

DATE INSTRUCTED	MATTER DESCRIPTION and details of Jurisdiction	STATUS	COUNCIL OFFICER	FEES ESTIMATE (ex GST)	BILLED COSTS TO END OF JUNE	UNBILLED COSTS TO DATE
LAND & ENVIRONMENT COURT						
15/04/2024	DA House v KMC Class 1 - L&E Court Refusal of DA 10.2022.175.1 31 & 37 Cooinda Place, Kiama	Refusal of DA for a multi dwelling (12) development and subdivision. Listed for final hearing 19-21 August 2025.	E.Paterson	\$ 39,000.00	\$ 29,234.61	\$ 761.40
15/11/2024	Michael Joseph v KMC & Ors Judicial Review (Supreme Court) Orders to set aside the L&E Court decision of 30/08/2024 Re DA10.2023.98.1 at 110 North Kiama Drive, Kiama Downs	Mr Joseph made a request to the Land and Environment Court for access to the Court's file of separate proceedings. 3 x amended summons' & 2 x Notices to Produce on Council lodged. Notice of Motion filed to strike out parts of the summons seeking to impugn the Council's conduct. Strike Out motion heard on 10 March 2025 - aspects that impugn Council Struck Out. Joseph's motion seeking to access privileged documents dismissed with costs on 7 April 2025. Motion to amend the summons filed making fresh allegations against Council. Hearing on 4 June 2025 - Joseph not granted leave to rely on any grounds except for ground 14 (alleges abuse of process & power - not advising Joseph of S 34 conference). Council awarded costs. Waiting for instructions from Council.	C.Lappin	\$ 138,497.00	\$ 110,552.92	\$ 104.00
7/12/2022	Enzo Developments (McElhone) v KMC Class 4 - L&E Court Deemed refusal of DA 10.2021.344.1 92 Jerrara Road, Jerrara	Orders made 05/07/2024. Listed for costs hearing 24 October 2025.	J.Rippon	\$ 40,000.00	\$ 25,594.20	\$ 177.00

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27/10/2021	Grant v KMC Class 4 - L&E Court Grantie's Village 219 Donovan Road, Broughton Village	Final hearing 21/02/2024 - Orders: unapproved development; Grant restrained from permitting use of structures (rides); Grant directed to dismantle structures (rides) within 90 days; Grant to pay Council's costs. Extension of 6 weeks to dismantle structures (rides) consented to. Action pending in relation to contempt of Court Orders.	E.Paterson	\$ 80,000.00	\$ 73,705.00	\$ 24.00
29/08/2024	Abata P/L v KMC Class 1 - L&E Court Issue of Development Control Order 295 Cloonto Road, Carrington Falls (Installation of Dog runs & kennels without consent)	Matter listed for hearing 28 & 29 July 2025	D.Hewitt	\$ 45,000.00	\$ 22,803.00	\$ 980.50
7/11/2024	Corporate Client Services v KMC Class 1 - L&E Court Refusal of DA 10.2023.101.1 162 Princes Highway, Kiama	Judgement handed down 23 June 2025. Appeal upheld. DA granted subject to conditions. Applicant to pay costs thrown away as agreed or assessed.	C.Lappin	\$ 49,500.00	\$ 39,620.48	\$ 3,943.69
22/01/2025	Michael Cole v KMC Class 1 - L&E Court Refusal of DA 10.2023.201.1 Jamberoo Road, Curramore	Following a conciliation conference. Judgement handed down 22 April 2025. Appeal upheld - DA approved as amended subject to conditions. FINALISED.	C.Lappin	\$ 42,500.00	\$ 18,562.27	
11/02/2025	Kiama Investments No2 v KMC Class 1 - L&E Court Deemed refusal of DA10.2023.220.1 Akuna, Shoalhaven & Terralong Sts, Kiama	Listed for online Court 29 July 2025.	C.Lappin	\$ 56,000.00		

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4/06/2025	Crowl v KMC Class 1 - L&E Court Refusal of DA 10.2021.17.1 44 Bonaira Street, Kiama	First directions hearing 16/06/2025. Next listed on 07/07/2025. Pending approval of the review, the proceedings may be discontinued.	C.Lappin	\$ 35,000.00	-	\$ 2,191.60

FEDERAL COURT						
21/04/2022	John Giles v KMC Federal Court of Australia	<p>Application alleging unlawful discrimination by Council. Matter not resolved following mediation on 09/11/2022. Parties have exchanged correspondence over a considerable period of time to try and reach settlement and some in principle agreement has been reached. On 07/02/2024, the Applicant forwarded a request for particular works to be carried out by Council as part of settlement, having regard to a stormwater assessment and requesting amendments to a proposed indemnity. The amendments sought by the Applicant were not supported by Council. Agreement on settlement terms has now been executed. Council has agreed to carry out certain works at its own cost to address the safety concerns raised by the Plaintiff. Council is required to commission a survey to ensure that the proposed works will not result in an increased risk of injury to users of the footpath. Council's obligation to conduct the proposed remediation works is contingent on the Survey not identifying any increased risk of serious injury to footpath users as a result of the works. Survey has been completed and has been assessed by an engineer confirming that the proposed works do not increase the risk of serious injury.</p> <p>Additional safety measures may be considered including the fixing of a No Stopping sign outside the property. Council has confirmed its intention to proceed with proposed footpath remediation. Matter progressing cooperatively</p>	S.McKenzie	\$ 43,725.00	\$ 49,291.11	

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GENERAL						
3/05/2024	KMC v Morgan Lewis Local Court Failure to comply with terms of DA Fillmore's, Manning Street, Kiama	Original plea of not guilty. Defendant advises of their intention to enter a plea of guilty. On 11 December 2024, Counsel appeared before the Court where the nature of the Defendant's guilty plea was questioned. The Court held that the matter was to be set down for a contested hearing on 9 April 2025. The Court recorded convictions for Orders 1, 2 & 3 relating to breach of Development Control Order. Fine imposed \$3,000 (50% payable to Council). Costs of \$21,000 awarded to Council.	J.Milevski	\$ 61,350.00	\$ 88,269.70	\$ 520.90
14/03/2025	Kiama Coast Holiday Park Management Services Agreement Contracts	Preparation of Services Agreement Contracts for Council's five (5) Holiday Parks.	D.Flanagan	\$ 16,500.00	-	
24/04/2025	Gerringong SLSC - Licence dispute	In a meeting held with the club, they confirmed that following advice received from Council, they would withdraw their dispute. To date this hasn't occurred. Council to follow up.	E.Paterson	\$ 19,000.00	\$ 15,136.10	
NCAT						
13/02/2025	Lawrence Bulmer v KMC Appeal against termination of Occupation Agreement Werri Beach Caravan Park	Orders made 10 June 2025 - application for the termination notice to be set aside is dismissed. On or before 10 August 2025, all uncollected goods to be removed from site. If the removal does not occur by that date, Council is authorised to remove and dispose of any uncollected goods remaining on site.	D.Flanagan	\$ 7,700.00	\$ 7,710.00	\$ 22.50
INVESTIGATIONS						
22/04/2025	Code of Conduct Complaint	Matter referred for preliminary assessment. FINALISED.		\$ 3,080.00	\$ 3,080.00	
14/05/2025	Code of Conduct Complaint	Matter referred for preliminary assessment.		\$ 5,500.00		