attachment 2



8. Event Statistics

a. Survey results

28 people were surveyed and the questions were:

Q1. Where do you usually live?

- 1) Kiama – (jump to question 3)
- 2) Somewhere else in NSW (jump to question 3)
- 3) Victoria (jump to question 3)
- 4) Queensland (jump to question 3)
- 5) ACT (jump to question 3)
- 6) Tasmania (jump to question 3)
- 7) South Australia (jump to question 3)
- 8) Western Australia (jump to question 3)
- 9) Northern Territory (jump to question 3)
- 10) Overseas

Answers:

Shellharbour x 2

2340 x1

Glebe x 2

3302 x1

Kiama x 33

2261 x 3

2534 x1

2122 x 3

2529 x 6

2526 x1

Bendigo x 4
 4805 x 2
 2565 x 6
 2810 x 6
 2066 x 2
 2010 x1

Q2. What country do you live in?
 (jump to question 4)

All people surveyed lived in Australia

Q3. What is your postcode? Or suburb if post code is not known)
 If Kiama in Q1, Skip Q3 – 6

See above

Q4. How many nights are you spending in Kiama during this trip? 0=no nights

A total of 54 nights were spent in Kiama

Q5. How many nights are you spending in other parts of NSW during this trip?
 0=no nights

A total of 59 nights were spent in other parts of NSW

Q6. INTRASTATE, INTERSTATE AND OVERSEAS ONLY

I have some questions about the amount of money that you and anyone else sharing expenses will spend during this particular trip.

Please think about all expenditure excluding airfares and match tickets. Expenditure is all cash, credit cards, eftpos, cheques, traveller's cheques for YOU AND ANYONE SHARING THESE EXPENSES.

How much did you spend?

\$AUD

A total of \$8125.00 was spent which is an average of \$109.79 per person.

Q7. Including yourself, how many people do these amounts cover?

74

b. Number of people in attendance

We estimate that over 2 days we had 6000 people attend the festival

c. All the attendees surveyed were from Australia (see above results in red)

d. How many stayed overnight in the municipality and for how many nights?

23 people spent a total of 54 nights in The Municipality of Kiama

e. Number of people at each event?

70 children enrolled in The KISS Arts Festival Circus Workshops

110 people came to The KISS Arts Festival Kiama Kabaret

6000 people came to The KISS Arts Festival on Sat 29th & Sun 30th April 2017

f. How many staff were employed?

The only staff employed by the festival were the waiting staff who worked in Café De Rude. Everybody else volunteered.

g. Number of Volunteers?

15 - 20

h. How many local businesses were involved?

12

i. Suppliers located within the LGA or close by

Event fencing – Wollongong

Sure Search – Wollongong

Fire Extinguishers – The Fire Extinguisher Guy – Wollongong

Ki Print – Kiama

Hawley's Walkers Pamphlet delivery – Kiama

Wine – Vinopen – Kieraville

Beer – Dan Murphy's – Shellharbour

Food – Spesh Events – Bulli

j. Was local Businesses (accommodation/shops/cafes) trading up during the event?

We assume so but have not tried to access this information.

9. Photos of the Event site and activities.

Please follow drop box link:

https://www.dropbox.com/sh/bbxns0ajikwvzn/AAD_FSI0paBLzpFSW4cyx2Tpa?dl=0



Dave Evans

Director

The K.I.S.S. Arts Festival

www.kissartsfestival.com.au

contact@kissartsfestival.com.au

+61422914713

Tourism Impact Report for Illawarra

Tourism Impact Scenario

Name KISS Arts Festival 2018
 Duration 2 days

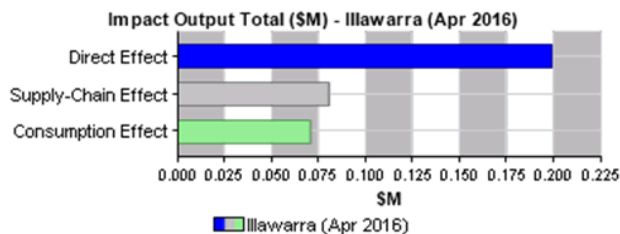
| Direct Impact | Domestic Day | Domestic Overnight | International | Total |
|----------------------------------------|--------------|--------------------|---------------|-----------|
| Number of Visitors | 2,000 | 200 | 0 | 2,200 |
| Number of Nights | n/a | 1.00 | 0.00 | |
| Estimated Expenditure per Visitor (\$) | \$87 | \$124 | \$0 | |
| Total Estimated Expenditure (\$) | \$174,000 | \$24,800 | \$0 | \$198,800 |

Tourism Impact on Output (Tourism Activity: 2 days)

From a direct increase in output of \$0.199 million it is estimated that the demand for intermediate goods and services would rise by \$0.080 million. This represents a Type 1 Output multiplier of 1.403. These industrial effects include multiple rounds of flow-on effects, as servicing sectors increase their own output and demand for local goods and services in response to the direct change to the economy.

The increases in direct and indirect output would typically correspond to the creation of jobs in the economy for the duration of the tourism activity. Corresponding to this change in employment would be an increase in the total of wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are estimated at \$0.070 million.

For the duration of the tourism activity, total output, including all direct, industrial and consumption effects is estimated to increase by up to \$0.349 million. This represents a Type 2 Output multiplier of 1.758.



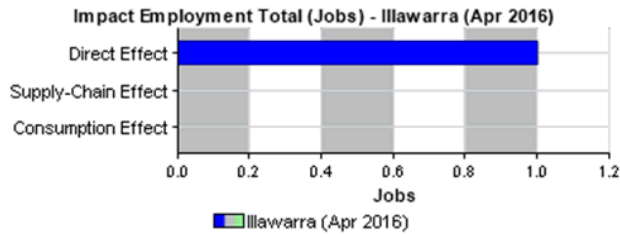
Tourism Impact on Employment (Tourism Activity: 2 days)

From a direct increase in output of \$0.199 million the corresponding creation of direct jobs for the duration of the tourism activity is estimated at 201 jobs. In the longer term (over a 12 month period) this level of demand / output would typically correspond to 1 job. From this direct expansion in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in the gain of a further 0 jobs. This represents a Type 1 Employment multiplier of 1.000.

The increase in direct and indirect output and the corresponding creation of jobs in the economy are expected to result in an increase in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are estimated to further boost employment by 0 jobs.

On an annualised basis, total employment, including all direct, industrial and consumption effects is estimated to increase by up to 1 job. This represents a Type 2 Employment multiplier of 1.000.

These direct and flow-on employment impacts are limited to the duration of the tourism activity and no inference is made that the impacts will extend beyond this period.

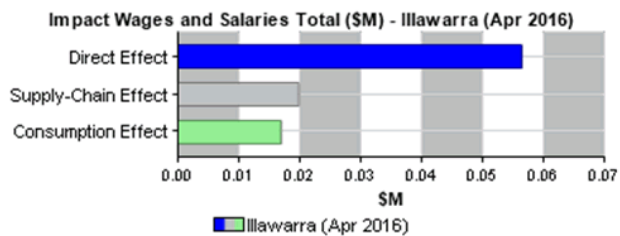


Tourism Impact on Wages and Salaries (Tourism Activity: 2 days)

From a direct increase in output of \$0.199 million it is estimated that direct wages and salaries would increase by \$0.056 million. From this direct expansion in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in the gain of a further 0 jobs and a further increase in wages and salaries of \$0.020 million. This represents a Type 1 Wages and Salaries multiplier of 1.352.

The increase in direct and indirect output and the corresponding creation of jobs in the economy for the duration of the tourism activity are expected to result in an increase in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are expected to further boost employment in sectors such as retail therefore further increasing wages and salaries by \$0.017 million.

For the duration of the tourism activity, total wages and salaries, including all direct, industrial and consumption effects is estimated to increase by up to \$0.093 million. This represents a Type 2 Wages and Salaries multiplier of 1.651.

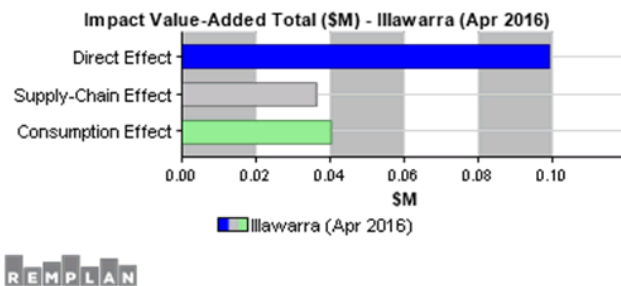


Tourism Impact on Value-Added (Tourism Activity: 2 days)

From a direct increase in output of \$0.199 million the corresponding increase in direct value-added is estimated at \$0.099 million. From this direct expansion in the economy, flow-on industrial effects in terms of local purchases of goods and services are anticipated, and it is estimated that these indirect impacts would result in a further increase to value-added of \$0.036 million. This represents a Type 1 Value-added multiplier of 1.365.

The increase in direct and indirect output and the corresponding boost to jobs in the economy for the duration of the tourism activity are expected to result in an increase in the wages and salaries paid to employees. A proportion of these wages and salaries are typically spent on consumption and a proportion of this expenditure is captured in the local economy. The consumption effects under this scenario are expected to further boost value-added by \$0.040 million.

For the duration of the tourism activity, total value-added, including all direct, industrial and consumption effects is estimated to increase by up to \$0.176 million. This represents a Type 2 Value-added multiplier of 1.771.



Tourism Impact Summary (Tourism Activity: 2 days)

| Impact | Direct Effect | Industrial Effect | Consumption Effect | Total Effect | Type 1 Multiplier | Type 2 Multiplier |
|-----------------------------|---------------|-------------------|--------------------|--------------|-------------------|-------------------|
| Output (\$M) | \$0.199 | \$0.080 | \$0.070 | \$0.349 | 1.403 | 1.758 |
| Long Term Employment (Jobs) | 1 | 0 | 0 | 1 | 1.000 | 1.000 |
| Wages and Salaries (\$M) | \$0.056 | \$0.020 | \$0.017 | \$0.093 | 1.352 | 1.651 |
| Value-added (\$M) | \$0.099 | \$0.036 | \$0.040 | \$0.176 | 1.365 | 1.771 |

Disclaimer

All figures, data and commentary presented in this software are based on data sourced from the Australia Bureau of Statistics (ABS), most of which relates to the 2011, 2006 and 2001 Censuses, and data sourced from the National Visitor Survey (NVS) and International Visitor Survey (IVS) published by Tourism Research Australia.

Using ABS datasets and an input / output methodology industrial economic data estimates for defined geographic regions are generated.

The software also incorporates a region-specific economic impact modelling feature that was first developed at La Trobe University, with continued development from December 2006 by REMPLAN. This feature generates estimates of indirect or flow-on impacts from a direct change to an economy.

This software is provided in good faith with every effort made to provide accurate data and apply comprehensive knowledge. However, REMPLAN does not guarantee the accuracy of data nor the conclusions drawn from this information. A decision to pursue any action in any way related to the figures, data and commentary presented in this software is wholly the responsibility of the party concerned. REMPLAN advises any party to conduct detailed feasibility studies and seek professional advice before proceeding with any such action and accept no responsibility for the consequences of pursuing any such action.

11.2 2018 Kiama Bodyboard Slam

CSP Objective: 3.0 A diverse, thriving economy

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

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

Item 11.2

Summary

Kiama has an opportunity to partner with Surfing NSW and the Association of Professional Bodyboarders (APB) to host an APB World Bodyboarding Tour Event – May 2 – 13, 2018.

Finance

The \$10 000 proposed allocation will be funded from the Events budget.

Policy

n/a

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

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

BACKGROUND

The CEO of the Association of Professional Bodyboarders (APB) is a Kiama resident, Alex Leon.

The APB run a World Tour, which currently included the following destinations:

Event 1 – Teahupoo Tahiti Challenge

Event 2 – Kiama Bodyboard Slam (proposed)

Event 3 – Arica Chile Challenge

Event 4 – Itacoatiara Pro Brazil

Event 5 – Nazare Pro Portugal

Event 6 – Gran Canaria Fronton King

Report of the Director Corporate, Commercial & Community Services

11.2 2018 Kiama Bodyboard Slam (cont)

The proposed Kiama event would include a Men's and Women's Grand Slam International plus amateur State Titles. The last time Australia hosted this World Tour was in 2013.

Kiama would be the main hub of this event with Bodyboarding activities and grass roots level competitions right through to the elite athletes competing in Grand Slam events. The main locations (surf dependent) would be Surf Beach and Mystics. The event also includes activities such as; Bodyboarding clinics and a Bodyboard Industry Expo.

There are an anticipated 242 direct participants in the event, staying an average of 7.8 nights. Due to the location and nature of this event, we would also anticipate reasonable spectator numbers.

The APB are also proposing tourism excursions with top athletes, school visits and a Bodyboard girls experience.

Kiama will also benefit from the brand integration of this event and the creation of new content.

Surfing NSW and the APB are also seeking financial support from Destination NSW.

Item 11.2

11.3 My Health Record Community Awareness Campaign

CSP Objective: 1.0 A healthy, safe and inclusive community

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

Delivery Program: 1.1.5 Facilitate sport and health related facilities and programs

Summary

This report recommends that Council endorse submitting an Expression of Interest (EOI) to participate in COORDINARE's community awareness campaign around eHealth records.

Finance

\$10,000

Policy

N/A

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

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

BACKGROUND

The Australian government is changing the way it manages electronic health records. Up until now, if you wanted an eHealth Record, you would have to register to obtain one. By the end of 2018, the government plans to implement a process whereby Australians have to 'opt out' of having an electronic record established for them.

This initiative, called My Health Record, will require communication efforts at a local, regional and national level to ensure all consumers are informed about the expansion of My Health Record. The Australian Digital Health Agency (the Agency) is a Commonwealth Agency and is the System Operator of the My Health Record. The Agency has a primary objective - to inform every Australian that they are going to have a My Health Record created for them in 2018 unless they tell the Agency they don't want one.

One of their strategies to achieve this is to have locally based awareness campaigns. South Eastern NSW PHN (Primary Health Network), COORDINARE has been tasked by the Agency to coordinate this activity in southeastern NSW. COORDINARE believes people listen to and consider the experience of other people

Report of the Director Corporate, Commercial & Community Services

11.3 My Health Record Community Awareness Campaign (cont)

when making decisions, and recognises that each community is different. Locally designed community engagement approaches are more likely to be effective than a one size fits all approach when sharing new information. COORDINARE is offering \$10,000 to local organisations to actively support and implement a local community awareness campaign between March and May of 2018. It is proposed that Council would employ someone on a casual basis to coordinate a local awareness campaign utilising the promotional material provided by COORDINARE.

Item 11.3

11.4 South Coast Food Industry Dinner

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

Summary

Following a request from South East Local Land Services this report seeks approval to provide sponsorship support for South Coast Food Industry Dinner event being held at The Pavilion Kiama on 16 March 2018.

Finance

Economic Development Budget

Policy

Economic Development Strategy

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

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

BACKGROUND

South East Local Land Services have been hosting the South Coast Food Industry dinner for the past five years with the event growing in popularity. This year's event will bring together local agriculture and agribusiness to celebrate the partnership and investigate opportunities in the local South Coast region. The dinner will be a vital networking event for agricultural producers, supply chain participants, agribusiness, education providers and local and state government. Not only is the dinner a networking event but also provides an opportunity to taste local produce expertly prepared by local highly qualified chefs.

Local Land Services anticipates over 100 dinner attendees. Typical guests include local and corporate farming and agribusiness, senior local state and federal government representatives as well as representatives from education facilities and tourism.

The evening provides the opportunity to connect with producers in other industries and to discuss working together to promote profitable and sustainable NSW South

Report of the Director Corporate, Commercial & Community Services

11.4 South Coast Food Industry Dinner (cont)

Coast primary production. This year they have secured Lyndey Milan as the MC and keynote speaker. Lyndey is a well known TV and media personality who is passionate about local produce and ensuring a viable and diversified agricultural sector. She is also on the Tourism Australia food and wine advisory panel. Lyndey will speak about the importance of producing and preparing high quality food and why local food production is so valuable to a community

The aim of this event is to:-

1. Showcase local produce which is cooked by local chefs.
2. Provide an opportunity to businesses/producers to learn more about growing and producing locally grown foods profitably.
3. Provide an opportunity for local producers and those interested in entering the market to form new relationships and further hone their business opportunities.

The dinner will provide the opportunity to sample local produce cooked by local chefs whilst being inspired by fellow producing peers.

As a gold sponsor Council will have receive:

- the opportunity to address the attendees during the dinner
- two complimentary tickets to the dinner
- partner and logo recognition in all promotional publications associated with the dinner
- partner and logo recognition and link across website and all social media platforms
- banners displayed on dinning floor (partner to provide)
- recognition throughout the dinner.

This event aligns with goals identified in our Community Strategic plan, and demonstrates the importance that Council places on having a viable, diverse and sustainable Agricultural sector. Recent community surveys have highlighted the great importance of maintaining the productive use of rural land and acknowledging the land's contribution to the economy and lifestyle of the area.

11.5 Gerringong Mens Shed Inc - Jubilee Oval Gerringong

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

CSP Strategy: 2.12 Effectively manage recreation and open space infrastructure to cater for current and future generations

Delivery Program: 2.12.1 Manage recreation and open space infrastructure for the community by the implementation of the Recreation and Open Space Asset Management Plan actions

Item 11.5

Summary

This report recommends that Council provides its consent as landowner to allow an additional storage facility for the Gerringong Mens Shed at Jubilee Oval Gerringong in conjunction with the existing Mens Shed facility currently located on site.

Finance

The licence agreement following development consent for the use will be subject to Council's Fees and Charges.

Policy

Local Government Act 1993

Attachments

1 10.2017.288.1 - Approved DA Plans - Blackwood Street Gerringong [↓](#)

Enclosures

Nil

RECOMMENDATION

That:

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

BACKGROUND

The Gerringong Mens Shed Inc. has recently received development consent (10.2017.288.1) to approve the existing Gerringong Historical Society's building currently located at 8 Blackwood Street, Gerringong (Lot 100 DP 1230058) to be relocated to Jubilee Oval Gerringong (Lot 7010 DP 1026773).

The new building is to be located adjacent to the existing Men's Shed building as indicated in the attached development consent plans.

Report of the Director Corporate, Commercial & Community Services

11.5 Gerringong Mens Shed Inc - Jubilee Oval Gerringong (cont)

The purpose of the proposed building is to be used as ancillary storage for the existing mens shed facility currently located on site. The building will additionally be used as storage for the Gerringong Historical Society's exhibitions whilst the Gerringong Library & Museum development is being constructed at 8 Blackwood Street, Gerringong.

Following the completion of construction works for the new Gerringong Library & Museum building, the exhibitions will be removed from storage and relocated to the new site.

Currently there is an existing licence agreement in place with the Gerringong Mens Shed for the existing structure/shed. There will need to be a separate agreement for the new building, however following the cessation of the licence agreement for the existing shed, it is considered the two agreements could be consolidated.

Item 11.5

Plans

KIAMA MUNICIPAL COUNCIL
your council, your community

RELOCATION OF
MUSEUM BLDG.
ADJACENT TO
GERRINGONG
MEN'S SHED

DRAWN BY
L.J. WOODCOTT
5-10-17

Kiama Council
L7087 - Active Support
WGA Form 16

Projection: GDA 1984 - Scale: 1:100 @ A3

The information contained in this document is for general information only and does not constitute an offer of any financial product or service. It is not intended to be used as a basis for investment decisions. The information is subject to change without notice. For more information, please contact your financial adviser.

Item 11.5

Attachment 1

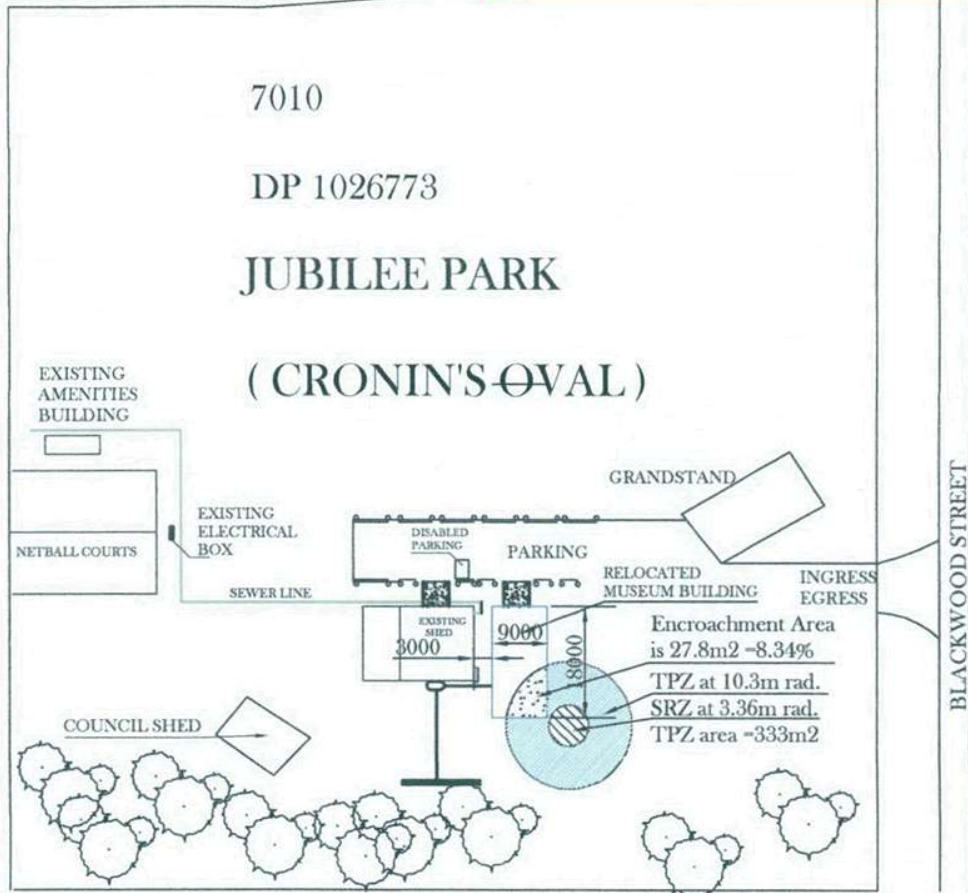
Additional Info. *From application to Council*

KIAMA MUNICIPAL COUNCIL
 Environmental Planning & Assessment Act 1979
DEVELOPMENT CONSENT
 These plans (and specifications) are those referred to in
 Development Consent No. 10.2017.288.1
 Dated 15/01/2018

Date Received

18 DEC 2017

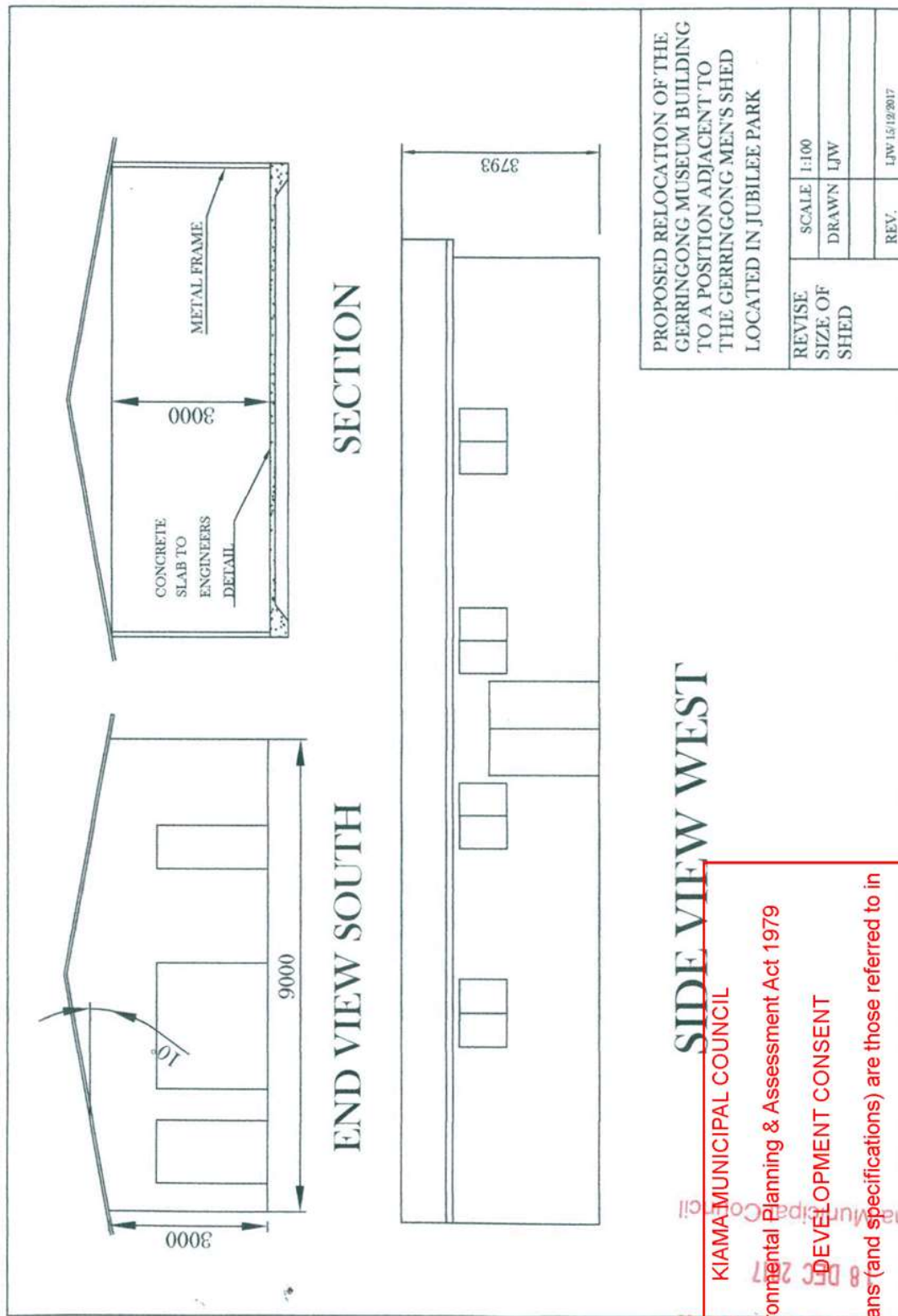
Kiama Municipal Council



| | | |
|-----------------------------------------------------------------------------------------------------|---------|----------------|
| PROPOSED RELOCATION OF THE GERRINGONG MUSEUM BUILDING AND IT'S RELATIONSHIP TO THE COASTAL GREY GUM | REVISED | IJW 15/12/2017 |
| REVISED SIZE OF SHED TO COMPLY WITH PLANNING REQUIREMENTS ON LOCATION | REVISED | IJW 18/11/2017 |
| | Drawn | LJW. |
| KIAMA CITY COUNCIL 7010 DP 1026773 BLACKWOOD STREET GERRINGONG 2534 NSW | Date | 24/09/2017 |
| | Scale | 1:1000 |

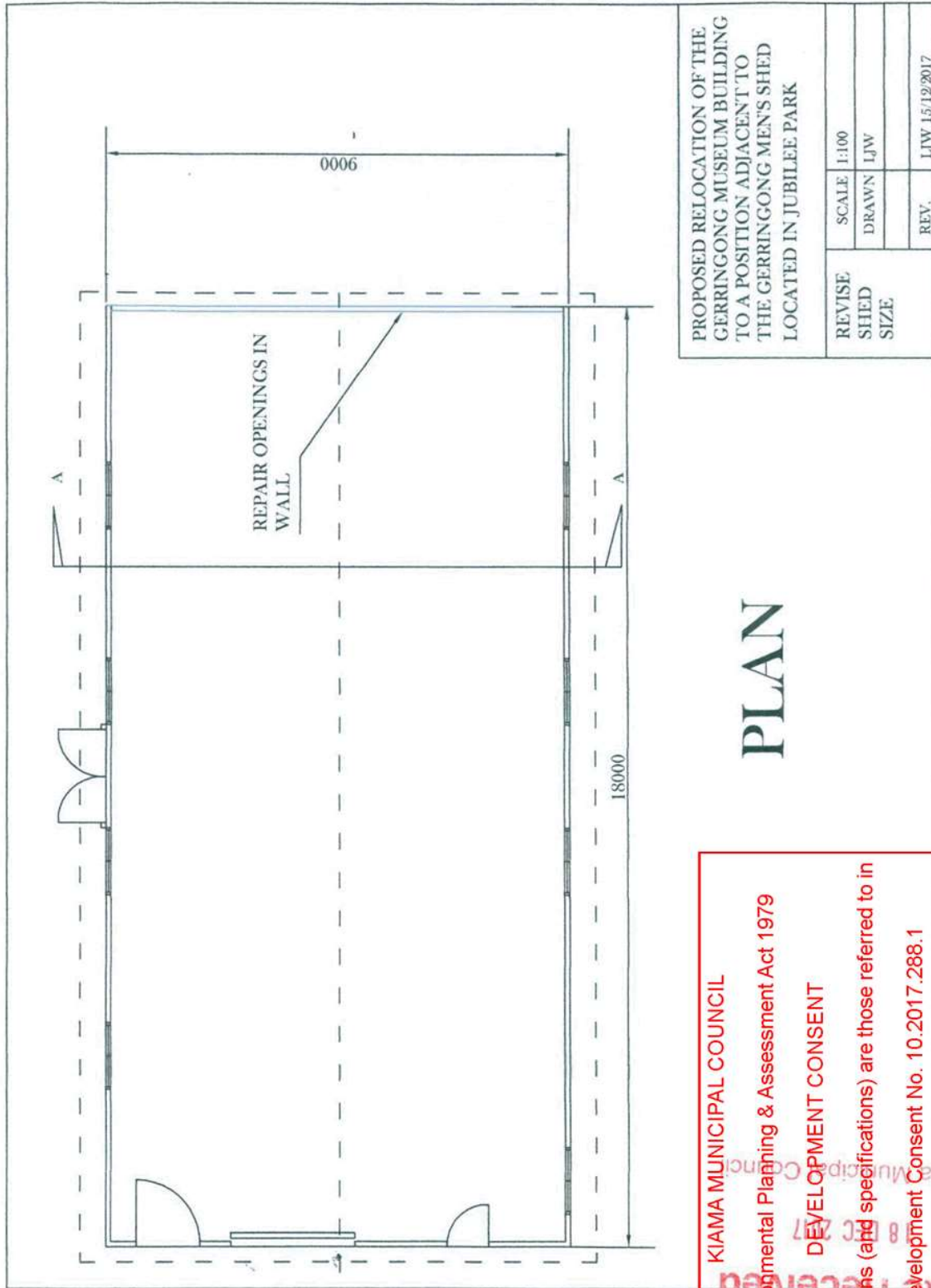
Item 11.5

Attachment 1



SIDE VIEW WEST

KIAMA MUNICIPAL COUNCIL
Environmental Planning & Assessment Act 1979
DEVELOPMENT CONSENT
These plans (and specifications) are those referred to in
Development Consent No. 10.2017.288.1
Dated 15/01/2018



PLAN

KIAMA MUNICIPAL COUNCIL
 Environmental Planning & Assessment Act 1979
 DEVELOPMENT CONSENT
 These plans (and specifications) are those referred to in
 Development Consent No. 10.2017.288.1
 Dated 15/01/2018

11.6 Statement of Investments - December 2017

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

CSP Strategy: 4.2 Ensure finances are managed responsibly to meet the goals of the Community Strategic Plan and to protect financial investments and assets

Delivery Program: 4.2.3 Ensure maximum revenue return is achieved

Summary

This report recommends receipt and adoption of the Statement of Investments for December 2017.

Finance

N/A

Policy

Clause 625 of the Local Government Act 1993 (NSW)

Clause 212 of the Local Government (General) Regulation 2005

Kiama Municipal Council – Investment Policy

Attachments

1 Statement of investments December 2017 [↓](#)

Enclosures

Nil

RECOMMENDATION

That the information relating to the Statement of Investments for December 2017 be received and adopted.

BACKGROUND

Attached is a copy of the Statement of Investments for December 2017.

Investment Commentary

Council's direct investments are often rolled over on maturity with the same financial institution, if competitive, and based on whether funds are required for operations.

The investment portfolio is regularly reviewed in order to maximise investment performance and minimise risk. Comparisons are made between existing investments with available products that are not part of Council's portfolio. Independent advice is sought on new investment opportunities.

A decision by the Reserve Bank board meeting in December has seen the cash rate unchanged at 1.50%. "*The low level of interest rates is continuing to support the Australian economy*". There does not appear to be any likelihood of any change in rates moving upward in the short term and the hold on the cash rate is "consistent with sustainable growth in the economy and achieving the inflation target overtime." (December 2017 Monetary Policy Decision, Media Release, No. 2017- 23).

The Commonwealth Bank is quoting the following rates:

| 3 Months | 6 Months | 9 Months | 12 Months | 18 Months |
|----------|----------|----------|-----------|-----------|
| 2.43% | 2.54% | 2.65% | 2.71% | 2.80% |

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.

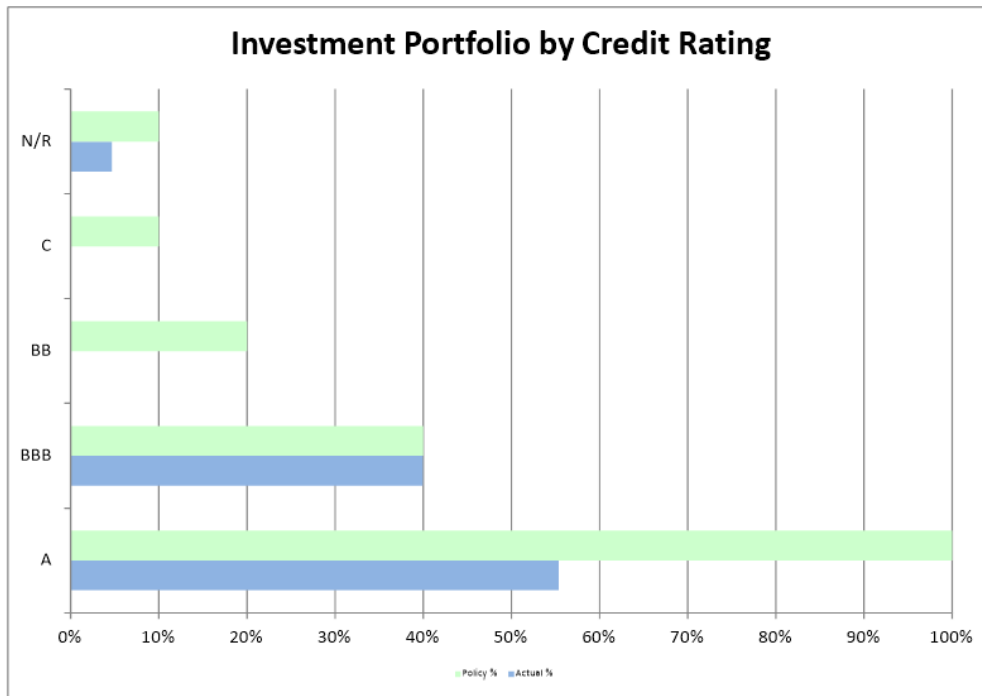
(b) Council Investments as at 31 December, 2017

| DIRECT INVESTMENTS: INSTITUTION | S & P RATING | MARKET VALUE \$ | INVESTMENT TYPE | DATE LODGED | MATURITY DATE | TERM (DAYS) | RATE % |
|-------------------------------------|-----------------|--------------------|--------------------|------------------------------------------------|------------------------|----------------|-------------|
| AMP | A | 500,000.00 | Term Deposit | 13/09/17 | 13/06/18 | 273 | 2.60 |
| AMP | A | 1,000,000.00 | Term Deposit | 30/08/17 | 30/05/18 | 273 | 2.60 |
| AMP | A | 1,000,000.00 | Term Deposit | 30/08/17 | 30/05/18 | 273 | 2.60 |
| AMP | A | 1,000,000.00 | Term Deposit | 22/11/17 | 21/02/18 | 91 | 2.30 |
| AMP | A | 1,000,000.00 | Term Deposit | 06/09/17 | 06/06/18 | 273 | 2.60 |
| AMP | A | 500,000.00 | Term Deposit | 18/10/17 | 24/10/18 | 371 | 2.60 |
| Beyond Bank | BBB+ | 1,000,000.00 | Term Deposit | 11/10/17 | 10/01/18 | 91 | 2.40 |
| Bankwest | AA- | 1,000,000.00 | Term Deposit | 08/08/17 | 11/01/18 | 156 | 2.40 |
| Bank of Qld | BBB+ | 1,000,000.00 | Term Deposit | 12/07/17 | 11/04/18 | 273 | 2.65 |
| Bank of Qld | BBB+ | 2,000,000.00 | Term Deposit | 22/11/17 | 22/08/18 | 273 | 2.60 |
| Bank of Qld | BBB+ | 1,500,000.00 | Term Deposit | 29/11/17 | 29/08/18 | 273 | 2.60 |
| Bank of Qld | BBB+ | 1,000,000.00 | Term Deposit | 09/08/17 | 14/02/18 | 189 | 2.60 |
| Bank of Qld | BBB+ | 1,500,000.00 | Term Deposit | 08/11/17 | 09/05/18 | 182 | 2.60 |
| Bank of Qld | BBB+ | 1,000,000.00 | Term Deposit | 31/08/17 | 07/03/18 | 188 | 2.55 |
| Bendigo | BBB+ | 1,000,000.00 | Term Deposit | 02/08/17 | 02/05/18 | 273 | 2.55 |
| Bendigo | BBB+ | 1,000,000.00 | Term Deposit | 04/10/17 | 04/07/18 | 273 | 2.55 |
| Bendigo | BBB+ | 1,000,000.00 | Term Deposit | 31/08/17 | 31/05/18 | 273 | 2.50 |
| Community Alliance Credit Union | N/R | 1,000,000.00 | Term Deposit | 13/09/17 | 12/09/18 | 364 | 2.65 |
| Community Alliance Credit Union | N/R | 1,000,000.00 | Term Deposit | 13/09/17 | 12/09/18 | 364 | 2.60 |
| Credit Union Australia | BBB | 1,500,000.00 | Term Deposit | 29/11/17 | 26/09/18 | 301 | 2.55 |
| ME Bank | BBB | 1,000,000.00 | Term Deposit | 13/12/17 | 13/06/18 | 182 | 2.55 |
| ME Bank | BBB | 1,500,000.00 | Term Deposit | 23/08/17 | 24/01/18 | 154 | 2.50 |
| ME Bank | BBB | 1,000,000.00 | Term Deposit | 18/10/17 | 18/04/18 | 182 | 2.52 |
| NAB | AA- | 1,000,000.00 | Term Deposit | 04/01/17 | 03/01/18 | 364 | 2.74 |
| NAB | AA- | 1,000,000.00 | Term Deposit | 13/12/17 | 13/06/18 | 182 | 2.45 |
| NAB | AA- | 1,000,000.00 | Term Deposit | 27/09/17 | 26/09/18 | 364 | 2.60 |
| NAB | AA- | 2,000,000.00 | Term Deposit | 25/10/17 | 24/10/18 | 364 | 2.55 |
| NAB | AA- | 1,000,000.00 | Term Deposit | 11/10/17 | 11/04/18 | 182 | 2.57 |
| SA Police Credit Union | AA- | 1,000,000.00 | Term Deposit | 14/06/17 | 20/06/18 | 371 | 2.92 |
| Suncorp | A+ | 1,000,000.00 | Term Deposit | 15/11/17 | 13/06/18 | 210 | 2.61 |
| Suncorp | A+ | 1,000,000.00 | Term Deposit | 06/12/17 | 06/06/18 | 182 | 2.55 |
| Suncorp | A+ | 1,000,000.00 | Term Deposit | 05/07/17 | 10/01/18 | 189 | 2.50 |
| Suncorp | A+ | 1,000,000.00 | Term Deposit | 18/01/17 | 17/01/18 | 364 | 2.70 |
| Total Term Deposits | | 36,000,000 | | | | | 2.57 |
| TcorpIM Cash Fund | AAA | 3,039,703 | Cash Fund | | AT CALL | | 1.92 |
| Westpac | AA- | 2,928,827 | Bank Account | - | AT CALL | | 1.58 |
| Westpac | AA- | 581,579 | Maxi Account | - | AT CALL | | 0.60 |
| Total 'At Call' Funds | | 6,550,108 | | | | | 1.09 |
| TOTAL CASH & INVESTMENTS | | 42,550,108 | | | Average Rate- Dec 2017 | | 2.48 |
| | | | | | Average Rate- Dec 2016 | | 2.74 |
| TOTAL INVESTMENTS Nov 2017 | | 41,302,092 | 2.93% | Change in total investment over prev 1 month | | | |
| TOTAL INVESTMENTS Dec 2016 | | 45,048,679 | -5.55% | Change in total investment over prev 12 months | | | |

Note: The Westpac Bank Account balance shown above of \$2.93M includes deposits at month-end not processed to Council's financial system and excludes cheques that have not been presented.

Item 11.6

Attachment 1



(c) Application of Invested Funds

| Restricted Funds: | Description | Value (\$) |
|----------------------------|---------------------------------------------------|-------------------|
| Externally Restricted | S94 Developer Contributions | 5,042,094 |
| | Grants | 298,611 |
| | Domestic Waste | 2,346,477 |
| | Waste & Sustainability | 403,006 |
| | Southern Council's Group | 2,730,925 |
| Internally Restricted | Blue Haven ILU | 5,738,423 |
| | Blue Haven Care-Residential | 2,990,179 |
| | Carer Respite Centre | 1,379,706 |
| | Land Development | 2,913,984 |
| | Waste Business Unit (Plant Replacement) | 1,081,912 |
| | Plant Replacement | 2,006,982 |
| | Employee Leave Entitlements | 2,400,000 |
| | S94 Recoupments | 2,182,802 |
| | Carry-over works | 2,398,657 |
| | Holiday Parks | 1,779,238 |
| | Contingencies | 779,730 |
| | Computer | 879,698 |
| | Property Insurance | 120,000 |
| | Community Bus | 263,239 |
| | CACP | 110,856 |
| | Organisational Development | 200,000 |
| | Fleet Replacement | 100,000 |
| Council Election | 55,000 | |
| Leisure Centre Renewal | 180,000 | |
| Revolving Energy Fund | 315,000 | |
| Future Project Development | 70,000 | |
| Arts Precinct | 85,000 | |
| The Pavilion | 210,000 | |
| Unrestricted Funds: | Funds to meet current budgeted expenditure | 3,433,589 |
| TOTAL INVESTMENTS | | 42,550,108 |

Note:

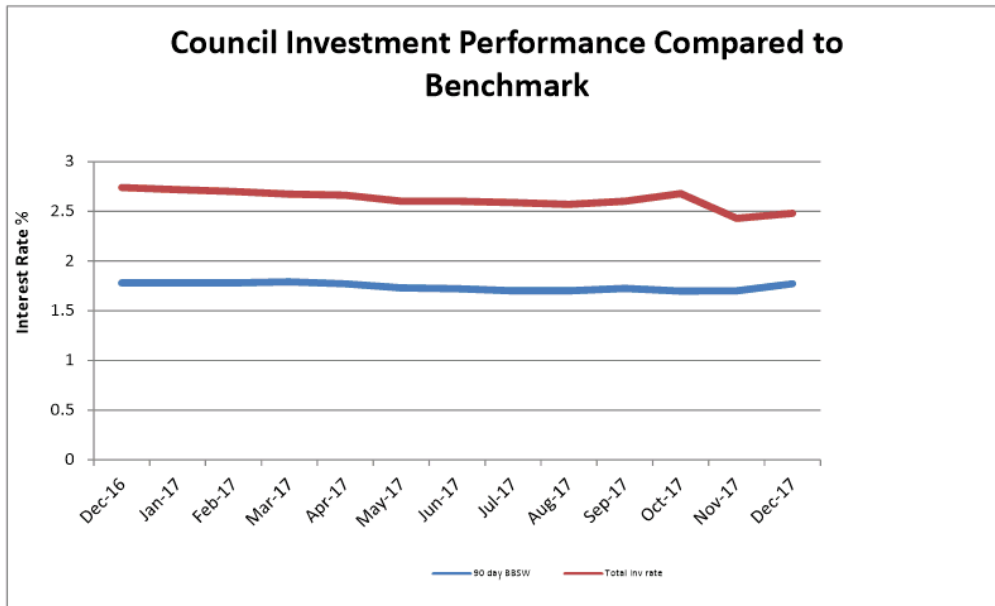
The above Application of Invested Funds reflects audited balances as at 30 June 2017. Actual movement in these balances are recorded at the end of the financial year.

The Unrestricted Funds balance forms available cash to fund Council's ongoing budget operations.

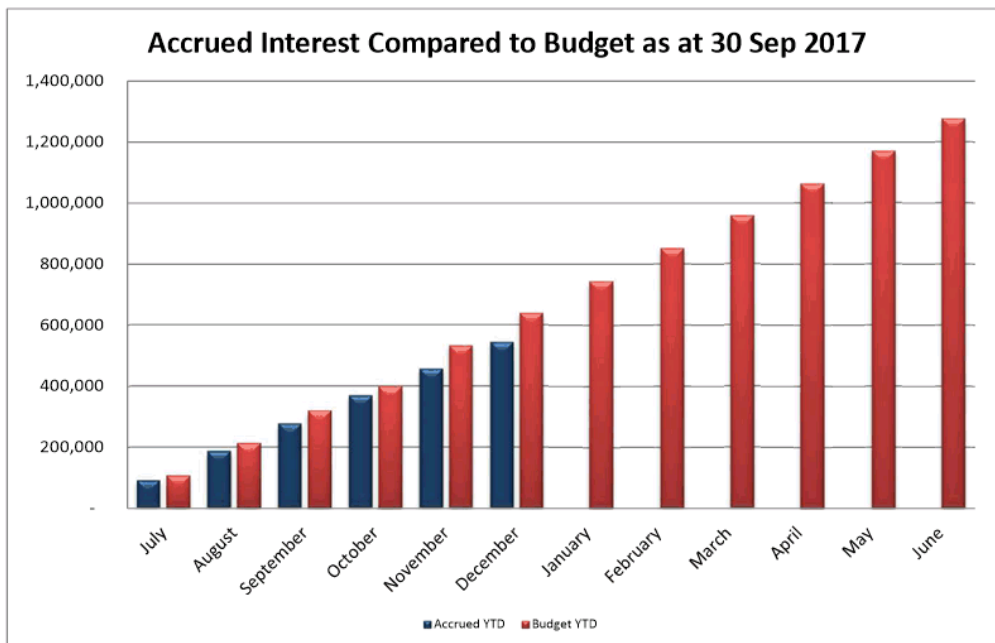
(d) Investment Portfolio Performance

Investment Performance vs Benchmark

| | Investment Portfolio Return (%pa) | Benchmark:BBSW 90 day Bank Bill Index (source RBA) |
|-----------|--------------------------------------|-------------------------------------------------------|
| 1 month | 2.48 | 1.77 |
| 3 months | 2.53 | 1.72 |
| 6 months | 2.56 | 1.72 |
| 12 Months | 2.61 | 1.74 |



Council has been able to consistently perform above the Reserve Bank 90 day Bank Bill Index.



11.7 Financial Report for the period ending 31 December 2017

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

CSP Strategy: 4.2 Ensure finances are managed responsibly to meet the goals of the Community Strategic Plan and to protect financial investments and assets

Delivery Program: 4.2.1 Ensure all Statutory accounting and reporting is carried out to meet legislation

Item 11.7

Summary

That the revised budget for the period ending 31 December 2017 be received and adopted

Finance

Variation to Council's 2017/2018 Budget

Policy

This report is a requirement under the Local Government Act 1993

Attachments

1 Quarterly Budget Review Statement - 31 Dec 2017 [↓](#)

Enclosures

Nil

RECOMMENDATION

That the revised budget for the period ending 30 December 2017 be received and adopted.

BACKGROUND

In accordance with Clause 203 of the Local Government (General) Regulation 2005 the revised budget for the period is presented for Council's consideration. A detailed budget review statement will be tabled at the meeting. The statement provides for any variations, which have previously been approved by Council, and adjustments to income and expenditure items based on present trends to date.

| Fit For the Future Criteria | Benchmarks | Original Budget 2017/18 | | Revised Budget as at 31/12/2017 | |
|-------------------------------------------|------------|-------------------------|---|---------------------------------|---|
| Operating Performance Ratio | >0% | 1.2% | ✓ | 2.29% | ✓ |
| Own Source Operating Revenue Ratio | >60% | 73.4% | ✓ | 77.5% | ✓ |
| Asset Maintenance Ratio | >=100% | 102% | ✓ | 102% | ✓ |
| Building & Infrastructure Renewals Ratio | >=100% | 100.1% | ✓ | 100.1% | ✓ |
| Debt Service Ratio | >0% <20% | 11.69% | ✓ | 11.61% | ✓ |
| Infrastructure Backlog Ratio | <2% | 1.32% | ✓ | 1.32% | ✓ |
| Real Operating Expenditure - Consolidated | Decreasing | Decreasing | ✓ | Decreasing | ✓ |

Budget Review Report

The second quarter review has a nil overall effect based on the original budget figures. Material variations to the budget are included in the following statements.

Summary of changes in the following reports:- (\$,000)

Income & Expenses Statement - net decrease in revenue 111

Capital Budget Statement - net increase in expenditure 328

Attached are Revised Income Statement, Capital Budget Statement, Cash and Investments, Key Performance Indicators and Contracts & Other Expenses showing the material variances for the December Quarter.

The Budget Review Report will be tabled at the meeting.

Kiama Municipal Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

| Table of Contents | page |
|-------------------------------------------------------------------------------|-------------|
| 1. Responsible Accounting Officer's Statement | 1 |
| 2. Income & Expenses Budget Review Statement's Income & Operating expenses | 2 |
| - Variation details | 3 |
| 3. Capital Budget Review Statement | 4 |
| - Variation details | 5 |
| 4. Cash & Investments Budget Review Statement | 6 |
| - Variation details | 7 |
| 5. Key Performance Indicator (KPI) Budget Review Statement | 8 |
| 6. Contracts & Other Expenses Budget Review Statement | 9-10 |

Item 11.7

Attachment 1

Kiama Municipal Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Report by Responsible Accounting Officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

31 December 2017

It is my opinion that the Quarterly Budget Review Statement for Kiama Municipal Council for the quarter ended 31/12/17 indicates that Council's projected financial position at 30/6/18 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:  _____

date: 25/01/2018

David Mead
Responsible Accounting Officer

Item 11.7

Attachment 1

Kiama Municipal Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Income & Expenses Budget Review Statement

Budget review for the quarter ended 31 December 2017

Income & Expenses - General Fund

| (\$000's) | Original Budget 2017/18 | Revised Budget 2017/18 | Variations for this Dec Qtr | Notes | Projected Year End Result | Actual YTD figures |
|--------------------------------------------------|-------------------------|------------------------|-----------------------------|-------|---------------------------|--------------------|
| Income | | | | | | |
| Rates and Annual Charges | 21,140 | 21,140 | - | | 21,140 | 21,026 |
| User Charges and Fees | 16,856 | 19,039 | (1) | | 19,038 | 9,498 |
| Interest and Investment Revenues | 1,734 | 1,308 | - | | 1,308 | 543 |
| Other Revenues | 2,011 | 3,227 | (0) | | 3,226 | 913 |
| Grants & Contributions - Operating | 12,756 | 10,728 | 44 | 1 | 10,773 | 5,846 |
| Grants & Contributions - Capital | 2,932 | 3,299 | - | | 3,299 | 7,794 |
| Net gain from disposal of assets | 3,807 | 3,807 | - | | 3,807 | 385 |
| Total Income from Continuing Operations | 61,235 | 62,547 | 43 | | 62,590 | 46,005 |
| Expenses | | | | | | |
| Employee Costs | 24,510 | 24,621 | 16 | 2 | 24,637 | 13,075 |
| Borrowing Costs | 195 | 195 | - | | 195 | 39 |
| Materials & Contracts | 18,926 | 19,152 | 188 | 3,4 | 19,341 | 9,520 |
| Depreciation | 6,448 | 6,448 | - | | 6,448 | 3,224 |
| Other Expenses | 3,625 | 3,645 | (53) | 5 | 3,592 | 1,770 |
| Total Expenses from Continuing Operations | 53,704 | 54,061 | 153 | | 54,214 | 27,628 |
| Net Operating Result from All Operations | 7,531 | 8,486 | (111) | | 8,375 | 18,377 |
| Net Operating Result before Capital Items | 4,599 | 5,187 | (111) | | 5,076 | 10,583 |

Item 11.7

Attachment 1

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended xx/xx/xx and should be read in conjunction with the total QBRS report

Kiama Municipal Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Income & Expenses Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

| Notes | Details | \$,000 |
|-------|------------------------------------------------------------------|--------|
| 1 | Expected Grant increase for Blue Haven Care - resident subsidies | (111) |
| | Decrease in Carer Respite Centre Grant | 74 |
| | various minor grant balancing adjustments | 3 |
| | Community Bus Contributions | (10) |
| 2 | Leadership Development Training | 16 |
| 3 | Recruitment for retiring GM | 31 |
| | Increase in recruitment | 18 |
| | Promapp Subscription | 33 |
| | Regional Roads Maintenance - funded by grant | 27 |
| | Unexpected failures in fire systems | 15 |
| | Land & Building Revaluations | 81 |
| | various immaterial adjustments | (8) |
| | Re - categorisation of expenses | 53 |
| | Decrease in Carer Respite Centre expenses to match grant funding | (73) |
| | Blue Haven IT Software | 10 |
| 4 | legal advice on release of funds indemnity | 2 |
| 5 | Re - categorisation of expenses | (53) |

Item 11.7

Attachment 1

Kiama Municipal Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Capital Budget Review Statement

Budget review for the quarter ended 31 December 2017

Capital Budget - General Fund

| (\$000's) | Original Budget 2017/18 | Carry Forwards | Approved Changes Other than by QBRS | Sep QBRS | Revised Budget 2017/18 | Variations for this Dec Qtr | Notes | Projected Year End Result | Actual YTD figures |
|------------------------------------------------|-------------------------|----------------|-------------------------------------|--------------|------------------------|-----------------------------|-------|---------------------------|--------------------|
| Capital Expenditure | | | | | | | | | |
| New Assets | | | | | | | | | |
| - Plant & Equipment | 690 | 80 | | 19 | 789 | - | 1 | 789 | 298 |
| - Land & Buildings | 32,656 | 6,584 | | 150 | 39,390 | | 2 | 39,390 | 3,878 |
| - Roads, Bridges, Footpaths | 710 | 112 | | 154 | 976 | | 3 | 976 | 450 |
| Renewal Assets (Replacement) | | | | | | | | | |
| - Plant & Equipment | 3,326 | 987 | | 2 | 4,316 | 32 | 3 | 4,348 | 3,000 |
| - Land & Buildings | 5,642 | 1,414 | | 768 | 7,824 | 323 | 1,4 | 8,147 | 1,278 |
| - Roads, Bridges, Footpaths | 2,337 | 398 | | 418 | 3,152 | (27) | 2 | 3,125 | 1,308 |
| Loan Repayments (Principal) | 814 | | | | 814 | | | 814 | 1,056 |
| Total Capital Expenditure | 46,175 | 9,576 | - | 1,511 | 57,261 | 328 | | 57,589 | 11,268 |
| Capital Funding | | | | | | | | | |
| Rates & Other Untied Funding | 2,100 | | | 851 | 2,951 | 35 | 3,4 | 2,986 | 2,060 |
| Capital Grants & Contributions | 2,500 | 500 | | 482 | 3,482 | (27) | 2 | 3,455 | 7,794 |
| Reserves: | | | | | | | | | |
| - External Restrictions/Reserves | 1,231 | | | 177 | 1,408 | | | 1,408 | 68 |
| - Internal Restrictions/Reserves | 7,844 | 9,076 | | | 16,920 | 320 | 1 | 17,240 | 1,240 |
| New Loans | 32,500 | | | | 32,500 | | | 32,500 | |
| Total Capital Funding | 46,174 | 9,576 | - | 1,510 | 57,261 | 328 | | 57,589 | 11,162 |
| Net Capital Funding - Surplus/(Deficit) | (0) | 0 | - | (0) | (0) | - | | (0) | (107) |

Item 11.7

Attachment 1

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended xx/xx/xx and should be read in conjunction with the total QBRS report

Kiama Municipal Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Capital Budget Review Statement
Recommended changes to revised budget

Budget Variations being recommended include the following material items:

| Notes | Details | Funding | \$,000 |
|--------------|-------------------------------------------------------------------------------|----------------|---------------|
| 1 | Blue Haven Independent Living Units refurbishments - Increase in vacated unit | Reserves | 320 |
| 2 | Reduction in regional roads renewal - moved to regional roads maintenance | Grant | -27 |
| 3 | Blue Haven Aged Care - equipment renewals | Revenue | 32 |
| 4 | Gelnbrook Farm Septic | Revenue | 3 |
| | | | |
| | | | |

Item 11.7

Attachment 1

Kiama Municipal Council

Cash & Investments Budget Review Statement

Budget review for the quarter ended 31 December 2017

Cash & Investments - General Fund

| (\$000's) | Opening Balance 2017/18 | Revised Budget 2017/18 | Variations for this Dec Qtr | Notes | Projected Year End Result |
|----------------------------------------------------------------------------|-------------------------------|------------------------------|-----------------------------------|-------|---------------------------------|
| Externally Restricted ⁽¹⁾ | | | | | |
| S94 Developer Contributions | 5,042 | 4,024 | | | 4,024 |
| Grants and Contributions | 299 | 216 | | | 216 |
| Domestic Waste | 2,346 | 2,442 | | | 2,442 |
| Waste & Sustainability | 403 | 87 | | | 87 |
| Southern Council's Group | 2,731 | 2,731 | | | 2,731 |
| Total Externally Restricted | 10,821 | 9,500 | - | | 9,500 |
| <small>(1) Funds that must be spent for a specific purpose</small> | | | | | |
| Internally Restricted ⁽²⁾ | | | | | |
| Blue Haven Care-Self Care | 5,738 | 4,209 | (320) | 1 | 3,889 |
| Blue Haven Care-Residential | 5,834 | 311 | | | 311 |
| S94 Recoupments | 2,183 | 1,833 | | | 1,833 |
| Land Development | 2,914 | 2,914 | | | 2,914 |
| Carry-over Works | 2,399 | (0) | | | (0) |
| Waste Business Unit | 1,082 | 252 | | | 252 |
| Employee Leave Entitlements | 2,400 | 2,400 | | | 2,400 |
| Holiday Parks | 1,779 | 2,827 | | | 2,827 |
| Contingencies | 780 | 1,199 | | | 1,199 |
| Plant Replacement | 2,007 | 1,309 | | | 1,309 |
| Community Bus | 263 | 293 | | | 293 |
| Computer | 880 | 880 | | | 880 |
| Property Insurance | 120 | 120 | | | 120 |
| CACP | 111 | 403 | | | 403 |
| Carer Respite Centre | 1,380 | 1,380 | | | 1,380 |
| Fleet Replacement | 100 | 100 | | | 100 |
| Council Election | 55 | 55 | | | 55 |
| Organisational Development | 200 | 200 | | | 200 |
| Pavilion | 210 | 210 | | | 210 |
| Arts Precinct | 85 | - | | | - |
| Future Project Development | 70 | 70 | | | 70 |
| Revolving Energy Fund | 315 | 315 | | | 315 |
| Leisure Centre Renewal | 180 | 180 | | | 180 |
| Total Internally Restricted | 31,084 | 21,459 | (320) | | 21,139 |
| <small>(2) Funds that Council has earmarked for a specific purpose</small> | | | | | |
| Unrestricted (ie. available after the above Restrictic | 206 | 3,802 | 320 | | 4,122 |
| Total Cash & Investments | 42,111 | 34,762 | | | 34,762 |

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended xx/xx/xx and should be read in conjunction with the total QBRS report

Kiama Municipal Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Cash & Investments Budget Review Statement

Investments

Investments have been invested in accordance with Council's Investment Policy.

Cash

The Cash at Bank figure included in the Cash & Investment Statement totals \$42,550,108

This Cash at Bank amount has been reconciled to Council's physical Bank Statements.
The date of completion of this bank reconciliation is 31/12/17

Recommended changes to revised budget

Budget Variations being recommended include the following material items:

| Notes | Details | \$,000 | |
|-------|-------------------------------------------------------------------------------|--------|------|
| | | To | From |
| 1 | Blue Haven Independent Living Units refurbishments - Increase in vacated unit | | 320 |

Kiama Municipal Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Key Performance Indicators Budget Review Statement - Industry KPI's (OLG)

Budget review for the quarter ended 31 December 2017

| (\$000's) | Current Projection | | Original Budget 17/18 | Actuals Prior Periods | |
|-----------------------------------------------------------------|--------------------|-----------------|-----------------------|-----------------------|--------|
| | Amounts 17/18 | Indicator 17/18 | | 16/17 | 15/16 |
| NSW Local Government Industry Key Performance Indicators (OLG): | | | | | |
| 1. Operating Performance | | | | | |
| Operating Revenue (excl. Capital) - Operating Expenses | 1270 | 2.29 % | 1.22 % | 4.77 % | 2.61 % |
| Operating Revenue (excl. Capital Grants & Contributions) | 55484 | | | | |

This ratio measures Council's achievement of containing operating expenditure within operating revenue.

| | | | | | |
|-------------------------------------------------------|-------|--------|--------|--------|--------|
| 2. Own Source Operating Revenue | | | | | |
| Operating Revenue (excl. ALL Grants & Contributions) | 48518 | 77.5 % | 73.4 % | 60.4 % | 59.8 % |
| Total Operating Revenue (incl. Capital Grants & Cont) | 62590 | | | | |

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.

NSW Local Government Industry Key Performance Indicators (OLG):

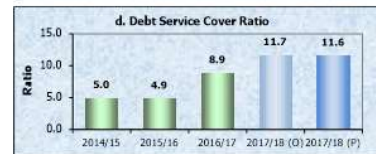
| | | | | | |
|------------------------------------------------------|-------|-------|-------|------|------|
| 4. Debt Service Cover Ratio | | | | | |
| Operating Result before Interest & Dep. exp (EBITDA) | 11719 | 11.61 | 11.69 | 8.87 | 4.85 |
| Principal Repayments + Borrowing Interest Costs | 1009 | | | | |

This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.

NSW Local Government Infrastructure Asset Performance Indicators (OLG):

| | | | | | |
|--------------------------------------------------------------|------|---------|---------|---------|---------|
| 7. Building and Infrastructure Renewals Ratio | | | | | |
| Asset Renewals (Building, Infrastructure & Other Structures) | 4998 | 100.1 % | 100.1 % | 199.2 % | 244.1 % |
| Depreciation, Amortisation & Impairment | 4992 | | | | |

To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.



Item 11.7

Attachment 1

Kiama Municipal Council

Quarterly Budget Review Statement
for the period 01/10/17 to 31/12/17

Consultancy & Legal Expenses Budget Review Statement

Consultancy & Legal Expenses Overview

| Expense | YTD Expenditure (Actual Dollars) | Budgeted (Y/N) |
|----------------|---------------------------------------------|---------------------------|
| Consultancies | 28,000 | Y |
| Legal Fees | 150,246 | Y |

Definition of a consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

Comments

Expenditure included in the above YTD figure but not budgeted includes:

Details

Item 11.7

Attachment 1

11.8 Interstate Conference - Destination Australia One Day Conference

CSP Objective: 3.0 A diverse, thriving economy

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

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

Item 11.8

Summary

This report recommends the attendance of Council's Manager Tourism and Events, Karen Ronning, at the Destination Australia One Day Conference in Melbourne on Thursday 15 March 2018.

Finance

The conference cost, as well as estimated travel and accommodation costs, is estimated at \$1,000 which will be covered by the 2018/19 Tourism budget.

Policy

All interstate conference requires Council approval.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council grants approval for Council's Manager Tourism and Events, Karen Ronning, at the Destination Australia One Day Conference in Melbourne on Thursday 15 March 2018.

BACKGROUND

Tourism Australia's fourth annual Destination Australia Conference, will be held at The Glasshouse in Melbourne on Thursday 15 March 2018.

Now well established as the top tourism marketing conference in Australia, this event attracts approximately 350 of Australia's most influential tourism leaders.

In 2018 the Master of Ceremonies for the conference will be by TV reporter Gorgi Coghlan and will feature a top line-up of speakers.

Topics will include:

- Tourism Australia's strategic and creative direction;

Report of the Director Corporate, Commercial & Community Services

11.8 Interstate Conference - Destination Australia One Day Conference (cont)

- the outlook for the global economy and Australian tourism;
- insights into international high value travellers;
- succeeding in Asia;
- dealing with disruption;
- content and storytelling;
- creativity and innovation;
- and more...

This Conference is particularly relevant to the Destination Kiama Tourism & Events Team and the Tourism Advisory Committee.

11.9 Community Engagement and Feedback on Proposed Special Rate Variation

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

CSP Strategy: 4.1 Council is financially sustainable

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

Item 11.9

Summary

Reporting on the community feedback from the Community Engagement process undertaken in relation to the proposed Special Rate Variation of 6% per year commencing from 1 July 2018 for three years with the additional income being permanently retained in Council's rate revenue.

Finance

The proposed Special Rate Variation has already been previously adopted by Council and included in the strategic scenario detailed in the Long Term Financial Plan 2017-18 to 2026-27 and incorporated in Council's Delivery Program and adopted Asset Management Plans. The proposed Special Rate Variation was also included in Council's original Fit for the Future submission and in Council's subsequent financial re-assessment (November 2016) in which Council was deemed Fit for the Future.

Policy

n/a

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council:

1. endorse the actions of the General Manager in making administrative changes to the Delivery Program and placing it on public exhibition
2. acknowledge the submissions received in relation to the proposed special rate variation and that all submissions be included in Council's application to IPART
3. proceed to formal application to IPART for a section 508(a) special rate variation of 6% (including rate pegging) for three successive years, to be retained permanently in the rate base.

Report of the Director Corporate, Commercial & Community Services

11.9 Community Engagement and Feedback on Proposed Special Rate Variation
(cont)

BACKGROUND

Council at its meeting held on 21 November 2017, resolved:

“OC-17/001

Committee recommendation that Council notify IPART of its intention to apply for a Section 508A Permanent Special Rate Variation (Special Rate Variation) of 6% including rate pegging for 3 successive years, to be retained permanently in the rate base.

(Councillors Brown and Reilly)”

Since that resolution, Council has undertaken community engagement around the proposed Special Rate Variation. This engagement has included the following:

1. Notification in the Kiama Independent and Bugle inviting submissions on the proposed Special Rate Variation
2. Notification on Council’s website inviting submissions on the proposed Special Rate Variation
3. The development of a dynamic FAQ and answers on Council’s website (which had 586 direct hits)
4. The development of a rates estimator that calculated individual impacts of the Special Rate Variation (673 uses)
5. Detailed explanation of the Special Rate Variation in Council’s special edition of Kimunico which was sent to every household, also inviting submissions
6. Presentations made to the Central Precinct committee, south precinct committee and the Minnamurra progress association. The JVRRA declined to have a presentation however, have now asked for a presentation to be made at the meeting on 6 March 2018.

Submissions were open from 22 November 2017 through to the 19 January 2018. At the close of this period, Council had received a total of 12 submissions.

Table of Submissions

| Submission number | Issues raised |
|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 Objects to pSRV | <ul style="list-style-type: none"> • review staff levels • Blue Haven, Leisure Centre, Holiday Parks and The Pavilion all be made profitable • Council should withdraw its Special Rate Variation application |
| 2 Objects to SRV | <ul style="list-style-type: none"> • contrary to council’s anti-amalgamation case • cost of pensioner rate subsidies |

Report of the Director Corporate, Commercial & Community Services

11.9 Community Engagement and Feedback on Proposed Special Rate Variation
(cont)

| | |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> • Council should sell all of its going concerns |
| 3 Objects to SRV | <ul style="list-style-type: none"> • charge visitors • non-resident paid parking • tour company fees for bus parking • increased fines for visitors who leave waste behind |
| 4 Objects to SRV | <ul style="list-style-type: none"> • does not use any Kiama Council services • lives on a State road • uses services provided by Wingecarribee Council |
| 5 Objects to SRV | <ul style="list-style-type: none"> • size of increase unacceptable • not enough pensioner rate subsidy |
| 6 Objects to SRV | <ul style="list-style-type: none"> • how much money will be raised by the Special Rate Variation over the 3 years? |
| 7 Objects to SRV | <ul style="list-style-type: none"> • pie chart of revenue and other expenditure |
| 8 Objects to SRV | <ul style="list-style-type: none"> • Council rates too high now • contrary to Fit for the Future proposal • Council inefficient and lazy • introduce a visitors tax |
| 9 Objects to SRV | <ul style="list-style-type: none"> • Inequitable • Charge holiday accommodation businesses • Introduce a tourist tax • Charge business rates, not residential rates to AirBnB, etc. |
| 10 Objects to SRV | <ul style="list-style-type: none"> • poor provision of footpaths • poor footpath maintenance • parking across driveways and wrong side of the road • parking in the immediate vicinity of the Little Blowhole park • increased rubbish collection during summer holiday period • behaviour at the Little Blowhole park |

Item 11.9

11.9 Community Engagement and Feedback on Proposed Special Rate Variation (cont)

| | |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> • concern about the promotion of Kiama as a dementia friendly town |
| 11 Objects to SRV | <ul style="list-style-type: none"> • cease supporting tourism and redirect those funds • rural farm rebate should be eliminated • senior staff headcount should be reduced by 20% and their salaries • bring legal operations in house • change council’s culture of financial management • Council should be focused on rubbish removal, pot holes and making sure development complies with local and State regulations. • everything else is optional |
| 12 Supports SRV | <ul style="list-style-type: none"> • thanking Council for its presentation to the South Precinct committee which gained strong support from the attendees |

Item 11.9

Council in discussions with IPART regarding the proposed Special Rate Variation, IPART has advised that it wants to see specific reference to the Special Rate Variation in the adopted Delivery Program and a financial base case (without Special Rate Variation) included in Council’s Long Term Financial Plan.

Council has been proposing this Special Rate Variation since 2015 when Fit for the Future submissions originated. Council has continually included this Special Rate Variation in its Integrated Plans since that time. The proposed Special Rate Variation was included in Council’s original Fit for the Future submission and was part of Council’s proposal to the community when objecting to the proposed merger with Shoalhaven City Council.

It was also part of Council’s submission to the Office of Local Government when Council Municipal Council was invited to submit for financial reassessment in November 2016. This reassessment resulted in Council being deemed Fit for the Future.

The Long Term Financial Plan developed for the financial reassessment was based on one scenario, known as the “Strategic Scenario” as the base case without a Special Rate Variation was not financially sustainable and did not meet the Fit for the Future benchmarks. This was also reflected in Council’s integrated plans, all of which have been placed on public exhibition on at least two occasions with no submissions being received.

In order to meet the requirements of IPART, and the Special Rate Variation guidelines, Council’s adopted Delivery Program has now been amended to include more detail on the proposed Special Rate Variation. This is an administrative change only as the resulting income and those assets that are to be renewed and maintained from the income are already detailed in the Delivery Program and the adopted Asset Management Plans. In order to meet the Special Rate Variation application timeframe, the Delivery Program has again been placed on public exhibition from Friday 26 January 2018 until 25 February 2018.

Report of the Director Corporate, Commercial & Community Services

11.9 Community Engagement and Feedback on Proposed Special Rate Variation
(cont)

In addition, Council is currently amending its adopted Long Term Financial Plan by reinstating the base case (without the Special Rate Variation) in order to meet the requirements. The base case is the same as what was developed in 2014/15 and simply updated based on the 2016/17 audited financial statements.

Item 11.9

12 REPORT OF THE DIRECTOR ENGINEERING AND WORKS

Nil

13 REPORT OF THE DIRECTOR BLUE HAVEN

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

CSP Objective: 1.0 A healthy, safe and inclusive community

CSP Strategy: 1.2 Planning for and assisting specific needs groups

Delivery Program: 1.2.1 Operate Blue Haven Care

Summary

This report advises Council of the outcome of two audits of Blue Haven Care Home.

Finance

N/A

Policy

N/A

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council:

- a) note the successful Assessment Contact visit undertaken by the Quality Agency on 3 January 2018
- b) note the successful result of the bi-annual food safety audit for Blue Haven Care Home

BACKGROUND

Assessment Contact

Blue Haven Care Home had an Assessment Contact visit on 3 January 2018. The Assessment Contact visits review the Home's performance against the Accreditation Standards. The Assessment Team reviewed Standard 1.8 Information Systems and Standard 3.2 Regulatory Compliance.

Standard 1.8 Information Systems requires the Home to have effective management information systems across the Home and Standard 3.2 Regulatory Compliance requires the Home to have systems in place to identify and ensure compliance with all relevant legislation, regulatory responsibilities in relation to compulsory reporting, user rights, security of tenure and care recipient agreements.

During the visit the auditors spoke with 13 staff, 2 volunteers and 9 residents/family members. They also reviewed a range of documentation and made observations of the environment.

Report of the Director Blue Haven

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

The Home met both Standards.

Food Safety Audit

The NSW Food Authority currently licenses businesses that provide food services to vulnerable persons including Aged Care providers. As such, Blue Haven Care Home must meet additional food safety standards set out in the Food Regulation 2015 Vulnerable Persons Food Safety Scheme.

Blue Haven Care Home had its bi-annual Food Safety Audit on 17 January 2018 and received an A Rating which means compliance in all areas of the Food Safety program.

Item 13.1

14 REPORTS FOR INFORMATION**14.1 Question for Future Meeting: Signage Strategy**Responsible Director: Office of the General Manager

The Mayor, Councillor Honey, requested that Council staff prepare a signage strategy for the Local Government area for tourism and directional signage giving due regard to SEPP 64 incorporating a style guide and identification for future treatments in signage.

A few years ago Council engaged tourism consultant, Jenny Rand, to complete a tourism signage audit strategy. The strategy is being implemented as funding becomes available in each annual budget. A copy of the audit and strategy is available for Councillors to peruse and a meeting has been held with Councillor Honey to explain the audit and strategy.

Item 14.1

14.2 Minutes - Minnamurra Progress Association meeting - 5 December 2017

Responsible Director: Office of the General Manager

The minutes of the Minnamurra Progress Association meeting held on 5 December 2017 are attached for Councillors' information.

Attachments

- 1 Minutes of the Minnamurra Progress Association meeting held on 5 December 2017 [↓](#)

Minnamurra Progress Association Inc.,

Minutes of Meeting on 5th December 2017

Present: 23 present

| | | |
|-------------------------|---------------------------|---------------------------------|
| President Cliff Mason | Rae McClymont | Carl & Alma Ellefsen |
| Pat Phelan | Nellie Delhaas | Arthur & Robyn Smithers |
| Richard Martin | Kath and John LeBas | Graeme & Cheryl Collinson-Smith |
| Janice & Robert Westley | Annette and Wayde Siemsen | Glenda Foster |
| Dasvid Probert | Wendy Hooper | Rita Glossop |
| Lola Smith | | |

Guest: Kerry McMurray (Director Finance, Corporate & Commercial, Kiama Municipal Council)

Apologies:

Barry Mahoney, Norma Gore, Bruce Cole

Minutes of 7th November Meeting: Accepted. [Prop: Rae McClymont; Sec: Carl Ellefsen]

Business Arising:

1. Cost of Public Liability Insurance – Mark Way raised this with Council Officers and a letter received from General Mgr Forsythe advising that the Association was welcome to apply for a Community Organisation Donation of up to \$250 to offset costs & supplied forms. Moved Carl Ellefsen seconded David Probert, that the Association apply for such a donation. Carried unanimously.
2. Funding for Minnamurra River Estuary Plan – The General Manager advised that the updated 2015 plan had received Government certification and Kiama Council could now apply for grant funding for identified projects. The President suggested that we invite Council's Environmental Officer, Byron Robinson back to a meeting mid-2018 to report on progress – all agreed.

Correspondence:

1. Letter from General Manager, K.M.C re the matters above in Business Arising. Dealt with above..

Treasurer's Report:

The Treasurer, Carl Ellefsen, reported an Opening balance \$953.99 ,Income \$31-00, Expenses Nil, giving a total balance \$984-99, plus the investment \$1,100-00. This oral report was unanimously accepted. [Prop: Carl Ellefsen; Sec: Arthur Smithers].

Guest Speaker Kerry McMurray, KMC:

President Cliff welcomed Kerry to the meeting noting that Council had requested the opportunity to present their rate variation proposal to members before Christmas.

Kerry distributed sets of printed PowerPoint slide sheets to all attendees and went through these explaining the rationale for Councils Special Rate variation (SRV) application to IPART (Independent Pricing and Regulatory Tribunal). He noted that this went back to the merger proposal in December 2015 when the Government had determined Kiama Council wasn't Fit for the Future. As part of our argument against a merger, Council demonstrated its financial situation and plans to request a special 3-year rate increase at the time.

The SRV requested is for a 6% rise (rather than the benchmark 2.5%) in each of the next three years. Under state-wide controls of Council rates, Kiama has to apply to IPART for the SRV by 12th December, then public submissions are open until 19th January, and if approved, the SRV takes effect from 1st July 2018 for three years, i.e. this will be an extra 3.5% rise more than normal, but the cumulative effect over 3 years will be a 19.1% rise. There will be no revaluation of land values over this period.

Kerry explained the detailed justification and need for the rise and compared Kiama's rate increase and value of assets per ratepayer with all other local Councils in the region showing that Kiama residents were still in a good position compared to others. The extra funding will be devoted to Asset renewal and maintenance, i.e. upgrading toilets, maintaining the Leisure Centre, roads, bridges, footpaths, sporting fields and the like. There will be an increase in the Pensioner Rebate and a reduced increase in the annual garbage fees to offset some of the increase.

The meeting was opened to questions:

- There will be a rate calculator on the website shortly so residents can calculate their future rates,
- He was asked what were Councils greatest cost items – Asset Renewal was \$10mil and Asset maintenance \$9mil pa. Salaries (incl Blue Haven) cost \$21mil, but part of this was contained in the previous cost items, and Blue Haven was self-funded.
- On questioning, Kerry explained the high contractor cost in Kiama due to all the development (higher than Quantity Surveyor estimates), and it was cheaper for Council to use their own staff where they had the expertise.
- Arthur Smithers spoke very positively about Kiama Council when compared to his experience living in Wollongong.

President Cliff moved a vote of thanks to Kerry McMurray which was carried with acclamation.

General Business:

1. Rae McClymont raised again the possibility of starting meetings at 7:15pm when we had a speaker, who wouldn't start until 7:45pm, and this would give uys a chance to discuss

normal business before the speaker arrived. Everyone felt the starting time needed to be the same whether we had a speaker or not, otherwise there would be confusion. It was agreed that as from February 2018, we'd trial starting 15 mins earlier, and where there was a speaker, they'd still be given the choice to arrive before the meeting if they were happy to sit through general business.

2. Graeme C-S raised two matters regarding footpath & cycleway safety in Railway Ave. The first was a need to extend the footpath at southern end of Railway Ave along the northern side of Rangoon Rd to Minnamurra Café – to avoid walking along the road. The second was to put some sort of fence/barricade along the northern end of Railway Ave to separate the cycleway/walkway from the road up to the railway underpass. Kerry McMurray suggested I drop Council a note with these requests to have them included in the operational plan.

Next Meeting:

Members were reminded that our next meeting was not until 6th February 2018.

Raffle: This was won by Nellie Delhaas

The meeting closed at about 8.50pm and everyone joined into a special Christmas supper. Thanks to all those that brought a plate of food and to Glenda for organising the kitchen.

Ooo000ooo

14.3 Regional Illegal Dumping Quarterly Report – 1 October to 31 December 2017

Responsible Director: Environmental Services

Illegal Dumping Incidents Reported

During the period 1 October to 31 December 2017 there were 53 reports received relating to illegal dumping in the Kiama LGA compared to 19 reported incidents for the same period in 2016. This represents a 150% increase.

Reported Incidents by Month

| | October | November | December |
|----------------------|---------|----------|----------|
| Total reports | 22 | 15 | 16 |

Reported Incidents by Day of the Week

| Monday | Tuesday | Wednesday | Thursday | Friday | Saturday | Sunday |
|--------|---------|-----------|----------|--------|----------|--------|
| 10 | 12 | 11 | 8 | 2 | 6 | 4 |

It remains consistent that reports are being received early in the week, usually as a result of Illegal Dumping occurring on weekends, and in the hours of darkness.

Investigations Carried OutCurrent Investigations

Investigations are ongoing in relation to waste dumped in nine locations across the LGA from October to December.

Kendall's Lane (Off South Kiama Drive)

On the 17 September 2017 a large amount of household waste was illegally dumped at the entrance to Kendall's Cemetery.

An investigation found that the items had been removed by a contractor assisting a local resident with moving out of their Kiama Downs property. The contractor stated he would dispose of the waste at an appropriate facility. The offender failed to attend Kiama Council as directed.

Penalty Notices were issued for \$750 for failing to attend, and \$2000 for 'transporting waste to an unlawful facility'.

Swamp Road, Jamberoo

On the 17 September 2017 a large amount of construction and household waste was illegally dumped on Swamp Road, adjacent to the Minnamurra Rivulet.

An investigation found identification belonging to a local resident. This person attended for interview as directed, however was unable to reasonably explain how her household waste had been deposited on Swamp Road.

A Penalty Notice of \$2000 was issued for 'transporting waste to an unlawful facility'.

Riverside Drive, Minnamurra

Reports for Information

14.3 Regional Illegal Dumping Quarterly Report – 1 October to 31 December 2017 (cont)

On 21 November a number of small household waste bags were placed around the Council Reserve Bin at the road stop on Riverside Drive, immediately north of the Minnamurra River.

Investigations found identification of a local resident. This person attended for interview as requested.

A Penalty Notice of \$250 was issued for 'Littering'.

Millers Lane, Toolijooa

On 4 December 2017 an inspection was made of a rural property at Millers Lane. A large deposit (approximately 300 ton) of mixed waste was discovered including construction and building items.

It was also found that the large portion of the waste pile had been pushed onto an adjoining property, and was now impacting this property.

Due to the size and nature of the incident this matter has been referred to the EPA for further investigation.

Hot Spot Dumping Incidents

There was 1 incident in this period for each of Swamp Road, Jamberoo and Panama Street, Bombo. However, there were reported incidents in immediate vicinity of Panama Street.

There is an emerging trend in this period for Riverside Drive, from Minnamurra to Bombo (12). Further data will be collected and strategies employed to reduce those occurrences.

Illegal Dumping Materials Recovered

| Materials Recovered | No of Incidents |
|-----------------------------|------------------------|
| Household Waste - General | 15 |
| Household Waste - Furniture | 14 |
| Mattresses | 4 |
| Other | 4 |
| Construction | 4 |
| Green Waste | 1 |
| Commercial and Industrial | 1 |
| Asbestos | 4 |
| Tyres | 2 |
| Wood | 0 |
| Electronics | 0 |

Reports for Information

14.3 Regional Illegal Dumping Quarterly Report – 1 October to 31 December 2017 (cont)

| | |
|-----------|---|
| Soil | 1 |
| Liquid | 1 |
| Packaging | 0 |
| Metal | 2 |

Illegal Dumping Pro-activity

Pro-active patrols were carried out on 28 occasions, with an additional 12 when performing Ranger duties.

A funding application was made to ISJO in relation to the supply and installation of Automatic Solar Lighting Poles at Saddleback Mountain Lookout Carpark. Provisional approval for \$21,000 has been received from ISJO. The design, supply and installation will occur at the earliest opportunity after ISJO allocate any funding.

An EPA Regional Illegal Dumping (RID) Stock Conference was attended in October covering issues of legislation, investigation, and anti-corruption strategies.

An ISJO RID Managers meeting was attended in November covering anti-corruption strategies and audits, and other RID matters.

In partnership with Transport NSW, Panama Street, Bombo will have restricted access with the installation of a fence at the eastern end. A public notice was advertised, and the fence and appropriate signage will be installed in January.

Council participated in Asbestos Awareness Week via media releases in line with EPA strategies.

In partnership with the owners of commercial properties in Fern Street, Gerringong changes will be made to the private bin storage and collection. There have been numerous instances of Illegal Dumping at Figtree Lane (IGA/Council Carpark) where bins are currently located. A new lockable cage will be built on private property to secure the bins, and the Council reserve bin will be relocated.

A trial is currently underway in relation to the Council bins in place at dog of leash areas. Restricted access bins are being trialed to encourage bins to be used for the intended purpose at the location. This is the result of numerous illegal dumping activities and misuse of these bins. Review of the trial is due in March 2018. More information regarding this trial is provided under a separate report.

An audit of the surveillance cameras installed at Werri Beach, Gerringong and Seven Mile Beach Caravan Parks (Council owned) was undertaken to ensure compliance with relevant privacy and surveillance devices legislation.

Illegal Dumping Enforcement Actions

Total POEO fines issued - \$5,000

| Action Type | No Issued |
|----------------------|------------------------------------------------------------------------------------------------------------|
| Infringement Notices | 2 – Sect 143 of POEO – Deposit Waste - \$2000 1 – Sect 211 of POEO – Non-compliance with Notice - \$750 |

Reports for Information

14.3 Regional Illegal Dumping Quarterly Report – 1 October to 31 December 2017 (cont)

| | |
|-----------------|------------------------------------------------------------------------|
| | 1 – Sect 145 of POEO - Littering |
| Referral to EPA | 1 – Sect 144 – Use of place as waste facility without lawful authority |

Motor Vehicle Usage

During this period a total of 1854km’s was travelled in Council vehicles in the performance of illegal dumping duties.

Clean Up and Other Costs

The estimated cost of wages, materials and plant was \$2,000 (approximately).

The actual cost of disposal fees was an additional \$990.

Item 14.3

14.4 Parking Statistics - December 2017Responsible Director: Environmental Services

CBD Parking

Parking patrols conducted 41 specific- 31 general area

Infringements issued – 98.

Vehicle spaces inspected – 2692.

Railway Parade 2P – 3 patrols.

Bong Bong Street 2P – 1 patrol.

Terralong Street 1/2P – 13 patrols.

Rosebank Place 2P – 1 patrol.

Terralong Street 2 P – 4 patrols.

Manning Street 2P – 2 patrols.

Terralong Street 1P – 5 patrols.

Fern Street 1/2P -2 patrols.

Fern Street 1P – 1 patrol.

Collins Street 2P – 1 patrol.

Wilson Street 4P – 1 patrol.

Ocean Street 4P – 1 patrol.

Manning 1/2P – 1 patrol

Morton Street 1/4P – 2 patrols.

Kiama Harbour 4P – 1 patrol.

Noble Street 2P – 1 patrol.

Morton Lane 2P – 1 patrol.

School Zones Patrols

Jamberoo Public – 1 patrol – 1 penalty notice.

Minnamurra Public – 1 patrol - 2 penalty notices.

Kiama Public – 2 patrols – Nil – to be reviewed in the New Year for compliance.

Kiama High – 2 patrols – Nil.

St Peter and Paul – 2 patrols – Nil.

Gerringong Public – 1 patrol – Nil.

Reactive Issues

No Stopping – 4 penalty notices.

Kiama Fair path - 15 penalty notices.

Loading Zone – 1 penalty notice.

Reports for Information

14.4 Parking Statistics - December 2017 (cont)

Mail Zone – 1 penalty notice.

Bus Zone – 2 penalty notices.

No Parking – 1 penalty notice.

45° Angle Parking – 1 penalty notice.

Total amount of infringements issued = \$12,358

Specific patrols for January 2018 will be for locations nominated above.

Item 14.4

14.5 Question for Future Meeting: Pop-up trucks/shops on roadsidesResponsible Director: Environmental Services

At Council's meeting held on 19 December 2017 Councillor Westhoff requested a report on the rules surrounding pop-up trucks/shops that sell fruit, flowers, etc in the small lay bays between Kiama and Gerringong.

Pop-up trucks/shops including mobile food vans and the selling of other products such as flowers require the consent of Council and concurrence with RMS and the Kiama Traffic Committee under Section 68 of the Local Government Act 1993 (approval/licensing to operate). Chapter 17 of Kiama DCP 2012 outlines special specific requirements that need to be complied with in relation to mobile food vans and temporary food stalls. There are certain prohibited areas as outlined in this DCP where no trading can be undertaken.

As Council is aware, a pop-up truck (fruit & veg truck) had previously been operating in the roadside layby between Kiama Heights and Gerringong. RMS contacted Council and requested assistance to prohibit the operator from trading in this location due to them (RMS) deeming it a dangerous location as there had been a number of near-misses reported to RMS from cars leaving this layby.

Council has received confirmation from the RMS Property Unit and Council's Engineering & Works Department that the subject roadside layby is under the management control of Council rather than the RMS.

Therefore, Council can take legal action including the issuing of a penalty notice (minimum \$330) where the person/s are trading in this and any other locations illegally. RMS has advised Council that they do not want any approvals granted for this location due to its dangerous nature. If this situation reoccurs Council's Ranger Services will take the appropriate action.

14.6 Minutes - Planning Committee meeting - 11 December 2017 and 10 August 2017 (amended)

Responsible Director: Environmental Services

Attached for Councillors' information are the amended minutes from the meeting held on 10 August 2017 as well as the minutes from the meeting held on 11 December 2017.

Attachments

- 1 Minutes - amended 10/8/17 [↓](#)
- 2 Minutes - 11/12/17 [↓](#)

Amended Minutes of the Planning Committee meeting held on Thursday 10 August 2017 at Kiama Council, Commencing at 9am

Present: Mayor, Cllr Mark Honey (Chair), Cllr Kathy Rice, Cllr Andrew Sloan, Cllr Mark Way, Michael Forsyth, Nick Guggisberg, Carly Filmer, Mark Hitchcock, Penny Morris, Darryl Smith, Karen Renkema-Lang, Megan Hutchison, Chris Fuller, Kerry McMurray, Ed Paterson and Deb Boles.

Apology: Cllr Mark Westhoff, Clare Rogers and Mark Lyndon.

1) Attending/Apologies

As above.

- **Item 5 – Overview of Kiama Council Governance Processes across Strategies and Plans**

This item was brought forward.

Karen spoke to the Committee giving background information for this question.

Drawing on her experiences working with Federal Government, Karen is working with the Kiama central precinct to prepare a proposal for an Accountability Framework which could be incorporated into the Community Strategic Plan. This has been driven by the difficulty of understanding of how objectives stated in Community Strategic Plans and documents such as the Kiama Charrette translate into beneficial outcomes for the community, or how they correlate to the rules and objectives defined in Development Control Plans and the Local Environment Plan. It has also been driven by frustration expressed by residents regarding the amount of knowledge required and the amount of effort required to influence development approvals; which can (and frequently are) overturned by the Land and Environment Court.

Michael provided an overview of the Integrated Planning and Reporting Framework.

Kerry gave an overview of changes underway to the council organisational structure and business processes related to planning and governance. The Governance, Corporate planning and Communications role is being split and a new position is in the process of being filled.

Kerry then left the meeting at 9.30am.

Kathy advised that any work on an accountability framework would need to be prepared in the context of the community engagement strategy.

- **Item 2 – Minutes of last meeting**

The minutes from the last meeting held on 29 June 2017 were adopted (Mark Honey/Kathy Rice)

Michael gave a short update on Bombo Quarry. It was also advised that there were a lot of steps yet before the Masterplan is exhibited to the public for comment.

- **Item 3 – Jamberoo DCP Community Meeting & Update**

The following points made in relation to this item:

- Can there be a stand-alone DCP for Jamberoo? It was advised that there can only be one dedicated DCP for the Municipality.
- How can protective measures be added to the chapter to ensure that developers following specific guidelines?
- Can the whole of Jamberoo be heritage listed? It was advised that a resolution of Council would be required and that strong arguments would be required for the Department of Environment and Planning to agree to this.
- Make the chapter as attractive as possible to developers.
- Change the LEP?
- Will dual occupancies be covered by complying development?
- Are building envelopes possible and enforceable?

Ed advised that in the report to Council's meeting to be held on 15/8/17 has more detailed information on this.

Michael left the meeting at 10.10am.

- **Item 4 - Kiama Town Centre Study**

Mark Honey advised of funding available (\$50k) for this project. Expressions of interest could be called for to design a plan of what the CBD and villages would look like in 30 years. It was agreed that the design plan should just concentrate on the CBD.

Megan added that she had funding of up to \$40k for a Commercial Market Assessment as part of the current Economic Development Strategy (subject to successful funding application). In 2007 the Retail Study identified 3 key sites in the Kiama Town Centre and these sites have or are on their way to being developed and it would be appropriate for the Retail Study to be updated.

Mark Honey advised that 3 responses would be short-listed and work-shopped with the community.

Mark Honey suggested that an excursion by the Committee to Barangaroo and other locations around Sydney by the Committee may be helpful in gaining ideas. This was agreed by all.

The Committee discussed some aspects of the Kiama Charrette and why certain projects listed were not implemented, in particular the laneway at the back of Manning Street. Mark Honey advised that this did not eventuate due to different landowners not agreeing or willing to consolidate. Chris said that this may have been the lack of incentive to achieve a particular outcome. Penny suggested maybe design controls or rate relief may help.

Megan advised that the first step should be the update of the Retail Study which would feed into the CBD study.

Chris Fuller advised that he would request Mark Lyndon to write a brief which will then be circulated to Committee members for comment before expressions of interest are called for.

- **Item 6 – Terms of Reference**

This item was deferred until the next meeting.

- **Item 7 - DCP amendment to ensure that DA's take into account various Council policies and plans and ensure that adequate commercial and retail spaces in the town centres have been retained**

Megan advised that at the last meeting of the Economic Development Committee, the committee discussed at length the issue of developers lodging DA's without taking into consideration the need to satisfy the requirements for commercial and retail space in town centres. In the case of 44 Manning Street Shop Top housing development the amount of commercial and retail space will be reduced from 1500m² to 250m². It was felt that the developer should be required to address these reductions and to also address Council's policies and plans such as the Kiama Economic Development Strategy and the Kiama Retail Study in their Environmental Impact statements.

Ed advised that other strategies need to be referenced in the DCP to give it more strength.

- **Item 8 – Revision of Chapter 27 of Kiama DCP – Gerringong Town Centre**

Megan advised that Chapter 27 of the Kiama Development Control Plan – Gerringong Town Centre be revised to more accurately reflect the future of this precinct and to maintain the currency eg, many of the objectives in the "Town Centre Option A 'concept plan of the Gerringong Charrette have been completed or are underway.

Action: A short report to be prepared and distributed prior to the next meeting.

Megan advised that she was happy to prepare a report (in consultation with Mark Lyndon and Chris).

- **Item 9 - Date of next meeting**

The next meeting is to be held on Thursday 12 October, 2017, commencing at 9am in the Council Chambers.

**There being no further business
the meeting closed at 11am**

(18/2773)

Minutes of the Planning Committee meeting held on Monday 11 December 2017 at Kiama Council, Commencing at 9am

Present: Mayor, Clr Mark Honey (Chair), Clr Kathy Rice, Clr Mark Westhoff, Michael Forsyth, Linda Davis, Mark Lyndon, Mark Hitchcock, Nick Guggisberg, Megan Hutchison, Karen Renkema-Lang.

Apology: Clr Mark Way, Clr Andrew Sloan, Clare Rogers, Darryl Smith and Penny Morris.

1) Attending/Apologies

As above.

2) Minutes of Previous Meeting – 12 October 2017

Karen advised that she had not received a copy of the revised minutes from the meeting held on 10 August 2017. It was advised that the minutes had already been endorsed by Council. It was agreed that the minutes be updated and resubmitted to a future Council meeting.

Nick asked if the TOR had been updated. Karen asked how the CSP and plans tied in with the TOR and it was also important that Council ensures that community input is reflected in these policy documents.

Linda advised that she will have a look at how the TOR align and relate to the CSP, engagement strategy, neighbourhood committees etc and report back to the next meeting.

3) Jamberoo DCP

Mark Lyndon gave a brief overview of the updated DCP. Mark advised that a report will be submitted to Council's meeting on 19 December 2017. Matters raised in submissions have been taken into consideration in the review and preparation of the updated DCP. Council engaged Diana Griffiths (Urban Design and Planning Consultant) to undertake a peer review of the DCP.

4) Local Precinct Groups and the Role of Planning Committee Community

Karen requested that this item be deferred to the next meeting (and update of the TOR) – see item 2 above.

5) Kiama Arts Centre

Nick gave an overview of the progress of the Arts Centre. The timeframe for completion would be subject to funding. The following was discussed:

- There is an issue with car parking during peak times;
- Cost of providing an extra basement carpark would be high;
- An option would be to have car parking off-site with a shuttle to the Centre;
- There is to be investigation of parking at the rear of the Joyce Wheatley Community Centre which is Council and privately owned land.

6) Committee Focus

Mark Honey advised members that the Committee had moved away from its role when originally established to focus on big picture strategic planning matters which a focus on delivering a vision for the area:

- Linda advised that Council had engaged Tim Fletcher to compile a brief for the Kiama Town Centre and set a direction on what challenges, priorities and timelines are needed to achieve outcomes.
- Megan advised that it was considered that the Kiama Charrette still had value.
- Work that the Government Architect and Department of Planning and Environment is doing on establishing design guidelines should be considered.

The bus tour (as mentioned in the minutes of 12/10/17) still to be arranged.

7) Council Zoned Land at Spring Creek

Michael gave an update on the Council zoned land at Spring Creek. A meeting was held last week with Boral and APP. APP has been engaged by Boral and Council to prepare a draft DCP and concept subdivision design. AAP are to commence their work early in the new year.

Kathy Rice left the meeting.

7) Bombo Quarry Update

Michael gave an update on the Bombo Quarry site. Sydney Trains and Boral have engaged Willana (Planning Consultants) to revise the structure plan prepared for them in February 2009 to determine commercial feasibilities.

8) Affordable Housing

The committee was advised for information that UTS is undertaking research around low cost housing utilising Council assets.

9) Date of next meeting

To be advised.

**There being no further business
the meeting closed at 10.10am**

(18/2793)

14.7 Local Government NSW Tourism Conference 2018Responsible Director: Office of the General Manager

Council has been advised that the Local Government NSW Tourism Conference for 2018 will be co-hosted by Parkes Shire Council at the Leagues Club in Parkes from 12-14 March 2018.

The theme of the Conference is 'Tourism: It all adds up!' and the program incorporates a variety of relevant discussion topics as well as keynote speakers and site tours.

The Conference is the only Local Government Tourism Conference in NSW and past representatives of Council and Kiama Tourism have attended the Conference.

The Conference is particularly relevant to Councillors who are members of the Kiama Tourism Advisory Board.

The conference program brochure is attached for Councillor's information.

Councillors are requested to advise of their interest in attending the Conference.

Attachments

- 1 Draft Program - Local Government NSW Tourism Conference 2018 - Tourism: It all adds up! - 12/03/18 to 14/03/18 [↓](#)



Local Government NSW Tourism Conference 2018

Tourism: past and future connect. It all adds up!

MONDAY 12 TO WEDNESDAY 14 MARCH 2018
PARKES LEAGUES CLUB
 194 Clarinda Street, Parkes NSW 2870

CO-HOSTED BY:



DRAFT PROGRAM

(as of 21 December 2017)

| Monday 12 March – AVIC SUMMIT | | |
|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| 12.00pm – 5.00pm | Exhibitors set up for trade exhibition | |
| 1.00pm – 5.00pm | Registration at Parkes Leagues Club | |
| 2.00pm – 5.00pm | Optional AVIC Summit: Book separately on the registration forms | |
| 1.30pm – 2.00pm | For all Accredited Visitors Information Network and tourism and operations staff and volunteers. Light refreshments served | Sponsored by The Tourism Group and facilitated by Mark Greaves , Managing Director |
| 2.00pm – 2.10pm | Introduction and overview | |
| 2.10pm – 2.40pm | Changing Tack to Visitor Inspiration Centres | Mark Olsen , General Manager, EarthCheck |
| 2.40pm – 3.10pm | Case study: How to create WOW experiences and open up your customer base | Connie Mallett , Tourism Co-ordinator, Balranald Shire Council |
| 3.10pm – 3.40pm | Case study: Maximise your AVIC network. A case study from Crookwell Visitor Information Centre | Mark Greaves , The Tourism Group and Andrew Warren , Upper Lachlan Shire Council |
| 3.40pm – 4.05pm | A working afternoon tea and workshop | |
| 4.05pm – 5.10pm | Workshop and discussion: <ul style="list-style-type: none"> • Introduction to the AVIC industry advisory group • How to make your AVIC more relevant • How to get more people through the door and improving collaboration | Mark Greaves, Mark Olsen, and Peter Lipman , Manager Visitor Services, DNSW |
| 5.10pm - 5.30pm | Summary and findings | Mark Greaves |
| From 5.30pm | Transfer bus to pick up from listed accommodation to drop to IKON Function Centre (7-9 Bushman Street, Parkes) | |
| 6.30pm – 9.30pm | Welcome Reception at IKON Function Centre Welcome to Parkes, Cr Ken Keith OAM, Mayor of Parkes Shire Council Welcome from The Hon Adam Marshall MP, Minister for Tourism and Major Events <i>Delegate registration will be available at this event</i> | |

| Tuesday 13 March | | |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 8.00am | Trade exhibition opens | |
| 9.00am | Welcome to Country - Our Mother Tongue: Wiradjuri (dance, choir, talk) | Gerry Gannon Master of Ceremonies and the Wiradjuri Language Program in Parkes Schools |
| 9.10am – 9.20am | Welcome to Parkes | Cr Ken Keith OAM Mayor, Parkes Shire Council |
| 9.20am – 9.30am | Conference welcome and opening | Cr Linda Scott President, LGNSW (invited) |
| 9.30am – 10.00am | An update from Destination NSW including the outcomes of the regional NSW review announced in July 2016 and Destination Management Plans for regional networks | Sandra Chipchase Chief Executive Officer, Destination NSW (invited) |
| 10.00am – 10.20am | Jobs NSW: Go NSW Equity Fund | Michael Lukin, Partner, Roc Partners |
| 10.20am – 10.50am | Morning tea | |
| 10.50am – 11.50am | Short term letting – what’s the long term solution? This panel will discuss managing the impacts of short term holiday letting – what is the community benefit? <i>In 2013, 2014 and 2015, this has been a conference discussion point; the options paper put forward by NSW planning will not be actioned by the conference dates. Is there a best practice way forward and whose responsibility is it to manage the impacts on communities and businesses?</i> | Facilitated by Gerry Gannon Brent Thomas , Public Policy, ANZ, India and South East Asia, AirBnB Cr Simon Richardson , Mayor, Byron Shire Council Tim Sneesby , Senior Strategic Planner, Waverley Futures Coralie Bell , Tourism Manager, Shoalhaven City Council |
| 11.50am – 12.40pm | Innovation in staging, running and attracting business events to your destination – what must you consider now and in the future? <i>This discussion will cover metro and regional destinations. How to attract them to your region? Value adding events; adding event technology to your event to give another virtual audience to your attendance benefits and challenges</i> | Facilitated by Gerry Gannon Robyn Johnson , CE Meetings and Events Australia, Zoe Hida , Managing Director, Everywhere Venues Nerida Worboys , Business Events Facilitator, Newcastle Business Events |
| 12.40pm – 1.00pm | Australian Tourism Accreditation Program | Dean Gorddard , Executive Manager, Tourism Industry Division, NSW Business Chamber |
| 1.00pm – 2.00pm | Lunch | |
| 2.00pm – 5.00pm | Site visits Choose one of the options below | |
| | Site visit 1: The Rejuvenation of Peak Hill Gold Mine, a NSW Regional Visitor Economy Fund project. This walking tour takes in viewing platforms of the spectacular open cut mine, its history and contemporary times, and the method of funding and asset management | Facilitated by Kelly Hendry , Destination Development Manager, Parkes Shire Council |

Item 14.7

Attachment 1

| | | |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------|
| | Site visit 2: Henry and Elvis – the icons of Parkes. It all adds up at the Henry Parkes Centre – a successful collaboration of visitor information, attractions and community groups | Facilitated by Katrina Dwyer , Brand & Marketing Manager, Parkes Shire Council |
| | Site visit 3: Reinvigorating Trundle, a small country town going ABBA-solutely fabulous! Trundle is increasing its population and visitation with main street building works, events and the Treechange Rent a Farmhouse scheme | Facilitated by Gary Crowley , lifelong Trundle resident, farmer, truck driver and event manager. Sponsored by Cartoscope |
| 7.30pm – 10.30pm | Conference dinner sponsored by the Office of Environment and Heritage A Night with the Stars, CSIRO Parkes Observatory, CSIRO Astronomy and Space Science, 585 Telescope Road (bus transfers from selected hotels from 6.30pm, check bus schedules provided.) | |
| Wednesday 14 March | | |
| 8.00am | Trade exhibition opens | |
| 8.55am – 9.00am | Welcome to day two | Gerry Gannon Master of Ceremonies |
| 9.00am – 9.20am | How to run an effective marketing campaign workshop; DNSW's insights and trends on successful destination campaigns, including case studies on campaigns valued \$200,000 & \$700,000 | DNSW Marketing Representative; Assisted facilitation by Gerry Gannon |
| 9.20am – 9.30am | Does your brand represent your region today for tomorrow's audience? | Melissa Richie , Art Director, Account Manager, Wisdom Marketing |
| 9.30am – 10.10am | <i>Workshop: Devise your own marketing campaign - DNSW providing an overview with objectives, budgets, themes, etc. DNSW marketing staff will provide guidance and answer queries</i> | |
| 10.10am – 10.30am | <i>Presentation back to the main group</i> | |
| 10.30am – 11.00am | Morning tea | |
| 11.00am – 12.00pm | Concurrent topic stream 1 Events: future considerations | Sponsored by Leonards advertising, facilitated by Kate Faithorn , CEO |
| | Security and safety implications for crowded places and mass gatherings and what you need to know | Mick Bray , Manager, State Planning Unit, Operational Logistics, NSW Ambulance |
| | Don't follow the path – blaze the trail. Growing and transitioning the Parkes Elvis Festival for the future and consideration of the key challenges | Cathy Treasure Festival Director, Parkes Elvis Festival |
| | Incorporating new technology into community events | James Sweetapple , President F.O.O.D Week Association (TBC) |
| 12.00pm – 12.15pm | Open question and answer session | |

| | | |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11.00am – 12.00pm | Concurrent topic stream 2 What's new in caravan and camping – a growth sector for accommodation | Sponsored by Caravan & Camping Industry Association NSW (CCIA), facilitated by Lyndel Gray |
| | Panel session on the growth of the industry and the challenges and opportunities for councils. Discussion will include a balanced view on compliance and growth and will include free camping, open fields, festival camping, and the RV market | Lyndel Gray Paul Davies , CEO, NRMA Parks and Resorts Richard Barwick , CEO, Campervan and Motorhome Club of Australia |
| | A new management model for holiday parks and attracting capital investment: a case study with Kempsey Shire Council | Susanna Smith , Manager, Economic Sustainability, Kempsey Shire Council and Mike King , Director, Otium Planning Group |
| | New trends and products Glamping in Thou Walla | Kevin Sullivan , Group Manager, Holiday Haven Tourist Parks Group, Shoalhaven Council Mark Stace , Property Services Manager, Port Stephens Council |
| 12.00pm – 12.15pm | Open question and answer session | |
| 11.00am – 12.00pm | Concurrent topic stream 3 Forward thinking in tourism funding and planning | Facilitated by Gerry Gannon |
| | How to submit a successful grant application | Sally Chapman , Grant Officer, and Kimberley Harris , Grant Officer, Parkes Shire Council |
| | Creating a night time economy – is it right for your destination? Why do you need it? How can you assess your destination? What are the criteria? | Francesca O'Brien , Manager City Business and Safety, City of Sydney |
| | The Big Pineapple case study – renewal of a tourism icon | Shaun Munday , Managing Director, Place Design Group |
| 12.00pm – 12.15pm | Open question and answer session | |
| 12.15pm – 1.40pm | Presentation and panel on destination development: bridging city to country. Councils partnering to use events (and marketing) to boost destination tourism, particularly in the agri-tourism field. How do you develop the products and the experience? What are the benefits of the gate to plate value chain How do you connect with the consumer to build demand through events, marketing, and social media? | Facilitated by Gerry Gannon and Rose Wright Linda Tillman , Managing Director, Tilma Group & Director, Australian Regional Tourism Rose Wright , CEO, Destination Tweed Lorraine Elliott , founder and publisher of food blog Not Quite Nigella |
| 1.40pm – 2.30pm | Lunch and event close | |

This program is correct at the time of publication. Speakers and topics may change.

14.8 Minutes - Kiama Youth Advisory Committee meeting - 9 November 2017

Responsible Director: Corporate, Commercial & Community Services

his report provides the minutes of the Youth Advisory Meeting held 9 November 2017 at Kiama High School for Councillors information.

Enclosures

- 1 Minutes of the Kiama Youth Advisory Committee meeting held on Thursday 9 November 2017 at Kiama High School [↗](#)

14.9 NAIDOC Week School Initiative Program

Responsible Director: Corporate, Commercial & Community Services

This report informs Councillors of Council's participation in the 2018 NAIDOC Week Schools Initiative program. The program aims to provide schoolchildren with a greater understanding on the importance of friendship and cultural diversity. The program is a series of competitions, which reflect Aboriginal ancestry and promote the growth of positive attitudes in all students towards Aboriginal people. The program is broadly based around each year's national NAIDOC theme. The colouring-in/ Short-Story competitions are open to all primary school students and the creative writing/ Essay Writing competition will be open to all secondary students. The winning students each year are awarded prizes from the major sponsors of the program. Last year, Libby Baines from Kiama Public School was one of the winning students. The below statistic are based on the entries received from schools within the Kiama Local Government Area for 2017.

| <i>Overall Entries Received in 2017</i> | <i>Entries Received in 2017 from Kiama LGA</i> | <i>Participating Schools within Kiama LGA</i> | <i>NAIDOC Medals of Excellence and prizes awarded in 2017</i> | <i>Encouragement Awards awarded in 2017</i> |
|-----------------------------------------|------------------------------------------------|-----------------------------------------------|---------------------------------------------------------------|---------------------------------------------|
| 206,127 | 427 | 5 | 40 | 425 |

Council has participated in the NAIDOC Week Schools Initiative Program for the past two years, and has agreed to continue its support for this important initiative in 2018. The cost to participate is \$450. Additional information is enclosed for Councillors information.

Enclosures

- 1 NAIDOC School Initiatives Proposal 2018 - NSW 1(2) [⇒](#)

14.10 Minutes - South Precinct meeting - 21 December 2017

Responsible Director: Office of the General Manager

The minutes of the South Precinct Committee meeting held on 21 December 2017 are attached for Councillors' information.

Attachments

- 1 Minutes - South Precinct Meeting - 21/12/17 [↓](#)

**MINUTES OF THE SOUTH PRECINCT MEETING
held on Thursday 21 December 2017 at Gerringong Town Hall**

Meeting Opened at 7.35pm

Attendance: 31 people present

Chair: Stephen Brazier

Minutes: Linda Brazier

Apologies: Mayor Mark Honey

Welcomes were extended to guest speakers Karen Lang and Kerry McMurray, and to Gino Belsito, Councillor Neil Reilly and Cr Mark Westhoff.

Minutes of Previous Meeting

Moved: that the minutes of the ordinary meeting of 16 November 2017 be accepted.

Darrell Clingan/Shane Douglas **carried**

Guest Speakers:

1. Ms Karen Lang community rep. on the KMC Planning Committee and member of Central Precinct spoke on the importance of Council/community engagement.

Karen's presentation was well received and will be made available on the precinct's "discussion" mailing list.

2. Mr Kerry McMurray, Director Corporate, Commercial and Community Services spoke on the Special Rate Variation being proposed by Council, outlining reasons for the increase and how it would affect ratepayers. Kerry answered questions from the floor.

Resumption of normal meeting.

Business Arising From Minutes

1. Cooke Park exercise groups:

Cr Reilly reported that Council policy does not provide for an exclusion zone around amenities (toilet blocks), therefore the permit for exercise groups remains, with reduced hours. The impact on the park should be lessened, however we will continue to monitor.

Correspondence IN:

1. Paul Czulowski, Manager Environment and Health, KMC re. special arrangements for bin storage and collection at 36 Wilawa Ave Gerringong.

2. KMC re. acknowledgement of our submission on amendments to the Kiama LEP 2011

3. Susan Griffiths, Gerroa resident re. illegal barrier on nature strip at 163 Stafford Street Gerroa.
4. KMC re. Health Promotion Grants available: "Health and sustainability Grants" and "Community Gardens Grants"
5. Megan Hutchison, Economic Development Manager, KMC re. Kiama Regional Economic Development Strategy (REDS) and the state government's Growing Local Economies Fund, including a draft discussion paper.

Correspondence OUT:

1. To KMC GM and councillors re. DA for tennis court and pavilion at 40 Crooked river Rd Gerroa
2. To KMC GM re. Planning Proposal to amend Kiama LEP 2011 with respect to subdivision amendments
3. To KMC GM and Councillors re. DA Wells Street Gerringong

Executive Report

1. Re. Planning Alerts notifications - noted that any comment made on this site in relation to a DA is NOT an official submission to Council.
2. Re. DA for tennis court and pavilion at 40 Crooked river Rd Gerroa, despite a lengthy and sometimes inconsistent report by Council staff to recommend this application, it was soundly defeated at the Council meeting.

Treasurer's Report

A cheque sent to Open Australia Foundation for donation to the "Planning Alerts" program has been cancelled (to date is has not been received). We will explore possibility of making a donation online.

Council Papers

1. 29 Tasman drive approved.
2. 31 Jupiter street recommended for approval.
3. 8-10 Blackwood street - Museum
4. 35 Jupiter Street DA for Medical Centre has gone to the Land and Environment Court; a first hearing is on site on 29 January 2018 at 10.00am. This is open to general public but anyone wishing to speak must notify beforehand.

Traffic Committee

1. Time limited "no parking" restrictions are now in place in Park Road Gerroa to allow for bin collection.

General Business

1. Susan Griffiths, Gerroa resident reported on an illegal barrier on the nature strip at 163 Stafford St and efforts to have council act on the matter. Mr Gino Belsito, Manager Engineering and Works KMC responded that Council have been communicating with the property owner and are hoping to have the problem resolved without involving legal action.

2. Bendigo Bank: Shane Douglas reported that a public meeting was held on 13 December.

Moved:

That South Precinct support, in principle, the formation of a working Committee for the Bendigo Bank Gerringong Branch. Further, that anyone who is interested in volunteering for the committee to contact Shane Douglas.

Shane Douglas/Warren Holder **carried**

3. Ken Sandy, Rose Valley resident, noted that information on the Kiama Council DA tracking system is not kept up-to-date.

Meeting closed at 9.20 pm

Next Meeting: Thursday 15 February 2018 at 7.30pm.

14.11 NSW Container Deposit Legislation – Return and Earn Reverse Vending MachinesResponsible Director: Environmental Services

As Council is aware the NSW Container Deposit Scheme commenced in December 2017.

TOMRA and Cleanaway were awarded the collection contract for the scheme. As part of this contract, infrastructure has to be provided throughout the State. This includes the supply and installation of Return and Earn reverse vending machines, Return and Earn depots and mobile facilities.

Initially a Return and Earn reverse vending machine was to be located at the Kiama Fair Shopping Centre, however site constraints have delayed its installation. Although it is not Council's responsibility to identify or secure agreements for sites with private and/or public owners, Council has a facilitation role to ensure the community is provided with return and earn facilities.

As a result, discussions have been held with Council concerning possible sites that could be utilised. These sites could be owned by the State Government, Council or private commercial owned land.

The State Environmental Planning Policy (Exempt) and (Complying) Development Codes 2008 contains provisions relating to the container deposit scheme. This policy covers mobile reverse vending machines. If the sites and facilities comply with the relevant standards they can be installed without the need to lodge a development application.

At this time two preferred sites have been identified, both of which are located on State Rail Authority land. The sites are located adjacent to Gerringong Railway Station and State Rail buildings at the intersection of Eddy and Noorinan Streets, Kiama. TOMRA and Cleanaway are currently liaising and negotiating with State Rail Authority regarding the suitability and availability of these sites.

Other sites that require further investigation included Kiama Neighbourhood Centre and the car parking area opposite the Johnson Street shopping centre. TOMRA and Cleanaway are also investigating sites in Jamberoo.

Other back up sites have been identified but require further investigation, these include the Kiama Leisure Centre and Michael Cronin Oval.

It is also understood that Surf Lifesaving NSW is also negotiating for various surf club sites to be utilised as a scheduled drop off facility for containers, with the majority of proceeds going to the respective Surf Clubs. It is understood that the Gerringong SLSC has expressed an interest in being involved in this proposal.

A further report will be submitted to Council when the identified sites have been determined.

14.12 Submission to the Office of Local Government - Consultation on the draft Model Code of Meeting Practice for Local Councils in NSW

Responsible Director: Corporate, Commercial & Community Services

In December 2017 the NSW Office of Local Government (OLG) released a draft Model Code of Meeting Practice (Code) for Local Councils in NSW and invited all Local Councils to make submissions on the proposed changes.

This draft Code was developed following amendments made to the Local Government Act 1993 in August 2016, which provides for a model code of meeting practice to be prescribed by legislation.

The OLG, working in consultation with councils, has prepared a consultation draft of the proposed Model Meeting Code. Once this is finalised it will replace the meeting rules currently prescribed in the *Local Government (General) Regulation 2005*.

Once finalised, councils will be given a period of 6 months in which to adopt a code of meeting practice based on the Model Meeting Code.

The draft Code has two elements:

- It contains mandatory provisions (indicated in black font) that reflect existing meetings provisions of the Act and adapt those currently contained in the Regulation. The existing meetings provisions of the Regulation have been updated and supplemented to reflect contemporary meetings practice by councils and to address ambiguities and areas of confusion in the existing provisions based on feedback from councils.
- It contains non-mandatory provisions (indicated in red font) that cover areas of meetings practice that are common to most councils but where there may be a need for some variation in practice between councils based on local circumstances. The non-mandatory provisions will also operate to set a benchmark based on what OLG sees as being best practice for the relevant area of practice.

In making submissions on the draft Code, OLG would welcome feedback from councils on whether any of the proposed non-mandatory provisions should be mandated. If there is a sufficient body of support for these from councils, these may be made mandatory in the final version of the Code.

The proposed changes have been circulated to the Kiama Council Mayor, Councillors, General Manager and Directors seeking feedback on the proposed changes. Attached is a summary of feedback received for each clause of the Code with proposed changes.

The closing date for receipt of submissions by the OLG on these proposed changes is COB Friday 16 March 2018.

Attachments

- 1 Kiama Municipal Council - Submission re Draft Code of Meeting Practice [↓](#)

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Giving notice of business to be considered at council meetings | |
| 3.11 | A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted [council to specify notice period required] business days before the meeting is to be held. | Agreed. We already have this requirement in place. |
| 3.13 | A councillor may submit no more than [number to be specified by the council] notices of motion to be considered at each ordinary meeting of the council. | Neither agree nor disagree. This hasn't been an issue, however if this clause is to be mandatory then 3 notices of motion seem reasonable. |
| 3.14 | If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may either: (a) prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council, or (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report. | Neither agree nor disagree. This proposal has some merit as it would help regulate 3.13. However, this could compromise, or be seen to compromise the GM's impartiality on matters relating to specific councillors. |
| 3.15 | A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either: (a) prepare a report on the availability of funds for implementing the motion if adopted, or (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been | Agree. We already have a protocol for this. Including this requirement in the Code has merit. |

Item 14.12

Attachment 1

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| | submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report. | |
| | Pre-meeting briefing sessions | |
| 3.34 | Prior to each ordinary meeting of the council, the general manager will arrange a pre-meeting briefing session to brief councillors on the items of business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council. | Agree. We already take this approach. There is merit in formalising the requirement. |
| 3.35 | Pre-meeting briefing sessions are to be held in the absence of the public. | Agree. This is our current practice. There is merit in formalising the requirement. |
| 3.36 | The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions. | Agree. Our current practice is usually the Mayor presides. There is merit in formalising the requirement. |
| 3.37 | Councillors (including the mayor) are to make all reasonable efforts to attend pre-meeting briefing sessions. | Agree |
| 3.38 | Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered. | Agree. This is already current practice. There is merit in formalising the requirement. |
| 3.39 | Councillors (including the mayor) must disclose and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do at a council or committee meeting. | Agree. This is already current practice. There is merit in formalising the requirement. |
| | Public Forums | |
| 4.1 | The council will hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council. | Agree. This is already current practice. There is merit in formalising the requirement. |
| 4.2 | Public forums are to be chaired by the mayor or their nominee | Agree. Including a nominee is more flexible wording, particularly when the Mayor is on leave. |
| 4.3 | To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by [date and time to be specified by the council] before the date on which | Agree. This is already current practice. There is merit in formalising the requirement. |

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| | the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item. | |
| 4.4 | A person may apply to speak on no more than [number to be specified by the council] items of business on the agenda of the council meeting. | Neither agree nor disagree. Limiting number of items could have merit. |
| 4.5 | Nominated candidates at federal, state or local government elections and serving councillors are not permitted to speak at a public forum. | Neither agree nor disagree. |
| 4.6 | Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum. | Agree. Has merit to formalise this. Open and transparent. |
| 4.7 | The general manager or their delegate may refuse an application to speak at a public forum. | Agree. This is current practice when the speaker wants to speak to the previous minutes. |
| 4.8 | No more than [number to be specified by the council] speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting. | Current practice is to limit to a maximum of ten people. Merit in formalising. |
| 4.9 | If more than the permitted number of speakers applies to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum. | Agree. |
| 4.10 | Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than [number to be specified by the council] days before the public forum. The general manager or their delegate may refuse to allow such material to be presented. | Neither agree nor disagree. Current practice limits presentations to be made verbally only. |
| 4.11 | The general manager or their delegate is to determine the order of speakers at the public forum | Neither agree nor disagree. The order of speakers should follow the order of the business paper. |
| 4.12 | Each speaker will be allowed [number to be specified by the council] minutes to address the council. This time is to be strictly enforced by the chairperson. | Agree. Current practice limits speakers to a maximum of five minutes. |

Item 14.12

Attachment 1

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 4.13 | Speakers at public forums must not digress from the item on the agenda of the council meeting, they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to so digress. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard. | Agree. |
| 4.14 | A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument. | Agree. Succinct, direct and without argument - must be managed tightly by the chair. |
| 4.15 | Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker, to each question are to be limited to [number to be specified by the council] minutes. | Agree. There is merit in formalising this requirement. |
| 4.16 | Speakers at public forums cannot ask questions of the council, councillors or council staff. | Agree. There is merit in formalising this requirement. |
| 4.17 | The general manager or his or her nominee may, with the concurrence of the chairperson, address the council for up to [number to be specified by the council] minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised. | Agree. There is merit in formalising this requirement. |
| 4.18 | Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters. | Agree. This proposal has merit. |
| 4.19 | When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements. | Agree – similar to current practice. |
| 4.20 | If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking. | Agree. There is merit in formalising this requirement. |

Item 14.12

Attachment 1

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| 4.21 | Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code. | Agree. There is merit in formalising this requirement. |
| 4.22 | Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate. | Agree. However, perhaps a warning first may be more appropriate |
| 4.23 | Councillors (including the mayor) must disclose and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do at a council or committee meeting. | Agree. This is just good governance. |
| | Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. | Neither agree nor disagree. |
| | The quorum for a meeting | |
| 5.13 | Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and using such other means as will bring notice of the cancellation to the attention of as many people as possible. | Agree – notification on website a good idea |
| 5.14 | Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered at an extraordinary meeting called under clause 3.3. | Agree, however the word 'may' is important here |
| | Entitlement of the public to attend council meetings | |

Item 14.12

Attachment 1

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Note: If adopted, clauses 15.13 and 15.14 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.13 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.14 authorises chairpersons to expel persons other than councillors from a council or committee meeting. | Agree. There is merit in formalising this requirement. |
| | Audio recording of meetings | |
| 5.21 | Audio recordings are to be made of all meetings of the council and committees of the council for the dominant purpose of assisting with the preparation of the minutes for meetings. | Agree. There is merit in formalising this requirement. |
| | Order of Business for Ordinary Council Meetings | |
| 8.1 | At a meeting of the council, the general order of business is as fixed by resolution of the council. | Neither agree nor disagree |
| 8.2 | The general order of business for an ordinary meeting of the council shall be: [councils may adapt the following order of business to meet their needs] 01 Opening meeting 02 Acknowledgement of country 03 Prayer 04 Apologies and applications for leave of absence by councillors 05 Confirmation of minutes 06 Disclosures of interests 07 Mayoral minute(s) 08 Reports of committees 09 Reports to council 10 Notices of motions/questions with notice 11 Confidential matters 12 Conclusion of the meeting | Neither agree nor disagree. Our current order of business works well. Although there is an advantage in requiring all disclosures to be managed early in the meeting. |
| | Note: Councils must use either clause 8.1 or 8.2. | |
| 8.3 | The order of business as fixed under clause [8.1/8.2] [delete whichever is not applicable] may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice. | Agree. There is merit in formalising this requirement. |
| | Note: If adopted, Part 13 allows council to deal with items of business by exception. | Agree. There is merit in formalising this requirement. |
| | Motions requiring the expenditure of funds | |
| 10.9 | A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/ or services other than those already provided for in the council's current adopted operational plan must | Agree. This is good governance. |

Item 14.12

Attachment 1

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|
| | identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted. | |
| | Voting at council meetings | |
| 11.10 | All voting at council meetings must be recorded in the minutes of the meeting with the names of councillors who voted for or against a motion or amendment being recorded as if a division had been called under clause 11.6. | Agree. Councillor's voting record is crucial to transparency and good governance. |
| | Dealing with Items by Exception | |
| 13.1 | The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution. | Agree. Has merit -but only by resolution, not direction |
| 13.2 | Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson is to list the items of business to be adopted and ask councillors to identify any of the individual items of business listed by the chairperson that they wish to speak on. | Agree. There is merit in formalising this requirement. |
| 13.3 | The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they wish to speak on. | Agree. There is merit in formalising this requirement. |
| 13.4 | Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3. | Agree. There is merit in formalising this requirement. |
| 13.5 | A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper. | Agree. There is merit in formalising this requirement. |
| 13.6 | Items of business adopted under clause 13.1 are to be taken as having been unanimously adopted. | Agree. There is merit in formalising this requirement. |
| 13.7 | Councillors must ensure that they disclose and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct. | Agree. There is merit in formalising this requirement. |
| | Representations by members of the public | |
| 14.11 | Where the matter has been identified in the agenda of the meeting under clause 3.23 as a matter that is likely | Agree. There is merit in formalising this requirement. |

Item 14.12

Attachment 1

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|
| | to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by [date and time to be specified by the council] before the meeting at which the matter is to be considered. | |
| 14.13 | No more than [number to be specified by the council] speakers are to be permitted to make representations under clause 14.9. | Agree. There is merit in formalising this requirement. |
| 14.16 | Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.23 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than [number to be specified by the council] speakers to make representations in such order as determined by the chairperson. | Agree – current practice. There is merit in formalising this requirement. |
| 14.17 | Each speaker will be allowed [number to be specified by the council] minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers are to confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to so digress. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard. | Agree – current practice. There is merit in formalising this requirement. |
| | Expulsion from meetings | |
| 15.13 | All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. | Agree – current practice. There is merit in formalising this requirement. |
| 15.14 | All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person other than a councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act. Councillors may only be expelled by resolution of the council or the committee of the council. | Neither agree nor disagree |

Item 14.12

Attachment 1

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | Note: Councils may use either clause 15.13 or clause 15.14. | |
| 15.15 | Clause [15.13/5.14] [delete whichever is not applicable] , does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2) (a) of the Act. | Neither agree nor disagree |
| | Rescinding or altering council decisions | |
| 17.10 | A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later than [council to specify the period of time] after the meeting at which the resolution was adopted. | Disagree - There is an issue here about when the decisions are ENACTED. If the approval/refusal has been formally passed on to the applicant (or if the applicant was at the meeting), and then the decision is overturned a few days later the it may be too late and end up in a legal challenge. |
| 17.12 | Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where: (a) a notice of motion signed by three councillors is submitted to the chairperson, and (b) a motion to have the motion considered at the meeting is passed, and (c) the chairperson rules the business that is the subject of the motion is of great urgency. | Agree. There is merit in formalising this requirement. |
| 17.13 | A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.19–10.27, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put. | Agree. There is merit in formalising this requirement. |
| 17.14 | A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c). | Neither agree nor disagree |
| | Recommitting resolutions to correct an error | |
| 17.15 | Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting to correct any error, ambiguity or imprecision in the council's resolution. | Agree. There is merit in formalising this requirement. |
| 17.16 | In seeking the leave of the chairperson under clause 17.15 to move to recommit a resolution adopted at the same meeting, the councillor is to propose alternative wording for the resolution. | Agree. There is merit in formalising this requirement. |
| 17.17 | The chairperson must not grant leave under clause 17.15, unless he or she is satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting. | Agree. There is merit in formalising this requirement. |

Kiama Municipal Council – Submission re Draft Code of Meeting Practice

| Clause | Proposed changes | Comments |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------|
| 17.18 | A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.19–10.27, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put. | Agree. There is merit in formalising this requirement. |
| 17.19 | A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15. | Agree. There is merit in formalising this requirement. |
| 17.20 | A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded. | Agree. There is merit in formalising this requirement. |
| | Time Limits on Council Meetings | |
| 18.1 | Meetings of the council and committees of the council are to conclude no later than [council to specify the time] . | Agree – however, any time limit on length of meeting should be by resolution. |
| 18.2 | If the business of the meeting is unfinished at [council to specify the time] , the council or the committee may, by resolution, extend the time of the meeting. | Neither agree nor disagree. |
| 18.3 | If the business of the meeting is unfinished at [council to specify the time] , and the council does not resolve to extend the meeting, the chairperson must adjourn the meeting to a time, date and place fixed by the chairperson. | Agree. There is merit in formalising this requirement. |
| 18.4 | Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to. | Agree. There is merit in formalising this requirement. |
| 18.5 | Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must: (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and (b) publish the time, date and place at which the meeting will reconvene: (i) on the council's website, and (ii) by using such other means that will bring notice of the time, date and place at which the meeting will reconvene to the attention of as many people as possible. | Agree. There is merit in formalising this requirement. |
| | Minutes of council committee meetings | |
| 20.23 | All voting at meetings of committees of the council must be recorded in the minutes of the meetings with the names of councillors who voted for or against a motion or amendment being recorded as if a division had been called under clause 11.6. | Agree - This is crucial to transparency and good governance. |

14.13 Urban Waste Service over the Christmas/New Year periodResponsible Director: Environmental Services

This report provides Council with an update summary of the urban waste service provided to residents and Short Term Rental Accommodation (STRA) during the 2017/2018 Christmas/New Year period including operational issues and community concerns.

Background

Council believes, with no landfill of its own, it must find ways to divert food and garden organics and recyclable materials, which make up around half of the household red lid garbage bin, from landfill.

This will not only reduce greenhouse gas emissions, but also provide a financial saving to the residents of the municipality who are paying very high Domestic Waste Management Charges for disposing of material to landfill at a neighbouring Council facility. The organic materials collected also have the potential to be processed into nutrient-rich compost.

The OK Organics Kiama waste service, comprising of a fortnightly garbage service, weekly recycling and weekly food and garden organics, was trialed in November 2012 and phased in across the urban area with all waste zones on the new waste service since 1 July 2016.

In 2017, Council and the community of the Kiama Municipality were recognised for their efforts in minimising waste, winning the Local Government NSW Excellence in the Environment Award for the OK Organics Kiama program.

The waste service involves a change in behaviour in how we manage our waste and a greater effort is now required from residents and visitors to separate their food waste, garden organics and other recyclable materials, which was being placed in the garbage bin. When source separation is undertaken correctly, there should be sufficient capacity in the garbage bin for a fortnightly service. Where capacity is an issue, a larger garbage bin service can be requested by the property owner but applicable charges apply.

All putrescible waste (including meat, seafood, food scraps) can be disposed of into the organics bin, which is collected weekly. In addition, there are many types of containers and other materials that can be disposed of in the recycling bin.

The tonnages and low contamination levels achieved consistently since the waste service was introduced is evidence of the community's support. To date, we have achieved:

- 75% Resource Recovery Rate compared to 57% pre OK Organics
- 18% increase in recycling
- 48% increase in organics
- 41% decrease in garbage.

During 2016 -2017 Christmas/New Year period some concerns were raised by operators and residents using their premises for STRA regarding capacity, service frequency and the reluctance of visitors to sort their waste.

Reports for Information

14.13 Urban Waste Service over the Christmas/New Year period (cont)

When implementing the new waste service, Council amended its STRA Policy which states that as a minimum requirement, urban residential STRA properties must be in receipt of (and charged the applicable domestic waste management charge for) the equivalent of the largest size urban residential waste service. This consists of a 240 litre garbage bin, 240 litre recycling bin and 240 litre organics bin.

In the case of multi-unit developments where there is limited storage space, shared garbage, recycling and organics bins are available.

Council at its meeting held 21 March 2017 considered waste related issues pertaining to STRA premises and resolved that the following waste services be provided subject to payment of increased charges as specified the 2017/18 Fees and Charges:

- 240L all red garbage bin serviced weekly (for STRA properties only)
- An additional 240L red lid garbage bin serviced fortnightly (all properties are eligible however must have an existing 240L waste service)

The property owner or managing agent as listed on Council's database were notified of the above options on 4 July and again on 18 December 2017. This resulted in some but not all property owners upgrading their waste service.

Issues raised during 2017-2018 Christmas/New Year period

Over the 2017-2018 Christmas/New Year period, the concerns relating to Council's Waste Service included:

- Red lid garbage bins being placed out by certain residents including STRA's on the incorrect service week. This resulted in a high percentage of other residents following suit. Consequently, Council did receive increased phone calls, emails and criticism on Facebook from residents and property owners expecting an extra garbage collection service.
- Residents and or visitors not sorting out their waste properly causing red lid garbage bins filling up quickly and overflowing.
- STRA properties not having the correct garbage bin size - not ordering the STRA 240L all red bin weekly garbage service or an additional 240L red lid garbage bin to cater for the influx in occupancy over this period.
- Increase in odours, flies and maggots.

At this time of the year, there is large quantity of packaging such as polystyrene, cardboard, paper and other items including e-waste, clothing and batteries that take up a lot of room in the red lid garbage bin. However, these materials if separated, can be disposed of free of charge at the Minnamurra Community Recycling Centre.

To address these issues, Council could consider the following options:

- Develop and implement a targeted waste education campaign throughout November and December via Shop Front Information Kiosks or direct communication with residents that are known to have garbage bins that are overflowing
- Develop and implement a targeted education program for short-term holiday visitors and new residents on how to use the waste services effectively

Reports for Information

14.13 Urban Waste Service over the Christmas/New Year period (cont)

including how to minimise odours and pests. This could include provision of signage, electronic audio and video educational clips and provision of internal recycling bins.

- Promote the availability of the Community Recycling Centre for residents to dispose of excess recyclable material including polystyrene and other materials rather than placing them in garbage bins.
- Provide an extra garbage service for each waste zone for the Christmas and New Year period. Research shows that some Councils (ie. Byron Bay and Penrith) who offer a fortnightly garbage service and a food and garden organics service, do provide this additional garbage service at this time. Providing additional garbage service over the Christmas and New Year period would incur additional collection, disposal and administration costs estimated at approximately \$75,000. Funding for this would need to be considered taking into account the proposed 6% Special Rate Variation which specified that the Domestic Waste Management Charge would be capped at 2.5% per annum.

Item 14.13

14.14 Discharge from Bombo Sewerage Treatment PlantResponsible Director: Environmental Services

On or about 19 December 2017, a resident provided Council with a drone aerial image of a discoloured waste water discharge into the ocean in the vicinity of the Bombo Treatment Plant ocean outlet which is operated under EPA Licence by Sydney Water Corporation.

This complaint was forwarded to the NSW EPA who is the responsible authority for investigating complaints and licence issues associated with this facility.

The cause of the discharge is still to be confirmed by the NSW EPA and whether this was a breach of their licence.

A meeting has been convened with the NSW EPA and Sydney Water Corporation and Council. The purpose of this meeting is to create an open dialog regarding the current operational performance of this facility and to identify why the incident occurred and whether any improvements are required. A further report will be submitted to Council on this matter once the meeting has been held.

14.15 Question for Future Meeting: Strengthening Development Control Plan ProvisionsResponsible Director: Environmental Services

At its Ordinary Meeting held 19 December 2017, Councillor Sloan requested a report providing general advice about the best way for Council to strengthen and enforce our Development Control Plan (DCP).

Council's DCP provides detailed planning and design guidelines to support the planning controls of the LEP and is prepared and adopted by Council. It identifies additional development controls and standards for addressing development issues at a local level and can be applied more flexibly than the Local Environmental Plan 2011 (LEP).

Whilst the provisions of a DCP are not statutory requirements they are a mandatory matter for consideration is the assessment of development applications. However, they do provide strong guidance on how permissible development should be delivered.

Council is required to be flexible in applying the provisions contained within the DCP and allow reasonable alternative solutions that achieve the objects of those standards for dealing with a particular aspect of the development. A contemporary way of enabling this is to prescribe performance criteria that need to be satisfied as well as providing acceptable solutions to satisfying these criteria. In this fashion applicants can choose to either comply with the listed acceptable solution or provide alternative solutions in order to satisfying the listed performance criteria. This approach has been taken with the recently adopted Chapter 33 – Jamberoo Village of the DCP 2012. It is suggested that a future comprehensive review of the DCP should take this approach. The use of overly prescriptive controls is not preferential as it can restrict innovation in design and lead to undesirable outcomes.

As part of the development assessment process staff are continually reviewing the existing controls of the DCP to ensure that they are achieving the outcomes desired by the community and Council. As part of this continuing process, staff have identified potential improvements; for example, some of the existing prescriptive numerical setback controls do not encourage good private open space outcomes in regards to development, particularly dual occupancies on corner allotments. These opportunities are noted and inform future review processes.

Due to the imminent amendments to the *Environmental Planning and Assessment Act 1979* (the Act), as well the preparation of other State design and character policies, it is considered that a comprehensive review of the DCP will likely occur in the next 18-24 months. With the amendments to the Act the Department of Planning and Environment will shortly release a standard template for all DCPs across the State. Once this template has been released Council will be in a better position to carry out a comprehensive review of the DCP.

The most prudent way of ensuring DCPs are enforceable is to consistently apply the provisions of the DCP. It is worth noting that when a matter is considered by the NSW Land and Environment Court the consistent application of a DCP is something that has weight in the Court's decision.

14.16 Question for Future Meeting: Protection of residential amenity in medium density and dual occupanciesResponsible Director: Environmental Services

At its Ordinary meeting held on 19 December 2017, Councillor Sloan requested a report on how Council can introduce clauses into local planning instruments to achieve “quality and amenity for the end users” of new units, townhouses and dual occupancies that will be enforceable. This report seeks to provide clarity on the most appropriate mechanism for achieving quality and amenity for the end users of new units, townhouses and dual occupancies that will be enforceable.

Council’s 2 main local planning instruments are the Kiama LEP 2011 and the Kiama DCP 2012.

1. Role of Local Environmental Plans

Council’s LEP guides development, planning decisions and protects natural resources within the Kiama Local Government Area. This includes waterways and heritage within local government areas, and the zoning and development controls that allows Council to manage the ways in which land is used. The LEP was prepared by Council, in consultation with their community and approved by the Minister for Planning (or their delegate) and as such is a statutory instrument.

2. Role of Development Control Plans

Council’s DCP provides detailed planning and design guidelines to support the planning controls of the LEP and is prepared and adopted by councils. It identifies additional development controls and standards for addressing development issues at a local level and can be applied more flexibly than the LEP.

Whilst the provisions of a DCP do not carry the same legal weight as the LEP they are a mandatory matter for consideration in the assessment of development applications. DCPs do provide strong guidance on how permissible development should be delivered.

Council is required to be flexible in applying the provisions contained within the DCP and allow reasonable alternative solutions that achieve the objects of those standards for dealing with a particular aspect of the development. In these cases, the consent authority would require the applicant to provide justification as to why their proposal is consistent with the aims and objectives of the DCP.

3. Amenity Issues

It is important to provide clarity between dual occupancies and medium density development. Medium density development, such as residential flat buildings and multi-dwelling housing, involves 3 or more dwellings being present or proposed on a site. Dual occupancies involve 2 dwellings being present or proposed on the site and as such are not a form of medium density development.

There are a range of issues that may impact the amenity of end users of new units, townhouses and dual occupancies. These include, but are not limited to:

- Privacy/overlooking,
- Solar access,

Reports for Information

14.16 Question for Future Meeting: Protection of residential amenity in medium density and dual occupancies (cont)

-
- Outdoor clothes drying and bin storage areas,
 - Accessibility and usability of private open spaces,
 - Cross ventilation,
 - Adequate room sizes,
 - Adaptability, and
 - Car parking

Whilst the same range of amenity impacts apply to both types of development, the magnitude of these impacts vary significantly due to the difference in scale between the different types of developments. Accordingly, it is not always appropriate to apply the same controls to both dual occupancies and medium density development.

Chapter 5 of the DCP 2012 applies to all development applications for medium density developments (i.e. three (3) or more dwellings). Chapter 5 contains controls relating to:

- Adaptable housing,
- End user amenity - including, orientation requirements and minimum apartment sizes,
- Solar access,
- Acoustic requirements,
- Storage,
- Private & communal open spaces,
- Clothes drying areas, and
- Bin storage facilities.

For certain types of medium density developments, the NSW Government's Apartment Design Guide (ADG) applies. The ADG is considered a regulatory planning instrument as the *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development* requires the development to comply with the relevant design criteria of the ADG.

Chapter 4 of the DCP 2012 applies to all development applications for low density developments including dual occupancies. Chapter 4 contains controls relating to:

- Adaptable housing;
- Privacy;
- Solar access;
- Private open space;
- Storage; and
- Clothes drying areas.

Reports for Information

14.16 Question for Future Meeting: Protection of residential amenity in medium density and dual occupancies (cont)

Chapter 4 contains additional controls for dual occupancy developments. These controls relate to bin storage facilities, privacy, solar access, acoustic separation and the positioning of internal rooms. It is noted that Chapter 9 of the DCP applies to all types of development applications and provides specific car parking requirements for each type of development.

These chapters provide prescriptive controls which seek to protect the amenity of end users of new units, townhouses and dual occupancies. Due to the nature of these amenity issues it is appropriate for these types of controls to remain in the DCP rather than the LEP.

The existing DCP controls could be amended to provide clearer guidance on how permissible development should be delivered. However, as noted the proposed amendments to the *Environmental Planning and Assessment Act 1979* (the Act) are imminent and a comprehensive review of Council's DCP should be considered as part of Council's future strategic review/program. With the amendments to the Act the Department will shortly release a standard template for all DCPs across the State. Once this template has been released Council will be in a better position to carry out a comprehensive review of the DCP. This may include updating the DCP to include design, amenity and character controls that are contained in the Government's Architect's Better Placed policy, the ADG and the draft Medium Density Design Guide. The Government's Architect office is also working on preparing a design guide to regional development.

It needs to be stressed that DCPs need to be responsive to site specific constraints, such as topography, geology, ecology and heritage etc., by continuing to allow flexibility. As such DCPs which only contain prescriptive numerical controls often do not encourage good amenity outcomes for end users of new units, townhouses and dual occupancies.

The recently adopted Chapter 33 – Jamberoo Village of the DCP 2012 provides applicants with performance criteria that need to be satisfied as well as providing acceptable solutions to satisfying these criteria. In this fashion applicants can choose to either comply with the listed acceptable solution or provide alternative solutions to satisfying the listed performance criteria. This is a contemporary way of preparing DCPs which allows for innovation whilst ensuring appropriate and desirable design outcomes. It is suggested that a future comprehensive review of the DCP should take this approach.

The consistent application of the provisions of any DCP also support enforceability of outcomes and controls.

14.17 Question for Future Meeting: Affordable Housing State Environmental Planning Policy (SEPP70)Responsible Director: Environmental Services

At its Ordinary meeting held on 19 December 2017, Councillor Sloan commented that several Sydney Councils have been granted approval to implement a new housing affordability measure under SEPP70 and requests a report on whether SEPP70 could be used in the Kiama Local Government Area and/or whether other measures might be better to encourage construction of an appropriate amount of affordable housing.

State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes) has a focus on allowing the preparation of affordable housing contributions schemes for lands at Ultimo-Pyrmont, Willoughby and Green Square and does not apply to Kiama.

The State Environmental Planning Policy (Affordable Rental Housing) 2009 applies to Kiama and focusses on the provision and retention of affordable rental housing by providing incentives (e.g. zoning permissibility and FSR bonuses) and facilitating an expanded role for not-for-profit-providers of affordable rental housing. The SEPP can be used in Kiama for secondary dwellings, boarding houses, group homes and supportive accommodation, subject to meeting strict development standards contained in the Policy.

Affordable housing is appropriate to the needs of a range of very low to moderate income households and priced so that these households are also able to meet other basic living costs such as food, clothing, transport, medical care and education. As a rule of thumb, housing is usually considered affordable if it costs less than 30% of gross household income.

Housing affordability is a broad and complex issue and is the subject of significant research and policy development across all tiers of Government. The range of influencing factors include, but are not limited to:

1. Housing supply: the State Government is very focussed on ensuring there is a pipeline of housing opportunities across a range of housing types to cater for housing demand. In the Illawarra-Shoalhaven Region, the tracking of housing supply to meet demand is addressed through the Illawarra Shoalhaven Urban Development Program. A lack of housing supply places upwards pressure on house prices, affecting affordability.
2. Streamlining housing provision: the State Government is also very focussed on reducing the time taken for housing approvals. This priority is a driver of the reviews to exempt and complying development codes, increasing the amount of housing that does not require development consent.
3. Affordable housing providers: the provision of affordable housing, usually for rent, can be delivered by Government, local councils and community housing providers – often requiring multiple providers and jurisdictions working in collaboration.
4. Fiscal responses: shifts to taxation and grants programs has an influence on the ability for people to participate in the housing market. Programs such as the

Reports for Information

14.17 Question for Future Meeting: Affordable Housing State Environmental Planning Policy (SEPP70) (cont)

first home-buyers grants or policies such as negative gearing and overseas investment quotas influence the housing market and by extension house prices.

5. Demand: policies around immigration and decentralisation have an impact on the demand for housing and where people choose to live. Easing of demand puts downward pressure on house prices, affecting affordability.

There are a number of affordable housing research projects and initiatives that are underway at the moment. These include research being done by the University of Technology Sydney, a research project being undertaken by the Property Council of Australia (PCA) Illawarra Chapter and the State Government Affordable Housing Taskforce.

The PCA Housing Affordability in the Illawarra project aims to understand appropriate solutions to implement regional responses to boost housing affordability; consult stakeholders to identify initiatives, barriers and possible solutions; and develop a set of recommendations for use by local agencies and industry to improve housing affordability.

Kiama Council has participated in this project through a survey and meetings to date and could contribute financially (\$5,000 has been requested) if considered to be a priority for the Council. Council staff will continue to participate and monitor the outcomes of current initiatives to identify opportunities that may be appropriate for Kiama.

14.18 Illawarra Respite and Carelink Centre - Funding

Responsible Director: Blue Haven

The Illawarra Respite and Carelink Centre is currently funded by the Commonwealth Department of Social Services for five programs:

| Program | Funding 2017/18 | Funding 2018/19 |
|---------------------------------------------------------------------------------|-----------------|-----------------|
| Commonwealth Respite and Carelink Centre | \$1,204,014 | |
| Dementia Education and Training for Carers | \$21,771 | |
| Mental Health Respite | \$369,348 | \$240,318 |
| Young Carers Respite and Information Service | \$137,966 | \$130,572 |
| Respite Support for Carers of Young People with severe or profound disabilities | \$124,848 | \$68,728 |

At this point in time funding for Commonwealth Respite and Carelink Centre and Dementia Education and Training for Carers programs are scheduled to end 30 June 2018. The Government is yet to announce future arrangements for the delivery of carer support services after 30 June 2018, with the written notification stating:

‘The Government is yet to announce future arrangements for the delivery of carer support services after 30 June 2018. The Department of Social Services will provide advice to providers of carer services as soon as it is able’

In 2017, notice of extension for 2017/18 was only provided in May. This creates uncertainty in relation to any forward planning beyond June 2018 as it is unknown whether these programs will continue.

The funding agreements for the remaining programs are in place until 30 June 2019. However, as can be seen from the above table, funding is reducing due to the roll-out of the NDIS and the transition of clients to their own funded plans.

14.19 Successful funding applicationsResponsible Director: Office of the General Manager

Council has recently received advice regarding successful funding applications for works within the Municipality.

As part of Round One of the NSW State Government Stronger Country Communities Fund, Council has received the following grants:

- \$250,000 for the establishment of an exhibition space within the Gerringong Library Museum and Community Precinct
- \$375,000 for amenity block upgrades and refurbishment at Cooke Park, Gerringong, Jones Beach – Kiama Downs and Minnamurra Reserve – Minnamurra.

The Stronger Country Communities Fund is to support local infrastructure projects that will improve amenity and help sustain the social bonds at the heart of strong regional communities.

Council was also successful in receiving \$38,500 from the first round of the State Government's Observation Tower Grants fund for the purchase of a new observation tower to be used by lifeguards at one of Council's patrolled beaches. The tower is portable which will allow for use where the need appears greatest. The current tower has proved invaluable in allowing lifeguards to see swimmers who may be having difficulty and also assist in shark sightings.

14.20 Spring Creek - Proposed DCP

Responsible Director: Corporate, Commercial & Community Services

In 2017, Council engaged APP an independent property and infrastructure consultant to carry out preliminary and site investigation works in preparation for a draft Development Control Plan (DCP) for the future residential development of the following sites:

| Lots subject to proposed DCP | Property Owner |
|------------------------------|-----------------------------------|
| Lot 11 DP 810839 | Kiama Municipal Council |
| Lot 45 DP 800176 | Kiama Municipal Council |
| Lot 2 DP 805229 | Boral Resources (NSW) Pty Limited |

To assist in preparation of the DCP, a notification letter was sent in December 2017 to all adjoining residents of the subject lots advising that a range of consultants would be carrying out onsite investigations including survey, traffic investigations, geological testing, ecological studies, heritage assessment and engineering assessments from 8 – 12 January 2018.

Council is now in the process of notifying the wider community of the proposed DCP by distributing notification letters (Annexure “A”) to all residences within a 1km radius of the perimeter of the subject lots (Annexure “B”) . Additionally, Council will provide online notification of the proposed DCP on Council’s website and will provide further information to residences and the community of how to be involved in the DCP process.

It is anticipated that notification letters and online notices will be distributed in early to mid-February 2018.

Annexure “A”

Dear Resident

Kiama Municipal Council is preparing a draft Development Control Plan (DCP) for land in your area as shown below. The land is zoned residential but is currently vacant. The draft DCP will provide further detail on Council’s requirements for future development of the land. It will consider opportunities for, and constraints of, the site and linkages and relationships with surrounding housing, roads, creek, open space and other nearby features. The draft DCP will provide more certainty to the community as to likely development options, and will assist land owners and developers in understanding Council’s and the community’s intent for the land.



In preparing the draft DCP, Council will follow a prescribed process which includes public exhibition and engagement with the community. It is expected the draft DCP will be exhibited during the 2018-19 financial year. It should be noted that appropriate applications will be needed for any future development of this land.

APP, an independent property and infrastructure consultancy, will carry out the investigations and prepare the draft DCP. An information session on the draft DCP will be held prior to its submission to Council and subsequent exhibition. This information session is likely to occur during mid-2018.

If you have any questions, please contact [name of Council contact] on xxxx xxxx or email xxxxx@kiama.nsw.gov.au.

Yours sincerely

XXXXXXXXXXXX

Annexure “B”



14.21 Councillor Report on Conference AttendanceResponsible Director: Office of the General Manager

Responsible Councillor: Neil Reilly

Councillor: Neil Reilly**Conference:** NSW Library Conference 'SWITCH 2017'**Location:** Penrith**Date:** 21 – 24 November 2017

Introduction

I know many councillors are avid readers, for instance Councillor Way shares my enthusiasm for the work of Michael Connelly (no relation to David!). Councillor Warren Steel has actually written and published books. But I am not sure how many of us really understand, value or use our library.

This conference opened my eyes, and I hope this report will raise the profile of our libraries in their popularity, their funding and the use they are to the community...*and can be to council.*

Please excuse me if I wax lyrical for a moment. A library in the middle of a community is a cross between an emergency exit, a life-raft and a festival. They are cathedrals of the mind; hospitals of the soul; theme parks of the imagination. Libraries are public spaces where you are not a consumer, not a client but a person instead.

Value of Conference

This conference carried a focus on engagement, dialogue, and innovation around public libraries. The purpose was to allow staff, councillors and other decision makers to keep up with the rapidly changing landscape of Public libraries. We were presented with ideas and tips from presenters, colleagues and informal discussion groups. The financial investment by local government in New South Wales to public libraries is 93% of total cost; they enjoy broad support within their communities and the scope of service continues to grow. This is valuable knowledge in the role of community building and engagement. Public Libraries, in particular those in regional communities like Kiama, receive a tremendous amount of community feedback regarding both Council and community business. Given the position that the libraries hold within their communities, they often receive a great deal of verbal feedback in general dealings with the community. This feedback is on the spot real time feedback that can provide immense benefit to council.

Key Messages/Highlights

- NSW Library Association President, Dallas Tout
 - Provided statistical evidence of the vast and diverse program deliverables of libraries

Reports for Information

14.21 Councillor Report on Conference Attendance (cont)

-
- 35 million visits to libraries (My own figures, from Australia in Numbers theguardian.com, show that in a 26 week season the total visitation to Rugby League matches is 6.6 million)
 - 34% of the population aged 15 years and over visited a local library in the past 12 months
 - Good funding prospects, but noted cost shifting from state (gave an example that more state tax/revenue money was provided to 'West's Tigers' Leagues Club alone, than all funding for NSW Public Libraries)
 - Stated that despite libraries being part of local governments' core service delivery, they are not generally perceived by council executives and councillors as potential participants in local government and community initiatives, "their footprint on the documents, plans and policies ... is minimal"
 - Public libraries are logical partners for community development initiatives as they provide a broad range of information services to diverse constituencies. Raising the library's profile in the community through active participation and engagement with the community will ensure that the library's value will be communicated to library users, stakeholders, and the community at large.
 - Russel Howcroft (Gruen Transfer) spoke of (when promoting libraries) *ideas* are at the core of everything
 - There is no such thing as a bad idea (the qualification was that if we think things through properly, we would never promote a bad idea to anyone)
 - We have to have a creative culture
 - The notion that you use education to drive social changes
 - Ben Conyers Mapping Customer Experience
 - We must give people what they want and what they have a right to expect.
 - William McInnes, Actor and Writer (Sea Change...the other love interest of Sigrid Thornton)
 - Hysterical presentation, yet very much to the point that:
 - libraries are more than books
 - To work in a library is a calling more than a job

Reports for Information

14.21 Councillor Report on Conference Attendance (cont)

- Libraries are a force of our community

Benefits to Kiama Municipal Council

Improved understanding and acknowledgment of the role libraries play in the local government process and the overwhelming contribution that they make to the community and Council as a whole. Council should benefit from the clear knowledge that our libraries are crucial institutions for community engagement and development of community attitudes.

Suggestions for Future Action

Strengthening and championing our library. This is a fundamental to our role.

I have seen some who say that libraries are becoming obsolete, these views demonstrate a complete lack of understanding surrounding the depth and breadth of services public libraries provide in the twenty-first century. We learned in the presentation of NSW Library Association President, Dallas Tout, that former Chicago Mayor, Richard Daley addressed librarians saying, **“Unless you are out there changing neighbourhoods, you are not completing the work you are to do.”** Strengthening and championing the cultural lives of communities is a core responsibility for public libraries in the Twenty-First Century.

Overall Rating

(Please indicate a rating for future attendance between 1 – 5 where 1 = not relevant and 5 = highly relevant)

5

Attachments**Conference Program Speakers**

| | |
|-------------------|----------------------------------------------------------------------------------------------------------------------|
| TUE 21 NOV | REGISTRATION - WELCOME RECEPTION |
| 5. 00pm - 5. 30pm | Conference Registration |
| 5. 30pm - 7. 30pm | WELCOME RECEPTION <i>sponsored by James Bennett</i> Announcement of Scholarships and Awards MC - Robert Knight |
| WED 22 NOV | DAY 1 |
| 8. 30am - 9. 00am | Coffee and Registration |

Reports for Information

14.21 Councillor Report on Conference Attendance (cont)

| <i>TUE 21 NOV</i> | <i>REGISTRATION - WELCOME RECEPTION</i> |
|-------------------|----------------------------------------------------------------------------------------------------------------------------|
| 9.00am - 9.05am | Welcome to Country |
| 9.05am - 9.10am | Welcome to Penrith <i>Cr Tricia Hitchen</i> Deputy Mayor Penrith City Council |
| 9.10am - 9.20am | WELCOME: NSW Public Library Association President <i>Cr Dallas Tout</i> |
| 9.20am - 9.45am | ADDRESS: State Library of New South Wales <i>Dr John Vallance</i> - NSW State Librarian |
| 9.45am - 10.45am | KEYNOTE ADDRESS: From the outside looking in <i>Russel Howcroft</i> |
| 10.45am - 11.15am | MORNING TEA AND NETWORKING <i>sponsored by ALS Library Services</i> |
| 11.15am - 11.50am | TOPIC: Libraries Powering Smart Cities: Libraries as human and digital interfaces <i>Dr Nathaniel Bavinton</i> |
| 11.50am - 12.30pm | TOPIC: Public Libraries and the UN' s Sustainable Development Goals <i>Sue McKerracher sponsored by Affinity People</i> |
| 12.30pm - 1.30pm | LUNCH |
| 1.30pm - 2.00 pm | <i>And now a word from our Platinum Sponsor – Bolinda</i> |
| 2.00pm - 2.45pm | TOPIC: Mapping the Customer Experience <i>Ben Conyers</i> - State Library of Victoria |
| 2.45pm - 3.30pm | TOPIC: Inspiration for Design |

Reports for Information

14.21 Councillor Report on Conference Attendance (cont)

| <i>TUE 21 NOV</i> | <i>REGISTRATION - WELCOME RECEPTION</i> |
|------------------------|--------------------------------------------------------------------------------------|
| | Maggie Patton Manager, Research & Discovery, State Library of New South Wales |
| 3. 30pm - 4. 00pm | AFTERNOON TEA AND NETWORKING |
| 4. 00pm - 4. 55pm | KEYNOTE ADDRESS: William McInnes - Actor and Writer |
| 4. 55pm - 5. 00pm | Summation of the day - housekeeping and close |
| 7. 00pm until late | Exhibitors and Sponsors Dinner <i>sponsored by Libero by Insight Informatics</i> |
| <i>THU 23 NOV</i> | <i>DAY 2</i> |
| 8. 30am - 9. 00am | Coffee and Registration |
| 9. 00am - 9. 05am | Welcome Back! |
| 9. 05am - 10. 00am | KEYNOTE SPEAKER: Accepting the Challenge Matina Jewell |
| 10. 00am - 11. 00am | TOPIC: Vision 2020 Kevin Hennah |
| 11. 00am - 11. 30am | MORNING TEA AND NETWORKING <i>sponsored by The Book House</i> |
| 11. 30am - 12. 15pm | KEYNOTE SPEAKER: Libraries for Refugees? What can we do? Jukka Relander |
| 12. 15pm - 12. 45 | StoryCorps Study Tour - Colin Mills Scholarship 2015 Recipient Presentation |

Reports for Information

14.21 Councillor Report on Conference Attendance (cont)

| <i>TUE 21 NOV</i> | <i>REGISTRATION - WELCOME RECEPTION</i> |
|---------------------|-----------------------------------------------------------------------------------------------------|
| | Timothy Ungaro |
| 12. 45pm - 1. 45pm | LUNCH <i>sponsored by Wavesound</i> |
| 1. 45pm - 2. 15pm | TOPIC: 12 months on: an update Monica Galassi, Marika Duczynski, Melissa Jackson |
| 2. 15pm - 3. 00pm | TOPIC: Reaching deeper into the culture of Australia Masheila Pillay |
| 3. 00pm - 3. 30pm | AFTERNOON TEA AND NETWORKING |
| 3. 30pm - 4. 30pm | KEYNOTE SPEAKER: Christine Anu in Conversation and Song Christine Anu <i>sponsored by Civica</i> |
| 4. 30pm - 5. 00pm | Conference Wrap Up: Amy Heap |
| 7. 00pm - late | Conference Dinner Disco Fever |
| <i>FRI 24 NOV</i> | <i>DAY 3</i> |
| 8. 30am - 9. 30am | Coffee and Registration |
| 9. 30am - 11. 00am | Annual General Meeting |
| 11. 00am - 11. 30am | MORNING TEA AND HOME |

14.22 Local Government NSW Annual Conference 2017 ReportResponsible Director: Office of the General Manager

The LGNSW Conference was held in Sydney from 4-6 December 2017. Councillors Honey, Rice, Westhoff and the General Manager attended the full conference. Councillors Sloan and Steel shared the conference attendance.

The conference was preceded by a meeting on tourism and impacts organised by Byron Shire Council which was attended by Councillor Honey and the General Manager.

The Hon. John Barilaro MP, Acting Premier for NSW provided the opening address. He referred to the Government's:

- investment in rural and regional infrastructure
- investment in rural telecommunications blackspots
- investment in regional hospitals
- increase in employment
- need to have partnerships with local government in regional areas
- need for constitutional recognition of local government

He advised that library funding is to be addressed and reviewed.

Councillor Keith Rhodes in his address as President referred to the need for the new Code of Conduct for councils to be practical and consistent with what applies to State MPs. He also referred to the increasing concerns regarding the NSW Government's approach to planning and development matters including the application of Independent Hearing and Assessment Panels to determine applications in the Sydney Metropolitan area.

The Minister for Local Government, the Hon. Gabrielle Upton, made the following points:

- local government is critical to the NSW economy with 50,000 staff
- councils are at the heart of communities
- there will be no further forced council amalgamations with the local government reform program being "over"
- a new mode Code of Conduct will be finalised in early 2018
- councils will have six months to prepare the new code
- there will be a new draft Meeting Code of Practice which is likely to introduce mandatory webcasting of meetings
- there is to be draft guidelines for the induction and training of councillors
- there has been a reduction in local government infrastructure backlog from \$8 billion in 2011 to \$4 billion in 2015
- there is a desire to strengthen the collaboration between councils with the success of the trial of joint organisations

Reports for Information

14.22 Local Government NSW Annual Conference 2017 Report (cont)

The Shadow Minister for Local Government, Peter Primrose, made the following comments:

- the opposition is still attempting to access the KPMG report on council mergers
- NSW Labor has unanimously resolved to oppose forced council mergers
- the opposition has proposed that ICAC can investigate IHAP decisions
- IHAP hearings on applications should be held in public
- the NSW opposition is against detailed prescription of the council Code of Conduct and meeting procedures
- rate pegging has outlived its usefulness

A keynote speaker by video at the conference was Dr Jonathon Carr-West, Chief Executive, Local Government Unit UK, who spoke on transforming local government. He provided the following four steps for local government to improve trust.

1. To reframe the narrative.
2. To start with place and question what do councils aspire to and what compromises are require to be made.
3. To act as a network rather than an institution.
4. To participate in a range of community engagement.

Other speakers at the conference included:

- The Hon. Melinda Pavey MP, Minister for Roads Maritime and Freight
- Carolyn McNally, Secretary of the Department of Planning and Environment on housing affordability and partnerships with councils
- Ellen Fanning
- Annabel Crabb

Elections for the LGNSW executive were held at the conference with the following persons being elected.

- President – Linda Scott – City of Sydney Council
- Treasurer – Marjorie O’Neill – Waverley Council
- VP Rural/Regional – Lindsay Brown – Eurobodalla Shire Council
- VP Metropolitan/Urban - Angelo Tsirekas – Canada Bay Council
- Directors Regional/Rural
 - Ruth Fagan – Cowra Council
 - Paul Harmon – Inverell Shire Council
 - Rod Kendall – Wagga Wagga City Council
 - Phyllis Miller – Forbes Shire Council
 - Ben Shields – Dubbo Regional Council

Reports for Information

14.22 Local Government NSW Annual Conference 2017 Report (cont)

- Darriea Turley – Broken Hill City Council
- Directors Metropolitan/Urban
 - Khal Asfour – City of Canterbury Bankstown
 - Lesley Furneaux-Cook – Burwood Council
 - George Greiss – Campbelltown City Council
 - Julie Griffiths – Blacktown City Council
 - Mazhar Hadid – Liverpool City Council
 - Karen McKeown – Penrith City Council
 - Michael Regan – Northern Beaches Council

Councillor Warren Steel received his Long Service Medal and Certificate for more than 20 years of local service as councillor at the conference dinner.

14.23 Questions for Future Meetings Register as at 30 January 2018

Responsible Director: Office of the General Manager

Attached for Councillor information is the Questions for Future Meetings register as at 30 January 2018.

Attachments

- 1 QFFM Register as at 30/01/18 [↓](#)

Questions for Future Meetings Register

16/73192

| No | Details | Actions |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|
| 18 July 2017 | | |
| 17.1 | 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. | Report to future Council meeting |
| 19 September 2017 | | |
| 17.1 | Signage strategy The Mayor, Councillor Honey, requested that Council staff prepare a signage strategy for the Local Government area for tourism and directional signage giving due regard to SEPP 64 incorporating a style guide and identification for future treatments in signage. The Mayor referred the matter to the Director Corporate, Commercial & Community Services for investigation and report. | Report to February 2018 Council meeting |
| 21 November 2017 | | |
| 17.3 | Aboriginal Cultural Heritage Management Development Assessment toolkit Councillor Sloan requests a report on how the Aboriginal Cultural Heritage Management Development Assessment toolkit has been implemented. The Mayor referred this matter to the Director Environmental Services for investigation and report. | Report to March 2018 Council Meeting |
| 19 December 2017 | | |
| 17.1 | Gerringong CBD – parking issues Councillor Reilly requests a report on the status of the proposal to enhance and increase parking behind the Gerringong IGA, to alleviate parking difficulties for residents, visitors and retailers. The Mayor referred this matter to the Director Engineering & Works for investigation and report. | Report to future Council meeting |
| 17.2 | Affordable Housing State Environmental Planning Policy (SEPP70) Councillor Sloan commented that several Sydney councils have been granted approval to implement a new housing affordability measure under SEPP70 and requests a report on whether SEPP70 could be used in the Kiama Local Government Area and/or whether other measures might be better to encourage construction of an appropriate amount of affordable housing. The Mayor referred this matter to the Director Environmental Services for investigation and report. | Report to February 2018 meeting |

| No | Details | Actions |
|------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
| 17.3 | <p>Protection of residential amenity in medium density and dual occupancies Councillor Sloan commented that the role and ability of our Development Control Plans to protect amenity (views, sunlight, privacy etc) may have been undermined by changes made to the EP&A Act recently and requests a report on how Council can introduce clauses into local planning instruments to achieve "quality and amenity for the end users" of new units, townhouses and dual occupancies that will be enforceable. The Mayor referred this matter to the Director Environmental Services for investigation and report.</p> | Report to February 2018 meeting |
| 17.4 | <p>Strengthening Development Control Plan provisions Councillor Sloan requests a report on providing general advice about the best way for Council to strengthen and enforce our DCPs. The Mayor referred this matter to the Director Environmental Services for investigation and report.</p> | Report to February 2018 meeting |
| 17.5 | <p>Arthur Campbell Reserve – funding Councillor Westhoff requests a report on ongoing funding available in the 2018/19 budget for continued work at the Arthur Campbell Reserve, Gerringong. The Mayor referred this matter to the Director Engineering & Works for investigation and report.</p> | Report to future Council meeting |
| 17.6 | <p>Pop-up trucks/shops on roadsides Councillor Westhoff requests a report on the rules surrounding pop-up trucks/shops that sell fruit, flowers, etc in the small lay-bays between Kiama and Gerringong. The Mayor referred this matter to the Director Environmental Services for investigation and report.</p> | Report to February 2018 meeting |

15 ADDENDUM TO REPORTS

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

The Councillors identified have submitted the following Notice of Motion of Rescission:

MOTION

That Council rescind Committee Recommendation (OC-17/222) Item 10.3 1(c).

1. Endorse this Planning Proposal to amend the Kiama LEP 2011 in order to:

(c) reduce the total floor area of secondary dwellings to 25% of the total floor area of the principal dwelling.

Councillors: Neil Reilly
Matt Brown
Don Watson

Received 29 January 2018

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 6 February 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 CULTURAL BOARD MINUTES AND ART HONOUR ROLL NOMINATION

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

19.2 BLUE HAVEN CARE - RANSOMWARE ATTACK

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

19.3 ISJO REGIONAL ROAD/PAVEMENT LINE MARKING RFT

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

19 CONFIDENTIAL REPORTS

19.1 Cultural Board Minutes and Art Honour Roll Nomination

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).

19.2 Blue Haven Care - Ransomware Attack

Responsible Director: Blue Haven

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, prejudice the maintenance of law.

19.3 ISJO Regional Road/Pavement Line marking RFT

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

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

Delivery Program: 2.5.4 Manage other assets and infrastructure through the Other Asset and Infrastructure Asset Management Plan

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