ORDINARY MEETING OF COUNCIL

To be held at 5.00pm on

Tuesday 16 April 2024

Council Chambers

11 Manning Street, KIAMA NSW 2533

Order of Business

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Members

Mayor
Councillor N Reilly
Deputy Mayor
Councillor I Draisma
Councillor M Brown
Councillor M Croxford
Councillor J Keast
Councillor S Larkins
Councillor K Renkema-Lang
Councillor K Rice
Councillor W Steel

10 April 2024

To the Chairman and Councillors:

NOTICE OF ORDINARY MEETING

You are respectfully requested to attend an **Ordinary Meeting** of the Council of Kiama, to be held in the **Council Chambers, 11 Manning Street, KIAMA NSW 2533** on **Tuesday 16 April 2024** commencing at **5.00pm** for the consideration of the undermentioned business.

Yours faithfully



Jane Stroud

Chief Executive Officer

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AGENDA FOR THE ORDINARY MEETING OF KIAMA MUNICIPAL COUNCIL TUESDAY 16 APRIL 2024

1 OPENING OF MEETING

2 WEBCASTING STATEMENT

This meeting is being recorded and made publicly available on the Council website and persons attending the meeting should refrain from making any defamatory statements.

3 ACKNOWLEDGEMENT OF COUNTRY

Kiama Municipal Council acknowledges the Traditional Custodians of Dharawal Country, the Wodi Wodi people and recognises their continued connection to the land. We pay our respects to elders past, present and emerging and the contribution that they make to our community.

4 STATEMENT OF ETHICAL OBLIGATIONS

Councillors are reminded of their oaths or affirmations of office under section 233A of the Act and their obligations under the Code of Conduct to disclose and appropriately manage any conflicts of interest.

5 APOLOGIES

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council on 19 March 2024

Attachments

1 19 March 2024 - Ordinary Council - minutes⇩

Enclosures
Nil

RECOMMENDED

That the Minutes of the Ordinary Council meeting held on 19 March 2024 be received and accepted.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE ORDINARY MEETING OF COUNCIL

commencing at 5.00pm on

TUESDAY 19 MARCH 2024

Council Chambers
11 Manning Street, KIAMA NSW 2533

MINUTES OF THE ORDINARY MEETING OF THE COUNCIL OF THE MUNICIPALITY OF KIAMA HELD IN THE COUNCIL CHAMBERS ON TUESDAY 19 MARCH 2024 AT 5.00PM

PRESENT: Acting Mayor – Councillor I Draisma (Chair), Councillors M Brown, K Rice, W Steel, J Keast, S Larkins, K Renkema-Lang and M Croxford

IN ATTENDANCE: Jane Stroud – Chief Executive Officer
Jessica Rippon – Director Planning, Environment and Communities
Michael Malone – Director Infrastructure and Liveability
Joe Gaudiosi – Chief Operating Officer
Olena Tulubinska – Chief Financial Officer
Daryl Hagger – Special Projects

1 OPENING OF MEETING

The Chair opened the meeting at 5pm.

2 WEBCASTING STATEMENT

The Chair advised the meeting was being recorded and made publicly available on the Council website and persons attending the meeting should refrain from making any defamatory statements.

3 ACKNOWLEDGEMENT OF COUNTRY

The Chair declared the meeting open and acknowledged the traditional owners.

4 STATEMENT OF ETHICAL OBLIGATIONS

The Chair reminded Councillors of their oaths or affirmations of office under section 233A of the Act and their obligations under the Code of Conduct to disclose and appropriately manage any conflicts of interest.

5 APOLOGIES

24/042OC

Resolved that the apology tendered from Councillor Reilly be accepted and the leave of absence granted

(Councillors Steel and Larkins)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

Procedural motion: Councillor excused from standing

24/043OC

Resolved that Councillor Steel is excused from the requirement to stand when speaking.

(Councillors Draisma and Keast)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Ordinary Council on 13 February 2024

24/044OC

Resolved that the Minutes of the Ordinary Council meeting held on 13 February 2024 be received and accepted.

(Councillors Larkins and Keast)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

Procedural motion: reduce speaking time

A procedural motion was requested by Councillor Croxford, in accordance with clause 10.28 of the Code of Meeting Practice that Councillors must not, without the consent of the Council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time. The procedural motion was not accepted by the Chair.

It was moved by Councillor Croxford and seconded by Councillor Steel that Council in accordance with clause 10.30 of the Code of Meeting Practice, shorten the duration of speeches to three (3) minutes to expedite the consideration of business at the meeting.

On being put the procedural motion was **lost**.

For: Councillors Croxford and Steel

Against: Councillors Brown, Draisma, Keast, Larkins, Renkema-Lang and Rice

7 BUSINESS ARISING FROM THE MINUTES

Nil.

8 DISCLOSURE OF INTEREST

Disclosure of Interest - Councillor Renkema-Lang

Councillor Renkema-Lang declared a less than significant non-pecuniary interest in Item 15.1 *10.2023.92.1 – 19 and 21 Bourrool Street, Kiama* as Councillor Renkema-Lang is a member of the Kiama Lions Club and the speaker on this matter at the public forum is also a member. Councillor Renkema-Lang proposed to disclose and vote on this matter.

Disclosure of Interest - Councillor Brown

Councillor Brown declared a less than significant non-pecuniary interest in Item 19.3 Rescission of motion 24/035OC: Item 19.1 of the 13 February 2024 Ordinary Council meeting as he is related in-law to an impacted resident. Councillor Brown proposed to disclose and vote on this matter.

Disclosure of Interest - Councillor Keast

Councillor Keast declared a less than significant non-pecuniary interest in Item 15.1 10.2023.92.1 - 19 and 21 Bourrool Street, Kiama as the person who spoke at the public access forum is known to Councillor Keast through her daughter. Councillor Keast proposed to disclose and vote on this matter.

9 TABLING OF PETITIONS AND OTHER DOCUMENTS

Nil.

10 PUBLIC FORUM SUMMARY

Name	Item No.	Subject
Stuart Dixon from Cowman Stoddart	15.1	10.2023.92.1 – 19 and 21 Bourrool Street, Kiama
Rick Scott-Murphy	15.1	10.2023.92.1 – 19 and 21 Bourrool Street, Kiama
Craig Pontey	16.1	Request for funding assistance: Gerringong Surf Life Saving Club reconstruction
Richard Payne	16.1	Request for funding assistance: Gerringong Surf Life Saving Club reconstruction
Rob Lawrence Scott Cram	19.3	Rescission of motion 24/035OC: item 19.01 of the 13 February 2024 Ordinary Council meeting
Brian Guillaumier	19.3	Rescission of motion 24/035OC: item 19.01 of the 13 February 2024 Ordinary Council meeting

Name	Item No.	Subject
Ian Factor	22.3	Sale of land – 10 South Kiama Drive, Kiama (Lot 100 DP1231831)

11 MAYORAL MINUTE

Nil.

Procedural motion: In globo resolutions

24/045OC

Resolved that Council move in globo and adopt the recommendations contained within the report for items 12.1, 12.2, 12.3, 12.4, 13.2, 13.3, 14.1, 15.3, 16.3 and note the reports for items 17.1, 17.3, 17.4 and 17.6.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

12 MINUTES OF COMMITTEES

12.1 Minutes: Audit, Risk and Improvement Committee Meeting - 27 February 2024

This item was moved as part of the in globo recommendation – refer minute 24/045OC.

24/046OC

Resolved that the Minutes of the Audit, Risk and Improvement Committee meeting held on 27 February 2024 be received and the recommendations therein noted.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

12.2 Minutes: Blue Haven Advisory Committee meeting - 19 February 2024

This item was moved as part of the in globo recommendation – refer minute 24/045OC.

24/047OC

Resolved that Council note and receive the Minutes of the Blue Haven Advisory Committee meeting held on 19 February 2024.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

12.3 Minutes: Finance Advisory Committee meeting - 14 February 2024

This item was moved as part of the in globo recommendation – refer minute 24/045OC.

24/048OC

Resolved that Council receive and note the Minutes of the Finance Advisory Committee meeting held on 14 February 2024.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

12.4 Minutes: Sustainable Communities Committee - 27 February 2024

This item was moved as part of the in globo recommendation – refer minute 24/045OC.

24/049OC

Resolved that the Minutes of the Sustainable Communities Committee meeting held on 27 February 2024 are received and noted.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

12.5 Minutes: Tourism and Economic Advisory Committee - 30 January 2024

24/050OC

Resolved that the Minutes of the Tourism and Economic Advisory Committee Meeting held on 30 January 2024 be received and the recommendations therein noted.

(Councillors Brown and Steel)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

13 REPORT OF THE CHIEF EXECUTIVE OFFICER

13.1 Post exhibition endorsement: Media Policy

24/051OC

Resolved that Council adopts the Media Policy and publish to the Council website.

(Councillors Larkins and Keast)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins and Steel

Against: Councillors Renkema-Lang and Rice

13.2 Small Community Event Funding Program Assessment

This item was moved as part of the in globo recommendation – refer minute 24/045OC.

24/052OC

Resolved that Council endorses the recommendations by the internal grant assessment panel for round two of the Small Community Event Grant program to the following value:

	Applicant	**Event**	**Date**	**Value of support**
1	Kiama Community Garden	Song-growing intergenerational initiative	13 May, 14 Jul, 16 Sep and 11 Nov	**410**
2	Jamberoo Preschool	AT – Culture Visit	27 May	**1,200**
3	Life Together	Intentional Living	24 Jul	**350**
4	Kiama High School	70th Birthday Celebration	16 Nov	**500**

5	Kiama Rotary	Walk Against Domestic Violence	17 Nov	**1,140**
6	Kiama Rotary	2024 Christmas in July Trivia Night	26 Jul	**900**
7	Kiama Rotary	Festival of Choirs	13 Oct	**1,500**
	Total			**$6,000**

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

13.3 Finance Advisory Committee - Expressions of Interest for member vacancy and updated Terms of Reference

This item was moved as part of the in globo recommendation – refer minute 24/045OC.

24/053OC

Resolved that Council:

1. considers the two applicants, determining to appoint Mr P Currie to the Finance Advisory Committee and thanks Mr K Whiteman for his application.
2. adopts the revised Terms of Reference for the Finance Advisory Committee.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

14 REPORT OF THE CHIEF OPERATING OFFICER

14.1 January 2024 Monthly Financial Report

This item was moved as part of the in globo recommendation – refer minute 24/045OC.

24/054OC

Resolved that Council

1. notes the Monthly Financial Report for January 2024.
2. allocates $100,000 budget for safety upgrade works at domestic waste handling facility.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

14.2 Statement of Investments: February 2024

24/055OC

Resolved that Council:

1. notes the information relating to the Statement of Investments as at 29 February 2024.
2. establishes an external restricted reserve required under the Roads Act 1993 Part 4 Division 6 Section 43.4.

(Councillors Keast and Larkins)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

14.3 Half Yearly Report - Delivery Program and Operational Plan - July 2023 to December 2023

24/056OC

Resolved that Council:

1. notes the half-yearly progress report of the Delivery Program 2022-2026 and the Operational Plan 2023-2024 for the period July to December 2023.
2. notes that the management of the public health and safety legislation and compliance, for onsite sewerage systems, has commenced and therefore the statement on page 138 will be amended to reflect this status.

(Councillors Keast and Larkins)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

15 REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

15.1 10.2023.92.1 - 19 and 21 Bourrool Street, Kiama

Disclosure of interest

Councillor Renkema-Lang declared a less than significant non-pecuniary interest in this matter, disclosed and voted.

Councillor Renkema-Lang foreshadowed moving an amended motion.

24/057OC

Resolved that Council:

1. supports the request to vary a development standard made pursuant to clause 4.6 of Kiama LEP 2011 for the variation to the height of building standard.
2. approves development application No 10.2023.92.1 for the demolition and construction of a residential flat building with basement parking, drainage works and landscaping subject to the appropriate conditions of consent.
3. advises persons who made a submission on development application No 10.2023.92.1 of Council's decision.

(Councillors Brown and Steel)

For: Councillors Brown, Croxford, Draisma, Larkins and Steel

Against: Councillors Keast, Renkema-Lang and Rice

15.2 Endorse for public exhibition: draft Grants and Donations Policy and Guidelines

24/058OC

An **amended motion was moved** by Councillor Keast and seconded by Councillor Rice that Council:

1. places the draft Grants and Donations Policy and Guidelines on public exhibition for a period of 28 days, subject to:
   a. the inclusion in section 10 of the Policy, an explanation of the role of Advisory Committees in the Grants and Donations process;
   b. an additional point to 10.2 of the Policy at 'the following criteria', 'additional sources of money received to fund the project/event/program'.
2. notes if submissions are received during the exhibition period a further report will be provided on any proposed amendments to policy and guideline.
3. adopts the Grants and Donations Policy and Guidelines, if no submissions are received, on the day after the completion of the public exhibition period**.**

On being put the motion was **carried**.

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

15.3 Endorse for public exhibition: Public Art and Permanent Art Collection policies and procedures

This item was moved as part of the in globo recommendation – refer minute 24/045OC.

24/059OC

Resolved that Council:

1. place the draft Art Collection Policy, the draft Public Art Policy on public exhibition for a period of 28 days.
2. note if submissions are received during the exhibition period a further report will be provided on any proposed amendments to these policies and procedures.
3. adopt the Art Collection Procedure Acquisition and Deaccession 2024, Art Collection Policy, Public Art Policy and Public Art Procedure, if no submissions are received, on the day after the completion of the public exhibition period.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

15.4 Growth and Housing Strategy Community Engagement

It was **moved** by Councillor Renkema-Lang and seconded by Councillor Rice that Council:

1. does not proceed with the comprehensive engagement plan to develop a Kiama Growth and Housing Strategy at this stage.
2. seeks an urgent meeting between the Mayor, CEO, and Planning Minister and/or the Premier to highlight the key issues of the NSW Planning Reforms for local government, including an inadequate consultation period, excessive haste in introducing the reforms, the lack of clarity regarding the detail of the reforms, the financial burden on Council, the move away from Councils carefully constructed and exhibited planning controls, and the expected impact on our residential streets and neighbourhoods including our heritage conservation areas.
3. submits a motion to the next Illawarra Shoalhaven Joint Organisation meeting to seek support for collective regional action to address the key issues detailed in point 2.
4. in development of the Housing Strategy, considers the findings of recent community engagement activities including but not limited to the Lifehacks Youth Whitepaper – 19 July 2023, Councils Youth engagement workshops 2019 to 2022, consultation on the Community Strategic Plan in 2022, the Town Centre Study and the Local Strategic Planning Statement in 2020, and the 2019 Youth online survey.
5. hosts a 'town-hall' style meeting, for all residents and ratepayers in the Kiama local government area, to inform the community about the impact of the recent planning reforms to the Kiama local government area.

Councillor Brown raised a **point of order** that the wording "at this stage" was not appropriate and needed to be amended. The Chair, following advice from the public

officer, ruled that the amendment be changed so that the term is definitive and not open-ended.

Councillor Croxford raised a **point of order** that Mayor, Councillor Reilly has previously ruled motions out of order when Councillors were word-smithing in the Chamber as it is not considered good governance. The Chair overruled the point of order and allowed the mover to make an amendment, prior to seeking advice from staff. The CEO advised that the Councillor is able to move a motion from the floor.

An **amendment was moved** by Councillor Renkema-Lang and seconded by Councillor Rice that Council defers proceeding with the comprehensive engagement plan for the Kiama Growth and Housing Strategy subject to Council:

1. seeking an urgent meeting between the Mayor, CEO, and Planning Minister and/or the Premier to highlight the key issues of the NSW Planning Reforms for local government, including an inadequate consultation period, excessive haste in introducing the reforms, the lack of clarity regarding the detail of the reforms, the financial burden on Council, the move away from Councils carefully constructed and exhibited planning controls, and the expected impact on our residential streets and neighbourhoods including our heritage conservation areas.
2. submitting a motion to the next Illawarra Shoalhaven Joint Organisation meeting to seek support for collective regional action to address the key issues detailed in point 2.
3. considering the findings of recent community engagement activities including but not limited to the Lifehacks Youth Whitepaper – 19 July 2023, Councils Youth engagement workshops 2019 to 2022, consultation on the Community Strategic Plan in 2022, the Town Centre Study and the Local Strategic Planning Statement in 2020, and the 2019 Youth online survey.
4. hosting a 'town-hall' style meeting, for all residents and ratepayers in the Kiama local government area, to inform the community about the impact of the recent planning reforms to the Kiama local government area.

Councillor Croxford foreshadowed moving the staff recommendation.

The Chair requested that Councillor Renkema-Lang withdraw her comments regarding approval of high rise dwellings en masse as it was untrue and brought Council into disrepute. Councillor Renkema-Lang stated that she would clarify the comment. The Chair requested again that Councillor Renkema-Lang withdraw her comment.

Councillor Renkema-Lang withdrew her comment and requested to continue speaking.

Councillor Brown raised a **point of order** that Councillor Renkema-Lang should apologise and withdraw her statements. The Chair ruled that Councillor Renkema-Lang was not compelled to apologise but should be careful with her language.

Councillor Renkema-Lang again stated that she would withdraw her comment and clarify.

The Chair requested that Councillor Brown withdraw his comments regarding Councillor Renkema-Lang as they involved a legal matter currently in the Courts.

Councillor Brown withdrew his comments.

The Chair requested that Councillor Brown remain relevant to the actual item of business that is being debated.

Councillor Renkema-Lang raised a **point of order** that Councillor Brown was out of line, misrepresented her statements, insulted her and was raising issues that were not relevant to the agenda. The Chair ruled that Councillor Brown had already withdrawn his comments and had been asked to remain on topic.

The Chair further ruled that Councillor Brown could continue speaking but if he did not remain on topic he would be ejected from the Chamber.

Councillor Renkema-Lang raised a **point of order** that Councillor Draisma was misrepresenting her. The Chair ruled that the point of order was not accepted and that if Councillor Renkema-Lang continued to speak over the top of the Chair then Councillor Renkema-Lang would be ejected from the Chamber.

Councillor Renkema-Lang raised a **point of order** that she was being spoken over the top of. The Chair ruled that the Councillor was raising a procedural motion.

24/060OC

A procedural motion was moved by Councillor Brown and seconded by Councillor Croxford that the motion be put.

The procedural motion on being put was **carried**.

For: Councillors Brown, Croxford, Draisma, Larkins and Steel

Against: Councillors Keast, Renkema-Lang and Rice

Councillor Renkema-Lang's amended motion on being put was **lost**.

For: Councillor Renkema-Lang

Against: Councillors Brown, Croxford, Draisma, Keast, Larkins, Rice and Steel

24/061OC

Resolved that Council note the comprehensive engagement plan to develop a Kiama Growth and Housing Strategy.

(Councillors Croxford and Larkins)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Rice and Steel

Against: Councillor Renkema-Lang

15.5 Kiama Leisure Centre Service Review

24/062OC

Resolved that Council

1. Develop a draft Kiama Leisure Centre Strategy and provide this strategy to a future Council meeting for consideration.

2. Develop an implementation plan for the next steps of the service review process.
3. Undertake internal and external consultation with the community and staff about the three options that have been provided for the asset which are 1. do nothing, 2. upgrade or 3. redevelop.
4. Incorporates the future vision for the leisure centre into the business and masterplan for the wider sporting, old Havilah place and surrounding precinct and this work be completed by the implementation team as part of PIO priorities

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

15.6 Post exhibition endorsement: Development Control Plan Chapter 13 - Agritourism

The Chair requested that Councillor Rice retract her comments that the report is misleading. Councillor Rice retracted her statement.

Councillor Croxford raised a **point of order** that Councillor Rice was defying the ruling of the Chair. The Chair ruled that matter had been dealt with.

24/063OC

Resolved that Council:

1. adopts the exhibited draft DCP Chapter 13 – Agritourism, Amendment 22.
2. advises the Department of Planning, Housing and Infrastructure within 28 days of Council's resolution in accordance with the requirements clause 20 of the Environmental Planning and Assessment Regulation, 2021; and
3. reformats and publishes the adopted DCP on its website including any documents, map, plan, diagram or other material referred to in the plan.

(Councillors Croxford and Steel)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

15.7 Question for future meeting: Short Term Rental Accommodation

An **amended motion** was moved by Councillor Draisma and seconded by Councillor Brown that Council:

1. notes the NSW State Government Discussion paper on short and long term accommodation.

2. notes the submission made by Council as part of this consultation process and attach the submission to the minutes.
3. continues to actively engage with other councils who have high levels of STRA properties to seek options and learnings from these locations.
4. notes the research work that is currently being undertaken by Sydney University and our council, to seek data about impacts, options and changes that have occurred in the past few years in the STRA landscape.
5. continues to work with the Department of Fair Trading and NSW Police on the management of complaints relating to STRA properties.

Councillor Croxford foreshadowed moving the staff recommendation.

24/064OC

At the request of Councillor Rice and by consent the motion was **varied and resolved** that Council:

1. notes the NSW State Government Discussion paper on short and long term accommodation.
2. notes the submission made by Council as part of this consultation process and attach the submission to the minutes.
3. continues to actively engage with other councils who have high levels of STRA properties to seek options and learnings from these locations.
4. notes the research work that is currently being undertaken by Sydney University and our council, to seek data about impacts, options and changes that have occurred in the past few years in the STRA landscape.
5. continues to work with the Department of Fair Trading and NSW Police on the management of complaints relating to STRA properties.
6. regularly updates Councillors with outcomes of Council's engagement with STRA discussions.

(Councillors Draisma and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

Attachments

A Letter to Department of Planning - Short Term Rental Accommodation STRA

16 REPORT OF THE DIRECTOR INFRASTRUCTURE AND LIVEABILITY

16.1 Request for funding assistance: Gerringong Surf Life Saving Club reconstruction

It was **moved** by Councillor Brown and seconded by Councillor Steel that Council:

1. Acknowledge the efforts of the Gerringong Surf Life Saving Club to fund and undertake this significant building replacement project.

2. Approve the allocation of $370,000 to the Capital Budget – Building & Facilities to funded from the from the Development Contributions Reserve ($170,000) and the Unexpended Grants Reserve ($200,000 - Local Roads & Community Infrastructure Program Phase 4, pending funder approval).
3. Delegate to the Chief Executive Officer the authority to negotiate and execute a funding agreement, to a maximum amount of $370,000, with the Club including:
    a. Council officer attendance at project control meetings
    b. implementation of appropriate project governance controls and reporting frameworks to reflect council's investment and ownership of the facility
    c. inclusion in negotiations with the funding authorities
    d. acknowledgement of Council's funding.

At the request of Councillor Brown an amendment was moved, that Council:

1. Acknowledge the efforts of the Gerringong Surf Life Saving Club to fund and undertake this significant building replacement project.
2. Approve the allocation of $370,000 to the Capital Budget – Building & Facilities to funded from the from the Development Contributions Reserve ($170,000) and the Unexpended Grants Reserve ($200,000 - Local Roads & Community Infrastructure Program Phase 4, pending funder approval).
3. Delegate to the Chief Executive Officer the authority to negotiate and execute a funding agreement, to a maximum amount of $370,000, with the Club including:
    a. Council officer attendance at project control meetings
    b. Implementation of appropriate project governance controls and reporting frameworks to reflect council's investment and ownership of the facility
    c. Convening a meeting of all funding authorities and reporting back on outcomes to Council
    d. Acknowledgement of Council's funding contribution
    e. Following the meeting of all funding partners, should no other alternative be found, that the remaining balance of funds to pay for the remediation of works be referred to the 2024/25 budget process for consideration.
4. Delegate to the Chief Executive Officer the authority to commence an urgent internal audit on project management and governance controls for Council owned and leased community facilities that have been subject to major redevelopment or renewal.

Councillor Renkema-Lang foreshadowed moving an alternate motion.

Councillor Rice foreshadowed moving an alternate motion.

A procedural motion to put the motion was requested by Councillor Steel and seconded by Councillor Croxford. The Chair refused the request and allowed a right of reply to Councillor Brown.

The Chair cautioned Councillor Brown not to bring the Council into disrepute with his comments.

24/065OC

At the request of Councillor Keast and by consent the **motion was varied and resolved** that Council:

1. acknowledge the efforts of the Gerringong Surf Life Saving Club to fund and undertake this significant building replacement project.
2. approve the allocation of $370,000 to the Capital Budget – Building & Facilities to funded from the Development Contributions Reserve ($170,000) and the Unexpended Grants Reserve ($200,000 - Local Roads & Community Infrastructure Program Phase 4, pending funder approval).
3. delegate to the Chief Executive Officer the authority to negotiate and execute a funding agreement, to a maximum amount of $370,000, with the Club including:
    a. Council officer attendance at project control meetings
    b. implementation of appropriate project governance controls and reporting frameworks to reflect Council's investment and ownership of the facility
    c. convening a meeting of all funding authorities and reporting back on outcomes to Council
    d. acknowledgement of Council's funding contribution.
    e. following the meeting of all funding partners, should no other alternative be found, that the remaining balance of funds for the remediation of works as noted in item 18.2 of the supplementary business paper of an amount of $100,600 (excluding GST) be referred to the 2024/2025 budget process for consideration.
4. Delegate to the Chief Executive Officer the authority to commence an urgent internal audit on project management and governance controls for Council owned and leased community facilities that have been subject to major redevelopment or renewal.

(Councillors Brown and Steel)

For: Councillors Brown, Croxford, Draisma, Larkins and Steel

Against: Councillors Keast, Renkema-Lang and Rice

CEO, Jane Stroud left the meeting at 7:15pm and returned at 7:18pm.

16.2 Response to resolution 23/359OC - Motion: Investigating Jones Beach vegetation destruction

24/066OC

Resolved that Council:

1. note this report on the investigation of Jones Beach vegetation destruction; and
2. install small temporary signs at the site pointing out the damage and requesting information from the public.

(Councillors Keast and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

16.3 Traffic management: Kiama Local Traffic Committee meeting - 5 March 2024

This item was moved as part of the in globo recommendation – refer minute 24/045OC.

24/067OC

Resolved that the Minutes of the Kiama Local Traffic Committee meeting held electronically on 5 March 2024 be received and the following recommendations be adopted, subject to any other approvals that may be required:

1. ***24/001LTC*** Trial the installation of 12m No Parking restrictions on the inside of the curve between Orana and Holden Avenues, Kiama for a period of three months, with a review at the end of the three month period to see if the restrictions are working.
2. ***24/002LTC*** the installation of No Stopping restrictions on both side of Shoalhaven Street Kiama, to the west of Bong Bong Street for a distance of 35m and extend the double barrier centre lines for a total length of 35m.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

17 REPORTS FOR INFORMATION

RECOMMENDATION

That the following Reports for Information are noted

17.1 Designated Persons Annual Returns 2022-2023 Update

17.3 Question for future meeting: clarity of terminology

17.4 Resolution Register: November 2023 to December 2023 and update on previous periods

17.6 Strategic Risk Register - March 2024 update.

17.2 Questions for Future Meetings Register - March 2024

24/068OC

Resolved that Council note the Questions for Future Meetings Register for March 2024.

(Councillor Draisma)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

17.5 Shellharbour Airport draft Master Plan

24/069OC

Resolved that Council:

1. supports the work of Shellharbour City Council on its discussion on Shellharbour Airport
2. supports an upgrade to the facilities and services provided by and from Shellharbour Airport
3. notes that Kiama Council is not in a financial position to provide any monetary support for any upgrades to the existing facilities or other services.
4. provides a briefing to Councillors on this issue at a future date

(Councillors Brown and Larkins)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

18 LATE ITEMS

18.1 Finance and Governance Plan in Response to Notice of Intention to vary a Performance Improvement Order

24/070OC

Resolved that Council

1. adopt the report of the Chief Executive Officer dated and titled Finance and Governance Report and the attachment titled “Financial Sustainability and Cashflow Strategy”;
2. at the next workshop of the Finance Advisory Committee the two documents adopted in recommendation (1) above be discussed with an intention to

consolidating the finance matters into one concise document to be titled the Finance Plan as required by the Performance Improvement Order;

3. endorse the existing members of the audit and improvement committee (ARIC) to continue on in their roles for a further two years, concluding their tenure in December 2026 in order to ensure to continuity in oversight of Performance Improvement Order and financial statements; and
4. endorse the existing members of the finance advisory committee (FAC) to continue on in their roles for a further two years, concluding their tenure in December 2026 in order to ensure to continuity in oversight of Performance Improvement Order and financial statements; and
5. The terms of reference for both ARIC and FAC be updated as an administrative change to reflect the extended tenure as outlined in recommendation (4) above.

(Councillors Larkins and Croxford)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

18.2 CEO Note in respect to Item 16.1

Information report only.

CEO, Jane Stroud left the meeting at 7:24pm and returned at 7:25pm.

19 NOTICE OF MOTION

19.1 Notice of Motion: Financial sustainability of Local Government

It was moved by Councillor Renkema-Lang and seconded by Councillor Rice that:

1. Council receive and note the findings of the Local Government NSW Cost Shifting report for the 2021/2022 financial year.
2. Council writes to the Premier of NSW, the Hon Christopher Minns, the NSW Treasurer, the Hon. Daniel Mookhey MLC, and the NSW Member for Kiama, Mr Gareth Ward requesting that they urgently seek to address these costs through a combination of regulatory reform, budgetary provision and appropriate funding.
3. Council receive and note the Australian Local Governments Association's (ALGA) Federal Government Pre-Budget submission 2023-24.
4. Council writes to the Prime Minister of Australia, the Hon Anthony Albanese MP, the Treasurer of Australia, the Hon Dr Jim Chalmers MP, and the Minister for Regional Development, Local Government and Territories, the Hon Kirsty McBain MP expressing Councils support for the budget commitments detailed in the ALGA Pre-Budget Submission 2023- 2024.

5. A copy of the LGNSW cost shifting report and the ALGA Federal Pre Budget submission be placed on Council's website so that our communities can access them.

Councillor Larkins foreshadowed moving an alternate motion.

On being put Councillor Renkema-Lang's motion was **lost**.

For: Councillors Keast, Renkema-Lang and Rice

Against: Councillors Brown, Croxford, Draisma, Larkins and Steel

24/071OC

An **amended motion** was moved by Councillor Larkins and seconded by Councillor Croxford that Council:

1. notes the findings of the Local Government NSW (LGNSW) Cost Shifting report for the 2021/2022 financial year and places a copy of the report on Council's website so that our communities can access it; and
2. writes to the NSW Minister for Local Government, the Hon Ron Hoenig MP and the Federal Minister for Local Government and Territories, the Hon Kristy McBain MP, in response to the LGNSW Cost Shifting report and the NSW Government's 2024 review of the financial model for local government to seek to address cost shifting through a combination of regulatory reforms, remodelling rating methodology review, budgetary provisions and more appropriate funding models.

(Councillors Larkins and Croxford)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

CEO, Jane Stroud left the meeting at 7:33pm and returned at 7:35pm.

19.2 Notice of Motion: PIO Oversight and Implementation Committee

Councillor Keast raised a **point of order** that the Notice of Motion could not be accepted as it does not identify the funding source. The Chair ruled that the source of funding was included in Councillor Larkins' submitted notice of motion form, as advised by the CEO, so the Notice of Motion is allowable.

24/072OC

A procedural motion was put by Councillor Rice and seconded by Councillor Larkins that in accordance with section 18.2 of the Code of Meeting Practice the meeting be extended by 15 minutes.

The procedural motion on being put was **carried**.

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

24/073OC

Resolved that Council:

1. Establish a Performance Improvement Order (PIO) implementation and oversight committee. That the committee is a sunset committee, as outlined under council's committee's framework policy, and lapses following the completion of the current PIO for Council.
2. That the committee be composed of the councillors from the CEO Performance Review Committee, the CEO and staff involved in the implementation team who are responsible for the delivery and project management of the PIO requirements.
3. That a report be provided on the establishment of the committee, which includes a draft term of reference and committee membership. The report to also examine additional review of areas such as;
    a. Unexpected and unanticipated financial costs on council.
    b. Ongoing costs of legal action involving council.
    c. Insurance matters and risks.
    d. Other issues as recommended or provided by Council's Audit, Risk and Improvement Committee (ARIC), and Finance Advisory Committee (FAC) for examination by the committee.
    e. the dilapidation report for Blue Haven Terralong.
    f. Council restructure and size of the organisation.

(Councillors Larkins and Draisma)

For: Councillors Brown, Croxford, Draisma and Larkins

Against: Councillors Keast, Renkema-Lang, Rice and Steel

On the **casting vote** of the Acting Mayor the motion was **carried**.

19.3 Rescission of motion 24/035OC: Item 19.1 of the 13 February 2024 Ordinary Council meeting

Councillor Croxford raised a **point of order** that if the motion was successful the September 2023 would stand. Following advice form the CEO, the Chair ruled that the September motion had been substantially implemented and therefore concluded.

24/074OC

A procedural motion was moved by Councillor Croxford and seconded by Councillor Larkins that in accordance with section 18.2 of the Code of Meeting Practice the meeting be extended by 15 minutes.

On being put the procedural motion was **carried.**

For: Councillors Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Councillor Brown

Councillor Croxford raised a **point of order** that he would foreshadow moving the staff recommendation. The Chair ruled that this was not a point of order in regards to the Code of Meeting Practice.

24/075OC

A procedural motion was moved by Councillor Larkins and seconded by Councillor Brown that the motion be put.

On being put the motion was **carried**.

24/076OC

An **amended motion** was moved by Councillor Rice and seconded by Councillor Renkema-Lang that Council rescind resolution 24/035OC of the February 2024 ordinary meeting and return the matter to the Kiama Local Traffic Committee for further discussion and recommendation.

On being put the motion was **carried.**

(Councillors Rice and Renkema-Lang)

For: Councillors Brown, Keast, Renkema-Lang, Rice and Steel

Against: Councillors Croxford, Draisma and Larkins

20 QUESTIONS FOR FUTURE MEETINGS

Not called for.

21 CONFIDENTIAL SUMMARY

24/077OC

Resolved that at this time, 8:17am, Council form itself into a Confidential Committee of the Whole to deal with matters listed in the recommendations as set out below subject to the consideration of any representations relating to such action.

(Councillors Brown and Keast)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

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.

21.1 Exclusion Of Press And Public:

24/078OC

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.

22.1 10.2023.134.1 - 110 TERRALONG STREET, KIAMA

Reason for Confidentiality: This matter deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege as per Section 10A(2)(g) of the Local Government Act.

22.2 BLUE HAVEN UPDATE

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

22.3 SALE OF LAND - 100 SOUTH KIAMA DRIVE, KIAMA (LOT 100 DP1231831)

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 Keast and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

22 CONFIDENTIAL REPORTS

22.1 10.2023.134.1 - 110 Terralong Street, Kiama

24/079OC

Committee recommendation that Council note:

1. The legal update on the Land and Environment court proceedings for the proposed development at 110 Terralong Street Kiama.
2. That these proceedings have been brought to the Land and Environment court by the applicant under deemed refusal provisions of the Environmental Planning and Assessment Act 1979.

(Councillors Brown and Larkins)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

22.2 Blue Haven Update

24/080OC

Committee recommendation that Council note the information provided in the Blue Haven Update report.

(Councillors Larkins and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

22.3 Sale of land - 100 South Kiama Drive, Kiama (Lot 100 DP1231831)

24/081OC

Committee recommendation that Council:

1. Note the commencement of the sale process for 100 South Kiama Drive, Kiama (Lot 100 DP 1231831), by public auction.
2. Set the reserve price for auction as recommended in the body of this report.
3. Delegate to the Chief Executive Officer and/or Mayor authorisation to sign and execute all documentation in relation to the contract of sale including the seal of Council.
4. Delegate the Chief Executive Officer and/or Mayor to enter into a contract of sale for 100 South Kiama Drive, Kiama (Lot 100 DP 1231831) and effect immediate exchange of contracts if sold at auction in event the market reserve is achieved.

(Councillors Croxford and Brown)

For: Councillors Brown, Croxford, Draisma, Keast, Renkema-Lang, Rice and Steel

Against: Councillor Larkins

Close of Confidential Committee of the Whole:

24/082OC

Committee recommendation that at this time, 8.23 pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Croxford and Steel)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

Adoption of Report

The Chief Executive Officer formally reported the recommendations of the Confidential Committee of the Whole more particularly set out above.

24/083OC

Resolved that that the Confidential Committee of the Whole recommendations numbered 24/078OC to 24/082OC be confirmed and adopted.

(Councillors Steel and Croxford)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

Proclamation of thanks

24/084OC

Resolved that Council give heartfelt thanks and appreciation to Daryl Hagger for the contribution he has made to Kiama Municipal Council during the period overlapping the appointment of the temporary advisor and subsequent periods of bridges over troubled waters.

(Councillors Croxford and Draisma)

For: Councillors Brown, Croxford, Draisma, Keast, Larkins, Renkema-Lang, Rice and Steel

Against: Nil

23 CLOSURE

There being no further business the meeting closed at 8:28pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 16 April 2024.

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Acting Mayor

7 BUSINESS ARISING FROM THE MINUTES

8 DISCLOSURE OF INTEREST

9 TABLING OF PETITIONS AND OTHER DOCUMENTS

10 PUBLIC FORUM SUMMARY

11 MAYORAL MINUTE

Nil

12 MINUTES OF COMMITTEES

12.1 Minutes: Finance Advisory Committee meeting - 16 November 2023

Responsible Director: Office of the Chief Executive Officer

Attachments

1 Finance Advisory Committee Meeting Minutes - 16 November 2023⇩

Enclosures
Nil

RECOMMENDED

That Council receive and note the Minutes of the Finance Advisory Committee meeting held on 16 November 2023.

MINUTES OF THE MEETING OF THE FINANCE ADVISORY COMMITTEE

commencing at 3pm on

THURSDAY 16 NOVEMBER 2023

Council Chambers
11 Manning Street, KIAMA NSW 2533

MINUTES OF THE
FINANCE ADVISORY COMMITTEE
HELD IN THE COUNCIL CHAMBERS, KIAMA,
ON THURSDAY 16 NOVEMBER 2023 AT 3PM

PRESENT: Graeme Gherashe (Chair), Anna-Leena Risku, Mark Greaves, and Councillors Neil Reilly and Karen Renkema-Lang

IN ATTENDANCE: Chief Executive Officer – Jane Stroud
Chief Operating Officer – Joe Gaudiosi
Chief Financial Officer – Olena Tulubinska
Director Infrastructure and Liveability – Michael Malone

1 APOLOGIES

Jim Thomson and Elizabeth Kelly

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chair 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 Finance Advisory Committee Meeting on 25 September 2023

23/033FAC

Resolved that the Minutes of the Finance Advisory Committee meeting held on 25 September 2023 be received and accepted.

(Members Renkema-Lang and Gherashe)

Noted:

- The Committee will discuss the suggestions around the formation of agendas and minutes and the provision of advice to Council.
- No further significant progression regarding property divestment.
- Cr Renkema-Lang suggested the briefing from Director Malone regarding property divestment be shared with the Committee.

- CFO sought clarity on the request for a report on Short Term Rental Accommodation (STRA). Advised that under the NSW Local Government Act there is a restriction on obtaining additional income from STRA.
- The Chair reinforced that Service Reviews must include benchmarking.

4 DECLARATIONS OF INTEREST

Nil.

5 FAC STANDARD REPORTS

5.1 Investment Policy Review

The Finance Advisory Committee noted the Draft Investment Policy Update provides subsequent feedback to Management.

Michael Chandra from Arlo joined the meeting at 4pm. Arlo is Council's independent investment advisor. Arlo is a sister company of Imperium Markets which has been advising Council.

Discussion notes:

- Michael Chandra addressed the Committee on the proposed changes as outlined in the Report.
- The CFO advised the changes were a result of changes in relation to TCorp and the restrictions that had previously been imposed on Council's investments.
- In response to Cr Renkema-Lang's question about component of investments with links to fossil fuels, Michael Chandra advised that Council was limited in what they could invest in based on the direction of the Minister.
- Mark Greaves asked whether large banks are considered unethical because of links to fossil fuel investments.
- Michael Chandra advised it was a combination of factors.

Anna-Leena Risku left the meeting at 3.47pm.

5.2 Waste Services & Commercial Operations - Haulage Services Review

The Finance Advisory Committee noted the report on Waste Services and Commercial Operations – Haulage Services review.

Discussion notes:

- Michael Malone presented to the Committee.
- Under the LG Act you cannot make a profit from domestic waste. Any profit is directed back into services. Any loss is born by the Council.
- Reporting currently incorporting all waste services, not separate components.
- All waste staff are under the Local Government award.
- There is significant overtime in Waste Services and the CEO explained that the directive is for core hours for municipal waste services.

5.3 Service Reviews

The Finance Advisory Committee noted the information contained in the Service Review Report.

Discussion notes:

- The Chair advised benchmarking needed to be included and there needed to be an inclusion of income generation opportunities as well as cost reductions.
- The CEO advised the timeframe for the Leisure Centre review would be reduced.
- Cr Renkema-Lang advised that the resolution passed by Council included the methodology that would be used for the Service Reviews.
- The CEO advised the consultant would include this as part of their approach.
- The Committee expressed their thanks for the work done.
- The CEO also advised the Service Reviews were a legislative requirement and KMC is in breach as these have not been completed regularly.

5.4 Statement of Investments - October 2023

The Finance Advisory Committee noted the information relating to the Statement of Investments as at 31 October 2023.

Discussion notes:

- Keeping on top of grant claims helps the balance of unrestricted funds.
- Structural change is also required.
- Unexpected significant legal and audit fees have impacted the budget.
- **Action**: COO to review the Appendix on Updated Reserves and report to Council for adoption.
- Leave Liability has been adjusted following review.

5.5 September 2023 Monthly Financial Report

The Finance Advisory Committee noted and received the Monthly Financial Report for September 2023.

6 REPORTS FOR INFORMATION

6.1 Cash Flow Report

- The CFO and Finance team were thanked for the work to produce the report.
- Grant income is reliant on external parties and requires expenditure before repayment of the grant.
- The CEO advised that some grants rely on completion of financial statements before payments are made.
- The CFO advised the unrestricted cash position needs to be stabilised.
- The CFO advised that capital grants are difficult to predict as they change based on deicisons made by State and Federal govts. The amount is an estimate based on previous years.

- The CFO advised the approach for RADs for ILUs was a conservative approach at cost nuetral.
- ALR asked if after the sale of Bonaira, Council would be cash-neutral.

6.2 Key Financial Operational Update

- Cr Renkema-Lang discussed the options for considering whether having a Business Excellence Framework incorporated into operations should be considered by the Committee.

6.3 Action Tracker

- Outcomes were noted by the Committee.

7 GENERAL BUSINESS

- In response to Anna-Leena Risku's question regarding whether KMC has failed the Performance Improvement Order based on the questions asked in NSW parliament, the CEO advised that KMC is on a good trajectory. The Mayor and CEO have met with the Minister's Chief of Staff as well as the Member of the Upper House. The decision is with the OLG.
- **Action**: The CEO and CFO to finalise the meeting schedule for 2024
- **Action**: The CEO to review the presentation provided to Councillors on staffing to determine if it can be shared with the Committee.

8 CLOSURE

There being no further business the meeting closed at 5.00pm

……
Chair

12.2 Minutes: Infrastructure and Liveability Advisory Committee Meeting - 14 November 2023, 12 December 2023, 14 February 2024 and 13 March 2024

Responsible Director: Infrastructure and Liveability

Attachments

1 Minutes - Infrastructure and Liveability Committee - 14 11 23⇩
2 Minutes - Infrastructure and Liveability Committee - 12 12 23⇩
3 Minutes - Infrastructure and Liveability Committee - 14 02 24⇩
4 Minutes - Infrastructure and Liveability Committee - 13 03 24⇩

Enclosures

Nil

RECOMMENDED

That the Minutes of the Infrastructure and Liveability Advisory Committee meetings held on 14 November 23, 12 December 23, 14 February 24 and 13 March 24 be received and accepted.

Background

The Minutes of the Infrastructure & Liveability Advisory Committee meeting held on 14 November 2023, 12 December 2023, 14 February 2024 and 13 March 2024 are attached for Councillors' information.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE MEETING

commencing at 5.00pm on

TUESDAY 14 NOVEMBER 2023

Council Chambers
11 Manning Street, KIAMA NSW 2533

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE

HELD AT KIAMA MUNICIPAL COUNCIL

ON TUESDAY 14 NOVEMBER 2023 AT 5.00PM

PRESENT: Cr Mark Croxford
Cr Stuart Larkins
Dr Tony Gilmour
Roy Rogers
Jennifer Wulff (Chair)
Michael Malone | Director Infrastructure and Liveability
Alyson Hodgekiss - Minutes

1 APOLOGIES

Dr Fiona Mackie

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

"I would like to acknowledge the traditional owners of the Land on which we meet, the Wadi Wadi people of the Dharawal nation, and pay my respect to Elders past, present and emerging."

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Infrastructure and Liveability Advisory Committee Meeting on 10 October 2023

The Minutes of the Infrastructure and Liveability Advisory meeting held on 10 October 2023 were received and accepted.

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 DISCUSSION ITEMS

5.1 Election of Deputy Chair

Councillor Larkins was selected as the Deputy Chair.

5.2 Committee Procedures

TG suggested some procedures, and the following actions were discussed:

1. A shared drop box. It was decided that a Teams Group would be created to share documents and used for discussion.
   Action: AH to create a Teams group for the Infrastructure & Liveability Committee members.
2. Updates made to the Infrastructure & Liveability Committee page on the Council website, including extra information regarding each Committee member, and adding the agenda and minutes to the website.
   Action: Committee members to email AH with the extra information that they would like on the website. AH will add the agendas and minutes onto the website.
3. Extra informal meetings in between the monthly meetings scheduled in the Chambers were suggested, as the hour given for the official monthly meetings will not be sufficient to achieve everything.
4. Reference groups were suggested, there may be an option to set up sub groups for specific experts in the field. MM advised that there is no budget for extra groups, meetings or experts. The Committee advised that there could be people in the field willing to give their time and advice free of charge.
5. The Committee need to start a work plan with tops, dates due, and time frames of when we will focus on certain topics. At the next meeting, a draft workplan will be tabled for discussion.
   Action: Draft workplan to be tabled for discussion at the December meeting.
6. Committee will not be adopting the Kiama Municipal Council's Code of Meeting Practice, to encourage more candid discussions. However, we remain bound by Councils Code of Conduct.
7. The Committee decided that the Minutes of the Infrastructure and Liveability Committee could go on the website.

5.3 Projects for the Committee

RR spoke to the committee members prioritisation of existing spreadsheet of tasks against Kiama Community Strategic Plan Pillar 4 Outcomes (refer Attachment 1 which was tabled by RR at the meeting). RR noted that as community members we believe it is important that we reflect community priorities that align with Councils Strategic Plan and the 4 Pillar Outcomes, specifically:

1. Pillars 1 & 3 - Decommission strategy for Havilah Place (P1) - Undertake strategic review of all Council land holdings (P3) – **Summarised as Financial robustness and ratepayer value.**

2. Pillar 2 - Review priority actions from Draft Traffic and Parking Study including Paid Parking – **Summarised as Traffic, Transport, accessibly (including parking).**

3. Pillar 4 – Innovation we wanted to review what this meant for the community we are not at odds with development of employment strategies but thought Innovation was not coming thru – **Summarised as What will Innovation & Technology look like and what can it deliver.**

4. Pillar 1 & 3 – Housing strategy (P1) & Disability Inclusion (P3) – **Summarised as reflecting the values of our Community.**

TG suggested having one Committee member to work on each of the above items.

5.4 Local Road Network Safety Plan

SL spoke about the need for the Local Road Network Safety Plan, and that it needs to be developed as a priority, with a chapter about safety for pedestrian movements. SL advised that there is funding in the current budget for it. Shellharbour Council is concentrating on pedestrian safety, disability access and 30km per hour speed zones in some towns in their latest plan. Also, the national government has developed its first National Road Safety Action Plan, which focuses on heavy vehicles and vulnerable road users. There is a lot of grant funding coming out over the next 4 years for this.

TG and JW advised that this topic will fit into the tasks for this Committee.

5.5 Committee engagement with Kiama community to hear all viewpoints

JW proposed that members of the Committee attend the Farmers Markets on Wednesdays to listen to the community, and to discuss their concerns. This will be a good way of engaging face to face with the community.

MC suggested some giveaway bags for people, as a way of starting conversations and giving something to get something back.

Another way of engaging with the community is a more formal engagement, where we do a digital platform for a survey.

TG also suggested attending the community group meetings in the municipality.

JW advised that small steps will be taken to connect with the local community and listen to their requests and concerns.

Action: JW will have a workplan in place for the next meeting to start engaging with the local community.

6 CLOSURE

There being no further business the meeting closed at 6.25pm

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE MEETING

commencing at 5.00pm on

TUESDAY 12 DECEMBER 2023

Council Chambers
11 Manning Street, KIAMA NSW 2533

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE

HELD AT KIAMA MUNICIPAL COUNCIL

ON TUESDAY 12 DECEMBER 2023 AT 5.00PM

PRESENT: Cr Mark Croxford
Cr Stuart Larkins
Dr Tony Gilmour
Dr Fiona Mackie
Roy Rogers
Jennifer Wulff (Chair)
Michael Malone | Director Infrastructure and Liveability
Joanne Skofic | Manager Information, Customers and Technology

1 APOLOGIES

Nil

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

"I would like to acknowledge the traditional owners of the Land on which we meet, the Wadi Wadi people of the Dharawal nation, and pay my respect to Elders past, present and emerging."

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Infrastructure and Liveability Committee Meeting on 14 November 2023

23/001IALAC

Resolved that the Minutes of the Infrastructure and Liveability Committee meeting held on 14 November 2023 be received and accepted.

(Councillor Croxford and Roy Rogers)

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 DISCUSSION ITEMS

5.1 Recommendations for 4 strategic projects

TG recommended that each Community Committee member will take ownership of one of the four outcomes. TG is looking after Outcome 1, Housing Strategy and FM is looking after Outcome 2, Kiama Town Centre Traffic and Parking Study, with Councillor Larkins overseeing both of these Outcomes. Outcome 3 is being looked after by RR, Havilah Place (Former RAC), Outcome 4, Promote Innovation, is being looked after by JW, with Councillor Croxford overseeing Outcomes 3 and 4.

MM advised that Project A, under Outcome 4, the Housing Strategy actually falls under the Director of Planning, Environment & Communities, Jessica Rippon. This matter is also on the list of items for the Sustainable Communities Committee and that we need to be careful not to cross over or duplicate the same things as the Sustainable Communities Committee. JW advised that TG will build a link between this Committee and the Sustainable Communities Committee, to ensure a cohesive approach for the community.

MM advised that Project B, Outcome 2, be updated from the “Traffic and Parking Study” to the “Kiama Town Centre Traffic and Parking Study”. MM advised that he is currently reviewing options for grant funding for the Kiama Town Centre Traffic and Parking Study, and would appreciate input from the Committee.

MM requested that under Project C, Outcome 3, Havilah Place, we edit the description to say “Havilah Place (Former RAC)”. MM advised that Council is currently engaging a consultant for this project.

JW asked for relevant existing documents and history for each of the 4 projects to be shared with the responsible Committee members for their projects.

TG advised that he has been approached by The Bugle to write a series of articles on housing affordability issues in the Kiama LGA, which relates to Project A, Housing Strategy. MM reminded the Committee of the Code of Conduct, and managing conflicts of interests or perceived conflicts of interest.

The Committee agreed that TG would not write for The Bugle at this time.

5.2 Draft Committee workplan

JW spoke to the draft workplan which is organised around Forming, Action and Reflection phases. JW advised that some placeholders for BAU matters need to be included back into the workplan. A couple of matters have come to the Committee where they have been asked to comment, without knowing the background or being given any information, for example the Paid Parking without the Paid Parking Study being done. The committee members were supportive of the workplan with recommendations to adjust the Action Phase to compete one month earlier. This enables better timing of suggestions, on the four strategic projects, from committee to Council in the lead up to next local election.

MC asked if this Committee is expected to provide input into the Annual Report. MM advised that there is a Statutory format to the annual report, and considering an

annual report from Committees is not prohibited. It would have to go to Council via a Council report.

5.3 Community Energy Upgrade Fund

SL gave a brief update about the Community Energy Upgrade Fund. This funding is available to Local Government, and is about to release $100,000,000. Information will come out on the guidelines and application process shortly. The application process will be between January and April 2024. SL will send the link to Committee members. Noted by the Advisory Committee.

5.4 Communication channels for 'Hearing the Community Voice'

JW handed out a draft plan to each Committee member, for “Hearing Community Voice”, and described each phase in the plan. JW advised that she needs a clear idea of what approval is needed from Council to have a straight forward explanation to the public about what the Community is trying to achieve.

MM advised the new Council will need to adopt the next Operational Plan and refresh the Community Strategic Plan. The style of questioning information will need to be generic. TG advised that he felt there is more of a need to be specific. JW advised we should hone in on the 4 projects. FM asked when the next meeting will be (13 February 2024) and requested that the timeline for community feedback at the Farmers Markets (forming phase) should be pushed back a month, so that she can get more of a background and knowledge on the projects.

5.5 File Sharing Platform - Objective Connect

JS spoke to the Committee about options for sharing information. From an IT perspective, the preference is to use Objective Connect, as it is secure and auditable. MM confirmed that we can work out how to share documents such as this, at the time that we need to share it. JW advised that she is happy with just using Word and tracking changes for amendments, and sharing the document around. The Committee agreed that this will work.

5.6 Process for preparing and distributing minutes

JW requested that once the minutes have been prepared, that they are first sent to MM and JW, for review and any corrections that are needed.

FM requested to know what agenda items will be for the next month, so that some research can be done with some notice beforehand on each item. MM suggested that Committee members put their efforts into the 4 strategic projects, as well as a 5th item, Communication. This should be the standing agenda. Anything else can go under General Business.

6 REPORTS FOR INFORMATION

Nil

7 GENERAL BUSINESS

8 CLOSURE

There being no further business the meeting closed at 6.07pm

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE MEETING

commencing at 5pm on

WEDNESDAY 14 FEBRUARY 2024

Council Chambers, 11 Manning Street, KIAMA NSW 2533

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE

HELD AT KIAMA MUNICIPAL COUNCIL

ON WEDNESDAY 14 FEBRUARY 2024 AT 5PM

PRESENT:

Cr Stuart Larkins
Dr Tony Gilmour
Dr Fiona Mackie
Jennifer Wulff
Michael Malone | Director Infrastructure and Liveability
Jessica Rippon | Director Planning, Environment and Communities

1 APOLOGIES

Roy Rogers
Cr Mark Croxford

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

"I would like to acknowledge the traditional owners of the Land on which we meet, the Wadi Wadi people of the Dharawal nation, and pay my respect to Elders past, present and emerging."

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Infrastructure and Liveability Advisory Committee meeting on 12 December 2023

24/002IALAC

Resolved that the Minutes of the Infrastructure and Liveability Advisory Committee meeting held on 12 December 2023 be received and accepted, with amendment to recommendation 5.1 - Recommendations for 4 strategic projects, as per the request of FM. TG is looking after Outcome 1, Housing Strategy and FM is looking after Outcome 2, Kiama Town Centre Traffic and Parking Study, with Councillor Larkins overseeing both of these Outcomes. Outcome 3 is being looked after by RR, Council Land Review, Outcome 4, Promote Innovation, is being looked after by JW, with Councillor Croxford overseeing Outcomes 3 and 4.

(Committee members Mackie and Wulff)

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 DISCUSSION ITEMS

5.1 Housing Strategy

JR spoke about the Committee that she oversees, the Sustainable Communities Advisory Committee. JR advised that as the Housing Strategy falls within her directorate, that the Sustainable Communities Advisory Committee will be looking after the Housing Strategy topic. JR suggested that the TG could focus on a different topic. JR acknowledged that there is interest within this Committee regarding the Housing Strategy, and that the Committee will have their chance to contribute broader discussion within the engagement program that will be run over the next couple of months.

The Committee noted as an action, that they would step back from the Housing Strategy. The Committee also decided to not replace or substitute the Housing Strategy with another Outcome, and for TG to focus on Outcome 2, Kiama Town Centre Traffic and Parking Study or “Transport Strategy”.

Action – the committee will not take a leading role in the Housing Strategy project.

,

5.2 Transport Strategy

FM spoke about the Disability Inclusion Action Plan that was published recently by Council, and the area that is particularly relevant to the Committee, Focus Area 2, Accessible Liveable Communities. Given that there has been a lot of community engagement in developing this plan, and the plan has already been developed with goals, FM asked how the Committee can help with this plan, and where are we up to with the implementation?

MM - we do not currently have a specific prioritisation list for the Disability Inclusion Action Plan as the Focus Area actions reflect our current funded or resourced activities under the Operational Plan and guide scoping for projects e.g. improve inclusiveness when we design a replacement play facility

MM and TG discussed getting a list of prioritisations firstly. MM advised that we need to meet with Councillors to better prioritise an Asset list. The priority system needs to be developed further and the committee can contribute to the development of an assessment approach to take to the Council

Action – MM to distribute an existing broad scale priority assessment model for discussion

SL spoke about accessible car parking, and that an audit has been done, which outlines that there are enough accessible spaces in the Kiama Municipality; however, as they were implemented some time ago, they may not be compliant or within the current Australian standard. SL advised that if we were to attempt to make them compliant, it might then impact the adjacent car parking spaces that are not disability parking.

SL also suggested an audit on children's playgrounds, once a budget is available. It was noted that there is currently no funds available for a 'perimeter audit'.

FM spoke about the Kiama Town Centre Study, and asked MM about a grant or a study coming out for this. MM confirmed he has a small amount of money to work out how to finalise the strategy and plan. MM advised that he will see if he can release the critique for the Town Centre Study to the Committee for their advice.

Action – MM to seek advice on releasing the peer review of the traffic study and if can, provide to the Committee member

5.3 Council Land Review

As RR was an apology, this subject was held over.

5.4 Promote Innovation

JW spoke about innovation, and gave some examples of how other Councils have fleshed out innovation. JW will share via email to the Committee for information. SL suggested perhaps one of the topics that we could explore is a public Wi-fi Service in Kiama, and other locations in the LGA.

Action – JW to e-mail documents for their desk top research to the Committee

5.5 Communication

JW has put three prompts in the informal networks of the community representatives, and there have been informal conversations with the community. Summaries of feedback are being recorded. One of the things that came up in the feedback was disability parking. SL added that the community have been passionate about EV charging stations and renewable energy infrastructure. Also, a number of people have bought up the Kiama Harbour.

6 REPORTS FOR INFORMATION

Nil

7 GENERAL BUSINESS

7.1 Flag pole request - JVRRA

SL requested that the request for flag pole be raised.

8 CLOSURE

There being no further business the meeting closed at 6.16pm

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE MEETING

commencing at 5pm on

WEDNESDAY 13 MARCH 2024

Council Chambers, 11 Manning Street, KIAMA NSW 2533

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE

HELD AT KIAMA MUNICIPAL COUNCIL

ON WEDNESDAY 13 MARCH 2024 AT 5PM

PRESENT: Cr Stuart Larkins
Dr Tony Gilmour
Dr Fiona Mackie
Roy Rogers
Michael Malone | Director Infrastructure and Liveability
Claire Doble | Manager Communications
Berbel Franse | Community Engagement Officer
Cr Karen Renkema-Lang (Observer)

1 APOLOGIES

Cr Mark Croxford

Jennifer Wulff

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

"I would like to acknowledge the traditional owners of the Land on which we meet, the Wadi Wadi people of the Dharawal nation, and pay my respect to Elders past, present and emerging."

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Infrastructure and Liveability Committee Meeting on 14 February 2024

24/003IALAC

Resolved that the Minutes of the Infrastructure and Liveability Committee meeting held on 14 February 2024 be received and accepted.

TG advised that there has been some discussion regarding the minutes not reflecting what the Chair had asked for at the last meeting. There was no information or differences provided by TG. AH left the meeting to double check that requested updates from the Chair were made , and it was found that they were.

(Members Gilmour and Mackie)

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 DISCUSSION ITEMS

5.1 Transport Strategy

FM advised that she is unsure how to provide useful consumer information on plans without having reports or questions that Council would like her to comment on. FM added that at the last meeting, she raised the Disability Inclusion Action Plan (DIAP), however noted that there was no specific budget or funding to implement this plan.

Also FM spoke about the Town Centre Plan at the last meeting, where MM had advised that there is a traffic and parking review available. MM advised that he is currently trying to determine if there is a copyright issue, and if he can distribute it to the Committee. FM requested that if Council would like input on this review, to please circulate it to the Committee at least a week before the meeting.

FM advised that she has looked at the Priority Assessment Grid, that was circulated previously by MM. FM questioned MM about the scoring system and MM explained how this system worked.

FM asked MM for direction on what the Committee can contribute to the Transport Strategy. RR added that he would also like some direction on what the Committee is needed for. He found the review scoring system to be complex, and he feels like the Committee is not adding any value.

5.2 Council Land Review

RR advised that he received some information from MM, regarding the assessment model that was presented to Council last August. MM advised that it is a course assessment process, however this is required as it is supposed to help Council to prioritise and make obvious decisions in an efficient and effective way. TG added that he has concerns over people's personal opinions and views coming through in the scoring system. SL advised that the reviews will come through Council. TG requested an explanation as to why something gets a particular score, and suggested a 'Column G' with the extra information, and also for more positive language used. MM advised that the language used is guided by how Council has resolved to take that project forward i.e. assessment of divestment opportunities.

TG also asked how each category will be weighted against each other. MM advised that we firstly score on what we already know, based on the facts and obvious uses and are not weighted.

RR asked what the next steps are, and how he can assist. MM asked that if the Committee could complete reviewing the scoring sheet, and provide collective

advice from the Committee advising if they would like to suggest or provide feedback including potential for weightings on the criteria.

5.3 Promote Innovation

As JW was an apology, this subject was held over. SL noted with the Committee that there is a new "Electrify 2533 Movement" group in Kiama, and that he will be meeting up with these community members shortly.

KRL reminded the Committee that Kiama Council was part of a pilot for Electric Vehicle Charge Stations, and there was a feasibility study for where they could be located. KRL suggested that the Committee chases this up.

5.4 Communication - Community Engagement Strategy

CD presented the Council Community Engagement Strategy to the Committee. CD advised that there is a co-design asking stakeholders and community members to speak to Council staff at workshops, various pop-ups and online surveys. The Council Communications team would like to understand what issues are important to the community.

CD went over engagement requirements and the Local Government Act 1993, as well as core values for best practice engagement. CD also discussed issues and considerations, barriers and unheard voices, as well as ways to address these barriers and issues.

CD then went over the next steps with the process for the final strategy. CD discussed some questions for the Committee to consider, regarding engaging on the Community Engagement Strategy.

Action: Copy of the presentation to be distributed to the Committee members. **CD**

6 REPORTS FOR INFORMATION

Nil

7 GENERAL BUSINESS

7.1 Updated Terms of Reference

TG asked why the Terms of Reference has changed, and if it is being imposed on the Committee. SL confirmed that the changes to the Conflicts of Interest Section and Meeting Administration section were resolved by Council, so yes it has been imposed on all Committees.

TG advised that there are three different lots of incorrect information in the Terms of Reference, as follows:

1. ***Purpose:*** *'review and monitor the implementation of strategies as outlined in Pillar 4 of the Kiama Community Strategic Plan 2022-2032'.*

TG advised that this should state 'review and monitor the implementation of strategies, as outlined in Pillar 4 of the Kiama Community Strategic Plan 2022-2032, except housing', as Pillar 4 includes housing, however it has been decided that the Sustainable Communities Advisory Committee is looking after housing.

2. ***Committee Meetings:*** *'Meetings are held every second month on the fourth Wednesday of the month.*

   TG advised that this should state 'Meetings are to be held every month, on the second Tuesday of every month'.

3. ***Membership:*** *'3 x community representatives'.*

TG advised that this should state '4 community representatives'

24/004IALAC

It was moved and resolved that the Committee notes the current update from Council, also noting that there are three other errors to be updated and sent back to Council for endorsement.

(Councillor Larkins and Member Mackie)

8 CLOSURE

There being no further business the meeting closed at 6.15pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 9 April 2024

……
Chair

12.3 Minutes: Sustainable Communities Advisory Committee - 28 November 2023 and 26 March 2024

Responsible Director: Planning, Environment and Communities

Attachments

1 Minutes - 28 November 2023⇩

2 Minutes - 26 March 2024⇩

Enclosures

Nil

RECOMMENDED

That the Minutes of the Sustainable Communities Advisory Committee meetings held on 28 November 2023 and 26 March 2024 be received and accepted.

Background

Please find attached for Councillors' information a copy of the minutes of the Sustainable Communities Advisory Committee meetings held on 28 November 2023 and 26 March 2024.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE SUSTAINABLE COMMUNITIES ADVISORY COMMITTEE MEETING

commencing at 5pm on

TUESDAY 28 NOVEMBER 2023

Joyce Wheatley Centre
Terralong Street, KIAMA NSW 2533

MINUTES OF THE
SUSTAINABLE COMMUNITIES ADVISORY COMMITTEE MEETING
HELD AT THE JOYCE WHEATLEY CENTRE
ON TUESDAY 28 NOVEMBER 2023 AT 5PM

PRESENT: Cr Imogen Draisma
Michael Bowden
Liam Pettigrew
Alan Smith
Jessica Rippon | Director Planning, Environment and Communities

1 APOLOGIES

Cr Neil Reilly - Mayor

Jane Stroud - CEO

Narreda Grimley – Committee member

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

Cr Draisma declared the meeting open and acknowledged the traditional owners:

"I would like to acknowledge the traditional owners of the Land on which we meet, the Wadi Wadi people of the Dharawal nation, and pay my respect to Elders past and present."

3 DECLARATIONS OF INTEREST

Alan Smith declared a pecuniary interest for item 5.4.

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 REPORTS FOR INFORMATION

The following Reports for Information were received and noted:

5.1 CEO visit to Committee

5.2 Director update - priority projects - Sustainable Communities Committee

5.3 Action tracker - update

5.4 Agritourism Development Control Plan - Exhibition

Notes:

5.1 CEO visit to Committee

- Due to an apology from the CEO, the Director explained that Committee minutes will no longer be required to be submitted to a Council meeting.

5.2 Director update – priority projects – Sustainable Communities Committee

- Leisure Centre Service Review – 700 responses to survey. Inception meeting and discussion to be held in the coming weeks.
- Growth Management Strategy – to formally commence in February 2024 with some initial discussions occurring through December/January.
- Activation Community Hubs – SWOT analysis has been completed for each centre.
- Coastal Management Strategy – endorsed at November Council meeting and currently on public exhibition.
- Disability Inclusion Action Plan – completed.
- Agritourism – for discussion as part of Item 5.4

5.3 Action tracker – update

- Will be updated as required.

5.4 Agritourism Development Control Plan – Exhibition

- Currently on public exhibition.
- Robust discussion was undertaken.

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1 Confirmation of Minutes of Committee meeting held on 24 October 2023

The minutes were noted and accepted by the Committee.

4 GENERAL BUSINESS

7.1 Schedule of 2024 Meetings

- No scheduled meetings for December and January. The first meeting for 2024 will be 27 February 2024, commencing at 5pm at the Joyce Wheatley Centre, Terralong Street, Kiama.
- Alan advised that he had been invited to a JVRRA meeting.

5 CLOSURE

There being no further business the meeting closed at 6.10pm.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE SUSTAINABLE COMMUNITIES ADVISORY COMMITTEE MEETING

commencing at 5pm on

TUESDAY 26 MARCH 2024

Council Chambers
11 Manning Street, KIAMA NSW 2533

MINUTES OF THE SUSTAINABLE COMMUNITIES ADVISORY COMMITTEE 26 MARCH 2024

MINUTES OF THE SUSTAINABLE COMMUNITIES ADVISORY COMMITTEE

HELD AT KIAMA MUNICIPAL COUNCIL

ON TUESDAY 26 MARCH 2024 AT 5PM

PRESENT: Cr Imogen Draisma
Michael Bowden
Narreda Grimley
Liam Pettigrew
Alan Smith
Jessica Rippon | Director Planning, Environment and Communities

1 APOLOGIES

Cr Neil Reilly - Mayor
Jane Stroud - CEO

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

"I would like to acknowledge the traditional owners of the Land on which we meet, the Wadi Wadi people of the Dharawal nation, and pay my respect to Elders past and present."

3 DECLARATIONS OF INTEREST

Nil

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 Sustainable Communities Advisory Committee - 27 February 2024

The minutes were noted and accepted by the Committee.

5 BUSINESS ARISING FROM THE MINUTES

Nil

MINUTES OF THE SUSTAINABLE COMMUNITIES ADVISORY COMMITTEE 26 MARCH 2024

6 REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

6.1 Growth and Housing Strategy Community Engagement

Resolved that the Committee note the contents of the report provided.

For: Councillor Draisma and Committee members Bowden, Grimley, Pettigrew and Smith

Against: Nil

Notes

- Community members believe that promote and protect is the key driver for strategy.
- Community also raised concerns around infrastructure.
- Need further clarification on what housing is and what proportion of houses to units.
- Issue around STRA is subject to a paper from state government.
- Jessica recommended hosting a combined workshop with committee members on this matter.

6.2 Kiama Leisure Centre Service Review

Resolved that the Committee:

1. Note the contents of the report provided.
2. Expresses its view that the report primarily focuses on finance and financial outcomes. The committee believe that there is a need to more explicitly express the community benefit that the centre offers to our community.

(Committee members Smith and Pettigrew)

For: Councillor Draisma and Committee members Bowden, Grimley, Pettigrew and Smith

Against: Nil

Notes

- Discussion was held about the broader master plan including Leisure Centre, sporting facilities and Havilah.
- Overview of community engagement process was provided including conversation with community around the options.

- Committee members expressed that the centre is more about customer satisfaction than making money.
- Committee members expressed concern that it was primarily financial based and missed key community elements.
- Could be test case of how you communicate back to the community.
- Any further engagement needs to include the community, on the ground experiences and the social benefit provided by the centre
- Committee agreed that there was opportunity for improvement but wanted the essence and purpose of the centre to be retained in any proposed changes.

7 REPORTS FOR INFORMATION

The following Reports for Information be received and noted:

7.1 Community Engagement Strategy

Notes

- Community Engagement presentation was delivered by Claire Doble, Manager Communications and Engagement, and Berbel Franse, Community Engagement Officer.
- Pop up activities have been held throughout the LGA.
- Cards were handed out and verbal conversations at various sites.
- Alan Smith offered to facilitate discussions at Jamberoo Café.
- What should the engagement strategy include so we can incorporate that into future engagement?
- Council is talking to community and stakeholders. Held community and staff workshops, met with precincts.
- Some of the things that have come up:
    - Loud and aggressive voices make it hard for staff or community to engage
    - Find new ways to connect with people
    - Hard to hear from large portions of the community, i.e. youth, families, cultural and linguistically diverse, those with a disability and LGBTQI+
- Committee are keen to give feedback
- What barriers to engagement can we overcome

MINUTES OF THE SUSTAINABLE COMMUNITIES ADVISORY COMMITTEE 26 MARCH 2024

8 GENERAL BUSINESS

- Nil

9 CLOSURE

There being no further business the meeting closed at 6.30pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 23 April 2024

Imogen Drasima
Chair

12.4 Minutes: Finance Advisory Committee meeting - 4 April 2024

Responsible Director: Office of the Chief Executive Officer

Attachments

1 Minutes - Finance Advisory Committee - 04/04/24⇩

Enclosures

Nil

RECOMMENDED

That Council receive and note the Minutes of the Finance Advisory Committee meeting held on 4 April 2024.



MINUTES OF THE
MEETING OF THE FINANCE ADVISORY COMMITTEE

commencing at 2.00pm on

THURSDAY 4 APRIL 2024

Council Chambers, 11 Manning Street, KIAMA NSW 2533

MINUTES OF THE FINANCE ADVISORY COMMITTEE
HELD IN THE COUNCIL CHAMBERS, KIAMA,
ON THURSDAY 4 APRIL 2024 AT 2PM

PRESENT:	Anna-Leena Risku (Acting Chair), Peter Currie, and Councillors Neil Reilly and Karen Renkema-Lang
BY TEAMS:	Graeme Gherashe and Mark Greaves
IN ATTENDANCE:	Chief Executive Officer – Jane Stroud
	Chief Financial Officer – Olena Tulubinska
	Director Planning, Environment & Communities– Jessica Rippon
	Head of Implementation – Edward Paterson
	Stephen Bunting, Director Morrison Low (guest)

The Chair welcomed new member Peter Currie to the Finance Advisory Committee.

1 APOLOGIES

Elizabeth Kelly

Chief Operating Officer - Joe Gaudiosi

Director Infrastructure and Liveability – Michael Malone

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chair 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."*

GENERAL BUSINESS (brought forward)

Stephen Bunting from Morrison Law presented to the Committee on the draft report for the Service Review of the Pavilion.

Graeme Gherashe asked the CEO about the process for progressing the Service Reviews to Council and implementation.

The CEO outlined that other Committees would be consulted and then a finalised report would be presented to Council.

The Implementation Team will work with the areas for improvement and efficiency.

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Finance Advisory Committee Meeting on 14 February 2024

24/034FAC

Resolved that the Minutes of the Finance Advisory Committee meeting held on 14 February 2024 be received and accepted.

(Greaves and Gherashe)

4 DECLARATIONS OF INTEREST

Nil

BUDGET DISCUSSION (brought forward)

The CFO presented the draft budget to the Committee.

Graeme Gherashe requested a service review be considered for Blue Haven Terralong.

The Chair suggested consideration be given to reduce delegation spends to restrict spending.

The Chair suggested areas of savings could be identified within procurement and also suggested depreciation areas be reviewed for savings opportunities.

The CEO identified that fleet services needed review.

Graeme Gherashe highlighted that reducing costs would lead to the reduction of services to achieve the savings required by the PIO.

Cr Renkema-Lang raised that a risk management approach needed to be considered in savings reductions.

Edward Paterson confirmed that the risks associated with making savings and the implications in future.

Action: The CFO requested the FAC members review the LTFP and provide feedback directly.

5 FAC STANDARD REPORTS

5.1 Statement of Investments: February 2024

24/035FAC

Resolved that the Finance Advisory Committee notes and receives the information relating to the Statement of Investments as at 29 February 2024.

(Gherashe and Greaves)

Mark Greaves requested details on the amounts allocated against Blue Haven Bonaira post sale.

The CFO advised the external restrictions on some components will be moved into internal restricted funds for future budget.

The Chair requested detail on the additional restricted funds and its use.

The CFO advised it relates to funds from the closure of road reserves.

Mark Greaves requested further details on the Land Development Reserve fund and its use.

Action: The CEO to send Restricted Funds Policy to Committee members.

5.2 Finance and Governance Plan in response to the Notice of Intention to Vary a Performance Improvement Order

24/036FAC

Resolved that the Finance Advisory Committee notes the Finance and Governance Plan in Response to Notice of Intention to Vary a Performance Improvement Order.

(Greaves and Gherashe)

5.3 Monthly Financial Report - February 2024

24/037FAC

Resolved that the Finance Advisory Committee notes and receives the Monthly Financial Report for February 2024.

(Gherashe and Greaves)

Mark Greaves asked if the cash position for June 30 was still realistic.

The CFO advised it was still on track, but may have a positive variance.

Graeme Gherashe requested an update on capital projects and progress against planning.

Action: Director Infrastructure & Liveability to report on capital projects and progress against planning to the next meeting.

6 REPORTS FOR INFORMATION

6.1 Child Safe Policy

6.2 Action Tracker Update

Action: Action tracker to be moved to the start of the agenda.

6.3 House Committee on Regional Development, Infrastructure and Transport – Inquiry into local government sustainability – Invitation to make a submission

Action: Initial submission to be drafted and circulated to FAC for input.

6.4 Monthly Cashflow Forecast

Action: Cash Flow to be included in financial reports section in future meetings.

Mark Greaves advised Council needs to determine the level of cash reserves that is required.

Mark Greaves asked about progress on paid parking opportunities. The CFO advised the Infrastructure and Liveability Committee has been tasked to look into options for this.

Cr Renkema-Lang asked that the unrestricted cash balance be included in the cash flow. The CFO advised it could be included, but some work is still required to update for projections.

6.5 Implementation Team – Service Review and Business Case

Ed Paterson will lead the team. The focus will be completing the PIO. The team will work closely with existing teams across various projects to prepare and finalise business cases in line with the PIO. This will also develop the skills and knowledge level of the stakeholders in these areas. The other focus will be governance. A further governance review is underway.

7 GENERAL BUSINESS

All FAC papers to be stored and distributed via Objective Connect.

Action: Instructions to be sent to FAC members to access Objective Connect.

Action: All past FAC papers and reports to be loaded to Objective Connect.

8 CLOSURE

There being no further business the meeting closed at 4.30pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 16 April 2024

……
Chair

12.5 Minutes: Audit, Risk and Improvement Committee Meeting - 2 April 2024

Responsible Director: Office of the Chief Executive Officer

Attachments

1 Minutes - Audit, Risk and Improvement Committee - 02/04/24⇩

Enclosures

Nil

RECOMMENDED

That the Minutes of the Audit, Risk and Improvement Committee meeting held on 2 April 2024 be received and the recommendations therein noted.

Background

The Minutes of the Audit, Risk and Improvement Committee meeting held on 2 April 2024 are attached for Councillors' information.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE MEETING OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE

commencing at 1pm on

TUESDAY 2 APRIL 2024

Council Chambers, 11 Manning Street, KIAMA NSW 2533

MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE HELD IN THE COUNCIL CHAMBERS, KIAMA, ON TUESDAY 2 APRIL 2024 AT 1PM

PRESENT: Mr D Pendleton (Chair), Mr J Mitchell, Ms R Wheatley and Councillor Keast (non-voting)

IN ATTENDANCE: Jane Stroud - Chief Executive Officer
Michael Malone - Director Infrastructure and Liveability
Jessica Rippon – Director Planning, Environment and Community
Sally Darragh - Internal Auditor
Olena Tulubinska – Chief Financial Officer
Michael Kharzoo, Audit Office of NSW
Mubashshir Hassan, Audit Office of NSW

1 APOLOGIES

Joe Gaudiosi – Chief Operating Officer

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chair 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

4.1 Audit, Risk & Improvement Committee meeting on 27 February 2024

24/011ARIC

Resolved that the Minutes of the Audit, Risk and Improvement Committee meeting held on 27 February 2024 be received and accepted.

(Pendleton and Wheatley)

4 DECLARATIONS OF INTEREST

THE CHAIR, DAVID PENDLETON, HAS BEEN APPOINTED TO THE AUDIT

COMMITTEE OF THE RECONSTRUCTION AUTHORITY.

5 ARIC STANDARD REPORTS

6.1 Draft Financial Statements 2022/23

24/012ARIC

Resolved that the Audit, Risk, and Improvement Committee:

1. endorse the Draft Financial Statements for 2022/2023 to be presented to Council on 16 April 2024, subject to feedback and adjustments from the Committee.
2. note the Statement by Councillors and Management and Subsequent Events disclosures are yet to be finalised awaiting current up to date information on two key matters as required by the auditors.

(Pendleton and Wheatley)

- The CEO advised that the COO and CFO will prepare a memo to be submitted to Council acknowledging that 90% of work has been completed to close the gap on the revaluation of fixed assets.
- The CEO thanked the Audit Office for the strong working relationship and the progress that has been made.
- The Chair thanked Management, the Finance Team and the external auditors for the work completed for the Financial Statements.

6 REPORTS FOR INFORMATION

Nil.

7 INFORMATION REPORTS

Tenure of Audit, Risk and Improvement Committee members

24/013ARIC

Resolved that the Audit, Risk and Improvement Committee note and receive the report on the tenure of the Audit, Risk and Improvement Committee members.

(Pendleton and Wheatley)

8 GENERAL BUSINESS

Nil.

9 CLOSURE

There being no further business the meeting closed at 2.15pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 30 July 2024.

……
Chair

12.6 Tourism and Economic Advisory Committee - 14 March 2024

Responsible Director: Office of the Chief Executive Officer

Attachments

1 14/03/2024 - Tourism and Economic Advisory Committee - Minutes⇩

Enclosures

Nil

RECOMMENDED

That the Minutes of the Tourism and Economic Advisory Committee meeting held on 14 March 2024 be received and accepted.

Background

The Minutes of the Tourism and Economic Advisory Committee meeting held on 14 March 2024 are attached for Councillors' information.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE TOURISM & ECONOMIC ADVISORY COMMITTEE MEETING

commencing at 5pm on

THURSDAY 14 MARCH 2024

The Pavilion Kiama

MINUTES OF THE TOURISM AND ECONOMIC ADVISORY COMMITTEE HELD AT THE PAVILION ON THURSDAY 14 MARCH 2024 AT 5PM

PRESENT:	Councillor Matt Brown (Chair), Councillor Warren Steel, Cameron McDonald and Kate Mather
BY TEAMS:	Anthony Body
ATTENDEES:	Sally Bursell – Manager Tourism and Events
	Robert Spinks – Economic Development Lead
	Cheryl Lappin – Manager Planning and Economic Development
	Jessica Rippon – Director Planning, Environment and Communities
OBSERVER:	Councillor Mark Croxford

1 APOLOGIES

Apology

24/012TEAC

Resolved that the apologies tendered from members Leah Hill and Craig Hardy, and CEO, Jane Stroud be accepted.

(Members Mather and McDonald)

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Chair declared the meeting open and acknowledged the traditional owners.

3 DECLARATIONS OF INTEREST

Nil.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 Tourism and Economic Advisory Committee on 30 January 2024

24/013TEAC

Resolved that the Minutes of the Tourism and Economic Advisory Committee meeting held on 30 January 2024, and reporting to the 19 March 2024 Council meeting, be received and accepted.

(Members Steel and Mather)

5 BUSINESS ARISING FROM THE MINUTES

Nil.

The Chair moved item 7.2 to this point in the meeting, being a presentation by Ashleigh Smith the Associate Director of Engagement at the Office of the 24-Hour Economy Commissioner, on the night time economy.

7.2 Night Time Economy - Council Toolkit and Vibrancy Reforms

24/014TEAC

Resolved that the Tourism and Economic Advisory Committee:

1. request economic development staff complete the diagnostic tool contained in the Local Government Night-Time Economy Toolkit
2. report the results to the next Tourism and Economic Advisory Committee meeting
3. set a vision to strengthen Kiama's night-time economy and devise a plan in consultation with local stakeholders and the Office of the 24-Hour Economy.

(Councillors Steel and McDonald)

Noted:

- A local government toolkit has been developed and includes a diagnostic tool to determine the maturity level of the local 'night-time economy'
- Whilst the new department aims to promote sustainable growth in the evening economy across the state, there needs to be an appetite for the program at Council level
- To create a 'special entertainment precinct' a commitment from at least 3 businesses must be achieved. They can then, in collaboration with Council, extend trading hours and fit within new regulatory frameworks.
- A suggestion that Kiama aims to activate the early evening period (6pm to 9pm) to begin with in certain area and mature from there.
- It is understood that Council planning framework does not always support the night-time economy, and will have to be considered if an appitite exists.
- Finding Fillmores and Little Betty's have already begun discussions with the department.

The Chair thanked Ashleigh Smith for her presentation and Ashleigh left the meeting at 5:40pm.

6 REPORT OF THE MANAGER TOURISM AND EVENTS

6.1 Destination Event Funding Program

24/015TEAC

Resolved that the Tourism and Economic Advisory Committee:

1. receive and approve the Melvoe Baptiste post event report and balance any outstanding Destination Event Funding payments.
2. support staff in issuing a non-compliance notice to Volleyball NSW due to the continued and unactioned requests for program deliverables such as

marketing plan and adequate post event reporting, effectively only supporting the event in reserve hire and withholding the $1,000 financial support.

3. recommend that a third round of Destination Event Funding be offered in the case of more than $5,000 remaining in the budget.

(Members Mather and Steel)

Noted:

- An inadequate acquittal and post-event report was provided by Volleyball NSW. Council event staff have provided guidance and assistance to the applicant, however responses have not been forthcoming.
- Following the internal audit of grants and donations, the Destination Event Funding Program has introduced stringent requirements to bolster accountability and transparency in expenditure, ensuring responsible acquittal management.

The Chair moved item 7.1 to this point in the meeting to enable Jessica Rippon to participate in the discussion, prior to leaving the meeting early.

7.1 Data analysis update - Spendmapp

24/016TEAC

Resolved that the Tourism and Economic Advisory Committee receive and note the data analysis provided in the form of the "December 2023 Spendmapp Monthly Report" and the "January 2024 Spendmapp Monthly Report".

(Members Mather and McDonald)

Noted:

- The report focuses on 5 key spend areas: total, resident, business, escape and online.
- The report shows that throughout the year there is a $20M difference between spending peaks and troughs which is not sustainable for local business, and we need to plan strategically to help balance these fluctuations.
- There is a symbiotic relationship between Shellharbour and Kiama areas with regards to escape spending.
- **Action**: Economic Development Lead to provide a percentage comparison with Shellharbour local government area in the top 5 spending categories and to advise on escape spending – how much Shellharbour residents spend in Kiama v Kiama resident spend in Shellharbour.
- Kiama is competing with Shellharbour and Shoalhaven for visitation expenditure and our social media and event marketing campaigns are hyper focused on low season growth.

Anthony Body left the meeting at 5:57pm.

6.2 Short term rental accommodation

24/017TEAC

Resolved that the Tourism and Economic Advisory Committee review this report on short term rental accommodation and recommend that a submission is provided to the State Government outlining the positive benefits short-term rental accommodation provides to Kiama.

(Members Brown and Mather)

Noted:

- The Tourism Manager delivered a local forum on the short term rental accommodation (STRA), where 12 local industry representatives attended.
- It was agreed that STRA plays an important part in the social fabric of town, this is particularly clear during events.
- Of the 11,067 dwellings in the local government area 217 (1.96%) are hosted STRA and 526 (4.75%) are non-hosted properties.
- On average, people that stay in STRA within the Kiama region spend $669 per trip or $259 per night, in addition to the cost of accommodation.
- As a tourism town, Kiama has a lack of motel/hotel/cabin accommodation (less than 540 rooms)
- Results from the ASTRA survey indicate that imposing a levy or additional rates would not encourage a return of STRA properties to the rental market, nor would a limit on occupation days.
- Jessica Rippon will be composing a submission on behalf of Council.

Jessica Rippon left the meeting at 6:18pm

7 REPORT OF THE MANAGER PLANNING AND ECONOMIC DEVELOPMENT

7.3 Status of the Economy - Answers to Questions on Notice

24/018TEAC

Resolved that the Tourism and Economic Advisory Committee receive and note this report on the Status of the Economy, including responses from economic consultants, .id.

(Members Mather and McDonald)

Noted:

- The strength of the construction industry is not an anomaly and is influenced by neighbouring local government areas.
- Tourism is still recovering from the pandemic and is also affected by cost of living.
- Comparing the data derived from Spendmapp and the data from within the Status of the Economy Report, there are differences. It was noted that Spendmapp relies on transactional data (VISA card spend) and REMPLAN data is underpinned by the ABS modelling.
- Escape spending from the Woolworths closure was not as significant as expected.

Warren Steel left the meeting at 6:28pm

8 REPORTS FOR INFORMATION

The following Reports for Information are provided:

8.1 Destination Kiama Marketing Report

8.2 Kiama and District Business Chamber update

8.3 Kiama Major Events Impact Review

8.4 Transport for NSW - Open Streets Program Grant

8.5 Visitor Information Centre update.

Noted:

- Destination winter marketing campaign will begin in April/May 2024
- Meet the locals videos will also be produced prior to the end of financial year
- Kiama has nominated to contend in the Top Tourism Town Awards
- The Tourism and Marketing staff will meet with Destination NSW staff to develop a marketing blueprint focused on our region
- Destination Kiama followers have increased by 34% in the past year.
- The three recent top IG posts are all about rock pools.
- Cameron McDonald presented the Kiama and District Business Chamber (KDBC) report. Their current membership is 197. They ran a successful network function with approximately 90 people attending, is planning a 'bootcamp for businesses', and working on rebranding and more engagement with the business community.
- The findings from the Kiama Major Events Impact Review is scheduled to be reported to the April Ordinary Council meeting. 297 residents took the survey, and 89% of respondents were between the ages of 36 and 75. Only 4% of respondents were under aged 36, and 6% were over age 75. 40% of respondents think 4-6 major events should take place in Kiama town each year, while 36% would like more than 6.
- An application to the Open Streets Program Grant has been submitted for funding for a proposed Winter Street Festival in Kiama.

8.2 Kiama and District Business Chamber update

24/019TEAC

Resolved that the Tourism and Economic Advisory Committee thank the Kiama and District Business Chamber for their report and the excellent work they are doing in the business community.

(Members Brown and Mather)

9 GENERAL BUSINESS

Committee members commented on the improved reporting and data being received and that it assists with decision making for the local government area's economy and marketing as a destination.

The Committee were advised that camping at the Showground is a regulatory issue and required approvals cannot be given.

10 CLOSURE

There being no further business the meeting closed at 7:10pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 16 April 2024.

.....
Chair

13 REPORT OF THE CHIEF EXECUTIVE OFFICER

13.1 Councillor Brown attendance at 2024 Destination Visitor Economy conference

CSP Objective: Outcome 3.2: An economy that embraces the opportunities of tourism while ensuring that we don't lose our community feel; our tourism development and the visitor economy is well managed.

CSP Strategy: 3.2.1 Manage tourism development and the visitor economy.

Delivery Program: 3.2.1.1 Deliver Kiama Tourism and Events Strategic Plan 2022–2026.

Summary

This report recommends the attendance of Councillor Matt Brown at the 2024 Destination and Visitor Economy conference being held 28-30 May 2024 in Wagga.

Financial implication

Early bird registration for the Destination and Visitor Economy conference costs $1,050 and closes 30 April 2024. Registration and accommodation costs will be covered by the Councillor conference budget. A quarterly adjustment will be required to replenish this budget.

Risk implication

Councillors need to keep abreast of current issues that may affect the LGA and attending conferences assists with this knowledge, professional development, networking and sharing the information from these conferences to Councillors.

Policy

Councillor attendance must be endorsed by the Council.

Payment of Expenses and Provision of Facilities Policy

Consultation (internal)

N/A

Communication/Community engagement

A post-conference report will be provided to Council.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council endorse the attendance of Councillor Matt Brown at the 2024 Destination and Visitor Economy conference in Wagga 28-30 May 2024.

Background

The event brings local government staff and councillors, key industry stakeholders and local operators together to discuss insights and the ever-changing world facing future visitors.

The full program can be found here.

13.2 Endorse for public exhibition: Kiama Municipal Council draft Community Engagement Strategy

CSP Objective: Outcome 5.2: Governance is transparent and builds trust

CSP Strategy: 5.2.3 Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions

Delivery Program: 5.2.3.1 Implement the Community Engagement Strategy.

Summary

Kiama Municipal Council is committed to developing a culture of meaningful community engagement to achieve better and more sustainable outcomes for the municipality.

Council has re-drafted its Community Engagement Strategy as a practical framework for Council to engage with diverse voices across our community, businesses and other stakeholders in a meaningful and measurable way.

The Strategy will inform Council's renewed Community Engagement program, to make it easier for community and stakeholders to have a say about the issues that matter most.

The draft Strategy outlines the principles and processes for best-practice community engagement, in line with Council's Community Strategic Plan 2022 – 2032, and in accordance with legislative requirements.

Under Section 420A of the New South Wales Local Government Act 1993, Councils are required to establish and implement a Community Engagement Strategy for the purpose of engaging with the local community to support the development of all plans, policies, programs and key activities.

The draft strategy is a complete rework of previous strategies, with Kiama Council taking a fresh, co-design approach to developing this new draft.

The co-design process involved workshops and surveys with Council staff and stakeholders, reaching more than 1,000 people. This included Councillors and committees, as well as gathering community feedback with staff going out and speaking to community members in various locations and at events throughout our Municipality. Representatives of community groups in the Kiama area including the Precincts and Associations and Kiama High School students were also engaged.

Engagement with community on the draft strategy does not end at this point. During the exhibition process, staff will continue to gather feedback and actively engage with stakeholders including but not limited to youth, First Nations groups, the business community and more.

Please note: the draft survey is presented in a draft template, further graphic design may be applied for the finalised strategy.

Financial implication

Community Engagement Officer FTE role

Risk implication

Risk of not having an updated strategy means we are falling short of community expectations and Integrated Planning and Reporting requirements.

Policy

Nil

Consultation (internal)

Kiama Council staff – workshop (29 February) and survey

Kiama Councillors – briefing (29 February)

Kiama Council Executive Leadership Team – interviews (7-15 March)

Communication/Community engagement

Date	Description
29 February	Press release: "Growth and Community Engagement" on Council website, distributed to media lists, promoted via social media (copy attached to this report)
13-28 March	Community survey – online and paper versions (copy attached to this report)
13 March	Press release "Help shape our Community Engagement Strategy" – (survey launch) on Council website, distributed to media lists, promoted via social media (copy attached to this report)
13 March	Infrastructure & Liveability Committee – presentation and discussion
14 March	Flyers printed and handed out, and available at Council's Administration Centre and Libraries.
14-17 March	Council staff at Household Bulky Waste event engaging with community and handing out flyers
22 March	Community pop-ups in Kiama Downs
22 March	Meeting with Precincts and Associations (KAPA)
23 March	Community pop-ups in Minnamurra, Jamberoo, Gerringong, Gerroa
26 March	Sustainable Communities Committee – presentation and discussion
27 March	Community pop-up, stall at Kiama Farmers Market
2 April	Meeting with Kiama High School SRC students

Attachments

1 Community Engagement Strategy - draft⇩

2 Coucil update - CES survey launch - 13 March 2024⇩

3 Council update - growth and engagement - 29 February 2024⇩

4 Community engagement survey - March 2024⇩

Enclosures
Nil

RECOMMENDATION

That Council:

1. Endorse the draft Community Engagement Strategy for public exhibition for a period of 28 days.
2. Note if submissions are received during the exhibition period a further report, including an engagement report will be provided on any proposed amendments to the Strategy.
3. Adopt the Community Engagement Strategy if no submissions are received, on the day after the completion of the public exhibition period.

Background

Under Section 420A of the New South Wales Local Government Act 1993, Councils are required to establish and implement a Community Engagement Strategy for the purpose of engaging with the local community to support the development of all plans, policies, programs and key activities.

Kiama Council's current Community Engagement Strategy was endorsed in 2016.

According to the Integrated Planning & Reporting (IP&R) Guidelines supplied by the NSW Office of Local Government, the Community Engagement Strategy should be reviewed within 3 months of the local government elections, as part of the broader review of the Community Strategic Plan.

Additionally, all councils are required to develop a Community Participation Plan under the Environmental Protection Act & Regulation 2000. IP&R changes in 2021 enable Council to combine the requirements of both legislation into a single document. (see below under 'Community Participation Plan')

In May 2023, Kiama Council presented an updated draft Community Engagement Strategy and Community Participation Plan, alongside other draft IP&R documents to Council. These were endorsed and subsequently placed on exhibition. However, in June 2023 Council staff withdrew the strategy, noting in the Council report for 29 June item 7.3 Draft Community Engagement Strategy: *Feedback received from the community about the Draft Community Engagement Strategy [and Community Participation Plan] has been considered, including questions raised by Councillors,*

which sought for additional work to occur on the Community Engagement Strategy prior to it being adopted by Council. … It is intended for Council staff to take some additional time to refine and rework the strategy to address community feedback. It is an important document for Council and needs to reflect the future direction of the organisation. This will also enable further engagement to occur with both internal and external stakeholders. Our existing participation plans will remain in force until the new strategy is reported to Council, at a future Council meeting.

Community Participation Plan

Kiama Council's current Community Participation plan was endorsed in 2019. In 2023, a draft updated Community Participation Plan was presented then withdrawn with the draft Community Engagement Strategy, as noted above.

Council is currently redrafting and working through the legislative updates to our Community Participation Plan (CPP) and will conduct community consultation on the CPP as part of the development work on our Growth and Housing Strategy.

The updated CPP is being designed so it can form a discreet but aligned chapter of the Community Engagement Strategy, with the aim to merge the two in the post-local government election review of these documents.

Community Engagement Strategy – background

As part of Kiama Council's organisational restructure, and recognising the need for improved community engagement, Council appointed a dedicated Community Engagement Officer, who commenced in the role in January 2024.

In February 2024, Council launched its co-design process for re-drafting and updating the Community Engagement Strategy. This work was announced in line with the launch of another important community conversation on Growth and Housing.

In tying these two conversations together, Kiama Council was able to reach out and encourage every member of the community to actively participate in these pivotal conversations to shape the trajectory of Kiama's future.

"We're taking a fresh new direction, engaging with diverse voices alongside traditional stakeholders, ensuring we have a strategy that truly represents our community." (Claire Doble, Council's Communications and Engagement Manager)

To assist with this work, Council appointed community engagement experts Articulous, who helped run workshops and community pop-ups, aided the design of survey questions and have assisted in the development of the draft strategy.

In February and March, Kiama Council embarked on a series of co-design workshops, engaged internal and external stakeholders and reached out to community members to gather feedback to shape the updated Community Engagement Strategy.

At this stage of co-design, stakeholders and community members were encouraged to engage with Council staff via workshops, various pop-ups and to fill out our online survey. Around 1,000 community members and stakeholders were engaged, including nearly 250 responses to the public online survey. With a population of 23,000 in Kiama LGA, this provides a good representative sample.

Council was keen to understand:

- What meaningful consultation with Council looks like;
- What issues are most important to the community;
- How involved the community wants to be in engagement with Council; and
- What activities community want to participate in.

The survey and discussions also sought feedback on the potential creation of a 'Kiama 100' representative group. This concept is still under development and can be further explored as an engagement method once the Community Engagement Strategy is endorsed.

Summary of findings

Kiama Council Executive and key staff interviews:

Interviewees were supportive of improving Council's community engagement efforts, and expressed a desire to make engagement more meaningful, seeking a diversity of voices, 'meeting community where they are' and reducing focus on the minority of 'loud voices' who can dominate.

Capacity and resourcing were seen as key issues across all departments and teams. A desire to build staff capacity was expressed, with interviewees eager to build their skills and knowledge, particularly around 'closing-the-loop' on engagement projects. Tools and templates were frequently mentioned as a way to deliver consistent engagement throughout Council.

Communication was seen as an area for significant improvement, with a desire to provide community with timely information about Council activities – from both strategic and day-to-day operations perspectives.

While innovation and creativity was welcomed, it was noted that the Community Engagement Strategy should provide a practical framework that allows Council to plan and deliver engagement activities with the resources they currently have.

Staff and Councillor workshops:

Findings from the staff and Councillor workshops indicate a desire to engage with a diverse cross-section of community, and to be proactive in 'meeting community where they are'. To do this, building capacity within Council and in the community was seen as essential. For Council, this means having tools and templates to effectively plan, implement and close the loop on engagement. For community, this means being provided with the right information and knowing how they can get involved.

However, time and resourcing were seen as significant barriers to undertaking meaningful two-way engagement, with staff commenting that the substantial prep work required to deliver activities was disruptive to project delivery timeframes. Additionally, engagement fatigue was highlighted as a potential issue within the small community.

With this in mind, staff highlighted the need to ask community how they want be engaged by Council and what topics/issues they are most interested in.

Relationship building was seen as necessary to improving community's trust. Clarity and transparency were seen as essential, especially with regards to what community can and can't influence.

When considering the strategy itself, a simple, high-level document was preferred, utilising visual communication such as flowcharts and process maps as opposed to lists and heavy text.

Council committees and KAPA meetings:

Attendees are highly active, articulate and engaged on Council matters and indicated a desire for more information to be shared, an expectation to be consulted on Council decisions and a general wish for increased transparency around how Council decisions are made and enacted.

'Closing the loop' was a common theme – with many participants expressing frustration that their feedback, questions or suggestions could sometimes to 'disappear'- eg: a lack of updates or outcomes of consultations and/or not being notified of results (having to search Council website or business papers themselves, rather than receiving an email or phone call or in-person update), or not receiving a reply email or call to an enquiry.

The idea of creating a 'Kiama 100' representative group was highly approved by some, while others had reservations.

Some of the Precinct and Association (P&A) office-bearers are dissatisfied with their minutes no longer being in Council's business papers and would prefer their groups to be promoted by Council as a conduit for community views. Council has advised these meeting minutes can be published on the Precincts and Associations' own websites with a link from Council's site. Councils resolved its position on this matter some months ago and staff have implemented the decision of Council.

P&A members felt their organisations have a role in directing locale-based matters to Council and therefore wanted a strategy that recognises the different needs of different locations.

It was also recognised that the P&As not representative of the whole community and are struggling to attract new and younger members to their groups.

Committees expressed a willingness and interest in being more 'useful' and asked: "What can we do?".

Council staff reiterated that, while the P&As and committees are a valued part of our community engagement mix, Council is looking to increase the diversity of voices and reach out to those who are less-often heard and don't always have time or to dedicate to traditional evening meetings with formal groups.

Additional flyers with links to information and encouraging participation in the survey were given to all attendees of the Kiama Area Precinct Alliance (KAPA) and committee meetings to distribute to their groups and local networks.

Youth consultation

Kiama Council's Community Hubs Manager, Youth Worker and Community Engagement Officer visited Kiama High School and spoke to 16+ students from the Student Representative Council (SRC) about how Council could meaningfully engage with youth on important topic including growth and housing.

Insights:

- Meet young people where they are, eg: by undertaking engaging activities at school
- Incentives will work well if students must make an additional effort to participate in the engagement activity, such as giving up their lunch break
- It is important for students to understand why engagement is taking place, how it will be used and provide feedback on the outcomes
    - Eg: graphic recording of workshops to capture what was said.
- Young people have busy lives and a lot on their plates, so fitting the engagement activity within existing activities works well, eg, as part of a school period (50 minutes).
- SRC students expressed a desire to co-design and lead engagement activities.
- Face-to-face engagement activities should be interactive, and using different visual creative mediums, such as Lego, clay, and drawing, was welcomed.
- Tackle topics that are suited and interesting for young people to engage with and treat the young audience

***Your community, your say* – Community survey to help shape our Community Engagement Strategy**

The public survey was open from 13 to 28 March. It asked how our community members (and/or groups/businesses/organisations) wanted to engage with Council and, how they wanted Council to engage with them.

The survey had around 250 responses (approximately representative of 1% of the population of Kiama LGA) via digital and on-paper.

The largest group of respondents were aged 65-84 (38%) followed by age 55-64 (19%), 45-54 (17%) and 35-44 (16%), however we received responses in all age brackets, including respondents aged under 18 and 85+.

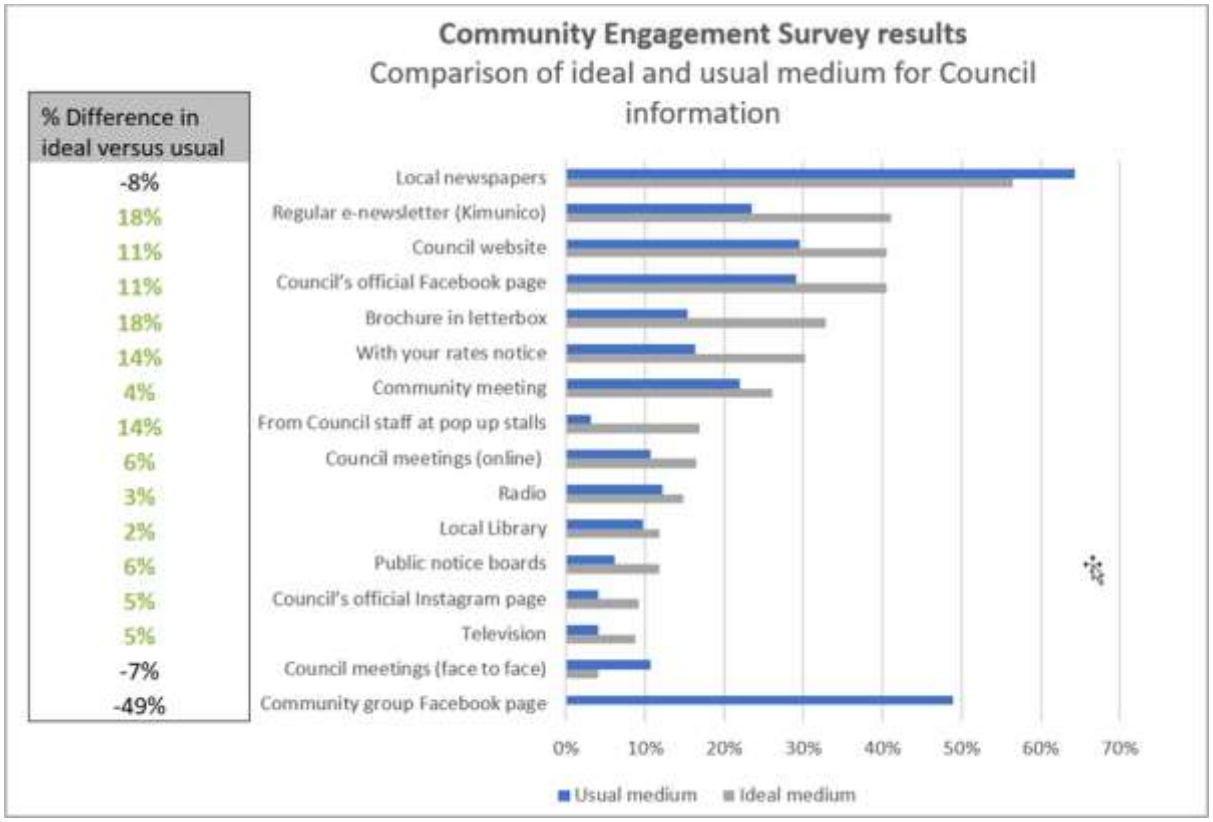
The largest cohort had lived in the Kiama Municipality for 10+ years (60%). 35% of respondents were retirees, 28% working full time, 19% work part time and 21% regularly volunteer, with 6% of respondents identifying as a local business owner.

Resident breakdown: the largest number of respondents lived in Kiama township (40%), followed by 15% in Jamberoo, 15.5% Kiama Downs and 8% Gerringong, with respondees also from Foxground, Gerroa, Jerrara, Kiama Heights, Minnamurra and Saddleback Mountain.

Top 5 topics people want to engage on:

- Town planning and Development (65%)
- Opportunities to provide feedback on Council projects etc (48%)
- Environment and land/coastal management (35%)
- Parks, venues, playgrounds, recreational facilities etc (34%)
- Roadworks & Infrastructure (26%)

The most common methods respondents get their information on Council happenings is from local newspapers (64%), community groups on Facebook (49%), the Council website (30%), Council's official Facebook page (29%) and Council's e-newsletter Kimunico (23%).



The preferred mediums for receiving Council information include local newspapers (56%) (note: 'local' was not defined), regular e-newsletter (42%), Council website (41%), Council's official Facebook page (41%) and brochures in letterbox (38%). This data guides Council to prioritise these mediums to engage with community, noting time and budgetary constraints.

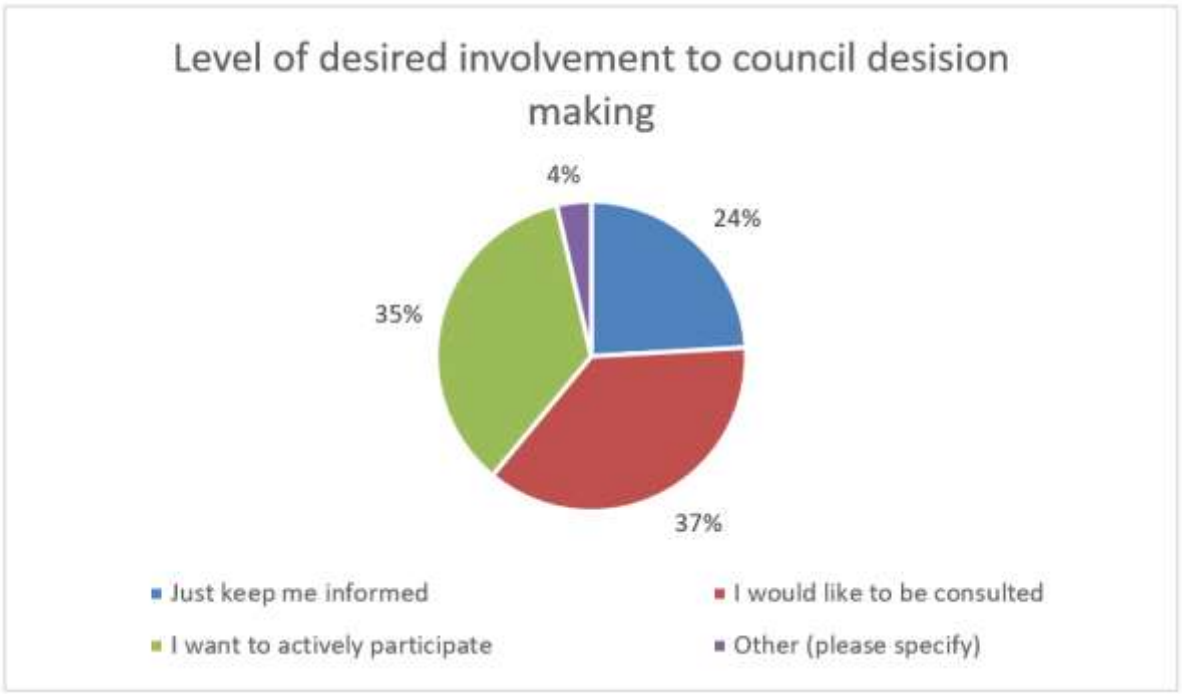
While 42% indicated a preference for regular e-newsletters, only 18% said they were currently subscribed, with comparable figures for interest/ update of brochures in letterboxes, indicating these could be areas for improvement. It is also worth flagging that Council includes a flyer with its quarterly rates notice as standard (sent via email or post, depending on preference of each individual ratepayer) The survey itself resulted in an additional 40+ subscribers to Council's monthly Kimunico e-newsletter.

While Community Group Facebook pages are well utilised (49%) to access Council information, they are not officially managed by Council and hence were not included as an ideal option. However, Council has good contacts with the administrators of these pages, and information is regularly replicated and shared via these channels.

Most survey respondents indicated they would like to tell Council their thoughts by filling out a survey (64%), writing a letter or email (48%), quick online polls or talking

to council staff (37%). This data will guide the Council in prioritising these channels to engage with the community.

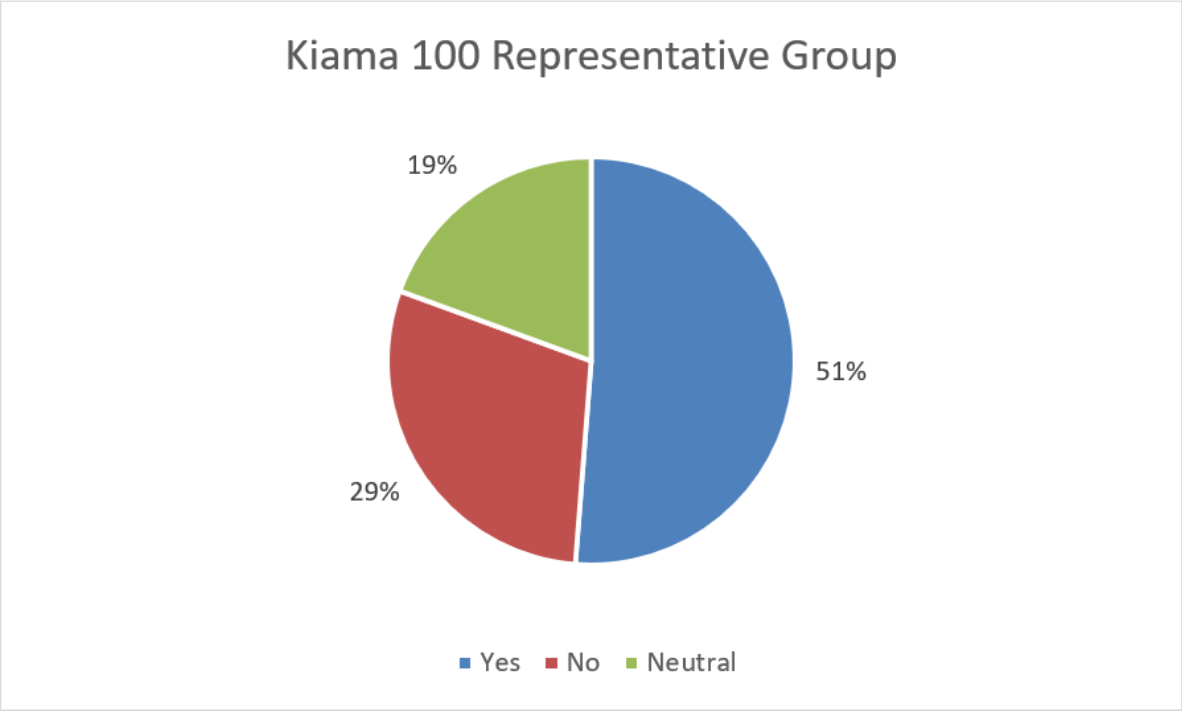
Overall feedback (incl. comments provided in “Other” option) highlighted a desire for Council to provide a combination of online and in-person engagement methods.



The majority (72%) of survey respondents were interested in being involved in Council’s decision-making. The Strategy highlights a variety of methods and tools for the community to be involved and participate in decision-making. It’s also important for Council to make clear to community how much influence they can have on each decision, to manage expectations and avoid negative backlash.

More than half of survey respondents (51%) supported the Kiama 100 initiative, which aims to capture the diversity of voices within our community.

Opponents (29%) raised concerns regarding the feasibility of establishing such a group, its adequacy in representing the full spectrum of community voices, exclusion of community experts, risk of vested interests, and the resource-intensive nature of focusing solely on 100 voices. Council will consider this concept in more detail once the Community Engagement Strategy is endorsed.



Key findings overall on how Council can engage more meaningfully with the diversity of voices in the community include:

- Meeting community where they are eg: at school, pre-schools, markets
- Clear and consistent in engagement
- Close the loop to ensure community feels heard and valued
- Don't pander to minorities/noisy complainers
- Use more innovative engagement tools
- Increasing visibility and actively listening to community feedback.

A further breakdown of survey results will be included in the engagement report when the Strategy is finalised.

Community pop-ups

Council staff reached more than 1,000 residents, including holding in-depth conversations with around 150 people across the Municipality at our Household Bulky Waste event and community pop-ups.

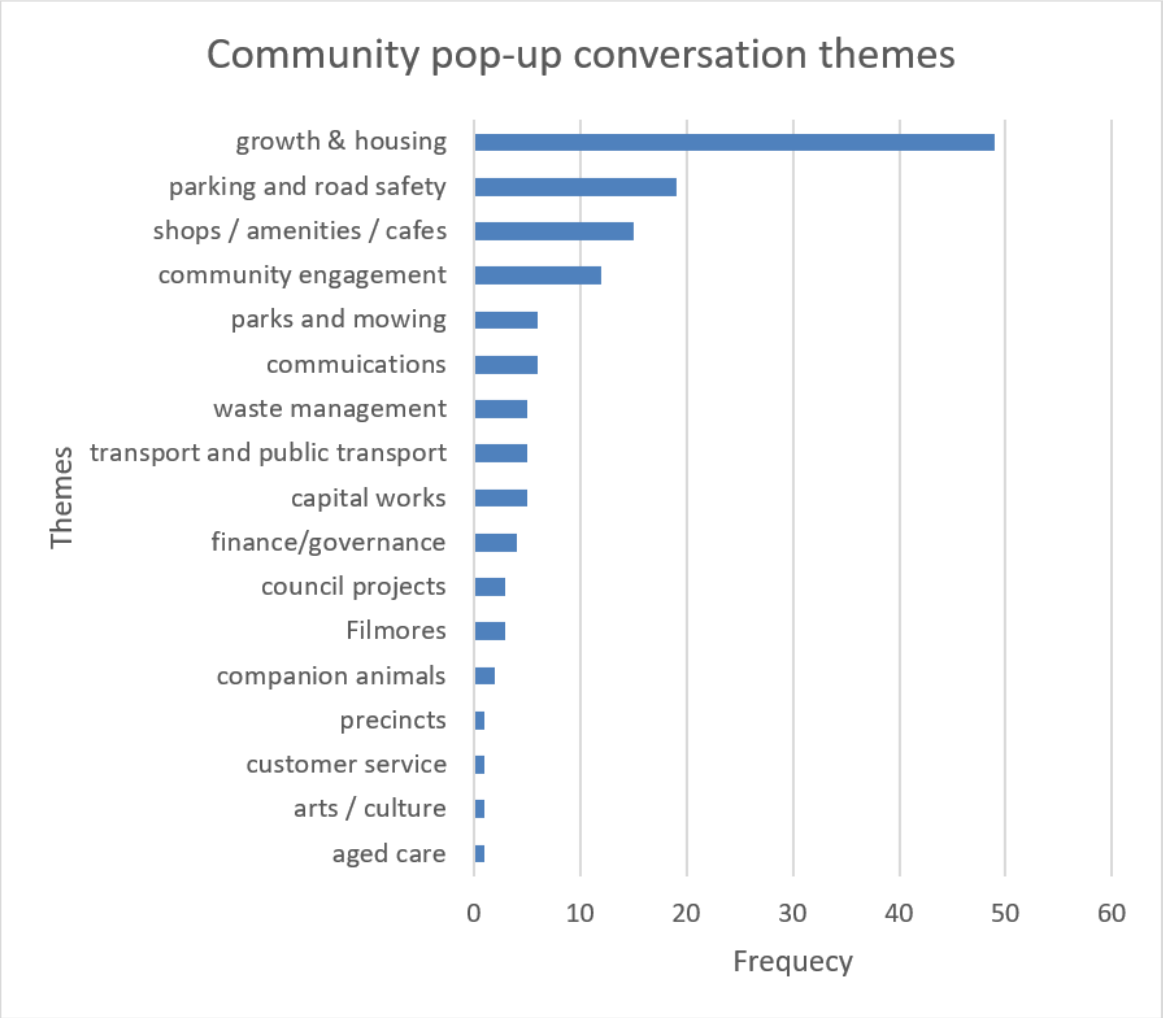
The community pop-ups were held outside Kiama Downs/Gainsborough Foodworks, Kiama Downs IGA, Minnamurra Café, Jamberoo IGA, Gerringong IGA, Gerroa General Store and Kiama Farmers and were timed for maximum foot traffic on Friday and Saturday, to ensure a good reach across our various localities and to reach people where they were, many of whom do not have the time or inclination to get in touch with Council themselves.

Although not able to deeply engage with everyone, those who were handed flyers were given a brief introduction to explain Council is developing Community Engagement and Growth and Housing strategies and encouraged to take the online survey.

Many expressed appreciation at seeing Council "out and about" and engaging in these discussions.

Council's Community Engagement team is keen to make these a regular occurrence and will look to include pop-ups as part of engagement planning and schedules going forward.

Below is a table indicating the main themes discussed with members of the public at our community pop-ups and Household Bulky Waste event.



Community and stakeholder engagement register

Event	Greeting + Flyer	Engaged in conversation
Kiama Council staff workshop		29

Event	Greeting + Flyer	Engaged in conversation
Household bulky waste	520	50
Councillor briefing		7
Kiama Downs / Gainsborough – FoodWorks	100	20
Kiama Downs – IGA	30	10
Minnamurra	20	5
Jamberoo	50	20
Gerringong	200	25
Gerroa	2	
Farmers Market	50	25
Liveability and Infrastructure Committee		7
Sustainable Communities committee		7
KAPA meeting	40	9
Kiama High School SRC		16
Total	**1012**	**230**

Next steps

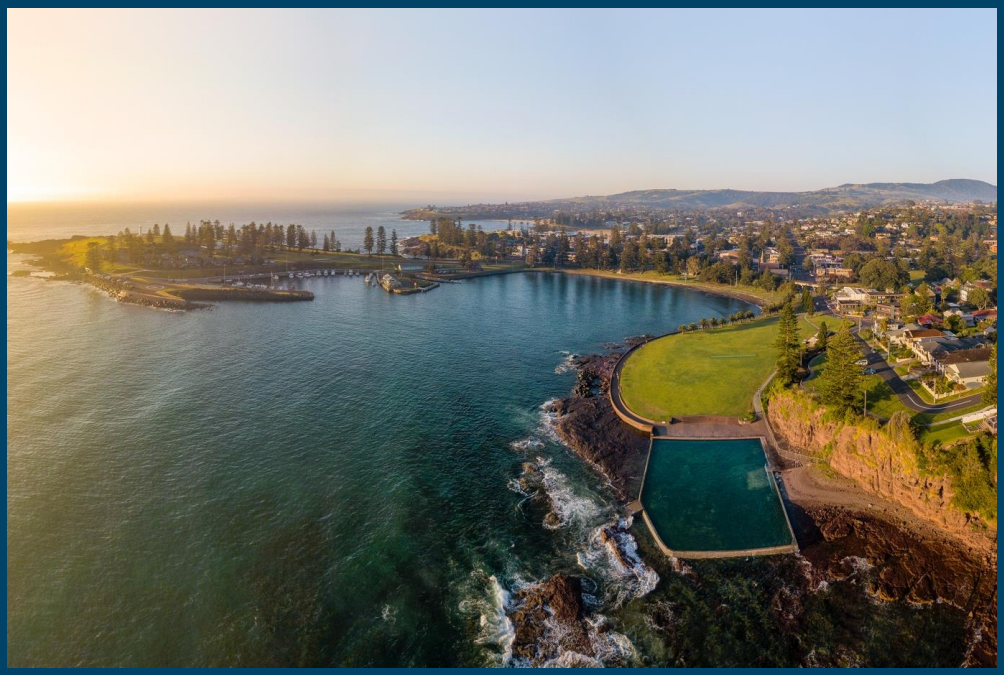
If/when the draft Community Engagement Strategy is approved for exhibition, Council staff will continue to actively engage during the 28-day exhibition period with stakeholders including but not limited to Youth, First Nations groups, the business community and more.

Feedback and insights from the exhibition period will be collected and collated, alongside data already gathered during the co-design period, to further refine the Strategy, and will form part of an engagement report to be submitted to Council with the finalised Community Engagement Strategy for endorsement.

This engagement will continue to be aligned with community engagement on Council's Growth & Housing Strategy and the Community Participation Plan.

Note: After the September Local Government Elections, Council will be asked to review the Community Engagement Strategy once again. It is hoped that, given all the extensive work that is going into the Strategy now, this process can be streamlined and will take the form of a minor review, therefore freeing the new Council to direct their focus to high-level strategic documents such as the Community Strategic Plan and important and pressing matters such as Council's ongoing Performance Improvement Order.

KIAMA MUNICIPAL COUNCIL
your council, your community



Draft Community Engagement Strategy
2024-2028



Your community, your say

Acknowledgement of Country

Kiama Municipal Council acknowledges the Wodi Wodi people on Dharawal country as the traditional custodians of the land on which our Municipality is located. We pay our respects to Elders past, present and future. We are committed to honouring Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to the land, waters and seas and their rich contribution to our community.

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Overview

Purpose

Kiama Municipal Council is committed to developing a culture of meaningful community engagement to achieve better and more sustainable outcomes for the municipality.
The Community Engagement Strategy serves as a practical framework for Council to engage with diverse voices across our community. It outlines the principles and processes for best-practice community engagement, in line with Council's Community Strategic Plan 2022 – 2032 and in accordance with legislative requirements.

Legislative requirements

Community engagement is delivered with due consideration to mandatory and statutory requirements to which Council must adhere. These requirements may limit or allow community input into Council decision-making.
Under Section 420A of the New South Wales Local Government Act 1993, Councils are required to establish and implement a Community Engagement Strategy for the purpose of engaging with the local community to support the development of all plans, policies, programs and key activities.

The Integrated Planning and Reporting Framework (IP&R) illustrates the important role of community engagement across Council's planning. Under this framework, Community Engagement Strategies must:

- Be based on the social justice principles of access, equity, participation and rights
- Identify relevant stakeholder groups in the community
- Outline the methods that the council will use to engage each of these groups
- Allow sufficient time to effectively undertake the engagement.



Developing the Strategy

Developed in consultation with both the community and Kiama Municipal Council staff, the Community Engagement Strategy outlines:

- Community priorities for engaging meaningfully with Council
- Staff requirements for planning and managing meaningful engagement with community.

The Strategy was also developed with due consideration to local, state and federal strategies and plans, policies, and other requirements. Insights from community engagement activities undertaken as part of the development and delivery of the Community Strategic Plan (2022-2032) were also used to inform this Strategy.

Community consultation

A series of engagement activities were delivered in early 2024 to guide the development of the Strategy.

Community consultation	Staff consultation
• Community pop-ups across the municipality • Met with various committees and stakeholder groups • "Your community, your say" survey	• Cross-departmental staff workshop • Staff survey • Interviews with executives and key staff members • Councillor briefing

What we heard

Staff: want Council to engage by

- building staff capacity and providing practical tools
- making engagement meaningful and seeking diversity of voices
- closing the loop – communicating outcomes and delivering on commitments
- meeting the community where they are, building trust
- however, note that time and resources are significant barriers to overcome

Community: want Council to

- improve how they follow-up with people on outcomes and decisions
- be clear and transparent about processes, timelines and level of community influence
- reach a greater variety of people by meeting them where they are
- engage more with youth and other communities of need
- be more visible and listen

Receive Council information	Provide Council with input
1. Local newspapers (56%) 2. Regular e-newsletter (42%) 3. Council website (41%), 4. Council's Facebook page (41%) 5. Brochures in letterbox (38%)	1. Filling out a survey (64%), 2. Writing a letter or email (48%), 3. Quick online polls (44%) 4. Talking to council staff (37%) 5. Online forums (26%)

Engage on

1. Town planning and development (65%)
2. Opportunities to provide feedback on Council projects etc (48%)
3. Environment and land/coastal management (35%)
4. Parks, venues, playgrounds, recreational facilities etc (34%)
5. Roadworks and infrastructure (26%)

Quotes from community pop-ups

"It sounds like you're asking the right questions"

"We love the village atmosphere, we want to keep our open spaces"

"In 52 years in the area, there's been lots of change!"

"Progress can be qualitative not quantitative"

"Youth are often not interested in engaging with council, too busy with other things!"

"Council needs to repair the community's trust before it can move forward"

"Ratepayers are looking for outcomes, not more talk"

"You can reach young parents at the gym, pre-schools, Leisure centre and daycares"

"Growth is OK but we need the infrastructure to support it"

"Council needs to close the loop and be transparent"

"If we spend time making a submission, we really want to know how our input has made a difference"

Keys to success

Insights gathered during consultation have directly informed Council's approach to the Community Engagement Strategy.

The following 'keys to success' were developed in response to input from those engaged regarding what the Strategy should aim to achieve. They will guide how Council designs, plans, delivers, and reports on future engagement activities.

Objective

To be a practical framework for delivering meaningful and measurable community engagement while strengthening the diversity of community voices.

Principles

In addition to the strategic objective above, insights from community and staff consultation led to the development of 5 key principles for undertaking meaningful community engagement.

These are:

- **Open and honest**
  Engagement will be open, honest and transparent so community understands how their feedback will be taken into consideration and why certain decisions have been made.
- **Proactive**
  Engagement will proactively seek to understand community perspectives early in decision-making.
- **Genuine**
  Engagement will seek to genuinely listen to what community has to say and to ensure it is accurately captured.
- **Inclusive and accessible**
  Engagement will meet diverse community voices where they are and in a way that allows them to participate fully.
- **Accountable**
  Engagement will ensure community and stakeholders have clear oversight through continuous communication. Council will be accountable for closing the loop and ensuring community and stakeholders are kept informed at all stages of the project lifecycle.

Actions

Kiama Municipal Council will uphold the key principles of meaningful community engagement by adopting the following actions (based on input from staff and community stakeholder consultation):

Build staff capacity
We will: • Provide IAP2 training to managers and other relevant staff. • Provide embedded community engagement training into staff onboarding, and ongoing professional development, to ensure all staff understand Council's commitment to best-practice engagement. • Develop a community engagement toolkit that includes planning and reporting templates to support staff and standardise engagement across the organisation. • Identify and train engagement champions across Council teams to support the work of Council's communications and engagement team. • Develop an approvals process to ensure engagement processes meet internal, legislative and accessibility requirements.
Meet community where they are
We will: • Clearly communicate and promote engagement opportunities through preferred mediums eg: local newspapers, regular Council e-newsletter, Council website, Council social media, printed flyers, brochures etc. . • Offer a range of online and face-to-face engagement opportunities and continue to develop a culture of engagement by ensuring a broad diversity of ways for people to engage with Council decisions and projects. • Explore digital engagement platforms to enhance accessibility and broaden community reach, including quick online polls. • Develop an engagement calendar to plan and manage engagement activities across the organisation and meet community where they are eg: community pop-ups and at events. • Explore ways to strengthen the diverse voices of our community through innovative engagement approaches, eg: youth-specific activities, location specific activities and further exploring the creation of a 'Kiama 100' representative group. • Monitor community sentiment via a range of mediums eg: social media monitoring, a demographic "community satisfaction" survey of Kiama Municipality, feedback from workshops, community events, committees and community groups..
Close the loop
We will: • Develop processes to close the loop in a variety of ways, including Council reporting, website, email, social media and other mediums, with a focus on explaining how and when community feedback was considered in the decision-making process. • Continually develop and improve Council's community engagement practises and capacity through regular review and evaluation. • Assess engagement activities' effectiveness against the Strategy's principles and the diversity, equity and inclusion objectives.

Understanding community engagement

Community engagement is about fostering productive relationships between Council and the communities it serves, making better decisions and improving outcomes for our people and places. The Community Engagement Strategy is an opportunity to expand Kiama Municipal Council's engagement practices beyond the legislative requirements, delivering community engagement that is meaningful to the communities we serve.

Best practice

Council strives to deliver best-practice community engagement based on the Core Values of the International Association for Public Participation (IAP2). These are:

1. Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. Public participation includes the promise that the public's contribution will influence the decision.
3. Public participation promotes sustainable decisions by recognising and communicating the needs and interests of all participants, including decision-makers.
4. Public participation seeks out and facilitates the participation of those potentially affected by or interested in a decision.
5. Public participation seeks input from participants in designing how they participate.
6. Public participation provides participants with the information they need to participate in a meaningful way.
7. Public participation communicates to participants how their input affected the decision.

IAP2's Public Participation Spectrum identifies five levels of stakeholder and community engagement. It is recognised as the industry standard community engagement model. Council has adopted the Spectrum to facilitate best-practice engagement.

	Inform	Consult	Involve	Collaborate	Empower
Engagement goal	To provide community with the right information to help them understand a Council plan, policy, program or activity.	To gather community feedback on a Council plan, policy, program or activity.	To work with community in the development of a Council plan, policy, program or activity, ensuring their views are clearly understood and considered.	To partner with community in the development and delivery of a Council plan, policy, program or activity.	To place final decision-making in the hands of community.
Council's commitment	We will keep you informed throughout the life of the project.	We will keep you informed, listen to your feedback, and share how community input influenced our final decision.	We will work with you to ensure your feedback is directly considered and share how community's input influenced our final decision.	We will incorporate your advice and recommendations into our final decision.	We will implement what you decide.
Example methods	• Council Website • Social Media • Council newsletter (Kimunico)	• Online or paper surveys • Call for submissions • Community pop-ups	• Digital engagement • Workshops • Panel discussions	• Council Committees • Working groups	• Citizen Juries • Voting

Engaging with community

Kiama Municipal Council, through this Community Engagement Strategy, commits to engaging with a broad cross-section of the community and will deploy specific methods to reach individual demographics:

When we refer to community, we refer to:

Residents and ratepayers	Anybody who lives and/or pays rates in the Kiama Local Government Area
Communities of place	Location-based communities (towns, neighbourhoods, streets)
Communities of interest	Communities that share activities, events or interests.
Communities of identity	People of all ages, backgrounds, gender identities and religions
Communities of need	Kiama residents most vulnerable to the impact of decisions such as those experiencing or at risk of homelessness, those with different abilities, people from non-English speaking backgrounds, those who rent and those immediately impacted by disasters
Business community	Kiama businesses, business networks and associations
Community participants	Those who use or access council facilities such as libraries, parks and recreation centres
Kiama's Future	Kiama's young people who will lead the area in the future
NSW and Federal government departments/agencies	State and Commonwealth Departments and Agencies with impacting plans or information
Neighbouring councils and representative bodies	Surrounding local government areas and joint organisations such as ISJO, NSW Office of Local Government (NSWOLG)
Visitors and tourists	Those who visit the Kiama LGA

Diversity, equity and inclusion

Kiama Municipal Council is committed to strengthening the diverse voices of our community. We aim to provide inclusive and equitable engagement processes, ensuring that anybody who wants or needs to participate can do so.

Through this strategy, Kiama Municipal Council reaffirms its commitment to engage with:

- Young people
- Elderly people
- Families and single-parent households
- Aboriginal and Torres Strait Island communities
- People with disabilities
- People from culturally and linguistically diverse backgrounds
- LGBTQIA+ communities
- Low-income households

Kiama Municipal Council will ensure every person has a voice by providing:

- Plain English and multi-modal information to meet accessibility requirements
- Multiple ways to contribute including digital, paper-based and face-to-face engagement options
- Translated documents as requested or required

Council will strive to improve opportunities for engagement by:

- Collaborating with Council's Community Hubs team to facilitate engagement with existing community networks
- Identifying community champions to drive engagement with communities of place, identity, interest and need
- Co-designing engagement processes with specific groups, where appropriate (e.g., co-designing youth engagement activities with young people)

Council Strategies and Action Plans

Council delivers several strategies and plans to guide the delivery of its services and operations. These strategies and plans will guide what projects are undertaken through Council's delivery program, and what opportunities are available for community engagement as a result.

Strategies and plans include (but are not limited to):

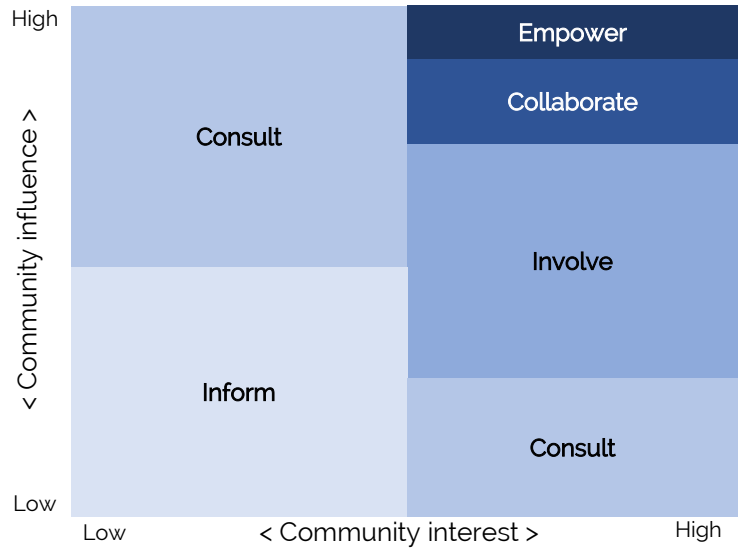
- Community Strategic Plan (2022-2032)
- Growth and Housing Strategy (under development)
- Economic Development Strategy
- Tourism and Events Plan (2022–2026)
- Corporate Emissions Reduction Plan (Net Zero Strategy) 2021-2031
- Service Reviews

Additionally, Council is working to deliver a suite of community Action Plans that aim to remove barriers to access and participation for Kiama's diverse community. These plans help inform the design and delivery of engagement programs, to ensure processes are Diversity, Equity and Inclusion focused, including:

- Disability Inclusion Action Plan (DIAP) 2023-2027
- Reconciliation Action Plan (under development)
- Youth Action Plan (under development)
- Cultural Plan (under development)

Community engagement opportunities

Community engagement is undertaken when there is an opportunity for impacted communities to influence specific actions, outcomes or decisions, or when there is a legislative requirement to do so. The following matrix allows project teams to determine if engagement is required and the degree to which community will be engaged.



Note: If community engagement is not required or desired, Council should inform the community about the action, outcome or decision being made.

Roles and responsibilities

Many stakeholders play a role in delivering meaningful community engagement. While the Strategy is focused on Council's role, it is important to acknowledge that the participation of many stakeholders will influence its overall success.

Stakeholder	Roles and responsibilities
Mayor and Councillors	• Participate as an elected member, listen to the views of the community and consider those views when making decisions. • Play an important role in reflecting the views of the community back to the staff ensuring that concerns and aspirations are heard. • Support community engagement by approving adequate funding and/or resources.
CEO and Directors	• Ensure the strategy is implemented and applied across Council projects. • Oversee engagement processes of Council and ensure engagement needs and risks are considered. • Approve Community Engagement Plans developed by Project Lead and provided by Managers • Report and communicate Community Engagement activities and outcomes (as provided by Managers) to elected members.

Stakeholder	Roles and responsibilities
Managers and Coordinators	• Maintain an 'engagement mindset' when overseeing projects, plans, and activities in their team. • Support teams to prioritise the 4 stages – design, plan, implement and report – of community engagement activities. • Ensure engagement activities within their team are communicated to elected members through the CEO and Directors.
Project Lead	• Community engagement is the responsibility of all Council staff who deliver projects or services that impact the community. • Work with the Community Engagement Officer and use the Community Engagement toolkit to prepare engagement plans, deliver activities, and report back on engagement outcomes, including adequate feedback to community.
Community Engagement Officer	• Train and guide staff to ensure a consistent, best-practice, and evaluated approach to community engagement activities. • Develop a Community Engagement toolkit, including templates available to all staff. • Develop and manage an engagement calendar to streamline engagement activities across Council • Manage a Community Engagement Register. • Collaborate closely with the Community Hubs Manager to leverage existing networks and engagement opportunities and to ensure diversity and inclusion principles are met.
Communications Officer	• Work with the Community Engagement Officer and project teams to create communications plans for engagement activities. • Contribute to the Community Engagement Register. • Provide advice on appropriate communication methods to promote engagement opportunities and outcomes.
Manager Communications & Engagement	• Manage this Strategy's implementation, including quarterly reporting on the Community Engagement plans, calendar and register. • Checking final engagement plans.
Community	• Responsible for contributing to the decision-making processes available to them, including staying informed about engagement opportunities, considering the information or options available, providing timely feedback, participating respectfully, and considering the ideas of others.

Four-stage engagement framework

The following engagement framework is used by Council to design, plan, implement and report on community engagement activities. This framework ensures that engagement processes are **meaningful** and **measurable,** promoting consistent, best-practise engagement across the organisation. In addition to the steps below, Kiama Council's Engagement team is developing a toolkit to assist staff throughout the four stages of this framework.

1. Design

Engagement design lays the groundwork for effective community engagement processes. In this stage, project teams will prepare an **engagement brief** that outlines the context and scope of the engagement and identifies key stakeholders.

CONTEXT	Understanding the project context will help determine the purpose of engagement and integrate it into the broader project delivery plan. **Questions to consider:** ☐ What is the plan, policy, program or activity being delivered, why is it being delivered and who is responsible for delivering it? ☐ What is the final project action, outcome or decision that must be made and who is in charge of making it? ☐ Why is community engagement required or desired? (engagement purpose) ☐ What project milestones and dates are critical to meet? ☐ Are there any issues or assumptions that may impact the project? **Timeframe for project delivery must also be considered*
SCOPE	The engagement scope defines the extent of community engagement required. It identifies what can and cannot be influenced, helping to manage expectations. **Questions to consider:** ☐ What actions, outcomes or decisions *can* community influence and what *cannot* be changed*?* (negotiables and non-negotiables) ☐ Is there a legislative requirement to fulfil? ☐ How will community input be used in determining the final action, outcome or decision? ☐ What information does Council require from community to inform next steps and decision-making? E.g., what question/s are being answered by engaging?
STAKEHOLDERS	Identifying stakeholders is essential to establishing the level/s of engagement required. It ensures engagement seeks a diversity of community voices. **Questions to consider:** ☐ Who will be impacted or affected by the action, outcome or decision? ☐ Who has an interest in the action, outcome or decision? ☐ Which voices need to be strengthened? (diversity, equity and inclusion)

The following stakeholder analysis chart assists in identifying the community segments and/or individuals to be engaged, and determining the appropriate level/s of engagement based on:

- The impact of the action, outcome or decision on the individual or group
- The level of interest they have in the project
- The level of influence they have over the action, outcome or decision.

Stakeholders	Impact	Interest	Influence	Engagement
Segment 1	Low/medium /high	Low/medium/ high	Low/medium/ high	*Inform/Consult/ Involve/Collaborate /Empower*
Segment 2				
Segment 3				
Segment 4				
Segment 5				

2. Plan

Engagement planning is essential to delivering meaningful and measurable community engagement. In this phase, project teams will prepare an **engagement plan** that details the methods to be used and the resources required to undertake community engagement activities.

Schedule	Understanding where community engagement fits within the broader project plan helps guide the selection and sequencing of appropriate engagement methods. **Questions to consider:** ☐ When in the delivery of the project is community input required or desired? ☐ What key delivery milestones must be met? ☐ What project or task dependencies should be considered in the planning of engagement activities?

Activities	Engagement methods/activities are selected to correspond with the determined level of stakeholder engagement. This may mean selecting different activities for different groups. They should be selected with due consideration to the project budget, timeframe, scale and complexity, and legislative requirements, among other factors. Activities should be designed to meet community where they are, ensuring community preferences and expectations are considered. Equitable and inclusive engagement opportunities must be provided to ensure a diversity of voices are heard. **Questions to consider:** ☐ What are the *project objectives* and what are the *engagement objectives*? ☐ What *outputs* are required from community to achieve these objectives? ☐ What are the best *activities* to generate these outputs? **Other key considerations:** ☐ What support materials are required to deliver engagement? e.g., communications plan, risk management plan ☐ How will engagement outputs (data) be collected, analysed and reported? ☐ What measures will support diverse voices to participate in the activity/activities? * Steps for closing-the-loop should be embedded into engagement planning, with specific methods selected to ensure community is appropriately informed.
Resourcing	A detailed **implementation plan** will identify resources required to deliver engagement, and determine roles and responsibilities for undertaking key tasks. **Questions to consider:** ☐ What tasks must be performed to prepare for engagement? ☐ What tangible and human resources are required to deliver the engagement? ☐ Who is responsible for coordinating these tasks and resources? (see Roles and Responsibilities) ☐ Who is responsible for capturing the engagement data and preparing the engagement report? ☐ Identify budget for engagement activities

The following methods matrix provides an overview of common communication and engagement activities and tools. As mentioned above, Engagement methods are selected with due consideration to the level of engagement, project budget, timeframe, scale and complexity, and legislative requirements, among other factors.

	Inform	Consult	Involve	Collaborate	Empower
Council website	X				
Council e-newsletter (Kimunico)	X				
Social media	X				
Media release	X				
Local newspapers	X				
Rates notices	X				
Letters and email notifications	X				
Letter-box drops	X				
Posters, pamphlets, flyers	X				
Outdoor signage	X				
Print or digital factsheets and FAQs	X				
Door-knocking	X	X			
Presentation, meeting or briefing (in-person, phone or virtual)	X	X			
Online or printed survey		X			
Opinion poll		X			
Community pop-ups		X			
Comment, compliment, complaint form		X			
Online discussion board		X			
Calls for submission		X			
Council meetings or town hall engagements		X			
'Your Say' interactive website		X	X		
Citizen science (e.g. wildlife reporting)		X	X		
Reference or advisory groups		X	X	X	
Special councils or committees (eg: youth council)		X	X	X	
Workshops		X	X	X	
Focus groups		X	X	X	
Panel discussions		X	X	X	
Roundtables		X	X	X	
Working groups			X	X	
Co-design			X	X	
Design charette			X	X	
Deliberative forums				X	X
Consensus conference				X	X
Voting					X
Citizens jury					X

3. Implement

Implementation involves the delivery and monitoring of engagement activities to ensure activities align with project objectives. It also involves the processes for collecting and collating data.

Activation	Activation includes (a) preparing project teams to deliver engagement and (b) promoting engagement activities to community. The implementation plan will identify what actions need to take place in this phase (eg: coordinate venues, liaise with key stakeholders, distribute promotional materials) **Questions to consider:** ☐ Do staff (a) understand their role and responsibilities in delivering engagement and b) have the resources required to undertake engagement activities? ☐ Do community know (a) what the engagement is about (b) when and where engagement will take place and c) how to participate?
Delivery and monitoring	Engagement delivery should involve ongoing monitoring to ensure activities align with objectives, resourcing, and required outputs. Activities may need to be adapted or refined, or additional processes may need to be included. **Questions to consider:** ☐ Are project and activity objectives being achieved? ☐ Are attendance numbers/participation rates meeting expectations? ☐ What is the level of participant diversity? Is anybody *not* participating who might want or need to? ☐ Do engagement outputs meet data requirements? ☐ Are outputs being appropriately collected and documented? ☐ What is the public/media response if any? ☐ Are there enough/appropriate resources to continue?
Analysis	Raw outputs collected during engagement are to be collated and analysed to report on findings, make recommendations and/or inform decision-making (as determined by the level of engagement). **Questions to consider:** ☐ What were the key themes and/or findings across all engagement activities? ☐ What additional insights were discovered? *To protect the privacy of participants, data is to be de-identified unless express consent is given to the sharing of personal details.

4. Report

Reviewing, evaluating and reporting on engagement is critical to promoting transparency, accountability and integrity in engagement processes. This stage involves preparing and delivering **engagement reports** for decision-makers, project delivery teams and the community.

Report	The engagement report documents the entire engagement process, from design to data analysis, and presents engagement findings and insights. It may make recommendations or guide next steps. The report is shared with project teams, decision-makers and the community. Engagement reports will generally be included within Council reports. For ease of access, summaries will also be made publicly available for community and other stakeholders to view. **Questions to consider:** ☐ Who participated in the engagement and how? ☐ What did community say? (themes, findings, insights)
Review	An engagement review is undertaken as part of continuous improvement. It evaluates the effectiveness of engagement processes, activities, outcomes and resourcing, among other factors. This report is shared internally with engagement teams to reflect and debrief on learnings.
Close the loop	Closing the loop involves informing the community of the final action, outcome or decision made. It describes how the community's input was used in the decision-making process and what other evidence was considered. It explains why a certain decision was made.

Continuous communication

For best outcomes, community should be kept informed as engagement activities progress. Continuous communication serves to manage expectations and improve trust by ensuring the engagement process is open and transparent. How continuous communication is implemented will depend on the level, scale and timeframe for engagement, and will be embedded into engagement planning.

Methods may include:

- Sharing of engagement schedules, objectives and agendas
- Feeding back to participants after each engagement activity (sense checking)
- Preparing interim reports at key delivery milestones
- Providing regular updates online (web, social media, email), in print (newsletter, newspaper), or in person (briefings)
- Providing additional information/communications if needed
- Providing channels for community to get in touch
- Responding to community questions or inquiries in a timely manner
- Thanking community for their time and input .

Authorisation and version control

Owner/Responsible Officer	Manager Communications & Engagement
Department	Office of CEO
Date adopted/endorsed	TBC
Resolution number (if applicable)	TBC
Next review date	By 31 December 2024
TRIM reference	TBC

Variation and review

Council reserves the right to review, vary or revoke this Strategy.

Date reviewed	Date adopted/ endorsed	Brief detail of amendments
December 2015	March 2016	New Strategy
May 2023		Exhibited draft Strategy, withdrawn as required additional work
April 2024		Reworked, redrafted Strategy

KIAMA MUNICIPAL COUNCIL

Council update
13 March 2024
Community engagement popups and survey

Help us shape our Community Engagement Strategy

Kiama Council has launched a program of pop-ups across the LGA and an online survey to allow the community to help co-design and revise our Community Engagement Strategy.

From now until the end of March, we're inviting community members to chat and engage with us in person. We will be in lots of places, ready to listen and talk with you. If you are busy, you can fill out an online survey or email council@kiama.nsw.gov.au to tell us how you'd like to engage with Council, and how Council can engage better with you.

We are coming to you, because we'd like to hear from all sectors of our community. We know we need to update our Community Engagement Strategy, and we are choosing to co-design this with you. Our existing document and approach is nearly 10 years old, having last been done in 2015, a lot has changed since then! We are changing too.

Rather than simply release a draft to public exhibition, we would like to include your views and ideas, straight into the draft as it gets developed using a co-design approach.

It's all about changing how we do things, and genuinely shaping a culture of meaningful engagement with community and stakeholders. Working together, to achieve better and more sustainable outcomes for the region.

Council is keen to hear from a diverse range of voices in our community. We're also talking to precinct groups and associations, committees of Council, the business community, government agencies, our own staff, and a range of other stakeholders. We would like to understand how people want to be engaged, when to share information, and how we can improve our communication on Council matters.

As well as asking the community to indicate how they'd like to speak to and hear from Council, we'll also be promoting our upcoming Growth & Housing Strategy in the next few months. Stay tuned for details on more ways to engage.

This month, you can chat to us across the LGA at locations including Kiama Downs, Minnamurra, Kiama, Jamberoo, Gerringong and Gerroa

Don't miss your chance to get involved, come and talk with us. The community survey will close on 28 March 2024.

Council will use the community's feedback to develop a draft Strategy, which will be released for public exhibition from mid-April to mid-May.

ENDS

Kiama Council Calls for Open Community Dialogue on Future Growth and Engagement

Kiama Council is embarking on an inclusive and dynamic journey to shape the future of our towns, villages and region.

Council is encouraging every member of the community to actively participate in two pivotal conversations that will shape the trajectory of Kiama's future – growth and community engagement.

The growth conversation delves into the intricacies of our evolving landscape, addressing vital fronts like Bombo Quarry, South Kiama, Springside Hill, Spring Creek and Dido Street. Recognizing the national housing shortage, and local government's role in managing growth, we aim to collaboratively identify suitable sites for growth, explore practical solutions, and define essential infrastructure which are fundamental for responsible growth.

Acting Mayor Imogen Draisma emphasised, "This isn't just about building houses; it's about creating communities and villages, legacies we can collectively be proud of. We need to think deeply about fundamentals like water, sewerage, open spaces, schools and employment / industrial lands."

Simultaneously, Kiama Council is refreshing its Community Engagement Strategy, striving to amplify the voices that often go unheard. Claire Doble, Council's Communications and Engagement Manager, who will lead the Community Engagement Strategy stated: "We're taking a fresh new direction, engaging with diverse voices alongside traditional stakeholders, ensuring a strategy that truly represents our community."

These two conversations will directly contribute to the development of our Growth and Housing Strategy and Community Engagement Strategy, guiding Council, the NSW Government, and our community. Council urges everyone to stay tuned for upcoming communication, seize opportunities to provide feedback, and actively get involved.

"In the coming weeks you will be seeing a lot of communication from Council about these two projects and be given opportunities to provide input in a wide range of ways. I encourage everyone in the community to think about these issues, have your say, keep an open mind and be willing to listen," Acting Mayor Draisma said.

Kiama Municipal Council CEO Jane Stroud said Council was committed to approaching these topics differently than Council has done in the past.



Council Update
29 February 2024
Growth and Community Engagement

“We know the conversations won’t always be comfortable. Changing and growing, while protecting what’s important, is a hard balance to strike. We are open to hearing from a diverse range of community voices and to your helping us co-design and refine these key strategies,” Ms Stroud said.

Director of Planning, Environment, and Communities, Jessica Rippon, will lead the conversation on growth, development proposals and future planning for our LGA.

"We aim to 'lead growth for good,' planning for a future where infrastructure aligns with development, fostering positive change," Ms Rippon said.

In terms of the Housing and Growth Strategy, Ms Rippon said: “We will be hosting robust discussions, be seeking online feedback, partnering with the NSW Government Department of Planning and conducting meetings with our stakeholders and community members to capture ideas and views on growth.”

“This will include discussions about some of the development proposals that are before Council and future opportunities such as development within Bombo Quarry.”

In relation to the Community Engagement Strategy, Ms Doble said the process would start with meetings with key stakeholders and various community pop ups throughout March.

“Once we have then prepared a draft strategy, community members will once again get an opportunity to provide feedback. The finalised strategy and accompanying report will outline how community feedback has shaped the strategy,” Ms Doble said.

Council staff are currently briefing Councillors, committees and other key stakeholders about the projects and the engagement activities that are going to be occurring over the coming weeks and months.

Council will provide regular updates to our community on the timing, activities and opportunities to be involved.

“This is a once-in-a-lifetime opportunity for our community to co-design and refine strategies that will echo through generations. Let's engage, discuss, and envision a Kiama we're all proud to call home,” Cr Draisma said.

ENDS

KIAMA MUNICIPAL COUNCIL

Your community, your say



Thanks for taking the time to complete this short survey.

You can have your say as an individual, on behalf of someone you know and, or as part of a group or organisation.

Your input will help us shape Council's updated Community Engagement Strategy.

The survey should take 5-10 minutes to complete.

KIAMA MUNICIPAL COUNCIL

Your community, your say

About you

On this page, we're looking for information about you so that we can compare your wants and needs to others in the community.

1. To which age category do you belong?

- ◯ Under 18
- ◯ 18-24
- ◯ 25-34
- ◯ 35-44
- ◯ 45-54
- ◯ 55-64
- ◯ 65-84
- ◯ 85+

2. Where do you live?

3. And if you don't mind us asking, how do you describe yourself? (Select all that apply)

- [ ] LGBTQIA+
- [ ] Aboriginal and/or Torres Strait Islander
- [ ] Person with a disability
- [ ] Non-English speaking background
- [ ] Parent with young kids (under 12)
- [ ] Parent with teenagers at home (under 18)
- [ ] New resident (< 3 years)
- [ ] Medium-term resident (3 to 9 years)
- [ ] Long-term resident (10+ years)
- [ ] Providing feedback on behalf of a group or organisation
- [ ] Regular volunteer
- [ ] Working full-time
- [ ] Working part-time / casual
- [ ] Local business owner
- [ ] Student
- [ ] Retiree
- [ ] None of the above
- [ ] Other (please specify)

KIAMA MUNICIPAL COUNCIL

Your community, your say

Have your say

4. Council seeks to engage with community on a range of initiatives and decisions. What are the **top three** most important things you want Council to engage with you about?

- [ ] Opportunities to provide input on Council projects, services, strategies and policies
- [ ] Town planning and development
- [ ] Roadworks and infrastructure
- [ ] Bin collection, waste and recycling
- [ ] Environment and land/coastal management
- [ ] Parks, venues, playgrounds, pools and recreational facilities
- [ ] Cultural facilities and activities (libraries, galleries museums)
- [ ] Local tourism and events
- [ ] Pets and wildlife
- [ ] Community development initiatives e.g. youth services
- [ ] Activities / events in the area
- [ ] Council meetings
- [ ] Fees and charges for Council services and facilities
- [ ] Other (please specify)

5. How do you usually find out about these things happening in your community?
(select all that apply)

- [ ] Local newspapers
- [ ] Council website
- [ ] Brochure in letterbox
- [ ] Regular e-newsletter (Kimunico)
- [ ] Council's official Facebook page
- [ ] Council's official Instagram page
- [ ] Community group Facebook page
- [ ] With your rates notice
- [ ] Radio
- [ ] Television
- [ ] Public notice boards
- [ ] Local Library
- [ ] From Council staff at pop up stalls or info session
- [ ] Community meeting i.e. precinct meetings
- [ ] Council meetings
- [ ] Other (please specify)

6. Ideally, how would you like to receive information about our services, facilities, events and projects? **(select all that apply)**

- [ ] Local newspaper
- [ ] Council website
- [ ] Brochure in letterbox
- [ ] Regular e-newsletter (Kimunico)
- [ ] Council's official Facebook page
- [ ] Council's official Instagram page
- [ ] With your rate notice
- [ ] Local radio
- [ ] Local television
- [ ] Public notice boards
- [ ] Local Library
- [ ] From Council staff at pop up stalls or info session
- [ ] Presentation to your group or committee i.e. precinct groups
- [ ] Council meetings (in person)
- [ ] Council meetings (online)
- [ ] Other (please specify)

7. And, how do you want to tell us your thoughts and views? **(select all that apply)**

- [ ] Talk to a Council staff at pop-up stalls or info session
- [ ] Phoning us
- [ ] Filling out a survey
- [ ] Quick online polls
- [ ] Writting an email or letter
- [ ] Attending the public forum prior to a council meeting
- [ ] Participating in a council led online forum or webinar
- [ ] Commenting on social media posts on the official Council Facebook and Instagram pages
- [ ] One topic at a time
- [ ] Multiple topics at once
- [ ] Other (please specify)

8. For the issues that matter most to you, how involved would you like to be when it comes to Council decision-making and initiatives?

- ◯ Just keep me informed
- ◯ I would like to be consulted
- ◯ I want to actively participate and inform decision making
- ◯ Other (please specify)

9. Council is committed to engagement that is inclusive and accessible for all, including voices from our Aboriginal and Torres Strait Islander residents, youth, residents with disabilities, older persons and busy working parents.

The Kiama 100 Reference Group is a potential initiative that seeks to appoint 100 community representatives that reflect the diversity of voices in the community to engage with Council on a range of community issues.

Do you think a 100 Reference Group would be a good way for Council to gain insights into the wants and needs of our community?

- ◯ Yes
- ◯ No (please specify why not)

10. Do you have any suggestions for how Council can engage more meaningfully with the diversity of voices in our community?

11. Council is responsible to undertake planning and development consistent with the Environmental Planning and Assessment Act 1979 (the Act).

How would you like to be informed about for planning and development matters?

12. What else would you like to tell us?

13. Council publishes a monthly e-newsletter called Kimunico - a wrap on all things Council. Do you receive this?

- ◯ Yes
- ◯ No
- ◯ Not yet, but love to subscribe

14. Please leave your email address if you want to stay updated with our progress and hear how we used your input.

13.3 Performance Improvement Order (PIO) Implementation and Oversight Committee

CSP Objective: Outcome 5.3: Council has the right structures, technology, processes and precedures to support delivering for the public

CSP Strategy: 5.3.2 Council will deliver the actions outlined in the State of the Organisation Report and the Strategic Improvement Plan

Delivery Program: 5.3.2.1 Continuous improvement is embedded in the organisation through delivery of the Strategic Improvement Plan priorities annually.

Summary

Council, at their Ordinary March 2024 meeting, resolved to establish a Performance Improvement Order (PIO) Implementation and Oversight Committee and requested that a report be provided on the establishment of the committee, which includes a draft term of reference and committee membership be provided. This report fulfills this request.

At the same meeting, Council received a report from the Chief Executive Officer outlining the creation of a temporary Implementation Team to lead the coordination and delivery of PIO work. This report also provides an update on the establishment of this team and their work schedule.

When adopting the Strategic Improvement Plan 2 (SIP2), Council resolved to receive regular updates of the progress of actions of the SIP2. With the receipt of the Minister's Notice of Intent to Vary the PIO, the Implementation Team have commenced work on preparing the required Strategic Finance and Governance Report (i.e. SIP3). Given this work, an update on SIP2 actions is not being provided as part of this report, instead the required Strategic Finance and Governance Report (i.e. SIP3) will be reported to Council for endorsement following the receipt of the varied PIO.

Financial implication

The SIP2 outlines key activities to improve the long term sustainably and governance of the Kiama Municipal Council. Many actions within the document contain financial ramifications.

Risk implication

The primary focus of Council must be on addressing the actions of the State's PIO. Failure to do so could result in the Minister for Local Government intervening by suspending the Council under Chapter 13, Part 7 of the *Local Government Act 1993.*

Policy

Local Government Act 1993

Aged Care Act 1997

Performance Improvement Order – Nov 2022

Proposed Performance Improvement Order – Jan 2024

Strategic Improvement Plan 2

Consultation (internal)

A series of executive meetings have been held over recent weeks to work through aspects of the PIO. Managers have been briefed and all staff meetings have been held where the PIO was discussed.

The PIO and Raynor Report were discussed with ARIC, FAC and Blue Haven Advisory Committee in their most recent meetings.

The SIP2 was endorsed by Council at the April 2023 meeting.

Communication/Community engagement

The PIO and Raynor report were previously reported to Council and the community in February 2024.

The CEO has communicated regularly with staff and the community regarding a wide range of matters currently affecting the organisation.

Attachments

1 draft Terms of reference - Performance Improvement Order (PIO) Implementation and Oversight Committee⇩

Enclosures
Nil

RECOMMENDATION

That Council:

1. Adopt the Terms of Reference for the Performance Improvement Order (PIO) Implementation and Oversight Committee.
2. Note the establishment of the Implementation Team and their work schedule, including the ongoing preparation of the Strategic Finance and Governance Report.

Background

Council, at their Ordinary March 2024 meeting, resolved to establish a Performance Improvement Order (PIO) Implementation and Oversight Committee and requested that a report be provided on the establishment of the committee, which includes a draft term of reference and committee membership be provided.

The resolution of Council requested that this report examine additional areas of remit of the PIO Implementation and Oversight Committee, including:

a. Unexpected and unanticipated financial costs on council.
b. Ongoing costs of legal action involving council.
c. Insurance matters and risks.

d. Other issues as recommended or provided by Council's Audit, Risk and Improvement Committee (ARIC), and Finance Advisory Committee (FAC) for examination by the committee.

e. The dilapidation report for Blue Haven Terralong.

f. Council restructure and size of the organisation.

As Council would be aware, on 30 January 2024, Council received a Notice of Intention to vary the PIO from the Minister of Local Government, the Hon. Ron Hoenig MP. As part of the Minister's Notice a Proposed PIO which includes proposed/updated actions required to improve Council's performance. These actions are summarised below:

Part A: Council's Financial Management

1. Regularly and continuously review Council's financial situation with a view to becoming financially sustainable by 2026-27.
2. Review and update the SIP2 to focus on the challenges faced by Council by:
    a. Being rebranded as the "Strategic Finance and Governance Improvement Plan".
    b. Emphasising the urgency needed to address the financial and governance issues facing Council.
    c. Report monthly to the Council on the financial position of the organisation and bi-monthly on the governance and other actions in the Plan.
    d. Set out actions to be taken over the net two budget cycles (FY 2024-24 & FY 2025-26) to break the practice of adopting deficit operating budgets without relying on property sales.
    e. Include a three-year financial strategy which will culminate in Council increasing its unrestricted cash balance to a sustainable level by FY 2026-27.
3. Continue to improve compliance with accounting principles.
4. Immediately review the timing for service reviews and revenue opportunities to ensure Council can move to surplus operating budgets and ensure its long term financial security.
5. Continue to investigate and pursue opportunities to benefit from property holdings and investments.

Part B: Blue Haven Aged Care Facility

1. Address issues associated with Blue Haven Terralong including, but not limited to:
    a. Completing and making public a dilapidation/building report Terralong and Havilah.

	b. Examining options to retain and refurbish Terralong to conform to contemporary independent living units.
Part C: Council's Financial Accounting and Management Systems	
1.	Fully implement Technology One by mid-to-end of 2025.
2.	Implement the governance recommendations from the Hopwood Report and the Auditor's Letter from the 2021/22 audit.
3.	Restructure the presentation of the draft and published budgets to:
	a. Detail programs and activities compared to current and previous years.
	b. Detail funding sources for each capital project.

Points 3. a-c of Council's 19 March 2024 resolution (24/073OC) are covered by the actions 1 and 3 under Part A, as summarised above. The points of Council's resolution to include the Blue Haven Terralong dilapidation report and Council's structure and size are also covered by the proposed PIO via the Blue Haven specific actions and ultimately by the need to undertake service reviews across the organization (i.e. action 4 under Part A, as summarised above).

In light of this, it is considered that the attached Terms of Reference capture and address the objectives of Council Council's 19 March 2024 resolution (24/073OC).

While the attached Terms of Reference clearly outline that the PIO Implementation & Oversight Committee will operate as a sunset advisory committee, with its term running for the length of the PIO, the term of the four Councillor members will cease at the commencement of the caretaker period for the NSW Local Government Elections 2024 (i.e. 16 August 2024) and following being sworn in the new Council will need to elect members for this committee.

Implementation Team

As outlined in the Item 18.1 of the 19 March 2024 Business Papers, an Implementation Team has been established, with both the Head of Implementation and Legal & Governance Services Implementation Lead having now commenced in their roles.

The Implementation Team consists of:

- the Head of Implementation, reporting directly to the CEO
- the Legal & Governance Services Implementation Lead
- the Business Transformation Lead
- a Project Support Officer

The Implementation Team is responsible for overseeing the implementation of the actions of the PIO, with the priorities at this stage being:

1. Continued preparation of the "Strategic Finance and Governance Improvement Plan", including assisting in the preparation of an updated Hopwood Report.

2. Facilitating workshops with Managers to collectively identify savings to reduce project budget deficits.
3. Review the following service reviews and commence preparation of business cases, including action plans, and/or master plans:
    a. Kiama Leisure Centre
    b. Kiama Coast Holiday Parks
    c. The Pavilion Kiama
    d. Waste Business Unit
    e. Kiama Library Services
4. Engage with the Finance Advisory Committee, Audit, Risk and Improvement Committee and Council to determine and sequence subsequent service reviews.
5. Engage with the Finance Advisory Committee, Audit, Risk and Improvement Committee and Council to determine the sequencing of business cases for the development of the following key catalyst sites:
    a. Council Administration Centre, 11 Manning Street, Kiama
    b. Old Retirement Village, Havilah Place, Kiama
    c. Council Works Depot, Belvedere Street, Kiama
    d. Council Waste Depot, Riverside Drive, Minnamurra
    e. Blue Haven Terralong precinct, Kiama
    f. Spring Creek precinct, Kiama
6. Commence consolidation of the organisation's legal services.
7. Commence review of Council policies, procedures and templates associated with inducting new Councillors.

At the time of writing this report, Council is yet to receive a formal variation to the PIO from the Minister. Once a varied PIO is received the draft the "Strategic Finance and Governance Improvement Plan" will be finalised and reported to Council for endorsement as a matter of priority.

KIAMA MUNICIPAL COUNCIL

Terms of Reference

Committee:	**Performance Improvement Order (PIO) Implementation and Oversight Committee**
Status:	Committee of Council ☐ Statutory committee ☐ Sunset Advisory committee ☒ End date: 30 June 2026
Purpose:	Role of the Committee is to: • Provide oversight of the implementation of all requirements of the Performance Improvement Order (PIO), for the length of the PIO, and • Provide oversight on legal expenses and insurance matters with risks.
Objectives:	Objectives of the Committee are to: • provide oversight on the implementation of all PIO actions.
Committee Meetings:	Meetings are held every two months on the second Tuesday of the month.
Venue:	Meetings will be held at the Kiama Council Chambers, other suitable venues as required or online.
Membership:	• Mayor, Councillor Neil Reilly • Deputy Mayor, Councillor Imogen Draisma • Councillor Stuart Larkins • Councillor Mark Croxford • Chief Executive Officer • Chief Operating Officer • Head of Implementation • Legal & Governance Services Implementation Lead • Business Transformation Lead All Councillors can attend meetings as an observer.
Term of membership	Council membership of the Advisory Committee will be for the length of a Council term. NB: a specified term does not preclude an incumbent from reapplying to serve on consecutive terms.
Chairperson	The Mayor, or in the Mayor's absence the Deputy Mayor, will be the chairperson.
Meeting quorum:	A Quorum will be deemed to have been met under the following criteria: 1. minimum of 50% of the voting members plus 1 2. or per statutory requirements (if required).
Meeting	• Meetings are to be chaired by the Chairperson or their alternate.

DRAFT

Committee:	**Performance Improvement Order (PIO) Implementation and Oversight Committee**
administration:	• Minutes will be taken by a representative of Council. • Minutes are required to be submitted for the next Ordinary Meeting of Council immediately following the committee meeting. • Minutes and agendas will be circulated no less than seven days prior to a scheduled meeting.
Responsibility	Committee members will: 1. provide oversight and to assist with the implementation of all requirements of the Performance Improvement Order (PIO) for the length of the PIO, including, but not limited to the following three (3) parts of the PIO: a Council's Financial Management b Blue Haven Aged Care Facility c Council's Financial Accounting and Management Systems 2. Monitor and report on legal expenses and insurance matters with risks.
Code of Conduct	1. at all times committee members must comply with Council's Code of Conduct for Council committee members, delegates of Council and Council advisers, including managing conflicts of interests, 2. at all times contribute in a positive and respectful manner, and 3. at all times avoid disruption, contrary conduct or being wasteful of time and resources.
Termination of membership	Councillor member positions will be declared vacant/terminated via a resolution of Council.

13.4 Barney Street Quarry lease

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

CSP Strategy: 3.1.2 Support local start-ups,entrepreneurs and new partnerships.

Delivery Program: 3.1.2.1 Work collaboratively with key stakeholders to support local businesses.

Summary

Burnetts on Barney is seeking Council support for a sustainable lease tenure of 5 x 5 x 5 x 5 and to consider minor modifications to the unique Development Control Plan for the site at 80 Barney Street, Kiama (Lot 9 DP850163 and part Lot 69 DP1065423).

Financial implication

There are costs associated with preparation of a lease and amendments to a development control plan that would need to be met.

Risk implication

Risks include:

- Loss of the current business enterprise with consequent loss of local economic activity and direct jobs
- the abandonment of the current lease by the proponent due to lack of long term security of premises
- the loss of the only nursery and landscaping material supply organisation within Kiama.

Policy

Local Government Act 1993

Consultation (internal)

Chief Executive Officer

Communication/Community engagement

Not required.

Attachments

1 Barney Street Quarry Site and Kiama DCP Proposed Amendments - letter dated 9 April 2024⇩

Enclosures
Nil

RECOMMENDATION

That Council supports:

1. a longer lease tenure of 5 x 5 x 5 x 5 with Burnetts on Barney for 80 Barney Street, Kiama (Lot 9 DP850163 and part Lot 69 DP1065423).
2. investigating minor modifications to the site-specific Development Control Plan.

Background

At the 14 December 2023 Council meeting it was determined (23/379OC) that Council:

1. *Retain ownership of the Barney Street freehold properties described as Lot 9 DP850163 and part Lot 69 DP1065423.*
2. *Decline the current unsolicited offer.*
3. *Delegates to the Chief Executive Officer to offer the current lessee a new longer term lease of 5 x 5 years negotiating a commercial return that recognises community benefit.*
4. *Pending successful negotiation of a new lease consider as part of the budget process for 2024/2025:*
    a) *working with the lessee to apply for grant funding to establish disability access and other infrastructure required to facilitate ongoing operation of the business.*
    b) *reviewing the DCP to allow for the restrictions around Sunday and Public Holiday trading on this site to be removed, noting that a modification application would need to be submitted to Council for consideration.*

Request from Burnetts on Barney

Following Council's resolution in December 2023 a number of meetings were held to discuss the specifics of Council's decision. Subsequently, Council received correspondence from Burnetts on Barney dated 9 April 2024 (attached) with a request to support a longer lease term so there is sufficient security to provide confidence and continuity for the business and to also consider minor modifications to the site specific DCP.

As explained by Mr and Mrs Burnett "*security of tenure is a critical and ongoing issue for our business which has operated on this site with extremely limited permanent infrastructure for more than 12 years with only short-term lease options. In order to continue investing in the business on this site and progressing plans to deliver greater services which provide additional employment opportunities our business requires long-term security of tenure*."

As noted above the recommendation from the December 2023 Council offered a 5 x 5 lease. However, the Burnetts contend that "*this tenure does not provide sufficient security to justify further investment on the site. The current facilities are degraded and in urgent need of upgrade. We have already invested heavily in repairing and upgrading the site to meet basic service needs such as power and telephone*

connectivity as well as property maintenance to make buildings habitable and weatherproof. We have invested more than $500,000 into permanent infrastructure on the leased site as well as making additional investment in non-permanent infrastructure."

Recommendation 4(b) of the Council recommendation included reviewing the Development Control Plan for the site and the Burnetts seek Councils continued support for this to occur stating "*As part of Council's recommendation, we also seek Council's support for minor modifications to the unique Development Control Plan limitations on this site which impose significant economic and service limitations through restricted hours of operation. The DCP conditions on this site were determined to manage issues and operations for single business operation and industry business model which no longer operates on the site. There is no other Garden Centre in Australia which operates under restrictions which prevent opening on Sundays or Public Holidays.*"

A copy of the suggested amendments to DCP 9 is also attached.

BURNETTS ON BARNEY
KIAMA'S LANDSCAPING HUB

80 Barney Street, Kiama NSW 2533
P: 02 4233 1322 – F: 02 4233 1344
E: elizabeth@burnetttrees.com.au
Mailing Address : PO Box 169, Jamberoo NSW 2533
ABN 29 132 037 542

Elizabeth and Andrew Burnett
Farbreburn Pty Ltd trading as Burnetts On Barney

Ms. Jane Stroud, CEO
Kiama Municipal Council

9 April 2024

Re: Barney Street Quarry

Thank you for your letter of 14 February 2024 in which you confirmed that at Council's Ordinary meeting of 14 December 2023 it was determined Council would:

1. Retain ownership of the Barney Street freehold properties described as Lot 9 DP850163 and part Lot 69 DP1065423.
2. Decline our unsolicited offer.
3. Delegate to the Chief Executive Officer to offer the current lessee a new longer-term lease of 5 x 5 years negotiating a commercial return that recognises community benefit.
4. Pending successful negotiation of a new lease consider as part of the budget process for 2024/2025:
    a) work with us to apply for grant funding to establish disability access and other infrastructure required to facilitate ongoing operation of the business.
    b) review the DCP to allow for the restrictions around Sunday and Public Holiday trading on this site to be removed, noting that a modification application would need to be submitted to Council for consideration.

Security of tenure is a critical and ongoing issue for our business which has operated on this site with extremely limited permanent infrastructure for more than 12 years with only short-term lease options. In order to continue investing in the business on this site and progressing plans to deliver greater services which provide additional employment opportunities our business requires long-term security of tenure.

We remain interested in negotiating with Council to purchase the property and our unsolicited offer made to the December meeting remains open.

We appreciate Council's ratification to offer a new longer-term lease of 5 x 5 years.

However, this tenure does not provide sufficient security to justify further investment on the site. The current facilities are degraded and in urgent need of upgrade. We have already invested heavily in repairing and upgrading the site to meet basic service needs such as power and telephone connectivity as well as property maintenance to make buildings habitable and weatherproof. We have invested more than $500,000 into permanent infrastructure on the leased site as well as making additional investment in non-permanent infrastructure.

Disappointingly, plans discussed at the December meeting of Council for us to provide additional storage infrastructure for the sale of hardware and building materials to meet local construction industry needs as well as improve facilities for training, hospitality, and entertainment to meet local tourism needs will not be able to secure funding to progress under this short-term lease structure.

Accordingly, we seek Council's support for a sustainable lease tenure of 5 x 5 x 5 x 5 lease negotiating a commercial return that recognises community benefit.

Our businesses, Burnetts On Barney and Burnett Trees, are locally owned and operated businesses which have shown long-term commitment to Kiama Municipality. Both have been recognized by Illawarra Business for their professional and sustainable services and Burnetts On Barney was recently announced as Garden Centre of the Year for NSW and ACT. Both businesses are significant local employers and service business and residential clients throughout the Kiama Municipality and the Illawarra. In an economic climate in which small businesses in Kiama are facing significant pressures ours are still striving to deliver strong service standards and customer experiences while continuing to offer local employment opportunities.

Burnetts strongly desire to be part of the economic revitalization of Kiama.

There are no other sites in the Kiama Municipality suitable for our businesses to relocate and deliver the additional services proposed.

We therefore seek your support for a long-term lease arrangement which will offer sufficient security to provide confidence and continuity.

As part of Council's recommendation, we also seek Council's support for minor modifications to the unique Development Control Plan limitations on this site which impose significant economic and service limitations through restricted hours of operation. The DCP conditions on this site were determined to manage issues and operations for a single business operator and an industry business model which no longer operates on the site. There is no other Garden Centre in Australia which operates under restrictions which prevent opening on Sundays or Public Holidays.

Application for proposed minor amendments which ensure continued respect for neighbouring residential properties and recognize the need for environmental management while allowing the business to meet modern customer needs and provide additional employment through changed operating times is provided as an attachment.

As determined at the December meeting, once lease negotiations are finalised, we also look forward to working with Council to apply for grant funding to establish disability access and other infrastructure required to facilitate ongoing operation of the business.

We appreciate the support Kiama Municipal Council employees and Councilors have offered our business over the past 12 years and look forward to working with you in the future to create a vibrant and thriving local economy.

Sincerely



Elizabeth and Andrew Burnett

Attachment 1 – Proposed Amendments to DCP 9.

Topic 9.1 – Industry

Barney Street Quarry

In addition to relevant controls contained in other chapters of this DCP these site-specific controls apply to the land within the disused Barney Street Quarry, known as Lot 9 DP850163 Barney Street, Kiama.

Objectives

0:9.1.1 To recognize the fact that the Barney Street Quarry is sited within a residential area;

0:9.1.2 To identify uses of the Barney Street Quarry which are considered inappropriate because of their likely impact upon the amenity of neighbouring residences;

0:9.1.3 To ensure activities undertaken in the Barney Street Quarry do not interfere with the amenity of adjoining and adjacent residences due to the hours the activity is conducted or the manner in which the activity is conducted;

0:9.1.4 To ensure activities undertaken in the Barney Street Quarry do not pollute or degrade the environment;

0:9.1.5 To identify geotechnical constraints which exist in the Barney Street Quarry and appropriate remedial measures which may be undertaken; and

0:9.1.6 To ensure that any activities undertaken on site will pose no amenity issues to surrounding residential development.

Section 1 – Potential Land uses

Activities such as motor vehicle repairers, road transport terminals, timber yards etc. are not acceptable land uses for the Barney Street Quarry as these activities are likely to have an adverse impact on the amenity of residents by reason of noise, hours of operation, fumes, and the like. Generally appropriate land uses for the Barney Street Quarry are those in which the processes carried on, the transportation involved, or the machinery or materials used do not interfere with the amenity of the neighbourhood by reason of unreasonable noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste products, grit, oil or otherwise.

Activities which involve the processing of hazardous or offensive materials or products are not appropriate for the Barney Street Quarry.

Section 2 – Pollution Issues

Controls – Noise

9.1.1 Due to the proximity of surrounding residential development, any activity which occurs within the Barney Street Quarry has the potential to create a noise nuisance. To minimize the impacts of noise and the potential disturbance to nearby residents the following guidelines will apply to any activity conducted within the quarry.

9.1.2 Generally, trading hours/hours of operation are restricted to:

- 7.00am to 10pm.

9.1.3 Generally, delivery vehicle movements to and from the quarry are restricted to:

- 6.30am to 6pm.

9.1.4 Delivery vehicle movements outside these hours should be limited in their frequency and should only involve access to and from the site for secure parking purposes and/or basic servicing not involving significant noise generation activities.

9.1.5 All delivery vehicles or equipment should have their engines switched off which loading/unloading or queuing to load/unload as soon as possible after arrival.

9.1.6 All delivery vehicles should leave the quarry immediately after starting of engines. Vehicles should not be allowed to idle for unnecessary lengths of time.

9.1.7 Where possible the loading/unloading vehicles and the moving of bulk materials should not be carried out before 7am.

9.1.8 Employees should be advised to take reasonable care to load/unload their vehicles without unreasonable impact, including the shutting and closing of tailgates etc.

9.1.9 All drivers of MR trucks should be instructed that when leaving the quarry, they should turn right into Barney Street and observe 'drive neighbourly' procedures.

Controls – Fumes and Other Emissions

9.1.11 Smoke, fumes, dust, and other odours can create air pollution problems. To ensure activities in Barney Street Quarry keep these potential impacts to a minimum, the following guidelines apply:

9.1.12 Access roads, driveways and carparking areas to be sealed or covered in a non-organic material.

9.1.13 All vehicles and equipment shall be regularly checked to ensure that they meet maximum emission standards.

9.1.14 Activities must not cause hazardous emissions that will unreasonably affect neighbouring properties.

Controls – Other Pollution

9.1.16 Activities conducted in the Barney Street Quarry must not involve:

- Vibration being felt on neighbouring premises.
- The erection of buildings or structures that are clearly visible from the street, other public place or an adjoining residential property that are unsightly or constructed of highly reflective, lightly coloured materials.
- The likely discharge of contaminates – solid or liquid – into the sewerage system.
- Ground contamination of soils by the deposition of liquid or solid wastes, including oil products and chemicals or their compounds, on the soil.
- The accumulation of waste materials on the site other than those properly stored and to be disposed of by a regular collection system.

Controls – Waste Disposal

9.1.17 All waste disposal from site must be in accordance with Chapter 10.

<u>Section 3 – Geotechnical Constraints</u>

Council has previously commissioned a geotechnical stability and risk assessment of the Barney Street Quarry to assess the stability of the rock slopes and walls of the abandoned quarry. The geotechnical investigations have found that instability of the quarry walls is influenced by several factors including:

a) Vegetation growing out of the rock face reduces stability of blocks by increasing the rate of weathering and forcing open joints;
b) Excessive water pressures, caused by heavy surcharges of rainfall, may be sufficient to loosen unstable blocks; and
c) Failure of individual or small groups of blocks (eg topping, sliding blocks or falls).

The geotechnical assessment has reviewed several options for remedial measures. It has been recommended that a range of measures by judiciously applied – relative to the particular conditions present at different locations around the rock face. These remedial measures include:

a) Barring-down the loose material – where loose blocks are identified and forced off the rock face under controlled conditions. This process needs to be repeated every few years, as the slope weathers and blocks loosen.
b) Provision of drainage of excess water from behind the rock face and the area just beyond the crest of the rock face, to prevent the buildup of excessive water pressures.
c) Removal of accessible vegetation from the slope and poisoning of roots to ensure growth does not occur.
d) Rock bolting and strapping of potentially unstable blocks of rock.
e) Installation of a catch fence as a 'passive' treatment to control the consequences of rock falls rather than prevent them. Catch fences are usually combined with a buffer one at the base of the slope (an area where rocks can fall without risk of damage to property or persons). A trench is often incorporated within the buffer zone and may be filled with energy absorbing material (eg gravel or vegetation) designed to control the impact of rock falls.

Controls – Geotechnical Constraints

9.1.18 Any development application involving the erection of buildings should be accompanied by a geotechnical report. The report should identify potential hazards and appropriate remedial measures and constraints. In granting development consent, Council may impose conditions requiring remedial measures to be taken to restrain or control the fall of rocks from the cliff wall at the quarry.

Controls – Landscaping

9.1.19 Landscaping on site must meet all requirements in Chapter 3 – Topic 3.2.

14 REPORT OF THE CHIEF OPERATING OFFICER

14.1 February 2024 Monthly Financial Report

CSP Objective: Outcome 5.1: Public funds and assets are managed strategically, transparently, and efficiently

CSP Strategy: 5.1.1 Public funds are managed in accordance with Financial Management Standards and the Local Government Act.

Delivery Program: 5.1.1.1 Improved financial reporting and legislative compliance through reporting, scrutiny oversight and processes

Summary

This report provides a year-to-date Statement of Financial Position and Income Statement for Council's various business activities and at a consolidated level. This report aims to outline and explain any material deviations from budget year to date.

Financial implication

This report relates directly to the financial performance of Council.

Policy

Local Government Act 1993

Local Government (General) Regulation 2021

Consultation (internal)

Chief Executive Officer

Chief Financial Officer

Management Accountants

Communication/Community engagement

N/A

Attachments

1 Monthly Financial Statements February 2024⇩

Enclosures
Nil

RECOMMENDATION

That Council:

1. Notes the Monthly Financial Report for February 2024.
2. Approves budget allocation of $35K to depot fuel tank upgrade project, to be funded from Waste and Sustainability Reserve.

Background

The Monthly Financial Report for February 2024 provides an update on the current financial position of Council on a year-to-date basis. This report aims to highlight the operational performance against budget of each of the Council's main business activities and at a consolidated level.

Settlement proceeds from the recent Irvine Street property sale will occur early April 2024.

Consolidated Income and Expenditure Statement

Please note that all budget variance figures, and analysis provided in this report now incorporate quarterly budget review changes from QBR 2, which were adopted by Council at the January 2024 ordinary meeting. Therefore, variances and commentary described in this report are compared to the newly updated budget.

As at February 2024, Council has achieved an operational surplus of $2.1M at a consolidated level. However, the budget for the same period was estimated to be a surplus of $5.7M, resulting in an unfavourable variance of $3.6M. This variance is mainly attributed to operational revenue, which is $927K (1.3%) below the budgeted amount, and operational expenditure exceeding the budget by $2.7 million (4.2%). Timing of capital grants is a key factor explained below.

In the context of income from ongoing operations, if the unfavourable variances related to capital grants of $3.4M are excluded, the consolidated revenue variance would be $2.4M favourable. This favourable revenue variance nearly offsets the unfavourable expenditure of $2.7M. Consequently, the net operating variance, excluding capital grants and contributions, shows a smaller $260K or 5.3% unfavourable variance to budget (See Table 1). Despite this slight unfavourable net variance, Council remains on track with the projected budget loss.

These capital grant funding delays not only impact the Council's revenue stream but also have repercussions on the Council's unrestricted cash position, as highlighted in Council's Investment Report.

For a more comprehensive understanding, further explanations regarding material income and expenditure variances, along with a detailed financial analysis of each of the Council's entities, are provided below.

2023/24 Operational Budget - Variance summary per entity

$'000	Consolidated	Council General Operations*	Blue Haven	Holiday Parks	Pavilion
Income Actual	69,307	42,027	18,685	8,012	584
Income Budget	70,234	44,723	17,066	7,897	548
Income Variance $	**(927)**	**(2,696)**	**1,619**	**115**	**35**
Income Variance %	**(1.3%)**	**(6.0%)**	**9.5%**	**1.5%**	**6.4%**
Expenses Actual	67,181	39,596	21,728	5,212	646
Expenses Budget	64,484	39,567	19,032	5,214	671
Expenses Variance $	**(2,698)**	**(29)**	**(2,696)**	**3**	**25**
Expense Variance %	**(4.2%)**	**(0.1%)**	**(14.2%)**	**0.0%**	**3.8%**
Actual operating results	2,125	2,430	(3,043)	2,800	(62)
Budgeted operating results	5,750	5,156	(1,966)	2,683	(123)
Operating results Variance $	**(3,625)**	**(2,726)**	**(1,077)**	**117**	**60**
Operating results Variance %	**63.0%**	**52.9%**	**(54.8%)**	**4.4%**	**49.3%**
Actual operating results (before capital)	(5,176)	(4,870)	(3,043)	2,800	(62)
Budgeted operating results (before capital)	(4,916)	(5,509)	(1,966)	2,683	(123)
Operating results Variance $ (before capital)	**(260)**	**639**	**(1,077)**	**117**	**60**
Operating results Variance % (before capital)	**(5.3%)**	**11.6%**	**(54.8%)**	**4.4%**	**49.3%**

**Council General Operations exclude Blue Haven, Holiday Parks and Pavilion.*

Income

User charges and fees

Council has recorded an additional $289K in user charges and fees above budgeted expectations to February 2024. All council's business entities have recorded higher than expected income from user charges and fees, except for Holiday Parks showing a minor unfavourable variance of $12K. Blue Haven's user charges and fees shows a favourable variance of $234K. Similarly, both General Fund and Pavilion have favourable positions with additional user charges and fees of $60K and $7K respectively.

Interest on Investments

The current Bank Bill Swap Rates (BBSW) for the Council's invested funds align with the expectations set in the adopted budget. However, a year-to-date unfavourable variance of $141K has emerged as of February 2024. This variance primarily arises from actual cash at bank and investment balances being lower than anticipated, rather than a reduction in estimated interest rates. It is anticipated that this unfavourable variance will improve following

recent property divestments by the Council, including the Akuna St South Carpark in November 2023 and Irvine St (settlement in April 2024).

These transactions are expected to inject additional cash inflows, thereby strengthening the Council's cash position and resulting in additional interest income. Additionally, the Reserve Bank of Australia (RBA) has maintained the cash rate at 4.35%, which will further contribute to increased interest revenue on new investments exceeding the budgeted interest rate estimates. Please refer to the Investment Report for further details.

Net gain/(loss) from the disposal of assets

The consolidated income statement shows a favourable variance of $268K related to the net gain/(loss) from the sale of fleet assets. Council is awaiting audit completion of the 2022/23 financial statements before proceeding with final processing of the sold assets in 2023/24 which may result in an adjustment that will be considered as part of QBR3 if required.

Expenses

Consolidated Employee Benefits

Employee benefits and on-costs are unfavourable and exceed the budget by $671K at a consolidated level. General Fund represents a significant portion of this discrepancy, with an overspend of $576K. Additionally, Blue Haven's wages contribute to the remaining variance, totalling $153K unfavourable. Holiday Park and Pavilion operations demonstrate slight favourable variances, with $38K and $20K respectively.

Drilling down further, General Fund's unfavourable variances primarily arises from $325K in overtime expenses and $249K in allowances, notably due to lump sum back payments totalling $197K. Additionally, undercapitalisation of wages is contributing to the variance with $147K being capitalised year to date against an expected $667K. This will be reviewed prior to year end with the intention of reducing the variance, but noting this is an internal allocation and non-cash adjustment.

The overspending at Blue Haven is attributed to additional engagement of casual employees to cover for permanent employees who took leave during holidays.

Conversely, the favourable variance observed for Holiday Parks is primarily a result of no casual expenditure recorded against budget allocation for the month.

Materials and Services

Consolidated Materials and services are $1.5M over budget year to date to February 2024.

Blue Haven is the main contributor to this unfavourable position, being $2.1M overspent. Detailed analysis and insights on this matter are contained within the Blue Haven section of this report. The commentary notes an internal adjustment that will be processed next month that will reduce this variance by some $500K.

Council's General Fund and Holiday Parks are favourable with regards to materials and services by $646K and $33K respectively. See Holiday Park section of this report for further details. Kiama's Pavilion is tracking in line with the budget with regards to materials and services.

General Fund variance is mainly due to timing of expenses associated with audit fees, contractors, and consultants in finance, operational IT costs, strategic planning costs, and risk management costs.

Blue Haven

Blue Haven Care Consolidated

Blue Haven at a consolidated level, year-to-date to 29 February has a net operational loss of $3M, comparing to budgeted loss of $2M ($1M unfavourable).

This is a result of revenue being higher than expected by $1.6M due to increased funding, as well as expenses being higher than expected by $$2.7M due to unfavourable variance in agency costs and other materials and services, partially offset by the higher funding noted above. Increased contractor costs associated with additional refurbishment requirements, maintenance backlog and fire safety compliance are also impacting. It is important to note these variances (and also noted below) are based on the recently adjusted increased QBR2 budget.

Blue Haven Bonaira Residential Aged Care (RAC)

The RAC recorded a net deficit of $3M. RAC revenue of $9.7M is $483K ahead of budget, however, does not offset materials and services unfavourable variance of $2M for RAC and $1.5M overall.

Agency contractors are contributing $1.4M of the $2M unfavourable variance. The remaining variance relates to timing of internal overhead recharges and will be rectified in March 2024.

The main factor behind the revenue rise was an increase in the residential aged care subsidy rates by the government (July and December). In line with changes to allowable AN-ACC fees a new hotelling supplement of $10/resident/day was introduced. In addition, there has been a focus on steadily increasing the occupancy which impacts subsidy, fees, means tested care fees and accommodation payments. There was also an increase in the number of residents eligible for higher subsidy rates from the government under the AN-ACC classification compared to the budget.

Roster costs (including agency) have traditionally been high and in recent months there has been a concerted effort to increase occupancy back to 115 – 118 (note 126 rooms and 134 places) after slipping to 105 at the end of December and January.

Conversely, the increase in occupancy has also impacted overall expenses of RAC, which continue to exceed budget, agency costs in particular, in order to meet staffing ratios and requirements.

Blue Haven Bonaira Community Programs

Community Programs is showing a surplus of $311K after receiving lump sum funding in February advance funding of $630K for CHSP January to June 2024. This means $400K is

a prepayment which results in an adjusted year to date loss to February of $100K for the Community Programs which is similar to recent months.

Blue Haven Bonaira Independent Living Units (ILUs)

The Bonaira ILU's recorded a net surplus of $462K. Revenue was recorded at $1.9M and expenditure at $1.5M. Both revenue and expenses actuals are slightly unfavourable comparing to the budget. As explained previously, this operating revenue and result includes amortisation of deferred management fees (ie reduction of resident entry accommodation payment – liability) of $1.7M.

Blue Haven Terralong Independent Living Units (ILUs)

The Terralong ILU's recorded a net loss of $217K, comparing to budget surplus of $217K. Revenue was recorded at $2.2M and expenditure at $2.4M, with materials and contracts materially unfavourable to budget due to previously deferred maintenance items being brought up to date. Contractor costs have also been required to undertake most of the maintenance works as well as review some building and refurbishment issues. This trend continues throughout this financial year as these works progress.

Similarly, the revenue amount includes amortisation of deferred management fees (ie reduction of resident entry accommodation payment – liability) of $1.6M.

Holiday Parks

Overall, Holiday Parks' operating results are $117K or 4.4% favourable compared to budget, resulting from a favourable variance in operational income of $115K. This can be attributed to a busier than usual Holiday season.

A minor unfavourable budget variance of $12K has been recorded in user charges and fees to February 2024, highlighting that a re-phasing of expected operational revenue has been successful in reflecting the timing of subsequent income, assisting Council with its reserve cash flow projections. Council was successful in receiving $83K in operational grant funding under the Crown Land Flood Recovery Program for use on storm and flood event repair works on the Holiday Parks. This income was not considered in the original budget.

From an expenditure perspective, overall Kiama's Holiday Parks are tracking in line with budget with a minimal overspend of $3K. Although there are unfavourable variances under employee benefits and on-costs, and materials and services, totalling $72K, they almost balance out by underspending of the remaining expenses by $69K.

The Pavilion

The Pavilion has seen a favourable variance of $35K in its revenue from its ongoing operations year to date to February 2024. A sustained rise in the demand for community and corporate events and weddings at the Pavilion from both local and intrastate clients has seen it achieve consistently favourable results to budget this financial year. Internal revenue is favourable by $27K which relates to revenue generated from the Pavilion's use by internal Council requirements.

The Pavilion's total expenditure from continuing operations is in line with budget, with only minor variations in employee costs and materials and services, highlighting that internal cost control measures are being implemented effectively.

The overall result of favourable income and expenditure has seen a favourable operating result of $60K or 49% above budget expectations. It is important to note that corporate overheads are yet to be allocated to Pavilion business unit which will be reflected in QBR3.

Budget Recommendation

It is recommended for Council to approve budget allocation of $35K to Council's Depot fuel tank upgrade project, to be funded from Waste and Sustainability Reserve.

During the process of working through the fuel rebate and internal plant charges issues management confirmed that the depot based fuel tanks (ie 2 tanks) are operating on different software with no integration capacity to enable cost allocations, management and easy calculation of the fuel rebate claim. A significant improvement for management oversight of this high consumption cost, especially in the Waste Service area, management is planning to upgrade both tanks to a centralised distribution system so that all fuel can be managed as a store item and costs appropriately allocated to the consuming item of plant. The cost of this upgrade is $35K and it can be funded from the internal reserve with no impact on unrestricted cash.

Consolidated Statement of Financial Position

It should be noted that year end accounting entries relating to June 2023 are currently in progress of audit finalisation and may materially change the previously presented consolidated statement of financial position for June 2023 (subsequently affecting the 2023/24 opening balances). The final statement of financial position will be presented as part of the 2022/23 Audited Financial Statements. The balance sheet is however expected to remain remained largely unchanged apart from some adjustments to prior year revaluation reserves.

Current Asset Ratio

The current asset ratio measures a company's ability to pay its short-term obligations. The consolidated current asset ratio is approximately 0.40 as at February 2024, increasing marginally from 0.36 in January. This is in part due to an increase in cash and cash equivalents and investments of $4M, mainly associated with new RAD and ILU deposits and cash inflow from rates. Please see the Statement of Investments - February 2024 for further details on this increase. Note this ratio would be approximately 3.4 if adjusted for Blue Haven resident liabilities and average length of stay.

KIAMA MUNICIPAL COUNCIL

Income Statement - Consolidated

For the Period Ending 29 February 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	18,715	18,847	(133)	17,330	26,494	28,175
User charges and fees	16,238	15,949	289	16,183	23,530	22,977
Other revenue	4,341	4,304	37	4,100	5,913	6,251
Grants and contributions provided for operating purposes	12,257	10,682	1,575	10,720	20,130	17,138
Grants and contributions provided for capital purposes	7,301	10,666	(3,365)	5,287	1,314	17,794
Interest and investment income	1,450	1,591	(141)	501	1,859	2,387
Other income	-	0	(0)	-	-	0
Net gain/(loss) from the disposal of assets	3,030	2,762	268	16,873	7,834	27,446
Internal Revenue	5,975	5,432	543	5,052	7,088	8,141
Total income from continuing operations	69,307	70,234	(927)	76,046	94,162	130,308
Expenses from continuing operations						
Employee benefits and on-costs	25,648	24,978	(671)	23,827	35,638	37,377
Materials and services	24,746	23,276	(1,470)	18,424	34,011	35,918
Borrowing costs	496	485	(11)	1,040	1,263	549
Depreciation,amortisation and impairment for non financial assets	9,739	9,739	-	7,458	10,574	14,608
Other expenses	584	584	0	499	1,045	1,165
Internal Expenditure	5,968	5,422	(547)	5,045	7,088	8,141
Total Expenses from continuing operations	67,181	64,484	(2,698)	56,291	89,620	97,757
Operating result from continuing operations	2,125	5,750	(3,625)	19,755	4,542	32,551
Net operating results for the year	2,125	5,750	(3,625)	19,755	4,542	32,551
Net operating result for the year before grants and contributions provided for capital purposes	(5,176)	(4,916)	(260)	14,468	3,228	14,756

KIAMA MUNICIPAL COUNCIL

Income Statement - Consolidated (excluding Blue Haven, Holiday Parks, Pavilion)

For the Period Ending 29 February 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	18,715	18,847	(133)	17,330	26,494	28,175
User charges and fees	4,280	4,220	60	4,628	6,726	6,288
Other revenue	971	961	10	972	1,424	1,236
Grants and contributions provided for operating purposes	1,453	1,245	207	2,946	7,455	3,113
Grants and contributions provided for capital purposes	7,301	10,666	(3,365)	5,287	1,314	17,794
Interest and investment income	1,332	1,279	53	132	1,449	1,919
Other income	-	-	-	-	-	-
Net gain/(loss) from the disposal of assets	3,027	2,760	267	16,873	7,834	27,443
Internal Revenue	4,948	4,744	204	4,162	5,750	7,108
Total income from continuing operations	42,027	44,723	(2,696)	52,330	58,447	93,077
Expenses from continuing operations						
Employee benefits and on-costs	16,423	15,848	(576)	15,191	22,478	23,743
Materials and services	13,720	14,366	646	10,655	19,688	22,201
Borrowing costs	44	43	(1)	60	101	83
Depreciation,amortisation and impairment for non financial assets	6,157	6,157	-	6,619	9,499	9,236
Other expenses	306	363	57	364	637	726
Internal Expenditure	2,946	2,790	(156)	3,046	3,006	4,185
Total Expenses from continuing operations	39,596	39,567	(29)	35,936	55,409	60,173
Operating result from continuing operations	2,430	5,156	(2,726)	16,394	3,038	32,903
Net operating results for the year	2,430	5,156	(2,726)	16,394	3,038	32,903
Net operating result for the year before grants and contributions provided for capital purposes	(4,870)	(5,509)	639	11,106	1,724	15,109

KIAMA MUNICIPAL COUNCIL

Income Statement - Blue Haven

For the Period Ending 29 February 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	3,530	3,295	234	3,133	5,007	4,943
Other revenue	3,361	3,342	19	3,127	4,487	5,013
Grants and contributions provided for operating purposes	10,721	9,437	1,284	7,774	12,675	14,025
Grants and contributions provided for capital purposes	-	-	-	-	-	-
Interest and investment income	118	312	(194)	369	409	468
Other income	-	0	(0)	-	-	0
Net gain/(loss) from the disposal of assets	-	-	-	-	-	-
Internal Revenue	955	680	276	831	1,247	1,019
Total income from continuing operations	18,685	17,066	1,619	15,234	23,825	25,468
Expenses from continuing operations						
Employee benefits and on-costs	8,857	8,704	(153)	8,268	12,600	12,976
Materials and services	6,828	4,680	(2,148)	4,219	8,396	7,020
Borrowing costs	403	393	(10)	912	1,076	393
Depreciation,amortisation and impairment for non financial assets	2,835	2,835	-	838	385	4,253
Other expenses	40	6	(34)	2	3	9
Internal Expenditure	2,765	2,414	(351)	1,856	3,234	3,628
Total Expenses from continuing operations	21,728	19,032	(2,696)	16,096	25,695	28,278
Operating result from continuing operations	(3,043)	(1,966)	(1,077)	(862)	(1,870)	(2,810)
Net operating results for the year	(3,043)	(1,966)	(1,077)	(862)	(1,870)	(2,810)
Net operating result for the year before grants and contributions provided for capital purposes	(3,043)	(1,966)	(1,077)	(862)	(1,870)	(2,810)

KIAMA MUNICIPAL COUNCIL

Income Statement - Blue Haven Per Area

For the Period Ending 29 February 2024

	Year to Date										Full Year	
	RACF	ILU	Community Programs	Barroul House	BH Management	Check	Total Bluehaven					
	Actual 2023/24 $'000	Actual 2023/24 $'000	Actual 2023/24 $'000	Actual 2023/24 $'000	Actual 2023/24 $'000		Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations												
Rates and annual charges	-	-	-	-	-	-	-	-	-	-	-	-
User charges and fees	2,481	926	123	-	-	-	3,530	3,295	234	3,133	5,007	4,943
Other revenue	9	3,265	16	72	-	-	3,361	3,342	19	3,127	4,487	5,013
Grants and contributions provided for operating purposes	7,168	-	3,553	-	-	-	10,721	9,437	1,284	7,774	12,675	14,025
Grants and contributions provided for capital purposes	-	-	-	-	-	-	-	-	-	-	-	-
Interest and investment income	47	65	6	-	-	-	118	312	(194)	369	409	468
Other income	-	-	-	-	-	-	-	0	(0)	-	-	0
Net gain/(loss) from the disposal of assets	-	-	-	-	-	-	-	-	-	-	-	-
Internal Revenue	-	-	286	-	669	-	955	680	276	831	1,247	1,019
Total income from continuing operations	9,705	4,256	3,983	72	669		18,685	17,066	1,619	15,234	23,825	25,468
Expenses from continuing operations												
Employee benefits and on-costs	5,924	186	2,164	229	354	-	8,857	8,704	(153)	8,268	12,600	12,976
Materials and services	4,744	1,089	546	79	370	-	6,828	4,680	(2,148)	4,219	8,396	7,020
Borrowing costs	282	121	-	-	-	-	403	393	(10)	912	1,076	393
Depreciation,amortisation and impairment for non financial assets	835	2,000	-	-	-	-	2,835	2,835	-	838	385	4,253
Other expenses	40	-	-	-	-	-	40	6	(34)	2	3	9
Internal Expenditure	1,092	619	961	24	68	-	2,765	2,414	(351)	1,856	3,234	3,628
Total Expenses from continuing operations	12,917	4,015	3,672	332	792		21,728	19,032	(2,696)	16,096	25,695	28,278
Operating result from continuing operations	(3,212)	241	312	(261)	(123)		(3,043)	(1,966)	(1,077)	(862)	(1,870)	(2,810)
Net operating results for the year	(3,212)	241	312	(261)	(123)		(3,043)	(1,966)	(1,077)	(862)	(1,870)	(2,810)
Net operating result for the year before grants and contributions provided for capital purposes	(3,212)	241	312	(261)	(123)		(3,043)	(1,966)	(1,077)	(862)	(1,870)	(2,810)

KIAMA MUNICIPAL COUNCIL

Income Statement - Holiday Parks

For the Period Ending 29 February 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	7,884	7,896	(12)	7,880	11,131	10,939
Other revenue	9	1	8	1	2	2
Grants and contributions provided for operating purposes	83	-	83	-	0	-
Grants and contributions provided for capital purposes	-	-	-	-	-	-
Interest and investment income	-	-	-	-	-	-
Other income	-	-	-	-	-	-
Net gain/(loss) from the disposal of assets	-	-	-	-	-	-
Internal Revenue	36	-	36	43	72	-
Total income from continuing operations	8,012	7,897	115	7,924	11,205	10,941
Expenses from continuing operations						
Employee benefits and on-costs	211	249	38	228	355	397
Materials and services	3,900	3,934	33	3,486	5,519	6,252
Borrowing costs	50	49	(0)	67	85	73
Depreciation,amortisation and impairment for non financial assets	571	571	-	-	689	857
Other expenses	238	215	(23)	133	406	430
Internal Expenditure	242	196	(46)	137	827	294
Total Expenses from continuing operations	5,212	5,214	3	4,051	7,880	8,302
Operating result from continuing operations	2,800	2,683	117	3,873	3,325	2,638
Net operating results for the year	2,800	2,683	117	3,873	3,325	2,638
Net operating result for the year before grants and contributions provided for capital purposes	2,800	2,683	117	3,873	3,325	2,638

KIAMA MUNICIPAL COUNCIL

Income Statement - The Pavilion

For the Period Ending 29 February 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	545	538	7	542	666	807
Other revenue	-	-	-	-	-	-
Grants and contributions provided for operating purposes	-	-	-	-	-	-
Grants and contributions provided for capital purposes	-	-	-	-	-	-
Interest and investment income	-	-	-	-	-	-
Other income	-	-	-	-	-	-
Net gain/(loss) from the disposal of assets	3	2	1	-	-	3
Internal Revenue	36	9	27	16	19	13
Total income from continuing operations	584	548	35	559	685	823
Expenses from continuing operations						
Employee benefits and on-costs	157	177	20	140	205	262
Materials and services	297	296	(1)	63	409	445
Borrowing costs	-	-	-	-	-	-
Depreciation,amortisation and impairment for non financial assets	175	175	-	-	-	263
Other expenses	-	-	-	-	-	-
Internal Expenditure	16	23	6	5	23	34
Total Expenses from continuing operations	646	671	25	208	636	1,003
Operating result from continuing operations	(62)	(123)	60	351	49	(181)
Net operating results for the year	(62)	(123)	60	351	49	(181)
Net operating result for the year before grants and contributions provided for capital purposes	(62)	(123)	60	351	49	(181)

KIAMA MUNICIPAL COUNCIL

Consolidated

Statement of Financial Position

For the Period Ended 29 February 2024

	Notes	Actual 8 Months 2024 $'000	Actual 8 Months 2023 $'000
ASSETS			
Current assets			
Cash and cash equivalants	C1-1	**9,085**	5,507
Investments	C1-2	**44,087**	67,907
Receivables	C1-4	**288**	598
Inventories	C1-5	**314**	318
Contract assets and contract cost assets	C1-6	**822**	216
Current assets classified as 'held for sale'	C1-7	**5,461**	16,426
Other		**1,460**	773
Unclassified assets		**-**	-
Total current assets		**61,517**	91,745
Non current assets			
Investments	C1-2	**750**	8,000
Receivables	C1-4	**202**	195
Infrastructure, property, plant and equipment	C1-8	**577,217**	537,928
Investment property	C1-9	**139,030**	139,030
Intangable assets	C1-10	**-**	-
Right of use assets	C2-1	**122**	122
Investments accounted for using equity method	D1-2	**-**	-
Other		**-**	-
Total non current assets		**717,321**	685,274
Total assets		**778,838**	777,019
LIABILITIES			
Current liabilities			
Payables	C3-1	**140,883**	132,637
Contract liabilities	C3-2	**6,941**	**2,679**
Lease liabilities	C2-1	**36**	**36**
Borrowings	C3-3	**211**	1,272
Employee benefit provisions	C3-4	**6,384**	7,757
Unclassified liabilities		**-**	-
Unclassified suspense		**-**	-
Total current liabilities		**154,455**	144,381
Non current liabilities			
Payables	C3-1	**18**	24
Lease liabilities	C2-1	**6**	6
Borrowings	C3-3	**20,494**	50,427
Employee benefit provisions	C3-4	**601**	741
Total non current liabilities		**21,119**	51,198
Total Liabilities		**175,574**	195,579
Net Assets		**603,264**	581,440
EQUITY			
Retained earnings		**191,658**	187,204
Revaluation reserves		**409,506**	376,063
Other reserves		**-**	-
Council equity interests			
Minority equity interests			
Current Year Net Earnings		**2,100**	18,173
Total equity		**603,264**	581,440

14.2 Statement of Investments: March 2024

CSP Objective: Outcome 5.1: Public funds and assets are managed strategically, transparently, and efficiently

CSP Strategy: 5.1.1 Public funds are managed in accordance with Financial Management Standards and the Local Government Act.

Delivery Program: 5.1.1.1 Improved financial reporting and legislative compliance through reporting, scrutiny oversight and processes

Summary

This report provides an overview of Council's cash and investment portfolio and investment performance at March 2024 and endorsement of the restricted funds position.

Financial implication

Investments are undertaken based upon the best rate on the day and after consideration of spreading Council's Investment risk across various institutions as per the Investment Policy and section 625 of the Local Government Act 1993. The distinction between restricted and unrestricted funds is a key operational and financial understanding.

Risk implication

The risk related to this information is non-compliance with Council's Investment Policy and Office of Local Government guidelines for appropriate monitoring and reporting of changes and the position of restricted funds.

Policy

Clause 625 of the *Local Government Act 1993*

Clause 212 of the Local Government (General) Regulation 2021

Kiama Municipal Council – Investment Policy

Kiama Municipal Council – Restricted Funds Policy

Consultation (internal)

Chief Executive Officer

Chief Financial Officer

Financial Accountant

Communication/Community engagement

N/A

Attachments

1 March 2024 Investment Report⇩

Enclosures

Nil

RECOMMENDATION

That Council:

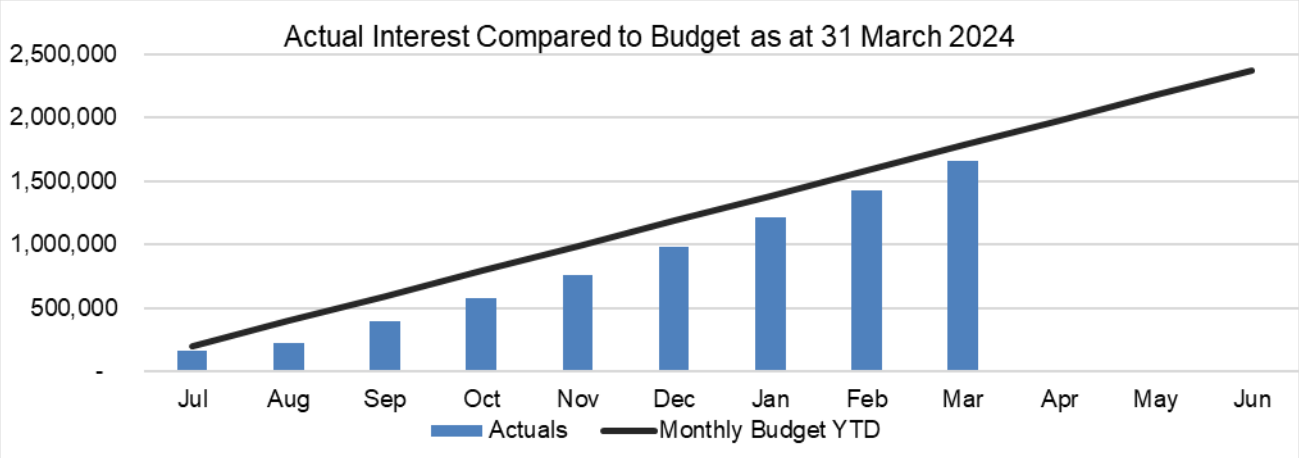
1. Notes the information relating to the Statement of Investments as at 31 March 2024.

Background

Council is required to invest its surplus funds in accordance with the Ministerial Investment Order and Office of Local Government guidelines. The Order reflects a conservative approach and restricts the investment types available to Council. Council Investment Policy provides a framework for the credit quality, institutional diversification, and maturity constraints that Council's portfolio can be exposed to. Council's investment portfolio was controlled by Council's Finance Department during the period to ensure compliance with the Investment Policy. External investment advisor advice is also considered at the time.

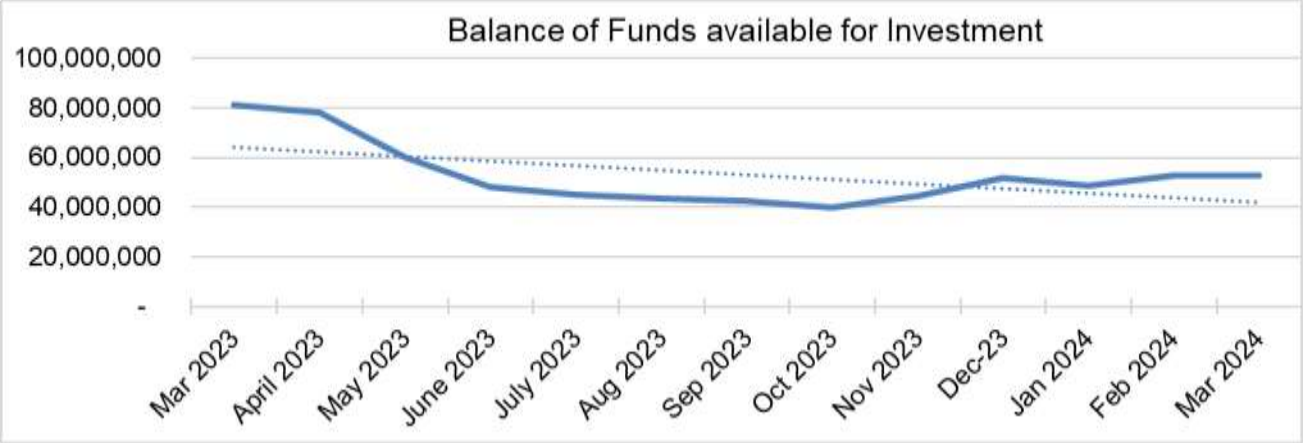
Return on Investments

For the month of March, excluding cash, the total portfolio provided a return of +0.45% (actual) or +5.38%p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.37% (actual) or +4.41% p.a. (annualised). The monthly performance has improved over the recent months reflective of the maturity of lower yielding term deposits that are being replaced by higher yielding term deposits, providing greater overall returns to the portfolio.



Movement in Investments

Compared to March 2023 Council's investments portfolio decreased by $28M. Repayment of TCorp loan tranches of $30M (excluding interest payments) being key outflows, offset by operational cash flows.



Matured trades for March:

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate %	Value
NAB	AA-	TD	At Maturity	22/11/2023	11/03/2024	5.06	1,000,000
Commonwealth Bank	AA-	TD	At Maturity	18/09/2023	18/03/2024	5.09	2,000,000
Commonwealth Bank	AA-	TD	At Maturity	25/09/2023	25/03/2024	5.13	2,000,000
Total							**5,000,000**

New trades entered under delegation, during March:

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate %	Value
NAB	AA-	TD	At Maturity	06/03/2024	10/07/2024	5.10	2,000,000
Suncorp	A+	TD	At Maturity	06/03/2024	12/03/2025	5.14	1,000,000
Bank of Us	BBB+	TD	At Maturity	06/03/2024	11/03/2026	4.96	1,000,000
NAB	AA-	TD	At Maturity	11/03/2024	07/08/2024	5.10	1,000,000
BankVic	BBB+	TD	At Maturity	25/03/2024	26/03/2025	5.15	2,000,000
Total							**7,000,000**

Portfolio Summary:

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate %	Value
NAB	AA-	TD	At Maturity	11/09/2023	11/04/2024	5.10	2,000,000
BOQ	BBB+	TD	At Maturity	22/11/2023	16/04/2024	5.23	1,000,000
Suncorp	A+	TD	At Maturity	11/10/2023	13/05/2024	5.15	2,000,000
Suncorp	A+	TD	At Maturity	04/12/2023	03/06/2024	5.28	1,000,000
NAB	AA-	TD	At Maturity	10/01/2024	12/06/2024	5.10	4,000,000
NAB	AA-	TD	At Maturity	26/02/2024	26/06/2024	5.05	2,000,000
NAB	AA-	TD	At Maturity	06/03/2024	10/07/2024	5.10	2,000,000
Suncorp	A+	TD	At Maturity	30/10/2023	30/07/2024	5.35	2,000,000
NAB	AA-	TD	At Maturity	11/03/2024	07/08/2024	5.10	1,000,000
BOQ	BBB+	TD	At Maturity	21/11/2023	21/08/2024	5.40	1,000,000
NAB	AA-	TD	Annual	18/12/2023	18/09/2024	5.13	1,000,000
AMP Bank	BBB	TD	Annual	27/09/2022	26/09/2024	4.95	750,000
ING Bank (Australia) Ltd	A	TD	At Maturity	16/10/2023	16/10/2024	5.23	2,000,000
Commonwealth Bank	AA-	TD	At Maturity	23/10/2023	23/10/2024	5.26	2,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	15/11/2023	15/11/2024	5.48	2,000,000
Suncorp	A+	TD	At Maturity	21/11/2023	21/11/2024	5.40	1,000,000
Suncorp	A+	TD	At Maturity	28/11/2023	28/11/2024	5.50	2,000,000
Suncorp	A+	TD	At Maturity	04/12/2023	04/12/2024	5.35	1,000,000
Suncorp	A+	TD	At Maturity	13/12/2023	13/12/2024	5.30	2,000,000
ING Bank (Australia) Ltd	A	TD	Annual	21/12/2023	18/12/2024	5.23	2,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	10/01/2024	09/01/2025	5.22	1,000,000
NAB	AA-	TD	At Maturity	26/02/2024	26/02/2025	5.08	2,000,000
Suncorp	A+	TD	At Maturity	06/03/2024	12/03/2025	5.14	1,000,000
BankVic	BBB+	TD	At Maturity	25/03/2024	26/03/2025	5.15	2,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	22/11/2023	23/09/2025	5.35	1,000,000
Suncorp	A+	TD	At Maturity	21/11/2023	21/11/2025	5.36	1,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	04/12/2023	04/12/2025	5.25	1,000,000
ING Bank (Australia) Ltd	A	TD	Annual	18/12/2023	18/12/2025	5.20	2,000,000
ING Bank (Australia) Ltd	A	TD	Annual	10/01/2024	14/01/2026	4.96	1,000,000
Bank of Us	BBB+	TD	At Maturity	06/03/2024	11/03/2026	4.96	1,000,000
Westpac	AA-	CASH	Monthly	31/03/2024	31/03/2024	4.25	7,919,215
Total 54,669,215							

Restricted Funds Movements

The restricted funds movement for this month and balances are presented in the table below.

Cash and Investments Held	Feb-24	Movement	Mar-24
Cash at Bank - Transactional Account	9,493,398	(1,574,183)	7,919,215
Other Cash and Investments	44,750,000	2,000,000	46,750,000
Total Portfolio Balance (agrees to Arlo Advisory report)	**54,243,398**	**425,817**	**54,669,215**
Cash on Hand	6,110		6,110
Bank Reconciliation items	(1,279,788)	(750,656)	(2,030,444)
Book Value of Cash and Investments	**52,969,720**	**(324,838)**	**52,644,882**
Developer Contributions	12,670,077	193,624	12,863,701
Unexpended Grants	2,877,144		2,877,144
Domestic Waste	5,727,549		5,727,549
Blue Haven Terralong ILU Maintenance Levy	2,023,322		2,023,322
Blue Haven Bonaira ILU Maintenance Levy	395,562		395,562
Blue Haven RAC Prudential Liquidity Management	5,000,000		5,000,000
Blue Haven Community Transport Vehicle	315,000		315,000
Blue Haven Home Care Client credit Balance	193,817		193,817
Crown Holiday parks	4,752,537	(224,149)	4,528,389
Leisure Centre Unspent Loan Funding	500,000		500,000
Stormwater Levy	228,947		228,947
Security bonds, Deposits & Retentions	1,998,343	(2,310)	1,996,033
Externally Restricted	**36,682,298**	**(32,834)**	**36,649,463**
Council Elections	49,776		49,776
Employee Leave Liabilities	3,367,000		3,367,000
Land development	3,527,227		3,527,227
Plant replacement	-		-
Risk Improvement Incentive	99,097		99,097
Waste Business Unit	865,308		865,308
Waste and Sustainability	558,180		558,180
Blue Haven ILU Prudential Cover	4,300,000		4,300,000
Internally Restricted	**12,766,587**	**0**	**12,766,587**
Unrestricted Funds	**3,520,835**	**(292,003)**	**3,228,831**

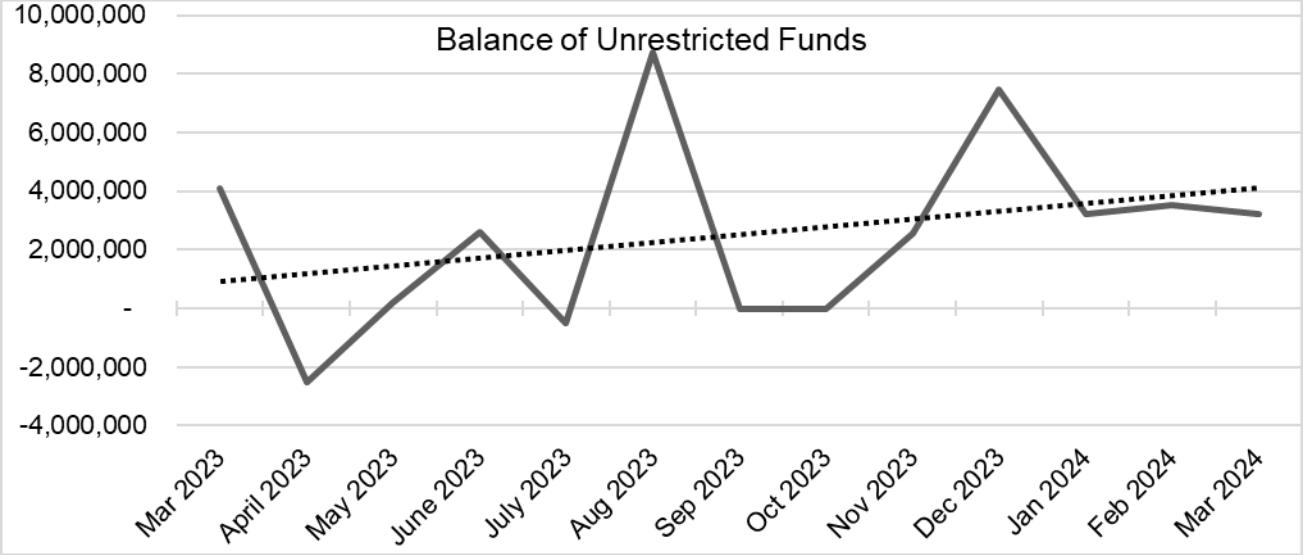
March's reserve movements include:

- An increase in the Developer Contribution reserve of $194K
- A decrease in the Crown Holiday Parks reserve of $224K
- A decrease in the Security and Bonds, Deposits and Retentions reserve of $2K.

The 2022/23 Draft Financial Statements are currently being finalised, with further adjustments expected to the reserves in the coming months. These adjustments stem from historical issues related to the delayed preparation of annual financial statements. The Council is actively addressing this issue to ensure timely compliance with statutory reporting deadlines, thereby resolving the underlying problem.

Overall insignificant decrease in cash is explained in unrestricted cash section of this report.

Unrestricted Funds for Future Strategic or Operational Expenditure



Council adopted an unbalanced 2023-24 Budget with an estimated unrestricted cash deficit of $8M. In other words, the budget anticipates an average monthly reduction in unrestricted cash of $667K. As outlined in 2023-24 budget and LTFP, this unrestricted cash deficit will be offset by proceeds from sale of assets in line with the divestment strategy. As such, it is anticipated for unrestricted cash balance to reduce during periods when no assets proceeds are being received.

Council's overall cash balance decreased slightly during March from $52.9M to $52.6M. This $324K decrease is mainly associated with business-as-usual operations. There were no significant RAD refunds processed in March. It is expected that positive cash inflow from Blue Haven will be offset by significant cash outflows in upcoming months (currently $2.8M are awaiting refund pending receipt of grant of probates).

The unrestricted funds balance as at 31 March decreased from $3.5M to $3.2M. This is in line with the overall cash decrease in March but specifically this net movement is impacted by the adjustments to reserves shown above.

The summary of transfers from internal reserves in order to replenish unrestricted cash as per previous Council resolutions is summarised below:

Reference	Date Effective	Reserve	Amount	Reason
23/126OC	30/04/2023	Land Development Reserve	-5,000,000	insufficient unrestricted cash balance
23/195OC	31/07/2023	Land Development Reserve	-500,000	insufficient unrestricted cash balance
23/256OC	31/08/2023	Land Development Reserve	-1,800,000	insufficient unrestricted cash balance
23/329OC	31/10/2023	Land Development Reserve	-2,174,773	insufficient unrestricted cash balance
23/365OC	30/11/2023	Land Development Reserve	2,000,000	transfer to increase reserve
24/018OC	29/02/2024	Land Development Reserve	1,000,000	transfer to increase reserve
	Total:		**-6,474,773**	

Consolidated Cash Position and Cash Flow Forecast

Council's Forecasted Cashflow was reviewed, updated, and presented to the Financial Advisory Committee in March.

The below graph depicts the revised cash forecast for the coming 12 months, whilst comparing the current cash reserve balance to the predicted cash reserve balance.



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 2021 and Council's Investment Policy.

Olena Tulubinska
Chief Financial Officer

05/04/2024

Monthly Investment Review

KIAMA MUNICIPAL COUNCIL
your council, your community

March 2024

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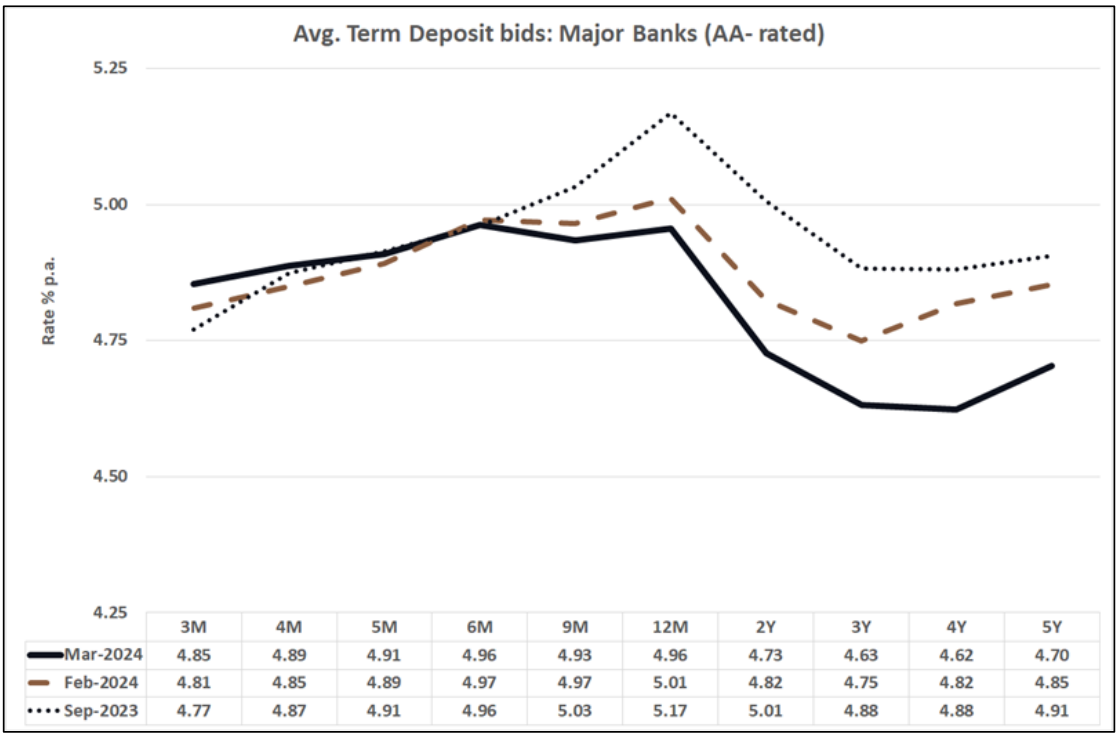
125 Middle Harbour Road, East Lindfield NSW 2070

Market Update Summary

Risk assets performed well in March as the narrative of economic resilience overshadowed concerns that rates may remain higher for an extended period of time.

Over March, at the very short-end (3-5 months), the average major bank deposit rates were around 2-4bp higher compared to the previous month. In contrast, major bank deposit rates at the long-end fell between 10-20bp across the 2-5 year tenors. The longer-term rates are around 20-30bp lower across the board compared to where they were 6 months ago (September 2023), with rate cut expectations now gathering pace.



	3M	4M	5M	6M	9M	12M	2Y	3Y	4Y	5Y
Mar-2024	4.85	4.89	4.91	4.96	4.93	4.96	4.73	4.63	4.62	4.70
Feb-2024	4.81	4.85	4.89	4.97	4.97	5.01	4.82	4.75	4.82	4.85
Sep-2023	4.77	4.87	4.91	4.96	5.03	5.17	5.01	4.88	4.88	4.91

Source: Imperium Markets

With a global economic downturn and multiple interest rate cuts being priced starting later this year, investors should consider taking an 'insurance policy' against a potentially lower rate environment by investing across 2-5 year fixed deposits, targeting rates above or close to 4¾-5% p.a. (small allocation only).

Kiama Municipal Council's Portfolio & Compliance

Asset Allocation

The majority of the portfolio is directed to term deposits (85.5%), with the remainder in cash (14.5%).

Senior FRNs remain relatively attractive as spreads have generally widened over the past 2 years. New issuances may be considered again on a case by case scenario. In the interim, staggering a mix of fixed deposits between 9-12 months to 3 years remains a more optimal strategy to maximise returns over a longer-term cycle.

With multiple rate cuts and a global economic downturn being priced in coming years, investors can choose to allocate a small proportion of longer-term funds and undertake an insurance policy against any potential future rate cuts by investing across 2-5 year fixed deposits, locking in and targeting yields close to or above 4¾-5% p.a.



Term to Maturity

The portfolio is highly liquid with the majority maturing within 1 year (~87%). We recommend a more diversified maturity profile to optimise the overall returns of the portfolio in the long-run.

All the maturity policy allocations are compliant, with substantial capacity to invest in 1-3 year terms particularly amongst the higher rated ADIs. Where ongoing liquidity requirements permit, we recommend Council to invest a higher proportion in deposits with a minimum term of 9-12 months, with a smaller allocation to 2-3 year deposits.



Compliant	Horizon	Invested ($)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available ($)
✓	0 - 365 days	$47,669,215	87.20%	0%	100%	$6,103,700
✓	1 - 3 years	$7,000,000	12.80%	0%	40%	$12,963,986
✓	3 - 5 years	$0	0.00%	0%	30%	$14,300,765
✓	5 - 10 years	$0	0.00%	0%	30%	$14,300,765
		$54,669,215	**100.00%**			

Counterparty

As at the end of March, all individual counterparties are within limits and compliant. Overall, the portfolio is lightly diversified across the investment grade credit spectrum with zero exposure to the unrated ADI sector.

We welcomed Council's decision to open deposit accounts with Bank of Us (BBB+) and BankVIC (BBB+) this month, not only to diversify with the 'ethical banks', but also increase overall returns.

Compliant	Issuer	Rating	Invested ($)	Invested (%)	Max. Limit (%)	Available ($)
✓	CBA	AA-	$2,000,000	3.66%	40%	$19,867,686
✓	Westpac	AA-	$7,919,215	14.49%	40%	$13,948,471
✓	NAB	AA-	$14,000,000	25.61%	40%	$7,867,686
✓	Suncorp	A+	$13,000,000	23.78%	30%	$3,400,765
✓	ING	A	$12,000,000	21.95%	30%	$4,400,765
✓	Bank of Us	BBB+	$1,000,000	1.83%	15%	$7,200,382
✓	BankVIC	BBB+	$2,000,000	3.66%	15%	$6,200,382
✓	BoQ	BBB+	$2,000,000	3.66%	15%	$6,200,382
✓	AMP	BBB	$750,000	1.37%	15%	$7,450,382
			$54,669,215	**100.00%**		

In February 2024, ANZ's takeover of Suncorp was given the green light by the Australian Competition Tribunal (ACT), six months after the Australian Competition and Consumer Commission (ACCC) blocked the deal on the grounds that it could lessen competition in the mortgage market. As such, Suncorp's assets are likely to be upgraded to AA- in the near future by S&P (but also, they may be flagged as an ADI lending to the fossil fuel industry in future).

Fossil Fuel Investments

What is Council's current exposure to institutions that fund fossil fuels?

Using the following link http://www.marketforces.org.au/banks/compare, based on the Council's investment portfolio balance as at 31/03/2024 (~$54.7m), we can roughly estimate that ~67% of the institutions invested have some form of exposure. Note this is purely based on the institution/counterparty and not the actual underlying investments themselves.

Council's exposure is summarised as follows:

Counterparty	Rating	Funding Fossil Fuel
CBA	AA-	Yes
WBC	AA-	Yes
NAB	AA-	Yes
Suncorp	A+	No
ING	A	Yes
Bank of Us	BBB+	No
BankVIC	BBB+	No
BoQ	BBB+	No
AMP Bank	BBB	Yes

Source: https://www.marketforces.org.au/info/compare-bank-table/

Summary	Amount	Invested %
Yes	$36,669,215	67%
No	$18,000,000	33%
	$54,669,215	**100%**

Transition to investments without major exposure to fossil fuels

Council has not made a formal decision to divest from the current portfolio of investments which have exposure to fossil fuels. To do so would have unfavourable implications to the credit quality, rating and interest income forecasts.

However, where possible, and within the ministerial and policy guidelines, Council will continue to favour newly issued fossil fuel free investment products, providing it does not compromise the risk and return profile.

In time, it is Councils intention to move to a more balanced portfolio which has less exposure to fossil fuels, providing it is prudent to do so.

What would be implications on our portfolio credit rating?

By adopting a free fossil fuel policy or an active divestment strategy, this would eliminate the major banks rated "AA-" as well as some other potential "A" rated banks (e.g. Macquarie and ING). Council would be left with a smaller sub-sector of banks to choose to invest with.

What would be risks and implications on Council's portfolio performance?

Some implications include:

- High concentration risk – limiting Council to a selected number of banks;
- Increased credit/counterparty risk;
- May lead to a reduction in performance (e.g. should Council choose to invest in securities, most of the senior FRN issues are with the higher rated ADIs);
- Underperformance compared to other Councils which could result in a significant loss of income generated – could be in excess of hundreds of thousands of dollars per annum.

It may actually be contrary to Council's primary objective to preserve capital as the investment portfolio's risk would increase (all things being equal). Council may not be maximising its returns – this is one of the primary objectives written in the Investment Policy.

Credit Quality

The portfolio is diversified from a credit ratings perspective, with exposure down to the BBB category. All ratings categories are within the Policy limits:

Compliant	Credit Rating	Invested ($)	Invested (%)	Max. Limit (%)	Available ($)
✓	AAA Category	$0	0.0%	100%	$54,669,215
✓	AA Category	$23,919,215	43.8%	100%	$30,750,000
✓	A Category	$25,000,000	45.7%	70%	$13,268,451
✓	BBB Category	$5,750,000	10.5%	30%	$10,650,765
✓	Unrated Category	$0	0.0%	0%	$0
		$54,669,215	**100.0%**		

Performance

Council's performance (excluding cash holdings) for the month ending March 2024 is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.36%	1.07%	2.14%	3.18%	4.15%
AusBond Bank Bill Index	0.37%	1.09%	2.15%	3.26%	4.19%
Council's Portfolio^	**0.45%**	**1.29%**	**2.57%**	**3.70%**	**4.60%**
Outperformance	**0.08%**	**0.21%**	**0.41%**	**0.44%**	**0.41%**

^Total portfolio performance excludes Council's cash account holdings.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	4.35%	4.35%	4.31%	4.24%	4.15%
AusBond Bank Bill Index	4.41%	4.42%	4.34%	4.35%	4.19%
Council's Portfolio^	**5.38%**	**5.28%**	**5.19%**	**4.94%**	**4.60%**
Outperformance	**0.97%**	**0.86%**	**0.84%**	**0.59%**	**0.41%**

^Total portfolio performance excludes Council's cash account holdings.

For the month of March, excluding cash, the total portfolio provided a return of +0.45% (actual) or +5.38% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.37% (actual) or +4.41% p.a. (annualised). The monthly performance has improved over the recent months reflective of the maturity of lower yielding term deposits that are being replaced by higher yielding term deposits, providing greater overall returns to the portfolio.

Recommendations for Council

Term Deposits

Going forward, Council may consider altering its longer-term strategy by placing a slightly larger proportion of deposits and stagger investments across 12-24 months terms. Over a cycle and in a normal market environment, this may earn up to ¼-½% p.a. higher compared to purely investing in shorter tenors. There is a growing belief that multiple rate cuts and a global economic downturn is not too far away and so locking in rates above or close to 4¾-5% p.a. across 2-3 year tenors may provide some income protection against a lower rate environment.

As at the end of March 2024, Council's deposit portfolio was yielding around 5.21% p.a. (down 1bp from the previous month), with a weighted average duration of 242 days (~8 months). ***We commend Council for improving its weighted average duration in recent months reflective of investments in high yielding term deposits in 1 and 2 year tenors. We continue to recommend Council to increase the portfolio's duration closer to 9 months incrementally over the current financial year (with a view to extending closer to 12 months in the medium-term).***

Please refer to the section below for further details on the Term Deposit market.

Securities

Primary (new) **FRNs** (with maturities between 3-5 years) continue to be appealing (particularly for those investors with portfolios skewed towards fixed assets) and should be considered on a case by case scenario.

Please refer to the section below for further details on the FRN market.

Term Deposit Market Review

Current Term Deposits Rates

As at the end of March, we see value in the following:

ADI	LT Credit Rating	Term	Rate % p.a.
ING	A	5 years	5.03%
BoQ	BBB+	5 years	5.00%
ING	A	2 years	4.96%
BoQ	BBB+	4 years	4.95%
BankVic	BBB+	2 years	4.95%
ING	A	4 years	4.90%
ING	A	3 years	4.86%
BoQ	BBB+	2 years	4.85%
BankVic	BBB+	3 years	4.85%
Westpac	AA-	1½ years	4.82%
Suncorp	A+	2 years	4.75%
Westpac	AA-	2 years	4.70%
NAB	AA-	2 years	4.70%

The above deposits are suitable for investors looking to maintain diversification and lock-in a slight premium compared to purely investing short-term.

For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (*we stress that rates are indicative, dependent on daily funding requirements and different for industry segments*):

ADI	LT Credit Rating	Term	Rate % p.a.
Bank of Sydney	Unrated	12 months	5.22%
Bank of Sydney	Unrated	6-9 months	5.20%
BankVic	BBB+	12 months	5.15%
ING	A	12 months	5.11%
BoQ	BBB+	6 months	5.10%
ING	A	11 months	5.06%
NAB	AA-	6-7 months	5.05%
Suncorp	A+	6 months	5.04%
Suncorp	A+	12 months	5.03%
ING	A	10 months	5.02%
Bendigo-Adelaide	BBB+	9 months	5.02%
NAB	AA-	8-12 months	5.00%
BoQ	BBB+	12 months	5.00%
Westpac	AA-	12 months	4.97%

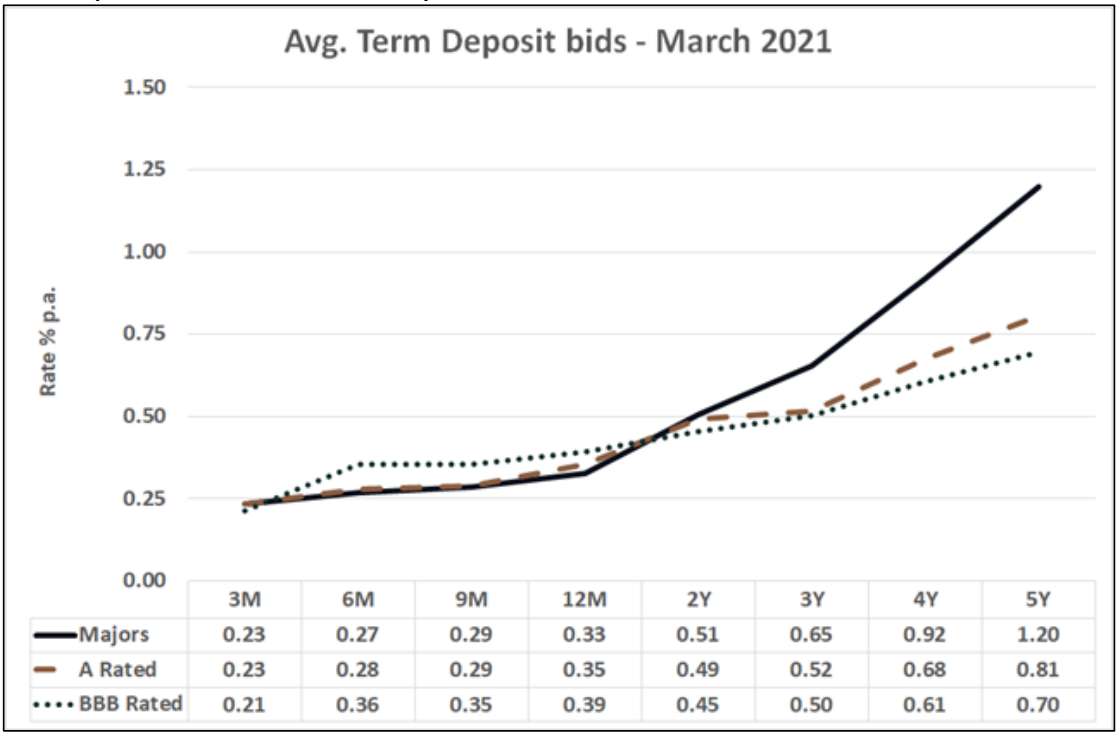
If Council does not require high levels of liquidity and can stagger a proportion of its investments across the longer term horizons (1-5 years), it will be rewarded over a longer-term cycle. Investing a spread of 12 months to 3 year horizons is likely to yield, on average, up to ¼-½% p.a. higher compared to those investors that entirely invest in short-dated deposits (under 6-9 months).

With a global economic slowdown and multiple rate cuts being priced by calendar year-end, investors should strongly consider and allocate some longer term surplus funds to undertake an insurance policy by investing across 2-5 year fixed deposits and locking in rates close to or above 4¾-5% p.a. This will provide some income protection with central banks now likely to cut rates, potentially as early as mid-2024.

Term Deposits Analysis

Pre-pandemic (March 2020), a 'normal' marketplace meant the lower rated ADIs (i.e. BBB category) were offering higher rates on term deposits compared to the higher rated ADIs (i.e. A or AA rated). But due to the cheap funding available provided by the RBA via their Term Funding Facility (TFF) during mid-2020, allowing the ADIs to borrow as low as 0.10% p.a. fixed for 3 years, those lower rated ADIs (BBB rated) did not require deposit funding from the wholesale deposit. Given the higher rated banks had more capacity to lend (as they have a greater pool of mortgage borrowers), they subsequently were offering higher deposit rates. In fact, some of the lower rated banks were not even offering deposit rates at all. As a result, most investors placed a higher proportion of their deposit investments with the higher rated (A or AA) ADIs over the past three years.

Term Deposit Rates – 12 months after pandemic (March 2021)



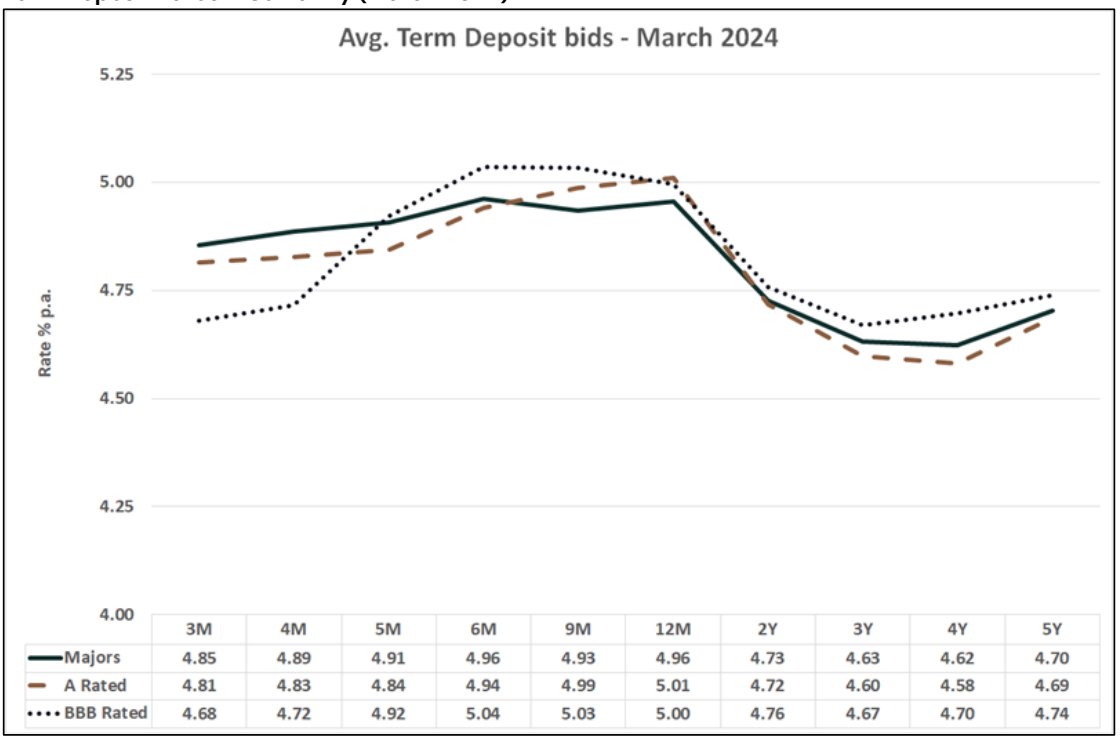
	3M	6M	9M	12M	2Y	3Y	4Y	5Y
Majors	0.23	0.27	0.29	0.33	0.51	0.65	0.92	1.20
A Rated	0.23	0.28	0.29	0.35	0.49	0.52	0.68	0.81
BBB Rated	0.21	0.36	0.35	0.39	0.45	0.50	0.61	0.70

Source: Imperium Markets

The abnormal marketplace experienced during the pandemic is starting to reverse as the competition for deposits slowly increases. In recent months, we have started to periodically see some of the lower rated ADIs ("A" and "BBB" rated) offering slightly higher rates compared to the domestic major banks ("AA" rated) on different parts of the curve (i.e. pre-pandemic environment). Some of this has been attributed to lags in adjusting their deposit rates as some banks (mainly the lower rated ADIs) simply set their rates for the week.

Going forward, Council should have a larger opportunity to invest a higher proportion of its funds with the lower rated institutions (up to Policy limits), from which the majority are not lending to the Fossil Fuel industry or considered 'ethical'. We are slowly seeing this trend emerge, as was the case this month:

Term Deposit Rates – Currently (March 2024)



	3M	4M	5M	6M	9M	12M	2Y	3Y	4Y	5Y
Majors	4.85	4.89	4.91	4.96	4.93	4.96	4.73	4.63	4.62	4.70
A Rated	4.81	4.83	4.84	4.94	4.99	5.01	4.72	4.60	4.58	4.69
BBB Rated	4.68	4.72	4.92	5.04	5.03	5.00	4.76	4.67	4.70	4.74

Source: Imperium Markets

Regional & Unrated ADI Sector

Ratings agency S&P has commented that "*mergers remain compelling for mutuals lenders*" in providing smaller lenders greater economies of scale and assisting them in being able to price competitively and will see "*the banking landscape will settle with a small number of larger mutual players*". S&P expects that consolidation to continue over the next two years.

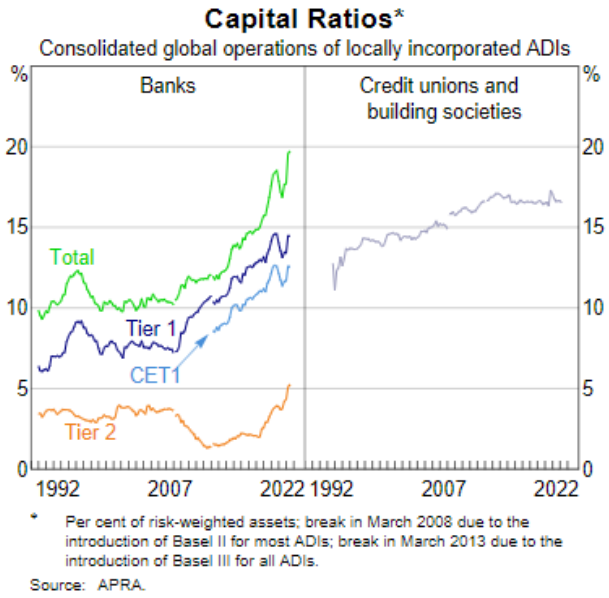
We remain supportive of the regional and unrated ADI sector (and have been even throughout the post-GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25-40% more capital than the domestic major banks, and well above the Basel III requirements.

Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position then they have been historically (see the Capital Ratio figure below). The financial regulator, APRA has noted that the Common Equity Tier 1 capital of Australian banks now exceeds a quarter of a trillion dollars. It has

increased by $110 billion, or more than 70%, over the past decade. Over the same time, banks' assets have grown by 44%. Some of the extra capital is supporting growth in the banking system itself but clearly, there has been a strengthening in overall resilience and leverage in the system is lower.

We believe that deposit investments with the lower rated ADIs should be considered going forward, particularly when they offer 'above market' specials. Not only would it diversify the investment portfolio and reduce credit risk, it would also improve the portfolio's overall returns. The lower rated entities are generally deemed to be the more 'ethical' ADIs compared to the higher rated ADIs.

In the current environment of high regulation and scrutiny, all domestic (and international) ADIs continue to carry high levels of capital. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC and the pandemic period. APRA's mandate is to "*protect depositors*" and provide "*financial stability*".

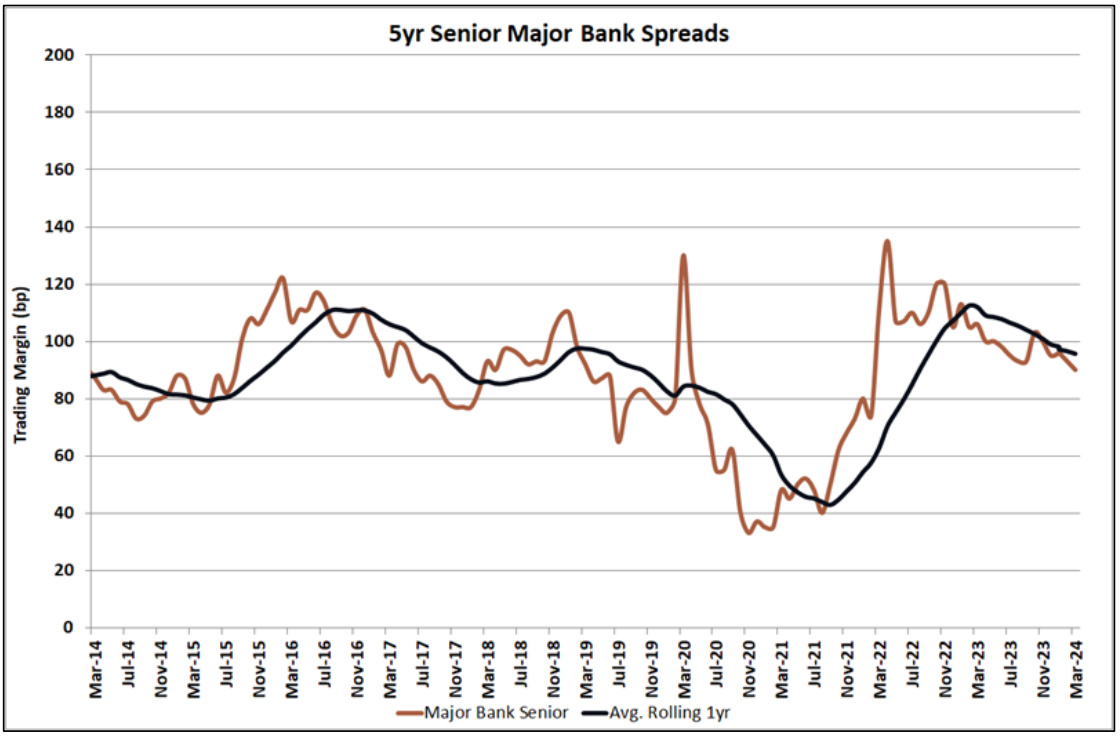


* Per cent of risk-weighted assets; break in March 2008 due to the introduction of Basel II for most ADIs; break in March 2013 due to the introduction of Basel III for all ADIs.

Source: APRA.

Senior FRNs Market Review

Over March, amongst the senior major bank FRNs, physical credit securities tightened by around 3-9bp at the long-end of the curve. Major bank senior securities remain at fair value on a historical basis (5yr margins around +90bp level). During the month, NAB (AA-) issued a new 5 year senior security at +90bp.



Source: IBS Capital

There other notable new (primary) senior issuances during the month included:

- Mizuho (A) 4 year senior FRN at +88bp
- Suncorp (A+) 4 year senior security at +98bp
- ING (A) 3 year senior security at +95bp
- Auswide (BBB) 3 year senior FRN at +160bp

Amongst the "A" rated sector, the securities tightened by around 4-5bp at the longer-end of the curve, whilst the "BBB" rated sector remained flat at the 3 year part of the curve (mainly driven by new issuances). Overall, credit securities are looking much more attractive given the widening of spreads over the past 2 years and as more primary issuances become available. FRNs will continue to play a role in investors' portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment).

Senior FRNs (ADIs)	28/03/2024	29/02/2024
"AA" rated – 5yrs	+90bp	+93bp
"AA" rated – 3yrs	+64bp	+73bp
"A" rated – 5yrs	+100bp	+105bp
"A" rated – 3yrs	+83bp	+87bp
"BBB" rated – 3yrs	+160bp	+160bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- On or before early 2026 for the "AA" rated ADIs (domestic major banks);
- On or before early 2025 for the "A" rated ADIs; and
- Within 6-9 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last few years are now generally holding sub optimal investments and are not maximising returns by foregoing realised capital gains. In the current challenging economic environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.

Senior Fixed Bonds – ADIs (Secondary Market)

With global inflation still high by historical standards, this has seen a significant lift in longer-term bond yields over the past 2 years (valuations have fallen) as markets have reacted sharply.

This has resulted in some opportunities in the secondary market. We currently see value in the following fixed bond lines, with the majority now being marked at a significant discount to par (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0278174	UBS	A+	Senior	26/02/2026	1.92	1.10%	4.92%
AU3CB0280030	BoQ	BBB+	Senior	06/05/2026	2.11	1.40%	5.14%
AU3CB0299337	Bendigo	BBB+	Senior	15/05/2026	2.14	4.70%	5.00%
AU3CB0296168	BoQ	BBB+	Senior	27/01/2027	2.84	4.70%	5.04%

Economic Commentary

International Market

Risk assets performed well in March as the narrative of economic resilience overshadowed concerns that rates may be higher for longer.

Across equity markets, the S&P 500 Index gained +3.10% over the month, whilst the NASDAQ added +1.79%. Europe's main indices also continued their gains, led by Italy's FTSE MIB (+6.66%), Germany's DAX (+4.61%), UK's FTSE (+4.23%) and France's CAC (+3.51%).

The US central bank kept the fed funds rate at the current target range of 5.25%-5.50%. The Fed still expects three rate cuts in 2024 though fewer cuts in the coming years than they had estimated in December as policymakers are now forecasting US GDP growth to strengthen than previously.

US core CPI printed at +0.4%, which was 0.1% stronger than consensus although the unrounded print was 'just' +0.36% m/m so the miss was not egregious, and the annual rate still ticked down slightly to +3.2%.

The Bank of Canada kept its policy rate on hold at 5.00% for a fifth consecutive meeting and Governor Macklem said, "*it's still too early to consider lowering the policy interest rate*".

The ECB kept its main refinancing rate at 4.00% as universally expected and is anticipated to be at a neutral setting for the immediate future.

The Swiss National Bank unexpectedly cut interest rates by 25bp to 1.50% at its latest meeting as their CPI fell to +1.2% y/y and core inflation to +1.1%. SNB marks as the first major developed central bank to ease monetary policy.

The Bank of Japan (BoJ) raised rates to the range of 0%–0.1%, the first hike in 17 years. The BoJ also decided to abandon its yield curve control and discontinue its purchase of assets such as exchange-traded funds (ETFs), which it began buying in 2010 as part of its stimulus programme.

China reported February CPI and PPI data, with CPI surprising to the upside at +0.7% year-on-year, its highest level since March 2023, aided by pork prices turning positive in annual terms for the first time in nine months (+0.2%).

The MSCI World ex-Aus Index rose +3.03% for the month of March:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	+3.10%	+10.16%	+27.86%	+9.77%	+13.14%	+10.87%
MSCI World ex-AUS	+3.03%	+8.66%	+23.48%	+7.06%	+10.43%	+7.65%
S&P ASX 200 Accum. Index	+3.27%	+5.33%	+14.45%	+9.62%	+9.15%	+8.27%

Source: S&P, MSCI

Domestic Market

The RBA kept rates on hold at 4.35% as expected in its March meeting. The central bank was perceived to now adopt a more neutral approach to monetary policy as it removed its previous phrases - "*a further increase in interest rates cannot be ruled out*" and "*will do what is necessary to achieve that outcome*". However, the addition of "*the Board is not ruling anything in or out*" still provides the RBA with sufficient flexibility when upside risks emerge.

The monthly CPI indicator held at +3.4% y/y in January (consensus +3.5%). The RBA will likely wait and see the full Q1 CPI on 27 April before updating their forecasts and potentially change their future guidance on rates.

The unemployment rate fell from 4.1% in January to 3.7% in February as the economy added 116,500 new jobs compared with economists forecast of around 40,000. This strong labour data was largely due to a high number of people who had found work in December/January but whose jobs only started in February.

GDP rose by +0.2% q/q (+1.5% y/y). Private domestic demand growth remained weak, while public sector spending helped to keep overall domestic final demand growth over the last year at a reasonable level. The key story remains the weakness in household consumption, which rose just +0.1% q/q and +0.1% for 2023 as a whole – the slowest annual growth in almost 40 years outside of COVID and the GFC.

The current account widened sharply to $11.8bn in Q4 on the back of higher commodity export values.

Building approvals fell -1% in January, partially due to a -9.9% fall in detached dwellings, which was mostly offset by a rebound in the volatile attached dwelling series in the month.

The Australian dollar marginally rose by +0.20%, finishing the month at US65.32 cents (from US65.19 cents the previous month).

Credit Market

The global credit indices remained relatively flat as risk markets continued their modest rally. They are now back to their levels in early 2022 (prior to the rate hike cycle from most central banks):

Index	March 2024	February 2024
CDX North American 5yr CDS	52bp	52bp
iTraxx Europe 5yr CDS	55bp	55bp
iTraxx Australia 5yr CDS	66bp	64bp

Source: Markit

Fixed Interest Review

Benchmark Index Returns

Index	March 2024	February 2024
Bloomberg AusBond Bank Bill Index (0+YR)	+0.37%	+0.34%
Bloomberg AusBond Composite Bond Index (0+YR)	+1.12%	-0.30%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.50%	+0.53%
Bloomberg AusBond Credit Index (0+YR)	+0.90%	+0.05%
Bloomberg AusBond Treasury Index (0+YR)	+1.15%	-0.36%
Bloomberg AusBond Inflation Gov't Index (0+YR)	+1.34%	-0.48%

Source: Bloomberg

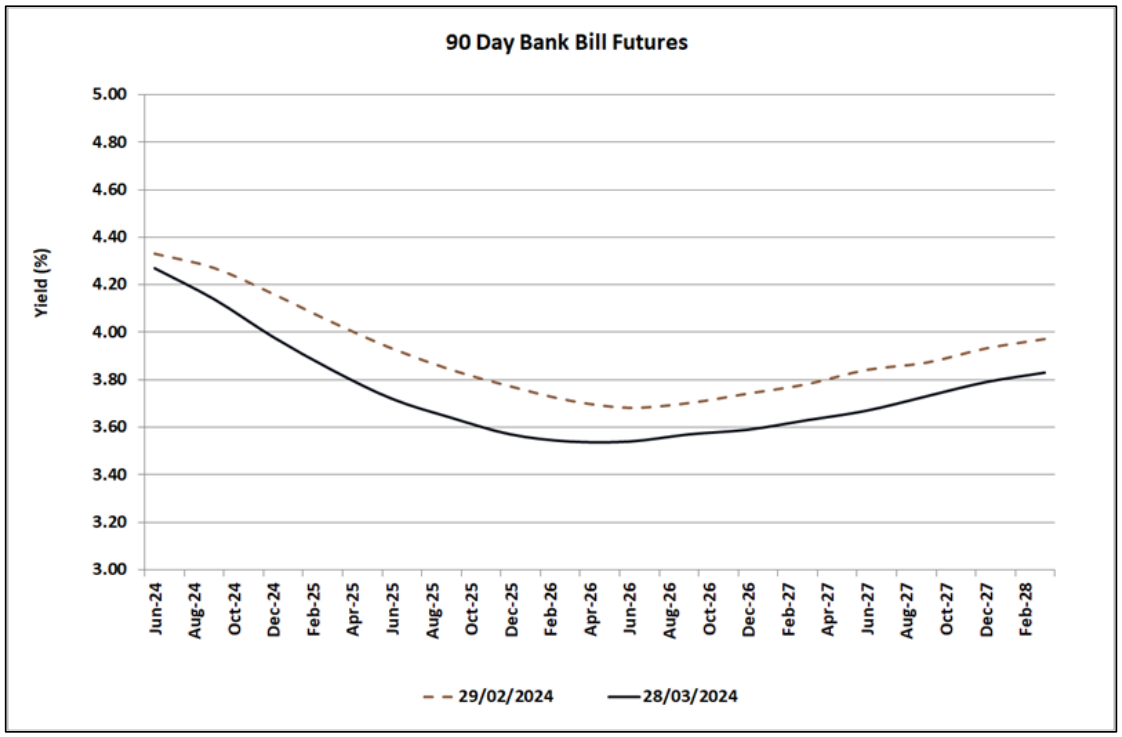
Other Key Rates

Index	March 2024	February 2024
RBA Official Cash Rate	4.35%	4.35%
90 Day (3 month) BBSW Rate	4.34%	4.34%
3yr Australian Government Bonds	3.59%	3.71%
10yr Australian Government Bonds	3.97%	4.14%
US Fed Funds Rate	5.25%-5.50%	5.25%-5.50%
2yr US Treasury Bonds	4.59%	4.64%
10yr US Treasury Bonds	4.20%	4.25%

Source: RBA, ASX, US Department of Treasury

90 Day Bill Futures

Bill futures fell across the board this month, following the movement in the domestic bond market. The focus from the market remains on when the first rate cut will be delivered:



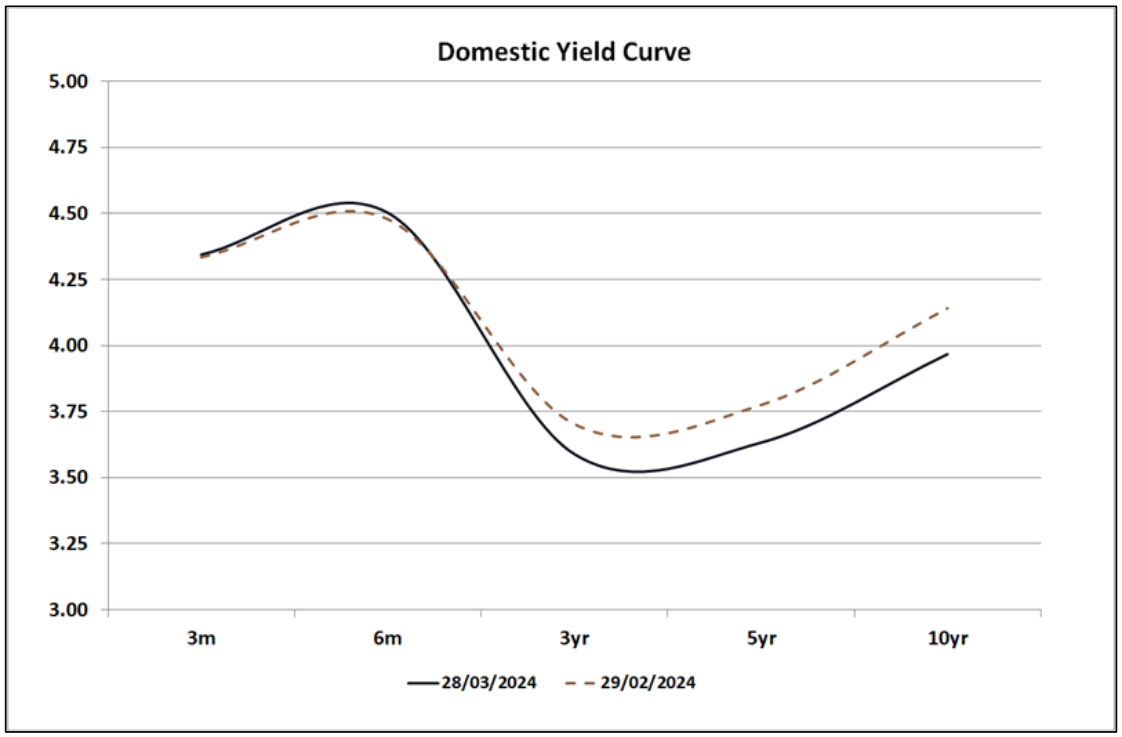
Source: ASX

Fixed Interest Outlook

In the latest FOMC statement, the US central bank reiterated from previous months that "*the Committee does not expect it will be appropriate to reduce the target range until it has gained greater confidence that inflation is moving sustainably toward 2%*". The Federal Reserve therefore continues to be in the wait-and-see approach as it assesses incoming data when it would likely be appropriate to dial back policy restraint (cut rates). The 'dot plots' continues to show 75bp of US Fed rate cuts in 2024 and another 75bp in 2025.

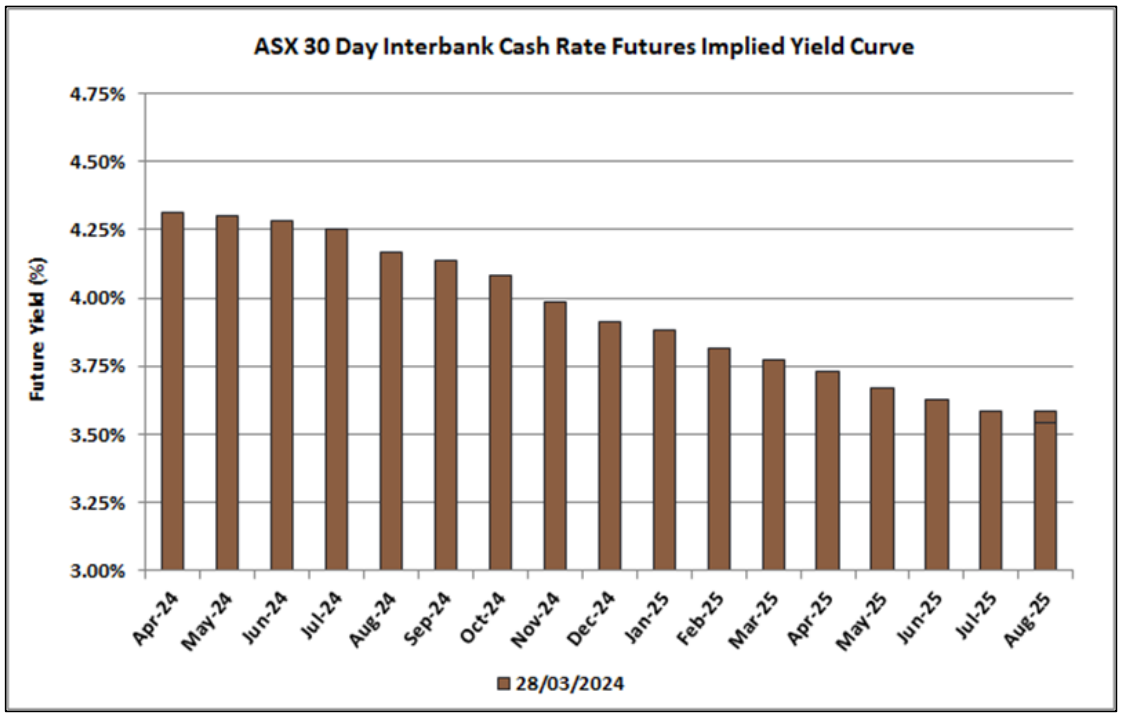
Domestically, Australian inflation is lagging, but expectations is that the RBA is likely to join by year end. Following its March meeting, the RBA is now perceived to adopt a more neutral approach to monetary policy; however, the addition of *"the Board is not ruling anything in or out"* in its latest policy statement suggests the Board wants to keep the optionality in the event of future shocks.

Over the month, longer-term yields fell up to 17bp at the very long end of the curve (remains an inverse yield curve):



Source: ASX, RBA

The consensus from the broader market is that we have reached the peak of the interest rate cycle. Financial markets are currently fully pricing in the first rate cut in Australia by October 2024, lagging behind the US market (largely pricing in a rate cut by June 2024).



Source: ASX

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15 REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

15.1 Kiama West (Springside Hill) Planning Proposal (PP 2023-2833) Stage 2 Preliminary Assessment

CSP Objective: Outcome 4.1 We love where we live; our housing reflects our values.

CSP Strategy: 4.1.3 Manage growth sustainably and thoughtfully.

Delivery Program: 4.1.3.1 Local Housing Strategy facilitates the provision of adequate housing supply within the Municipality

Summary

The purpose of this report is to provide Council with an assessment of the Planning Proposal Application (PP-2023-2833) (PP) for the rezoning of land at 177 Long Brush Road, Jerrara, 33 Greyleigh Drive, Kiama and 103 Jamberoo Drive, Kiama. This assessment is based on the requirements of the Environmental Planning and Assessment Act, the Regulations, the Ministerial Directions, and the NSW State Government Local Environmental Plan Making Guideline for Council.

The recommendation of this report is for the proposal to not proceed to Gateway at this point in time. The reasons for this are explained in detail within the report. The core reasons for this recommendation are summarised below:

- This site has not been strategically identified as a potential greenfield urban expansion area within any existing strategic planning documents or frameworks including the Kiama Local Strategic Planning Statement 2020, the Illawarra and Shoalhaven Regional Plan 2041 or the Kiama Urban Strategy 2011.
- The proposal relies on standalone infrastructure systems and supply.
- There is a lack of support for the proposal from key government agencies.
- There are information gaps and omissions in the documentation provided this needs to be addressed prior to Gateway determination.
- There are impacts on Council relating to acquisition and maintenance of land and riparian corridors, which have not been considered, planned for, or analysed properly through the process followed by the applicant.
- The proposed timeframe for delivery remains at a 10 to 15 years meaning the proposal does not provide immediate or short-term solution for housing supply for the Kiama LGA.
- The PP does not demonstrate compliance with the Section 9.1 Ministerial Directions, Kiama Local Strategic Planning Statement 2020, or the Illawarra Shoalhaven Regional Plan 2041.
- There are several technical studies that are required to be updated.
- There is a lack of contributions plans and financial contribution mechanisms for supporting infrastructure for this site. This may result in increased risks for the

existing ratepayers who would bear the cost burden of the future development's required infrastructure, services, and facilities.

- There has been no strategic indication that this is the most suitable and only site available for future expansion and development in the Kiama LGA. Council is aware of several other landowners that have indicated interest in providing land for future development. A number of these landowners have indicated a willingness to wait for the Growth and Housing Strategy to be completed and to include consideration of their landholdings as part of this process.
- Supporting the planning proposal at this point in time pre-empts any process currently being followed by Council and in essence places the strategic planning process and decision making in a landowner's hands rather than Council or the community. Local Government's role in leading planning and development should not be undermined by private landowners right to seek development, but the processes for managing and planning growth ought to be followed.

Council recognises the need to provide for additional housing within our LGA and has embarked on the work required to complete our Growth and Housing Strategy. Council has acknowledged that this strategy work will need to identify locations for future growth and identify opportunities that such growth brings to the community.

Any growth however, should be planned and accompanied with appropriate, connected, sequenced infrastructure planning and provision, and good connectivity between development fronts and proposals. Focus also needs to be on providing appropriate employment lands, services, and facilities to support new communities prior to rezoning large parcels of land for primarily residential development purposes.

Several of the supporting arguments made within the documentation are based on the suggestion that no other land is available, and that Council does not have a strategic planning framework in place.

This is not the case, Council has in accordance with planning legislation adopted a Local Strategic Planning Statement in 2020 which clearly outlines land that has been identified for future urban expansion. This document is less than four (4) years old and remains the key strategic driver for urban land release. As part of the development of this document submissions were made about this land, and it was considered at that time and not supported for urban expansion.

Council has also been advised that the Bombo Quarry urban release area is progressing and that the timeframe for development is expected to be within 5 to 10 years (see attachment). There has been extensive work undertaken for the Quarry, and this is expected to be released within the coming months for community feedback.

It is important to note that the staff's recommendation does not mean that elements of the proposal or some of the concepts contained within the proposal do not have merit. It is essential however that the appropriate strategic planning work occurs to allow for appropriate infrastructure provision and scheduling of sites to be well planned to achieve positive outcomes for the community. As part of the recommendation in this report it is clearly stated that Council needs to undertake further consultation with the community as part of the development of the growth and housing strategy on this site

and others to determine timing, housing needs and appropriate locations for delivery in a holistic and logical manner.

Whilst the proposal may have some future merit and the location could be considered through the process being undertaken for the Growth and Housing Strategy, to preempt the outcome of this work and in essence isolate any other consideration for suitable lands at this time cannot be supported by operational staff.

Financial implication

Council has adopted a fee structure for the submission and review of planning proposals. The relevant fees have been paid as required by Council's fees and charges schedule.

It is important to note that Council does not currently have an adopted S7.11 plan for this site. In order to prepare and adopt a S7.11 plan there are a number of studies that are required to be carried out to identify and cost the infrastructure that will be required to support the new development. In the absence of an adopted S7.11 plan, the current adopted S7.12 plan would apply to the site which means that contributions levied will be insufficient to cover the cost of infrastructure generated by the development, and this cost would therebefore be shifted to existing ratepayers.

The applicant has offered to enter into a Planning Agreement (also known as a VPA) in association with the development. While a VPA can be a useful mechanism to obtain and secure development contributions, this will be dependent upon both parties negotiating a suitable outcome. To date there have been no discussions with Council staff on the content of a VPA.

Risk Implication

If Council resolves not to support the PP as recommended, the proponent may seek a rezoning review. A rezoning review allows a proponent to request an independent planning panel evaluate and recommend to the Minister whether a proposal should progress to gateway determination.

This is an expected risk for this proposal and it is likely that such a review would be sought by the proponent. This is not of concern and should not be used as an argument for supporting the proposal to proceed through Gateway.

One of the most important roles for councils in the strategic planning process is to guide the community through conversations about growth and setting the parameters and locations for urban expansion. By allowing a Proponent Led planning proposal to proceed at this pivotal point in the Growth and Housing Strategy development will undermine and set a precedent for others. It is likely that other landowners will seek to also proceed through proponent led PP's. This could result in adhoc development in undesirable locations and does not best represent good strategic planning done in concert with the relevant State agencies and the community itself.

Establishing onsite sewerage or standalone systems also carries significant risk and it is clear from the submission provided by Sydney Water that further work and process is required before any such proposal can be considered. A stand-alone system is an undesirable outcome for the community. Such a proposal also undermines any advocacy work or planning strategy which seeks for Kiama to be included in planning

/ upgrades for water and sewerage infrastructure and the UDP. The need for improvements and capacity upgrades to the entire water and sewerage infrastructure network for the whole LGA is a matter of public record and one which Council has advocated strongly on before. Should this proposal be accepted, it will set a precedent for other developments and multiple standalone systems may result. There are also questions concerning the perpetuity of such public amenity arrangements, equity in terms of fees and charges and management of associated stormwater and water catchment lands.

Policy

PPs are required to be prepared and assessed in accordance with the Local Environmental Plan Making Guideline (August 2023) published by the NSW Government. They require consideration of various Acts, Government policies, environmental planning instruments and planning documents. Specifically, the Environmental Planning and Assessment Act 1979, Kiama LEP 2011, Illawarra-Shoalhaven Regional Plan 2041, Kiama Local Strategic Planning Statement 2020 and the Kiama Planning Proposal Policy.

Consultation (internal)

Council staff met with the applicant and DPE to discuss the outstanding issues.

Consultation (External)

Consultation will be undertaken as required through the PP process should the PP progress to Gateway Determination. The PP would be referred to relevant State Agencies for assessment, along with any other requirements of the Gateway Determination.

Preliminary State Agency Comments

The PP was referred to the following two State Agencies for preliminary comments primarily regarding the proposed onsite Utility Centre.

The proposal was forwarded to the following state agencies for review of flood matters for preliminary comments:

1. DEECCW (see attached)
2. Sydney Water (see attached)

The comments provided to Council are outlined assessment section of this report.

Communication/Community Engagement

In accordance with the *Kiama Community Participation Plan (CPP) 2019,* pre-Gateway consultation was not required.

However, Council informed the community of the proposed PP via the following channels:

1. Media Release
2. PP documents were made available on Council's Website
3. Councillors were briefed on the proposal

Should Council support the PP, the Gateway Determination issued by the NSW Department of Planning, Industry and Environment will outline the minimum requirements for consultation to be undertaken with government agencies and the community. All other community engagement will occur in accordance with the Kiama Community Participation Plan.

Attachments

1 Planning Proposal⇩

2 LEP Maps⇩

3 DEECCW Comments⇩

4 SWC Comments⇩

5 Letter from Transport Asset Holding Entity⇩

Enclosures
Nil

RECOMMENDATION

That Council:

1. Not support the Planning Proposal (PP-2023-2833) (PP) for the rezoning of land at 177 Long Brush Road, Jerrara, 33 Greyleigh Drive, Kiama and 103 Jamberoo Drive, Kiama, as it is inconsistent with the Kiama Local Strategic Planning Statement 2020 and Illawarra and Shoalhaven Regional Plan 2041 and therefore does not satisfy the strategic merit and site-specific merit tests.
2. Not send the proposal to the Department of Planning for Gateway Determination.
3. Actively work with the proponent through the Growth and Housing Strategy process to consider this land, along with other sites for future potential urban expansion, in conjunction with the Urban Development Program.

Planning Proposal Process

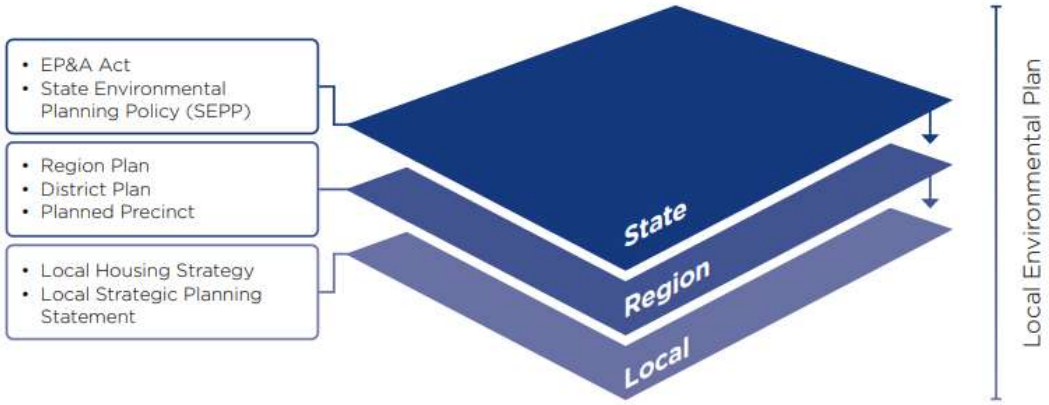
LEPs provide the local statutory framework that guides development and land use decisions throughout NSW. They do this through zoning and development standards, which provide a framework for the way land can be developed and used.

As changes to planning zones or controls to permit new development and land uses are proposed, this often requires an amendment to the LEP applying to that land. Amendments to LEPs are generally undertaken through the preparation and assessment of planning proposals.

A landowner, developer or an individual seeking to amend the zoning or development standards that apply to land they own or have an interest in may initiate a planning proposal. However, alignment across state and local strategic planning sets up a

streamlined process for amending LEPs by having planning matters resolved early and setting a clear sequence for how communities will grow and change over time.

Figure 1. Strategic planning framework



The NSW Government has placed significant focus on the strategic planning framework, strategic place-based planning, connection to Country, green infrastructure and sustainability outcomes.

Council's Local Strategic Planning Statement (LSPS) sets out the strategic planning ambitions for a LGA as a whole and for specific areas. As outlined in the diagram above, the LSPS allows councils to translate regional and district planning into local priorities and actions and identifies the need for further local strategic planning work (e.g. precinct planning, local housing, employment areas, and infrastructure strategies).

Planning Proposal – Assessment

Where the planning proposal has been initiated by a proponent, Council is to review and assess the planning proposal and decide whether to support and submit it to the Department for a Gateway determination. Where the planning proposal has been initiated by a council, the council is to prepare the planning proposal and submit it to the Department for a Gateway determination.

When an LEP is made or amended through the planning proposal, it must demonstrate strategic merit having regard to the criteria contained within the guideline. It is important to note that this proposal is at Stage 2 of the process, meaning it has been formally lodged with Council.

This proposal has been assessed as a complex planning proposal as it proposes to:

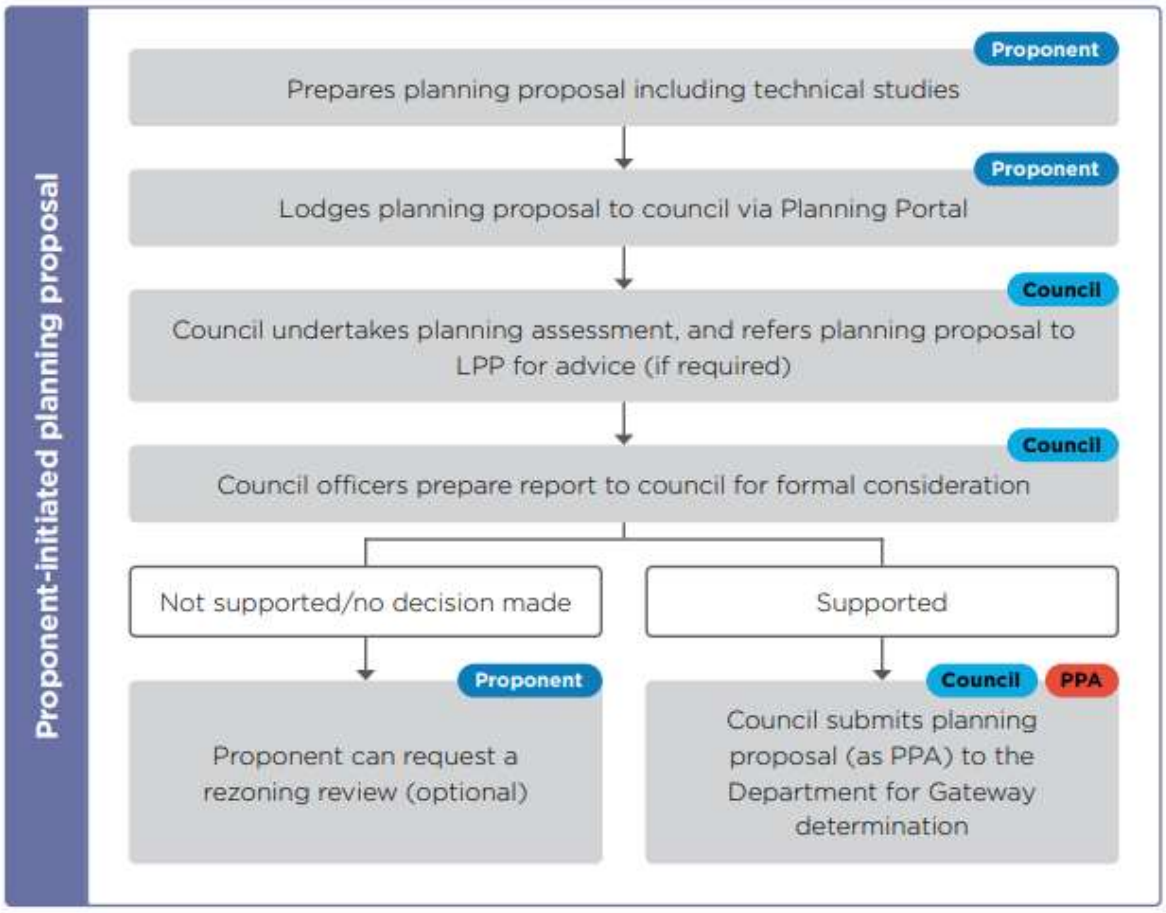
- Seeks to change in the land use zone and/or the principal development standards of the LEP, which would result in a significant increase in demand for supporting local, regional or State infrastructure and would require infrastructure funding.

- Provides a new policy e.g. local character or new provision not in the standard instrument template.
- Inconsistent with a District/Regional Plan or council's endorsed LSPS.

At early meetings with the proponents, it was suggested that a scoping study process in accordance with the Guideline should be followed to enable comments to be obtained from agencies and for staff to be able to provide comment and feedback on the proposal. This would have enabled discussions and options to be presented. The proponent chose not to follow this formal scoping study process, prior to submitting their proposal to Council.

Some pre-lodgement discussions were held including a briefing of Councillors, however it becomes difficult to undertake further discussions including site meetings once the proposal is lodged with Council. It is essential that probity is upheld. Legal advice received in this matter reflects the need for formality in both process and discussions.

Staff have therefore conducted a review of the documentation that has been lodged with the proposal. Primarily focusing on the Planning Proposal document which addresses the requirements of the LEP Making Guideline. Changes to documentation, negotiations and/or formal feedback to the proponents does not occur at this stage of the process as any assessment can only be made on the information to hand. The process to be followed in the assessment of the Planning Proposal at this stage is outlined in diagram 2 below:



Options Available to Council

As shown in the diagram above at this stage in the planning proposal process Council has two options available to consider for this proposal.

Option 1 - is not to support the planning proposal at this time. This is the recommendation of staff through this report. This means that work on the planning proposal will cease. The applicant may seek to have this decision reviewed by the Department of Planning through the planning panel process. If a review is undertaken by the applicant, staff will provide input into this review process using the context of this report as a basis for input to the panel.

Option 2 - Support the Planning Proposal in its current form. If Council was of a mind to support the proposal to proceed to Gateway amendments would be required to the planning proposal documentation. A number of these amendments are outlined within the body of this report and have also been raised through the external agency submissions. These are essential to be addressed and should be included in any documentation provided to the Department of Planning.

History – Previous Planning Proposals

It is important to note that this is not the first time that owners (former) of this land have sought for it to be rezoned through a planning proposal process. Council has previously considered this parcel of land three times through individual planning proposals and also as part of the original establishment of the KLEP 2011 and subsequent amendments to this plan. These include:

1. In 2015 a PP was lodged to rezone 7ha of RU2 land to R2 Low Density Residential to deliver 32 lots. The site was not identified as a Greenfields expansion area in the Kiama Urban Strategy and therefore Council did not support the PP. A rezoning review was also rejected by the Department of Planning and Environment (DPE) on the basis that it was inconsistent with the regional and local strategic planning framework.
2. In 2019, a PP was lodged to rezone 38 hectares of rural land to deliver 168 lots and a mix of residential zones. Council did not support the PP as it was in the process of finalising the Kiama LSPS and inconsistent with the regional and local strategic planning framework. A rezoning review was also rejected by DPE for the same reasons.

Subject Site

The site comprises of 12 lots in single ownership and covers 114 hectares of land.

The site is located approximately 1.7km west of Kiama Railway Station and Town Centre. Several riparian corridors and Spring Creek run through the site.

The sites are currently zoned part RU2 Rural Landscape and part C2 Environmental Conservation and part C3 Environmental Management.



Figure 1: site locality plan

Overview of the Planning Proposal

The PP seeks to amend Kiama LEP 2011 to enable a Masterplanned Urban Release Area (URA) *'Springside Hill'* to be developed on the site. A summary of the key components of the planning proposal request are provided in table 1 below:

Current Zone or Control	Proposed Zone or Control
RU2 Rural Landscape	R2 Low Density Residential R3 Medium Density Residential E1 Local Centre
Part C2 Environmental Conservation and part C3 Environmental Management.	RE1 Public Recreation.
Rural zoning controls apply	R2 to 8.5m R3 and E1 to 15m

	Floor Space Ratio to 0.45:1.
The rural lot size controls apply – with a 40 ha minimum lot size	Minimum Lot size of 450m^2 for R2 1000m^2 for R5 However also seeks for exceptions to be provide to these minimum lot sizes and have it reduced to • 350m^2 for lots where it can be demonstrated by a building envelope plan that a dwelling house can be built on the lot; • 200m^2 for a semi-detached dwelling; • 175m^2 for an attached dwelling.
Land ownership in private holdings	Seeks to identify the following land for public acquisition (in essence passing this land to Council to care and control). Any land zoned: - RE1 Public Recreation; - C2 Environmental Conservation - C3 Environmental Management.
No permitted uses for educational establishment, place of worship or attached dwellings are in place	Seeks to add additional uses to the zone which would otherwise be prohibited. These are: 1. Educational establishments and place of public worship in the RU2 Rural Landscape zone; 2. Attached dwellings in the R2 Low Density Residential zone.
The site is not identified within the Kiama LEP as an Urban Release Area or an area planned for this form of growth or development	Include the site in the Kiama LEP as an identified urban release area
Currently used for agricultural purposes.	The proposal seeks to clear and develop 122.1 hectares of agricultural land, leaving 19.9 hectares of agricultural land. If the PP was to proceed it would need to be referred to DPI – Agriculture to assess the impacts of this level of clearing.

Currently Council is only considering the Planning Proposal to change the zoning on the land. The masterplan and other considerations that have been included within the documentation and provided by the applicant part of the justification and promotion of the site are not under assessment.

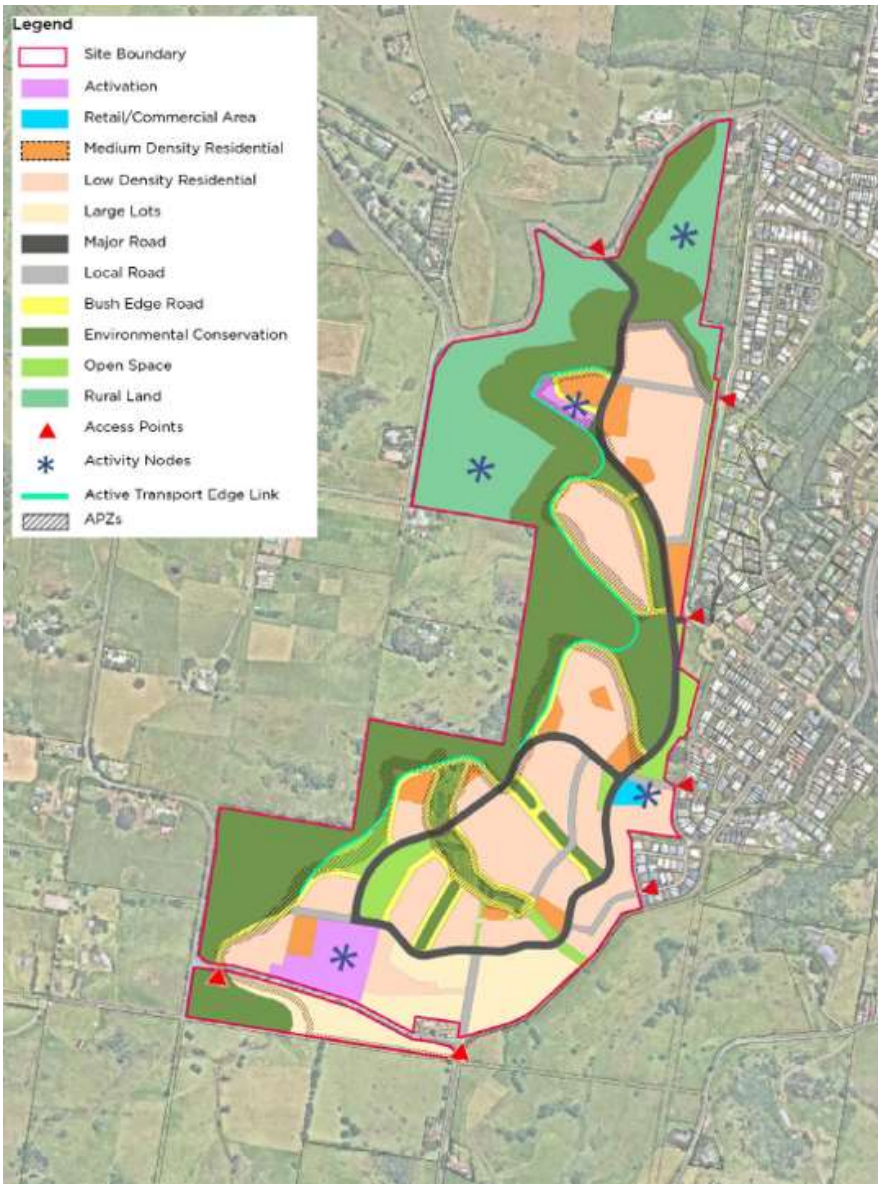
Any master planning, development consent, allocation of lands etc. would be subject of further development assessment processes and may also change over time. A number of the suggested outcomes cannot be "locked" in through the planning proposal process and cannot be guaranteed.

Proposed Indicative Masterplan

As part of the proposal and to support the justification for the rezoning an indicative masterplan has been provided by the proponents. The proposed URA would deliver approximately 1069 dwellings over a **10 to 15 year timeframe.** The proposal incorporates a mix of residential densities, commercial uses, recreation and conservation outcomes.

The proposed indicative concept masterplan outlines the following:

1. 1062 proposed new dwellings.
2. 377 low density residential lots.
3. 633 low rise, medium density housing i.e. terraces, townhouses and low-rise garden apartments.
4. 5% social housing delivered to NSW Land and Housing Corporation at no cost.
5. 5% delivered as affordable rental housing to be managed by a community housing provider in perpetuity.
6. 5% reserved for first home buyers.
7. 5% for locals identified in postcodes 2533 and 2534.
8. 16 ha of retained rural land, potentially for an educational establishment and place of public worship.
9. 43 ha of public open space, riparian lands and conservation areas.
10. Business uses to enable local retail and services.
11. Retention of Greyleigh House to ensure its long term tourism function.



Officer Assessment

The following details outline the issues that have been identified through the preliminary assessment process undertaken for this planning proposal and the reasons why the proposal cannot be supported to proceed to Gateway at this time.

As outlined throughout this report Council is currently preparing its Growth and Housing Strategy and this and other potential land release areas should be considered through this process, rather than as a stand alone development proposal. This allows for all of the adjoining lands to be considered, connectivity with other development proposals to be assessed and combined infrastructure requirements to be mapped and provided for through the Urban Development Program.

Documentation and Studies – Gaps and Omissions

The following documentation gaps and omissions prevent the planning proposal from proceeding:

1. The Bushfire Report prepared by Eco Logical Australia does not refer to the recently adopted *Bush Fire Prone Land Map 2023.* Therefore, an updated Bushfire Report is required.
2. The Preliminary Water Cycle Management and Flood Assessment prepared by J. Wynham Prince has not been prepared in accordance with the *2023 Flood Risk Management Manual* and Emergency Evacuation. Therefore, an updated Preliminary Water Cycle Management and Flood Assessment is required.
3. The Traffic Impact Assessment prepared by SCT Consulting does not include traffic flow that may occur resulting from Bombo Quarry to the north. Bombo Quarry may yield approximately 2000 dwellings. This will have a significant impact on traffic flow in the future. Therefore, the traffic impact assessment is not an accurate representation of future traffic impacts. Trip generation resulting from the proposed additional uses of the educational establishment and Education Facility appear to have not been considered in the traffic impact assessment.

Strategic Framework

Much is made within the documentation that Council's Strategic Planning documentation is aged or "retired". This statement is refuted. Council in accordance with the requirements of the NSW State Planning developed its Local Strategic Planning Statement in 2020. It also continues to identify the allocated and identified growth areas within the Kiama LGA. Of note is that a number of these sites have progressed and a housing pipeline in the short term is being delivered, albeit with limitations due to infrastructure constraints.

The LSPS is still the relevant planning document in accordance with legislation and it has not been retired. As has been reported to Council, community engagement is occurring on our Growth and Housing Strategy. This strategy has been enhanced to include the words growth primarily to create a document which explores more than just the standard housing data.

Council staff have been diligently and clearly outlining the need to explore new options and possibilities. It also has been consistently stated that always just saying no is not an ongoing option. However, it is important that strategic planning is done in a considered manner prior to significant land released being supported. There also needs to be a consideration of equity and opportunity and a clear consideration of why this proposal should proceed before others, and whether would there be other more suitable land.

Much has also been made of the Kiama LEP being created in 2011. Since this time there have been many amendments made to this document. A significant update was provided recently which included the changes made to heights, FSR and density within the Kiama Town Centre.

Extensive planning work was undertaken on this change and was based on a focus and desire to enhance densities and development within proximity to services and facilities, including key transport links. The development of these controls and the resulting housing supply they will offer is important to also consider, with significant housing stock currently in the pipeline through these zoning changes.

Compliance with Ministerial Directions

Currently the PP does not comply with the following Ministerial Directions:

a) Ministerial Direction 4.1 Flooding – must address the 2023 Flood Risk Management Manual and emergency evacuation.

b) Ministerial Direction 3.2 Heritage – must address Aboriginal Heritage and Dry Stone Walls.

c) Ministerial Direction 4.3 Planning for Bushfire – must refer to PFB 2019.

d) Ministerial Direction 4.4 Remediation of Land – A stage 2 DIS report is required.

Management and Allocation of Proposed Public Lands

Approximately 43ha of public open space is proposed; however, much of this proposed open space includes riparian lands and conservation areas which do not provide formal open space outcomes and are not suitable for RE1 zoning. The land proposed has been determined by the applicant without any consultation with Council or assessment of community or Council needs. In essence it is the areas of unusable or constrained lands, that have been proposed to be “dedicated”.

If calculations based on usable open space are undertaken it is found that the area proposed is actually less than NSW standards and there is insufficient active open space, within this proposal.

Commentary is provided within the documentation that suggests dedication of lands (environmental zones and open space lands) to Council. Such a proposal can have significant implications for Council. As an example, when Calderwood land release was proposed and a calculation on the maintenance and management of the riparian lands and environmental spaces was undertaken by Shellharbour Council it was found that the expected cost would be so significant it would cause the Council to become unsustainable.

Given Council’s current financial position any dedication and resulting burden of management to Council for lands needs to be carefully and diligently considered. The suitability of Council accepting dedication of these lands and the cost and resource implications (including on-going maintenance) have not been adequately addressed in the documentation. Nor have these been appropriately explored through a strategic process.

Infrastructure and Servicing

The site is not identified in the Sydney Water Growth Servicing Plan 2024-2029. In response to this impediment to future development the PP proposes an on-site utility centre to service the lots on a long-term permanent basis. The facility will provide drinking water, wastewater and recycled water services for the proposed residential and non-residential uses proposed on the site.

The facility proposes to take available drinking water from the existing Sydney Water main and make a service available at the onsite utility centre to service the new URA. It is unknown whether Sydney Water and the Department of Climate Change, Energy, the Environment and Water would support this arrangement.

The site is not included in Sydney Water Urban Growth Plan or the Developer Service Plans (DSP). Preliminary comments from Sydney Water (SW) direct the applicant to submit a feasibility analysis on the site.

Nonetheless, the Sustainable Services Utilities Strategy prepared for the proponents by Altogether (a private utility provision company) outlines communication between the proponent, the proponents Civil Engineer and Sydney Water.

The Proponents Civil Engineer has investigated the existing Sydney Water infrastructure and Assets. It is concluded that major upgrades would be required to the SW Infrastructure to service the proposed URA. As the site is not included in the DSP the developer would be liable for the cost of these upgrades.

Due to uncertainty, timing and costs associated with major upgrades to SW infrastructure, the applicant proposes an onsite utility centre.

Altogether have provided details for the delivery of a decentralised wastewater recycling facility on the site which is not reliant on Sydney Water's legacy assets and eliminates the need for any gravity mains or sewer pump stations.

The utility centre would service the proposed residential and non-residential uses proposed on the site.

The centre would allow the provision of:

a) Drinking water;

b) Wastewater; and

c) Recycled water services.

The following is proposed:

1. Staged delivery of a Local Water Centre (LWC) capable of providing wastewater and recycled water services.
2. A reliable drinking water service based on an interconnection Strategy with Sydney Water Assets on a Utility-to-Utility Basis.
3. A Developer Services Plan ('DSP') based funding model allowing the proponents to defer capital expenditure and make necessary allowances for feasibility purposes.

Sydney Water Comments – Servicing

Comments from Sydney Water are attached to this report. In summary the comments made in this documentation include:

- *Servicing* - The development site is within the Kiama West Water Supply Zone. Wastewater servicing is currently unavailable to the site.
- *Growth Data* - In order to fully support all growth and developments and to fully assess proposed developments, Sydney Water require the ultimate and annual growth data for this development.
- Sydney Water has reviewed the proponents' *Potable Water and Wastewater Concept Review* and the *Sustainable Utilities Servicing Strategy*. The report, whilst not seen by, nor endorsed by Sydney Water at the time, recommended

the lodgement of a Feasibility application to commence early consultation with Sydney Water.

- Sydney Water notes that a Feasibility application is the correct route for the proponent to take to engage directly with Sydney Water, but this has not yet been lodged either in relation to the initial 2022 report recommendations, nor as part of the undertakings noted in the 2023 sustainable servicing strategy. Sydney Water therefore does not endorse the information nor assumptions within these reports.

Requirements/next steps as proposed in Sydney Water Correspondence

a) The proponent to lodge a Feasibility via their WSC.

b) The proponent should complete and return the growth data form in the format as part of their Planning Proposal submission and with their Feasibility application.

c) Sydney Water is happy to meet with the proponent to discuss all options for servicing the site once the feasibility is registered.

Environmental Impacts

The proposal was provided to the Department of Climate Change, Energy, the Environment and Water – Biodiversity Conservation Division (DEECCW). This response is provided as an attachment to this report. The comments are summarised below:

From a strategic context, BCS prefers that new urban expansion is accommodated where there is a well-informed understanding of broader catchment functioning and the sensitivity of the lands affected (as much as understanding broader urban planning/servicing matters).

By itself, this new proposal will considerably increase the footprint of urban development in a largely rural catchment of modest size. The PP also proposes an on-site utility hub/water centre that sets a concerning precedent for the next speculative PP to also pursue. The subject lands will ultimately drain to Spring Creek, an identified sensitive estuary. BCS is mindful that engineered solutions have a risk of failure and any impacts need to be well considered for the receiving waterway. There is not yet a risk-based framework for considering water quality for the catchment and managing the health of Spring Creek.

While there is some information about the subject land, BCS is not convinced there is enough information about the broader catchment such as water management (including flooding and water quality), biodiversity (including sensitivities and connectivity needs) and optimising integrated issues such as appropriate management and use of riparian lands.

Detailed comments on flood risk assessment, estuarine and waterway health and biodiversity are provided in the letter attached.

Requirements/Next steps

a) *A fit for purpose Flood Impact and Risk Assessment (FIRA) report be prepared.*

b) *Further flood assessment work be undertaken to address public safety risks.*

c) *An assessment of potential impacts of the altered land-use on water quality prior to rezoning be undertaken to ensure adequate spatial and zoning provisions are incorporated.*

d) *Restoring riparian lands is supported but such land should be zoned to C2 or C3 rather than RE1.*

e) *A C2 zoning be considered for all significant biodiversity values on the site including areas mapped as "high ecological constraints" (some attributes currently zoned C3 may warrant C2 zoning longer term given the management intentions).*

f) *In addition to remnant native vegetation within the study area, significant biodiversity should be mapped and incorporated into non-urban zoning where possible, including hollow bearing trees, lone cabbage tree palms (Livistona australis) and large fig trees (Ficus spp.).*

g) *Buffers be applied to all remnant vegetation to prevent "edge effects" (eg. weed infestation, trampling, etc.) particularly Threatened Ecological Communities and populations of Zieria granulata.*

h) *Further ecological assessment be carried out at the Planning Proposal stage to determine if suitable areas for rehabilitation of the Melaleuca armillaris Tall Shrubland Critically Endangered Ecological Community occur within the subject site. If so, these should be included in conservation zones and rehabilitated in accordance with a Vegetation Management Plan VMP and/or an in-perpetuity conservation agreement.*

i) *Council appraises the land tenure outcomes of the conservation zoned land to ensure adequate funding/mechanism for ongoing management. Vegetated lands that may be transferred to Council are an opportunity to investigate the proponent establishing an actively managed Biodiversity Stewardship Agreement site/s before transfer.*

j) *A Vegetation Management Plan (VMP) be prepared for the Spring Creek riparian corridor, adjacent areas of remnant vegetation and any areas proposed for rehabilitation, and this should be secured at development application stage.*

k) *Asset Protection Zones (APZs) be contained within existing cleared areas (noting that the Master Plan indicates some APZs appear to be located within areas of "high ecological constraint").*

Strategic Sites

The Planning Proposal report prepared by Mecone for the proponents states that Bombo Quarry (an identified strategic site) will not progress soon enough to meet dwelling demand, hence requiring support of this PP. This is not necessarily the case, as the Bombo Quarry landowners have recently indicated that the closure of the quarry operations is imminent and development investigations and studies have commenced.

The Housing Study prepared by AEC for this planning proposal, excludes Bombo Quarry as a site that is suitable to provide dwelling supply within the next 10-20 years due to rehabilitation of the site and the various legislation that impacts the redevelopment on quarries. Therefore, this Housing Study is not considered an

accurate representation of potential dwelling supply and the need for an additional URA area.

Bombo Quarry's resources are expected to be exhausted in the near future and the landowners have commenced the process of developing a *Vision Statement* in consultation with The Department of Planning, Housing and Infrastructure. Community consultation will commence in the coming weeks to inform and assist with formulating the vision statement for the Bombo Quarry Lands precinct.

The proposed URA is in close proximity to Bombo Quarry (Strategic Site) and South Kiama (Approved URA). The following lot yields apply to these sites:

1. South Kiama – land zoned for residential development 455 lot subdivision. Currently a concept subdivision plan has been lodged with Council for consideration.
2. Bombo Quarry – approximately 2000 dwellings.

Therefore, Bombo Quarry is anticipated to be able to deliver almost double the dwelling yield proposed by the Springside Hill Planning Proposal (Kiama West). Bombo Quarry is therefore anticipated to be able to fill the gap in dwelling demand required to be provided in the Kiama LGA between 2021-2041.

Suggestion of Change in Circumstances

A key argument within the planning proposal documentation is that the planning proposal responds to a change in circumstances and strategic planning within the local and regional context. It is suggested by the applicant that significant changes have occurred in the last three years which justify the proposal.

Whilst there is renewed focus on growth and a need to respond to the housing affordability and housing shortage, adhoc planning is not supported to respond to this challenge. There is significant work occurring on the housing pipeline, housing needs analysis and proposed supply. Figures used within the documentation need further analysis as the figures supplied exclude Bombo Quarry. This is an inaccurate analysis given the amount of work that is being undertaken on Bombo Quarry at this time and the strategic focus throughout all strategic documentation on the quarry to provide supply of both housing and employment lands for our LGA.

Attached to this report is an analysis of supply and pipeline data undertaken by Council staff, which needs to be considered in the context of the data provided to support this PP.

Financial Contribution of the Development

It is important to note that Council does not currently have an adopted S7.11 plan for this site. In order to prepare and adopt a Section 7.11 Plan there are a number of studies that are required to be carried out to identify and cost the infrastructure that will be required to support the new development. In the absence of an adopted s7.11 plan, the current adopted s7.12 plan would apply to the site which means that contributions levied will be insufficient to cover the cost of infrastructure generated by the development, and this cost would therebefore be shifted to existing ratepayers.

The proposed *Planning Agreement* has not been approved by Council. There have been no discussions or negotiations with council staff on the content of the Letter of

Offer, which is an important step in the process as set out in Council's Planning Agreement Policy. While a VPA can be a useful mechanism to obtain and secure development contributions, this will be dependent upon both parties negotiating a suitable outcome. To date there have been no discussions with council staff on the content of a VPA.

Conclusion

The subject site has not been identified as a potential urban expansion area in the Kiama LSPS 2020 and is inconsistent with the Illawarra and Shoalhaven Regional Plan 2041.

Council officers have identified that the PP does not demonstrate compliance with the Section 9.1 Ministerial Directions, Kiama LSPS 2020 or the Illawarra Shoalhaven Regional Plan 2041. There are technical studies that are required to be updated.

Council officers do not consider the Planning Proposal demonstrates adequate strategic merit to progress to Gateway. The PP is not consistent with the regional and local strategic planning framework and therefore is not considered capable of support at this time. This may change in the future with the adoption of the Kiama Housing and Growth Strategy.

It is therefore recommended that Council not support the Planning Proposal to proceed to the Department of Planning, Housing and infrastructure for a Gateway Determination.

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Planning Proposal report

Springside Hill

PREPARED FOR
Traders in Purple

December 2023
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Project Director

Chris Shannon

Contributors

REVISION	REVISION DATE	STATUS	AUTHORISED: NAME & SIGNATURE	
1	14-12-2023	Lodged	CS	

* This document is for discussion purposes only unless signed and dated by the persons identified.
This document has been reviewed by the Project Director.

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Executive summary

INTRODUCTION

This report has been prepared by Mecone Group Pty Limited on behalf of Traders in Purple (the proponent) in support of a planning proposal request to Kiama Council to amend *Kiama Local Environmental Plan 2011* (LEP) for the land at 177 Long Brush Road, Jerrara, and 33 Greyleigh Drive and 103 Jameroo Drive, Kiama (the Site).

THE SITE

The Site comprises 12 lots and a number of unformed Crown roads, covering an area of approximately 114 ha. The Site is currently rural in nature and contains tracts of open grassland and more dense vegetation along several riparian corridors, including Spring Creek. Greyleigh Homestead, an accommodation venue, is contained within the southern portion of the Site and is accessed from Long Brush Road. Another dwelling is located within the northern portion of the Site, accessed from Jamberoo Road. The Site is located directly west of Kiama CBD, approximately 1.7 km west of Kiama Railway Station. The Site directly adjoins a mix of low density and large lot residential zoned land to the east. The proposal seeks to continue the pattern of housing to the west.

OBJECTIVES AND INTENDED OUTCOME

The objectives of the Planning Proposal is to amend the LEP to enable a masterplanned urban residential community to be developed on the Site that incorporates a mix of residential densities, commercial uses, recreation and conservation outcomes that is designed to respect the visual, topographical and environmental characteristics of the Site.

The intended outcome of the Planning Proposal is as follows:

- promote housing affordability and diversity through the introduction of a variety of dwellings, lot sizes and building heights
- retain existing parts of the Site to preserve view lines to and from the west
- incorporate a local centre that provides for commercial and retail daily convenience needs of future and existing residents, and future employment opportunities
- provide recreational opportunities for future and existing residents and visitors, including cycleways and walkways along Spring Creek
- conserve areas of high biodiversity significance
- enable the development of an educational establishment and place of public worship in the RU2 Rural Landscape zone.

PLANNING PROPOSAL

The Planning Proposal request has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979*
- the NSW Department of Planning and Environment's *Local Environmental Plan Making Guideline*
- relevant Section 9.1 Ministerial Directions.

The Planning Proposal request demonstrates that it has site-specific and strategic merit to enable an amendment to *Kiama Local Environmental Plan 2011.*

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Strategic merit

The Planning Proposal has strategic merit as it aligns with and promotes several key strategic planning priorities of Council and the State Government identified within State, regional and local policies and strategies.

In particular, the Planning Proposal responds to a change in circumstances in the Kiama LGA as the current strategic planning framework does not provide for sufficient housing supply to meet demand, which is resulting in a critical undersupply of housing.

Site-specific merit

The Planning Proposal has site-specific merit as there are no constraints on the Site that can't be managed that would prevent future development under the proposed land use zones. The proposal has been based on a detailed concept masterplan that has considered the environmental, topographical and visual characteristics of the Site.

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1 Introduction

1.1 Overview

This report has been prepared by Mecone Group Pty Limited on behalf of Traders in Purple (the proponent), in support of a planning proposal request to Kiama Council to amend *Kiama Local Environmental Plan 2011* (LEP) for the land at 177 Long Brush Road, Jerrara, and 33 Greyleigh Drive and 103 Jamberoo Drive, Kiama (the Site).

The Site covers 12 lots in single ownership, covering approximately 114 hectares of land located directly west of the Kiama CBD, adjoining the existing Kiama urban area.

The intent of the planning proposal is to achieve the following objectives:

- design a residential community that responds to the topographical and environmental characteristics of the Site
- create diversity in the range of residential dwellings
- provide diversity in residential lot sizes and building heights
- provide affordable and social housing
- retain existing parts of the Site to preserve view lines to and from the west
- incorporate a local centre that provides for commercial and retail daily convenience needs of future and existing residents, and future employment opportunities
- provide recreational opportunities for future and existing residents, including cycleways and walkways along Spring Creek
- conserve areas of high biodiversity significance
- enable the development of an educational establishment and place of public worship in the RU2 Rural Landscape zone.

1.2 Planning proposal authority

Clause 3.32 of the *Environmental Planning and Assessment Act 1979* identifies the planning proposal authority to be the council for the local government area to which the proposed instrument is to apply, subject to proposals which the Minister directs the Planning Secretary to be the planning proposal authority (cl. 3.32(2)). In this instance, Kiama Council will be the planning proposal authority unless otherwise stated by the Minister.

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1.3 Proponent and project team

The proponent for the planning proposal request is Traders in Purple. Traders in Purple are a long-term landowner in Kiama and have successfully delivered several housing projects within the Illawarra Shoalhaven Region and across Australia. Traders in Purple have long-standing partnerships with governments and community housing providers in the delivery of mixed tenure communities. It has a track record of successfully fusing private with social and affordable housing to create cohesive communities of mixed tenures, including partnerships with the NSW Land and Housing Corporation. Traders in Purple have engaged a team of reputable experts to provide advice and input into the planning process. Details of the proposed consultant team and submission documents are outlined below.

TABLE 1 – PROJECT TEAM

Item	Description
Concept Landscaping Plans	Sprout Studios
Concept Masterplan Urban Design	E8 Urban
Project Vision	Hoyne
Housing Study	AEC Economics
Preliminary Economic Impact Assessment	AEC Economics
Traffic Impact Assessment	SCT Consulting
Social and Community Needs Assessment	Mecone
Historical Heritage Constraints Assessment	Biosis
Aboriginal Due Diligence Assessment	Biosis
Ecological Report	Ecological
Bushfire Strategic Study Report	Ecological
Preliminary Water Cycle Management and Flood Assessment	J Wyndham Prince
Potable Water and Wastewater Concept Review	J Wyndham Prince
Utility and Infrastructure Servicing Report	J Wyndham Prince
Visual Attributes Study	Envisage
Stage 1 - Preliminary Site Investigation	Sydney Environmental
Agricultural Assessment and LUCRA	Minesoils
Sustainable Utilities Servicing Strategy	Altogether Group

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1.4 Purpose and structure

The purpose of this report is to describe and justify the proposed amendment to Kiama LEP 2011. It has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979*
- the NSW Department of Planning and Environment's Local Environmental Plan Making Guideline
- relevant Ministerial Directions issued under section 9.1 of the *Environmental Planning and Assessment Act 1979*.

This report is divided into two parts:

- Part A: Planning report – provides an overview of the Site, surrounds and planning history
- Part B: Planning Proposal – prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Local Environmental Plan Making Guideline prepared by the NSW Department of Planning and Environment.

The report is structured as follows:

- Part A: Planning report
  - Chapter 2: Site information – provides a description of the Site and surrounds
  - Chapter 3: Project background and context
  - Chapter 4: Statutory planning framework
- Part B: Planning Proposal
  - Chapter 5: Part 1 – A statement of the objectives and intended outcomes
  - Chapter 6: Part 2 – An explanation of the proposed provisions
  - Chapter 7: Part 3 – The justification of strategic and site-specific merit
  - Chapter 8: Part 4 – Maps
  - Chapter 9: Part 5 – Details of community consultation to be undertaken
  - Chapter 10: Part 6 – The anticipated project timeline for the plan making process
  - Chapter 11: Conclusion.

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Part A – Planning report

2 Site information

2.1 Site details

The Site is located at 177 Long Brush Road, Jerrara, and 33 Greyleigh Drive and 103 Jamberoo Drive, Kiama. It comprises 12 lots and portions of unformed Crown roads, covering approximately 114 hectares of land in the Kiama Local Government Area (LGA). The portions of unformed Crown roads reflect the Sites history of being subdivided as part of historic land grants in Kiama's urban areas.

The Site is located approximately 1.7 km west of Kiama Railway Station and Town Centre. It directly adjoins a mix of low density and large lot residential zoned land to the east, and contains undulating topography, which naturally recesses along lower order streams and towards Spring Creek that forms its western boundary.

The proposal seeks to continue the pattern of residential development to the west. The Sites size and consolidated ownership provides a unique opportunity for it to be developed for urban land uses consistent with adjoining urban development. The roads adjoining the Site include Greyleigh Drive and Arnold Circuit to the east, Old Saddleback Road and Longbrush Road to the south and Jamberoo Road to the north.

TABLE 2 – THE SITE

Legal description	Address	Area
Lot 201 DP 1148007	177 Long Brush Road, Jerrara	38.08 ha
Lot 1 DP 995058	33 Greyleigh Drive, Kiama	6.39 ha
Lot 1 DP 1003719	33 Greyleigh Drive, Kiama	5.69 ha
Lot 156 DP 751279	33 Greyleigh Drive, Kiama	5.46 ha
Lot 1320 DP1060995	33 Greyleigh Drive, Kiama	3.93 ha
Lot 183 DP 751279	33 Greyleigh Drive, Kiama	1.23 ha
Lot 185 DP 751279	33 Greyleigh Drive, Kiama	1.47 ha
Lot 186 DP 751279	33 Greyleigh Drive, Kiama	2.80 ha
Lot 187 DP 751279	103 Jamberoo Road, Kiama	1.43 ha
Lot 188 DP 751279	33 Greyleigh Drive, Kiama	4.94 ha
Lot 189 DP 751279	33 Greyleigh Drive, Kiama	3.07 ha
Lot 102 DP 1176643	103 Jamberoo Road, Kiama	39.23 ha
Total		**113.72 ha**

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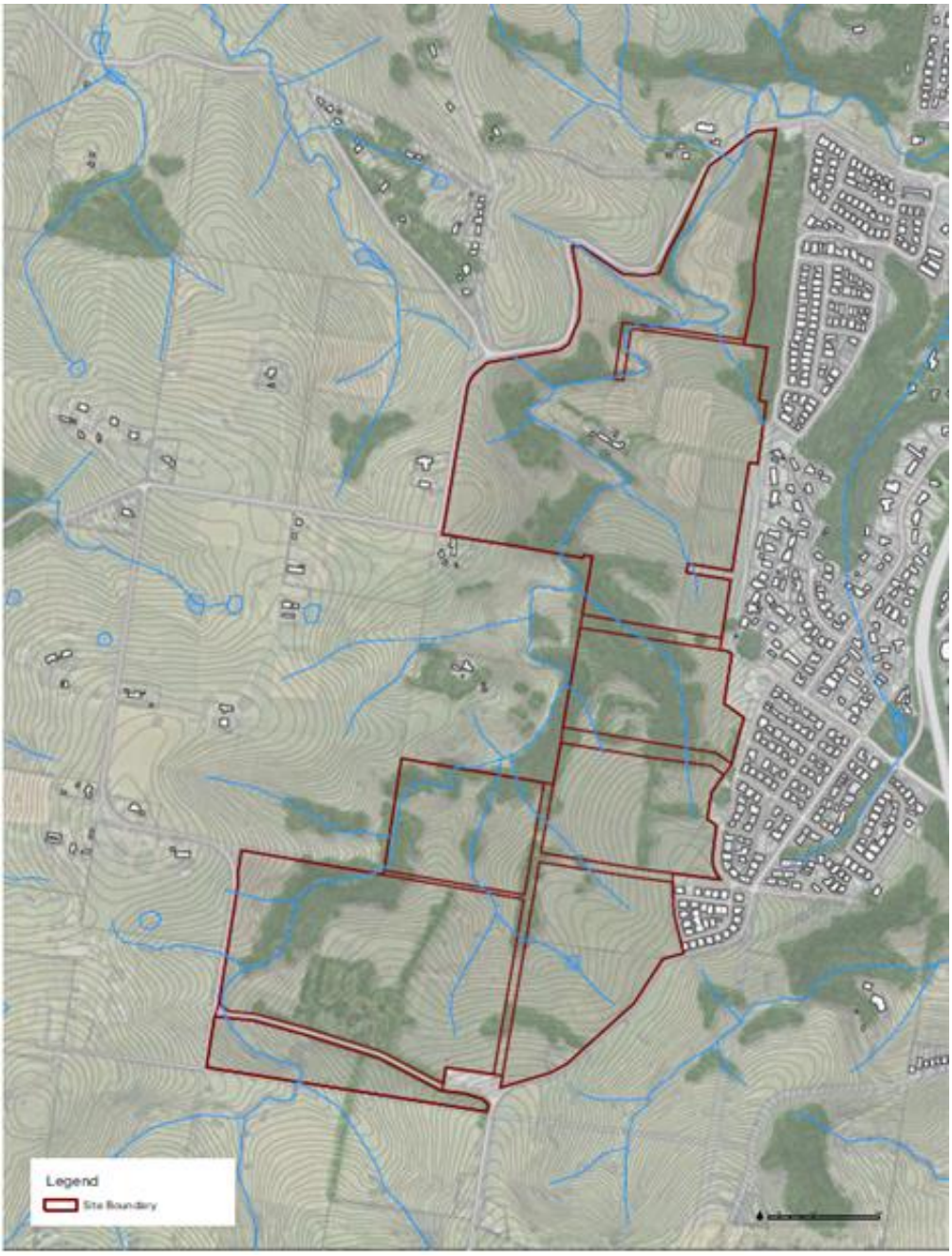

FIGURE 1 – THE SITE

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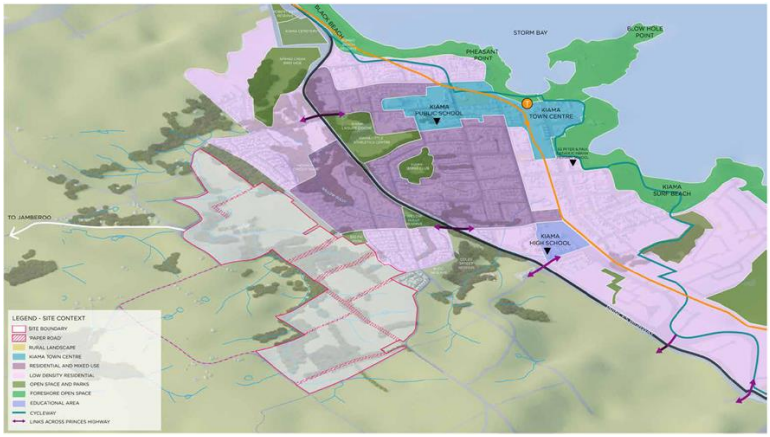

FIGURE 2 – SITE CONTEXT

Source: Mecone

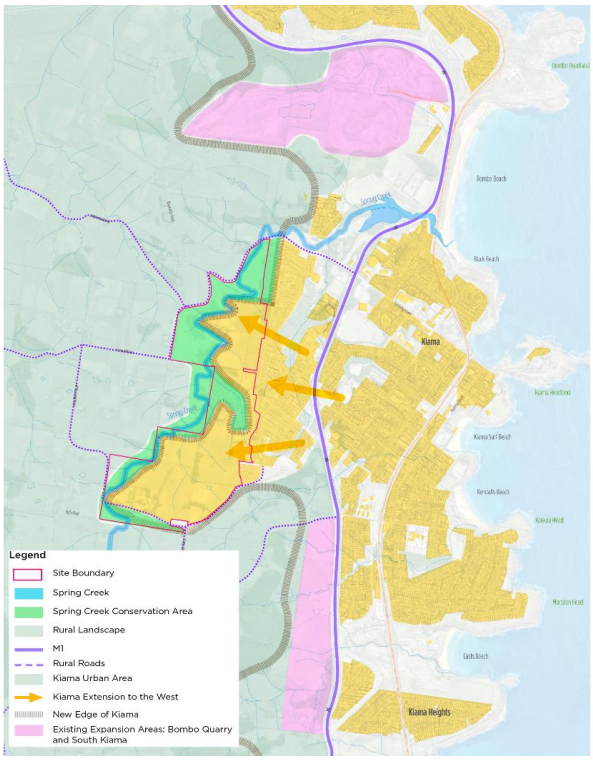

FIGURE 3 – POTENTIAL EXPANSION OF RESIDENTIAL SETTLEMENT

Source: E8 Urban

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3 Project background and context

3.1 Site history

Land in the Kiama LGA, including the Site, was subdivided for land grants from the 1840s. 1987 Parish Maps reveal the Site and surrounding lands were subdivided into allotments between 6 and 8 hectares, which is consistent with the historic grants in Kiama's urban areas. Land parcels to the east of the Site have since been developed for low density housing. Despite having similar lot sizes and road allocation patterns, urban development has not extended as far west as the Site, due to more recent planning controls zoning the land for rural purposes.

Original land grants suggest that larger rural land holdings were intended to be located west of the Spring Creek Valley, extending from Jerrara Creek Catchment to the edge of the escarpment. The idea that rural land would be located west of Spring Creek is further supported by the 1987 Illawarra Regional Environmental Plan No 2 (IREP 2), which defines the Jamberoo Valley as land of important agricultural, environmental, and aesthetic value. The Jamberoo Valley, as defined in the IREP 2, is west of the Spring Creek catchment and does not include the Site.

The Site itself has historically been used for rural purposes. There are two dwellings on the Site and ancillary buildings fronting Long Brush Road on its southern portion.

3.2 Project background

Kiama Council has recently retired the historic Kiama Urban Strategy, which historically has been the document that guided and limited the provision and location of new greenfield urban development in Kiama. It is noted that the Kiama Urban Strategy was published prior to amendments to the *Environmental Planning and Assessment Act 1979 (EP&A Act)* in 2018 which introduced new requirements for councils to prepare a Local Strategic Planning Statement (LSPS). It is understood the Kiama Urban Strategy was primarily based on the nomination of potential greenfield sites by landowners and did not include a robust merit assessment or feasibility testing process, nor was it formally endorsed by the Department of Planning and Environment.

Since 2011 when the Kiama Urban Strategy was prepared, circumstances in Kiama and the Illawarra Shoalhaven Region have substantially changed with regard to housing demand and the need to accommodate housing growth.

Despite the retirement of the Kiama Urban Strategy, the Kiama LSPS continues to limit greenfield housing opportunities based on mapping which generally reflects the Kiama Urban Strategy. As such, there is currently no evidence based contemporary plan or policy which seeks to guide housing delivery in Kiama in line with the forecasted growth trends. This current application seeks to respond to a change in circumstances in that there is growing need for housing in Kiama and a current lack of direction in local planning policy to support the sustainable rollout of an adequate pipeline of housing.

It is understood that Council is currently working on a draft Local Housing Strategy in accordance with the commitment made in the Kiama LSPS. This action was identified for completion in FY21/22. We understand this process has been delayed and a local housing strategy is yet to be exhibited. Based on the contemporary evidence available (population forecast, demand trends and currently limited supply capacity) it is reasonable to expect that there will be a need for the Local Housing Strategy to explore potential greenfield opportunities outside of those areas historically identified in the Kiama Urban Strategy.

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3.3 Historic planning proposal requests

There have been two planning proposal requests made to Kiama Council by previous landowners on part of the Site that is included in this planning proposal request. Those requests were not supported by Kiama Council, and as such, Council as the planning proposal authority, has not prepared a planning proposal on the Site. Details of those previous requests are outlined below.

3.3.1 2015 planning proposal request

On 22 May 2015, Kiama Council rejected a planning proposal request to rezone approximately 7 hectares of land from RU2 Rural Landscape to R2 Low Density Residential under Kiama LEP 2011. The proposal covered three existing lots generally located at Greyleigh Drive, Danube and Caliope Streets, Kiama, two of those lots form part of this planning proposal request. It was projected to deliver 32 residential lots. Council resolved not to support the planning proposal request primarily on the basis that the land was not identified as a nominated expansion area in the Kiama Urban Strategy (which is now retired).

The request proceeded to a rezoning review where it was also rejected by the Department of Planning and Environment on the basis that it was inconsistent with the regional and local strategic planning framework (which is now outdated) and Council's policy on the location of future urban development.

3.3.2 2019 planning proposal request

19 February 2019, Kiama Council rejected a planning proposal request to rezone approximately 38 hectares of primarily rural land to a mix of residential zones. The proposal covered nine existing lots generally located west of Kiama on land adjoining Greyleigh Drive and Old Saddleback Road, Kiama. Six of those lots form part of this current planning proposal request. It was projected to deliver 168 residential lots. Council resolved not to support the planning proposal request as it was considered premature given the status of Council's draft Local Strategic Planning Statemen

t and inconsistent with the regional and local strategic planning framework. The Department agreed with Council's determination as part of a rezoning review.

The table below highlights the differences between the 2015 and 2019 planning proposal requests by different proponents and the current planning proposal request by Traders in Purple. It demonstrates that there is no consistency between all three.

TABLE 3 – COMPARISON BETWEEN PREVIOUS REQUESTS AND THE CURRENT PROPOSAL

Characteristics	2015 planning proposal request	2019 planning proposal request	Current planning proposal request
Planning proposal lodged	No	No	**No**
Site area	7.42 ha	28.49 ha	113.72 ha
Existing lots	3	9	12
Projected dwelling yield	32 dwellings	168 dwellings	1,069 dwellings

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4 Current statutory planning framework

The Kiama Local Environmental Plan 2011 (LEP) is the primary environmental planning instrument applicable to the Site. The relevant provisions on the Kiama LEP are outlined below.

4.1 Land use zoning

The Site is currently zoned part RU2 Rural Landscape, and part C2 Environmental Conservation and part C3 Environmental Management, which is generally associated with the Spring Creek riparian corridor along the western boundary of the Site. Residential development in the RU2 Rural Landscape zone is limited to dwelling houses and secondary dwellings.

The surrounding land is zoned as follows:

- to the west and south is primarily zoned RU2 Rural Landscape
- to the north is zoned RU1 Primary Production
- to the east forms part of the Kiama urban area and has a mix zones, mainly R2 Low Density Residential and R5 Large Lot Residential.

4.2 Maximum height of buildings

There is currently no maximum height of buildings control applying to the Site. The maximum building heights on the adjoining land is as follows:

- no maximum height of buildings controls on land to the north, west and south
- to the east, the R2 Low Density Residential zone and R5 Large Lot Residential zone has a maximum building height of 8.5 m.

4.3 Floor space ratio

There is currently no floor space ratio (FSR) control applying to the Site. The FSR controls on the adjoining land is as follows:

- no FSR control on land to the north, west and south
- to the east, the R2 Low Density Residential zone and R5 Large Lot Residential zone has a maximum FSR of 0.45:1.

4.4 Minimum lot size

There is currently a 40 ha minimum subdivision lot size applying to the Site. The minimum lot size control on the adjoining land is as follows:

- land to the north, west and south has a 40 ha minimum lot size control
- to the east, the R2 Low Density Residential zone has a minimum lot size control of 450 sqm and the R5 Large Lot Residential zone has minimum lot size control of 1,000 sqm.

4.5 Heritage

There are no items of environmental heritage applying to the Site. The following heritage items are located in the vicinity of the Site:

- local heritage item I80 ‘Silver Hill’, located at 115 Bland Street, Kiama

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- local heritage item I99 ‘Fernleigh residence (former guest house)’, located at 2 Dido Street, Kiama
- local heritage item 135 ‘The Pines Homestead’, located at Saddleback Mountain Road, Kiama
- local heritage item I77 ‘Park Mount residence’, located at 82 Jerrara Road, Jerrara.

4.6 Acid sulfate soils

There is a minor affection of acid sulfate soils mapped as Class 5 in the Kiama LEP 2011 on the north-eastern corner of Lot 102 DP 1176643. The zoning on the part of the Lot identified as acid sulfate soils is not proposed to change. It will retain its existing RU2 Rural Landscape zone. The impact of acid sulfate soils on any future development on the Lot will be managed at the development application stage as required. No change is proposed to the mapped acid sulfate soils.

4.7 Terrestrial biodiversity

The Site contains portions of ‘Biodiversity Land’ as identified on the Terrestrial Biodiversity Map under Kiama LEP 2011. The areas mapped as Biodiversity Land are currently zoned C2 Environmental Conservation. No change is proposed to the areas mapped as Biodiversity Land or the zoning of the land.

4.8 Riparian land and watercourses

The Site is mapped as containing a Category 2 watercourse following Spring Creek, and three Category 3 watercourse tributaries connecting with Spring Creek. No change is proposed to the mapped watercourses. No residential development is proposed within these locations.

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Part B – Planning Proposal

The Planning Proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Local Environmental Plan Making Guideline prepared by the Department of Planning and Environment.

The Planning Proposal is structured as follows:

- Part 1 – A statement of the objectives and intended outcomes
- Part 2 – An explanation of the proposed provisions
- Part 3 – Justification of strategic and site-specific merit, outcomes and the process for implementation
- Part 4 – Mapping
- Part 5 – Details of community consultation that is to be undertaken on the Planning Proposal
- Part 6 – Project timeline.

5 Part 1: Objectives and intended outcomes

5.1 Objectives

To amend the Kiama LEP 2011 to enable a masterplanned urban residential community to be developed on the Site that incorporates a mix of residential densities and tenure, commercial uses, recreation and conservation outcomes that is designed to respect the visual, topographical and environmental characteristics of the Site.

5.2 Intended outcome

The intended outcome of the Planning Proposal is as follows:

- promote housing affordability and diversity through the introduction of a variety of dwellings, lot sizes and building heights
- retain existing parts of the Site to preserve view lines to and from the west
- incorporate a local centre that provides for commercial and retail daily convenience needs of future and existing residents, and future employment opportunities
- provide recreational opportunities for future and existing residents and visitors, including cycleways and walkways along Spring Creek
- conserve areas of high biodiversity significance
- enable the development of an educational establishment and place of public worship in the RU2 Rural Landscape zone.

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5.2.1 Indicative concept masterplan

Site investigations have informed the development of an indicative concept masterplan for the Site to demonstrate how it could be developed as a result of the planning proposal. The concept masterplan identifies a mix of residential, rural, recreation, employment and conservation land uses. The masterplan exercise has followed a first principles design approach, whereby site opportunities and constraints have been carefully considered to inform the proposed development layout.

The proposed layout responds to the environmental attributes and topography of the land and is generally designed to follow a centralised collector road which runs from Jamberoo Road in the north and creates a loop in the southern portion of the Site. The design carefully responds to the visually important areas of the Site by maintaining rural land uses, open space and larger allotments in areas of visual prominence.

The proposed indicative concept masterplan could enable the following development outcome:

- approximately 1,062 new dwellings which will provide housing for locals, first home owners, key workers and low/middle income earners. The diversity of this housing stock could include:
    - 22 large rural residential allotments, averaging 3,900 sqm
    - 377 low density residential allotments, made up of 233 ‘standard’ lots averaging 523 sqm and 144 ‘gully’ lots averaging 637 sqm
    - 663 low rise, medium density housing dwellings to support a diversity of housing to suit smaller household types such as attached terraces, townhouses and low-rise garden apartments. This includes 172 ‘mews’ lots averaging 196 sqm, 67 medium density lots averaging 338 sqm and 424 townhouses and low rise apartments
    - opportunity for delivery of social and affordable housing. At this stage, it is anticipated this will be made up of a mix of the following:
        - 5% social housing to be delivered to NSW Land and Housing Corporation at no cost
        - 5% delivered as affordable rental housing to be managed by a community housing provider in perpetuity
        - 5% delivered as part of a shared equity scheme for key workers
        - 5% reserved for first home buyers
        - 5% for locals identified in postcodes 2533 and 2534.
- 16 ha of retained rural land, with the potential for an educational establishment and place of public worship
- 43 ha of publicly accessible open space, provided as a combination of formal public open space, riparian lands and conservation areas. This land is intended to be restored and enhanced as part of the development process
- business uses to enable local retail and services
- retention of Greyleigh House to ensure its long term tourism function
- supporting local street, pedestrian network and cycling infrastructure.

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5.2.2 Proposed services and infrastructure

Given the proposed change in land use, the proposal will require the staged delivery of services and infrastructure to cater for the increased infrastructure demand and new residents.

The proposed infrastructure to support development on the Site includes:

- a new road network encompassing seven access points across the Site, including a centralised collector road, local streets and smaller shared streets/mews, as well as footpaths and cycle paths
- construction of a bushfire ring road and creation of appropriate asset protection zones
- the extension and upgrade of existing utility services within the vicinity of the site, including electricity, potable water, sewer and telecommunications
- stormwater management infrastructure as part of an integrated water management approach across the Site which responds to the ecological values of the existing watercourse
- community infrastructure including public open space, restored and protected riparian areas and areas of ecological value, local business and tourism opportunities and potential for an educational establishment and place of public worship.

The rollout of infrastructure will likely be staged to suit the preferred delivery model of the neighbourhood. Further details regarding staging will be informed by detailed infrastructure investigations and feasibility analysis closer to development application stage.

The concept masterplan identifies key infrastructure which will service new residents and provide amenity to surrounding areas. Such items include:

- new public streets and footpath network, including cycling infrastructure
- stormwater management infrastructure
- approximately 43 ha of green space made up of public open space and conservation areas which will be accessible to the public
- identification of a potential educational establishment and place of public worship
- protection and enhancement of the Spring Creek Nature Corridor, including enabling public access via a shared walking/cycling path
- land identified for small scale local retail, commercial and services to complement the Kiama CBD
- social and affordable housing in perpetuity to fill a much needed gap in the Kiama housing market.

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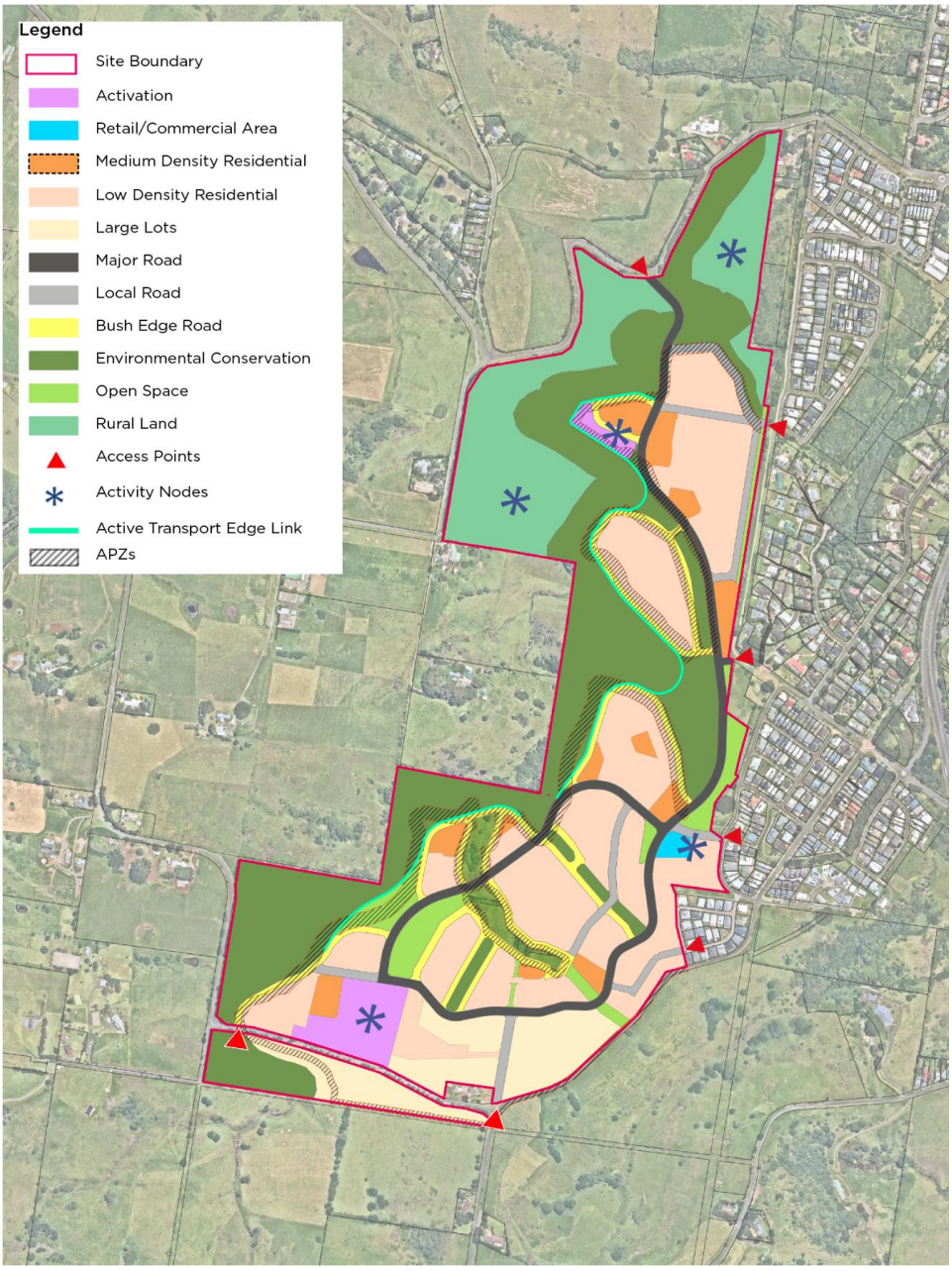

FIGURE 4 – INDICATIVE LAYOUT PLAN

Source: E8 Urban

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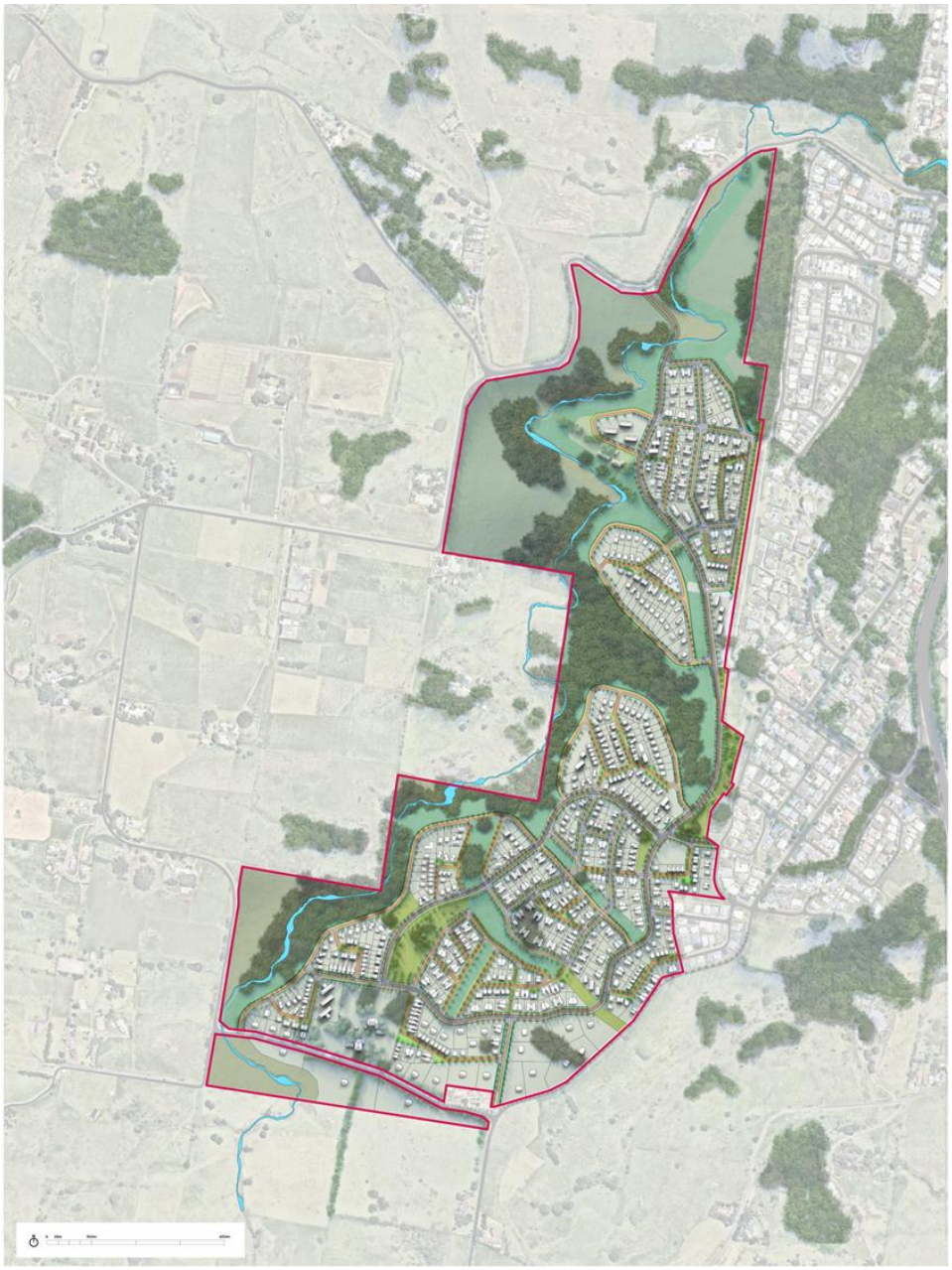

FIGURE 5 – PROPOSED MASTERPLAN

Source: E8 Urban

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6 Part 2: Explanation of provisions

The planning proposal seeks to amend the *Kiama Local Environmental Plan 2011* to enable a mix of rural, residential, open space, conservation and employment land uses. The Indicative Layout Plan provides the proposed development layout and high level spatial allocations for new proposed land uses.

Specifically, the planning proposal request seeks amendments to the following:

6.1 Land use zoning

Rezone part of the Site from RU2 Rural Landscape to the following zones to enable development in line with the Indicative Layout Plan through the following zones:

- R2 Low Density Residential
- R3 Medium Density Residential
- E1 Local Centre
- RE1 Public Recreation.

In areas of the Site which are not proposed to be rezoned, the zoning will be retained as RU2 Rural Landscape. No change is proposed to the existing C2 Environmental Conservation and C3 Environmental Management zones.

6.2 Maximum height of buildings

Introduce maximum height of buildings controls of:

- 8.5 m for the R2 Low Density Residential zone
- 15 m for the R3 Medium Density Residential and E1 Local Centre zones.

6.3 Minimum subdivision lot sizes

Reduce the minimum subdivision lot size on part of the Site from 40 ha to the following:

- 450 sqm on land zoned R2 Low Density Residential and R3 Medium Density Residential
- 1,000 sqm on land zoned RU2 Rural Landscape in the southern portion of the Site.

6.4 Exception to minimum subdivision lot size for certain residential development

Introduce a clause that provides an exception to the minimum subdivision lot size to enable the following:

- 350 sqm for lots where it can be demonstrated by a building envelope plan that a dwelling house can be built on the lot
- 200 sqm for a semi-detached dwelling
- 175 sqm for an attached dwelling.

The proposed exception of minimum subdivision lot size clause is as follows:

Exception to minimum subdivision lot size for certain residential development

(1) The objectives of this clause are—

(a) to enable lots to be created that are smaller than the minimum lot size shown on the Lot Size Map for certain residential dwellings

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(b) to provide opportunities for housing diversity and affordability.

(2) Development consent may be granted to the subdivision of land in Zone R2 Low Density Residential zone and R3 Medium Density Residential zone that results in a lot that is smaller than the minimum lot size shown on the Lot Size Map if—

(a) the subdivision of land results in a lot that is not less than 350 sqm if the consent authority is satisfied that the lot will contain a sufficient building envelop to enable the erection of a dwelling house on the lot, or

(b) the subdivision is carried out for the purposes of a semi-detached dwelling or an attached dwelling, and

(c) the size of any resulting lot is not less than—

(i) in the case of subdivision carried out for the purposes of a semi-detached dwelling – 200 square metres, or

(ii) in the case subdivision carried out for the purposes of an attached dwelling – 175 square metres.

6.5 Land reservation acquisition

Identify the following land for acquisition:

- RE1 Public Recreation
- C2 Environmental Conservation
- C3 Environmental Management.

6.6 Additional permitted use

Incorporate the following additional permitted uses on the Site in Schedule 1 of the Kiama LEP:

- educational establishments and place of public worship in the RU2 Rural Landscape zone
- attached dwellings in the R2 Low Density Residential zone.

The proposed additional permitted use clause is as follows:

Use of certain land at 103 Jamberoo Road, Kiama

(1) This clause applies to land at 177 Long Brush Road, Jerrara, and 33 Greyleigh Drive and 103 Jamberoo Road, Kiama, being part of Lot 201 DP 1148007, Lot 1 DP 995058, Lot 1 DP 1003719, Lot 156 DP 751279, Lot 1320 DP 1060995, Lots 183, 185-189 DP 751279, and Lot 102 DP 1176643.

(2) Development for the purposes of the following is permitted with development consent—

(a) educational establishments and place of public worship on land at 103 Jamberoo Road, Kiama, being part of Lot 103, DP 1176643, identified as "…" on the Additional Permitted Uses Map

(b) attached dwellings in the R2 Low Density Residential zone.

6.7 Urban release areas

Amend the urban release areas map to identify the Site.

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7 Part 3: Justification of strategic and site-specific merit

7.1 Section A- Need for the proposal

7.1.1 Q1. Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?

Kiama Council has recently retired the historic Kiama Urban Strategy, which historically has been the document that guided and limited the provision and location of new greenfield urban development in Kiama. Since 2011 when the Kiama Urban Strategy was prepared, circumstances in Kiama and the Illawarra Shoalhaven Region have substantially changed with regard to housing demand and the need to accommodate housing growth.

Despite the retirement of the Kiama Urban Strategy, the Kiama LSPS continues to limit greenfield housing opportunities based on mapping which generally reflects the Kiama Urban Strategy. As such, there is currently no evidence based contemporary plan or policy which seeks to guide housing delivery in Kiama in line with the forecasted growth trends. This current application seeks to respond to a change in circumstances in that there is growing need for housing in Kiama and a current lack of direction in local planning policy to support the sustainable rollout of an adequate pipeline of housing.

There is an action in the Kiama LSPS to prepare a Local Housing Strategy in FY21/22. The process to prepare the Local Housing Strategy has been delayed and not yet been exhibited.

The Department of Planning and Environment's LEP Making Guideline requires planning proposals to demonstrate how it satisfies strategic and site specific merit. It outlines assessment criteria that asks whether the planning proposal:

> *Responds to a change in circumstances that has not been recognised by the existing planning framework.*

Further, the Guideline outlines the factors that could lead to a change in circumstances, and includes:

> *Changes to population and demographic trends and associated needs such as housing or jobs.*

The Planning Proposal is a result of change in population and demographic trends in the Kiama LGA that is leading to a critical undersupply of housing over the next 5-15 years. The change in circumstances that justify the need for the Planning Proposal, notwithstanding the strategic and site-specific merit considerations, are outlined below.

Housing demand

A Housing Study has been prepared to demonstrate how the Site can assist in meeting the Department of Planning and Environment's implied dwelling target of 3,771 dwellings by 2041 for the Kiama LGA. The study found that there is a critical undersupply of housing over the next 5-15 years. The proposal has the potential to not only increase supply but will also provide much needed diverse in housing, including affordable and social housing.

The current projected population growth for Kiama LGA between 2021-41 has increased from 3,065 residents (2019 forecast) to 6,917 residents (2021 forecast) reflecting a substantial increase of +126% (or an additional 193 residents per annum). This has not been accounted for in the Kiama Local Strategic Planning Statement and there is no current local housing strategy for Kiama to address this demand.

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Based on the 10 year historic average of 81 in-fill dwelling completions per annum, the study found that 1,620 infill dwellings are 'likely' to be delivered between 2021-41. The identified release areas (excluding Bombo Quarry) have the potential to deliver approximately 734 dwellings between 2021-41. Combined, the release areas and infill redevelopment sites have potential to deliver a total of approximately 2,354 dwellings to 2041, falling short of the Department's implied dwelling demand figure of 3,771 by -1,417 dwellings.

The 10 year historic average for dwelling completions (infill and greenfield) throughout Kiama LGA is 125 dwellings per annum (2010-2020). This is materially lower than what is required between 2021-41 based on the Departments implied dwelling demand of 3,771 (equating to 189 dwellings per annum).

Additionally, there is limited future supply from planning proposals in the system. The Kiama CBD Planning Proposal is the only current planning proposal in Kiama LGA that has potential to increase supply. It proposes a minor increase in the maximum height of buildings and maximum floor space ratio control on a limited number of lots in the Kiama Town Centre. The Kiama CBD Planning Proposal will not significantly increase housing supply capacity to address the shortfall in Kiama LGA.

Whilst Bombo Quarry has been identified for potential supply, its constraints in terms of rehabilitation, legislation, timing, complexity and its isolated location (distinct separation from key town centres/amenities), raises uncertainty as to whether it can ever be redeveloped for housing. This is reinforced by advice issued to Council on 1 September 2022 from the Department of Planning and Environment, which is included as Attachment 1.

Further, the Housing Study includes advice from Kiama Council that the wastewater network for Jamberoo is now at full capacity and no additional connections to the wastewater network can be made, which is likely to restrict delivery of new additional housing in Jamberoo.

TABLE 4 – POTENTIAL FUTURE DWELLINGS

Item	Potential dwellings deliverable between 2021-41
Release area – number of lots / dwellings	734*
Projection based on historic infill dwelling average	1,620 (81 dwellings per annum)
Total	**2,354**
DPE Implied Dwelling Demand	3,771
Gap	**-1,417**

* Comprises all identified expansion areas in the LSPS, excluding Bombo Quarry/

Source: AEC

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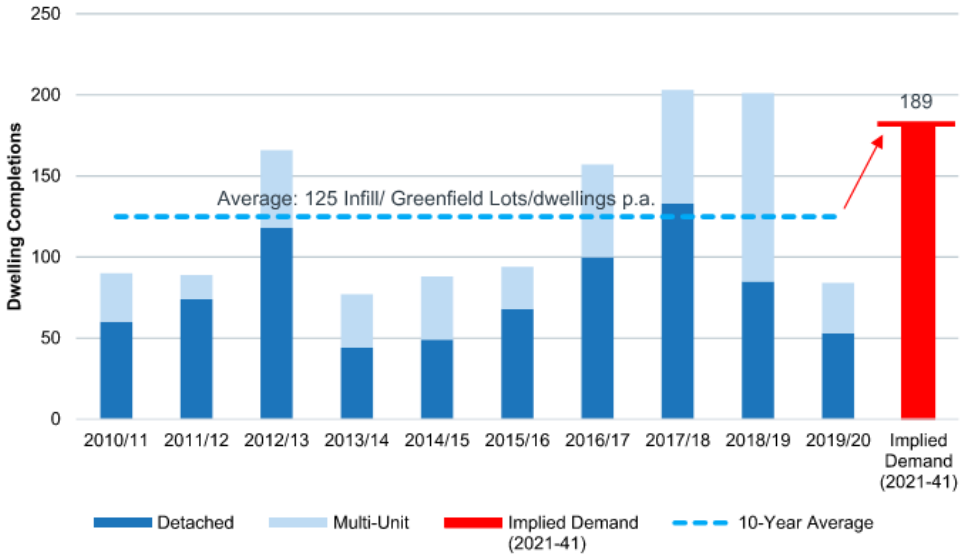

FIGURE 6 – KIAMA LGA HISTORIC DWELLING COMPLETIONS & ANNUAL IMPLIED DWELLING DEMAND (2021-2041)

Source: AEC and Illawarra-Shoalhaven Urban Development Program Dashboard

The change in circumstances is highlighted by the revised population projections, coupled with the lack of a strategic planning document from Council addressing housing demand. The most recent demographic data and housing completions data show that the current housing capacity and supply pipeline does not cater for this increased demand. Without intervention, such as this planning proposal, the supply shortfall will be exacerbated. This shortfall will potentially contribute to heightened affordability issues, critically low rental supply and a lack of housing availability for more vulnerable low and middle income households.

The Site has the potential to contribute to Kiama LGAs housing supply, assist in meeting implied dwelling demand figures, provide a range of suitable housing typologies (including affordable and social housing), unlock formerly privately owned land for open space and community uses, create jobs and ensure the regions long term sustainability and economic strength.

Based on the evidence presented within the Housing Study, it is clear that the consideration of additional housing supply opportunities in appropriate locations is a strategy which could be employed to assist with meeting dwelling demand and managing housing affordability issues in the LGA.

Housing affordability is also becoming an increasing issue for a number of LGAs within the Illawarra Shoalhaven region, however none-more so than for Kiama LGA where median house prices grew by 27% over 2021 and 23% in 2022.

Effectively, household income would need to double in order for existing residents to purchase a median priced house without entering 'mortgage stress' (where mortgage repayments are greater than 30% of a households income). There is a growing unaffordability gap in Kiama LGA that is not being addressed by the existing planning framework.

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7.1.2 Q2. Is the Planning Proposal the best means of achieving the objectives and outcomes, or is there a better way?

Yes. The Planning Proposal is the best means of achieving the objectives and intended outcomes as the existing Kiama LEP 2011 does not facilitate the redevelopment of the Site as proposed. A site-specific planning proposal allows for the redevelopment of the Site to be contemplated in detail, and importantly how it integrates with surrounding environment.

7.2 Section B – Relationship to strategic planning framework

7.2.1 Q3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plan or strategies)?

Yes. The relevant directions, planning priorities and actions of the applicable regional strategic planning documents have been considered in the preparation of the Planning Proposal. The relevant considerations that demonstrate the strategic merits of the Planning Proposal are outlined below.

Illawarra Shoalhaven Regional Plan 2041

The Illawarra Shoalhaven Regional Plan 2041 is a 20-year land use plan that applies to the areas of Wollongong, Shellharbour, Kiama and Shoalhaven on the South Coast of NSW. The Regional Plan sets the strategic framework for the area, aimed at protecting and enhancing the region's assets and plans for a sustainable future.

The Regional Plan is anchored around four key themes:

- A productive and innovative region
- A sustainable and resilient region
- A region that values its people and places
- A smart and connected region.

The Regional Plan anticipates a growth in the region's population of at least 100,000 by 2041, with Kiama's population expected to increase by 3,997 people. It highlights the need for future development to consider sustainability, feasibility, water and wastewater capacity and the protection of existing character when delivering new housing and associated infrastructure.

The Regional Plan recognises the continuing growth in the region's ageing population, the decreasing household sizes, and the increase in home-based working due to the COVID-19 pandemic, which would impact the demand in the type of housing. It encourages an increase in the diversity and affordability of the range of housing available to cater to the needs of all generations and demographics.

The Regional Plan identifies a need for an additional 58,000 dwellings in the entire Illawarra-Shoalhaven region by 2041.

Kiama is identified as a Regional Centre in the Illawarra Shoalhaven Regional Plan. Objective 2 of the Regional Plan is to *grow the region's regional cities*, which includes the regional centre of Kiama. The Regional Plan states that it:

> *supports regionally significant centres by … identifying and removing barriers to housing supply in Kiama.*

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This statement recognises that the current zoned housing supply capacity in Kiama will not meet demand and there is a need to *remove barriers* to new housing opportunities.

Objective 18 of the Regional Plan is to provide *housing supply in the right locations*. This is supported by Strategy 18.1 *identify urban growth boundaries and facilitate opportunities to support ongoing supply of housing in appropriate locations.*

There are no objectives or strategies in the Regional Plan which specifically restrict the consideration of additional housing in appropriate locations where it can be demonstrated that there is a demand. The Planning Proposal directly aligns and responds to the following Regional Plan objectives and strategies as outlined in the table below:

TABLE 5 – REGIONAL PLAN ASSESSMENT

Regional Plan Objectives	Consistency	Justification
Objective 11: Protect and enhance environmental assets	Consistent	The Planning Proposal will retain and protect all existing C2 and C3 zoned conservation land. Additionally, existing RU2 Rural Landscape zone on visually important parts of the site, surrounded by conservation and recreation zoned land in areas of high biodiversity will also be retained. This is generally associated with the Spring Creek riparian corridor that forms the western boundary of the Site. The protection of the Spring Creek corridor provides for biodiversity connections through the Site.
Objective 12: Build resilient places and communities	Consistent	A place based approach has been undertaken to the masterplanning of the Site to ensure that future residential development respects its existing environmental, visual and topographical characteristics. The concept plan identifies connecting roads through the Site, a local centre for the daily convenience needs of residents, protection of areas of biodiversity significance and retention of rural land. Diversity in lot and dwelling sizes, together with an integration of social, affordable and key worker housing, will ensure a thriving community for many decades.
Objective 13: Increase urban tree canopy cover	Consistent	The concept masterplan identifies the opportunity to retain existing biodiversity and to increase the tree canopy cover across the Site through the local street network, local open space and public spaces. This is reinforced through varying lot sizes that provide opportunity for tree planting on development lots.
Objective 14: Enhance and connect parks, open spaces and bushland with walking and cycling paths	Consistent	The proposal incorporates approximately 43 ha of publicly accessible open space provided as a combination of informal public open space, riparian corridors and conservation areas. This land is intended to be restored and enhanced as part of the development process, with extensive walking and cycling opportunities, taking advantage of Spring Creek as a local and regional tourist attraction.
Objective 18: Provide housing supply in the right locations	Consistent	The Objective seeks to balance housing opportunities in urban release areas and existing urban areas. Whilst the Site is not identified within the urban growth boundary by Council, it

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		provides an opportunity to support housing supply in a key location within close proximity to Kiama Town Centre. A new urban growth boundary could incorporate the Site to ensure that much needed housing supply is provided to address the critical undersupply in Kiama that has not been addressed in strategic plans and strategies. The objective seeks to prioritise new housing opportunities in strategic centres, such as Kiama. The Site is located approximately 1 km from the Town Centre. Further, the single ownership of the Site enables the important supporting infrastructure to be provided in conjunction with housing supply.
Objective 19: Deliver housing that is more diverse and affordable • Strategy 19.1: Provide a diversity of housing choices and dwelling sizes • Strategy 19.2: Increase the supply of affordable housing • Strategy 19.3: Renew and increase social housing	Consistent	The proposal seeks to include a variety of dwelling typologies through the R2 Low Density Residential and R3 Medium Density Residential zones, with varying building heights and lot sizes to promote choice, diversity and affordability. Importantly, the proposal seeks to deliver social and affordable housing, with a mix of the following: • 5% social housing to be delivered to the NSW Land and Housing Corporation at no cost • 5% delivered as affordable rental housing to be managed by a community housing provider in perpetuity • 5% delivered as part of a shared equity scheme for key workers • 5% reserved for first home buyers • 5% for locals identified in postcodes 2533 and 2534.
Objective 21: Respond to the changing needs of local neighbourhoods	Consistent	The proposal includes two local centres that provide retail and services for the daily convenience needs of future residents. The centres have been strategically located for access by the majority of the future resident population and incorporated into the masterplan design of the Site.
Objective 22: Embrace and respect the region's local character	Consistent	The concept masterplan that has been developed for the Site has considered its visual, typographical and environmental characteristics in proposing a mix of land use zones, densities and housing typologies to ensure that the local character is respected.
Objective 23: Celebrate, conserve and reuse cultural heritage	Consistent	The Site contains the existing Greyleigh House that offers tourism opportunities, which is proposed to be retained in the RU2 Rural Landscape. The important cultural heritage aspects of the Site are associated with the Spring Creek riparian corridor that is proposed to be zoned public recreation and conservation. The existing historic dry stone walls on the Site will also be retained and incorporated as part of future development
Objective 28: Create connected and accessible walking and cycling networks	Consistent	Opportunities for walking and cycling will be incorporated into the masterplanned street network and throughout the 43 ha of publicly accessible open space provided as a combination of informal public open space, riparian corridors and conservation areas focused along Spring Creek.

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7.2.1 Q4. Is the planning proposal consistent with a council LSPS that has been endorsed by the Planning Secretary of GSC, or another endorsed local strategy or strategic plan?

KIAMA LOCAL STRATEGIC PLANNING STATEMENT

The Kiama Local Strategic Planning Statement (LSPS) establishes a 20 year vision for land use in the Kiama LGA. It captures the local identity and shared community values and outlines how growth and change will be managed into the future. The Kiama LSPS predates the Regional Plan.

The LSPS highlights key community values, including:

- Protecting the natural environment
- Creating a more diverse and sustainable economy
- Retain community spirit but diversify the community with more cultural groups and young people
- Retain the character of the area and distinct towns and villages by avoiding overdevelopment.

The LSPS was published in 2020 and was based on 2019 population projections that forecast the population of Kiama would increase by 4,000 people between 2016 and 2041, from 22,100 to 26,100. The LSPS acknowledges that greenfield sites are required to deliver projected housing demand and identifies potential urban expansion areas, which are limited to those identified in the 2011 Kiama Urban Strategy (now retired).

However, since publication of the LSPS, the Department of Planning and Environment has released updated population projections and implied dwelling demand figures. These show that projections have substantially increased and exceed the available development pipeline and historic dwelling completion data. This constitutes a significant change in circumstances and suggests a requirement for additional greenfield sites, beyond those sites identified in the Kiama Urban Strategy.

An action in the LSPS was for a local housing strategy to be prepared by 2021/2022, which would revise the retired 2011 Kiama Urban Strategy growth boundaries to respond to current population projections and dwelling demand. The draft local housing strategy has not yet been exhibited. The planning proposal request seeks to contribute to the housing supply shortage given the absence of a contemporary housing strategy.

The Kiama LSPS also commits to the preparation of new strategies around rural land uses, urban greening, net zero emissions and walking and cycling. However, these strategies are yet to be prepared.

The table below is an assessment of the Planning Proposal against the relevant LSPS planning priorities.

TABLE 6 – LOCAL STRATEGIC PLANNING STATEMENT ASSESSMENT

Local strategies	Consistency	Justification
Theme 1 Manage sustainable growth		
PP1 Plan for and balance housing supply and demand	Justifiably Inconsistent	The Planning Proposal responds to a change in circumstances in Kiama that has resulted in a critical undersupply of housing to meet the project population growth. The LSPS does not account for updated population and implied dwelling forecasts that are needed in Kiama. The identified growth areas in the LSPS will not deliver the housing supply that is needed in Kiama.

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PP4 Support the delivery of required infrastructure	Consistent	The concept masterplan identifies, and the single ownership of the Site will enable, the supporting infrastructure to be delivered in conjunction with much needed housing supply.
Theme 2 Develop a diverse and resilient economy		
PP5 Foster economic diversity	Consistent	The proposal includes two local centres that will provide for the daily convenience needs of future residents. The centres will enable a diverse range of commercial, retail and business activity, providing local employment opportunities. The educational establishment enabled as an additional permitted use will also provide local employment opportunities.
PP6 Manage tourism development and the visitor economy	Consistent	The existing Greyleigh House will be retained within its existing RU2 Rural Landscape zone and form an important part of the overall masterplan. It will continue to provide tourism opportunities, with visitors benefiting from the publicly accessible walking and cycling opportunities that will be enabled by the proposal.
PP7 Strengthen commercial centres	Consistent	The additional population on the Site will improve the economic viability of the Kiama Town Centre through increased visitation and spending.
Theme 3 Protect rural landscapes		
PP9 Protect scenic landscapes	Consistent	The important visual aspects west of the Site will be retained within the RU2 Rural Landscape zone and through the open space and conservation areas. A Visual Attributes Study has been prepared and its findings have been incorporated into the masterplan for the Site.
Theme 4 Mitigate and adapt to climate change and protect our environment		
PP10 Conserve areas of environmental significance	Consistent	The areas of high biodiversity significance are retained within the existing conservation zone and proposed public recreation zone, primarily focused along Spring Creek, which aligns with Biodiversity Land identified under the Kiama LEP 2011.
Theme 5 Foster vibrant and accessible places		
PP13 Support and create vibrant places	Consistent	The proposed local centres provide amenity and services for residents within walking distance of dwellings, which improves the vibrancy of the Site.
PP15 Celebrate and protect local character	Consistent	The local character is celebrated through retention of the important visual and rural aspects of the Site and incorporating it with public recreation opportunities, including a potential natural amphitheatre on the Site.

COMMUNITY STRATEGIC PLAN

The Community Strategic Plan 2022 - 2032 describes the outcomes for Kiama LGA over the next 10 years and the strategies to achieve them.

The Plan identifies that the population of Kiama is ageing, with the median age of 47, which is significantly higher than the regional median of 41.4; and in the capital cities of 36.5. Currently 32% of the Kiama population is over 60; this will increase to 39% by 2041. It states that many in the community are retired, or semi-retired, with regional populations increasingly seeing younger retirement ages or transitional

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arrangements from 55 onwards. The Plan recognises that social connectedness is a major contributor to wellbeing, and it is important not to lose those connections during life stage changes. As such, events, activities and facilities work to create community cohesion and shared opportunities to participate in the society.

The Plan is based around five pillars that reflect the values and aspirations of the Kiama community and support the vision. Within each of these, the Plan identifies outcomes, which are the goals to be achieved, and strategies on how they will be achieved. The relevant outcomes and strategies that the Planning Proposal is consistent with are outlined below.

TABLE 7 – COMMUNITY STRATEGIC PLAN OUTCOMES AND STRATEGIES

Outcome	Strategy
Pillar 1 We belong and contribute	
A strong sense of community and belonging, where social and cultural life flourishes; and our families, friends and visitors feel welcome and included.	Provide spaces, services and initiatives that foster a proud, inclusive, and connected community for all.
	Connect with each other through participating in local arts, cultural and library activities and programs.
	Promote our major facilities to attract events and activities.
We love where we live; we have the services and facilities we need, and the natural beauty of our surroundings enhances our safe, active and healthy lifestyle.	Provide facilities that enable us to participate in social, cultural, recreational and sports activities, no matter our background, ability or age.
To know and honour our local heritage; Indigenous and non-Indigenous.	Support and promote local cultural activities.
	Recognise the importance of our heritage buildings and precincts; safeguard areas and items of local cultural and / or heritage significance.
Pillar 2 We thrive in a sustainable environment	
Our people, our place, our flora and fauna are protected through our planning and our actions.	Protect our coast, our estuaries and waterways.
	Protect our biodiversity, native plants and animals.
	Protect and maintain our natural areas; conserve areas of environmental significance.
Our natural environment of spectacular beaches, rainforests and rolling hills define our place.	Retain and promote our natural environment and our scenic rural landscapes.
Pillar 3 We create a strong and diverse economy	
A strong economy, vibrant local businesses and local economic growth.	Enhance and expand opportunities to demonstrate Kiama LGA as a place to invest in.
	Maintain and expand a wide range of industry and business; including tourism, agriculture, light industry, professional and care services, etc.

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	Enhance opportunities to create a range of jobs for all residents.
An economy that embraces the tourism opportunities while ensuring we don't lose our community feel; our tourism development and visitor economy is well managed.	Manage tourism development and the visitor economy.
Pillar 4 We are part of a connected and liveable community	
We love where we live; our housing reflects our values.	Collaborate and partner through ISJO to develop a regional response to supply of affordable housing.
	Facilitate development that is respectful of the local characteristics of the Municipality.
	Manage growth sustainably and thoughtfully.
Our built environment is safe and inclusive; our infrastructure is well planned and well managed.	Create a regional network of interconnected roads, shared pathways and cycleways to maximise access to key destinations and facilities.
	Actively plan how we travel and create safe travel routes whether we are walking, cycling, driving or accessing public transport.
We embrace innovation and new technologies and resources that improve environmental and social outcomes.	Support education, training and different partnerships that support learning and sharing new information and ways of doing.

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7.2.2 Q5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?

STATE INFRASTRUCTURE STRATEGY 2022-2042

The State Infrastructure Strategy sets out Infrastructure NSW's advice on the infrastructure needs and priorities of the State for the next 20 years, and beyond. The Strategy recognises that infrastructure is critical in addressing housing supply and affordability. It states that:

> *New housing supply can only be delivered where infrastructure keeps pace with land use planning. Community acceptance of new development relies on good local amenity – transport connections, schools and health services, public civic and green spaces, protection of local character and access to services close to home. Achieving those outcomes requires timely planning, funding and delivery of local infrastructure in tandem with rezonings and subdivisions, based on well-developed master plans*

The Strategy recognises that there are opportunities to improve the supply of housing in greenfield areas, noting that:

> *Wherever new housing supply is established, this Strategy supports the notion that the quality of local amenity will be upheld by a '15-minute neighbourhood' approach, ensuring residents can access most services and facilities by walking or cycling 15 minutes. This approach will require programs focused on local high streets, open spaces, and safe and enjoyable walking and cycling infrastructure.*

The Planning Proposal is consistent with these principles in creating a masterplanned community that incorporates diversity in land uses, housing typologies, local centres and publicly accessible open space and conservation areas. The single ownership of the Site enables supporting infrastructure to be provided upfront in conjunction with housing growth. The table below highlights the relevant objectives and strategic directions that the Planning Proposal is consistent with.

TABLE 8 – STATE INFRASTRUCTURE STRATEGY OBJECTIVES AND STRATEGIC DIRECTIONS

Objectives	Strategic directions
Protect our natural environment	Foster sustainable use of natural resources and construction materials through reuse and recycling.
	Implement a strategic and practical approach to managing biodiversity.
	Capitalise on blue-green infrastructure opportunities
Integrate infrastructure, land use and service planning	Coordinate infrastructure, land use and service planning to meet housing, employment, industry and community needs.

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7.2.3 Q6. Is the planning proposal consistent with applicable SEPPs?

Consideration has been given to all state environmental planning policies (SEPPs) in preparing the Planning Proposal. The Planning Proposal is consistent with all relevant SEPPs as outlined in the table below.

TABLE 9 – STATE ENVIRONMENTAL PLANNING POLICY ASSESSMENT

State environmental planning policy	Consistency	Justification
SEPP (Biodiversity and Conservation) 2021	Can be consistent	The SEPP does not prevent the development on the Site. The Site is not identified as a strategic conservation area or land to be avoided.
SEPP (Building Sustainability Index: BASIX) 2004	Consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Housing) 2021	Can be consistent	The Planning Proposal will not create additional uses that can't satisfy the provision of the SEPP.
SEPP (Industry and Employment) 2021	Not applicable	Not applicable
SEPP No 65 – Design Quality of Residential Apartment Development	Can be consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Planning Systems) 2021	Consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Precincts – Central River City) 2021	Not applicable	Not applicable
SEPP (Precincts – Eastern Harbour City) 2021	Not applicable	Not applicable
SEPP (Precincts – Regional) 2021	Not applicable	Not applicable
SEPP (Precinct – Western Parkland City) 2021	Not applicable	Not applicable
SEPP (Primary Production) 2021	Consistent	The planning proposal will not hinder the application of the SEPP.
SEPP (Resilience and Hazards) 2021	Can be consistent	The proposal does not fall within the definition of potentially hazardous or offensive industries. Future development will consider whether the land is contaminated and whether any remediation is required. The Preliminary Site Investigation has not identified any constraints that would prevent the Planning Proposal from progressing.
SEPP (Resources and Energy) 2021	Consistent	The Planning Proposal will not create additional uses that fall within the definition of mining, petroleum production or extractive industries.

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SEPP (Sustainable Buildings) 2021	Consistent	The Planning Proposal will not hinder the application of the SEPP.
SEPP (Transport and Infrastructure) 2021	Can be consistent	The Planning Proposal does not create additional uses that can't satisfy the provisions of the SEPP.

7.2.1 Q7. Is the planning proposal consistent with applicable Ministerial Directions (section 9.1 Directions) or key government priority?

Section 9.1 of the *Environmental Planning and Assessment Act 1979* requires a planning proposal to demonstrate how it will achieve or give effect to principles, aims, objectives or policies specified in a Direction issued by the Minister for Planning.

Where the planning proposal is inconsistent with any of the relevant directions, those inconsistencies must be specifically explained and justified in the planning proposal. This can be supported by technical or evidence provided as part of the justification.

Consideration has been given to all Section 9.1 Local Ministerial Directions in preparing the Planning Proposal as outlined in the table below:

TABLE 10 – MINISTERIAL DIRECTION ASSESSMENT

Direction		Consistency	Justification
Focus area 1: Planning systems			
1.1	Implementation of Regional Plans	Consistent	The Planning Proposal is consistent with Objective 18 of the Illawarra Shoalhaven Regional Plan relating to housing supply in the right locations. It achieves the overall intent of the Regional Plan and does not undermine the achievement of the Regional Plan's vision, land use strategy, goals, directions or actions. This is discussed under Q3. The Planning Proposal seeks to address a change in circumstances in Kiama relating to the undersupply of housing. This is identified in the Housing Study. The Planning Proposal is needed to satisfy the full intent of the Regional Plan.
1.2	Development of Aboriginal Land Council Land	Not applicable	The Planning Proposal is not identified on Aboriginal Land Council land.
1.3	Approval and Referral Requirements	Consistent	The Planning Proposal does not include consultation, referral or concurrence provisions, nor identifies any development as designated development.
1.4	Site Specific Provisions	Consistent	The Planning Proposal does not propose any unnecessarily restrictive site-specific planning controls.

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1.5	Parramatta Road Corridor Urban Transformation Strategy	Not applicable	The Site is not located in the Parramatta Road Corridor.
1.6	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable	The Site is not located in the North West Growth Area.
1.7	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	The Site is not located in the Greater Parramatta Priority Growth Area.
1.8	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable	The Site is not located in the Wilton Priority Growth Area.
1.9	Implementation of Glenfield to Macarthur Urban Renewal Corridor	Not applicable	The Site is not located in the Glenfield to Macarthur Urban Renewal Corridor.
1.10	Implementation of the Western Sydney Aerotropolis Plan	Not applicable	The Site is not located in the Western Sydney Aerotropolis.
1.11	Implementation of Bayside West Precincts 2036 Plan	Not applicable	The Site is not located in the Bayside West Precinct.
1.12	Implementation of Planning Principles for the Cooks Cove Precinct	Not applicable	The Site is not located in the Cooks Cove Precinct.
1.13	Implementation of St Leonards and Crows Nest 2036 Plan	Not applicable	The Site is not located in the St Leonards and Crows Nest.
1.14	Implementation of Greater Macarthur 2040	Not applicable	The Site is not located in the Greater Macarthur area.
1.15	Implementation of the Pyrmont Peninsula Place Strategy	Not applicable	The Site is not located in the Pyrmont Peninsula Place.
1.16	North West Rail Link Corridor Strategy	Not applicable	The Site is not located in the North West Rail Link Corridor.
1.17	Implementation of the Bays West Place Strategy	Not applicable	The Site is not located in the Bays West Place Strategy.
1.18	Implementation of the Macquarie Park Innovation Precinct	Not applicable	The Site is not located in the Macquarie Park Innovation Precinct.
1.19	Implementation of the Westmead Place Strategy	Not applicable	The Site is not located in Westmead Precinct.
1.20	Implementation of the Camellia-Rosehill Place Strategy	Not applicable	The Site is not located in the Camellia-Rosehill Precinct.
1.21	Implementation of South West Growth Area Structure Plan	Not applicable	The Site is not located in the South West Growth Area
1.22	Implementation of the Cherrybrook Station Place Strategy	Not applicable	The Site is not located in Cherrybrook Station Precinct.
Focus area 3: Biodiversity and Conservation			

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3.1	Conservation Zones	Consistent	The Planning Proposal does not reduce the amount of land zoned for conservation purposes on the Site. The existing C2 and C3 zoned land will remain.
3.2	Heritage Conservation	Consistent	There are no listed items of environmental heritage on the Site.
3.3	Sydney Drinking Water Catchments	Consistent	The Planning Proposal reflects the watercycle management investigations that were undertaken on the Site. The riparian corridors are proposed within an RE1 Public Recreation zone and existing C2 Environmental Conservation zone to protect ecological values. Consultation with relevant State agencies will occur following issue of Gateway determination.
3.4	Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable	The Site is not located in the identified Far North Coast LGAs.
3.5	Recreation Vehicle Areas	Consistent	The Site is not identified as or around sensitive land where impacts from recreational vehicles could occur.
3.6	Strategic Conservation Planning	Not applicable	The Site does not contain land that is identified as avoided land or a strategic conservation area.
3.7	Public Bushland	Not applicable	The Planning Proposal does not apply to land within the identified LGAs.
3.8	Willandra Lakes	Not applicable	The Site is not located in the Willandra Lakes.
3.9	Sydney Harbour Foreshores and Waterways Area	Not applicable	The Site is not located in the Sydney Harbour foreshore or waterway.
3.10	Water Catchment Protection	Not applicable	The Site is not located within a regulated catchment within the meaning of *State Environmental Planning Policy (Biodiversity and Conservation) 2021.*
Focus 4: Resilience and Hazards			
4.1	Flooding	Consistent	The Planning Proposal is consistent with the principles of the Floodplain Development Manual 2005. A Water Cyle Management and Flood Assessment has been prepared. It shows that flood mapping identifies that flows are contained wholly within the defined watercourses and their riparian areas and do not impact the land proposed for development. These areas are not proposed for residential development. The report identifies there is no evacuation need/risk for the development, nor will the development impact upon the ability for adjoining lands to evacuate in the event of a flood.

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			Preliminary site grading of the main collector roads and the bushland perimeter roads demonstrate that the Site can be developed without requiring any filling of the waterways. The waterway crossings associated with the development proposal can be configured to avoid impacts upon the proposed new allotments and minimise flood impacts on adjoining land(s) to acceptable levels. There are no special flood considerations provisions in the Kiama LEP.
4.2	Coastal Management	Not applicable	The Site is not identified as being located in a coastal zone.
4.3	Planning for Bushfire Protection	Consistent	The Planning Proposal has been informed by a Bushfire Strategic Study. The report found that the Site and future land uses have capacity to comply with the requirements of Planning for Bushfire Protection 2009.
4.4	Remediation of Contaminated Land	Consistent	A Preliminary Site Investigation into contamination has been prepared. It found that the Site can be developed for its intended uses, with further assessment required at the development application stage.
4.5	Acid Sulfate Soils	Consistent	There is a minor affection of acid sulfate soils mapped as Class 5 in the Kiama LEP 2011 on the north-eastern corner of Lot 102 DP 1176643. The zoning on the part of the Lot identified as acid sulfate soils is not proposed to change. It will retain its existing RU2 Rural Landscape zone. The impact of acid sulfate soils on any future development on the Lot will be managed at the development application stage as required. No change is proposed to the mapped acid sulfate soils.
4.6	Mine Subsidence and Unstable Land	Not applicable	The Site is not located in a mine subsidence district and has not been identified as unstable land.
Focus area 5: Transport and Infrastructure			
5.1	Integrating Land Use and Transport	Consistent	The indicative concept plan prepared in support of the Planning Proposal provides opportunities for a bus network to be extended through the Site, as well as the incorporation of active transport, with walking and cycling paths.
5.2	Reserving Land for Public Purposes	Consistent	The Planning Proposal identifies land for public open space generally along the Spring Creek riparian corridor that will be acquired by Kiama Council.
5.3	Development Near Regulated Airports and Defence Airfields	Not applicable	The Site is not located near regulated airports or a defence airfield.

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5.4	Shooting Ranges	Not applicable	The Site is not adjacent to/or adjoining an existing shooting range.
Focus area 6: Housing			
6.1	Residential Zones	Consistent	The proposed R2 Low Density Residential and R3 Medium Density Residential zones and the range of lot sizes and building heights will promote diversity and affordability of housing on the Site. The existing planning framework is outdated and does not enable sufficient housing supply. The Planning Proposal seeks to address the change in circumstances in Kiama that has led to the undersupply and lack of diversity and affordability of housing in Kiama. The Site directly adjoins the Kiama urban area and will benefit from being in close proximity to existing infrastructure and services. The single ownership of the Site means that new infrastructure can be delivered concurrently with new housing supply.
6.2	Caravan Parks and Manufactured Home Estates	Consistent	The proposal does not involve any caravan or manufactured home estates.
Focus area 7: Industry and Employment			
7.1	Business and Industrial Zones	Consistent	The Planning Proposal includes two areas zoned as E1 Local Centre to provide for local employment opportunities and daily convenience needs for residents.
7.2	Reduction in non-hosted short-term rental accommodation period	Not applicable	The Site is not located in the Byron Shire Council LGA.
7.3	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable	The Site is not located within a north coast LGA that is traversed by the Pacific Highway.
Focus area 8: Resources and Energy			
8.1	Mining, Petroleum Production and Extractive Industries	Not applicable	The Planning Proposal does not change the permissibility of mining on the Site, which is currently prohibited in the RU2 Rural Landscape zone.
Focus area 9: Primary Production			
9.1	Rural Zones	Justifiably inconsistent	The Planning Proposal responds to a change in circumstances in Kiama LGA identified in a Housing Study that highlights a significant undersupply of diverse and affordable housing to support population and demographic changes. The current planning framework does not enable this housing supply to be addressed. Further, an Agricultural Assessment has been undertaken which found that the characteristics of the Site suggest it has little agricultural

			productive value. Notwithstanding, the proposal will retain some of the existing agricultural value. The proposal is also consistent with the Illawarra Shoalhaven Regional Plan objectives of removing barriers to housing supply in Kiama.
9.2	Rural Lands	Justifiably inconsistent	The Planning Proposal is generally consistent with the Illawarra Shoalhaven Regional Plan and Kiama LSPS, with the exception of greenfield land identified for urban growth. This strategic planning framework does not account for the current change in circumstances that has led to significant undersupply and unaffordability of housing in Kiama. The Regional Plan identifies limited greenfield housing opportunities in Kiama. The Council in its LSPS also commits to preparing a local housing strategy to define the Kiama urban growth boundaries to accommodate the most recent population projections. The housing strategy has yet to be exhibited. This Planning Proposal seeks to address this undersupply with a diverse and social and affordable housing. The characteristics of the Site suggest it is not State significant agricultural land. The concept masterplan prepared for the Site has also considered the environmental attributes, avoiding conflict with environmentally sensitive areas, including creek corridors, significant vegetation and areas of visual prominence. This includes restoration and embellishment of the Spring Creek Corridor. These areas will be zoned RE1 Public Recreation and retain the existing C2 Environmental Conservation and C3 Environmental Management zones.
9.3	Oyster Aquaculture	Not applicable	The Site is not located in a priority oyster aquaculture area or is proposed for the purposes of oyster aquaculture.
9.4	Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable	The Site is not located on the Far North Coast.

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7.3 Section C – Environmental, social and economic impact

The Planning Proposal is supported by a range of studies/reports outlined below. The outcomes and conclusions of these studies/reports show that the proposal does not include any unreasonable or unmanaged environmental, social or economic impacts.

TABLE 11 – PROJECT TEAM

ITEM	DESCRIPTION
Concept Landscaping Plans	Sprout Studios
Concept Masterplan Urban Design	E8 Urban
Project Vision	Hoyne
Housing Study	AEC Economics
Preliminary Economic Impact Assessment	AEC Economics
Traffic Impact Assessment	SCT Consulting
Social and Community Needs Assessment	Mecone
Historical Heritage Constraints Assessment	Biosis
Aboriginal Due Diligence Assessment	Biosis
Ecological Report	Ecological
Bushfire Strategic Study Report	Ecological
Preliminary Water Cycle Management and Flood Assessment	J Wyndham Prince
Potable Water and Wastewater Concept Review	J Wyndham Prince
Utility and Infrastructure Servicing Report	J Wyndham Prince
Visual Attributes Study	Envisage
Stage 1 - Preliminary Site Investigation	Sydney Environmental
Agricultural Assessment and LUCRA	Minesoils
Sustainable Utilities Servicing Strategy	AltogetherGroup

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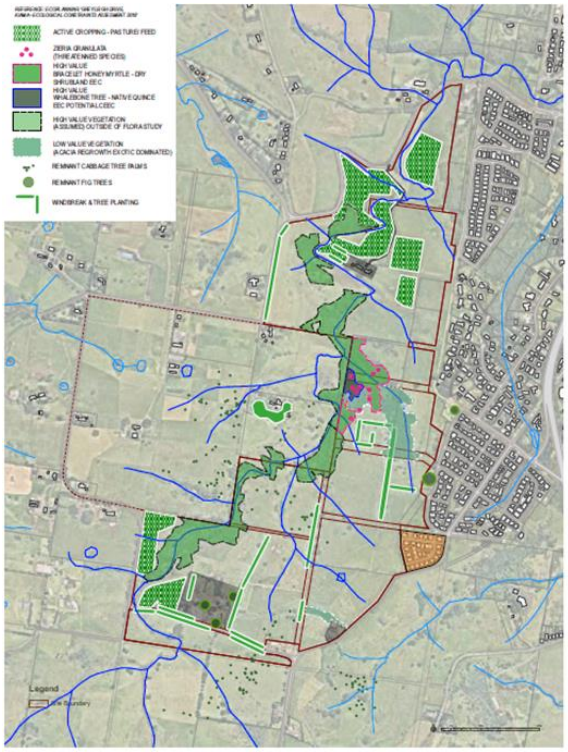
7.3.1 Q8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?

The Site contains portions of terrestrial biodiversity as identified on the Kiama LEP 2011 mapping. The Spring Creek Corridor is also identified as having biodiversity values on the NSW Biodiversity Values Map.

Based on the current available mapping and historic investigations undertaken in previous planning proposals, a vegetation values map has been prepared and considered as part of the concept masterplan process. Areas of dense vegetation and valuable native vegetation typically follow the creek corridors and have been avoided as part of the development layout.

Areas of ecological value are intended to be contained within the E2 Environmental Conservation, E3 Environmental Management and RE1 Public Recreation zoned land to restrict future development and enable a plan of management to be prepared. The Ecological Report outlines the recommended approach to managing areas of high ecological value.



Vegetation

- Remnant Dry Rain Forest vegetation
- Hedgerows and windbreaks

FIGURE 7 – VEGETATION AND ANALYSIS PLAN

Source: Sprout Studio

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7.3.2 Q9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

TOPOGRAPHY

The Site contains undulating topography, which naturally recesses along lower order streams and towards Spring Creek. The investigations included a review of the Sites topography and detailed slope analysis. The proposal avoids areas of slope constraints, to avoid excessive cut and fill and maintain key view lines. Preliminary civil engineering advice has been provided to support the Planning Proposal with consideration of the Sites topography.

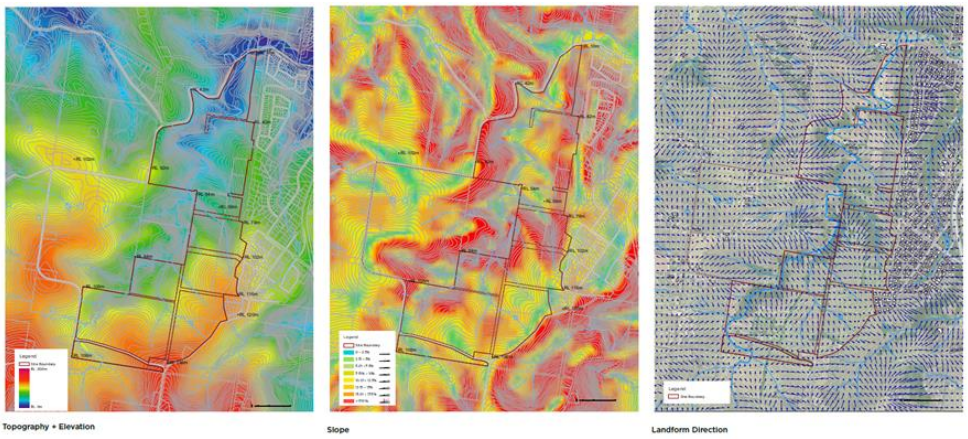

FIGURE 8 – TOPOGRAPHY

Source: E8 Urban

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SCENIC LANDSCAPE VLAUES

Parts of the Site are considered valuable in terms of scenic landscape values. A Visual Attributes Study has been undertaken which has informed the concept masterplan and responds to concerns raised by Council in historic planning proposal requests. The study provides insights on the key viewpoints to and from the Site and areas of high visibility. The masterplan responds to the visual analysis by concentrating residential forms within the lower reaches of the Site and avoiding visually prominent areas that do not already adjoin residential uses. Ridgelines on the perimeter of the Site have been prioritised for the retention of rural land, public open space or large lot rural residential land uses.



FIGURE 9 – VISUAL ANALYSIS PLAN

Source: Envisage

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BUSHFIRE

The Site is partially impacted by bushfire prone land, including category 2 and buffer area bushfire risk categories. Bushfire prone land typically follows the pattern of dense vegetation along the Spring Creek corridor.

The concept masterplan has been designed with the intent of creating a bushfire resilient community. A bushfire ring road has been indicated along the Site's perimeter in accordance with the requirements of NSW Rural Fire Service *Planning For Bushfire Protection 2019*. A Bushfire Impact Assessment has been submitted with the Planning Proposal to provide commentary on the nature of bushfire risk and the recommended mitigation measures. There is no evacuation need/risk for the development, nor will the development impact upon any adjoining lands evacuation in the event of a bushfire.

WATER CYCLE MANAGEMENT

The Site is generally bound by Spring Creek to its western boundary and also contains several lower order streams which convey surface water into the creek corridor.

Spring Creek is a category 2 watercourse and several of the feeder streams are identified as category 3 watercourses. These watercourses have been considered in the master planning of the Site. Open space has been co-located with watercourses to prioritise the retention of their natural function and adjoining native vegetation. Lower order creeks may include some formalised drainage infrastructure in key locations to ensure the safety and functionality of the street network.

One of the key intended outcomes of the proposal is the protection and enhancement of the Spring Creek corridor, including opening this natural asset for public access and enjoyment. It is proposed that a shared pedestrian and cycle pathway will be provided along the creek corridor. This will be a key piece of public recreation infrastructure which will service both residents and visitors. In addition, opportunities exist for cultural walks along Spring Creek whereby the indigenous heritage values and history can be integrated into the design, planning and construction of the creek corridor.

Flood mapping shows that flows are contained wholly within the defined watercourses and their associated riparian zones and do not impact the land proposed for development. There is no evacuation need/risk for the development, nor will the development impact upon the ability for adjoining lands to evacuate in the event of a flood.

Preliminary site grading of the main collector roads and the bushland perimeter roads demonstrate that the Site can be developed without requiring any filling of the waterways. The waterway crossings associated with the development proposal can be configured to avoid impacts upon the proposed new allotments and minimise flood impacts on adjoining land(s) to acceptable levels.

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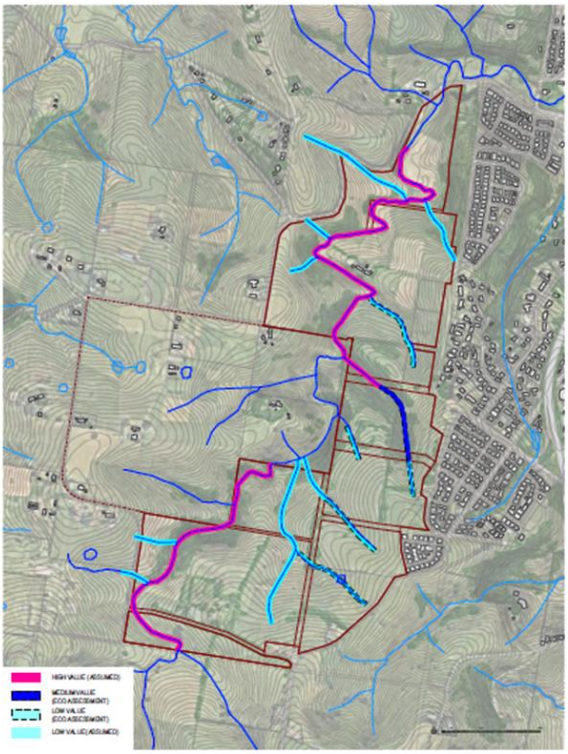

Hydrology

- Quality of Spring Creek
- Hierarchy of water courses
- Relationship with remnant Dry Rain Forest vegetation

FIGURE 10 – HYDROLOGY ANALYSIS

Source: Sprout Studio

EUROPEAN HERITAGE

The Site is not identified in the Kiama LEP 2011 Heritage Mapping. However, the Site contains several dry-stone walls, identified as item heritage 64 within Kiama LEP Schedule 5. The Site is also nearby other local heritage items, being the Pines Homestead (item I13) and Silver Hill (item 180).

The dry-stone walls identified within the Site are the only heritage items which have the potential to be impacted by future works. According to Kiama Council, the dry-stone walls were constructed during the late 19th and early 20th century and are in varying conditions. The masterplan layout has been designed to generally avoid and minimise impacts to the dry stone walls. Some works may be required in the vicinity of stone walls to enable key infrastructure provision (such as roads and fire track access) and as part of an overall strategy to reduce excessive cut and fill across the Site. In areas where dry stone walls may be impacted, the proposal is to interpret and if possible, re-instate in new suitable locations within the public domain.

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ABORIGINAL HERITAGE

The Aboriginal Due Diligence Assessment report identified 11 potential archaeological deposits within the Site. These areas were identified by landform, including elements such as proximity to water, elevation and flat areas. The remainder of the Site was identified as having low potential due to shallow soils, distance from water, prior disturbances from agricultural and residential land use, and unfavourable landforms. The report found one major Aboriginal cultural heritage constraint but proposed a range of strategies that would reduce the impacts and enhance the heritage elements as part of the masterplan. Further consultation will take place with the traditional owners of the land.

CONTAMINATION

The Stage 1 Preliminary Site Investigation report identified seven areas of environmental concern with low potential for contamination. Notwithstanding, the report found that the Site is considered to be suitable (from a land contamination perspective) for the proposed future land use subject to a targeted Stage 2 detailed site investigation within the identified areas of environmental concern as part of future development on the Site. The report concluded that any contamination within the targeted detailed site investigation is likely to be localised and will not preclude any redevelopment of the Site following remediation (if/where warranted).

TRAFFIC AND TRANSPORT

The Site is bound by several local streets which could potentially facilitate future street access. These include:

- existing site entry driveway from Jamberoo Road to the north
- potential extension and upgrade of Bland Street
- potential extension and connection to Danube Street
- potential connection point at Old Saddleback Road and Long Brush Road, near Greyleigh House.

The Site is also located approximately 400 m west of the Princes Highway (at its closest point) which is a classified State Road. Jamberoo Road to the north is a regionally significant arterial road. Access to the Site will naturally rely on existing State and arterial roads.

The cumulative impacts on the road network have been considered as part of a Traffic Impact Assessment. The Traffic Impact Assessment found that the net increase in vehicular traffic associated with the proposal is estimated to be 783 and 860 vehicles per hour for AM and PM peaks based on the RMS Guide to Traffic Generating Developments (2013). It found that the network would operate at satisfactory levels in all modelled periods including a future year with development and does not require any upgrades given there is sufficient remaining capacity on the local road network.

Public transport

Kiama Railway Station is located approximately 1.6 km east of the Site. During the AM peak period, three trains (southbound) arrive at Kiama and six trains travel northbound from Kiama. A bus stop exists near the intersection of Jamberoo Road and Jerrara Road (at the northern end of the Site) with the provision of two services (Route 125) from 6.30 to 10.00 am. Route 125 is a local bus service that connects between Kiama and Jamberoo.

The concept masterplan has been developed to include provision for a future bus route along the main collector road, whereas the internal street network increases permeability and accessibility for active transport, encouraging green transport use for the Site. There is also opportunity to consult with transport service providers and/or community organisation to explore options for alternative transport services such as a community shuttle to Kiama Town Centre or on demand services.

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Existing cycle facilities are available along Merrick Circuit, to the east of the Site, delivered as part of newly built subdivision. However, there are limited existing cycleways connecting the proposed development to Kiama Town Centre. Improvement to the pedestrian and cycle infrastructure is a key intended outcome of this proposal.

AGRICULTURAL ASSESSMENT AND LAND USE CONFLICT RISK ASSESSMENT

An Agricultural Assessment and Land Use Conflict Risk Assessment (LUCRA) has been prepared that considers:

- the agricultural productive value of the land, as well as anticipated impacts to agriculture as a result of the proposal
- any potential land use conflicts between proposed urban zones (i.e. residential, business) and adjoining rural zoned land.

The assessment identified that the Planning Proposal will result in removal of 2.2% of land that is used for agriculture in the Kiama LGA, representing $578,554 per year, being 2.1% of the gross value of agriculture in the Kiama LGA. The current agricultural land uses surrounding the Site and in the broader locality will not change as a result of the Planning Proposal, and there will be no fragmentation or displacement of existing agricultural industries.

The assessment found that the proposal will not negatively impact any existing agricultural enterprise outside the Site. There will be negligible impact on local, regional and State agricultural services as the supply and viability of agricultural support services are driven by social and market trends far exceeding the scale of the minor reduction in agricultural land use and productivity as a result of the Planning Proposal.

In terms of agricultural resources, the assessment found that there will be no direct or indirect impacts to:

- soil resources
- agricultural capability
- surface or groundwater resources
- agricultural infrastructure such as the road network that connects agricultural industries.

Other potential impacts on agriculture such as pest species, biosecurity, air quality and dust, traffic, noise and vibration and cumulative impacts were considered, and the impacts identified as negligible.

The LUCRA outlined potential risks that may arise from developing the Site. However, these can be managed through the development phase and as part of any ongoing management plans.

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7.3.3 Q10. Has the planning proposal adequately addressed any social and economic effects?

Outlined below are the social and economic effects of the Planning Proposal.

SOCIAL

A Social and Community Infrastructure Needs Assessment has been prepared to determine the demand on social and community infrastructure as a result of the projected yield of approximately 1,100 dwellings and population of 3,300 people. The report found that the Kiama LGA is currently well served by social and community infrastructure and services, locally and regionally. The proposal, through the addition of 3,300 people, would add to the demand for these existing services, including community and cultural facilities, and active and passive open space.

Notwithstanding, there are opportunities to provide a range of local open space, community facilities, shops and health services on the Site to support both the existing and the incoming population. The additional population is not significant enough to reach a threshold to require the construction of additional community and cultural facilities and is instead likely to support continued patronage of existing facilities, particularly those identified within the catchment of the Site. The demand for additional open space will be absorbed by the existing active open space, however the provision of an additional 43 ha on the Site will supplement this and provide additional passive open space within walking distance of new residences.

Additionally, future development will be required to pay contributions to Kiama Council for community and social infrastructure outlined in the existing Section 7.12 Contributions Plans.

A review of the Kiama social profile has identified that, as the population of Kiama LGA and SA2 is projected to age over the next 20 years, demand for social and community infrastructure and services is likely to disproportionately be aligned towards those which cater towards the needs of older community members, particularly those aged 75+.

A review of the socio-demographic profile highlights that the current population of Kiama LGA has relatively low levels of deprivation and unmet need, particularly in comparison to the wider Illawarra-Shoalhaven region. Additionally, the review of the existing housing profile highlights that the existing housing stock is predominantly large, detached homes with multiple spare bedrooms. Additional housing diversity will be provided through this proposal, with over 60% of the proposed new dwellings being low-rise medium density housing designed to suit smaller households. This can provide suitable smaller housing options for aging residents, as well as affordable housing options for younger households.

The opportunity to deliver social and affordable housing through this proposal may help ameliorate housing stress, through the provision of social housing dwellings, affordable rental housing, shared equity scheme housing for key workers, and housing reserved for first home buyers.

The proposal will provide a range of opportunities for the delivery of social and affordable housing. It is anticipated this will be a mix of the following:

- 5% social housing dwellings to be delivered to NSW Land and Housing Corporation at not cost
- 5% delivered as affordable rental housing, to be managed by a community housing provider in perpetuity at no cost
- 5% delivered as part of a share equity scheme (key workers)
- 5% reserved for first home buyers
- 5% reserved for locals identified in postcodes 2533 and 2534.

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The proponent has partnered with Housing Trust, a Wollongong based Community Housing Provider (CHP). Housing Trust will manage the social housing on behalf of NSW Land and Housing Corporation, and manage, and potentially own, the affordable housing component. Housing Trust acknowledge that the proposal will help address the significant need for more market and social and affordable housing in Kiama. Kiama Council does not have an affordable housing policy or plan.

The proponent has a strong track record of delivering social and affordable housing in partnership with NSW Land and Housing Corporation and Community Housing Providers. Currently in NSW, the proponent has five projects with NSW Land and Housing Corporation, one of which was completed in 2021, one currently under construction and three in the planning stage. NSW Land and Housing Corporation has indicated its support for the proposal.

ECONOMIC

The project will improve the local economy and provide employment opportunities during the development and construction phase, as well as ongoing operations. This includes:

- a local centre for retail and business opportunities
- identification of land for a potential educational establishment
- tourism associated with Greyleigh House, nature walks, cycling tracks and environmental education.

A Preliminary Economic Impact Assessment has been prepared to profile the estimated economic benefits that can potentially be generated by the development, including the direct and indirect benefits of both construction and ongoing impacts. These include:

Construction

The report found that the development has the potential to generate significant economic impacts within the Kiama LGA, including $108.4 million in Gross Regional Product (GRP) directly from construction activity and $74.9 million in flow on impacts. During construction, a total of 1,365 full time jobs (including direct and indirect) are anticipated to be created, many of which will be filled by locals.

Ongoing

Ongoing economic activity generated from operations of the educational establishment and retail precinct aspects of the development are estimated to include $19.2 million in GRP, whilst also providing an estimated $7.2 million in flow on impacts. Importantly the development is anticipated to deliver a total of 274 full time jobs (including direct and indirect), many of which may be filled by locals.

7.4 Section D – Infrastructure (Local, State and Commonwealth)

7.4.1 Q11. Is there adequate public infrastructure for the Planning Proposal?

UTILITY INFRASTRUCTURE

The Utility and Infrastructure Servicing Report identified that lead-in potable water, wastewater, electrical and communications services are required to service the Site. Servicing due diligence has been undertaken that has identified solutions for the provision of essential services to the Site.

In addition to the enquiries and feedback received from Sydney Water, and investigations undertaken by the civil engineer, opportunities exist to design and construct an off grid solution for wastewater and recycled water through AltogetherGroup.

The Utility and Infrastructure Servicing Report concludes that:

- potable water services can be made available to the Site by the provision of a 645m DN200 lead-in from Reservoir 0231 to service land below RL 82, and a 1.14km DN200 lead-in from Reservoir 0423 to service land above RL 82
- wastewater services can be made available to the Site by the provision of a 1.22km DN225 lead in to the north of the Site
- electrical services with sufficient capacity can be made available to the Site via a 2.2km 11kV lead-in from the Kiama Zone Substation
- telecommunications supply is available through the NBN Co. This connection can be upgraded where needed to suit servicing demands
- connection of reticulated gas to the Site is not available, however, gas is not considered to be an essential service.

The outcome of this assessment confirms that the Site can be adequately serviced with all essential utility infrastructure and that the provision of services is not an impediment to future development.

PUBLIC INFRASTRUCTURE

The development of the Site will result in the following public infrastructure being delivered:

- approximately 43 ha of open space, provided as a combination of formal public open space, riparian lands and conservation areas. This land is intended to be restored and enhanced as part of the development process.
- a variety of new green open spaces with varied programming and activation opportunities including:
    - playgrounds
    - picnic facilities
    - natural and built shade
    - designated space for market stalls
    - community meeting places
    - opportunity for public art
- a new natural amphitheatre and outdoor performance space
- restoration and embellishment work along the Spring Creek Corridor, and opening of the creek corridor for public access as a new 2 km walking/cycling route that will connect existing walking/cycling links

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- delivery of new local roads, including associated drainage, pedestrian infrastructure and street tree planting in the public domain to achieve a minimum 40% canopy cover. The roads will be designed to accommodate a public transport bus service for local residents.

7.5 Section E – State and Commonwealth Interests

7.5.1 Q12. What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?

Preliminary consultation has occurred with Kiama Council and the Department of Planning and Environment as outlined below. The views of all relevant State and Commonwealth authorities will be obtained following issue of a Gateway determination.

January 2022

On 24 January 2022 preliminary engagement was undertaken with Council regarding the potential opportunity for housing on the Site and the unique opportunities it presents in terms of strategic location and community benefits. At that time, the Kiama Local Housing Strategy was due to be reported to Council in March 2022 and exhibited in April 2022. Following the meeting with Council, a preliminary concept design was prepared to understand the development capacity of the land.

June and December 2022

In June 2022 and December 2022, a meeting was held with the NSW Department of Planning and Environment to provide a briefing on the strategic merits of the Site, increased dwelling demand in the LGA and the proposed concept masterplan. Guidance was sought on the proposed planning pathway and timing. The Department were generally receptive to the proposed concept design approach and acknowledged there is an increased demand for housing in the region. The Department advised that engagement should continue with Council regarding the proposed planning proposal and timing of the Local Housing Strategy.

August 2023

On 28 August 2023 a meeting was held with Council to provide an update on the proposal and to discuss the process for lodgement and consideration, and to understand the timing of the Local Housing Strategy. Council could not confirm a timeframe for when the draft Local Housing Strategy would be publicly available. It also advised that it may not have resourcing capacity to consider the proposal.

November 2023

On 30 November, the proposal was presented to the Kiama Council executive staff. Council were advised that the planning proposal request would be lodged before the end of 2024 and that the proponent is willing to work with Council throughout the assessment phase.

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8 Part 4 – Mapping

The Planning Proposal involves the following map amendments to Kiama LEP 2011:

- Land Zoning Map – Sheet LZN_012
- Height of Buildings Map – Sheet HOB_012
- Lot Size Map – Sheet LSZ_01
- Urban Release Area Map – Sheet URA_012
- Land Reservation Acquisition Map – Sheet LRA_012
- Additional Permitted Uses Map – Sheet APU_012

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LAND ZONING MAP

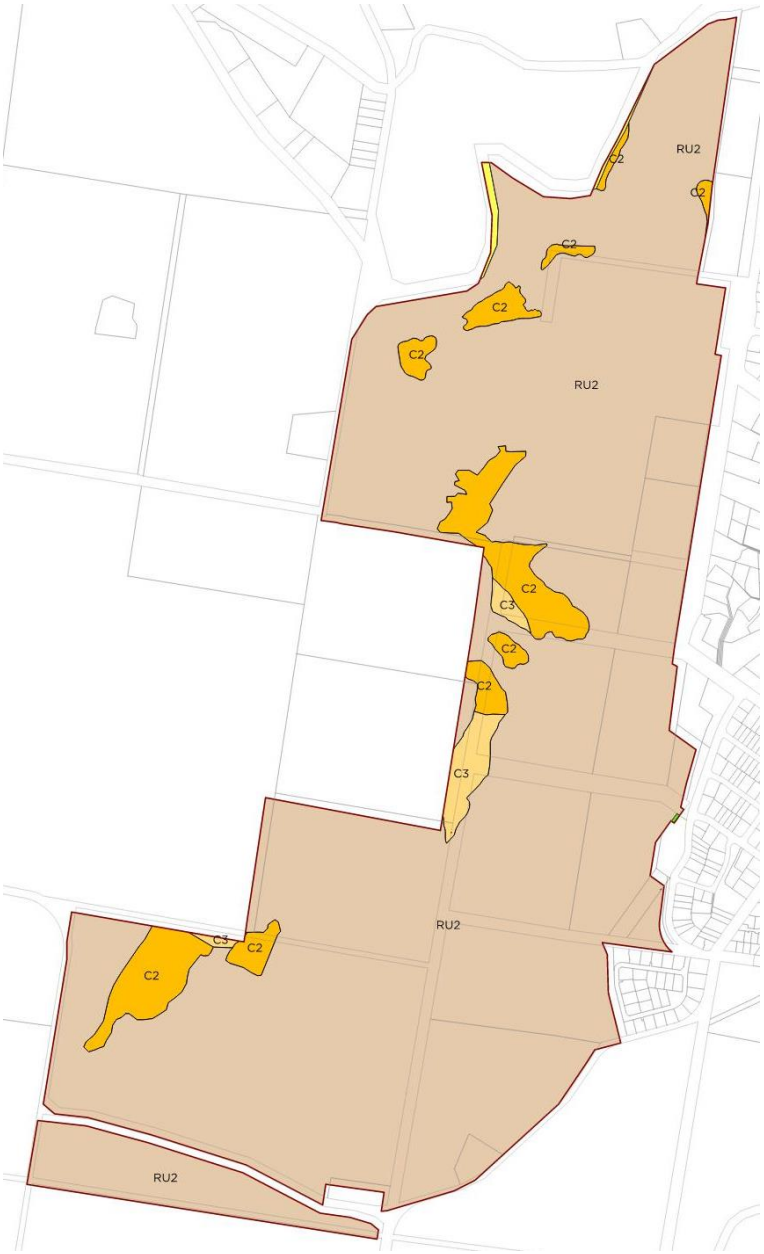

FIGURE 11 – EXISTING LAND ZONING MAP

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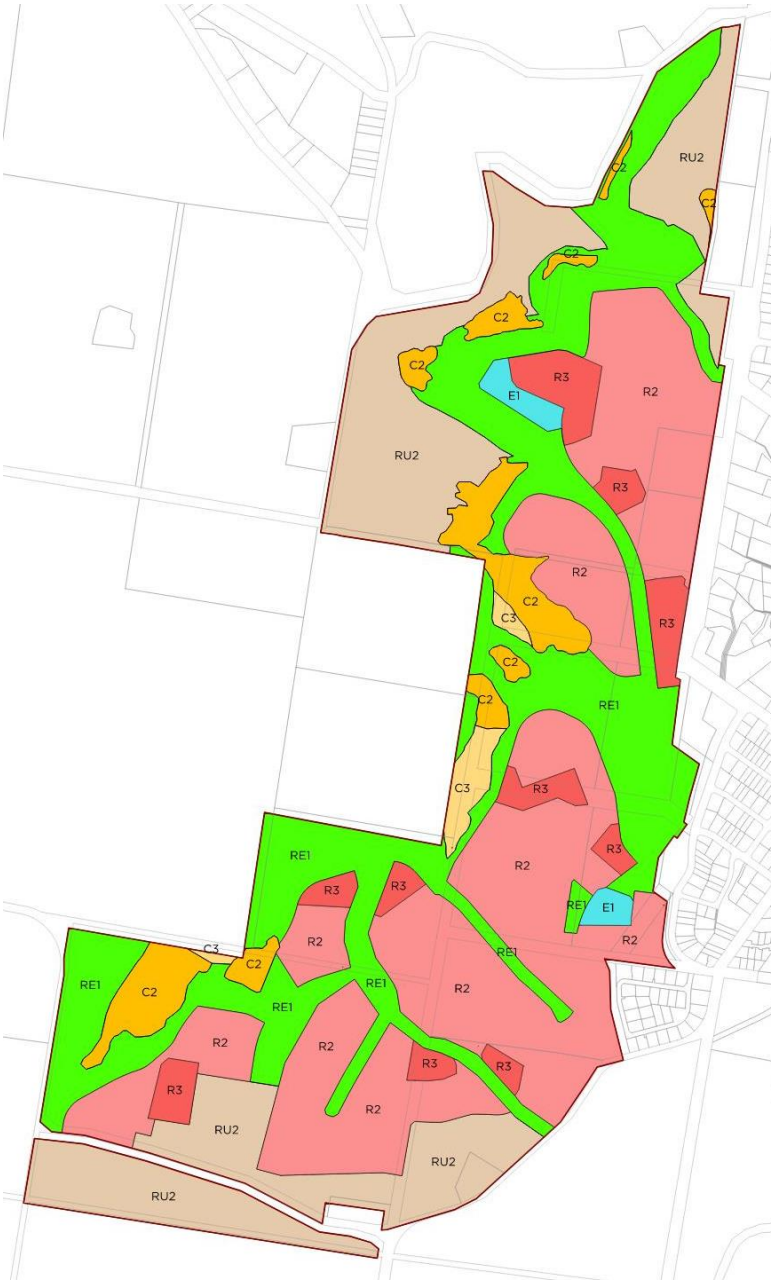

FIGURE 12 – PROPOSED LAND ZONING MAP

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HEIGHT OF BUILDINGS MAP

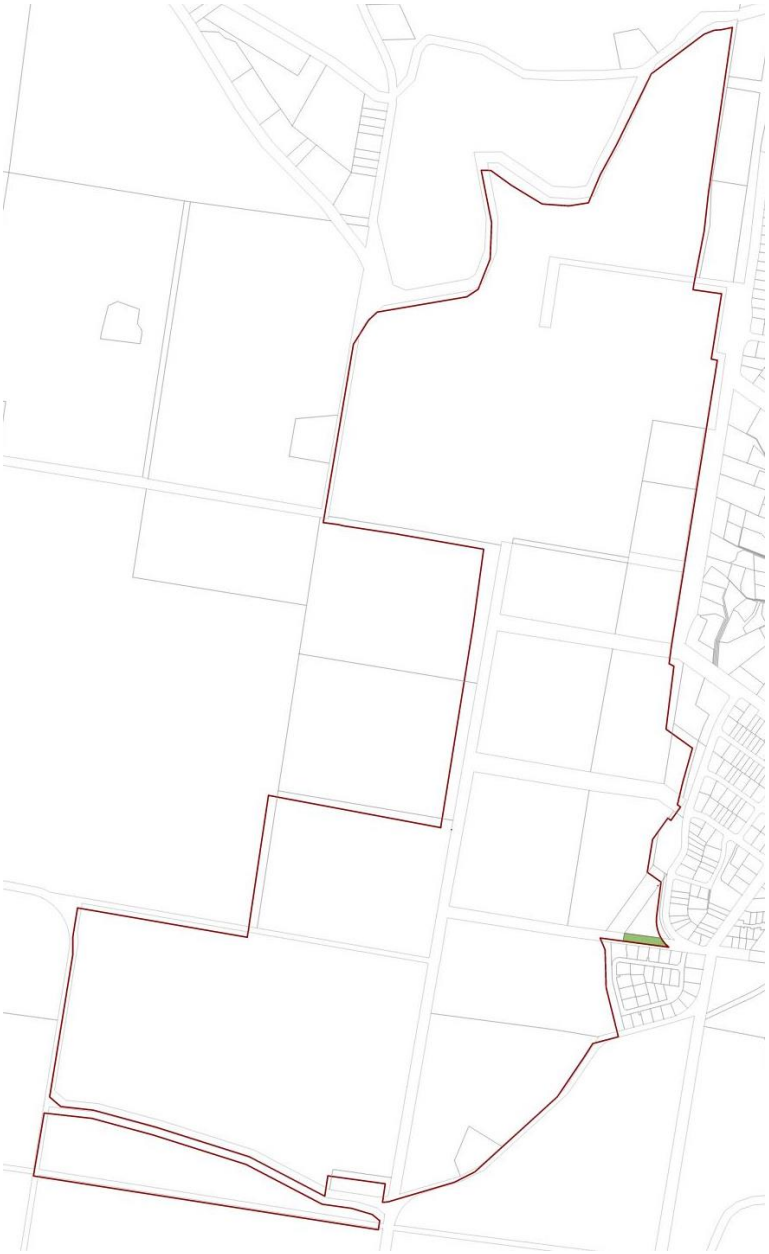

FIGURE 13 – PROPOSED MAXIMUM HEIGHT OF BUILDINGS MAP

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FIGURE 14 – PROPOSED MAXIMUM HEIGHT OF BUILDINGS MAP

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LOT SIZE MAP

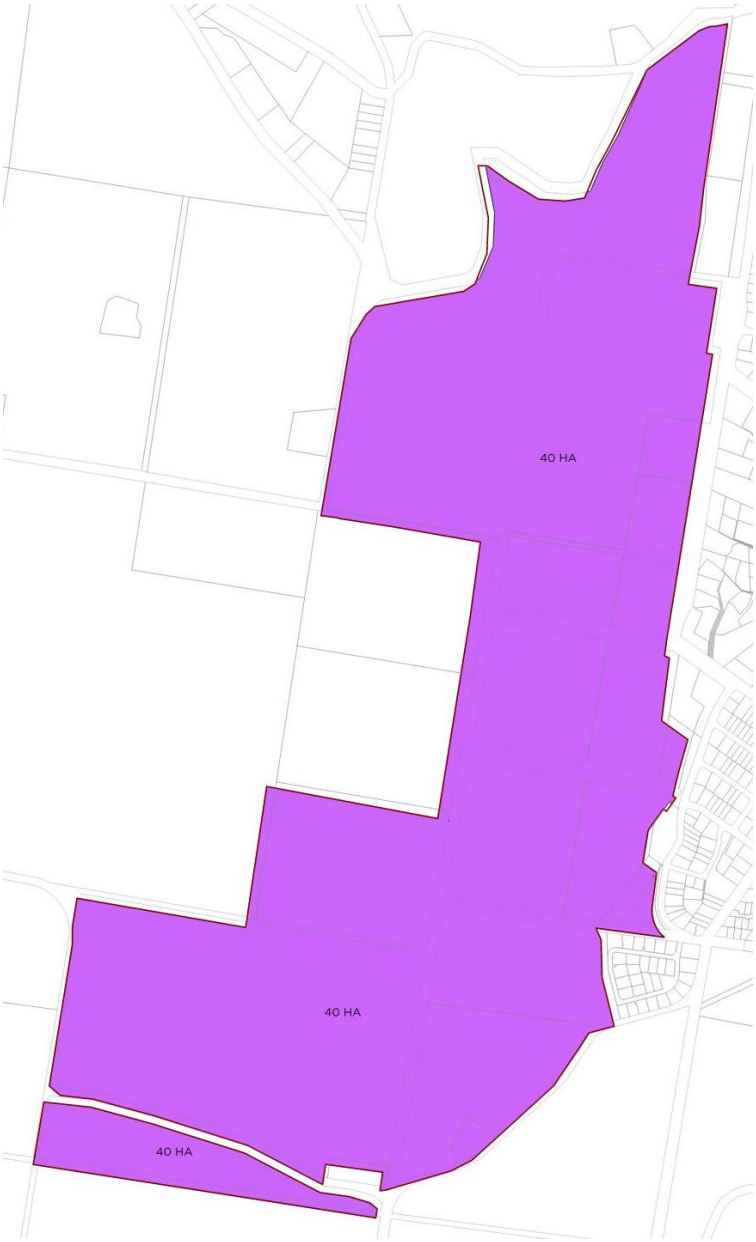

FIGURE 15 – EXISTING MINIMUM LOT SIZE MAP

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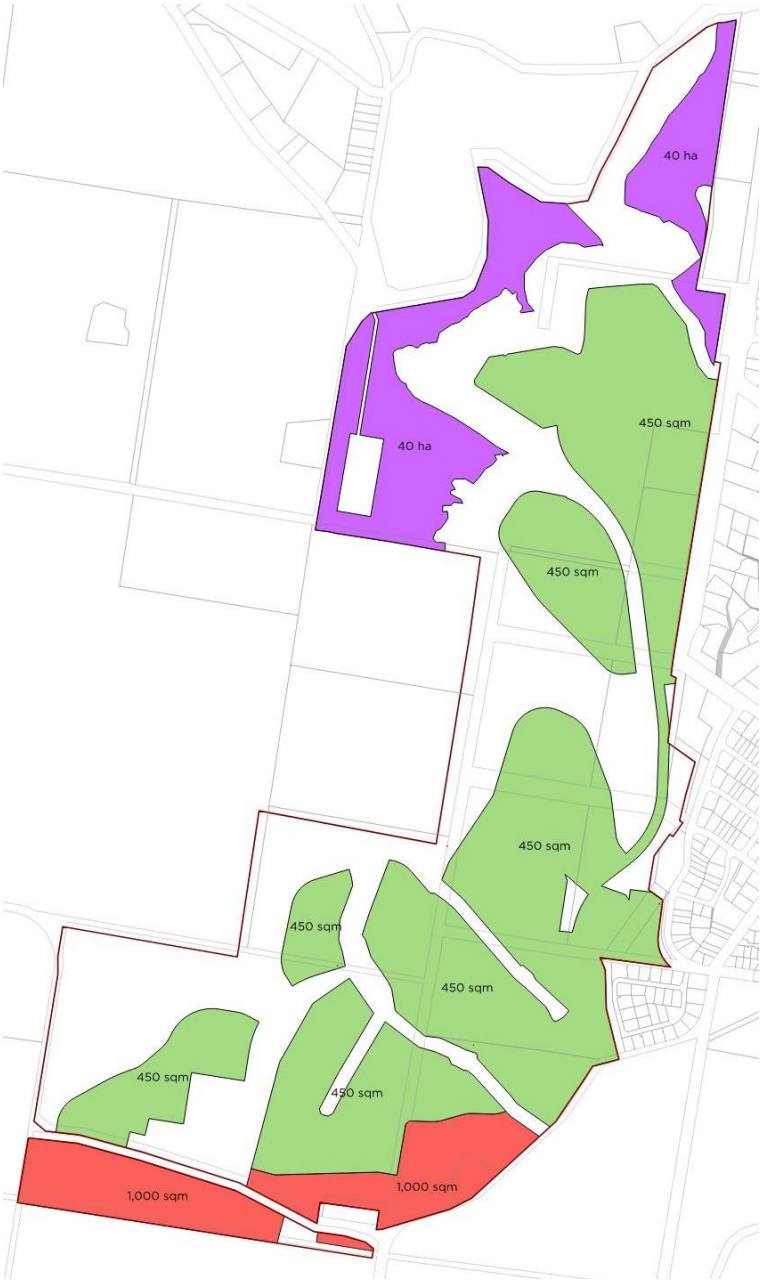

FIGURE 16 – PROPOSED MINIMUM LOT SIZE MAP

Source: E8 Urban

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URBAN RELEASE AREA MAP

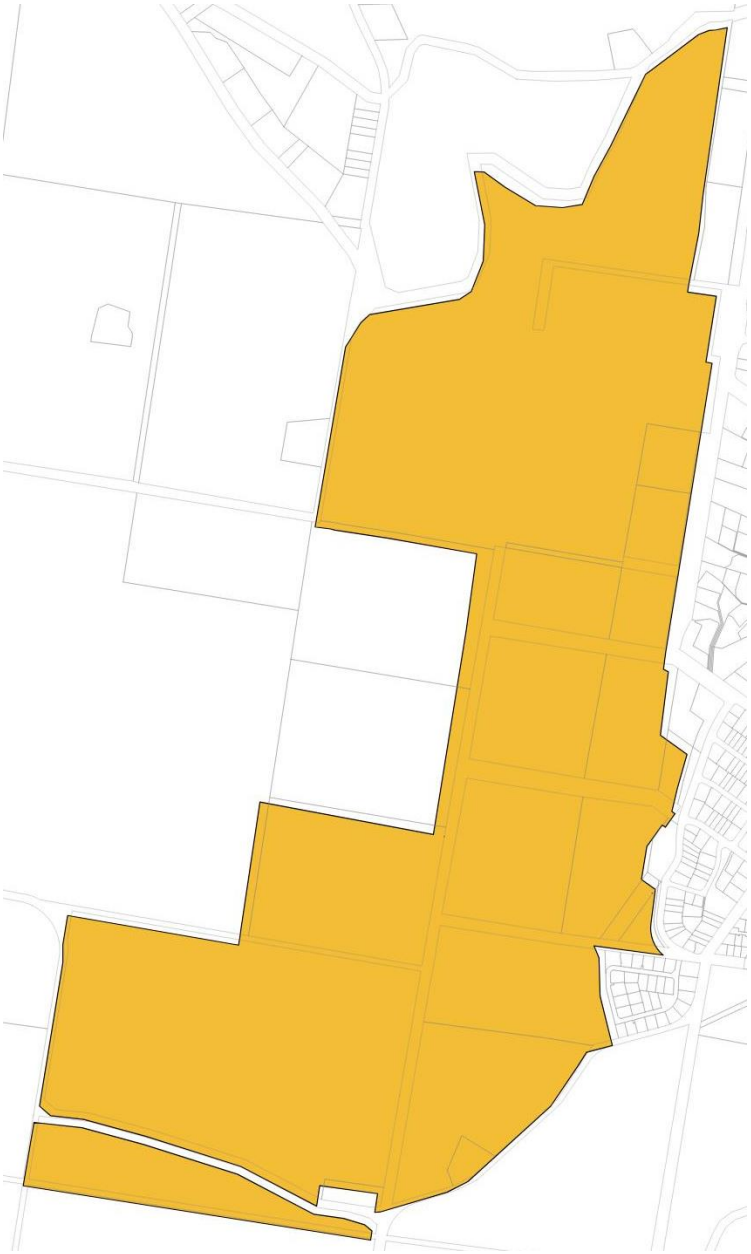

FIGURE 17 – PROPOSED URBAN RELEASE AREA MAP

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LAND RESERVATION ACQUISITION MAP

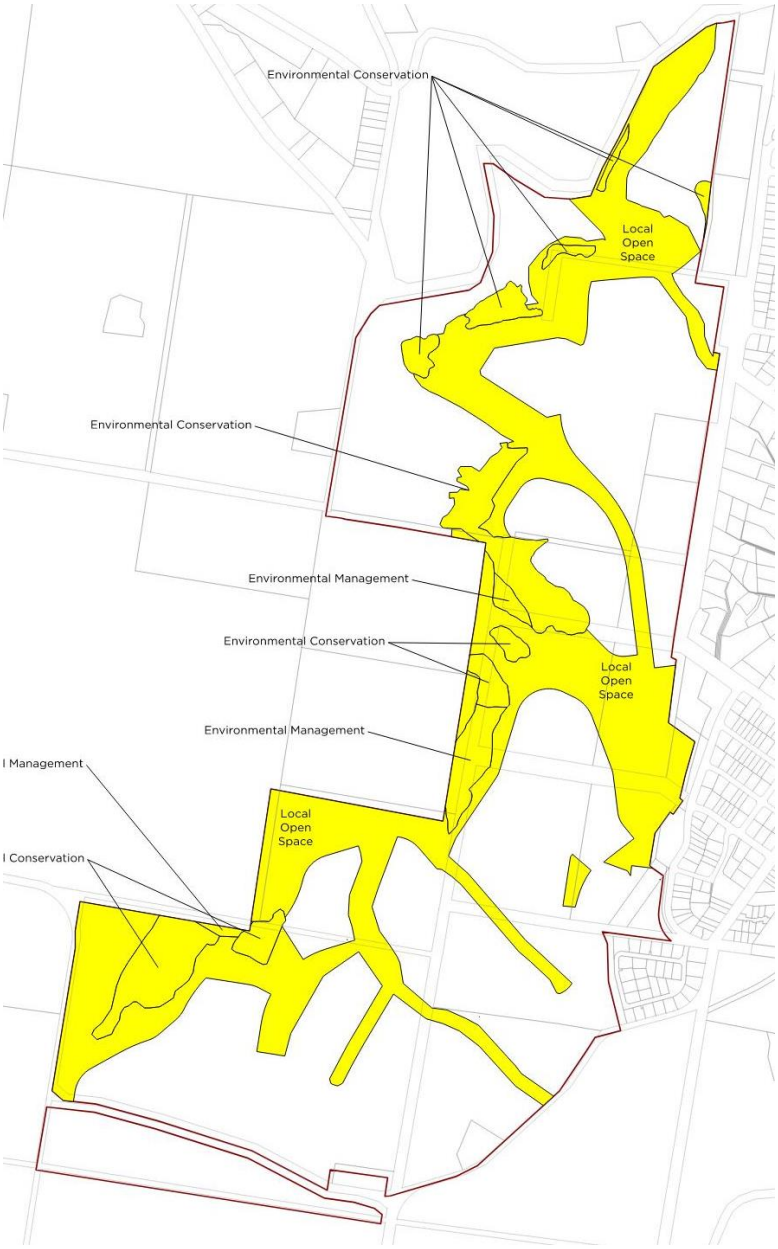

FIGURE 18 – PROPOSED LAND RESERVATION ACQUISITION MAP

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ADDITIONAL PERMITTED USE MAP

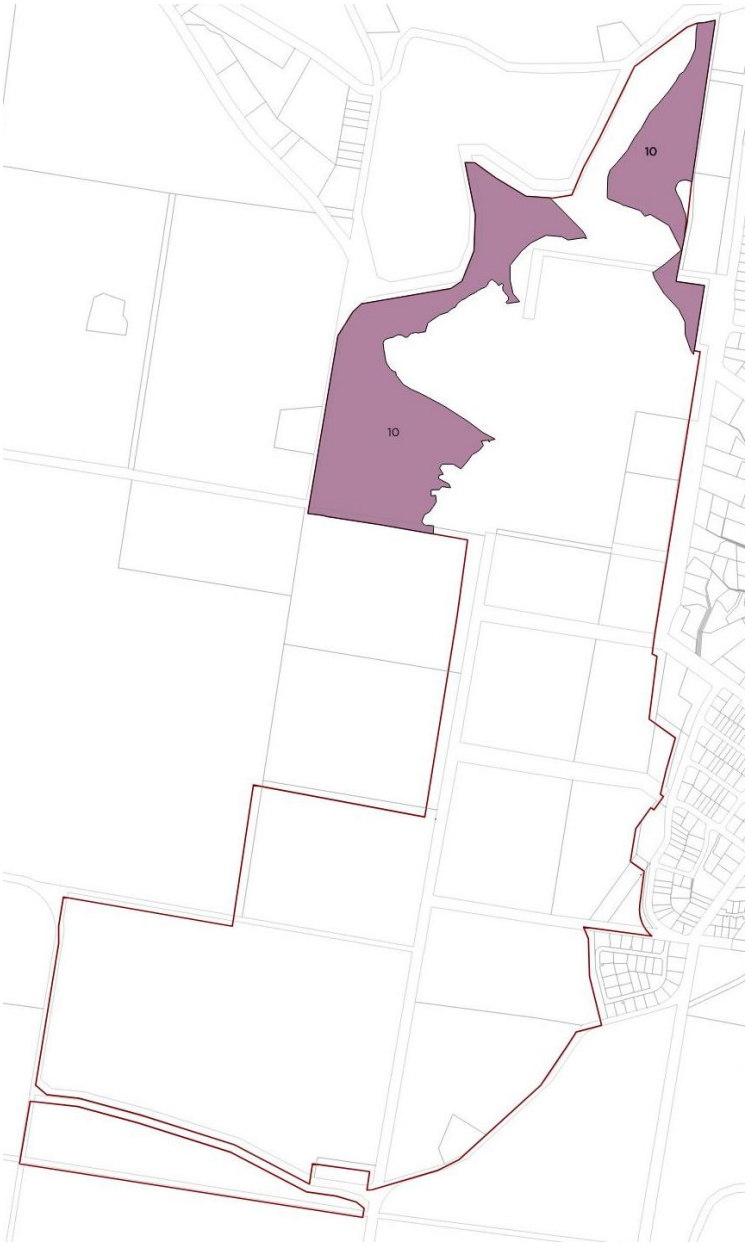

FIGURE 19 – PROPOSED ADDITIONAL PERMITTED USE MAP

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9 Part 5 – Community consultation

Quantitative and qualitative research has been undertaken with the community, commencing in September 2022. This consultation identified particularly desires of the community and were a direct input into the Site masterplan. Further community consultation will occur in line with the Council's Community Participation Plan, with the Planning Proposal to undergo public notification following receipt of a Gateway determination.

10 Part 6 – Project timeline

The anticipated timeframe for completion of the Planning Proposal is as follows:

TABLE 12 – PROJECT TIMELINE

Milestone	Date
Submission of updated Planning Proposal	December 2023
Planning Proposal reported to Local Planning Panel	April 2024
Planning Proposal reported to Council	May 2024
Request for Gateway determination	May 2024
Issue of Gateway determination	June 2024
Commencement and completion dates for public exhibition	July - August 2024
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	June - August 2024
Timeframe for consideration of submissions and proposal post-exhibition	September 2024
Consideration of planning proposal by Council	October 2024
Date of submission to the Department of Planning and Environment to finalise the LEP	November 2024
Anticipated date relevant planning authority will make the plan (if delegated) or anticipated date relevant planning authority will forward to the department for notification	January 2024
Anticipated date for publishing of the plan	February 2024

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11 Conclusion

The Planning Proposal has been prepared in support of a request to Kiama Council to amend the Kiama LEP 2011 to enable residential, employment, conservation and open space land use outcomes on the Site.

The Planning Proposal has been prepared in accordance with:

- Section 3.33 of the *Environmental Planning and Assessment Act 1979*
- the NSW Department of Planning and Environment's Local Environmental Plan Making Guidelines
- relevant Section 9.1 Ministerial Directions.

The Planning Proposal demonstrates that it has site-specific and strategic merit to enable an amendment to Kiama LEP 2011. Specifically, the Planning Proposal demonstrates that:

- it is consistent with the Central Coast Regional Plan 2041
- it responds to a change in circumstances in Kiama due to population demographic changes that have resulted in an undersupply in housing that has not been considered in strategic planning documents, which is consistent the *Local Environmental Plan Making Guideline*
- it is consistent with relevant Local Minister Directions and state environmental planning policies
- there are no constraints on the Site that can't be managed that would prevent future development under the proposed land use zones.

The Planning Proposal seeks to implement the place-based masterplan for the Site to enable an urban residential community to be developed that incorporates a mix of residential densities, commercial uses, recreation and conservation outcomes that is designed to respect the visual, topographical and environmental characteristics of the Site.

The Planning Proposal will result in the following positive outcomes for the Kiama LGA:

- promotion of housing affordability and diversity through the introduction of a variety of dwellings, lot sizes and building heights
- retention of existing parts of the Site to preserve view lines to and from the west
- incorporation of a local centre to provide commercial and retail daily convenience needs of future and existing residents, and employment opportunities
- recreational opportunities for future and existing residents and visitors, including publicly accessible walking and cycling along the Spring Creek corridor
- retention of the conservation of areas of high biodiversity significance
- potential development of an educational establishment and place of public worship in the RU2 Rural Landscape zone.

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Attachment 1

Department of Planning and Environment

NSW GOVERNMENT

Your ref: 22/70570-SC1423

Our ref: MDPE22/1700

Ms Jane Stroud
Chief Executive Officer
Kiama Municipal Council
PO Box 75
KIAMA NSW 2533

Via email: council@kiama.nsw.gov.au

1 September 2022

Subject: **Illawarra Shoalhaven Regional Plan – Bombo Quarry, Kiama**

Dear Ms Stroud

Thank you for your correspondence to the Hon. Anthony Roberts MP, Minister for Planning and Minister for Homes, regarding the Bombo Quarry site. The Minister asked me to respond on his behalf.

I acknowledge Kiama Municipal Council's (Council) desire for certainty as to the timeframe for ending quarrying at Bombo Quarry. I also appreciate greater certainty will enable Council to plan more effectively for future growth in the Kiama local government area.

The Department of Planning and Environment (Department) understands the owners of Bombo Quarry are not able to provide a timeline for ending quarrying operations at this stage. However, the Department will continue to liaise with both the quarry owners and Council regarding plans for the site.

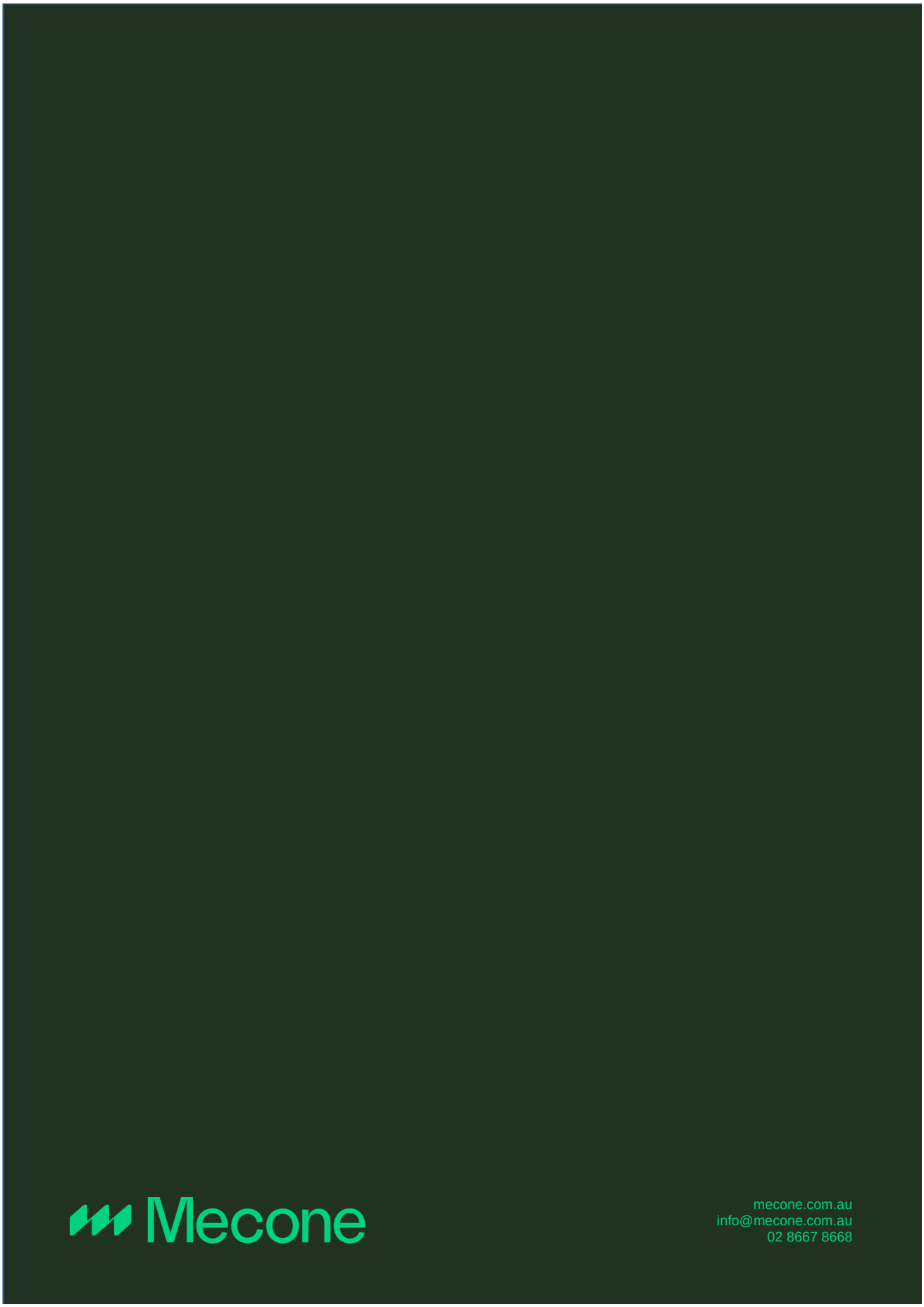
As you may be aware, the Department met with Council representatives on 19 August 2022. It was agreed that the Department will, in consultation with Council, prepare a roadmap to achieve a shared vision for the future of Bombo Quarry, as set out under Action 9 of the Illawarra Shoalhaven Regional Plan 2041.

Preparing a roadmap will help identify each step in the process, including likely timeframes, while acknowledging that the end date for quarrying operations is uncertain and potentially some years away. This work will also clarify that any future use of the site for housing or employment is unlikely to occur in the short to medium term. As such, the roadmap will provide a high-level vision to help manage stakeholder expectations for the site.

Should you have any questions, you are welcome to contact [redacted]

Yours sincerely

Tim Raimond
Deputy Secretary
Planning and Land Use Strategy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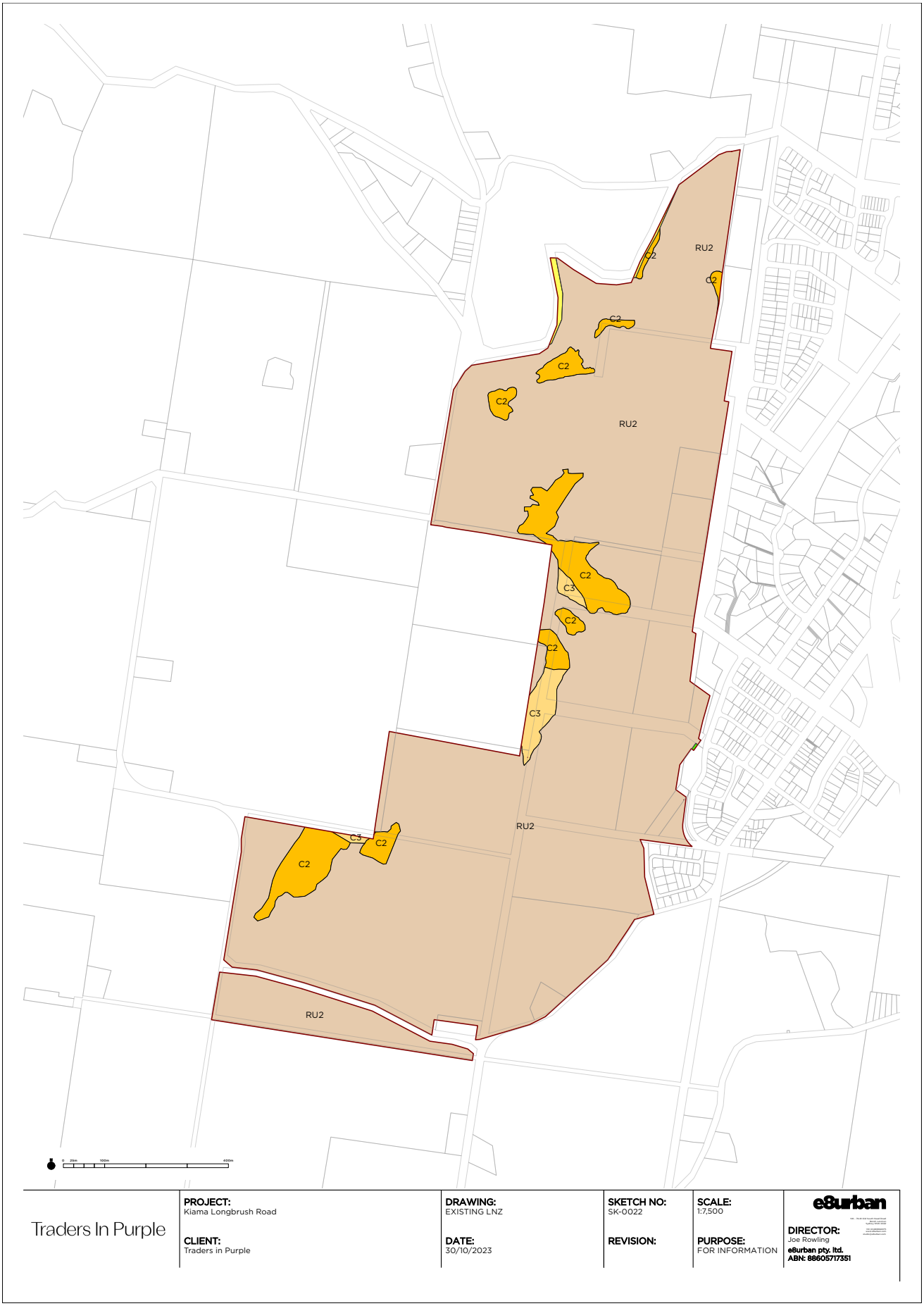
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CLIENT:
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DRAWING:
EXISTING LNZ
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SKETCH NO:
SK-0022
REVISION:
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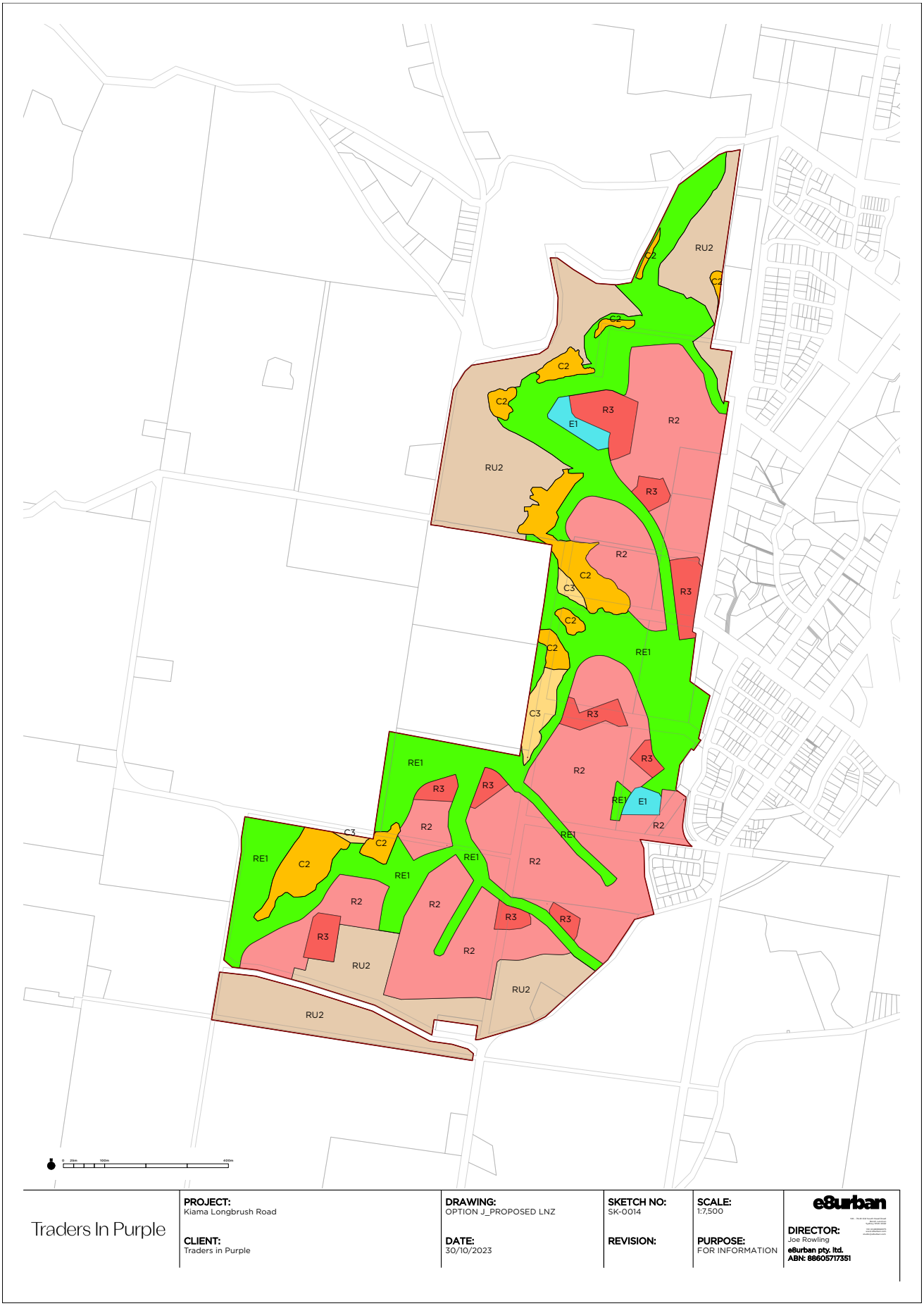
PURPOSE:
FOR INFORMATION
e8urban
DIRECTOR:
Joe Rowling
e8urban pty. ltd.
ABN: 88605717351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e8urban
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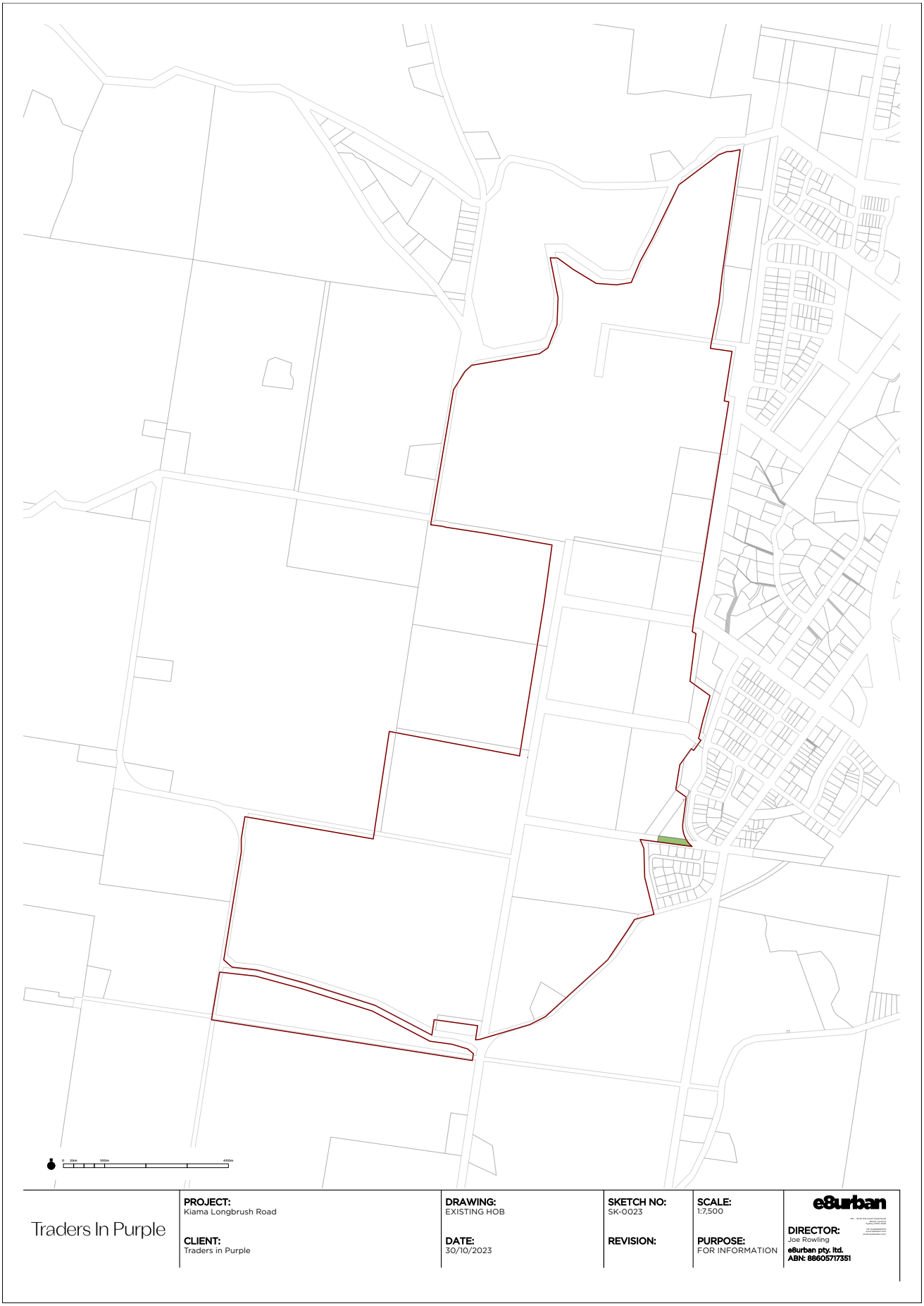
ABN: 88605717351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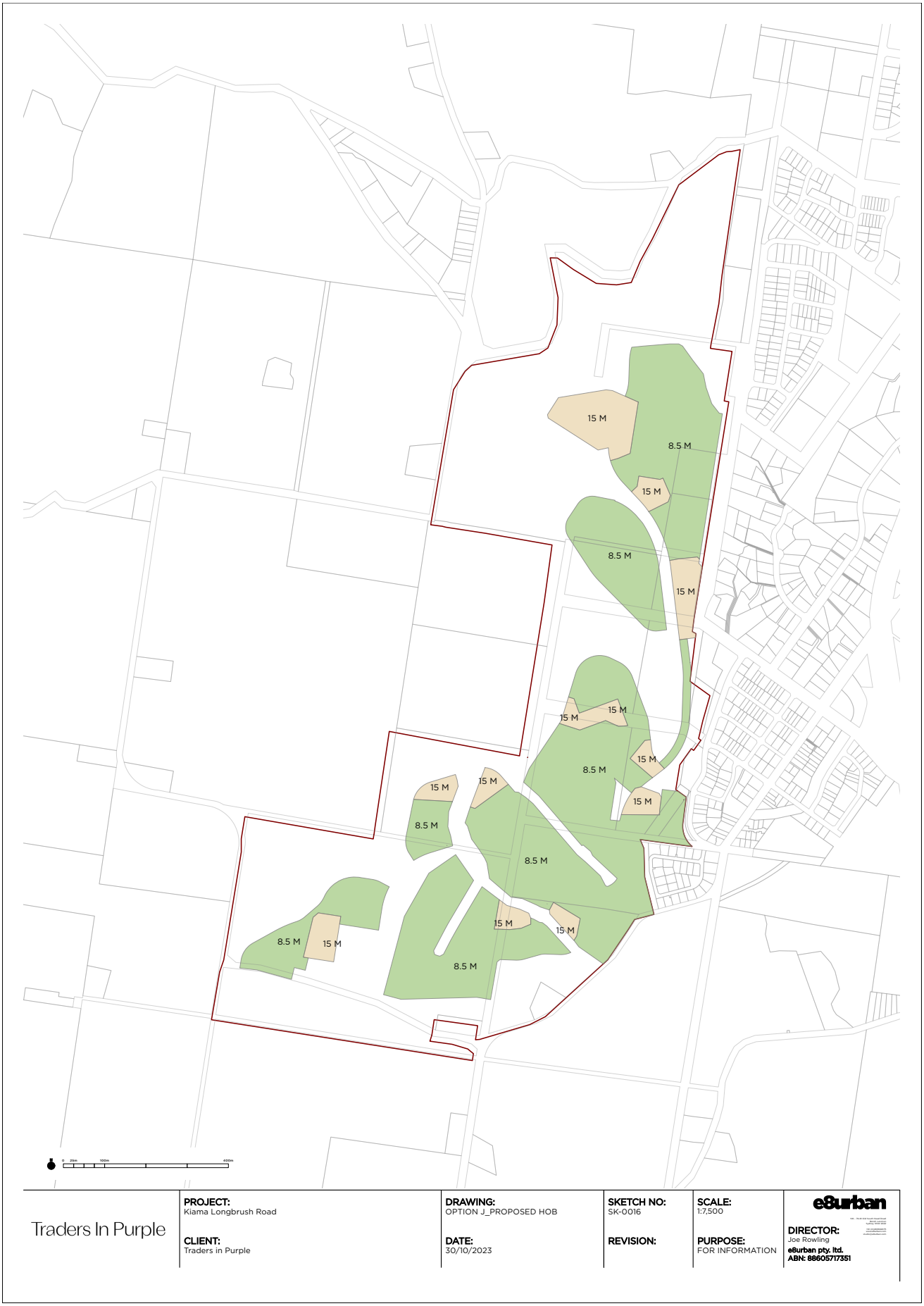
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DATE:
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SKETCH NO:
SK-0016
REVISION:
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PURPOSE:
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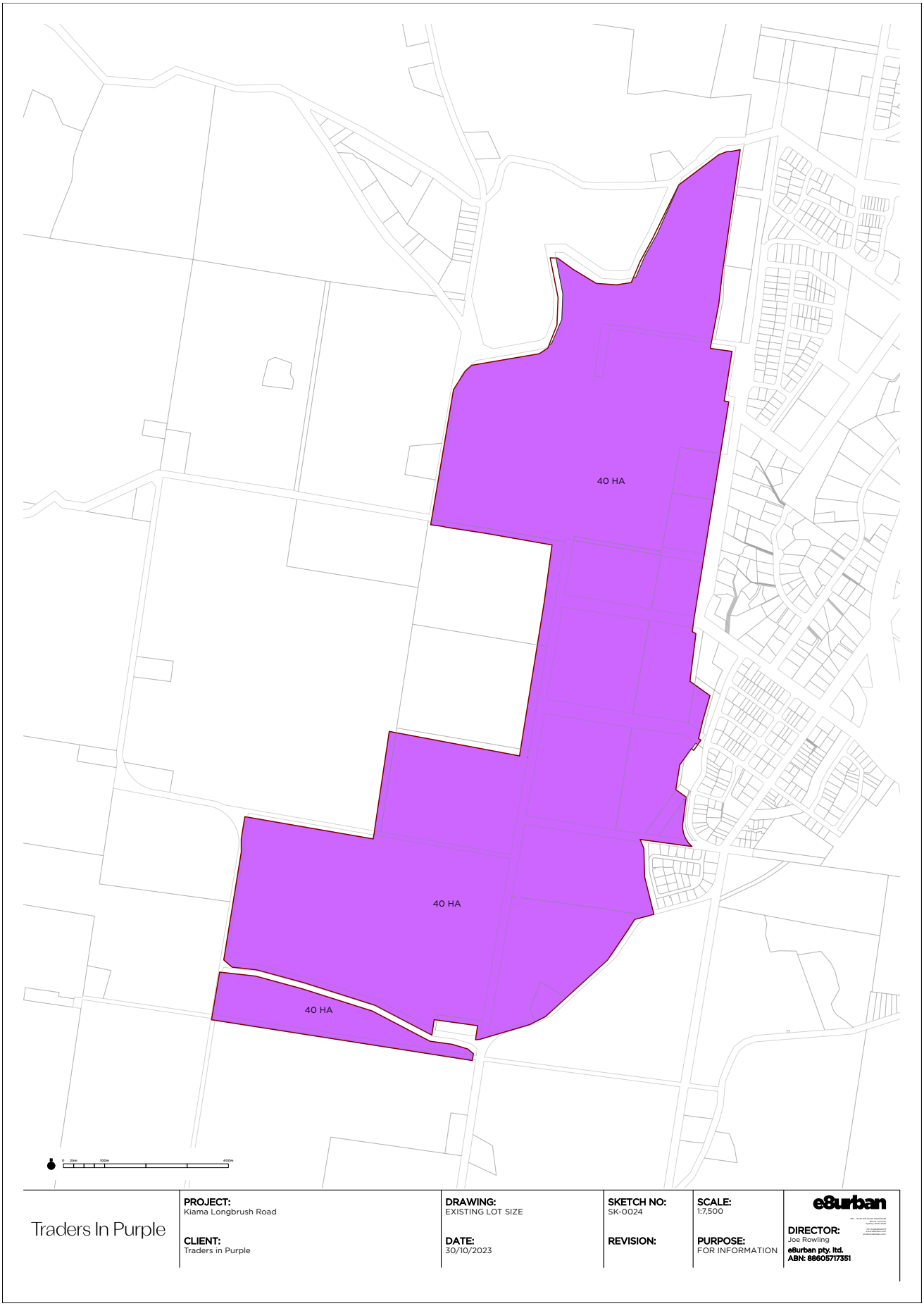
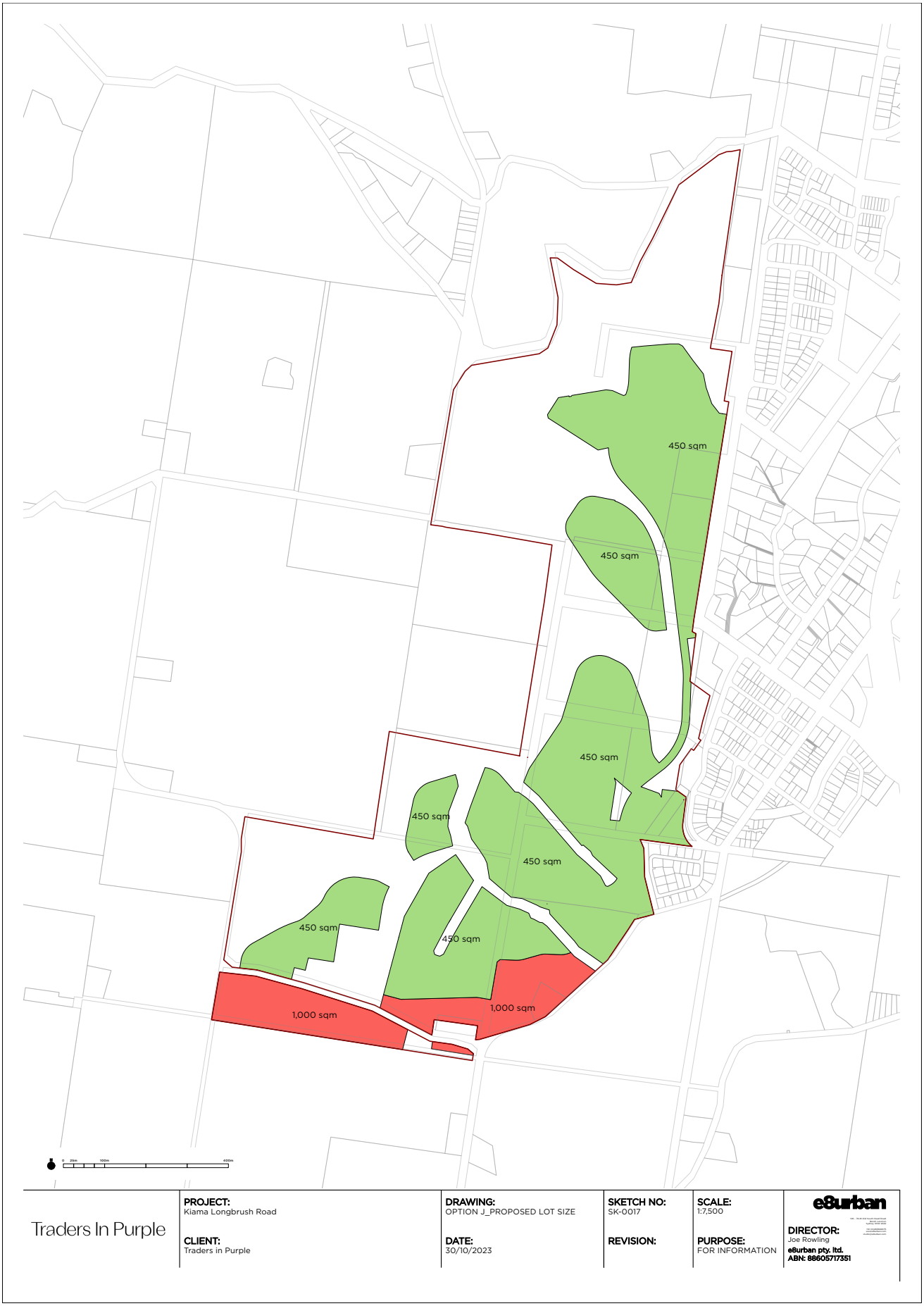
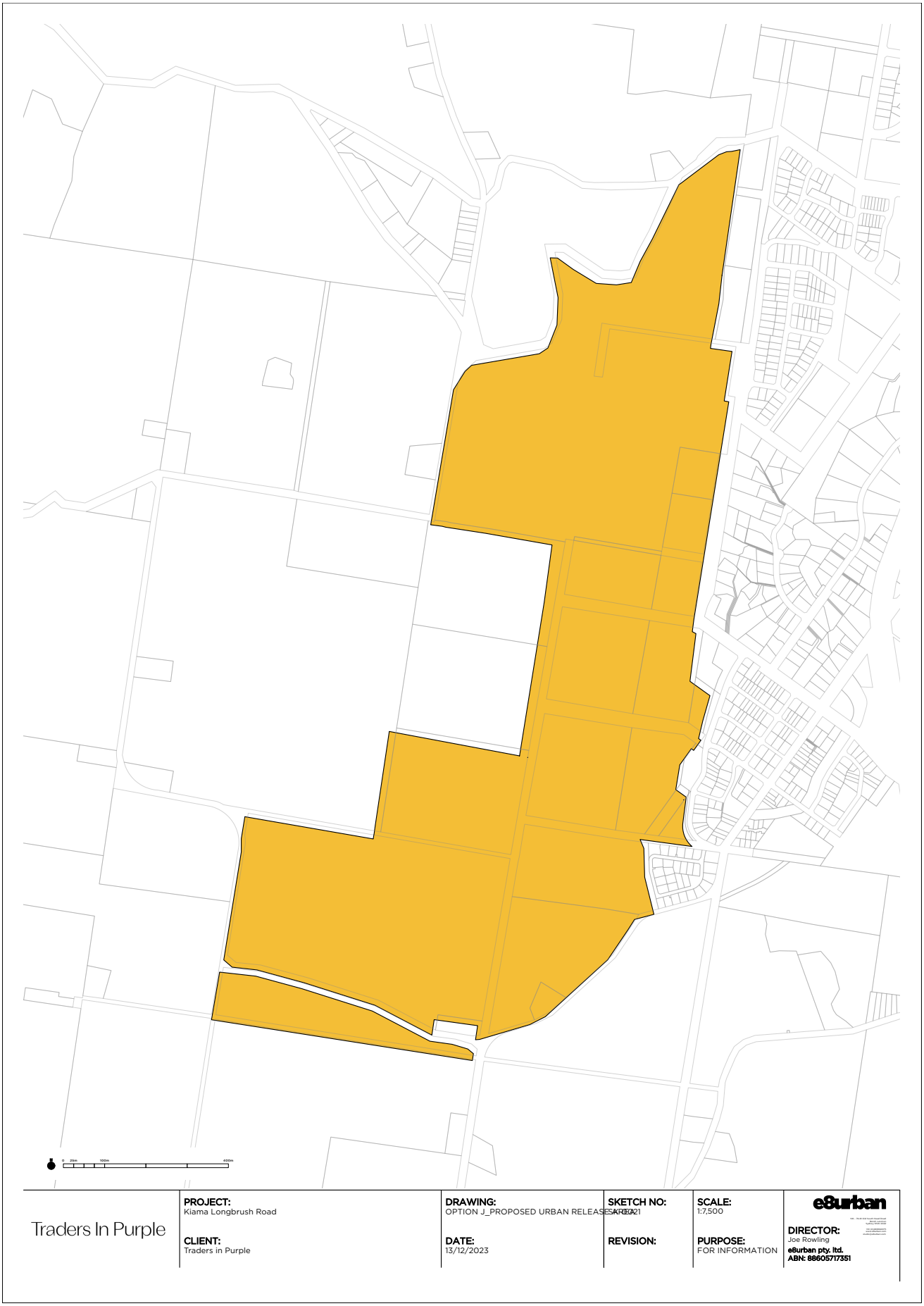
ABN: 88605717351



Item 15.1

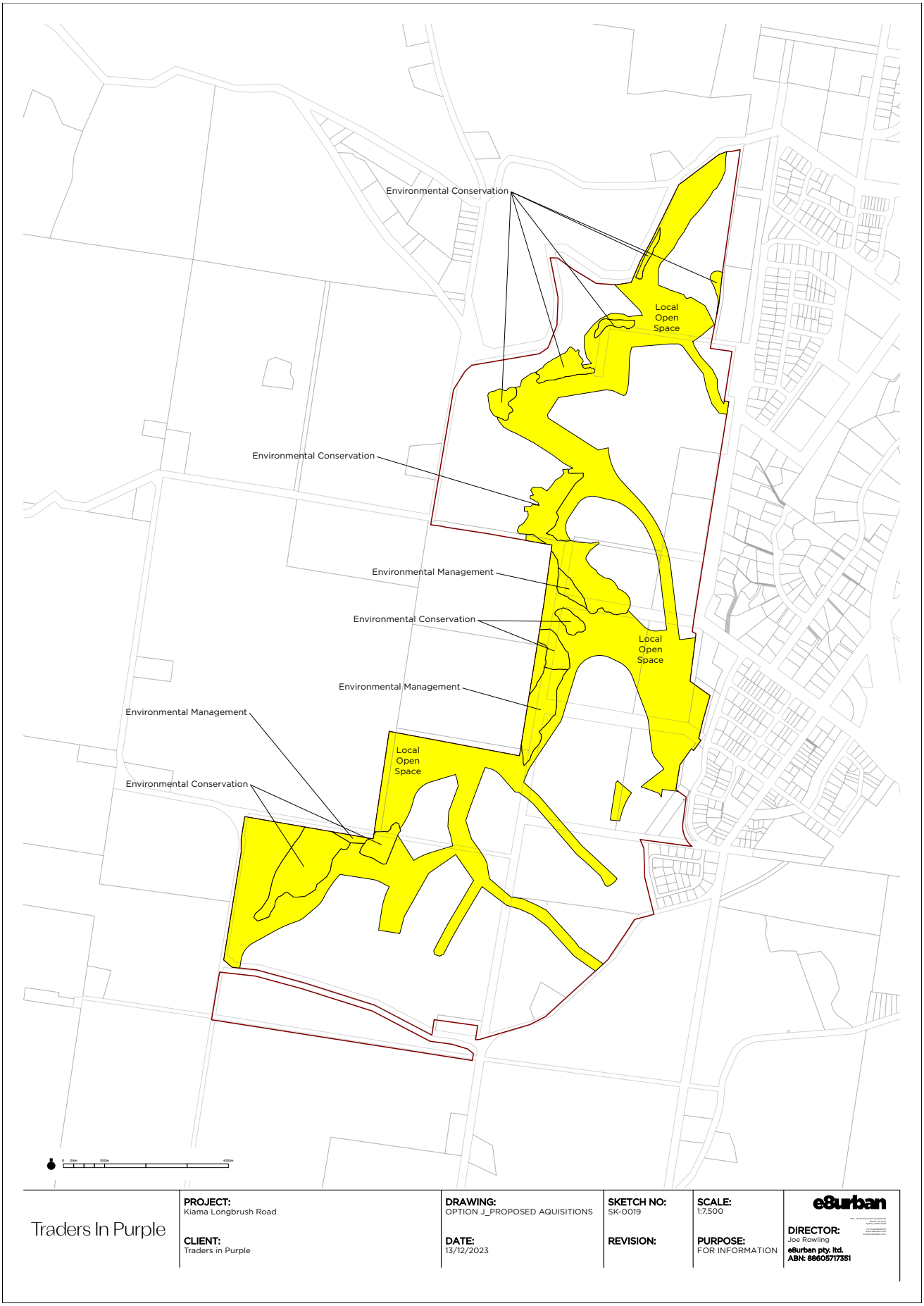
Attachment 2


450 sqm
450 sqm
450 sqm
450 sqm
450 sqm
450 sqm
450 sqm
1,000 sqm
1,000 sqm
Traders In Purple
PROJECT:
Kiama Longbrush Road
CLIENT:
Traders in Purple
DRAWING:
OPTION J_PROPOSED LOT SIZE
DATE:
30/10/2023
SKETCH NO:
SK-0017
REVISION:
SCALE:
1:7,500
PURPOSE:
FOR INFORMATION
e8urban
DIRECTOR:
Joe Rowling
e8urban pty. ltd.
ABN: 88605717351



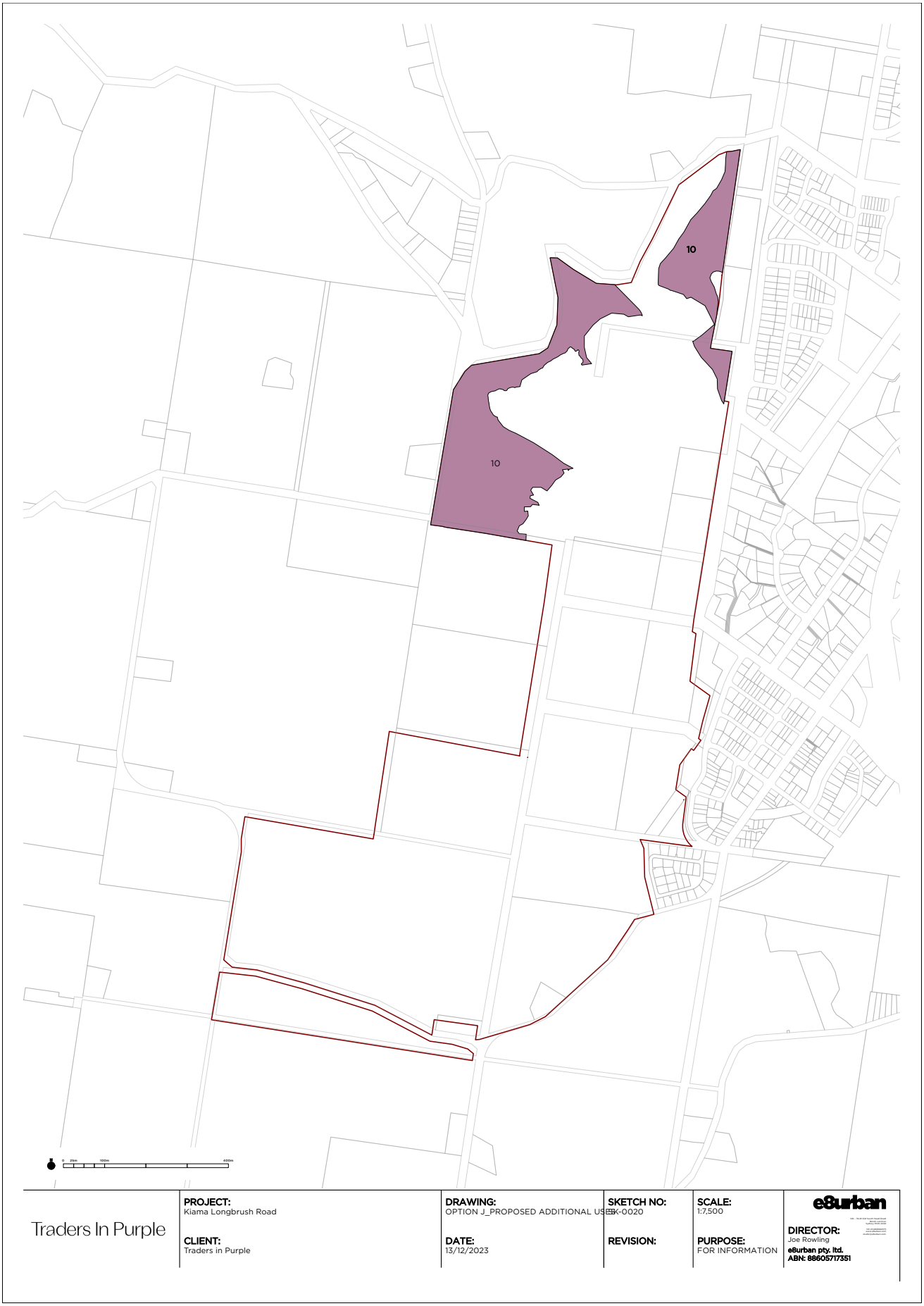
Item 15.1

Attachment 2



Item 15.1

Attachment 2


10
10
Traders In Purple
PROJECT:
Kiama Longbrush Road
CLIENT:
Traders in Purple
DRAWING:
OPTION J_PROPOSED ADDITIONAL USES
DATE:
13/12/2023
SKETCH NO:
SK-0020
REVISION:
SCALE:
1:7,500
PURPOSE:
FOR INFORMATION
e8urban
DIRECTOR:
Joe Rowling
e8urban pty. ltd.
ABN: 88605717351

Department of Climate Change, Energy, the Environment and Water

Your ref: PP-2023-2833
Our ref: DOC24/200145

Ms Suzi Stojcevska
Strategic Planner
Kiama Municipal Council
PO Box 75, KIAMA NSW 2533

By email: suzis@kiama.nsw.gov.au.nsw.gov.au

Re: Planning Proposal – Kiama West Planning Proposal - Kiama City Council

Dear Ms Stojcevska

Thank you for referring the above Planning Proposal (PP) to the Biodiversity, Conservation and Science Group (BCS) of the Department of Climate Change, Energy, Environment and Water (DCCEEW). The Planning proposal is to rezone the site from predominantly RU2 Rural Landscape to a variety of new land use zones including Residential (R2, R3, and R5), Recreation (RE1), Special Purpose (SP4) and Conservation (C2). The site covers approximately 114 hectares of land and is located approximately 1.7 km west of the Kiama Town Centre.

Council is aware the PP is not identified as an urban expansion greenfield area in its Local Strategic Planning Statement. Additionally, Council should ensure the proponent more fully addresses many other environmental Objectives and Strategies set out in the overarching Illawarra Shoalhaven Regional Plan (ISRP) (2021). The ISRP is to be implemented via strategic planning and local plan making processes such as PPs.

From a strategic context, BCS prefers that new urban expansion is accommodated where there is a well-informed understanding of broader catchment functioning and the sensitivity of the lands affected (as much as understanding broader urban planning/servicing matters). A speculative PP such as this will likely have also triggered new thinking and pressures for further urban development on nearby lands or similar peri-urban locations.

By itself, this new proposal will considerably increase the footprint of urban development in a largely rural catchment of modest size. The PP also proposes an on-site utility hub/water centre that sets a concerning precedent for the next speculative PP to also pursue. The subject lands will ultimately drain to Spring Creek, an identified sensitive estuary. BCS is mindful that engineered solutions have a risk of failure and any impacts need to be well considered for the receiving waterway. There is not yet a risk-based framework for considering water quality for the catchment and managing the health of Spring Creek.

While there is some information about the subject land, BCS is not convinced there is enough information about the broader catchment such as water management (including flooding and water quality), biodiversity (including sensitivities and connectivity needs) and optimising integrated issues such as appropriate management and use of riparian lands. This knowledge is critical to guide any appropriate urban expansion footprints, inform subdivision layouts, the siting and

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provision of services/utilities including understanding whether one or more on-site utility hub/water centres are suitable in the catchment and under what regime (eg sizing, design, tenure, management, funding, compliance, etc).

Advancing this PP involves a major decision to enable a considerable scale of urban development in a small catchment as much as inviting future speculation for more development. A major decision such as this should be based on improved strategic information.

Detailed comments on flood risk assessment, estuarine and waterway health and biodiversity are provided in Attachment A. Our main comments and recommendations are:

1. A fit for purpose Flood Impact and Risk Assessment (FIRA) report be prepared.
2. Further flood assessment work be undertaken to address public safety risks.
3. An assessment of potential impacts of the altered land-use on water quality prior to rezoning be undertaken to ensure adequate spatial and zoning provisions are incorporated.
4. Restoring riparian lands is supported but such land should be zoned to C2 or C3 rather than RE1.
5. A C2 zoning be considered for all significant biodiversity values on the site including areas mapped as “high ecological constraints” (some attributes currently zoned C3 may warrant C2 zoning longer term given the management intentions).
6. In addition to remnant native vegetation within the study area, significant biodiversity should be mapped and incorporated into non-urban zoning where possible, including hollow bearing trees, lone cabbage tree palms (*Livistona australis*) and large fig trees (*Ficus* spp.).
7. Buffers be applied to all remnant vegetation to prevent “edge effects” (eg. weed infestation, trampling, etc.) particularly Threatened Ecological Communities and populations of *Zieria granulata*.
8. Further ecological assessment be carried out at the Planning Proposal stage to determine if suitable areas for rehabilitation of the *Melaleuca armillaris* Tall Shrubland Critically Endangered Ecological Community occur within the subject site. If so, these should be included in conservation zones and rehabilitated in accordance with a Vegetation Management Plan VMP and/or an in-perpetuity conservation agreement.
9. Council appraises the land tenure outcomes of the conservation zoned land to ensure adequate funding/mechanism for ongoing management. Vegetated lands that may be transferred to Council are an opportunity to investigate the proponent establishing an actively managed Biodiversity Stewardship Agreement site/s before transfer.
10. A Vegetation Management Plan (VMP) be prepared for the Spring Creek riparian corridor, adjacent areas of remnant vegetation and any areas proposed for rehabilitation, and this should be secured at development application stage.
11. Asset Protection Zones (APZs) be contained within existing cleared areas (noting that the Master Plan indicates some APZs appear to be located within areas of “high ecological constraint”).

If you have any further questions about this issue, please contact Vanessa Allen, Senior Conservation Planning Officer, Illawarra Planning on 0242244186 or at Vanessa.Allen@environment.nsw.gov.au.

Yours sincerely

22 March 2024

Chris Page
Senior Team Leader
Biodiversity, Conservation and Science Group

Attachment A: BCS Detailed comments – West Kiama Planning Proposal

Flood Risk Management

As the planning proposal involves the rezoning of flood prone land it should be considered in accordance with section 9.1 (2) Local Planning Direction - Focus Area 4: Resilience and Hazards 4.1 Flooding and the NSW Government's Flood Prone Land Policy as set out in the Flood Risk Management Manual, 2023 (FRMM). The policy aims to reduce the impact of flooding and flood liability on individual owners and occupiers, and to reduce private and public losses resulting from flooding utilising ecologically positive methods wherever possible.

The approving body for the planning proposal should consider and be satisfied that the following matters have been adequately addressed with relation to floodplain risk management:

- the impact of flooding on the development - including local overland flows and the range of possible floods up to the Probable Maximum Flood (PMF)
- the impact of the development on flood behaviour – particularly adverse impacts of existing communities downstream of the site
- the impact of flooding on the safety of people for the full range of possible floods
- the implications of climate change on flooding - particularly increased rainfall intensity on flood behaviour; and
- The flood behaviour implications of proposed natural rehabilitation of the riparian zone, climate change and stormwater management infrastructure are understood and used to inform the establishment flood planning levels.

Generally, and where possible, significant land areas identified for future rezoning are identified and planned for by preparing Floodplain Risk Management Studies and Plans prior to development. This ensures the appropriate management of flood risk to future communities but also ensures that adverse impacts associated with new development on flood behaviour are appropriately planned and managed. In this area, however, we are unaware of the existence of a Flood Risk Management Plan prepared and adopted by Kiama Municipal Council. Council is therefore encouraged to undertake a Floodplain Risk Management Study and Plan for Spring Creek to build on the Spring Creek Flood Study information and to inform its decision making for planning proposals.

To enable Council to move forward and in line with current best practice, it is recommended that a fit for purpose Flood Impact and Risk Assessment (FIRA) report be prepared. A FIRA should be completed to an adequate standard to address the requirements of the local planning direction and FRMM.

Guidance to assist planning authorities (and proponents) on the scope and assessment requirements for a flood impact and risk assessment to support large proposals such as this can be found here:

https://www.environment.nsw.gov.au/research-and-publications/publications-search/flood-impact-and-risk-assessment.

The Preliminary Water Cycle Management and Flood Assessment Report (J. Wyndham Prince, Jan 23) is inconsistent with or does not provide sufficient evidence to demonstrate consistency with the requirements detailed in the Section 9.1 Direction 4.1 (3), which should be addressed as part of best

practice for floods up to the probable maximum flood (PMF). The scale of the proposed development on the floodplain warrants a more comprehensive FIRA. A FIRA should be prepared in consultation with Council's flood team who are familiar with the flood policy and guidelines and can seek further advice as required from our technical flood officers.

The PP has not adequately addressed the risks associated with public safety. The determining authority should ensure that risks to life and emergency management measures are considered for all proposed residential areas over the full range of floods including those above the flood planning level up to the PMF. This should include any issues linked with flood access and isolation to the proposed community and may warrant consultation with the SES.

It is also unclear whether adequate consideration has been given to floods greater than the proposed 1% AEP design flood planning level, including the potential to establish a greater flood immunity to future owners and occupiers of flood prone residential sites. A greenfield development in such an area could potentially be planned and designed to avoid the need for flood notations on future planning certificates and reduce flood insurance for new owners of flood prone land. Council should also note that the recent NSW Flood Inquiry recommends the need for greater attention by land use planners to flood risk up to the PMF and as such these risks require careful planning to avoid future flood liability.

We also note that climate change has not been considered as required by Council's LEP (5.21 (1) (b)) in accordance with current practice and the FRMM. Climate change should be considered at the PP stage to ensure the overall development addresses climate change impacts to flood risk and the design of landform modifications including flood planning levels. Climate change is a critical element to ensure that the flood risk management objectives are achieved for the design life of the proposed development.

In the absence of adequate mapping and description in the flood study, it is unclear whether the PP appropriately provides for, and integrates, riparian corridor outcomes into the flood modelling. A suitable hydraulic roughness value for the future riparian corridors should be utilised for both existing and the longer term developed case modelling. The appropriate extent and roughness values should be determined in consultation with Council considering the likely long-term planned vegetated condition of the watercourse.

The following technical matters are also raised for Council consideration:

- ARR19 suitability has not been considered in any FRMS&Ps in Kiama. Significant issues have been identified with adopting ARR19 "off the shelf" in neighbouring LGAs. It is therefore recommended that the ARR87 methodology is retained until the suitability of ARR19 is adequately assessed in a Council adopted FRMS&P.
- No information has been provided on how issues associated with rain on grid models including losses and volume loss have been addressed. Hydrology verification has not been provided.
- Calibration to Council's adopted Spring Creek flood study has not been provided. Doing so would add significant confidence to the existing case flood modelling parameters.

Estuarine and Waterway Health

The site is not located within the coastal zone, however, its development has the potential to affect water quality and hydrology within Spring Creek and its downstream estuary. Spring Creek is listed as a sensitive estuary in the Illawarra Shoalhaven Regional Plan 2041 (ISRP). Strategy 11: *Protect Important environmental assets* is particularly relevant to the proposal.

Strategy 11.5 of the ISRP to: *Protect coastal lakes and estuaries by implementing the NSW Government's Risk Based Framework for considering waterway health outcomes in Strategic Land-Use Planning decisions* has not yet been addressed. An assessment of potential impacts of the altered land use on water quality and quantity prior to rezoning would help to ensure that adequate spatial provisions for Water Sensitive Urban Design and water cycle management infrastructure is included to manage any impacts of the proposed development on water quality and the downstream estuary.

NRAR and DPI-Fisheries should be consulted on appropriate future works on the riparian lands and if there are any additional riparian buffer requirements to ensure that vegetated riparian zones are adequately provided as per Council's planning instrument and development controls. Currently C2 and C3 zonings only apply to the remnant vegetation, with the remaining riparian areas proposed to be zoned RE1 Public Recreation. The restoration of these riparian corridors, in addition to their protection, will help to improve waterway health and biodiversity outcomes consistent with Strategies 11.1, 11.2, 11.3 and 11.4 of the Plan. As such, the riparian lands suit a future land use zoning such as C2 (or C3 depending on any compatible uses) rather than the large extent of RE1 proposed.

Biodiversity

We have reviewed the Kiama West Planning Proposal Biodiversity Technical Study (Eco Logical Australia 2022) and the Planning Proposal Report and maps (Mecone, December 2023) and provide the following detailed comments for your consideration.

The site contains a mixture of cleared rural lands and significant areas of native vegetation, predominantly along the Spring Creek corridor. The site also contains isolated clumps of native vegetation, individual trees, planted and exotic vegetation.

Parts of the site are mapped as "High Environmental Value" under the ISRP (see Figure 1 below). Strategy 11.1 of the ISRP states that strategic and local plans should recognise HEV in local environmental plans, minimise potential impacts arising from development on areas of high environmental value, implement the 'avoid, minimise and offset' hierarchy', and consistently manage riparian corridors through strategic conservation planning initiatives that accommodate natural physical processes…". The site is not mapped as being within a Regional Biodiversity Corridor under the ISRP. The Spring Creek corridor is mapped on the Biodiversity Values Map and the Terrestrial Biodiversity Layer (Kiama LEP 2011) applies to parts of the site.

The proposal suggests that most of the native vegetation would not be subject to direct impacts and riparian corridors would be restored under a Vegetation Management Plan to improve currently degraded remnants. The proposal would result in removal of 3.44 ha of remnant native vegetation and retain 16.08 ha of remnant native vegetation within the study area. As such, it is likely the Biodiversity Offsets Scheme (BOS) under the *Biodiversity Conservation Act 2016* (BC Act) would be triggered for biodiversity assessment at the development application stage, however a future development application/s would need to consider thresholds on a case-by-case basis. For further information, refer to https://www.environment.nsw.gov.au/topics/animals-and-plants/biodiversity-offsets-scheme/about-the-biodiversity-offsets-scheme/when-does-bos-apply.

Threatened species
One threatened plant species, *Zieria granulata* (Endangered, BC Act; Endangered EPBC Act), was recorded 'in abundance' throughout the study area (Biodiversity Technical Study). From the information provided, it appears that *Z. granulata* mostly occurs in the proposed non-urban zones. No threatened fauna was recorded, however, the site contains habitat features which may be suitable for a number of species.

No targeted threatened species surveys were undertaken, however, it is noted there are several threatened plant species occurring close to the site, and which are known to have habitat within the

site. *Cynanchum elegans*, *Solanum celatum*, *Daphnandra johnsonii, Gossia acmenioides* and *Rhodamnia rubescens* all have high potential to occur, as do numerous threatened fauna species. The majority of habitat features, including one of the two recorded hollow-bearing trees, appear to occur within proposed non-urban zones.

Native vegetation
Two Threatened Ecological Communities (TECs) occur on site, Illawarra Lowland Subtropical Rainforest (Endangered, BC Act, Endangered EPBC Act) and *Melaleuca armillaris* Tall Shrubland (Critically Endangered, BC Act). Both TECs are listed as "Serious and Irreversible Impact" entities, in accordance with the BC Act. The concept of "Serious and Irreversible Impacts" is fundamentally about protecting threatened entities that are most at risk of extinction from development.

Figure 11 of the Biodiversity Technical Study maps ecological constraints. The Report states that all validated Plant Community Types (PCTs) on site meet the definition of 'high constraint' as they are 'Serious and Irreversible Impact' entities. Areas containing *Zieria granulata* are also defined as 'high constraint'.

For local development applications made under Part 4 of the EP&A Act, the consent authority must not grant approval if they determine that a proposed development is likely to have a serious and irreversible impact on biodiversity values.

Recommendations

Currently, the land is zoned predominantly RU2, with C2 and C3 pockets located along Spring Creek. The PP is to rezone rural-zoned land to R2, R3, E1, and RE1. The proposal is consistent with Ministerial Direction 3.1, Conservation Zones, as it does not reduce the amount of land zoned for conservation purposes and the existing C2 and C3 zoned land will remain in place. Nonetheless, we consider there is scope to increase the area of C2/C3 land as part of this proposal but note that the future tenure of such lands is not clear.

Given the biodiversity significance of the site, we recommend that C2 or C3 zones be applied to all areas mapped as 'high ecological constraints' (Figure 11 Biodiversity Technical Study). We also consider that RE1 zoning should be limited to parts of the site which will be used for higher intensity recreational purposes (eg. hard-stand areas, children's playgrounds etc.), with most of the area currently proposed to be zoned RE1 better suited to C2 or C3 zoning. There is scope to integrate shared pathways with riparian lands when it is done sensitively and the C3 zoning can achieve that outcome. It is also noted that the Concept Master Plan maps areas of remnant vegetation as 'environmental conservation' while the proposed LEP applies RE1 zoning to these same areas. This inconsistency between maps should be clarified.

Additionally, we recommend that all areas of 'high ecological constraint' be buffered by a suitable distance to prevent indirect impacts (eg. edge effects, weed infestation) on existing native vegetation, provide adequate bushfire protection, and provide strategic opportunities for rehabilitation and enhancement of biodiversity values within the area. In particular, we recommend that the area mapped as PCT 3872, i.e., the Critically Endangered Ecological Community (CEEC) *Melaleuca armillaris* Tall Shrubland (Figure 8 of the Biodiversity Report), be buffered in the area shown with purple hatching (Figure 2, shown below).

Buffer areas should be appropriately zoned for conservation. We also support the use of perimeter roads to protect and manage conservation-zoned land. We were not sent the Bushfire Report, however, the PP should ensure that the proposed zoning allows adequate scope for Asset Protection Zones (APZs) to be contained within existing cleared areas. We suggest that Council clarifies this as the PP Masterplan appears to show APZs encroaching into areas of remnant native vegetation.

Field observations indicate the site contains large fig trees (*Ficus spp.*) and lone cabbage tree palms (*Livistona australis*). These provide habitat for wildlife and have likely scenic and heritage

values. Further assessment of these values should be considered in the PP, and where possible, protected through appropriate conservation zoning.

We recommend investigating opportunities for in-perpetuity management of all areas of retained native vegetation. A Conservation Agreement or Biodiversity Stewardship Agreement (BSA) under the NSW *Biodiversity Conservation Act 2016*, and/or dedication to Council for ongoing management may be appropriate. A fully funded and managed conservation area would allow for the enhancement and management of the two TEC's, *Zieria granulata* and other biodiversity on site. We are willing to discuss this further with Council if required.

Figure 1 Map showing High Environmental Value (HEV) areas in green.

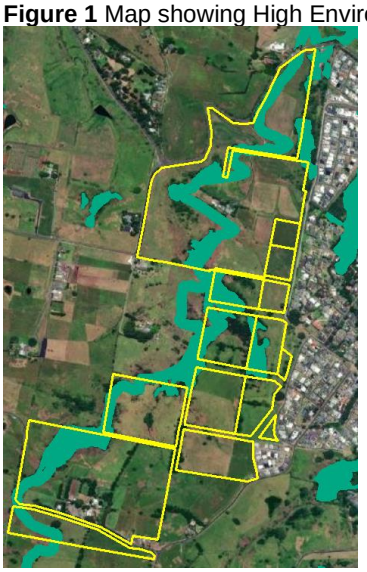

Figure 2 Map showing suggested buffer for the *Melaleuca armillaris* Tall Shrubland Critically Endangered Community (see purple hatching). Rehabilitation of the area would also buffer Illawarra Subtropical Rainforest and reduce the edge to area ratio of this considerable patch of vegetation.



20 March 2024 Our Ref: N/A

Suzi Stojcevska
Strategic Planner
Kiama Municipal Council
suzis@kiama.nsw.gov.au

RE: Preliminary comments on PP-2023-2833 Kiama West

Thank you for consulting with Sydney Water regarding PP-2023-2833 Kiama West at 177 Long Brush Road, Jerrara and 33 Greyleigh Drive and 103 Jamberoo Drive, Kiama.

The concept masterplan proposes:

- 1,062 new dwellings made up of
  - 377 low density residential allotments,
  - 663 medium density dwellings including townhouses and low-rise apartments,
  - 22 large rural residential allotments.
- 16 ha of retained rural land, with the potential for a school / agricultural college.
- 43 ha of publicly accessible open space, including riparian lands and conservation areas.
- business uses to enable local retail and services.
- retention of Greyleigh House to ensure its long-term tourism function.

Growth Data

Sydney Water supports government-backed growth initiatives within our area of operations and endeavour to provide services in a timely and prudent manner that delivers cost effective water and wastewater infrastructure whilst not impacting our current customer base economically, environmentally, or unduly impacting current service levels.

- In order to fully support all growth and developments and to fully assess proposed developments, we require the ultimate and annual growth data for this development as noted in the attached appendix, be fully populated and returned to Sydney Water.
- Sydney Water acknowledges that timescales and final growth numbers may alter however, to provide robust servicing advice and to investigate the potential for staged servicing to meet timescales, we require a realistic indication of demand and timescales. Failure to provide this may result in Sydney Water being unable to formulate proper planning requirements.
- The growth data should be completed and provided (by the proponent) directly to Sydney Water via the Water Servicing Coordinator (WSC) **Feasibility application process** referencing this preliminary planning proposal response. The Feasibility application should be lodged if the proponent decides to further progress to the planning proposal stage.

Servicing

- The development site is within the Kiama West Water Supply Zone.
- Wastewater servicing is currently unavailable to the site.

Sydney Water has reviewed the proponents' *Potable Water and Wastewater Concept Review* and the *Sustainable Utilities Servicing Strategy* and provides the following comments to assist in progressing the lodgement and in planning the future servicing needs of the proposed development.

Sydney Water understands that a Water Servicing Coordinator was engaged to produce the *Potable Water and Wastewater Concept Review* report in 2022. This report, whilst not seen by, nor endorsed by Sydney Water at the time, recommended the lodgement of a Feasibility application to commence early consultation with Sydney Water.

We note that a Feasibility application is the correct route for the proponent to take to engage directly with Sydney Water, but this has not yet been lodged either in relation to the initial 2022 report recommendations, nor as part of the undertakings noted in the 2023 sustainable servicing strategy. Sydney Water therefore does not endorse the information nor assumptions within these reports.

Requirements/Next steps

- **The proponent to lodge a Feasibility via their WSC once they decide to progress to the Planning Proposal stage.**
- The proponent should complete and return the growth data form in the format as part of their Planning Proposal submission and with their Feasibility application.
- Sydney Water is more than happy to meet with the proponent to discuss all options for servicing the site once the feasibility is registered.

This advice is not final approval of our requirements and constitutes high-level initial advice only. Further advice from Sydney Water may be offered at exhibition, the feasibility or, S73 stages with regards to capacity as well as the protection of our existing assets/easements and any BOA requirements. This will be investigated as we receive more detail, and specific protection requirements, objections or amendments will be documented as this progresses.

If you require any further information, please contact the Growth Planning Team at urbangrowth@sydneywater.com.au.

Yours sincerely,

Kristine Leitch
Commercial Growth Manager
City Growth and Development, Business Development Group
Sydney Water, 1 Smith Street, Parramatta NSW 2150

APPENDIX 1: GROWTH DATA FORM (emailed)

Sydney Water Corporation ABN 49 776 225 038
1 Smith St Parramatta 2150 | PO Box 399 Parramatta 2124 | DX 14 Sydney | T 13 20 92 | www.sydneywater.com.au
Delivering essential and sustainable water services for the benefit of the community

Transport Asset Holding Entity

8th November 2022

Ms Jane Stroud

Chief Executive Officer

Kiama Municipal Council

Via email:

Jstroud@kiama.nsw.gov.au

CC: council@kiama.nsw.gov.au

Dear Ms Stroud,

Kiama Local Government Area Strategic Planning Update

Thank you for making time on Thursday 18 August 2022, for a strategic planning update on Kiama Downs, Bombo Quarry Precinct and Kiama Heights development proposals.

We value and note your feedback on Council's current views on the strategic planning context for these opportunities (see Minutes attached). We would also like to provide in principle support for your interest in extending the southern boundary of the Bombo Quarry Precinct to include the Council-owned land at Spring Creek. We are Interested to hear about Council's plans for this parcel of land located just south of the current precinct boundary, and how It could be incorporated into the precinct to positively contribute to a well-considered place making outcome.

As indicated, Transport Asset Holding Entity (TAHE) is currently working with the adjacent landowner, Boral, to coordinate the planning activities required to facilitate the rehabilitation of the quarries and prepare a masterplan and planning proposal for the Bombo Quarry Precinct. We look forward to further discussing the Bombo Quarry Precinct masterplan with Council in the coming months.

To facilitate the delivery of the Precinct, we also plan to submit to the Department of Planning & Environment (DPE) a scoping paper for the rehabilitation of Bombo Quarry to obtain Secretary's Environmental Assessment Requirements (SEARs). After obtaining SEARs, we will carry out preliminary investigation activities with a view to starting community consultation in the first half of 2023.

Transport Asset Holding Entity

Subject to key stakeholder support for rehabilitation, master planning and market conditions, TAHE and Boral are working to progress the Bombo Quarry Precinct proposal so it can contribute to local housing supply needs within a 5–10-year period. The inclusion of the Bombo Quarry Precinct within Council's Local Housing Strategy will demonstrate support for this goal as well as align with the aspirations of the Illawarra Shoalhaven Regional Plan 2041.

We would very much welcome ongoing discussion and collaboration with Council on these issues moving forward. Please contact Annie Manson, Senior Government Relations Manager, TAHE via email at annie.manson@tahensw.com.au should you have any queries.

Sincerely yours,

Alison McDonagh

Executive General Manager, Commercial & Property

0400 000 000

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Sydney NSW 2000

ABN 59 325 778 353

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OFFICIAL

Transport Asset Holding Entity

15.2 Kiama Library Service Review

CSP Objective: Outcome 1.2: We love where we live; we have the services and facilities we need the natural beauty of our surroundings enhances our active and healthy lifestyle.

CSP Strategy: 1.2.1 Provide facilities that enable us to participate in social, cultural, recreational and sports activities, no matter our background, ability or age.

Delivery Program: 1.2.1.1 Make our libraries the hub of community activity and service. Manage Council's libraries, encompassing Family History Centre and the Gerringong Library and Museum to ensure programs meet community needs and the Public Library Standards.

Summary

This report provides an overview of the Library Service Review. This service review is part of the work that is being undertaken in accordance with the Performance Improvement Order. As outlined in previous reports and correspondence to Councillors and the community, staff with the support of external expert reviewers are working through several priority service reviews across the organisation.

The service reviews are being conducted to enable the KMC to take responsible and considered steps for financial sustainability. The review process enables Council to gain a full understanding of the current state of the operations, asset, staffing and resource allocations.

In accordance with Library operations best practice and as part of the requirement of the State Library, regular service reviews of library operations and services are conducted throughout NSW, based upon the Living Learning Libraries benchmarks 2021-2022.

Service reviews also are part of the requirements under the Integrated Planning and Reporting Framework and legislated through the Local Government Act. Council needs to conduct service reviews on an annual cycle to ensure best practice and to review operations with current industry standards.

Whilst the Library was not listed as one of the operational priorities for service reviews, an opportunity was presented by the State Library to conduct a review of our library's services, facilities and operations in this financial year. This review was conducted free of charge by an independent consultant engaged by the State Library.

This report provides an overview of the findings of the review and outlines the next steps in the process.

Financial implication

The Service Review findings and recommendations have several financial impacts and opportunities. These impacts and opportunities will need to be explored further through the decision-making process. Further information on financial impacts will be provided to Council as options are developed.

Risk implication

Currently Council is meeting the industry benchmarks for library services. There remain risks around asset planning and maintenance for the library facilities and a need to develop a library strategy to ensure adequate planning occurs for future years. The library continues to be challenged by the budget constraints of both library operations and the organisation, given the focus of libraries as a community service and limited revenue raising opportunities to support delivery. Service reductions and possible changes to programming might occur if budget limitations continue, which may reduce ability to meet required benchmarks in the future.

Policy

Community Strategic Plan

Delivery Plan/ Program

Council resolution 28 February 2023.

Kiama Leisure Centre Strategy 2012.

Performance Improvement Order

Long Term Financial Plan

Consultation (internal)

During the course of the service review, consultation with internal staff was undertaken, including meetings, 1:1 interviews and written feedback. Industry benchmarking was also undertaken, including consultation with other councils.

Communication/Community engagement

Surveys and consultation are regularly undertaken with existing library users by library staff. It is expected that an annual survey will be released to library members in the next month to seek feedback about their experience of the library, facilities and programs.

Ongoing consultation will be required as budget constraints continue to be evident, reducing options to provide additional services or programs. There will also need to be further engagement with those who are not library members to understand why membership has not been established or if there are changes that could improve membership of the library.

Attachments

1 Kiama and Gerringong Libraries Service Review⇩

Enclosures
Nil

RECOMMENDATION

That Council:

1. Note the findings of the State Library Assessment Visit and Service review of the Kiama and Gerringong Library.
2. Develop a Library Strategy which supports and encourages increased membership and usage of the facilities.
3. Continue to explore revenue opportunities, including the hiring of spaces and mixed uses within the library facilities.

Service review process

The service review process was undertaken late last year by an independent consultant from the State Library. This involved interviews with staff, visits to each of the library facilities, review of data and statistics collected by the library services and comparison with industry benchmarks. The report and outcome of this review was received by Council on 11 March 2024.

Key findings

- The 2022-2023 data indicates that Kiama has 50.97% of the community who are library members.
- This is an increase of about 8% from the previous year. This is to be commended and is a very strong result in comparison with most NSW public libraries.
- At 7.76 FTE, staffing levels are slightly below the recommended baseline with a suggested minimum of 8 equivalent full-time staff for the population that Kiama and Gerringong libraries serve. With two libraries to staff it is likely that the staff numbers would need to reach enhanced level (8.8 EFT) or even exemplary level (10.40) as the formula for minimum number of staff does not include a calculation for more than one library.
- With the population served there should be staff members with special responsibilities for Information Technology/Library Systems (Major Duty) and Local Studies (Major Duty). Both roles are provided within the libraires team which is pleasing.
- Visits to the library are 2.48 per capita, this is above the median, however the median for the cohort is low.
- Expenditure on library materials per capita at $9.00, items per capita at 2.69 and acquisitions per capita at 0.22 are all above the cohort medium, indicating that the library is investing appropriately in its collection.
- Having a circulation per capita of 5.16 indicates that members are active borrowers.
- In 2022/2023 Kiama Shire Council received $122,961 in library subsidy payments. This is an increase from $61,193 in the 2018/2019 funding.

- It is noted that Kiama Council has reduced their funding of the library by 5.58% during this time.
- The library website mentions that Kiama will accept donations for local studies. It is suggested that the *Local studies collection development policy* include a statement about collecting digital content and includes this in the statement on the website about donations.
- The programs already run by the library are popular, however it is helpful to look at this from another perspective. There are about 50% of the community who do not use the library and are not members, so it may be helpful to find out from these people the programs (as well as the collections and services) which may bring them into the libraries.

Conclusion

This report is submitted to provide an update on the Service Review and present the draft report for Councillors' consideration.

STATE LIBRARY®
NEW SOUTH WALES

Michelle Hudson
Manager Library and Cultural Hubs
Kiama Municipal Council
PO Box 75, Kiama NSW 2533

11 March 2024

Dear Michelle

Library assessment visit Kiama Municipal Council

I appreciate the opportunity to visit **Kiama Municipal Council** to meet with you and other staff. The State Library has prepared the attached report based on the visit, discussion, and analysis of your library's data with reference to statistics and *Living Learning Libraries* benchmarks[1]. 2021-2022 data has been used as more recent data is not yet available statewide.

It is pleasing to hear that evening opening hours have returned at Kiama Library, noting that there had been a period post-pandemic where evening hours had been cut. It is encouraging to hear that from 2 January Kiama Library has been open until 7.00pm each Tuesday night. It is noted that Gerringong Library does not open on Mondays, however it is also noted that the library is open significantly more hours than the original plan of opening three days a week.

The 2022-2023 data indicates that Kiama has 50.97% of the community who are library members. This is an increase of about 8% from the previous year. This is to be commended and is a very strong result in comparison with most NSW public libraries. The library might consider running a membership campaign across the community to promote membership and use of the libraries for the almost 50% of people that are not members.

We note with interest that the library is seeking to work out how to reconnect with people who are in year two or three of not using the library. Through the library management system it is possible to analyse the location of members to see if there are parts of the Kiama Shire Council area which have less members. From current data the staff know that some members use both Kiama and Gerringong libraries. There is also some overlap in use between Shoalhaven and Kiama libraries.

At 7.76 FTE, staffing levels are slightly below the recommended baseline with a suggested minimum of 8 equivalent full-time staff for the population that Kiama and Gerringong libraries serve. With two libraries to staff it is likely that the staff numbers would need to reach

[1] *Living Learning Libraries* https://www.sl.nsw.gov.au/public-library-services/content/living-learning-libraries [accessed 7 December 2023]

Macquarie Street Sydney NSW 2000 / Telephone +612 9273 1414 / Facsimile +612 9273 1255
www.sl.nsw.gov.au

enhanced level (8.8 EFT) or even exemplary level (10.40) as the formula for minimum number of staff does not include a calculation for more than one library. With the population served there should be staff members with special responsibilities for

- Information Technology/Library Systems (Major Duty)
- Local Studies (Major Duty).

Kiama Library service has these roles staffed.

Visits to the library are 2.48 per capita, this is above the median, however the median for the cohort is low.

Expenditure on library materials per capita at $9.00, items per capita at 2.69 and acquisitions per capita at 0.22 are all above the cohort medium, indicating that the library is investing appropriately in its collection. Having a circulation per capita of 5.16 indicates that members are active borrowers.

In 2022/2023 Kiama Shire Council received $122,961 in library subsidy payments. This is an increase from $61,193 in the 2018/2019 funding. It is noted that Kiama Shire Council has reduced their funding of the library by 5.58% during this time.

Please feel free to contact the State Library to discuss any aspects of the attached report.

Yours sincerely

Ellen Forsyth
Consultant, Public Library Services

Name of consultant/librarian visiting	Ellen Forsyth
Visit date	10 November 2023
Staff participating in discussion	Michelle Hudson Jessica Rippon Erin Tierney Carla James Corrine Pryde Lauren Watkins Staff talked with by telephone: Catherine Taylor Elizabeth Skorulis Jane Thompson
Libraries visited	Kiama and Gerringong

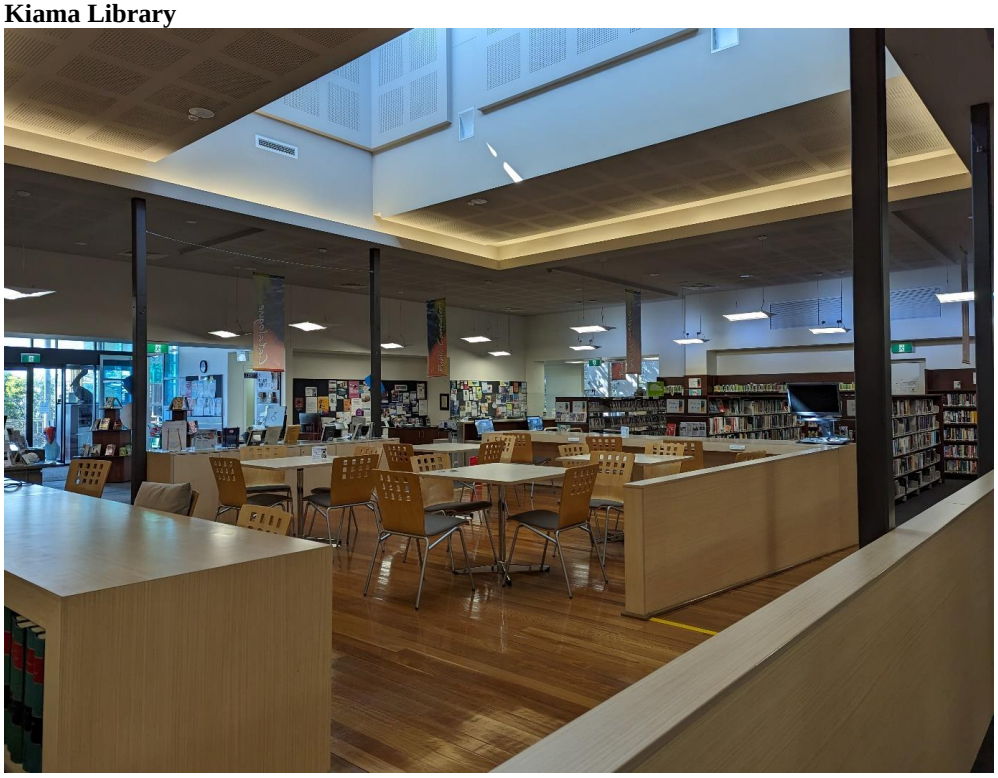
G1. Library management

To provide the community with a library service that is equitable, accessible, cost effective and efficient.

The library provides a range of collections, services and programs, and has qualified and skilled staff. The council is undertaking service reviews across all departments. The library is investing appropriately in the collection, and this is shown by the use the collection is receiving. Staffing levels are lower than recommended which impacts the availability of staff to undertake outreach to the almost 50% of the community who are not members. Library staff commented that people can be very local in their use of services, and this helps to highlight the importance of local outreach across the Kiama Council area especially to the smaller communities who may need additional encouragement to visit Kiama and Gerringong libraries.

G3 Library buildings
To provide a physical facility which will serve the identified needs of the community. The building should be attractive, designed for efficiency and sustainability, flexible and functional. To provide libraries that are convenient and accessible to the public.

Kiama Library



Photograph 1 Kiama Library

Kiama Library looks an engaging and welcoming space, although it is time to consider refreshing the space before it starts to look tired and worn. The wooden floor in part of the library and the coloured glass in the reading area are appealing features of the library design, although the many sections of glass make it harder to clean the windows. It is understood that this is an inevitable aspect of the design.

The library has a range of spaces which were used in different ways at the time of the visit. There was a book group meeting in the small meeting room in the library, there were people reading, browsing the shelves, using computers in the library, and small children with their parents or carers who were enjoying the children's space.



Photograph 2 Tree shaded reading area at Kiama Library



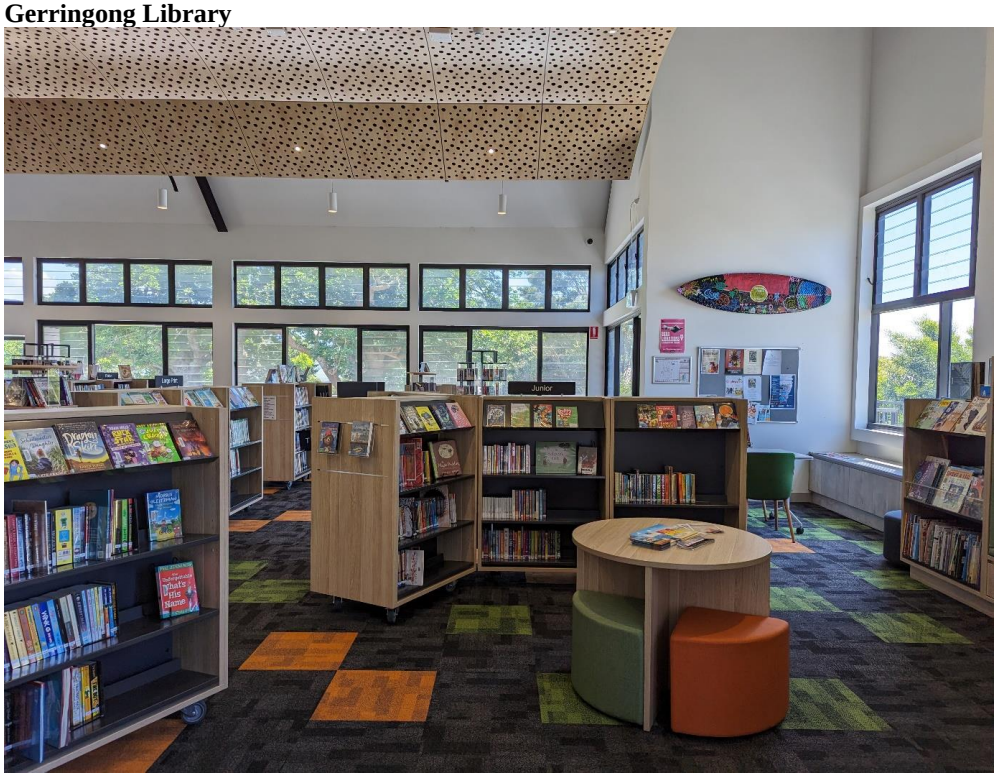
Photograph 3 Kiama Library with display stands

The location banners, shown hanging from the ceiling in photograph 3, function well both for location information and adding colour to the library. The service desk is of the larger style, and more recent library buildings are likely to have smaller, pod style desks to facilitate roving services, and to make it less intimidating for people to approach. Part of the use of the current desk is as a display space for local studies information, and brochures. These items could be displayed on custom shelving with a smaller desk. The items which are on the shelving behind the current desk would need space allocated to them for storage if the service desk size was changed. This, in part, could be a visible storage solution so that people can easily see the 3D printers in operation.

The children's space in the library is attractive and well used for programs and by families using the space. The library was observed to be a popular location for browsing, reading and extended use of the area.

There have been changes in how the Family History Centre is managed with the local studies librarian now running the centre. It is commendable that there are library staff present when the Family History Centre is open and the collection is being catalogued to the library management system.

Gerringong Library



Photograph 4 Gerringong Library

The new Gerringong Library is an attractive well used space. The windows with water views were well used at the time of the library visit. It is a colourful and welcoming space with a well displayed collection and a mix of seating styles. The floating wooden ceiling has an acoustic function, as well as referencing the pitched roof in the next door museum.

The meeting room is flexible being able to be an area with seating which extends into the rest of the library, or it can be closed so it can operate as a meeting room. This library is used as an escape room site a few times a year. This appears a significant workload for staff.



Photograph 5 Outdoor seating at Gerringong Library

This attractive outdoor area may need some shade so that it can be used for more days, as on sunny days in summer it would be little used because of the heat. Any shade provided would need to be in a way which did not impact the outlook from the library or from the seats in this space.

G6 Information and readers' advisory services
To offer information and readers' advisory services to all library customers. To ensure that these services provide customers with the information and/or reading materials that suit their requirements in an appropriate time frame. To offer education programs to support information and digital literacy, and effective use of library resources and facilities.

There were attractive displays in each of the libraries. For future displays in each of the libraries it is recommended that new titles from language collections from the State Library's collection are included. It will raise an awareness of collections available with a minimum time investment.



Photograph 6 Photograph 6 New book display at Carlingford Library

The State Library of NSW suggests including items in languages other than English in each display to be welcoming and to promote the availability of these collections to people who may not have been aware that they were looking for them. The research by Dr Jane Garner for *First language reading and the role of public libraries* highlights that it is an emotional and an important cultural experience to be able to read in your first language. As one of the people interviewed for the research stated:

> *Because it's my first language so I really – very relaxed when it come to the book, I know every word meaning, I know ever sentence's meaning, and I don't need to guess. I don't need to read the dictionary*[2].

The library staff were planning on undertaking Gale database training in January. Kiama Library attracts school and university students. Staff inductions include specific training in library resources.

[2] Garner, Jane *First language reading and the role of public libraries* https://www.sl.nsw.gov.au/public-library-services/first-language-reading February 2022 [accessed 7 December 2023]



Photograph 7 Book display with genre bundles available for loan from Kiama Library

Library staff produce book lists in print and online and provide genre bundles for loan. It is suggested that all the reading lists are checked for representation and inclusion, for example the *Cyberpunk* list only contains the names of male authors as does the classics list of *Fantasy and sci-fi*, while the *Epic sci-fi* list only includes a couple of women authors. It is suggested that some of the romance lists are updated to include non-binary and male authors.

The Anne Frank title listed on the *Historical classics* list is one of very few non-fiction titles on this list (*Walden* is possibly the only other one on the list) and should be moved to another location so that it is not accidentally thought to be fiction. For the *Literary classics* list it is suggested there is a warning of racism being present in some of the titles, an example of this would be *Gone with the wind.* The library could consider including a note that *some classics includes negative depictions and/or mistreatment of people or cultures. These stereotypes were wrong then and are wrong now. Rather than remove the content we want to acknowledge its harmful impact, learn from it and spark conversation to create a more inclusive future together*[3]. Note not all reading lists were checked.

G8 Library staffing

To ensure that the size and mix of library staff support a range of services and programs which meet the needs of the community.

Each public library must have paid qualified staff of one or more persons, including a suitably qualified library manager.

[3] This is based on the text provided by Disney for older films like *Dumbo, Peter Pan* and *Jungle Book* https://www.bbc.com/news/world-us-canada-54566087 [accessed 18 December 2023]

At 7.76 FTE, staffing levels are slightly below the recommended baseline with a suggested minimum of 8 equivalent full-time staff for the population served by Kiama and Gerringong libraries. With there being two libraries to staff it is likely that the staff numbers would need to reach enhanced (8.8 EFT) or even exemplary (10.40 EFT) as the formula for minimum number of staff does not include a calculation for more than one library. With the population served there should be staff members with special responsibilities for

- Information Technology/Library Systems (Major Duty)
- Local Studies (Major Duty).

Kiama Library service has these roles staffed. The data for professional library staff includes librarians and library technicians by roles.

Like many other libraries there have been issues with staff being sick – the libraries were always able to be open, however this was done with very few staff at times. There has been a flow on effect from the pandemic with delayed annual and other leave for staff.

With the new library in Gerringong there has been a staff restructure with both libraries having branch supervisors to oversee the day to day running of each branch. The Cultural Development Officer reports to the Library Manager and will be providing programming at the library as well.

Assistance in using the Family History Centre is provided by library staff or people can book a research session with volunteers.

This use of volunteers is of concern to the State Library of NSW. The Australian Library and Information Association (ALIA) *Statement on voluntary work in library and information services* says that the:

> Use of volunteers in library and information services for specific purposes is acceptable but must never compromise the quality of service provision, nor replace paid employment in any way.[3]

The Library Council of NSW Guideline states:

> volunteers are not used as a substitute for appropriately trained and paid library staff — their role is separate from the day to day operation of the library service, and their tasks should not include core library duties.[4]

The use of volunteers at the Family History Centre potentially replaces paid employment when they are assisting researchers with their enquiries. Other work undertaken by the volunteers appears to be in line with both the ALIA statement and the Library Council of NSW Guideline.

The services in the Family History Centre are in a time a transition as the local studies librarian runs the Family History Centre and is making changes to the ratio of work undertaken by staff and volunteers. The library manager is encouraging more staff to be involved in providing family history information. This is an excellent tactic for the library as it will increase the skills of the library staff and provide more staff who are able to assist people with their family history research.

Kiama Library is supportive of staff undertaking training. As it is a relatively small staff it is important that each person has someone else who knows about their job and an active training program ensures this happens.

G9 Collection development and management
To develop and manage a broad collection which meets the needs of the community, inspires intellectual curiosity and anticipates future need.
To provide information and reference resources, recreational reading, literacy development and education support materials. A public library collection should comprise a rich and diverse mix of content.

Access to library collections and the physical experience of interacting with them remains a fundamental role of public libraries. Recent research found that the main reason library members visit their local library (80%) is to browse and borrow collection items[4]. When libraries were closed to the public during the COVID-19 lockdown periods, the thing library members reported missing most was access to the library collection, and the ability to browse and borrow material[5]. It is important that libraries continue to fund and build collections for their communities.

Shoalhaven Library purchases much of the collection for Kiama Library. There are three meetings between staff about this each year. Kiama staff buy from their local bookshops for the fastbacks collection. DVDs are purchased by Kiama staff too. There is still strong interest from the community in DVDs. Some of the Kiama staff catalogue items. Cataloguing is seen as useful for staff skills both for adding the items and for assisting clients.

Kiama Library completed the adult fiction stock quality health check and has 61.6% of the titles on the list. The library holds about 60% of the titles by female and male authors, with lower holdings, of around 30% for titles by non-binary authors. Kiama Library held a higher percentage of titles by Australian First Nations people with 73.68% of the titles held and is to be commended for this. The holdings for culturally and linguistically diverse authors were around 60% so are close to mirroring the total percentage of titles held by Kiama from the list. The representation of LGBTQIA+ authors was lower with around 40% of the titles held. With 61.6% of the titles held, and most other categories being about 60% other than non-binary and LGBTQIA+ authors the library is showing solid work in representing a variety of perspectives in the adult fiction collection. It is suggested that the library look at non-binary authors and LGBTQIA+ authors.

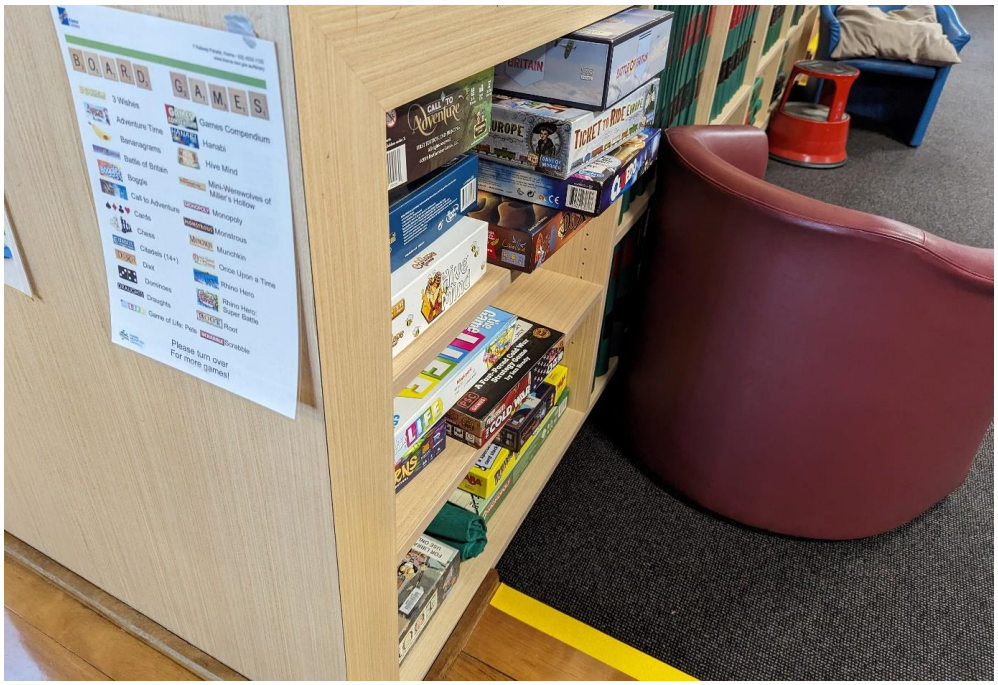
The genres that the Kiama collection did not represent as effectively were Fantasy with 48% of the titles held, Horror with 45% of the titles held, Romance with 38.57% of the titles held and Science fiction with 28% of the titles held. These were the same four genres which other libraries struggled to provide representative collections for. There are webinars on these topics, available at *Adult fiction stock quality health check genre collection information.*[6] These

[4] NSW Department of Planning and Environment *Project report: Using behavioural insights to increase access to public libraries* https://www.sl.nsw.gov.au/sites/default/files/using-behavioural-insights-to-increase-access-to-public-libraries.pdf [accessed 7 December 2023]
[5] Charles Sturt University Libraries Research Group *The importance of the physical spaces of NSW public libraries: What users miss, and why.* [accessed 7 December 2023]
[6] Adult fiction stock quality health check genre collection information https://wiki.libraries.nsw.gov.au/doku.php?id=adult_fiction_stock_quality_health_check_genre_collection_information [accessed 18 December 2023]

webinars were presented to address under representation in adult fiction in *Fantasy*, *Horror*, *Romance* and *Science fiction* in NSW public libraries and are excellent professional development for collections and readers' advisory training.

It is excellent news that that Family History Collection is being catalogued onto the library management system. This was recommended in the 2009 review of the Family History Centre. The library uses web-based Libero. Canto is used for local studies photographs and oral history recordings.

Book clubs kits available for loan. Book groups pay $100 a year for membership. This money is used to purchase titles for the book groups. There are board games for use in the library too.



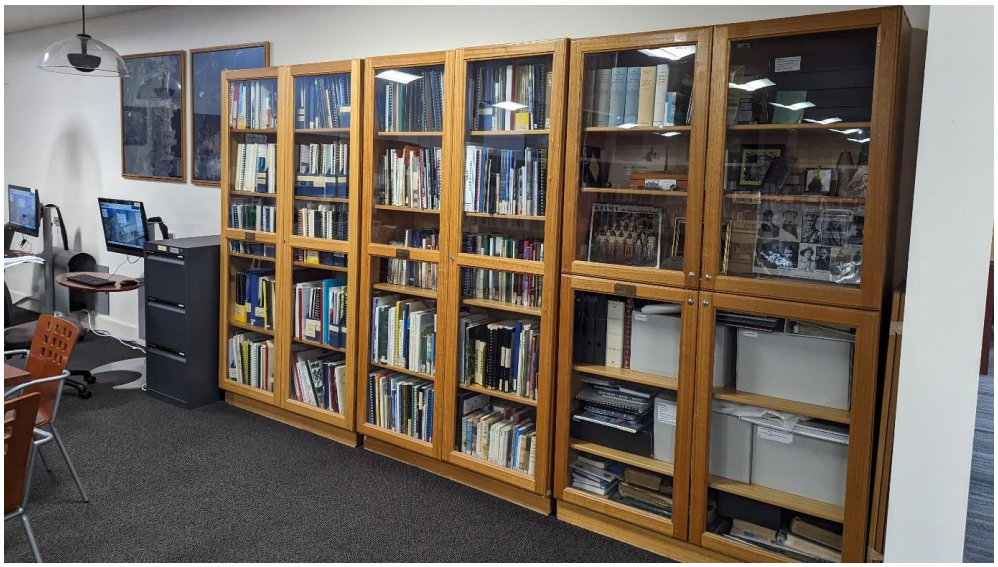
Photograph 8 Board games available for use in the library

G10. Local studies collections

To collect resources that document, illustrate and record the history and cultural heritage of the local area. To provide access to, preserve and maintain a collection that relates to the history and development of the local community.

The local studies collection receives donations by local authors as well as purchasing relevant local titles. Kiama is using Amplify to transcribe oral history recordings and participated in the recent preventative paper conservation training day.

The library is working with two local historical societies. This collaboration is working well for the library. As well as collection items in Kiama Library there is a temperature-controlled storage room underneath the library.



Photograph 9 Local studies collection at Kiama

The local studies librarian is aware of the lack of visibility of First Nations people in the local studies collection. Collecting in this area is a priority, and the local studies librarian is building relationships with First Nations people and groups.

Some of the items are uploaded to Canto by the Gerringong Historical Society. All their entries need to be approved by the local studies librarian.

The library has been undertaking the digitisation of many local records, and is to be commended for this work, including the digitisation of the council minute books for the councils which amalgamated to make up the current Kiama Shire Council area. The vertical files have been digitised for local viewing. This was undertaken by volunteers. The family history volunteers at Kiama are undertaking a range of tasks including indexing soldiers' names from the memorial wall.

Library staff are using their Scanpro microfilm reader to digitise their local newspaper from microfilm, for local access. The pages are merged in order and will be available (locally) via the catalogue.

Kiama was one of the many areas in NSW to lose a long running local newspaper when the *Kiama Independent* closed in 2020. *The bugle* and *Village whispers* are current local papers. All NSW publishers are required to deposit their publications with the State Library of NSW[7]. *The bugle* is received by the State Library of NSW under legal deposit. *Village whispers* should also be supplied on legal deposit but is yet to be provided by the publishers. State Library of NSW staff have followed up with the publisher with no success.

[7] State Library of NSW, Legal deposit https://www.sl.nsw.gov.au/research-and-collections/building-our-collections/legal-deposit [accessed 14 December 2023]

The Canto database used for the local studies collection would benefit from additional information on some catalogue records. The very brief records may be because no other information is available. At least there is the option to search by keyword on whatever information is in the catalogue. Some of the records only have a file name with no other information, for example Betty Chittick.mp3[8]. For oral history interviews it would be helpful to include at least brief information for example date of interview and the interviewee and interviewer. It may have not been included in this example record because this information is not known. An example of an oral history record to work towards can be seen in the catalogue for the National Library of Australia in *Lynne Moore interviewed by Kerreen Reiger in the Australian generations oral history project*[9].



Photograph 10 Family history centre at Kiama

For all the local studies catalogue records it is important to have accurate copyright information. Not all the records on Canto appear to have copyright statements. For an example of an out of copyright statement used by the State Library of NSW see *Kiama*[10]. This clear acknowledgement that the photograph is out of copyright makes it much easier for people to read and understand their responsibilities.

For an example of an in-copyright statement please see *Aerial photographs of Gerringong, New South Wales, 18 April 2004* / by Daryl Jones[11]. For in copyright items the State Library of NSW notes on item records under copying conditions:

> Copyright status : In copyright - Life of creator plus 70 years
> Copyright holder : State Library of New South Wales
> Research & study copies allowed

[8] Betty Chittick.mp3
https://kiamalibrary.canto.com/v/KiamaHistory/library?keyword=oral%20history&gSortingForward=false&gOrderProp=name&viewIndex=0&display=fitView&referenceTo=&from=fitView&filter=

[99] *Lynne Moore interviewed by Kerreen Reiger in the Australian generations oral history project*
https://catalogue.nla.gov.au/catalog/6290871 [accessed 12 December 2023]

[10] Hazelwood, Rex *Kiama* https://collection.sl.nsw.gov.au/record/nGmkbpyY

[11] *Aerial photographs of Gerringong, New South Wales, 18 April 2004* / by Daryl Jones
https://collection.sl.nsw.gov.au/record/16AJvPdn [accessed 12 December 2023]

Approval for publication required

It is recommended for new items added to the collection, whether older or contemporary items, that a copyright statement is included in the catalogue record so that it is clear to people using the collection while looking at the catalogue record whether an item is in or out of copyright, or even if it is available with creative commons licensing. It is an unusual decision to watermark all the photographs on Canto, even those items which are out of copyright.

The library website mentions that Kiama will accept donations for local studies. It is suggested that the *Local studies collection development policy* include a statement about collecting digital content and includes this in the statement on the website about donations. There are frequent references in the *Local studies collection development policy* to digitising material however there is no clear statement about collecting digital content. To manage digital preservation, it is better to collect digital items closer to the time of their creation.

At the start of the *Local studies collection development policy* is states that:

> The Kiama Library's Local Studies Collection collects, catalogues and preserves materials that relate to the local settlement and development of the area along with the family history of the local council area.

It is suggested that and *provides access to* is added after preserves. It may be assumed that this will happen, and at Kiama it obviously does happen, however, stating this will provide clarity. The following paragraph suggests a draft rewording, showing suggested changes with italics and strike through:

> The Kiama Library's Local Studies Collection collects, catalogues, ~~and~~ preserves and *provides access to representative* materials that relate to ~~the local settlement and development of~~ the *Kiama* area along with the family history of the local council area.

It may be helpful to have statement about representative collecting about the area. This way it will help to include communities and perspectives who may not be very visible in the local studies collection. Removing a statement about collecting a history of settlement may be more welcoming for Aboriginal people.

While a different kind of library, the State Library of NSW has a collection development policy[12] and a separate listing of contemporary collecting priorities[13]. The collection development policy has the principles of:

> *I. The Library's collection exists for the benefit of the people of New South Wales, Australia and beyond.*
> *II. The collection covers a wide range of subjects and incorporates a plurality of voices and perspectives. It will continue to do so.*

[12] State Library of NSW collection development policy https://www.sl.nsw.gov.au/sites/default/files/collection_development_policy.pdf [accessed 18 December 2023]
[13] State Library of NSW contemporary collecting priorities https://www.sl.nsw.gov.au/research-and-collections/building-our-collections/what-we-collect/contemporary-collecting-priorities [accessed 18 December 2023].

III. The Library's collection has a particular focus on material which documents New South Wales and Australia: its people, their voices, communities, cultures, and environment.
IV. Collecting reflects the variety of formats which people have used to record experiences. Wherever possible and practical, the Library collects the format closest to the original on the understanding that this best represents the content and the intention of the creator. Examples of such formats include books, magazines, journals and newspapers, manuscripts, photographs, artworks, maps, objects, sheet music, ephemera, oral history and materials in digital form.

The current contemporary collecting priorities at the State Library of NSW are:

- LGBTQI+
- Election and referendum ephemera
- Indigenous collecting including #BlackLivesMatter
- Bushfires in NSW
- COVID-19

These contemporary collecting priorities are to make sure the State Library of NSW is collecting in these areas. These priorities change every few years. Kiama Library could consider including contemporary collecting priorities to help increase the visibility of people and locations in the local studies collection.

The Kiama Library staff are photographing around the community. The local studies staff took photographs during the COVID-19 pandemic. They are not yet viewable on Canto. The library has some items from the Notebook project which was a pandemic documentation project. These are examples of representative collecting already being undertaken by the library.

The Kiama walking tour app has four local walks and continues to be updated. It includes a Charmian Clift walk with some of her stories read as part of it.

Some of the library events are recorded by Kiama Community Radio. Some of these, like the recent talk by Dr Tony Gilmore launching his book *An Aboriginal voice in housing* would be of interest for the local studies collection as well as the community radio station. The library podcasts could be considered for inclusion in the local studies collection as well. This way the library could manage digital preservation requirements.

The Cultural Development Officer is located at Kiama Library and is responsible for the Kiama Shire Council art collection. At present there is a spreadsheet with all the art and locations listed. It is planned to add these to a publicly searchable database.

G14. Services for culturally diverse communities
To meet the library needs of culturally and linguistically diverse communities (CALD)

The library relies on the Multicultural bulk loan service for items for their community. It is suggested that the library, as well as borrowing boxes of books in specific languages, borrow some display boxes of titles in a range of languages to use as part of each library display.

Benchmarking NSW public library services to multicultural communities[14] could be helpful for the library to explore to know where the services are currently placed. Not every library has to aim for exemplary in each field, rather the aim is to improve the services. This might mean moving from entry level to improving, for example.

G15 Services for Aboriginal and Torres Strait Islander Peoples
To engage and consult with local Aboriginal and Torres Strait Islander peoples and communities to ensure the library provides a welcoming and safe cultural space, services and collections, representative of their needs and aspirations.

The State Library's *Indigenous Spaces in Library Places: Building a Vibrant Public Library Network Inclusive of Indigenous Peoples and Communities*[15] provides guidance on how libraries can enhance services dedicated to the local Indigenous population even if population figures are small.

Kiama Library could consider inviting staff from the Indigenous Engagement team at the State Library of NSW to provide a workshop for staff and community in undertaking family history research for Aboriginal people[16]. It is acknowledged there is local expertise in Aboriginal family history research at Kiama Library, however, sometimes it can help community connections to have Aboriginal library staff such as those in the Indigenous Engagement team provide this training.

[14] *Benchmarking NSW public library services to multicultural communities* - these are useful for all libraries https://www.sl.nsw.gov.au/sites/default/files/multicultural-library-service-benchmarks.pdf [accessed 13 December 2023

[15] *Indigenous spaces in library places* https://www.sl.nsw.gov.au/public-library-services/services/indigenous-spaces-library-places [accessed 7 December 2023]

[16] Contact for this training is Damian Webb, Manager, Indigenous Engagement, Damien.Webb@sl.nsw.gov.au 02 9273 1484

G16. Services for people with disability

To facilitate and enable full and active participation and access to collections, services, programs, and work spaces by people with disability

The library is a dementia friendly location. They worked with an organisation from Wollongong to have an audit of the library buildings.



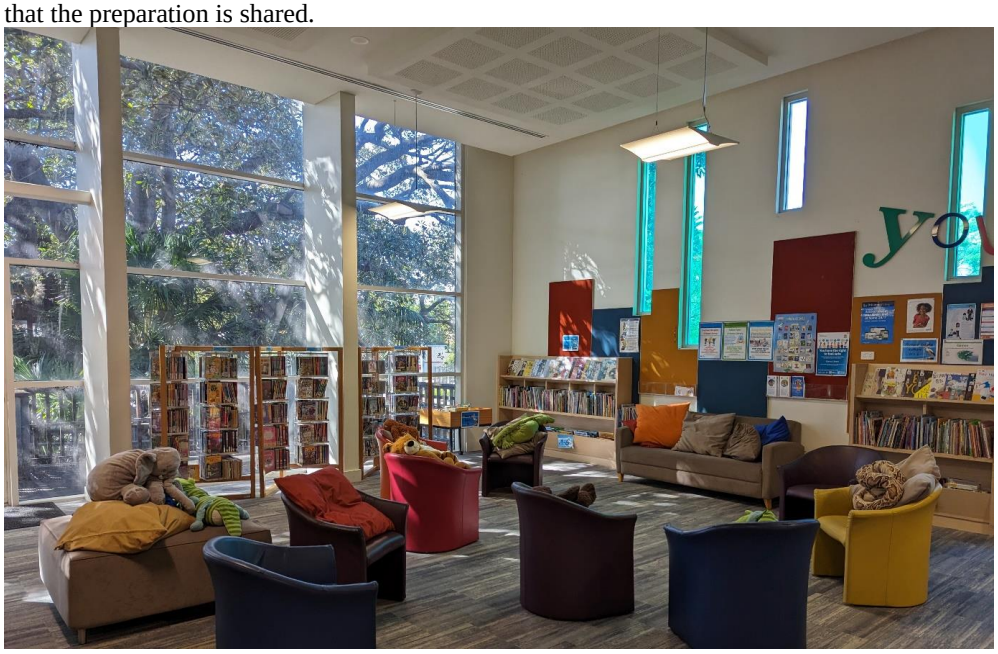
Photograph 11 Dementia resources at Kiama Library

As well as the dementia resources at Kiama Library, there are some at Gerringong Library too. There is another collection at a local aged care facility as well. The locks on the toilet doors were changes to assist people with dementia. The building audit will be updated over time. The library seeks to run dementia friendly programs.

G17. Services for young people

To provide access to materials and services which meet the identified needs of children and young people in the community.
For the purposes of this guideline and program delivery the following definitions are used:
● *children (0–12 years)*
● *young adults (13–18 years)*

The library provides preschool story time (3 – 5 year olds), toddler time (1 – 3 year olds) and baby rhyme time (0 – 12 months old) for their community. Note the ages for these programs are indicative. These three programs run in Kiama; Gerringong will be introducing baby rhyme time this year so both sets of programs will be available at both libraries. Preschool story time runs weekly, with toddler time and baby rhyme time running on alternate weeks. Bookings are required. Bookings open one session at a time after the previous session has finished. The staff at Kiama and Gerringong produce five themed story times a term each and swap the kits so that the preparation is shared.



Photograph 12 Children's area at Kiama

The library works with local organisations for story time information for example a local fire truck visited providing information about fire safety, surf life savers visited providing information on water safety and a council officer visited providing information about composting. The South East Zone children's group is active and meet two or three times a year with a focus on school holiday activities and book awards.

The library provides school holiday activities for children, these are generally run by library staff. This is usually two programs per library per week of school holidays. These run both at Kiama and Gerringong libraries.

There are some very large events which target young people (some of which are open to the wider community as well). This includes the escape rooms run by the library.

During the pandemic the staff looked at programs to combat youth suicide for example a 'chalk your walk' which was affirmations written on footpaths. There are staff 'fortune tellers' at youth events, care packs for HSC students with information and treats as well as youth band nights at the library.



Photograph 13 Seating for children at Gerringong Library

As well as literacy and pre-literacy sessions for children there is an adult literacy collection. The community college provides literacy training for adults.

G18. Services for older people
To ensure that older members of the community can access and use library collections, services and programs.

This is addressed under G 16 and G 19.

G19. Home library services
To provide access to library information and resources for those community members who are unable to physically access their local library for any reason.

The pandemic led to an increase in the number of people who are receiving home library services. In planning for people potentially moving onto home library services the library staff would like to start training people earlier in their use of technology so that there is more potential for ebooks and other uses of technology for home library services. This would mean that people have the skills they need before it becomes harder to learn new things. The community college underneath the library provides the equivalent of tech savvy training.

The current home library service has around 62 people who receive deliveries. While the number of people varies slightly it is always around the 60 people range. The work is managed

by a library staff member, with a couple of volunteers who deliver the items to the readers. Most of the people are on monthly deliveries of items. People in nursing homes receive new items fortnightly. All items are selected for individual readers. There are no bulk loans. The criteria for access to home delivery is not being able to get to the library. Some of the people receiving deliveries reserve their own items, and these are delivered to them.

There are home library service brochures. This service is not promoted on social media. Quite a few people receiving home library services were already library members, and changed their membership over when they became less mobile. When people join the service there is a readers' advisory interview to determine their reading preferences and interests.



Photograph 14 Home library services bundles ready for delivery

G5. Marketing and promotion

To ensure that all members of the community are made aware of library services and programs. To facilitate easy access to library facilities, services and programs for all members of the community.

The library uses in-library promotion and email newsletters as well as Facebook and Instagram to highlight programs, staff, collections and services. The inclusion most weeks of #ThrowbackThursday on Instagram and Facebook are helpful ways to show local studies photographs, sometimes bringing together photographs of different eras. The profiles of staff are appealing and a helpful way to connect the community with their library staff. The Instagram account provides both promotions of events as well as the outcomes for some of them. Good to see the inclusion of promotions of specific titles (for example through #BookfaceFriday), book club kits and seasonal titles. Some of the library social media posts are shared by the council social media and the library shares some of the council posts too. Sometimes the library stories are picked up and shared by ABC Illawarra.

In the libraries there are fliers for events. The website and social media are used to promote events and programs.

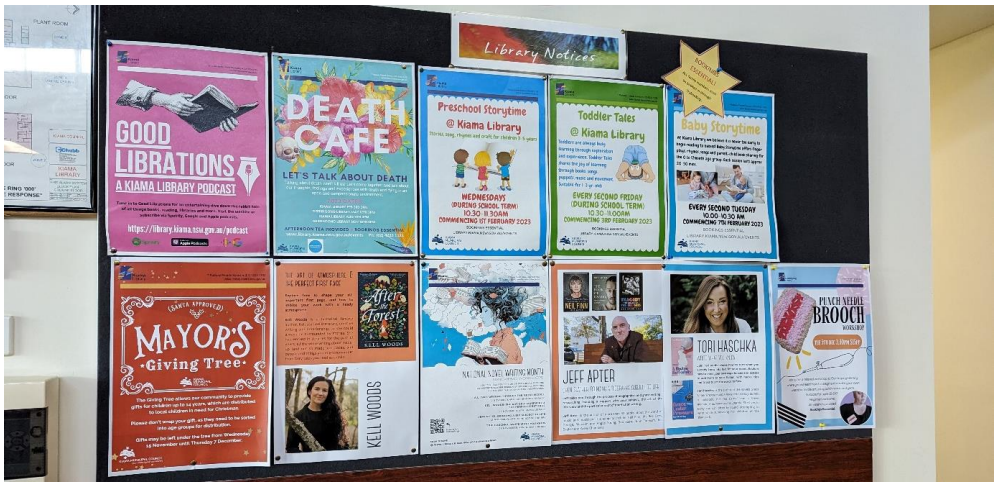
The library has reciprocal members, often as part of summer visits. The library has a practice of holding onto the membership card for any reciprocal borrowers, returning the card when the items are returned. This decision would fit under local libraries setting rules.

G20. Programs

To provide the community with a range of activities related to library services and collections that enrich the lives of community members who choose to attend. A library program is an ongoing series or sequence of activities provided by library staff or library staff in partnership with other community or business organisations and usually related to a particular library service, library collection or population demographic. Library programs are usually delivered in library buildings but can be conducted in other community spaces, e.g. schools; senior citizen centres.

Kiama Library provides a wide range of programs for their community. Many of the programs provided for the community are because of partnerships, or approaches from the community. This includes the regular Death Café talks, and the knitters' groups. As well as events in the libraries, library staff including the Library Manager provide talks for local organisations and events.

The library staff stated that programs book quickly for school holidays and they open the bookings close to the time of the events. The library sometimes repeats programs which have booked out quickly. The library finds that most people who book turn up for the programs. There is a small charge for school holiday programs and reminders are sent to people who have booked.



Photograph 15 Programs and events at Kiama Library

The library staff are involved in outreach for example working with local food trucks at youth outreach events, running storytime at childcare centres, and library promotion at farmers markets.

There are a small number of large-scale events which are run by library staff each year. A recent example of this is the Bridgerton High Tea at Gerringong Library, which as well as being an afternoon tea for 60 people was also a tabletop mystery game. These events require significant staff time for planning, preparing, rearranging the library and running. Some staff are so keen that some of the planning and preparation is undertaken out of work time. The escape rooms are also large-scale productions. The storage room at Gerringong is vital for the escape room props which can be large.



Photograph 16 Event promotions at Gerringong Library

There is an annual Diagon Alley event at Gerringong Library – the most recent one saw over 1000 people visit the library. This has broad age appeal and provides a space for young people to sell what they have made.

The library owns two 3D printers. They are mostly at Kiama; however, one can be at Gerringong from time to time. Some of the 3D printing is part of programs for example CAD, people can send files for their items to be printed, and the printers are used to print items for the escape rooms. Staff commented that people like seeing the 3D printers in use. 3D printers – programs and print on demand (for fee).

The library partners with the cultural development officer for some of their events.



Photograph 17 Novel writing months display and promotion of programs at Gerringong Library

The novel writing month promotion is used to highlight local South Coast authors with displays and programs. There were large displays in both Kiama and Gerringong. The Gerringong display can be seen in photograph 17.

While some programs are booked out, for others there is lower attendance. Library staff note that it is more often older people who are less visible at library programs.

The programs already run by the library are popular, however it is helpful to look at this from another perspective. There are about 50% of the community who do not use the library and are not members, so it may be helpful to find out from these people the programs (as well as the collections and services) which may bring them into the libraries. The challenge would be the staff time to implement new programs. The library staff appear to be at capacity with what they can do in terms of programs, already undertaking some preparation (voluntarily) in their own time. The programs being run are either suggested by staff based on their interests, the Bridgeton High Tea and annual Diagon Alley are an example of this, or by community partnerships, with the Death Café series an example of this.

The challenge is to obtain different perspectives on programs. It may help to look at who is not visible in the participants in the programs at the libraries. Is it First Nations people, people with disability, or people who are culturally and linguistically diverse? Perhaps it is more of an economic lack of visibility which is likely harder to ascertain. Kiama Council, from the 2021 Census, has a higher median weekly income (for personal, family and household) than both NSW and Australia as well as than for its neighbours Shoalhaven City Council, Shellharbour

Council, and Wingecaribee Shire Council. It may be that some programs need to go out, to help reach people who are not yet using the libraries. This would need to be done with an attitude of equity and exploration.

Follow up required	**Follow up done**
BIU report	https://www.sl.nsw.gov.au/public-library-services/advice-and-best-practice/research-projects/using-behavioural-insights
CSU research reports	https://www.sl.nsw.gov.au/public-library-services/research-projects

16 REPORT OF THE DIRECTOR INFRASTRUCTURE AND LIVEABILITY

16.1 Potential changes to Kiama Local Traffic Committee meetings

CSP Objective: Outcome 11: We are well connected within our local community, and to our region

CSP Strategy: 11.1 Actively plan how we travel and create safe travel routes whether we are walking, cycling, driving or accessing public transport

Delivery Program: 11.1.2 Implement road safety and traffic management programs and responsibilities

Summary

Cr Mark Croxford has requested the consideration of making the Kiama Local Traffic Committee (LTC) meetings open to the public and being livestreamed.

Financial implication

The current provider has advised an additional 10 meetings per year, can be supported within the existing service agreement without an additional servicing fee if book marking individual items is not required.

The additional costs are estimated to be approximately $100 per meeting for setting and managing the system, or approximately $1,000 p.a.

Risk implication

Potential misunderstanding of Council authorities and decision-making processes as the Local Traffic Committee is not a decision making authority.

Policy

The Kiama LTC is currently managed under:

i. Roads and Maritime Services - Delegation to Councils - Regulation of Traffic*.

ii. Transport Administration Act 1988.

iii. Road Transport Act 2013.

iv. Roads Act 1993.

v. Kiama Local Traffic Committee – Terms of Reference.

** Noting that Clause 6 was revoked in late 2023.*

Consultation (internal)

Staff attendees were consulted on attending a livestreamed meeting.

Communication/Community engagement

External members of the LTC were consulted on the proposed changes.

The Committee members at the meeting of 2 April 2024 expressed the view that:

1. Livestreaming of the meeting was not supported as it was likely that the review and endorsement process would be misunderstood with resulting confusion about Council's decisions.
2. In line with current provisions, the public could attend to provide their views on specific items being considered.

Attachments

1 Delegations to Councils - Transport for NSW traffic management 2011⇩

2 A Guide to the Delegation to Councils for the Regulation of Traffic (including the operation of Traffic Committees) - Guidelines - 2009 {as ammended}⇩

3 Correspondence Cr Croxford requesting consideration of changes to operations of the Traffic Committee⇩

4 Kiama Local Traffic Committee - Terms of Reference⇩

Enclosures
Nil

RECOMMENDATION

That Council continues with the operation of the Local Traffic Committee in accordance with current Guidelines and Terms of Reference.

Background

Cr Croxford's request is attached in full. In summary the request is:

1. Making the LTC meetings public.
2. Livestream the LTC's considerations and decisions.

In order to:

i. Enhance the transparency and community engagement of Kiama Council's operations, particularly concerning our Traffic Committee meeting.

ii. Enhance transparency regarding the importance of these meetings in shaping our local transport policies and infrastructure decisions.

iii. Improving accountability and understanding of better community understanding of the decision-making processes and the considerations involved in traffic-related matters.

Delegations to Council under Legislation

Council, as a Roads Authority under the Roads Act 1993, is delegated, see attachment 1, by Roads & Maritime Services (RMS) {now Transport for NSW (TfNSW)} to exercise the functions of RMS under:

1. Division 2 of Part 8 (Regulation of traffic by roads authorities) of the Roads Act 1993.

2. Division 1 of Part 4 (Traffic control devices) of the Road Transport (Safety & Traffic Management) Act 1999.
3. Division 2 of Part 5 (Special event parking schemes) of the Road Transport (Safety & Traffic Management) Regulation 1999.

Noting that the specifically referenced Acts can be replaced or modified by other Acts such as the Road Transport Act 2013 and the Road Rules 2014.

The application of these delegations is limited by Schedule 4 of the delegation, that includes the requirements that:

7. A council or its sub-delegate must not exercise a function until that have notified the Commissioner of Police and RMS of any decision taken to exercise a function expect where.
    a. the advice of the Local Traffic Committee is unanimous; and
    b. the council or its sub-delegate propose to follow such advice.

The effect of this delegation and limitations are that if Council proposes to:

i. To regulate traffic (implement a traffic management plan) under the Roads Act for something other than for undertaking road works, or,

ii. Implement a traffic control facility*.

It must seek the advice of the Local Traffic Committee and gain unanimous endorsement, or directly engage with the NSW Police and TfNSW:

***** Where **"**Traffic control facilities" means

a. Traffic control lights and equipment used in connection with traffic control lights; or

b. Any sign, marking, structure or device containing or relating to a requirement or direction, contravention of which is an offence arising under:
    i. the Transport Administration Act, 1988 or the regulations; or
    ii. (ii) any other Act, regulation or by-law prescribed for the purposes of Section 45E of the Transport Administration Act, 1988; or

c. Any sign, marking, structure or device that is intended to promote safe and orderly traffic movement on roads or road related areas or to warn, advise or inform the drivers of vehicles or pedestrians of any matter or thing in relation to vehicular or pedestrian traffic or road conditions or hazards; or

d. Any bridge or subway or other facility for use by pedestrians over, across, under or alongside a road or road related area; or

e. Any other thing prescribed as a traffic control facility by the Regulations under the Transport Administration Act, 1988.

Operations of Local Traffic Committee

The LTC has no decision-making powers.

The formation of a LTC is not required under the legislation; however, if Council chooses to use an LTC to consider traffic matters to expediently apply its delegations

and garner wider technical advice, it must comply with limits of the delegation and the Guidelines that support the legislation.

Kiama Council utilises its LTC in accordance with the enabling legislation and *A Guide to the Delegation to Councils for the Regulation of Traffic (including the operation of Traffic Committees) - Guidelines - 2009* and supported by the *Kiama Local Traffic Committee - Terms of Reference*, see attachments 2 and 4.

The LTC is primarily a technical review committee, which to advise the Council on matters referred to it by Council i.e. all matters on the agenda are Council's proposals. These matters must be related to prescribed traffic control devices and traffic control facilities for which Council has delegated authority or proposed traffic management plans for a non-road works activity e.g. and event. The LTC considers the technical merits of the proposal and ensures that the proposal meets current technical guidelines.

The LTC does not deal with strategic planning matters for managing Council's road network or the general construction or changes to road assets. It only considers the technical merits of Council's proposals for traffic facilities that may be in isolation e.g. a No Parking zone, Bus Zone or the implementation of a road Load Limit; or as a part of a larger upgrade e.g. the regulatory signage and line marking for a new turning bay or on road parking arrangements.

As Council does not have delegation for some traffic management options e.g. permanent change to speed limits as a part of a local area traffic management plan or the implementation of traffic signals; the LTC may be requested to provide "engineering advice" as part of engaging with TfNSW for their approval of a un-delegated change.

The TfNSW Guidelines note that it remains the responsibility of Council to determine the merits of any proposal from a public perspective, not the Committee. Nonetheless, the LTC can agree for members of the public to attend and address the committee, limited by any constraints that the Committee feels is appropriate.

Members of the public and external parties requesting approval from council e.g. event organisers, have been invited to attend LTC site inspections to explore proposals or issues. Event organisers have been invited to attend LTC meetings to resolve traffic management plan concerns for their event. When attending an LTC meeting invitees are usually invited on the basis that they attend for their item of interest only.

It needs to be noted that as the LTC does not have any delegations for approval or decision, the support or endorsement of the LTC at a meeting does not imply any approval. Council must still make its decision, taking into account the advice of the LTC, where it can only:

1. Accept report items as recommended;
2. Decline to accept the recommendations (and either not progress with the proposal or seek an alternative approval route).
3. Request the LTC to reconsider the report.

ROADS AND MARITIME SERVICES

DELEGATION TO COUNCILS

REGULATION OF TRAFFIC

TRANSPORT ADMINISTRATION ACT

DELEGATION - SECTION 50

I, **PETER DUNCAN**, Chief Executive of Roads and Maritime Services ("RMS") pursuant to Section 50 of the *Transport Administration Act 1988* and all other enabling powers delegated by instruments of delegation to councils dated 23 February 2009 ("the delegation") HEREBY REVOKES the delegation and DELEGATES to the councils constituted under the *Local Government Act 1993* listed in Schedule 1 and Schedule 2 respectively ("delegates") the functions of RMS set out in Schedule 3 ("the functions") subject to the limitations set out in Schedule 4 and authorises delegates to sub-delegate the functions to the persons in Schedule 5 ("sub-delegates") subject to the limitations in Schedule 4.

Dated this 31 day of October 2011.

The SEAL of ROADS AND MARITIME SERVICES was hereunto affixed in the presence of:) **L. S.**

SIGNED

ROADS AND MARITIME SERVICES THE SEAL

Peter Duncan
Chief Executive
Roads and Maritime Services

SCHEDULE 1

(Delegates)

The Council of the Municipality of Ashfield
Auburn Council
Bankstown City Council
The Council of the Shire of Baulkham Hills
Blacktown City Council
Blue Mountains City Council
The Council of the City of Botany Bay
Burwood Council
Camden Council
Campbelltown City Council
City of Canada Bay Council
Canterbury City Council
Fairfield City Council
Hawkesbury City Council
Holroyd City Council
The Council of the Shire of Hornsby
The Council of the Municipality of Hunters Hill
Hurstville City Council
Kogarah Municipal Council
Ku-ring-gai Council
Lane Cove Council
Leichhardt Municipal Council
Liverpool City Council
Manly Council
Marrickville Council
Mosman Municipal Council
North Sydney Council
Parramatta City Council
Penrith City Council
Pittwater Council
Randwick City Council
Rockdale City Council
Ryde City Council
Strathfield Municipal Council
Sutherland Shire Council
The City of Sydney
Warringah Council
Waverley Council
Willoughby City Council
Woollahra Municipal Council

SCHEDULE 2

(Delegates)

A council other than those listed in Schedule 1 constituted under the *Local Government Act 1993*

SCHEDULE 3

(Functions)

The exercise of all the functions of RMS under:

1 Division 2 of Part 8 (Regulation of traffic by roads authorities) of the *Roads Act 1993.*

2 Division 1 of Part 4 (Traffic control devices) of the *Road Transport (Safety and Traffic Management) Act 1999.*

3 Division 2 of Part 5 (Special event parking schemes) of the *Road Transport (Safety and Traffic Management) Regulation 1999.*

SCHEDULE 4

(Limitations)

1. A council and its sub-delegate must not exercise a function:

   (1) Outside the area constituted under the *Local Government Act 1993* for which council is the council, or

   (2) On a road classified as a Freeway, Controlled Access Road, Tollway, Transitway or those roads classified under the *Roads Act 1993,* which are indicated as State Roads in the *Schedule of Classified Roads and State and Regional Roads* published on the RMS internet website (except where exercising a function in respect of portable traffic control light signals).

2. A council and its sub-delegate may only exercise a function in respect of any prescribed traffic control device (defined in clause 131 of the *Road Transport (Safety and Traffic Management) Regulation 1999* for the purposes of section 50 of the *Road Transport (Safety and Traffic Management) Act 1999*) being –

   (1) any prescribed traffic control device contained in RMS's *Traffic Signs Database* located on its internet website and indicated as *"Delegated to Council for Authorisation – Yes"*, and

   (2) any portable traffic control lights,

   and under no circumstances, that is, despite (1) above, will a council or its sub-delegate be permitted to exercise a function in respect of any internally illuminated traffic control device.

3. A council and its sub-delegate must not exercise a function in respect of the following signs:

   - Permissive parking signs
   - No Parking signs
   - No Stopping signs

   on any public road or road or road related area (or any part thereof), which falls within a 1 km radius of any train station listed in RMS's document published on its internet website, titled *Schedule of Nominated Train Stations,* and which has current unrestricted parking, without the approval of RMS.

4. (1) A council listed in Schedule 1 and its sub-delegate must not exercise a function in respect of the following activities including the referral of the matter to the Local Traffic Committee until a Traffic Management Plan, which must include an assessment of the impact of the exercise of the function and proposed measures to ameliorate such impact, has been approved by RMS:

(a) The prohibition of the passage of traffic on a public road or road or road related area to any one or more of the following classes of traffic:

- pedestrians
- vehicles
- motor vehicles

by physical means or regulatory signs (whether a prescribed traffic control device or otherwise) or both;

(b) the installation or display of the following traffic control signs on roads or road related areas:

- No Right Turn
- No Left Turn
- No Entry
- No Turns
- Left Turn Only
- Right Turn Only
- No Trucks
- No Buses
- No Pedestrians

or the installation or display of any other sign or road marking prohibiting or compelling a turning movement;

(c) changing a two-way street into a one-way street or reversing the direction of a one-way street;

(d) the construction of a median strip including a painted island which prevents a turn by a vehicle at the intersection of public roads or roads or road related areas;

(e) reduction in the number of traffic lanes on a public road or road or road related area by physical means or regulatory signs (whether a prescribed traffic control device or otherwise) or both.

(2) A Traffic Management Plan is not required if council certifies to RMS in writing that a No Trucks or No Buses traffic control sign is to be erected solely for the purpose of protecting a road from damage by the passage of motor vehicles.

5. A council and its sub-delegate must not exercise a function in respect of portable traffic control light signals unless:

   (1) the signals are used in connection with the carrying out of road work on public roads as authorised by the *Roads Act 1993*; and

   (2) no fixed equipment or fixed cables are used.

6. A sub-delegate must not exercise a function in respect of Division 2 of Part 8 (Regulation of Traffic by Roads Authorities) of the *Roads Act 1993*.

7. A council or its sub-delegate must not exercise a function until they have notified the Commissioner of Police and RMS of any decision taken to exercise a function except where:

   (1) the advice of the Local Traffic Committee is unanimous; and

   (2) the council or its sub-delegate propose to follow such advice.

8. Where a council or its sub-delegate has notified or should have notified the Commissioner of Police and RMS of a decision to exercise a function, the council or its sub-delegate must not exercise a function for a period of fourteen (14) days from the date of notification.

9. Where an appeal has been made to the Chairperson of a Regional Traffic Committee in respect of a decision taken by a council or its sub-delegate to exercise a function, a council or its sub-delegate must not exercise the function until the Chairperson of the Regional Traffic Committee determines the appeal.

10. Where the Chairperson of the Regional Traffic Committee has determined an appeal, the council and its sub-delegate must not exercise the function in respect of which an appeal has been made, otherwise than in accordance with the determination of the Chairperson.

11. Before installing or displaying a prescribed traffic control device, a council and its sub-delegate must authorise installation or display (or interference with, alteration or removal) of the device in writing in accordance with section 51 of the *Road Transport (Safety and Traffic Management) Act 1999*.

12. A council or its sub-delegate shall keep a record of installation, display, alteration or removal of a traffic control device. Such a record must include the following:

    - Type and location of the traffic control device;
    - Time and date of completion of installation, display, alteration or removal of the traffic control device.

13. Where a council or its sub-delegate wishes to exercise a function in respect to a "Roadwork Speed Limit" traffic sign (Speed Series (R4) Sign No. R4-212 contained in RMS's *Traffic Signs Database* located on its internet website, the following conditions apply:

(1) When the installation period of a 'Roadwork Speed Limit' sign is to be for 6 working days or less:
   a) authorisation of the use of the 'Roadwork Speed Limit' sign must be carried out by council or a sub-delegate who holds a current Traffic Control at Worksites certificate issued by RMS; and
   b) the nearest office of RMS is to be notified in writing of Council's intention to implement a roadwork speed limit prior to works commencing; and
   c) the nearest Police Station is to be notified in writing of Council's intention to implement a roadwork speed limit prior to works commencing.

(2) When the installation period of a 'Roadwork Speed Limit' sign is to be for more than 6 working days:
   a) authorisation of the use of the 'Roadwork Speed Limit' sign must be carried out by council or a sub-delegate who holds a current Traffic Control at Worksites Certificate issued by RMS, and
   b) the nearest office of RMS is to be notified in writing of Council's intention to implement a roadwork speed limit 7 days prior to works commencing; and
   c) the nearest Police Station is to be notified in writing of Council's intention to implement a roadwork speed limit 7 days prior to works commencing.

(3) The need for a 'Roadwork Speed Limit' sign shall be determined in accordance with the document, "*Traffic Control at Worksites*" Version 3.1 dated April 2006 (RTA Publication No 03.290) issued by the former Roads & Traffic Authority of NSW;

(4) 'Roadwork Speed Limit' signs shall be installed in accordance with the "*Traffic Control at Worksites*" document (as already referred to);

(5) Records maintained by a council and its sub-delegate in respect to a 'Roadwork Speed Limit' sign must include:

   a) council's or its sub-delegate's written authorisation of the installation [The sub-delegate's Traffic Control at Worksites Certificate number must be shown.],
   b) the location,
   c) the installation time and date, and
   d) the removal time and date.

(6) The 'Roadwork Speed Limit' sign is to be removed as soon as practicable after the road works have been completed.

14. A council and its sub-delegate must not exercise a function in respect to any of the roads within Sydney Olympic Park including the roads that are coloured mauve on the drawing marked "Sydney Olympic Park Authority, Sydney Olympic Park, Drawing Number HS-J-L-006" dated 29 May 2001 and deposited in the Office of the Sydney Olympic Park Authority (being all the roads referred to in section 41 of the *Sydney Olympic Park Authority Act 2001*).

SCHEDULE 5

(Sub-delegates)

1 A councillor.

2 The general manager.

3 An employee of the council.

A guide to the delegation to councils for the regulation of traffic

Including the operation of Traffic Committees



[Inside front cover
– provided for double sided printing purposes only]

A Guide to the Delegation to Councils for the Regulation of Traffic

(including the operation of Traffic Committees)

Roads and Traffic Authority
www.nsw.rta.gov.au

VERSION: 1.3
ISSUED: March 2009

APPROVED BY:

SIGNED

Phil Margison
General Manager
Traffic Management

AUTHORISED FOR USE BY:

SIGNED

Michael Bushby
Director
Network Management

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Amendment record

Please note that the following updates have been made to this document.

Version Number	Page(s)	Description	Issued
1.1	8-11	Sections 5.3, 5.3.2, 5.3.4 & 5.3.5 amended to introduce optional public galleries	December 2007
1.2	Various	Hyperlink to Council Delegation Reference document updated	February 2009
1.3	Various	Sections 1.0, 2.0, 3.1, 5.1, 7.1, 7.2 & Flowcharts amended to reflect release of a new Delegation	March 2009

1. Introduction

The Roads and Traffic Authority is legislated as the organisation responsible for the control of traffic on all roads in New South Wales. Traffic is controlled by the installation of prescribed traffic control devices, such as regulatory signs, or traffic control facilities, such as medians.

New South Wales has many roads, which range from freeways to local streets. All these roads require the control of traffic. The RTA believes that the most effective means of dealing with the number and range of traffic related matters, particularly those which arise on regional and local roads, is to deal with them at the local level. The RTA has therefore delegated certain aspects of the control of traffic on regional and local roads to the Councils of Local Government areas.

The RTA continues to manage NSW's State road network. However, local government continues to also play an important role in the management of this road network by providing traffic input and advice when necessary.

These guidelines provide the policy and framework for Councils to exercise the traffic functions delegated to them by the RTA. They outline the delegated functions, the limitations that apply to Councils when exercising their delegated functions, the responsibilities of the various parties involved in the process, and the roles of the local and regional traffic committees.

Note: These guidelines do not cover B-double route approvals as they are the subject of a separate delegation.

These guidelines have been prepared by the RTA:

(i) in accordance with current NSW legislation; and

(ii) in consultation with RTA's Legal Branch, the NSW Police, LGSA, and representatives from a number of metropolitan Councils.

It is important to note that the legislative power to control traffic through the authorisation of traffic control devices, lies with the RTA and the delegation of this power does not remove the RTA's ability to exercise those delegated functions should circumstances warrant action.

2. Definitions and abbreviations

classified road – any of the following: a main road, a State highway, a freeway, a controlled access road, a secondary road, a tourist road, a tollway, a State work. See *Roads Act 1993*, *Part 5* for further details.

Council – the council of a local government area and includes an Administrator.

Delegation – *'Delegation to Councils – Regulation of Traffic' document.*

LGSA – Local Government Association of NSW and the Shires Association of NSW.

LTC – Local Traffic Committee.

prescribed traffic control device - a sign, signal, marking, structure or other device to direct or warn traffic on a road or road related area (or part of a road or road related area) that is prescribed by the regulations for the purposes of this definition.

regulate traffic – for the purposes of the *Roads Act* means to restrict or prohibit the passage along a road of persons, vehicles or animals.

Roads Act – *Roads Act 1993.*

roads and road related areas – have the same meaning as in *ARR Rules 12 and 13*. Each reference to a road includes reference to a road–related area unless otherwise expressly stated.

Regional Road – a road shown to be a Regional road in the RTA's *Schedule of Classified Roads and State and Regional Roads*.

RR – NSW Road Rules 2008.

RTA – Roads and Traffic Authority, NSW.

RTC – Regional Traffic Committee.

State Road – a road declared to be a State Road under the *Roads Act 1993* and documented in the RTA's *Schedule of Classified Roads and State and Regional Roads*.

STMA – *Road Transport (Safety and Traffic Management) Act 1999.*

STMR – *Road Transport (Safety and Traffic Management) Regulation 1999.*

Sub-delegate – any Councillor, the General Manager or an employee of the Council who has been formally delegated by the Council.

TMP – Traffic Management Plan.

Traffic control facility – means:

(a) traffic control lights and equipment used in connection with traffic control lights; or

(b) any sign, marking, structure or device containing or relating to a requirement or direction, contravention of which is an offence arising under:
   (i) the *Transport Administration Act, 1988* or the regulations; or
   (ii) any other Act, regulation or by-law prescribed for the purposes of Section 45E of the *Transport Administration Act, 1988*; or

(c) any sign, marking, structure or device that is intended to promote safe and orderly traffic movement on roads or road related areas or to warn, advise or inform the drivers of vehicles or pedestrians of any matter or thing in relation to vehicular or pedestrian traffic or road conditions or hazards; or

(d) any bridge or subway or other facility for use by pedestrians over, across, under or alongside a road or road related area; or

(e) any other thing prescribed as a traffic control facility by the Regulations under the *Transport Administration Act, 1988*.

3. Delegation of functions

Traffic control facilities and prescribed traffic control devices may be authorised for use on a road or road related area, whether a public road or on private land, only by the RTA or Councils. In addition, traffic may be regulated for various purposes by means of notices or barriers erected by a roads authority.

The *Transport Administration Act, 1988* confers the following powers to the RTA:

- to exercise the functions relating to safety and traffic management set out in Section 52A;
- to delegate its functions to other public agencies such as councils (Section 50);
- to give directions to public authorities in relation to RTA functions under Part 6 (Section 53A).

The *Road Transport (Safety & Traffic Management) Act, 1999* provides for a system of traffic laws relating to all vehicles (motorised and non-motorised) and pedestrians found in subordinate legislation made under the Act. Principally, these are:

- *Road Transport (Safety and Traffic Management) Regulation 1999*; and
- *Road Rules 2008*.

Part 8 (Sections 114 to 124) of the *Roads Act, 1993* deals with the regulation of traffic on public roads by erecting notices or barriers or taking any other action which may be necessary in order to manage traffic. The reference to regulating traffic in Part 8 should not be confused with the authorisation of prescribed traffic control devices under Division 1 of Part 4 (Sections 50 to 55) of the *Road Transport (Safety and Traffic Management) Act, 1999*. For the purposes of Part 8, regulating traffic includes such things as implementing road closures and other physical restrictions. Road closures effected by this part of the legislation remain as public roads after the road closure.

Note: Road closures effected under Part 4 of the *Roads Act, 1993* do not remain as a public road.

A Council can regulate traffic for the specific reasons set out in Division 1 of Part 8 (Section 115) of the *Roads Act, 1993* such as carrying out work on a road, etc. whereas the RTA can regulate traffic for any purpose.

If a Council wishes to regulate traffic for purposes other than those specified in Division 1 of Part 8 (Section 115) of the *Roads Act, 1993,* (e.g. for amenity reasons) it must seek the advice of its Local Traffic Committee. The procedures for regulating traffic covering road closures, traffic calming, etc. are detailed in Division 2 of Part 8 (Sections 116 to 119) of the *Roads Act, 1993*.

The delegation of these functions is carried out by the RTA, issuing Councils the RTA document, *Delegation to Councils – Regulation of Traffic*.

The functions delegated to Council in the *Delegation* are:

1. authorisation of prescribed traffic control devices covered under Division 1 of Part 4 (Sections 50 to 55) of the *STMA*.;
2. regulation of traffic under Division 2 of Part 8 (Sections 116 to 119) of the *Roads Act*.;
3. authorisation of special event parking schemes under Division 2 of Part 5 (Clauses 122 and 123) of the *STMR* on public roads other than classified roads.

The Council may sub-delegate their powers to Councillors, the General Manager or an employee of the Council for Items 1 and 3 above.

The Council **may not** sub-delegate Item 2.

Note: There is a separate delegation for B-double route approvals.

3.1 Limitations

The exercise of functions delegated to Council is subject to a number of conditions or limitations as documented in Schedule 4 (Limitations) of the *Delegation*.

Councils:

- are only permitted to authorise the implementation of certain traffic control facilities / prescribed traffic control devices on roads and road related areas within their area of operations. Council cannot exercise a function on a State Road as defined in the RTA document *Schedule of Classified Roads and State and Regional Roads*.
- may only authorise prescribed traffic control devices as nominated in the RTA's online *Traffic Signs Database* indicated as *"Delegated to Council for Authorisation – Yes"*.
- listed in Schedule 1 of the *Delegation*, must not exercise delegated functions listed in Schedule 4 of the *Delegation* including referral of issues for formal advice until a TMP has been assessed by the RTA. Refer to Section 3.1.1 TRAFFIC MANAGEMENT PLANS.
- must not exercise a function in respect of the following signs:

  Permissive parking signs
  No Parking signs
  No Stopping signs

  on any public road or road or road related area (or any part thereof), which falls within a 1 km radius of any train station listed in the RTA's document *Nominated Train Stations with Commuter Parking*, and which has current unrestricted parking, without the approval of the RTA.
- are not empowered to authorise traffic control lights.
- are not empowered to interfere with traffic control lights, including the addition of any signs.



- may authorise portable traffic control lights for roadworks, see RTA's document, *Portable Traffic Signals Guide to Use.*
- cannot authorise an internally illuminated traffic control device.
- must obtain the advice of the NSW Police and the RTA prior to exercising their delegated powers.
- must establish an LTC. Refer to Section 5 LOCAL TRAFFIC COMMITTEE.
- may authorise "Roadwork Speed Limit" signs under the conditions outlined in the *Delegation*.
- may sub–delegate traffic management powers (delegated functions), in respect of Division 1 of Part 4 (Traffic control devices) of the *STMA*, and Division 2 of Part 5 (Special Event parking schemes) of the *STMR.*
- **may not** sub–delegate traffic management powers (delegated functions), in respect of Division 2 of Part 8 (Sections 116 to 119) of the *Roads Act.*

3.1.1 Traffic Management Plans

A Council, listed in Schedule 1 (*Delegates*) of the RTA's *Delegation*, must develop and submit to the RTA, a TMP if it intends to do any of the following:

- prohibit the passage of pedestrian, vehicle or motor vehicle traffic on a road or road related area by physical means or regulatory signs or both;
- install or display any road sign, marking or physical device that prohibits or compels a vehicle with respect to a turning movement;
- change a two-way street into a one-way street or reversing the direction of a one-way street; and
- reduce the number of traffic lanes on a road or road related area by physical means or regulatory signs or both.

A TMP is not required if a council certifies to the RTA in writing that a NO TRUCKS or NO BUSES traffic control sign is to be erected solely for the purposes of protecting a road from damage by the passage of motor vehicles.

Where a Council seeks to exercise its delegated powers in respect of a function that requires a TMP, the Council must submit the TMP to the RTA for review prior to the matter being referred to the LTC for formal advice.

The TMP must outline the scope of the traffic management changes proposed. It must also include an assessment of the impact of those changes and proposed measures to ameliorate any potential impact arising from the proposal.

See the RTA document, *Procedures for use in the preparation of a Traffic Management Plan*.

Note: The RTA's acceptance of the TMP merely indicates that due process has been followed and does not indicate its position on the proposal when it is referred to the LTC for consideration.

4. Exercising delegated functions

Councils may only exercise their delegated functions in accordance with the *Delegation*. Councils may sub-delegate certain powers to Councillors, the General Manager or an employee of the Council. Refer to Section 3 DELEGATION OF FUNCTIONS.

The *Delegation* requires Council to seek the advice of the NSW Police and the RTA prior to exercising their delegated functions. This is usually done via the LTC.

In cases where the LTC advice is unanimous, and Council intends to follow that advice, Council may authorise the implementation of the facility or device without further notifying the RTA or the NSW Police.

If the elected Council wishes to exercise a delegated function when the LTC advice is not unanimous, or the elected Council wishes to act contrary to unanimous LTC advice, then Council must notify in writing, both the NSW Police and the RTA representatives on the LTC.

Note: Council does not need to notify the NSW Police or the RTA if Council decides not to proceed with any proposal for any reason.

Council then must refrain from taking any action for 14 days so that the NSW Police or the RTA is given an opportunity to appeal to the Chairperson, Regional Traffic Committee should they wish.

In the case of an appeal, the decision of the Chairperson, Regional Traffic Committee is binding and final for matters under the STMA. For matters under the Roads Act, further appeals may be made to the Minister for Roads. Refer to Section 6 REGIONAL TRAFFIC COMMITTEE, for more details.

5. Local Traffic Committee

5.1 General

The LTC has no decision-making powers. The LTC is primarily a technical review committee, which is required to advise the Council on matters referred to it by Council. These matters must be related to prescribed traffic control devices and traffic control facilities for which Council has delegated authority.

The LTC should consider the technical merits of the proposal and ensure that the proposal meets current technical guidelines.



The Council must refer all traffic related matters to the LTC prior to exercising its delegated functions. Matters related to State Roads or functions that have not been delegated to the elected Council must be referred directly to the RTA or relevant organisation. Such matters must not be referred to the LTC. However, the RTA will generally seek the views of the Council on State Road traffic issues via the informal items process.

A Council is not bound by the advice of its LTC. Refer to Section 4 EXERCISING DELEGATED FUNCTIONS.

Where required, a TMP must be submitted to, and reviewed by, the RTA before that matter can be referred to the LTC. Refer to Section 3.1.1 TRAFFIC MANAGEMENT PLANS.

The LTC should not consider any proposal requiring a TMP prior to the review of the TMP by the RTA.

Similarly, the LTC should not consider any proposal to alter unrestricted parking to permissive or restricted parking on roads within a 1 km radius of any train station nominated in the RTA's document *Nominated Train Stations with Commuter Parking*, without the prior approval of the RTA.

Note: The LTC should not be confused with a separate Council Traffic Committee, formed by Council under the Local Government Act. The establishment of which is a Council prerogative. Refer to Section 8 TRAFFIC ENGINEERING ADVICE.

5.2 Members

The LTC is to be made up of four formal members. The members are as follows:

- one representative of Council
- one representative of the NSW Police
- one representative of the RTA
- the local State Member of Parliament (MP) or their nominee.

The Council's representative may be any Councillor or Council officer. The Council representative may be a sub-delegate if Council has formally approved this.

Where a Council LGA is represented by more than one MP, or covered by more than one NSW Police LAC, MPs or NSW Police officers representing the relevant electorate or LAC are entitled to be members of the LTC. However they are only permitted to vote on matters, which effect their electorate or LAC. Refer to Section 5.3.6 VOTING.

The Council (in consultation with the formal members of the LTC) may also decide to have additional informal (non-voting) advisors to the LTC who can provide input into the process. These additional advisors can include a:

- Road Safety Officer

- Ministry of Transport representative
- Fire Brigade representative
- Ambulance Service representative
- Bus operator representative
- Transport Workers Union representative
- Chamber of Commerce representative

Generally, informal advisors are not required to attend every LTC meeting. Their attendance is only required when items appear on the Agenda which effect their area of expertise or responsibility.

The informal advisors of the committee are not entitled to a vote. Refer to Section 5.3.6 VOTING.

5.3 Meetings

The LTC is not a committee within the meaning of the *Local Government Act, 1993*. The operating arrangements for the LTC are contained in these guidelines.

At LTC meetings the following are at the discretion of Council:

- conduct at meeting
- frequency of meetings
- format of meetings. [Within the following guidelines.]
- provision for a public gallery.

5.3.1 Meeting Formats

The most common format for LTC meetings is a monthly face to face meeting held in the offices of the Council.

The meeting is to be convened by a Council representative. The convenor may be the Council's voting member or may be an additional non-voting member of the LTC.

While there is no need for a specific quorum to allow an LTC meeting to proceed, it must be remembered that any advice can only be returned to the elected Council by the LTC if the views of the RTA and the NSW Police have been obtained.

Acceptable alternative meeting formats include:

- Electronic meetings – where the advice of the members is sought via facsimile or email. This allows items to be considered as they arise and may reduce response time.
- A combination of electronic (for minor issues) and face-to-face meetings. This allows minor issues to be addressed between meetings. The response time for minor issues may be reduced using this format and this format can result in shorter face to face meetings. It may even be possible to increase the interval between meetings.

Note: Should Council wish to adopt these (or any other) alternate formats then they should seek the advice of the RTA prior to making a final decision."

It is strongly recommended that any format where the LTC and the normal Council meeting are held concurrently is to be avoided. The LTC is principally a technical review committee, and due consideration and debate is required when considering a proposal. This particular meeting format does not lend itself to this process.

Note: Any change to the meeting format must be agreed to by the formal members of the LTC. When proposing to discuss a format change, reasonable advanced notice must be provided.

5.3.2 Agendas, minutes and reports

All LTC meetings require the preparation of an agenda.

An LTC agenda must be prepared by Council and circulated to all formal members and informal advisors of the committee a minimum of one week prior to the meeting. This will allow members to fully consider the issues and determine their response on each item. This period will also allow a site visit if necessary.

For each agenda item, Council must prepare a report which must contain a brief summary of the issue, details of the proposed solution including a plan if the proposal involves signs, lines or structures, details of the policies / guidelines / standards used (if any) and the proposed recommendation to the elected Council. This report must be sent to the members of the LTC with the Agenda.

Note: For the information of the members of the LTC, the meeting papers should also include a summary of the final decisions made by the elected Council (or their sub-delegate) on items addressed at the previous meeting or on any items addressed since the last meeting.

The LTC agenda should only contain items, which require the elected Council to exercise its delegated functions. If no action is required, or advice only is being sought, or the issue does not require the exercise of delegated functions then the issue should not appear on the LTC agenda. Such issues should be dealt with as general traffic advice. Refer to Section 8 TRAFFIC ENGINEERING ADVICE.

Items, which do not appear on the agenda (i.e. items without notice), must only be considered if the elected Council has referred the issue and Council officers have been able to prepare a report on the proposal in the normal manner. Items raised without notice must be referred to the next meeting (or dealt with separately between meetings) if any member of the committee requests time to consider the issue.

All LTC meetings require the preparation of minutes.

Council must prepare the minutes of the meeting. Copies of the LTC minutes must be forwarded to all LTC members for their concurrence prior to the recommendations either being presented to the elected Council or acted on by the Council's sub-delegate.

Note: B-double routes are the subject of a separate delegation and should have a separate agenda and minutes.

Note: The RTA members of the LTC must keep a copy of all minutes for the future reference of the RTA.

Councils may also need to prepare a report to the elected Council. This report must indicate the type of support from the LTC (i.e. unanimous or not unanimous). Where the advice is not unanimous, dissenting votes should be noted. Refer to Section 5.3.6 VOTING.

Note: All proposals recommended by the LTC must still be formally approved by the elected Council (or their sub-delegate), subject to certain limitations. Refer to Section 3.1.

5.3.3 Site visits

It is recommended that each member of the LTC undertake a site visit prior to considering any proposal. This site visit may be undertaken individually by LTC members, or may be organised by Council as a joint visit of all members of the LTC.

Where this is not practical due to issues such as time or distance, then it is recommended that modern electronic alternative methods be used.

5.3.4 Public participation

The role of the LTC is to consider the technical aspects of any proposal and make a recommendation to the Council. The merits of the scheme, from a public perspective, is the responsibility of the Council and thus residents views should be taken into account by the Council rather than the LTC.

However, there is nothing preventing the LTC members from agreeing to allow residents, or other interested stakeholders, to address the committee, if it so chooses. In addition, the LTC members may agree to limit the number of public presenters on any particular item and/or place time limits on them. Any such constraints should be conveyed to the presenters at the time they are notified of the LTC's agreement for them to address the committee.

The LTC's advice to Council is not binding upon the Council therefore ideally this advice should not be released to the public until the Council has decided whether or not to exercise its delegated authority. However, where Council has decided to allow the public to be in attendance at the LTC meetings, the convenor must make it clear to the public gallery that the Council is still required to accept the recommendation of the LTC to finalise the issue. This should be done after each item to cater for members of the public who may only attend the meeting for a specific item.

5.3.5 Media participation

The role of the LTC is to consider the technical aspects of proposals and provide their advice to Council. Media involvement, or interest, in the process should be addressed through the normal Council meeting process.

However, should the media be interested in a proposal, they can attend the LTC meeting if the Council has decided to allow a public gallery. Again as with the general public, the convenor must make it clear that the Council is still required to accept the recommendation of the LTC to finalise the issue. This should be done after each item to cater for the media who may only attend for a single item. The media is not permitted to address the LTC.

5.3.6 Voting

While an organisation, which is a voting member, may choose to send more than one representative, that organisation is still limited to one vote only. For example:

- Where the LTC is chaired by a convenor who is a member of the elected Council and the LTC also has a Council staff member on the committee, the Council as an organisation is still only entitled to one vote [i.e. the Council representatives are not entitled to a vote each]
- Where the Council representative is also the convenor, the Council is still only entitled to one vote. There is no casting vote available to the convenor in the case of a tied vote.
- Where a Council LGA is represented by more than one State MP, only the MP representing the State electorate containing the proposal is permitted to vote. However, if the proposal is actually contained in more than one State electorate, then each State MP for those electorates may vote.
- Where a Council LGA has more than one NSW Police LAC, only the NSW Police officer representing the LAC containing the proposal is permitted to vote. However, if the proposal is actually contained in more than one LAC, then each NSW Police officer for those LACs may vote.

Council must consult with the Ministry of Transport where public passenger transport matters are affected.

LTC advice to Council on a proposal referred to it by Council must be one of the following:

1) unanimous support;
2) majority support;
3) split vote;
4) minority support; or
5) unanimous decline.

A Council's action on the above LTC advice will be:

(a) If Council is in agreement with the LTC unanimous support then the proposal may be approved. In these cases there is no conflict between Council and the advice of the LTC, consequently there is no need for Council to inform the RTA or the NSW Police representatives of the decision.

(b) If Council is in agreement with the LTC unanimous support, but no longer wants to proceed, the proposal may still be rejected.

(c) If Council is in agreement with the LTC unanimous decline then the proposal may be rejected. Again there is no conflict between Council and the advice of the LTC. Consequently there is no need for Council to inform the RTA or the NSW Police representatives of the decision.

(d) If Council decides to proceed with a proposal where the advice of the LTC is not unanimous support, then the Council must first advise the RTA and the NSW Police representatives in writing of their intention to approve the proposal. The RTA or the NSW Police may then lodge an appeal to the RTC. Refer to Section 5.4, APPEALS.

(e) If Council decides to proceed with a proposal where the advice of the LTC is a unanimous decline, then the Council must first advise the RTA and NSW Police representatives in writing of their intention to approve the proposal. The RTA or the NSW Police may then lodge an appeal to the RTC. See Section 5.4, APPEALS.

Flowcharts have been provided to assist with the understanding of this process.

Refer to the relevant flowcharts in Appendix A for:

- the *Road Transport (Safety and Traffic Management) Act, 1999;* or
- the *Roads Act, 1993*.

Due to the fact that the RTA and the NSW Police have the power to appeal certain decisions of the Council, the LTC cannot provide its advice to Council until both the RTA and the NSW Police have provided their vote on the issue.

5.4 Appeals

5.4.1 Road Transport (Safety and Traffic Management) Act 1999

Where a determination of Council to proceed is contrary to a unanimous decline or is based on the non–unanimous advice of the LTC, then Council must notify both the NSW Police and the RTA representatives of its decision. Council must not exercise any of the functions, in relation to the subject proposal, for a period of 14 days from the date of notification in writing.

An appeal, may only be lodged by either the NSW Police or the RTA. The appeal is made to the Chairperson, RTC and must be lodged within the 14 day period. As a matter of courtesy, it is expected that the appellant informs Council in the initial stages of their intention to lodge an appeal.



To assist with the process the appeal should be lodged using RTC Form 1 Regional Traffic Committee – Appeal. A copy of this form can be found in Appendix A of this document.

The RTA provides secretarial services to the RTC and appeals must be forwarded to:

Secretariat
Office of the Chairperson
Regional Traffic Committees
Level 16 101 Miller Street
Locked Bag 928
NORTH SYDNEY NSW 2059

Facsimile: 8588 4164
Email: regional_traffic_committee@rta.nsw.gov.au

The Secretary will then notify all parties in writing that an appeal has been lodged.

The Chairperson, RTC notifies Council regarding the outcome of the appeal hearing. It is important that Council does not act until further advice has been received from the Chairperson, RTC about the issue under appeal.

The Chairperson's decision may:

(i) uphold the appeal, i.e. not support the Council's decision, or

(ii) reject the appeal. Rejection of the appeal could either support the Council's decision unconditionally or apply conditions.

Refer to Appendix A of this document for the Terms of Reference for the RTC and flowcharts indicating the process involved in the implementation or rejection of a proposal.

5.4.2 Roads Act 1993 – Division 2 of Part 8

The appeal process is similar to that specified above for *Road Transport (Safety and Traffic Management) Act, 1999* matters. However, in cases where Council is not satisfied with the determination by the Chairperson, RTC, Council may further appeal to the Minister for Roads.

The Minister's decision may be:

(i) rejection of the Council appeal, or

(ii) approval of the Council proposal either unconditionally or with conditions.

See the flowcharts in Appendix A which indicate the process involved in the implementation or rejection of a Council proposal.

6. Regional Traffic Committee

The RTC operates across the state. Meetings are generally held in the offices of the local Council.

The purpose of the RTC is to deal with appeals from the RTA or the NSW Police members of the LTC on matters delegated to Councils.

The members of the RTC are:

- Independent Chairperson (appointed by the RTA with concurrence from the LGSA)
- LGSA nominee (usually a Local Government Engineer from the region)
- RTA representative (usually the Regional Traffic Manager)

It should be noted the LGSA and RTA representatives merely provide advice as required by the Chairman.

In addition, nominees of the NSW Police, Council and the local State MP may attend as observers.

When a notice of appeal and relevant information is lodged with the RTC, the Chairperson will convene a meeting and the appeal matter is discussed. The Chairman shall determine who, if anyone, shall be permitted to address the appeal based on the documented evidence presented by each party prior to the Appeal. Generally the members of the RTC and each party to the appeal attend the meeting only.

The decision of the Chairperson, RTC in regard to such matters is final, except in matters relating to the *Roads Act, 1993*, wherein Council may further appeal to the Minister for Roads. Refer to Section 5.4.2.

Note:	The RTC should not be confused with the Regional Development Committee, which deals with SEPP11 issues under the *Environmental Planning and Assessment Act 1979*.

7. Responsibilities

7.1 Council

The Council has responsibility for:

- exercising the delegated functions related to the *Roads Act 1993*
- documenting the sub-delegation of Council powers

Note:	Councils cannot sub-delegate their Roads Act powers.

- seeking the advice of the NSW Police and the RTA prior to exercising delegated functions.
- obtaining the views of local residents affected by any proposal, if necessary. [This is to be done outside the LTC process]
- preparing any TMP required under Schedule 4 of the *Delegation* or when considered necessary by Council.



- seeking the approval of the RTA to any proposal to alter unrestricted parking to permissive or restricted parking on any road within a 1 km radius of any train station nominated in the RTA's document *Nominated Train Stations with Commuter Parking*. [This is to be done outside the LTC process]
- convening meetings of the LTC.
- referring items to the LTC.
- providing secretarial services to the LTC.
- preparing the LTC meeting agenda.
- preparing a technical report on each issue.
- documenting the LTC advice (including providing a report to the elected Council)
- providing minutes of meetings to all LTC members
- providing a summary of the final decisions made by Council on items addressed at previous LTC meetings or any addressed since the last meeting.
- notifying the RTA and the NSW Police if the elected Council intends to exercise its delegated functions contrary to the advice of the LTC.

Note: Deciding not to proceed does not constitute exercising a function and therefore does not require notification.

7.2 RTA

The RTA has responsibility for:

- reviewing any TMP submitted to it.
- approving any proposal to alter unrestricted parking to permissive or restricted parking on any road within a 1 km radius of any train station nominated in the RTA's document *Nominated Train Stations with Commuter Parking*,
- providing advice on Council proposals referred to the LTC.
- appointing the Chairperson of the RTC (with the concurrence of LGSA)
- providing secretarial services to the RTC.

7.3 NSW Police

The NSW Police have responsibility for:

- providing advice on Council proposals referred to the LTC.

7.4 Local State Member of Parliament

The local State Member of Parliament has responsibility for:

- providing advice on Council proposals referred to the LTC.
- nominating someone to represent them if necessary.

8. Traffic engineering advice

Councils often require advice on, or investigation of options for, difficult traffic problems. Council may also wish to consider traffic issues, which are outside the *Delegation* (e.g. installation of speed limits or traffic control signals). As these problems or issues do not require the exercise of delegated functions at that point in time (though they may or may not require it in the future) they should not be dealt with as formal items by the LTC.

Council may take advantage of the knowledge and experience of the LTC members to help them to resolve or clarify an issue. When wishing to utilise the expertise of the LTC members in this manner, Council could either include items on the agenda under a separate Informal Items section or produce a separate agenda.

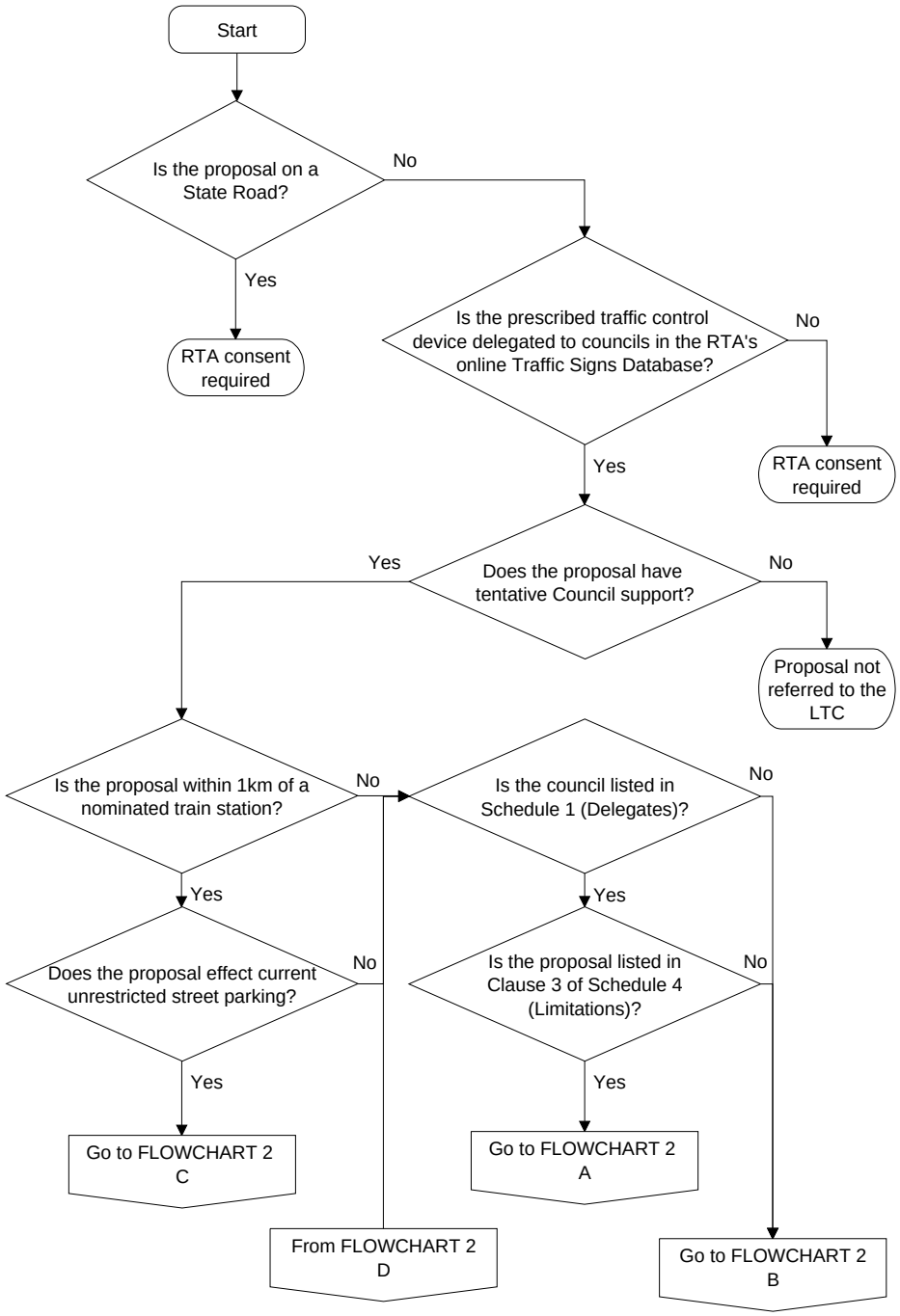
Informal items should be dealt with following the completion of formal LTC items where Council intends to exercise a delegated function. Any outcomes from discussions on informal items cannot be included in the LTC report to the Council. However, Council can use any outcomes from these discussions in their deliberations on such issues.

APPENDIX A

Process for Exercising Delegated Road Transport Powers

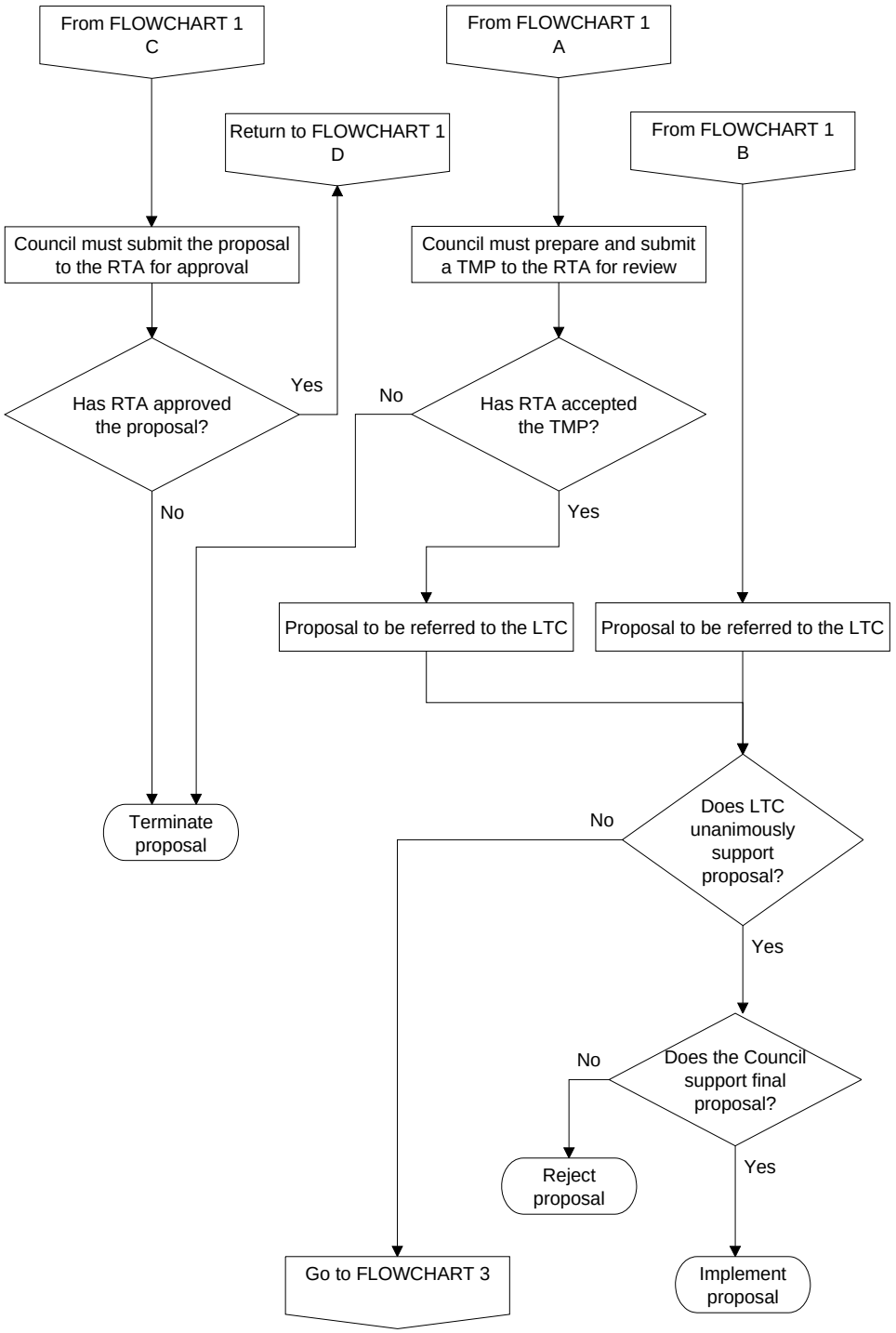
FLOWCHART 1

(Road Transport (Safety and Traffic Management) Act, 1999)



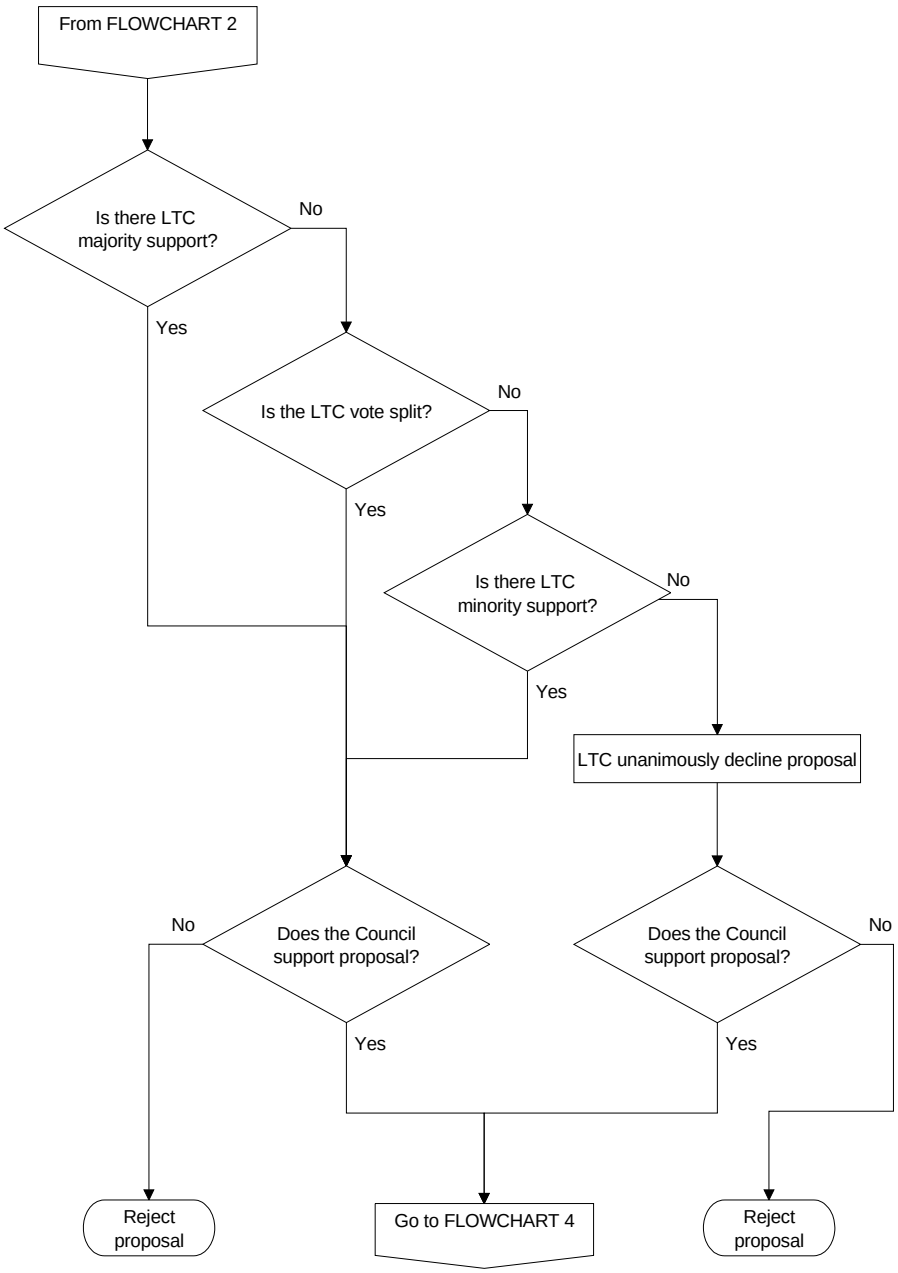
FLOWCHART 2

(Road Transport (Safety and Traffic Management) Act, 1999)



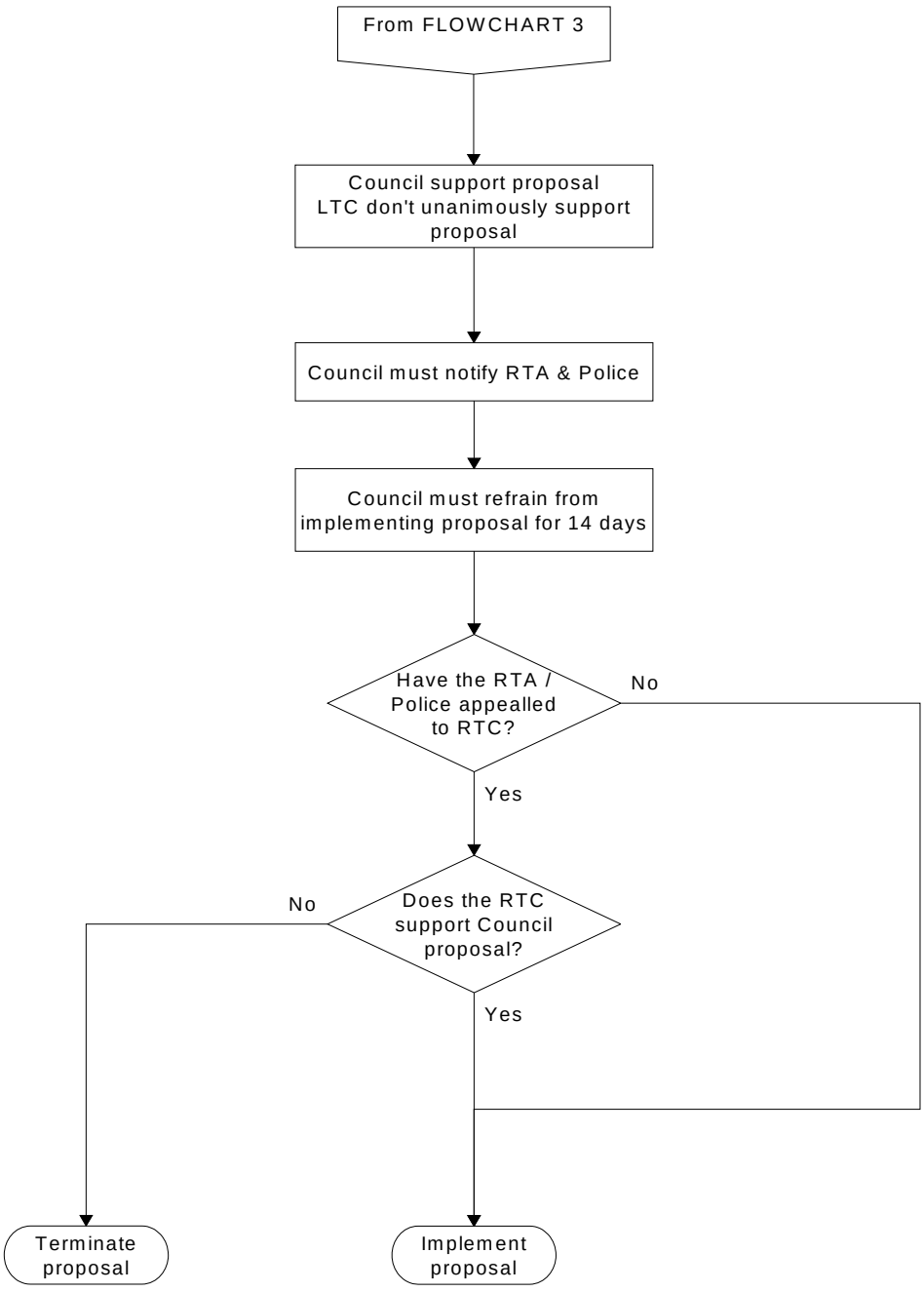
FLOWCHART 3

(Road Transport (Safety and Traffic Management) Act, 1999)



FLOWCHART 4

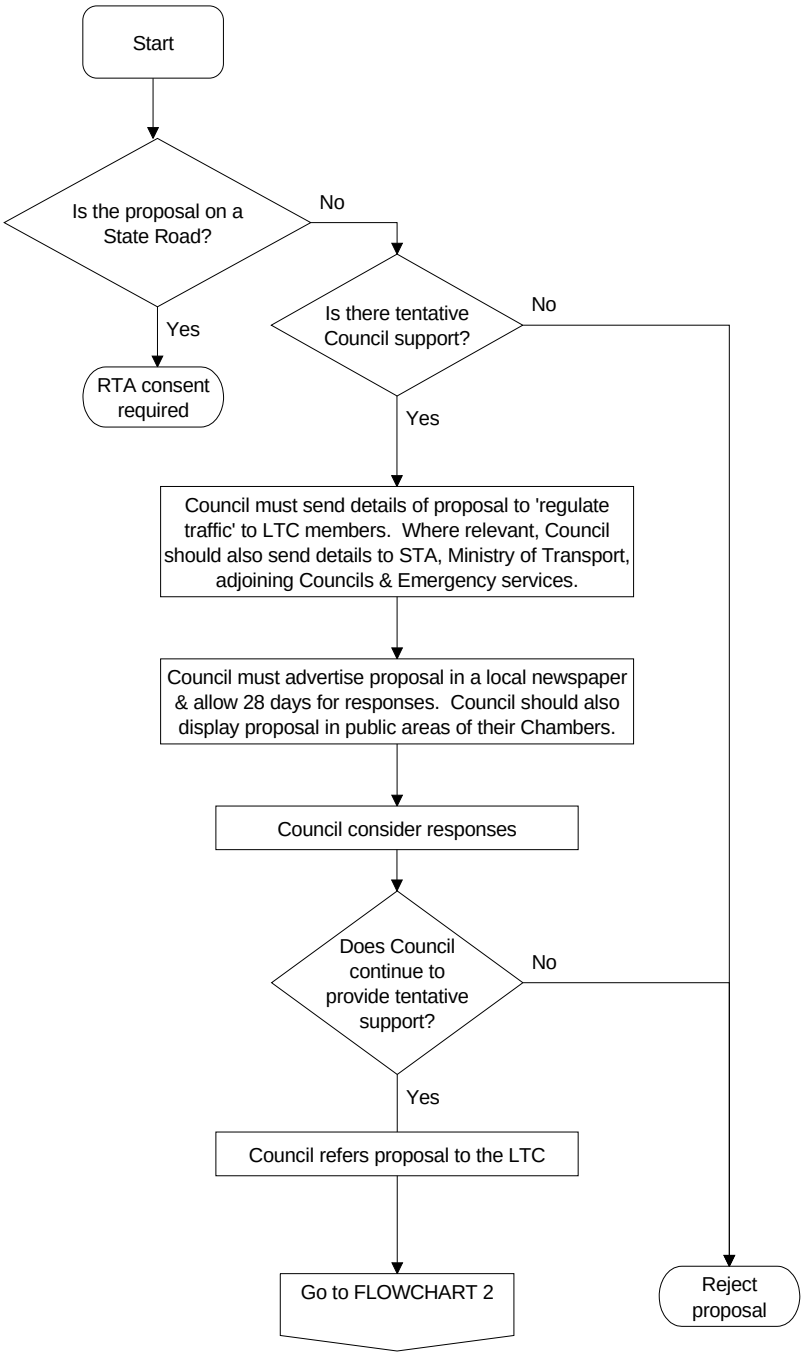
(Road Transport (Safety and Traffic Management) Act, 1999)



Process for Exercising Delegated Roads Act Powers

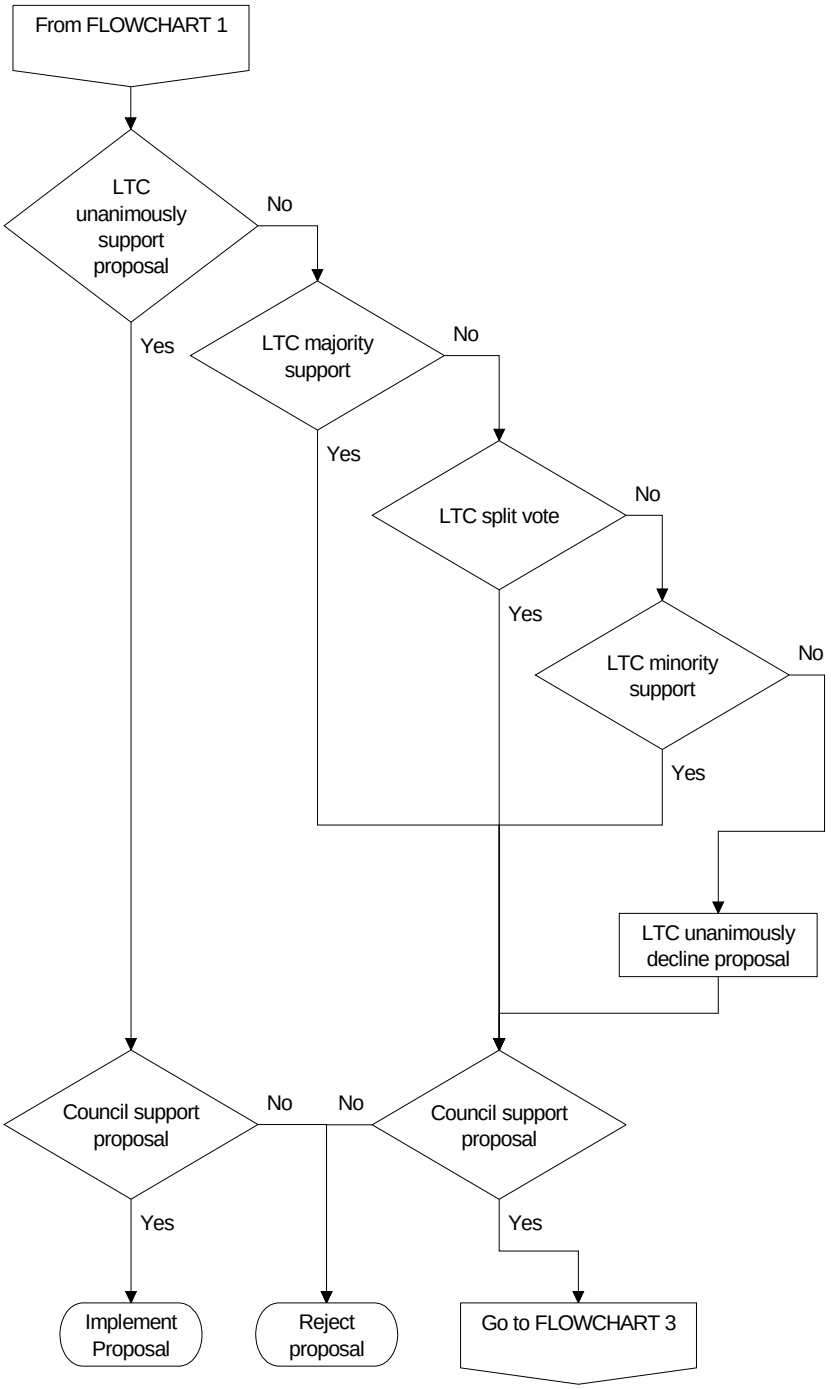
FLOWCHART 1

(Roads Act, 1993)



FLOWCHART 2

(Roads Act, 1993)



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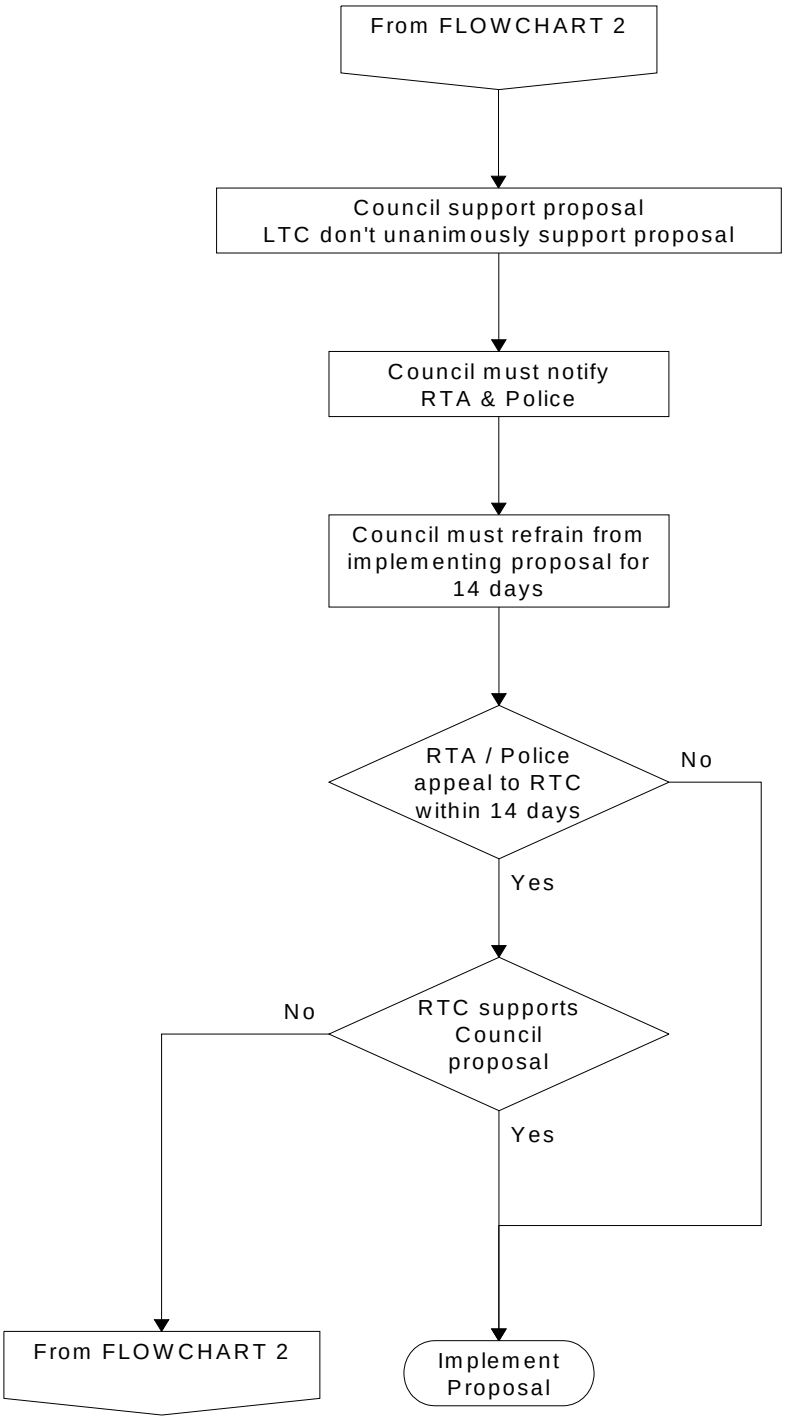
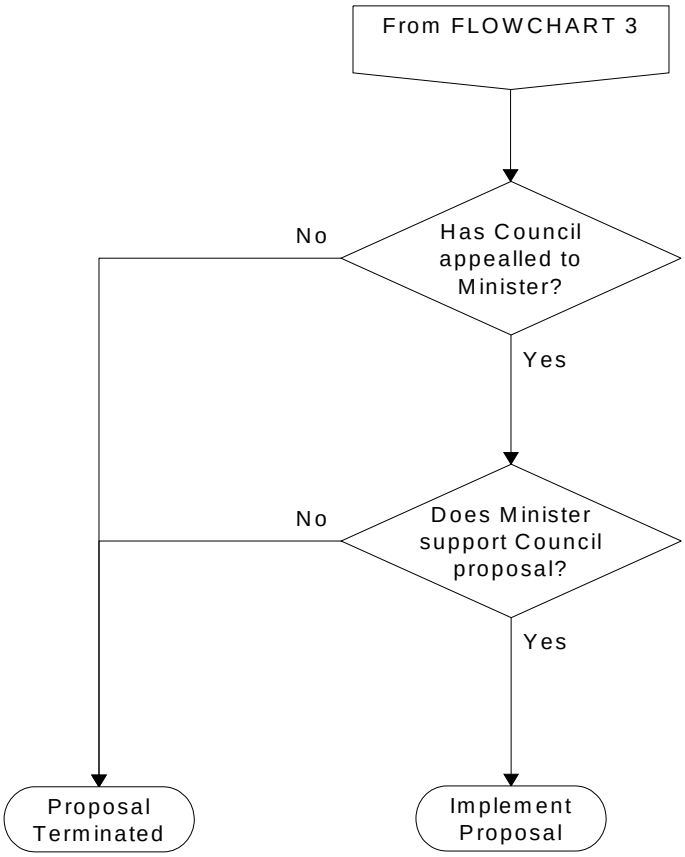
(Roads Act, 1993)



FLOWCHART 4

(Roads Act, 1993)





RTC TERMS OF REFERENCE

SCOPE	**The Regional Traffic Committee deals with appeals from members of the Local Traffic Committees (RTA and NSW Police only) on matters delegated to Councils by the Roads and Traffic Authority**.
ROLES	• The Roads and Traffic Authority (hereinafter called "the Authority") pursuant to Section 50 of the Transport Administration Act 1988 and all other enabling powers hereby delegates to the chairperson of a Regional Traffic Committee appointed by the Authority. -- The exercise of all those functions of the Authority necessary to determine appeals by a member of the Local Traffic Committee in connection with the exercise of any of the functions delegated by the Authority to a council, or any of the functions sub-delegated by it, in respect of: 1. Division 2 of Part 8 (Regulation of traffic by roads authorities) of the Roads Act 1993. 2. Division 1 of Part 4 (Traffic control devices) of the Road Transport (Safety and Traffic Management) Act 1999. 3. Division 2 of Part 5 (Special event parking schemes) of the Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999.
MEMBERSHIP	• Independent Chairperson, Regional Traffic Committees • Local Government and Shires Associations for each RTA Region • Roads and Traffic Authority for each RTA Region
ENQUIRIES	Should you have any further enquires please do not hesitate to contact the **Secretary, Regional Traffic Committees** by Facsimile on 8588 4164 or Email: regional_traffic_committee@rta.nsw.gov.au

REGIONAL TRAFFIC COMMITTEE APPEAL FORM

SUBJECT OF APPEAL:		
APPELLANT (APPEAL) CONTACT:	Title: Name: Organisation: Phone: Fax: E-mail:	
DATE APPEAL SUBMITTED:	•	
REASON FOR APPEAL:	•	
RELEVANT HISTORY:	• • • •	
SUPPORTING DOCUMENTS:	• • (Please attach documents)	
PARTIES TO APPEAL:	• • •	
DATE RECEIVED RTC use only		

Forward to:

Secretariat
Office of the Chairperson
Regional Traffic Committees
Level 16 101 Miller Street
Locked Bag 928
NORTH SYDNEY NSW 2059

Facsimile: 8588 4164
Email: regional_traffic_committee@rta.nsw.gov.au



Notes

[Inside rear cover
– provided for double sided printing purposes only]

For further enquiries:

www.rta.nsw.gov.au/trafficinformation/guidelines

technical_directions_publication@rta.nsw.gov.au

RTA/Pub. 03.358

Roads and Traffic Authority

December 06

Michael Malone

From: Mark Croxford, JP <mark.croxford@kiama.nsw.gov.au>
Sent: Monday, 19 February 2024 5:32 PM
To: Jane Stroud
Cc: Councillors; Michael Malone; Alyson Hodgekiss; Emily Vaughan
Subject: TRIM: Traffic Committee

Follow Up Flag: Follow up
Due By: Friday, 1 March 2024 4:00 PM
Flag Status: Flagged

Dear Jane,

I write to raise an initiative that I believe could significantly enhance the transparency and community engagement of Kiama Council's operations, particularly concerning our Traffic Committee meetings.

At the most recent gathering of the Australian Local Government Association National Local Roads, Transport & Infrastructure Congress held in Canberra last September, I had the opportunity to speak with the Wingecarribee Shire Council (WSC) Administrator, Viv May.

During our conversation, Viv shared that he was actively seeking support from the Minister for Local Government to make their Shire's Traffic Committee Meetings open to the public. This move towards transparency struck a chord with me, especially considering the importance of these meetings in shaping our local transport policies and infrastructure decisions.

It would seem that WSC has made ground on this front, and has set a commendable example by making its Traffic Committee meetings available for livestream, allowing residents to stay informed and engaged with the decisions that affect their daily lives.

The WSC approach not only fosters a greater sense of community involvement but also promotes accountability within the council process.
Given this context, I request that you explore the possibility of adopting a similar approach for Kiama Council's Traffic Committee meetings. Making these meetings public and accessible via livestream would align with our commitment to transparency and community engagement. It would allow residents to have a better understanding of the decision-making processes and the considerations involved in traffic-related matters.

The Local Traffic Committee plays a crucial role in advising the Council on various traffic control devices and facilities, acting within the framework established by Transport for NSW (TfNSW) under the Transport Administration Act 1988. While the Committee serves as an independent technical advisory body, its recommendations significantly influence our Council's decisions regarding traffic management.

By making the Traffic Committee's meetings and deliberations accessible to the public, we can enhance trust and foster a collaborative relationship with our community. It would enable residents to gain insights into the complexities of traffic management and the rationale behind certain decisions, thereby demystifying the process and encouraging constructive feedback and dialogue.

I ask for your objective consideration of this proposal and suggest you consider seeking further advice on the practicalities and legalities of implementing such a measure and advise councillors accordingly. Such an approach would be in keeping with council's commitment towards transparency and community engagement within Council's operations.

Regards

Mark

Mark Croxford, JP
Councillor
Kiama Municipal Council
M: 0409 641 665
PO Box 75, Kiama NSW 2533
www.kiama.nsw.gov.au



RESPECT • INNOVATION • INTEGRITY • TEAMWORK • EXCELLENCE

Kiama Municipal Council acknowledges the Traditional Custodians of Dharawal Country, the Wodi-Wodi people and recognises their continued connection to the land. We pay our respects to elders past present and emerging and the contribution that they make to our community.

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KIAMA MUNICIPAL COUNCIL
your council, your community

Terms of Reference

Committee name:	**Kiama Local Traffic Committee**
Status:	Council committee ☐ Statutory committee ☒ Sunset committee ☐ (specify the end date .....)
Purpose:	The Kiama Local Traffic Committee is not a Committee of Kiama Council however is a Technical Committee of Transport for NSW. The Committee operates under the authority conferred to Council by Transport for NSW under the Transport Administration Act 1988, and in accordance with the powers delegated to Council by the Road Transport Act 2013 and Roads Act 1993, as outlined in the Transport for NSW documents 'A guide to the Delegation to Councils for the Regulation of Traffic'. The Kiama Local Traffic Committee can make recommendations, and provide advice, to Council on only the following traffic related matters: • The installation of traffic control devices and traffic management facilities – such as signs, markings, structures or other devices to direct or warn traffic on a road or road related area. • The installation of regulatory parking – including truck zones, loading zones, taxi stands, bus zones and mobility parking spaces. • The implementation of road closures, local area traffic management schemes and residential preferential parking schemes.
Objectives:	This Committee consider all matters pertaining to the provision of traffic management facilities in the Kiama local government area. This Committee makes recommendations to Council. Should Council disagree with a decision of this Committee, then the matter is referred to the Transport for NSW.
Committee Meetings:	Meetings are held monthly, on the first Tuesday of every month. (except January) commencing at 9.00am. These Terms of Reference, Committee meeting dates, agendas and minutes will be placed on Council's website.
Venue:	Meetings will be held at the Kiama Council Chambers or other suitable venues as required. They may also be held via Zoom if required.
Membership:	Membership of the Committee shall consist of four (4) Voting Members: 1. Councillor Representative - One (1) Councillor Representative elected by Council each year, or their elected Alternative. 2. Local Member Representative - Member for Kiama (or nominated representative) 3. Police Local Area Command representative 4. Transport for NSW representative Other attendees with non-voting rights will include:

"{Enter TRIM record number}" 2

Committee name:	**Kiama Local Traffic Committee**
	• Council Staff, being: - Director Infrastructure and Liveability - Manager Engineering and Technical Services - Road Safety Officer - Council Ranger - Other staff to support specific agenda item discussion (as needed) - Executive Assistant to Director (Minute Taker) • Technical Staff from other agencies or bodies attending to support discussion of specific agenda items; such as: - Bus companies - Taxi operator Other Councillors may attend Committee meetings as observers but are not permitted to participate in the discussion or debate.
Term of membership	• Councillor Representatives will be elected each year at Council Meeting. • Representative appointments from other agencies will be made at the discretion of the member agencies.
Meeting Quorum:	A Quorum will be deemed to have been met under the following criteria: i. minimum of 50% of Voting Members ii. or per statutory requirements (if required). Meetings can be held without a quorum, however, the Kiama Local Traffic Committee can only make recommendations to Council on agenda items if it has sought the view of Transport for NSW and the NSW Police. In the absence of either a Transport for NSW Representative or a NSW Police Representative from a meeting, the recommendations made by the Committee will be forwarded to whoever was absent and their concurrence sought in writing before the recommendations are submitted to Council.
Meeting Administration:	• Meetings are to be chaired by a non-Councillor Committee member as elected by the committee and endorsed by Council. • The agenda and business papers will be circulated no less than five days prior to a scheduled meeting. • Minutes will be taken by a representative of Council. • Minutes are to be brief and focused on action items and advice. • Minutes shall be approved by the Chair and circulated to each member and to Councillors within two weeks of the meeting being held. • Minutes are required to be submitted to the next Ordinary Meeting of Council, immediately following the committee meeting, to be received and noted.

"{Enter TRIM record number}" 3

Committee name:	**Kiama Local Traffic Committee**
	• Recommendations from the meeting that require Council endorsement will be reported separately to the next Ordinary Meeting of Council.
Responsibility	Members of the Committee will: • Comply with Council's Code of Conduct • Work collaboratively as part of the Committee; • Work in an open and honest manner, and with respect for each other; • Understand that at all times it will be necessary to listen to and negotiate different points of view and perspectives, and to make compromises accordingly; • Respect each other's opinions and consider the view of each member to be of equal importance; • Refrain from any form of conduct that may cause a reasonable person unwarranted offence or embarrassment; • Undertake to fairly present the discussion and information provided at the Committee to their organisation.
Conflicts of Interest	Conflicts of Interest are to be called as a matter of process. Committee members must declare any conflicts of interest at the start of each meeting or before discussion of a relevant agenda item or topic. Details of any conflicts of interest shall be appropriately noted. Committee members must complete a declaration of interest form. Where members or invitees at Committee meetings are deemed to have a real or perceived conflict of interest, it may be appropriate they be excused from Committee deliberations on the issue where the conflict of interest may exist. Where there is a conflict, Council's Code of Conduct will be adhered.
Voting	If a situation arises where unanimous support cannot be made and opinion is closely divided, a vote can be taken to resolve the matter and reach a conclusion. The vote can be made with a show of hands, or some other means if deemed necessary by the Committee. The level of support must be recorded in accordance with Section 5.3.6 (voting) of "The Guide to the Delegation to councils for the regulation of traffic".
Public Address	The Kiama Local Traffic Committee may allow residents or other interested stakeholders, to address the Committee on listed agenda items only. Parties wishing to address the Committee must register their interest with Council by 10:00am on the day prior to the scheduled meeting and identify the relevant agenda item they wish to speak to. Parties addressing the meeting will be required to leave the meeting room following their address. Each speaker will be allowed five minutes to address the committee, this time is to be strictly enforced by the Chairperson, and must adhere to the '4) Public Forums' in Council's 'Code of Meeting Practice'.

Committee name:	**Kiama Local Traffic Committee**
	Members of the community may request permission, by application to the Chairperson, to observe an advisory component of Committee meeting. An observer is not permitted to participate in the discussion or debate during the meeting and will be requested to leave the meeting room during voting or discussion on confidential matters. The role of the Kiama Local Traffic Committee is to consider the technical aspects of any proposal and make a recommendation to the Council. The merits of the scheme, from a public perspective, is the responsibility of the Council and thus residents' views should be taken into account by the elected Council rather than the Kiama Local Traffic Committee. All Committee recommendations are subject to official endorsement by Council on the nominated meeting date.
Social Media	Social Media refers to website and application platforms that are designed to allow people to share content. Committee members must adhere to copyright, privacy, defamation, contempt of court, discrimination, harassment and other applicable laws. Committee members must also comply with relevant Council policies including "Social Media' and 'Privacy Management' and the 'Code of Conduct.' These policies outline guidance on rights and responsibilities in relation to social and digital media. They apply to Council officers, staff, committee members, contractors, volunteers, and other elected officials. Abiding by these laws and policies reduces the user's exposure to security risks, litigation and reputational damage. Ask the Public Officer if you have concerns.
Problem Solving	If a problem is unresolved or a member has a dispute or complaint, it should first be raised with the Chairperson who will seek to resolve the matter with the necessary parties. If the matter cannot be resolved through those channels then, if appropriate, the matter can be presented to the Committee for further consideration and action. If the matter is still unresolved, it can then be presented to Council for consideration and action. Council reserves the right to take whatever action it deems appropriate, in the event of gross misconduct by a Committee member. Dismissal from the committee can be ordered.

16.2 Adoption of updated Honour Rolls Policy

CSP Objective: Outcome 1.1: We want a strong sense of community and belonging, where social and cultural life can flourish; and our families, friends and visitors feel welcome and included.

CSP Strategy: 1.1.1 Provide spaces, services and initiatives that foster a proud, inclusive, and connected community for all.

Delivery Program: 1.1.1.2 Partner with the community, other levels of government and key stakeholders to provide support to community and cultural engagement sectors, community groups and organisations.

Summary

In April 2023 Council resolved to publicly exhibit a revised and updated Honour Rolls Policy. This report sets out the community feedback on the revised policy and recommends the adoption of the final draft Honour Rolls Policy.

Financial implication

The financial implication for the various awards can be managed within existing budgets.

Risk implication

The presentation of community awards does not always achieve unanimous support and there may be disagreement with both the process and outcomes of the awards.

Policy

Updating the Honour Rolls Policy from 2013

Consultation (internal)

Council Executive

Cultural Development Officer

Communication/Community engagement

As outlined in the report

Attachments

1 Final draft for adoption Honour Rolls Policy - April 2023⇩

Enclosures
Nil

RECOMMENDATION

That Council:

1. Adopt the draft Honour Rolls Policy.
2. Endorse the establishment of 3 annual Sports Achievement Awards (Sports Person, Junior Sportsperson and Sporting Volunteer) to allow recognition of

other sporting achievements by residents of Kiama which can be presented during Local Government Week.

3. That the submitter be thanked for their contribution to this process and made aware of the Council's determination on the Honour Rolls Policy.

Background

At its meeting of April 2023, Council resolved to publicly exhibit a draft revision to the Honour Rolls Policy.

The draft Policy was publicly exhibited in May 2023 and one submission was received. The submission was from the Kiama District Sporting Association.

Submission:

> *"I support the updating of these most important pieces of Kiama's history and culture….*
>
> *My main submission at this time is the removal of the "local and state levels" of involvement for both Administrators and teams from the criteria for the Sport Honour Roll. The Sport Honour Roll (as it stands now) has 20 individuals listed, 6 (30%) of which are administrators and only (from my knowledge) contributed (over many, many years) at a local or at most state/country level.*
>
> *I would again like to suggest that local and state contributions be included in the criteria for both administrators and teams and accepted as worthy of consideration."*

Response to the submission:

The goal of the Sports component of the Honour Rolls Policy is to recognise exceptional contributions to sport or sporting excellence by a resident of Kiama at the National or International level.

Acknowledging that contributions from our residents at the local, district, regional and state levels are all important contributions to the social fabric of Kiama, the Honour Roll seeks to recognise the exceptional contributions. As a comparison, it could be expected that a name on the Sporting Honour Roll would be potentially recognised by a visitor to Kiama who was in some way familiar with National or International Sports whereas a local sporting hero may only be known in one of our towns or across the Kiama sporting community.

Accordingly, it is recommended that the national or international requirements be retained as per the exhibited draft Policy – see attachment 1.

Additional local recognition

As referenced above, contributions from our residents at the local, district, regional and state levels are all important contributions to the social fabric of Kiama and it would be appropriate to provide Council supported recognition process for these contributions.

Accordingly, it is proposed that an annual Sports Achievement Awards be established to be presented during the Community Awards process during Local Government Week and published on the Council webpage.

The Sports Achievement Awards would be in 3 categories:

1. Sports Person of the Year
2. Junior Sports Person of the Year
3. Volunteer of the Year (coach, administrator)

- Nominations will open and close at specified times to enable presentation during Local Government Week.
- Nominations can be received from an individual member of the public, or a representative or a local sporting club or association.
- People can only win an award once.
- Judging will be an appropriate committee consisting of appropriate representatives, both internal and external.

Eligibility/criteria for each category:

Sports Person of the Year Award

i. Must be a resident of Kiama LGA and compete in or represent a club or association based in the Kiama LGA for the previous 12 months or over a number of years.

ii. Be an athlete who has competed at and achieved high level results either at local, regional, state, national or international level.

iii. Must be over 18 years of age at the time of nomination.

Junior Sports Person of the Year Award

i. Must be a resident of Kiama LGA and compete in or represent a club or association based in the Kiama LGA for the previous 12 months or over a number of years.

ii. Be an athlete who has competed at and achieved high level results either at local, regional, state, national or international level.

iii. Must be under 18 years of age at the time of nomination.

Sporting Volunteer of the Year (e.g. coach, administrator) Award

i. Must be a resident of Kiama LGA and hold a position in/at a club or association based in the Kiama LGA for the previous 12 months or over a number of years.

ii. Be recognised by their club, regional, state or national body.

iii. Must not be paid for their volunteering activity (note that reimbursement of expenses does not constitute payment).

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Honour rolls policy

Policy owner/Responsible officer	Executive Assistant Councillor Liaison
Department	Office of the Chief Executive Officer
Date adopted/endorsed	
Resolution number (if applicable)	XX
Next review date	September 2026
TRIM reference	XX

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1. Policy statement/Objectives

Kiama Municipal Council is committed to the establishment of Municipal honour rolls to acknowledge outstanding achievements and to make certain assessment for inclusion on the roll is undertaken in a fair and collaborative way.

The objectives of the policy are to:

(a) Provide a process for honouring outstanding achievements by residents of the Kiama Municipality

(b) Provide an equitable system for determining who shall be acknowledged.

2. Scope

This policy applies to employees of Council, Councillors and residents of the Kiama Municipality.

3. References

- Nil

4. Consultations

- Kiama Jamberoo RSL Sub-Branch
- Kiama District Sports Association

5. Definitions

Resident of Kiama Municipality	A person who: (a) Does, or has, lived in the Kiama local government area (can include childhood years), for at least ten years, as the principal place of residence. and/or (b) Has a strong, enduring connection with the Kiama local government area.

6. Variation and review

This Policy was first adopted by Council on 17 September 2013. The Policy is to be reviewed every 3 years.

Council reserves the right to review, vary or revoke this policy.

Review history

Date reviewed	Date adopted/ endorsed	Brief detail of amendments
August 2022		Updated to reflect addition of the Australian Honours Board, changes to honours being listed online only and to remove the requirement for Australia Day presentations.
	17 September 2013	New Policy

7. Policy

7.1. Principles

Acknowledging contribution and achievement

There are individuals within the Municipality who make important contributions to the community and who excel within their chosen field. These individuals are an important part of society and the history of the Kiama local government area and bring honour and recognition to our community.

Appropriate acknowledgement

Honour rolls should physically reflect and be appropriate to the area of honour for which the roll has been established. For example war memorial for war veterans, public artwork for artists.

Accessibility

Honour rolls should be accessible and available for viewing on the Kiama Council website.

Community engagement

Honour rolls stimulate community involvement in the processes of research and discovery about historical and contemporary contributions to Kiama, ensuring these achievements are given full recognition and not forgotten in the passage of time.

7.2. Types of honour rolls

Council currently preserves the following forms of honour roll:

Arts Honour Roll

Honours individual artists of all genres who contribute to the Municipality and excel within their chose field, forming an important part of the cultural arts tapestry of the local government area.

Sports Honour Roll

Honours residents who have made an exceptional contribution to sport at a national or international level, either as a participant, coach or administrator as well as successful teams.

Order of Australia Honour Roll

Any resident of the Kiama Municipality who receives an Australian Honour or Award from the Governor-General recognising outstanding service and contribution is added to this roll which is recorded on our website. Council has no part in awarding these honours.

Gordon Grellman Wall of Remembrance

Council maintains, in conjunction with the local RSL sub-branches, the Gordon Grellman Wall of Remembrance in Terralong Street which honours deceased ex-service men and women from the local government area. Council has no part in assessing these applications.

7.3. Nominations

Nominations for the sports and arts honours may be received from any member of the public regardless of their association with the Kiama local government area.

Nominations for these honours can be received at any time using the online nomination form available on the Council website however will only be assessed once per annum.

DRAFT

Note that nominations for the Order of Australia Honour Roll are completed online on the Governor-General of the Commonwealth of Australia website – www.gg.gov.au.

Note that nominations for inclusion on the Gordon Grellman Wall of Remembrance are completed by contacting the Kiama Jamberoo RSL Sub-Branch.

7.4. Criteria and assessment

The sports and arts honour rolls have their own set of clearly articulated selection criteria that is publicly available on the Council website.

Honour roll recipients must meet the definition of resident of the Kiama Municipality as defined in section 5 above.

All nominations will be considered for assessment against their relevant criteria by an approved assessment panel. Each assessment panel will include representation from Council and other members as relevant to the sports or arts honour roll as established in the terms of reference.

7.5. Presentation of honour

Awarding of new additions to Council's honour rolls will be undertaken from time to time at an appropriate function. Recipients will be provided with a certificate and any other relevant token as representation of their place on the honour roll.

Where the recipient is deceased, a family member or person approved by the family will be asked to accept the award on their behalf.

Council's website will be updated with information on the award recipient following presentation of the honour.

8. Related forms/Documents

- Kiama Arts Honour Roll nomination form
- Sports Honour Roll nomination form

9. Attachments

Nil.

10. Authorisation

Name: Council Resolution No: ****

Date: Date endorsed by ELT or adopted by Council

DRAFT

16.3 Traffic management: Kiama Local Traffic Committee meeting - 2 April 2024

CSP Objective: Outcome 11: We are well connected within our local community, and to our region

CSP Strategy: 11.1 Actively plan how we travel and create safe travel routes whether we are walking, cycling, driving or accessing public transport

Delivery Program: 11.1.2 Implement road safety and traffic management programs and responsibilities

Summary

Council submitted proposals to the Kiama Local Traffic Committee (LTC) Meeting held on Tuesday 2 April 2024 to consider reports for traffic regulation in the Kiama Local Government Area. The Traffic Management Plans considered at that meeting require Council endorsement.

Financial implication

The traffic management items under Recommendations 1, 2, 3 and 5 will be implemented under existing resources allocations.

Items

Risk implication

The risk associated with the information contained in this report is not complying with the Transport for NSW guidelines.

Policy

A Guide to the Delegation to Councils for the Regulation of Traffic (TfNSW)

Consultation (internal)

Kiama Local Traffic Committee

Communication/Community engagement

Organisers are required to advertise and notify of closures as per endorsed Traffic Management Plans.

Attachments

1 Minutes – Kiama Local Traffic Committee - 02 04 24 - PDF⇩

2 Plan 2023-23 for Timed No Parking Restrictions at 33 Shoalhaven Street Kiama. Traffic Committee April 2024⇩

3 Plan 2024-07 Daltons Road and Jamberoo Mountain Road Intersection - Installation of Double Barrier Centre-lines⇩

4 Plan 2024-08 Report to Traffic Committee 2 April Swan Place Kiama⇩

5 10.2020.200.1 - Traffic Drawings - 7-9 South Kiama Drive KIAMA HEIGHTS⇩

6 Plan 2024-09 Corrected Downes Place Jamberoo Report to Traffic Committee⇩

7 Report to Traffic Committee Crooked River Wines_V3.1_Winter Wine Festival_June_2024. Traffic Control and Traffic Management Plan_⇩

8 Report to Traffic Committee Crooked River Winery Winter Festival Engineering-Works-Application-for-Road-Occupation-Permit-S138-2024⇩

9 Jamberoo ANZAC march 20 04 24 -Traffic Management Plan No. NT-0011 prepared by Traffic Management Services Pty Ltd⇩

10 Kiama ANZAC Day Dawn Service and March - Traffic Management Plan Thursday 25 04 24⇩

Enclosures
Nil

RECOMMENDATION

That the Minutes of the Kiama Local Traffic Committee meeting of 2 April 2024 be received and the following recommendations be adopted, subject to any other approvals that may be required:

1. ***24/001LTC*** the implementation of timed 'No Parking' restrictions to the Terralong Street side of the driveway at 33 Shoalhaven Street, Kiama, on Mondays from 6am to 9am, through the installation of regulatory signage, as shown in the plan.
2. ***24/002LTC*** the installation of 10 meters of double barrier lines with reflective RPMs, to be installed in Daltons Road at the intersection with Jamberoo Mountain Road Jamberoo, in accordance with the plan.
3. ***24/003LTC*** the installation of timed 'No Parking' restrictions in Swan Place Kiama, to be timed 6am to 2pm on Mondays, as set out on the plan.
4. ***24/004LTC*** the installation of regulatory signage and line marking presented in the plan, related to development application 10.2020.200.1 at 7-9 South Kiama Drive, Kiama Heights, subject to the following changes:
   - Installation of left turn pavement arrows to the driveway of the facility.
   - The relocation of the Left Turn Only sign to the left side of the exit driveway behind the kerb.
   - The installation of a 'Keep Left' sign to the rear side of the 'No U Turn' sign, to be installed to the left of the centre line of the median to maximise sight distance.
   - Installation of a northern facing 'U Turn Bay Ahead' sign for the proposed Weir Street facility, on northern end of new median.
   - The installation of a double arrowed intermediary 'No Stopping' sign in the Cul de sac.
   - Installation of double RPM's on western side of the proposed median.

5. ***24/005LTC*** the implementation of 'No Parking' in Downes Place, Jamberoo, through the installation of regulatory signage, as shown in the plan.

6. ***24/006LTC*** the proposed Traffic Management Plan on Willowvale Road for the Crooked River Winter Wine Festival on 8th and 9th June 2024 subject to the following conditions:

   - The applicant shall obtain a road occupancy permit from Council under section 138 of the Roads Act,
   - The applicant will meet the requirements of the approved Traffic Management Plan and provide a free shuttle bus service to and from Gerringong Railway Station for all patrons,
   - The applicant to notify the NSW Police Highway Patrol 7 days before the event such that additional Police patrols can be scheduled, as resources permit.
   - Manage the egress of pedestrians and vehicles from the festival to enable control of traffic and pedestrian use under the Traffic Management Plan.

7. ***24/007LTC*** the submitted Traffic Management Plan for the road closures associated with the Jamberoo Anzac March for Saturday 20 April 2024, subject to the following conditions:

   - the road closures to be undertaken by organisers in compliance with the Traffic Management Plan No. NT-0011 prepared by Traffic Management Services Pty Ltd;
   - the applicant obtain a Road Occupancy Permit issued by Transport for NSW,
   - notification of this closure be given to Police, Local Emergency Services, businesses and residents effected by the closure;
   - proof of public liability insurance complying with the Australian Prudential Regulatory Authority (APRA) being provided to Council prior to the event;
   - an advertisement be placed in the local media advising of the closure, and
   - vehicles be used to create a physical barrier on the street to protect pedestrians and participants of the march.

8. ***24/008LTC*** the temporary road closures associated with the Kiama Anzac Day dawn service and march for Thursday 25 April 2024, subject to the following conditions:

   - the road closures to be undertaken by applicant in compliance with the Traffic Management Plan Nos. 6134 and T2305-0415 prepared by Traffic Logistics Pty Ltd and Traffic Management Services Pty Ltd, where:
     a) Closure start and end times be included on both plans
     b) Heavy vehicle alternative arrangements be identified, noting the detour route along Colley Drive has a "No Trucks 4.5T" restriction;

- notification of this closure be given to Police, Local Emergency Services, businesses and residents effected by the closure;
- an advertisement be placed in the local media advising of the closure;
- proof of public liability insurance complying with the Australian Prudential Regulatory Authority (APRA) being provided to Council prior to the event; and
- vehicles be used to create a physical barrier on the street to protect pedestrians and participants of the march.
- The shuttle bus to be fitted with a flashing orange beacon.

9. ***24/009LTC*** the matter regarding parking in Eastern View Place has been dealt with by the three resolutions of Council, including the last recission motion, and there is no specific proposal to the Committee at this time. From an objective and technical perspective, the Committee supports that turning heads in cul de sacs have parking restrictions imposed to maintain free and safe access and movement of traffic.

Background

The Kiama Local Traffic Committee Meeting was held on 2 April 2024 to consider reports for traffic management in the Kiama Local Government Area with the Agenda papers also being distributed to all Councillors.

The Kiama Local Traffic Committee considered 9 items that require adoption by Councill, as above.

Report

The Local Traffic Committee is a Technical Committee of Transport for New South Wales (TfNSW). The Committee operates under the authority conferred to Council by TfNSW under the Transport Administration Act 1988. Council has been delegated certain powers by TfNSW with regard to traffic matters upon its local roads. A condition of this delegation is that Council must take into account the advice of the LTC.

There are four permanent members of the LTC, each of whom has a single vote only. The members are representatives of the NSW Police Force, TfNSW, the Local State Member of Parliament (for the location of the issue to be voted upon) and a representative of Council.

Only matters requiring a resolution of Council are included in this report, other endorsed upgrades have been approved under delegated authority.

Options

Council's options are to:

1. Accept report items as recommended;
2. Decline to accept the recommendations;
3. Request the LTC to reconsider the report.

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE MEETING

commencing at 9.00am on

TUESDAY 2 APRIL 2024

Council Chambers, 11 Manning Street, KIAMA NSW 2533

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE

HELD IN THE COUNCIL CHAMBERS, KIAMA

ON TUESDAY 2 APRIL 2024 AT 9.00AM

PRESENT: Michael Malone (Director Infrastructure and Liveability) (Chairman), Stuart Larkins (Councillor Representative), Andy Gaudiosi (Transport for NSW Representative), Craig Gray (NSW Police Representative), Janelle Burns (Kiama Council Road Safety Officer), Lindsay Dunstan (Kiama Council Resilience Officer), Chris Balzarano (Council Ranger) and Alyson Hodgekiss (Minutes)

1 APOLOGIES

Michaela Sisk (Manager Engineering and Technical), Darrell Clingan (Local Member's Representative),

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

3 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 Kiama Local Traffic Committee Meeting on 5 March 2024

24/010LTC

Resolved that the Minutes of the Kiama Local Traffic Committee meeting held on 5 March 2024 be received and accepted.

(Member Stuart Larkins and Member Andy Gaudiosi)

4 BUSINESS ARISING FROM THE MINUTES

Nil

5 REPORT OF RMS DELEGATED FORMAL ITEMS

5.1 Further investigaton - Provision of 'No Parking' zone - 33 Shoalhaven Street, Kiama

24/011LTC

Unanimously Resolved that the Committee endorses the implementation of timed 'No Parking' restrictions to the Terralong Street side of the driveway at 33 Shoalhaven Street, Kiama, on Mondays from 6am to 9am, through the installation of regulatory signage, as shown in the attached plan.

(Member Andy Gaudiosi and Member Stuart Larkins)

5.2 Installation of double barrier centre-lines - Daltons Road and Jamberoo Mountain Road, Jamberoo

24/012LTC

Unanimously Resolved that the Committee endorse the installation of 10 meters of double barrier lines with reflective RPMs, to be installed in Daltons Road at the intersection with Jamberoo Mountain Road Jamberoo, in accordance with the attached plan.

(Member Craig Gray and Member Stuart Larkins)

5.3 Installation of No Parking Restrictions - Swan Pace, Kiama

24/013LTC

Unanimously Resolved that the Committee endorse the installation of timed 'No Parking' restrictions in Swan Place Kiama, to be timed 6am to 2pm on Mondays, as set out on the attached plan.

(Member Andy Gaudiosi and Member Stuart Larkins)

5.4 Signage and linemarking approval for development application 10.2020.200.1 - 7-9 South Kiama Drive, Kiama Heights

24/014LTC

Unanimously Resolved that the Committee endorses the installation of regulatory signage and line marking presented in the plan attached to the report, related to development application 10.2020.200.1 at 7-9 South Kiama Drive, Kiama Heights, subject to the following changes:

- Installation of left turn pavement arrows to the driveway of the facility.

- The relocation of the Left Turn Only sign to the left side of the exit driveway behind the kerb.
- The installation of a 'Keep Left' sign to the rear side of the 'No U Turn' sign, to be installed to the left of the centre line of the median to maximise sight distance.
- Installation of a northern facing 'U Turn Bay Ahead' sign for the proposed Weir Street facility, on northern end of new median.
- The installation of a double arrowed intermediary 'No Stopping' sign in the Cul de sac.
- Installation of double RPM's on western side of the proposed median.

(Member Stuart Larkins and Member Andy Gaudiosi)

5.5 No Parking Restrictions in the Turning T of Downes Place Jamberoo

24/015LTC

Unanimously Resolved that the Committee endorses implementation of 'No Parking' in Downes Place, Jamberoo, through the installation of regulatory signage, as shown in the attached plan.

(Member Andy Gaudiosi and Member Craig Gray)

5.6 Traffic Management Plans - Crooked River Winter Wine Festival 8 & 9 June 2024

24/016LTC

Unanimously Resolved that the Committee endorse the proposed Traffic Management Plan on Willowvale Road for the Crooked River Winter Wine Festival on 8th and 9th June 2024 subject to the following conditions:

1. The applicant shall obtain a road occupancy permit from Council under section 138 of the Roads Act,
2. The applicant will meet the requirements of the approved Traffic Management Plan and provide a free shuttle bus service to and from Gerringong Railway Station for all patrons,
3. The applicant to notify the NSW Police Highway Patrol 7 days before the event such that additional Police patrols can be scheduled, as resources permit.
4. Manage the egress of pedestrians and vehicles from the festival to enable control of traffic and pedestrian use under the Traffic Management Plan.

(Member Stuart Larkins and Member Craig Gray)

5.7 Jamberoo ANZAC March - Saturday 20 April 2024

24/017LTC

Unanimously Resolved that the Committee endorse the submitted Traffic Management Plan for the road closures associated with the Jamberoo Anzac March for Saturday 20 April 2024, subject to the following conditions:

1) the road closures to be undertaken by organisers in compliance with the Traffic Management Plan No. NT-0011 prepared by Traffic Management Services Pty Ltd;
2) the applicant obtain a Road Occupancy Permit issued by Transport for NSW,
3) notification of this closure be given to Police, Local Emergency Services, businesses and residents effected by the closure;
4) proof of public liability insurance complying with the Australian Prudential Regulatory Authority (APRA) being provided to Council prior to the event;
5) an advertisement be placed in the local media advising of the closure, and
6) vehicles be used to create a physical barrier on the street to protect pedestrians and participants of the march.

(Member Stuart Larkins and Member Andy Gaudiosi)

5.8 Kiama ANZAC Day March - Thursday 25 April 2024

24/018LTC

Unanimously Resolved that the Committee endorse the temporary road closures associated with the Kiama Anzac Day dawn service and march for Thursday 25 April 2024, subject to the following conditions:

1) the road closures to be undertaken by applicant in compliance with the Traffic Management Plan Nos. 6134 and T2305-0415 prepared by Traffic Logistics Pty Ltd and Traffic Management Services Pty Ltd, where:
    a) Closure start and end times be included on both plans
    b) Heavy vehicle alternative arrangements be identified, noting the detour route along Colley Drive has a “No Trucks 4.5T” restriction;
2) notification of this closure be given to Police, Local Emergency Services, businesses and residents effected by the closure;
3) an advertisement be placed in the local media advising of the closure;
4) proof of public liability insurance complying with the Australian Prudential Regulatory Authority (APRA) being provided to Council prior to the event; and
5) vehicles be used to create a physical barrier on the street to protect pedestrians and participants of the march.
6) The shuttle bus to be fitted with a flashing orange beacon.

(Member Stuart Larkins and Member Craig Gray)

6 GENERAL BUSINESS

6.1 Changes requested by a Councillor to Traffic Committee meetings

MM advised that a Councillor has requested changes to the way Local Traffic Committee meetings are held, to consider allowing the public to attend the meeting, and also to livestream the meeting to the public.

Historically where the Committee have agreed to the public attending the meeting, it was only to present their views and ideas, and then leave once this has been done, for the Committee to discuss. Results are below:

The committee members, the 3 in attendance, expressed the view that:

1. Livestreaming of the meeting was not supported as it was likely that the review and endorsement process would be misunderstood with resulting confusion about Council's decisions
2. In line with current provisions the public could attend to provide their views on specific items being considered

6.2 Parking in Eastern View Place, Kiama

DC asked for the correspondence from a resident of Eastern View Place, Kiama to be tabled. MM advised that the matter has already been dealt with by Council at the March meeting, and therefore there is currently no proposal to be considered by the Traffic Committee. The following resolution was made by the Committee:

24/019LTC

Resolved that Committee notes that this matter has been dealt with by the three resolutions of Council, including the last recission motion, and there is no specific proposal to the Committee at this time. From an objective and technical perspective, the Committee supports that turning heads in cul de sacs have parking restrictions imposed to maintain free and safe access and movement of traffic.

(Member Andy Gaudiosi and Member Craig Gray)

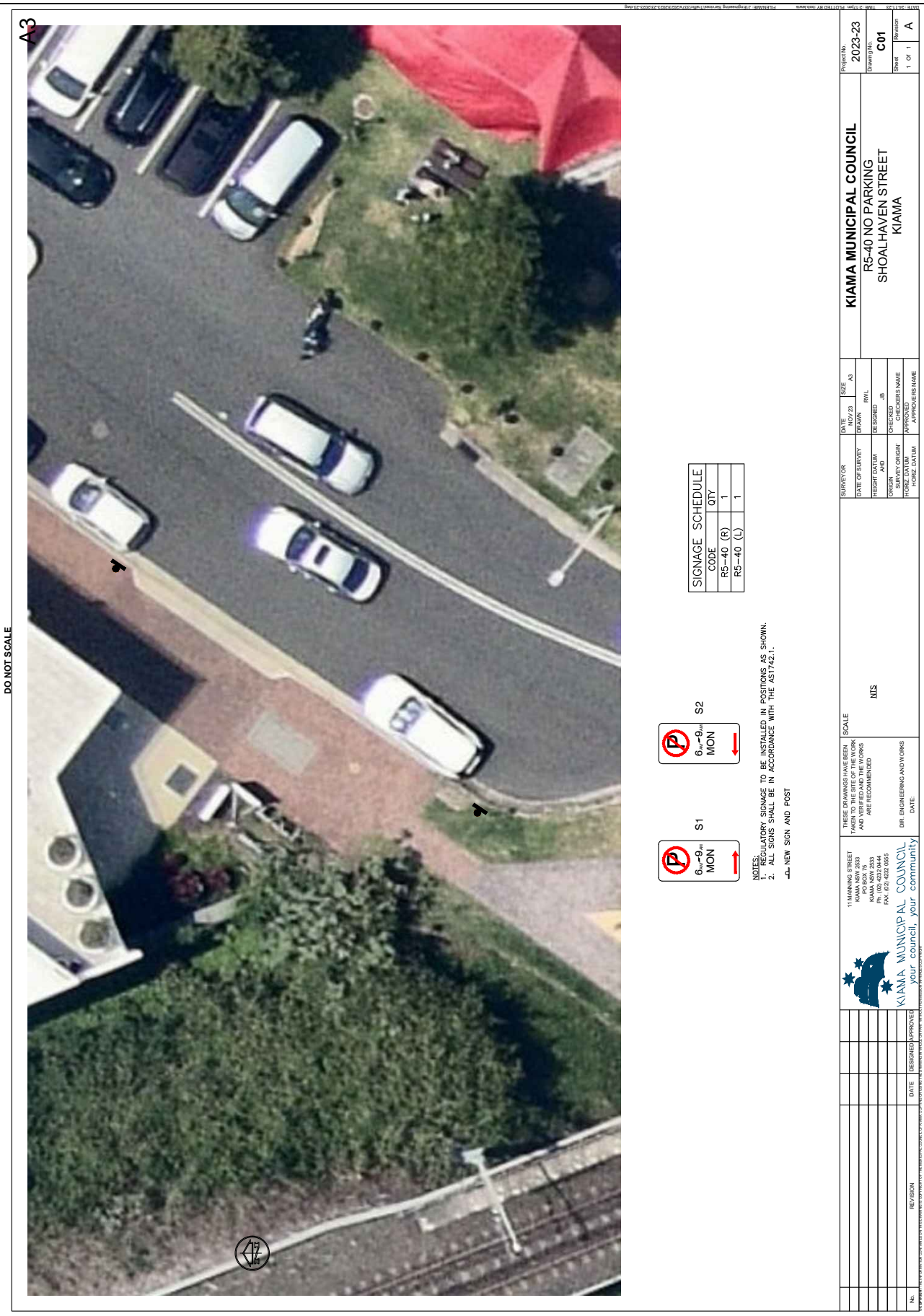
6.3 Update on the study required for the request for new speed limits on Churchill and Allowrie Street, Jamberoo -

SL requested an update on the recent request for the study for new speed limits on Churchill and Allowrie Street, Jamberoo. LD advised that there are 21 locations needing speed and volume counts at the moment, and he is waiting on the preferred supplier to register themselves as a supplier with Council, as per the procurement policy.

7 CLOSURE

There being no further business the meeting closed at 10.34am

These Minutes were confirmed at the Ordinary Meeting of Council held on 7 May 2024



Attachment 2

Item 16.3

2024–07

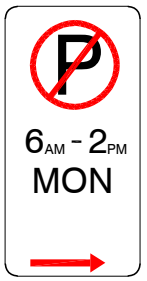


REGISTER OF INSTALLATION OF REGULATORY SIGNS

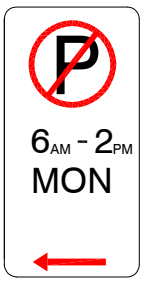
REGISTER NUMBER 2024–07 SCALES PLAN NTS SECTIONS DESIGNED SAAD DRAWN SAAD DATE MAR-24 CHECKED RWL	LINE MARKING DALTONS ROAD JAMBEROO KIAMA	KIAMA MUNICIPAL COUNCIL your council, your community SHEET 1 OF 1 FILE: J:\ENGINEERING SERVICES\TRAFFIC

2024–8





S1



S2

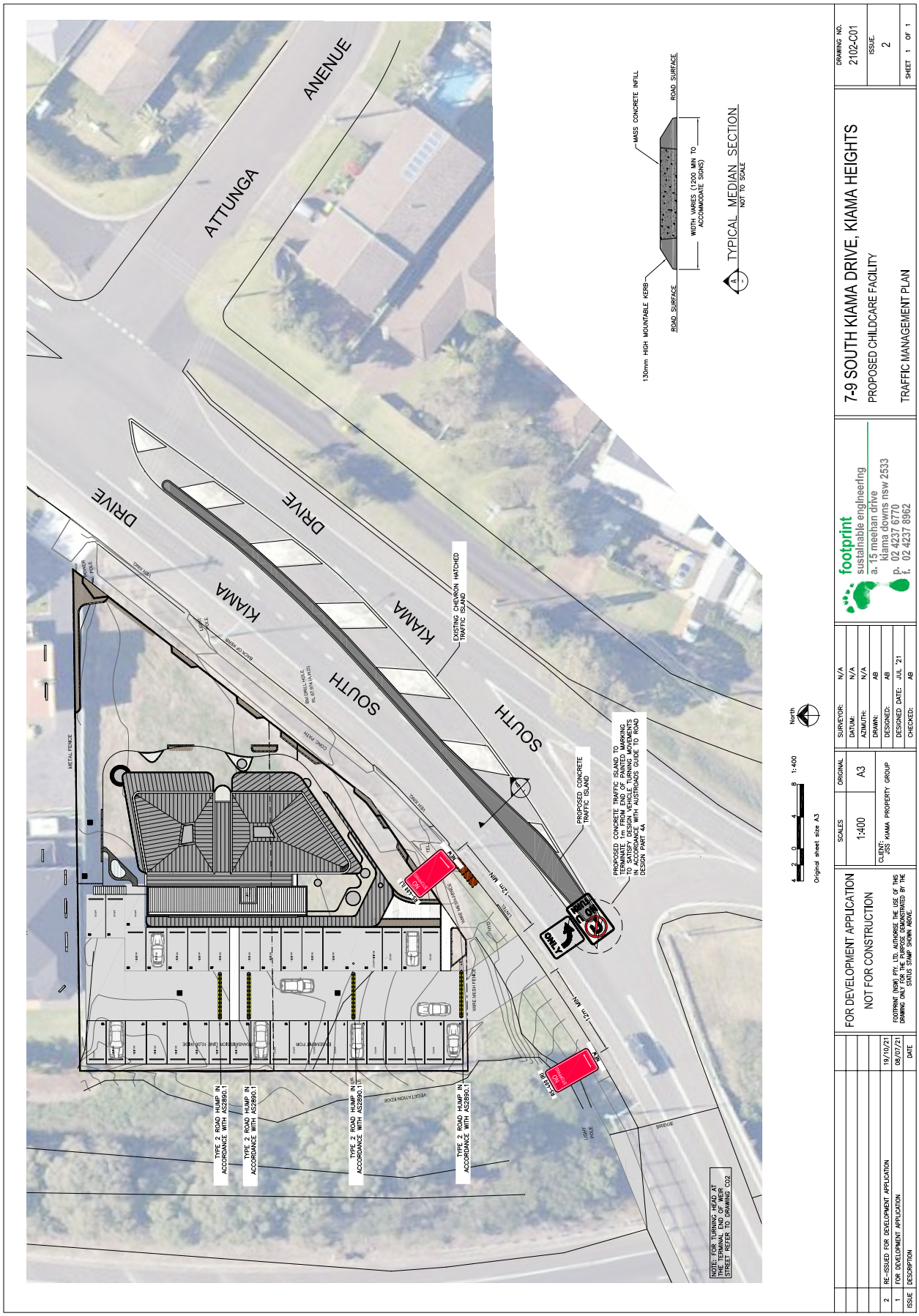
SIGNAGE SCHEDULE	
CODE	QTY
R5–40 (R)	1
R5–40 (L)	1

NOTES:
1. REGULATORY SIGNAGE TO BE INSTALLED IN POSITIONS AS SHOWN.
2. ALL SIGNS SHALL BE IN ACCORDANCE WITH THE AS1742.1.

NEW SIGN AND POST

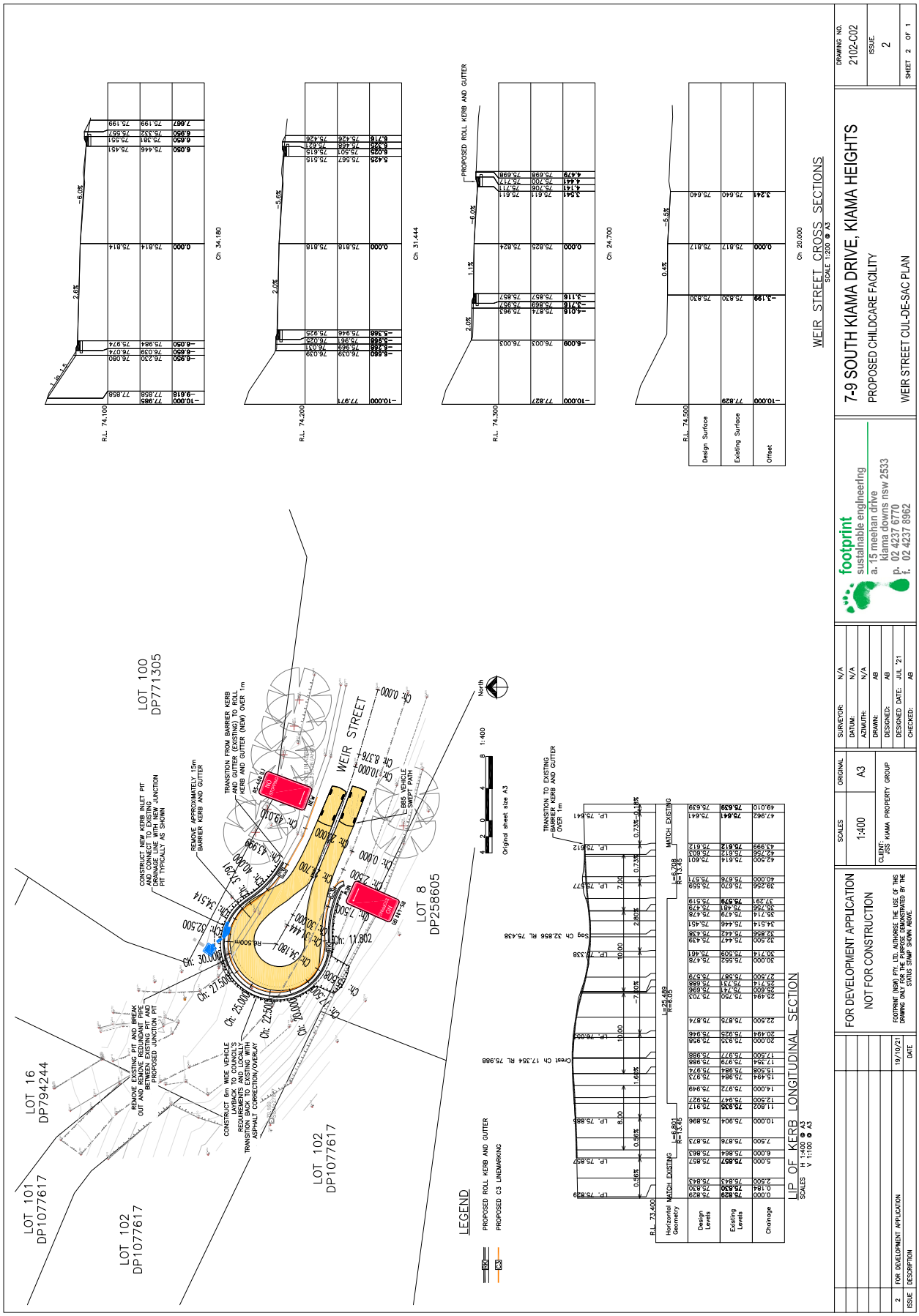
REGISTER OF INSTALLATION OF REGULATORY SIGNS

REGISTER NUMBER 2024–08	R5-40 NO PARKING MON 6AM-2PM SWAN PLACE KIAMA	KIAMA MUNICIPAL COUNCIL
SCALES PLAN NTS SECTIONS		SHEET 1 OF 1
DESIGNED SAAD DRAWN SAAD DATE MAR-24 CHECKED RWL		FILE: J:\ENGINEERING SERVICES\TRAFFIC



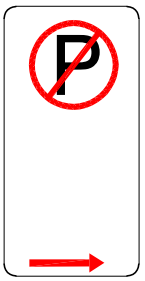
Attachment 5

Item 16.3

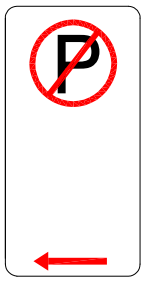

WEIR STREET CROSS SECTIONS
SCALE 1:200 @ A3
Ch. 34.180
Ch. 31.444
Ch. 24.700
Ch. 20.000
R.L. 74.100
R.L. 74.200
R.L. 74.300
R.L. 74.500
Design Surface
Existing Surface
Offset
LIP OF KERB LONGITUDINAL SECTION
SCALES H 1:400 @ A3
V 1:100 @ A3
Chainage
Existing Levels
Design Levels
Horizontal Geometry
R.L. 73.400
LEGEND
PROPOSED ROLL KERB AND GUTTER
PROPOSED C3 LINEMARKING
LOT 100 DP771305
LOT 16 DP794244
LOT 101 DP1077617
LOT 102 DP1077617
LOT 102 DP1077617
LOT 8 DP258605
WEIR STREET
CONSTRUCT NEW KERB INLET PIT AND CONNECT TO EXISTING PIPE AS SHOWN. NEW KERB INLET PIT TYPICALLY AS SHOWN
REMOVE APPROXIMATELY 15m BARRIER KERB AND GUTTER
TRANSITION FROM BARRIER KERB AND GUTTER (EXISTING) TO ROLL KERB AND GUTTER (NEW) OVER 1m
8.8m B99 VEHICLE SWEPT PATH
REMOVE EXISTING PIT AND BREAK OUT AND REMOVE REDUNDANT PIPE BETWEEN EXISTING PIT AND PROPOSED JUNCTION PIT
CONSTRUCT 6m WIDE VEHICLE LAYBACK TO COUNCIL'S REQUIREMENTS AND LOCALLY TRANSITION BACK TO EXISTING ASPHALT CORRECTION/OVERLAY
TRANSITION TO EXISTING BARRIER KERB AND GUTTER OVER 1m
Original sheet size A3
North
1:400
FOOTPRINT (NSW) PTY. LTD. AUTHORISE THE USE OF THIS DRAWING ONLY FOR THE PURPOSE APPROVED BY THE STATUS STAMP SHOWN ABOVE.
FOR DEVELOPMENT APPLICATION
NOT FOR CONSTRUCTION
SCALES 1:400 A3
ORIGINAL
CLIENT: JSS KIAMA PROPERTY GROUP
SURVEYOR: N/A
DATUM: N/A
AZIMUTH: N/A
DRAWN: AB
DESIGNED: AB
DESIGNED DATE: JUL '21
CHECKED: AB
footprint
sustainable engineering
a. 15 meehan drive
kiama downs nsw 2533
p. 02 4237 6770
f. 02 4237 8962
7-9 SOUTH KIAMA DRIVE, KIAMA HEIGHTS
PROPOSED CHILDCARE FACILITY
WEIR STREET CUL-DE-SAC PLAN
DRAWING NO. 2102-C02
ISSUE. 2
SHEET 2 OF 1
ISSUE DESCRIPTION DATE
2 FOR DEVELOPMENT APPLICATION 19/10/21

2024–09

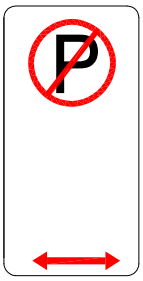




S1



S2



S3

SIGNAGE SCHEDULE	
CODE	QTY
R5–40 (R)	1
R5–40 (L)	1
R5–40 (L–R)	1

NOTES:
1. REGULATORY SIGNAGE TO BE INSTALLED IN POSITIONS AS SHOWN.
2. ALL SIGNS SHALL BE IN ACCORDANCE WITH THE AS1742.1.

NEW SIGN AND POST

REGISTER OF INSTALLATION OF REGULATORY SIGNS

REGISTER NUMBER 2024–09	R5-40 NO PARKING	KIAMA MUNICIPAL COUNCIL
SCALES PLAN NTS SECTIONS	DOWNES PLACE JAMBEROO	SHEET 1 OF 1
DESIGNED SAAD DRAWN SAAD DATE MAR-24 CHECKED RWL	KIAMA	FILE: J:\ENGINEERING SERVICES\TRAFFIC

TRAFFIC MANAGEMENT & PREMISES PLAN

For

CROOKED RIVER WINES

"Crooked River Wines"

11 Willowvale Rd Gerringong NSW

Registered Business
Licence Number: liqw824008891
Trading Name: Crooked River Wines
ABN: 81 650 140 5

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General Event Information

1.1 Event Summary

Crooked River Wines was first established in 1997 and has since become the biggest winery on the South Coast NSW producing award winning wines.

The Winter Wine Festival is an annual event showcasing a variety of live entertainment, local produce and a selection of quality handmade wines that have been grown and manufactured on the estate.

3.1 Traffic Impact Summary

To coincide with this event, the Traffic Management Plan will be implemented to ensure a safe passageway along *Willowvale* Rd, and efficient ingress/egress of guests.

3.1.1 Ingress / Egress

All vehicles will enter the parking areas via Willowvale Rd (Belinda St). Authorised Traffic Controllers will be engaged to implement traffic management as per TCP. Traffic Management Strategy will address:

- Vehicular traffic of guests for the event.
- Local/Nearby Residents up *Willowvale* Rd.
- Casual visitors and general traffic moving through the area.
- Pedestrian Egress along Belinda St / Simms Rd.
- Traffic movements for the safety barrier install and de install.

VEHICULAR INGRESS STRATEGY

All vehicles will enter the parking area via the *Willowvale Rd* Entry, guided by Authorised Traffic Controllers up to the Parking Zones. Parking Zones are defined as follows:
Zone 1 – Four Wheel Drive (4x4) parking (Grassed area)

Zone 2 – Southern Side of Private Driveway

Zone 3 – Northern Side of Willowvale Rd, after the "Dairy Shed"

Zone 4 – Southern Side of Willowvale Road, after the "Dairy Shed" (4 x 4 Only)

Zone 5 – Northern Side of Willowvale Rd, after Zone 3

Zone 6 – Southern Side of Willowvale Road, after Zone 4



VEHICULAR EGRESS STRATEGY

Authorised Traffic Controllers will manage *Willowvale* Road as per TCP to ensure that no queuing of vehicles exiting event parking zones will impact *Willowvale* Rd or Belinda Street.

The event organisers are required to engage an authorised traffic management company to provide traffic management support for the event. It is recommended that the company is pre-approved for local government procurement and has $20 million public liability noting the event organisers as an interested party.

Traffic Control Plans can be found in section 6.1 of this TMP.

3.2 Event Details

Event Date:	Sat 08th & Sun 09th June 2024
Event Times:	12:00 – 22:00
Event Venue:	Crooked River Wines
	11 *Willowvale* Road
	Gerringong NSW 2534
Target Market:	35-65 mature audience
Frequency:	Annually
Preliminary Classification:	Class 2 (subject to Local Traffic Committee – LTC assessment**)**
Bump-in Starts:	1000 - 1200
Traffic Control (D1)	1000 - 2200
Traffic Control (D2)	1000 - 2200
Bump-out Finishes:	2200 - 2400

3.3 Key Event Contacts

Event Organiser:	Owen Cooper
Event Manager:	Owen Cooper
Event Manager Phone:	0403 676 237 (Owen)
Venue Owner:	Roger & Ange Lloyd
Venue Owner Phone:	02 4234 0975
Venue Owner Email:	roger@crookedriverwines.com
Police PAC:	Kiama Police (Southern Region PAC)
Police Contact:	Duty Officer / Traffic Sergeant on Duty
Police Phone:	02 4232 1444
Police Email:	N/A
RMS Contact:	RMS Southern
RMS Phone:	02 4221 2509
RMS Email:	operations.southern@rms.nsw.gov.au
Traffic Control Provider:	Cato Location Services (or another TC company if preferred)
Traffic Control Contact:	Nicola Illiadis / Kieran Cato
Traffic Control Phone:	9517 1313 / 0488 274 504
Traffic Control Email:	operations@catolocationservices.com.au

Location Map & Event Site Plan

Dave Ferrit Festival will be held at Crooked River Wines Private Property as per below map:



Should a detailed site plan be required, please contact the Event Organiser in section 1.4 of this document for the latest site plan.

Workplace Health & Safety

5.1 Risk Assessment Plans

A Risk Management approach is a fundamental part of the planning for any event. The safety risk identification, assessment and control processes are legal obligations (as per the WHS Act and Regulation 2011) and should be aligned with AS/NZS ISO 31000 Risk Management – Principles and Guidelines. Broader event risk management is best practice and a fundamental part of due diligence.

The event organisers as the ground hirers will be the principal risk manager for the event and shall ensure that the risk management methodologies are applied throughout all stages and aspects of the event activities.

A comprehensive Risk Assessment will be conducted for *Dave Ferrit Festival* and can be made available by contacting the Event Manager as listed in section 1.4 of this TMP.

5.2 Public Liability Insurance

Crooked River Wines has Australian Public Liability Insurance to the value of $20,000,000. This policy covers all activities of the event and the organisation

A copy of such insurance can be found in section 6.2. If omitted from this document, it can be made available by contacting the Event Manager as listed in section 1.4 of this TMP.

5.3 NSW Police Force

The Southern Region Police Area Command (PAC) will be engaged to confirm support and no objections to this event. They will be formally notified at least 2 weeks prior to the event-taking place.

5.4 NSW Fire & Rescue and NSW Ambulance

NSW Fire & Rescue and NSW Ambulance will be notified at least 2 weeks prior to the event-taking place. NSW Ambulance also require an email sent to the Event Planning Unit 2 weeks prior to the event

eventplanning@ambulance.nsw.gov.au

5.5 Event Delays, Postponement or Cancellation

Any decision to delay, postpone or cancel the event due to weather impacts or any other reason will be made by the Event Organiser and follow their protocols for emergency management. Once any decision is made in this regard it will be communicated to all relevant stakeholders.

5.5.1 CONTINGENCY PLANS

5.5.1.1 Heavy Rain

In the Event of heavy rain in the week leading up to the event or on the day of the event, it would not be necessary to cancel the event. (30mm or more), There is sufficient shelter for guests, and event organisers/staff.

5.5.1.2 Cancellation of the Event

Assessment and need for cancellation will be done by the Event Managers/Venue Owner. A decision on the cancellation of the event due to weather would need to be made 72 hours prior to the event date. This would allow time to notify all parties involved. Guests would be personally informed via the Company's Website/social media platforms.

Traffic and Transport Management

6.1 The Routes and Location

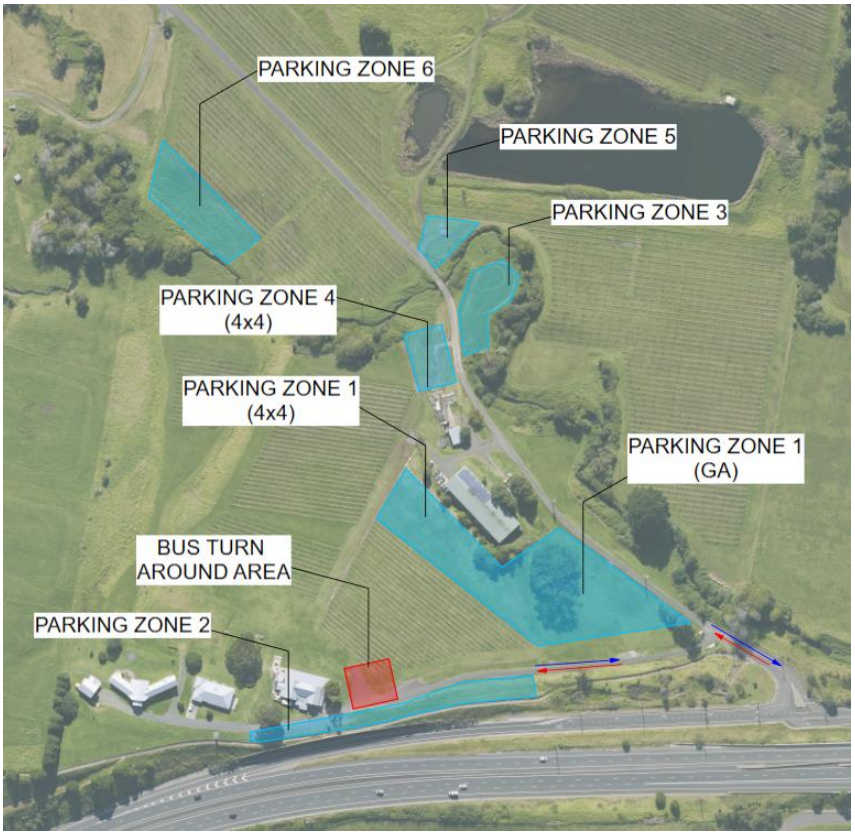
A map of the event location is below displaying traffic ingress, and egress. Vehicular traffic will enter and exit the event area via *Willowvale* Rd

Ingress =

Egress =

Authorised Traffic Controllers will manage ingress/egress via Willow Vale Rd. Event Management will manage the parking within private property, guiding vehicles to park. The Zones will fill progressively from Zone 1 to Zone 6.

(See section 1.2.1 of this TMP for full ingress/egress strategy)



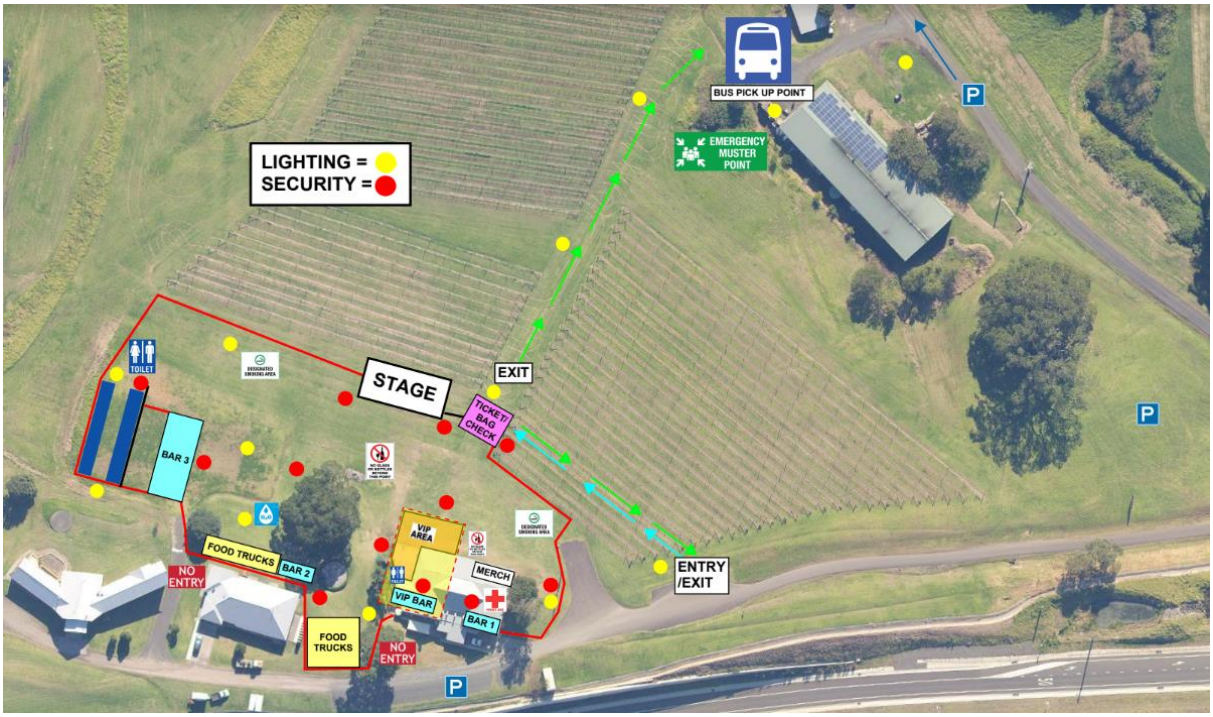
Ingress upon entry at the venue will allow guests to enter the event via Lanes 1 (general admission) and

lanes 2 (VIP). There will be no pass outs throughout the event unless approved by the licensee or manager.

Egress upon exit at the venue will allow guests to exit the event via lanes 3, 4, 5 (bus lanes) and 6 & 7 (parking bay lanes). This will provide a safe and ease of access for patrons to exit the venue accordingly.

To further assist safe pedestrian/guest movement upon Egress, additional traffic controllers and pedestrian marshals will be deployed to the intersection of Belinda St/Simms Rd. This will allow safe pedestrian/guest thoroughfare via Belinda St to Gerringong Train Station. To further minimise risk upon egress delineation with crowd control barriers will be placed as per TGS to provide safe path, in conjunction with a speed zone reduction to 20 kilometres per hour.

Charter buses will be provided for guests with each location going to nominated train stations, Gerringong, Kiama and Berry. Additional buses will also be provided by Gerringong Bus Service.



6.2 Resource Table

#	Location	Requirements
1	Willowvale Rd	4 x Traffic Controllers Traffic Control Devices as per TCP
2	Internal Driveway leading up to the house / event area	2 x Traffic Controllers 2 x Pedestrian Marshall Traffic Control Devices as per TCP
3	Intersection of Belinda St and Simms Rd	5 x Traffic Controllers 2 x Pedestrian Marshall Traffic Control Devices as per TCP

6.3 Event Vehicle Access to the Event Site for Suppliers, Contractors and Staff

There will be an 8km/hr limit on the property for the duration of the event.

Authorised Vehicles for Event Suppliers, Contractors, and Staff during Bump in/out via the Private Driveway off *Willowvale* Rd. All cars will be parked in designated areas and only emergency vehicles, amenities management or permitted disability access will be allowed during the operation period of the event.

6.4 Parking

There will be several parking areas (or zones) for guests, as well as event staff. These parking zones are located inside The Winery with approximately 700 car spaces available.

It is expected that the peak periods of parking demand would be at the start and end of the event days. Authorised Traffic Controller, and Event Management will manage parking within the property. Motorists will be encouraged to keep a continuous and steady flow into the car park to ensure there is no queuing on *Willowvale* Rd.

Extra care must be taken by the vehicle drivers to ensure pedestrian safety.

Event Management will direct vehicles to park in designated parking zones. Refer to parking plan in section 4.1 of this TMP. All vehicles will enter the Private Driveway and then guided to the relevant zone(s)

A copy of the parking layout map is attached to this TMP. Refer to section 4.1

An Updated map can be made available by contacting the Event Manager or Venue Manager as listed in section 1.4 of this TMP.



6.5 Impacts on Public Transport

The event will not have any direct impact on public transport in the near area.

Due to the event being a licenced function with the supply of Alcohol, Event Management have arranged courtesy Bus to and from Gerringong Station for Guest comfort and safety.

Kiama Cabs, and other local Taxi Services will be notified for any guests wishing to utilise this service.

No Bus stops will be impacted or relocated. Bus hired companies have been hired for this event, (Including, but Not Limited to) Canty's Buses, Nowra Coached, Shoalhaven Shuttled, Luxe Tours, South Coast Journeys.

Buses will give patrons the option to facilitate travel to and from stations provided.

6.6 Traffic Management Requirements Unique to This Event

The following is to provide a travel mode scenario for stakeholder planning consideration

- It is anticipated that visitors would carpool due to the event demographic, and target market. With an average anticipated level of 3-4 pax/car, parking capacity can accommodate up to the maximum allowed capacity.
- To alleviate congestion, and allow for safe arrival, and departure of guests, shuttle buses will be provided for transportation to and from the event venue.

6.7 Traffic & Pedestrian Management

See Traffic Control Plan in section 6.1 of this TMP. It demonstrates the following:

- Traffic Controllers, to manage the ingress/egress of vehicles along *Willowvale* Rd.
- Traffic Controllers will also ensure by way of Traffic cones (or similar) that no parking occurs along *Willowvale* Rd (Council Rd).
- Traffic Controllers will also ensure that Pedestrian Safety is managed by Sending Pedestrians directly into the private property from the road.
- Traffic Controllers and Pedestrian Marshalls to manage egress at the intersection of Simms Rd, and Belinda St, by creating a safe crossing point for patrons wishing to utilise Gerringong Train Station services.

In all cases whereby pedestrians need to be delineated from vehicular traffic, this will be done so by a combination of bollards, traffic cones, and speed zone reduction as highlighted above for the area/location.

Minimising Impact on the Non-Event Community

7.1 Access for Local Residents and Businesses

Access for local residents or businesses will not be impacted as the event is contained within Private Property, and no road closures are implemented.

Any local residents wishing to access their property further north on *Willowvale* Road can do so without being impacted. All residents on Willowvale Rd & surrounds have been contacted prior to each event.

Vehicles travelling along *Willowvale* Rd could potentially held/stopped for max 3 min whilst pedestrians are guided across the roadway under stop/slow traffic control from the helipad, or vehicles are moved up to the designated Parking Zones.

7.2 Access for Emergency Vehicles

Emergency service vehicles will have unobstructed access into the event site if required via the designated entry point (off *Willowvale Rd*). Vehicle access paths of width no less than 3.5m will be maintained at these points.

- Event Management not allowing vehicles to park in obstructed to the path.
- Any cars in the way of emergency vehicles in response will be directed out of the way by Event Management, Pedestrian Marshalls, or Traffic Controllers.
- Event Manager will be checking throughout the shift that the paths are not obstructed.

Ambulance Access – An Ambulance would gain access to the event site via *Willowvale Rd* if there was an emergency. Ambulance can be escorted to the incident site by Event Manager as required.

Fire Brigade – The local RFS will not have fire trucks at the event. If Fire Brigade would need to gain access in the event of an emergency, they can gain access via the Private Driveway off *Willowvale Rd.*

Police – Would gain access to the event site via *Willowvale Rd* if there was an emergency. Police can be escorted to the incident site by Event Manager as required.

The Event Organiser will communicate these measures to the relevant services prior to the event-taking place.

7.3 Advertising Traffic Management Arrangements

The Event Organiser will promote Dave Ferrit Festival and the ingress/egress strategies taking place using a variety of methods in the weeks preceding the event including:

- Social media platforms,
- Event Organisers Website,
- Various Local Paper based publications.

7.4 Variable Message Signs

Two VMS will be installed around the event site managed solely by the Event Organiser. The details of the plate text, times, dates, and independent contractor can be ascertained by contacting the Event Organiser. The Locations of the VMS Boards are demonstrated below:



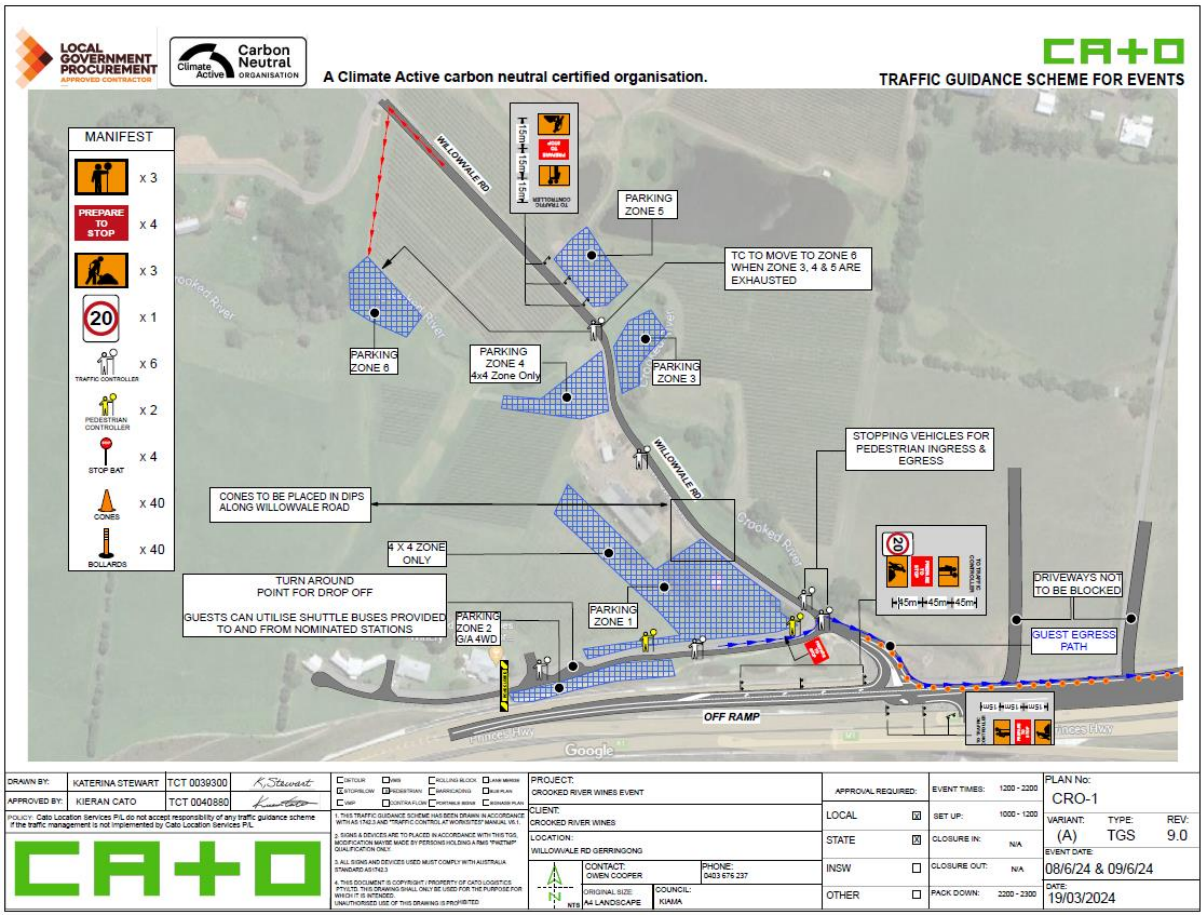
Attachments

10.1 Traffic Control & Pedestrian Management Plan

10.1.1 CRO-1A REV9

This Traffic Control Plan shows the strategy of which Traffic Controllers will:

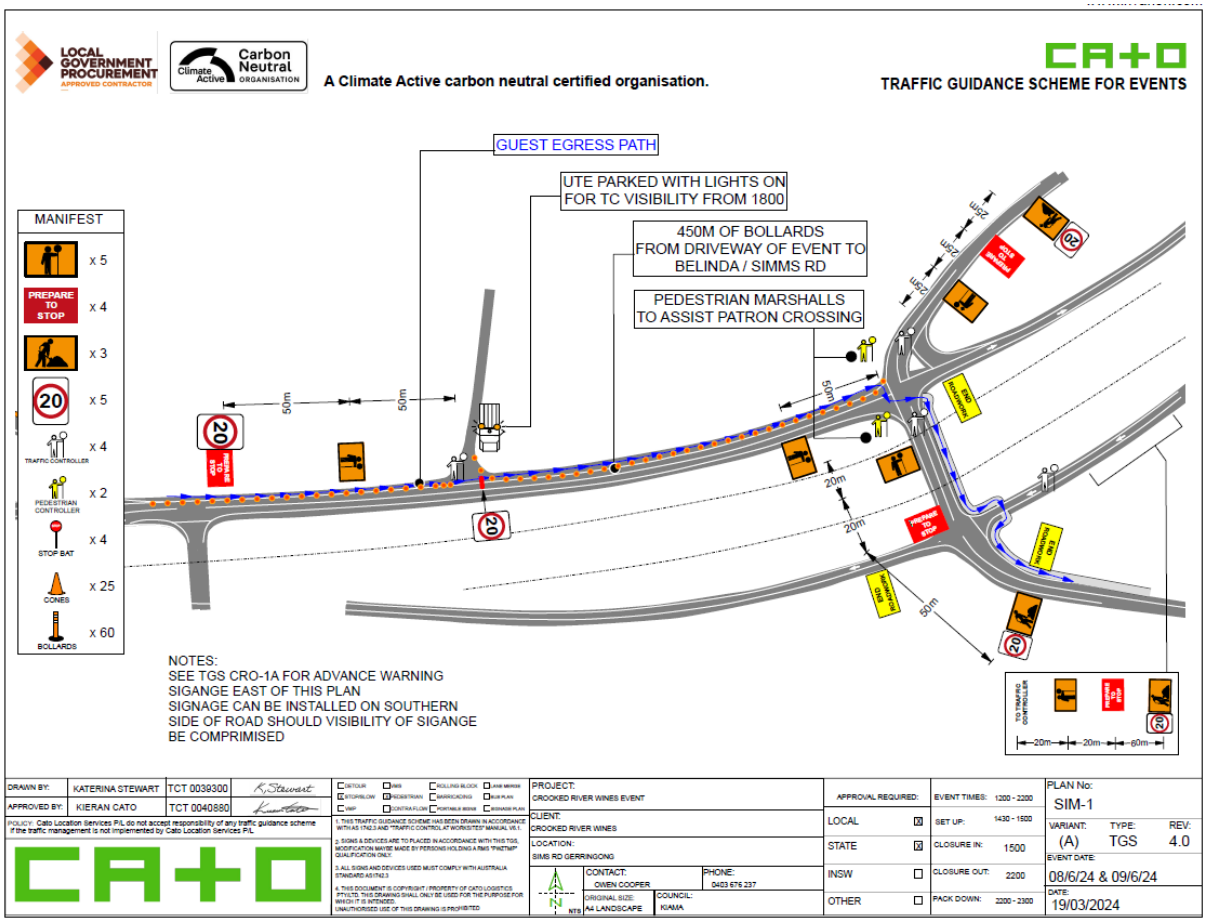
- Manage Ingress/Egress of Guests to Ensure no queuing on *Willowvale Rd*, and
- Ensure no Guests Park on *Willowvale Rd*



10.1.2 SIM-1A REV4

This Traffic Control Plan shows the strategy of which Traffic Controllers and Pedestrian Marshalls will:

+ Manage Egress of Guests to Ensure safe passageway to Gerringong Train Station





10.2 Public Liability Insurance

*******OMITTED – REFER TO EVENT MANAGER*******

7 Approvals

7.1 Event Organiser Approval

TMP Approved by:

Owen Cooper
(Name)

26/03/2024 **(Signature)**
(Date)

7.2 Authorisation to Regulate Traffic

Council's traffic management requirements have been met. Regulation of traffic is therefore authorised for all non-classified roads described in the risk management plans and this TMP.

Regulation of Traffic Authorised by:_____
(Council)

_____
(Name)

_____
(Signature) **(Date)**

The RMS traffic management requirements have been met. Regulation of traffic is therefore authorised for all classified roads described in the risk management plans and this TMP

Regulation of Traffic Authorised by: _____
(RMS)

_____
(Name)

_____
(Signature) **(Date)**

KIAMA MUNICIPAL COUNCIL
your council, your community

23/60655 07/2023

APPLICATION FOR ROAD & FOOTPATH OCCUPATION PERMIT

- Use this form to apply for permission to undertake filming and construction works in or from the road and footpath. Fees are required in accordance with Council's adopted Fees and Charges.

NO WORK IS TO COMMENCE UNLESS A ROAD OCCUPATION PERMIT IS ISSUED BY COUNCIL

OFFICE USE ONLY		
Application no.:	NAR:	Date paid:
S138 Permit fee:	Bond:	Receipt no.:
Late Notice fee:	DTR Fee:	Total:
L138 Tracking Added (late application) ☐	A138 Tracking Added ☐	

PART 1 - APPLICANT DETAILS	
Company Name (if applicable):	Crooked River Winery Ptd Ltd
Applicant's Name:	Owen Cooper
Address:	11 Willowvale Rd Gerringong NSW 2534
Phone contact (24 hour):	0403 676 237
Email:	owen@crookedriverwines.com
Is the applicant also the supervisor?	Yes ☑ No ☐
Signed:	Date: 26/03/2024

PART 2 – ON-SITE SUPERVISOR DETAILS (if not the applicant)			
Full name of on-site supervisor:		Phone contact (24 hour):	

PART 3 – LOCATION OF WORK	
Address:	11 Willowvale Rd Gerringong NSW 2534
Nearest cross streets:	Gerringong exit, Gerringong

PART 4 – WORK TIMES

PLEASE NOTE:

- **Please allow up to 7 business days for processing.**
- **If the permit requires a full road closure (i.e. No through traffic) or requires construction of permanent traffic facilities, the permit will need approval from the Kiama Local Traffic Committee. Applications for approval from the Kiama Local Traffic Committee require 4 months notice. Please call Council for advice if you have any questions regarding your application.**

Proposed Start Date: 08/06/2024	Proposed Finish Date: 09/06/2024
Proposed Times: 10am - 10pm	Includes Saturdays: Yes ☑ No ☐
TOTAL NUMBER OF DAYS: 2	
Permit required within two business days (An additional fee of $225 applies): Yes ☐ No ☑	

PART 5 – DESCRIPTION OF WORK

Please provide a detailed description of the work being undertaken and Council will assess the appropriate fees*

Ingress and egress of traffic to and from Crooked River Winery	
Is the work associated with a Development Consent?	Yes ☐ No ☑
If Yes, provide Reference No.	

*Fees will be calculated in accordance with Council's fees and adopted fees and charges. A summary table is below:

CATEGORY	EXAMPLE OF TYPE OF WORK INVOLVED	NOTES	FEE
On–road filming	Filming on Council roads in either a moving vehicle or from the road verge.	Each film location to be a separate application.	$215 each day
Low Impact Works	Painting, signage removal/installation, awning maintenance, house service lines. No plant or machinery will be involved.	One day only, and less than $2000 in value	$215 for one day
All other works	Reconstruction/installation/upgrade of roads/footpaths/drainage, installation of above/below ground services/utilities, crane operations, concrete pumping and pickups/deliveries, use of Traffic controllers' in a public road and dewatering of a site.	Approval is for a maximum time frame of four months (at Council's discretion).	$240 application fee, and $13.00 per each additional day.
Site access and fencing	Erection of fencing or hoardings in the road reserve.	Approval is for a maximum time frame of four months (at Council's discretion).	$625
Time restricted signposted Work Zone	Where a signposted enforceable signposted work zone is to be installed outside the site.	Application to be endorsed by Kiama Traffic Committee and Council before approval can be granted. Allow up to two months. Applicant responsible for organising signage.	$2.40/metre/day
Speed Reduction	Reduction of signposted speed on the TCP.	Where shown on the TCP that the speed limit will be reduced This is in addition to all other fees.	$315
Urgency Fee	Permit needs to be expedited.	Where the permit is required within 2 business days of lodgement .This is in addition to all other fees.	$225
Notification Fee	Where Council is required to publicly notify the application.	Where Council is required to publicly notify the application.	$100
Inspection Fee	Where works in the public domain are required to be inspected.	Up to 5 inspections.	$355
Engineering Assessment	Where works in the public domain are required to assessed.	Fee assessed on cost of works.	$600 to $1,200

PART 6 – PUBLIC LIABILITY INSURANCE

Evidence of Public Liability Insurance for minimum amount of $20M (for proposed works duration) shall be provided. The insurer, date of expiration and policy number is to be provided below:

Insurer	Expiration Date of Policy	Policy No.
TBC		

PART 7 – TRAFFIC CONTROL PLAN

A traffic control plan prepared by a suitably qualified person shall be provided. The name and accreditation number shall be provided below:

Accredited Person	Accreditation Number
Cato Traffic Management	0449507020

PART 8 – ROAD OPENING BOND

Does the work involve opening up a road or concrete footpath surface? Yes ☐ No ☑

If yes, a bond will be required to open up a road and/or footpath. The minimum amount to be paid will be **$3200** or $450/square metre (whichever is greater). Further details may be requested by Council regarding this requirement. Council may allow any bond paid with the Development Approval, in lieu of requiring this payment.

TO MAKE AN APPLICATION

Lodge your completed application in person to Council or email it to council@kiama.nsw.gov.au

The completed application shall include separate PDF documents which includes:

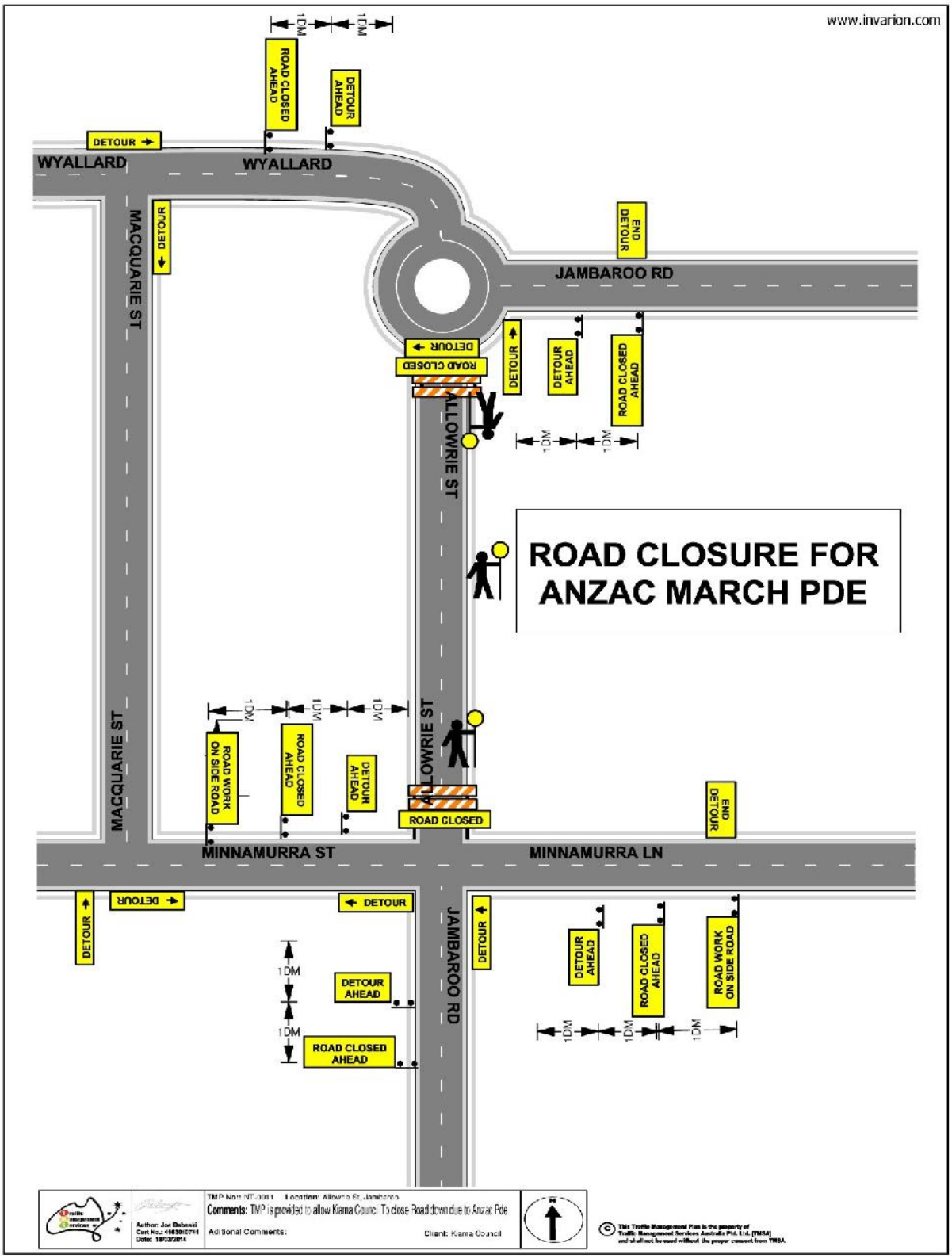
- this completed application form;
- the Traffic Control Plan;
- evidence of Public Liability Insurance for the period of work proposed;

You will be contacted for fee payment. To expedite the issue of the permit, you may provide your contact name and phone number below and you will be contacted for Credit Card Payment. Payment can also be made in person with credit card, cash or cheque (made payable to “Kiama Municipal Council”).

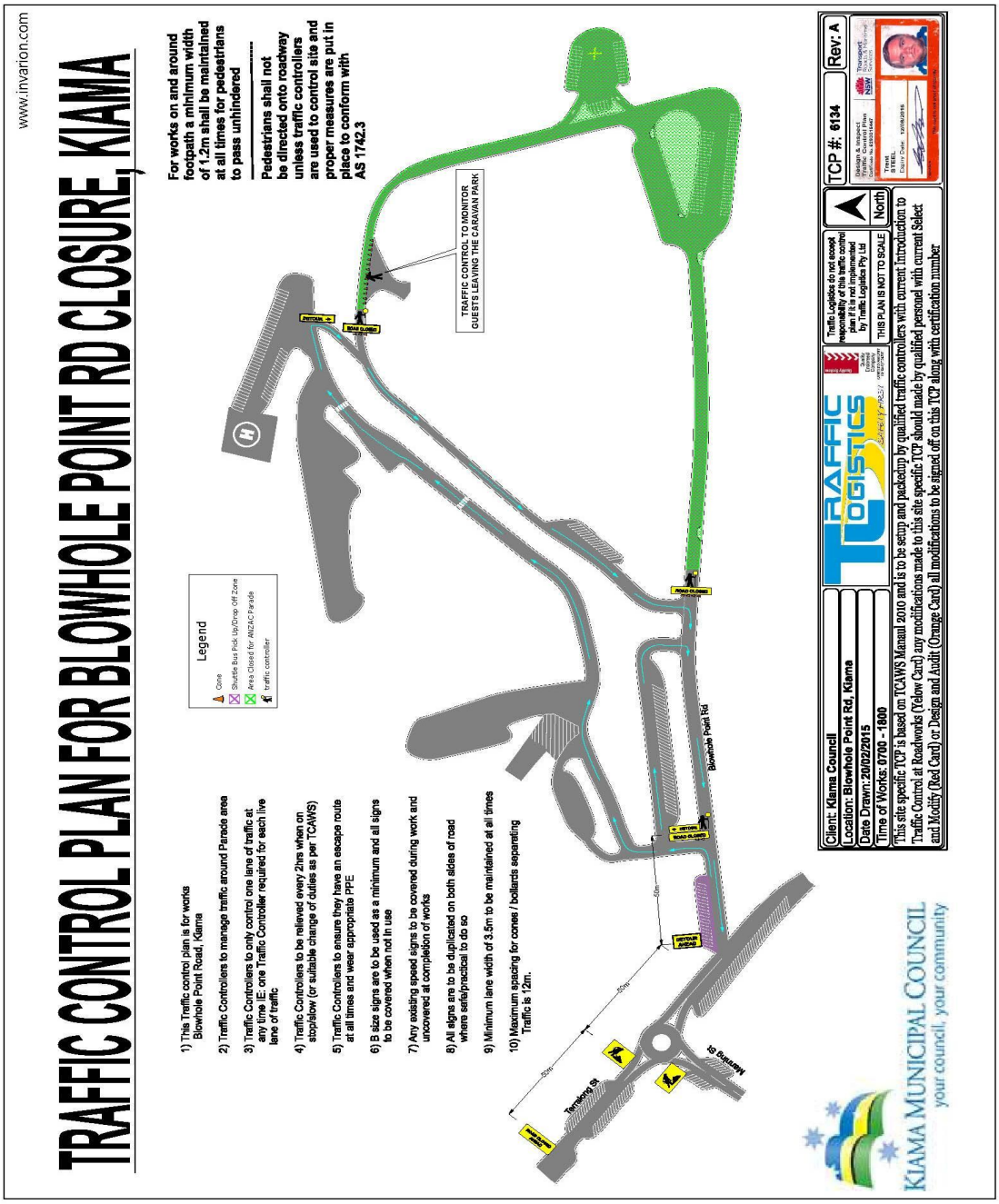
Contact name:	Owen Cooper	**Phone number:**	0403 676 237

PRIVACY & PERSONAL INFORMATION PROTECTION NOTICE

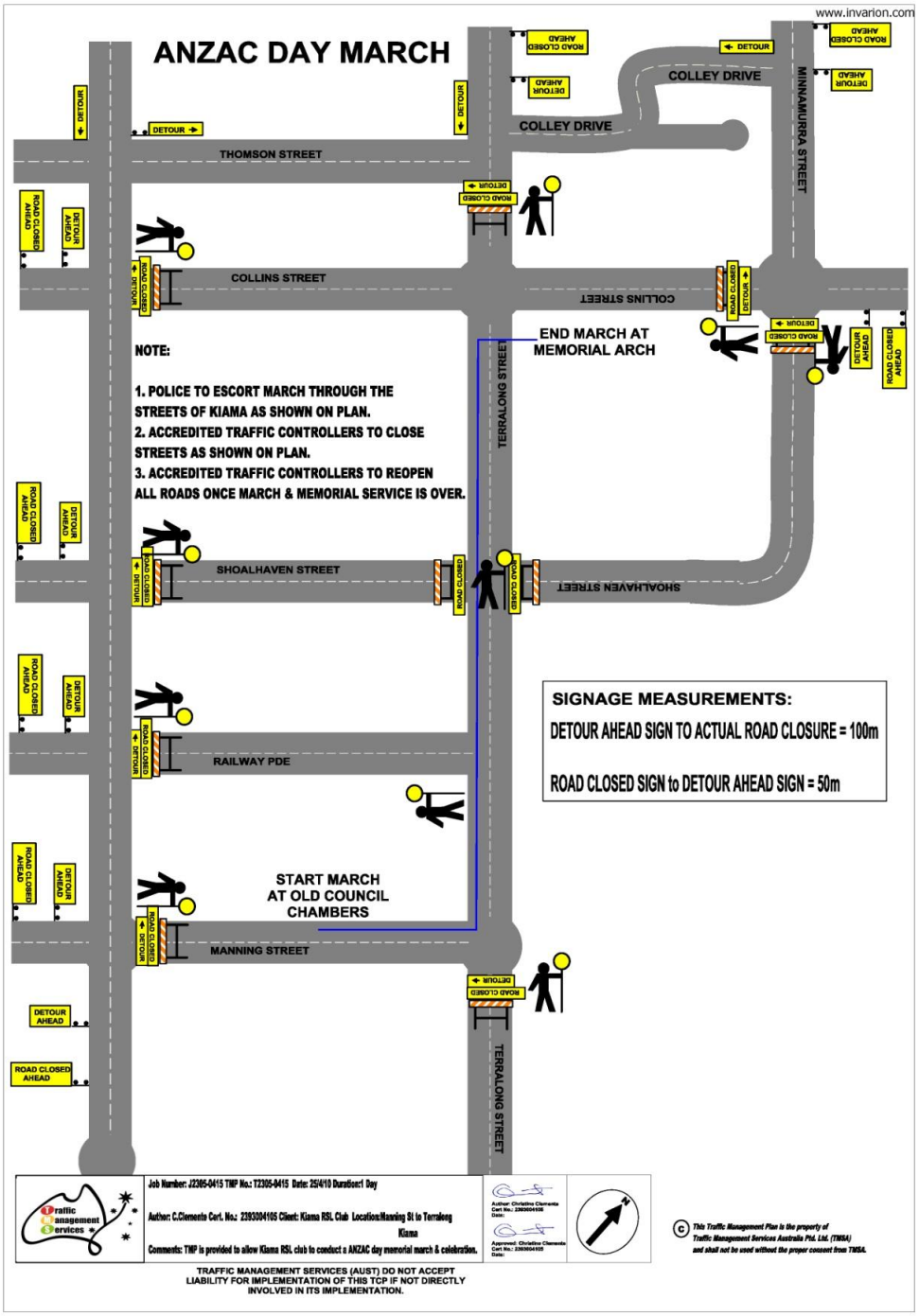
Purpose of collection: We are collecting your personal information in order to enable Council to assess your application for a road & footpath occupation permit. **Intended recipients**: The intended recipient of the information is Kiama Municipal Council. **Supply:** The supply of this information is compulsory and the personal information you provide will enable Council to assess your application road & footpath occupation permit. **Access/Correction**: You can access the personal information and it may be available to third parties in accordance with the Government Information (Public) Access Act and Council’s Privacy Management Plan. Your personal information may be disclosed to third parties for the purpose of completing the request. You may make an application for access or amendment to personal information held by Council. We will consider any such application in accordance with the Privacy and Personal Information Protection Act 1998. **Storage:** Kiama Council is the agency that holds the personal information. Council may be contacted on (02) 4232 0444 or by email to council@kiama.nsw.gov.au or at 11 Manning Street Kiama, NSW 2533. **Your contact details may be used to update Council’s Name and Address Register that we may use to contact you regarding any other Council matter**. Kiama Council’s Privacy Policy can be viewed at www.kiama.nsw.gov.au/your-council/policies


www.invarion.com
ROAD CLOSED AHEAD
DETOUR AHEAD
DETOUR
WYALLARD
WYALLARD
MACQUARIE ST
DETOUR
JAMBAROO RD
END DETOUR
ROAD CLOSED
ALLOWRIE ST
DETOUR AHEAD
ROAD CLOSED AHEAD
1DM
ROAD CLOSURE FOR ANZAC MARCH PDE
ROAD WORK ON SIDE ROAD
ROAD CLOSED AHEAD
DETOUR AHEAD
ROAD CLOSED
END DETOUR
MINNAMURRA ST
MINNAMURRA LN
JAMBAROO RD
ROAD WORK ON SIDE ROAD
Comments: TMP is provided to allow Kiama Council To close Road down due to Anzac Pde
Additional Comments:
Client: Kiama Council

DAWN SERVICE – TRAFFIC MANAGEMENT PLAN



ANZAC MARCH – TRAFFIC MANAGEMENT PLAN



17 REPORTS FOR INFORMATION

17.1 Question for future meeting: Update regarding Endeavour Energy and power supply on Bourrool Lane, Kiama

Responsible Director: Infrastructure and Liveability

Precis

At the June 2022 Council meeting, it was requested that staff provide an updated report to Council on the findings of the investigation with Endeavour Energy and upgrading overhead electrical lines to underground. The matter was referred to Engineering and Works (now Infrastructure and Liveability) for investigation. The matter has been delayed due to staffing shortages.

Response

Council's Infrastructure Engineer had communicated with Endeavour Energy regarding the luminaires issues and under boring of overhead power cabling at Bourrool Lane, Kiama. Endeavour Energy confirmed that glare shields had been installed on all the existing luminaires to resolve the glare issues raised by the concerned residents.

Regarding under boring of the overhead power cabling, Endeavour Energy waived the requirement in the first section of the Bourrool Lane because this will have major impacts on the two significant trees present in the Bourrool Lane which have substantial tree roots extending down to the footpath area. This was discovered following subsequent investigations by the two qualified arborists.

Communication/Community engagement

The concerned residents have been notified of the outcome of the investigation by email in December 2023.

Risk implication

There is no risk implication to the Council.

Update regarding moving power away from overhead to underground by Endeavour Energy

The Council Infrastructure Engineer has recently met with Endeavor Energy and enquired about their plans to underground any existing overhead powerlines.

Endeavour Energy advised:

1. They do not have any programs to proactively underground existing powerlines in the Kiama area.
2. As per their current policy, all new sub-divisions are constructed using underground distribution assets.

Further, for development applications of significant size, Endeavour Energy are included in the agency referral process to advise what connection or augmentation they will require.

17.2 Question for future meeting: Support for local businesses and investment in live music

Responsible Director: Planning, Environment and Communities

At its meeting on 21 March 2023 a question for future meeting was asked by Councilor Croxford requesting a report on how Council can better support local businesses and encourage investment in live music venues, that also addresses the challenges of using private certifiers, on how Council can proactively support the growth and development of live music scenes while promoting tourism and cultural events in Kiama.

Context

It is important to note that the question asked seeks a broad range of components and detailed investigation to occur to enable a full answer to be provided. The resources to complete this are not available. Currently there are very limited funds available in the budget for both the Economic Development Portfolio and the Cultural Development Portfolio. The expectations set for these positions needs to be understood in the context of very limited funds being available for programs, projects or research. Staff are flexible, proactive and trying to find funding opportunities to support delivery where they can, however expectations set need reflect the capacity and resource availability of the team. A response to the question has been provided below.

Response

The Australian Liveability Census 2023 results reported to Council's meeting held on 21 November 2023 showed "*things to do in the evening (bars, dining, cinema, live music etc.*)" as one of the most underperforming attributes of the Kiama area. This situation presents both a challenge and an opportunity for growth. Improving the offering of things to do in the evening will have a positive impact on several of our key industries including arts & culture, food & accommodation, retail and tourism.

Council's Economic Development team have begun to prepare an Economy Development Strategy which will include components of a nighttime/early evening strategy. The Cultural Development Officer is also working on Council's Cultural Strategy which seeks to work through options for Council and the community for cultural development.

The development of these strategies is timely given the NSW government's 2023 passage of the 'vibrancy reforms'. These reforms follow the formation of the Office of the 24-Hour Economy Commissioner ('the Commissioner'), whose mandate was initially to rebuild night-life in the City of Sydney. The reforms encompass six focus areas:

1. "Sensible venue sound management." This involves shifting the onus of noise management away from local councils to the NSW Office of Liquor & Gaming.
2. "Vibrant, coordinated precincts." This involves a new regulatory framework around "special entertainment precincts", extended trading hours, and powers for council to automatically adjust trading hours on development consents.

3. "An activated outdoors." This includes exempt development pathways for outdoor dining and events, and powers for local councils to approve street closures for events and implement global pre-approvals for event sites.
4. "Empowering the 24-Hour Economy Commissioner to deliver a sustainable, thriving night-time economy". This cements the status and powers of the Commissioner.
5. "Streamlined, contemporary licensing". This involves a new, streamlined process for liquor licensing.
6. "Improving the night-time for workers". This involves a broad range of collaborations with different government agencies to improve working conditions for employees in the nighttime economy.

The Commissioner's Office has also released a toolkit for local Councils to promote sustainable growth in their nighttime economies. The toolkit includes a diagnostic tool to assess current capacity and opportunities for growth.

The toolkit encourages a bespoke approach, considering the unique circumstances of each particular area. The Commissioner's Office is well equipped and eager to work with local councils to build vibrancy and growth in the evening economy. This will include a series of workshops for Council staff beginning in May 2024.

The Commissioner's Office has already begun delivering programs to enhance the nighttime economy across Regional NSW. The 'Venues Unlocked' program is currently underway, with participation from two local businesses. This program provides funding and support for live music venues and hospitality businesses, including grants for soundproofing.

The Commissioner's Office is currently accepting applications for its 'Uptown Program', which aims to facilitate the formation of vibrant going-out hubs through collaborative participation from businesses.

The Commissioner's Office is not the only agency pushing reform in this space. At the Federal level, the Live Music Office created 'Live & Local' music initiative to support live music in Sydney and regional NSW.

Consideration of opportunities like those set out above will form part of the ongoing development of the Strategy.

Private Certification

The planning system allows for certification to occur either through Council or a private certifier. Many applicants are choosing to progress through a private certification process. This can be a streamlined process if the development fully complies with codes and requirements. If following this process, the conditions of consent and requirements associated with the approval are set by the certifier and normally align with the requirements of the State Environmental Planning Policies. Council does not set conditions of consent for any development approved through a private certification process.

For certification relating to Construction Certificates of Occupation Certificates an applicant can nominate either Council or a private certifier to complete this process. This nomination must be one or the other and once a private certifier is nominated

then all decision making and approval, including responses to concerns rests with the certifier not Council.

Several key businesses have been experiencing significant issues relating to the private certification process. Once a certifier has been nominated it is difficult for Council to be able to intervene in any process being undertaken. The responsibility for the sign off and decision rests with the certifier. Recently Council staff have been working extensively with several key businesses on their certification processes to support finalization of occupational certificates and outstanding matters. This has been done to support local businesses to enable operations to commence and processes to be completed and is part of the support Council provides through economic development functions.

Communication/Community Engagement

The Economic Development Team has been liaising with Ashleigh Smith, Associate Director Engagement at the Office of the 24-Hour Economy Commissioner who also provided a presentation on this topic to the Tourism & Economic Advisory Committee at its meeting on 14 March 2024.

Risk implication

At this early stage there is little risk implication. Any efforts to expand the evening economy in Kiama will involve risk assessment and mitigation strategies around noise, crime and alcohol consumption.

Any strategies will require a careful balancing of interests. In particular the potential impacts of noise, traffic and safety on local residents must be taken into consideration.

The strategy work will also help to clarify the extent and limitation of Council's powers in this space. One potential outcome of the strategy may be to provide improved advice, guidance and education to venue operators around planning and other government restrictions or to work through advocacy, grant funding and seek to support in a variety of ways that may not solely rely on Council funds or resources.

17.3 Kiama Downs Community Battery Initiative Project

Responsible Director: Planning, Environment and Communities

This report is provided to update Council about the Kiama Downs Community Battery Initiative.

The Australian Energy Regulator has granted Endeavour Energy a waiver approval to operate their Community Battery, located within the Gainsborough Chase Reserve towards the end of Thornett way, Kiama Downs. Now that the Australian Energy Regulator has granted a waiver for approval to operate, Endeavour Energy will soon communicate to Council a launch date for the Community Battery. It is expected that this launch date will be within the next 4 weeks. Endeavour Energy and Council are working together to coordinate a launch event and joint press-release.

The community battery will service approximately 100 properties in the Kiama Downs area. An expression of interest will be circulated throughout the community and Endeavour Energy is proposing to engage customers on a 'first come, first serve' model. The participation model will comprise of a participation fee for customers and they will receive cost savings in the form of a pro rata rebate for the energy they store and consume.

Additionally, the operation of community batteries provides an environmental benefit as excess photovoltaic generation during the day is stored and accessed during peak periods in the evening. This maximizes renewable energy productivity and reduces reliance on grid supplied fossil fuel generated electricity.

The benefit to Endeavour Energy is increased flexibility to solve network constraints and surge issues by alleviating grid pressure during peak periods. This reduces network solution costs indirectly benefitting all customers in the area, including those not directly involved in the initiative. Endeavour Energy highlights that the community battery is not designed to emit noise or electromagnetic energy and is not expected to pose any environmental risks.

Endeavor Energy has collaborated with Council and the Community to finalise the design of the project. To increase community pride and involvement, the infrastructure will be wrapped in artwork designed by local First Nations artist Jodie Stewart, who has given permission from her artwork "On Country – where mountains meet the sea" to be used for this purpose (MOU between Jodie Stewart, Endeavour Energy and Kiama Council is being finalised). The artwork was originally commissioned by Kiama Council for the 2023 NAIDOC Awards and depicts the local landscape. Endeavour will also use a selection of the 'sea of hands' artwork produced by local children in an event at Kiama Library. Kiama Council is pleased to have been involved in promoting the work of local artists, established and emerging, to be featured in this way and on permanent display for the community.

Financial implication

Compensation for acquisition of an easement for the Community Battery facility on Council land was paid to Council by Endeavour Energy, receipted 09/08/2023, for the

amount of $10,000, in line with an independent valuation report conducted by Walsh Monaghan Valuers.

Risk implication

Endeavour Energy maintain ownership of the asset and will coordinate the future management of the project. Council will have no ongoing involvement with the project following the launch. As such, the risk to Council is negligible.

Policy

This project required Council approval to become a project partner and liaise with Endeavor Energy with the aim of supporting them to find and approve an appropriate location for a Community Battery, and to provide approval to Endeavour Energy to install the Community Battery.

On 20 June 2023 Council resolved to

23/171OC Committee recommendation that Council:

1. *Authorise the CEO to provide approval to Endeavour Energy to install the Community Battery at the new location of Gainsborough Chase Reserve at the end of Thornett Way in DP790657.*
2. *Accept the land valuation of $10,000 (plus GST) that is to be paid by Endeavour Energy to Council.*
3. *Grant an easement to support the community battery. Delegate to the CEO final sign off of legal documentation (including details within 88b Instrument) for the easement.*

Council's support and approval of Endeavour Energy's Community Battery Program supports Action 3.5 of Councils Corporate Emissions Reduction Plan 2021-2031 "Encourage local community renewable energy uptake for rooftop solar PV and storage batteries for residents and businesses in Kiama LGA."

Consultation (internal)

An initial project meeting was held with Endeavour Energy representatives and Council staff, to discuss the proposed Kiama Downs Community Battery Project. Subsequently, a site meeting with Endeavour Energy technical staff was held with Council representatives from Property, Engineering and Environmental departments to discuss the site location and any imitations, design options and required planning submissions.

Council's Property Section were consulted regarding the location of the community battery on Council Community Land and the applicable approval requirements for the proposed easement and associated fees and charges. Endeavour Energy wrote to Council to offer compensation for acquisition of an easement for the Community Battery facility on Council land, and later made payment for the amount of $10,000, in line with an independent land valuation report conducted by Walsh Monaghan Valuers.

Endeavour Energy has been in regular contact with Council to provide updates to the project via video conference, inviting staff from Councils Environmental, Communications and Property departments.

Endeavour Energy have additionally been in regular contact with Council's Communications department to coordinate a launch event and joint press-release, as well as organizing an MOU for the artwork that will wrap the infrastructure.

Communication/Community engagement

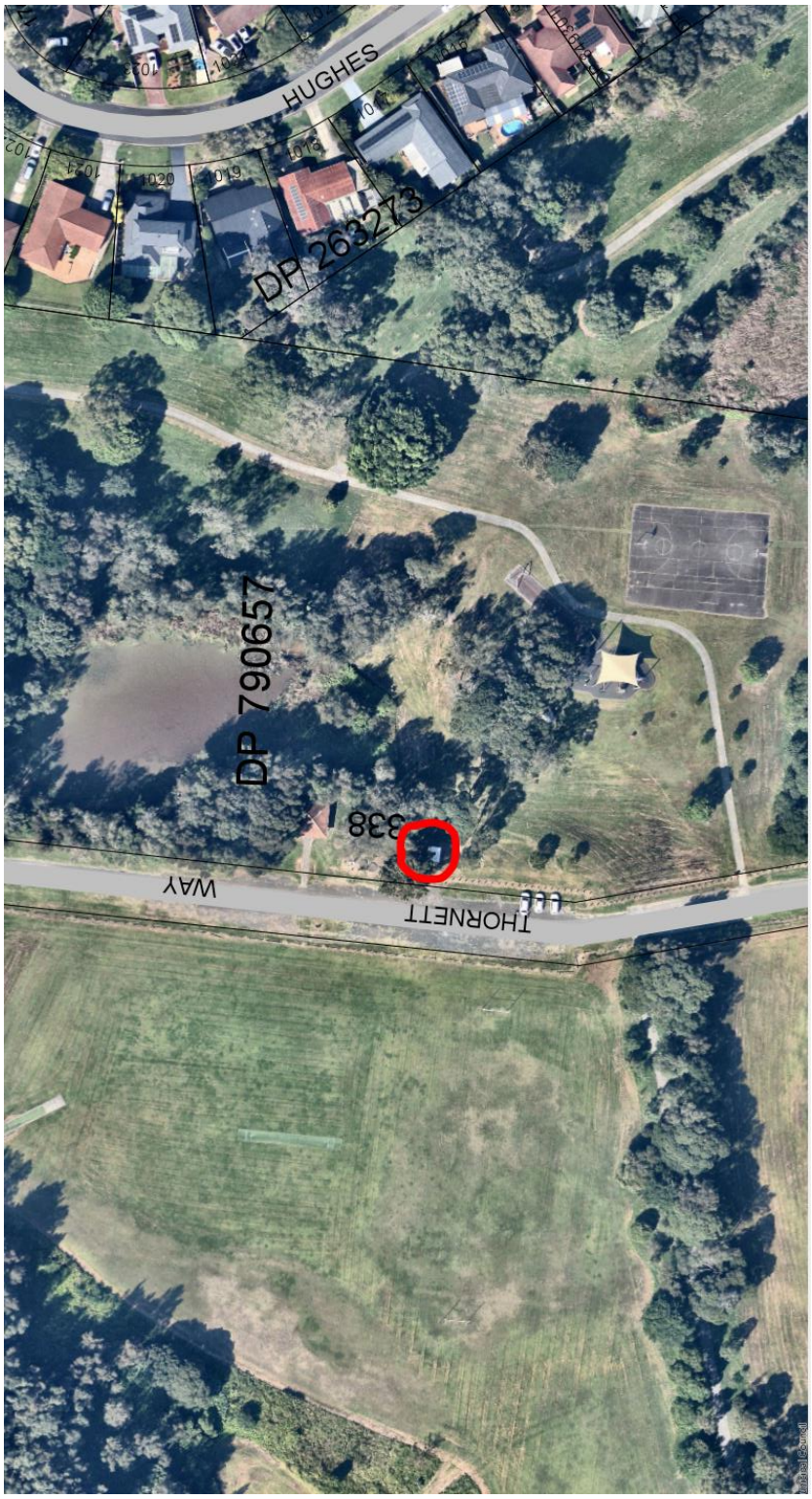
Council and community consultation process has been undertaken by Endeavour Energy in accordance with the relevant statutory planning requirements and as specified in State Environmental Planning Policy (Transport and infrastructure) 2021.

Residents were given a minimum of 21 days' notice to respond to the proposal. Sixteen (16) residences on Meehan Drive, two (2) residences of Thornett Way and seven (7) residences of Newing Circuit Kiama Downs received a letter from Endeavor Energy explaining the Community Battery initiative and the location. The letter also contained a map of the location and an image of what the battery would look like in-situ.

Council's Communications Team has created a project page on Council's website, and Endeavour Energy has created a page of FAQs about their community battery initiative on their website.

Attachments

1 Attachment 1 - Site Location⇩


HUGHES
DP 263273
DP 790657
338
THORNETT
WAY

17.4 Question for future meeting: Joyce Wheatley Centre

Responsible Director: Planning, Environment and Communities

At its meeting held on 19 September 2023 a question for future meeting was asked by Councillor Renkema-Lang requesting a report:

1. On the planned uses for the Joyce Wheatley Centre;
2. Grants received to fund upgrades to the Joyce Wheatley Centre;
3. How the funds have been or will be used and the timing for the upgrades.

Response

Question 1

The planned future use of Joyce Wheatley Community Centre is anticipated to remain as a multi-purpose community space. The space continues to provide for a range of community groups and functions. This is expected to remain, with enhancements made to the centre to allow it to continue to be used for a variety of purposes.

It is imperative that community halls are more carefully managed, planned for and constructed to provide multipurpose and multi-use spaces that can create revenue opportunities as well as service a variety of community uses. Historically, the Joyce Wheatley Centre has been under-utilised and lacks essential management and operation plans. Along with other community halls across the LGA, staff are reviewing the current utilisation, maintenance, and operation of all community facilities, with a view to maximise utilisation and activation of these spaces. This work also includes the development and introduction of short to long term strategies and operational plans, including maintenance plans and schedules. The building has a range of issues, which are now being resolved due to dedicated and focused management of the centre.

Question 2

Council was successful in securing funds of $178,155 to upgrade the Joyce Wheatley Community Centre into an active and centrally located multifunctional community and cultural space. The scope of the works to be completed under the grant include:

- Internal painting;
- Auditorium equipment i.e. electronic screen and projector, black out curtaining, and small portable stage;
- Storage and backstage renovations;
- Kitchen replacement; and
- New moveable tables.

Question 3

To date, the offices and meeting rooms have been painted, lighting at the building upgraded, some tables purchased for use in the auditorium and cleaning and declutter of storage spaces have been completed. Works to repair areas which have water damage and issues with mould have also been worked through. Pest control has also

been completed. Staff office spaces have not utlised the grant funding for any of the furniture or items that are located within these offices.

The remainder of the works will be undertaken through 2024. These are being scheduled around Council's existing capital works programs and available project management and coordination resources within the Infrastructure and Livability team.

Discussions have occurred with the grant body and agreement reached on direction and ongoing use of the grant.

17.5 Question for future meeting: Jamberoo Heritage Review

Responsible Director: Planning, Environment and Communities

At its meeting held on 14 December 2023 a question for future meeting was asked by Councillor Larkins requesting an update on the progress of the Jamberoo Heritage Review and whether, as a result of the deferral from 12 months ago, that creating heritage conservation areas are no longer being considered.

Response

As Councillors are aware there were concerns raised by the community about the proposed Heritage Review at Jamberoo. Many property owners of proposed listings opposed their properties being heritage listed and refuted the content of the supporting report.

This was strongly expressed at a town hall meeting/drop in session held with residents and staff at the Jamberoo School of Arts. Those impacted by the proposed changes sought a review of the proposal and for an alternative process to be followed. In response to these concerns, the Director engaged City Plan Heritage to undertake a peer review of the work completed by Niche Consulting. This was completed through funding from the Department of Planning and was undertaken at no cost to Council or to residents.

Whilst the original rigorous process had been followed and the consultants employed (Niche) were qualified in their field, the secondary peer review was undertaken to provide some certainty and reassurance to residents. This included on-site meetings and discussions with community members as well as site inspections. The peer review report was received from the consultants late last year and the process for this review is now complete.

With recent vacancies in the Strategic Planning Team now filled and internal expertise in heritage also obtained, it is timely for the project to be a renewed focus and for the process to be finalised. This will involve further community consultation and discussion about the proposed listings and options available to Council. This work has commenced and further updates will be provided in future reports to Council. However strategic priorities on managing growth and DA assessment must remain a higher priority for the team.

Next Steps

Further information to community will be released in coming weeks to provide an update on status and next steps. A future report will then be provided to Council on the outcome of the peer review process.

Council will have the opportunity to determine if it supports the recommendations in the report and the proposed listings. Council will need to determine if it wishes to continue to seek either individual listings or more broad scale heritage conservation areas for Jamberoo or for other areas within the LGA and undertake the required planning proposal processes to achieve these within our LEP.

17.6 Question for future meeting: Policy Framework

Responsible Director: Office of the Chief Executive Officer

Precis

At the 13 February 2024 Ordinary Council Meeting, Councillor Renkema-Lang requested a report detailing the policy framework for the 60 different policy documents hosted on the Council website and when the next policy audit/review will be undertaken.

Response

The CEO's report to Council on 19 March 2024 (Item 18.1) on the *Finance & Governance Plan in Response to Notice of Intention to Vary a Performance Improvement Order (PIO)* identified various tasks undertaken to date to address the PIO and the roadmap moving forward.

One of the first actions was the creation of an Implementation Team to lead the coordination and delivery of PIO work.

A priority for the very recently commenced Implementation Team Manager and the Legal and Governance Services Implementation Lead, is undertaking a complete review and audit of Council policies and providing regular status updates to the Executive.

As previously advised to Council, Todd Hopwood has been engaged to perform a follow up review to his initial review of 2021 with a focus on relevant matters and concerns noted within the PIO. To date, initial interviews have been undertaken and various documents provided. The Implementation Team will meet with Mr Hopwood on 11 April 2024 and advice has been provided that his initial report should be provided in the week commencing 15 April 2024.

Background

In March 2021, Todd Hopwood undertook a functional risk-based review of Council's Governance framework, systems, processes and resources with the intent to provide advice to the KMC Executive of priority actions to be taken to address critical business requirements. The review report provided a summary of findings and recommended actions going forward. The relevant recommendation directly relating to Governance and more specifically Policies was -

> **Recommendation 2.3**
>
> Council investigate an appropriate business process management system that can register all policy documents and facilitate efficient reviews and staff acknowledgment. Such a system can often also manage council delegations, risk management, corporate reporting and KPI's etc. Council has the Pulse system in place already that may be suitable for this purpose

It was stated in the report that, "*It would appear that in general, as perceived by staff, that there is lack of clarity around the status, appropriateness and currency of all policy and procedure documents. Further it would appear there are risks that there is not a single source of truth in relation to policy documents*".

The Pulse software system is the system that will be used for registering and storing all policy documents and facilitating efficient reviews. It is the vital first step of achieving good governance at Council.

Pulse enables staff to view policies that have been assigned to them to enable them to fulfill their roles in council and all users are required to read and acknowledge these policies and re-acknowledge any changes and updates that are made.

The Governance Team has been responsible for this project to date. Some initial work has been done however, for the implementation of this project to be efficient and effective, there needs to be a strategic, methodical approach to all the required elements, including determining a priority order for all policies that require review.

As stated above, this project is considered crucial for the Implementation Team and preliminary work is underway.

It is important to note that the minimum period for review of each policy may be up to 3 months, depending on the nature of changes required. The review process requires initial review by the responsible officer, internal/external consultation, consideration by the Executive Leadership Team, reporting to Council for endorsement for public exhibition (if required) and depending on submissions received, an additional Council report.

It should also be noted the Internal Audit Program for 2024/2025 includes Policy Review however ARIC have not yet determined the specific period it is expected to be conducted.

17.7 Conference report: Councillor Renkema-Lang - CivicRisk Mutual Forum and Members Assembly 2024

Responsible Director: Office of the Chief Executive Officer

Purpose

CivicRisk Mutual is a self-funded and member-managed organisation, owned and operated by its local government members.

It was established to facilitate cost effective purchasing of re-insurance for member councils. Services provided by CivicRisk Mutal now include risk management, asset management, brokerage and advice on insurance markets, and claims management support and guidance.

CivicRisk Mutual membership includes 26 councils across metropolitan Sydney, regional NSW, and the Illawarra. Kiama Council is a member Council of CivicRisk Mutual.

On 21-22 March 2024, the Kiama Council Risk Management Coordinator and I attended the CivicRisk Mutual Forum and Members Assemble as representatives of Kiama Council.

The event was held at Sails Port Macquarie by Rydges, 20 Park Street, Port Macquarie.

Key messages / highlights

The CivicRisk Mutual forum provided opportunities for members to explore new ideas and discuss innovation, best practices, and methods for achieving sustainable growth.

We explored a wide range of topics, from mental health hazards and cybersecurity to best practices for sustainable growth. Inspiring guest speakers challenged us to think creatively and consider new possibilities.

<u>Sustainable growth emerged as a key focus.</u>

A discussion paper was provided to members and the issues surrounding the elements of sustainable growth was workshopped.

In summary a measured approach for CivicRisk Mutual growth was recommended, with a primary goal of long-term sustainability. Onboarding of new members would consider geographically similar Councils for efficiency and spreading of risk across members. Maintaining a high standard of member services, exploring new services, and strengthening capital management was also recognised as a key requirement of the growth strategy.

A discussion paper is attached to the member assembly report, and a further report outlining

strategies for achieving the growth strategy will be presented at the upcoming Member Assembly in May.

<u>Psychosocial Health & Safety Essentials for Senior Leaders.</u>

This session was presented by Dave Burroughs Principal Psychologist, Australian Psychological Services & Chief Mental Health Officer, Westpac Group.

Tips, tools and strategies were provided for recognising psychosocial hazards that may impact the well-being of staff and other Council officials. Strategies were identified for managing psychosocial health and safety risks within councils, responding appropriately to support those affected, and thereby reduce the risk of employment practices liability claims.

Practical advice on hazard identification, real-world examples of successful interventions, and methods for controlling and monitoring risks were discussed. Clear benchmarks for measuring success were also presented, and the importance of leadership in the management of these risks was a key message.

Cyber Attack Simulation Game

This session was presented by Rinske Geerlings Managing Director, Business As Usual. Rinske is a multi-award winning, internationally known consultant, speaker and certified Business Continuity Management (BCM), Information Security and Risk Management trainer.

This session involved participants forming into stakeholder groups that would respond to a hypothetical cyber-attack. Groups included, Council Leadership Team, Council IT/Security team, Advocacy/Lobby Groups, ratepayers and general public, state regulators, media, and the hackers.

The challenges that Councils could face during a cyber-attack were drawn out during the role play, as were how quickly and extensively the impacts of a cyberattack could spread and escalate.

The difference between cyber security and information security was also highlighted. The importance and distinction between risk analysis and preparation, and response and recovery were also key messages.

Presentation by Port Macquarie Hastings Council – Rawdon Island Bridge Repair

During the member assembly, Port Macquarie Hastings Council provided a presentation on how they responded to damage to the Rawdon Island bridge uncovered following the March 2021 floods.

Underwater inspections of the Rawdon Island Bridge revealed critical structural concerns with the supporting pylons, resulting in immediate closure of the bridge. The presentation described the actions taken to make the bridge safe, to provide access to those that lived or worked on the island, to procure services and repairs, and to address environmental issues. The latter included the enactment of a microbat management plan to protect the colony established under the bridge.

The experiences of Port Macquarie Hasting Council demonstrated the importance of sound asset, project, risk, and business continuity plans in responding to and managing natural disasters. It was emphasised that underwater dive inspections of bridge infrastructure is critical to include in the asset management plan.

More information is provided on the Port Macquarie Hastings Council website.

The financial statements, annual contributions and budget were approved. These key documents demonstrated CivicRisk Mutual’s commitment to providing high value to members while maintaining fiscal responsibility and strategic planning.

Attachments

1 2024 Forum Program - CivicRisk Mutual forum and member assembly⇩

Suggestions for future action

Several excellent sources of information were presented that are specifically designed to support local governments.

Suggestions for future actions to leverage from our membership with CivicRisk Mutual include:

- Drawing on the approach adopted by CivicRisk Mutual to identify opportunities for the sustainable growth of Kiama Council, particularly in relation to optimising service offering as part of the service reviews.
- Consider inviting CivicRisk Mutual to provide a joint briefing/workshop with Councillors, ARIC and FAC members with the aim of further improving KMCs risk profile and risk management maturity, asset management, increasing revenue, and optimising service offerings.
- Consider offering training to Councillors as to their roles as the Governing Body in providing oversight of enterprise risks, in identifying and monitoring enterprise risks, and fully considering risk issues contained in Council reports.

Overall rating

The feedback from conference attendees was excellent. The forum presentations were engaging, topical and informative.

The breadth and depth of knowledge shared and opportunities for collaboration are key benefits of the forum were very beneficial.



CivicRisk Mutual

Member Forum Program

21 - 22 March 2024

Sails Port Macquarie

Member Forum Program 2024



Welcome

The CivicRisk Mutual Member Forum is an opportunity for all representatives of the membership to gather to focus on the Mutual's achievements and continue to develop a shared vision for the future.

Held over two days in the jewel of the Mid-North Coast, Port Macquarie, the Member Forum will provide learnings and the social interaction and networking that members have come to expect.

Member Forum Program 2024

The Location



All elements of the Member Forum will be held at Sails Port Macquarie by Rydges with all registered delegates booked to stay at this location.

Registration

Registration will be open from 5.00pm to 6.00pm outside of The Pavilion on Wednesday, 20 March. On Thursday, 21 March the registration desk will be located outside of the Cape Ballroom.

Accommodation

Check-in time is from 3.00pm
Check-out time is before 11.00am
All meals are included with accommodation; however, a credit card will be required on check-in as delegates will be asked to pay for any incidentals upon checkout.

Breakfast

Buffet breakfast will be served in the Boathouse Restaurant from 7.00am.

Meeting Space

All meetings will be held in the Cape Ballroom.

Welcome Reception

A BBQ has been organised at The Pavilion commencing at 6.00pm for those staying on Wednesday, 20 March.

Member Forum Dinner

Dinner will be served from 6.00pm in the Cape Ballroom with a trivia game being held throughout. Maybe you want to start planning who you want at your table!

Car Parking

Complimentary car parking is available at the Resort.

Dress

Smart casual is appropriate for all events including dinner. A light jacket or a cardigan may be required in the air-conditioned conference room.

Member Forum Program 2024

Speakers



Stephen Shepherd

Director, AltusQ

Stephen Shepherd from AltusQ is a strategic facilitator and coach to boards, CEOs, and senior management teams.

Over recent years he has assisted several mutuals and co-operatives, including CivicRisk Mutual with their strategic planning.



Rinske Geerlings

Managing Director, Business As Usual

Rinske is a multi-award winning, internationally known consultant, speaker and certified Business Continuity Management (BCM), Information Security and Risk Management trainer.

She was awarded Risk Consultant of the Year 2017 (RMIA/Australasia), Outstanding Security Consultant 2019 Finalist (OSPAs) and Australian Women in Security Awards Finalist 2022.

Rinske draws on more than 25 years' experience gained during roles across Australasia, Africa, Europe and South America. In 2006 she founded Business As Usual, under which she has assisted seven Australian councils, the Department of Prime Minister & Cabinet, the High Court of Australia, 15 central banks, DFAT, Lenovo, BBC, Shell, Fuji Xerox and hundreds of other public and private organisations.

Rinske applies a fresh, energetic, fun, practical, easy-to-apply, innovative approach to topics often perceived as dull and cumbersome.

She holds ISO 22301, ISO 31000, ISO 27001, ISO 22361, ISO 22316, ISO 27032, CBCP, MBCI, ITIL, PRINCE2 and COBIT certifications.



Dave Burroughs

Principal Psychologist, Australian Psychological Services & Chief Mental Health Officer, Westpac Group

Dave Burroughs is the Principal Psychologist of Australian Psychological Services and Chief Mental Health Officer for Westpac Group and has had a 20-year internal career as a strategist, consultant and psychologist working across multiple industries. Dave is a recognised expert in psychological health and safety and supports many leading government, national and international organisations in adopting strategic and practical approaches to developing mentally healthy workplaces. Dave has a commitment to evidence-informed practices, a reputation for tackling complex people matters and a passion for innovation and challenging convention.

Member Forum Program 2024

Growth Scenario Testing

What is this session about?

A key focus identified in CivicRisk Mutual's 2021-25 strategic plan is to "grow sustainably".

In October 2023, Stephen Shepherd of AltusQ was engaged to facilitate a process to more clearly define what "grow sustainably" looks like, review potential growth scenarios and identify strategies to help ensure that existing members are not disadvantaged as the Mutual continues to grow.

Stephen has held interviews with members, service providers and key industry experts and run workshops with staff and the Board to gather information to help members decide on the more suitable strategy going forward.

This session is to provide members with information gathered from the interviews and workshops and to workshop the issues surrounding the elements of sustainable growth. Stephen has prepared a discussion paper for members information which is included with this program.

What do members need to do?

It is a core value of CivicRisk Mutual that members decide the way forward for the Mutual and this session is designed to workshop the main issues and encourage member discussion and ideas relating to the sustainable growth of the Mutual.

Members are encouraged to consider the discoveries highlighted in the discussion paper, participate in discussions on the scenarios including risks, opportunities and impacts from the Mutual and member perspective.

What are the next steps?

The aim of the session will be to highlight any ideas not previously surfaced and for members to collectively decide on what "grow sustainability" looks like for the next era of CivicRisk Mutual.

Any decisions of the members because of this session can be resolved at the Member Assembly the following day to advise the Board of the members' preferences so they can action them on their behalf.



Member Forum Program 2024

Time	Description
Wednesday March 20	
16:00 – 18:00	Registration desk open located outside of The Pavilion
18:00 – 22:00	Welcome Reception: The Pavilion Courtyard
Thursday March 21	
08:00 – 09:00	Registration desk open located outside of the Cape Ballroom
09:00 – 09:15	Welcome & Opening Remarks Ross Fowler, Chairman, CivicRisk Mutual
09:15 – 09:35	Member Observations Stephen Shepherd, Director, AltusQ
09:35 – 10:05	Year in Review Andrew Armitstead, Chief Executive Officer, CivicRisk Mutual
10:05 – 10:45	Growth Scenario Testing Stephen Shepherd, Director, AltusQ
10:45 – 11:00	Honour Roll Presentation
11:00 – 11:15	Break
11:15 – 12:30	Growth Scenario Testing – Member Feedback & Wrap Up Stephen Shepherd, Director, AltusQ
12:30 – 13:30	Break
13:30 – 14:30	Psychosocial Health & Safety Essentials for Leaders Dave Burroughs, Principal Psychologist, Australian Psychological Services & Chief Mental Health Officer, Westpac Group
14:30 – 15:30	Cyber Attack Simulation Game: Part 1 Rinske Geerlings, Managing Director, Business As Usual
15:30 – 15:45	Break
15:45 – 16:15	Cyber Attack Simulation Game: Part 2 Rinske Geerlings, Managing Director, Business As Usual
16:15 – 16:30	Forum Close
18:00 – 22:00	Dinner & Trivia Night: Cape Ballroom
Friday March 22	
9:30 – 12:30	Member Assembly
12:30 – 13:30	Takeaway lunch and refreshments

Member Forum Program 2024

2024 Honour Roll

Celebrating Excellence: David Minty of Finity Consulting Joins the CivicRisk Mutual Honour Roll

During the Forum we will induct David Minty of Finity Consulting (now retired) onto the CivicRisk Mutual's Honour Roll. This recognition is a testament to his outstanding contributions and unwavering dedication that has consistently elevated our organisation to new heights.

Over the many years, David has been the backbone of our actuarial team, tirelessly working to ensure the financial stability and success of our organisation. His meticulous calculations and insightful analysis have played a pivotal role in steering CivicRisk Mutual through various challenges and opportunities.

The inclusion of David on the CivicRisk Mutual Honour Roll serves as inspiration for us all. It exemplifies the heights we can reach when passion, dedication, and expertise converge.

We extend our heartfelt congratulations to David for this well-deserved recognition. The CivicRisk Mutual Honour Roll stands as a symbol of our appreciation for David's outstanding contributions, and we extend our heartfelt gratitude for the remarkable impact he has made on CivicRisk Mutual as he transitions into a well-deserved retirement.

David's dedication and expertise has left an indelible mark on CivicRisk Mutual, and while we bid farewell to his almost daily presence, his influence will forever remain a part of our corporate history.

Presentations

Psychosocial Health & Safety Essentials for Senior Leaders

This session is aimed at helping members to understand, identify and manage psychosocial health and safety risks within their councils to help look after staff and reduce the risk of employment practices liability claims.

Members can expect to hear from expert psychologist Dave Burroughs who will provide practical advice and examples of hazard identification, typical interventions, controlling and monitoring risks. Dave will also elaborate on the importance of leadership in the management of these risks and highlight what success looks like.

Cyber Attack Simulation Game

The Mutual provides cyber protection for members and covers the cost of the incident response in the event of an attack.

Cyber-attacks are common and may impact members' ability to operate for a period of time. This session is aimed at throwing members into the deep end of a simulated cyber-attack in order to prepare of a real event.

Members can expect to have to make decisions throughout the game and be able to take back learnings to their council on how to be prepared.



CivicRisk Mutual

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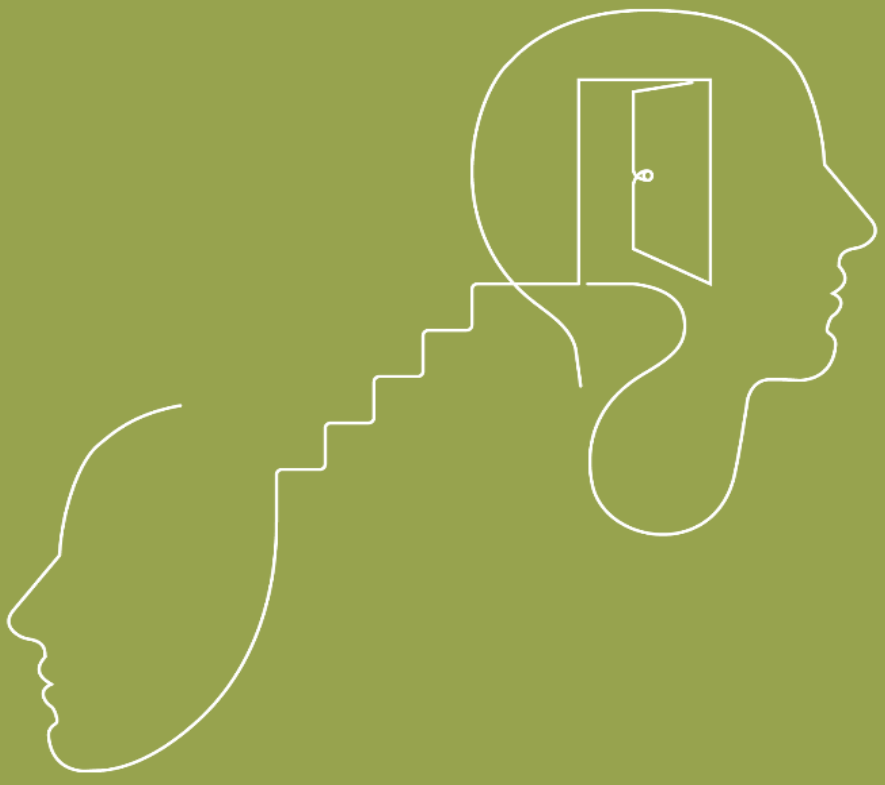
AltusQ

We bring *passion* to strategy & *strategy* to passion

CivicRisk Mutual

Member Growth Evaluation
Member discussion paper

March 2024



AltusQ



11 March 2024

Ross Fowler
Chair
CivicRisk Mutual

2/77 Union Road
Penrith NSW 2750

Dear Ross

Member Growth Evaluation Project

Further to:

- My interviews with your service providers and other industry leaders
- Workshop with various member representatives on 27th November
- Workshop with CRM team on 28th November
- Board workshop on 1st February

now attached, is a “discussion paper” incorporating insights and recommendations emanating from the above discussions.

The paper has been structured to help inform member discussion at the Member Forum and Assembly on 21st – 22nd March 2024.

Following these discussions, this paper will be updated to incorporate any feedback received at those member meetings for further discussion and confirmation of various recommendations contained therein.

Warm regards

Stephen Shepherd
Director

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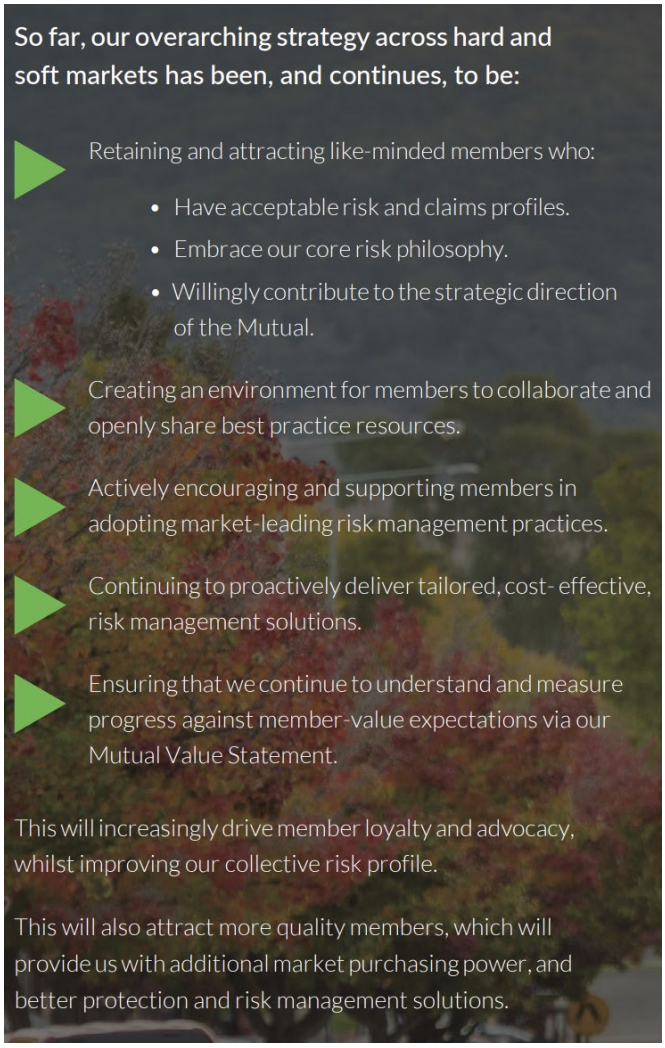
Background

Over your 36-year history and, in particular, over recent years, CivicRisk Mutual has achieved strong, well managed growth.

In May 2021 you set a strategic plan for 2021-25.

At your member forum in March 2023, the plan was reviewed and refreshed with the following overarching strategy confirmed.



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The following focuses was agreed for 2023/24:

1. Embrace sustainable growth.
2. Foster member engagement and build strong relationships.
3. Continue to evolve and optimise our service offering.
4. Improve members' risk profile and maturity.
5. Uplift operational systems.

At this meeting it was noted that there was an opportunity to better understand what "sustainable growth" could actually entail. To this end, in October, the board engaged AltusQ to facilitate a process to review potential growth scenarios and identify strategies to help ensure that existing members are not disadvantaged as the Mutual grows.

The following process was agreed:

1. Identify potential growth scenarios and model the anticipated impacts of these scenarios.
2. Interviews with our various insurance service providers and other relevant industry bodies following questions with notice. Completed in November. Representative list included in Annexure A.
3. Workshop with member representatives on 27th November. Representative list included in Annexure A.
4. Workshop with CRM team on 28th November.
5. Based on the above, draft a discussion paper including insights from the above steps and exploring strategic choices.
6. Workshop with the board on 1st February to discuss and evolve the various key questions on member growth and get feedback / additional input from the Board to develop a strategy.
7. Convert the discussion paper into a strategy discussion paper (i.e. this paper) ready for further Board comment then discussion at the Member Forum in March 2024.
8. Member discussion regarding the white paper at the Member Forum and Assembly.
9. Incorporate key feedback and insights from the Member Forum and Assembly discussions into a final strategy document.
10. Management to develop a business plan around the members' preferred growth scenario.

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11. Board discussion ahead of Maya 2024 Member Assembly at which the strategy will be formally considered for approval.

Potential growth scenarios

As a broad frame for our various discussions, Lisa Williams proposed the following scenarios.

Criteria	Option 1	Option 2	Option 3	Option 4
Strategy	Remain the same	Double	Active recruitment in NSW/Vic	Go Large ex Qld/NT
# of members	26	50	100	200
% increase from option 1		92%	285%	669%
# councils in NSW/Vic (+SA/WA option 4)	207	207	207	400
# of market	13%	24%	48%	50%

Potential benefits / risks from growth

The following potential benefits and risks from ongoing growth were highlighted during this process.

Potential benefits to members	Potential downside risks to be managed
• Potential reduced insurance cost and broader cover from increased market leverage • Assuming we have additional resources and potentially introduced regional hubs, growth could enhance connectivity of geographically close councils • More collective (and shared) experience / best practice ideas • Raise our profile to increase advocacy and influence in the market • More funds to invest in technology uplift / product development • Help raise the standard of all councils and thus better risk mitigation	• Drop in service levels to current members if additional resourcing not managed to meet additional demand • Individual member voices may be diminished or lost • Increased team stress leading to staff leaving and service levels falling • Governance impact – assembly / committees becoming too unwieldy reducing engagement and care • Increased stress on existing member capital – Who funds growth? What would be fair on both existing and incoming members? • Increased forward resourcing needed to onboard new members leading to short term hit to profit

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Insights and advice gleaned from interviews with service providers and industry leaders

Below are summary insights (using direct quotes) from the various conversations listed above.

At what size will the insurance market give us more capacity and lower premiums due to economies of scale?

- We already have the benefits of scale. Cost curve analysis indicates that the Mutual does not require growth to achieve the “sweet spot” – we are already there. Our “sweet spot” is as big as the Mutual can maintain services to member and the involvement of members.
- A larger mutual, does not necessarily mean reduced contributions as the curve has already flattened out. Rather, it is the quality of our growth (i.e. on balance take on councils that are below / or have potential to be below the existing mean risk profile) and geographic spread of risk that are key. Our London underwriters are comfortable with our existing strategy.
- A broader range of councils would be likely to lead to less day-to-day volatility. However, if growth is concentrated in a particular area, we may be more exposed to catastrophic events (regional fires, flood zone, coastal storms etc). Need to ensure we are not altruistic to councils wanting / needing to come on if this exposes existing members to additional risks.
- Need to ensure our due diligence process and catastrophe modelling (River – Flooding, Coastal – Storms, Bush – Fire) give us a strong understanding of risks and give existing members comfort. Look for likeminded councils who take risk management seriously.
- Rapid growth will require us to forward resource which will have an impact on short term profitability.
- Changes in self-insured claims imposed by the market may be lumpy with likely step changes as insurers periodically review risk as we grow.

Likely implications of growth on capital?

- New members may tie existing capital and limit cash releases to long term members under the existing capital management policy.
- We would need a more solid strategy and policy on new members’ contributions. More formulaic / prescriptive. Less flexibility or ability to interpret. Set clear expectations on what capital contributions are needed – from incoming members / from retentions, from existing members. What would be fair to both groups?

How would insurance structures be likely to change as we grow?

- Not much in NSW. Outside of this could provide challenges and may require a split of programs. In Victoria, brokers can go in and market / target particular councils. Therefore, Victoria not off the table but may present a different insurance placement structure to NSW.

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- Aggregation an issue if in the same region – e.g. property sub-limits may not be sufficient if we grow in regions which could be impacted by a single event (e.g. Western Sydney)
- Need to ensure that we seek specific upfront advice from local government lawyers regarding specific state-based regulations relating to risk management, restrictions on placing risk, building inspections, stamp duty, etc.

Would our corporate / governance structure remain the same?

- The existing company limited by guarantee model is scalable and would continue to be appropriate.
- Your Assembly is likely to become increasingly unwieldy – challenge will be to keep members engaged. Representative governance model rather than one vote each model tends to be more effective for larger mutuals. However, still need to ensure the Mutual remains transparent and engages member ideas and feedback in representative model.
- Potentially consider independent board members and the structure / role of the Assembly.

What is the ability / willingness of our core service providers to grow with us?

- This conversation was had with all our key service providers who have demonstrated that they are willing and able to grow with us.

How would we continue to ensure members are connecting well and sharing information?

- It takes more staffing, more time and effort / more in person visits / more effective use of technology. All of this tends to result in less efficient administration.
- Suggest
    - Partner with other adjacent professional associations to help build / maintain relationships with shared resources / costs e.g., State Cover, RMIA, AGRIP, BCCM
    - Consider forming subgroups – regional and/or need
    - Use technology – portal and AI tools (track user use, note taking, sentiment analysis, etc)

Advice for our service provider and mutual industry colleagues / insights regarding growth

- Opportunity to offer more services – consider a risk management advice model. Would help cement insurers. Consider taking on claims in-house in the long term and consider assisting members with under deductible claims. Opportunity to bring some insurance expertise in-house to hold councils' hands and manage the day-to-day legwork. Leave placing of contracts in the market to external experts.
- Recommend focussing on NSW first and targeting councils that would be a good fit. Don't see advantage of going into a market where we have half a foot in.

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- Following recent growth, we are diversely spread. Not as efficient to service regions when only one or two councils in a particular region. Additional adjacent councils would allow formation of risk and claims hubs leading to better local servicing and risk sharing.
- Re optimal size - about double – increase diversity and reduce concentration risk. Fill in geographical gaps in NSW (geographical diversity is important). Some diversity of size of council. Solve once for 26. Solve once for 52 even better.
- Need to ensure councils with higher risks are priced accordingly. Maintain no subsidisation. No member should be worse off by bringing in a new member.
- Re interstate – need to be mindful of differing laws and that many councils prefer to deal with someone from their own state. Better to travel South than North (cyclones).
- Ensure right incentives to members who actively improve their risk management. How much information do we have on our members? Gaps, weaknesses – are member councils addressing these? What is the incentive for them to do so?
- Engagement and service levels may drop. Take care to forward resource to not burn out the core team. Build in some redundancies in people and actively reduce concentrations of knowledge. Build the foundations.
- Pursue steady as she goes. You don't need growth for growth's sake. Need to be clear why growing. Be clear who you are targeting. We need to look at councils around existing councils. Go hard for the ones you want. Have someone who can focus on developing opportunities and relationships.

Member representatives' input

What could successful growth for the Mutual look like?

- Ensure we understand and maintain what we are good at and market this. More information, knowledge, best practice sharing – "support is priceless". Everyone is helpful at conference. Increase sharing of database.
- Need to do cost benefit analysis – what additional resources are needed?
- Improved ability to diversify risks making it easier to get coverage with potential reduction in premiums.
- Reduced reinventing of the wheel.
- Ensure still able to reach out to other members.
- Best practice standards that we all adhere to.
- Maintain transparency.
- Focussed approach needed. Not "scattergun". Need to determine where we want growth to come from and whether we target councils that look like us or those who have assets that change our risk profile.
- Actively pursue or wait for them to come to us?

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What new products and services would you like to see provided in the future?

- Sharing of best practice around project risk.
- Digital solutions to data collection.
- Risk management system / forms that everyone uses.
- Increase training and agree minimum training.
- Create app for claims which would improve speed and accuracy of reporting.
- Starter pack for onboarding into the CRM community.
- Reduced duplication.
- Increased visits.
- Assistance with the asset valuation process.
- Business continuity – Help councils with this and fresh eyes assessment of councils.
- Help reduce single person reliance by improving procedures and potentially centralising claims management – Support for under-deductible claims.
- Frequently asked questions section that is able to be intuitively searched.

CRM team input

What additional administration resources would the Mutual need?

The CRM team discussed what double would potentially look like? Please note that the below are initial “brainstorm ideas” requiring further analysis.

Service model ideas to be further explored

- Regional hubs (say 3 in NSW, 1 in Victoria), committees, conferences, round tables.
- Review Board / Assembly structure.
- Risk assist model.
- Centralised (below excess) claims processing on user pays basis.
- Best practice interactive member portal housing all best practice guidelines and processes, instructional videos. On way to interactive network of systems site.

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Potential future team size and shape

Team	Today	At double#
CEO	1	1
Finance	2	3.5
Member services	0.2*	2
Regional hubs	0	(3?)^
Member training	0.1*	1
Communications & marketing	0.1*	0.5
Risk management	1	2 (3?)
Compliance	0.3	0.5
Brokerage	0	?
Governance	0.4	0.5
Admin	0.5	1
Claims	0	(1-2?)^
Legal	0	?
IT	0.2	1
HR	0.2	0.5
	6.0	**13.5 (19.5?)**

Too lean today *
right sized with capacity for onboarding new members
^ will depend on model chosen

Member Growth financial analysis

Having regard to the above interviews and her review of the various growth scenarios, Lisa Williams has noted the following:

- Contribution formula would remain the same under the various growth scenarios subject to further ongoing work regarding fine tuning for risk profile if any.

- Insurance costs & claims costs are expected to be on a pro-rata basis from existing members and structures. We are already at a size where we are getting the bulk purchase benefit. Where we would see potential savings in this area for existing members is if new members reduced the overall risk profile of the mutual to the insurance market and/or if we take higher self-insured retention, we could push the insurers a little further away and when we have good claims years the members save the money. This is just an extension of the existing business model.

- Risk management support and member training is expected to be on a pro-rata basis.

- Administration costs are expected to increase from the need for additional resources. At double the rest of the admin costs would remain relatively stable as we would not need to change office etc. but if we were to grow to 100-200 members, we would need to revisit this assumption. At double, admin costs would not double and there would be some minor benefit to existing members in sharing these costs but might involve initial investment to resource ahead of potential growth.

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Capital adequacy considerations

- More councils will reduce the capital adequacy ratio. It takes a new member about 10 years to build their capital share in the Mutual. To keep the capital fair amongst members, consideration is required when bringing on new members.
- Does the current practice of new members providing a one-off initial contribution to capital adequacy 1) sufficiently help minimise the impact on the capital adequacy solvency ratio?; and 2) is it affordable for new members? Or should the Mutual consider taking a 5-year approach? The spreading out over 5 years could be higher than the initial one-off payment and lessen the impact to a new member in the first year. Suggest take 5% over 5 years and this is on top of the initial contribution when a member joins. Is this financially viable for the council?
- This area is very complex with many variables and implications. Our strategy needs to be deliberate when it comes to the capital management policy and capital adequacy ratio and the financial impact. More consideration is needed here before we continue to grow.

Guiding Principles to support ongoing growth

Having regard to the above insights, on 1st February 2024, the Board identified that the following principles should inform / underpin any decisions that we make.

- Not growth for growth's sake.
- Must have a positive impact on current members over the medium term – in terms of risks mitigated, level of service provided and contributions paid (net of surplus returned over time).
- Maintain mutuality – incoming councils need to buy into our values of mutuality, transparency, ownership and be actively involved to support the Mutual.
- Understand, via a solid due diligence process, the risk profile and maturity of new members and their willingness and ability to improve this.
- Maintain our ecosystem of advisor partners - this may require us to broaden out for some advice support needs.
- Resource up ahead of growth to help minimise disruption to service levels.

Criteria for incoming councils

- Attracted to, and buy into, mutuality principles rather than tendering for better price.
- Consideration of how council's risk profile will fit with our existing risk / concentration. Councils have an inherent external environment and an internal environment. CRM needs to assess both of these as part of our solid due diligence process.
- Willingness and ability to lift risk profile if slightly under ideal risk profile.
- Whilst having regard to the guiding principles that align with our purpose to benefit existing members, consideration should also be given to making positive contribution to

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the local government sector which will support our market reputation and positioning within the sector. The Mutual is prepared to take on a council that the Mutual can help build its risk maturity and has an attitude of expansion in an incremental and thoughtful way.

Board recommendations regarding CRM's future approach to growth

Having regard to the above, **the Board has agreed that:**

- Any growth decision needs to take into account the guiding principles above.
- The preceding interviews with our expert risk partners have confirmed that there is not a huge financial rationale for significant growth.
- Sitting still is risky in that it does not factor in potential ongoing ebbs and flows of members' decisions regarding their membership which could potentially result in the mutual sliding out of its current sweet spot in terms of risk profile and premiums. There is a case for measured growth to maintain sustainability.
- We have sound foundations to support growth but are slightly under-resourced.

And therefore, proposes the following recommendations to be discussed at the March Members Forum and Assembly

- There is an appetite for ongoing measured growth but not for growth's sake.
- Focus on working towards "option 2" which could see us double over the next 5-10 years to maintain sustainability.
- Bring new members on board systematically and with due diligence.
    - Be clear and focused in deciding whom to approach. Clustering, spread of risk, jurisdiction.
    - Need to gather information on potential councils and their risks – what are the inherent risk environments for each council – regulatory or traditional? Look at the risk of the council and the jurisdictional risk.
    - Focus on NSW proactively with a reactive approach to Victoria.
- Forward resource so that service to existing members does not decline. Current additional resources required in risk management and member services.
- Continue to look at extra services which can be provided. Explore bringing in-house some insurance and/or claims expertise.
- Consider a staged approach to growth with the next 2 years being focused on 1-2 new members per annum and establishing more solid foundations in capital management, resources and additional claims services to maintain service levels.
- Consider setting a future goal of doubling within a timeframe after consideration of more detailed implementation plans are provided.

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Appendix A - Service providers industry leaders and member representatives interviewed

Mathew Kaley – Principal/Lawyer - McCabe Curwood - Legal

- Provide legal services to the Mutual on all business matters including matters relating to our constitution, membership rules, product disclosure statements, corporations law, AFSL and other compliance matters.

Chris Nelson (head of CRM account/strategic) and Shane Redman (day to day for members and mutual staff) - WTW - Brokerage

- Negotiate and arrange all our insurance and re-insurance placement for cover above our mutual self-insured layer. They provide members with brokerage for smaller lines of insurance not covered by the Mutual. They assist with member training and help us with the captive strategy and structure.

Ian Barker (director) and Jason Hall (ex-member & key claims manager) - Claims Management Australasia (CMA) – Claims Manager

- Manage all our claims (ex-Motor which is handled by Vero). Assist with claims reporting and member training and support.

Company: Name: Alycia Jeffrey (actuary/client manager) and David Minty (long term actuary) - Finity Consulting – Actuary

- Provide actuarial calculations and advice on member contributions, outstanding claims provisions, capital management policies and split of member surpluses. They also advise on self-insurance levels and stress test the capital position.

Tony Harb (director) and Cameron Parsons (risk manager) - InConsult – Risk Management Consultants

- Provide risk management support to CRM for the business itself and for the members through continuous risk improvement audits and risk grant projects. Members also use them directly for risk management projects.

Ann Gergan - CEO AGRIP – Industry body

- What they do for CRM: Peak Body for Local Government Insurance Pools in the USA (where out model came from). AGRIP provides us support for running the mutual and sharing of ideas and strategies with other members like us.

Geoff Henderson - CEO UniMutual – Large Insurance mutual for universities

- They share ideas and information as part of the collaborative mutual industry in Australia.

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Peter Hunt – Managing Partner Mutuo –Mutual Industry Consultants

- Management consultant that provides advice to a wide range of Mutuals in Australia and the UK

Member representatives who attended workshop on 27th November

- Melinda Fitzgerald – Shellharbour City Council - Acting Manager of Risk and Audit
- Ian Harris – Hunters Hill Council - Manager Risk and Compliance
- Rod Chacana – Blue Mountains City Council - Program Leader Risk & Audit
- Cathryn Bush – Bayside Council - Co-Ordinator Risk Management
- Joanne Gad – Burwood Council - Co-Ordinator Enterprise Risk
- Steve Harris – Blacktown City Council – CFO – Chairman of Civic Risk Finance Committee

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17.8 Questions for Future Meetings Register - April 2024

Responsible Director: Office of the Chief Executive Officer

Attached for Councillors' information is the Questions for Future Meetings Register for April 2024.

Attachments

1 Questions for Future Meetings Register - April 2024⇩

KIAMA MUNICIPAL COUNCIL

Questions for Future Meetings Register

16/73192

No	Details	Actions
21 February 2023		
18.1	**Seven Mile Beach community consultation** Councillor Rice requested a report on what else stands in the way of actioning Point 2 of the following resolutions 19/170OC, 19/171OC and 19/172OC from 21 May 2019 – "*That Council expedites the community consultation to devise new guidelines for the use of Seven Mile Beach*" now that finalisation of Council's Crown Lands Management Plans is likely to occur within a few months. This matter was referred to the Director Infrastructure and Liveability for action.	The Dept Planning Housing and Infrastructure have given consent to Council to adopt the Plan of Management. A report will be prepared for the May Council meeting to recommend formal adoption of the Crown Plans of Management. Following that Council will be looking to engage a consultant to implement a policy n regards to the use of recreational waterways for commercial purposes including Seven Mile Beach and its use for Surf Schools.
21 March 2023		
20.1	**Support for local businesses and investment in live music** Councillor Croxford requested a report on how Council can better support local businesses and encourage investment in live music venues, that also addresses the challenges of using private certifiers, and how Council can proactively support the growth and development of the local music scenes while promoting tourism and cultural events in Kiama. This matter was referred to the Director Environmental Services for action.	Reported to the April 2024 Council meeting.
20 June 2023		
20.3	**Kiama Harbour staircase mural** Councillor Larkins requested a report on the feasibility of a mural at the staircase entering Kiama Harbour from Terralong Street. This matter was referred to the Director Infrastructure and Liveability for consideration and has since been reassigned to the Director Planning, Environment and Communities.	As Council does not have the resources nor budget for this request, and it is not a priority due to the PIO, this will not be progressed. A Notice of Motion can be submitted by the Councillor which would include a budget recommendation for the project.

No	Details	Actions
19 September 2023		
20.1	**Planned future uses for Joyce Wheatley Community Centre** Councillor Renkema-Lang requested a report: 1. On the planned future uses for the Joyce Wheatly Centre. 2. Grants received to fund upgrades to the Joyce Wheatley Centre. 3. How the funds have been or will be used and the timing for the upgrades. This matter was referred to the Director Planning, Environment and Communities for consideration.	Reported to the April 2024 Council meeting.
17 October 2023		
20.6	**Shoalhaven Water** Councillor Reilly requested a report on the possibility of Shoalhaven Water connecting utilities to the village of Jamberoo given the reluctance of Sydney Water to address the current and future requirements of the village. This matter was referred to the Director Planning, Environment and Communities for consideration.	To be reported to the May 2024 Council meeting.
14 December 2023		
20.1	**Blue Haven Havilah** Councillor Croxford requested a report on the Blue Haven Havilah former residential aged care facility to identify under the boarding houses and co-living housing provisions of the NSW Planning Act the viability of, and range of possible options available to Council to enable suitable accommodation solutions at the same time as matters relating to the Blue Haven Havilah precinct proceed. This matter was referred to the Chief Operating Officer.	Reported to the April 2024 Council meeting.
20.4	**Jamberoo Heritage Review** Councillor Larkins requested an update on the progress of the Jamberoo Heritage Review and whether as a result of the deferral from 12 months ago, that creating heritage conservation areas are no longer being considered. This matter was referred to the Director Planning, Environment and Communities.	Reported to the April 2024 Council meeting.

No	Details	Actions
13 February 2024		
20.2	**Policy Framework** Councillor Renkema-Lang requested a report that details the policy framework for the 60 different policy documents hosted on the Council website, and when the next policy audit/review will be undertaken. This matter was referred to the Chief Executive Officer.	Reported to the April 2024 Council meeting.

17.9 Petition: Kiama West Rezoning

Responsible Director: Office of the Chief Executive Officer

Background

Council has received a petition containing 642 signatures in relation to the following matter:

- Kiama West (Springside Hill) Planning Proposal

In accordance with Clause 5.1 of Council's Petitions Policy:

- Petitions lodged with Council, containing 100 signatures or more, will be included on the agenda of the next available Ordinary meeting of Council where the agenda has not already been determined with a recommendation for notation.

- Council shall consider the petition and a Councillor will need to move a motion, which will be required to be seconded, to either note the petition as recommended or to act on the petition in some way.

Report

Council has received a petition from residents wanting to:

> *"Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).*
>
> *The undersigned petitioners therefore ask the Council to:*
>
> 1. *NOT support the rezoning application lodged by Traders In Purple as it does not cover land mapped in the Planning Statement or referenced in the Regional Plan as an identified potential greenfield site for residential development in Kiama.*
> 2. *Not cause further offence to the local community by referencing the site as "Springside Hill", a name assigned by the developer and not a name endorsed by the local community or approved by the NSW Geographical Names Board.*
> 3. *Ensure that any need to develop another large greenfield site in Kiama for residential housing is identified and assessed in consultation with the community through the Growth and Housing Strategy planning process.*
>
> *More detailed comments to support our request are provided as Attachment A."*

Communication/Community Engagement

The petition has been signed by 642 local residents of the Kiama LGA.

Risk implication

N/A

Attachments

1 Resident Petition - Proposed Tabling - Ordinary Meeting - 16 04 2024 - Rezoning Application - Traders in Purple - West Kiama - Karen Fowler_redacted⇩

Date Received
09 APR 2024
Kiama Municipal Council

9 April 2024
[redacted]
Kiama NSW 2533

CEO
Kiama Municipal Council

Attention; Jane Stroud

Petition regarding West Kiama Rezoning

Herewith is a petition by 642 local residents of the Kiama LGA in relation to the proposal West Kiama rezoning application lodged by Traders In Purple.

This petition is lodged in accordance with the Kiama Petitions Policy in the hoped that it will be tabled at the Ordinary Council meeting to be held on 16 April 2024. For privacy reason I would request all addresses and signatures pbe redacted before the Petition is posted and circulated as part of the business papers.

I will also be registering my interest to speak at the Public Forum on the 15 April 2024.

[redacted]

Regards Karen Fowler
Mobile : [redacted]

WEST KIAMA
Petition Register

NUMBER	SIGNATURE NUMBER
1 A + B	48 +11 + 59
2 A+B	57 + 43 = 100
3	0
4	30
5	30
6 A+B+C	54+49+19= 122
7	14
8	52
9	57
10	57
11	29
12	5
13	25
14	0
15	22
16	40
TOTAL	642

642 SIGNATURES COLLECTED OVER 7 DAYS
FIGURES AS AT TUESDAY 9 APRIL 2024

Karen (1)(A)

Total = 48

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

The undersigned petitioners therefore ask the Council to:

1. NOT support the rezoning application lodged by Traders In Purple as it does not cover land mapped in the Planning Statement or referenced in the Regional Plan as an identified potential greenfield site for residential development in Kiama.
2. Not cause further offence to the local community by referencing the site as "Springside Hill", a name assigned by the developer and not a name endorsed by the local community or approved by the NSW Geographical Names Board.
3. Ensure that any need to develop another large greenfield site in Kiama for residential housing is identified and assessed in consultation with the community through the Growth and Housing Strategy planning process.

More detailed comments to support our request are provided as Attachment A.

Lodged by: ~~F. GERAGHTY~~ Karen Fowler

Contact Phone: [redacted]

Address:..... [redacted] .....

Email..... .....

Privacy statement: Kiama Municipal Council is collecting your personal information solely for the purpose of administering this petition and verifying its authenticity, as required by Council's Petitions Policy. Council will handle your personal information in accordance with the *Privacy and Personal Information Protection Act 1998* and the *Government Information (Public Access) Act 2009*.

Name	Address	Signature
[redacted]		

8

The undersigned petitioners therefore ask the Council to:

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3. Ensure that any need to develop another large greenfield site in Kiama for residential housing is identified and assessed in consultation with the community through the Growth and Housing Strategy planning process.

More detailed comments to support our request are provided at Attachment A.

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Name	Address	Signature
Kezian W	[redacted]	
Mack Malan		
Ellen Clough		
Peter Cockley		
Alison Cockley		
ISABEL CHAPMAN		
Louise Murray		
Lauren Niley		
Therese Williamson		
Guy Hurber		
Martine Ashby		
Helen Supple		
BRENDAN JOHNSON		
SOHN GREER		
Ross HUGHES		
Joan HUGHES		
Deirdre Backhoe		
Jacques Labour		
Candy Andersen		
RAYNER ZUCH		
Ian Unsworth		
Marlo Lewis		
Kenzie McDonald		
24. Steve Jones		

The undersigned petitioners therefore ask the Council to:

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Name	Address	Signature
Sandra Ross	[redacted]	
Keita Child		
Ane Ingold		
Des Ingold		
Lauren Keating		
Marg Dowel		
Peter Moggach		
Tony Gilmour		
Sharyn Girdler		
Ann Cavill		
Denise Newton		
A. De Battista		
Silvana Hawes		
Kim Pasons		
Glenys Watson		
6 PHILIP HAHN		

O Anna Stirling [redacted]

The undersigned petitioners therefore ask the Council to:

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More detailed comments to support our request are provided at Attachment A.

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Name	Address	Signature
Nick Astin	[redacted]	
[illegible] Smith		
Evan Roper		

(3)

Total (2)A
57

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

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2. Not cause further offence to the local community by referencing the site as "Springside Hill", a name assigned by the developer and not a name endorsed by the local community or approved by the NSW Geographical Names Board.
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More detailed comments to support our request are provided as Attachment A.

Lodged by: ....Karen Fowler

Contact Phone: ..[redacted]

Address:.....[redacted].....

Email.....[redacted].....

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Name	Address	Signature
Janeen Coleman	[redacted]	
Heather Bell		
Kay Andonopoulos		
Glenn Lowe		
CHRIS WHITE		
JEN HOGAN		
Regina Flain		
Jacqui Clarke		
(9) BRIAN BENNETT		

The undersigned petitioners therefore ask the Council to:

1. NOT support the rezoning application lodged by Traders In Purple as it does not cover land mapped in the Planning Statement or referenced in the Regional Plan as an identified potential greenfield site for residential development in Kiama.
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Name	Address	Signature
BARBARA PARKES	[redacted]	
Brooke & Stewart Marsden		
KURT MANSELL		
Tayla Killmore		
Tracy Paring.		
Mati Paring.		
Steve Gaddin		
Esther Vance		
LES CLARK		
Sharon Clark		
Cherie Jenkins		
Oliver Evans		
WARREN HOLDER		
ROWAN NOELLINGWORTH		
JAMES PRANGNELL		
VANCY PANANGANAN		
GAIL MORGAN		
Ann Downing		
Bohdana Clancy		
CRAIG MOXEY		
ANGELA PARZEFAL		
BRONWYN GOY		
BARRY CALLAGHAN		
Lady Haagensen		

24

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1. NOT support the rezoning application lodged by Traders In Purple as it does not cover land mapped in the Planning Statement or referenced in the Regional Plan as an identified potential greenfield site for residential development in Kiama.
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Name	Address	Signature
Walter Moore	[redacted]	[redacted]
JAMES PETER yard		
Valene Norton		
Chris Richards		
Tom Bell		
Isabelle Jackson		
[illegible]		
Honnie Cutler		
Carole James		
C. Gillett		
PATRICK WEAVER		
MARGARET WATSON		
JOEL ELSWORTH		
Steph Rigg		
C & J. DAY		
Ling Christie		
David Novak		
JOHN. DOUGLAS		
Danny Sharkey		
MICHAEL BLYTH		
Tracey Henderson		
Susan Waine		
IAN BUCCI		
Jasmine Rowe		

14

Total 43 ~~17~~ 2 B

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

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More detailed comments to support our request are provided as Attachment A.

Lodged by: .....Karen.....Fowler.....

Contact Phone: .....[redacted]

Address:.....[redacted].....

Email.....[redacted].....

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Name	Address	Signature
Jeff Bayley	[redacted]	
Christina Bayley		
Carrie Stannard		
YOLANDE CLARKSON		
Denise Mitchell		
Danny Mitchell		
Lyndell Spare		
Sonja Secanski		
(9) David Brown		

[redacted]

Item 17.9

Attachment 1

The undersigned petitioners therefore ask the Council to:

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Name	Address	Signature
Elizabeth Brown	[redacted]	
Jacob Brown		
Belinda Green		
Kal Enaid		
CHARLIE BOUTOUBA		
JESSE CRICK		
Janet Heenan		
Roe Kitchin		
Thomas Chan		
Cheryl Collinson Smith		
Richard Bunting		
Adam Steel		
C Mackison		
IAN PEARSON		
Nina Knott		
Amber Poole		
Michael Brown		
Kirstin Kirby		
Thomas Birchall		
Richard Tollerveg		
Estrella Bernardo		
CHRIS ATKINS		
Carol Atkins		
24 TERRY Hutchins		

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Name	Address	Signature
David Iskra	[redacted]	
Barry Hopkins		
Shahrad Janshidi		
Leisa Rodoreda		
Wayne McPherson		
Rupert Jarvis		
Steve Fitzsimmons		
Pratik Shrestha		
Susan Barnes		
Michele May		

Total 30 (4)

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

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Lodged by: ...Karen Fowler.....

Contact Phone: ..[redacted]

Address:..[redacted]

Email.....[redacted]

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Name	Address	Signature
Robin Lanham	[redacted]	
Dianna Lawr		
Carole Jeffcott		
Bill Florance		
Gail Florance		
Sandy Bowden		
David Bolduan		
Aardua Guillaume		
Brad Guillaume		

(9)

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Name	Address	Signature
James Harland-Wright	[redacted]	
Dave Lambert		
Janine Graham		
Donna Flanagan		
Mary Sultana		
Glad King		
Wendy Rawson		
Maggie Phelan		
Mandy Yutzis		
Julie Dewhurst		
Joanne Woodland		
Margo Ballentine		
Gay Weir		
Deb Unicomb		
Sharon Duffy		
Sue Daley		
Margaret Carey		
Anne Wenham		
Jennie Breeze		
PETER JUDD		
David Jeffcott		

[redacted] Total 50 (5)

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

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Lodged by: Karen Fowler

Contact Phone: [redacted]

Address:.. [redacted] .....

Email..... [redacted] .....

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Name	Address	Signature
Brad Heagney	[redacted]	
Monika Munro		
Sian Hammond		
Sarah Flegg		
Angela Holz		
Leanne Williams		
Jennifer Drummond		
Kaylene Fitzgerald		
Eva George		

(9)

The undersigned petitioners therefore ask the Council to:

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Name	Address	Signature
3) Jackson Williams	[redacted]	
Jamie Williams		
DARREN EAST		
ROBERT DRUMMOND		
Mischa Boniface		
Imolda Laidler		
Dana Breen		
Vince Breen		
Lyndon McCorkell		
Sandra Colless		
Mick Wynn		
JAKE MUNRO		
Tahlia Munro.		

[redacted]

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Name	Address	Signature
CHRIS FORBES	[redacted]	
Anne Sheridan		
PAUL McGEE		
MICK PUGLISI		

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Name	Address	Signature
MICHAEL LAIDLER	[redacted]	
SHARIZAN HASMONI		
ELIYAS LAIDLER		
AYISHA LAIDLER		
V. Robinson		
D. Robinson		

4

ow

LGA

Item 17.9

Attachment 1

(6) H

Total = 54 sig

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

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Lodged by: ..... Karen FOWLER

Contact Phone: [redacted]

Address:.. [redacted] .....

Email..... [redacted] .....

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Name	Address	Signature
Suzy Albore	[redacted]	
Kerry Fahey		
ANNETTE POTTER		
Laura McLean		
Amanda van Stralen		
Andre van Stralen		
Bryan Hall		
Janet Mayer		
David Tinks		

(9)

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Name	Address	Signature
Laura Timbs	[redacted]	
Georgia Hay		
ALYSON COLEMAN		
Lauren whitfield		
TAndronicos		
Vanessa Moran		
Moira Armstrong		
Sean Lee		
Laura Doolan		
MARIA WILEY		
Mckr lee		
David Rey		
Christine Flint.		
Gerda vandekamp		
Tom Vanag		
Vicky Steele		
Janelle Matthew		
Karing Shepherd		
Irene Bogna		
Robyn McKean		
Ian Williamson		
SHAUN ROSE		
Cassie Rose		
Amber Dickens		

24

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Name	Address	Signature
[illegible]	[redacted]	
GREG BOWIE		
[illegible] BROWN		
Erin Smillie		
Shelley Salmon		
Robyn Chapman		
Colleen Maguire		
Jill Tumbutt		
Tanya Hazlewood		
Barbara Clayton		
Lane Dibdin		
Lata Chawda		
Cristina Mitchell		
Amy Halil		
Sol Paans		
[illegible]		
Tony ABELA		
[illegible]		
Chris Miller		
Tayla O'Keefe		
[illegible]		
Maree O'Shea		
Matt Gallagher		
Sandra Botka		

Total: 49 sig. 6B

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

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Lodged by: .....Karen.....Fowler

Contact Phone: ....[redacted]

Address:.....[redacted].....

Email.....[redacted].....

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Name	Address	[redacted]	e
M. DEVJAK	[redacted]		
M. Williamson			
D. McDonald			
P. Chittenden			
R. SPENCER			
L. Lloyd			
D Collins			
O. Arocha			

8

The undersigned petitioners therefore ask the Council to:

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Name	Address	Signature
KRISTY MCKECHNIE	[redacted]	
Clare.		
Tayla Watson		
Jo Aspinall		
KEVIN LAING		
TIM PARKIN		
JIM MILES		
Helen Francis		
C Pignataro		
Ailee Calderbank		
TINA HINCHCLIFFE		
Ollie Parkin		
Kate Roberts		
Tegan Constable		
[illegible]		
Trish Paspisil		
thaisChikhani		
ERICA WARREN		
Katrina Witt		
Jenny Page		
NICK CARTER		
BIANCA TULICH		
[illegible]		Not Kiama LGA
[illegible]		

21

Total = 49 sig.

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Name	Address	Signature
Adina Johnson	[redacted]	
Kate Johnson		
Emma Johnson		
Nico Coesch		
Mark Durham		
Joan Johnson		
Chris Johnson		
Leah Marshall		
Gabrielle Penfold		
Debba Rampe		
Diane Westgate		
Archie Fowler-Johnson		
Janelle Fowler		
Bradley Park		
Cain Holgate		
TRACEY MAGUIRE		
Anne Bowen		
Leesa Dalbarra		
Terry Bailey		
Angeline Poilly		
Rhi Williams		
Jack Anderson		
Claire Williams		
~~[illegible]~~ Williams Rod		

Not Kiama LGA

6

20

Item 17.9

Attachment 1

Total 19

6 C

PETITION

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Lodged by: Karen Fowler

Contact Phone: [redacted]

Address: [redacted]

Email [redacted]

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Name	Address	Signature
N-WAITE	[redacted]	
P. Costello		
A Alcock		
I Slater		
Richadson		
A Hoare		
Mitch Spachman		
Brett Binner		
Greg Barton		

(9)

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Name	Address	Signature
Olivia Delahunty	[redacted]	
Robyn Faulkner		
STEVE BURCH		
Pamela Steel		
Nancy ALITERS		
ELLE ALITERS		
ANGELES CASTILLA		
Sarah Perkins		
Lauren Speedy		
Megan Edwards		

10

Total = 14 (7)

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

The undersigned petitioners therefore ask the Council to:

1. NOT support the rezoning application lodged by Traders In Purple as it does not cover land mapped in the Planning Statement or referenced in the Regional Plan as an identified potential greenfield site for residential development in Kiama.
2. Not cause further offence to the local community by referencing the site as "Springside Hill", a name assigned by the developer and not a name endorsed by the local community or approved by the NSW Geographical Names Board.
3. Ensure that any need to develop another large greenfield site in Kiama for residential housing is identified and assessed in consultation with the community through the Growth and Housing Strategy planning process.

More detailed comments to support our request are provided as Attachment A.

Lodged by: ..... Karen Fowler

Contact Phone: [redacted]

Address:... [redacted] .....

Email..... [redacted] .....

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Name	Address	Signature
BRYAN MAHONE	[redacted]	
Marilyn Malone		
SHEILA LYNE		
TED BARTLETT		
Due Reed.		
ADAM SMITH		
John Gatho,		
YASUDEVAN PILLAI		
9 Steve Leoles		

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Name	Address	Signature
M ROORICH	[redacted]	
T BOOTHROYD		
I. WILSON		
G. FISHER		
J. McGREGOR.		

(52) (8)

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

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Contact Phone: [redacted]

Address:..... [redacted] .....

Email..... [redacted] .....

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Name	Address	Signature
PATRICK LEWIS	[redacted]	
Tracey Lewis		
Colleen Marriott		
Lexie Watt		
KATHLEEN CLEMENTSON		
CATHERINE REEDER		
KEITH CLEMENTSON		
Lyn Gibson		
BARRY GIBSON		

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Name	Address	Signature
Jean Shelley	[redacted]	
John Shelley		
NEVILLE MICHALLEF		
ANGIE MICHALLEF		
GEORGINA PATRICKSON		
JOHN PATRICKSON.		
Sandra Down		
John Down.		
[redacted]		
DANE STOKES		
DAVID STOKES		
WALTER ERVEN		
JAN ERVEN		
Lorna DeGean		
DOUG DE GEAN		
CARL POLDEN		
IAN HODGES		
CHRISTINE HODGES		
Bruce TAPP		
Gary Tapp		
Barry Hopkins		
Jan Barnes		
Robert Barnes		
Lee Phillips		

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Name	Address	Signature
LINDSAY PHILLIPS.	[redacted]	
GLADYS CUTAJAR		
GLENDA TUOHY		
SUE MOODIE		
Sandra Bourke		
LORIS KELTON		
Leonie Morta		
JULIA WALKER		
Kathryn Kelton		
Jan Clawley		
CAROLYN WORTH		
ROMAINE JOSEPH		
Kallee Reuter		
Karen Balangé		
Annette FOX		
Jean Mace		
Pam Davidson		
[illegible]		
GARY WOOD-PUTTLE		
Aaron Shelley		

2

Total 91 (4)

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

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Lodged by: Karen Fowler

Contact Phone: [redacted]

Address: [redacted]

Email: [redacted]

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Name	Address	Signature
Lauren Olofsson	[redacted]	
C. Olofsson		
L. SUANN		
Drew Suann		
C. CARMINGER		
Blake Suann		
Leigh Wilson		
GRAEME NORRIS		
Felicity Singleton		

9

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Name	Address	Signature
ATHOL MALONE	[redacted]	
KEN McINTYRE		
ROY SCHMIDT		
WES MOSIER		
PETER DOWSON		
M SMYTH		
K. BROWN		
Kate Mansell		
KRIGG E STEVES		
Allison Pezzullo		
Sandy Sharrock		
Annie Keppell		
Sheelagh Abela		
Jamie Sydney		
MARK [illegible]		
Clare Hallam		
DIANNE FAVA		
Joella Creith		
Lachlan Barlow		
JARRET LOVE		
LOWANI BONDFIELD		
BROOKE BUSSE		
George Foster		
MICK O'DWYER		

(24)

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Name	Address	Signature
Jim O'Connell	[redacted]	
Chloe Browne Beck		
Vanessa Vetter		
K. Pangita		
D Wilkinson		
M. Porter		
K. McInnes		
Sue Gaddin		
Lyndel Gray		
Madison Bate		
Heather Williams		
Jo Iskra		
Mark Fisher		
Sue Mutlow		
Rita Jackson		
Brett Quince		
Denise Sims		
John Sims		
Angela Bestrom		
Pauline Pali		
Blanka Habeck		
Helen Harrowell		
Merlene Pozzi		
Christine Ciepluchc		

24

(10)

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

Bring to the attention of the Council the concerns of local residents that the rezoning application lodged by Traders In Purple in relation to land at West Kiama (being 114 hectares of the Spring Creek Catchment and a site currently located outside the defined urban boundary for Kiama) is not consistent with the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) or the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan).

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Lodged by: Karen Fowler

Contact Phone: [redacted]

Address:.. [redacted] .....

Email..... [redacted] .....

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Name	Address	Signature
CHRISTINE MEHEW	[redacted]	
S. Kelly		
R. Kelly		
Russell Halverson		
Katrina Halverson		
Larissa Lee		
Doris André		
Kellie Lear		
Philip Garner		

(9)

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Name	Address	Signature
Stephen Fagan	[redacted]	
Sarah Watts		
Jack to Kick		
Emily Peck		
Joy DICKSON		
THOMAS GOODWIN		
Sharon Hindmarsh		
BOB BENNAR		
Robert Blackburn		
Jan Chudleigh		
ANDREW RATZ		
Brandon Freitas		
ELIZABETH MOISÉ		
ROBERT MOISÉ		
Jennifer Rayner		
Terri Godfrey		
SANDRA ROBERTS		
Beth Ready		
Steve Beauchamp		
Vikky Ye		
Tim Athey		
Alex Lee		
Ross Sinclair		
Michael Quinn		

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Name	Address	Signature
MICHAEL THOMAS	[redacted]	
AMY HULL		
Glenda Thomas		
John Endicott		
Steve Dalton		
R. BUXTON		
JOHN MASSEY		
GREG BROWN		
PAT SMITH		
JOHN MENNIE		
Allan Lowe		
ALBERT MATHER		
T. LAZARE		
J. Quinn		
S. Rodney		
M. Rodney		
J. McCarthy		
T Russell		
B. Poole		
J. Davidson		
Julia Wright		
Cameron Wright		
STEVE HILL		
Melissa Redpath		

14

Total 29 (11)

PETITION

To the Councillors of Kiama Municipal Council

The Petition of the residents of the Kiama Municipal Council.

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Lodged by: Karen Fowler

Contact Phone: [redacted]

Address:..... [redacted] .....

Email..... .....

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Name	Address	Signature
ROBERT ARMSTRONG	[redacted]	
MARIE ASTRIDGE		
DAVID ASTRIDGE		
ROBYN DELL		
JENNI STAPLETON		
MICKEY PARNELL		
PETER WILSON		
Helen Kuit		
YUNG CASEY		

(9)

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Name	Address	Signature
Judith Young	[redacted]	
Cheryl Hewlett		
JO BALLARD		
ROSE EGGLETON		
KELVIN DELL		
MARIE BYRNE		
CAROL CORDELL		
Mira Naidofski		
John Simon		
ANTHONY BALLARD		
Edward BATE		

20

Total 5 12

PETITION

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Contact Phone: . [redacted]

Address:... [redacted] .....

Email.....[redacted] .....

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Name	Address	Signature
STUART ALMOND	[redacted]	
CINDY RYAN		
[illegible]		
L. ALLEN		
M. Allen		

(5)

total 45 (13)

PETITION

To the Councillors of Kiama Municipal Council

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Address:.....

Email.....

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Name	Address	Signature
JULIE CODDINGTON		
MURRAY CODDINGTON		
Louise Thiering		
ROBERT LEE		
Gary Marks		
Ray Ruley		
Clint Poole		

(9)

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Name	Address	Signature
MICHAEL SAWYER	[redacted]	
Damien Collins		
Fiona Smith		
Graham Murtagh		
Kerry Fox		
Cameron Fox		
Jennifer Gardner		
Diane Goodman		
Robyn Kent		
Lance Kent		
Shayed		
Rebecca Ryan		
Tristan Reid		
Sue Ryan		
Nick Galassi		
Julie Bowers		

Total 22 ~~Lou's extra~~ (13)

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Contact Phone: [redacted]

Address: [redacted]

Email [redacted]

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Name	Address	Signature
MARY McGREGOR	[redacted]	
ANN PEDERSEN		
Susan Alexand		
Tracey Dicke		
SUZI BOUTOUBIA		
Charlie BOUTOUBIA		
Shirlie Phillips		
Melanie Dempsey		
9 Gail Connellan		

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Name	Address	Signature
Deb DUNSTER	[redacted]	
N Kelly		
M. CORK		
J Eggleton		
HEATHER STUART		
KEN RUDD		
Gordon Gregory		
GAY GREGORY		

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Name	Address	Signature
VICKI STANTON	[redacted]	
YAWEN CHEN		
Linda Chuk		
ALAN KWAN		
Jackie McGhee		

5

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PETITION

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2. Not cause further offence to the local community by referencing the site as "Springside Hill", a name assigned by the developer and not a name endorsed by the local community or approved by the NSW Geographical Names Board.
3. Ensure that any need to develop another large greenfield site in Kiama for residential housing is identified and assessed in consultation with the community through the Growth and Housing Strategy planning process.

More detailed comments to support our request are provided as Attachment A.

Lodged by: Karen Fowler

Contact Phone [redacted]

Address:..... [redacted] .....

Email..... [redacted] .....

Privacy statement: Kiama Municipal Council is collecting your personal information solely for the purpose of administering this petition and verifying its authenticity, as required by Council's Petitions Policy. Council will handle your personal information in accordance with the *Privacy and Personal Information Protection Act 1998* and the *Government Information (Public Access) Act 2009*.

Name	Address	Signature
John Bowers	[redacted]	
[illegible]		
Janneen Coffee		
[illegible]		
Alex Langford		
Michael Lothian		
Ross [illegible]		
Jenny Buckley		
Summer Middleton		

(9)

1

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Name	Address	Signature
GRAHAM JOHNSON	[redacted]	
Denise Limbrick		
David Limbrick		
Mary Cawthorne		
[illegible] BREEN		
KATH BREEN		
Lyn Burgess		
Caroline Jones		
Claudia [illegible] Febles		
[illegible] BENAN		
[illegible] BENAN		
LAURIE PRICE		
Margaret Price		
Lorraine Condes		
Tayla Quinn		
Joy [illegible]		
Hamish [illegible]		
[illegible]		
Benjamin Baker		
Paul Berry		
John Fullon		
[illegible]		
Steve [illegible]		
TREVOR MOLZ		

24

The undersigned petitioners therefore ask the Council to:

1. NOT support the rezoning application lodged by Traders In Purple as it does not cover land mapped in the Planning Statement or referenced in the Regional Plan as an identified potential greenfield site for residential development in Kiama.
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3. Ensure that any need to develop another large greenfield site in Kiama for residential housing is identified and assessed in consultation with the community through the Growth and Housing Strategy planning process.

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Name	Address	Signature
Zoe	[redacted]	
Jesse		
Bente		
Nicky		
Katelin		
Tracey		
Ricky Cooper		

Attachment A
Supporting Comments

- It would be inappropriate for planning authorities to approve a significant largescale rezoning proposal that does not align with current adopted and publicly exhibited Strategic Planning documents.
- Both the Kiama Local Strategic Planning Statement 2020 (the Planning Statement) and the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan) did not identify the West Kiama land as a potential urban boundary expansion site and acknowledged that Kiama's ability to deliver additional housing is constrained.
- The Regional Plan clearly indicated that the focus for Kiama LGA should be on increasing housing supply in the Kiama CBD, existing residential areas, the Bombo Quarry site, and the **mapped** potential expansion sites shown in the Planning Statement.
- The South Kiama site has already been rezoned and it is expected that it will deliver around 500 new homesites within the next five to seven years.
- Council has been working hard to deliver on the Actions identified in the endorsed strategic planning documents to increase housing supply and diversity in the town centre. The "Action Plan - Managing Sustainable Growth" on Page 31 of the Planning Statement required Council to prepare a Local Housing Strategy to detail how and where more housing could be provided in the Municipality. This Growth and Housing Strategy is currently being prepared and is expected to be finalised within the next three months.
- Objective 18 of the Regional Plan states "Provide housing in the right locations". If Council and the State Government are serious about meeting this objective, it is essential that no approval is given to rezone the West Kiama Spring Creek Catchment land until this site has been considered holistically via the Growth and Housing Strategy.
- Any decision to approve the West Kiama rezoning proposal prior to finalising the Growth and Housing Strategy will further undermine the community's faith in government planning processes.
- The NSW government's revised housing growth targets for the Kiama LGA (expected to be announced within the next few months) must be considered as part of the Growth and Housing Strategy process. While Traders In Purple claim that Kiama can't meet projected housing targets, this claim needs to be tested once the State government's targets are released and via the Growth and Housing Strategy.
- As recognised in the Regional Plan, Bombo Quarry is the best located and preferred site for developing a new suburb in Kiama. It is understood that this land is likely to be rehabilitated much earlier than previously proposed and will provide a realistic option for redevelopment within the next 10 years. This is another matter that must be further investigated as part of the Growth and Housing Strategy process.
- If current strategic planning documents are revoked or amended to reflect revised government growth targets and outcomes from the current Growth and Housing Strategy process, Council and the Southern Regional Planning Panel will then be in a stronger position to fully consider the strategic and site-specific merits of any new rezoning applications for lands identified as potential residential development sites.

17.10 Question for future meeting: Blue Haven Havilah

Responsible Director: Office of the Chief Executive Officer

At the December 2023 Council Meeting Councillor Croxford requested a report on the Blue Haven Havilah former residential aged care facility to identify under the boarding houses and co-living housing provisions of the NSW Planning Act the viability of, and range of possible options available to Council to enable suitable accommodation solutions at the same time as matters relating to the Blue Haven Havilah precinct proceed.

Response

The broader review of the Havilah Place site including possible strategic direction and options will all be considered as the review and the sub-division work progresses. This work was reported to the March ordinary meeting in the report titled “Finance & Governance Plan in Response to Notice of Intention to Vary a Performance Improvement Order” on page 8 of the Supplementary Agenda. This work will be led by the Implementation Team and reported through the Performance Improvement Order Committee and then onto Council.

It is to be noted that the whole site is operational land, not community land and likewise the whole lot is registered as a retirement village. Any changes or proposals to change the use will have to go through a process.

A consultant was engaged some months ago to commence the sub-division work and this too has been reported to Council.

The broader review of the Havilah Place site should also consider longer term strategic directions for the Terralong Retirement Village, especially with respect to the question and subject of housing options, given the older units within Stages 1 -2 particularly.

The specific answers and the strategic review will require up to 6 months.

18 LATE ITEMS

19 NOTICE OF MOTION

Nil

20 QUESTIONS FOR FUTURE MEETINGS

21 CONFIDENTIAL SUMMARY

CONFIDENTIAL COMMITTEE OF THE WHOLE

Submitted to the Ordinary Meeting of Council held on 16 April 2024

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.

21.1 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.

22.1 MAYORAL ALLOWANCE

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. .

22.2 BLUE HAVEN UPDATE

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

22 CONFIDENTIAL REPORTS

22.1 Mayoral allowance

CSP Objective: Outcome 5.1: Public funds and assets are managed strategically, transparently, and efficiently

CSP Strategy: 5.1.1 Public funds are managed in accordance with Financial Management Standards and the Local Government Act.

Delivery Program: 5.1.1.2 Maintain compliance with the Office of Local Government risk management and internal audit framework, including the Audit, Risk and Improvement Committee and internal audit operation in accordance with legislation

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 details of systems and/or arrangements that have been implemented to protect council, councillors, staff and Council property.

22.2 Blue Haven Update

CSP Objective: Outcome 5.1: Public funds and assets are managed strategically, transparently, and efficiently

CSP Strategy: 5.1.4 Commercial investments are managed to maximise their value; and in accordance with legislative obligations.

Delivery Program: 5.1.4.2 Continue to implement Council Resolution 22/1040C for Blue Haven and Resolution 23/053OC

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 and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

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23 CLOSURE