

15 REPORT OF THE DIRECTOR STRATEGIES AND COMMUNITIES**15.1 Determination of Development Application 10.2025.201.1 - Lot 6 DP 621070 Minnamurra Lane, Jamberoo - Dwelling House, detached farm building and driveway**

CSP Objective: Outcome 3.3: We love where we live and are strongly connected within our region. Growth and development will be managed sustainably, thoughtfully and equitably, while preserving our built and natural heritage.

CSP Strategy: 3.3.2 Manage development and growth sustainably and thoughtfully.

Delivery Program: 3.3.2.1 Council meets the legislative requirements for Planning and Assessment.

This report was submitted to Council's meeting held on 19 May 2026 where it was resolved to defer the application pending legal advice and subject to that legal advice, bring the outcome to the next Ordinary Meeting in June 2026.

The report has been updated taking into account the legal advice received.

The report below is now resubmitted for Council's determination.

Summary

The purpose of this report is to seek Council's determination of Development Application No 10.2025.201.1 for a new dwelling house and farm building - and ancillary driveway access at Lot 6 DP 621070, Minnamurra Lane, Jamberoo.

Development Application 10.2025.201.1 proposes a clause 4.6 variation to clause 4.2A - erection of dwelling houses on land in certain rural and conservation zones development standard in *Kiama Local Environmental Plan (LEP) 2011* of 50.5%. The application identifies that the land previously benefited from an approval for the erection of a dwelling house (DA10.2011.121.1), however this consent has since lapsed. In this instance as a dwelling was approved on the site, via DA10.2011.121.1, a dwelling and constitutes a planned development outcome for the site.

Determination of applications where clause 4.6 variations exceed 10% are not within staff delegations for determination and must be determined by the elected Council.

It is recommended that Council determine the proposed development by way of approval.

Financial implication

The Development Application fee has been paid in accordance with *the Environmental Planning and Assessment Regulation 2021* and Council's adopted Fees and Charges.

Any approval of the Development Application would include 7.12 contributions to be conditioned to be paid to Council.

If the review of determination is refused, the application may be challenged in the NSW Land and Environment Court (LEC) and there would be costs associated with defending the refusal.

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Risk implication

If the DA is refused, the determination may be challenged in the NSW Land and Environment Court (LEC).

If Council determines to refuse the application, the subject of this report, valid planning reasons must be provided.

Policy

The statutory instruments relevant to the development include the following:

- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *Kiama Local Environmental Plan 2011*
- Kiama Development Control Plan 2020
- Kiama Community Participation Plan 2019

Consultation (internal)

The application was referred internally and to external agencies. All internal feedback was considered as part of this assessment.

Communication/Community engagement

Consultation has occurred in accordance with Section 8 of the Kiama Community Participation Plan 2019.

Attachments

Nil

Enclosures

- 1 10.2025.201.1 - PAN-590655 - Plans [⇒](#)
- 2 10.2025.201.1 - PAN-590655 - Section 4.15 Assessment Report [⇒](#)
- 3 10.2025.201.1 - PAN-590655 - DA Notice of Determination [⇒](#)

RECOMMENDATION

That Council:

1. Support the request to vary a development standard made pursuant to Clause 4.6 of Kiama Local Environmental Plan 2011 for the variation to the minimum lot size associated with Development Application No 10.2025.201.1 (PAN-590655) at Lot 6 DP 621070, Minnamurra Lane, Jamberoo, and.
2. Approve, subject to conditions of consent set out in enclosure 3, Development Application No 10.2025.201.1 (PAN-590655) for a new dwelling house, farm building (machinery shed) and ancillary driveway access at Lot 6 DP 621070, Minnamurra Lane, Jamberoo.

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Background

APPLICATION DETAILS	
Application Type:	Development Application
Application Number:	10.2025.201.1
NSW ePlanning Portal Reference:	PAN-590655
Proposed Development:	New dwelling house and farm building - Proposed dwelling house, farm building (machinery shed) and ancillary driveway access.
Applicant:	Allen Price Pty Ltd
Property title:	Lot 6 DP 621070
Property address:	Minnamurra Lane, Jamberoo

Item 15.1

The subject site is described as LOT: 6 DP: 621070, Minnamurra Lane, Jamberoo.

The subject site has a frontage to Minnamurra Lane, Jamberoo. The site is currently vacant and is zoned RU2 Rural Landscape under Kiama LEP 2011.

The surrounding area is rural in character, and the site is adjoined rural and rural-residential development.

The topography of the site is undulating. Access to the property is gained via Minnamurra Lane. The site is serviced by on-site utilities.

The Development

Development Application No 10.2025.201.1 proposes construction of a new dwelling house and farm building - Proposed dwelling house, farm building (machinery shed) and ancillary driveway access.

Consultation

The application was referred to the following internal subject matter experts.

Internal referral	Comments
Environmental Health Officer	No objection subject to recommended conditions.
Contribution Planner	Section 7.12 Contributions applicable

Consultation has occurred in accordance with Section 8 of the Kiama Community Participation Plan 2019; namely by:

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- Directly notifying adjoining property owners and the Precinct Committee/Community Association of the exhibition period,
 - Making all information publicly available on Council's DA Tracker between 28/11/2025 and 12/12/2025

During the exhibition period, Council received no submissions.

Key Issues

The following key issues are relevant to the assessment of this application having considered the relevant planning controls, referral comments and the proposal in detail.

1. Variation to clause 4.2A rural dwelling entitlement controls.
2. Compliance with planning controls, environmental planning instruments and Kiama DCP 2020.

Variation to clause 4.2A rural dwelling entitlement controls

Before reviewing the applicant's 4.6 variation request it is important to understand both the application of Clause 4.2A and Clause 4.6 of the Kiama LEP 2011.

Application of Clause 4.2A – Erection of dwelling houses on land in certain rural and conservation zones

The subject site has a site area of 19.9ha and the application proposes a 50.5% (20.1ha) variation to the clause 4.2A of the Kiama LEP 2011.

Clause 4.2A of the LEP applies to all RU1 Primary Production, RU2 Rural Landscape and C3 Environmental Management zoned land within the Municipality and seeks to “minimise unplanned rural residential development” and “to enable the replacement of lawfully erected dwelling houses in rural and conservation zones”. Clause 4.2A(3) is provided below:

3. *Development consent must not be granted for the erection of a dwelling house on land in a zone to which this clause applies, and on which no dwelling house has been erected, unless the land is—*
 - a. *a lot that is at least the minimum lot size specified for that land by the [Lot Size Map](#), or*
 - b. *a lot created before this Plan commenced and on which the erection of a dwelling house was permissible immediately before that commencement, or*
 - c. *a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible if the plan of subdivision had been registered before that commencement, or*
 - d. *an existing holding.*

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It is noted that clause 4.2A(4) establishes a 'sunset clause' to the provisions of clause 4.2A(3), meaning that certain subclauses are 'turned off' in certain circumstances. Clause 4.2A(4) is provided below:

4. *Subclause (3)(b), (c) and (d) ceases to apply if—*
 - a. *an application for development consent referred to in that subclause is not made in relation to that land within 5 years after the day this Plan commences, or*
 - b. *an application for development consent referred to in that subclause is made in relation to that land within 5 years after the day this Plan commences, but the application is refused.*

In this respect, subclauses (3)(b), (c) and (d) are 'turned off' and to strictly comply with clause 4.2A the lot must be at least 40Ha if either:

- no Development Application (DA) for a dwelling house pursuant to subclause (3)(b), (c) and (d) was lodged for a dwelling by 16 December 2016 (i.e. 5 years after the LEP commenced), or
- a DA for a dwelling house pursuant to subclause (3)(b), (c) and (d) was lodged by 16 December 2016 but refused.

As noted in the assessment and determinations of DA10.2025.131.1 (85 Wyalla Road, Jamberoo), DA10.2025.135.1 (Lot 33 Jamberoo Road, Jamberoo) and DA10.2025.104.1 (173 Mount Brandon Road, Jerrara), the "sunset clause" was communicated to affected landowners.

This resulted in a significant number of DAs being lodged in the months leading up to 16 December 2016.

Application of Clause 4.6 – Exceptions to development standards

Clause 4.6 of the LEP enables development consent to be granted for development even though it would contravene a development standard. Clause 4.6(3) outlines the matters which Council must consider when reviewing a 4.6 variation:

- (3) *Development consent must not be granted to development that contravenes a development standard unless the consent authority is satisfied the applicant has demonstrated that—*
 - (a) *compliance with the development standard is unreasonable or unnecessary in the circumstances, and*
 - (b) *there are sufficient environmental planning grounds to justify the contravention of the development standard.*

In case of *Wehbe v Pittwater Council* [2007] NSWLEC 827, Preston CJ established the following five-part test to demonstrate that strict compliance with a development standard is unreasonable or unnecessary:

1. The objectives of the standard are achieved notwithstanding non-compliance with the standard, or

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2. The underlying objective or purpose of the standard is not relevant to the development with the consequence that compliance is unnecessary, or
 3. The underlying object or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable, or
 4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable, or
 5. "The zoning of the particular land" was "unreasonable or inappropriate" so that "a development standard appropriate for that zoning is also unreasonable and unnecessary as it applied to that land" and hence compliance with the standard would be unreasonable or unnecessary (i.e. the subject allotment should not have been included in the zone it is located in).

Sufficient environmental planning grounds can be demonstrated when a proposal is compliant with other applicable development standards or controls, promotes good design or amenity outcomes, allows for the orderly and economic development of the land or will promote ecologically sustainable development by integrating relevant economic, environmental and social considerations.

Assessment of Submitted 4.6 Variation to clause 4.2A Development Standard

Compliance with the clause 4.2A development standard and the clause 4.6 variation request are discussed in detail in the Section 4.15 Assessment Report (enclosure 2).

In summary, the Applicant's clause 4.6 written statement relies on demonstrating that the objectives of clause 4.2A and the RU2 Rural Landscape zone are achieved and that there are sufficient environmental planning grounds to justify the variation.

The Applicant's clause 4.6 statement notes that a DA (10.20211.121.1) was lodged for a dwelling on the site on 8 June 2011. Development consent was subsequently granted on 30 August 2011. As the consent was not acted upon within five (5) years, the consent lapsed on 30 August 2016.

In applying the Preston CJ five-part test, the Applicant argues that this application seeks to reinstate a dwelling approval on the site and therefore is not unplanned rural residential development.

The Applicant suggests that the objectives of Clause 4.2A are therefore achieved. As the application achieves the objectives of Clause 4.2A, the applicant argues that compliance with the development standard is therefore unreasonable in the particular circumstances.

The applicant argues that there are sufficient environmental planning grounds to justify the contravention of the development standard. Namely, the proposal complies with all other applicable development standards and controls of the Kiama LEP 2011 and Kiama DCP 2020.

It is noted that Council has recently resolved not to support clause 4.6 variations to the development standards of clause 4.2A, namely DAs 10.2025.135.1 (Jamberoo Road, Jamberoo), 10.2025.131.1(85 Wyalla Road, Jamberoo) and 10.2025.104.1 (173 Mount Brandon Road, Jerrara).

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The difference between these previously mentioned DAs and the current application is the fact that:

- the subject land benefited from a development consent for the erection of a dwelling house (DA10.2011.121.1) and therefore is considered a planned rural residential development, and
- the subject proposal complies with all other applicable development standards and controls of the Kiama LEP 2011 and Kiama DCP 2020

This current application is a different scenario to those previously considered by Council e.g. DA10.2025.131.1, DA10.2025.135.1 and DA10.2025.104.1, and because of the previous development consent for the erection of a dwelling, the clause 4.6 variation is considered well founded. The current proposal for erection of a dwelling house and construction of a farm building is considered to be representative of a planned development outcome for the site.

Compliance with planning controls, environmental planning instruments and Kiama DCP 2020

The proposal is generally compliant with the applicable planning controls, environmental planning instruments and Kiama DCP 2020. A detailed assessment of the proposal is included in the Section 4.15 Assessment Report (enclosure 2).

Options

1. Adopt the recommendation and approve to the application, subject to conditions in enclosure 3.
2. Refuse the application and provide reasons.
3. Adopt an alternative recommendation and provide reasons.

Conclusion

A comprehensive assessment of the Development Application has been undertaken under section 4.15 of the *Environmental Planning and Assessment Act 1979* in accordance with all statutory requirements.

It is recommended that the application be approved subject to conditions of consent.

15.2 Endorse for public exhibition: Draft Kiama After Dark Strategy

CSP Objective: Outcome 3.1: A strong economy, vibrant local businesses and local economic growth.

CSP Strategy: 3.1.2 Maintain and expand a wide range of industry and business; including tourism, agriculture, light industry, professional and care services.

Delivery Program: 3.1.2.1 In collaboration with regional partners implement the Regional Economic Development Strategy.

Item 15.2

Summary

The purpose of this report is to seek Council's endorsement of the draft Night-Time Economy Strategy "Kiama After Dark" to be placed on public exhibition.

The preparation and adoption of this Strategy is a condition of the NSW Government's grant.

This Strategy provides a clear, evidence-based framework to guide Kiama's development as a vibrant and distinctive after-dark destination, with the Kiama CBD as the primary hub supported by surrounding towns and villages. Informed by strong community and stakeholder engagement, it reflects clear demand for a more diverse, connected and locally appropriate after-dark offer.

Built on best-practice insights from comparable destinations, the Strategy adopts a place-led approach focused on collaboration, activation and identity. It sets out a 10-year, phased plan across five key focus areas to deliver practical outcomes, while recognising that success depends on shared responsibility across Council, businesses and the community. Council will play a key early leadership role, evolving over time to enable industry and community-led delivery. The Strategy is designed to be adaptive, with ongoing monitoring to ensure it remains responsive to changing conditions and opportunities.

It is recommended that the Kiama After Dark Strategy and the Background Report (Enclosures 1 and 2) be endorsed for public exhibition for a minimum of 28 days.

Financial implication

A State Government grant of \$200,000 was secured to deliver the Night-time Economy Strategy and investigate a trial Special Entertainment Precinct (SEP). While consultants have been engaged using this funding, Council project management and staff time sit outside the grant allocation.

While identified as a key growth area in the draft Visitor Economy Strategy, no additional budget has been allocated in the draft 2026/27 budget. Delivery of actions will therefore rely on securing external funding and partnerships.

Risk implication

While the Strategy is designed to address identified risks, a number of challenges remain that may impact delivery.

- Lack of business and community buy-in may limit the long-term success of the after-dark economy as Council's role evolves.

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15.2 Endorse for public exhibition: Draft Kiama After Dark Strategy (cont)

- Community pushback if after-dark activity is seen as disruptive, noisy, unsafe or not in keeping with Kiama's character.
- Tension between residential amenity and commercial activity may limit where and how after-dark experiences can grow.
- Limited funding and Council capacity may restrict the scale and timing of delivery.
- Transport limitations may reduce access and participation, particularly later in the evening.
- Workforce shortages (hospitality, chefs, security) may limit the ability of businesses to extend trading or diversify offerings.

Policy[NSW Vibrancy Reforms](#)**Consultation (internal)**

Engagement has been undertaken with Council's Planning, Environmental Health and Compliance teams to inform key components of the draft Strategy. This internal collaboration has supported alignment across placemaking and strategic planning, data collection and benchmarking as well as evidence considerations, noise management and attenuation, and compliance related considerations.

Communication/Community engagement

This Strategy was informed by a robust stakeholder engagement process, analysis of the current situation, research and best practice initiatives across Australia and more broadly in other countries.

An engagement report is included as an enclosure to this report.

Attachments

Nil

Enclosures

- 1 Draft Kiama LGA Night-time Economy Strategy⇒
- 2 Background data report - Kiama Night-time Economy Strategy⇒
- 3 Community consultation + engagement report - Kiama Night-time Economy Strategy⇒

RECOMMENDATION

That Council

1. Endorse the public exhibition of the draft Night-time Economy Strategy, "Kiama After Dark", and associated Background Reports for a minimum of 28 days to enable community consultation.
2. Undertake consultation with the community and relevant stakeholders in accordance with the Engagement Strategy.

3. Following conclusion of the exhibition period in relation to the Draft Night-time Economy Strategy, “Kiama After Dark”:

- (a) Receive a further report for consideration, if any relevant submissions are received or if any substantial changes are proposed for any other reason, detailing the public exhibition outcomes and proposed changes with recommendations regarding adoption of the above documents, or
- (b) Adopt the Night-time Economy Strategy, “Kiama After Dark” if there are no relevant submissions received and there are no substantial changes proposed for any other reasons.

Background

Kiama’s after-dark economy is currently performing strongly relative to comparable regional areas but remains narrow in its composition, with activity heavily concentrated on dining and the early evening period with limited activity beyond 9pm. The economy is also highly visitor-dependent, with significant resident spending occurring outside the LGA, highlighting both a reliance on external markets and an opportunity to better capture local demand.

This creates a cyclical situation, where limited patronage discourages businesses from staying open later, while a lack of after-dark options reduces people’s incentive to stay out, made more difficult by the seasonal nature of visitation.

Despite these challenges, Kiama has strong foundations to build a more vibrant and sustainable after-dark economy, including its natural assets, established hospitality sector and strong visitor appeal. There is a clear opportunity to extend activity into the evening, diversify experiences beyond dining, increase overnight visitation, and support more consistent year-round economic activity.

It is for these reasons that Kiama Council has received NSW Government funding to develop a Night-Time Economy Strategy and investigate the establishment of a Special Entertainment Precinct (SEP), including consideration of a 12-18month trial in 2027.

'Kiama After Dark' will explore opportunities for growth in twilight and night-time activity across the Kiama Local Government Area (LGA). The Strategy aims to create the right conditions for a safe, vibrant and well-managed after-dark economy that strengthens Kiama’s social and economic fabric, supports live music and entertainment, and encourages local business growth, while respecting local character, residential amenity and community expectations.

Engagement to date

Extensive engagement with the community, businesses and stakeholders demonstrates strong support for a more vibrant and diverse after-dark offer that reflects Kiama’s character and lifestyle. Survey findings indicated:

- 1. Low Current Vibrancy
 - Overall vibrancy ratings are low, with most respondents rating Kiama between 1–2 out of 5.

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15.2 Endorse for public exhibition: Draft Kiama After Dark Strategy (cont)

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- Existing night-time activities are perceived as limited in both variety and appeal.
2. Strong Latent Demand
 - Many respondents indicated they would participate in the night-time economy more frequently if a broader range of options were available.
 3. Economic Leakage
 - Residents commonly travel outside the LGA to access dining, entertainment and night-time experiences.
 4. Desired Experiences
 - The most sought-after experiences include:
 - Live music and entertainment
 - Dining and food-based experiences
 - Markets and outdoor events
 - Arts and cultural programming
 - Extended and later trading hours
 5. Key Barriers to Participation
 - Limited choice of activities
 - Cost
 - Transport access
 - Family and caring responsibilities
 6. Safety Perceptions
 - Kiama is generally perceived as safe at night.
 - Minor improvements were suggested, particularly around lighting and security.
 7. Demand for Non-Alcohol Options
 - There is a clear desire for inclusive night-time experiences that do not centre on alcohol consumption.
 8. Preferred Timing
 - Strongest community demand is for early evening activation between 3:00pm and 10:00pm.
 9. Preferred Locations
 - Terralong Street.
 - Hindmarsh Park.
 - Harbour foreshore.

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15.2 Endorse for public exhibition: Draft Kiama After Dark Strategy (cont)

10. Conditional Support

- Support for expanding the night-time economy is high, provided initiatives maintain Kiama's local character and community feel.

Draft Strategy

The Strategy responds by focusing on an “after dark” approach rather than a traditional late-night or 24hr economy, emphasising safe, inclusive and experience-led activation. It recognises that delivery is a shared responsibility, with Council playing a key leadership and facilitation role in the early stages, however evolving fairly quickly to enable a greater business and community-led delivery.

The development of the Strategy aligns with the NSW Government's Vibrancy Reforms and broader local strategic priorities, including the draft Visitor Economy Strategy, which identifies the after-dark economy as a key area for growth.

The draft Strategy includes the following five (5) focus areas:

- Focus Area One: Leadership, Collaboration and Governance

Foster strong collaboration between Council, local businesses, community groups and key stakeholders to support a coordinated, well-managed and sustainable night-time economy.

- Focus Area Two: Planning and Placemaking

Establish a supportive and adaptable regulatory framework that enables a diverse range of evening and night-time activities, while prioritising safety, accessibility, and respect for the local environment and community. This focus area also recognises the critical role of place-based infrastructure in enabling vibrant and sustainable night-time experiences.

- Focus Area Three: Vibrancy

Cultivate a vibrant, inclusive and economically sustainable night-time economy that offers a diverse mix of experiences, including dining, entertainment, arts, cultural and recreational activities.

- Focus Area Four: Connectivity

Enhance transport, accessibility and walkability (where appropriate) to ensure people can easily and safely access, move through and engage with Kiama's night-time offerings.

- Focus Area Five: Identity

Celebrate and strengthen Kiama's unique coastal and hinterland character, heritage and community, ensuring the night-time economy reflects and enhances its distinct sense of place.

Draft Strategy

The draft Strategy includes a wide range of actions for Council to deliver, partner with and advocate for over the short, medium and long-term. Considering the five core focus areas and their phasing horizons, the following are the strategy's priority focus areas:

- Establish an LGA wide, After Dark Working Group

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15.2 Endorse for public exhibition: Draft Kiama After Dark Strategy (cont)

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- Trial a Special Entertainment Precinct (SEP) in the Kiama town centre
 - Improve lighting and safety in key areas (in line with Purple Flag accreditation)
 - Develop an After Dark place identity, brand and communications strategy
 - Support extended trading hours, business participation and labour pool capacity building
 - Identify additional state funding opportunities that support our night-time economy
 - Implement a twilight activation program in partnership with local businesses
 - Review how Kiama Business Network can more strategically support promoting Kiama After Dark
 - Advocate for a range of increased, reliable transport options across the LGA
 - Look to improve lighting across key precincts, parks, pathways, and public assets.

Item 15.2

Public exhibition

The purpose of this report is to seek Council's endorsement of the draft Night-Time Economy Strategy "Kiama After Dark" to be placed on public exhibition.

At their ordinary May 2026 meeting, Council endorsed placing the draft Visitor Economy Strategy (VES) on public expenditure. The draft VES is on public exhibition until 22 June 2026. The preparation and adoption of a Night-Time Economy Strategy is a key action of the draft VES.

It is encouraging that Council has also recently exhibited its second draft Employment Lands Strategy. These three strategies are interconnected and it is anticipated that over the coming years they will form the basis of an LGA wide Economic Development Strategy.

15.3 Kiama Family History Centre Service Delivery Options

CSP Objective: Outcome 1.1: We value a strong sense of belonging, where social and cultural life thrives, and residents, families, friends and visitors feel welcome and included..

CSP Strategy: 1.1.1 Support and deliver the initiatives that encourage community connection and social interaction for all residents

Delivery Program: 1.1.1.3 Deliver programs and activities that support lifelong learning, build social inclusion and promote a sense of belonging

Item 15.3

Summary

At their ordinary February 2026, Council resolved to direct the CEO to prepare a report which explores options for the delivery of the Council's Family History Services. This report was to be undertaken in consultation with the existing Family History Centre volunteers and the broader community.

Council engaged Jan Richards Consulting to undertake this review.

The review recommends Option 2, which retains key strengths while moving to a more integrated and sustainable model which is aligned with library capacity. A gradual, flexible implementation is advised, with further recommendations adapted as resources allow.

The purpose of this report is to provide Council with this review.

Financial implication

Nil.

Risk implication

Loss of volunteer engagement if changes are not well managed.

Policy

Nil.

Consultation (internal)

Library staff and volunteers.

Communication/Community engagement

Consultation with volunteers, local historical societies, community members, members of the Kiama & District Historical Society, The Mayor and Library staff.

It is noted that Councillors were invited to attend meetings with Jan Richards Consulting. While two (2) Councillors arranged to meet with Jan Richards Consulting, unfortunately were unable to attend on the day.

Attachments

Nil

Enclosures

- 1 Kiama Family History Centre - Service Delivery Options Report [⇒](#)

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15.3 Kiama Family History Centre Service Delivery Options (cont)

2 Kiama Family History Centre Summary⇒

RECOMMENDATION

That Council:

1. Receive and note the enclosed Kiama Family History Centre – Service Delivery Options, prepared by Jan Richards;
2. Adopt Option 2 – Integrated Library and Local Studies Model, of the enclosed Kiama Family History Centre – Service Delivery Options, as the preferred delivery model;
3. Note that Option 2 – Integrated Library and Local Studies Model will position the service to meet contemporary expectations while preserving its strong community and volunteer foundation.
4. Note that further recommendations of the enclosed Kiama Family History Centre – Service Delivery Options will be included in future Operational Plans.

Background

At their ordinary February 2026, Council resolved to direct the CEO to prepare a report which explores options for the delivery of the Council's Family History Services. This report was to be undertaken in consultation with the existing Family History Centre volunteers and the broader community.

Council engaged Jan Richards Consulting to undertake this review.

The review responded to community discussion regarding the future of Family History Centre, alongside broader considerations of long-term sustainability, staffing and operational requirements, volunteer involvement, governance and compliance obligations, changing patterns of family history and alignment with contemporary public library practice.

Key findings confirmed that volunteers make a significant contribution through research assistance, indexing projects and support for local heritage activities. The review also noted that family history research has evolved considerably during the past 30 years.

Challenges identified include limited staffing capacity, physical separation of services across two library levels, ITC resourcing constraints and overall operational sustainability. Opportunities were also identified to strengthen communication and collaboration with local historical societies and other heritage organisations.

The following three (3) service delivery options were presented:

1. **Maintain the current model**

This option sees the continuation of the existing volunteer-supported Family History Centre with current operational arrangements (i.e. Centre open to public one day/week). While this option would maintain continuity and existing practices, the

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15.3 Kiama Family History Centre Service Delivery Options (cont)

review found that it does not adequately address long-term sustainability, staffing and operational challenges.

2. *Integrated Library and Local Studies Model*

This option sees the retention of the family history services as part of Kiama Library while strengthening integration with Local Studies and broader Library services through a more sustainable, flexible and contemporary model. This option includes continued volunteer involvement, improved operational integration, clearer service priorities, increased digital support and stronger collaboration across the local heritage sector.

3. *Community or External Partnerships*

This option sees the transferal of responsibility for family history services to an incorporated community organisation or external partner. Consultation and benchmarking identified little support or practical capacity for this approach within the Kiama context.

Recommendation

The enclosed Review concludes that Option 2 provides the strongest balance between community value, volunteer contribution, operational sustainability and contemporary public library practices.

As part of Option 2, the Review recommends that, rather than maintaining a standalone specialist research centre model developed in a different technological and service environment (i.e. downstairs), further integration of family history services into broader local studies, heritage and community learning frameworks. This would provide opportunities to better align volunteer activities with staff capacity through more coordinated attendance arrangements, structured project planning and improved volunteer support, training and communication. This approach supports both operational sustainability and a more collaborative volunteer environment while reducing reliance on ad hoc staff assistance outside designated service times.

This option retains the strengths of the current model - local knowledge, volunteer contributions and heritage support - while transitioning to a more integrated, sustainable and contemporary approach aligned with the operational capabilities of Kiama Library. Consolidating services to one day per week will support more effective volunteer resourcing.

Implementation will need to reflect operation realities, including staffing capacity, volunteer availability and broader service priorities. A staged approach, including pilot initiatives and ongoing review is recommended to support a sustainable transition while retaining valued aspects of the current service.

The Review confirms the position that as a public Library, annual memberships etc. are not permissible under the NSW *Library Act 1939*. Additionally, the Review confirms the position that the State Library of NSW has advised that fee-for-services should only be undertaken by trained library staff.

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15.3 Kiama Family History Centre Service Delivery Options (cont)

The Review undertook a benchmark of service models between 16 NSW Libraries. Of these 16:

- six (6) of the services were provided by council libraries with either the assistance of volunteers or with referral pathways to incorporated community groups,
- five (5) of the services were provided in partnership with incorporated community family history groups
- five (5) of the services simply provide access to online genealogical databases.

The following twelve (12) operational recommendations were provided by the Review and will be incorporated into future Operational Plans as resources become available:

1. Adopt an integrated Family History and Local Studies Model (completed)
2. Clarify service scope and priorities (completed)
3. Continue to strengthen integration between Family History and Local Studies
4. Continue and support volunteer involvement (ongoing)
5. Support staff capability in Family History assistance (ongoing)
6. Develop a sustainable and targeted service approach
7. Improve collaboration across the heritage sector
8. Support strategic volunteer project work
9. Strengthen external sector engagement
10. Review space utilisation and operational arrangements (included in draft 26/27 Operational Plan)
11. Develop a transition and communication plan
12. Review future service delivery arrangements.

15.4 New Year's Eve Event Lean Business Case

CSP Objective: Outcome 3.2: We have an economy that balances tourism opportunities with resident needs and ensuring we don't lose our community feel.

CSP Strategy: 3.2.2 Support sustainable local business development, visitations and events including showcasing iconic attractions and hosting events that attract visitors to the region.

Delivery Program: 3.2.2.1 Major events delivery, including implementing the key actions of the Major Events Strategy.

Item 15.4

Summary

The purpose of this report is for Council to receive the New Year's Eve Event Lean Business Case, prepared by Sparrowly Group, and adopt its recommendations.

Following the Council resolution at the Ordinary Meeting of Council regarding the Notice of Motion: *Community led review of New Year's Eve celebrations across the Kiama Local Government Area* (Resolution 26/028OC), Sparrowly Group was engaged to prepare a business case on various options for New Year's Eve celebrations.

Financial implication

No funds for any New Year's Eve events were included in the draft FY2026-27 budget.

This report recommends the inclusion of additional funds which were not publicly exhibited. It is anticipated that these additional funds will be offset by budget saving initiatives which were initially slated in the Extraordinary April meeting.

A comparison spend from 2023, 2024 and 2026 is enclosed for Councillors' information.

Risk implication

Events of this nature always attract risks. Council's Tourism & Economic Development team will manage these risks in accordance with Council's Risk Framework and legislative responsibilities.

Policy

Delivery Program & draft Operational Plan.

Kiama Major Events Impact Review and Recommendations Report.

Tourism and Events Strategic Plan.

Draft Visitor Economy Strategy.

Consultation (internal)

Tourism & Economic Development.

Property & Commercial Services.

Planning & Development.

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15.4 New Year's Eve Event Lean Business Case (cont)

Communication/Community engagement

Councillors have been provided with a draft copy of the Business Case. No feedback has been received.

Council's Tourism & Economic Advisory Committee (TEAC) was provided an executive summary of the Business Case. At their meeting (Minutes included in this Council agenda) TEAC reaffirmed its position that Sky Show, as previously delivered, should be reinstated.

Attachments

Nil

Enclosures

- 1 NYE Event Business Case - Sparrowly Group⇒
- 2 New Year's Eve spend summaries 2023-2024-2025⇒

RECOMMENDATION

That Council:

1. In response to Council's resolution 26/028OC, receive the New Year's Eve Event Lean Business Case, prepared by Sparrowly Group;
2. Note that the Business Case acknowledges the community support for a New Year's Eve Sky Show;
3. Note that the Business Case recommends delivering a scaled-back Council-led New Year's Eve activation for five years with promoted extended trading permits (Option 1), as it achieves a comparable return of predicted local spend, meets community expectations, supports local businesses, and minimises costs (approximately \$15,000 per year, including staff); and
4. Include in its 2026-27 Financial Year budget monies to facilitate Option 1 of the New Year's Eve Event Lean Business Case, prepared by Sparrowly Group.

Background

Following the Council resolution at the Ordinary Meeting of Council regarding the Notice of Motion: *Community led review of New Year's Eve celebrations across the Kiama Local Government Area* (Resolution 26/028OC), Sparrowly Group was engaged to prepare a business case on various options for New Year's Eve celebrations.

Sparrowly Group developed a business case in line with NSW Treasury Guidelines. A 'Lean Business Case' methodology was applied to support timely, evidence based discussion. The analysis considers New Year's Eve as a highly valued community occasion while also recognising current financial constraints and competing investment priorities. As part of their work Sparrowly:

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15.4 New Year's Eve Event Lean Business Case (cont)

- Reviewed and validated existing resident, business and visitor feedback on New Year's Eve celebrations across the Kiama LGA.
- Examined a range of potential New Year's Eve event types, delivery models and locations that could be supported, coordinated or delivered within the Municipality.
- Identified distinct options for Council involvement, including supporting, coordinating or leading New Year's Eve celebrations.
- Undertook a high-level comparative cost–benefit analysis of shortlisted options, considering cost to ratepayers, economic return for local businesses, and relevant legislative, safety and delivery requirements.
- Explored options for a 3 or 5 year recurring New Year's Eve program to provide greater funding certainty and improve eligibility for external grant opportunities.

The Business Case was prepared noting TEAC's recommendation for Council to allocate funds to the Tourism, Events and Economic Development team to the sum of \$94,000 to deliver the Kiama New Years' Eve Skyshow on Thursday 31 December 2026 in the 2026-27 budget.

The three (3) shortlisted options considered by the Business Case were:

1. A scaled back Council-led event.

This option proposes to promote extended permits across all main streets to allow for alfresco dining and licensing to optimise the 2am licensing extension.

It also includes Council-led marketing and promotion to encourage people to support their local businesses Acoustic live music entertainment at the existing stage at Hindmarsh Park.

Blankets, seats and tables for the community to enjoy at Hindmarsh Park.

2. Community Grant Program

This option proposes Council extending permits as per option 1 and delivering a community grant program where an amount is allocated for community organisations to deliver events on 31 December each year.

The total funding envelope can be adjusted under different budget scenarios, and Council is only administering the grant program, not directly delivering an event.

Council would have a high degree of control over which activities would be eligible for funding and which ones wouldn't be, and community organisations would need to demonstrate that they have capacity and capability to deliver their event.

3. NYE Sky Show Event

This option proposes to reinstate the NYE Sky Show as it was delivered in 2024.

The recommendation of the Business Case is to select Option 1 for the next three years, with the possibility of re-looking at the budget position in 3 years' time to assess if the full NYE Sky Show should be reinstated in 2029. The yearly costs of delivering a scaled back event would be approximately \$15,000 (including staff costs).

15.5 Rescission of obsolete policies

CSP Objective: Outcome 4.2: Our governance is transparent and trusted, supported by the right structures, technology and processes to effectively serve the community.

CSP Strategy: 4.2.4 Council will build organisational capability, capacity and efficiency to deliver and measure the goals and strategies of the CSP.

Delivery Program: 4.2.4.3 Continue implementation of Service Reviews and resulting recommendations to improve organisational efficiency.

Item 15.5

Summary

The purpose of this report is to formally seek a Council resolution to formally rescind the following policies due to them being now obsolete and no longer required:

1. Small Scale Wind Turbines Policy (adopted by Council on 15 February 2011).
2. Interim Minor Nature Maintenance Repair Works of Heritage Items Policy (adopted by Council on 19 May 2020).
3. Private Principle Certifying Authority (PCA) Complaint (adopted by Council on 17 May 2011).
4. Kiama Library and Family History Centre Volunteer Policy (adopted by Council on 26 June 2007).

These policies are obsolete and are no longer required.

It is recommended that Council rescind these policies.

Financial implication

There are no financial implications as a result of rescinding these policies.

Risk implication

This report will manage the accountability, reputational and operational risks of having outdated policies.

Policy

As part of Council's Policy Framework, and an action of the Strategic Finance & Governance Improvement Plan, staff are systematically reviewing all Policies and Procedures. As part of this review, obsolete Policies and Procedures are being identified and rescinded. Policies adopted by Council can only be rescinded via a resolution of Council.

Consultation (internal)

Governance.

Executive Leadership Team.

Planning and Development Team.

Library Team.

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15.5 Rescission of obsolete policies (cont)

Communication/Community engagement

Nil.

Attachments

Nil

Enclosures

- 1 Current Policy - Small Scale Wind Turbines Policy ➡
- 2 Current Policy - Interim Minor Nature Maintenance Repair Works of Heritage Items ➡
- 3 Current Policy - Private PCA Complaint Policy ➡
- 4 Current Policy - Kiama Library and Family History Centre Volunteer Policy ➡

Item 15.5

RECOMMENDATION

That Council endorse the rescission of the following policies:

1. Small Scale Wind Turbines Policy (2011).
2. Interim Minor Nature Maintenance Repair Works of Heritage Items Policy.
3. Private Principle Certifying Authority (PCA) Complaint Policy.
4. Kiama Library and Family History Centre Volunteer Policy.

Background

The Policy Register has identified a number of policies that are now outdated in organisational structure or have undergone significant change. Many of these older policies have been superseded by more integrated and overarching frameworks as well as changing State Government legislation.

The rationale and justification for the recommendations in this report are outlined below. The intent is to support Council in moving away from historically narrow, single purpose policies and strategies, and toward alignment with contemporary, organisation wide policies and strategies that better reflect current operational needs and strategic priorities.

The Executive Leadership Team noted the outcomes and recommendations of the policies review and endorsed submitting a report to Council to rescind these policies.

Small Scale Wind Turbines Policy

This Policy was adopted by Council on 15 February 2011 and was effective from 2 March 2011.

The purpose of this policy was to guide development standards for the erection of small wind turbines and ensure local amenity is protected.

The provisions for small scale wind turbines are now provided for in the *State Environmental Planning Policy (Transport and Infrastructure) 2021* - Division 4

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15.5 Rescission of obsolete policies (cont)

Electricity generating works or solar energy systems and as a result, this Council policy is outdated and no longer required.

Interim Minor Nature Maintenance and Repair Works of Heritage Items Policy

This Policy was adopted on 19 May 2020 (Council Resolution 20/132OC).

The purpose of this interim Policy was to identify minor maintenance and repair works associated with heritage items, Aboriginal objects, Aboriginal places, archaeological sites or heritage conservation areas which may be carried out without the need to obtain development consent, and the process to apply for minor heritage works under Clause 5.10(3) of the *Kiama Local Environmental Plan (LEP) 2011*.

Chapter 4 of the Kiama Development Control Plan (DCP) 2020 was endorsed by Council at the Ordinary Meeting on 28 June 2022 (Item 12.7) and effective from 22 July 2022.

Topic 4.1 includes the Minor Works Policy (page 4.6).

The Interim Policy should have been revoked when the DCP Chapter 4.1 was adopted and is therefore obsolete.

Private Principle Certifying Authority (PCA) Complaint Policy

This policy, adopted in 2011, was developed in order to explain how Council will handle complaints about building and development work where a private Principal Certifying Authority (PCA) has been appointed.

This policy is now outdated and not required.

Currently, the Building Commission NSW regulates the conduct of certifiers, and complaints can be made to them using their online forms.

Kiama Library and Family Centre Volunteer Policy

This Policy was adopted by Council on 26 June 2007.

This policy is considered obsolete as volunteer management practices are adequately covered under the Code of Conduct for Council Staff, Contractors and Volunteers.

As part of Council's ongoing governance and policy review processes, rescinding outdated and duplicated policies assists in maintaining a streamlined, contemporary and relevant policy framework.