



ORDINARY MEETING OF COUNCIL

To be held at 5.00pm on

Tuesday 15 October 2024

Council Chambers

11 Manning Street, KIAMA NSW 2533

Order of Business

- 1 Opening of Meeting
- 2 Webcasting Statement
- 3 Acknowledgement of Country
- 4 Statement of Ethical Obligations
- 5 Apologies
- 6 Confirmation of Minutes of Previous Meeting
- 7 Business Arising From The Minutes
- 8 Disclosure of Interest
- 9 Tabling of petitions and other documents
- 10 Public Forum Summary
- 11 Mayoral Minute
- 12 Minutes of Committees
- 13 Report of the Chief Executive Officer
- 14 Report of the Chief Operating Officer
- 15 Report of the Director Planning, Environment and Communities
- 16 Reports for Information
- 17 Report of the Director Infrastructure and Liveability
- 18 Late Items
- 19 Questions with notice
- 20 Notice of Motion
- 21 Confidential Summary
- 22 Confidential Reports
- 23 Closure

Members

Councillor M Brown
Councillor M Cains
Councillor I Draisma
Councillor S Larkins
Councillor M Lawton
Councillor M Matters
Councillor C McDonald
Councillor Y Tatrai
Councillor E Warren

9 October 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 15 October 2024** commencing at **5.00pm** for the consideration of the undermentioned business.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Jane Stroud', written in a cursive style.

Jane Stroud

Chief Executive Officer

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING OF MEETING.....	5
2	WEBCASTING STATEMENT	5
3	ACKNOWLEDGEMENT OF COUNTRY	5
4	STATEMENT OF ETHICAL OBLIGATIONS	5
5	APOLOGIES	5
6	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
	Nil	
7	BUSINESS ARISING FROM THE MINUTES.....	5
8	DISCLOSURE OF INTEREST	5
9	TABLING OF PETITIONS AND OTHER DOCUMENTS.....	5
10	PUBLIC FORUM SUMMARY.....	5
11	MAYORAL MINUTE.....	6
	11.1 2024 Illawarra Volunteers of the Year	6
12	MINUTES OF COMMITTEES.....	8
	12.1 Minutes: PIO Implementation and Oversight Committee - 8 August 2024.....	8
13	REPORT OF THE CHIEF EXECUTIVE OFFICER	14
	13.1 Election of Mayor	14
	13.2 Election of Deputy Mayor	21
	13.3 Managing casual councillor vacancies within 18 months of the election.....	24
	13.4 Councillor membership for Council Committees	28
	13.5 Council delegates to outside bodies, appointments to regional and other organisations.....	107
	13.6 Ordinary Meetings of the Council - schedule and order of business.....	114
	13.7 Designated Persons Annual Returns 2023/2024	117
	13.8 Delegations of functions of Council to the Chief Executive	

	Officer	120
	13.9 Endorsement: Mayoral delegations.....	126
14	REPORT OF THE CHIEF OPERATING OFFICER.....	130
	14.1 Monthly Financial Report - August 2024	130
	14.2 Statement of Investments - September 2024	144
	14.3 Half Yearly Report - Delivery Program and Operational Plan - January to June 2024.....	173
15	REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES	322
	15.1 Grants and donations - Round 1 funding	322
16	REPORTS FOR INFORMATION	354
	16.1 Resolution Register - July 2024 to August 2024 and update on previous periods.....	354
	16.2 Update on Kiama West (Springside Hill) Rezoning Proposal - Planning Proposal (PP 2023-2833) and Rezoning Review (RR-2024/21)	406
	16.3 Minutes: Kiama Liquor Accord Meeting and Annual General Meeting - August 2024	419
	16.4 Compliance Office activities - August 2024 to September 2024	429
17	REPORT OF THE DIRECTOR INFRASTRUCTURE AND LIVEABILITY.....	432
	17.1 Traffic Management: Kiama Local Traffic Committee meeting - 1 October 2024	432
18	LATE ITEMS	441
19	QUESTIONS WITH NOTICE.....	441
	Nil	
20	NOTICE OF MOTION.....	441
	Nil	
21	CONFIDENTIAL SUMMARY	441
	21.1 Exclusion Of Press And Public:.....	441
22	CONFIDENTIAL REPORTS.....	442
	22.1 Chief Executive Officer mid-term performance review	442
23	CLOSURE	442

**AGENDA FOR THE
ORDINARY MEETING OF KIAMA MUNICIPAL COUNCIL
TUESDAY 15 OCTOBER 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

Nil

7 BUSINESS ARISING FROM THE MINUTES

8 DISCLOSURE OF INTEREST

9 TABLING OF PETITIONS AND OTHER DOCUMENTS

10 PUBLIC FORUM SUMMARY

11 MAYORAL MINUTE

11.1 2024 Illawarra Volunteers of the Year

Attachments

Nil

Enclosures

Nil

RECOMMENDED

That Council congratulates Barbara Adams, Alyssa Norris, Krystle Morgan and Wollongong Meals on Wheels Daily Run Team in recognition of the 2024 Illawarra Volunteers of the Year.

REPORT*

Barbara Adams has been named the 2024 Illawarra Volunteer of the Year for her significant contributions to countless community groups and causes.

Barbara is Jamberoo's 'everywhere' volunteer who has dedicated decades of her life to helping others and making her community a better place.

Her volunteering has spanned the Jamberoo Red Cross, Jamberoo Football Club, Salvation Army Red Shield Appeal, Jamberoo Car Show & Family Day, Jamberoo Australia Day festivities, Jamberoo's Christmas decorations, and the Kemblawarra Public School P&C.

2024 Illawarra Young Volunteer of the Year - Alyssa Norris

Alyssa is a passionate advocate for community safety. As Vice-Captain of the Windang Surf Life Saving Club, she actively participates in beach patrols, averaging 50 hours per season.

Her enthusiasm for the club extends to attracting new members and ensuring that current members feel appreciated.

2024 Illawarra Adult Volunteer of the Year - Krystle Morgan

Krystle Morgan is a board member with The Illawarra Shoalhaven Gender Alliance. As a volunteer, she helps to raise awareness of issues affecting transgender people through local events and education, ensuring that the gender-diverse and wider LGBTQIA+ communities in the area feel supported.

Additionally, Krystle gives her time to assist the Make a Wish Foundation and Kookaburra Kids.

Mayoral Minute

11.1 2024 Illawarra Volunteers of the Year (cont)

2024 Illawarra Volunteer Team of the Year - Wollongong Meals on Wheels Daily Run Team

The Wollongong Meals on Wheels Daily Run Team is committed to delivering more than just meals; they provide companionship and support, helping people maintain their independence and stay in their homes longer.

They connect clients with valuable resources and information, from senior rights advocacy to mental health services.

*Source [2024 Illawarra Volunteer of the Year - The Centre for Volunteering](#)

Item 11.1

12 MINUTES OF COMMITTEES

12.1 Minutes: PIO Implementation and Oversight Committee - 8 August 2024

Responsible Director: Office of the Chief Executive Officer

Attachments

- 1 Minutes: PIO Implementation and Oversight Committee - 08/08/2024 [↓](#)

Enclosures

Nil

RECOMMENDED

That the Minutes of the PIO Implementation and Oversight Committee meeting held on 8 August 2024 be received and accepted.

Background

The minutes of the PIO Implementation and Oversight Committee meeting held on 8 August 2024 are attached for Councillors' information.



**MINUTES OF THE
PIO IMPLEMENTATION AND
OVERSIGHT COMMITTEE MEETING**

commencing at 11 am on

THURSDAY 8 AUGUST 2024

Held by Teams

Item 12.1

Attachment 1

MINUTES OF THE PIO IMPLEMENTATION AND OVERSIGHT COMMITTEE

8 AUGUST 2024

**MINUTES OF THE
PIO IMPLEMENTATION AND OVERSIGHT COMMITTEE
HELD BY TEAMS
ON THURSDAY 8 AUGUST 2024 AT 11 AM**

BY TEAMS: Councillors Neil Reilly, Stuart Larkins and Mark Croxford

ATTENDEES: Jane Stroud – Chief Executive Officer
Ed Paterson – Head of Implementation
Joe Gaudiosi – Chief Operating Officer
Stephanie Salviejo – Legal and Governance Services
Implementation Lead
Emily Vaughan - Business Transformation Lead

OBSERVERS: Councillors Rice and Renkema-Lang

1 APOLOGIES

Imogen Draisma

2 ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

3 DECLARATIONS OF INTEREST

Disclosure of Interest - Councillor Renkema-Lang

Councillor Renkema-Lang declared a pecuniary interest in Item 7.1 *Legal Status Update as at 30 June 2024* as a person involved in the Vortex Development case contributed to cover costs of the NSW Supreme Court case. Councillor Renkema-Lang proposed to leave the meeting.

4 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 PIO Implementation and Oversight Committee meeting on 9 May 2024

24/007PIO

Resolved that the Minutes of the PIO Implementation and Oversight Committee meeting held on 9 May 2024 and reported to the 21 May 2024 ordinary Council meeting, be received and accepted.

(Councillors Larkins and Reilly)

5 BUSINESS ARISING FROM THE MINUTES

Cr Croxford requested an update on item 6.1, the current status and any significant development or delays. Head of Implementation advised nothing had evolved on vexatious claims and that Council continues to make progress on matters.

6 REPORT OF THE HEAD OF IMPLEMENTATION

6.1 Draft Continuous Improvement Framework and Prioritisation Tool

24/008PIO

Resolved that the PIO Implementation and Oversight Committee:

1. Note the 67 services of Council as identified by the KMC Service Architecture.
2. Provide feedback on the:
 - a. Draft Continuous Improvement Framework and associated templates
 - b. Draft Prioritisation Tool.

(Councillors Larkins and Croxford)

Noted:

- The Service Architecture outlines the services identified.
- The Framework will assist managers and service owners in completing reviews
- The Tool will identify which services we will prioritise in the 4 year program based on weightings for legislation, financial, risk and compliance, scope and scale, customer satisfaction.
- ARIC provided positive verbal feedback on the documents and the documents are submitted to the FAC meeting on 14 August 2024
- Cr Croxford questioned the current status of the draft service reviews due in July
- The Head of Implementation reported:
 - Draft reviews for Tourism and Events and parks and gardens had been received
 - an updated review of The Pavilion was also being assessed.
 - Tender process to undertake the Holiday Park review had closed, currently being assessed
 - Waste Services review was back on track following complications with budget structure and reconciliation of restricted reserves
- All services are being reviewed against each other and the Tool will give a number for each service to identify priority. Manager capacity and work load will also be considered. The priority list will be presented to ELT and Councillors.
- There is also the ability to focus on one aspect of a service, which Council has done with parks and gardens.
- Question on notice to the Head of Implementation: How are we going to measure the success of the overall Framework? This should be articulated in the Framework
- Outcomes from service reviews will inform delivery level strategies and KPIS that will form part of operational and delivery/work plans.

MINUTES OF THE PIO IMPLEMENTATION AND OVERSIGHT COMMITTEE

8 AUGUST 2024

**6.2 Bi-monthly Strategic Finance & Governance Improvement Plan Update
Report: July 2024**

24/009PIO

Resolved that Council:

1. Receive the Strategic Finance & Governance Improvement Plan – Implementation Status Update – July 2024,
2. Note that actions 1.1, 1.2 and 8.11 have been completed, and
3. Note that the Chief Executive Officer, through the Implementation Team, will:
 - a. provided a copy of the Implementation Status Update - July 2024 to the NSW Office of Local Government, and
 - b. place a copy of the Implementation Status Update - July on Council's website.

(Councillors Croxford and Larkins)

Noted:

- There are significant risks in implementation including: funding TechOne, capitalisation, staffing overtime, CPI index, a delay in the Blue Haven sale, blow out of capital or significant delays in funding, better data about actual revenue of waste will result in revenue reduction, any significant QBR reporting and other matters that FAC raised.
- The impost on restricted reserves is significant from Terralong unit vacancies due to water proofing and fire safety issues and will need to manage cash flow.
- An implementation matrix is being developed to prioritise recommendations from the services review.
- Think Tank session/s will also be held.

7 REPORTS FOR INFORMATION

Councillor K Renkema-Lang left the meeting at 11.48 am.

7.1 Legal Status Update as at 30 June 2024

24/010PIO

Resolved that the PIO Implementation and Oversight Committee:

1. note the Report for Information, Item 7.1 Legal Status Update as at 30 June 2024.
2. recommend improvements be made to the table of current litigation matters to rectify the timing issue now that reporting has moved to quarterly.

(Councillors Croxford and Larkins)

Noted:

- NCAT matter has been settled. Positive outcome through consultation with the applicant, governance staff and lawyers.

MINUTES OF THE PIO IMPLEMENTATION AND OVERSIGHT COMMITTEE 8 AUGUST 2024

- Council has provided all the information to the Barristers with regards to the Spring Creek caveat.
- COO is meeting the lawyers to consider steps in the Richard Crookes defects matter and consider prospects.
- Some quite significant legal matters have come to a conclusion including a Supreme Court matter which is now pending a new application for costs.

Councillor K Renkema-Lang returned to the meeting at 12.03 pm.

8 GENERAL BUSINESS

Council enters the local government election caretaker period from 16 August 2024.
Council Committees will be reconsidered with the new council at the November 2024 meeting.
The Chair thanked Committee members and Council staff.

9 CLOSURE

There being no further business the meeting closed at 12:05pm.
These Minutes were confirmed at the Ordinary Meeting of Council held
on 15 October 2024

.....
Chair

13 REPORT OF THE CHIEF EXECUTIVE OFFICER

13.1 Election of Mayor

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

CSP Strategy: 5.2.1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Delivery Program: 5.2.1.2 Support good governance through systems and processes for legislative compliance.

Summary

This report advises the procedure for the election of the Mayor.

Financial implications

Not applicable.

Risk implications

Election of the Mayor by councillors must follow the process set out in Schedule 7 of the Local Government (General) Regulation 2021 to ensure fairness and transparency.

Policy

Local Government Act 1993.

Schedule 7 of the Local Government (General) Regulation 2021 – attached.

Consultation (internal)

N/A

Communication/Community engagement

N/A

Attachments

- 1 Local Government (General) Regulation 2021 - Schedule 7 Election of Mayor by Councillors [↓](#)
- 2 Nomination form for position of Mayor for the period to September 2026 - pro forma [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council:

1. [receive written nominations for the Office of Mayor for the period to September 2026.](#)

Report of the Chief Executive Officer

13.1 Election of Mayor (cont)

-
2. determine the form of election, if required.
 3. thereafter, proceed with the election of the Mayor.
 4. declare the outcome of the election at the meeting.
 5. send the results to the Secretary and Chief Executive Officer of Local Government NSW.

Background

Section 230 of the Local Government Act 1993 states that the term of office for a Mayor elected by Councillors is for 2 years.

Section 290(1)(b) of the Local Government Act requires that mid-term mayoral elections are held in the month of September. This means that the mid-term mayoral elections will need to be held in September 2026. The Mayor elected at the mid term mayoral election will hold office until the election in September 2028.

Schedule 7 of the Local Government (General) Regulation 2021 sets out the procedures for the election of a Mayor by Councillors. The Chief Executive Officer is appointed as the Returning Officer for such an election. Nominations can be made without notice, must be made in writing by two or more Councillors (one of whom may be the nominee) and signed by the nominee. The nomination is not valid unless the nominee has indicated consent to the nomination in writing.

A “pro forma” nomination form has been prepared and circulated with this business paper (attached) for Councillors to use if so desired. There is no necessity to use this form, but the criteria detailed above must be met for a nomination to be valid. The nomination forms must be delivered to the Chief Executive Officer and can be delivered at any time up to consideration of this item at the meeting. Pro forma nomination forms will also be available at the Council meeting.

If only one Councillor is nominated, that Councillor is elected as Mayor. If more than one Councillor is nominated, Council must determine the form of election to be held:

- Preferential balloting (voting “1”, “2”, “3” in order of preference – secret ballot)
- Ordinary ballot (“First Past the Post” by secret ballot)
- Open voting (“First Past the Post” by show of hands).

Schedule 7 also describes how each of these forms of election are counted. Councillors are able to determine the preferred method of voting, and an amendment to the motion would be required to be put to reflect the preferred method to be used. In prior terms Councillors have opted for the first past the post by secret ballot option.



Local Government (General) Regulation 2021

Current version for 2 September 2024 to date (accessed 24 September 2024 at 16:05)

Schedule 7

Schedule 7 Election of mayor by councillors

(Section 394)

Part 1 Preliminary

1 Returning officer

The general manager (or a person appointed by the general manager) is the returning officer.

2 Nomination

- (1) A councillor may be nominated without notice for election as mayor or deputy mayor.
- (2) The nomination is to be made in writing by 2 or more councillors (one of whom may be the nominee). The nomination is not valid unless the nominee has indicated consent to the nomination in writing.
- (3) The nomination is to be delivered or sent to the returning officer.
- (4) The returning officer is to announce the names of the nominees at the council meeting at which the election is to be held.

3 Election

- (1) If only one councillor is nominated, that councillor is elected.
- (2) If more than one councillor is nominated, the council is to resolve whether the election is to proceed by preferential ballot, by ordinary ballot or by open voting.

- (3) The election is to be held at the council meeting at which the council resolves on the method of voting.
- (4) In this section—

ballot has its normal meaning of secret ballot.

open voting means voting by a show of hands or similar means.

Part 2 Ordinary ballot or open voting

4 Application of Part

This Part applies if the election proceeds by ordinary ballot or by open voting.

5 Marking of ballot-papers

- (1) If the election proceeds by ordinary ballot, the returning officer is to decide the manner in which votes are to be marked on the ballot-papers.
- (2) The formality of a ballot-paper under this Part must be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

6 Count—2 candidates

- (1) If there are only 2 candidates, the candidate with the higher number of votes is elected.
- (2) If there are only 2 candidates and they are tied, the one elected is to be chosen by lot.

7 Count—3 or more candidates

- (1) If there are 3 or more candidates, the one with the lowest number of votes is to be excluded.
- (2) If 3 or more candidates then remain, a further vote is to be taken of those candidates and the one with the lowest number of votes from that further vote is to be excluded.
- (3) If, after that, 3 or more candidates still remain, the procedure set out in subsection (2) is to be repeated until only 2 candidates remain.
- (4) A further vote is to be taken of the 2 remaining candidates.
- (5) Section 6 of this Schedule then applies to the determination of the election as if the 2 remaining candidates had been the only candidates.
- (6) If at any stage during a count under subsection (1) or (2), 2 or more candidates are tied on the lowest number of votes, the one excluded is to be chosen by lot.

Part 3 Preferential ballot

8 Application of Part

This Part applies if the election proceeds by preferential ballot.

9 Ballot-papers and voting

- (1) The ballot-papers are to contain the names of all the candidates. The councillors are to mark their votes by placing the numbers “1”, “2” and so on against the various names so as to indicate the order of their preference for all the candidates.
- (2) The formality of a ballot-paper under this Part is to be determined in accordance with section 345 of this Regulation as if it were a ballot-paper referred to in that section.
- (3) An informal ballot-paper must be rejected at the count.

10 Count

- (1) If a candidate has an absolute majority of first preference votes, that candidate is elected.
- (2) If not, the candidate with the lowest number of first preference votes is excluded and the votes on the unexhausted ballot-papers counted to him or her are transferred to the candidates with second preferences on those ballot-papers.
- (3) A candidate who then has an absolute majority of votes is elected, but, if no candidate then has an absolute majority of votes, the process of excluding the candidate who has the lowest number of votes and counting each of his or her unexhausted ballot-papers to the candidates remaining in the election next in order of the voter’s preference is repeated until one candidate has received an absolute majority of votes. The latter is elected.
- (4) In this section, *absolute majority*, in relation to votes, means a number that is more than one-half of the number of unexhausted formal ballot-papers.

11 Tied candidates

- (1) If, on any count of votes, there are 2 candidates in, or remaining in, the election and the numbers of votes cast for the 2 candidates are equal—the candidate whose name is first chosen by lot is taken to have received an absolute majority of votes and is therefore taken to be elected.
- (2) If, on any count of votes, there are 3 or more candidates in, or remaining in, the election and the numbers of votes cast for 2 or more candidates are equal and those candidates are the ones with the lowest number of votes on the count of the votes—the candidate whose name is first chosen by lot is taken to have the lowest number of votes and is therefore excluded.

Part 4 General

12 Choosing by lot

To choose a candidate by lot, the names of the candidates who have equal numbers of votes are written on similar slips of paper by the returning officer, the slips are folded by the returning officer so as to prevent the names being seen, the slips are mixed and one is drawn at random by the returning officer and the candidate whose name is on the drawn slip is chosen.

13 Result

The result of the election (including the name of the candidate elected as mayor or deputy mayor) is—

- (a) to be declared to the councillors at the council meeting at which the election is held by the returning officer, and
- (b) to be delivered or sent to the Secretary and the Chief Executive Officer of Local Government NSW.

To the Chief Executive Officer
Kiama Municipal Council
PO Box 75
KIAMA NSW 2533

Nomination for position of Mayor for the period to September 2026

Please note that the Councillors whose signatures appear below formally nominate Councillor _____ for the position of Mayor of Kiama Council for the period to September 2026.

Signed:

Cr name: _____ Signature: _____

Cr name: _____ Signature: _____

I, Councillor _____ formally consent to this nomination being made on my behalf.

Dated: _____ Cr signature: _____

24/103449

13.2 Election of Deputy Mayor

CSP Objective: 4 Responsible Civic Leadership that is Transparent, Innovative and Accessible

CSP Strategy: 4.4 Ensure a policy framework exists which meets all legislative requirements and community expectations

Delivery Program: 4.4.1 Ensure corporate legislative compliance

Summary

This report advises of the procedure for the election of the deputy mayor.

Financial implications

Not applicable.

Risk implications

The deputy mayor may exercise any function of the mayor at the request of the mayor or if the mayor is prevented by illness, absence or otherwise from exercising the function or if there is a casual vacancy in the office of mayor which may improve any risk exposure to Council in some situations.

Policy

Local Government Act 1993

Schedule 7 of the Local Government (General) Regulation 2021

Consultation (internal)

N/A

Communication/Community engagement

N/A

Attachments

- 1 Nomination form for position of deputy mayor for the determined period - pro forma [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council:

1. determine the term of the Deputy Mayor.
2. proceed with the election of a Deputy Mayor for the determined term and that such election be conducted in the same manner as that which applied to the election of the Mayor.
3. declare the outcome of the election at the meeting.

Report of the Chief Executive Officer

13.2 Election of Deputy Mayor (cont)

4. [send the results to the Secretary and Chief Executive Officer of Local Government NSW.](#)

Background

Section 231 of the Act provides that Council may elect one of its members as the Deputy Mayor for the Mayoral term or for a shorter term if so resolved. Council policy has been to formally elect a Deputy Mayor each year.

The Deputy Mayor may act in the Office of the Mayor on the Mayor's request or during such time (if any) as the Mayor is prevented by absence from so doing, or during such time as a casual vacancy exists in the Office of Mayor.

While acting in place of the Mayor, the Deputy Mayor may exercise any function of that office. Section 249(5) of the Act provides that Council may pay a fee to the Deputy Mayor where that person acts in the Office of Mayor. Any such fee must be approved and determined by Council and is deducted from the Mayor's fee.

Council may determine the manner of election for the position of Deputy Mayor as detailed in the item dealing with the Mayoral election. A proforma nomination form is attached for Councillors' use.

Item 13.2

To the Chief Executive Officer
Kiama Municipal Council
PO Box 75
KIAMA NSW 2533

Nomination for position of Deputy Mayor for the determined period

Please note that the Councillors whose signatures appear below formally nominate Councillor _____ for the position of Deputy Mayor of Kiama Council for the period determined at the Council meeting held on 8 October 2024.

Signed:

Cr name: _____ Signature: _____

Cr name: _____ Signature: _____

I, Councillor _____ formally consent to this nomination being made on my behalf.

Dated: _____ Cr signature: _____

24/103488

13.3 Managing casual councillor vacancies within 18 months of the election

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

CSP Strategy: 5.2.1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Delivery Program: 5.2.1.2 Support good governance through systems and processes for legislative compliance.

Item 13.3

Summary

Under the Local Government Act (1993) (the LG Act), councils must, by resolution, declare that casual vacancies occurring in the office of a councillor within 18 months of the election are to be filled by a countback of votes cast at the election if councils want to fill vacancies by these means. Councils that do not resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies using a by-election.

Financial implication

A countback process would be administered by the NSW Electoral Commission returning officer and likely to incur only nominal costs calculated on an hourly basis to undertake and advise the countback.

The alternative of a by-election would be administered by the Electoral Commission and incur costs. It is acknowledged that this does allow an opportunity for voters to determine their preferred democratic representation at that point in time.

Risk implication

Adoption of the proposed resolution to utilize a count-back method would mitigate the significant financial and reputational risks associated with having to undertake a by-election within 18 months of the last election.

Policy

Local Government Act (1993) Sections 291A – 295

Consultation (internal)

N/A

Communication/Community engagement

N/A

Attachments

Nil

Enclosures

Nil

Report of the Chief Executive Officer

13.3 Managing casual councillor vacancies within 18 months of the election (cont)

RECOMMENDATION

That Council:

1. determines, should a casual vacancy in the office of a Councillor occur within 18 months after the 14 September 2024 ordinary election, whether the casual vacancy will be filled by a countback of votes cast at the last election for that office or a by-election is held.
2. directs the Chief Executive Officer to notify the NSW Electoral Office of the Council's decision within 7 days of Council's decision.

Item 13.3

Background

The Local Government Act (1993) includes provisions for appointing Councillors in the event that casual vacancies occur during the term of Council. This report focuses on the first 18 months of the Council term (Sections 291A and 292). Councillors can choose to fill the vacancy by a countback of votes cast at the 14 September 2024 local government election or run a by-election.

Relevant legislation

Relevant extracts from the LG Act are provided below and summarised here:

- Section 291A: Defines the process for using a countback process to replace a vacant Councillor position, which would be facilitated by the Electoral Commission returning officer.
- Section 292: Defines the alternative process of filling the vacancy via a by-election.
- Section 295: Outlines the process for filling a casual vacancy of the Mayor elected by Councillors.

291A Countback to be held instead of by-election in certain circumstances

- (1) This section applies to a casual vacancy in the office of a councillor if-
 - (a) the casual vacancy occurs within 18 months after the date of the last ordinary election of the councillors for the area, and
 - (b) the council has at its first meeting following that ordinary election of councillors, by resolution, declared that any such casual vacancy is to be filled by a countback of votes cast at the last election for that office.
- (2) ... [Not Relevant]
- (3) A casual vacancy to which this section applies is to be filled by a countback election conducted in accordance with the regulations.
- (4) A countback election to fill a casual vacancy to which this section applies must be conducted--
 - (a) if the election at which the person whose departure created the casual vacancy was elected was administered by the Electoral Commissioner--by a returning officer appointed by the Electoral Commissioner, or
 - (b) if the election at which the person whose departure created the casual vacancy was elected was administered by a returning officer appointed by an electoral services provider engaged by the council--by a returning officer appointed by the electoral services provider.

Report of the Chief Executive Officer

13.3 Managing casual councillor vacancies within 18 months of the election (cont)

-
- (5) If a countback election fails or the returning officer is otherwise unable to fill the casual vacancy by a countback election--
 - (a) the returning officer must notify the general manager of the council concerned, and
 - (b) a by-election in accordance with this Part must be held to fill the casual vacancy.
 - (5A) If an electoral services provider engaged by the council is unable to appoint a returning officer for the purposes of subsection (4)(b), a by-election in accordance with this Part must be held to fill the casual vacancy.
 - (6) This section does not apply to a casual vacancy in the office of a councillor if the vacancy occurs before the day prescribed for the purposes of this section by the regulations.

292 When is a by-election to be held?

A by-election to fill a casual vacancy in the office of a councillor or a mayor elected by the electors of an area is to be held on a Saturday that -

- (a) falls not later than 3 months after the vacancy occurs, and
- (b) is fixed by the general manager (in relation to an election administered by the general manager) or the Electoral Commissioner (in relation to an election administered by the Electoral Commissioner).

295 Casual vacancy in office of mayor elected by the councillors

- (1) If a casual vacancy occurs in the office of a mayor elected by the councillors, the vacancy is to be filled at a meeting of the council to be held within 14 days after the occurrence of the vacancy.
- (2) If the councillors fail to elect a mayor as required by this section, the Governor may appoint one of the councillors as the mayor.

How the countback election works

A countback election is used to elect a councillor to fill a single vacancy, where the vacating councillor was elected under the proportional representation method (i.e. where two or more candidates were elected at a local government ordinary election). If there are multiple vacancies, a separate countback election is held for each vacancy.

The returning officer contacts all unelected candidates from the local government ordinary election who may still qualify to be elected to the office of councillor. Where the candidate is interested, they must submit a formal application to the returning officer. All candidates who submit and do not withdraw their application, become eligible candidates.

The timeline for a countback election is

1. The Electoral Commissioner is notified of a casual vacancy, within seven days of it occurring.
2. A returning officer is appointed within 14 days of the notification of the vacancy.
3. Casual vacancy notices are issued 2 to 14 days from the appointment of the returning officer.
4. Where a candidate is interested, they must submit a formal application to the returning officer. The application period closes after 10 days of the notices being issued.
5. The countback is conducted within 14 days of the vacancy notices being issued.

Report of the Chief Executive Officer

13.3 Managing casual councillor vacancies within 18 months of the election (cont)

6. It may take up to a month for the results to be declared.

A countback election must be completed within 49 days, and applications for candidates to participate is open for 10 days.

If there are no eligible candidates, an attendance by-election must be held. If there is only one eligible candidate, that candidate is elected. If there are multiple eligible candidates, a countback election is conducted. In a countback election, the returning officer

- uses preference data from ballot papers from the previous local government ordinary election
- uses the same proportional representation method used in the original election
- effectively re-runs the election making the vacating councillor ineligible and distributing each of their ballot papers to the next preference on the ballot paper
- if a non-eligible candidate would be elected, the election is re-run with that candidate's ballot papers also distributed to their next preference on the ballot paper
- re-runs the countback until an eligible candidate is elected.

Eligible candidates and the council are then notified of the result.

At a countback election, a sitting councillor cannot be unelected, and non-eligible candidates cannot be elected.

How a by-election works

A by-election is run the same way as the recent local government elections. The by election would be conducted by the NSW Electoral Commission in accordance with the *Electoral Act 2017*.

To run a by-election a date would be set, nominations called for, public notification of candidates made, polling arrangements (including venue hire, polling staff, distribution of ballot papers, etc), the count, declaration of results and post-election procedures. Voting is compulsory and the costs may be similar to the cost of a full election (approx. \$220,000).

Conclusion

Councillors need to determine how to deal with casual vacancies occurring in the office of a councillor within 18 months of the election, whether that be by countback or a by-election.

13.4 Councillor membership for Council Committees

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

CSP Strategy: 5.2.1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Delivery Program: 5.2.1.1 Provide public access to Council business through Council meetings, briefings, public access forums and Council committee meetings.

Item 13.4

Summary

Councillor membership for Council Committees is to be determined.

Financial implication

The committees that are the subject of this report are essential in delivering important operational decisions which will assist in Council meeting legislative requirements essential to the financial sustainability of Council and ongoing generation of revenue.

Risk implication

Some of these listed committees have legislative requirements to operate and continuation of membership ensures Council is not delaying business critical decisions and presenting an operational or reputational risk to Council.

Policy

Committees will be managed through the Committees Framework Policy and the Committee Terms of Reference. All Committee members will be required to strictly adhere with Council's Code of Conduct, Media Policy and other policies of Council.

Consultation (internal)

Chief Executive Officer

Communication/Community engagement

There are community representations on the Finance Advisory Committee, Tourism and Economic Advisory Committee and the Kiama Local Traffic Committee.

Attachments

- 1 Audit Risk and Improvement Committee Charter [↓](#)
- 2 Finance Advisory Committee - Terms of Reference [↓](#)
- 3 Kiama Local Traffic Committees - Transport for NSW guidelines. [↓](#)
- 4 Office of Local Government Guidelines for the appointment and oversight of general managers [↓](#)
- 5 Tourism and Economic Advisory Committee - Terms of Reference [↓](#)

Enclosures

Nil

Report of the Chief Executive Officer

13.4 Councillor membership for Council Committees (cont)

RECOMMENDATION

That Council determine the Councillor membership for the following Council committees:

1. Audit, Risk and Improvement Committee
2. Finance Advisory Committee
3. Kiama Local Traffic Committee
4. Performance Review Committee, being the Mayor and Deputy Mayor, and one Councillor nominated by Councillors, and one Councillor nominated by the Chief Executive Officer.
5. Tourism and Economic Advisory Committee.

Membership requirements

The terms of reference (ToR) for these Committees state the following Councillor membership is required:

Committee	Schedule	Membership
Audit, Risk and Improvement Committee	At least 4 times per year	1 Councillor (non-voting)
Finance Advisory Committee	Bi-monthly	Mayor 1 Councillor
Kiama Local Traffic Committee	Monthly	1 Councillor
Performance Review Committee	Mid-year and yearly reviews	Mayor Deputy Mayor 1 Councillor nominated by Council 1 Councillor nominated by the CEO (This is in line with the Office of Local Government Guidelines issued under section 23A of the Local Government Act 1993 on the Appointment and Oversight of General Managers 2022.)
Tourism and Economic Advisory Committee	Bi-monthly	2 Councillors

The terms of references/guidelines for each committee are attached for Councillors information.

Report of the Chief Executive Officer

13.4 Councillor membership for Council Committees (cont)

Summary

Councillors are required to determine Councillor membership of these committees following the membership requirements noted above. The tenure of these memberships will be in line with the Council term, concluding in September 2028.

Item 13.4



Audit, Risk and Improvement Committee Charter

Responsible Officer	Internal Auditor
Department	Office of the CEO
Date endorsed	13 February 2024
Next review date	February 2025
TRIM reference	24/40259

Contents

- 1. Policy statement / Objectives 1
- 2. Independence 2
- 3. Authority 2
- 4. Composition and tenure 2
- 5. Role 3
- 6. Responsibilities of Members 4
 - 6.1. Independent members 4
 - 6.2. Councillor members 4
 - 6.3. Conduct 4
 - 6.4. Conflicts of interest 5
 - 6.5. Standards 5
- 7. Work plans 5
- 8. Assurance reporting 5
- 9. Administrative arrangements 6
 - 9.1. Meetings 6
 - 9.2. Dispute resolution 6
 - 9.3. Secretariat 6
 - 9.4. Resignation and dismissal of members 7
 - 9.5. Review arrangements 7

1. Policy statement / Objectives

Kiama Municipal Council has established an Audit, Risk and Improvement Committee (the Committee) in compliance with section 428A of the *Local Government Act 1993*, relevant supporting clauses of the *Local Government (General) Regulation 2021*, and the *Guidelines for risk management and internal audit for local government in NSW*. This Charter sets out the Committee’s objectives, authority, composition and tenure, roles and responsibilities, reporting, and administrative arrangements.

The objective of Kiama Council’s Audit, Risk and Improvement Committee is to provide independent assurance to Council by monitoring, reviewing, and providing advice about the Council’s governance processes, compliance, risk management and control frameworks, external accountability obligations, and overall performance.

RESPECT • INTEGRITY • INNOVATION • TEAMWORK • EXCELLENCE •

2. Independence

The Committee is to be independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and to provide Council with robust, objective, and unbiased advice and assurance.

The Committee is to have an advisory and assurance role only and is to exercise no administrative functions, delegated financial responsibilities or any management functions of the Council. The Committee will provide independent advice to the Council that is informed by the Council's internal audit and risk management activities and information and advice provided by staff, relevant external bodies, and subject matter experts.

The Committee must always ensure it maintains a direct reporting line to and from the Council's internal audit function and act as a mechanism for internal audit to report to the governing body and the Chief Executive Officer (CEO) on matters affecting the performance of the internal audit function.

3. Authority

The Council authorises the Committee, within the scope of its role and responsibilities, to:

- access any information it needs from Council
- use any Council resource it needs
- have direct and unrestricted access to the CEO and senior management of the Council
- seek the CEO's permission to meet with any other Council staff member or contractor
- discuss any matters with the external auditor or other external parties;
- request of the CEO the attendance of any employee at Committee meetings; and
- obtain external legal or other professional advice in line with Councils' procurement policies and budgetary arrangements. Prior discussion with the CEO must be obtained to determine the appropriateness of any reimbursement by Council for external legal or other professional advice.

Information and documents pertaining to the Committee are confidential and are not to be made publicly available. The Committee may only release Council information to external parties that are assisting the Committee to fulfil its responsibilities with the approval of the CEO, except where it is being provided to an external investigative or oversight agency to inform that agency of a matter that may warrant its attention.

4. Composition and tenure

The Committee consists of an independent chair and two independent members who have voting rights and one non-voting councillor, as required under the *Guidelines for risk management and internal audit for local government in NSW*. As required by the Guidelines, the Mayor is ineligible to be a Councillor member.

The governing body is to appoint the chair and members of the Committee. Current Committee members are:

David Pendleton	Independent chair (voting)
Rhonda Wheatley	Independent member (voting)
Jim Mitchell	Independent member (voting)
Cr Jodi Keast	Councillor member (non-voting)

All Committee members must meet the independence and eligibility criteria prescribed in the *Guidelines for risk management and internal audit for local government in NSW*.

Members will be appointed for up to a four-year term. Members can be reappointed for one further term, but the total period of continuous membership cannot exceed eight years. This includes any term as chair of the Committee. Members who have served an eight-year term (either as a member or as chair) must have a two-year break from serving on the committee before being appointed again. To preserve the Committee's knowledge of the Council, ideally, no more than one member should retire from the Committee because of rotation in any one year.

The terms and conditions of each member's appointment to the Committee are to be set out in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their responsibilities.

Before approving the reappointment or extension of the Chair's or an independent member's term, the governing body is to undertake an assessment of the Chair's or Committee member's performance. Reappointment of the Chair or a Committee member is also to be subject to that person still meeting the independence and eligibility requirements.

Members of the Committee must possess and maintain a broad range of skills, knowledge, and experience relevant to the operations, governance and financial management of the Council, the environment in which the Council operates, and the contribution that the committee makes to the Council. At least one member of the Committee must have accounting or related financial management experience with an understanding of accounting and auditing standards in a local government environment. All members should have sufficient understanding of the Council's financial reporting responsibilities to be able to contribute to the Committee's consideration of the Council's annual financial statements.

5. Role

As required under section 428A of the *Local Government Act 1993* (the Act), the role of the committee is to review and provide independent advice to the Council regarding the following aspects of the Council's operations:

- compliance
- risk management
- fraud control
- financial management
- governance
- implementation of the strategic plan, delivery program, and strategies
- service reviews
- collection of performance measurement data by the Council, and
- internal audit.

The committee must also provide information to the Council for the purpose of improving the Council's performance of its functions.

The Committee's specific audit, risk and improvement responsibilities under section 428A of the Act are outlined in Schedule 1 to this charter.

The Committee will act as a forum for consideration of the Council's internal audit function and oversee its planning, monitoring and reporting to ensure it operates effectively.

The Committee has no power to direct external audit or the way it is planned and undertaken but will act as a forum for the consideration of external audit findings.

The Committee is directly responsible and accountable to the governing body for the exercise of its responsibilities. In carrying out its responsibilities, the committee must at all times recognise that the primary responsibility for the management of the Council rests with the governing body and the CEO.

The responsibilities of the committee may be revised or expanded in consultation with, or as requested by, the governing body from time to time.

6. Responsibilities of Members

6.1. Independent members

The chair and members of the Committee are expected to understand and observe the requirements of the *Guidelines for risk management and internal audit for local government in NSW*. Members are also expected to:

- make themselves available as required to attend and participate in meetings
- contribute the time needed to review and understand information provided to it
- apply good analytical skills, objectivity and judgement
- act in the best interests of the Council
- have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry
- maintain effective working relationships with the Council
- have strong leadership qualities (Chair)
- lead effective committee meetings (Chair), and
- oversee the Council's internal audit function (Chair).

6.2. Councillor members

To preserve the independence of the Committee, the Councillor member of the Committee is a non-voting member. Their role is to:

- relay to the Committee any concerns the governing body may have regarding the Council and issues being considered by the Committee
- provide insights into local issues and the strategic priorities of the Council that would add value to the Committee's consideration of agenda items
- advise the governing body (as necessary) of the work of the Committee and any issues arising from it, and
- assist the governing body to review the performance of the Committee.

Issues or information the Councillor member raises with or provides to the Committee must relate to the matters listed in Schedule 1 and issues being considered by the Committee.

The Councillor member of the Committee must conduct themselves in a non-partisan and professional manner. The Councillor member of the Committee must not engage in any conduct that seeks to politicise the activities of the Committee or the internal audit function or that could be seen to do so.

If the Councillor member of the Committee engages in such conduct or in any other conduct that may bring the committee and its work into disrepute, the chair of the Committee may recommend to the Council that the Councillor member be removed from membership of the Committee. Where the Council does not agree to the Committee Chair's recommendation, the Council must give reasons for its decision in writing to the Chair.

6.3. Conduct

Independent committee members are required to comply with the Council's code of conduct.

Complaints alleging breaches of the Council's code of conduct by an independent committee member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The CEO must consult with the governing body before taking any disciplinary action against an independent committee member in response to a breach of the Council's code of conduct.

6.4. Conflicts of interest

Once a year, committee members must provide written declarations to the Council stating that they do not have any conflicts of interest that would preclude them from being members of the Committee. Independent Committee members are 'designated persons' for the purposes of the Council's code of conduct and must also complete and submit returns of their interests.

Committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest they may have in a matter being considered at the meeting at the start of each meeting or as soon as they become aware of the conflict of interest. Where a Committee member or observer declares a pecuniary or a significant non-pecuniary conflict of interest, they must remove themselves from committee deliberations on the issue. Details of conflicts of interest declared at meetings must be appropriately minuted.

6.5. Standards

Committee members are to conduct their work in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and current Australian risk management standards, where applicable.

7. Work plans

The work of the Committee is to be thoroughly planned and executed. The Committee must develop a strategic work plan every four years to ensure that the matters listed in Schedule 1 are reviewed by the Committee and considered by the internal audit function. The strategic work plan must be reviewed at least annually to ensure it remains appropriate.

The Committee may, in consultation with the governing body, vary the strategic work plan at any time to address new or emerging risks. The governing body may also, by resolution, request the committee to approve a variation to the strategic work plan. Any decision to vary the strategic work plan must be made by the Committee.

The Committee must also develop an annual work plan to guide its work, and the work of the internal audit function over the forward year.

The Committee may, in consultation with the governing body, vary the annual work plan to address new or emerging risks. The governing body may also, by resolution, request the committee to approve a variation to the annual work plan. Any decision to vary the annual work plan must be made by the Committee.

When considering whether to vary the strategic or annual work plans, the Committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the work plan.

8. Assurance reporting

The Committee must regularly report to the Council to ensure that it is kept informed of matters considered by the Committee and any emerging issues that may influence the strategic direction of the Council or the achievement of the Council's goals and objectives.

The Committee will provide an update to the governing body and the CEO of its activities and opinions after every committee meeting.

The Committee will provide an annual assessment to the governing body and the CEO on the Committee's work and its opinion on how the Council is performing.

The committee will provide a comprehensive assessment every council term of the matters listed in Schedule 1 to the governing body and the CEO.

The Committee may at any time report to the governing body or the CEO on any other matter it deems of sufficient importance to warrant their attention. The Mayor and the Chair of the Committee may also meet at any time to discuss issues relating to the work of the Committee.

Should the governing body require additional information, a request for the information may be made to the Chair by resolution. The Chair is only required to provide the information requested by the governing body where the Chair is satisfied that it is reasonably necessary for the governing body to receive the information for the purposes of performing its functions under the Local Government Act. Individual Councillors are not entitled to request or receive information from the Committee.

9. Administrative arrangements

9.1. Meetings

The Committee will meet at least five times per year, with one of these meetings to include review and endorsement of the annual audited financial statements.

The need for any additional meetings will be decided by the Chair of the Committee, though other Committee members or CEO may make requests to the Chair for additional meetings.

Committee meetings can be held in person, by telephone or videoconference. Proxies are not permitted to attend meetings if a Committee member cannot attend.

A quorum will consist of a majority of independent voting members. Where the vote is tied, the Chair has the casting vote.

The Chair of the Committee will decide the agenda for each Committee meeting. Each Committee meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the Committee.

The CEO and the Internal Auditor should attend committee meetings as non-voting observers. The external auditor (or their representative) is to be invited to each committee meeting as an independent observer. The Chair can request the Council's Chief Finance Officer, head of risk management function, senior managers, any Councillors, any employee/contractor of the council and any subject matter expert to attend committee meetings. Where requested to attend a meeting, persons must attend the meeting where possible and provide any information requested. Observers have no voting rights and can be excluded from a meeting by the Chair at any time.

The Committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the Committee present.

The Committee must meet separately with the Internal Auditor and the Council's external auditor at least once each year.

9.2. Dispute resolution

Members of the Committee and the Council's management should maintain an effective working relationship and seek to resolve any differences they may have amicably and professionally by discussion and negotiation.

In the event of a disagreement between the committee and the CEO or other senior managers, the dispute is to be resolved by the governing body.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Departmental Chief Executive in writing.

9.3. Secretariat

Council management will arrange to provide secretariat support to the Committee. The Secretariat will ensure the agenda for each meeting and supporting papers are circulated at least one week before the meeting, and ensure minutes of the meetings are prepared and maintained. Minutes shall be approved by the Chair and circulated to each member within three weeks of the meeting being held.

Once the minutes have been approved by the Chair, the Secretariat shall arrange for the minutes to be provided to Council.

9.4. Resignation and dismissal of members

Where the chair or a committee member is unable to complete their term or does not intend to seek reappointment after the expiry of their term, they should give six weeks notice to the Chair and the governing body prior to their resignation to allow the Council to ensure a smooth transition to a new Chair or Committee member.

The governing body can, by resolution, terminate the appointment of the Chair or an independent Committee member before the expiry of their term where that person has:

- breached the council's code of conduct
- performed unsatisfactorily or not to expectations
- declared, or is found to be in, a position of a conflict of interest which is unresolvable
- been declared bankrupt or found to be insolvent
- experienced an adverse change in business status
- been charged with a serious criminal offence
- been proven to be in serious breach of their obligations under any legislation, or
- experienced an adverse change in capacity or capability.

The position of a Councillor member on the Committee can be terminated at any time by the governing body by resolution.

9.5. Review arrangements

At least once every Council term, the governing body must review or arrange for an external review of the effectiveness of the Committee.

This Charter is to be reviewed annually by the Committee and once each Council term by the governing body. Any substantive changes are to be approved by the governing body.

10. Authorisation

Reviewed by Chair of the Audit, Risk and Improvement Committee

David Pendleton

12 December 2023

Adopted by Council in accordance with a resolution of the governing body.

Council date: 13 February 2024

Council resolution no: 24/019OC

Schedule 1

Kiama Council Audit, Risk and Improvement Committee responsibilities

Responsibilities of the committee related to each matter listed in section 428A of the Local Government Act 1993 are detailed in this schedule.

Audit

Internal audit

- Provide overall strategic oversight of internal audit activities
- Act as a forum for communication between the governing body, CEO, senior management, the internal audit function and external audit
- Coordinate, as far as is practicable, the work programs of internal audit and other assurance and review functions
- Review and advise the Council:
 - on whether the Council is providing the resources necessary to successfully deliver the internal audit function
 - if the Council is complying with internal audit requirements, including conformance with the International Professional Practices Framework
 - if the Council's Internal Audit charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by the Council are suitable
 - of the strategic four-year work plan and annual work plan of internal audits to be undertaken by the Council's internal audit function
 - if the Council's internal audit activities are effective, including the performance of the internal audit function
 - of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised
 - of the implementation by the Council of these corrective actions
 - on the appointment of the head of the internal audit function and external providers, and
 - if the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities.

External audit

- Act as a forum for communication between the governing body, CEO, senior management, the internal audit function and external audit
- Coordinate as far as is practicable, the work programs of internal audit
- Provide input and feedback on the financial statement and performance audit coverage proposed by external audit and provide feedback on the audit services provided
- Review all external plans and reports in respect of planned or completed audits and monitor Council's implementation of audit recommendations
- Provide advice to the governing body and/or CEO on action taken on significant issues raised in relevant external audit reports and better practice guides.

Risk

Risk management

Review and advise the Council:

- if Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard
- whether the Council is providing the resources necessary to successfully implement its risk management framework
- whether the Council's risk management framework is adequate and effective for identifying and managing the risks the Council faces, including those associated with individual projects, programs and other activities
- if risk management is integrated across all levels of the Council and across all processes, operations, services, decision-making, functions and reporting
- of the adequacy of risk reports and documentation, for example, the Council's risk register and risk profile
- whether a sound approach has been followed in developing risk management plans for major projects or undertakings
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- if the Council has taken steps to embed a culture which is committed to ethical and lawful behaviour
- if there is a positive risk culture within the Council and strong leadership that supports effective risk management
- of the adequacy of staff training and induction in risk management
- how the Council's risk management approach impacts on the Council's insurance arrangements
- of the effectiveness of the Council's management of its assets, and
- of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

Internal controls

Review and advise the Council:

- whether the Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective
- whether the Council has in place relevant policies and procedures and that these are periodically reviewed and updated
- whether appropriate policies and procedures are in place for the management and exercise of delegations
- whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with
- if the Council's monitoring and review of controls is sufficient, and
- if internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

Compliance

Review and advise the Council of the adequacy and effectiveness of the Council's compliance framework, including:

- if the Council has appropriately considered legal and compliance risks as part of the Council's risk management framework
- how the Council manages its compliance with applicable laws, regulations, policies, procedures, codes, and contractual arrangements, and
- whether appropriate processes are in place to assess compliance.

Fraud and corruption

Review and advise the Council of the adequacy and effectiveness of the Council's fraud and corruption prevention framework and activities, including whether the Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

Financial management

Review and advise the Council:

- if the Council is complying with accounting standards and external accountability requirements
- of the appropriateness of the council's accounting policies and disclosures
- of the implications for the Council of the findings of external audits and performance audits and the Council's responses and implementation of recommendations
- whether the Council's financial statement preparation procedures and timelines are sound
- the accuracy of the Council's annual financial statements prior to external audit, including:
 - management compliance/representations
 - significant accounting and reporting issues
 - the methods used by the Council to account for significant or unusual transactions and areas of significant estimates or judgements
 - appropriate management signoff on the statements
- if effective processes are in place to ensure financial information included in the Council's annual report is consistent with signed financial statements
- if the Council's financial management processes are adequate
- the adequacy of cash management policies and procedures
- if there are adequate controls over financial processes, for example:
 - appropriate authorisation and approval of payments and transactions
 - adequate segregation of duties
 - timely reconciliation of accounts and balances
 - review of unusual and high value purchases
- if policies and procedures for management review and consideration of the financial position and performance of the council are adequate
- if the Council's grants and tied funding policies and procedures are sound.

Governance

Review and advise the Council regarding its governance framework, including the Council's:

- decision-making processes
- implementation of governance policies and procedures

- reporting lines and accountability
- assignment of key roles and responsibilities
- committee structure
- management oversight responsibilities
- human resources and performance management activities
- reporting and communication activities
- information and communications technology (ICT) governance, and
- management and governance of the use of data, information and knowledge.

Improvement

Strategic planning

Review and advise the Council:

- of the adequacy and effectiveness of the Council's integrated, planning and reporting (IP&R) processes
- if appropriate reporting and monitoring mechanisms are in place to measure progress against objectives, and
- whether the Council is successfully implementing and achieving its IP&R objectives and strategies.

Service reviews and business improvement

- Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions (for example, NSW government agencies, Commonwealth government agencies, insurance bodies)
- Review and advise the Council:
 - If the Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance
 - if appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance, and
 - how the Council can improve its service delivery and the Council's performance of its business and functions generally.

Performance data and measurement

Review and advise the Council:

- if the Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives
- if the performance indicators the Council uses are effective, and
- of the adequacy of performance data collection and reporting.



Terms of reference: Finance Advisory Committee

24/40943

Committee name:	Finance Advisory Committee
Status:	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee <input type="checkbox"/>
Purpose:	Role of the Committee is to: <ul style="list-style-type: none"> act in an advisory capacity to council on financial matters encourage sound financial practice and reporting for Kiama Municipal Council provide expert advice to Council and community on the long term financial sustainability of Council review the efficacy of Council's Long Term Financial Plan and strategies to sustainably deliver Council's financial objectives. review action plans aimed at delivering financial performance review service levels ensuring sustainable resourcing review and monitor Council's financial performance review and investigate opportunities proposed by Council officers or other committee members.
Objectives:	Objectives of the Committee are to: <ul style="list-style-type: none"> provide expert advice which informs the future financial sustainability of Council support and provide advice to Council's Chief Executive Officer and Chief Financial Officer act as a conduit between the community and Council on financial concerns make recommendations to Council on specific financial concerns and matters.
Meetings:	Meetings are held every second month on the first Thursday of the month. FAC presentations will be provided to Councillor briefings, subject to a Council decision on timing.
Venue:	Meetings will be held at the Kiama Council Chambers, other suitable venues as required or by video conference.
Membership:	Members are formally appointed by Council and comprise: <ul style="list-style-type: none"> Mayor

Item 13.4

Attachment 2



24/40362

2

Committee name:	Finance Advisory Committee
	<ul style="list-style-type: none"> • 1 Councillor representative • Chief Executive Officer • Chief Financial Officer • Chief Executive Officer • 5 community members. <p>Councillors can attend meetings as an observer. Other Council officers may attend by invitation from the Committee through the CEO for relevant items of discussion</p>
Term of membership:	<p>Non-Councillor membership of the Finance 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.</p>
Selection of members:	<p>When positions become vacant the selection of new committee members will be undertaken:</p> <ul style="list-style-type: none"> • through a public invitation for EOI by applicants • by consideration of applications by Council • by Council approval of successful applicants. <p>The following factors will be taken into consideration when determining members:</p> <ul style="list-style-type: none"> • the persons relevant experience and expertise • whether the person is a resident of the Kiama Local Government Area • there is a gender balance • there is representation from across the full Kiama geographical area • cultural and age diversity is represented • committee members are able to demonstrate that they are connected and representative” of the community.
Meeting quorum:	<p>A Quorum will be deemed to have been met under the following criteria: a minimum of 50% plus 1 or per statutory requirement (if required).</p>
Meeting administration:	<ul style="list-style-type: none"> • 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 shall be approved by the Chair and circulated to each member and to Councillors within two weeks of the meeting being held.

Item 13.4

Attachment 2

24/40362

3

Committee name:	Finance Advisory Committee
	<ul style="list-style-type: none"> • Minutes are to be brief and focused on action items and advice. • Recommendations from the meeting that require Council endorsement will be reported separately to the next Ordinary Meeting of Council. • While the Performance Improvement Order is in place the Minutes will be reported to the next Ordinary Meeting of Council to be received.
Responsibility	<p>Committee members will:</p> <ol style="list-style-type: none"> 1. act in an advisory role to Council staff, the Council and Councillors on financial matters arising in performance of the role of the Committee 2. provide strategic guidance on developing and implementing Council's financial management policies and strategies 3. provide information and analysis to Council on the sustainably funding performance of Council's functions 4. at all times comply with Council's Code of Conduct 5. at all times contribute in a positive and respectful manner 6. avoid disruption, contrary conduct or being wasteful of time and resources.
Conflicts of interest	<ul style="list-style-type: none"> • 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.
Termination of membership:	<p>Non-Councillor member positions will be declared vacant/terminated when a member:</p> <ol style="list-style-type: none"> 1. completes their designated term and retires from the committee 2. completes their term and is not re appointed 3. resigns their membership, in writing, to the Chairperson 4. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson 5. acts in a way that is contrary to their responsibility as outlined (above).

24/40362

4

Committee name:	Finance Advisory Committee
	NOTE: Council on the recommendation of the committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed inappropriate or is regarded as failing to provide productive and valued input.
Process for termination of membership:	<p>Where a (non-Councillor or staff) committee member’s behaviour is considered unsatisfactory and contrary to their responsibilities (identified above), the Chairperson will draw this to the attention of the relevant committee member and reinforce the required level of conduct. The Chairperson will make a written record of this and provide to a relevant council officer for recording. The committee member will be able to sight and sign the written record.</p> <p>Where there is re-occurrence of unsatisfactory behaviour the committee member will be warned formally in writing by the Chairperson. Counselling (to be provided by the General Manager or Public Officer) will reinforce the standard of conduct expected as well as the implications of the behaviour on the committee members and Council. In addition, counselling will reinforce potential for termination from the committee should the behaviour continue. A written record shall be kept of the formal warning and counselling.</p> <p>If the committee member’s behaviour does not improve after the formal warning and counselling, the committee member’s appointment may, on the recommendation of the Chairperson, be terminated by Council resolution.</p>

Item 13.4

Attachment 2



A guide to the delegation to councils for the regulation of traffic

Including the operation of Traffic Committees

Item 13.4

Attachment 3



[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)

Item 13.4

Attachment 3





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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Delegation to Councils for the Regulation of Traffic

Contents

Amendment record	iv
1. Introduction	1
2. Definitions and abbreviations	1
3. Delegation of functions	3
3.1 Limitations	4
3.1.1 Traffic Management Plans	5
4. Exercising delegated functions	6
5. Local Traffic Committee	6
5.1 General	6
5.2 Members	7
5.3 Meetings	8
5.3.1 Meeting Formats	8
5.3.2 Agendas, minutes and reports	9
5.3.3 Site visits	10
5.3.4 Public participation	10
5.3.5 Media participation	11
5.3.6 Voting	11
5.4 Appeals	12
5.4.1 Road Transport (Safety and Traffic Management) Act 1999	12
5.4.2 Roads Act 1993 – Division 2 of Part 8	13
6. Regional Traffic Committee	14
7. Responsibilities	14
7.1 Council	14
7.2 RTA	15
7.3 NSW Police	15
7.4 Local State Member of Parliament	15
8. Traffic engineering advice	16
APPENDIX A	17
Process for Exercising Delegated Road Transport Powers	18
Process for Exercising Delegated Roads Act Powers	22
RTC Terms Of Reference	26
Regional Traffic Committee Appeal Form	27



Delegation to Councils for the Regulation of Traffic

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



Delegation to Councils for the Regulation of Traffic

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.



Delegation to Councils for the Regulation of Traffic

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*.



Delegation to Councils for the Regulation of Traffic

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](#).



 Delegation to Councils for the 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.



 Delegation to Councils for the Regulation of Traffic

- 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.



Delegation to Councils for the Regulation of Traffic

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.



 Delegation to Councils for the Regulation of Traffic

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



Delegation to Councils for the Regulation of Traffic

- 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.



 Delegation to Councils for the Regulation of Traffic

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.



Delegation to Councils for the Regulation of Traffic

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.



Delegation to Councils for the Regulation of Traffic

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.



 Delegation to Councils for the Regulation of Traffic

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.



Delegation to Councils for the Regulation of Traffic

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.



 Delegation to Councils for the Regulation of Traffic

- 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.



Delegation to Councils for the Regulation of Traffic

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.

Delegation to Councils for the Regulation of Traffic



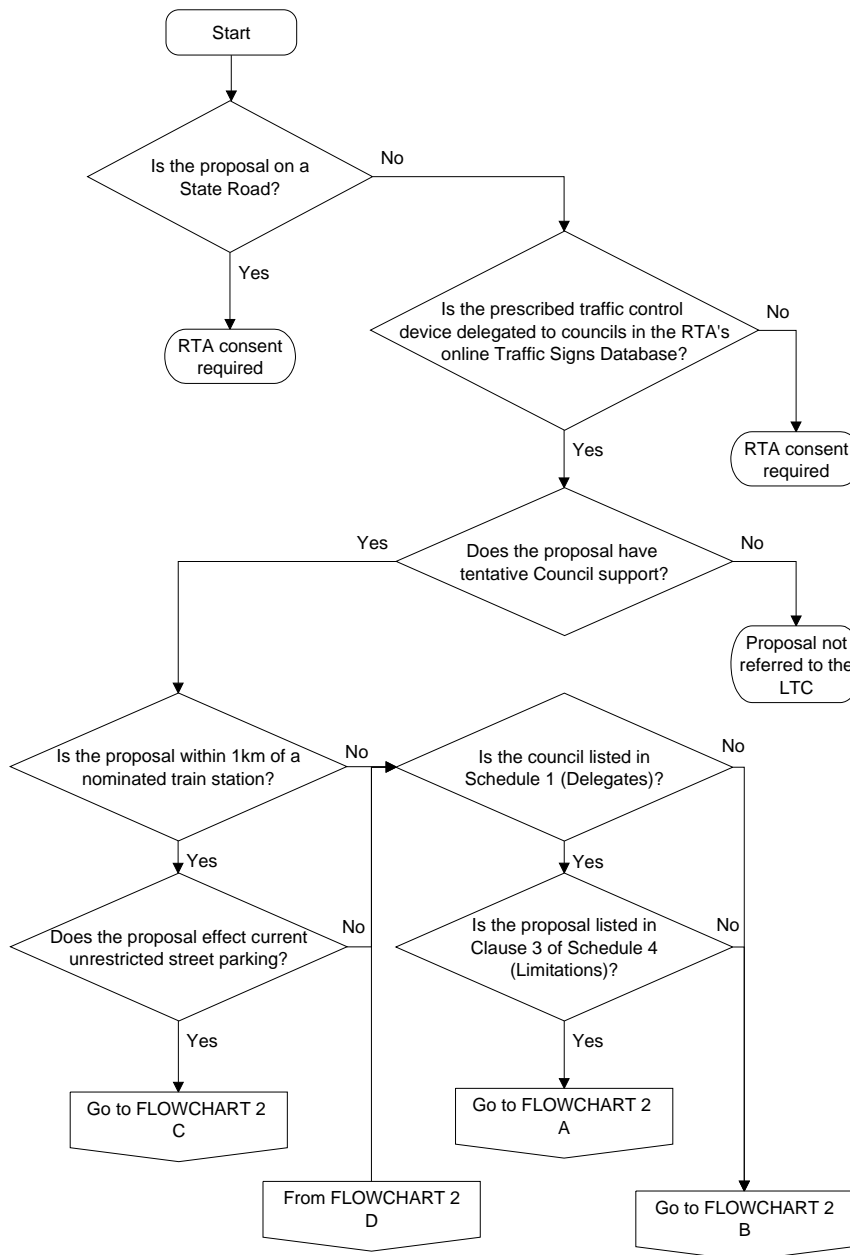
APPENDIX A



Delegation to Councils for the Regulation of Traffic

Process for Exercising Delegated Road Transport Powers

FLOWCHART I
(Road Transport (Safety and Traffic Management) Act, 1999)

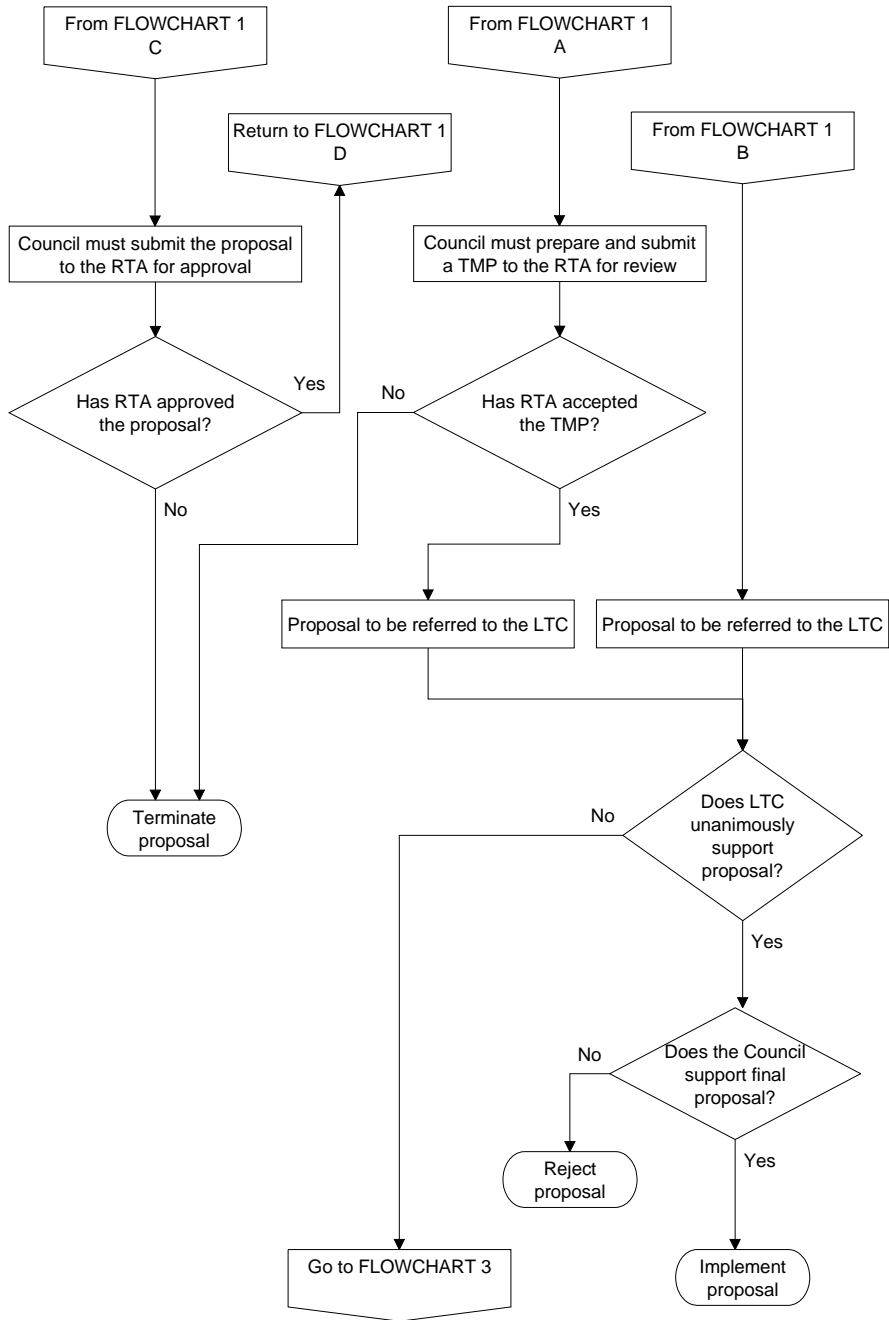




Delegation to Councils for the Regulation of Traffic

FLOWCHART 2

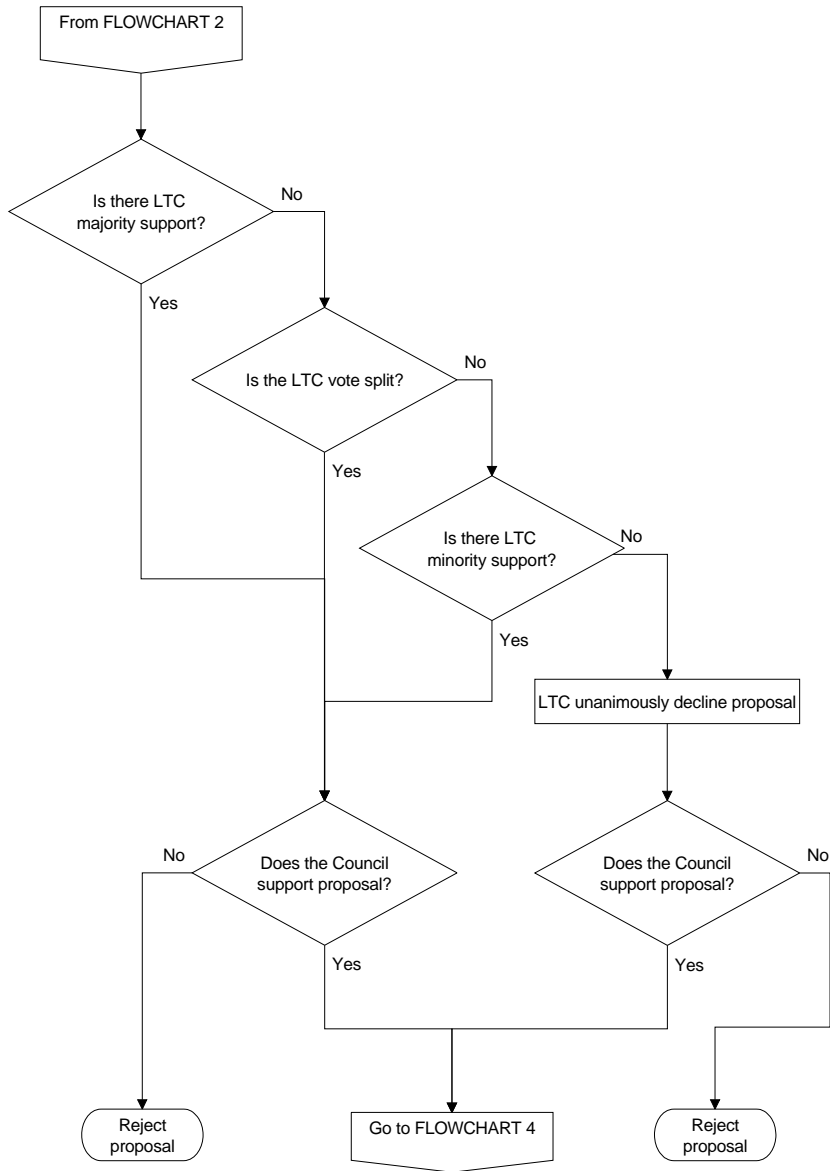
(Road Transport (Safety and Traffic Management) Act, 1999)





Delegation to Councils for the Regulation of Traffic

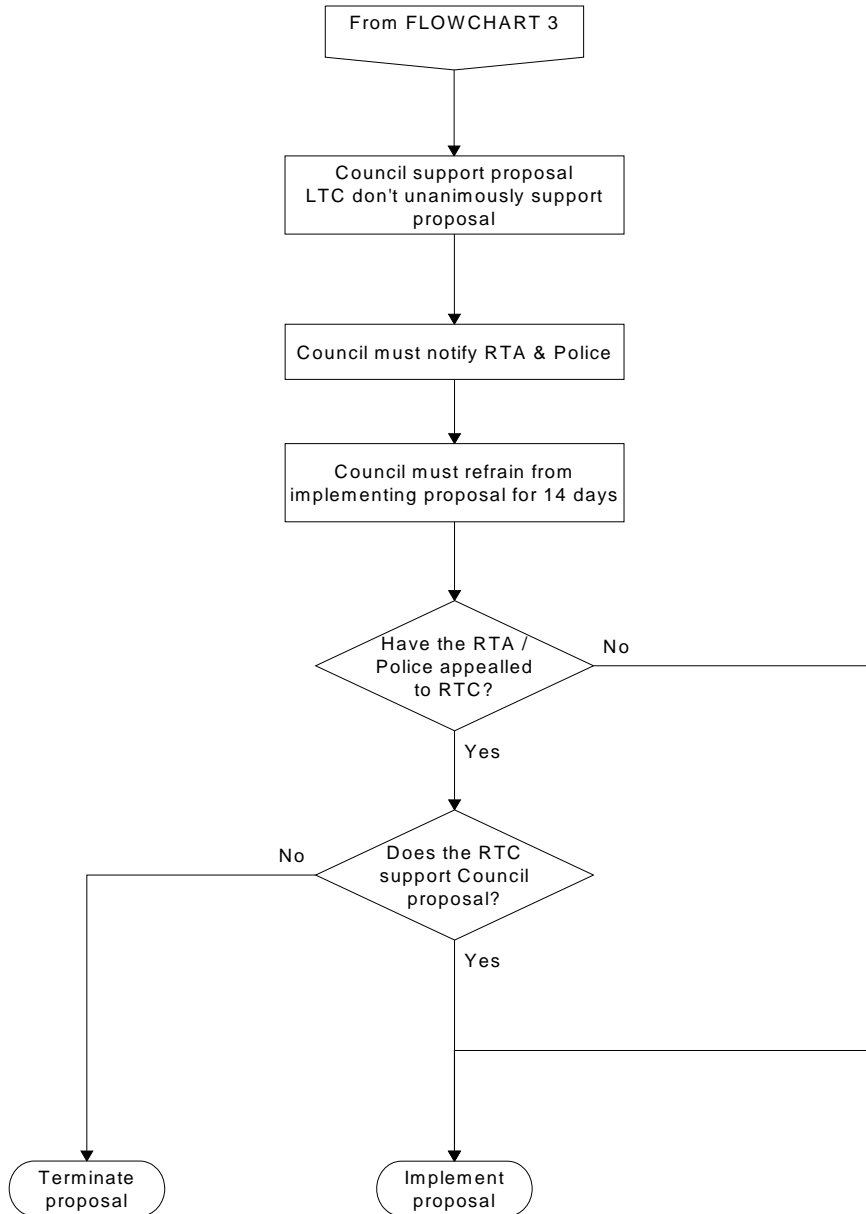
FLOWCHART 3
(Road Transport (Safety and Traffic Management) Act, 1999)





Delegation to Councils for the Regulation of Traffic

FLOWCHART 4
(Road Transport (Safety and Traffic Management) Act, 1999)

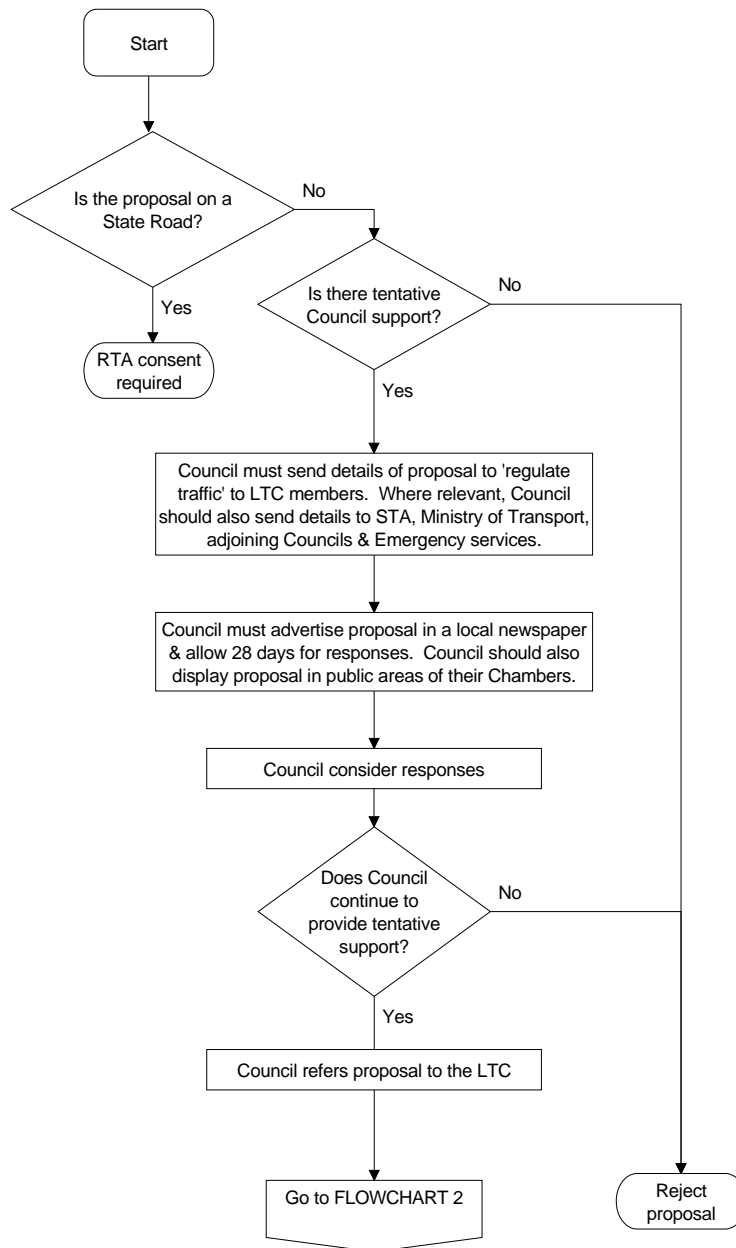




Delegation to Councils for the Regulation of Traffic

Process for Exercising Delegated Roads Act Powers

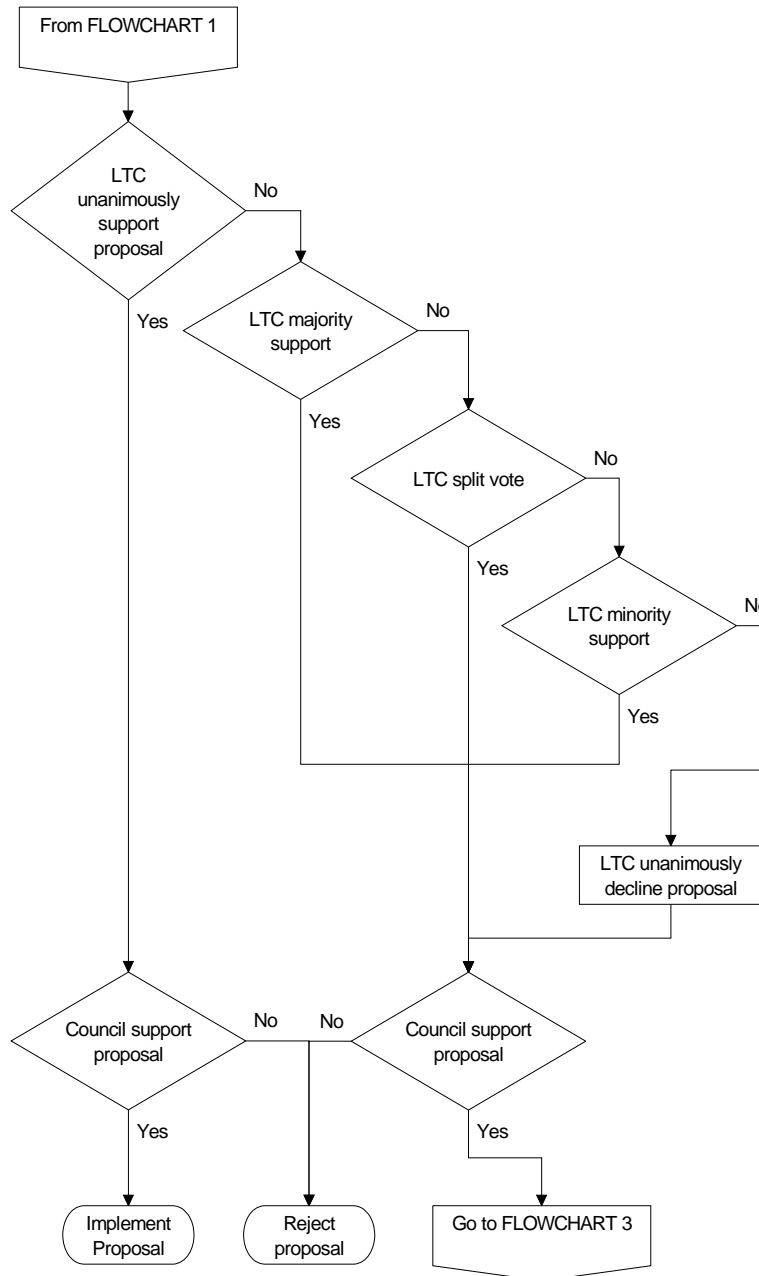
FLOWCHART I
(Roads Act, 1993)





Delegation to Councils for the Regulation of Traffic

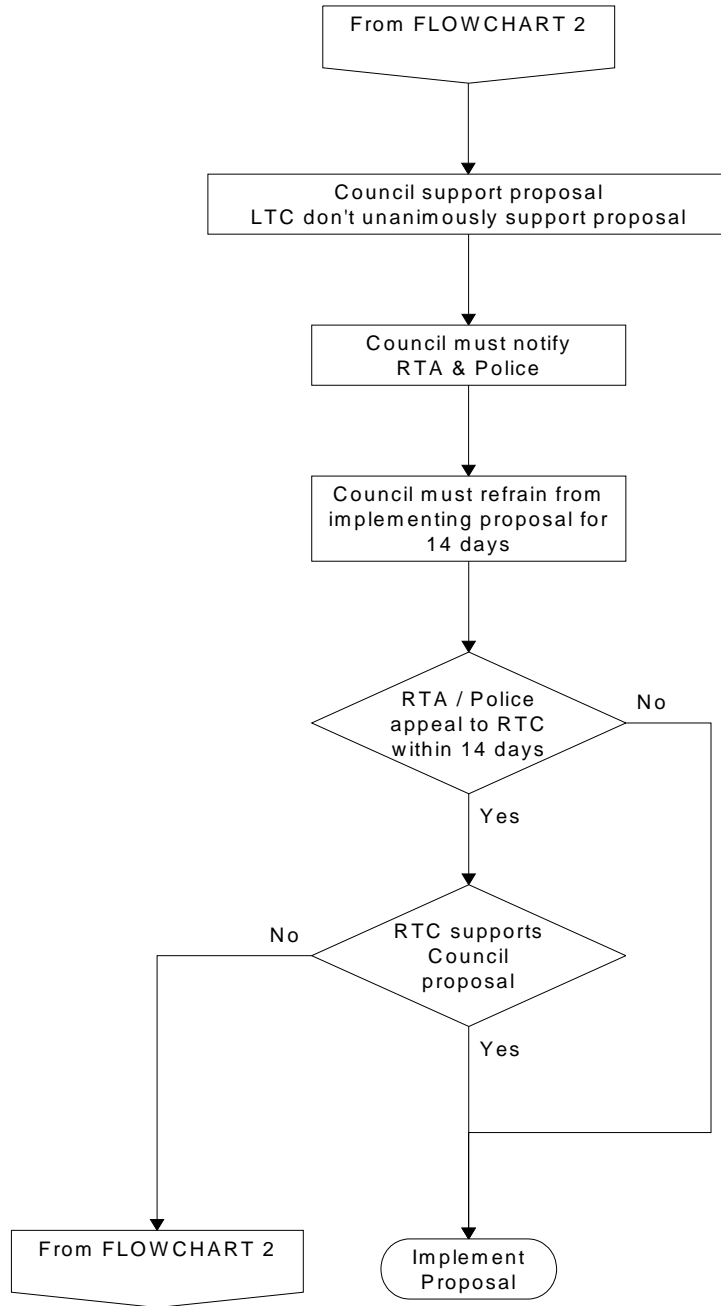
FLOWCHART 2
(Roads Act, 1993)





Delegation to Councils for the Regulation of Traffic

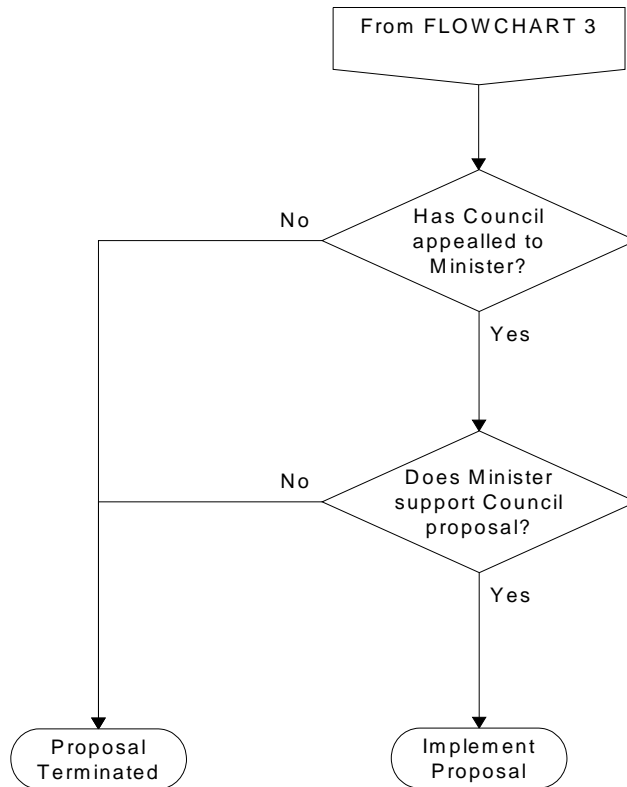
FLOWCHART 3
(Roads Act, 1993)





Delegation to Councils for the Regulation of Traffic

FLOWCHART 4
(Roads Act, 1993)





Delegation to Councils for the Regulation of Traffic

RTC TERMS OF REFERENCE

SCOPE	<p>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.</p>
ROLES	<ul style="list-style-type: none"> • 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: <ol style="list-style-type: none"> 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	<ul style="list-style-type: none"> • Independent Chairperson, Regional Traffic Committees • Local Government and Shires Associations for each RTA Region • Roads and Traffic Authority for each RTA Region
ENQUIRIES	<p>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</p>



Delegation to Councils for the Regulation of Traffic

REGIONAL TRAFFIC COMMITTEE APPEAL FORM

SUBJECT OF APPEAL:													
APPELLANT (APPEAL) CONTACT:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; padding: 2px;">Title:</td> <td style="border: none;"></td> </tr> <tr> <td style="padding: 2px;">Name:</td> <td style="border: none;"></td> </tr> <tr> <td style="padding: 2px;">Organisation:</td> <td style="border: none;"></td> </tr> <tr> <td style="padding: 2px;">Phone:</td> <td style="border: none;"></td> </tr> <tr> <td style="padding: 2px;">Fax:</td> <td style="border: none;"></td> </tr> <tr> <td style="padding: 2px;">E-mail:</td> <td style="border: none;"></td> </tr> </table>	Title:		Name:		Organisation:		Phone:		Fax:		E-mail:	
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Organisation:													
Phone:													
Fax:													
E-mail:													
DATE APPEAL SUBMITTED:	•												
REASON FOR APPEAL:	•												
RELEVANT HISTORY:	• • • •												
SUPPORTING DOCUMENTS:	• • <p style="text-align: center; margin-top: 10px;">(Please attach documents)</p>												
PARTIES TO APPEAL:	• • •												
DATE RECEIVED <small>RTC use only</small>													

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

[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

Guidelines for the Appointment and Oversight of General Managers

2022



Office of Local Government, Department of Planning and Environment
5 O'Keefe Avenue Locked Bag 3015 Phone 02 4428 4100 olg@olg.nsw.gov.au
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TABLE OF CONTENTS

TABLE OF CONTENTS.....	3
INTRODUCTION	4
ROLE OF THE GENERAL MANAGER.....	5
RECRUITMENT AND SELECTION	7
DAY-TO-DAY OVERSIGHT AND LIAISON WITH THE GENERAL MANAGER.....	10
PERFORMANCE MANAGEMENT	11
REMUNERATION AND REWARD.....	14
SEPARATION	15
RENEWING THE GENERAL MANAGER’S CONTRACT.....	18
Appendix 1 – Performance management timelines	19
Appendix 2 – Stages of performance management.....	20

INTRODUCTION

The *Local Government Act 1993* (the Act) requires councils to appoint a person to be the council's general manager (section 334).

One of the prescribed functions of the governing body of a council is to determine the process for the appointment of the general manager and to monitor their performance (section 223).

These Guidelines have been developed to assist councillors when performing their functions under the Act relating to the appointment of general managers and overseeing their performance. They provide guidance on:

- the role of the general manager and the importance of a good working relationship between councillors and the general manager
- the recruitment process and the appointment of a general manager
- day to day oversight of and liaison with the general manager
- the performance review process
- separation, and
- renewal of the general manager's contract.

These Guidelines are issued under section 23A of the Act and must be taken into consideration by councils when exercising their functions in relation to the recruitment and oversight of general managers. They should be read in conjunction with the relevant provisions of the Act and the *Local Government (General) Regulation 2021* (the Regulation) and the standard contract of employment for general managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act (the approved standard contract).

ROLE OF THE GENERAL MANAGER

Councillors comprise the governing body of a council and make decisions by passing resolutions. It is the general manager's role to implement the lawful decisions of the council and to carry out the functions conferred on them by the Act and Regulation and other legislation.

General managers also perform other functions delegated to them by the governing body.

The governing body monitors the implementation of its decisions through the general manager's reports to council meetings.

Key functions of the general manager

The Act confers certain functions on general managers of councils (section 335). Key aspects of the general manager's role are set out below:

Management of the council

The general manager is responsible for conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies approved by the governing body of the council and implementing without undue delay, lawful decisions of the governing body.

Assisting the governing body to set the strategic direction

The general manager also plays a key role in assisting the governing body to develop the council's strategic direction. The general manager is responsible for guiding the preparation of the community strategic plan and the council's response to it via the delivery program and operational plans. The general manager is also responsible for implementing the delivery program and operational plans and reports to the governing body on their

implementation. More information on this is available on the Office of Local Government's [website](#).

Determining the organisation structure

The general manager is responsible for determining the organisation structure of the council (other than senior staff positions) following consultation with the governing body and in accordance with the budget approved by the governing body (section 332). The positions within the organisation structure of the council must be determined to give effect to the priorities set out in the council's strategic plans, including the community strategic plan and delivery program.

Appointment and direction of staff

The general manager is responsible for the appointment and direction of staff and their dismissal. The general manager must consult with the governing body before appointing or dismissing senior staff.

Supporting councillors

The general manager is also responsible for ensuring councillors are provided with the information and the advice they require to make informed decisions and to carry out their civic duties.

The general manager should ensure that council meeting business papers contain sufficient information to allow councillors to make informed decisions and to allow them to effectively monitor and review the council's operations and performance. This will assist councils in ensuring they are complying with statutory requirements, keeping within the budget approved by the council, and achieving the strategic goals set by the council in its delivery program and operational Plan.

The governing body may direct the general manager to provide councillors with advice but

cannot direct them as to the content of that advice.

Requests by councillors for assistance or information outside of meetings should be made to the general manager unless the general manager has authorised another staff member to receive such requests. The *Model Code of Conduct for Local Councils in NSW* contemplates that councils should adopt a policy to provide guidance on interactions between councillors and staff. The policy should be agreed to by both the governing body and the general manager. To assist councils, the Office of Local Government has prepared a model councillor and staff interaction policy which reflects best practice. This is available on the Office of Local Government's [website](#).

The delegation of functions to the general manager

A governing body may delegate certain functions of the council to the general manager but cannot delegate the functions set out in section 377(1) of the Act. The delegation of a council's functions must be made by resolution and be evidenced in writing. Delegations must be reviewed during the first 12 months of each term of the council (section 380).

The general manager may sub-delegate a function delegated to them by the governing body (section 378). However, the general manager still retains responsibility to ensure that any sub-delegated function is carried out appropriately.

The importance of a good working relationship with the general manager

The position of general manager is pivotal in a council. It is the interface between the governing body which sets the strategic

direction of the council and monitors its performance, and the administrative body of the council, headed by the general manager, which implements the decisions of the governing body. A good working relationship between the general manager and the councillors is therefore critical for good governance and a well-functioning council. Where this relationship breaks down, this can quickly lead to dysfunction.

The Centre for Local Government at the University of Technology in Sydney has identified the following as key components of a good working relationship between councillors and the general manager:

- mutual trust and respect
- councillors publicly supporting the work of the general manager
- councillors dealing with any performance concerns through appropriate channels e.g., not the media or council meetings
- councillors not getting involved in the day-to-day operational matters of the council (which makes it difficult for the general manager to do their job)
- councillors having a clear understanding of how and when to approach the general manager or other staff for information or support and following agreed protocols
- regular meetings between the general manager, mayor and councillors to ask questions and share information and advice
- respect of confidentiality, and
- any conflict is dealt with professionally and quickly and where it can't be addressed informally, proper processes are followed.

RECRUITMENT AND SELECTION

Requirements of the *Local Government Act 1993*

One of the prescribed functions of the governing body of a council is to determine the process for the appointment of the general manager (section 223).

When recruiting a new general manager, the position must be advertised in a manner sufficient to enable suitably qualified persons to apply for the position (section 348).

As with the appointment of all council staff, councils must ensure that the appointment of the general manager is made using merit selection principles (section 349). Recruitment using merit selection is a competitive process where the applicant who demonstrates that they have the best qualifications and experience relevant to the role is appointed. Equal employment opportunity principles also apply to the recruitment of general managers (sections 349 and 344).

The recruitment process must be open and transparent, but the confidentiality of individual applicants must be maintained. A failure to maintain appropriate confidentiality may constitute a breach of the Act, the council's code of conduct and the *Privacy and Personal Information Protection Act 1998*.

Councils should engage an external recruitment consultant to assist them with the recruitment process and that person should have a role in verifying that proper processes and procedures are followed in the appointment of the general manager.

There are a range of possible approaches to undertaking the recruitment of the general manager. The guidance contained in these Guidelines reflects what the Office of Local Government considers to be best practice.

The pre-interview phase

As noted above, the council's governing body is responsible for determining the process for recruiting the general manager.

The governing body should delegate the task of recruitment to a selection panel led by the mayor and approve the recruitment process. The panel will report back to the governing body on the process and recommend the most meritorious applicant for appointment by the council.

The selection panel should consist of at least the mayor, the deputy mayor, another councillor and a suitably qualified person independent of the council. Where practicable, the selection panel membership should remain the same throughout the entire recruitment process.

Selection panels should, where possible, have a mix of genders.

The council's governing body should delegate to one person (generally the mayor) the task of ensuring:

- the selection panel is established
- the general manager's position description is current and evaluated in terms of salary to reflect the responsibilities of the position
- the proposed salary range reflects the responsibilities and duties of the position
- the position is advertised according to the requirements of the Act
- information packages are prepared, and
- applicants selected for interview are notified.

The mayor, or another person independent of council staff, should be the contact person for the position and should maintain confidentiality with respect to contact by potential applicants.

Interview phase

Interviews should be held as soon as possible after candidates are short listed.

Questions should be designed to reflect the selection criteria for the position and assist the selection panel to assess the suitability of the candidate for the position.

Interviews should be kept confidential.

All written references must be checked. The selection panel must delegate the task of contacting referees to one panel member. Other panel members should not contact referees.

If contact with someone other than a nominated referee is required, the applicant's permission must be sought.

At least 2 referees must be contacted and asked questions about the candidate relevant to the selection criteria.

Where tertiary qualifications are relied on, they should be produced for inspection and if necessary, for verification.

Appropriate background checks must be undertaken, for example, bankruptcy and criminal records checks and whether the candidate has been disqualified from managing a corporation by the Australian Securities and Investments Commission. For guidance on better practice recruitment background checks, see the Australian Standard AS 4811:2022 [Workforce Screening](#) and the Independent Commission Against Corruption's publication, *Strengthening employment screening practices in the NSW public sector* which is available on its [website](#).

Selection panel report

The selection panel is responsible for preparing a report to the council's governing body that:

- outlines the selection process

- recommends the most meritorious applicant with reasons
- recommends an eligibility list if appropriate
- recommends that no appointment is made if the outcome of interviews is that there are no suitable applicants.

This report should be confidential and reported to a closed meeting of the council.

The appointment of a general manager is a non-delegable function of the council under section 377 of the Act and a general manager cannot be appointed without a formal resolution of the council.

The council's governing body must by resolution approve the position of the general manager being offered to the successful candidate before the position is offered to the candidate.

Finalising the appointment

The mayor makes the offer of employment after the governing body has resolved to appoint the successful candidate. The initial offer can be made by telephone.

Conditions such as term of the contract (1-5 years) and remuneration package (within the range approved by the governing body of the council) can be discussed by telephone but must be confirmed in writing.

The standard contract of employment for general managers approved by the Departmental Chief Executive of the Office of Local Government under section 338 of the Act must be used. The approved standard contract is available on the Office's [website](#). The terms of the approved standard contract must not be varied. Only the term of the contract and the schedules to the approved standard contract can be adapted by councils.

General managers must be employed for 1-5 years.

The contract governs:

- the duties and functions of general managers
- performance agreements
- the process for renewal of employment contracts
- termination of employment and termination payments
- salary increases, and
- leave entitlements.

It should be noted that the Departmental Chief Executive of the Office of Local Government cannot approve individual variations to the standard terms of the contract.

Candidates who are placed on the eligibility list and unsuccessful applicants should be advised of the outcome of the recruitment process before the successful applicant's details are made public.

Record keeping

Councils should retain all records created as part of the recruitment process including the advertisement, position description, selection criteria, questions asked at interview, interview panel notes, selection panel reports and notes of any discussions with the selected candidate. These records are required to be stored and disposed of in accordance with the *State Records Act 1998*.

DAY-TO-DAY OVERSIGHT AND LIAISON WITH THE GENERAL MANAGER

While one of the prescribed functions of the governing body is to monitor the general manager's performance, day-to-day oversight of and liaison with the general manager should be undertaken by the mayor.

The mayor's role in the day-to-day management of the general manager should include:

- approving leave
- approving expenses incurred, and
- receiving and managing complaints about the general manager in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*.

The council's governing body should ensure there are adequate and appropriate policies in place to guide the mayor in the day-to-day oversight of and liaison with the general manager and keep those policies under regular review.

Some of the key policies the governing body should ensure are in place are those relating to:

- leave
- travel
- credit cards
- purchasing and procurement
- expenses and facilities
- petty cash, and
- financial and non-financial delegations of authority.

The governing body should also ensure there are appropriate policies in place with respect to the expenditure of council funds and reporting requirements in relation to that expenditure.

The council's governing body should satisfy itself that any policy governing the conferral of a benefit on the general manager, such as use of a motor vehicle, allows the actual dollar value of that benefit to be quantified so it can be accurately reflected in the general manager's salary package in Schedule C to the approved standard contract.

PERFORMANCE MANAGEMENT

Managing the performance of the general manager

The general manager is made accountable to the council for their performance principally through their contract of employment.

The role of the governing body is to monitor the general manager's performance in accordance with their contract of employment.

The performance of the general manager must be reviewed at least annually against the agreed performance criteria for the position. Councils may also choose to undertake more frequent interim reviews of the general manager's performance.

The agreed performance criteria must be set out in an agreement that is signed within three months of the commencement of the contract. Development of the performance agreement is discussed below.

Establishing a performance review panel

The governing body must establish a performance review panel led by the mayor, and delegate the task of undertaking the general manager's performance reviews to the panel. The extent of the delegation should be clear.

It is recommended that full responsibility for performance management be delegated to the performance review panel, including discussions about performance, any actions that should be taken and the determination of the new performance agreement.

Performance review panels should comprise of the mayor, the deputy mayor, another councillor nominated by council and a councillor nominated by the general manager.

The council's governing body may also consider including an independent observer on the panel. Panel members should be trained in the performance management of general managers.

The role of the review panel includes:

- conducting performance reviews
- reporting the findings and recommendations of reviews to the council, and
- development of the performance agreement.

The governing body and the general manager may agree on the involvement of a suitably qualified external facilitator such as a human resources professional to assist with the performance review process and the development of a new performance agreement. That person may be selected by the governing body or the performance review panel.

Councillors who are not members of the performance review panel may be invited to contribute to the performance review process by providing feedback to the mayor on the general manager's performance relevant to the agreed performance criteria.

All councillors should be notified of relevant dates in the performance review cycle and be kept advised of the panel's findings and recommendations.

The panel should report back to the governing body of the council in a closed session on the findings and recommendations of performance reviews as soon as practicable following any performance review. This should not be an opportunity to debate the results or revisit the general manager's performance review. The general manager should not be present when the matter is considered.

The performance agreement, action plan and any associated records that contain specific information about the work performance or conduct of the general manager are to remain confidential unless otherwise agreed to by the general manager or are required to be disclosed by law. The unauthorised disclosure of this information may constitute a breach of the Act, the council's code of conduct and the *Privacy and Personal Information Protection Act 1998*.

Establishing the performance agreement

The performance agreement is the most important component of successful performance management. The performance agreement should include clearly defined and measurable performance indicators against which the general manager's performance can be measured.

As one of the general manager's key responsibilities is to oversee the implementation of the council's strategic direction, it is important to align the general manager's performance criteria to the goals contained in the community strategic plan, and the council's delivery program and operational plans.

The performance agreement should also include indicators relevant to the general manager's personal contribution to the council's key achievements and their core capabilities, including leadership qualities.

The performance agreement should also include indicators related to promoting and maintaining an ethical culture within the council. These could include the conduct and measurement of the outcomes from staff surveys and the promotion of whistleblowing procedures under the *Public Interest Disclosures Act 1994* and the reporting of suspected wrongdoing to appropriate oversight agencies including the Independent Commission Against Corruption and the Office of Local Government.

The performance agreement should contain but not be limited to key indicators that measure how well the general manager has met the council's expectations with respect to:

- service delivery targets in the council's delivery program and operational plans
- budget compliance
- organisational capability
- timeliness and accuracy of information and advice to councillors
- timely implementation of council resolutions
- management of organisational risks
- promotion of an ethical culture
- ensuring a safe workplace and facilitating compliance with the *Work Health and Safety Act 2011*, and
- leadership and providing a consultative and supportive working environment for staff etc.

Performance review process

The approved standard contract requires that the performance of the general manager must be formally reviewed at least annually. The governing body of the council may also undertake interim performance reviews as appropriate.

The assessment should include:

- a self-assessment by the general manager, and
- an assessment by the review panel of the general manager's performance against the performance agreement.

The performance review meeting should be scheduled with sufficient notice to all parties in accordance with clauses 7.6 and 7.7 of the approved standard contract. These require:

- the general manager to give the council 21 days' written notice that an annual performance review is due, and
- the council to give the general manager at least 10 days' written notice that the performance review is to be conducted.

The meeting should concentrate on constructive dialogue about the general manager's performance against all sections of the performance agreement.

The meeting should identify any areas of concern and agreed actions to address those concerns.

In undertaking the performance review, care must be taken to ensure that the review is conducted fairly and in accordance with the principles of natural justice. The appointment by the council, in agreement with the general manager, of a suitably qualified external facilitator to advise on the process (see above) should assist councils to comply with these requirements.

The council's governing body must advise the general manager, in writing, in clear terms, the outcome of any performance review.

The new performance agreement for the next period should be prepared as soon as possible after the completion of the previous period. The agreement should be presented to the governing body of the council for discussion in a closed meeting together with the outcomes of the previous review period.

REMUNERATION AND REWARD

Under the approved standard contract, general managers are entitled to an annual increase in their salary package on each anniversary of the contract, equivalent to the latest percentage increase in remuneration for NSW public sector senior executive office holders as determined by the Statutory and Other Offices Remuneration Tribunal.

Councils may also approve discretionary increases to the general manager's total remuneration package under the approved standard contract as a reward for good performance. Discretionary increases may only be approved after a formal review of the general manager's performance has been undertaken and the general manager's performance has been assessed as being better than satisfactory.

Any discretionary increases should be modest and in line with community expectations and only apply for one year unless the council determines that it is to apply for the balance of the contract. All discretionary increases in remuneration, together with the reasons for the increase, must be reported to an open meeting of the council.

Councils may also on one occasion during the term of the contract approve the payment of a retention bonus to the general manager as an incentive for them to serve out their contract. If approved, the retention bonus is to be accrued on an annual, pro-rata basis for the remainder of the contract and is to be paid at the end of the contract period.

SEPARATION

Termination of the general manager's employment

The approved standard contract sets out how the general manager's employment contract can be terminated before its expiry date by either the governing body or the general manager (see clause 10 of the approved standard contract). The circumstances in which the general manager's employment contract may be terminated are set out below:

By agreement

The contract may be terminated at any time by written agreement between the council and the general manager.

Resignation

The general manager may terminate the contract by giving 4 weeks written notice to the governing body of the council.

Incapacity

A council may terminate the general manager's contract by giving them 4 weeks written notice or by paying the equivalent of 4 weeks' remuneration calculated in accordance with Schedule C of the approved standard contract where:

- the general manager has become incapacitated for 12 weeks or more
- they have exhausted their sick leave, and
- the duration of the incapacity is either indefinite or for a period that would make it unreasonable for the contract to be continued.

Poor performance

A council may terminate the general manager's contract by giving them 13 weeks written notice or by paying the equivalent of 13 weeks' remuneration calculated in accordance with Schedule C of the approved

standard contract on grounds of poor performance.

A council may only terminate the general manager's contract on the grounds of poor performance where:

- a performance review has been conducted, and
- the council has concluded that the general manager's performance falls short of the performance criteria or the terms of their performance agreement, and
- the general manager has been afforded a reasonable opportunity to utilise dispute resolution under clause 17 of the contract (see below).

No fault termination

A council may terminate the general manager's contract at any time by giving them 38 weeks written notice or paying the equivalent of 38 weeks remuneration calculated in accordance with Schedule C of the approved standard contract. If there are less than 38 weeks left to run in the term of the general manager's contract, the council can pay out the balance of the contract in lieu of notice.

Where the council proposes to terminate the general manager's contract on these grounds, if either party requests it and both parties agree, they may participate in mediation in relation to the proposed decision to terminate the contract. If the council does not agree to participate in mediation, it must give the general manager reasons for its decision where the general manager requests them.

Where a council terminates the contract on these grounds, it must give the general manager reasons for its decision to terminate their employment where the general manager requests it.

Summary dismissal

Councils may summarily dismiss the general manager on the grounds set out under clause 10.4 of the approved standard contract. These include:

- serious or persistent breach of the employment contract
- serious and wilful disobedience of any reasonable and lawful instruction or direction given by the council,
- serious and wilful misconduct, dishonesty, insubordination or neglect in the discharge of the general manager's duties and functions under their contract,
- failure to comply with any law or council policy concerning sexual harassment or racial or religious vilification
- serious or persistent breach of the council's code of conduct
- commission of a crime, resulting in conviction and sentencing (whether or not by way of periodic detention), which affects the general manager's ability to perform their duties and functions satisfactorily, or that brings the council into disrepute
- absence without approval for a period of 3 or more consecutive business days.

Automatic termination

The general manager's contract of employment is automatically terminated where the general manager becomes bankrupt, or they are disqualified from managing a corporation under Part 2D.6 of the *Corporations Act 2001*.

Where this occurs, the general manager's employment with the council automatically ends without the need for a decision by the council to terminate their contract of employment.

Suspension of the general manager

Councils may suspend the general manager, for example while allegations against them are

being investigated. Suspension should be on full pay for a clearly defined period. Councils should not suspend a general manager's employment without first seeking expert legal advice. It would not be appropriate to seek advice from council human resources staff on the proposed suspension of the general manager.

Any decision to suspend a general manager should be made at a closed council meeting, having first carefully considered the expert legal advice received in relation to the specific matter.

The principals of procedural fairness apply to any decision to suspend a general manager, i.e., the general manager must be advised of the circumstances leading to their suspension, the reasons for the suspension, the period of the suspension and be given a right to respond to the decision to suspend.

Dispute resolution

The approved standard contract contains a dispute resolution clause at clause 17. These provisions are designed to encourage councils and general managers to attempt to resolve disputes when they arise.

Councils are required to offer the general manager an opportunity to utilise dispute resolution before they can terminate their employment for poor performance.

Where it is proposed to terminate the contract on the "no fault" grounds (clause 10.3.1(e)), if either party requests it and both parties agree, they may participate in mediation under clause 17 in relation to the proposed decision to terminate. If the council does not agree to participate in mediation, it must give the general manager reasons for its decision where the general manager requests them.

The governing body of the council should ideally resolve to delegate this function to the mayor or a panel of 3 councillors including the mayor.

If the dispute involves the mayor, then the deputy mayor should take the mayor's place. If there is no deputy mayor then the governing body should resolve to appoint another councillor to take the mayor's place.

The governing body of the council and the general manager should agree on an independent mediator to mediate the dispute. The approved standard contract allows the Departmental Chief Executive of the Office of Local Government to appoint a mediator where the parties cannot agree on one.

Councils and general managers may also agree on a mediator when the contract is made.

RENEWING THE GENERAL MANAGER'S CONTRACT

Clause 5 of the approved standard contract sets out the process for renewing the general manager's contract of employment. The key steps in the process are as follows:

- At least 9 months before the contract expires (or 6 months if the term of employment is for less than 3 years), the general manager must apply to the council in writing if seeking re-appointment to the position
- At least 6 months before the contract expires (or 3 months if the term of employment is for less than 3 years), the council must respond to the general manager's application by notifying the general manager in writing of its decision to either offer the general manager a new contract of employment (and on what terms) or to decline their application for re-appointment
- At least 3 months before the contract expires (or 1 month if the term of employment is for less than 3 years) the general manager must notify the council in writing of their decision to either accept or decline the offer made by the council.

Approval may be sought from the Departmental Chief Executive of the Office of Local Government to vary these timeframes in exceptional or unforeseen circumstances.

The terms of the new contract of employment, and in particular the schedules to the new contract, should be set out in the letter of offer. Before offering a new contract, the council should carefully review the terms of the schedules to the new contract.

The governing body should ensure that the performance criteria of the new performance agreement adequately reflect its expectations of the general manager's performance.

The governing body should also consider previous performance reviews conducted under previous contracts.

The process of deciding whether to offer the general manager a new contract should be as follows:

- a performance review is conducted
- findings and recommendations are reported to a closed council meeting in the absence of the general manager
- the closed meeting considers and decides whether to offer a new contract of employment to the general manager and on what terms as set out in the schedules to the contract
- the mayor informs the general manager of the council's decision.

Details of the decision to offer a new contract and a salary package should be reported to an open council meeting.

Appendix 1 – Performance management timelines

Timeline	Activity	Responsibility
At commencement of each new council	Provide induction training on performance management of the general manager	Council
Within 3 months of the commencement date of the contract	A performance agreement setting out agreed performance criteria must be signed between the general manager and the council	Council or council panel General Manager
Within 2 months of the signing of the performance agreement	The general manager must prepare and submit to the council an action plan which sets out how the performance criteria are to be met	General Manager
21 days' notice (before annual review)	The general manager gives the council written notice that an annual performance review is due	General Manager
At least 10 days' notice	The council must give the general manager written notice that the performance review is to be conducted	Council or council panel
After 6 months	The council may also decide, with the agreement of the general manager, to provide interim feedback to the general manager midway through the annual review period	Council or council panel General Manager
Prior to the annual review	Ensure all councillors on the review panel have been trained in performance management of general managers	Council
Prior to the annual performance review	The general manager may submit to council a self-assessment of their performance	General Manager
Annually	The general manager's performance must be reviewed having regard to the performance criteria in the agreement	Council or council panel General Manager
Annually	The performance agreement must be reviewed and varied by agreement	Council or council panel General Manager
Within 6 weeks of the conclusion of the performance review	Council will prepare and send to the general manager a written statement with council's conclusions on the general manager's performance during the performance review period	Council or council panel
As soon as possible after receipt of the statement	The general manager and the council will agree on any variation to the performance agreement for the next period of review	Council or council panel General Manager

Appendix 2 – Stages of performance management

STAGE	ACTION	PROCESS
1. Developing performance agreement	<ul style="list-style-type: none"> ▪ Examine the position description and contract ▪ List all position responsibilities from the position description ▪ Identify stakeholder expectations ▪ List the key strategic objectives from the delivery program and operational plans ▪ Develop performance measures (identify indicators - set standards) 	<ul style="list-style-type: none"> ▪ Good planning ▪ Direct and effective communication ▪ Open negotiation ▪ Joint goal setting
2. Action planning	<ul style="list-style-type: none"> ▪ Develop specific strategies to meet strategic objectives ▪ Identify resources ▪ Delegate tasks (e.g., put these delegated tasks into the performance agreements for other senior staff) 	<ul style="list-style-type: none"> ▪ Detailed analysis ▪ Two-way communication ▪ Detailed documentation
3. Monitoring progress (feedback halfway through the review period)	<ul style="list-style-type: none"> ▪ Assess performance ▪ Give constructive feedback ▪ Adjust priorities and reset performance measures if appropriate 	<ul style="list-style-type: none"> ▪ Communication ▪ Avoid bias ▪ Counselling ▪ Coaching ▪ Joint problem solving
4. Annual	<ul style="list-style-type: none"> ▪ Assess performance against measures ▪ Give constructive feedback ▪ Identify poor performance and necessary corrective action ▪ Identify outstanding performance and show appreciation 	<ul style="list-style-type: none"> ▪ Evaluation of the reasons behind performance being as assessed ▪ Open, straightforward communication (as bias free as possible) ▪ negotiation ▪ Counselling, support, training ▪ Documenting ▪ Decision making
5. Developing revised agreement	See stage 1	See Stage 1



Terms of reference: Tourism and Economic Advisory Committee

24/40362

Committee name:	Tourism and Economic Advisory Committee (TEAC)
Status:	Council committee <input checked="" type="checkbox"/> Statutory committee <input type="checkbox"/> Sunset committee <input type="checkbox"/>
Purpose:	The role of Tourism and Economic Advisory Committee (the Committee) is to: <ul style="list-style-type: none"> Act in an advisory capacity to Council on matters relating to the development and implementation of strategies as outlined in Pillar 3 of the Kiama Community Strategic Plan. Act as the primary conduit of information between the community and Council on economic development and tourism matters.
Objectives:	The objectives of the Committee are as follows: <ul style="list-style-type: none"> Inform and provide input into Council's Integrated Planning and Reporting Framework, drawing on the priorities set within the current Tourism Opportunities Plan and Tourism and Events Strategic Plan. Provide valuable industry/local knowledge to help inform Council decisions on economic development and tourism matters. Determine new initiatives and major projects that support the Economic Development Strategic Plan (pending) and Tourism and Events Strategic Plan. Raise awareness of the value of tourism and the visitor economy. Provide direction on key marketing activities to support increased visitor demand for the Kiama LGA incorporating sustainable principals. Advise Council on significant strategic matters, trends or issues relating to local economic development and prosperity, including: <ul style="list-style-type: none"> Business attraction Industry retention Employment generation Innovation and strategic future planning Discuss and support regional economic development initiatives and provide local industry advocacy to state and federal government departments.
Meetings:	<ul style="list-style-type: none"> Meetings are to be held at least bi-monthly commencing at 5pm. These Terms of Reference, meeting dates, and minutes will be placed on Council's website.



24/40362

2

Committee name:	Tourism and Economic Advisory Committee (TEAC)
Venue:	Meetings will be held at the Kiama Council Chambers or other suitable venues as required. They may also be held online if required.
Membership:	<p>Members are formally appointed by Council and comprise:</p> <ul style="list-style-type: none"> o a maximum of 4 skill-based industry representatives o a maximum of 2 Councillors o Council CEO (or appointee) o Kiama and District Business Chamber representative. <ul style="list-style-type: none"> • Attendance by Manager Planning and Economic Development or a representative and Manager Tourism and Events. • A councillor who is not a member of the Committee is entitled to attend, and to speak at a meeting of the Committee. However, the councillor is not entitled: <ul style="list-style-type: none"> (a) to give notice of business for inclusion in the agenda for the meeting, or (b) to move or second a motion at the meeting, or (c) to vote at the meeting. • Subject matter experts are invited on an ad hoc basis to discuss specific reports as required.
Meeting quorum:	<ul style="list-style-type: none"> • A Quorum will be deemed to have been met under the following criteria: <ul style="list-style-type: none"> o Minimum of 50% plus 1
Term of membership:	<ul style="list-style-type: none"> • Councillor Representatives will be elected each year at the February Council Meeting. • The term of non-Councillor membership will be to 30 June 2024. • 50% of the industry representatives will be required to stand for reappointment every 2 years - tenure can be renewed by Council for up to 4 years without re-advertising. • Non-Councillor member positions will be declared vacant/terminated when a member: <ol style="list-style-type: none"> i. completes their designated term and retires from the Committee ii. competes their term and is not reappointed iii. resigns their membership, in writing, to the Chairperson iv. fails to attend more than 75% of scheduled meetings unless granted special leave of absence by the Chairperson v. acts in a way that is contrary to their responsibility as outlined below. <p>NOTE: Council on the recommendation of the Committee chairperson reserves the right to terminate appointments in instances where behaviour is considered excessively disruptive and contrary, is a breach of the Code of Conduct, is deemed</p>

Committee name:	Tourism and Economic Advisory Committee (TEAC)
	<p>inappropriate or is regarded as failing to provide productive and valued input.</p> <ul style="list-style-type: none"> • Representatives not attending 3 consecutive meetings can be replaced at the discretion of Council. • Representatives must abide by the terms of reference for the TEAC.
Meeting administration:	<ul style="list-style-type: none"> • 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. • Recommendations from the meeting that require Council endorsement will be reported separately to the next Ordinary Meeting of Council.
Responsibility	<p>Members of the Committee will:</p> <ul style="list-style-type: none"> • Act in an advisory role to Council. • Provide strategic guidance on implementation of plans, programs and initiatives. • Provide important links to the communities they represent in promoting and delivering outcomes. • Participate in working parties as needed. • At all times contribute in a positive and respectful manner. • Avoid disruption, contrary conduct or being wasteful of time and resources. • Represent whole of industry. • Actively participate in working groups. • Represent the Committee at events. • On appointment and annually provide Pecuniary Interest Returns as required by the Office of Local Government and Council. • Comply with Council’s Code of Conduct. • Work in an open and honest manner, and with respect for each other.

Committee name:	Tourism and Economic Advisory Committee (TEAC)
	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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.
Executive positions	<p>The role of the Chairperson is:</p> <ul style="list-style-type: none"> • To chair the meeting and exercise functions as determined by the Committee. • To be the spokesperson for the Committee, as directed by the Committee. • To call for conflicts of interest on agenda items • To advocate for the Committee and represent its decisions • To sign off minutes endorsed by the Committee • To call extraordinary meetings of Committee • The Deputy Chairperson will be elected by the Committee. The role of the Deputy Chairperson is to act as Chair when the Chair is not present at meetings.
Sub Committees / Working Groups / Portfolios	<ul style="list-style-type: none"> • The Committee will have the right to establish subgroups as deemed appropriate to assist in fulfilling their role and purpose.
Voting and Recommendations	<ul style="list-style-type: none"> • Voting and recommendations are made by consensus and all decisions must be stated precisely for the inclusion of the minutes • Where a consensus cannot be reached at two consecutive meetings, then the majority of 60% of those present can adopt a recommendation • Alternative views are to be recorded in the meeting minutes.

Committee name:	Tourism and Economic Advisory Committee (TEAC)
Communication	<ul style="list-style-type: none"> • Members of the Committee are not permitted to speak to the media as representatives of the Committee or Destination Kiama unless approved by the Chairperson. • Where approval has been given by the Chairperson, views and opinions expressed are those of the Committee and not of Kiama Municipal Council • Where endorsement is required from Kiama Municipal Council, approval must be sought through the formal processes.
Staff attendance	<ul style="list-style-type: none"> • Executive staff are normally required to attend the meetings of the Committee. • Other staff at the CEO's discretion or at the Committee's request can attend meetings as required.

Council at its discretion may review and change the Terms of Reference, role and structure of the Tourism and Economic Advisory Committee.

This terms of reference was endorsed at the February 2024 Council meeting.

13.5 Council delegates to outside bodies, appointments to regional and other organisations

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

CSP Strategy: 5.2.1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Delivery Program: 5.2.1.1 Provide public access to Council business through Council meetings, briefings, public access forums and Council committee meetings.

Item 13.5

Summary

This report requests that Councillors determine representatives to outside organisations for the period to September 2025.

Financial implications

Not applicable

Risk implications

The risk related to delegations is that Council would not be adequately represented on relevant external bodies.

Policy

Relevant terms of reference and constitutions of the external bodies.

Consultation (Internal)

Nil

Communication/Community Engagement

Committee delegations are published on Council's website.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council determine its representatives to external organisations for the period to September 2025, as follows:

- CivicRisk Mutual:
 - 1 Mayor / Councillor
 - CEO or delegate
- Cleary Bros Community Consultative Committee:
 - 1 Councillor

Report of the Chief Executive Officer

13.5 Council delegates to outside bodies, appointments to regional and other organisations (cont)

-
- Friends of Kiama Library
 - 1 Councillor
 - 1 Alternate
 - Healthy Cities Alliance (including Australian Chapter)
 - 1 Councillor
 - Illawarra Academy of Sport
 - Mayor / delegate
 - Illawarra Bush Fire Management Committee
 - 1 Councillor
 - Director Infrastructure & Liveability
 - Illawarra District Weeds Authority Committee
 - 1 Councillor
 - Landscape & Recreation Coordinator
 - Illawarra Shoalhaven Joint Organisation
 - Mayor
 - 1 Councillor
 - 1 Alternate
 - CEO
 - Kiama and District Sports Association
 - 1 Councillor
 - Director Infrastructure & Liveability
 - Kiama Liquor Accord
 - 1 Councillor
 - Road Safety Officer
 - NSW Public Libraries Association and the South East Zone Committee
 - 1 Councillor
 - Director Planning, Environment & Communities
 - Manager Libraries & Cultural Hubs
 - Southern Regional Planning Panel
 - Mayor / 1 Councillor
 - CEO / Director Planning, Environment & Communities

Report of the Chief Executive Officer

13.5 Council delegates to outside bodies, appointments to regional and other organisations (cont)

- Alternate: Luke Musgrave
- Alternate: Bronwyn Seiden

Background

The current outside organisations to which Council is required to appoint a delegate or representative is provided in the table below:

Committee	Meetings	Delegates
CivicRisk Mutual	Quarterly	1 Mayor / Councillor CEO or delegate
Cleary Bros Community Consultative Committee	At least 2 x per year	1 Councillor
Friends of Kiama Library	Monthly	1 Councillor 1 Alternate
Healthy Cities Alliance (including Australian Chapter)	Bimonthly	1 Councillor
Illawarra Academy of Sport	Bi-monthly	Mayor / delegate
Illawarra Bush Fire Management Committee	Quarterly	1 Councillor Director Infrastructure and Liveability
Illawarra District Weeds Authority Committee	Quarterly	1 Councillor Landscape and Recreation Coordinator
Illawarra Shoalhaven Joint Organisation	Bi-monthly	Mayor 1 Councillor 1 Alternate CEO
Kiama and District Sports Association	Bi-monthly	1 Councillor Director Infrastructure & Liveability
Kiama Liquor Accord	Bi-monthly	1 Councillors Road Safety Officer
NSW Public Libraries Association and the South East Zone Committee	Quarterly	1 Councillor

Report of the Chief Executive Officer

13.5 Council delegates to outside bodies, appointments to regional and other organisations (cont)

Committee	Meetings	Delegates
		Director Planning, Environment & Communities Manager Libraries and Cultural Hubs
Southern Regional Planning Panel	As required	2 members At least 4 alternates

Item 13.5

Outline of Committees

Following is an explanation about Kiama Municipal Council’s involvement for each committee:

CivicRisk Mutual

CivicRisk Mutual is a self-funded, self-managed, member-based mutual that supports councils with risk management and mitigation services. The Mutual represents 26 NSW councils.

The Mutual does not dictate who councils nominate as Members Assembly representatives, however it is suggested that this be either the Mayor or Councillor and the CEO, or, as in some members cases, a Director or Risk Manager.

Council nominates 2 representatives who have voting rights. An alternate representative can also nominated in case a nominated representative is unable to attend a meeting.

Meetings are held quarterly.

Cleary Bros Community Consultative Committee

This Consultative Committee is an advisory committee that reviews Cleary Bros performance with respect to environmental management and community relations, undertakes quarry inspections and reviews community concerns and complaints.

The Terms of Reference of the Consultative Committee requires membership of one councillor representative from Kiama Municipal Council.

Meetings are held at least twice per year.

Friends of Kiama Library

The Friends of Kiama Library support and enrich the Kiama public library service and local community, while providing a stimulating and enjoyable program for members.

The Constitution requires 1 councillor representative. An alternate can also be nominated.

Meetings are held monthly.

Healthy Cities Alliance

Report of the Chief Executive Officer

13.5 Council delegates to outside bodies, appointments to regional and other organisations (cont)

Healthy Cities Alliance is an international network aiming at protecting and enhancing the health of city dwellers. The Alliance is a group of cities and other organisations that try to achieve the goal through an approach called “Healthy Cities”. Healthy Cities Illawarra run a number of programs locally.

Kiama Council is a member of the Alliance and has recently nominated for a position on the Steering Committee, to be a councillor representative, if successful.

Meetings are held bimonthly.

Illawarra Academy of Sport

As the pioneer for the regional Academy model in Australian sport, the Illawarra Academy of Sport is a not-for-profit sporting organisation that exists to provide localised training and education opportunities for talented young athletes, coaches and administrators across the Illawarra region.

The Constitution of the Academy requires representation from the Mayor or the Mayor’s delegate.

Meetings are held bi-monthly.

Illawarra Bush Fire Management Committee

The Illawarra Bush Fire Management Committee is made up of a range of stakeholders from the area including emergency services, land management agencies, local government and local aboriginal land services, and local community groups. This ensures key community stakeholders have a say on bush fire management activities for the benefit of their communities.

The terms of reference allows for a Councillor member to join the Director Infrastructure and Liveability on the Committee.

The Committee meets quarterly.

Illawarra District Weeds Authority Committee

The IDWA has delegated authority from Wollongong, Shellharbour and Kiama Councils to carry out local control authority functions under the Biosecurity Act 2015. It also represents those councils on the South East Regional Weeds Committee. The IDWA is a business unit of the Illawarra Shoalhaven Joint Organisation.

Each council must appoint a councillor representative to the Committee.

Meetings are held quarterly.

Illawarra Shoalhaven Joint Organisation

The principal functions of the ISJO are: to establish strategic regional priorities for the area and develop strategies and plans to deliver; provide regional leadership and be an advocate for regional strategic priorities; and identify and take up opportunities for intergovernmental cooperation.

The Board of ISJO consists of the mayors of each council and one additional councillor voting representative.

The ISJO meets bimonthly.

Kiama and District Sports Association

Report of the Chief Executive Officer

13.5 Council delegates to outside bodies, appointments to regional and other organisations (cont)

The KDSA acts as a conduit between Council and sporting associations on booking sporting fields and awarding grants to affiliated clubs.

The KDSA constitution requires one representative.

The KDSA meets bi-monthly.

Kiama Liquor Accord

The Liquor Accord is overseen by Liquor & Gaming NSW as part of a widespread approach to reducing alcohol related harm and anti-social behaviour.

2 council members and Council's Road Safety Officer represent Council on the accord group.

The Accord generally meetings bimonthly.

NSW Public Libraries Association and the South East Zone Committee

NSW Public Libraries Association represents the interest of public libraries and their users throughout the State.

As a member of NSWPLA, Council is entitled to have a councillor delegate to the association attending zone and association meetings. Representation is one councillor, Director Planning, Environment & Communities and Manager Library and Cultural Hubs.

Zone meetings are held quarterly.

Southern Regional Planning Panel

Planning Panels, such as the Southern Regional Planning Panel, have the following functions:

- to determine regionally significant DAs and undertake rezoning reviews of planning proposals.
- determining Crown DAs,
- determining modification applications for regionally significant development,
- determining DA reviews,
- determining SCCs,
- undertaking independent reviews for specific Local Aboriginal Land Council lands,
- advising the Minister or the Secretary upon request, and
- preparing planning proposals if they are directed to be a planning proposal authority.

Section 2.13 of the *Environmental Planning & Assessment Act 1979 (the Act)* outlines that Council can nominate two (2) members to be on the Panel. The other three (3) members of the Panel are appointed by the Minister.

Report of the Chief Executive Officer

13.5 Council delegates to outside bodies, appointments to regional and other organisations (cont)

Both the Act and the 'Sydney District and Regional Planning Panels Operational Procedures' stress that Council nominated members must have expertise in one or more of the following areas: planning, heritage, architecture, the environment, urban design, land economics, traffic and transport, law, engineering, or tourism.

The Procedures suggest that Council consider appointing a minimum of 4 alternate members.

13.6 Ordinary Meetings of the Council - schedule and order of business

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

CSP Strategy: 5.2.1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Delivery Program: 5.2.1.1 Provide public access to Council business through Council meetings, briefings, public access forums and Council committee meetings.

Item 13.6

Summary

This report proposes the fixing of days and hours at which Ordinary Meetings of the Council are held and to endorse the order of business at Ordinary Meetings.

Financial implication

Not applicable.

Risk implication

Not applicable.

Policy

Not applicable.

Consultation (internal)

Executive Leadership Team

Communication / Community engagement

Council meeting times are advertised on Council's website and through regular media channels.

Attachments

Nil

Enclosures

Nil

RECOMMENDATION

That Council:

1. Notes that the ordinary general meetings of the Council be held on the third Tuesday of each month other than January.
2. Notes that ordinary meetings throughout the year will commence at 6pm.
3. Notes that public access forums throughout the year will commence at 4pm.
4. Confirms the order of business for an ordinary general Council meeting as set out in this report.

Report of the Chief Executive Officer

13.6 Ordinary Meetings of the Council - schedule and order of business (cont)

Proposal for meeting schedule

Council has previously had a meeting policy that Council meetings be held on the third Tuesday of each month with public access forums scheduled on the Monday evening (the day before).

To achieve a more streamlined meeting cycle, and to respect the fact many new Councillors are engaged in full time employment / own businesses, it is proposed to amend the meeting cycle. Going forward the following schedule is proposed:

1. Public access meetings to be held on the third Tuesday of the month commencing at 4pm
2. Councillor dinner to be held immediately following public access at 5pm
3. Ordinary council meetings to be held on the third Tuesday of each month commencing at 6pm.

Councillor agenda review would be held on the Tuesday morning at 9am.

It is noted that Wollongong, Shellharbour and Shoalhaven councils have the public access forum either immediately before or during the meeting.

2024 Council meetings

The dates for the 2024 Council meetings are:

15 October

26 November (resolved to move to the fourth Tuesday to accommodate councillor attendance at the LGNSW conference)

10 December (brought forward a week as resolved that the December meeting occurs on the second Tuesday of December).

Dates for 2025 meetings will be further considered at the December 2024 Council meeting due to the fact that both the National and State peak body annual meetings / conferences are yet to be set.

Order of business

Council's current Code of Meeting Practice sets out the order of business of an ordinary council meeting at section 8.1.

It is proposed that the following order of business is followed:

1. Opening of meeting
2. Webcasting statement
3. Acknowledgement of Country
4. Statement of Ethical Obligations
5. Apologies
6. Confirmation of Minutes of previous meeting
7. Business arising from the Minutes
8. Disclosure of interests
9. Tabling of petitions and other documents

Report of the Chief Executive Officer

13.6 Ordinary Meetings of the Council - schedule and order of business (cont)

10. Public forum summary
11. Mayoral Minutes
12. Minutes of Committees
13. Report of the Chief Executive Officer
14. Report of the Chief Operating Officer
15. Report of the Director Planning, Environment and Communities
16. Report of the Director Infrastructure and Liveability
17. Reports for Information
18. Late Items
19. Questions with notice
20. Notice of Motion
21. Confidential summary
22. Confidential reports
23. Closure

Item 13.6

13.7 Designated Persons Annual Returns 2023/2024

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

CSP Strategy: 5.2.1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Delivery Program: 5.2.1.2 Support good governance through systems and processes for legislative compliance.

Summary

The purpose of this report is to table the “Disclosure of Interest” annual returns for Councillors, designated staff, and independent representatives of the Audit, Risk and Improvement Committee for the 2023-2024 financial year in accordance with Council’s Codes of Conduct and section 440AAB of the *Local Government Act 1993*.

Financial implication

Nil

Risk implication

Disclosing the returns promotes openness, transparency and accountability at Kiama Municipal Council. It also facilitates the identification and management of potential conflicts of interest that might arise where staff participate in decisions from which they may derive, or be perceived to derive, personal or financial benefit.

Policy

Code of Conduct for Council staff, contractors and volunteers

Code of Conduct for Council Committee members, Delegates of Council and Council Advisers

Local Government Act 1993

Consultation (internal)

Nil

Communication/Community engagement

Nil

Attachments

Nil

Enclosures

1 Returns of Interest Register (redacted) [⇒](#)

RECOMMENDATION

That Council:

1. note the names and positions set out in the table in Attachment 1 of this report who have been identified as designated persons of Kiama Municipal Council, for the period 1 July 2023 to 30 June 2024; and
2. note the tabling of the Pecuniary Interest Register 2023/2024 comprising the Disclosure of Interest returns for Councillors, designated staff and independent representatives of the Audit, Risk and Improvement Committee for the 2023-2024 financial year.

Background

To comply with the relevant Codes of Conduct, designated persons and independent representatives of relevant committees must make and lodge a return, set out in the prescribed form, disclosing their interests within three months after 30 June each year.

Due to the Local Government Elections and associated Caretaker Period, there was no meeting of Council in the month of September. As a result, this report is being presented to this meeting, being the first Council Meeting following the election of the new Council.

It should be noted that all newly elected Councillors will be provided with a copy of the Disclosure Form and will be required to submit the same within 3 months of becoming a Councillor.

“Designated persons” are defined in the Code of Conduct as:

- a) the chief executive officer;
- b) other senior staff of Council for the purposes of section 332 of the *Local Government Act 1993 (the Act)*;
- c) a person (other than a member of the senior staff of Council) who is a member of staff of Council or a delegate of Council and who holds a position identified by Council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person’s duty as a member of staff or delegate and the person’s private interest; and
- d) a person (other than a member of the senior staff of Council) who is a member of a committee of Council identified by Council as a committee whose members are designated persons because the functions of the committee involve the exercise of Council’s functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member’s duty as a member of the committee and the member’s private interest.

Report of the Chief Executive Officer

13.7 Designated Persons Annual Returns 2023/2024 (cont)

The returns are designed to promote openness and transparency in local government, and to avoid a conflict of interest on the part of council staff who exercise decision-making functions.

The names and positions of designated persons and independent representatives of relevant committees who have lodged their returns as at the date of this report are listed in the register at Attachment 1.

Under the provisions of section 440AAB of the *Local Government Act 1993 (the Act)*,

- (1) *The general manager must keep a register of returns disclosing interests that are required to be lodged with the general manager under a code of conduct.*
- (2) *Returns required to be lodged with the general manager must be tabled at a meeting of the council, being the first meeting held after the last day specified by the code for lodgment, or if the code does not specify a day, as soon as practicable after the return is lodged.*

Information contained in returns made and lodged will be publicly available on Council's website in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

Pursuant to the "Protection of Privacy" provisions detailed in section 739 of *the Act*, information that discloses a person's place of residence or any other material that may place the personal safety of the person or of members of the person's family at risk will be omitted from the published version.

13.8 Delegations of functions of Council to the Chief Executive Officer

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

CSP Strategy: 5.2.1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Delivery Program: 5.2.1.2 Support good governance through systems and processes for legislative compliance.

Item 13.8

Summary

Section 377 of the *Local Government Act (1993)* enables Council to delegate functions to the General Manager / Chief Executive Officer, to enable the effective and efficient administration and operation of Council. Rather than provide an explicit and detailed list of delegations to the Chief Executive Officer, this report proposes to provide delegations to the Chief Executive Officer by exception.

This approach overcomes the impracticality of identifying every function imposed on Council by legislation and determining whether or not each function should be delegated. In addition, delegation by exception is the most appropriate approach to deal with frequent changing legislation.

Financial implication

Financial delegation as detailed in the attached Instrument of Delegation.

Risk implication

In the absence of delegation by Council, the Chief Executive Officer would not be able to implement the lawful decisions of the council and carry out the functions conferred on them by the Act and Regulation and other legislation.

Policy

Local Government Act (1993)

Consultation (internal)

Nil

Communication/Community engagement

Nil

Attachments

- 1 Chief Executive Officer s Instrument of Delegation - 15 October 2024 [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council -

1. Revoke any previous delegation to the Chief Executive Officer.

Report of the Chief Executive Officer

13.8 Delegations of functions of Council to the Chief Executive Officer (cont)

2. Delegate to the Chief Executive Officer the “Chief Executive Officer’s Delegation (Instrument of Delegation)”.**Role of the General Manager / Chief Executive Officer**

Section 335 of the Local Government Act 1993 (the Act) provides that –

The General Manager (aka Chief Executive Officer) of a council has the following functions:

- a) to conduct the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council
- b) to implement, without undue delay, lawful decisions of the council
- c) to advise the mayor and the governing body on the development and implementation of the strategic plans, programs, strategies and policies of the council
- d) to advise the mayor and the governing body on the appropriate form of community consultation on the strategic plans, programs, strategies and policies of the council and other matters related to the council
- e) to prepare, in consultation with the mayor and the governing body, the council’s community strategic plan, community engagement strategy, resourcing strategy, delivery program, operational plan and annual report
- f) to ensure that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their functions
- g) to exercise any of the functions of the council that are delegated by the council to the general manager
- h) to appoint staff in accordance with the organisation structure determined under this Chapter and the resources approved by the council,
- i) to direct and dismiss staff
- j) to implement the council’s workforce management strategy
- k) any other functions that are conferred or imposed on the general manager by or under this or any other Act.

Additionally, clause 209 of the Local Government (General) Regulation 2005 (the Regulation) provides for particular responsibilities of the General Manager:

The general manager of a council must ensure that:

- (a) the provisions of the Act, this Regulation, and any other written law relating to council’s financial obligations or the keeping of accounts by councils are complied with
- (b) effective measures are taken to secure the effective, efficient and economical management of financial operations within each division of the council’s administration
- (c) authorising and recording procedures are established to provide effective control over the council’s assets, liabilities, revenue and expenditure and secure the accuracy of the accounting records, including a proper division of accounting responsibilities among the council’s staff

Report of the Chief Executive Officer

13.8 Delegations of functions of Council to the Chief Executive Officer (cont)

- (d) lines of authority and the responsibilities of members of the council's staff for related tasks are clearly defined.



LOCAL GOVERNMENT ACT 1993 (NSW)

INSTRUMENT OF DELEGATION

CHIEF EXECUTIVE OFFICER'S INSTRUMENT OF DELEGATION

Pursuant to section 377 of the *Local Government Act 1993* and the resolution of the Council at its meeting held on 15 October 2024, Kiama Municipal Council:

1. Delegates to the Chief Executive Officer, or to the person who acts in that position, all of the functions, powers, duties and authorities of the Council that it may lawfully delegate under the *Local Government Act 1993*, any other Act, regulation, instrument, rule or the like (including any functions, powers, duties and authorities delegated to the Council by any authority, body, person or the like) –
 - a) other than those functions prescribed in section 377(1) of the *Local Government Act 1993* as functions which may not be delegated; and subject to:
 - b) the Restrictions set out in Column 2 in respect of those functions listed in Column 1 of Schedule 1 of this Instrument; and
 - c) compliance with any applicable resolution of the Council.
2. Fixes the amount, pursuant to clause 213 of the *Local Government (General) Regulation 2021*, above which debts to the Council may be written off only by resolution of the Council to be \$2,500. A debt of or below that amount can be written off, by order, in writing by the Chief Executive Officer and details reported to the Audit Risk and Improvement Committee (ARIC) on a monthly basis.
3. Notwithstanding any other provision of this Instrument, Council delegate to the Chief Executive Officer the authority to accept all tenders, except tenders to provide services currently provided by members of staff, during the following Council recesses:
 - a) between the last meeting of the Council for the calendar year and the first meeting of the following year, with the agreement of the Mayor, or in the absence of the Mayor, with the Deputy Mayor; and
 - b) between the last meeting of the Council term and the day appointed for the next ordinary election; with the agreement of the Mayor, or in the absence of the Mayor, with the Deputy Mayor, and remaining compliant with section 393B(1)(a) of the *Local Government (General) Regulation 2021*; and
 - c) between the day appointed for the ordinary election and the first meeting of the new Council term, with the agreement of the Mayor.

CHIEF EXECUTIVE OFFICER'S DELEGATIONS: Schedule 1

	COLUMN 1 FUNCTION*	COLUMN 2 RESTRICTION**
1	General use of Delegation	The Chief Executive Officer cannot use the delegation in relation to those functions specified in clauses (a) to (u) of section 377(1) of <i>the Local Government Act 1993</i> .
2	Granting of Leases on Council Property	The Chief Executive Officer cannot do so if: <ul style="list-style-type: none"> a. the term of the proposed lease or licence exceeds ten years; or b. the rental payable to Council for the term of the lease exceeds \$1,000,000 (including GST).
3	Acceptance of Tenders invited by Council	The Chief Executive Officer cannot do so if: <ul style="list-style-type: none"> a. the value of the tender exceeds \$500,000 (including GST); or b. the tender is to provide services currently provided by members of staff of the Council.
4	Acceptance of external grant funding	The Chief Executive Officer cannot do so if the grant funding is: <ul style="list-style-type: none"> a. of a value over \$1 million where the funding supports an existing Council program and no change in internal funds is required; and b. of any value where a change in internal funds is required.
5	Approval of donations	The approval of donations to community members or groups with a value above \$1,000.
6	Legal expense contributions	The approval of contributions above \$1,000 towards legal expenses sought by the Local Government NSW.
7	Determination of Development Applications <i>Council Resolution 23/261OC</i>	Exercise authority to determine development applications and modification applications up to a value of \$10,000,000, except for developments:

	COLUMN 1 FUNCTION*	COLUMN 2 RESTRICTION**
		<ul style="list-style-type: none"> a. where developments are for subdivisions of over fifty (50) allotments; and b. where there are greater than twelve (12) individual objections.
8	<p>Grants</p> <p><i>Council Resolution 21/135OC</i></p>	<p>Exercise authority to approve and execute grants where funding supports existing Council programs and proposed funding agreements do not require amendment to internally sourced funding. Any grant accepted under this delegation must be reported to Council for information.</p> <p>Where funding offered supports new programs that have not been identified in Council's Delivery Program and/or Operational Plan, or where the proposed funding agreement would require financial contribution from Council that is not already budgeted, Council approval is required.</p>
9	Incur Council-related expenditure on a Council provided Credit Card	Up to a limit of \$20,000 per month and a transaction limit of \$20,000.

Notes to assist with interpretation:

** To avoid doubt, the list of functions in Column 1 is not to be read as the list of total functions delegated to the Chief Executive Officer pursuant to this Instrument. Column 1 merely lists those functions which are subject to restrictions as specified in Column 2.*

*** To avoid doubt, any monetary amount shown is inclusive of GST where applicable.*

13.9 Endorsement: Mayoral delegations

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

CSP Strategy: 5.2.1 Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

Delivery Program: 5.2.1.2 Support good governance through systems and processes for legislative compliance.

Summary

The purpose of this report is for Council to review and endorse the Mayoral Delegations for the term of the current Council.

Financial implication

Nil

Risk implication

Council should note that certain responsibilities need to be delegated to the Mayor as the elected head of the council in order to ensure the effective day to day operations of council at the policy making/elected level between meetings.

Policy

Local Government Act (1993)

Consultation (internal)

Nil

Communication/Community engagement

Nil

Attachments

- 1 Mayor s Instrument of Delegation - 15 October 2024 [u](#)

Enclosures

Nil

RECOMMENDATION

That Council endorse the “Mayor’s Delegation (Instrument of Delegation)”.

Background

Section 380 of the Local Government Act 1993 states that each council must review its delegations during the first 12 months of each term of office. This report specifically relates to the Mayoral delegations.

The statutory role of the Mayor as defined in Section 226 of the *Local Government Act 1993* is as follows:

Report of the Chief Executive Officer

13.9 Endorsement: Mayoral delegations (cont)

-
- a) to be the leader of the council and a leader in the local community,
 - b) to advance community cohesion and promote civic awareness,
 - c) to be the principal member and spokesperson of the governing body, including representing the views of the council as to its local priorities,
 - d) to exercise, in cases of necessity, the policy making functions of the governing body of the council between meetings of the council,
 - e) to preside at meetings of the council,
 - f) to ensure that meetings of the council are conducted efficiently, effectively and in accordance with this Act,
 - g) to ensure the timely development and adoption of the strategic plans, programs and policies of the council,
 - h) to promote the effective and consistent implementation of the strategic plans, programs and policies of the council,
 - i) to promote partnerships between the council and key stakeholders,
 - j) to advise, consult with and provide strategic direction to the general manager in relation to the implementation of the strategic plans and policies of the council,
 - k) in conjunction with the general manager, to ensure adequate opportunities and mechanisms for engagement between the council and the local community,
 - l) to carry out the civic and ceremonial functions of the mayoral office,
 - m) to represent the council on regional organisations and at intergovernmental forums at regional, State and Commonwealth level,
 - n) in consultation with the councillors, to lead performance appraisals of the general manager,
 - o) to exercise any other functions of the council that the council determines.

Council's Code of Meeting Practice also provides for certain powers that may be given to the Mayor as a delegation in order to assist with the effective conduct of a meeting. These include dealing with disorder at a council meeting.



LOCAL GOVERNMENT ACT 1993 (NSW)

INSTRUMENT OF DELEGATION

MAYOR'S INSTRUMENT OF DELEGATION

Pursuant to section 377 of the *Local Government Act 1993*, on 15 October 2024, Kiama Municipal Council endorse the following Mayoral delegations for the 2024-2028 Council term:

1. Delegates to the Mayor, or to the Councillor who acts in that position, the functions, powers, duties and authorities of the Council may be lawfully delegated under the *Local Government Act 1993*, any other Act, regulation, instrument, rule or the like (including any functions, powers, duties and authorities delegated to the Council by any authority, body, person or the like) subject to:
 - a) the Restrictions set out in Column 2 in respect of those functions listed in Column 1 of Schedule 1 of this Instrument; and
 - b) compliance with any applicable resolution of the Council.

MAYOR'S DELEGATIONS: Schedule 1

	COLUMN 1 FUNCTION*	COLUMN 2 RESTRICTION**
1	Day-to-day oversight of and liaison with the Chief Executive Officer	Within the terms and conditions of the Chief Executive Officer's contract and section 352 of the Local Government Act 1993.
2	Approve leave applications of the Chief Executive Officer	
3	Authorise expenditure incurred by the Chief Executive Officer on behalf of the Council	In accordance with delegated limits.
4	Incur Council-related expenditure on a Council-provided Credit Card	Up to a limit of \$5,000 per month and a transaction limit of \$5,000.

	COLUMN 1 FUNCTION*	COLUMN 2 RESTRICTION**
5	Manage declarations by the Chief Executive Officer in Council's Gifts and Benefits and Conflicts of Interest Registers	
6	Authorise the holding of civic events, receptions and functions in consultation with the Chief Executive Officer	
7	Sign outgoing correspondence on behalf of the Office of the Mayor	Where consistent with resolutions and adopted policies of the Council.
8	To fix the Seal of Council on and sign as a witness any document required to be sealed.	Where consistent with resolutions and adopted policies of the Council.

Notes to assist with interpretation:

To avoid doubt, any monetary amount shown is inclusive of GST where applicable.

14 REPORT OF THE CHIEF OPERATING OFFICER

14.1 Monthly Financial Report - August 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.

Item 14.1

Summary

This report provides a year-to-date Statement of Financial Position and Income Statement for Council's various business activities at a consolidated level and by program/service. 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. Monitoring of the budget monthly enables timely financial management to effectively manage the resources available to Council to provide public services and amenities.

Policy

Local Government Act 1993

Local Government (General) Regulation 2021

Part 9, Division 3, Clause 203 (1) of the Local Government (General) Regulation 2021 legislates the preparation of this report. As such Kiama council complies with the legislation by preparation of this report.

Consultation (internal)

Chief Executive Officer

Chief Operating Officer

Chief Financial and Technology Officer

Directors & Department Managers

Management Accountants

Communication/Community engagement

N/A

Attachments

1 Monthly Financial Reports - August 2024 [↓](#)

Enclosures

Nil

Report of the Chief Operating Officer

14.1 Monthly Financial Report - August 2024 (cont)

RECOMMENDATION

That Council receives and adopts the Monthly Financial Report for August 2024.

Background

Recent years has seen significant improvement in financial systems and financial reporting. The upcoming Audited Financial Statements for 2024 report should provide an update on progress with systems and processes. The attached report reflects an update on the levels of reporting now occurring at a management level, Finance Advisory Committee level, and Council level with each level being able to receive high level consolidated or more operational detailed program information as required for their specific purposes.

The revised reporting structure better aligns with aspects of Kiama Council's Performance Improvement Order (PIO). Specifically, Council has been requested to "Restructure the presentation of the draft and published budgets to detail programs and activities compared to current and previous years..."

As a result, the following reports highlight the adopted budget and subsequent variances of each Program of Council. Further detail on the financial performance of the specific business operations services is highlighted by way of separate income statements for each service grouping within the Business Operations Program (Blue Haven, Holiday Parks, Pavilion, Commercial Waste and Hire Services and the Leisure Centre).

In addition, the consolidated cash flow statement is presented to highlight the associated movement in actual cash during the reporting period being presented. The cash flow presented can be reconciled to the statement of investments for the same period, providing further transparency and improving the suite of financial information available.

Executive Summary

The consolidated result year-to-date up to 31 August 2024 is \$22.4M compared to a budget of \$22.6M and a small unfavourable variance of \$200K.

Income from recurring operations is unfavourable by \$853K mainly due to overestimations in general rates and levies, waste disposal fees (both domestic and commercial) and holiday parks due to pro-longed planned maintenance and lower occupancy rates.

A \$1.6M overspend in operating expenditure has occurred mainly due to the conclusion of an ongoing legal case which was not included in the adopted budget in June 2024.

The receipt of the Betterment Funding grant of \$2.2M has effectively offset the unfavourable operational income and unbudgeted expenditure. Note though that the grant is restricted funds and while this provides an overall offset resulting in the unfavourable variance of \$200K, specifically the year to date result reflects an unrestricted funds loss of \$1.7M.

Report of the Chief Operating Officer

14.1 Monthly Financial Report - August 2024 (cont)

The following table provides an overview of key variances and whether the variance is timing or permanent in nature. These items will be considered for adjustment in the upcoming respective Quarterly Budget Review (QBR) cycle.

Table 1. This table provides further explanation of the material budget variances identified.

Financial Reporting Level Category	Material variance	Permanent / Timing	Comments
Rates, Levies & Annual Charges	\$513K (U)	Permanent	- overestimation of domestic waste and rates revenue (-\$400K – domestic waste; -\$113K – rates) Will be adjusted at QBR.
User charges and fees	\$327K (U)	Timing Timing Timing	- Holiday Parks (Seven Mile & Warri Beach) income impacted by planned closure of certain cabins for maintenance works which has extended beyond original time estimates. Additionally, poor weather conditions and other economic spending factors has led to lower occupancy rates (-\$168K). This impact is being broadly experienced on NSW South Coast. It is not known that this variance will be recouped during the year. Possible QBR adjustment required. - Pavilion income is slightly behind budget (-\$75K). This is a temporary variance. - Domestic waste disposal charges is unfavourable due to overestimation of expected revenue (-\$143K). This is timing variance. - Commercial waste disposal charges is unfavourable due to overestimation of expected revenue (-\$116K). Like above, this has been marginally offset by savings in commercial waste expenditure, but a possible QBR adjustment may be required. +\$175K total favourable variance across other services such as leisure centre, Blue Haven and Council rental income.
Employee Benefits	\$349K (U)	Permanent	- Undercapitalisation of wages of infrastructure team costs to capital projects(-\$200K) and other small variances across organisation. Pending further review but will be adjusted at QBR.
Materials & Contracts	\$1.19M (U)	Permanent	- Legal settlement costs (-\$1.1M). Will be adjusted at QBR.
Capital Grants & Contributions	\$2.29M (F)	Permanent	- \$2.2M Betterment Fund Grant, not included in original adopted budget as application for grant funding had not been approved at the time of budget preparation. QBR adjustment is required.
Total Variances explained (A)	\$89K (U)		Total of material variances listed above

Report of the Chief Operating Officer

14.1 Monthly Financial Report - August 2024 (cont)

The variance can be further analysed between restricted and unrestricted funds as follows:

Total Variances explained (A)	\$89K (U)	Total of material variances listed above
Other Variances (B)	\$106K (U)	Total of other remaining immaterial variances
Total variance per Consolidated Income Statement (A+B)	\$195K (U)	
Unrestricted Fund Variance	\$1.7M (U)	Net impact on unrestricted cash position, including: -\$113K – rates income -\$116K – commercial waste +\$175K – user fees and charges leisure centre, Blue Haven, etc. -\$349K- employee benefits -\$1,190K – legal expenses -\$106K- other immaterial variances
Restricted Fund Variance	\$1.5M (F)	-\$400K – Domestic Waste charges -168K – Holiday parks fees and charges -\$75K- Pavilion fees and charges -\$143K – Domestic Waste Fees and Charges +\$2,290K – Betterment Grant funding.

Item 14.1

KIAMA MUNICIPAL COUNCIL

Consolidated Income Statement

For the Period Ending 31 August 2024
 Report Generated Date: 03 October 2024



	Year to Date			Full Year		
	Actual 24-25 \$'000	Adopted Budget 24-25 \$'000	Variance 24-25 \$'000	% 24-25	Last Year Actual 23-24 \$'000	Adopted Budget 24-25 \$'000
Income from recurring operations						
Rates, Levies & Annual Charges	28,438	28,951	(513)	-2%	27,061	29,179
User charges and fees	3,616	3,943	(327)	-8%	3,716	21,074
Interest & Investment Revenue	416	324	92	28%	221	1,839
Other Revenue	1,088	1,120	(33)	-3%	1,152	3,990
Grants, subsidies, contributions and donations - Operating	2,981	3,053	(71)	-2%	2,566	8,268
Other Income	-	-	-	0%	-	-
Total Income	36,539	37,392	(853)	-2%	34,716	64,351
Expenses from recurring operations						
Employee Benefits	7,349	7,001	(349)	-5%	6,289	29,934
Borrowing Costs	92	11	(81)	-747%	62	363
Materials & Contracts	7,510	6,320	(1,190)	-19%	5,393	29,087
Depreciation & Amortization	1,608	1,609	2	0%	2,206	9,656
Impairment	-	-	-	0%	-	-
Other Expenses	36	22	(14)	-63%	27	1,156
Total Expenses	16,596	14,963	(1,632)	-11%	13,977	70,196
Operating result from recurring operations	19,944	22,429	(2,485)	-11%	20,739	(5,845)
Capital Grants & Contributions	2,445	155	2,290	1482%	1,008	4,192
Net gain/ loss from the disposal of assets	-	-	-	0%	40	(946)
Operating result including capital grants & contributions	22,389	22,584	(195)	-1%	21,747	(1,653)
Operating result including capital grants & contributions & one-off sales	22,389	22,584	(195)	-1%	21,787	1,293

KIAMA MUNICIPAL COUNCIL

Blue Haven Income Statement

For the Period Ending 31 August 2024
 Report Generated Date: 03 October 2024



	Year to Date			Full Year		
	Actual 24-25 \$'000	Adopted Budget 24-25 \$'000	Variance 24-25 \$'000	%	Last Year Actual 23-24 \$'000	Adopted Budget 24-25 \$'000
Income from recurring operations						
User charges and fees	1,030	951	78	8%	917	2,272
Interest & Investment Revenue	1	0	1	665%	114	1
Other Revenue	794	815	(21)	-3%	838	2,906
Grants, subsidies, contributions and donations - Operating	2,493	2,707	(215)	-8%	2,201	4,087
Other Income	-	-	-	0%	-	-
Internal Revenue	158	-	158	0%	158	-
Total Income	4,475	4,474	1	0%	4,229	9,266
Expenses from recurring operations						
Employee Benefits	2,057	2,186	128	6%	2,226	3,734
Borrowing Costs	81	-	(81)	0%	49	225
Materials & Contracts	1,377	1,413	36	3%	1,515	2,816
Depreciation & Amortization	9	9	-	0%	469	55
Impairment	-	-	-	0%	-	-
Other Expenses	19	5	(13)	-239%	19	8
Internal Expenditure	625	437	(187)	-43%	565	1,175
Total Expenses	4,168	4,051	(117)	-3%	4,843	8,012
Operating result from recurring operations	307	424	(116)	-27%	(614)	1,254
Capital Grants & Contributions	-	-	-	0%	-	-
Net gain/ loss from the disposal of assets	-	-	-	0%	-	-
Operating result including capital grants & contributions	307	424	(116)	-27%	(614)	1,254
Operating result including capital grants & contributions & one-off sales	307	424	(116)	-27%	(614)	1,254

KIAMA MUNICIPAL COUNCIL

Holiday Parks Income Statement

For the Period Ending 31 August 2024
 Report Generated Date: 03 October 2024



	Year to Date			Full Year		
	Actual 24-25 \$'000	Adopted Budget 24-25 \$'000	Variance 24-25 \$'000	%	Last Year Actual 23-24 \$'000	Adopted Budget 24-25 \$'000
Income from recurring operations	1,275	1,448	(173)	-12%	10,878	11,212
User charges and fees	1	0	1	205%	9	2
Other Revenue	-	-	-	0%	83	-
Grants, subsidies, contributions and donations - Operating	5	-	5	0%	39	-
Internal Revenue	-	-	-	0%	12	-
Total Income	1,281	1,449	(168)	-12%	11,010	11,214
Expenses from recurring operations	58	68	10	1.4%	353	444
Employee Benefits	10	10	-	0%	73	61
Borrowing Costs	985	1,026	41	4%	5,799	6,228
Materials & Contracts	97	97	(0)	0%	618	582
Depreciation & Amortization	-	-	-	0%	353	430
Other Expenses	183	181	(2)	-1%	822	841
Internal Expenditure	-	-	-	-	-	-
Total Expenses	1,334	1,383	49	4%	8,019	8,587
Operating result from recurring operations	(53)	66	(119)	-181%	2,990	2,627
Capital Grants & Contributions	-	-	-	0%	-	-
Net gain/ loss from the disposal of assets	-	-	-	0%	-	-
Operating result including capital grants & contributions	(53)	66	(119)	-181%	2,990	2,627
Operating result including capital grants & contributions & one-off sales	(53)	66	(119)	-181%	2,990	2,627

KIAMA MUNICIPAL COUNCIL

The Pavilion Income Statement

For the Period Ending 31 August 2024
 Report Generated Date: 03 October 2024



	Year to Date				Full Year	
	Actual 24-25 \$'000	Adopted Budget 24-25 \$'000	Variance 24-25 \$'000	%	Last Year Actual 23-24 \$'000	Adopted Budget 24-25 \$'000
Income from recurring operations						
Rates and annual charges	-	-	-	0%	-	-
User charges and fees	91	166	(75)	-45%	725	800
Other revenue	-	-	-	0%	-	-
Grants and contributions provided for operating purposes	-	-	-	0%	-	-
Interest and investment income	-	-	-	0%	-	-
Other income	-	-	-	0%	-	-
Internal Revenue	6	-	6	0%	58	-
Total Income	97	166	(69)	-42%	783	800
Expenses from recurring operations						
Employee benefits and on-costs	36	47	11	22%	238	303
Materials and services	43	89	45	51%	420	443
Borrowing costs	-	-	-	0%	-	-
Depreciation, amortisation and impairment for non financial assets	24	24	(0)	0%	151	144
Other expenses	-	-	-	0%	-	-
Internal Expenditure	2	1	(1)	-148%	26	27
Total Expenses	106	160	55	34%	835	918
Operating result from recurring operations	(9)	5	(14)		(52)	(118)
Grants and contributions provided for capital purposes	-	-	-	0%	-	-
Net gain/(loss) from the disposal of assets	-	-	-	0%	(3)	-
Operating result including capital grants & contributions	(9)	5	(14)	-273%	(52)	(118)
Operating result including capital grants & contributions & one-off sales	(9)	5	(14)	-273%	(52)	(118)

KIAMA MUNICIPAL COUNCIL

Income Statement - Commercial Waste and Hire Services

For the Period Ending 31 August 2024
Report Generated Date: 03 October 2024



	Year to Date				Full Year	
	Actual 24-25 \$'000	Adopted Budget 24-25 \$'000	Variance 24-25 \$'000	%	Last Year Actual 23-24 \$'000	Adopted Budget 24-25 \$'000
Income from recurring operations						
Rates and annual charges	198	199	(1)	-1%	198	199
User charges and fees	253	440	(187)	-42%	1,644	1,940
Other revenue	17	81	(64)	-79%	117	85
Grants and contributions provided for operating purposes	-	-	-	0%	-	-
Interest and investment income	-	-	-	0%	-	-
Other income	-	-	-	0%	-	-
Internal Revenue	62	38	24	65%	782	226
Total Income	530	758	(228)	-30%	2,741	2,450
Expenses from recurring operations						
Employee benefits and on-costs	149	181	32	18%	1,075	1,163
Materials and services	-	-	-	0%	234	245
Borrowing costs	-	-	-	0%	-	-
Depreciation, amortisation and impairment for non financial assets	-	-	-	0%	-	-
Other expenses	-	-	-	0%	-	-
Internal Expenditure	391	391	(0)	0%	1,340	2,347
Total Expenses	540	572	32	6%	2,649	3,755
Operating result from recurring operations	(10)	186	(196)		92	(1,305)
Grants and contributions provided for capital purposes	-	-	-	0%	-	-
Net gain/(loss) from the disposal of assets	-	-	-	0%	-	-
Operating result including capital grants & contributions	(10)	186	(196)	-105%	92	(1,305)
Operating result including capital grants & contributions & one-off sales	(10)	186	(196)	-105%	92	(1,305)

KIAMA MUNICIPAL COUNCIL

Leisure Centre Income Statement

For the Period Ending 31 August 2024
 Report Generated Date: 03 October 2024



	Year to Date				Full Year	
	Actual 24-25 \$'000	Adopted Budget 24-25 \$'000	Variance 2023/24 \$'000	%	Last Year Actual 23-24 \$'000	Adopted Budget 24-25 \$'000
Income from recurring operations						
Rates and annual charges	-	-	-	0%	-	-
User charges and fees	453	414	40	10%	2,540	2,482
Other revenue	-	-	-	0%	61	-
Grants and contributions provided for operating purposes	-	-	-	0%	-	-
Interest and investment income	-	-	-	0%	-	-
Other income	-	-	-	0%	-	-
Internal Revenue	-	-	-	0%	-	-
Total Income	453	414	40	10%	2,601	2,482
Expenses from recurring operations						
Employee benefits and on-costs	325	331	6	2%	1,977	1,820
Materials and services	115	119	4	3%	694	759
Borrowing costs	(0)	-	0	0%	10	9
Depreciation, amortisation and impairment for non financial assets	-	-	-	0%	-	-
Other expenses	-	-	-	0%	(1)	-
Internal Expenditure	108	108	(0)	0%	36	685
Total Expenses	548	557	9	2%	2,715	3,273
Operating result from recurring operations	(95)	(144)	49	-34%	(114)	(792)
Grants and contributions provided for capital purposes	-	-	-	0%	60	-
Net gain/(loss) from the disposal of assets	-	-	-	0%	-	-
Operating result including capital grants & contributions	(95)	(144)	49	-34%	(114)	(792)
Operating result including capital grants & contributions & one-off sales	(95)	(144)	49	-34%	(174)	(792)

KIAMA MUNICIPAL COUNCIL

Income Statement by Program & Service

For the Period Ending 31 August 2024



PROGRAM & SERVICE	REVENUE			EXPENDITURE			OPERATING RESULT		
	Actual	Budget	Variance \$	Actual	Budget	Variance \$	Actual	Budget	Variance \$
	24-25 \$'000	24-25 \$'000	24-25 \$'000	24-25 \$'000	24-25 \$'000	24-25 \$'000	24-25 \$'000	24-25 \$'000	24-25 \$'000
Business Operations									
Kendalls Beach Holiday Park	323	311	11	231	217	(14)	92	94	(2)
Kiama Harbour Cabins	187	180	7	168	207	38	19	(27)	45
Seven Mile Beach Holiday Park	264	373	(109)	221	250	29	42	123	(81)
Showground Camping Ground	-	-	-	1	-	(1)	(1)	-	(1)
Surf Beach Holiday Park	283	289	(5)	271	225	(45)	12	63	(51)
Werri Beach Holiday Park	220	295	(76)	250	205	(45)	(31)	90	(121)
Leisure Centre	453	414	40	440	450	10	14	(36)	50
The Pavilion	91	166	(75)	104	160	56	(13)	6	(19)
Blue Haven RACF	2,633	2,633	0	2,458	2,548	90	175	85	90
Blue Haven IJU Bonaira	481	486	(5)	53	138	86	428	347	81
Blue Haven Barrroll House	19	12	6	59	74	15	(41)	(62)	21
Blue Haven IJU Terralong	535	561	(26)	263	44	(219)	272	517	(246)
Blue Haven Community Program Management	1	1	(0)	60	64	4	(59)	(63)	4
Blue Haven Corporate Management	-	-	-	70	170	99	(70)	(170)	99
Blue Haven Community Programs	648	780	(132)	563	566	3	86	215	(129)
Hire Services	231	301	(70)	116	130	14	114	171	(57)
Commercial Waste Services	237	419	(182)	32	51	18	205	368	(164)
Business Operations	6,606	7,222	(616)	5,362	5,499	138	1,244	1,723	(479)
Core Council Administration	22,201	21,990	211	6,275	4,851	(1,424)	15,926	17,139	(1,213)
Regulatory	406	404	2	907	658	(249)	(501)	(255)	(246)
Public Services & Amenities	9,700	7,890	1,810	3,625	3,555	(70)	6,074	4,335	1,739
Other Community Services	72	41	31	426	399	(27)	(354)	(358)	4
Total Council	38,984	37,547	1,438	16,596	14,963	(1,632)	22,389	22,584	(195)

Key:
Favourable
(Unfavourable)

*Details on the specific services contained under each program can be found on the following page.

KIAMA MUNICIPAL COUNCIL Programs & Services



Contained below is a list of Kiama Council's main programs and the associated services which are provided under each.

Core Council Administration	Business Operations	Regulatory	Public Services & Amenities	Other Community Services
Property Administration	Kendalls Beach Holiday Park	Lifeguards	Depreciation	Road Safety
Office of the CEO	Kiama Harbour Cabins	Internal Audit	Building Services & Maintenance	Community Development
Finance	Seven Mile Beach Holiday Park	Bushfire Services (RFS)	Construction & Works	Cultural Development
Corporate Savings	Showground Camping Ground	Building Development	Engineering & Works Administration	Youth Services
Training & Development	Surf Beach Holiday Park	Compliance	Design Project Contract Management	Tourism & Events
Rates & Charges	Werri Beach Holiday Park	Environmental Administration	Asset Management	Visitor Information Centre
Records Management	The Pavilion	Environmental Health	Engineering Assessment & Approvals	Economic Development
Fleet & Plant Administration	Blue Haven RACF	Strategic Planning	Parks Services	
Supply & Store	Blue Haven ILL Bonaira		Tree Preservation & Management	
Communications	Blue Haven Barrrol House		Kiama Works Depot	
Civic Activities	Blue Haven ILL Terralong		Library Services	
Information Technology	Blue Haven Community Program Management		Domestic Waste Services	
Geographic Information Systems	Blue Haven Corporate Management		Cleaning Services	
Customer Service	Blue Haven Community Programs			
Technology One Implementation and Maintenance	Hire Services			
Corporate Planning	Commercial Waste Services			
Governance	Leisure Centre			
Human Resources				
Organisational development				
Risk Management				
Operating Management				

KIAMA MUNICIPAL COUNCIL

Consolidated

Statement of Financial Position

For the Period Ended 31 August 2024

Report Generated Date: 03 October 2024



	Notes	YTD Actual	Last year Actual
		31 August 2024	31 August 2023
		24-25	23-24
		\$'000	\$'000
ASSETS			
Current assets			
Cash and cash equivalents	C1-1	11,544	7,353
Investments	C1-2	22,000	34,000
Receivables	C1-4	25,516	-447
Inventories	C1-5	354	376
Contract assets and contract cost assets	C1-6	1,488	871
Current assets classified as 'held for sale'	C1-7	95,138	5,461
Other		1,392	2,430
Total current assets		157,433	50,044
Non current assets			
Investments	C1-2	9,373	837
Receivables	C1-4	206	198
Infrastructure, property, plant and equipment	C1-8	551,677	586,216
Investment property	C1-9	80,200	124,950
Right of use assets	C2-1	396	122
Total non current assets		641,851	712,323
Total assets		799,284	762,367
LIABILITIES			
Current liabilities			
Payables	C3-1	139,210	135,159
Contract liabilities	C3-2	4,354	7,022
Lease liabilities	C2-1	114	36
Borrowings	C3-3	550	612
Employee benefit provisions	C3-4	6,656	6,504
Total current liabilities		150,884	149,333
Non current liabilities			
Payables	C3-1	22	18
Lease liabilities	C2-1	290	6
Borrowings	C3-3	19,844	20,494
Employee benefit provisions	C3-4	624	601
Total non current liabilities		20,779	21,119
Total Liabilities		171,663	170,452
Net Assets		627,621	591,915
EQUITY			
Retained earnings		167,052	176,921
Revaluation reserves		438,220	415,779
Current Year Net Earnings		22,349	-785
Total equity		627,621	591,915



KIAMA MUNICIPAL COUNCIL
Cash Flow Statement

For the Period Ending 31 August 2024
Report Generated Date: 26 September 2024

ash Flow Statement	25ACT Jul-24	25ACT Aug-24	25POCAR Sep-24	25POCAR Oct-24	25POCAR Nov-24	25POCAR Dec-24	25POCAR Jan-25	25POCAR Feb-25	25POCAR Mar-25	25POCAR Apr-25	25POCAR May-25	25POCAR Jun-25
ash Flows from Operating Activities												
Receipts:												
Rates & Annual Charges	1,974,258	5,985,467	3,048,796	1,524,398	2,439,036	2,134,157	1,219,518	2,743,916	2,134,157	914,639	3,353,675	1,829,277
User Charges & Fees	1,806,713	1,933,091	2,028,777	1,703,001	1,659,730	1,671,230	1,605,971	1,604,371	1,603,360	1,616,018	1,600,160	1,599,661
Investment & Interest Revenue Received	3,117	63,906	165,239	152,463	155,119	167,996	151,187	155,504	153,102	137,550	143,024	134,037
Operating grants	975,590	1,703,529	1,647,087	267,789	321,789	393,750	267,789	267,789	279,789	277,789	267,789	267,789
Bonds & Deposits Received	3,320,831	0	1,262,444	1,262,444	1,262,444	1,262,444	1,262,444	1,262,444	1,262,444	1,262,444	1,262,444	1,262,444
Other	358,396	513,294	478,758	267,638	264,638	342,638	267,638	243,538	243,538	246,638	241,538	243,538
Payments:												
Employee Benefits & On-Costs	-4,228,986	-4,222,692	-2,769,054	-2,427,497	-2,228,544	-2,771,804	-2,497,746	-2,228,544	-2,770,054	-2,425,497	-2,231,544	-2,778,654
Materials & Contracts	-6,386,151	-5,388,501	-3,165,145	-1,535,695	-2,854,988	-1,504,428	-1,549,105	-1,533,716	-1,758,436	-1,554,817	-1,476,925	-1,510,646
Borrowing Costs	0	-197,637	-98,758	-5,323	-5,323	-24,105	-5,323	-5,323	-23,856	-5,323	-5,323	-23,806
Bonds & Deposits Refunded	0	-801,480	-85,138	-82,804	-79,054	-143,054	-102,804	-79,054	-79,054	-82,804	-79,054	-82,804
Other	-31,441	-4,572	-166,288	5,692								
Net movements in Debtors/Creditors	-166,288	5,692										
Net Cash provided (or used in) Operating Activities	-2,373,961	-429,901	2,513,007	1,126,414	935,228	1,528,825	619,570	2,430,926	1,050,990	386,637	3,075,785	941,036
ash Flows from Investing Activities												
Receipts:												
Capital grants	0	111,963	348,499	348,499	348,499	348,499	348,499	348,499	348,499	348,499	348,499	358,499
Sale of Infrastructure, Property, Plant & Equipment	0	89,412	97,850	97,850	97,850	15,097,850	97,850	97,850	97,850	97,850	97,850	5,419,850
Payments:												
Purchase of Infrastructure, Property, Plant & Equipment	-1,461,167	-2,171,683	0	0	0	0	0	0	0	0	0	-13,101,531
Net Cash provided (or used in) Investing Activities	-1,461,167	-1,970,309	446,349	446,349	446,349	15,446,349	446,349	446,349	446,349	446,349	446,349	-7,323,182
ash Flows from Financing Activities												
Payments:												
Repayment of Borrowings & Advances	0	-125,000	-43,374	0	-125,000	-15,043,621	0	-125,000	-43,870	0	-125,000	-44,120
Other Financing Activity Payments	0	0	0	0	0	0	0	0	0	0	0	0
Net Cash Flow provided (used in) Financing Activities	0	-125,000	-43,374	0	-125,000	-15,043,621	0	-125,000	-43,870	0	-125,000	-44,120
Net Increase/(Decrease) in Cash & Cash Equivalents	-3,835,128	-2,525,210	2,915,982.22	1,572,763.06	1,256,577.38	1,931,553.28	1,065,918.90	2,752,275.22	1,453,469.30	832,985.93	3,397,133.91	-6,426,265.47
Plus: Cash & Cash Equivalents - beginning of month	48,074,140	44,239,012	41,713,802	44,629,784	46,202,547	47,459,125	49,390,678	50,456,597	53,208,872	54,662,341	55,495,327	58,892,461
ash & Cash Equivalents - end of the month	44,239,012	41,713,802	44,629,784	46,202,547	47,459,125	49,390,678	50,456,597	53,208,872	54,662,341	55,495,327	58,892,461	52,466,196

14.2 Statement of Investments - September 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.

Item 14.2

Summary

This report provides an overview of Council's cash and investment portfolio and investment performance as at 30 September 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 Operating Officer

Chief Financial and Technology Officer

Financial Manager

Senior Financial Accountant

Communication/Community engagement

N/A

Attachments

- 1 Kiama Monthly Report - September 2024 [↓](#)

Enclosures

Nil

RECOMMENDATION

That Council notes the information relating to the Statement of Investments as at 30 September 2024.

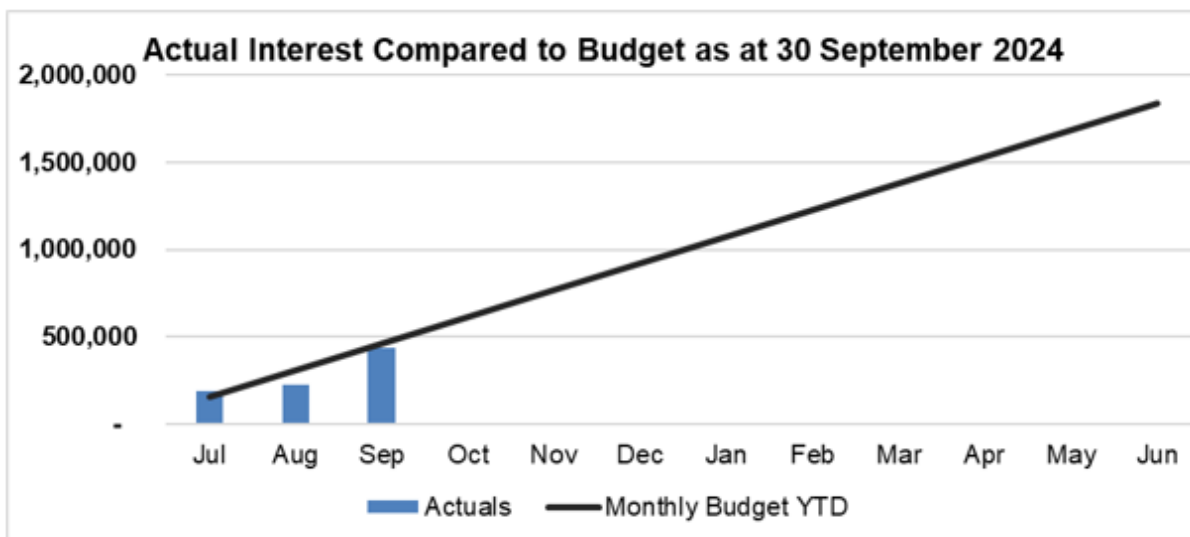
Item 14.2

Background

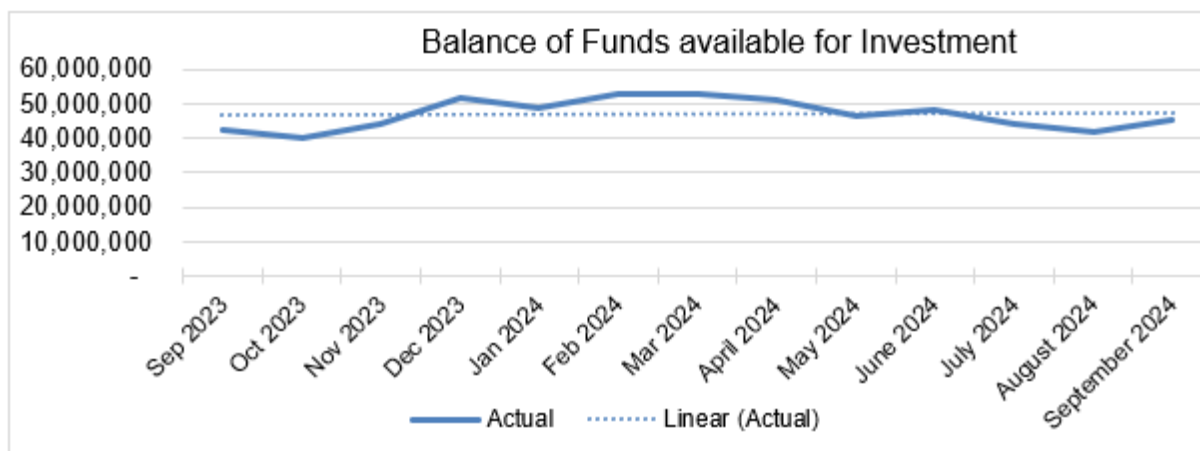
Council is required to invest its surplus funds in accordance with the Ministerial Investment Order and Office of Local Government guidelines. The Order reflects a conservative approach and restricts the investment types available to Council. Council’s Investment Policy provides a framework for the credit 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 September, excluding cash, the total portfolio provided a return of +0.44% (actual) or +5.43% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.36% (actual) or +4.45% p.a. (annualised).



Movement in Investments



Item 14.2

Trades matured in September:

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate %	Value
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
Total							1,750,000

New trades entered under delegation, during September:

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate %	Value
NAB	AA-	TD	Annual	18/09/2024	16/04/2025	5.00	1,000,000
NAB	AA-	TD	At Maturity	26/09/2024	11/06/2025	5.01	1,000,000
Total							2,000,000

Portfolio compliance

As advised by external Investment Advisor

“As at the end of the September, apart from the slight overweight position with ING (A), Council is within compliance of the Policy limits. The slight overweight position with ING (31.8% actual exposure versus 30% limit) has been due to the fall in the total portfolio size in recent months (from \$51.98m in May to \$47.19m in September). This is an immaterial and temporary breach and is of no concern. This is easily rectified if the total portfolio size increases over the coming weeks/months, or by redeeming the next ING deposit maturing on 16th October 2024.”

As mentioned above, this will be resolved in October, as it is not financially viable to withdraw investments early.

Report of the Chief Operating Officer

14.2 Statement of Investments - September 2024 (cont)

Portfolio summary:

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate %	Value
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 Bank	AA-	TD	At Maturity	21/11/2023	21/11/2024	5.40	1,000,000
Suncorp Bank	AA-	TD	At Maturity	28/11/2023	28/11/2024	5.50	2,000,000
Suncorp Bank	AA-	TD	At Maturity	04/12/2023	04/12/2024	5.35	1,000,000
Suncorp Bank	AA-	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	07/08/2024	12/02/2025	5.10	1,000,000
NAB	AA-	TD	At Maturity	26/02/2024	26/02/2025	5.08	2,000,000
Suncorp Bank	AA-	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	16/04/2024	02/04/2025	5.13	1,000,000
NAB	AA-	TD	Annual	18/09/2024	16/04/2025	5.00	1,000,000
NAB	AA-	TD	At Maturity	03/07/2024	28/05/2025	5.43	2,000,000
NAB	AA-	TD	At Maturity	26/09/2024	11/06/2025	5.01	1,000,000
NAB	AA-	TD	At Maturity	03/07/2024	02/07/2025	5.45	2,000,000
NAB	AA-	TD	At Maturity	10/07/2024	09/07/2025	5.45	2,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	22/11/2023	23/09/2025	5.35	1,000,000
Suncorp Bank	AA-	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
ING Bank (Australia) Ltd	A	TD	At Maturity	11/04/2024	08/04/2026	4.92	2,000,000
Westpac	AA-	CASH	Monthly	30/09/2024	30/09/2024	4.24	8,188,168
Total							47,188,168

Item 14.2

Report of the Chief Operating Officer

14.2 Statement of Investments - September 2024 (cont)

Restricted Funds Movements

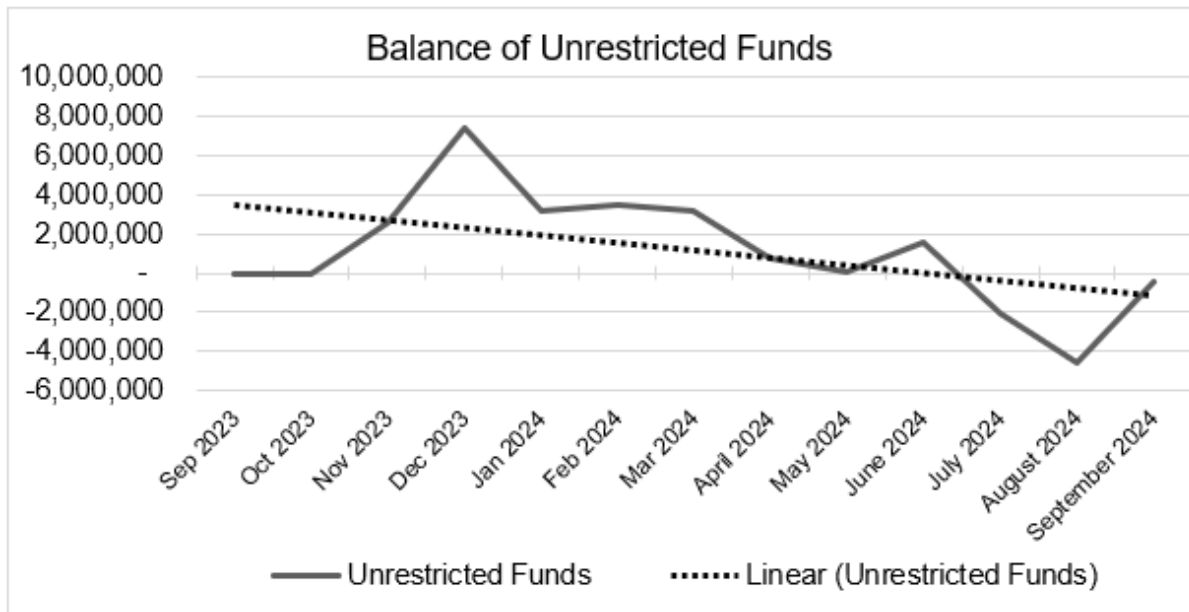
The restricted funds movement for this month and balances are presented in the table below. Note due to the break in Council meetings last month, the table below shows two months of movements.

Cash and Investments Held	31/07/2024	Movement	31/08/2024	Movement	30/09/2024
Cash at Bank - Transactional Account	5,702,836	(1,302,728)	4,400,108	3,788,059	8,188,168
Other Cash and Investments	39,750,000	(1,000,000)	38,750,000	250,000	39,000,000
Total Portfolio Balance (agrees to Arlo Advisory report)	45,452,836	(2,302,728)	43,150,108	4,038,059	47,188,168
Cash on Hand	6,000	0	6,000	0	6,000
Bank Reconciliation items	(1,219,824)	(222,483)	(1,442,307)	(403,144)	(1,845,451)
Book Value of Cash and Investments	44,239,012	(2,525,211)	41,713,802	3,634,915	45,348,717
Specific purpose unexpended loans	500,000	(100,000)	400,000		400,000
Specific purpose unexpended grants - general fund	3,920,406	(778,432)	3,141,975		3,141,975
Developer contributions - general	13,716,756	199,988	13,916,744	238,178	14,154,921
Stormwater Levy Management	247,394	45,248	292,642		292,642
Security bonds, Deposits & Retentions	1,987,979	22,471	2,010,450	(82,709)	1,927,741
Crown Land	4,885,287	(276,549)	4,608,739	(350,701)	4,258,037
Blue Haven aged in-home care unspent client fund	115,272	(1,807)	113,465	5,323	118,788
Domestic waste management	7,334,716	914,489	8,249,206	882,360	9,131,566
Blue Haven - ILU Maintenance Levy carried forward surplus (Terralong)	1,749,910	(115,251)	1,634,659		1,634,659
Blue Haven - ILU Maintenance Levy carried forward surplus (Bonaira)	395,000		395,000		395,000
Blue Haven - Residential aged care prudential standards	4,900,000		4,900,000		4,900,000
External Restrictions	39,752,721	10,158	39,662,878	692,451	40,355,330
Council Elections	49,776	(49,776)	0		0
Employees leave entitlement	3,443,958		3,443,958		3,443,958
Land development	744,260	(4,872)	739,388		739,388
Temporary Funding of Disaster Recovery Funding Agreement Works	(4,925,000)		(4,925,000)	(874,734)	(5,799,734)
Blue Haven ILU Prudential Cover	4,100,000		4,100,000		4,100,000
Plant replacement	1,507,304	(397,609)	1,109,694	(847,698)	261,996
Risk Improvement Incentive	96,477		96,477	(37,445)	59,032
Waste Business Unit	1,423,488		1,423,488		1,423,488
Terralong ILU Capital Works	148,315	67,613	215,928	(4,725)	211,203
Internal Restrictions	6,588,578	(334,868)	6,203,934	(889,869)	4,439,331
Unrestricted Cash	(2,102,287)		(4,153,010)		554,056

Item 14.2

The July 2024 reserve balances have been restated to reflect the actual 2023/24 closing reserve balances (subject to audit) and the actual July reserve movements.

Unrestricted Funds



Item 14.2

Council’s overall cash balance increased during September from \$41.7M to \$45.3M. This \$3.6M increase is a result of:

- The timing of Residential Accommodation Bonds (RAD’s) \$1.6M deposits received and no refunds processed in September.
- Natural Disaster & Recovery program grant funding being received (\$945K).
- The sale of 9 O’Connell Place Gerringong settled during September, with proceeds distributed between Housing Trust Illawarra and KMC as per the specified lease terms (\$487K was KMC’s apportionment).
- There were no major capital works payments or annual prepayments noted in September as compared to earlier months.

Report of the Chief Operating Officer

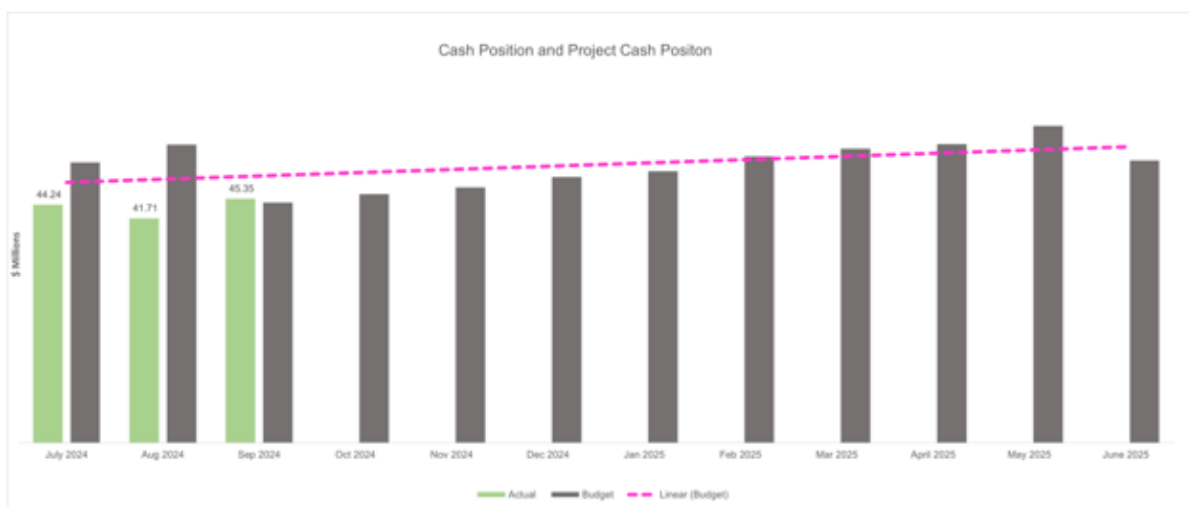
14.2 Statement of Investments - September 2024 (cont)

Consolidated Cash Position and Cash Flow Forecast

The below graph depicts the revised cash forecast for the 2024-25 financial year, whilst comparing the current cash reserve balance to the predicted cash reserve balance.

September’s cash position is slightly more than the projected cash balance, predominately due to the unpredictability of Residential Accommodation Deposit (RAD) receipts and refunds, ILU unit departures. Furthermore, as noted above, property settlement funds and grant funding were received during September which was not included in the original cash projections due to unknown timing of these transactions.

Item 14.2



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

04/10/2024



Monthly Investment Review



KIAMA MUNICIPAL COUNCIL
your council, your community

September 2024

Item 14.2

Attachment 1

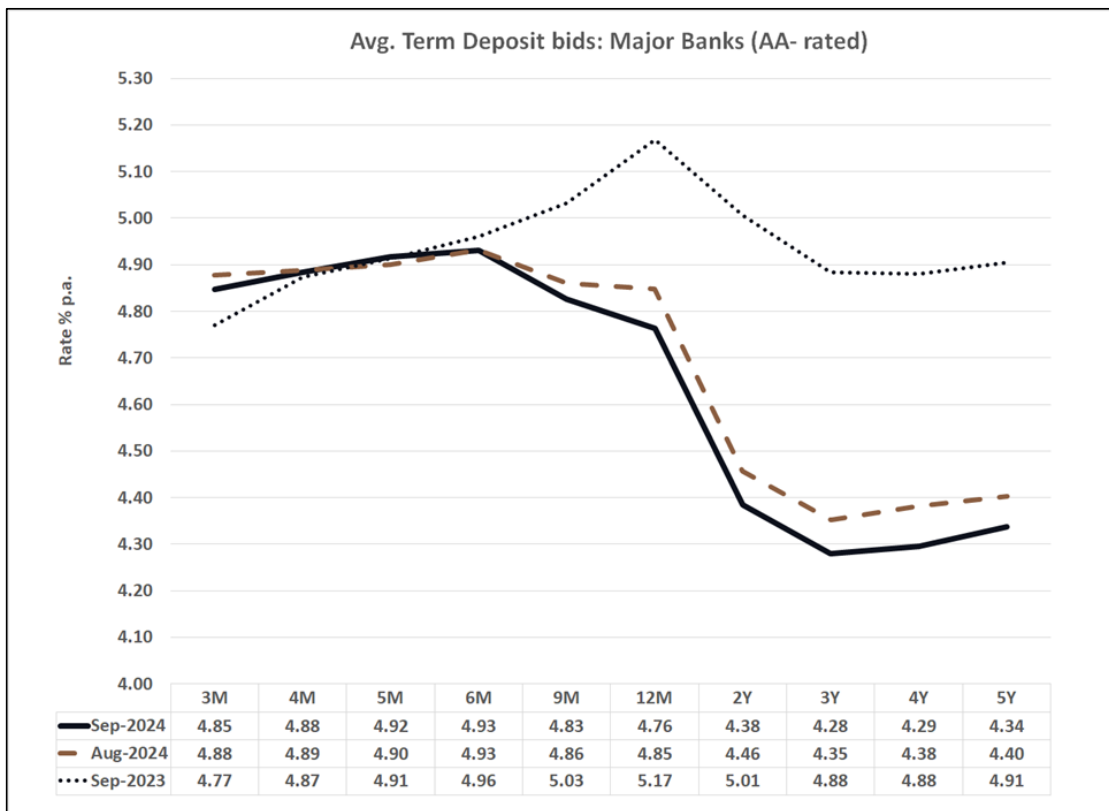
Arlo Advisory Pty Ltd
ABN: 55 668 191 795
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AFSL 246 638
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Email: michael.chandra@arloadvisory.com.au / melissa.villamin@arloadvisory.com.au
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Market Update Summary

In September, risk markets continued their positive momentum, welcoming the US Federal Reserve’s decision to commence their easing cycle. Other developed central banks are poised to follow or continue in the same path over coming months.

In the deposit market, over September, the average deposit rates offered by the major banks remained below where they were the previous month (August) by around 5–10bp at the long-end of the curve. The overall deposit curve remains significantly inverse with rates now peaking at the 6 month term and then dropping across 1–5 year horizon (with the lowest rates offered in the 3 year tenor at around 4.30%), as the market aggressively factors in multiple rate cuts in 2025.



Source: Imperium Markets

With a global economic downturn and multiple interest rate cuts being priced in 2025, investors should consider diversifying and taking an ‘insurance policy’ against a potentially lower rate environment by investing across 1–5 year fixed deposits, targeting rates close to or above 4½% p.a. (small allocation only).



Kiama Municipal Council’s Portfolio & Compliance

Asset Allocation

The majority of the portfolio is directed to term deposits (83%), with the remainder in cash (17%).

Senior FRNs remain relatively attractive as spreads have generally widened over the past 3 years. New issuances may now be considered again on a case by case scenario. In the interim, staggering a mix of fixed deposits between 9–12 months to 2 years remains a more optimal strategy to maximise returns over a longer-term cycle.

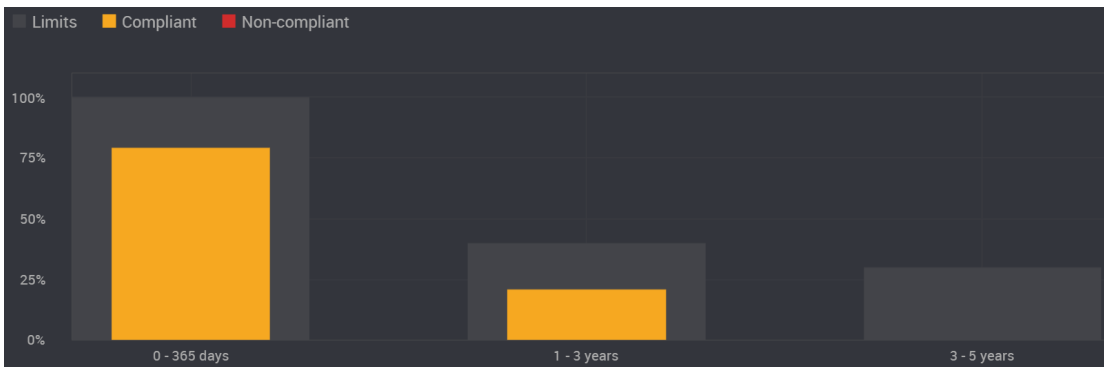
With multiple interest rate cuts and a global economic downturn being priced in coming years, investors can choose to allocate a small proportion of longer-term funds and undertake an insurance policy against any potential future rate cuts by investing across 1–5 year fixed deposits, locking in and targeting yields close to or above 4½% p.a. Should inflation remain within the RBA’s target band of 2–3% over the longer-term, returns around 4½% p.a. or higher should outperform benchmark.



Term to Maturity

The portfolio is highly liquid with the majority maturing within 1 year (~83%). 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	\$39,188,168	83.05%	0%	100%	\$6,643,728
✓	1 - 3 years	\$8,000,000	16.95%	0%	40%	\$9,031,539
✓	3 - 5 years	\$0	0.00%	0%	30%	\$11,756,450
✓	5 - 10 years	\$0	0.00%	0%	30%	\$11,756,450
		\$47,188,168	100.00%			

Counterparty

As at the end of the September, apart from the slight overweight position with ING (A), Council is within compliance of the Policy limits. The slight overweight position with ING (31.8% actual exposure versus 30% limit) has been due to the fall in the total portfolio size in recent months (from \$51.98m in May to \$47.19m in September). This is an immaterial and temporary breach and is of no concern. This should be easily rectified if the total portfolio size increases over the coming weeks/months, or by redeeming the next ING deposit maturing on 16th October 2024.

Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	ANZ	AA-	\$8,000,000	16.95%	40%	\$10,875,267
✓	CBA	AA-	\$2,000,000	4.24%	40%	\$16,875,267
✓	Westpac	AA-	\$8,188,168	17.35%	40%	\$10,687,099
✓	NAB	AA-	\$11,000,000	23.31%	40%	\$7,875,267
X	ING	A	\$15,000,000	31.79%	30%	-\$843,550
✓	Bank of Us	BBB+	\$1,000,000	2.12%	15%	\$6,078,225
✓	BankVic	BBB+	\$2,000,000	4.24%	15%	\$5,078,225
			\$47,188,168	100.00%		

On 31st July 2024, ANZ's takeover of Suncorp Bank was formalised, and ratings agency S&P upgraded Suncorp's long-term credit rating to that of its parent company immediately (now rated AA-). Investor's exposure to Suncorp is now reflected under the parent company being ANZ.



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 30/09/2024 (~\$47.19m), we can roughly estimate that ~94% 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
ANZ (inc. Suncorp)	AA-	Yes
CBA	AA-	Yes
WBC	AA-	Yes
NAB	AA-	Yes
ING	A	Yes
Bank of Us	BBB+	No
BankVIC	BBB+	No

Source: <https://www.marketforces.org.au/info/compare-bank-table/>

Summary	Amount	Invested %
Yes	\$44,188,168	94%
No	\$3,000,000	6%
Total	\$47,188,168	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 Council's 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%	\$47,188,168
✓	AA Category	\$29,188,168	61.9%	100%	\$18,000,000
✓	A Category	\$15,000,000	31.8%	70%	\$18,031,717
✓	BBB Category	\$3,000,000	6.4%	30%	\$11,156,450
✓	Unrated Category	\$0	0.0%	0%	\$0
		\$47,188,168	100.0%		



Performance

Council’s performance (excluding cash holdings) for the month ending September 2024 is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.35%	1.08%	2.16%	1.08%	4.34%
AusBond Bank Bill Index	0.36%	1.11%	2.21%	1.11%	4.41%
Council’s Portfolio[^]	0.44%	1.31%	2.60%	1.31%	5.21%
Outperformance	0.08%	0.20%	0.39%	0.20%	0.80%

[^]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%	4.35%	4.35%	4.34%
AusBond Bank Bill Index	4.45%	4.50%	4.45%	4.50%	4.41%
Council’s Portfolio[^]	5.43%	5.31%	5.26%	5.31%	5.21%
Outperformance	0.97%	0.81%	0.81%	0.81%	0.80%

[^]Total portfolio performance excludes Council’s cash account holdings.

For the month of September, excluding cash, the total portfolio provided a return of +0.44% (actual) or +5.43% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.36% (actual) or +4.45% p.a. (annualised). All time periods are now comfortably above benchmark returns up to 1 year as the previously held low yielding deposits coming out of the pandemic period have all matured and been reinvested at higher prevailing rates.



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 growing belief that multiple rate cuts and a global economic downturn is imminent and so locking in rates close to or above 4½% p.a. across 1–5 year tenors may provide some income protection against a lower rate environment.

As at the end of September 2024, Council’s deposit portfolio was yielding around 5.25% p.a. (unchanged from the previous month), with a weighted average duration of 210 days (~7 months). ***We commend Council for extending its weighted average duration over the past ~ 6 months, reflective of investments in some 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 September, we see value in the following:

ADI	LT Credit Rating	Term	Rate % p.a.
Rabobank	A	5 years	4.70%
ING	A	5 years	4.51%
Westpac	AA-	5 years	4.50%
BoQ	A-	5 years	4.40%
Rabobank	A	4 years	4.55%
ING	A	4 years	4.42%
Westpac	AA-	4 years	4.40%
BoQ	A-	4 years	4.35%
Rabobank	A	3 years	4.40%
ING	A	3 years	4.36%
Westpac	AA-	3 years	4.35%
ING	A	2 years	4.43%
Westpac	AA-	2 years	4.42%
Hume Bank	BBB+	2 years	4.40%
NAB	AA-	2 years	4.35%
BoQ	A-	2 years	4.35%

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.
Arab Bank	Unrated	12 months	5.00%
ICBC	A	12 months	4.92%
NAB	AA-	12 months	4.90%
Bank of Sydney	Unrated	12 months	4.90%
Westpac	AA-	12 months	4.82%
Hume Bank	BBB+	12 months	4.78%
Arab Bank	Unrated	9 months	5.05%
ICBC	A	9 months	4.98%
NAB	AA-	9 months	4.95%
BoQ	A-	9 months	4.90%
Arab Bank	Unrated	6 months	5.10%
Suncorp	AA-	6 months	5.06%
NAB	AA-	6 months	5.05%
ICBC	A	6 months	5.04%
BoQ	A-	6 months	5.01%
Arab Bank	Unrated	3 months	5.10%
NAB	AA-	3 months	4.95%
Westpac	AA-	3 months	4.93%

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 can likely yield up to, on average, an extra $\frac{1}{4}$ - $\frac{1}{2}$ % p.a. higher compared to those investors that entirely invest in short-dated deposits (under 6-9 months).

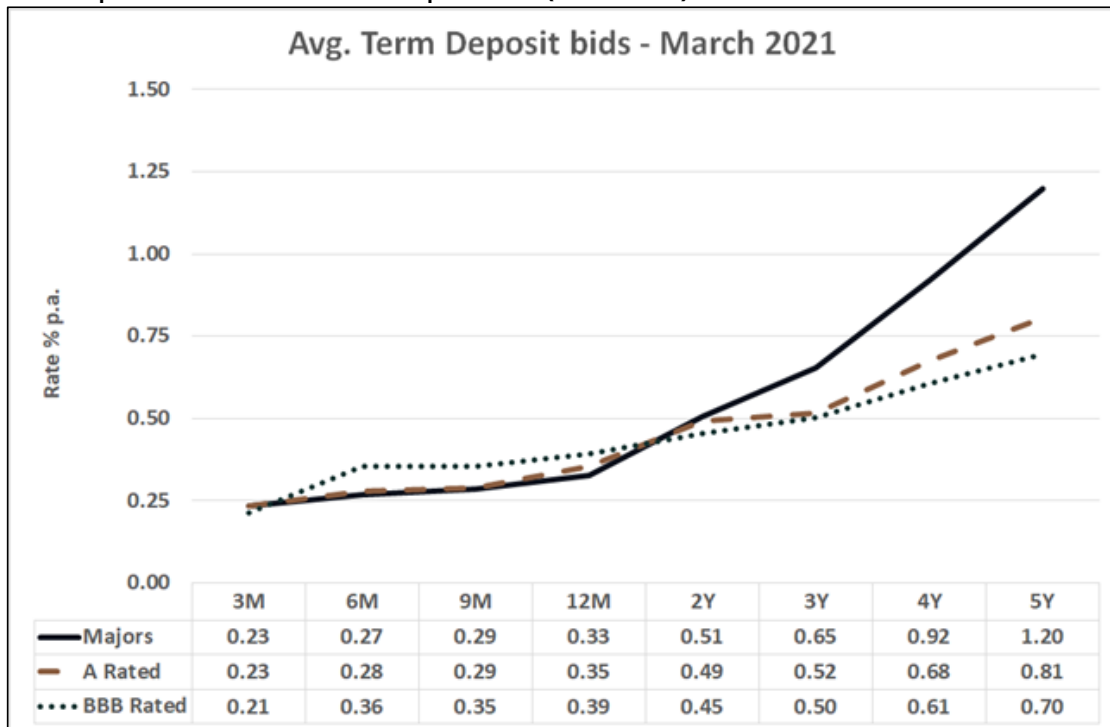
With a global economic slowdown and multiple interest rate cuts being priced over 2025, investors should strongly consider diversifying by allocating some longer term surplus funds and undertake an insurance policy by investing across 1-5 year fixed deposits and locking in rates above or close to 4½% p.a. This will provide some income protection with the RBA now potentially looking to cut rates in coming months.



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)



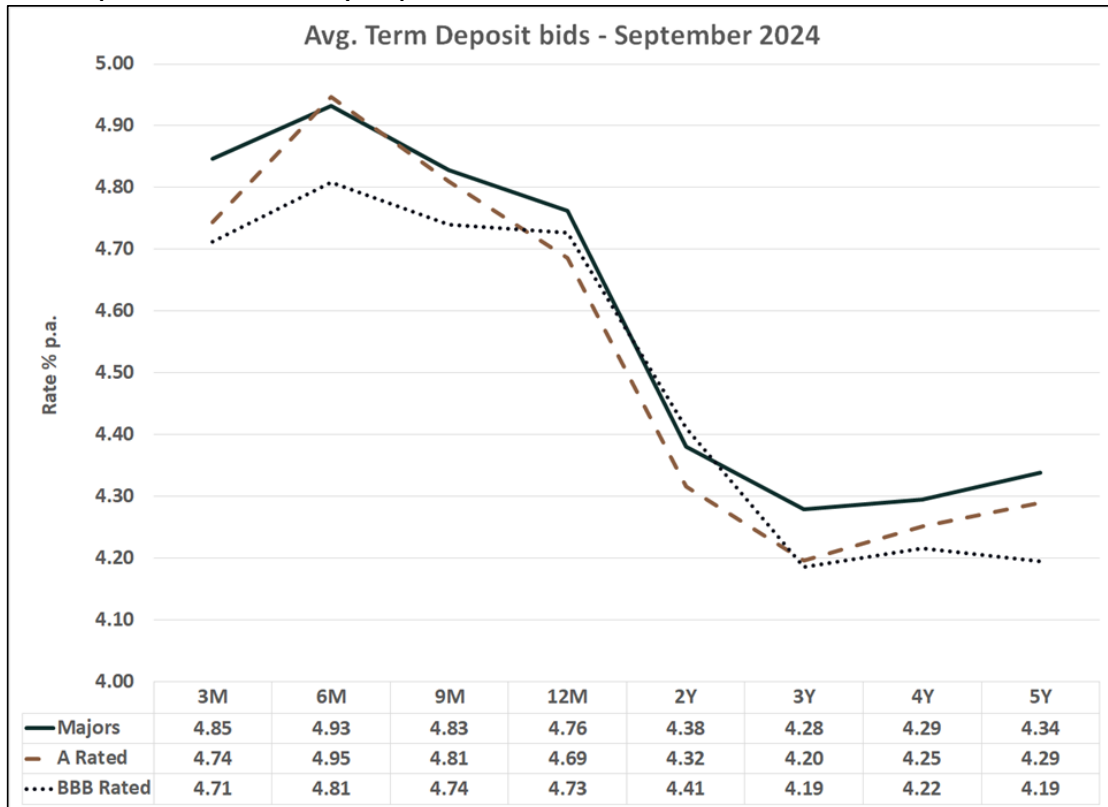
Source: Imperium Markets

The abnormal marketplace experienced during the pandemic is starting to reverse as the competition for deposits slowly increases, partially driven by the RBA’s term funding facility coming to an end. 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, although the major banks always seem to react more quickly than the rest of the market during periods of volatility:

Term Deposit Rates – Currently (September 2024)



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.

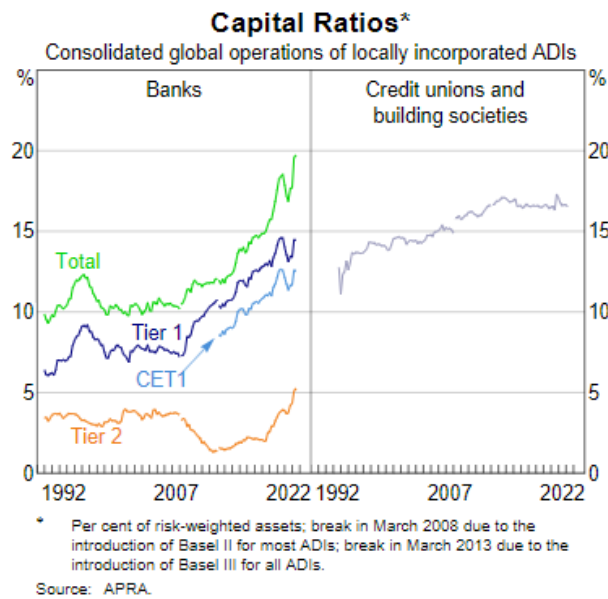
We remain supportive of the regional and unrated ADI sector (and have been even throughout the post-GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have 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 than 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.

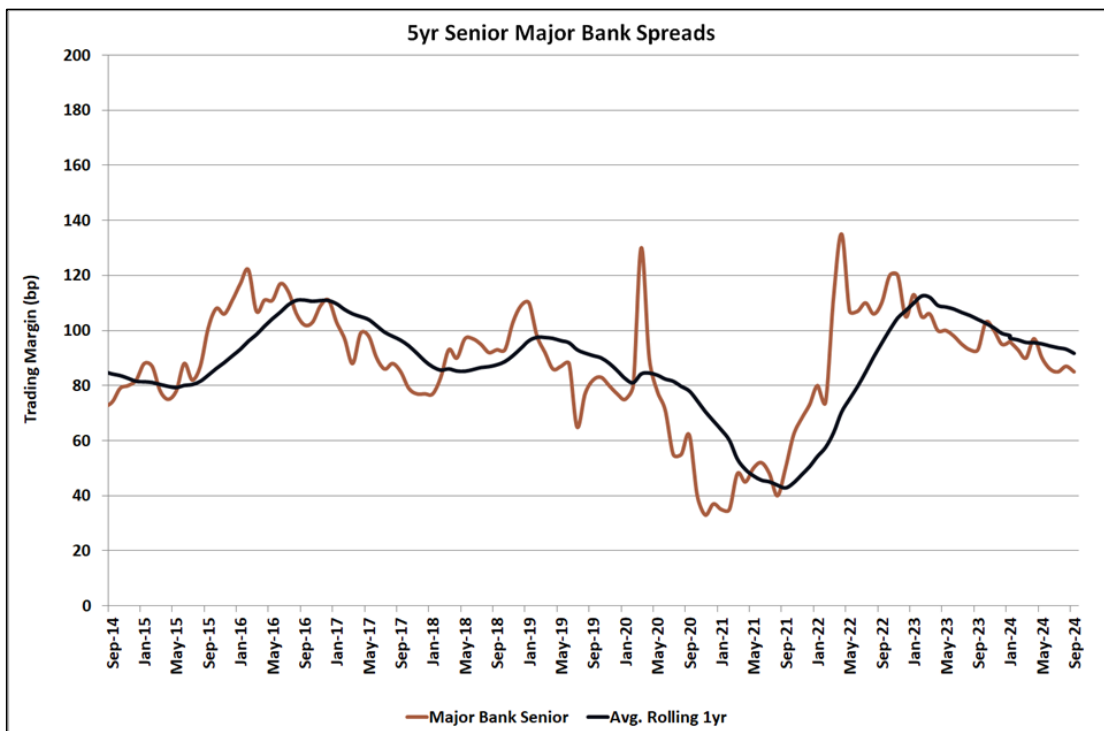
In the current environment of high regulation and scrutiny, all domestic (and international) ADIs continue to carry high levels of capital. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC and the pandemic period. APRA's mandate is to "protect depositors" and provide "financial stability".





Senior FRNs Market Review

Over September, amongst the senior major bank FRNs, physical credit securities remained relatively flat at the long-end of the curve. During the month, WBC (AA-) issued a 5 year senior deal at +85b, whilst Suncorp (AA-) issued a dual 3 & 5 year senior FRN at +74bp and +92bp respectively. Major bank senior securities remain at fair value on a historical basis although looking fairly expensive if the 5yr margin tightens to +80bp in the near future.



Source: IBS Capital

There was minimal issuance again during the month apart from:

- Auswide (BBB) 3 year senior FRN at +133bp
- AMP (BBB+) 3 year senior FRN at +127bp

Amongst the “A” and “BBB” rated sector, the securities marginally tightened at the longer-end of the curve. Overall, credit securities are looking more attractive given the widening of spreads over the past 3 years. 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), whilst also providing some diversification to those investors skewed towards fixed assets.



Senior FRNs (ADIs)	30/09/2024	30/08/2024
"AA" rated – 5yrs	+85bp	+87bp
"AA" rated – 3yrs	+66bp	+65bp
"A" rated – 5yrs	+102bp	+102bp
"A" rated – 3yrs	+82bp	+87bp
"BBB" rated – 3yrs	+127bp	+130bp

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 2026 for the "AA" rated ADIs (domestic major banks);
- On or before 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 2-3 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	1.41	1.1000%	4.35%
AU3CB0280030	BoQ	A-	Senior	06/05/2026	1.60	1.4000%	4.72%
AU3CB0299337	Bendigo	A-	Senior	15/05/2026	1.62	4.7000%	4.60%
AU3CB0296168	BoQ	A-	Senior	27/01/2027	2.33	4.7000%	4.64%
AU3CB0308955	BoQ	A-	Senior	30/04/2029	4.59	5.3580%	4.76%



Economic Commentary

International Market

In September, risk markets continued their positive momentum, welcoming the US Federal Reserve’s decision to commence their easing cycle. Other developed central banks are poised to follow or continue in the same path over coming months.

Across equity markets, the S&P 500 Index rose +2.02% over the month, whilst the NASDAQ gained +2.68%. Europe’s main indices were mixed, with positive returns in Germany’s DAX (+2.21%) and France’s CAC (+0.06%). UK’s FTSE fell -1.67% for the month.

The US Fed opted for a 50bp rate cut, which was largely expected (and it’s first cut since March 2020). Markets responded sharply, but then rowed back shortly afterwards as US Fed Chair Jerome Powell tried to downplay the significance of the move at the ensuing press conference, saying this was not a new pace, just a recalibration of policy.

The US economy added 142k jobs in August, slightly below the 163k forecast by economists. The unemployment rate was 4.2% in August, down from 4.3% in July.

US headline inflation rate was +0.2% m/m for August as expected, while core inflation came in slightly higher than expected at +0.3% m/m. The inflation rate was +2.5% y/y in August (down from +2.9% y/y in July), marking the slowest pace since February 2021.

The European Central Bank (ECB) cut rates by another 25bp to 3.50% as widely expected. An additional rate cut is expected in Q4.

The Bank of England (BoE) held rates steady at 5.00% as expected. Services inflation for August was up +0.4% to +5.6% y/y and core inflation was up +0.3% to +3.6% y/y.

Sweden’s Riksbank cut rates by 25bp as expected. The statement said that *“if the outlook for inflation and economic activity remains unchanged, the policy rate may also be cut at the two remaining monetary policy meetings this year”*.

China consumer prices rose by +0.6% y/y in August, which was below expectations as transportation, home goods prices and rents declined. On a monthly basis, CPI grew +0.4% in August, slightly lower than the +0.5% recorded in July.

The MSCI World ex-Aus Index rose +1.64% for the month of September:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	+2.02%	+5.53%	+34.38%	+10.19%	+14.12%	+11.32%
MSCI World ex-AUS	+1.64%	+5.94%	+30.56%	+7.46%	+11.44%	+8.32%
S&P ASX 200 Accum. Index	+2.97%	+7.79%	+21.77%	+8.45%	+8.38%	+8.93%

Source: S&P, MSCI



Domestic Market

The RBA kept rates on hold at 4.35% as expected. The post-Meeting Statement was broadly in line with the Governor’s recent remarks where Ms Bullock again pushed back on market pricing for near-term cuts. The Statement also noted that “headline inflation will decline for a time, [but] underlying inflation is more indicative of inflation momentum, and it remains too high”.

The Monthly CPI Indicator fell to +2.7% y/y from +3.5% y/y as expected on fuel base effects and electricity subsidies. Services inflation remained elevated at +4.2% y/y, while goods and non-tradables inflation fell, also driven by electricity.

The unemployment rate remained at 4.2% (falling from 4.24% to 4.16% at the second decimal place). Employment growth was a strong +47k. With trend employment growth steady near +40k, the labour market has been ably absorbing strong supply growth amid high participation and elevated population growth.

GDP rose by +0.2% q/q (+1.0% y/y), which was in line with consensus. Consumption was weaker than expected, while the other components were largely in line with the partials – business and dwelling investment made no contribution while net exports and public demand were key supports.

Export values rose +0.8% to \$43.8bn in July, remaining comfortably higher than pre-pandemic peak of \$36 billion, but are now well below the peak of \$55bn in June 2022 that was driven by the short-lived surge in coal export values.

Dwelling approvals bounced +10.4% higher in June (consensus +3% m/m). That more than unwinds the 6.4% fall in June.

The Australian dollar gained another +1.85%, finishing the month at US69.32 cents (from US68.06 cents the previous month).

Credit Market

The global credit indices marginally widened in September. They remain at their levels in early 2022 (prior to the rate hike cycle from most central banks):

Index	September 2024	August 2024
CDX North American 5yr CDS	53bp	50bp
iTraxx Europe 5yr CDS	59bp	52bp
iTraxx Australia 5yr CDS	63bp	64bp

Source: Markit



Fixed Interest Review

Benchmark Index Returns

Index	September 2024	August 2024
Bloomberg AusBond Bank Bill Index (0+YR)	+0.36%	+0.38%
Bloomberg AusBond Composite Bond Index (0+YR)	+0.31%	+1.21%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.43%	+0.43%
Bloomberg AusBond Credit Index (0+YR)	+0.54%	+0.93%
Bloomberg AusBond Treasury Index (0+YR)	+0.24%	+1.16%
Bloomberg AusBond Inflation Gov't Index (0+YR)	+0.63%	+0.57%

Source: Bloomberg

Other Key Rates

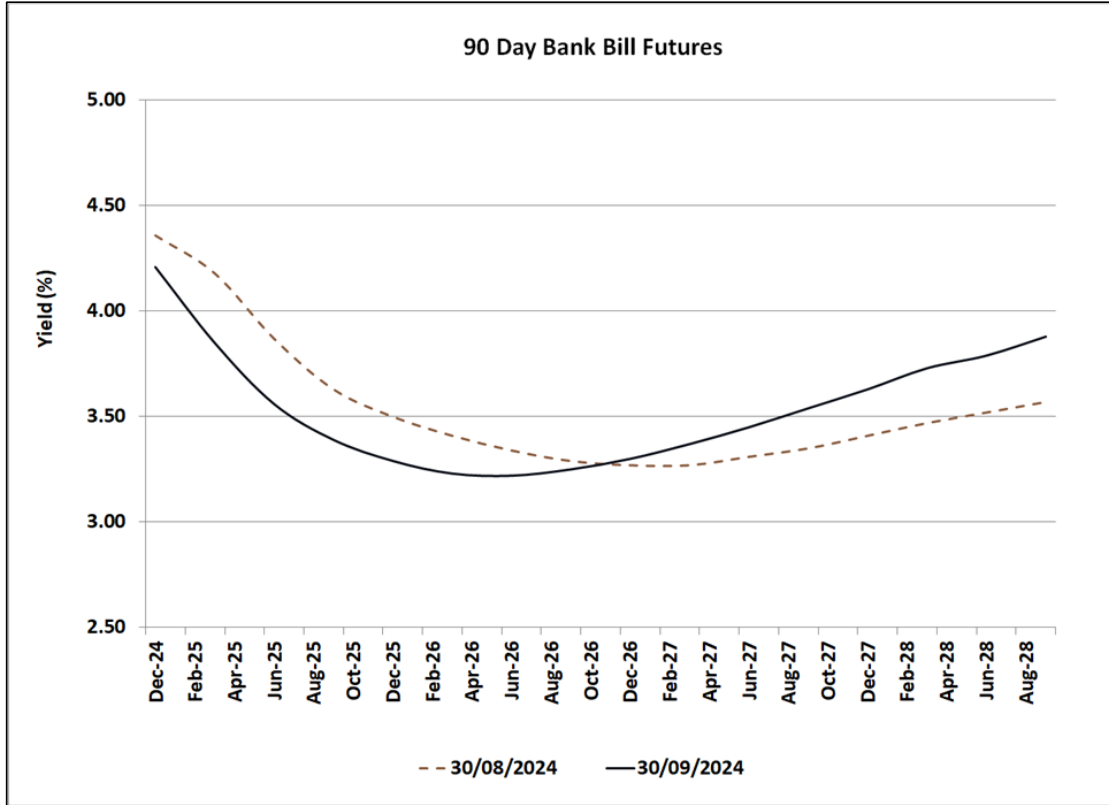
Index	September 2024	August 2024
RBA Official Cash Rate	4.35%	4.35%
90 Day (3 month) BBSW Rate	4.43%	4.39%
3yr Australian Government Bonds	3.53%	3.54%
10yr Australian Government Bonds	3.99%	3.93%
US Fed Funds Rate	4.75%-5.00%	5.25%-5.50%
2yr US Treasury Bonds	3.66%	3.91%
10yr US Treasury Bonds	3.81%	3.91%

Source: RBA, ASX, US Department of Treasury



90 Day Bill Futures

Bill futures fell at the short-end this month in response to expectations of impending interest rate cuts in early 2025.



Source: ASX

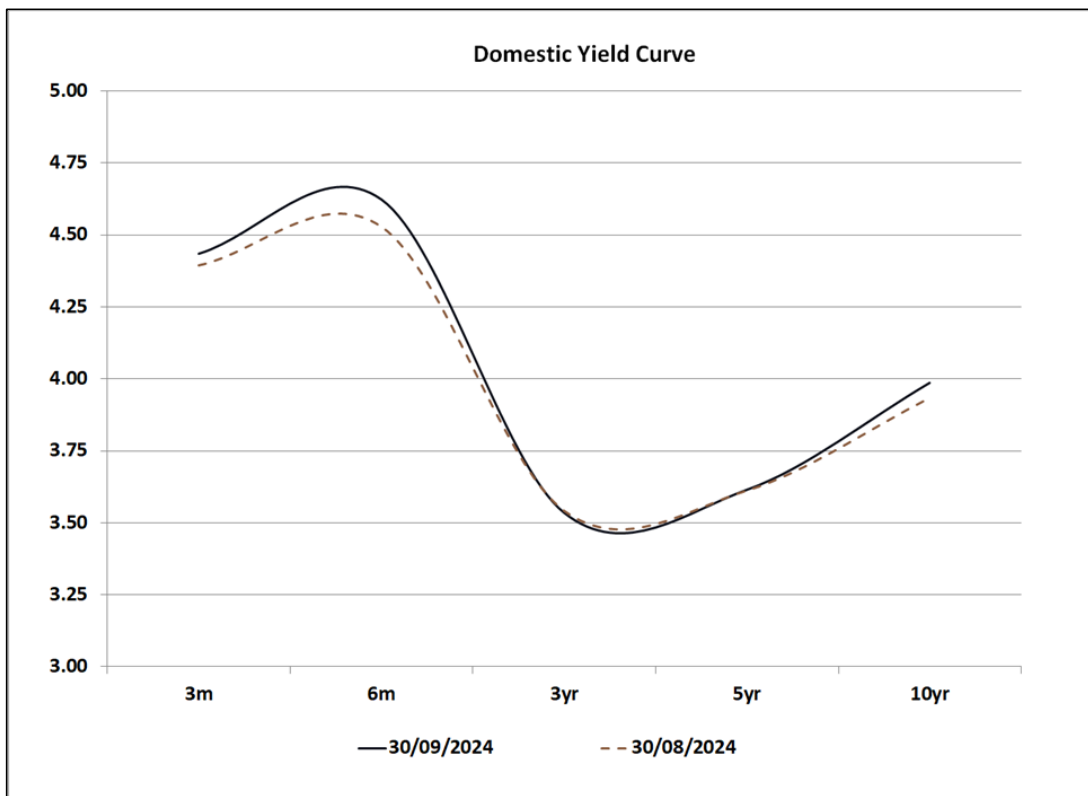


Fixed Interest Outlook

The updated US Fed dot plot shows a median rate of 4.375% by the end of 2024, implying a further 50bp of cuts out of the remaining two meetings of the year. For 2025, the median dot is for a further 100bp of cuts (to 3.375%), then a further 50bp in 2026 (to 2.875%) in 2026. This 2.875% level is also now the new Fed estimate of the 'long run' or neutral rate.

The RBA continues to push back on any immediate talks of rate cuts. Governor Bullock reiterated that official rates are not as restrictive in Australia as offshore: *"Most of those countries had official interest rates up around five or over 5% so in our judgment, we look at how restrictive some of those countries are relative to us...we're restrictive, but we think they're more restrictive than us"*.

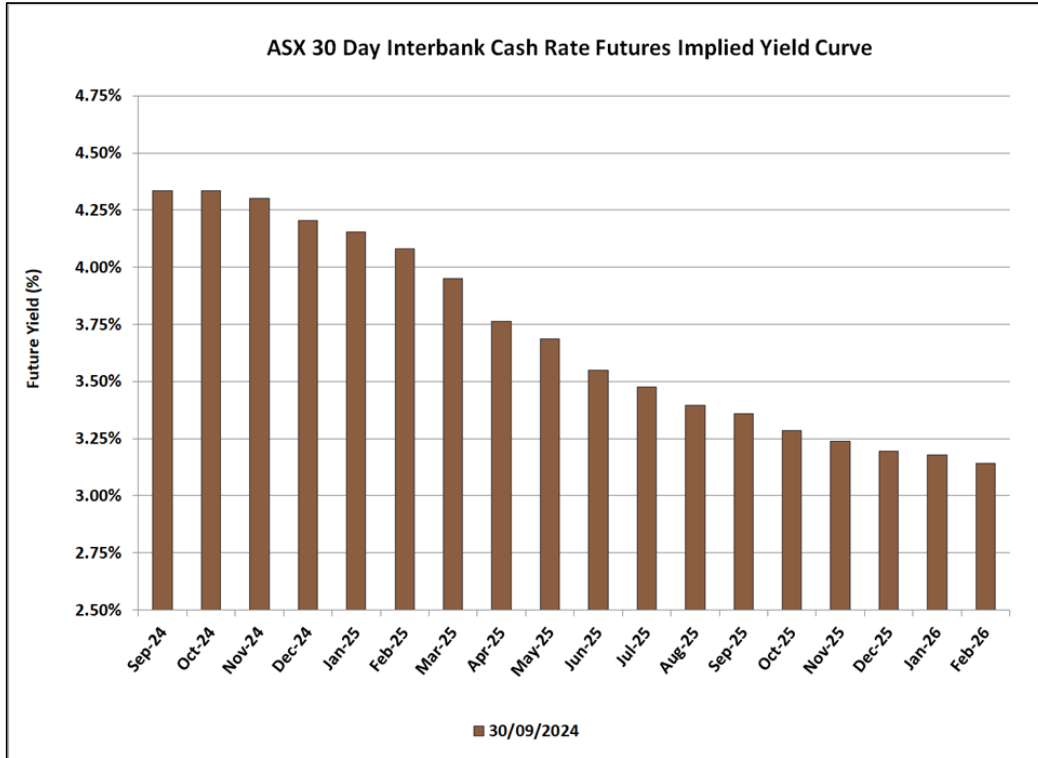
Over the month, longer-term yields remained relatively flat at the very long end of the curve (but remains an inverse yield curve):



Source: ASX, RBA



Financial markets have pushed forward their expectations of rate cuts, with the first cut pencilled in by Q1 2025, with 100-125bp of cuts priced by the end of 2025.



Source: ASX

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14.3 Half Yearly Report - Delivery Program and Operational Plan - January to June 2024

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

CSP Strategy: 5.1.5 Council delivers the functions of local government sustainably and in accordance with community expectations. All services and functions delivered by Council will be reviewed in accordance with Integrated Planning and Reporting requirements within the 4-year cycle of the council election.

Delivery Program: 5.1.5.1 The Community Strategic Plan and its associated documents are delivered in line with the Integrated Planning and Reporting Framework.

Item 14.3

Summary

This report provides an update on progress of the 2022 – 2026 Delivery Program and 2023-2024 Operational Plan for the January – June 2024 period.

Financial implication

The annual Operational Plan is aligned with the corresponding Budget process.

Risk implication

This reports details achievement of Delivery Program and Operational Plan activities. Areas which are not significantly progressed or complete may impact operational or strategic objectives.

Policy

Local Government Act 1993

Consultation (internal)

All Council departments contributed to the development of the Operational Plan and updates in this report.

Communication/Community engagement

The Delivery Program 2022-2026 and Operational Plan 2023-2024 were developed following engagement with the community and were adopted after being placed on public exhibition for 28 days.

Attachments

- 1 Half-yearly progress report on the Delivery Program 2022-2026 and Operational Plan 2023-2024 [↓](#)

Enclosures

Nil

Report of the Chief Operating Officer

14.3 Half Yearly Report - Delivery Program and Operational Plan - January to June 2024 (cont)

RECOMMENDATION

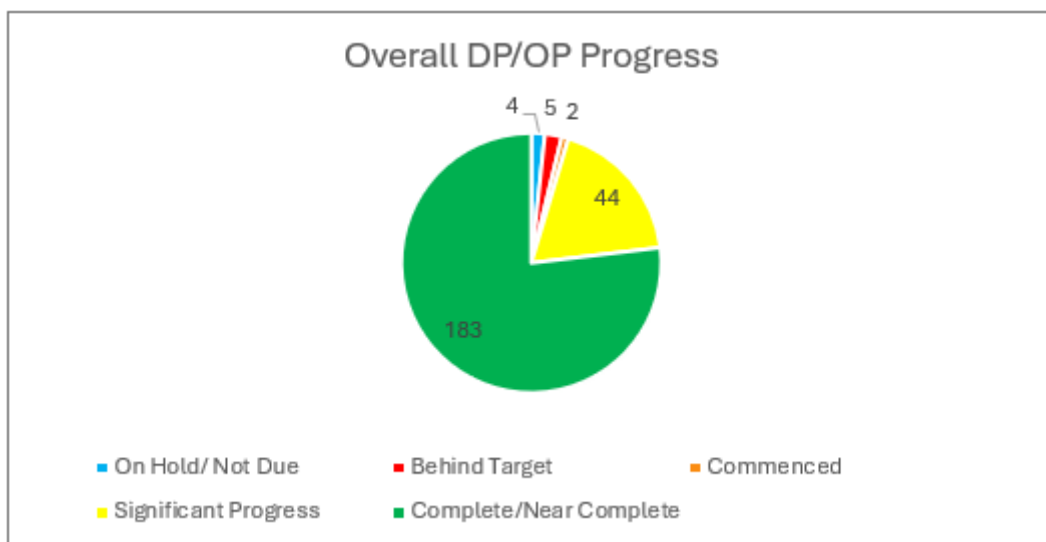
That Council receives the half-yearly progress report of the Delivery Program 2022-2026 and the Operational Plan 2023-2024 for the period January – June 2024

Item 14.3

Background

In accordance with the *Local Government Act 1993*, this Delivery Program and Operational Plan Progress Report provides Councillors and the community with information reflecting progress towards the adopted strategies of Council’s four-year Delivery Program and ten-year Community Strategic Plan.

Attached for Councillors information is the half-yearly progress report on the Delivery Program 2022-2026 and Operational Plan 2023-2024



There are a total of 238 actions (2 being duplicate actions) in the Delivery and Operational Plan (DPOP). The chart above shows:

- 77% (183) actions complete or near complete.
- 18.5% (44) actions are significantly progressed.
- 1% (2) actions have commenced.
- 2% (5) actions are behind target.
- 1.5% (4) actions are on hold or not yet due to for commencement (including 2 duplicate actions)

With 95.5% of actions either complete or having significant progress made and a further 1.5% not yet due to begin, council and our community will be able to observe, enjoy or derive benefit from the many things delivered in the 2023-24 financial year.

Report of the Chief Operating Officer

14.3 Half Yearly Report - Delivery Program and Operational Plan - January to June 2024 (cont)

Some key highlights achieved include:

- We administered a total of \$198,721.00 in grants and sponsorships to support social, cultural, sports and leisure activities, events and festivals in the Kiama local government area in this financial year.
- Seasonal Beach Patrol Program, beach access and patrol delivered for the 2023/24 season with 104 rescues carried out with zero fatalities.
- Co-convening of the Illawarra Interagency in partnership with Shellharbour City Council continued to support community organisations, agencies, associations, clubs, groups, and charities. This year saw 425 members who had activities, events, projects and services promoted to 5167 viewers via the website and blog posts. A total of 6178 members and subscribers engaged and benefited from the collective.
- Kiama CENTRAL Youth Services implemented a new program of offerings, with total participation of 1027 for the year, comprised Youth Centre 331, Holiday Programs 227 and CENTRAL Sounds 469.
- Council is proud to have a new Disability Inclusion Action Plan (DIAP) and Implementation Plan.
- Kiama Council continues to provide the community with high quality library services that are well utilised by the community. Just under 38,000 total loans were made in the last quarter, with almost 25,000 physical items borrowed. Additionally 831 Home Library visits provided vital library services to our housebound clients and their carers.
- Jamberoo Pool opened two weeks early over Summer in response to requests from community, running from 20 November 2023 – 22 March 2024, free of charge from residents. A total of 8860 visitors enjoyed the pool during this period, with the highest attendance seen during the last week of January and first week of February.
- Council proudly partnered with our First Nations community to celebrate and commemorate the achievements and contributions of our Aboriginal community. Council collaborated with Traditional Owners, Elders and community leaders to guide the planning and delivery of cultural significant events including Australia Day, National Sorry Day and NAIDOC Week programs.
- The Kiama Heritage Planning Proposal was adopted and placed in the NSW Government Gazette this quarter. This Planning Proposal introduced several additional heritage items into the LEP. It also created two Heritage Conservation Areas in the Kiama Town Centre.
- Kiama Coastline Coastal Management Program (CMP) Report has been completed and in May Council resolved to adopt the CMP. Council has written to the Minister for Environment requesting certification of the CMP. Once certification is received and published in the Gazette, Council will begin implementation of the CMP.

Report of the Chief Operating Officer

14.3 Half Yearly Report - Delivery Program and Operational Plan - January to June 2024 (cont)

-
- 24 May saw the launch of our first community battery in Kiama Downs, after collaboration with Endeavour Energy,
 - This year an amendment to the Development Control Plan (DCP) to incorporate the agritourism guidelines developed by the Department of Planning was finalised. The preparation of a Draft DCP for the Kiama South Urban Release Area was also commenced and exhibited.
 - This year Council commenced the preparation of the Growth and Housing Strategy after consultation with community. The Kiama Council's Growth and Housing Strategy will set out a clear plan to support the delivery of housing in our municipality and our region over the next 20 years. It will also identify if new housing opportunities are required, and if so, where and how these opportunities can be supplied.
 - Waste Services ran educational workshops and events aimed at reducing waste to landfill. Events included Household Bulky Waste events, 5 home composting workshops, fabric swap event, clothes swapping party, facilitation of Kiama High Schools careers day, Second-hand Saturday and household chemical cleanout.
 - Throughout the 2023-2024 reporting period, the waste collection team lifted approximately 864,000 bins across all three waste streams. The FOGO bins generated the highest tonnages demonstrating the community waste behaviors are in line with expectations.
 - Council was successful in a grant funding application for undertaking Floodplain Risk Management Strategy & Plans for Jamberoo and the Spring Creek (Kiama) catchments. These projects are scheduled to commence in 2024/25.
 - Council finalised and published its State of Our Economy Report, providing the necessary economic context and commentary for strategic and policy decisions regarding economic development. Work has also commenced towards drafting the Employment Lands Strategy which will feed into the overarching Economic Development Strategy.
 - Council's Economic Development staff successfully delivered the Careers at Council program, which saw 80 students from Kiama High School experience work in different functional areas within council. We also facilitated discussions between NSW department of education's head teacher careers and council's HR team to update our work experience program.
 - The Destination Event Funding Program enabled Council to support a total of 23 local events in 2023-24 over three rounds. The total amount of the grants equated to \$122,600.
 - Kiama was successful in winning the NSW Top Tourism Town Award in 2024, a tribute to our effective marketing and visitor experience offering.
 - Our major tourism marketing campaigns have seen pleasing results with the annual tourism as at March 2024 increased to \$330 million (up \$52M).

Report of the Chief Operating Officer

14.3 Half Yearly Report - Delivery Program and Operational Plan - January to June 2024 (cont)

-
- Service review of the Pavilion is currently underway with an expected completion time of June 2024. A variation to the initial scope has been requested and will be completed and reported on in quarter two 24/25
 - During the year an Agritourism Development Control Plan (DCP) chapter was finalised and adopted by Council and is now included in the DCP.
 - A Development Assessment Process Policy has been drafted and exhibited this year. It is envisaged that this will be reported back to Council for adoption early in the next financial year.
 - A total of 827 Planning Certificates were issued over the annual period with an average processing time of 2.5 days, and 92.6% of certificates issued within 3 business days, which exceeds the performance target.
 - Footpath maintenance program is on track and all CRMs responded to within agreed timeframes. Jamberoo cycleway extension is in detail design phase.
 - The funding agreement for the \$4.5m Infrastructure Betterment Program is being finalised after clarifications of works scopes with the funding agency and the application of additional funds to improve the deliverables for the community.
 - Our Long-Term Financial Plan was revised and adopted by the Council on June 27, 2024.
 - The implementation of monthly and quarterly financial reporting adhered to financial reporting standards. The preparation of annual financial statements is now conducted in accordance with statutory timeframes.
 - The divestment program is continuing. The Akuna Street car park sale process was settled in November 2023 for \$5.5 million (ex GST) and the 22b Irvine Street site was settled the last quarter of the year for a total sale price of \$1.225m.
 - Blue Haven operations continue to be of a high standard. RACF accreditation action plan implemented, ACQSA reaccreditation achieved with all previously unmet criteria addressed.
 - 23/24 FY annual reporting completed in October 2023. Half yearly reporting on Delivery Program completed, 24/25 Operational Plan reviewed and endorsed by council June 2024.
 - Council's new Community Engagement Strategy has been adopted by Council. The new Committee framework, as adopted by Council, has also been in place for a number of months and is nearing the end of this term of Council.
 - In Q3, Council ran a campaign to subscribe to Kimunico (council's public-facing monthly e-newsletter), the campaign saw an uptick of almost 25% in subscriber numbers, which was 1,065 at end June 2024, The Kimunico average open rate was 58% for the reporting period of FY23-24.
 - Complaints handling policy endorsed January 2024. Refresher code of conduct training commenced in Q3. Code of Conduct review commenced Q4 in anticipation of new council.

Report of the Chief Operating Officer

14.3 Half Yearly Report - Delivery Program and Operational Plan - January to June 2024 (cont)

- Service review program developed and approved by council. Council now has a dedicated Implementation Team to oversee this work.
- Strategic Finance & Governance Improvement Plan was approved by Council in June 2024, documenting Council's plan for addressing the updated Performance Improvement Order.

Activities not commenced/behind target.

The tables below reflect the actions that have not commenced or are behind target (3.5%) in this period, duplicate actions not commenced have not been listed in the table below.

Code	Action	Comment
2.4.1.1.3	Update Development Control Plan and Policy frameworks to reflect State government policy direction on resilience and natural disasters.	This action has not commenced. It will be informed by the completion of the Kiama Coastal Management Plan and work being undertaken by the ISJO on natural hazards and the best practice management and resilience to them in the region.
3.1.4.1.1	Develop an agricultural lands strategy.	Council is yet to develop an agricultural lands strategy. This will likely commence following the finalisation of the Housing and Growth Strategy in the next financial year.
4.3.2.2.4	Review priority actions from Draft Traffic and Parking Study for Kiama Town Centre for further investigation and action including paid parking options.	Significant resourcing issues for the delivery of urgent priorities such as managing a series of storm events in April/May and the resulting reconstruction efforts as well as the unexpected departure of several key staff has significantly delayed this project.
5.2.4.1.1	Develop a suite of community indicators to enable council to measure how effectively we are working towards the objectives of the Community Strategic Plan.	Rather than developing a suite of indicators for Kiama Council, we will aim to participate in the Local Government Professionals Performance Excellence Program which include the Comparative Council Analysis Tool (CCAT). The CCAT gives councils the ability to sub-segment results at a deeper level, so they are able to benchmark across clusters of councils with a similar size or characteristics. The next program commences July 2024, so this action will not be completed this year.

Report of the Chief Operating Officer

14.3 Half Yearly Report - Delivery Program and Operational Plan - January to June 2024 (cont)

Code	Action	Comment
5.3.1.1.5	Implement Human Resources (HR) module of TechnologyOne program.	The final HR modules remain outstanding as IT and project resources were unable to be allocated this period for HR modules of Technology One.
5.3.2.1.5	Establish a Project Management Office (PMO) that supports continuous improvement and oversight of projects across all areas of Council.	Council has prioritised an Implementation team to focus on Performance Improvement or, Service Review program, Governance and Legal consolidation, in lieu of a Project Management Office for this period.

Item 14.3



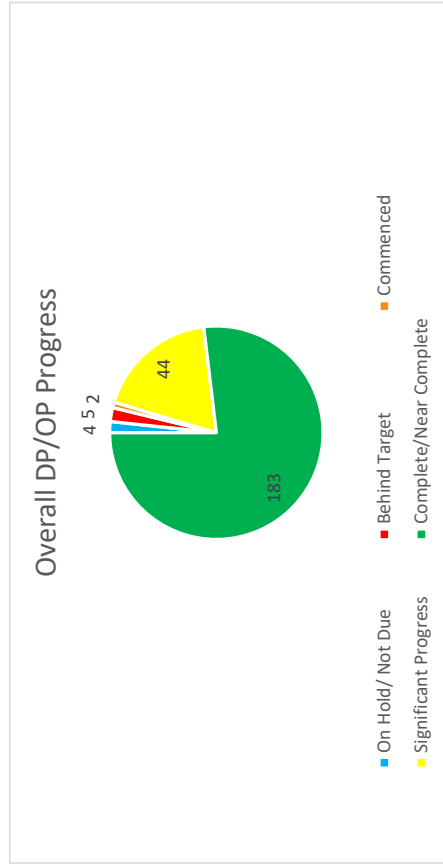
Delivery Program Operational Plan 2023- 2024 January – June Report

How to read this report

Term used in the plan	Cascading Code e.g.	What this term means.
Pillars	1	Pillars reflect the aspirations of the community, supporting the Community Vision. Our Community Vision and aspirations have been grouped into five key headings.
Outcomes: Where do we want to be?	1.1	Outcomes are the goals we aim to achieve and are linked to the focus areas of the vision. They are numbered as 1.1, 1.2 and so on.
Strategies: How will we get there?	1.1.1	Strategies are how we will achieve the outcomes. They reflect the 2022-2032 Community Strategic Plan (CSP). They are numbered as 1.1.1, 1.1.2 and so on.
Delivery Plan: 4-year strategy	1.1.1.1	How will Council contribute to delivering the vision of the CSP? They are numbered 1.1.1.1, 1.1.1.2 and so on.
Operational Plan	1.1.1.1.1	What actions are Council doing to contribute to the Delivery Program outcomes? They are numbered 1.1.1.1.1, 1.1.1.1.2 and so on This report provides an update and status on each action as per the legend below

Activity Status Legend	
	90% + Complete or Near Complete
	50% to 89% Significant Progress
	10% to 49% Commenced
	10% or less Behind Target
	0% Not yet due/ No longer relevant

Half Yearly Performance Summary



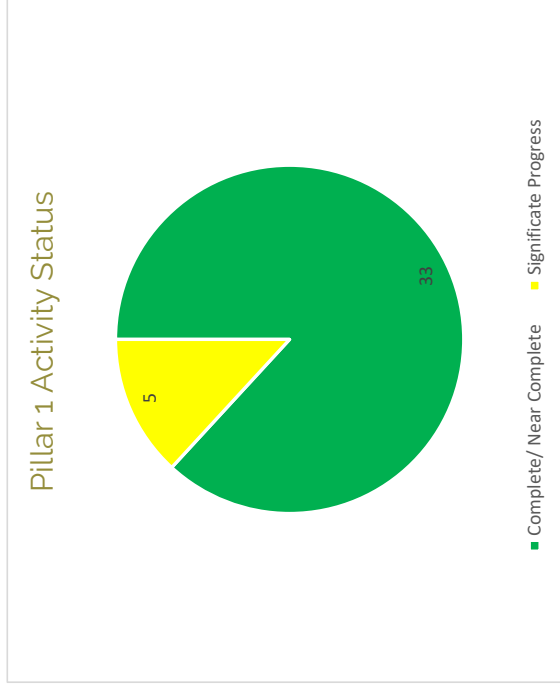
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- 1% (2) actions have commenced.
- 2% (5) actions are behind target.
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Pillar 1 | Community We belong and contribute.

Highlights

- We administered a total of \$198,721.00 in grants and sponsorships to support social, cultural, sports and leisure activities, events and festivals in the Kiama local government area in this financial year.
- Seasonal Beach Patrol Program, beach access and patrol delivered for the 2023/24 season with 104 rescues carried out with zero fatalities.
- Co-convening of the Illawarra Interagency in partnership with Shellharbour City Council continued to support community organisations, agencies, associations, clubs, groups, and charities. This year saw 425 members who had activities, events, projects and services promoted to 5167 viewers via the website and blog posts. A total of 6178 members and subscribers engaged and benefited from the collective.
- We have also delivered an exciting new initiative- incorporating art in unexpected places including bin shelters as a mean of showcasing artwork beyond the gallery walls. We also highly anticipate the acquisition of two new murals in Kiama as part of the Winter Festival program.
- Kiama SENTRAL Youth Services implemented a new program of offerings, with total participation of 1027 for the year, comprised Youth Centre 331, Holiday Programs 227 and SENTRAL Sounds 469.
- Council is proud to have a new Disability Inclusion Action Plan (DIAP) and Implementation Plan.






- Kiama Council continues to provide the community with high quality library services that are well utilised by the community. Just under 38,000 total loans were made in the last quarter, with almost 25,000 physical items borrowed. Additionally 831 Home Library visits provided vital library services to our housebound clients and their carers.
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- Council proudly partnered with our First Nations community to celebrate and commemorate the achievements and contributions of our Aboriginal community. Council collaborated with Traditional Owners, Elders and community leaders to guide the planning and delivery of cultural significant events including Australia Day, National Sorry Day and NAIDOC Week programs.
- The Kiama Heritage Planning Proposal was adopted and placed in the NSW Government Gazette this quarter. This Planning Proposal introduced several additional heritage items into the LEP. It also created two Heritage Conservation Areas in the Kiama Town Centre.

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.

1.1.1 Provide spaces, services and initiatives that foster a proud, inclusive, and connected community for all.

1.1.1.1: Review Council's Arts and Cultural Strategy and policy framework and implement priority actions.


Code	Action Name	Responsible Officer Directorate	Comment	Progress	Traffic Lights
1.1.1.1.1	Review Kiama's Arts and Culture Strategy (BIS) and update priorities and actions.	Planning, Environment and Communities Directorate	Kiama Council is working towards a new Cultural Plan for 2025. Priorities and actions will be determined by the community engagement sessions to be delivered in July and August 2024 to key external stakeholders including artists and creatives. In May, Council facilitated a Key Internal Stakeholder workshop with Council staff. This session identified focus areas and a discussion of aspirations and priorities that we will use to inform external consultation sessions.	75%	
1.1.1.1.2	Manage and support council owned exhibition spaces, including the old fire station and libraries, to provide ongoing support for the creative industry.	Planning, Environment and Communities Directorate	For the April to June period the Old Fire Station hosted 14 exhibitions. This period attracted approximately 8,000 visitors to the space. The Old Fire Station exhibition space continues to be a popular gallery destination for artists and visitors alike. The GLaM gallery also continues to grow in popularity. We	100%	

Code	Action Name	Responsible Officer Directorate	Comment	Progress	Traffic Lights
1.1.1.13	Implement Council's Grants and Donations Policy and Programs.	Planning, Environment and Communities Directorate	<p>have also provided a range of other creative programs and initiatives to foster an inclusive and connected community. These include:</p> <ul style="list-style-type: none"> Library school holiday programs and the "Makers & Creators" program "Paint a Poppy" workshop resulting in 28 poppy paintings on display within Council Chambers and the "Art for Anzacs" Exhibition Painting Seascapes with Heather Philpott at the GLaM Gallery (sold out with a waiting list) Delivered a stream of Professional Development workshops ("The Creative Edge") in partnership with South Coast Arts and Shellharbour Council. These included the Panel Network Event; Writing Artist Statements & Bio's; Right's & Responsibilities of the Artist (NAVA presented); The Act of Negotiation. A new curatorial theme around the town- "Art in unseen spaces" to showcase artwork beyond the gallery walls. 	100%	

Code	Action Name	Responsible Officer Directorate	Comment	Progress	Traffic Lights
1.1.1.1.4	Review Council's current Art collection and de acquiesce works as required by the review findings.	Planning, Environment and Communities Directorate	<p>rounds of grants including two rounds of Signature Community Events, two rounds of Small Community Events, two rounds of Destination Events Funding and provision of funding under Donations and Sponsorship programs throughout the year.</p> <p>Council administered a total of \$198,721 this financial year supporting social, cultural, sports, leisure, events and festivals across the Kiama LGA:</p> <p>Destination Events Funding \$122,600 Signature Community Events \$40,000 Small Community Events, Donations and Sponsorship \$36,121</p> <p>All grants programs were concluded by March 2024, with focus in April – June on processing of a number of donations.</p> <p>This year Council has a new framework of policies and procedures for our public art and permanent art collection. We have also delivered an exciting new initiative- incorporating art in unexpected places including bin shelters as a mean of showcasing artwork beyond the gallery walls. Two new street art pieces were created in Kiama as part of the Winter Festival program.</p> <p>The following procedures and policies were endorsed and adopted by Council on 19 April 2024:</p> <ul style="list-style-type: none"> • Public Art Procedure • Public Art Policy • Art Collection Procedure (Art Acquisition and Deaccession) 	95%	

Code	Action Name	Responsible Officer Directorate	Comment	Progress	Traffic Lights
			<ul style="list-style-type: none"> Art Collection Policy. 		


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.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.1.1.2.1	In partnership with Shellharbour Council, convene and manage the Illawarra Inter-agency.	Planning, Environment and Communities Directorate	<p>Council continued to co-convene the Illawarra Interagency, in collaboration with the Shellharbour City Council.</p> <p>The Illawarra Interagency supports community organisations, agencies, associations, clubs, groups, and charities to meet, network, build capacity, collaborate and take action, delivered through bi-monthly in-person or online meetings, networking events or training. During this period, the Illawarra Interagency offered its members opportunities in capacity building, networking and professional development, with themed meetings and events a traditional Yarning Circle, a presentation from the Community Industry Group peak body and a Networking Event.</p> <p>Approximately 425 interagency members participated in meetings, provided over 40 blog posts to its 424 subscribers, promoted Illawarra based activities, events,</p>	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.1.1.2.2	Develop and implement a strategy and policy framework which encourages and supports volunteers to work with Council on a range of programs and activities.	Planning, Environment and Communities Directorate	<p>projects and services to 5,167 viewers. The interagency newsletter has around 590 subscribers that share news and information online. A total of 6,178 members and subscribers engaged and benefited from this collective.</p> <p>Due to staffing changes, the convening of the interagency needs to be reviewed and task reallocated.</p> <p>An active library volunteer program and policy has been established and is operating effectively including Friends of Kiama Library, volunteer staff in the Family History Centre and volunteer staff within the library who support service provision.</p>	100%	

1.1.1.3: Partner with the community and our stakeholders to develop a Youth Engagement Strategy and Action Plan.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.1.1.3.1	Develop a youth engagement strategy and action plan.	Planning, Environment and Communities Directorate	<p>Development of a standalone youth strategy and action plan was postponed with the view to conduct a review of SENTRAL Youth Service programs and activities in line with the 'The Early Intervention' grant funding and the revised vision for the Community Hubs team, aimed at a holistic and coordinated approach to service provision. The SENTRAL Youth Services and Community Development are combined to leverage on partnerships and build natural alignment of service planning and</p>	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.1.1.3.2	Partner and reimagine our youth services, using our assets as the hub for youth engagement and activity.	Planning, Environment and Communities Directorate	<p>delivery across the youth and community sectors. A Community Development Strategy inclusive of actions that respond to needs and interests of all target groups, including young people is under development for completion late 2024.</p> <p>The SENTRAL Youth Service program and engagement activities have been revitalised, responding to identified and changing needs and based on feedback from young people.</p> <p>Key improvement areas include:</p> <ul style="list-style-type: none"> Combine youth services team with the Community Development team to break down silo practices, leverage on broader community networks and partnerships, and improve internal processes to enable youth workers focusing on direct service provision. Refining objectives such as Drop-In, recording studio, outreach program and school partnership. Introduction of workshops and training to the program delivery. Review and updating procedures for advocacy, referral and partnership. Building new partnerships based on recommendations from the White Paper. <p>The new program offerings include:</p>	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.1.1.3.3	In partnership with Libraries and Cultural Hubs, develop and implement an annual program of activities and events to support young people in our Local Government Area (LGA).	Planning, Environment and Communities Directorate	<ul style="list-style-type: none"> Weekly outreach programs and activation of community halls, commencing at Jamberoo and Gerrigong. Revised drop-in program on Wednesday to cater for two specific age groups: 1) year 7-12 age group and 2) 18+ age group. Monthly CENTRAL Sounds at various locations across the LGA. Weekly school outreach program, to strengthen relationship and collaborations. Planned for transition to high school workshops for primary schools - commencing in 2024 term 3-4. School holiday programs each term, designed and driven by young people. Information and referral services. <p>Overall participation numbers have been 1027: Youth Centre programs: 331. Holiday Programs: 227 and CENTRAL Sounds: 469.</p> <p>A number of youth events have been held in our libraries including musical gigs. The events have been facilitated by young members of our community with youth contributing to the organisation and management of the events and playing in the bands. The library gigs have provided young people with the opportunity of appearing in their first live gig in a safe and welcoming space amongst family and friends.</p>	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			Library staff have also met with SENTRAL Youth Services staff to plan activities for the next six-month period.		

1.1.1.4: Improving the livability of Kiama for those with diverse backgrounds and abilities.



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.1.1.4.1	Implement the priority actions of the Council's Disability Inclusion Action Plan.	Planning, Environment and Communities Directorate	<p>Council is proud to have a new Disability Inclusion Action Plan (DIAP) and Implementation Plan. Key focus areas of the DIAP are positive community attitudes and behaviours, livable communities, meaningful employment and better systems and process.</p> <p>The DIAP is a four-year plan that outlines actions Council will undertake to improve access and inclusion for people with a disability, including:</p> <ul style="list-style-type: none"> • Accessibility improvements to Council community facilities and public spaces, pathways, website, events. • Consult with people with a range of disability types on matters of importance and create opportunities to participate in decision making. • Deliver accessible community events and programs. 	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.1.1.4.2	Review with the intent to improve our halls and community facilities usage, asset maintenance, program offerings and support for Council and community purposes.	Planning, Environment and Communities Directorate	<ul style="list-style-type: none"> Provide training to staff and community. <p>Council is continuously taking steps to improve and ease participation of people with a disability to our service, facilities and programs. Examples include improvement to our public spaces through upgrade of facilities and infrastructure, ensuring accessible events and programs through provision of accessible amenities, transport, sensory tent and parking and providing opportunities to have a say on Council's plans and strategies through our Community Engagement Strategy.</p> <p>Council has a network of six community halls, distributed across the municipality, which comprise of older style and single purpose facilities.</p> <p>An assessment of Council halls, including their current asset condition and utilisation status were undertaken which identified a number of gaps and opportunities for improvement. Key areas for consideration found to be the underutilisation, maintenance status and the absence of a long-term vision for the assets. A number of recommendations and options have been put into place to increase activation, renewal, management and operations.</p> <p>Led by Technical Services, the procurement to engage consultants for the renewal of Joyce Wheatley Community Centre has commenced.</p> <p>A marketing strategy implemented to promote the facilities and community halls are included in Council's</p>	95%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.1.1.4.3	Undertake an assessment of all Council owned halls and community facilities to determine asset status and required needs to improve maintenance and usage.	Planning, Environment and Communities Directorate	<p>new online booking system as of June 2024. A 2-year activation plan will be developed in 24-25 FY.</p> <p>Council's new Disability Inclusion Action Plan (DIAP) includes actions to improve accessibility and increase utilisation of community facilities.</p> <p>Council has a network of six community halls, distributed across the municipality, which comprise of older style and single purpose facilities.</p> <p>A high-level assessment of Council halls was undertaken which identified some gaps and opportunities for improvement, including underutilisation, maintenance status and lack of a long-term vision for facilities. It recommended options to increase activation and a plan for management and operation of halls. A marketing strategy implemented, the online booking commencing from June.</p> <p>Despite ageing facilities, Council continues to maintain them as safe, accessible and welcoming place for community to meet and take part in activities and programs.</p> <p>Council will develop a 2-year activation plan in 24-25 FY and will conduct further investigation into renewal and upgrade works. Led by Technical Services, the procurement to engage consultants for the renewal of Joyce Wheatley Community Centre commenced.</p>	95%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			Council's new Disability Inclusion Action Plan (DIAP) includes actions to improve accessibility and increase utilisation of community facilities.		

1.1.1.5: Support micro-businesses, local markets, local and regional events ongoing activities to contribute to a sense of belonging and connectedness.



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.1.1.5.1	Utilise events to create opportunities for connections, volunteering, skill development and collaborative partnerships throughout our communities.	Chief Executive Officer	The Kiama Visitor Information Centre has ten active volunteers that assist with day-to-day activities. The Destination Event Funding Program enabled Council to support a total of 23 local events in 2023-24 over three rounds. The total amount of the grants equated to \$122,600. Along with this financial and in-kind support, the Tourism and Events team assist event owners and organisers to produce planning documentation and navigate approvals and permit requirements based on the needs of the event. The actions of the Grants and Sponsorship audit have been enacted with a Policy in place, new guidelines developed, and an internal assessment panel formed to assess applications against criteria and deliver recommendations to Council.	100%	
1.1.1.5.2	Provide opportunities for focused industry development and	Chief Executive Officer	'Tourism After Hours' continues to be well attended by Destination Kiama partners. The Above and Beyond Award	100%	


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
	capacity building, fostering excellence and quality in our local service offering.		continues to highlight exceptional local service within our community and The monthly 'Buzz' newsletter delivers information to industry and stakeholders regarding skill development opportunities and grants and Council partnered with the Kiama Community College to deliver Business Bootcamp and Canva for marketing. 231 partners this financial year demonstrates the strong support from the local industry and trust in the Destination Kiama program.		


Outcome 1.2 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.

1.2.1 Provide facilities that enable us to participate in social, cultural, recreational and sports activities, no matter our background, ability or age

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.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.1.1.1	Review and update Library Strategy.	Planning, Environment and Communities Directorate	A Public Library Consultant from the State Library of NSW has conducted a tour of our libraries and provided a library assessment report which was presented to Council at the April 2024 meeting. Jan Richards Consulting has been engaged and has commenced working with the library team and the Director of Planning, Environment and Communities in the development of a Library Strategic Plan. The project is on track to be completed by September 2024.	80%	
1.2.1.1.2	Provide and maintain a high-quality library collection.	Planning, Environment and Communities Directorate	671 new items were processed to refresh our collections and our regular deselection program removed 1,025 items 24,422 physical items borrowed across both our libraries as well as 13,447 digital items consisting of e-book, e-audio and e-magazines giving a total of 37,869 loans in the April - June quarter.	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.1.1.3	Deliver quality digital and online library services to the community.	Planning, Environment and Communities Directorate	<p>We currently have 28 active book club members utilizing our 87 book club kits.</p> <p>A collections survey was distributed to the community with 100 responses being received. The overall rating for our collections were 3.9 out of 5 with 1 being the lowest and 5 being the highest. Adult fiction was rated a 4 by the respondents and 3.7 for both the adult non-fiction and large print collections.</p> <p>831 Home Library visits were made during the year providing vital library resources to our frail, elderly housebound clients and their carers.</p> <p>In the April – June quarter:</p> <ul style="list-style-type: none"> 13,447 digital resources have been borrowed across e-book, e-audio and e-magazine. 4,344 subscribers to our newsletter which was distributed 3 times this quarter. The library website had 31,085 page views 4,153 hours of internet has been used across both libraries by 2433 users and our public access computers provided 882 hours by 1258 users. <p>Our libraries continue to extend our reach beyond the physical walls of our building providing access to online resources such as e-books, e-audio, e-magazines as well as databases for research, education and lifelong learning. A recent Collection Survey indicated that over 44% of respondents used our online collections. Our website remains a vital point of contact for the</p>	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.1.1.4	Make library heritage collections available online.	Planning, Environment and Communities Directorate	<p>community providing information about our programs, services and activities.</p> <p>A daily schedule of social media posts provide engaging content which highlights the different aspects of our service.</p> <p>The most popular posts include #bookfacefriday where we highlight the latest titles in our collection and #throwbackthursday featuring local history images and content.</p> <p>Our public PC's and Wi-Fi access continue to be a well utilized resource within our libraries and play a critical role in closing the digital divide in our community.</p>	100%	
1.2.1.1.5	Provide early literacy programs and events that meet guidelines and standards and outcome measure for Australian Public Libraries.	Planning, Environment and Communities Directorate	<p>In April – June:</p> <ul style="list-style-type: none"> 44 early literacy session were held with 857 attending. 	100%	


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			<ul style="list-style-type: none"> 11 school holiday activities were also held attracting 187 participants. Grant funding received from NSW Veterans Affairs provided the opportunity for children to engage with a returned veteran and local artist to paint a poppy for the Art for Anzacs exhibition held in the Council Chambers. <p>The range of early literacy programs the library offers has grown to include an extra fortnightly Baby Story Time session and fortnightly Toddler Tales at Gerringong Library. These programs as well as the weekly Preschool Story Time sessions in both libraries teaches children important preliteracy skills and fosters a lifelong love for reading and storytelling.</p>		

1.2.1.2: Partner with the stakeholders to develop a Strategy for Open Spaces and Recreation Places within the Kiama Local Government Area.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.1.2.1	Finalise and implement Open Spaces and Recreation Strategy.	Infrastructure and Liveability Directorate	<p>The draft Open Space and Recreation Strategy is progressing. The strategy will be reported to Council in late 2024 for endorsement and then will be placed on public exhibition for community comments.</p> <p>Work has been progressing well on other grant funded</p>	70%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			projects alongside the Strategy including Masterplans for Open Space.		

1.2.1.3: Manage and maintain the safe operation of a seasonally used outdoor pool in accordance with legislative obligations.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.1.3.1	Manage and maintain the safe operation of a seasonally used outdoor pool at Jamberoo in accordance with statutory obligations and community expectations. Lifeguard recruitment, identify risks and implement relevant safety actions to meet statutory obligations.	Planning, Environment and Communities Directorate	The seasonal outdoor pool at Jamberoo was opened from 20 November 2023 to 22 March 2024. In response to community request for early opening, the pool was opened two weeks ahead of schedule in anticipation of higher temperatures. The pool continued to have a lifeguard on duty during opening hours and free of charge to residents. The total number of visitors were 8,860 people with the highest attendees recorded in final week of January and the first week of February. The Plant maintenance works were scheduled weekly. One sand filter was replaced during this season. A total of three unscheduled closures occurred due to weather conditions and staff shortages. All risks and issues were effectively managed, and operations were in compliance with established procedures.	100%	


1.2.1.4: Manage Leisure Centre services and administration for members and guests and provide fitness programs, classes and gym using purpose-specific equipment and a clean and safe environment.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.1.4.1	Manage and maintain the safe operation of leisure centre services including indoor aquatic facility, swim and fitness programs, sports hall and gym.	Planning, Environment and Communities Directorate	The pool and plant maintenance schedule were adhered to on a weekly and monthly basis as per the center's protocols. All pool testing outcomes were documented to adhere to the regulations set by the NSW health department, ensuring that the required standards for public swimming pools were met. Any identified risks or faults were promptly addressed, with repairs carried out in a timely manner to guarantee public safety. Incident reports were completed, actioned, and forwarded to the Council's risk management team for evaluation. Incidents were evaluated to identify potential enhancements/ repairs for our facility.	100%	
1.2.1.4.2	Undertake service level review of Leisure Centre.	Chief Executive Officer	The Service Review of the Kiama Leisure Centre is complete. This review has been reported to Council and to other Committees of Council for noting and endorsement. An implementation plan has been developed and a draft strategy is also in place to enable the recommendations of the review to be actioned.	100%	
1.2.1.4.3	Leisure Centre Services and programs provision considering all risks and meet a wide range of needs.	Planning, Environment and Communities Directorate	The Kiama Leisure Centre provided diverse program to its members and visitors including swimming lessons, group fitness classes, gym and personal training and child minding. These programs were delivered to meet the leisure, health and wellbeing needs of the community and in compliance with risk and safety of visitors. Incident reports and necessary actions are promptly submitted to the Council's Risk Management team.	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			<p>Council continues to audit safety and risk plans to improve safety and ensure compliance.</p> <p>Council undertook a comprehensive Service Review of assets, programs, staff resources and operational areas. The Service Review report recommended development of a strategy, long term asset renewal and maintenance program, review of service and program offerings, management model and operational structure. These recommendations will guide and inform Council decisions and directions over the next few years to ensure services are efficient, effective and sustainable.</p>		


1.2.2	Take steps to feel safe wherever we are, any time of day or night
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1.2.2.1: Implement the Council Lifeguard Strategy 2025 to keep our nominated beaches safe for users; supporting training, equipment provision and upkeep staffing.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.2.1.1	Develop and deliver Seasonal Beach Patrol Program, beach access and patrol.	Infrastructure and Liveability Directorate	The program was successfully implemented for the 2023/24 season. The service provided 104 rescues for the season and 0 fatalities at patrolled beaches during patrols. For more details of the 2023-2024 Season please see the Ocean Lifeguard Seasonal Report	100%	

1.2.3	Look after each other; in times of disaster
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1.2.3.1: Contribute to the Local Emergency Management Committee.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.3.1.1	Contribute to local and regional emergency management planning, response, and recovery.	Infrastructure and Liveability Directorate	<p>Council officers continue to attend scheduled Local Emergency Management Committee meetings as well as additional council and agency liaison meetings as they arise.</p> <p>CEO regularly attends Recovery meeting.</p> <p>Recovery works for previous storm damaged works and storm events in April/May 2024 are continuing on Jamberoo Mountain, Wallaby Hill, Foxground, Yellow Rock Roads. Works will be continuing in the 2024/25 period.</p>	100%	

1.2.3.2: Maintain public order and safety in accordance with the Local Government Act through implementing the requirements of the Companion Animals Management Act and Regulations (registration, off leash area, impounding facilities, and compliance requirements).


Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
1.2.3.2.1	Manage the Companion Animals Register and comply with requirements, responsibilities and legislation as outlined in the Companion Animals Act and relevant regulations.	Planning, Environment and Communities Directorate	In the April - June 2024 period 5 Companion animal complaints were received and 100% of those investigated within the 2-day time frame. 1 dog attack investigated, no infringement was issued. No other infringements were issued for a breach of Companion Animals Act. 41 pro-active companion animal patrols conducted in this period. 62 Companion animal complaints were received in the 2023 - 2024 year and 100% of those investigated within the 2-day time frame - 6 dog attacks investigated, 2 infringements were issued at a value of \$1,650.00. 21 other infringements were issued for a breach of Companion Animals Act with a value of \$5,685.00. 358 pro-active patrols for companion animal matters were conducted in this period.	100%	

1.2.3.3: Manage the Public Health Act, Swimming Pools Act and Regulations in relation to public and private swimming pools and water supplies, skin penetration and legionella.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.3.3.1	Reimagine our compliance service, ensuring customer service is at the heart of what we do.	Planning, Environment and Communities Directorate	Council Officers maintain high quality customer service at the forefront of practice, actively listening to community concerns and communicating clear expectations with customers. Council's Environmental Health Officers have been liaising closely with external stakeholders including the Public Health Unit, Transport NSW and surrounding Council staff members to prioritize customer needs at the forefront of practice. Council's officers have been working tirelessly to manage customer expectations through actively listening to the concerns of the community and negotiating amicable outcomes for any discrepancies presented. Council's officers have maintained an inherent focus on balancing customer needs and expectations with legislative requirements to openly communicate and problem solve community concerns to achieve positive outcomes for customers and community members.	100%	
1.2.3.3.2	Manage and implement requirements of the Public Health Act and Regulations, in relation to water quality of public swimming pools, public non-reticulated drinking water, skin penetration and legionella in accordance with legislative requirements.	Planning, Environment and Communities Directorate	Council's Environmental Health Officers continue to partner with various key stakeholders to monitor and ensure positive public health outcomes are achieved within the community. Council's officers continuously liaise with the Public Health Unit from the Illawarra Shoalhaven Local Health District to conduct inspections of public non-reticulated drinking water. Inspections continue regarding registered public swimming pools in relation to water quality. All Public Health complaints area investigated. During summer months, monthly monitoring of microbial quality of Council managed pools and spas is conducted.	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.3.3.3	Maintain compliance through maintenance of registers, scheduled inspections and action to rectification of breaches as required by the Swimming Pool Act and Regulations.	Planning, Environment and Communities Directorate	<p>Council's Environmental Health Officers continue to work with stakeholders and the wider community to provide promotion, protection and education of public health.</p> <p>Between 1 April – 30 June 2024:</p> <ul style="list-style-type: none"> 21 Private Swimming Pools were inspected by Kiama Council in accordance with the Swimming Pools Act 1992. Sec 22D. 5 Private Swimming Pools were received from Private Certifiers, due to being non-compliant for Kiama Council to follow-up.22E (Sale of a Home OR Tenancy Agreement). 14 Private Swimming Pools were issued a Certificate of Compliance. 22D's. 4 Private Swimming Pools were issued a non-Compliant Certificate (Resulting in reinspection's) Private Swimming <p>Pools continue to be certified and inspected through direct requests to Council as part of contracts of sale, tenancy agreements or occupation certificates. A previous action plan has now been developed, where Kiama Council has activated a Swimming Pool Compliance Program, where Pool and Safety Education will be covered by a designated officer attached to the Environment and Regulations Team.</p>	100%	

1.2.3.4: Manage the Public Health and Safety Legislation and requirements for food safety compliance and education.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.3.4.1	Manage and implement requirements of the Food Act and Regulations through a scheduled inspection program and rectification of breaches. Education and provision of food safety information and education.	Planning, Environment and Communities Directorate	<ul style="list-style-type: none"> • In the period 1 April – 30 June 2024 Council's Environment Health Officers have: <ul style="list-style-type: none"> Inspected 82 food shops operating in the municipality with the following results: <ul style="list-style-type: none"> o 19 x 5 stars, o 29 x 4 stars, o 20 x 3 stars and o 14 failing their inspection. • There were 9 re-inspections completed during this quarter with 8 food shops having satisfactory results and 1 food shop failing their re-inspection. • There were also 4 inspections completed of mobile food vans with 3 having satisfactory results and 1 mobile food van failing their inspection. <p>There have been various Food Safety Failures reported for this period which have been rectified through implementing a graduated enforcement approach by conducting reinspection's of premises that have failed their food inspections.</p> <p>3 Penalty Infringement Notices have been issued for repeated serious breaches of the Food Standards Code.</p> <p>In the 2023-2024 DPOP period Council's Environmental Health Officers have:</p>		

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			<ul style="list-style-type: none"> • Inspected 224 food shops this financial year. The inspection results included: <ul style="list-style-type: none"> ◦ 84 x 5 star, ◦ 57 x 4 star, ◦ 44 x 3-star inspection results and ◦ 39 failed inspections. • 12 re-inspections were conducted with 11 having satisfactory results and 1 failed inspection. • 4 mobile food vans were inspected with 3 satisfactory results and 1 failed inspection. • 7 temporary food stalls were also inspected. <p>There has been various food safety failures recorded during this financial year and escalation has been required for food businesses in serious or repeated breach of the Food Standards Code. This has included increased numbers in the issue of Improvement Notices and Penalty Infringement Notices.</p> <p>Council's officers spend dedicated time educating, working with and supporting food shop owners to ensure they are practicing safe food handling methods to reduce the risk of a food borne illness outbreak. Officers also provide fit out advice for new or prospective food shop owners upon request.</p>		

1.2.3.5: Manage the Public Health and Safety Legislation and compliance for on-site sewerage management systems.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.3.5.1	Manage the Public Health and Safety Legislation - on-site sewerage legislative compliance.	Planning, Environment and Communities Directorate	Due to staff changes during the 2023 – 2024 reporting period, Consultants were engaged to conduct inspections on Council's behalf. There are 116 high risk systems and 63 of these were inspected during the annual reporting period. Of the 63 inspections, 58 systems were found to be compliant and 5 were defective. There are 832 low risk systems and 71 of these were inspected during the annual reporting period. Of the 71 inspections, 67 systems were found to be compliant and 4 were defective.	50%	

1.2.3.6: Manage environmental complaints about pollution.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.2.3.6.1	Investigate pollution complaints.	Planning, Environment and Communities Directorate	Council's Environmental Health Officers have investigated 116 noise complaints in the 2023-2024 financial year. 61 alleged other pollution complaints were also investigated: with <ul style="list-style-type: none"> • 28 relating to pollution of water ways, • 10 relating to air pollution, • 7 relating to sewer discharge. 	100%	


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			<ul style="list-style-type: none"> • 5 relating to asbestos and • 11 other pollution incidents. <p>Total of pollution complaints within the reporting period was 177.</p> <p>There have been 4 Clean Up Notices issued under the Protection of Environment Operations Act 1997.</p>		

Outcome 1.3 Our heritage matters; we want to learn, preserve and share both the Aboriginal history of this area and the history since settlement.


1.3.1 Recognise and respect our First Nations peoples and their connection with the land and waterways for thousands of years; identify and safeguard areas and items of cultural significance.

1.3.1.1: Proactively engage with First Nations peoples within the Municipality to support greater understanding and inclusivity: seek knowledge with intent to learn, share and protect.



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.3.1.1.1	Participate in planning and staging of annual Local Government Regional National Aborigines and Islanders Day Observance Committee (NAIDOC) Awards in partnership with Wollongong, Shellharbour and Shoalhaven Councils.	Planning, Environment and Communities Directorate	Council hosted the 2023 Local Government Regional NAIDOC Week Awards at The Pavilion, on Saturday 29 July 2023. The Regional NAIDOC Week Awards is delivered annually in partnership with Shellharbour City Council, Wollongong City Council and Shoalhaven City Council. The event was attended by approximately two hundred members of the Aboriginal community, Elders, dignitaries, the wider community, community services and government agencies. Themed 'For Our Elders', the event comprised of cultural activities, performances and the Award presentation. The event was attended by approximately two hundred members of the Aboriginal community, Elders, dignitaries, the wider community, community services and	80%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.3.1.1.2	In partnership with our First Nations Community implement an annual calendar of cultural events and commemorations.	Planning, Environment and Communities Directorate	<p>government agencies.</p> <p>Council is supporting and actively participating in the planning of the 2024 NAIDOC Week Awards, to be hosted by Shoalhaven City Council. Council also planned for programs in Kiama to acknowledge and showcase the contribution of our First Nations people.</p> <p>Community Hubs and Library Services have partnered with the Jamberoo Public School and their Koori Club, to deliver a cultural immersion project. Funded by the National Indigenous Australians Agency, this project will engage students to develop a mural and bush tucker garden at Jamberoo Public School.</p> <p>Council proudly partnered with our First Nations community to celebrate and commemorate the achievements and contributions of our Aboriginal community. Council collaborated with Traditional Owners, Elders and community leaders to guide the planning and delivery of cultural significant events including:</p> <ul style="list-style-type: none"> Australia Day - delivered in collaboration with the Aboriginal community to conduct cultural services and activities including a Welcome to Country, Smoking Ceremony and Aboriginal cultural performances. National Sorry Day NAIDOC Week – 2023 NAIDOC week awards hosted, Planning 2024 events, including hosting art 	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			<p>exhibitions for the local Aboriginal artists, participating in the annual Regional NAIDOC Week Awards, and partnering with Jamberoo Primary School to install a mural and establish a native garden.</p> <p>These events provide opportunities to acknowledge and celebrate contributions made by our First Nations people, share cultural knowledge, ensure respect and care for Country, provide opportunities to demonstrate and exhibit Aboriginal culture through art and performances.</p>		

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.3.1.1.3	Develop an engagement plan and process to engage with our First Nations Community on the Uluru Statement from the Heart.	Planning, Environment and Communities Directorate	<p>Council is working toward development of its first Reconciliation Action Plan (RAP). This work is guided by the Reconciliation Australia's RAP Framework and in consultation with the local community members. The RAP will consolidate initiatives and programs Council will undertake in collaboration with the community to strengthen relationship with our First Nation Peoples. The RAP will be a successive plan that will guide and shape Council and community efforts toward reconciliation. A RAP roundtable is being planned, to engage and consult community.</p> <p>Further, Council is working on development of an Aboriginal Cultural Protocol, to guide Council and the wider community on culturally appropriate practices and activities and to strengthen awareness, respect and relationship.</p>	100%	

1.3.1.2: Facilitate the identification and protection of local areas and items of cultural and/or heritage significance.

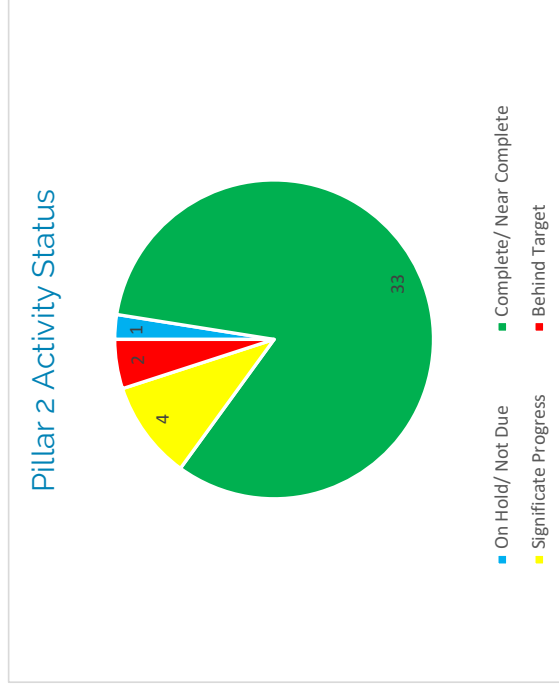
Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
1.3.1.2.1	Continue to undertake reviews of heritage items to maintain and improve the protection of heritage with the Local Government Area (LGA).	Planning, Environment and Communities Directorate	<p>The Kiama Heritage Planning Proposal was adopted and placed in the NSW Government Gazette this year. This Planning Proposal introduced a number of additional heritage items into the Local Environmental Plan. It also created two Heritage Conservation Areas in the Kiama Town Centre.</p> <p>The review of heritage items continues with any potential Heritage Items identified to be considered in the next Local Environmental Plan review</p>	95%	
1.3.1.2.2	Engage with First Nations peoples locally and regionally, as well as relevant specialists, to identify Aboriginal cultural sites to ensure they are correctly identified and protected.	Planning, Environment and Communities Directorate	<p>This year Aboriginal Cultural Heritage Sites continue to be identified and protected through assessments undertaken as part of Development Proposals as well as through the use of the Aboriginal cultural Heritage Development Assessment Toolkit.</p> <p>Staff continue to engage and consult with First Nations peoples to identify and protect culturally significant areas.</p>	95%	

Pillar 2 | Natural Environment

We thrive in a sustainable environment.

Highlights

- Kiama Coastline Coastal Management Program (CMP) Report has been completed and in May Council resolved to adopt the CMP. Council has written to the Minister for Environment requesting certification of the CMP. Once certification is received and published in the Gazette, Council will begin implementation of the CMP.
- Erosion control measures for the Blue Angle Creek in Seven Mile Beach Holiday Park were completed and grant acquittal finalised in June.
- Weed control at Baileys Island completed with grant acquitted.
- National tree day activities delivered with Kiama High School.
- 24 May saw the launch of our first community battery in Kiama Downs, after collaboration with Endeavour Energy.
- This year an amendment to the Development Control Plan (DCP) to incorporate the agritourism guidelines developed by the Department of Planning was finalised. The preparation of a Draft DCP for the Kiama South Urban Release Area was also commenced and exhibited.
- This year Council commenced the preparation of the Growth and Housing Strategy after consultation with community. The Kiama Council's Growth and Housing Strategy will set out a clear plan to support the delivery of housing in our municipality and our



region over the next 20 years. It will also identify if new housing opportunities are required, and if so, where and how these opportunities can be supplied.

- Waste Services ran educational workshops and events aimed at reducing waste to landfill. These events included the Household Bulky Waste event held in September and March of the reporting period. Additionally, 5 home composting workshops were run, the fabric swap event, the clothes swapping party, facilitation of Kiama High Schools careers day, Second-hand Saturday and the household chemical cleanup.
- Throughout the 2023-2024 reporting period, the waste collection team lifted approximately 864,000 bins across all three waste streams. The FOGO bins generated the highest tonnages demonstrating the community waste behaviors are in line with expectations.
- Council was successful in a grant funding application for undertaking Floodplain Risk Management Strategy & Plans for Jamberoo and the Spring Creek (Kiama) catchments. These projects are programmed to commence in 2024/25.


Items not yet commenced



- Due to resource demands for significant additional storm damage works on several local roads through the period, the planned scoping of the Kiama Coastal Walk extension from Gerringong to Gerroa to support the lodging of a funding submission with State Government was unable to be undertaken in this financial year period. This action has been carried over in to the 2024 - 2025 Delivery Program and Operational Plan.
- Due to other strategic priorities the town centre planning study for the township of Gerringong has not yet commenced. It is anticipated that this will commence during the 2024-2025 Delivery Program and Operational Plan period, however it is likely that this will be incorporated into the Development Control Plan and Local Environment Plan review rather than as a stand-alone activity.

Outcome 2.1 We protect our people, our place, our flora and fauna through our planning and our actions.

2.1.1 Protect our coast, our estuaries and waterways.


2.1.1.1: Develop, implement and review Coastal Management Programs as required under the NSW Coastal Management Act 2016 and the Coastal Management Manual.

Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
2.1.1.1.1	Develop/implement Kiama Coastal Management Program staged delivery program; stages 3 and 4.	Planning, Environment and Communities Directorate	The Stage Three Report was completed and made publicly available on Council's website after extensive public, internal and agency consultation. The draft Stage Four Kiama Coastline Coastal Management Program (draft CMP) was prepared and was presented to Council in the November meeting, prior to going to public exhibition. Minor changes were made to the document in response to submissions and further agency feedback received. Letters of support were gained from all relevant agencies. The final Kiama Coastline Coastal Management Program was completed and presented to Council in Councils Ordinary meeting held on the 21st May. Council resolved to adopt the CMP. Council have written to the Minister for Environment requesting certification of the CMP. Once	100%	



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.1.1.1.2	Review existing Coastal Zone Management Plans and implement priority actions through a staged delivery program.	Planning, Environment and Communities Directorate	certified and published in the Gazette. Council will begin implementation. Coastal Zone Management Plans ceased to have effect from the 31st of December. Council has been working on developing a Coastal Management Program under the Coastal Management Act 2016 and has adopted the Kiama Coastline Coastal Management Program. Council have written to the Minister for Environment requesting certification of the CMP. This CMP covers the Open Coast area. Council will consider developing a second CMP for its estuaries. Most grant funded projects related to Coastal Zone Management Plans have been completed, except for the Minnamurra Coastal Wetland restoration project as the final grant to come out of a CZMP ready to start work on the ground on the 1st July 2024.	100%	
2.1.1.1.3	Implement erosion control measures for the Blue Angle Creek in Seven Mile Beach Holiday Park. (CZMP Action 2.1)	Planning, Environment and Communities Directorate	Contractors completed work in late December. Final reporting submitted to the grant funding body in May, with formal acquittal confirmation from funding body received in June.	100%	

2.1.2	Protect our biodiversity, native plants and animals.
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2.1.2.1: Facilitate and encourage the protection of our natural environment and biodiversity.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.1.2.1.1	Work with Wollongong and Shellharbour Councils to update the Illawarra Biodiversity Strategy to improve coordination and management of biodiversity across the Illawarra.	Planning, Environment and Communities Directorate	Regional approach to biodiversity management working with ISJO, Local Land Services, Wollongong and Shellharbour Councils to deliver a consistent approach to biodiversity challenges.	100%	

2.1.1.2.2: Conduct development and building assessment / approval functions in accordance with statutory requirements, policies and procedures to protect our natural resources.




Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.1.1.2.2.1	Ensure Council's planning instruments facilitate the recommendations of the adopted Illawarra Biodiversity Strategy and Municipal Vegetation Study.	Planning, Environment and Communities Directorate	The review of the Kiama Local Environmental Plan will consider the recently drafted Housing and Growth Management Strategy. That strategy will also contain recommendations for the management of existing Environmentally significant land as well as recommending sustainable and appropriate uses or conservation of those lands. Also, viable agricultural enterprises have been supported through updates to Development Control Plan 2020 and the Local Environment Plan 2011.	95%	
2.1.1.2.2.2	Implement and update Council Tree Management Development Control Plans and Local Environment Plan (LEP) provisions.	Planning, Environment and Communities Directorate	During the year Council continued to implement Council's Tree Management Development Control Plans and Local Environment Plan (LEP) provisions.	75%	

2.1.3	Protect and maintain our natural areas; conserve areas of natural significance.
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2.1.3.1: Protect and maintain our natural areas.




Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.1.3.1.1	Pursue grant funding for natural area restoration at priority sites on Council land.	Planning, Environment and Communities Directorate	Weed control at Baileys Island WRP site was completed and the grant acquitted in July 2023. Erosion control measures for Blue Angle Creek at Seven Mile Beach Holiday Park were completed in December 2023, with grant acquittal in June 2024. Council explored options for grant funding for natural area restoration, resulting in the project "Restoration of Coastal Wetland surrounding Minnamurra Waste and Recycling Facility." This project aims to reduce weed cover, focusing initially on heavily disturbed vegetation in the south and then expanding to the entire site. By targeting this area, the seedbank will be reduced, benefiting downstream Coastal Wetlands. Grant application was successful, and a contractor will be starting works in early July. Council developed and adopted the "Kiama Coastline Coastal Management Program" for the open coast area of Kiama LGA under a Coast and Estuary grant. Once certified, this CMP will provide eligibility for grant funding at a 2:1 funding ratio. Letter of support provided to Illawarra Landcare in support of their Sydney Water community grant application - riparian revegetation at Jamberoo golf course.	100%	

2.1.3.2: Engage with regional partners to support regional responses for our communities.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.1.3.2.1	Undertake national tree day activities.	Infrastructure and Liveability Directorate	National tree day activities undertaken with Kiama High School in August 2023	100%	
2.1.3.2.2	Undertake scoping of Kiama Coastal Walk extension from Gerringong to Gerroa to support the lodgment of a funding submission with State Government.	Infrastructure and Liveability Directorate	Due to resource demands for significant additional storm damage works on several local roads through the period this project was unable to be completed. The project will be continued in the 2024/25 reporting period.	10%	
2.1.3.2.3	Partner and collaborate to support or deliver community education and engagement programs to enhance environmental sustainability initiatives.	Planning, Environment and Communities Directorate	National Tree Day was completed successfully on the 31 st July, and involved council collaborating with Kiama High students, Landcare groups, and Minnamurra Lions Club, to educate in planting local native tree species, to help regenerate our natural environment. Preparations are well underway for National Tree Day 2024. Kiama Council have collaborated with Endeavour Energy to support the installation of our municipalities first community battery in Kiama Downs. Installation is now complete. The community battery officially launched on the 24 th May. Council has supported many other environmental sustainability initiatives such as the great Aussie bird count, SunSpot, DPI Fisheries "Leave no trace. Keep it clean" initiative, NSW Government EV Ready buildings program, Frog ID Week, Fisheries Climate-Smart Agriculture Program, as well as educating the public about endangered Shorebirds and dog off-leash regulation through social media campaigns.	100%	



Outcome 2.2	Our natural environment of spectacular beaches, rainforests and rolling hills define our place.
2.2.1	Celebrate our natural environment and share the values that protect it with our families, friends and visitors to the region.

2.2.1.1: Manage growth sustainably and thoughtfully, to respect our values and retain our local character through the implementation of good design principles to integrate new and old dwellings.

Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
2.2.1.1.1	Undertake ongoing review of Council Development Control Plan (DCP) and development policies.	Planning, Environment and Communities Directorate	This year an amendment to the DCP to incorporate the agritourism guidelines developed by the Department of Planning was finalised. The preparation of a Draft DCP for the Kiama South Urban Release Area was also commenced and exhibited. It is anticipated that this DCP will be finalised early in the upcoming financial year.	95%	
2.2.1.1.2	Undertake a town centre planning study for the township of Gerringong.	Planning, Environment and Communities Directorate	Due other Strategic Planning priorities, this project is not anticipated to commence until next financial year and will likely form part the LEP and DCP reviews rather than a stand-alone item.	0%	
2.2.1.1.3	Commence scoping strategy and implementation plan for the review of Kiama's Local Environmental Plan.	Planning, Environment and Communities Directorate	The review of the Kiama Local Environmental Plan will be informed by the Growth and Housing Strategy that is currently being prepared.	95%	


2.2.2	Retain and promote our natural environment and our scenic rural landscapes
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2.2.2.1: Manage growth sustainably and thoughtfully, to respect our values and retain our local character through the implementation of good design principles to integrate new and old dwellings.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.2.2.1.1	Support the change to the Local Environmental Plan (LEP) to support the State Government Agribusiness reforms.	Planning, Environment and Communities Directorate	This year the Kiama Local Environmental Plan 2011 was updated by the State Government to now include the Agritourism Reforms. Appropriate guidelines have also now been included in the Kiama Development Control Plan 2020.	100%	
2.2.2.1.2	Develop Council's Housing and Growth Strategy.	Planning, Environment and Communities Directorate	This year Council commenced the preparation of the Growth and Housing Strategy. The Kiama Council's Growth and Housing Strategy will set out a clear plan to support the delivery of housing in our municipality and our region over the next 20 years. It will also identify if new housing opportunities are required, and if so, where and how these opportunities can be supplied. Community engagement on the Housing and Growth Management Strategy occurred April – June quarter. The strategy will contain recommendations to respect our values and retain our local character through the implementation of good design principles to integrate new and old dwellings. It is expected to be publicly exhibited and finalised in the upcoming financial year.	95%	



2.2.3	Develop strategies and plans for our current and future generations.
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


2.2.3.1: Kiama's Local Environment Plan is current and facilitates development in keeping with the local character.


Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
2.2.3.1.1	Commence scoping strategy and implementation plan for the review of Kiama's Local Environmental Plan (LEP).	Planning, Environment and Communities Directorate	The review of the Kiama Local Environmental Plan will coincide with the development of the Housing and Growth Management Strategy which has commenced this year. In the interim the existing LEP contains contemporary provisions.	95%	

Outcome 2.3	We use our natural resources in efficient and sustainable way; managing, improving or enhancing through protection, restoration and maintenance.
2.1.1	Responsibly manage resources and waste. Limit the waste we sent to landfill.



2.3.1.1: Meet our future waste infrastructure and service needs through promotional, service delivery and infrastructure programs.



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.3.1.1.1	Develop Waste Strategy 2023-2033 and complete a site masterplan.	Infrastructure and Liveability Directorate	The Journey undertaken through the Waste Strategy has endeavored to highlight key priorities for Council's waste management over the next planning cycle. These key priorities have considered future development of the Minnamurra Waste & Recycling Depot which will be outlined through the Site Masterplan, they have also considered available resources to implement minor changes that should result in a considerable improvement to resource recovery rates. The draft Strategy will be reported to Council in the first quarter of 2024-2025 and exhibited to encourage community feedback.	90%	
2.3.1.1.2	Undertake Service Review of Waste Services and operations.	Infrastructure and Liveability Directorate	The Waste Services service review RFQ was established at the end of Q2 and commenced in Q3. It was expected to be completed in the early stages of Q4, however a lack of financial information did not allow for conclusions to be	90%	




Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			drawn on the performance of the section. As a result, additional research and development of robust costing and associated analysis to ensure that the Service Review was better informed, and conclusions could be based on actual data.		
2.3.1.1.3	Undertake Waste Audits to establish baseline data to assist with future waste education programs.	Infrastructure and Liveability Directorate	2023-2024 focused on the completion of a visual waste audit to determine the frequency contamination is identified in the domestic waste streams. It identified that the main contamination was soft plastics in the co-mingled recycling.	100%	
2.3.1.1.4	Maintain and develop waste related content for website to support customer needs and expectations.	Infrastructure and Liveability Directorate	With assistance from the Communications team in Q4 to maintain the website, the information contained in Council's website remained current throughout the 2023-2024 reporting period.	75%	
2.3.1.1.5	Design, develop and conduct waste, recycling and resource recovery education and promotion events, workshops and activities.	Infrastructure and Liveability Directorate	Throughout the 2023-2024 reporting period, Waste Services ran educational workshops and events aimed at reducing waste to landfill. These events included the Household Bulky Waste events held in September and March of the reporting period. Additionally, 5 home composting workshops were run, the Fabric Swap event, the Clothes Swapping Party, facilitation of Kiama High Schools Careers Day, Second-hand Saturday and the household chemical cleanout.	100%	
2.3.1.1.6	Apply for waste and resource recovery funding programs (former Better Waste Recycling Fund).	Infrastructure and Liveability Directorate	Work carried out in Q2 and Q3 of the 2023 - 2024 reporting period paid off in Q4 when funds were secured Better Waste and Recycling no longer available, however during this reporting period, funding was secured with the assistance of the Illawarra Shoalhaven Joint Organisation	100%	

Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
2.3.1.1.7	Implement actions identified in the Regional Community Recycling Centre Communications Strategy.	Infrastructure and Liveability Directorate	to develop and implement new communication and educational material for all households that receive a FOGO service, with the assistance of ISJO member Councils. During the 2023-2024 reporting period, Council distributed a DL sized flyer in Q3.	100%	



2.3.1.2: Provide high quality waste, resource recovery and cleaning services to the community.

Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
2.3.1.2.1	Establish Household Chemical Clean Out Collection in accordance with NSW Environment Protection Authority (EPA) requirements.	Infrastructure and Liveability Directorate	The household Chemical Cleanout Event was completed in Q1 of this reporting period.	100%	
2.3.1.2.2	Conduct Household Bulky Waste Drop Off Events for urban and rural households.	Infrastructure and Liveability Directorate	Event held 7-15 October with 1,410 registrations and 1,232 tonnes attended. A total of 236.39 tonnes received, with 124.87 tonnes recycled representing 53% resource recovery. This is down by approximately 7% from the previous event held in March. The event held in Q3 of this reporting period was also successfully run.	50%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.3.1.2.3	Provide high quality cleaning services.	Infrastructure and Liveability Directorate	Council's cleaning team have done an excellent job of juggling key priorities throughout the 23-24 financial year. A conscious decision to apply an additional waste services labourer to the cleaning team through the busy summer period helped boost morale and deliver a higher quality of service for public facing elements such as town centres, public toilets, halls, and libraries. 17 public toilets were cleaned 7 days per week resulting in each of those facilities having toilet rolls and paper towels replenished 6188 times throughout the year. Council also commenced implementation of maxi toilet rolls being installed in cubicles to ensure high use facilities had toilet paper available between visits, regardless of the event, market or holiday period. Internally, Council offices were maintained to a satisfactory standard.	100%	
2.3.1.2.4	Provide weekly recycling and organics and fortnightly garbage collections to residents of the Municipality.	Infrastructure and Liveability Directorate	Throughout the 2023-2024 reporting period, the waste collection team lifted approximately 864,000 bins across all three waste streams. The FOGO bins generated the highest tonnages demonstrating the community waste behaviors are in line with expectations. Co-mingled recycling generated the lowest tonnages, due to the nature of the material being collected. Residual waste to landfill was marginally higher than previous years, however this is in line with expectations given new developments coming online during this reporting period. The final quarter saw the addition of weekly short term rental accommodation and specific waste collections across the LGA.	100%	


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.3.1.2.5	Provide and maintain a suitable site for the acceptance of green waste, steel and items received at the Community Recycling Centre site at Minnamurra Depot.	Infrastructure and Liveability Directorate	During the 2023-2024 reporting period the waste facility was busy receiving high volumes of green waste, due to the reasonable price charged at the gate. 1310 tonnes of green waste was received combining Council and customer drop-offs. 390 tonnes of scrap steel was received, and 380 tonnes was exported for recycling. Following heavy rainfall at the start of the Q4, Council waived the charge for flood affected green waste receiving a total of 21 tonnes over 54 transactions. Approximately 67 tonnes of scrap steel was also received. We continue to receive positive community feedback with Customer's frequently commenting on Kiama Council staff and their excellent customer service, reasonable prices and clean odour free facility.	100%	
2.3.1.2.6	Undertake all monitoring and reporting to maintain Waste Depot License.	Infrastructure and Liveability Directorate	Monitoring and reporting was completed as required to ensure the ongoing compliance with License conditions.	100%	
2.3.1.2.7	Undertake Waste Depot rehabilitation as required.	Infrastructure and Liveability Directorate	The 2023-2024 reporting period saw repairs being completed to the water remediation system to ensure that ground water was being aerated to reduce the ammonia concentration. Additionally, capital works were quoted and established to repair road failure across the site, with road resurfacing completed in Q4. Minor maintenance including signage, road sweeping, vegetation maintenance and cleaning took place at regular intervals throughout the reporting period.	100%	

2.3.1.3: Investigate incidents of littering and illegal dumping and implement programs.

Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
2.3.1.3.1	Conduct patrols of common illegal dump sites or areas.	Planning, Environment and Communities Directorate	Compliance Officer conduct regular patrols of known illegal dumping sites and have certain locations monitored by covert cameras to assist with investigation of common dump points. 104 illegal dumping complaints were received and investigated during this period with 4 PINs issued of a face value of \$3,000.00 PINs issued.	100%	
2.3.1.3.2	Investigate complaints of instances relating to illegal dumping.	Planning, Environment and Communities Directorate	Compliance Officer conduct regular patrols of known illegal dumping sites and have certain locations monitored by covert cameras to assist with investigation of common dump points. 104 illegal dumping complaints were received and investigated during this period with 4 PINs issued of a face value of \$3,000.00 PINs issued.	100%	

2.3.2	Limit our reliance on non-renewable natural resources.
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2.3.2.1: Deliver education programs, services and infrastructure that will improve the cleanliness of public places and reduce litter.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.3.2.1.1	Implement Regional Litter Grant as managed by Illawarra Shoalhaven Joint Organisation (ISJO).	Planning, Environment and Communities Directorate	This grant was not applied for by ISJO. Action complete, no longer applicable.	100%	

Outcome 2.4	We work together to understand and respond to the need for growth and change.
2.4.1	Understand climate risks and our impacts and take action against these.



2.4.1.1: Effectively manage impacts from natural disaster.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.4.1.1.1	Contribute to NSW Government and Illawarra Shoalhaven Joint Organisation (ISJO) Resilience Planning Projects and initiatives to improve Council's controls and knowledge of natural hazards management.	Planning, Environment and Communities Directorate	This year contemporary Bushfire Mapping was published in accordance with NSW Rural Fire Service's requirements.	100%	●
2.4.1.1.2	Finalise the Bushfire mapping project.	Planning, Environment and Communities Directorate	The Bush Fire Prone Land mapping was certified by the NSW Rural Fire Service Commissioner on 30 May 2023. This project was completed ahead of schedule.	100%	●
2.4.1.1.3	Update Development Control Plan (DCP) and Policy frameworks to reflect State government policy direction on resilience and natural disasters.	Planning, Environment and Communities Directorate	This action will likely commence in the next financial year if adequate funding and resources are available. It will be informed by the completion and certification of the Kiama Coastal Management Plan as well as the work being undertaken by the Illawarra Shoalhaven Joint Organisation	0%	●


Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
		Directorate	(SJO) on natural hazards and the best practice management and resilience to them in the region.		


2.4.2	Mitigate and adapt to climate change and protect our environment.
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2.4.2.1: Develop Flood Studies and Risk Management Plans to inform landuse planning.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.4.2.1.1	Seek funding for Catchment Flood Studies and associated Risk Management Studies/Plans.	Infrastructure and Liveability Directorate	Council was successful in a grant funding application for undertaking Floodplain Risk Management Strategy & Plans for Jamberoo and the Spring Creek (Kiama) catchments.	100%	
2.4.2.1.2	Deliver Priority actions from Gerringong and Jamberoo Flood investigations.	Infrastructure and Liveability Directorate	These projects are programmed to commence in 2024/25 The 65% design plans for the endorsed priority works at the 2 Jamberoo and 1 Gerringong precinct are programmed to be issues to council for review in early 2024/25	65%	

2.4.2.2: Implement Council's adopted Corporate Emissions Reduction Strategy and Climate Change adaptation and mitigation initiatives in accordance with Council's Net Zero Strategy.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.4.2.2.1	Establish an annual implementation strategy for the Corporate Emissions Strategy.	Planning, Environment and	Procurement of the Renewable PPA for the supply of electricity of council's large-scale sites and streetlights is complete implemented. An amendment deed was signed	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
2.4.2.2.2	Ensure Council's planning instruments facilitate the recommendations of the adopted Community Emissions Strategy.	Communities Directorate	<p>off for changing our solar offtake from Bomen Solar farm and proposed local developments to New England Solar Farm, after local developments did not eventuate. Installation of kW/hour controllers on our large-scale sites has begun. Solar PV systems at the Leisure Centre, Library and Administration building continue to be monitored. Investigations have begun for Fleet transition to Hybrids or EVs, currently have 10% Hybrid fleet, and one EV. LED streetlighting conversion is complete. Council continue to work with ISJO to address sustainability issues through the Net Zero Project Control Group. Currently, working collaboratively with a number of third parties to investigate public Electric Charging infrastructure possibilities and has received grant funding to install Council owned EV charging infrastructure at the Pavilion.</p>	100%	

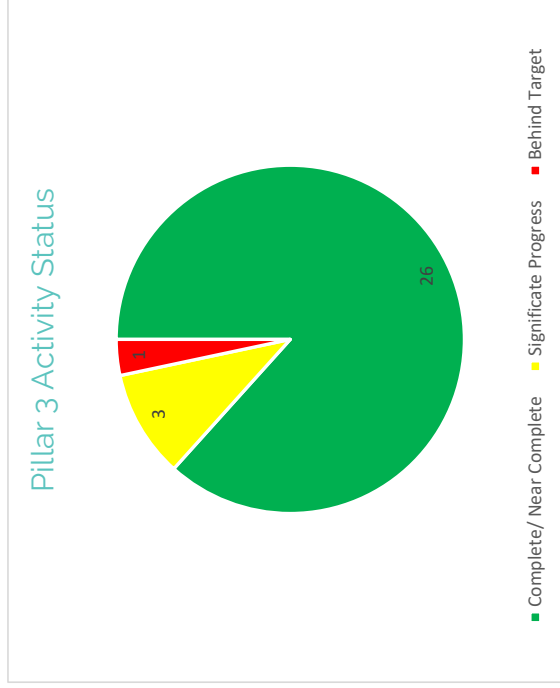
Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
		Directorate	to tender. Once responses are in, we will examine what the marked can offer to determine Councils involvement.		

Pillar 3 | Economy

We create a strong and diverse economy.

Highlights

- This year Council has finalised and published its State of Our Economy Report, providing the necessary economic context and commentary for strategic and policy decisions regarding economic development. Work has also commenced towards drafting the Employment Lands Strategy which will feed into the overarching Economic Development Strategy.
- Delivered a free barista training program for local young people at SENTRAL youth service and liaised with the local business community create a pipeline from training to employment.
- Council's Economic Development staff successfully delivered the Careers at Council program, which saw 80 students from Kiama High School experience work in different functional areas within council. We also facilitated discussions between NSW department of education's head teacher careers and council's HR team to update our work experience program.
- The Destination Event Funding Program enabled Council to support a total of 23 local events in 2023-24 over three rounds. The total amount of the grants equated to \$122,600.
- Kiama was successful in winning the NSW Top Tourism Town Award in 2024, a tribute to our effective marketing and visitor experience offering.



- Our major tourism marketing campaigns have seen pleasing results with the annual tourism as at March 2024 increased to \$330 million (up \$52M).
- Service review of the Pavilion is underway currently with an expected completion time of June 2024. A variation to the initial scope has been requested and will be completed and reported on in quarter two 24/25
- **Items not yet commenced**
- Develop an Agricultural lands strategy – will commence following finalisation of Housing and Growth strategy which is currently out for community consideration and feedback.

Page 63 of 142


Outcome 3.1	A strong economy, vibrant local businesses and local economic growth.
3.1.1	Help our local businesses grow strong.

3.1.1.1: Prepare and adopt an Economic Development Strategy which identifies ways to creating a diverse and resilient economy within the Municipality.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.1.1.1.1	Prepare and adopt an Economic Development Strategy which identifies ways to creating a diverse and resilient economy within the Municipality.	Planning, Environment and Communities Directorate	This year Council has finalised and published its State of Our Economy Report, providing the necessary economic context and commentary for strategic and policy decisions regarding economic development. Work has also commenced towards drafting the Employment Lands Strategy which will feed into the overarching Economic Development Strategy.	90%	●



3.1.2	Support local start-ups, entrepreneurs and new partnerships
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3.1.2.1: Work collaboratively with key stakeholders to support local businesses.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.1.2.1.1	Rebuilding and establish relationships with local businesses, business chambers and other business organisations.	Planning, Environment and Communities Directorate	<p>This year Council's Economic Development staff have provided input to the Kiama & District Business Chamber's operations and facilitated regular updates from the chamber through the Tourism & Economic Advisory Committee.</p> <p>Publication of the State of Our Economy Report during the year supports local businesses to make strategic commercial decisions, proposals and grant applications. Council staff also partnered with neighboring councils in the Illawarra region to support and promote the Economic Gardening program, which has seen a remarkable uptake in participants from across the region.</p> <p>A business database was established, including a mailing list and public facing mailbox to facilitate direct communication with local businesses and prospective investors. The team has also updated council's Business webpage.</p> <p>Council also became a member of the Illawarra-Shoalhaven Regional Defence Network.</p>	95%	


3.1.3	Enhance and expand opportunities to demonstrate Kiama Local Government Area as a place to invest in.
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3.1.3.1: In collaboration with regional partners implement the Regional Economic Development Strategy.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.1.3.1.1	Work with the Greater Cities Commission and the NSW Department of Planning and Environment (DPE) to implement the recommendations of the Regional Economic Development Strategy (REDS).	Planning, Environment and Communities Directorate	During the year Council continued to work with the NSW Department of Planning and Environment (DPE) to implement the recommendations of the Regional Economic Development Strategy (REDS). Note that the Greater Cities Commission (Six Cities Commission) was disbanded this quarter.	95%	
3.1.3.1.2	Develop an Employment lands strategy.	Planning, Environment and Communities Directorate	Council has commenced the preparation of the Employment Lands Strategy. This Strategy will used in conjunction with the recently drafted Growth and Housing Strategy to strategically guide future development in the municipality.	95%	


3.1.4	Maintain and expand a wide range of industry and business, including tourism, agriculture, light industry, professional and care services, etc.
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3.1.4.1: Support a wide range of business opportunities through landuse planning.

Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
3.1.4.1.1	Develop an Agricultural lands strategy.	Planning, Environment and Communities Directorate	Council is yet to develop an agricultural lands strategy. This will likely commence following the finalisation of the Housing and Growth Strategy in the next financial year.	0%	


3.1.5	Support businesses and local leaders to mentor young people in skills development through traineeships, apprenticeships and volunteering.
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3.1.5.1: Support employment and business opportunities through partnerships that enhance lifelong learning.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.1.5.1.1	Explore opportunities to partner with University of Wollongong (UOW) social enterprise hub and other leadership development programs. Explore opportunities to collaborate with Community College, TAFE, local training providers and schools.	Planning, Environment and Communities Directorate	This year Council's economic development staff supported the Illawarra Leadership Summit hosted by Business Illawarra at the University of Wollongong. This event featured leaders in Government and industry, including the University's Vice Chancellor, about issues affecting the region and effective leadership to address these issues. Economic Development Staff also met with Accelerate, University of Wollongong's social enterprise program, to discuss opportunities for partnership. These opportunities include connecting local business leaders and experienced professionals with the program to act as mentors for growing local businesses. During the year a free barista training program for local young people took place at the SENTRAL youth service. The training was delivered by Kiama Community College. Economic development staff laised with the local business community to create a pipeline from training to employment, ensuring that participants gain skills in customer service.	95%	


3.1.6	Enhance opportunities to create a range of jobs for all residents.
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3.1.6.1: Enhance opportunities to create a range of jobs for all residents.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.1.6.1.1	Partner and collaborate with University of Wollongong (UOW) to explore opportunities to support innovation and entrepreneurship; local education; leadership programs; research activities; and environmental sustainability.	Planning, Environment and Communities Directorate	During the year Councils Economic Development Staff with both the University of Wollongong's Innovation and Commercial Research team as well as iAccelerate, UOW's social enterprise program, to discuss potential opportunities for partnership.	95%	

3.1.7	Support the development of small and medium business through partnerships that enhance local education, training and employment outcomes.
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3.1.7.1: Support the development of small and medium businesses through partnerships that enhance local education, training employment outcomes with a focus on: regional and local innovation/ entrepreneurship; collaboration; and leadership development



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.1.7.1.1	Utilise volunteering and work experience to expand skills of young people seeking employment and training.	Planning, Environment and Communities Directorate	This year Council's Economic Development staff successfully delivered the Careers at Council program, which saw 80 students from Kiama High School experience work in different functional areas within council. Staff have also facilitated discussions between NSW department of education's head teacher careers and council's HR team to update our work experience program. Economic Development Staff also assisted the delivery of a free barista training program for local young people at SENTRAL youth service and liaised with the local business community create a pipeline from training to employment.	95%	



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.

3.2.1
Manage tourism development and the visitor economy.

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



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.2.1.1.1	Support Tourism and Economic Advisory Committee (TAC) to provide leadership and support to tourism industry.	Chief Executive Officer	The Tourism and Economic Advisory Committee have been vital in strategically guiding Tourism and Economic Development activities within Council.	100%	
3.2.1.1.2	Take a proactive approach to attracting and retaining tourism investment, creating and linking key tourism products within the region to create compelling touring experiences.	Chief Executive Officer	Our Tourism and Events strategy and Marketing plan actions actively link our tourism product through the use of itineraries, guidebooks and maps. Examples this year have included our creative campaign, linking our local galleries and studios, our winter campaign. Continuing to work with Signature Media and Australian Traveller we deliver messaging to our two chief target market segments. The festival season campaign was focused around digital media and leveraged social media. The next half of the year will continue this campaign and place a focus on our third identified target market, "affluent families" in the lead up to winter.	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.2.1.1.3	Enact the Events Action Plan 2022-2026. A diverse mix of events conducted annually that reflect the areas character and bring economic and social benefits to the local community. Two (2) rounds of the Destination Event Funding Program accomplished exhausting budget. Annual review of the Destination Events Action Plan.	Chief Executive Officer	Our major winter campaign, "CoastIn, ChillOut," was a cooperative campaign with local partners, it has been received well and we eagerly await results. We have also partnered with TripAdvisor in Q4, and we continue to use the Grand Pacific Drive campaign for our international markets. The Destination Event Funding Program enabled Council to support a total of 23 local events in 2023-24 over three rounds. The total amount of the grants equated to \$122,600. Along with this financial and in-kind support, the Tourism and Events team assist event owners and organisers to produce planning documentation and navigate approvals and permit requirements based on the needs of the event. The actions of the Grants and Sponsorship audit have been enacted with a Policy in place, new guidelines developed, and an internal assessment panel formed to assess applications against criteria and deliver recommendations to Council.	100%	
3.2.1.1.4	Work in partnership with key agencies to map and develop natural and cultural site experiences.	Chief Executive Officer	Two major marketing campaigns were enacted as per the Destination Marketing Plan. Kiama was successful in winning the NSW Top Tourism Town Award in 2024, a tribute to our effective marketing and visitor experience offering. Our major marketing campaigns have seen pleasing results with the annual spend for the year to March 2024 increased to \$330 million (up \$52M). The success of the more recent Coast In, Chill Out, campaign is also yielding positive results. Team continue to strengthen our relationship with cultural groups when delivering local events, by including	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			indigenous elements into programming, offering interactive workshops with art leaders and employing local talent for stage shows at our Council events. Throughout each of our information delivery points we include authentic representation and inclusion of our traditional owners. Our team took part in an Aboriginal Experience Tour whereby we learnt stories and history through local company Gumaraa.		
3.2.1.1.5	Foster a supportive regulatory environment which enables Kiama to be recognised as an event-friendly destination.	Chief Executive Officer	The Kiama LEP allows events to occur on public land. Major Events are no longer required to acquire approval via the Development Approval process. A revitalised event toolkit assists staff and event owners in planning and executing safe and effective events.	100%	
3.2.1.1.6	Promote and increase the quality of tourism experiences and events. Build local capacity, support collaboration initiatives and networking opportunities for business, event partners and organisers, artists, and local businesses.	Chief Executive Officer	Destination Kiama have a busy calendar of events designed for the active participation of our 231 active partners in projects and upskilling programs. The calendar is adapted annually, focusing on business needs which are determined through surveys and support requests and themes that present themselves in discussions with our partnership base.	100%	

3.2.2	Support sustainable local business development, visitations and events.
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3.2.2.1: Deliver Kiama Tourism and Events Strategic Plan 2022– 2026.



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.2.2.1.1	Deliver the Tourism and Events Strategic Plan and associated Action Plan, supporting positive community and industry engagement in tourism locally.	Chief Executive Officer	The Tourism and Events Strategic Plan continues to be the Tourism and Events Department's guiding document. With the major event review report was completed and recommendations adopted by Council Council run events appeal to visitors but are essentially community based. While the team elevates events through key activations, we also ensure programs incorporate local talent. This means we can maintain the 70/30 ratio of visitors to community. The Destination Kiama partnership program models communication and collaboration, sharing statistics and reasons why investment in the tourism industry is vital to our economy.	100%	
3.2.2.1.2	Build branding and marketing activities based on the area's genuine and unique qualities and character. Develop Kiama Tourism and Events Marketing Plan focused on driving sustainable growth in overnight visitor expenditure.	Chief Executive Officer	The 2024 Kiama Visitor Guide was launched in December 2023 and is distributed from the Kiama VIC, locally to partner businesses, and statewide via our distribution company to hotels and visitor touch points around NSW. The Destination marketing plan has been enacted with two major campaigns to date focusing on our high yield target markets. The winter campaign will begin in June 2024, Coast In, Chill Out. will focus on collaboration and packaging between partnering businesses, a competition	100%	

Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
		Directorate	and a mix of digital and print campaigns driving visitation to Klama in the off-peak period.		

3.2.3	Welcome visitors to region and show off our iconic attractions.
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
3.2.3.1: Manage the Kiama Visitor Information Centre for the seamless provision of accurate, timely and friendly visitor information on tourism related services, attractions events support visitors.



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.2.3.1.1	Kiama Visitor Information Centre Business Plan commits to the delivery of consumer led and contemporary visitor services whilst preserving the base function of exceptional customer service and accurate, helpful visitor information and delivers services in line with level one accreditation standards.	Chief Executive Officer	Accreditation has been completed and information signage audited. The Visitor Centre Business Plan was updated by the Visitor Services Coordinator, this is completed annually. The "i" information symbol is used to communicate the location of visitor information broadly within print publications, maps and online. The Buzz Newsletter is sent to partners and stakeholders monthly. The Kiama Visitor Information Centre is actively involved in the business community, not only are the staff the point of contact for all partnership enquiries, but actively maintain contact with local businesses to ensure information remains current and relationships are forged.	100%	
3.2.3.1.2	Increase the opportunity to use the Kiama Visitor Information Centre (VIC) to diversify and raise revenue through event and attraction ticket sales.	Chief Executive Officer	We have recently completed the new Cycling Guide and revision of the Kiama Dining guide. Retail sales at the Visitor Centre are on a continual upward trajectory, with merchandise focused on local product and quality souvenir lines. This Financial year profit increased by over 20%. The number of visitors serviced at the VIC grew this year from 46,200 to 58,944	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.2.3.1.3	Grow and develop the volunteer program at the Kiama Visitor Information Centre and build on positive culture. Focus on improving customer service, via upskilling Kiama Visitor Information Centre staff and volunteers to align visitor enquiries with destination experiences that may appeal to their interests.	Chief Executive Officer	Our volunteer program has been refreshed in 2023 and inclusion from our local community is welcomed. Currently the Visitor Information Centre supports 10 volunteers.	100%	
3.2.3.1.4	Visitors are able to access information via a range of mediums that encourages increased spend, dispersal through the region and higher satisfaction.	Chief Executive Officer	Destination Kiama, through its partnership program, destination website kiama.com.au, social accounts and printed collateral, provides for visitors' linkages between each of the area's attractions and businesses. The Tourism and Events Department have been involved in regional projects that include business events and the South Coast Marine Tourism harbour and waterway strategy.	100%	


3.2.4	Foster economic diversity to attract and retain investment in our Municipality.
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3.2.4.1: Operate Kiama Coast Holiday Parks as a financially sustainable, quality accommodation provider.



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.2.4.1.1	Operate Kiama Coast Holiday Parks as a financially sustainable, quality accommodation provider.	Infrastructure and Liveability Directorate	Holiday Park operations are continuing with good occupation rates being achieved. Customer expectations are being met. The business is currently on track to deliver to budget of the 2023/24 period, despite a significant downturn across the caravan & camping industry in NSW for the past two quarters, Kiama Coast Holiday Parks continues to feature as a significant destination accommodation provider for mainly NSW based visitors.	100%	
3.2.4.1.2	Deliver identified maintenance, capital works and improvement programs across all Holiday Parks.	Infrastructure and Liveability Directorate	Total capital & maintenance renewal program was behind target for the full year. Some cabin refurbishment programs were unable to be completed by the EOFY due to the unavailability of suitable local contractors to undertake the works in a timely manner. The window for activities such as this (between Easter & October long weekend) also represents a busy time for the construction industry in this region.	80%	
3.2.4.1.3	Meet all legislative and accreditation requirements for Holiday Parks and seasonal camping grounds through delivery of compliance program.	Infrastructure and Liveability Directorate	Compliance works are underway with civil contracts either approved with imminent commencement or at the tender stage. The majority of non-compliant sites have been cleared or are in the process of being vacated. Compliance works for roadways were unable to be	50%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			commenced on time on May 1st, 2024, but will proceed within the limited activity window available between Easter and October long weekend. Building works will commence following the 2024/25 summer peak season.		
3.2.4.1.4	Operate Kiama Coast Holiday Parks as a financially sustainable, quality accommodation provider.	Infrastructure and Liveability Directorate	Kiama Coast Holiday Parks continues to provide quality accommodation and visitor facilities throughout the year with a satisfactory budget result, operating as a significant part of the visitor accommodation sector for the region and remains a leading business in the Caravan & Camping Industry for the NSW South Coast.	100%	
3.2.4.1.5	Undertake service review of Holiday Parks operation. (Duplicate of 5.1.5.2.3)	Chief Executive Officer	Following a period of data gathering an initial service review was completed. Following the adoption of a revised framework for undertaking the service reviews the initial results will be used to undertake a large scope of assessment in early 2024/25	75%	

3.2.4.2: Undertake the Commercial operation of The Pavilion Kiama as an income stream and investment of Council.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.2.4.2.1	Delivery of a venue that exceeds industry standards, is financially sustainable, operating profitably as a commercial arm of Council.	Chief Executive Officer	The Pavilion continues to grow and attract large and small conferences, meetings, wedding and other events to the municipal area. The Pavilion currently operates under a shared service model, whereby the venue aims to balance the allocation of commercial/wedding events with	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			community not-for-profit bookings. This approach does impose some limitations on revenue expansion. A Service Review was due to be completed in quarter four, however a variation to the initial scope has been requested. It is expected that this review will reflect on commercial opportunities and alternate business models and options to better meet this target and have the space occupied more frequently.		
3.2.4.2.2	The Pavilion Kiama is an inclusive, accessible venue.	Chief Executive Officer	The Pavilion prioritises accessibility to the venue and continues to deliver with a hearing loop available, ramp access and upper and lower-level disability friendly amenities. The Pavilion has also increased font size on collateral and ensures that details regarding access is clearly viewable on the website.	100%	
3.2.4.2.3	The Pavilion Kiama manages the balance between community expectations and profitability via commercial opportunities.	Chief Executive Officer	Three major festivals and multiple music events have been hosted in conjunction with the neighboring sports fields in quarter two, three & four this year, in addition to the normal level of conference, funeral and other commercial event bookings, boosting revenue. Bookings for community events are sitting above the 20% target. Our commitment to equitable usage between commercial/wedding events and community bookings, including a 40% discount on venue hire for community events, somewhat restricts revenue extension opportunities. Strategies are being developed to overcome the distinct downturn in wedding bookings which has resulted due to a change in trends to smaller weddings and elopements, Council will also consider both barriers to booking growth and strategies to overcome changing	100%	

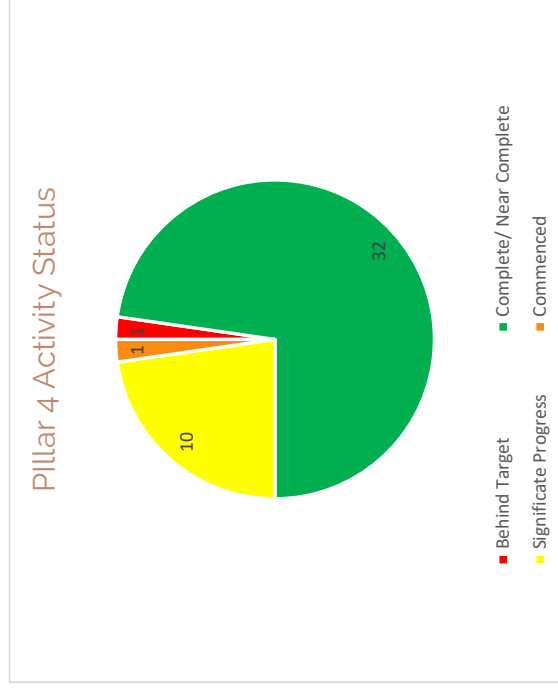
Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
3.2.4.2.4	The Pavilion Kiama upholds high standards of physical appearance and cleanliness to meet industry standards.	Chief Executive Officer	trends and lower lead conversion following the Service Review. The venue has a high quality of cleanliness and delivers for all events all year round. Whilst the Pavilion remains fully operational, there are areas that require maintenance. Exterior painting of the venue, as well as sanding and polishing of the internal floor are scheduled for completion within the 24/25 budget.	100%	
3.2.4.2.5	Carry out a Service Review process on The Pavilion Kiama.	Chief Executive Officer	Service review of the Pavilion is underway currently with an expected completion time of June 2024. A variation to the initial scope has been requested and will be completed and reported on in quarter two 24/25.	100%	

Pillar 4 | Built Environment

We are part of a connected and liveable community.

Highlights

- During the year an Agritourism Development Control Plan (DCP) chapter was finalised and adopted by Council and is now included in the DCP.
- A Development Assessment Process Policy has been drafted and exhibited this year. It is envisaged that this will be reported back to Council for adoption early in the next financial year.
- A total of 827 Planning Certificates were issued over the annual period with an average processing time of 2.5 days, and 92.6% of certificates issued within 3 business days, which exceeds the performance target.
- Footpath maintenance program is on track and all CRMs responded to within agreed timeframes. Jamberoo cycleway extension is in detail design phase.
- The funding agreement for the \$4.5m Infrastructure Betterment Program is being finalised after clarifications of works scopes with the funding agency and the application of additional funds to improve the deliverables for the community.



Items not yet commenced

- Review priority actions from Draft Traffic and Parking Study for Kiama Town Centre including paid parking options - significant resourcing issues for the delivery of urgent priorities such as managing a series of storm events in April/May and the resulting reconstruction efforts as well as the unexpected departure of several key staff has significantly delayed this project. The scope of Study is being identified into specific component that would be deliverable under the resources and budgeting constraints of Council Strategic Improvement Plan and are being programmed for 2024/25 as discrete project.

Outcome 4.1	We love where we live; our housing reflects our values
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4.1.1	Help our local businesses grow strong.
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4.1.1.1: Collaborate and partner through the Illawarra Shoalhaven Joint Organisation to develop a regional response to affordable housing supply.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.1.1.1	Collaborate and partner through Illawarra Shoalhaven Joint Organisation (ISJO) and State Government agencies to develop a regional response to affordable housing supply.	Planning, Environment and Communities Directorate	During the year Council continued to collaborate and partner through Illawarra Shoalhaven Joint Organisation (ISJO) and State Government agencies to develop a regional response to affordable housing supply.	95%	

4.1.2	Facilitate development that is respectful of the local characteristics of the Municipality.
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4.1.2.1: Support and strengthen our diverse communities through regional collaborations and local connections.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.1.2.1.1	Support and strengthen our diverse communities through regional collaborations and local connections.	Planning, Environment and Communities Directorate	This year Council continued to implement the Regional Economic Development Strategy through liaising with the Local Business Chamber and other local businesses. Staff also supported and attended the Illawarra Business Awards as well as various Kiama Business Chamber events.	95%	

4.1.3	Manage growth sustainably and thoughtfully.
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4.1.3.1: Local Housing Strategy facilitates the provision of adequate housing supply within the Municipality.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.1.3.1.1	Meet the Greater City Commission Targets set for housing.	Planning, Environment and Communities Directorate	The Greater City Commission (Six Cities Commission) has now been disbanded. The housing targets are yet to be set and State Government direction may change. This year Council has commenced the preparation and community engagement for its Growth and Housing Strategy this quarter. This Strategy will ensure targets are achievable and how best they can be met.	90%	
4.1.3.1.2	Assess Planning proposals in accordance with Council and regional strategies and targets.	Planning, Environment and Communities Directorate	This year Planning Proposals continued to be processed in a way that is consistent with Council and Regional Strategies and targets.	95%	
4.1.3.1.3	Monitor housing and land supply to ensure demand is being met by reporting to Council on the number of dwellings approved and completed and provide data on Council's website and annually to the Urban Development Programs.	Planning, Environment and Communities Directorate	This year Council commenced the preparation of the Growth and Housing Strategy. The Kiama Council's Growth and Housing Strategy will set out a clear plan to support the delivery of housing in our municipality and our region over the next 20 years. It will also identify if new housing opportunities are required, and if so, where and how these opportunities can be supplied. It is expected to be publicly exhibited and finalised in the upcoming financial year. In addition, Council continued to monitor and report on local housing supply. Staff also worked with consulting	85%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			firm Remplan on baseline reporting and projections based on the latest census data. Council officers are also actively participating in the Urban Development Program meetings.		

Outcome 4.2	We are well connected within our local community, and to our region.
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4.2.1	Manage landuse planning to retain distinct towns and villages.
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4.2.1.1: Facilitate and encourage sustainable and appropriate uses of rural lands.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.2.1.1.1	Undertake a review of Council's Local Environment Plan (LEP) and associated strategies to provide a contemporary planning framework for Kiama Local Government Area (LGA).	Planning, Environment and Communities Directorate	<p>The review of the Kiama Local Environmental Plan will consider the proposed Housing and Growth Management Strategy, which will also contain recommendations for the management of existing rural land as well as recommending sustainable and appropriate uses of those lands.</p> <p>This year Council embarked on the preparation of the Kiama Growth and Housing Strategy, which sets out a clear plan to support the delivery of housing in our municipality and our region over the next 20 years. It will also identify if new housing opportunities are required, and if so, where and how these opportunities can be supplied. Extensive Community and Industry consultation has been undertaken during the preparation of the Strategy and the community will have further opportunities to comment during the public exhibition which is expected in the first quarter of the new year.</p>	60%	


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.2.1.1.2	Implement the Agritourism legislative changes and commence work on required Development Control Plans (DCP) controls for this change.	Planning, Environment and Communities Directorate	During the year, an Agritourism DCP chapter was finalised and adopted by Council and is now included in the DCP.	100%	

4.2.1.2: Collaborate with Illawarra Shoalhaven Local Health District and other community partners to support and strengthen food sustainability.




Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
4.2.1.2.1	Work with the Illawarra Shoalhaven Joint Organisation (ISJO) and neighbouring Councils to lobby the State Government to make changes to the Standard Instrument Local Environmental Plans (LEP) and other relevant environmental planning instruments.	Planning, Environment and Communities Directorate	Council has continued to advocate with ISJO to State Government for updates to Local Environment Plan to facilitate viable agricultural enterprises and practices.	95%	

4.2.2	Deliver our Capital works program effectively and efficiently.
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

4.2.2.1: Ensure Council's planning systems and processes are contemporary and transparent.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.2.2.1.1	Prepare and adopt a contemporary Development Assessment Process Policy to ensure Council's planning systems and processes are contemporary and transparent.	Planning, Environment and Communities Directorate	A Draft Development Assessment Process Policy has been drafted and exhibited this year. It is envisaged that this will be reported back to Council for adoption early in the next financial year.	95%	

4.2.2.2: Council meets the legislative requirements for planning and assessment.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.2.2.2.1	Deliver the Development Assessment Reform Program and Implement required actions to meet legislation, best practice and strive to meet customer service targets and policy.	Planning, Environment and Communities Directorate	Council continued to deliver the Development Assessment Reform Program and Implement required actions to meet legislation, best practice and strive to meet customer service targets and policy. Staff also undertook the necessary work to transition to Department of Planning Notice of Determination Template and Conditions. In addition, this year a Draft Development Assessment Policy was placed on public exhibition. This policy will ensure best practice and clear guidance for both Applicants and assessing officers.	95%	
4.2.2.2.2	Manage development assessment processes in accordance with state government best practice guidelines.	Planning, Environment and Communities Directorate	This year a Draft Development Assessment Policy was reported to Council and placed on public exhibition. This Policy will provide guidance and best practice to both Applicants and Assessing Officers. It will also ensure that Development Applications are assessed in accordance with the legislative requirements. In addition, requests for Additional Information, Assessment Reports, Notices of Determination and Stamped Plans are now publicly available on Council's DA Tracker. This year work also continued on the transition to the Department of Planning Notice of Determination Template and Conditions as required by legislation.	95%	
4.2.2.2.3	Continue to review and enhance Council's Development Assessment (DA) templates and work practices reflect the adopted Development Assessment Process Policy, the NSW Government's	Planning, Environment and Communities Directorate	Ongoing improvements continue to be made where required to DA templates and workflow processing, including integration with the NSW Planning Portal resulting in efficiency gains.	100%	


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
	Development Assessment Best Practice Guide and current legislation.				
4.2.2.2.4	Assess Development Applications in accordance with adopted timeframes and targets.	Planning, Environment and Communities Directorate	This year Development Applications continue to be assessed in accordance with adopted timeframes and targets, with just over 300 development applications determined for the year. There have been some challenges with recruitment for planners which has delayed assessments. A series of process improvements will be developed and implemented in the upcoming year to ensure the efficient and accurate assessment of Development Applications.	75%	
4.2.2.2.5	Undertake building inspections as principal certifying authority.	Planning, Environment and Communities Directorate	This year Council continued to provide a service to the community to undertake building inspections as principle certifying authority in accordance with legislative requirements, with 19 inspections undertaken.	75%	
4.2.2.2.6	Process complying development, occupation and construction certificates within legislative timeframes.	Planning, Environment and Communities Directorate	This year Council continued to provide a service to the community to process Complying Development Certificates, Occupation and Construction Certificates within legislative timeframes. This year the following were determined: <ul style="list-style-type: none"> Complying Development Certificates: <ul style="list-style-type: none"> KMC 2 PCA 109 Occupation Certificates <ul style="list-style-type: none"> KMC 9 PCA 214 	95%	



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			<ul style="list-style-type: none"> Construction Certificates KMC 12 PCA 151 		
4.2.2.2.7	Inspect and issue approval for caravan parks to operate as required by the Local Government Act.	Planning, Environment and Communities Directorate	This year Council Officers continued to inspect and issue approval for caravan parks to operate as required by the Local Government Act.	95%	
4.2.2.2.8	Make timely decisions and submissions regarding proponent-led planning proposals.	Planning, Environment and Communities Directorate	This year Council has continued to make timely decisions and submissions regarding proponent-led Planning Proposals.	75%	
4.2.2.2.9	Make a Local Environmental Plan, which has been delegated to Council, in the timeframes specified in a Gateway Determination.	Planning, Environment and Communities Directorate	All Draft Local Environmental Plans (Planning Proposals) continued to be processed in accordance with The State Government guidelines and within the Gateway Determination timeframes and requirements. In addition, all proponent-led planning proposal are submitted for a Gateway determination within 90 days of Council indicating its support if that support is given.	95%	

Outcome 4.3 Our built environment is safe and inclusive; our infrastructure is well planned and well managed.




4.3.1 Manage growth sustainably and thoughtfully.

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

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.1.1.1	Identify priorities within the Open Space and Recreation Strategy for capital works program.	Infrastructure and Liveability Directorate	<p>Master planning of 2 significant sites, South Werri Reserve and the Kiama Sporting Complex have been delayed due to a number of site issues and relationships with other projects.</p> <p>The draft of the South Werri Reserve master plan has been received and is the subject of internal review with finalisation programmed for early 2024/25.</p> <p>The Kiama Sporting Complex planning process was paused to consider the recommendations of the Kiama Leisure Centre Service Review and preliminary inputs from the sub-division process for the former Residential Aged Care facility on 2 Havilah Pl. As a result of these additional inputs, the scope of the master planning process was updated, and additional investigation and</p>	70%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.1.1.2	Maintain currency of information about the accessibility of Council's public toilets, on the National Public Toilets Register.	Infrastructure and Liveability Directorate	planning works commissioned. The iterations of this master planning process will be continued into 2024/25. There were no new public toilets delivered in the 2023/24 period and the Kiama entries on the National Public Toilets Register.	100%	
4.3.1.1.3	Improve accessibility of recreational facilities including wheelchair access to seating, shaded areas, outdoor exercise and play equipment.	Infrastructure and Liveability Directorate	Construction of the new play space within Hindmarsh Park is underway and is programmed to be completed in September 2024 and this will deliver significant improvements to accessibility, seating and shade facilities in Kiama funded by the NSW Government's Public Spaces Legacy, Stronger Country Communities and Active Transport Programs.	80%	

4.3.1.2: Implement maintenance and capital renewal and improvement programs for Council's built assets and infrastructure.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.1.2.1	Deliver the approved recreation and open space programs to meet community needs.	Infrastructure and Liveability Directorate	It has been a challenging year for our open space maintenance due to extreme weather. This has impacted our ability to access many open spaces on a regular basis. Extra casuals were employed to assist with mowing. Our teams are back on track as the grass growing slows down.	100%	
4.3.1.2.2	Deliver community building asset maintenance and capital programs.	Infrastructure and Liveability Directorate	Building maintenance program is on track and all CRMs have been actioned within agreed timeframes. Completed capital programs include new kitchen and flooring to Minnamurra tennis club canteen, public toilet upgrades have been completed to James Oates Reserve and Gainsborough Oval.	100%	
4.3.1.2.3	Deliver stormwater asset maintenance and capital programs.	Infrastructure and Liveability Directorate	GPT maintenance program is progressing as scheduled. All CRM's have been actioned within agreed timeframes. Additional stormwater management on the Kiama Coast Walking Track has been installed	100%	

4.3.1.3: Develop Cemeteries Plan to guide future development needs and opportunities.




Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.1.3.1	Manage and maintain the three (3) operating cemeteries.	Infrastructure and Liveability Directorate	Council continues to manage the cemeteries to serve our community and customers.	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			<p>The three operational cemeteries have been effectively maintained throughout year despite challenging weather conditions and the lawn beams at Kiama cemetery have been expanded to allow for an additional 254 interment locations.</p> <p>Significant efforts have been made to update procedures and record keeping in line with new Interment Industry Scheme introduced by Cemeteries & Crematoria NSW.</p>		

4.3.1.4: Remain engaged with Federal, State and Regional Planning.




Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.1.4.1	Attend, participate in and engage with, State Government planning reforms, workshops, reference groups and planning processes that relate to Kiama Local Government Area (LGA) and the region, particularly with the Great Cities Committee.	Planning, Environment and Communities Directorate	This year Council Officers continued to liaise with the local representatives of the Department of Planning as the Greater Cities Commission (Six Cities Commission) has been disbanded. Officers also continued to pursue adopted advocacy items.	95%	

4.3.1.5: Provide timely and accurate planning advice.





Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.1.5.1	Ensure Council's spatial planning data is accurate and current.	Planning, Environment and Communities Directorate	Planning spatial data is reviewed and updated with legislation updates weekly and/or as notified by other government agencies. Development of an annual review program is planned and in the interim datasets are continually monitored and updated as required.	100%	
4.3.1.5.2	Issue Planning Certificates within required timeframes and targets.	Planning, Environment and Communities Directorate	A total of 827 Planning Certificates were issued over the annual period with an average processing time of 2.5 days, and 92.6% of certificates issued within 3 business days, which exceeds the performance target.	100%	
4.3.1.5.3	Provide timely, informative useful information to customers about the Development Application process and associated plans to support community understanding and engagement.	Planning, Environment and Communities Directorate	Council's website continues to provide timely, informative useful information to customers and reflects the NSW Government's Development Assessment Best Practice Council has prepared a draft Development Assessment Policy which was placed on public exhibition in Q4. It is expected that this policy will be adopted early in the coming year and will provide further best practice guidance to both applicants and assessing officers.	90%	

4.3.2	Actively plan how we travel and create safe travel routes whether we are walking, cycling, driving or accessing public transport.
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4.3.2.1: Implement footpaths and cycleways program.



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.2.1.1	Implement footpath and cycleway asset maintenance and capital programs.	Infrastructure and Liveability Directorate	Footpath maintenance program is on track and all CRMs responded to within agreed timeframes. Jamberoo cycleway extension is in detail design phase.	100%	
4.3.2.1.2	Review and extend the footpath and cycleway renewal and upgrade schedule.	Infrastructure and Liveability Directorate	The condition assessment of the existing footpath and shared path assets was completed. The designs for the Jamberoo Cycleway have been progressing and the updated draft plans are being reviewed for construction issues and alignment of the road reserve and adjacent private lands. Construction is programmed for 2024/25	90%	
4.3.2.1.3	Apply for appropriate grants to fund improvements to the footpath and cycleway networks with less impact on Council's budget capacity.	Infrastructure and Liveability Directorate	Councils Grants Officer has investigated opportunities for external funding and applied as appropriate.	100%	

4.3.2.2: Implement road safety and traffic management programs and responsibilities.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.2.2.1	Manage Roads Act permits to ensure safety standards maintained.	Infrastructure and Liveability Directorate	Applications were processed and assessed as received.	100%	
4.3.2.2.2	Implement local funded Road Safety projects and programs.	Infrastructure and Liveability Directorate	The annual road safety action plan was approved for funding by Transport for NSW in Quarter 1 and actions are progressing. Construction of the Crooked River Road urban gateway treatment project was completed as were funding road safety activities such as the Learner Logbook Runs & workshops, Older Road User campaigns and National Road Safety Week activities.	100%	
4.3.2.2.3	Prepare Local Road Safety Action Plan to allow inclusion on funded works programs and grant applications.	Infrastructure and Liveability Directorate	The annual road safety action plan was approved for funding by Transport for NSW in Quarter 1 and actions are progressing. Construction of the Crooked River Road urban gateway treatment project was completed as were funding road safety activities such as the Learner Logbook Runs & workshops, Older Road User campaigns and National Road Safety Week activities.	100%	
4.3.2.2.4	Review priority actions from Draft Traffic and Parking Study for Kiama Town Centre for further investigation and action including paid parking options.	Infrastructure and Liveability Directorate	Significant resourcing issues for the delivery of urgent priorities such as managing a series of storm events in April/May and the resulting reconstruction efforts as well as the unexpected departure of several key staff has significantly delayed this project.	10%	




Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			The scope of Study is being identified into specific component that would be deliverable under the resources and budgeting constraints of Council Strategic Improvement Plan and are being programmed for 2024/25 as discrete project.		

4.3.2.3: Implement the requirements of the Roads Transport Act, Impounding Act, Crown Lands Act and Road Rules.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.2.3.1	Conduct scheduled parking patrols to support effective traffic and parking management.	Planning, Environment and Communities Directorate	During this period 434 active parking patrols were conducted. The number of fines issued during this period was 373, this provided a face value of fines equating to \$81,091.00. Received 199 illegally parked vehicle complaints and 45 abandoned vehicle complaints received and investigated. 4 abandoned vehicles removed; 5 fines valued at \$6,600.00 face value issued.	100%	
4.3.2.3.2	Investigate and action parking, traffic and abandoned vehicle complaints. Make Legal determination for non-compliance (Caution/Warning/Infringement).	Planning, Environment and Communities Directorate	During this period 434 active parking patrols were conducted. The number of fines issued during this period was 373, this provided a face value of fines equating to \$81,091.00. Received 199 illegally parked vehicle complaints and 45 abandoned vehicle complaints received and investigated. 4 abandoned vehicles removed; 5 fines valued at \$6,600.00 face value issued. A new fine issuing system was implemented to automate vehicle plate searches and to provide a seamless	100%	



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			integration with Revenue NSW which allows the customer to view an image of the non-compliant vehicle.		


4.3.2.4: Plan and manage road, drainage and other infrastructure through the Asset Management Plans.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.2.4.1	Identify and prioritise asset infrastructure renewal and upgrade projects for inclusion in the Capital Works Program together with other appropriate funding sources.	Infrastructure and Liveability Directorate	Asset condition assessment for roads and footpaths have been undertaken and informed the drafting of the 2024/25 works program. Other asset upgrade works have been included in the 2024/15 capital program based on existing plans and the availability of funding from external sources and reserves	100%	
4.3.2.4.2	Identify and seek available appropriate external funding opportunities for infrastructure programs to improve Council's infrastructure portfolio with lower impact on Council's budget.	Infrastructure and Liveability Directorate	Council continues to apply for external funding as opportunities arise. The funding agreement for the \$4.5m Infrastructure Betterment Program is being finalised after clarifications of works scopes with the funding agency and the application of additional funds to improve the deliverables for the community.	100%	
4.3.2.4.3	Implementation of priority actions from the Gerringong and	Infrastructure and Liveability Directorate	The 65% design plans for the endorsed priority works at the 2 Jamberoo and 1 Gerringong precinct are	65%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
	Jamberoo Flood Investigation Study.		programmed to be issues to council for review in early 2024/25		

4.3.2.5: Deliver major capital works and projects utilising external funding opportunities.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.2.5.1	Deliver Hindmarsh Park Redevelopment.	Infrastructure and Liveability Directorate	Construction of the new play space within Hindmarsh Park is underway and is programmed to be completed in September 2024 and this will deliver significant improvements to accessibility, seating and shade facilities in Kiama funded by the NSW Government's Public Spaces Legacy, Stronger Country Communities and Active Transport Programs.	80%	
4.3.2.5.2	Deliver Jamberoo Cycleway and other Active Transport funded projects.	Infrastructure and Liveability Directorate	The designs for the Jamberoo Cycleway have been progressing and the updated draft plans are being reviewed for construction issues and alignment of the road reserve and adjacent private lands. Construction is programmed for 2024/25 Active Transport funded works in Hindmarsh Park (pathways upgrades, bike lockers, and repair stations) have been completed and will be commissioned in early 2024/25 as a part of opening the new play facilities.	35%	

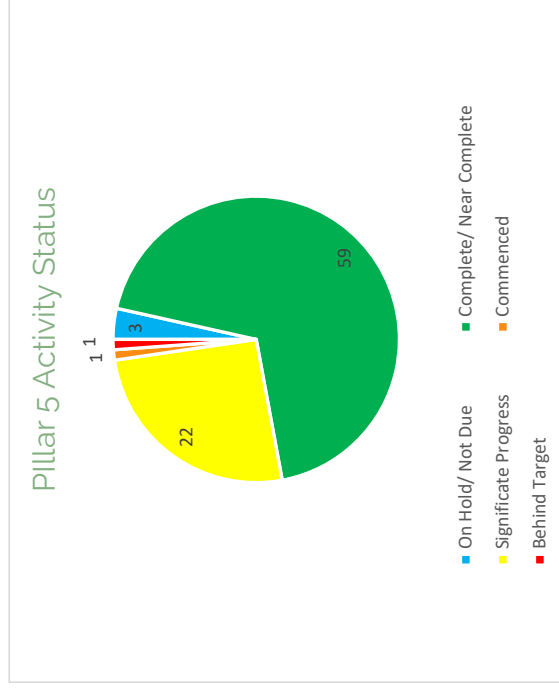
Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
4.3.2.5.3	Deliver priority actions from the Gerringong and Jamberoo Flood Investigation Study.	Infrastructure and Liveability Directorate	The 65% design plans for the endorsed priority works at the 2 Jamberoo and 1 Gerringong precinct are programmed to be issues to council for review in early 2024/25	65%	

Pillar 5 | Civic Leadership

We expect accountable and transparent leadership; a financially sustainable Council.

Highlights

- Our Long-Term Financial Plan was revised and adopted by the Council on June 27, 2024.
- The implementation of monthly and quarterly financial reporting adhered to financial reporting standards. The preparation of annual financial statements is now conducted in accordance with statutory timeframes.
- The divestment program is continuing. The Akuna Street car park sale process was settled in November 2023 for \$5.5 million (ex GST) which is a significant contribution towards the 2023/24 budget for income through the divestment of land assets and the 22b Irvine Street site was settled the last quarter of the year for a total sale price of \$1.225m. These transactions were a significant contribution to achieving council's 2023/24 budget and continuing our journey towards financial sustainability and a balanced budget in 2067/27.
- Blue Haven operations continue at a high standard. RACF accreditation action plan implemented, ACQSA reaccreditation achieved with all previously unmet criteria addressed.







- 23/24 FY annual reporting completed in October 2023. Half yearly reporting on Delivery Program completed. 24/25 Operational Plan reviewed and endorsed by council June 2024.
 - Council's new Community Engagement Strategy has been adopted by Council. The new Committee framework, as adopted by Council, has also been in place for a number of months and is nearing the end of this term of Council.
 - Council posts on average 23 news articles/press releases per month to the Council website. Top ranking website pages are Homepage, Kiama Leisure Centre (KLC), KLC online portal, jobs, events, Council meeting agendas and minutes, contact us, waste and recycling, bin collection dates and search.
 - In Q3, Council ran a campaign to subscribe to Kimunico (council's public-facing monthly e-newsletter), the campaign saw an uptick of almost 25% in subscriber numbers, which was 1,065 at end June 2024. The Kimunico average open rate was 58% for the reporting period of FY23-24.
 - Complaints handling policy endorsed January 2024. Refresher code of conduct training commenced in Q3. Code of Conduct review commenced Q4 in anticipation of new council.
 - Service review program developed and approved by council. Council now has a dedicated Implementation Team to oversee this work.
 - Strategic Finance & Governance Improvement Plan was approved by Council in June 2024, documenting Council's plan for addressing the updated Performance Improvement Order.
- Items not yet commenced**
- Action to establish a Project Management Office (PMO) that supports continuous improvement and oversight of projects across all areas of Council has not been implemented as initially framed. In response to the extended PIO, the decision was taken to instead establish an Implementation Team for an (initial) period of 2 years to oversee both Council's response to the PIO as well as implementing continuous improvement, service review and project management policies and procedures.

- Action to implement Human Resources (HR) module of Technology One program is still outstanding due to a lack of IT and project management resources to oversee the implementation of the Human Resources component of Technology One. This action has now been carried over to the 2024-2025 Delivery Program and Operational Plan.


Outcome 5.1	Public funds and assets are managed strategically, transparently and efficiently.
5.1.1	Public funds are managed in accordance with Financial Management Standards and Local Government Act.


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



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.1.1.1	Finalise Office of Local Government's Performance Improvement Orders (PIO).	Chief Executive Officer	A notice of intention to vary a performance improvement order was received by Council on 30 January 2024. The varied order was received on 27 May 2024. An Implementation team has been established to oversee and progress the actions required under the order. The Implementation team are drafting a Strategic Finance and Governance Improvement Plan as required by the varied order and will report on the Plan to Council and the Office of Local Government on a regular basis.	100%	
5.1.1.1.2	Long Term Financial Plan (LTFP) developed and regularly updated.	Chief Operating Officer	The Long-Term Financial Plan was revised and adopted by the Council on June 27, 2024.	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.1.1.3	Implement regular, complete and timely financial reporting.	Chief Operating Officer	The implementation of monthly and quarterly financial reporting adhered to financial reporting standards. The preparation of annual financial statements is now conducted in accordance with statutory timeframes. Some further improvements are yet to be made to quarterly budget review reports which will be implemented next financial year.	95%	
5.1.1.1.4	Budget software functional and relevant staff trained so that appropriate financial reports can be delivered with confidence in a timely way.	Chief Operating Officer	The budgeting module in TechOne is fully operational and employed for monthly and quarterly reporting. The encompassing both internal and external reports. The Finance department conducted comprehensive training sessions for all budget owners.	100%	

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.




Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.1.2.1	Audit, Risk and Improvement Committee (ARIC) provide support to the Chief Executive Officer through the provision of strategic oversight and guidance to meet Council continuous improvement priorities.	Chief Executive Officer	The Audit, Risk, and Improvement Committee has met 5 times in FY24. The Committee has been very active during the year in reviewing and monitoring Council's financial and risk management strategies, governance, internal audit activity, and external accountability responsibilities, including providing feedback and reviewing Council's financial statements for 2022 and 2023. Continuous	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.1.2.2	Implement recommendations adopted from Audit, Risk and Improvement Committee (ARIC) to increase oversight, risk management and compliance.	Chief Executive Officer	improvement priorities include an annual internal audit plan and monitoring the implementation of audit items. Recommendation implementation plans from each audit completed are being actioned in accordance with agreed timeframes and regularly reported at ARIC meetings. While most are closed in agreed timeframes there are some delays in close-out due to resourcing or technology constraints.	80%	
5.1.1.2.3	Undertake all procurement and public tendering in accordance with Council policy and relevant legislation. Establish and implement Project Management Framework.	Chief Operating Officer	Procurement and tender processes adhere to legislative requirements. The Procurement Coordinator has commenced a detailed compliance review of the tendering process. Furthermore, the development of a Project Management Framework is underway.	50%	
5.1.1.2.4	Maintenance of system that minimises the potential of fraud within Council.	Chief Executive Officer	The strategic internal audit plan was delivered on schedule. There were 6 internal audits completed during the year. Internal audit reports, including audit findings, recommendations and implementation timeframes are provided to the Audit, Risk and Improvement Committee, who monitor the implementation of audit recommendations.	100%	
5.1.1.2.5	Embed systems to support continuous improvement. Develop strategic priorities plan for implementation of audit reports received.	Chief Executive Officer	The Audit, Risk, and Improvement Committee met 5 times in FY24. The Committee takes an active role in reviewing and monitoring Council's financial and risk management strategies, governance, internal audit activity, and external accountability responsibilities.	90%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.1.2.6	Develop and deliver annual plan to implement priorities identified through Forsyths' report and other audits.	Chief Operating Officer	This includes regularly monitoring the implementation of internal audit recommendations, and ensuring outstanding items are addressed within a set timeframe. Finance team workplan has been based on Forsyth report, PIO and other audits and this will continue into 2024/25 financial year, taking into consideration a variation to PIO.	90%	
5.1.1.2.7	Develop and deliver annual plan to implement strategic priorities identified through Hopwood Report regarding governance, risk and Integrated Planning and Reporting.	Chief Operating Officer	Hopwood report 'review of governance arrangements' substantially complete and action plan reported to ARIC regularly. An updated review of Councils governance arrangements by Todd Hopwood was completed in May 2024, priorities are being identified and workplan created and will be overseen by council's new Implementation Team.	80%	

5.1.2	Financial reporting is accurate, relevant and timely; to support decision makers and the community to understand how public funds and assets are managed.
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5.1.2.1: Manage Council's Financial Sustainability through an increase of revenue and funding sources.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.2.1.1	Establish grant funding objectives and annual strategic priorities to support opportunities to maximise revenue sourced from external funding and grants.	Infrastructure and Liveability Directorate	Identifying infrastructure priority list with the Director Infrastructure & Liveability and Manager Engineering and Technical Services is an ongoing activity.	50%	
5.1.2.1.2	Undertake pricing review on Retirement Village accommodation entry payments.	Chief Operating Officer	In October 2023, the pricing structure was reviewed and increased as benchmarked against market rates and indexation.	100%	
5.1.2.1.3	Manage Council's investments in accordance with Local Government Act, Ministerial Order and Councils' investment policy to maximise investment returns.	Chief Operating Officer	Throughout the 2023/24 financial year, Council's investments were made in compliance with the Local Government Act, Ministerial Order, and the Council's investment policy, aiming to maximize returns as reported in monthly Investment Reports. Additionally, the Council updated its Investment Policy to better manage risk and improve returns.	100%	
5.1.2.1.4	Invoices and rates notices are sent within statutory timeframes.	Chief Operating Officer	In the 2023/24 financial year, all invoices and rates notices were sent in accordance with the statutory timeframes.	100%	
5.1.2.1.5	Debt collection processes ensure money owed to Council is	Chief Operating Officer	Council proactively pursued all outstanding invoices, following policy and local government standards.	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
	received within required timeframes.				

5.1.3	Assets are managed to understand the relevance, importances and lifecycles needs involved in the provision of infrastructure.
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5.1.3.1: Work to improve Council's ability to meet increases in demand for its public infrastructure and assets.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.3.1.1	Update the developer contributions policy to ensure adequate collection of fees and charges for refurbished assets, alongside analysis of existing and future needs.	Planning, Environment and Communities Directorate	This year the inception of the Development Contributions Coordination Group has enabled cross departmental collaboration to establish, monitor and review capital budgets and ensure that suitable projects are funded through development contributions.	100%	
5.1.3.1.2	Ensure a contemporary governance framework is established to ensure development contributions are levied and spent appropriately.	Planning, Environment and Communities Directorate	This year the employment of a dedicated Development Contributions Planner has enabled the governance framework to be update. This has included a review of the Section 7.12 Contributions Plan and the Planning Agreements Policy.	100%	

5.1.3.2: Manage Council's assets strategically to consider whole of life costings.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.3.2.1	Asset Management Policy and Plans up-to-date and comply with the Local Government Act. Review and update Asset Management Policy and Plans.	Infrastructure and Liveability Directorate	Road asset valuations and condition assessments were completed this quarter. The completion of this project has informed the development of the capital works program for 2024/25 and will support the drafting of longer term works program. Preparatory works started for the next valuation program - stormwater assets. The stormwater assets assessment will be completed to program in 2024/25	100%	
5.1.3.2.2	Undertake asset re-evaluations on all classifications of assets to address the mandatory and statutory requirements of the Act to the agreed schedule.	Infrastructure and Liveability Directorate	Asset conditions assessment of road and associated infrastructure has been completed Preparation for engaging a consultant for the condition assessment and valuation of stormwater assets is underway for the works to be undertaken in 2024/25	100%	
5.1.3.2.3	Utilise Asset Management Plan to guide lifecycle management and decision making in capital and maintenance program development.	Infrastructure and Liveability Directorate	Asset condition assessment for roads and footpaths have been undertaken and informed the drafting of the 2024/25 works program.	100%	




5.1.3.3: Identify Council owned land and property for future use or disposal opportunity; and manage in accordance with the Local Government Act.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.3.31	Undertake strategic review of all Council land holdings.	Infrastructure and Liveability Directorate	<p>A review of the Council land register has been completed and a number of minor inconsistencies in land descriptions and land attributes have been identified for correction in early 2024/25.</p> <p>The initial assessment of the landholdings has been completed and has informed the divestment program for the 2024/25 Operational Plan. Finalising the remainder of the review was delayed by project issues on a number of divestment projects in the final quarter and is being finalised in early 2024/25.</p>	75%	
5.1.3.32	Coordinate actions for the sale of Council land and property including investigations and acquisition of new Council land/property in accordance with Annual Public Land Management Program and Strategic Improvement Plan.	Infrastructure and Liveability Directorate	<p>The divestment program is continuing. The Akuna Street car park sale process was settled in November 2023 for \$5.5 million (ex GST) which is a significant contribution towards the 2023/24 budget for income through the divestment of land assets and the 22b Irvine Street site was settled the last quarter of the year for a total sale price of \$1.225m. These transactions were a significant contribution to achieving council's 2023/24 budget and continuing our journey towards financial sustainability and a balanced budget in 2027/27.</p> <p>Several sites are progressing through the various statutory process (road closures, land registration, preparation for sale). Agreement in the sale of 70 South Kiama Drive was achieved at the end of June and the sale process for the</p>	80%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			O'Connell Street site is programmed to commence in July 2024.		

5.1.4	Commercial investments are managed to maximise their value; and in accordance with legislative obligations.
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5.1.4.1: Commercial investments are managed to maximise their value; and in accordance with legislative obligations.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.4.1.1	Develop and implement priority actions of the Financial Sustainability Strategy.	Chief Operating Officer	This was integrated into the Strategic Finance and Governance Improvement Plan, adopted by the Council at the meeting on June 27, 2024.	100%	
5.1.4.1.2	Review fees and charges to maximise opportunities for revenue increases in line with community expectations.	Chief Operating Officer	Fees and charges were subject to review and update by the respective department managers, and the resultant changes have been integrated into the 2023-24 budget approved by the Council. Moving forward, the Council will conduct an in-depth review of pricing methodologies for each core business area as part of its ongoing Service Reviews.	95%	
5.1.4.1.3	Repricing on retirement villages in line with market fees.	Chief Operating Officer	Annual price increases are implemented in accordance with Retirement villages Legislation. In October 2023 new prices were introduced based on market assessment and indexation.	100%	

5.1.4.2: Continue to implement Council Resolution 22/1040C for Blue Haven and Resolution 23/0530C

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.4.2.1	Implement the strategic actions outlined in Council Resolution 22/1040C to support stability, maintain systems and processes ensure all service levels continue to be delivered to a high level.	Chief Operating Officer	Blue Haven operations continue at a high standard. RACF accreditation action plan implemented. ACQSA reaccreditation achieved with all previously unmet criteria addressed.	50%	
5.1.4.2.2	Prepare an annual Operational Plan for each of the Blue Haven components to better deliver high levels of service and improve cost effectiveness. Ensure compliance with the Aged Care Act, Aged Care Quality Standards and the Retirement Village Act.	Chief Operating Officer	An Operational Plan has been completed for Blue Haven.	100%	
5.1.4.2.3	Prepare for and undertake accreditation processes for Blue Haven Home Care programs to maintain approved provider status. Ensure Residential Aged Care maintains same compliance. Monitor Aged Care Reform Agenda. Continue to maintain compliance with the Retirement Villages Act.	Chief Operating Officer	ACQSA reaccreditation achieved 2024.	100%	
5.1.4.2.4	Prepare and execute a decommission strategy for the	Infrastructure and Liveability Directorate	The sub-division investigation and design process is continuing to enable to former Residential Aged Care facility to be excised from the Blue Haven village.	50%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
	disused aged care facility at Havilah Place.		Preparation works for securing the former Residential Aged Care from public and village resident access is underway including identification of interconnected services. Implementation of the site security arrangements is planned for early 2024/25		
5.1.4.2.5	Finalise the Asset Management Plan for Blue Haven and its components to adequately plan and fund replacement/renewal and repairs and maintenance for the facilities.	Infrastructure and Liveability Directorate	Asset Management Plan was prepared in first quarter 2024. Associated actions are being implemented.	75%	
5.1.4.2.6	Continue to improve and address governance matters for Blue Haven and its associated services.	Chief Operating Officer	Action plan submitted to ACQSC late 2023 and successful accreditation assessment Jan 2024.	100%	
5.1.4.2.7	Review and ensure compliance with Prudential Standards for year ending June 2024.	Chief Operating Officer	Prudential standard update completed, presented to council July 2023. Prudential compliance is an ongoing matter.	100%	
5.1.4.2.8	Prepare and manage the sale of Blue Haven Bonaira Aged Care and Independent Living Unit Services.	Chief Executive Officer	Negotiations underway with preferred tenderer and council approved preparation of contract.	90%	
5.1.4.2.9	Develop and implement a Community Engagement Plan regarding the Council Resolution 22/1040C.	Chief Executive Officer	A communications plan was developed in FY22-23 and continued to be implemented to communicate the divestment of Blue Haven Bonaira including links to FAQs, as well as provide BAU updates and promote good-news stories about Blue Haven throughout this reporting	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			<p>period. Around 30 e-newsletters, including eight (8) dedicated 'Bonaira Bulletin' e-newsletters were sent to approx. 1,600 subscribers. Further, regular meetings with residents groups and stakeholders were held, which were attended by the Mayor and Council executive. The "Bonaira Bulletins" had an average open rate of 70%. Blue Haven's Facebook page has 719 followers. Council also produced three (3) quarterly printed 30-page Blue Haven newsletters containing news, updates, information and photographs of staff and residents during the reporting period with the latest (Winter-Spring 2024) currently being prepared and due to be printed/distributed in July.</p>		

5.1.4	Council delivers the functions of local government sustainably and in accordance with community expectations. All services and functions delivered by Council will be reviewed in accordance with Integrated Planning and Reporting requirements within the four-year cycle of council election.
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5.1.5.1: The Community Strategic Plan and its associated documents are delivered in line with the Integrated Planning and Reporting Framework.




Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.5.1.1	Review the Delivery Program, Operational Plan and ensure Integrated Planning and Reporting (IPR) document suite reviewed six monthly and annual reporting is completed.	Chief Operating Officer	23/24 FY annual reporting completed in October 2023. Half yearly reporting on Delivery Program completed. 24/25 Operational Plan reviewed and endorsed by council June 2024.	100%	

5.1.5.2: Review service delivery model for strategic assets and services to ensure optimal utilisation and maximum return on investment.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.1.5.2.1	Undertake service review of Leisure Centre operations. DUPLICATE OF ACTION 1.2.1.4.2	Chief Executive Officer	This is a duplicate in the system	0%	
5.1.5.2.2	Undertake service review of Waste Services and operations.	Chief Executive Officer	The draft Service Review report was received and is currently the subject of internal review to verify the data inputs (historical data and financial reporting from prior to the implantation of some Tech1 financial reporting modules) and interpretations to confirm the draft recommendations. This review is programmed for completion in early 2024/25.	90%	
5.1.5.2.3	Undertake service review of Holiday Park operations.	Chief Executive Officer	Following a period of data gathering an initial service review was completed. Following the adoption of a revised framework for undertaking the service reviews the initial results will be used to undertake a large scope of assessment in early 2024/25	75%	
5.1.5.2.4	Conduct Council's Hire Services to provide high quality contracted services to clients.	Infrastructure and Liveability Directorate	External Hire Services have delivered services in the 2023-2024 financial year. Council has lost 2 jobs in the 12-month period and has picked up 2 new jobs with more enquiries. It is clear that external charge out rate increases are required under the new financial structure of Waste Services; Council cannot continue service provision under the current rate structure. A review is currently underway, and report will be presented to the new Council.	100%	



Outcome 5.2	Governance is transparent and builds trust.
5.2.1	Build strong relationships and ensure our partners and community share the responsibilities and benefits of putting plans into practice.

5.2.1.1: Provide Public Access to Council business through Council meetings, briefings, public access forums and Council committee meetings.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.2.1.1.1	Conduct Council Meetings in accordance with Code of Meetings Practice.	Chief Executive Officer	11 Council meetings and 3 extraordinary meetings have been held. All council meetings have been held in accordance with the Council Code of Meeting Practice.	100%	
5.2.1.1.2	Facilitate Councilor workshops, briefings and public forums as required.	Chief Executive Officer	Councilor workshops and briefings have been facilitated and coordinated throughout the period, including a pre-candidate briefing in preparation for September 2024 elections.	100%	
5.2.1.1.3	Review and establish Council Committees and consultative bodies in conjunction with a review of Council's Community Engagement Policy.	Chief Executive Officer	Council's new Community Engagement Strategy has been adopted by Council. The new Committee framework, as adopted by Council, has also been in place for a number of months and is nearing the end of this term of Council. Ongoing engagement also occurs with precinct groups and organisations as part of the adopted Engagement Strategy.	100%	




5.2.1.2: Support good governance through systems and processes for legislative compliance.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.2.1.2.1	Maintain currency of Council's insurance portfolio and support the management of claims.	Chief Operating Officer	Insurance renewal documentation and declarations have been submitted by the due date. All general insurance and workers compensation policies were completed in accordance with the renewal schedule set by council's insurer.	100%	
5.2.1.2.2	Maintain regular meetings and discussions with SafeWork to maintain Councils cooperative partnership.	Chief Operating Officer	Positive interactions with SafeWork continue. No improvement notices have been issued for the year.	100%	
5.2.1.2.3	Manage Council records in accordance with legislative requirements.	Chief Operating Officer	A major upgrade to Council's Records and Document Management System is in progress. This will improve the security and quality of our data management. Council has embarked on an archiving and digitisation project which will result in improved legislative compliance for Records and Information Management.	50%	
5.2.1.2.4	Deliver functions to improve information and data management with a focus on privacy, security, ethics, quality and sharing.	Chief Operating Officer	A major upgrade to Council's Records and Document Management System is in progress. This will improve the security and quality of our data management. Council has embarked on an archiving and digitisation project which will result in improved legislative compliance for Records and Information Management.	50%	
5.2.1.2.5	Proactive disclosure program of information release with the application of legislation, underpinned by open data	Chief Operating Officer	Informal and Formal GIPAs are responded to in accordance with legislative requirements. Internal/escalated reviews processes had some delays due to change in staffing this period.	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
	principles to all appropriate documents.				
5.2.1.2.6	Manage and address perceived and actual conflict of interest with all staff, volunteers, and Councillors.	Chief Operating Officer	Conflict of interest forms available, annual reminder to all staff sent August 2023. On receipt of conflict-of-interest forms mitigations considered and registered. Code of conduct refresher for all existing staff >2 years rolled out Q3.	100%	
5.2.1.2.7	Effectively manage complaints in accordance with legislation.	Chief Operating Officer	Compliance with Legislation evidenced by updating policies this period. Public Interest Disclosure Policy endorsed September 2023. Complaints Handling policy & Child Safe Policy endorsed January 2024. New workflows and registers have been created. Business Ethics statement also updated to include Public Interest Disclosure and Child Safe complaint requirements.	100%	




5.2.2	Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.
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5.2.2.1: Council's external and internal communications, including web and intranet assets, deliver efficient online services for users, facilitate effective engagement between our community and Council, meet legal requirements, and industry and accessibility standards.


Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.2.2.1.1	Facilitate internal communications to support outward communications.	Chief Executive Officer	Monthly staff email newsletters (12 newsletters sent for FY23-24 with an average open rate of 23.5%) and regular CEO email updates distributed to all staff. Information posted on staff intranet and internal depot screens, printed materials in tea rooms, posters put up around office spaces in admin centre and other Council facilities to keep staff informed about relevant events and updates. Monthly Cross-Council Communications meetings held with staff who have communications & marketing components to their roles in various departments of Council.	100%	
5.2.2.1.2	Develop and implement a Communications Strategy, a Media Strategy, implement Social Media Strategy and continue to work through Website Content Strategy.	Chief Executive Officer	Kiama Council's first Media Policy was endorsed March 2024 and is being utilised. Social Media Policy has been implemented and social media monitoring occurs daily with breaches reported. Communications Strategy in progress and Website Content Strategy continues to be worked through.	90%	
5.2.2.1.3	Effectively communicate the projects, plans, actions and outcomes of Council to inform our	Chief Executive Officer	Council posts on average 23 news articles/press releases per month to the Council website. Top ranking website pages are Homepage, Kiama Leisure Centre (KLC), KLC online portal, jobs, events, Council meeting agendas and minutes, contact	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
	community in a timely and accessible way.		us, waste and recycling, bin collection dates and search. Council's social media channels are used to share news alongside other Council information and public service announcements. Kiama Council Facebook follower numbers increased in FY23-24 to 8685, with an increased focus on Council-created video content gaining high numbers of views. Instagram and LinkedIn followers also increased to 2642 and 3404, respectively. In Q3, Council ran a campaign to subscribe to Kimunico (Council's public-facing monthly e-newsletter), and updated Kimunico with a new look in April 2024. The campaign saw an uptick of almost 25% in subscriber numbers, which was 1,065 at end June 2024. The Kimunico average open rate was 58% for the reporting period of FY23-24.		
5.2.2.14	Liaise with a range of media to fulfil media requests, arrange photos, interviews, filming and provide Council statements.	Chief Executive Officer	Media liaison occurs daily and weekly with a range of local media outlets and organisations, including community radio. All media enquiries were responded to within 8 business hours, as per our Media Policy. Media is monitored via Council's media monitoring service, which shows our top publications for editorial reach in the FY23-24 were The Daily Telegraph (syndicated), ABC Online, Illawarra Mercury, and News.com.au (note: the monitoring service does not pick up The Bugle). Sentiment breakdown over the year was 11% positive, 56% negative and 83.3% neutral.	100%	

5.2.2.2: Excellent customer service provided to meet the needs of stakeholders.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.2.2.2.1	Develop and implement a Customer Service Strategy.	Chief Operating Officer	A Customer Service Charter submitted to the August Council meeting for endorsement in early 2024/2025	50%	
5.2.2.2.2	Develop a Customer Service Charter.	Chief Operating Officer	A Customer Service Charter submitted to the August Council meeting for endorsement in early 2024/2025	60%	
5.2.2.2.3	Utilise digital technology and optimise integrations to enhance customer experience.	Chief Operating Officer	Implementation of an online booking system is progressing. The booking tool is being used internally to manage bookings. Once staff are comfortable with the new tool and the remaining integration have been completed, the tool will be made available to the community for use. This digital technology and integration will enhance the Customer experience and streamline internal processes, resulting in a more efficient and optimised service offering.	65%	

5.2.2.3: Continue to maintain strong strategic connections to develop and deliver regional and local priorities with Regional Partners and key stakeholders including: Illawarra Shoalhaven Joint Organisation; Illawarra Shoalhaven Local Health District; State Government Agencies; and the Greater Cities Commission.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.2.2.3.1	Maintain strong strategic connections to develop and deliver regional and local priorities with Regional Partners and key stakeholders including Illawarra Shoalhaven Joint Organisation (ISJO); Illawarra Shoalhaven Local Health District (ISLHD); State Government Agencies; and Greater Cities Commission.	Chief Executive Officer	CEO has participated in relevant forums and remains key member and heavily engaged with regional partners and key stakeholders.	100%	


5.2.3	Engage with the community in meaningful dialogue and demonstrate how community participation is being used to inform decisions.
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5.2.3.1: Implement the Community Engagement Strategy.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.2.3.1.1	Establish annual priorities for community engagement activities, in accordance with Local Government Act and NSW Department of Planning and Environment (DPE) community participation plan requirements.	Chief Executive Officer	With the finalisation and endorsement of the revised and updated Community Engagement Strategy, the Community Engagement Officer has also created a Community Engagement Schedule, which has a calendar of community pop-up events, as well as a Community Engagement Toolkit to assist Council staff to plan, design and execute community engagement activities.	100%	
5.2.3.1.2	Develop and implement engagement plans that support ongoing consultation and participation of the community, following Integrated Planning and Reporting requirements for community engagement.	Chief Executive Officer	Kiama Council is dedicated to fostering a culture of meaningful community engagement to achieve better and more sustainable outcomes for our municipality. Council appointed its first Community Engagement Officer this year, with recruitment occurring in late 2023 and the new staff member starting January 2024. The Community Engagement Strategy update involved appointing agency to assist with a co-design process to draft the strategy, getting the draft strategy on exhibition and having our revised and updated strategy endorsed in June 2024. During the process to co-design, draft and finalise the strategy Council reached around 3,000 stakeholders including community members, staff and Councillors at a series of pop-up events, workshops, and briefings. The updated Community Engagement Strategy	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
			provides a practical framework for delivering meaningful and measurable community engagement while amplifying the diversity of community voices.		




5.2.3.2: Our elected officials are supported through good systems and records.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.2.3.2.1	Elected Councillors are supported to be effective in their role through education, engagement support.	Chief Operating Officer	Councillor's professional development training program completed for 2024, workshops have included cyber security, Child Safe standards, communicating council priorities, staff engagement & diversity, Growth Management Strategy, Community engagement, Respect@work and psychosocial risks.	100%	
5.2.3.2.2	Elected Councillors have clear and accountable roles.	Chief Operating Officer	Councillors' professional development opportunities continue as outlined in 5.2.3.2.1 Councillors understand they are accountable under the Code of Conduct.	100%	
5.2.3.2.3	Conduct of Committees of Council to be accountable and transparent.	Chief Operating Officer	Code of Meeting Practice endorsed July 2023. Committees have recently had terms of reference updated following February Council Meeting. Minutes are recorded and forwarded to council and available to public	100%	
5.2.3.2.4	The purpose, role delegation, including membership and its	Chief Operating Officer	Council committees had terms of references revised following February 2024 resolution. Terms of Reference	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.2.3.2.5	<p>conditions, of each Committee of Council is clear, transparent and publicly accessible.</p> <p>Accountability is demonstrated through compliance with appropriate delegations.</p>	Chief Operating Officer	<p>now include explicit reference to conflict-of-interest requirements, and administrative changes regarding minuted content.</p> <p>Delegations register on website. Staff delegations 95% complete, await executive level sign off on remaining section. Audit of delegations completed and submitted to ARIC.</p>	95%	




5.2.4	Develop an Outcomes Measurement Framework to meaningfully measure how to actions and strategies of the CSP and other documents impact on the delivery of the community vision.
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

5.2.4.1: Develop an Outcomes Measurement Framework.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.2.4.1.1	Develop a suite of community indicators to enable council to measure how effectively we are working towards the objectives of the Community Strategic Plan.	Chief Operating Officer	Corporate planner has worked with all teams to identify suitable actions and measures to reflect how we are tracking toward achievement of DPOP & CSP. with CSP being reviewed post-election in 24/25FY the community indicators will be revised and updated, considering best practice available from Local Government Professionals or other industry bodies.	75%	
5.2.4.1.2	Support staff to engage with effective planning, reporting and developing measures.	Chief Operating Officer	Staff were supported and engaged to contribute to 24/25 Operational Plan which was approved by Council June 2024.	100%	
5.2.4.1.3	Develop a program of service review and alignment with Community Strategic Plan reporting.	Chief Executive Officer	Service review program developed and approved by council. Council now has a small, dedicated Implementation Team to oversee this work.	100%	


Outcome 5.3	Council has the right structures, technology, processes and procedures to support their role in delivering for the public.
5.3.1	Council will build organisational capabilities and capacity to deliver excellent customer service.

5.3.1.1: Workforce Management Strategy provides comprehensive framework for effective workforce management; ensure Council attracts the right people, with the right skills, in the right jobs to achieve the objectives of the Community Strategic Plan.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.3.1.1.1	Deliver priorities outlined in Workforce Management Strategy; implement resourcing strategy to ensure right people, with the right skills, in the right jobs to achieve the objectives of the Community Strategic Plan.	Chief Operating Officer	A draft Workforce Plan for the next 12 months is being prepared to be submitted to the new Council.	100%	
5.3.1.1.2	Develop, review compliance undertake the annual human resource management program of works.	Chief Operating Officer	Compliance is regularly undertaken within the team. The HR program of works was developed and delivered for the year	100%	
5.3.1.1.3	Undertake change management processes to deliver organisational restructure.	Chief Operating Officer	Phase 2 has been completed; the project is completed for 23/24FY, and a future phase will be considered after the council election in 24/25FY	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
53.1.1.4	Undertake change management and consultations to deliver salary system review.	Chief Operating Officer	Executive leadership team have reviewed revised concept, budget implications have been produced. Base principles around condensed framework, skills-based assessment, and performance review process agreed. Workshop with Management Leadership team complete and meeting with union scheduled for 15 July 2024. Project plan on track with completion date October 2024.	80%	
53.1.1.5	Implement Human Resources (HR) module of Technology One program.	Chief Operating Officer	The final HR modules remain outstanding as IT and project resources were unable to be allocated this period for HR modules of Technology One.	0%	



5.3.1.2: To reduce risk and promote, maintain and improve the safety culture within the organisation.





Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
53.1.2.1	Reduce high risk exposure for Council through effective risk management systems and processes in line with agreed risk appetite.	Chief Operating Officer	Council continues to effectively manage its risk management systems and processes through scheduled operational and strategic risk reviews.	100%	
53.1.2.2	Proactively focus on safety through a coordinated emergency management system. Work Health and Safety (WHS), first aid	Chief Operating Officer	Emergency management system for Blue Haven have now achieved compliance. First aid training for staff remains current. Consultation, through incident and hazard notification, inspection and investigation continues	100%	

Code	Action Name	Responsible Officer	Annual Comment	Progress	Traffic Lights
	policy and procedures, incident hazard notifications, to achieve continuous improvement.	Directorate	with positive supportive interactions with managers and their staff.		

5.3.2	Council will deliver the actions outlined in the State of the Organisation Report and Strategic Improvement Plan.
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5.3.2.1: Continuous improvement is embedded in the organisation through delivery of the Strategic Improvement Plan priorities annually.




Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.3.2.1.1	Undertake strategic review of all Council Land holdings in accordance with SIP2 Property Plan.	Chief Executive Officer	<p>A review of the Council land register has been completed and a number of minor inconsistencies in land descriptions and land attributes have been identified for correction in early 2024/25.</p> <p>The initial assessment of the landholdings has been completed and has informed the divestment program for the 2024/25 Operational Plan. Finalising the remainder of the review was delayed by project issues on a number of divestment projects in the final quarter and is being finalised in early 2024/25.</p>	75%	
5.3.2.1.2	Implement priorities identified in Council's adopted divestment strategy in accordance with SIP2 property plan.	Chief Executive Officer	<p>The divestment program is continuing. The Akuna Street car park sale process was settled in November 2023 for \$5.5 million (ex GST) which is a significant contribution towards the 2023/24 budget for income through the divestment of land assets and the 22b Irvine Street site was settled the last quarter of the year for a total sale price of \$1.225m. These transactions were a significant contribution to achieving council's 2023/24 budget and continuing our journey towards financial sustainability and a balanced budget in 2026/27.</p>	100%	



Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.3.2.1.3	Implement appropriate recommendations of Hopwood Governance Report in following areas: Policy framework; and corporate governance framework.	Chief Operating Officer	Several sites are progressing through the various statutory process (road closures, land registration, preparation for sale). Agreement in the sale of 70 South Kiama Drive was achieved at the end of June and the sale process for the O'Connell Street site is programmed to commence in July 2024. Of 33 recommendations in the Hopwood report, 25 actions are complete, and 7 actions are part complete. Policy framework was reviewed and endorsed September 2023. Corporate Governance Framework is partially complete and will be further informed by the May 2024 Hopwood report recommendations.	85%	
5.3.2.1.4	Support strong governance to ensure trust in Council's processes with priority focus on the review of Complaints and Code of Conduct policies.	Chief Operating Officer	Complaints handling policy endorsed January 2024. Refresher code of conduct training commenced in Q3. Code of Conduct review commenced Q4 in anticipation of new council. Code of Conduct complaints have been managed in Accordance with 'the Procedures for the Administration of Code of Conduct complaints' and reported on annually as required.	95%	
5.3.2.1.5	Establish a Project Management Office (PMO) that supports continuous improvement and oversight of projects across all areas of Council.	Chief Executive Officer	Council has prioritised an Implementation team to focus on Performance Improvement or, Service Review program. Governance and Legal consolidation, in lieu of a Project Management Office for this period.	0%	
5.3.2.1.6	Develop a program of service review and alignment with	Chief Executive Officer	Service review program, as informed by performance improvement orders has been developed and approved by council.	40%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
	Community Strategic Plan reporting.				

5.3.3	A customer centric Information Management and Technology Strategy will be developed to build the capacity and capability of Council.
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5.3.3.1: Information Management and Technology delivers excellent customer service through clear strategy, customer centric practice and the ongoing transition of a digital first approach that enables access to information services for our diverse community needs.

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.3.3.1.1	Develop an Information Management and Technology (IM&T) Strategy to support the delivery of excellent customer service and build the capability and capacity of Council.	Chief Operating Officer	The review of the Information Management and Technology Strategy has concluded that the strategy is outdated and needs updating given the significant changes in technology and Council operational requirements that have occurred since the current strategy was adopted. This will require the involvement of a third-party to assist in developing the new strategy, but the timing of this engagement will need to be sensitive to the current fiscal challenges.	50%	
5.3.3.1.2	Support the procurement and implementation of new technologies to ensure that they align with business needs and strategic direction.	Chief Operating Officer	All proposed new technologies for Council have been assessed against the ICT Strategy, with consideration being given to Council priorities and business needs. When the new ICT strategy is developed a review will be conducted to ensure that alignment is maintained.	70%	
5.3.3.1.3	Continue to implement program of works to replace Council's Enterprise Software Solution.	Chief Operating Officer	One council program of implementation continues as a key focus. Implementation timeline has been revised to reflect organisational priorities and workforce availability.	100%	

Code	Action Name	Responsible Officer Directorate	Annual Comment	Progress	Traffic Lights
5.3.3.14	Establish a Project Management Office (PMO) that supports continuous improvement and oversight of projects across all areas of Council. DUPLICATE OF ACTION 5.3.2.1.5	Chief Executive Officer	Council has prioritised an Implementation team to focus on Performance Improvement or, Service Review program, Governance and Legal consolidation, in lieu of a Project Management Office for this period.	0%	
5.3.3.15	Develop and implement an action plan with priority outcomes to deliver the Information Management and Technology (IM&T) Strategy.	Chief Operating Officer	The Information Management and Technology Strategy has undergone an initial review. Further amendments will be finalised before formal delivery of an action plan	50%	

15 REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

15.1 Grants and donations - Round 1 funding

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.

Item 15.1

Summary

Kiama Municipal Council (Council) values the contributions of community groups, interest groups, artists, event professionals and businesses to the community. The contributions significantly enhance the wellbeing and economy of our community.

Council’s Grants and Donations Program aim to support initiatives, events and activities that address identified community needs and interests; and promote and foster a vibrant, inclusive, resilient, innovative, and sustainable community within the Kiama Local Government Area (LGA).

This report presents the recommendations for funding from Round 1 of the Signature Community Events Grant, Cultural Grant and Health and Sustainability Grant. It also provides an update on the Small Community Grants Program.

Financial implication

Costs associated with the recommendations in this report are included in Council’s budget for the current financial year. A full breakdown of the funds under the Grants Program available this financial year; and the recommended amounts within this report are included in the table below.

SIGNATURE COMMUNITY EVENTS			
Budget	Balance	Recommended for funding in this report	Remaining
\$40,000	\$40,000	\$23,950 (\$21,000 Cash/ \$2,950 In Kind)	\$16,050
SMALL COMMUNITY GRANTS AND DONATION			
Budget	Balance	Total approved to date under CEO delegation (amounts less than \$1,000)	Remaining
\$15,000	\$13,545	\$1,455	\$13,455

CULTURAL GRANTS			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$15,000	\$15,000	\$7,690 (\$5,860 Cash/ \$1,830 In Kind)	\$7,310
HEALTH AND SUSTAINABLE GRANTS			
Budget	Balance	<i>Recommended funding in this report</i>	Remaining
\$15,000	\$15,000	\$0	\$15,000
COMBINED FUNDING BALANCE			
Combined Budget	Combined Balance	<i>Total recommended funding in this report</i>	Remaining
\$85,000	\$83,545	\$31,490	\$50,450

Risk implication

There is no risk associated with this report.

Policy

Kiama Council’s Grants and Donation Policy and Guidelines 2024 (see attached)

Consultation (internal)

In accordance with section 4.2 of the Grants and Donations Policy, all applications were referred to the internal Grants Assessment Panel for assessment. Three Panels were convened for the three funding programs open this round. The Panels comprised of council staff with expertise relevant to the specific grant program. There were four council staff on each of the three (Signature Community Events Grants, Cultural Grants, Health and Sustainability Grants) Panels.

Applications were assessed against five criteria:

1. Benefit to the community;
2. Alignment with Kiama Council’s Community Strategic Plan;
3. Value for money/financial justification;
4. Capacity and capability to deliver the project;
5. Contributes to being an accessible, sustainable, and inclusive event for the community.

Communication/Community engagement

Council’s Grant Programs were promoted via Council’s communication channels (website, media release, newsletters, and social media) and through various community networks. The Community Hubs team delivered information sessions for each of the grant programs to inform and educate the community about the new Grants and Donations Policy and the Guidelines.

Report of the Director Planning, Environment and Communities

15.1 Grants and donations - Round 1 funding (cont)

The team further offered 1:1 meetings with potential applicants to discuss project ideas, eligibility criteria, budgeting and the new application form. These engagement activities were received positively by potential applicants, having the opportunity to discuss changes to the grants program and new policy prior to applying and provide feedback to Council.

Based on feedback and questions regarding the Round 1 of the funding, staff will modify future promotional campaigns and the process to ensure smooth process and positive experience for applicants, and an effective and efficient process for Council staff managing the Grants Program.

Item 15.1

Attachments

- 1 Grants-and-Donations-Policy 2024[↓](#)
- 2 Grants-and-donations-guidelines-for-applicants 2024[↓](#)

Enclosures

Nil

RECOMMENDATION

That Council endorse recommended applications for funding:

1. Gerringong Lions Club, Gerringong Christmas Street Parade, \$7,000.
2. Gerringong Lions Club, Gerringong Car Show 2025, \$2,950.
3. KiamaSala PTY LTD, KiamaSala Festival 2024, \$7,000.
4. Kiama Jazz Club Incorporated, Kiama Jazz and Blues Festival, \$7,000.
5. The creative Business Hub, The Creative Business Summit, \$2,500.
6. Kiama Lions Clubs, Festive Art Day, \$2,260.
7. Charlie D'Amico, Music in the Park, \$2,500.
8. Olivia Dean, Sitting in the Sun, the Light and the Sea, \$430.

Background

In March 2024, Council endorsed the new Grants and Donations Policy and Guidelines for Applicants (attached). The Grant and Donations Policy (the Policy) provides the framework for managing Council's Grants Program, its expenditure and accountability processes. The Policy provides the framework for Council to manage the allocated funds to the Grants Program in an effective, efficient and equitable manner and in compliance with the Section 356 of the *Local Government Act 1993* for use of public funds. The Guideline assists applicants when applying for Council grants and ensure they understand their obligations.

This report presents the outcomes of the three-fundings program that were open for funding this round. Details are outlined in the following tables.

Signature Community Event Grant Program Round 1

Council received seven applications for funding this round. Of the seven, four applications were found to be eligible and are recommended for funding.

Item 15.1

Applicant	Gerringong Lions Club		
Project title	Gerringong Christmas Street Parade 2024		
Amount Requested	\$7,000	Total Project Cost	\$11,600
Location	Gerringong	Date	December 2024
About the Applicant	The main focus of Gerringong Lions Club is to deliver local community projects, assist local residents in need and raise money for worthy causes. According to the organisation, 100% of all funds raised by Lions Clubs are used for charitable purposes.		
About the Project/ Event	The Gerringong Christmas Street Parade has been running since 1988. All of Gerringong and surrounding communities are invited to attend the parade. Local community groups and businesses participate in this event. Local residents and visitors line the streets to enjoy the entertainment. Local businesses are all engaged in and support the Parade as they see a financial benefit from the day.		
Beneficiaries	Gerringong Community/ Kiama LGA residents/ local Business.		
Assessment	<p>Recommended for Funding - \$7,000</p> <p>The assessment panel found the project eligible, as it aligns with the objectives of the Grants Program and is considered to have significant community benefit.</p>		

Applicant	Gerringong Lions Club		
Project title	Gerringong Car Show 2025		
Amount Requested	\$2,950 (\$2000 cash/ \$950 in kind)	Total Project Cost	\$2,950

15.1 Grants and donations - Round 1 funding (cont)

Location	Gerringong	Date	March 2025
About the Applicant	The main focus of Gerringong Lions Club is to deliver local community projects, assist local residents in need and raise money for worthy causes. According to the organisation, 100% of all funds raised by Lions Clubs are used for charitable purposes.		
About the Project/ Event	The annual Gerringong Car Show has been running since 2017, raising funds for registered charitable causes. Approximately 380 members of car enthusiasts' clubs register to exhibit their " historic, restored or classic" vehicles in the car show, and pay a \$10 registration fee. Visitors to the car show pay a \$5 entry fee to inspect and admire the vehicles displayed on Michael Cronin Oval and the adjacent hockey field. 100% of all monies raised are donated to registered charitable causes.		
Beneficiaries	Local business, Gerringong community, and Tourists to the area.		
Assessment	<p>Recommended for Funding - \$2,950</p> <p>The assessment panel found this project to be eligible, as it aligns with the objectives of the Grants Program with significant social/economic benefit, and is considered to be good value for money.</p>		

Item 15.1

Applicant	KiamaSala PTY LTD		
Project title	KiamaSala Festival		
Amount Requested	\$7,000 (\$5,000 cash/ \$2,000 in kind)	Total Project Cost	\$18,000
Location	Kiama	Date	February 2025
About the Applicant	KiamaSala was born from a desire to reach out and to celebrate the contribution the South Indian community makes within our region and beyond. It aims to acknowledge the diverse range of professional skills and business acumen they bring to the local economy across industries such as healthcare, hospitality and professional services.		

15.1 Grants and donations - Round 1 funding (cont)

Item 15.1

About the Project/ Event	Kiama’s new Hindmarsh Park harbour stage will be transformed into an aromatic 'Regional Street food Alley', a market stall bazaar and a vibrant performance space where a mixture of classic and contemporary Music and performances will be presented, celebrating and create awareness of the rich culture and food.
Beneficiaries	Kiama LGA community, diverse communities.
Assessment	Recommended for Funding - \$7,000 The assessment panel found this project eligible, as it aligns with the objectives of the Grants Program, brining significant social/cultural benefit to the community, and is good value for money.

Applicant	Kiama Jazz Club Incorporated		
Project title	Kiama Jazz and Blues Festival		
Amount Requested	\$7,000	Total Project Cost	\$189,000
Location	Kiama	Date	March 2025
About the Applicant	A local team of experienced event planners, marketing professionals, and logistics managers who have proven creative expertise in organising events. A one of the few festivals in Australia to operate continuously during recent challenging years, working with local businesses and sponsors, to ensure smooth planning and delivery.		
About the Project/ Event	Kama Jazz and Blues Festival is a three-day music festival celebrating its 38th year, dedicated to showcasing original contemporary music influenced by the genres of Jazz & Blues. This iconic event draws both locals and visitors, offering a platform for established and emerging musicians to perform live in a variety of venues throughout the LGA.		
Beneficiaries	Tourism, Kiama LGA community.		
Assessment	Recommended for Funding - \$7,000		

15.1 Grants and donations - Round 1 funding (cont)

	The assessment panel found this project eligible, as it aligns with the objectives of the Grants Program with significant social/cultural benefit, and is considered to be good value for money.
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Cultural Grants

Council received six applications under Cultural grants, of which four applications were found to be eligible and are recommended for funding (3 for full amount, 1 for partial funding).

Applicant	The Creative Business Hub		
Project title	The Creative Business Summit		
Amount Requested	\$2,500 (\$1,420 cash, \$1,080 in kind)	Total Project Cost	\$5,680
Location	Kiama	Date	March 2025
About the Applicant	An artist, designer & creative business mentor and advocate for creative lifestyle, with 26 years' experience running art & design businesses, with a focus to empower artists, designers, photographers & makers to build a joyous & profitable business from their talents.		
About the Project/ Event	The Creative Business Summit will be a one-day event held in Kiama, to educate & inspire artists on how to start, run & grow their businesses or side hustles. The event will feature a day of workshops, talks & networking opportunities with lunch & afternoon tea provided.		
Beneficiaries	Artists, creative businesses.		
Assessment	<p>Recommended for Funding - \$2,500</p> <p>The assessment panel found the project eligible, as it aligns with the objectives of the Grants Program and will be a professional development opportunity for creatives in the Kiama LGA.</p>		

Applicant	Kiama Lions Club
Project title	Festive Art Day - Creating for Christmas

15.1 Grants and donations - Round 1 funding (cont)

Item 15.1

Amount Requested	\$2,260 (\$2,110 cash, \$150 in kind)	Total Project Cost	\$2,260
Location	Kiama	Date	December 2024
About the Applicant	Lions club members strive to make a difference in their local community as well as in communities worldwide. The volunteer efforts aim at addressing unmet health and education needs worldwide. The Kiama Lions Club works with the community by assisting to run projects that boost community engagement, skill development, and wellbeing.		
About the Project/ Event	This free community event will teach participants a range of creative arts. Professional artists from the local area will be engaged to run stations/workshops where participants can create a functional piece of art to take home such as wrapping paper, gift tags, decoration, and some edible treats.		
Beneficiaries	Families, children, Kiama LGA residents.		
Assessment	<p>Recommended for Funding - \$2,260</p> <p>The assessment panel found the project eligible, as it aligns with the objectives of the Grants Program and will be of benefit to the Kiama LGA residents.</p>		

Applicant	Charlie D'Amico		
Project title	Music in the Park		
Amount Requested	\$2,500 (\$2,330 cash, \$170 in kind)	Total Project Cost	\$2,500
Location	Kiama	Date	November 2024
About the Applicant	Professional live sound & lighting operator. Licensed electrical contractor.		
About the Project/ Event	A free community concert in Hindmarsh Park activating the new stage. The concert will feature performance opportunities for		

15.1 Grants and donations - Round 1 funding (cont)

	various local artists and performers including musicians, singers and dancers.
Beneficiaries	Kiama LGA community, families
Assessment	Recommended for Funding - \$2,500 The assessment panel found this project eligible, as it aligns with the objectives of the Grants Program and will provide an opportunity to activate Hindmarsh Park.

Item 15.1

Applicant	Olivia Deans		
Project title	Sitting with the Sun, the Light, and the Sea		
Amount Requested	\$2,500 (\$2,160 cash, \$540 in kind)	Total Project Cost	\$2,500
Location	Kiama	Date	2025
About the Applicant	A self-taught artist from Kiama with around 15 years of experience in painting and running workshops.		
About the Project/ Event	The first Solo Exhibition of a body of artworks for exhibition. This project comes at the end of a year of research with other local artists on how to create realistic seascapes to be exhibited at the Old Fire Station.		
Beneficiaries	The artist and local community attended the exhibition.		
Assessment	Recommended for Funding - \$430 The assessment panel found the project eligible for in-kind support of two weeks hire across Kiama and Gerringong Council-owned exhibition spaces.		

Health and Sustainability Grants

Council received two applications under the Health and Sustainability Grants. The assessment panel found both applications to be ineligible under the Policy and Guidelines. Both applications fall outside the eligibility criteria, one requesting funds

Report of the Director Planning, Environment and Communities

15.1 Grants and donations - Round 1 funding (cont)

for core operational expenses and maintenance of equipment, the other requesting funds for hire of venue and not able to match the grant.

Along with other unsuccessful applicants, staff provides feedback and offer support to applicants to understand and apply for the Council grants in future rounds.

Item 15.1



Grants and Donations Policy

Policy Owner	Manager Community Hubs
Department	Planning, Environment and Communities
Date adopted/endorsed	21/05/2024
Resolution number	24/145OC
Next review date	May 2026
TRIM reference	24/51159

Contents

- Policy statement and objectives 2
- Scope 2
- References 3
- Consultations 3
- Definitions 3
- Variation and review 5
- POLICY..... 5
- 1. Grants overview 5
 - 1.1. Summary of the Grants Program 5
- 2. In-kind support 6
- 3. General funding conditions 6
 - 3.1. General eligibility 6
 - 3.2. General ineligibility 7
 - 3.3. Further conditions 8
 - 3.4. Ethics Framework 8
 - 3.5. Conflict of Interest 8
- 4. Grants procedures 8
 - 4.1. Application process 8
 - 4.2. Assessment process 9
 - 4.3. Approval 9
 - 4.4. Funding agreement 10
 - 4.5. Reporting and acquittal 10
- Related forms and documents 10
- Attachments 11
- Authorisation 11

RESPECT • INTEGRITY • INNOVATION • TEAMWORK • EXCELLENCE •

Policy statement and objectives

Kiama Municipal Council (Council) recognises the vital contributions that community members, interest groups, event professionals and businesses make to the wellbeing of our community. One way of this recognition is to provide financial assistance in the forms of grants and donations to address identified needs and foster community development. Council supports programs and projects that contribute to a vibrant, inclusive, resilient, innovative and sustainable goals across the Kiama Local Government Area (LGA).

Through the provision of the Grants and Donations Program (Grants Program), Council supports the implementation of community led initiatives that align with the Kiama Community Strategic Plan (CSP), corporate priorities and that meet the funding criteria.

Council grants and donations are allocated through a competitive process. Council reserves the right to consider and prioritise allocation of funds to projects and program on discretionary and non-discretionary basis as follows:

- a. Discretionary – applications that address strategic objectives, are high impact in nature and respond to existing and emerging needs and gaps.
- b. Non-discretionary – applications that meet the eligibility criteria of the Grants Program, are low impact in nature, and support strategic objectives and general community needs and aspirations.

The **strategic objectives** of Council's Grants Program are to support and invest in initiatives that:

- Align with at least one Pillar¹ of Council's **Community Strategic Plan (CSP)** and other key social, cultural, economic, and environmental policies and plans.
- Facilitate and maintain **partnerships and collaboration** between Council, community as well as those with propositions that bring positive social or economic outcomes to the community (in the case of Destination Event Funding).
- Develop and enhance **resilience and capacity building** among community groups.
- Contribute to the **economic growth, a sustainable environment and/or the social and cultural wellbeing** of Kiama communities.
- Ensure **good governance** of public funds, demonstrate integrity, professionalism and transparency in decision making and have strong procedures in place to support this.
- Contribute to the **enhancement of the reputation and brand** of the Kiama Municipality in accordance with the CSP.

Scope

The Grant and Donations Policy (the Policy) provides the framework for managing Council's Grants Program, its expenditure and accountability processes. The Policy guides the administration of the Grants Program in a manner that is aligned to the above strategic objectives and in accordance with the Local Government Act 1993, Section 356 (the Act). It

-
- ¹ Belong and contribute
 - Thrive in a sustainable environment
 - Create a strong and diverse economy
 - Are part of a connected and liveable community
 - Expect accountable and transparent leadership, a financially sustainable Council

acts as a tool to ensure an equitable, open and transparent process for community organisations and groups to seek financial and in-kind assistance from Council.

Additionally, it will guide Kiama Council employees and Councillors during application assessment and grading, endorsement of funds, reporting and acquittal requirements and evaluation processes.

References

- Local Government Act 1993
- Kiama Municipal Council Strategies and Plans:
 - Code of Conduct
 - Community Strategic Plan
 - Disclosure of Conflict of Interest
 - Donations Policy 2012
 - Gifts and Benefits Policy
 - Tourism and Events Strategic Plan 2022-2026
- Internal Audit of Community Grants and Sponsorship-2021 Report

Consultations

This policy was developed in consultation with relevant departments across Council including:

- Community Hubs
- Library and Cultural Hubs
- Tourism and Events
- Office of CEO
- Health and Compliance
- Governance
- Chief Financial Officer

Definitions

For the purpose of this document the following definitions apply:

Term	Definition
Acquittal	The process by which a recipient demonstrates in writing to Council that it has expended the funds in accordance with the outcomes in the funding application and/or terms and conditions of the agreement. This could include providing a written outcome report, evidence of activities and how the funds were expended.

Term	Definition
Auspice	An agreement where an incorporated organisation agree to apply for funding or resources on behalf of an applicant that is not incorporated. If the application is successful, the auspicing organisation then administers the grant on behalf of the applicant and is legally responsible for ensuring that the terms of the agreement are met.
Charity	Listed on the Australian Charities and website as a registered charity.
Community Capacity building	Relates to the provision of programs and services that contribute to developing skills, knowledge, capabilities and resources that enable communities to manage their own affairs.
Community Group	A community or a not-for-profit run and managed group that does not have a status as a legal entity.
Community Strategic Plan (CSP)	A high level 10 year plan developed collaboratively by Council with the Kiama Municipality. It identifies the community's vision and objectives for the Municipality and strategies to achieve them.
Donation	A one-off financial contribution or in-kind support where funds are provided to recipient through a formal process for a specific purpose that contribute to achieving goals and objectives consistent with Council policy. The donations is subject to a delivery of a direct or indirect benefit to community.
Funding Agreement	A formally negotiated agreement between Council and an organisation, individual or community group that details the nature, quality and scope of how funds will be used. The purpose of a funding agreement is to formalise the expectations of Council and outline the responsibilities of both Council and the grant recipient.
Grant	A one-off or recurring financial contribution where funds are provided to a recipient through a formal program for a specified purpose, directed at achieving goals and objectives consistent with Council policy, where the recipient is selected on merit against a set of criteria. The funding is subject to a funding agreement and an acquittal and acknowledgement of Council support is required.
Incorporated Association	A legal entity (organisation) that provides legal protection to its members in legal transactions. Council verifies this using the ABN register and ASIC databases.
Not-for-profit Organisation	A not-for-profit organisation is a registered incorporated association, including a charitable organisation that does not directly operate for the profit or gain of its owners, members or shareholders, either directly or indirectly. Any profit must be used to implement the organisation's purpose and must not be distributed to members, owners or shareholders either while the organisation is operating or when it winds up.

Term	Definition
Sponsorship	A one-off or recurring contribution can be financial or in-kind support. The sponsorship funds are subject to formal application process for a specific program that generate benefits to culture, economic and tourism outcomes. Council's expects negotiated benefits such as positive recognition by way of logo, banners or otherwise, in exchange.

Variation and review

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

That Council authorises the CEO to make minor changes to this policy to reflect changes in legislation, expiry of or changes to grant programs, and changes in Council structure.

Review history:

Date reviewed	Date adopted / endorsed	Brief detail of amendments
	xx/xx/2024	New policy

POLICY

1. Grants overview

The Grants Program demonstrates Council’s commitment to building a strong and resilient community socially, culturally, economically and environmentally. Eligible community-based groups, not-for-profit organisations, event professionals, services and individuals living and based in the Kiama Local Government Area (LGA) may be provided with a grant for a project, program, service and or an activity that benefits the Kiama residents. Council’s Grants Program provides funds to the following programs:

1. Small Community Grants and Donations
2. Signature Community Events Grant
3. Destination Events Funding
4. Cultural Grant
5. Health and Sustainability Grant
6. Community Sponsorship Grant

1.1. Summary of the Grants Program

Funding Program	Amount	Provided for:	Application timeframe	Responsible Department
Small Community Grants and Donations	Maximum \$500 per application Total budget: \$15,000	Small community event or a program that demonstrate	Open all year via SmartyGrants portal	Community Hubs

Funding Program	Amount	Provided for:	Application timeframe	Responsible Department
		direct benefit to residents		
Destination Events Funding	Maximum \$20,000 per application Total budget: \$130,000	Destination/Major Events	Two rounds annually via SmartyGrants portal	Tourism and Events
Signature Community Events Funding	Maximum \$7,000 per application Total budget: \$40,000	Community events that demonstrate significant benefit to residents	Two rounds annually via SmartyGrants portal	Community Hubs
Cultural Grant	Maximum \$2,500 per applications Total budget: \$15,000	Local artist or a creative project that develops the arts sector in Kiama.	Two rounds annually via Smarty Grants portal	Community Hubs
Health & Sustainability Grant	Maximum \$2,000 per application: Total budget: \$15,000	Small projects that promote local health & environmental sustainability	Two rounds annually via SmartyGrants portal	Community Hubs
Regional Arts Development Office - Contribution	Council resolution June 2022: \$19,500 recurrent funding + 3.5% increase	Supports administration, programming and activity by the RADO in the region.	Standing Council resolution - annually	Community Hubs
Total grants per annum	\$234,500 (allocated amount subject to annual budget planning)			

2. In-kind support

Applicants must identify requests for in-kind support, inclusive of Council related services such as waste, venue hire and field lighting. Requests for in-kind support will be assessed in accordance with the eligibility criteria outlined in this policy and will be costed as per Council's fees and charges.

3. General funding conditions

3.1. General eligibility

Applications for the Grants Program must:

- Be an incorporated not-for-profit (or under auspice of an incorporated organisation) or charitable organisations and hold a current ABN. (*In some instances funding for-profit organisations who have demonstrated they are best placed to deliver a public benefit and meet the relevant grant program's outcomes will be considered*). Exempt from this criterion are Destination Event Grants applicants, which may be commercial in nature.
- Operate within the Kiama Local Government Area (LGA) or can demonstrate that the project or program will benefit residents of the Kiama community.
- Have or will obtain appropriate insurance and adhere to sound Workplace Health and Safety practices or be under the auspice of another organisation.
- Demonstrate meeting at least one of the strategic outcomes outlined in the policy and at least one of the CSP Pillars.
- Have no debt to Council and have met and successfully complied with all Council funding, reporting and acquittal conditions for previous Council grants.
- Not be the recipient of any other financial or other type of assistance from Council for the same event or project.
- Meet the eligibility criteria and terms/conditions set out in the specific funding program as set out below.
- Complete each mandatory application questions and submit all required documents.
- Build and enhance the reputation and brand of Kiama Municipal Council in accordance with Kiama CSP.
- Work collaboratively and respectfully with Council and staff representatives.

3.2. General ineligibility

- Projects that do not meet Kiama's Community Strategic Plan outcomes.
- Projects that have already commenced or have been completed.
- Applications from government agencies, political parties/activities, clubs that profit from gaming machines.
- Commercial and profit making entities and private organisations (not applicable to applicants to the Destination Event Grant).
- Projects that directly contravene existing Council policies.
- Projects that duplicate existing Council services or programs.
- Applications to cover funding shortfall from other government programs.
- Applications that do not demonstrate a direct benefit to Kiama residents.
- Requests for funding toward salaries/wages and operational expenditure including administration, insurance, office equipment, transport, travel, IT equipment.
- Applications for development of privately-owned facilities.
- Applications to pay off a debt.
- Applications for funding toward core operational costs i.e. day to day operations of a community group or organisation.

- Individual requests for funds to attend national or international sports events.

3.3. Further conditions

Council will not:

- Provide in-house design, print or distribution services.
- Provide cleansing and waste service for events. If required, the cash value must be clearly identified under in-kind contributions from Council.
- Support political activities or activities that could be perceived as benefiting a political party or a political campaign.
- Support religious activities or projects exclusive to religious based groups.
- Support activities that deliberately exclude any individuals or groups from participating or attending.

3.4. Ethics Framework

Council will not provide funding support to projects or activities that:

- Pollute land, air or water, or destroy or waste non-recurring resources.
- Market or promote products/services in a misleading or deceitful manner.
- Produce, promote, or distribute products/services likely to be harmful to the community.
- Entice people into financial over-commitment.
- Exploit people through the payment of below award wages or poor working conditions.
- Discriminate by way of race, religion, or sex in employment, marketing, or advertising.

3.5. Conflict of Interest

- Council staff assessing applications must declare and document any conflict or perceived conflict of interest across all stages of the process in accordance with Council's Code of Conduct and Disclosure of Conflict of Interest Form.
- Council staff and Councillors must ensure that any affiliation with an applicant is declared and appropriately included in the register.
- Applicants must declare any actual, potential or perceived conflict of interest in line with Council's Code of Conduct.

4. Grants procedures

4.1. Application process

All applicants must register with Council's online grants management system, the SmartyGrants Portal before applying. Once registered, applicants must use the online application form on the portal when applying for any form of financial assistance/grants from Council. Hard copy and emailed requests for funding or late applications will not be considered.

4.2. Assessment process

- All applications submitted will be referred to the internal Grants Assessment Panel for review and to make recommendations to Council. The Internal Grants Assessment Panel will comprise of staff with expert knowledge relevant to specific grants program. The Panel members are to adhere to the Terms of Reference.
- An exception to the above, the Small Community Grants and Donations Program, which is open all year round, will be assessed and recommendations will be submitted to the CEO (as per Council delegation of approving grants under \$1,000) to approve, and reported to Council for their information at the first cycle of the grants report.
- Recommendations for the bi-annual grants will be submitted to Council within two months of the closing date.
- Due to the competitive nature of the grants program, some eligible applications might not be successful in securing a grant during certain rounds.
- Due to the competitive nature of the grants program, some eligible applications might only receive partial funding, therefore applicants are highly encouraged to consider and identify in-kind and cash contributions in their applications, and clearly demonstrate the value and benefits of the request.
- Council uses the Australian Business Number (ABN) to confirm an applicant's status as an incorporated not-for-profit (or under auspice) or charitable organisation.
- The following criteria will apply to all applications:
 - Contribute to sustainability practices
 - Offer value for money
 - Demonstrated track record of sound project and financial management
 - Detail how the project/event/program is responding to a need/ gap in the community
 - Provide an estimate of the number of people in the LGA that benefit from the program/project/event
 - Additional sources of money received to fund the project/event/program
- Council's Advisory Committees will be informed and consulted on local priority issues and gaps ahead of grants opening round. Feedback from the Advisory Committees will be used to encourage grant applications for initiatives that respond to identified local needs.

4.3. Approval

- Recommendations for funding of \$1,000 or less may be approved by the CEO or their delegate, provided the funding is in accordance with sections 3562 (3), 3773 (1A) of the Local Government Act 1993. All funded projects will be documented

² Section 356 of the Local Government Act 1993 is a legislation that allows councils to provide financial assistance to other for the purpose of exercising their functions.

³ Section 377 of the Local Government Act 1993 gives the council the general power to delegate any of its functions to the general manager or any other person or body, except for some specified functions such as rate setting, borrowing money or adopting a management plan.

and reported at the first Grant Report to Council, details to be made available on the website through Council agenda papers.

- Recommendations for funding over \$1,000 will be submitted to Council for consideration and endorsement in accordance with Section 356 of Local Government Act 1993.
- Only the elected Council has authority to approve applications to a grant and donation program, except for specific delegation given to the CEO.
- Approval of a grant, donation or sponsorship does not imply that Council has given any other consent. Applicants are advised to obtain relevant information and consent from Council, NSW Police, and other state government agencies in advance for the project they are seeking grant.

4.4. Funding agreement

- All successful applicants will be notified by an email.
- All successful applicants are required to enter into a funding agreement before funds are released and before a project can commence.
- Council's grant or sponsorship must be acknowledged on all promotional material. The Council logo should be used with the text "This project is proudly supported by Kiama Municipal Council".
- All promotional material where Council logo is used must be approved by Council prior to publication.
- Council reserves the right to receive the following for Destination Event Funding and Signature Community Events Funding: joint media release opportunities, opportunity for the Mayor (and/or the Mayor's delegate) to speak at the event or occasion, space at the event (table/stall), and tickets to attend the event or occasion.
- Council will not be responsible for shortfalls in event budgets if the successful applicant is unable to meet event costs. All unspent funds in excess of \$100 are to be returned to Council.

4.5. Reporting and acquittal

- All grant recipients are required to acquit their project as per the funding guidelines and unless stated otherwise, within 12 months of receiving the fund.
- Reports are to be submitted through the SmartyGrants portal. Reports should include information on the agreed project outputs and outcomes, relevant data, and any lessons learnt.
- All reports must be accompanied by a detailed financial report. Grant recipients may be requested to provide further documentation and evidence of expenditure. Council may audit recipients at any time.
- All grant recipients must submit reports and acquit funds prior to applying for new funding from Council.

Related forms and documents

Grants and Donation Guidelines.

Attachments

Nil.

Authorisation

Name: Council Resolution 24/145OC

Date: 21/05/2024



Grants and donations guidelines for applicants

1. Introduction

The Grants and Donations Guidelines is developed to assist applicants when applying for funding from Kiama Municipal Council (Council). The Guidelines must be read and applied in conjunction with Council's Grants Donations and Sponsorship Policy. The Guidelines provide detailed information of each grant or donation program, aiming to be easy to understand and follow. The Guidelines must be read prior to applying for a Council grant to ensure you are eligible and applying to the appropriate grant relevant to the program, event or initiative you are seeking funding.

Council seeks to optimise the use of public funds through effective and efficient grant processes, and clear grant program objectives linked to Council's Community Strategic Plan to enhance social, cultural, and economic outcomes.

Grants and donations could:

- Play an important role in community development and support active participation in civic life. They empower the community to address issues that matter to them and take the lead on projects to enhance community life.
- Help stimulate business, tourism and economic activity. They encourage partnerships with other organisations and assist groups and individuals to work together for the collective benefit.
- Be a valuable method of supporting artistic and creative endeavour, helping foster initiative, experimentation and enterprise by creative workers and providing new opportunities for audiences to engage in our community's cultural life.

2. Guiding principles

Council's assessment and decision-making processes are guided by the following strategic alignment and principles. Applicants are required to demonstrate how their program, project or event aligns to one or more of the following areas.

Community Strategic Plan 2022-20232 – Council's Community Strategic Plan (CSP) is an overarching plan that represents community vision for the municipality of Kiama. This vision is outlined through five directions, referenced as the following Pillars:

- We belong and contribute
- We thrive in a sustainable environment
- We create a strong and diverse economy
- We are part of a connected and liveable community
- We expect accountable and transparent leadership, a financially sustainable Council.

All applications must demonstrate how their project, program or event address at least one of the above pillars.

Partnership and Collaboration – Council partners with a variety of organisations to deliver on its objectives. This includes not-for-profit community organisations who deliver on program and initiatives that build and maintain respectful, transparent and collaborative relationships in the community and with Council are. Your application should outline how your project is contributing to develop and maintain partnerships between Council and the community.

RESPECT • INTEGRITY • INNOVATION • TEAMWORK • EXCELLENCE •

Commitment to local – Council is committed to supporting local projects, local people and local business in order to achieve economic, social, environmental and community outcomes. This will be achieved through engagement with local community groups and organisations who are also committed to these outcomes.

Access, diversity and inclusion – Council values the identities, perspectives, and experiences of the communities that live, work, and visit our local area and believe this diversity strengthens our community. Kiama is a diverse community – from culturally, linguistically, age, sexuality and ability perspectives. Kiama is located on the Dharawal country, the home of our First Nations people who have resided on the South Coast of NSW for tens of thousands of years. Council acknowledges the richness of First Nations culture that underpins our community.

Council is committed to ensuring that our grant program is inclusive and accessible to our diverse communities. Applications from our diverse communities including First Nations people, young people, older people, people with disability, culturally and linguistically diverse communities, women and LGBTIQA+ communities are highly encouraged.

Value for money – The Grants Program seeks to obtain the best mix of applications to meet the needs of the community and maximise outcomes for the local government area. Projects that represent good value for the level of cash or value-in-kind support requested are supported.

Sustainability – Council is committed to economic, social and environmental sustainability and welcomes projects that have these principles at their core, including:

- Economic sustainability - projects are either one off in nature or able to self-fund future iterations.
- Social sustainability – projects that enable medium to long term benefits for participants.
- Environmental sustainability - all aspects of the project consider and take into account processes for inclusion of resources that are healthy and supportive of our environment.

Good governance and stewardship – Council is committed to rigor, efficient and effective decision making in the best interest of the public. The Grants Program Policy, Guidelines, Application, Assessment and Acquittal processes are developed to meet equitable access, accountability and reporting requirements of public funds.

Council employees involved in assessing or performing administration duties associated with grant and funding agreements must comply with the requirements of Council's Code of Conduct for staff, contractors and volunteers, and relevant internal procedures.

Transparency – Council will ensure that grant processes are transparent and fair. Applications are assessed objectively against the eligibility criteria as per the Grants Program Guidelines, using the assessment matrix. All conflicts of interests are addressed and declared as part of this process. Council will keep a register of all grants and funding available on the Council's website. All applications for grants will be reported and documented through Council meeting business papers.

Reflect and learn – Council is committed to continues improvement. Mechanisms for evaluation and community feedback are applied and applicants are invited to contribute to improving Council's grants procedure.

Communication – The Grant Program will be promoted on Council's grants management portal, the SmartyGrants, and news and information about grants will be promoted through:

- Council's website and social media channels; and/or
- Media releases; and/or
- Council newsletters and other Council publications; and/or

- Community information sessions; and/or
- Direct email or phone contact.

Acknowledgement of Council funds – Council’s funding support must be acknowledged by successful applicants for the specified programs, and where applicable as per section 7.3 of the Policy.

3. Funding round schedule

Funding program	Application timeframe
Small Community Grants and Donations	Open all year via SmartyGrants portal
Destination Events Funding	Two rounds annually via SmartyGrants portal
Signature Community Events Funding	Two rounds annually via SmartyGrants portal
Cultural Grant	Two rounds annually via SmartyGrants portal
Health and Sustainability Grant	Two rounds annually via SmartyGrants portal

4. General eligibility criteria

4.1. General eligibility

Applications for the Grants Program must:

- Be an incorporated not-for-profit (or under auspice of an incorporated organisation) or charitable organisations and hold a current ABN. (*In some instances funding for-profit organisations who have demonstrated they are best placed to deliver a public benefit and meet the relevant grant program’s outcomes will be considered*). Exempt from this criterion are Destination Event Grants applicants, which may be commercial in nature.
- Operate within the Kiama Local Government Area (LGA) or can demonstrate that the project or program will benefit residents of the Kiama community.
- Have or will obtain appropriate insurance and adhere to sound Workplace Health and Safety practices or be under the auspice of another organisation.
- Demonstrate meeting at least one of the strategic outcomes outlined in the policy and at least one of the CSP Pillars.
- Have no debt to Council and have met and successfully complied with all Council funding, reporting and acquittal conditions for previous Council grants.
- Not be the recipient of any other financial or other type of assistance from Council for the same event or project.
- Meet the eligibility criteria and terms/conditions set out in the specific funding program as set out below.

- Complete each mandatory application questions and submit all required documents.
- Build and enhance the reputation and brand of Kiama Municipal Council in accordance with Kiama CSP.
- Work collaboratively and respectfully with Council and staff representatives.

4.2. General ineligibility

- Projects that do not meet Kiama's Community Strategic Plan outcomes.
- Projects that have already commenced or have been completed.
- Applications from government agencies, political parties/activities, clubs that profit from gaming machines.
- Commercial and profit making entities and private organisations (not applicable if you are applying for the Destination Event Grant).
- Projects that directly contravene existing Council policies.
- Projects that duplicate existing Council services or programs.
- Applications to cover funding shortfall from other government programs.
- Applications that do not demonstrate a direct benefit to Kiama residents.
- Requests for funding toward salaries/wages and operational expenditure including administration, insurance, office equipment, transport, travel, IT equipment.
- Applications for development of privately-owned facilities.
- Applications to pay off a debt.
- Applications for funding toward core operational costs i.e. day to day operations of a community group or organisation.
- Individual requests for funds to attend national or international sports events.

5. The funding program

Council's Grants Program provides funds to the following programs:

1. Small Community Grants and Donations
2. Signature Community Events Grant
3. Destination Events Grant
4. Cultural Grant
5. Health and Sustainability Grant

5.1. Small Community Grants and Donations

Objective

- Develop and or support community capacity building and community education and awareness.
- Facilitate community participation in local initiatives.
- Enhance social, cultural or sustainable outcomes for local communities.
- Improve the quality of life for individuals and community groups from diverse backgrounds.

Examples of projects previously funded through this program

- Christmas Carols
- Sporting competitions
- Photographic Exhibitions
- Healthy lifestyle programs

Eligibility criteria

In addition to the General Eligibility Criteria outlined in the Policy and Guidelines, the following criteria applies to this program:

- Be incorporated or auspiced by an incorporated organisation
- Be not-for-profit (Council may request the submission of the most recent annual financial report)
- Demonstrate how the grant and donation will benefit the Municipality of Kiama, strengthen the Kiama community and contribute to Council's goal of a socially just and inclusive community.
- Demonstrate that any monies raised through programs or activities associated with the donation will be used or distributed to benefit the Kiama community.
- Not be raising funds on behalf of another group which itself is a recipient of financial assistance from Council, State or Federal Government.

Opening round – All year round

Total allocation: \$15,000 (Maximum \$500 per application).

5.2. Signature Community Events Funding**Objective**

- Develop and or support community capacity building and community education and awareness
- Facilitate community participation in local initiatives.
- Enhance social, cultural or sustainable outcomes for local communities.
- Improve the quality of life for individuals and community groups from diverse backgrounds.
- Support eligible event organisers to plan and deliver successful community events that; provide a significant benefit to the Kiama Municipality's residents, demonstrate value for money and align with Council's strategic goals and identified key initiatives.

Examples of projects previously funded through this program

- Kiama Jazz and Blues Festival
- The Kazador – Mini Spiegeltent Season
- Significant art gallery exhibitions

Eligibility criteria

In addition to the General Eligibility Criteria outlined in the Policy and Guidelines, the following criteria applies to this program:

- The event is based within the Kiama Local Government Areas.

- Community events that operates in and/or shows a direct benefit to the residents of Kiama LGA, aligning with Council's Community Strategic Plan.
- Applications received before the deadline, and at least three (3) months prior to the proposed event start date.
- A current Kiama Council issued Development Consent or Permit for the event or is agreeable to working with Council to obtain one (if applicable).
- Current public liability insurance of at least \$20 million.
- Agree to proactively engage with local businesses and community groups in the planning and delivery of the event.
- Ability to present strong financial management i.e. financially solvent / event not entirely reliant on Council funding.
- Not have received funding support/grant from another department of Council for the same event (i.e. Destination Event Grant).
- Not be a frequently re-occurring event e.g. a weekly or monthly scheduled market.

What the funding can be used for

Eligible items for funding may include but are not limited to:

- Expenses related to hire of equipment, temporary structures, professional services (including artist fees).
- Traffic management plans including traffic control services.
- Promotion and advertising of the events.
- Access and inclusion measures at events and functions.

What the funding cannot be used for

Ineligible items for funding include but are not limited to:

- Event costs already funded by Kiama Council
- Consumables such as stationery, printing, fuel, vehicle / plant / equipment repairs
- Travel expenses
- Mobile phone costs
- Alcoholic beverages
- Items costed from another government grant.

Opening round – 2 rounds annually

Total allocation - \$40,000 (Maximum \$7,000 per application).

5.3. Destination Events Grant

Objective

- Support Major and Destination Events within the Kiama LGA which attract a significant number of overnight intra and interstate visitation.
- Provide financial and/or in-kind support to events identified as having the potential to develop and maintain an ongoing major or destination events status.

- Support Major and Destination Events that occur out of peak visitor periods and assist in balancing the local event calendar and ease seasonal pressures.
- Support events with a long-term vision for growth and sustainability.
- That deliver objectives within Kiama Council's Tourism and Events Strategic Plan.

Examples of projects previously funded through this program

- Gerringong SurfLife Music Festival
- Kiama Rugby Sevens
- Changing Tides Music Festival

Eligibility criteria

In addition to the General Eligibility Criteria outlined in the Policy and Guidelines, the following criteria applies to this program:

- Considered a Major or Destination Event (see event categories) or demonstrate ability to adequately justify why the event otherwise meets the purpose of the Funding Program.
- Application received at least three (3) months prior to the proposed event start date.
- Event must be based in the Kiama LGA (or at least 60% if an event that spans over more than one Council area).
- Event attracts overnight visitation from outside our area and have an objective to grow this aspect.
- Proactively engage with local businesses in the event planning and/or delivery of the event.
- Present strong financial management i.e. financially solvent / self-sustainable and the event itself not entirely reliant on council funding.
- Be held at a desirable time of year (outside peak visitation periods).
- Event undertaken within 12 months of receiving approval of funding.
- Not have received funding support/grant from another department of Council for the same event (i.e. Kiama Cultural Grants).
- Not be a regularly re-occurring event e.g. a weekly or monthly scheduled market
- Have met and complied with all Council funding, reporting and acquittal obligations for any previous funding.

We strongly encourage event organisers to be a Destination Kiama partner.

Reporting

In addition to the reporting requirements outlined in the Policy and Guidelines, the following additional requirements applies to this program:

- Post Event Report is required to be submitted within four weeks of the event conclusion, and must entail:
 - An overall report demonstrating how the event was planned to be run against how it actually performed and any key learnings.
 - Tourism and event evaluation data including event attendee numbers, attendee demographics (age, gender, location), if they stayed overnight

(details such as these are best achieved through a post event survey or questions asked through a ticketing system).

- Results from marketing efforts (digital analytics eg. clicks, reach and shares, specific marketing efforts)
- Evidence of how Council and Destination Kiama were acknowledged (eg. screen shots, photos, posters etc.)

Opening round – 2 rounds annually.

Total allocation: \$130,000 (Maximum \$20,000 per application).

5.4. Cultural Grant

Objective

- Enhance social, cultural or sustainable outcomes for local communities.
- Explore innovative arts practices and interdisciplinary collaboration that advances Kiama's arts profile in the wider community.
- Expand the understanding and utilise the power of the arts, cultural, social, educational, economic, and psychological benefits, for the overall health and wellbeing of the Kiama community and its visitors.
- Advance the professional learning and educational outcomes for artists.
- Improve the collaborative and mentoring opportunities for artists.
- Push the boundaries for community engagement with the arts through interactive, immersive and cutting-edge art experiences.
- Demonstrate inclusive practices that actively engage our diverse community ie gender, sexual and cultural diversity, ability and age.

Examples of projects previously funded through this program

- Art exhibitions
- Festivals
- Book launches
- Album releases

Eligibility criteria

In addition to the General Eligibility Criteria outlined in the Policy and Guidelines, the following criteria applies to this program:

- Applicants must live, and/or deliver their project, in the Kiama local government area and be one of the following;
 - An individual artist – amateur, emerging semi-professional or professional
 - A not-for-profit community organisation or group
 - An arts based for profit business (*In some instances funding for-profit organisations who have demonstrated they are best placed to deliver a public benefit and meet the relevant grant program's outcomes will be considered*).
- The project must not have been previously funded through the Kiama Council's Cultural Grants.

- Apply for one year of funding only (recurrent projects ie. annual events, that are considered will receive a one-off seed funding only if successful). Any funds provided must not lead to the applicant becoming dependent on ongoing financial support from Kiama Council).
- Applicants must demonstrate financial need for grant support.
- Projects must have a realistic timeframe or completion within the grant period.
- Applicants must agree to participate in program evaluation and submit project reports.

Opening round – 2 rounds annually

Total grant allocation - \$15,000 (Maximum \$2,500 per application).

5.5. Health and Sustainability Grant

Objective

- Enhance health and environmental sustainability outcomes for local communities.
- Provide and promote opportunities for the community to:
 - engage in regular physical activity
 - develop skills in sustainable practices
 - develop knowledge and skills in healthy eating and active living principles
 - improve the health of the natural environment
 - improve the mental health and wellbeing.
- To partner with and support community groups in the development and delivery of projects that improve the health, wellbeing and quality of life for all residents and visitors in the Kiama Municipality.

Examples of projects previously funded through this program

- Kiama Community Garden
- Landcare Illawarra
- Public School P&C Association
- Parkinsons Kiama.

Eligibility Criteria

In addition to the General Eligibility Criteria outlined in the Policy and Guidelines, the following criteria applies to this program:

- Be a not-for-profit incorporated community organisation (or under auspice of an incorporated organisation) or be an incorporated school P&C and have relevant insurances. Where partnerships are proposed, a letter identifying the lead organisation will be required, and all organisations will need to sign the application form.
- If a proposed project's governance is to be auspiced by another organisation, written confirmation of the auspice arrangement must be submitted with the grant application and an officer of the auspice organisation with appropriate delegated authority must co-sign the application.

- Must have fully completed the application form, paying careful attention to budget breakdown, project description, work plan and timeframe.
- Must ensure that the project is not for the purposes of charitable fund raising.
- Must be able to match dollar for dollar funding amounts for projects either in cash or in-kind.
- Must submit new and innovative projects (rather than previously funded projects) to be considered.
- The project must not have been previously funded through the Kiama Council's Health and Sustainability Grants.
- Apply for one year of funding only (recurrent projects ie. annual events that are considered will receive a one-off seed funding only, if successful. Any funds provided must not lead to the applicant becoming dependent on ongoing financial support from Kiama Council.

Opening round – 2 rounds annually

Maximum amount per application - \$15,000 (Maximum \$2,000 per application).

6. Tips to assist your application

- Register your organisation/ group on SmartyGrant Portal
- If in doubt about any aspects of your application, speak to Council's Community Development team for advice and directions before submitting your application.
- Read relevant Council plans and strategies noted in the policy which are available on the Council website.
- Review the Guiding Principles and how they can assist with preparation of your application.
- Set clear, achievable and measurable outcomes relevant for the grant you are seeking.
- Include evidence of need/ demand for your program including statistical data, research reports, community consultation data.
- Ensure your budget is accurate by obtaining quotes for your project.
- Use plain English.

7. The grants procedures - summary

Making an application – complete your application through the online portal – SmartyGrants. *Note that hard copy or emailed applications are not accepted.*
<https://kiama.smartygrants.com.au/>

Assessment and decision making – all applications that are submitted through the SmartyGrants portal are assessed by the Internal Grants Assessment Panel. Applications that are recommended for funding will be submitted to Council for endorsement. Applications for grants under \$1000 are approved by the CEO as per Council delegation.

Applications Outcomes – All applicants are notified of the outcome of their applications by email.

- Successful applicants will be provided with a Funding Agreement to complete, including the requirements to report and acquit their project.
- Unsuccessful applicants will be provided with feedback on request.

- Details of successful applications will be published on the Council website.

Payment Arrangements – Payment will be made by Council to the nominated bank account by electronic funds transfer. The payee will need to be set up as a supplier on the Council system.

Acquittal – Financial acquittal is required for all Council grants. A financial acquittal report must be submitted:

- Via the SmartyGrants portal or on the form provided by Council, before the agreed date in the funding agreement.
- Inclusion of supporting documents such as receipts or other documentation that shows expenditure of Council grant funds.
- Any unspent Council grant money must be returned to Council.

Failure to meet the above criteria may result in an applicant being:

- Required to return allocated funding to Council ; and/or
- Becoming ineligible for future Council grants.
- Applicants who have not provided adequate grant acquittal documentation within 6 months (four weeks for Destination Events Grant) of the original grant approval date will be referred to Council's Finance Department for debt retrieval.

Failure to meet Funding Agreement – Applicants who fail to deliver on aspects of their funding agreement within the agreed timeframe may be eligible for one of the alternative options:

- Variation requests – submit a variation request to the approved project in writing. A written response to such requests will be provided by Council. Variations to project details are expected to deliver on outcomes that were initially approved by Council.
- Extension requests – submit an extensions request in writing. A written response to such requests will be provided by Council. Extensions will not be accepted beyond a twelve-month period from the original acquittal date in the Funding Agreement, unless extenuating circumstances can be demonstrated.

In the event that an applicant can no longer complete any or all of the approved project, unspent grant funds will be returned to Council and any partial expenditure must be acquitted.

8. More information

You can visit Council's website or contact Council's Community Development team for more information or to discuss your proposal for funding. Phone: 4232 0444

9. Related links

Community Strategic Plan - [Community Strategic Plan Kiama Council \(nsw.gov.au\)](https://www.nsw.gov.au)

Delivery Program and Operational Plan - [Delivery Program and Operational Plan Kiama Council \(nsw.gov.au\)](https://www.nsw.gov.au)

Grants and Donations Program - [Grants Kiama Council \(nsw.gov.au\)](https://www.nsw.gov.au)

Kiama Tourism & Events Strategic Plan - [Tourism and Events Strategic Plan Kiama Council \(nsw.gov.au\)](https://www.nsw.gov.au)

16 REPORTS FOR INFORMATION

16.1 Resolution Register - July 2024 to August 2024 and update on previous periods

Responsible Director: Office of the Chief Executive Officer

Attached for Councillors' information is the Resolution Register for the period 1 July 2024 to 31 August 2024. The Register provides an update on the implementation of Council resolutions for this period and the actions undertaken.

Also attached is an update on those resolutions not completed in previous periods.

Communication/Community Engagement

Not required.

Risk implication

The information in this report illustrates what actions have been taken and provides a level of transparency to the community.

Attachments

- 1 Resolution Register July and August 2024 [↓](#)
- 2 Outstanding Resolution register - from previous periods up to 31 August 2024 [↓](#)

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible Officer	Action	Status
16/07/2024		24/2160C and 24/2170C are procedural motions only.	Chief Executive Officer	No action required.	Completed.
16/07/2024	6.1	24/2180C Resolved that the Minutes of the Ordinary Council meeting held on 18 June 2024 be received and accepted. (Councillors Steel and Renkema-Lang)	Chief Executive Officer	Minutes have been published on the Council website.	Completed.
16/07/2024	6.2	24/2190C Resolved that the minutes of the Extraordinary Council meeting held on 27 June 2024 be received and accepted subject to the following amendments: 1. Recommendation 1 of item 8.1 Strategic Finance & Governance Improvement Plan to read – 1. <i>Adopt the Strategic Finance and Governance Improvement Plan, subject to authorising the Chief Executive Officer, through the Implementation Team, to make the following administrative amendments:</i> a. <i>Update the PIO Action column for actions 6.7, 6.8, 6.10 and 6.17, on pages 36 and 37, by referring to A.5 instead of C.3.</i> 2. The order of debate be changed for Item 9.2 2024/2025 Integrated Planning & Reporting suite of documents to accurately reflect the order in which it occurred. (Councillors Renkema-Lang and Rice)	Chief Executive Officer	Minutes have been amended and published on the Council website.	Completed.
16/07/2024	11.1	24/2200C Resolved that Council take a minute's silence to remember the work and life of Peter Stuckey, the former Manager	Chief Executive Officer	A minute's silence was held at the Council meeting.	Completed.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
16/07/2024	11.2	<p>Parks and Environment at Kiama Council, who passed away on Wednesday, 26 June 2024. (Councillor Reilly)</p> <p>24/2210C Resolved that Council:</p> <ol style="list-style-type: none"> Provide a one-off \$550 in-kind donation toward the parking fees for the 2024-25 Kiama Triathlon Club Trailer, to be paid from the Community Grants and Donations budget. Encourage the Kiama Triathlon Club to apply for future funds from the new community grants funding round commencing August 2024. (Councillor Reilly) 	Chief Executive Officer	\$550 in kind donation applied.	Completed.
16/07/2024		24/2220C is a procedural motion only.	Chief Executive Officer	No action required.	Completed.
16/07/2024	12.1	<p>24/2230C Resolved that the Minutes of the Infrastructure and Liveability Advisory meeting held on 11 June 2024 be received and accepted. (Councillors Draisma and Larkins)</p>	Acting Director Infrastructure & Liveability	Minutes have been published on the Council website.	Completed.
16/07/2024	12.2	<p>24/2240C Resolved that the Minutes of the Sustainable Communities Committee meeting held on 2 July 2024 be received and accepted, noting that of the suggestions put forward by the Committee, on page 49 of the business paper, points c) and d) are to be completed by the Committee instead of Council. (Councillors Brown and Croxford)</p>	Acting Director Planning, Environment & Communities	Minutes noted and uploaded to Council's website.	Completed.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible Officer	Action	Status
16/07/2024	13.1	<p>24/2250C Resolved that Council:</p> <ol style="list-style-type: none"> register the Mayor and the Deputy Mayor to attend the Local Government NSW (LGNWSW) Conference begin held in Tamworth from 17 to 19 November 2024, noting that the names of the Councillors will be confirmed following the local government election in September 2024. Receive any notices of motion to be submitted for consideration at the LGNSW Conference for endorsement at the August ordinary Council meeting. Note that nominations for 3 voting delegates at the LGNSW Conference close on 6 November 2024. (Councillors Croxford and Draisma) 	Chief Executive Officer	<ol style="list-style-type: none"> Awaiting election of Mayor and Deputy Mayor No further notices of motions were received Awaiting names for voting delegates. 	On track
16/07/2024	14.1	<p>24/2260C Resolved that Council receives and adopts the Monthly Financial Report for May 2024. (Councillors Renkema-Lang and Larkins)</p>	Chief Financial Officer	No action required.	Completed.
16/07/2024	14.2	<p>24/2270C Resolved that Council notes the information relating to the Statement of Investments as at 30 June 2024. (Councillor Brown and Larkins)</p>	Chief Financial Officer	No action required.	Completed.
16/07/2024	14.3	<p>24/2280C Resolved that Council endorse the Gifts and Benefits Policy. (Councillors Draisma and Larkins)</p>	Head of Implementation	Policy published on the Council website.	Completed.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
16/07/2024	14.4	<p>24/2290C</p> <p>Resolved that Council approves:</p> <ol style="list-style-type: none"> The amount of \$4.9M as an external restriction for Liquidity Management Standard requirements and compliance with the Aged Care Act Prudential Standards regarding Residential Aged Care Resident accommodation funds The amount of \$4.1M as an internal restriction for ILU Prudential Coverage regarding Retirement Village and Independent Living Unit Resident accommodation funds. (Councillors Draisma and Larikins) 	Chief Financial Officer	Completed.	Completed.
16/07/2024	15.1	<p>24/2300C</p> <p>At the request of Councillor Renkema-Lang and by consent the motion was varied to read - That Council:</p> <ol style="list-style-type: none"> Endorse the Draft Growth and Housing Strategy for public exhibition, subject to updating the draft to include the following action: <i>Continue to engage and partner with community housing providers to determine suitable numbers and locations for provision of social housing within the local government area.</i> Provide links to the documents referenced in Appendix 3 of the Draft Growth and Housing Strategy on Council's website. Report back to Council at the November 2024 Council meeting on the outcomes of the consultation process 	Acting Director Planning, Environment & Communities	<ol style="list-style-type: none"> The draft document was updated with the revised action wording and exhibited between 19 July and 16 August 2024. The related information was added to Council's website. It is still planned to report the matter back to the November Council meeting on the outcomes of the consultation process, however due to the volume of submissions, additional EOIs and new councillors this is likely to be an update and proposed next steps, rather than a final version for adoption. This has not yet commenced. 	On track

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>and seek adoption of the final Growth and Housing Strategy at this meeting.</p> <p>4. Commence the preliminary work required to undertake a review of Kiama Local Environmental Plan and Development Control Plan to enable timely implementation of the Growth and Housing Strategy once adopted.</p> <p>5. Continue to assess scoping proposals received for strategic sites and undertake other required planning processes in accordance with the Ministerial Expectation Statement, to continue to support ongoing delivery of supply and Housing Targets.</p> <p>6. Continue to monitor approvals and completion data and provide this data as part of the quarterly development pipeline audit conducted by the Department of Planning</p> <p>7. Actively participate in the Urban Development Program, providing the draft Strategy to industry and State agencies to support immediate planning of infrastructure and servicing needs for identified strategic sites.</p> <p>8. Note that councils cannot control, enforce, or hold planning powers which ensure, the timing of any construction or completion of a dwelling following approvals being issued.</p> <p>9. Complete the Employment Lands Strategy by the end of 2024 and include the findings of this Strategy in both the implementation plan for the Growth and Housing Strategy and the Kiama LEP review.</p> <p>10. Complete an Infrastructure Advocacy Strategy to support grant applications and to strongly advocate to</p>		<p>5. This is continuing.</p> <p>6. This is continuing and assessment timeframes are improving.</p> <p>7. The Draft Growth and Housing Strategy was sent to relevant state agencies for consultation. Council staff will continue to actively participate in UDP meetings.</p> <p>8. No action required.</p> <p>9. The Employment Lands Strategy is being prepared and is on track for a draft to be prepared by the end of 2024.</p> <p>10. See Infrastructure team for comment.</p> <p>11. The EOI process was run again as part of the exhibition.</p>	

Meeting	Item	Resolution	Responsible officer	Action	Status
16/07/2024	15.2	<p>the State and Federal Government for the provision of infrastructure to support growth.</p> <p>11. As part of the exhibition of the draft Strategy run a second developer EOI, in accordance with the probrity plan, to allow any additional EOIs, including the request for Bland Street Kiama, that were not submitted in the first process to be received by Council and considered for inclusion in the draft Strategy. (Councillors Larkins and Brown)</p> <p>24/2310C Resolved that Council:</p> <ol style="list-style-type: none"> Adopt the Development Assessment Policy subject to a change being made to section 4.3 of the policy to include the new Ministerial Orders and Expectations that were issued to all councils on 4 July 2024. Notify people who made a submission of Council's decision. (Councillors Brown and Larkins) 	Acting Director Planning, Environment and Communities	<ol style="list-style-type: none"> Clause 4.3 of the Development Assessment Policy was updated and the Policy is in force from 17/07/2024. Submission makers were notified by email on 18/07/2024. 	Completed.
16/07/2024	16.1	<p>24/2320C Resolved that Council receive the Minutes of the Kiama Local Traffic Committee meeting of 2 July 2024 and the following recommendation be adopted, subject to the following:</p> <ol style="list-style-type: none"> The proposal to endorse the Traffic Management Plans for the implementation of 'No Parking' restrictions below, be the subject of a written advice to Transport for NSW and NSW Police that Council 	Acting Director Infrastructure & Liveability	<ol style="list-style-type: none"> Written advice sent on 18/7/24. Implementation of No parking restrictions request sent to Maintenance Coordinator on 23/7/2024. 	Completed.

Meeting	Item	Resolution	Responsible officer	Action	Status
16/07/2024	17.	<p>will be proceeding with the proposals, with implementation after the 14 day notice period.</p> <p>2. Subject to there not being an appeal from TfNSW or NSW Police on the notice to of intention to proceed; approve the 'No Parking' restrictions, as shown on the signage plan.</p> <p>24/001LTC the implementation of 'No Parking' restrictions on the angled parking bay on Thomson Street, Kiama, to be timed 6pm Sundays to 12pm Mondays, as set out on the plan.</p> <p>(Councillors Draisma and Larkins)</p>			
16/07/2024	17.	<p>24/233OC</p> <p>Resolved the following Reports for Information listed for the Council's consideration were moved in globo (refer minute 24/222OC):</p> <p>17.1 Donation: Kiama Family History Centre</p> <p>17.2 Legal matters: Amendment to reporting timeframes</p> <p>17.5 Question for future meeting: Shoalhaven Water</p> <p>(Councillors Draisma and Larkins)</p>	Chief Executive Officer	Information reports only, no action required.	Completed.
16/07/2024	17.3	<p>24/234OC</p> <p>Resolved that Council write to the Kiama Liquor Accord:</p> <p>1. advising of Council's commitment to work with organisations, such as the Illawarra Police District and the Kiama Liquor Accord, to address the growing problem of gender-based violence</p> <p>2. bringing attention to the 'Safety, Love and Respect' poster available on Kiama Council's website, and</p>	Acting Director Infrastructure & Liveability	Letters sent to members of the Kiama Liquor Accord on 12/8/2024, advising of commitment to work with these organisations to address gender-based violence. Advised of the poster available on Council's website with a link and encourages members to print poster and display at their respective venues.	Completed.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
16/07/2024	14.1	<p>3. encouraging members of the Kiama Liquor Accord to download, print and display the poster at their respective venues. (Councillors Renkema-Lang and Draisma)</p> <p>24/235OC Resolved that Council replace the attachment to Item 14.1 <i>Monthly Financial Report – May 2024</i> of the business paper with the document attached to this CEO note, being the correct version of the Financial Statements – May 2024 – Monthly Report. (Councillors Brown and Draisma)</p>	Chief Financial Officer	Procedural action only, nothing further required.	Completed.
16/07/2024	18.3	<p>24/236OC Resolved that Council in the forthcoming scheduled review of the Code of Meeting Practice, considers a revision of clause 10.11 amendments and clause 3.11 notice of business as provided in this report. (Councillors Rice and Renkema-Lang)</p>	Head of Implementation	The Code of Meeting Practice will be reviewed by the newly elected Council within the first few months of the term after the Office of Local Government advises of its proposed changes..	On track.
16/07/2024	20.1	<p>24/237OC Resolved that Council:</p> <ol style="list-style-type: none"> Write to the Jamberoo Valley Ratepayers and Residents Association to request a copy of the final report completed by the former Jamberoo Traffic Sub-committee; and Refer this report to the Kiama Local Traffic Committee for consideration. (Councillors Draisma and Larkins) 	Acting Director Infrastructure & Liveability	<ol style="list-style-type: none"> Final report was received from JVRRA. The report will be included on the agenda for the November 2024 Traffic Committee Meeting. 	On track.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
16/07/2024	20.2	<p>24/2380C Resolved that Council:</p> <ol style="list-style-type: none"> Reaffirms its commitment to develop a Night-time Economy Strategy to support the vibrancy of our community and local businesses. Supports the petition to the NSW Legislative Council which calls on the Hon John Graham MLC, Minister for the Night-time Economy, to support the development of a Special Entertainment Precinct in the Kiama Town Centre. Write to the Hon John Graham MLC in support of the petition and call on the NSW Government to further consult Council and the community to deliver a Special Entertainment Precinct in the Kiama Town Centre. Allow for copies of the petition to be hosted at the Administration Building, Kiama Library and Gerringong Library and Museum. (Councillors Draisma and Larkins) 	Acting Director Planning, Environment and Communities	<ol style="list-style-type: none"> An internal discussion paper on the night-time economy has been drafted. Staff have attended two online workshops with the Night-Time Economy Commissioner to help develop strategies. Notification of the petition is available on the Council website. Letter sent to the Minister. Copies of the petition have been provided at these sites. 	On track
16/07/2024	20.3	<p>24/2390C Resolved that Council:</p> <ol style="list-style-type: none"> Delegate to the CEO to make a formal referral to the Australian Press Council regarding concerns with The Bugle's ownership and reporting practices, based on: <ol style="list-style-type: none"> the grounds outlined in the Notice of Motion passed in May 2024; subsequent business arising discussions from the May 2024 ordinary meeting of council 	Chief Executive Officer	Australian Press Council complaint lodged on 19 July 2024.	Completed.

Meeting	Item	Resolution	Responsible officer	Action	Status
16/07/2024	20.4	<p>minutes at the June ordinary meeting of council; and</p> <p>(c) the lack of response from The Bugle to the council's communications.</p> <p>The referral should include specific articles of concern published under The Bugle's own categories of news, blog, Blow Your Bugle, and "The Bugle's View" articles and any other relevant attachments that validate the concerns Council has with The Bugle. (Councillors Croxford and Steel)</p>	Acting Director Infrastructure & Liveability	A review of the pedestrian facilities and crossings on Terralong Street Kiama has commenced and an options report will be presented at a future council ordinary meeting prior to the 2025-26 budget being resolved.	On track
		<p>24/2400C Resolved that for the preparation of the 2025-26 budget, Council:</p> <ol style="list-style-type: none"> Note the information provided to Council at the 21 May 2024 ordinary meeting at agenda item 17.2 <i>Question for future meeting: Terralong Street Kiama - Transverse Rumble Strip Crossings.</i> Considers a project for the review of the pedestrian facilities and crossings on Terralong Street Kiama that would result in a report to Council on the outcomes of the review, including a concept plan, cost estimates, and timeline for undertaking any identified upgrade works. The review and report would address: <ul style="list-style-type: none"> (a) Compliance with current Australian standards and guidelines, including Austroads Guide to Road Design. (b) Safety assessments for all users, particularly vulnerable groups such as the elderly, people with disabilities, and cyclists. 			

Resolution register:
1 July 2024 to 31 August 2024

Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>(c) Potential legal liabilities associated with the current pedestrian crossings.</p> <p>(d) Collating any community feedback on the effectiveness and safety of the pedestrian crossings.</p> <p>(e) Potential upgrade works such as replacement of pedestrian facilities with raised pedestrian crossings or removal of pedestrian facilities. (Councillors Croxford and Watkins)</p>			
16/07/2024	20.5	24/2410C Resolved that those Councillors referred to the Independent Commission Against Corruption in May 2024 are promptly advised as soon as the Chief Executive Officer receives any correspondence regarding the outcome of this referral that can be shared individually with those referred. (Councillors Rice and Renkema-Lang)	Chief Executive Officer	As per the resolution, the outcome of the ICAC referral was provided to required Councillors on 30 August 2024.	Completed.
16/07/2024		24/2420C and 24/2430C are procedural motions only.	Chief Executive Officer	No action required.	Completed.
16/07/2024	22.1	24/2440C Committee recommendation that Council note and receive this report finalising the Akuna Street legal matter. (Councillors Brown and Draisma)	Chief Executive Officer	No action required.	Completed.
16/07/2024	22.2	24/2450C Committee recommendation that Council note the information provided in the Blue Haven Update report for July 2024. (Councillors Draisma and Brown)	Chief Operating Officer	No further action required	Completed.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
16/07/2024	22.3	<p>24/246OC Committee recommendation that Council:</p> <ol style="list-style-type: none"> Accepts the tender from recommended tenderer for the Jamberoo Sports Field Lighting Project KT100524 for the sum of \$314,731.68 +GST. Delegates to the Chief Executive Officer the authority to finalise and execute the contract and any other documentation required to give effect to point 1 above. Grants authority for the use of the Common Seal of Council on the contract and any other documentation, should it be required, to give effect to the contract. Allocates an additional budget of \$50,000 in the 2024-25 Capital Budget – Recreation & Open Space, funded from the Grant Reserve to fund the total estimated cost of the works (Councillors Draisma and Larkins) 	Acting Director Infrastructure & Liveability	<ol style="list-style-type: none"> Tender accepted and contract sent to EC Power to sign. CEO signed and executed the contract. Council has granted authority. Funding allocated to the project to cover contingencies and internal project management costs. 	Completed.
16/07/2024	22.4	<p>24/247OC Committee recommendation that Council:</p> <ol style="list-style-type: none"> Authorise the Chief Executive Officer and the Mayor to finalise and execute (in a form substantially annexed to this report) the Sale Contracts (being the Asset Sale Agreement and the Land Sale Agreement) for the sale of the Blue Haven Bonaira business (together with the land on which it is operated but excluding Community Transport) for the combined gross price of \$95M and to be authorised to do anything which is necessary or desirable to do under or in connection with the Sale Contract including to 	Chief Operating Officer	<ol style="list-style-type: none"> Contract signed on 17 July 2024. Seal affixed to required documents. Ancillary documents signed. IRC application still to be lodged. Legal advice being progressed. Contract due diligence period extension resulting in variation to settlement date to 3 February 2025.. 	On track

Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>finalise and execute any ancillary documents or forms contemplated by the Sale Contracts.</p> <p>2. Authorise the Chief Executive Officer and the Mayor to affix the Common Seal to the Sale Contracts and any ancillary documents or forms contemplated by the Sale Contracts for the purposes of the execution of those documents.</p> <p>3. Authorise the Chief Executive Officer to perform the Council's obligations under the Sale Contracts and any ancillary documents or forms contemplated by the Sale Contracts.</p> <p>4. Authorise the Chief Executive Officer to make applications to the NSW Industrial Relations Commission with respect to the transfer of Council employees transferring to Hall & Prior on completion of the Sale Contract.</p> <p>5. Authorise the Chief Executive Officer to commence legal proceedings and recovery processes against the Builder of the facility with respect to claims for building defect matters losses incurred due to building defect matters (including filing any statement of claim against the builder to initiate legal proceedings).</p> <p>6. Authorise the Chief Executive Officer to do anything (including without limitation completion, preparation, amendment, initialisation, certification, execution and delivery of any registers, records, certificates, documents, notices, consents or forms) which is necessary or desirable to do under or in connection with the above resolutions. (Councillors Brown and Steel)</p>			

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible Officer	Action	Status
16/07/2024		24/2480C to 24/2500C are procedural motions only.	Chief Executive Officer	No action required.	Completed.
13/08/2024	6.1	<p>24/2510C</p> <p>Resolved that the Minutes of the Ordinary Committee meeting held on 16 July 2024 be received and accepted subject to the following:</p> <ol style="list-style-type: none"> The vote for item 12.2 Minutes: Sustainable Communities Committee – 2 July 2024 be amended to include Councillor Draisma's vote "for". The title for Item 20.3 Notice of Motion: The Bugle's adherence to journalistic standards be changed to "Notice of Motion: Refer The Bugle to the Australian Press Council". (Councillors Draisma and Croxford) 	Chief Executive Officer	Minutes as amended have been published on the Council website.	Completed.
13/08/2024	11.1	<p>24/2520C</p> <p>Resolved that Council formally congratulate the following winners of the Local Government Week Awards:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Citizen of the Year – Michael Gleeson <input type="checkbox"/> Senior Citizen of the Year – Rhonda Bailey <input type="checkbox"/> Community Group of the Year – CWA Kiama Evening Branch <input type="checkbox"/> Arts Honour Roll – Tamara Campbell <input type="checkbox"/> Sport Honour Roll – Grace Stewart <input type="checkbox"/> Sports Achievement Award – Nardia Guillaumier <input type="checkbox"/> Sports Volunteer Award – Karon Dawson <input type="checkbox"/> Robert East Memorial Award – Berbel Franse 	Chief Executive Officer	Award ceremony held during Local Government week on 30 July 2024.	Completed.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024		<p><input type="checkbox"/> Megan Dalley Award – Hallie Le Maitre in recognition of their service to Council and the community. (Councillor Reilly)</p> <p>24/2530C is a procedural motion only.</p>	Chief Executive Officer	No action required.	Completed.
13/08/2024	12.1	<p>24/2540C</p> <p>Resolved that the Minutes of the Audit, Risk and Improvement Committee meeting held on 30 July 2024 be received and accepted, subject to:</p> <ol style="list-style-type: none"> updating the wording on page 45 of the Council papers, under section 6.8 to read: "Noted: The CFO asked the Committee to note that the investment portfolio was over the policy level for ING but was brought back within the required level within a couple of days." the following recommendation on the Akuna Street legal matter being endorsed: 24/024ARIC Resolved that the Audit, Risk and Improvement Committee: 1. Notes and receives this report which finalises the Federal Court matter of Nicolas Daoud and Co Pty Ltd v The Council of the Municipality of Kiama. 2. Recommends that Council delegate to the Chief Executive Officer to use the Council seal to execute the Deed of Release. (Councillors Keast and Larkins) 	Chief Executive Officer	ARIC minutes were amended and will return to the October 2024 meeting. Federal Court matter finalisation acknowledged and the Council seal affixed to the Deed of Release.	Completed.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024	12.2	24/2550C Resolved that Item 12.2 Minutes: Blue Haven Advisory Committee – 3 July 2024 be moved to confidential closed session under the provisions of Section 10A(2) of the Local Government Act 1993. (Councillors Renkema-Lang and Draisma)	Chief Executive Officer	No action required.	Completed.
13/08/2024	12.3	24/2560C Resolved that Council: 1. Receive and note the Minutes of the Infrastructure & Liveability Advisory Committee meeting held on 9 July 2024. 2. Note that the minutes refer to two submission papers from the Advisory Committee (Kiama Leisure Centre facilities and Town Centre Traffic & Parking) that were inadvertently not included in the business paper and these papers will now be reported to the new Council. (Councillors Larkins and Croxford)	Acting Director Infrastructure & Liveability	1. Minutes have been published on the Council website. 2. Submission papers to be reported to the new Council.	On track.
13/08/2024	12.4	24/2570C Resolved that the minutes of the Tourism and Economic Advisory Committee meeting held on 18 July 2024 be received and noted, and the following recommendation on the Kiama New Year's Eve Sky Show be endorsed: That Destination Kiama coordinate the 'Kiama New Year's Eve Sky Show' on 31 December 2024 within the allocated budget and that Kiama Surf Lifesaving Club be added to the event program to allow for the collection of donations and that other not-for-profit	Chief Executive Officer	Minutes have been published on the Council website. Organisation of the Kiama New Year's Eve Sky Show is well underway and the Kiama Surf Lifesaving Club have been invited to collect donations on the night. The Events team have also reached out to the other not-for-profit organisations to be involved eg collection of return and earn.	Completed.

Resolution register:
1 July 2024 to 31 August 2024

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024		<p>organisations also be considered to the event program by Destination Kiama. (Councillors Brown and Steel)</p> <p>24/2580C Resolved that the following late items be moved as follows: <ul style="list-style-type: none"> Item 18.1 CEO note: 2021/2024 Council term ends be moved to be the first item under the heading Report of the Chief Executive Officer. Item 18.2 Updated attachment for Item 13.2 – Current legal matters – status updated as at 30 June 2024 be moved to replace item 13.2. Item 18.3 Updated Notice of Motion Item 20.3: NSW Biodiversity Crisis be moved to replace item 20.3. (Councillors Reilly and Steel)</p>	Chief Executive Officer	No action required.	Completed.
13/08/2024	13.1	<p>24/2590C Resolved that Council: <ol style="list-style-type: none"> 1. Receive the Strategic Finance & Governance Improvement Plan – Implementation Status Update – July 2024, 2. Note that actions 1.1, 1.2 and 8.11 have been completed, and 3. Note that the Chief Executive Officer, through the Implementation Team, will: <ul style="list-style-type: none"> a. provide a copy of the Implementation Status Update - July 2024 to the NSW Office of Local Government, and </p>	Head of Implementation	<p>3a. The July status update was sent to the Office of Local Government on 20 August 2024.</p> <p>3b. The July status update has been published on the Council website.</p>	Completed.

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024	18.2	<p>24/2600C</p> <p>Resolved that Council receive this report and note that:</p> <ol style="list-style-type: none"> the following approximate amounts were expended on legal matters generally as at 30 June 2024: <ul style="list-style-type: none"> NSW Land & Environment Court = \$639,324 NSW Civil & Administrative Tribunal matters = \$5,803 Federal Court matters = \$3,547,719 Supreme Court matters = \$55,508 General legal/Probity advice = \$182,914 Anti-discrimination matters = \$47,176 Councillor Code of Conduct related matters = \$23,474. Legal matters finalised since the last report to Council (made in May 2024) have been included in the attachment to the August 2024 report, noting total costs to Council as specified in the table headed 'Completed Matters'. (Councillors Croxford and Draisma) 	Head of Implementation	No action required, for noting only.	Completed.
13/08/2024	13.3	<p>24/2610C</p> <p>Resolved that Council review the summary of applications received for round one of the Destination Event Funding Program and endorse Council's support for all eligible events to the value listed below table:</p>	Chief Executive Officer	Sponsorship approval letters sent on 12 August 2024.	Completed.

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024	13.4	<p>Kiama Red Cross Fun Run - \$1,220 2025 Winter Wine Festival presented by Crooked River Estate - \$10,220 Kiama Coastal Classic - \$3,000 Kiama Sevens 2025 - \$12,500 Clearly Music, Arts & Wellness Festival 2.0 - \$7,522 Sydney FC Football Festival - \$5,000 177th Kiama Show 2025 - \$8,000 Total allocation: \$47,462 (Councillors Brown and Steel)</p> <p>24/2620C Resolved that Council:</p> <ol style="list-style-type: none"> Place the Kiama Municipal Council Customer Service Charter on public exhibition, after the completion of the 2024 NSW Local Government Caretaker period, for a period of 28 days calling for submissions and that the results of the consultation be reported to the newly elected Council. The newly elected council will receive a further report for consideration, if any relevant submissions are received or if any substantial changes are proposed for any other reason, detailing the public exhibition outcomes and proposed changes with further recommendations regarding adoption. On the day after completion of the public exhibition period, adopt the Kiama Municipal Council Customer Service Charter, if there are no relevant submissions 	Chief Executive Officer.	Placed on public exhibition until 14 October 2024 https://www.kiama.nsw.gov.au/Council/News/Draft-Customer-Service-Charter .	On track

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
		received and there are no substantial changes proposed for any other reasons. (Councillors Brown and Rice)			
13/08/2024	14.1	24/2630C Resolved that Council adopt the updated Child Safe Policy. (Councillors Draisma and Larkins)	Chief Operating Officer	Policy has been published on the Council website.	Completed.
13/08/2024	14.2	24/2640C Resolved that Council: 1. Receive and adopt the quarterly budget review statement and budget changes for the quarter ending 30 June 2024. 2. Note the budget carry forwards of \$189,000 into the 2024-25 budget capital program due to existing commitments and already underway projects. (Councillors Draisma and Brown)	Chief Financial Officer	Budget changes have been actioned.	Completed.
13/08/2024	14.3	24/2650C Resolved that Council notes the information relating to the Statement of Investments as at 31 July 2024. (Councillors Brown and Croxford)	Chief Financial Officer	No action required.	Completed.
13/08/2024	16.1	24/2660C Resolved that Council: 1. Approve a licence agreement to Seeking Fisheries for access to Seven Mile Beach Gerroa for a period of five (5) year term; 2. Terminate the licence agreement once the applicant is no longer approved to undertake commercial	Acting Director Infrastructure & Liveability	New licence agreement sent to Seeking Fisheries on 20/08/2024 in accordance with Council resolution.	Completed.

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024	16.2	<p>fishing activities through the Department of Primary Industries (NSW Fisheries). (Councillors Draisma and Brown)</p> <p>24/2670C Resolved that Council:</p> <ol style="list-style-type: none"> Place the Kiama Municipal Council Waste and Sustainable Materials Strategy 2024 – 2030 on public exhibition, after the completion of the 2024 NSW Local Government Caretaker period, for a period of 28 days calling for submissions and that the results of the consultation program be reported to the newly elected Council. Note that a report on the results of the consultation program and the final draft Kiama Municipal Council Waste and Sustainable Materials Strategy 2024 – 2030 will be presented to the newly elected Council for consideration for decision making purposes. (Councillors Larkins and Draisma) 	Acting Director Infrastructure & Liveability	<ol style="list-style-type: none"> The strategy is on public exhibition until 1 November 2024. Report to Council pending. 	On track
13/08/2024	16.3	<p>24/2680C Resolved that Council receive and note the draft Terms of Reference for a future Jerrara Dam Working Group. (Councillors Draisma and Brown)</p>	Acting Director Infrastructure & Liveability	No action required, for noting only.	Completed.
13/08/2024	16.4	<p>24/2690C Resolved that Council;</p> <ol style="list-style-type: none"> Note the submission received during the advertising period and that an easement for electricity purposes will be created prior to the formal road closure. 	Acting Director Infrastructure & Liveability	<ol style="list-style-type: none"> Instructions have been given to Council's Surveyor to undertake work for registration of road closure with NSW LRS. Formal road closure process pending. 	On track

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024	16.5	<p>2. Continue with the formal road closure process for the surplus road reserve located on Brown Street, Kiama under the Roads Act 1993, as shown on the diagram in the body of this report. (Councillors Draisma and Larkins)</p> <p>24/2700C Resolved that Council:</p> <ol style="list-style-type: none"> Acknowledges the efforts of the Gerringong District All Sports Inc to fund and undertake this significant building enhancement project. Approves the allocation of \$75,000 to the Capital Budget – Building & Facilities funded from the Development Contributions Reserve. Delegates to the Chief Executive Officer the authority to negotiate and execute a funding agreement, to a maximum amount of \$75,000, with the Club including payments being made on a cost incurred basis. (Councillors Brown and Croxford) 	Acting Director Infrastructure & Liveability	<ol style="list-style-type: none"> GDAS emailed on 21 August 2024. Capital budget adjusted. Funding agreement signed on 06/09/2024 	Completed.
13/08/2024	17.	<p>24/2710C Resolved that the following Reports for Information listed for Councillors' consideration are noted:</p> <ol style="list-style-type: none"> 17.3 Conference Report: Councillor Brown - Destination and Visitor Economy Conference 2024 17.4 Post event reporting: Kiama Coastal Classic - Destination Event funding 17.5 Post event reporting: Kiama Winter Street Festival 2024 17.6 Regional Energy Strategy 	Chief Executive Officer	No action required.	Completed.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024	17.1	<p>24/2720C Resolved that Council (Councillors Draisma and Latkins)</p> <ol style="list-style-type: none"> place the draft Alcohol & Other Drugs Policy for Councillors on exhibition, after the completion of the 2024 NSW Local Government Caretaker period, for a period of 28 days calling for submissions. Note that a report on the results of the consultation program and the final draft Alcohol & Other Drugs Policy for Councillors will be presented to the newly elected Council for consideration for decision making purposes. (Councillors Renkema-Lang and Draisma) 	Chief Operating Officer	<ol style="list-style-type: none"> The Policy is on exhibition until 13 October 2024. Report to new Council pending. 	On track
13/08/2024	20.1	<p>24/2730C At the request of Councillor Rice and by consent the motion was varied and resolved that Council:</p> <ol style="list-style-type: none"> Notes the difficulties that key workers, individuals and families in the Kiama local government area face in accessing affordable housing, which is defined as equivalent to or less than 30% of total household income. Following the subdivision of 1 Havilah Place as per the Performance Improvement Order (PIO), commit to the further investigation of the redevelopment of the former of Residential Aged Care Facility (RACF) on the site. Receive a report on the options that can be considered for this site including a public/private partnership to deliver a mixed-development on the 	Head of Implementation	<p>As required by Council's adopted Strategic Finance & Governance Improvement Plan, the Implementation Team are currently preparing business cases for several of the identified catalyst sites. It is anticipated that a business case, which will explore affordable housing opportunities (amongst other things), for this site will be provided the new Council for consideration early 2025.</p>	On track.

**Resolution register:
1 July 2024 to 31 August 2024**

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024	20.2	<p>site of the RACF, which would include at least 25% social and affordable housing.</p> <p>4. As part of the report, receive examples of other mixed development projects which have been delivered on a similar site. (Councillors Draisma and Larkins)</p> <p>24/2740C Resolved that Council:</p> <ol style="list-style-type: none"> 1. As a matter of priority meet with the Seven Mile Beach Landcare group to: <ol style="list-style-type: none"> a. discuss the provision of a commercial provider to assist the group with undertaking the immediate weed management required at Seven Mile Beach. b. discuss budget adjustments that will assist further management of weed growth throughout this financial year. 2. During the preparation of the 2025-26 budget, considers the allocation of an annual budget for this purpose, including the possibility of funding from specific reserves. 3. Continue seeking grant opportunities for funding the maintenance of the Seven Mile Beach Crown Reserve and other natural areas in the municipality. (Councillors Rice and Larkins) 	Acting Director Infrastructure & Liveability	<ol style="list-style-type: none"> 1. Property Team meeting with the Seven Mile Beach Landcare group on Friday 11 October 2025 to discuss points a. and b. 2. Noted and will consider in the 25/26 budget preparation. 3. Noted. 	On track
13/08/2024	20.3	<p>24/2750C Resolved that Council</p>	Acting Director Planning, Environment & Communities	All letters and associated attachments were sent on 4 September 2024	Completed.

Meeting	Item	Resolution	Responsible officer	Action	Status
	1.	<p>Write to The Hon. Penelope Gail Sharpe, NSW Minister for the Environment and The Hon Tara Moriarty MLC Minister for Agriculture</p> <p>(a) expressing thanks for the advice provided by Minister Sharpe on the planning controls and other legislative arrangements that may be applied to strengthen protections of the Minnamurra River biodiversity and surrounding eco-systems, and</p> <p>(b) congratulate both Ministers on the development of the <i>NSW Plan for Nature</i> in response to the Biodiversity Crisis across NSW</p>			
	2.	<p>Write to the Premier The Hon. Christopher John Minns, MP and The Hon Paul Scully MP, Minister for Planning and Public Spaces</p> <p>(a) noting that Council shares the NSW Government's grave concerns about the Biodiversity Crisis across NSW and acknowledging that urgent action is required to put nature on a path to recovery</p> <p>(b) expressing Council's support for the NSW Plan for Nature released in July 2024</p> <p>(c) requesting advice on the extent to which the <i>NSW Plan for Nature</i> recommendations (or any other legislative instruments) will be applied to protect, preserve and restore the fragile eco-systems of the river catchments and wetlands contained within the Kiama local government area as development is 'fast-tracked' in line with the NSW Government's planning reforms.</p>			

Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>3. Provide a copy of the correspondence referred to in 2) above be provided to the Hon. Ryan John Park, Minister for the Illawarra and South Coast, The Hon. Penelope Gail Sharpe NSW Minister for the Environment, The Hon Tara Moriarty MLC Minister for Agriculture, the Minnamurra Progress Association and the Jamberoo Valley Ratepayers and Residents Association. (Councillors Reilly and Keast)</p>			
13/08/2024		24/2760C is a procedural motion only.	Chief Executive Officer	No action required.	Completed.
13/08/2024	12.2	24/2800C Committee recommendation that the Minutes of the Blue Haven Advisory Committee meeting held on 3 July 2024 be received and accepted. (Councillors Draisma and Larikins)	Chief Operating Officer	No further action required.	Completed.
13/08/2024	22.1	24/2810C Committee recommendation that Council note the information provided in the Blue Haven update report for August 2024. (Councillors Draisma and Larikins)	Chief Operating Officer	No further action required.	Completed.
13/08/2024	22.2	24/2820C Committee recommendation that Council 1. Enter into the Variation of Easement to allow Woolworths (Fabcot Pty Ltd) to implement a car park management system on the lot burdened, which involves the installation of a boom gate at the	Acting Director Infrastructure & Liveability	Variation of easement and Deed signed and sent.	Completed.

Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>entrance of the lot and impose charges for the use of the carpark being part on the burdened lot.</p> <p>2. Enter into a Car Park Management Deed with Woolworths (Fabcot Pty Ltd) for the operation of a paid and timed car park in which Council will receive a share of the net profit, with the timed component aligning with the current on-street parking limitations.</p> <p>3. Delegate to the Mayor and CEO authority to execute any necessary documents in relation to the car park management system including the application of the Council seal if required.</p> <p>4. Note Woolworths (Fabcot Pty Limited) would not purchase the easement site from Council in line with the valuation ascertained by Walsh & Monaghan Valuers.</p> <p>5. Note if an agreement is not entered into, the carparking easement would remain untimed and un-metered which incentivises all day parking within the easement area only. This would restrict regular car movements within the precinct and additionally Council would forgo any revenue for a burden that was refused to be purchased. (Councillors Brown and Larkins)</p>			
13/08/2024	22.3	<p>24/2830C Committee recommendation that Council:</p> <p>1. Endorse the proposed re-modelled salary system for all staff designed to improve fairness, competitive remuneration and recognition for excellent performance as outlined in the report as Option (1) at an additional cost of \$350,000 per annum.</p>	Chief Operating Officer	The endorsed system has progressed as consultation with the employees and unions has been finalised, feedback received was positive which included great ideas received by both parties. The system will be rolled out over the next two months. The increase of employee costs will occur	On Track.

Resolution register: 1 July 2024 to 31 August 2024

Meeting	Item	Resolution	Responsible officer	Action	Status
13/08/2024		<p>2. Note the quarter 1 budget review for 2024-25 will include an increase to employee costs of \$155,000 due to the mid-year implementation timeframe and existing budget inclusions.</p> <p>3. Note the proposed re-modelled salary system aims to replace the existing outdated 20+ year system that has been a major issue affecting employee engagement and organisational culture at Council. (Councillors Brown and Steel)</p>		due to the implementation date of 4 December 2024 with a back pay to 4 November 2024 as proposed to the employees.	
13/08/2024	22.4	<p>24/284OC is a procedural motion only.</p> <p>24/285OC At the request of Councillor Keast and by consent the recommendation was varied and the Committee recommended that Council:</p> <ol style="list-style-type: none"> 1. Submit an offer to acquire the property as detailed within the report. 2. Give the CEO delegated authority to negotiate within the range, + or – 10% and any other relevant special conditions as per the report. 3. Give the Mayor and/or CEO delegated authority to execute any documentation associated with the acquisition of the property including the Common Seal of Council if required. 4. Upon acquisition, classify the land as “Operational Land”. 5. Expedite additional planned divestment opportunities within 18 months to fund and facilitate the acquisition. 	Chief Executive Officer	No action required.	Completed.
			Acting Director Infrastructure & Liveability	Council has received advice from the Agent that the vendor had sold to another party.	Completed.

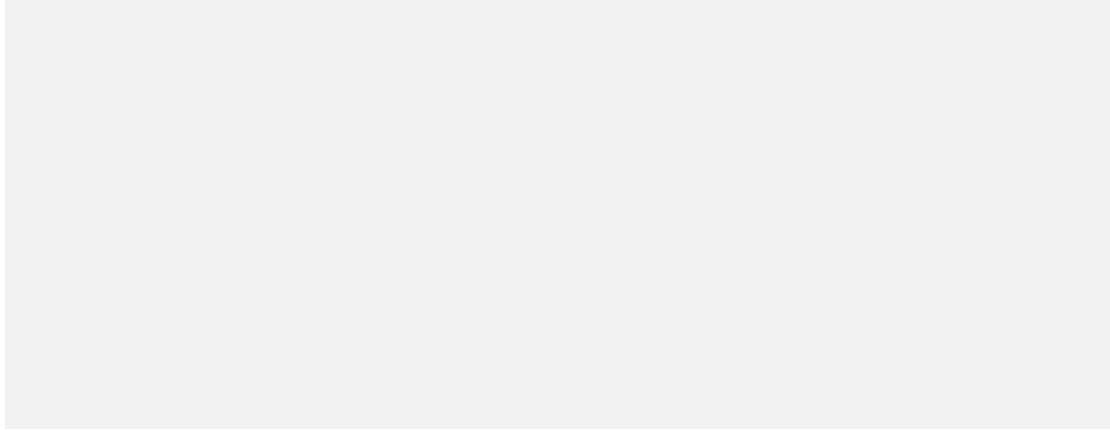
Meeting	Item	Resolution	Responsible officer	Action	Status
	6.	Urgently update the long-term financial plan and cashflow to assess the impact of this potential property acquisition and present it to the first Council meeting after the September 2024 Local Government election			
	7.	Provide a detailed report on what the 'additional' planned divestment opportunities will be and the timeframe for these divestments. (Councillors Brown and Steel)			



Resolution register:
Outstanding items from previous periods up to 31 August 2024

Meeting	Item	Resolution	Responsible officer	Action	Status
18/06/2024	15.2	<p>24/1900C Resolved that Council:</p> <ol style="list-style-type: none"> Endorse the Draft Kiama Development Control Plan Chapter 12.11 South Kiama Urban Release Area for public exhibition for 28 days. Receive a further report for consideration, if any relevant submissions are received or if any substantial changes are proposed for any other reasons, detailing the public exhibition outcomes and proposed changes with further recommendations regarding adoption. One week after completion of the public exhibition period, adopt the Kiama DCP Chapter 12.11 South Kiama Urban Release Area, if there are no relevant submissions received and there are no substantial changes proposed for any other reasons. 	Acting Director Planning, Environment & Communities	<p>The submissions and resulting amendments to the Draft DCP are being finalised. The Final DCP will then be prepared and reported to Council for adoption, at this stage to either the November or December 2024 meeting.</p>	On track
21/05/2024	13.2	<p>24/1310C At the request of Councillor Brown and by consent the motion was varied and resolved that Council receive this report and note that, as of March 2024:</p> <ol style="list-style-type: none"> Council continues, as it is legally required, to respond to a significant number of legal summons which is placing financial and staff resourcing pressures on the organisation. Council had received the following quotes for legal services but was yet to commence proceedings: (a) Development application appeal and/or Mediation Conferences within the NSW Land & Environment Court = \$99,000.00 	Head of Implementation	<p>1-4 Noted. 5. Request to include job costings is being considered. Initial enquiries suggest that publishing full job costings may breach confidentiality as it may disclose hourly rates of pay for staff. Information provided at ordinary August 2024 meeting.</p>	Completed.

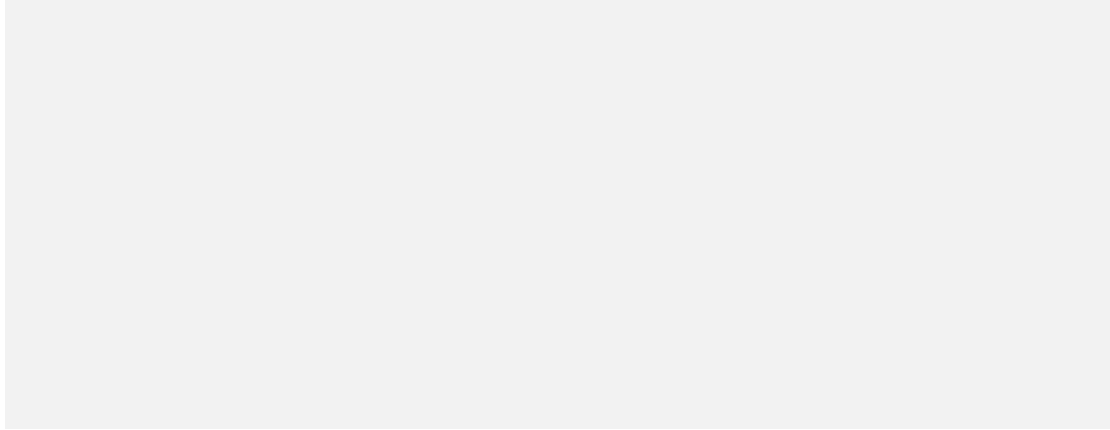
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Meeting	Item	Resolution	Responsible officer	Action	Status
	3.	<p>(b) Councillor Code of Conduct Investigations = \$5,200.00 Council had commenced and been invoiced for the following legal services:</p> <p>(a) Development application appeal and/or Mediation Conferences within the NSW Land & Environment Court = \$436,765.58</p> <p>(b) NSW Civil & Administrative Tribunal matters = \$176,945.60</p> <p>(c) Councillor Code of Conduct Investigations (including responding to Supreme Court summons) = \$123,461.99</p> <p>(d) Legal/Probity Advice = \$149,180.87</p> <p>(e) Property Development, including road closures, caveats etc., matters = \$76,061.94</p> <p>(f) Federal Court matters = \$3,285,222.50</p> <p>(g) Anti-Discrimination matters = \$43,795.84</p>			
	4.	<p>Council had commenced but has yet to be invoiced as at 30 March 2024 for the following legal services:</p> <p>(a) Development Application appeal and/or Mediation Conferences within the NSW Land & Environment Court = \$13,260.19</p> <p>(b) NSW Civil & Administrative Tribunal matters = \$249.00</p> <p>(c) Councillor Code of Conduct Investigations (including responding to Supreme Court summons = \$17,839.00</p> <p>(d) Property Development, including road closures, caveats etc., matters = \$5,832.00</p> <p>(e) Federal Court matters = \$41,835.00.</p>			
	5.	<p>Requests the CEO to consider including job costings in future reports.</p>			

Page 2 of 22

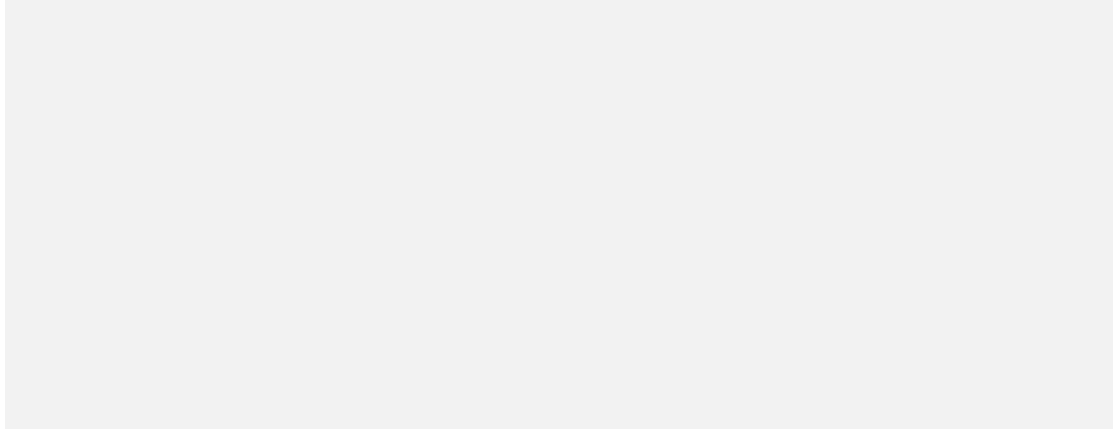
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Meeting	Item	Resolution	Responsible officer	Action	Status
21/05/2024	13.5	<p>24/1340C Resolved that Council endorse the Kiama Major Events Impact Review and Recommendations Report and implement as part of the work of the Tourism and Events Department's Delivery Program and Operational Plan actions. (Councillors Draisma and Larkins)</p>	Chief Executive Officer	<p>Events in the Kiama LGA are now exempt from requiring a DA regardless of size and impact. Instead, the rigour of the assessment will continue without the limitations of a DA. Planning staff have been freed up with more work being carried out by the events staff in the concierge approach, working on the open space and licensing staff in the Property Department.</p> <p>Council staff have reviewed internal processes for issuing licences for events on public land. As the Kiama LEP currently permits events on public land, DAs will no longer be required.</p> <p>Documentation and the Events Toolkit have been updated and changes will come into effect from August 2024.</p> <p>The tourism and events team will continue to work through the recommendations once this foundation work is complete. A workshop on changes will be provided to event organisers</p>	On track

Page 3 of 22

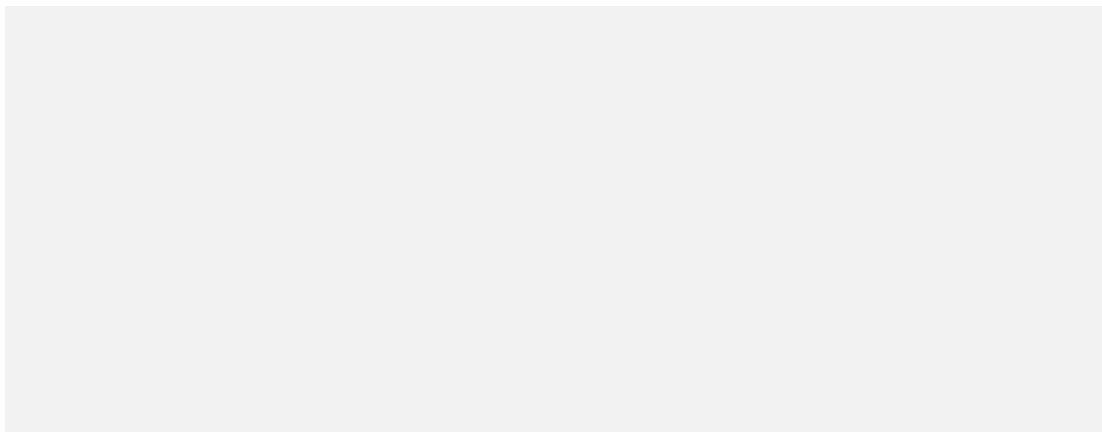
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Meeting	Item	Resolution	Responsible officer	Action	Status
21/05/2024	13.7	<p>24/136OC Resolved that Council endorse the following motion for submission to the Local Government NSW Conference: That Local Government NSW lobbies the NSW Office of Local Government to amend section 248(e) of the Local Government Act 1993 to reflect that during periods that a Mayor takes planned leave, or extended periods of unplanned leave, deputy mayors may act in the role of the mayor and receive the mayoral allowance (including superannuation) whilst not depriving the mayor of the mayoral allowance. (Councillors Draisma and Brown)</p>	Chief Executive Officer	Notice of motion was submitted to the LGNSW on 16 August 2024.	Completed.
21/05/2024	19.2	<p>24/151OC Resolved that Council: 1. Write to Transport for NSW requesting consideration of a reduction in the permanent speed limit for Allowrie and Churchill Streets, Jamberoo from 50 km/h to 40 km/h for the urbanised-higher pedestrian areas of Jamberoo. 2. Provide any data and information, including community feedback, through to Transport for NSW to support the reduction in the permanent speed limit in the area. (Councillors Larkins and Draisma)</p>	Acting Director Infrastructure & Liveability	Transport for NSW (TfNSW) and Council are working together to review and determine whether a 40 km/h speed zone would be appropriate for the area. Council will be installing traffic counters in the coming months to determine current speed and vehicle numbers in Jamberoo which is required as part of the review to determine if a speed reduction is warranted.	On track
21/05/2024	22.6	<p>24/162OC Committee recommendation that Council set aside resolution 23/350OC from the 21 November 2023 Ordinary Council meeting as agreed in consent orders issued by the Supreme Court in the matter of <i>Renkema-Lang v Kiama Municipal Council and Symons</i> [2024] NSWSC 61606 due to the Second Defendant's final investigation report (dated 31 October 2023) being affected by a</p>	Chief Executive Officer	Consent orders were agreed to on 29/05/2024. Bill of costs to be agreed – negotiations continue.	On track

Page 4 of 22

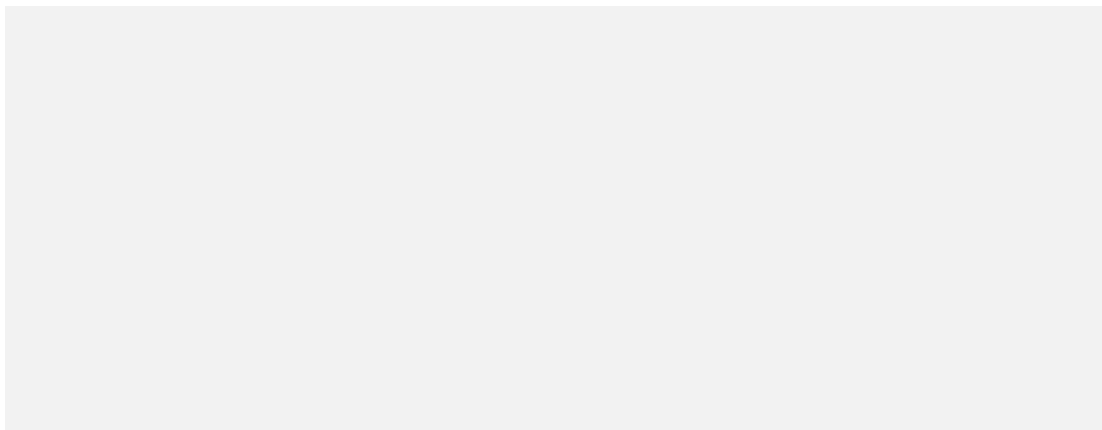
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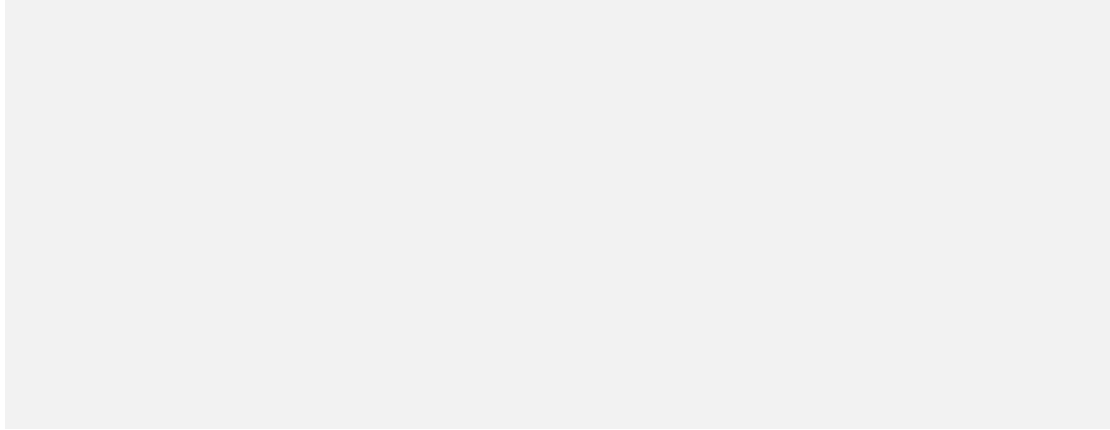
Meeting	Item	Resolution	Responsible officer	Action	Status
27/05/2024	8.1	<p>reasonable apprehension of bias which therefore makes the Council resolution invalid. (Councillors Brown and Steel)</p> <p>24/1670C Resolved that Council: 1. Delegates to the Chief Executive Officer the authority to accept the tender for the comingled recycle receipt and processing contract. 2. Delegate to the Chief Executive Officer and/or Mayor authorisation to sign and execute all documentation in relation to the contract including the application of the seal of Council if required. (Councillors Croxford and Larkins)</p>	Acting Director Infrastructure & Liveability	VISY has the revised contract, and they are currently reviewing. Execution expected by the end of this month. Delegated noted. Will be applied upon completion of tender assessment process. Tenders being assessed.	On track
16/04/2024	13.4	<p>24/1010C Resolved that Council supports: 1. A longer lease tenure of 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. (Councillors Draisma and Croxford)</p>	Acting Director Infrastructure and Liveability	1. Valuation has been completed. Awaiting a response from operator. 2. Work has commenced on the review of Chapter 9 of the DCP including how it has been implemented in any existing development approvals.	On track
16/04/2024		<p>24/1050C At the request of Councillor Rice and by consent the motion was varied and resolved that Council: 1. Note the generally positive 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.</p>	Acting Director Planning, Environment and Communities	1. Noted completed 2. A Library Strategy is currently being developed with engagement discussions occurring with staff and stakeholders. Strategic conversations occurring internally to discuss embedding into Social Infrastructure Strategy.	On track

Page 5 of 22

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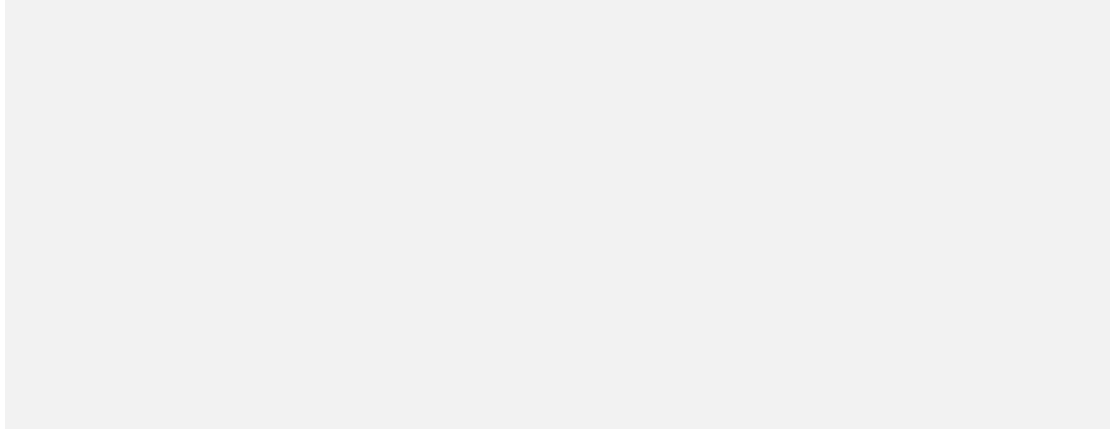
Meeting	Item	Resolution	Responsible officer	Action	Status
19/03/2024	15.5	<p>3. Continue to explore revenue opportunities, including the hiring of spaces and mixed uses within the library facilities. (Councillors Croxford and Larkins)</p> <p>24/0620C Resolved that Council</p> <ol style="list-style-type: none"> Develop a draft Kiama Leisure Centre Strategy and provide this strategy to a future Council meeting for consideration. Develop an implementation plan for the next steps of the service review process. 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. 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) 	Acting Director Planning, Environment and Communities	<p>3. Revenue opportunities are continuing to be explored.</p> <ol style="list-style-type: none"> The Kiama Leisure Centre Strategy, inclusive of a Strategic Action Plan has been drafted and reviewed by staff. Strategic conversations occurring internally to discuss embedding into Social Infrastructure Strategy. An implementation plan has been developed. Collaboration with the Implementation Team is occurring to deliver the priorities of this plan. Internal consultation is ongoing as per item 3 of the resolution. A draft external community engagement plan has been developed. Further discussions are also occurring with the Finance Advisory Committee members. The site has been included within the broader draft masterplan for the sporting precinct as 	On Track



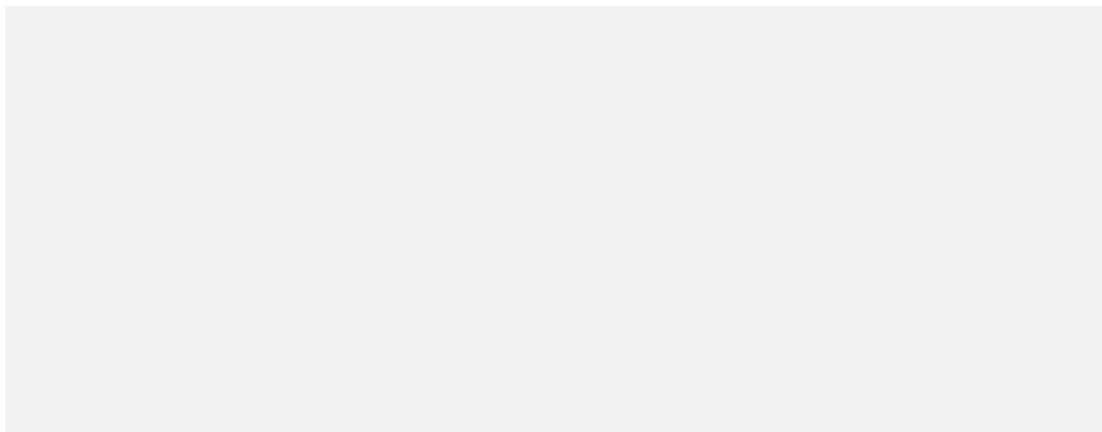
Meeting	Item	Resolution	Responsible officer	Action	Status
1/02/2024	2.1	<p>24/0060C Committee recommendation that Council:</p> <ol style="list-style-type: none"> receives that by RFT process, Request for Tender – Blue Haven (November 2023) (RFT) Council invited tenders in relation to the sale of its aged care business known as Blue Haven – Bonaira located at 14a Bonaira Street, Kiama NSW 2533 (together with relevant assets used to conduct the Business and the land); receives the confidential report in relation to the RFT, “Tender - Blue Haven - Bonaira Divestment” (Confidential Report); receives that the RFT did not include the Council's Community Transport Operations, due to issues raised by Transport for NSW (TfNSW); declines to accept any of the tenders submitted in response to the RFT; for the purpose of section 178(3)(e) of the <i>Local Government (General) Regulation 2021 (LG Regulation)</i>, resolves to enter into direct negotiations with the Preferred Tenderer identified in the Confidential Report in the manner described in the Confidential Report; notes that the reason for Council determining to enter into direct negotiations with the Preferred Tenderer is that Council is satisfied that the Preferred Tenderer would be capable of meeting the requirements set out in the RFT; and accepts that the reasons for Council declining to invite fresh tenders or applications under sections 178(3)(b)-(d) are: <ol style="list-style-type: none"> it is not expected that further market testing will provide a more satisfactory result; despite none of the tenders being capable of acceptance at the end of the RFT Tender, Council 	Chief Operating Officer	<p>per item 4 of the resolution.</p> <p>Sale contract with Preferred Tenderer (Hall & Prior) signed with settlement extended to February 2024.</p> <p>Delays requested by Hall & Prior and agreed under delegation.</p>	On track

Page 7 of 22

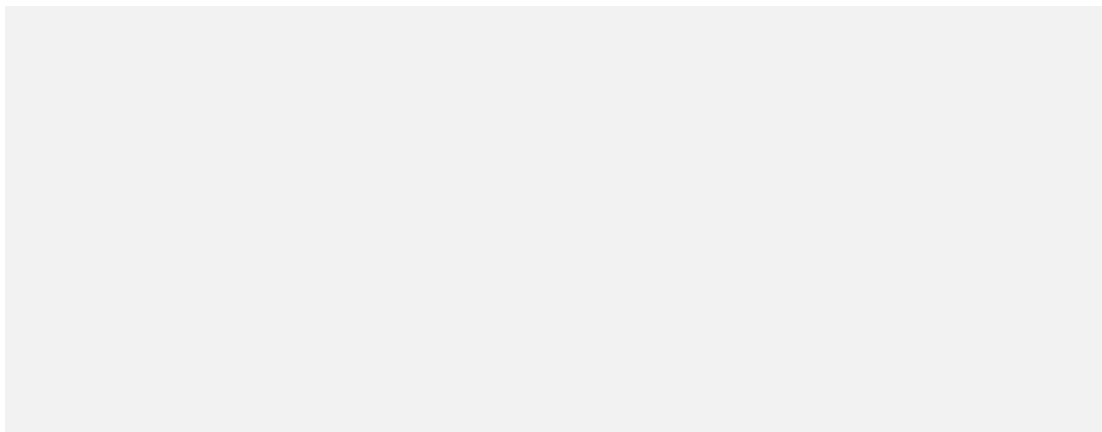
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Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>considers that there are reasonable prospects of achieving an advantageous outcome through direct negotiations with the Preferred Tenderers;</p> <p>(c) inviting fresh tenders would delay the sale with potentially adverse consequences for the organisation;</p> <p>8. authorises the Chief Executive Officer to directly negotiate with the Preferred Tenderer(s):</p> <p>(a) in the manner described in the Confidential Report for the purposes of entering into an agreement to sell Council's aged care business known as Blue Haven – Bonaira;</p> <p>(b) ensuring in accordance with the Fair Work Act 2009 that for a period of five years, the current terms and conditions of employment be transferred to the employment of the transferring employees with the new employer;</p> <p>9. directs the Chief Executive Officer to table any draft contract arising from the direct negotiations with either of the Preferred Tenderer(s) before Council for resolution prior to contract execution;</p> <p>10. resolves that because of extenuating circumstances a satisfactory result would not be achieved by inviting tenders for the sale of the Council's Community Transport Operations related to Blue Haven-Bonaira, and notes that the reasons for forming that view are that a fresh open tender process would be difficult to conduct where Transport for NSW requires direct involvement;</p> <p>11. authorises the Chief Executive Officer under s55(3)(i) of the LG Act, to:</p> <p>(a) directly negotiate with the parties listed in the Confidential Report for the purposes of entering into an agreement to sell the Council's Community</p>			



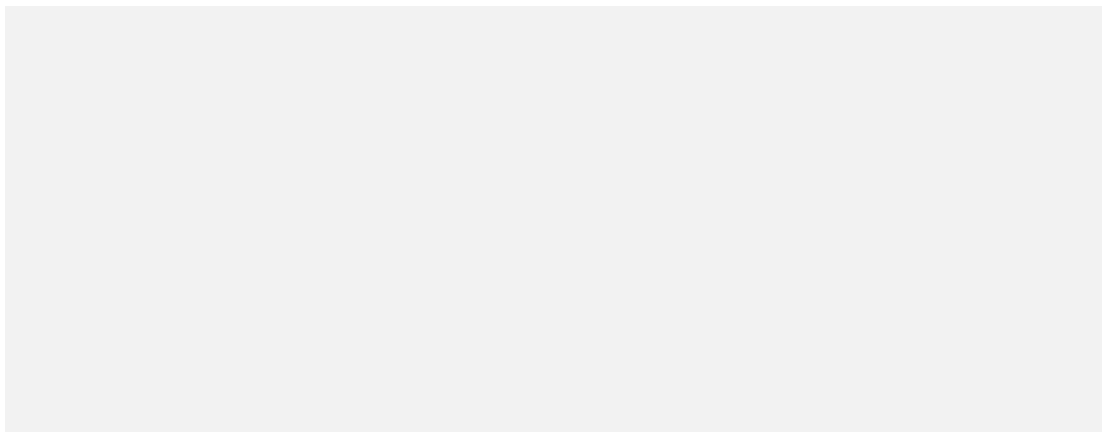
Meeting	Item	Resolution	Responsible officer	Action	Status
13/02/2024	22.2	<p>Transport Operations related to Blue Haven-Bonaira and (b) execute any agreement arising from those direct negotiations. (Councillors Reilly and Brown)</p> <p>24/0380C By consent the committee recommendation was varied as follows: That Council: 1. Delegates the resolution of a proportional refund to the CEO. 2. Review the Pavilion refund policy. (Councillors Rice and Brown)</p>	Chief Executive Officer	<p>1. As a goodwill gesture, Council approved a full refund of the \$3,000 deposit with the \$500 change of date fee retained for this client (despite it being in conflict with the policy at the time).</p> <p>2. The terms and conditions and refund policy for all booking types has been reviewed with the refund policy piece being referred to a solicitor as per Council's Governance Officer advice.</p>	On track
21/11/2023	19.1	<p>23/3420C Resolved that Council: 1. Acknowledges the important role that the Illawarra Rose Society, the Kiama Garden Society, and the Friends of Peace Park have had in the establishment and ongoing maintenance of Peace Park. 2. As part of future budget reviews, consider seeking grant funding to cover the cost of establishing a suitable storage solution for the garden equipment used by the volunteers who maintain Peace Park.</p>	Acting Director Infrastructure and Liveability	A report will be presented to the December Council meeting.	On track



Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>3. Pending the outcome of point 2 above, consider waiving any fees associated with the ongoing use of the storage facility.</p> <p>4. Recognises the excellent work carried out by the volunteers of Peace Park and requests a report from the Director of Infrastructure and Liveability on how Council can assist the Kiama Rose Society in their ongoing work at Peace Park, including:</p> <p>(a) the erection of a shed for the storage of garden tools, mower, mulch etc;</p> <p>(b) bricks to be sold and laid;</p> <p>(c) maintenance of the ground-cover on the Manning Street side;</p> <p>(d) insurance for works carried out;</p> <p>(e) pepper-corn licence fee; and</p> <p>(f) other related matters.</p>			
19/09/2023	16.2	<p>23/2640C Resolved that Council;</p> <ol style="list-style-type: none"> Commence the formal road closure process for the surplus road reserve located on Brown Street, Kiama under the Roads Act 1993, as shown on the diagram in this report, Classify the subject area of road at Brown Street, Kiama as operational land upon closure and the issue of a certificate of title subject to public notice of the proposed classification under Section 31 and 34 of the <i>Local Government Act 1993</i>, Give the Chief Executive Officer delegated authority to sign under seal or sign on behalf of Council, any documentation associated with the road closure; and Consider a separate report for the proposed sale of the lot at the completion of the road closure process. <p>(Councillors Draisma and Larkins)</p>	Acting Director Infrastructure and Liveability	The statutory road closure process is underway and can take up to 2 years to be completed. This matter is expected to be reported to Council again by October 2025.	On hold

Page 10 of 22

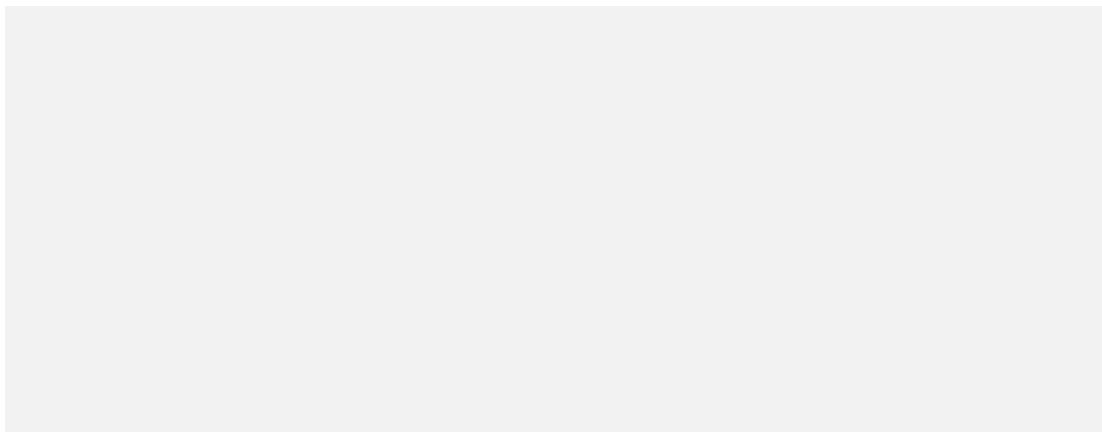
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Meeting	Item	Resolution	Responsible officer	Action	Status
15/08/2023	16.2	<p>23/2260C Resolved that Council:</p> <ol style="list-style-type: none"> Commence the formal road closure process for the portion of surplus road reserve, the un-named lane off Akuna Street, under the Road Act 1993. Require the applicant to meet all costs associated with the road closure. Classify the portion of road reserve as operational land upon closure. Give the Chief Executive Officer delegated authority to sign under seal or sign on behalf of Council any documentation associated with the road closure of surplus road reserve along Akuna Street, Kiama. (Councillors Brown and Steel) 	Acting Director Infrastructure and Liveability.	The statutory road closure process is underway and can take up to 2 years to be completed. This matter is expected to be reported to Council again by December 2025.	On hold
20/06/2023	19.3	<p>23/1670C Resolved that a report be provided to Council on the feasibility and estimate of costs for providing reticulated three phase power to Coronation Park to improve the useability of the site, especially for ongoing markets. (Councillors Brown and Draisma)</p>	Acting Director Infrastructure and Liveability	The outcome of the load testing has shown that there is sufficient electrical supply for 3x new 20A 415V 3-phase outlets at the rotunda. Consultation has occurred with the Farmers' Market to determine a suitable location for the outlets, and the procurement process to engage a contractor to undertake the work is now underway.	On track
16/05/2023	19.1	<p>23/1360C At the request of Councillor Draisma and by consent, the motion was varied to read as follows: That Council:</p> <ol style="list-style-type: none"> Refer this matter to the Infrastructure and Liveability Advisory committee once established requesting they 	Acting Director Infrastructure and Liveability.	Initial discussions have occurred with Byron Bay Council to understand the implementation of their Paid Parking. The working group will provide an update with	On Track

Page 11 of 22

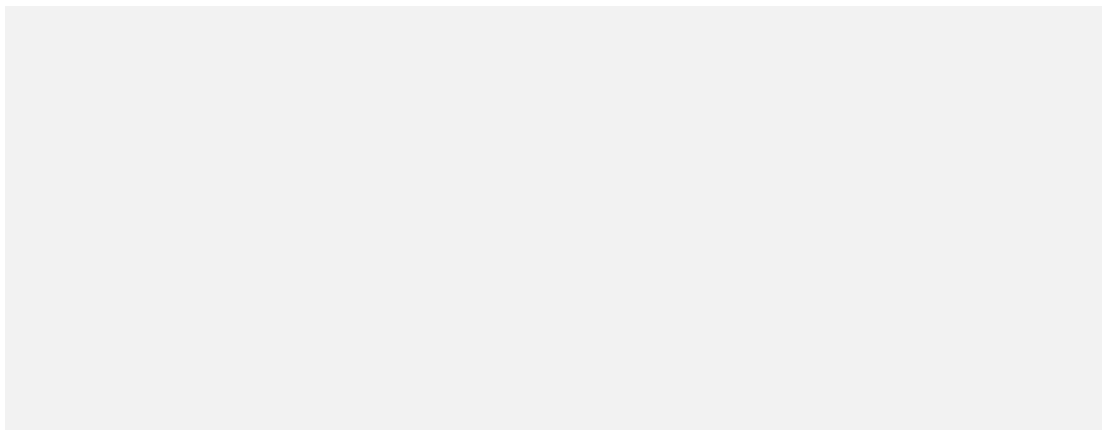
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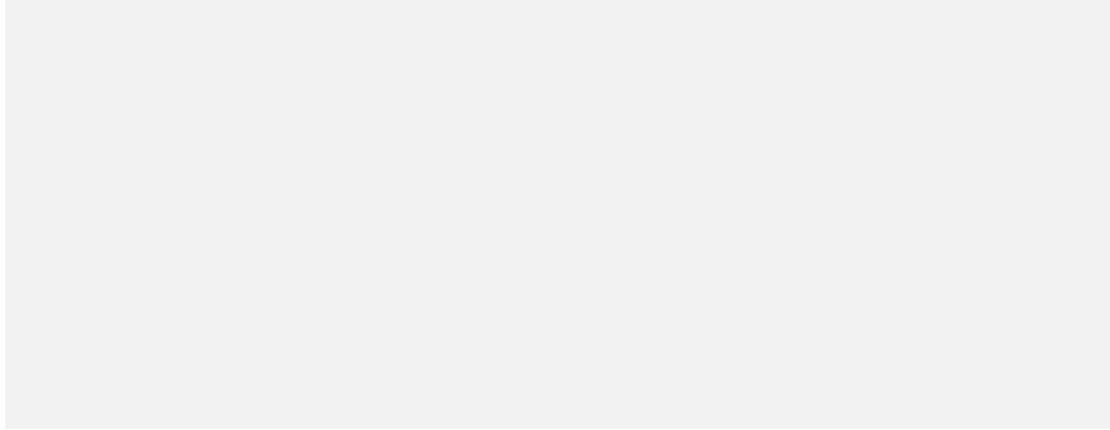
Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>form a working group to develop a report on how Paid Parking for visitors to Kiama's Municipality can be implemented in a similar manner to Byron Bay Council.</p> <p>2. Note that the visitor economy is the largest sector of our local economy which generates a number of costs such as rubbish removal and clean up, public toilets, road and traffic infrastructure.</p> <p>3. As part of the process of developing the report to council on paid parking, develop a Paid Parking for Visitors Policy which clearly highlights that the objectives of paid parking will be for the betterment of the community as a whole, including local businesses and local residents, along with offsetting the costs of servicing a highly visited area.</p> <p>(Councillors Brown and Croxford)</p>		<p>options in the first quarter of 2025.</p> <p>Now also a part of the Strategic Finance and Governance Improvement Plan adopted 27 June 2024.</p>	
15/03/2023	8.2	<p>22/0160C Resolved that Council review the cost to our tenant, Kiama Lions Club, for the lease of the Carers Cottage and explore a means of sale by limited tender application as per section 55 (1) (g) of the LG Act from not for profit organisations, who are based in and provide direct service to the Kiama Community, for the sale of the lion's cottage.</p> <p>(Councillors Reilly and Croxford)</p>	Acting Director Infrastructure and Liveability	<p>No further updates since last reported:</p> <p>Investigations regarding the interaction between the Carers Cottage and the adjacent leased area by South Coast Gardens and Trees currently being carried out by the property team prior to further investigation regarding the sale of land.</p> <p>This matter will be reported to the March 2025 meeting.</p>	On track
28/02/2023	3.8	<p>23/0460C Committee recommendation that Council:</p> <p>1. Adopt as a working draft for future discussion and workshop the draft Property Plan as the document that will be used to</p>	Acting Director Infrastructure and Liveability	<p>Report program to be finalised following the workshop.</p> <p>1. Noted 2. Noted</p>	On Track

Page 12 of 22

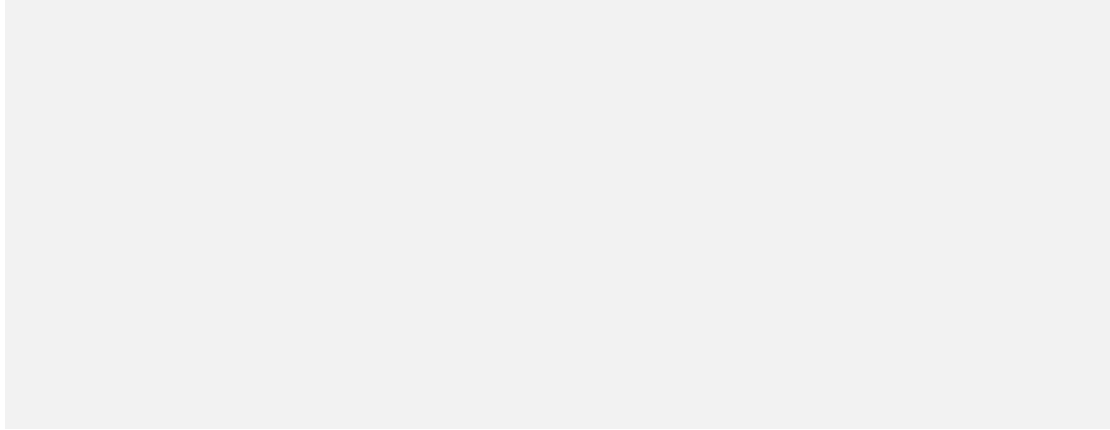
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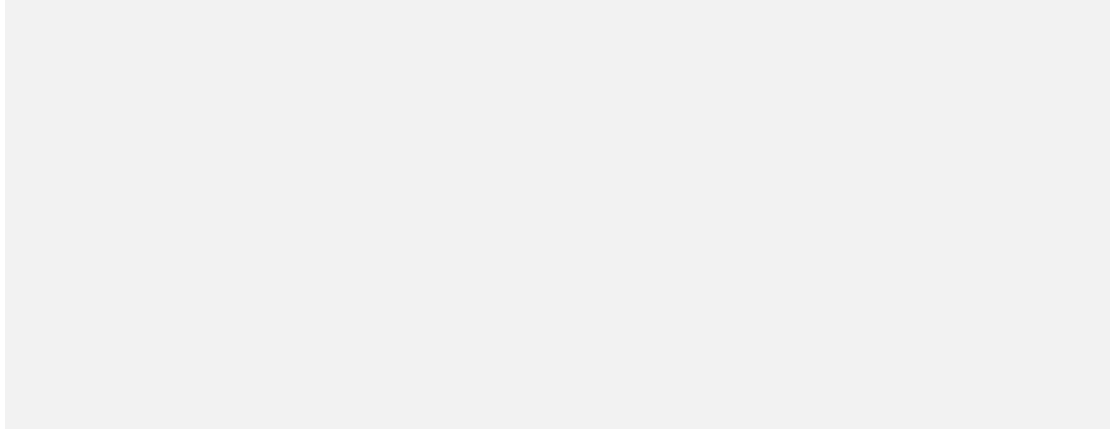
Meeting	Item	Resolution	Responsible officer	Action	Status
28/02/2023	3.10	<p>manage the property holdings of Council, noting further work will need to be done on the schedule.</p> <p>2. Further work on the draft plan and schedule allowing for the inclusion of community, social, cultural and environmental factors in determining the preferred, alternative and least preferred options.</p> <p>3. Following Councillor workshops, ensure a further report to Council is provided to finalise the Property Plan.</p> <p>4. Embed in the Strategic Improvement Plan 2 the action items listed within the document, which management must progress. (Councillors Renkema-Lang and Draisma)</p>		<p>3. This will be reported to the December Council meeting.</p> <p>4. The revised divestment assessment will be completed under the proposed new Performance Improvement Order currently being considered by the Minister. Property staff are developing a comprehensive property plan document scheduled to be completed for the December or February meeting.</p>	
		<p>23/0500C Resolved that Council:</p> <p>1. Endorse the seven (7) stage methodology described in the service review process on the following business areas:</p> <ul style="list-style-type: none"> • Waste services • Leisure Centre • The Pavilion • Holiday Parks. <p>2. Utilise funding from associated operational savings to complete the four services reviews outlined at resolution one (1) above, as a matter of priority.</p> <p>3. Define the structure, scope, deliverables and performance for other municipal programs into Service Statements, from which levels of service and resourcing for future budgets may be developed.</p>	Chief Executive Officer	<p><u>Leisure Centre</u></p> <ul style="list-style-type: none"> • Service Review undertaken by Morrison Low. • Service Review reported to March 2024 Council meeting. • Finance related (i.e. introduce Jamberoo pool fees, Chart of Accounts reviewed) operational recommendations have been implemented. • Workforce structure and recruitment operational recommendations actively being pursued by Service Manager. • Strategic recommendations (i.e. Strategy, service 	On track



Meeting	Item	Resolution	Responsible officer	Action	Status
	4.	Refer the request for a rolling budget for service reviews to the forward budget estimates register for consideration as part of the 2023/24 budget process. (Councillors Draisma and Croxford)		offerings and introducing KPIs) being determined at November workshop staff for presentation to new Council <u>Library</u> <ul style="list-style-type: none"> Service review undertaken by NSW State Libraries and reported to the April 2024 Council meeting. <u>The Pavilion Kiama</u> <ul style="list-style-type: none"> Service Review being undertaken by Morrison Low. Draft Service Review presented at April 2024 FAC Meeting. Scope revised to include Show Ground Precinct etc. Additional interviews held July 2024. Revised draft Service Review submitted beginning August 2024. Strategic recommendations (i.e. Strategy, service offerings and introducing KPIs) being determined at November workshop staff for presentation to new Council <u>Holiday Parks</u> <ul style="list-style-type: none"> Initial drafts prepared internally. 	



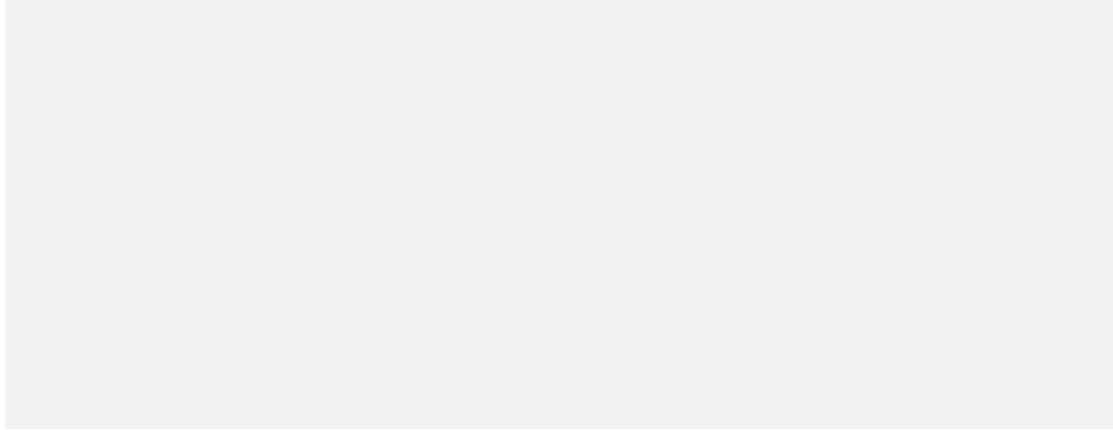
Meeting	Item	Resolution	Responsible officer	Action	Status
				<ul style="list-style-type: none"> External request for quotes advertised 19 July 2024. Morrison Low onboarded August 2024. Draft Service Review submitted early October 2024. Strategic recommendations (i.e. Strategy, service offerings and introducing KPIs) being determined at November workshop staff for presentation to new Council <p><u>Waste Services</u></p> <ul style="list-style-type: none"> Service Review being undertaken by Morrison Low. Draft Service Review received by Council May 2024. Significant feedback provided to consultant June/July 2024. Updated draft Service Review submitted September 2024. Strategic recommendations (i.e. Strategy, service offerings and introducing KPIs) being determined at November workshop staff for presentation to new Council <p><u>Tourism and Events</u></p>	



Meeting	Item	Resolution	Responsible officer	Action	Status
20/12/2022	13.3	<p>22/4080C Resolved that Council:</p> <ol style="list-style-type: none"> Continue the road closure process for the section of road reserve along Noorinan Street, Kiama (generally behind No's 10 – 40 Elimatta Place, Kiama) under the Roads Act 1993. 	Acting Director Infrastructure and Liveability	<ul style="list-style-type: none"> Service Review being undertaken by DR Tourism. Interviews held June 2024. Draft Service Review submitted beginning August 2024 and reviewed by staff. Strategic recommendations (i.e. Strategy, service offerings and introducing KPIs) being determined at November workshop staff for presentation to new Council <p><u>Open Spaces and Recreation</u></p> <ul style="list-style-type: none"> Service Review being undertaken by DR Tourism. Interviews held June 2024. Draft Service Review submitted beginning August 2024 and reviewed by staff. Strategic recommendations (i.e. Strategy, service offerings and introducing KPIs) being determined at November workshop staff for presentation to new Council 	On hold

Page 16 of 22

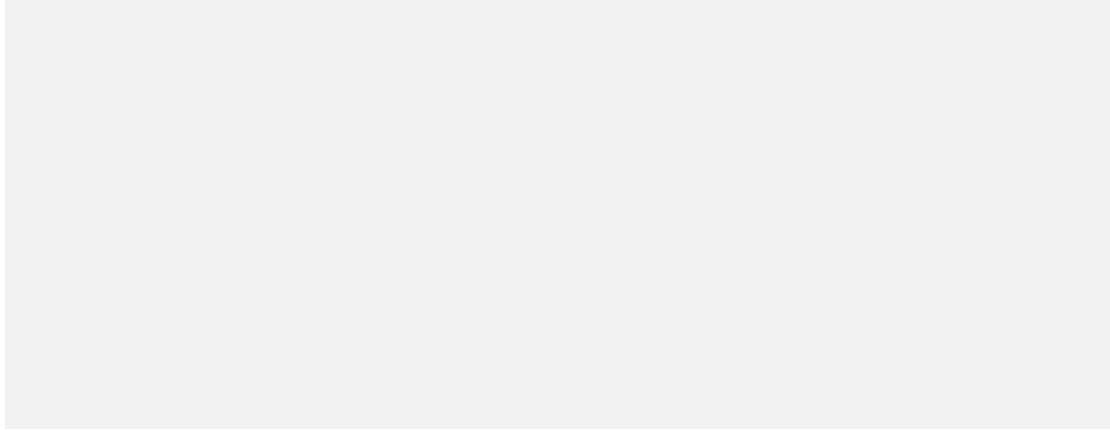
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Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>2. Approve classification of the subject are of road reserve as operation land upon closure and the issue of a certificate of title subject to public notice of the proposed classification under Section 31 and 34 of the <i>Local Government Act 1993</i>.</p> <p>3. Delegate to the Chief Executive Office the authority to sign under seal or as landowner any documentation associated with the road closure.</p> <p>4. Note that following completion of the road closure process a future report will be provided to Council in relation to the subdivision and sale of the lands. (Councillors Draisma and Brown)</p>		<p>2. Noted. 3. Noted 4. A further report will be presented to Council in late 2024 on the subdivision and sale of lands.</p>	
20/12/2022	13.4	<p>22/4090C Resolved that Council:</p> <ol style="list-style-type: none"> approves the closure of the section of road reserve at Riverside Drive, Kiama Downs as outlined within the attached plan. approves classification of the subject area of road reserve as operational land upon closure and the issue of a certificate of title subject to public notice of the proposed classification under Section 34 of the <i>Local Government Act 1993</i>. gives the Mayor and/or CEO delegated authority to sign under seal or as landowner any documentation associated with the road closure. note that following completion of the road closure process a future report will be provided to Council in relation to the potential subdivision and/or sale of the lands. (Councillors Brown and Renkema-Lang) 	Acting Director Infrastructure and Liveability	<p>The statutory road closure process is underway and can take up to 2 years to be completed. The proposed subdivision is being refined to provide the most appropriate development outcome for the land zone and managing impacts on adjacent residents. There are some complexities with this road closure that requires a pre-lodgement planning meeting. This matter is expected to be reported to Council again by Q4 2025.</p>	On hold
20/09/2022	13.1	<p>22/2790C Resolved that Council:</p> <ol style="list-style-type: none"> approve the closure of the section of surplus road reserve adjoining No.2A Pheasant Point Drive, Kiama (Lot 1 DP 	Acting Director Infrastructure and Liveability	<p>LRS requirements changed, and they requested a subdivision certificate for this road closure.</p>	On hold

Page 17 of 22

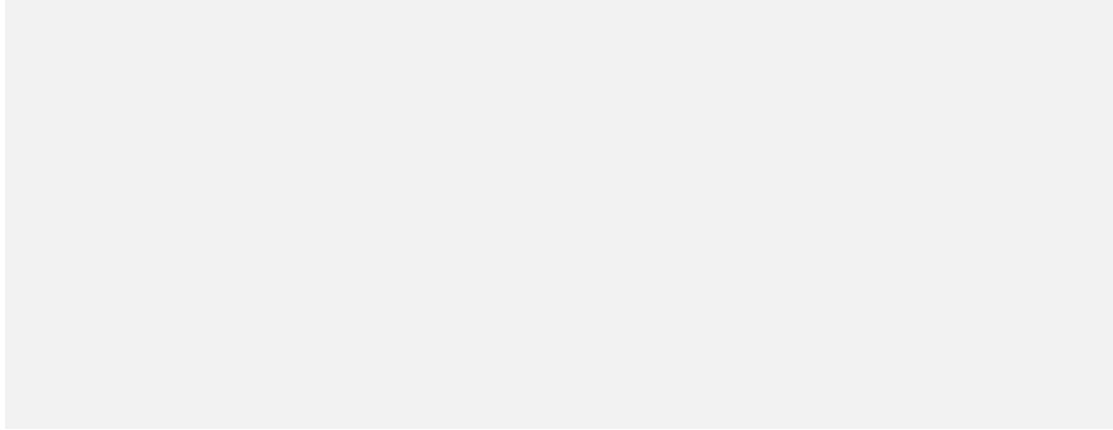
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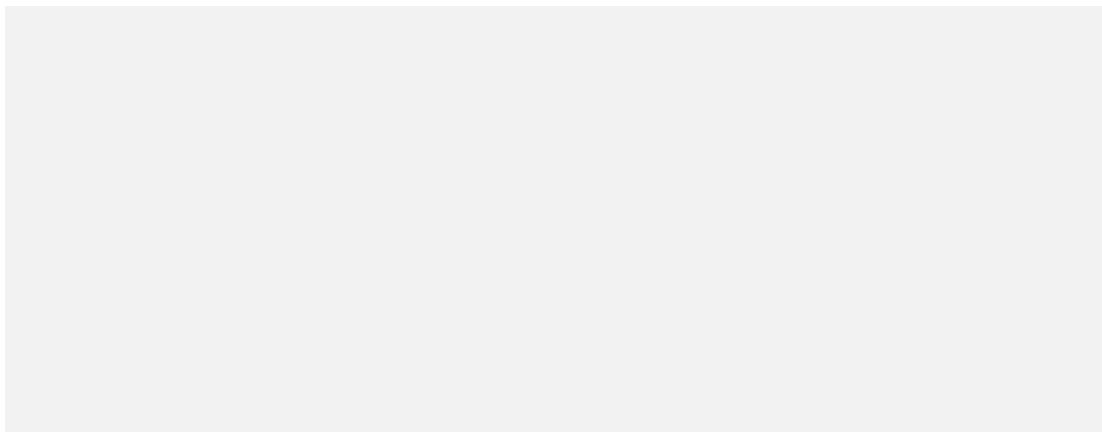
Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>1026897) approximately 64m2 in area as identified by the survey plan attached to this report.</p> <p>2. classify the subject area of surplus road reserve as operational land upon closure and issue of a certificate of title following public notice of the proposed classification under Section 34 Local Government Act 1993.</p> <p>3. provide owner's consent for the landowner of No.2A Pheasant Point Drive Kiama to lodge a planning proposal for consideration of rezoning the subject land to R2 Low Density Residential following completion of the road closure process in Recommendation 2 above.</p> <p>4. delegate authority to the Chief Executive Officer to sign under seal or sign on behalf of Council any documentation associated with the road closure.</p> <p>5. endorse the future sale of the closed section of road to the adjoining owner of No.2A Pheasant Point Drive, Kiama in accordance with the Acquisition and Disposal of Land and Easements Policy.</p> <p>6. note that a separate report will be provided to Council to dispose of the closed section of road reserve subject to market valuation advice at the time.</p>		<p>This resulted in the applicant having to submit a development application. The DA is in the process of being assessed. This has added additional time to the projected completion date of this matter by approximately 6 months. This matter is expected to be reported to Council for a resolution on the sale amount in December 2024.</p>	
19/07/2022	13.1	<p>22/1880C Committee recommendation was moved by Councillor Steel, seconded by Councillor Croxford and further amended by Councillor Larkins that Council:</p> <p>1. Re-affirms that private encroachments on public-reserve land is unacceptable and will enforce breaches under the Local Government Act 1993.</p> <p>2. Resolves to commence the reclassification of land forming part of lot 1 DP593079 Eureka Reserve located adjacent to lots DP231597, 1019, 1020, 1021, and 1018 from community purpose to operational land, to enable the disposal of the land to affected land owners and to address</p>	Acting Director Infrastructure and Liveability	<p>This project has been significantly impacted by resources being allocated to high priority divestment projects.</p> <p>1. Noted 2. Initial meeting has been held with the land owners on 23 September. Negotiating with the landowners the new boundary lines and vehicle</p>	On track

Page 18 of 22

24/107350



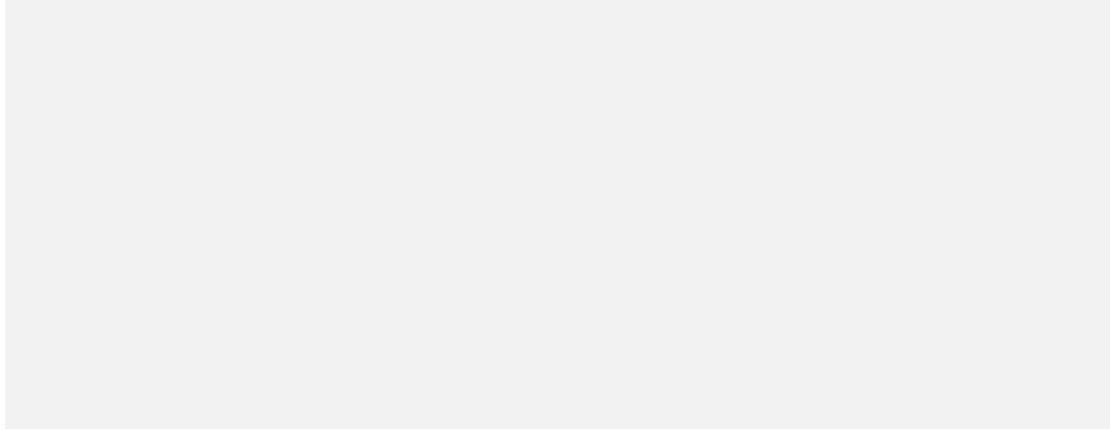
Meeting	Item	Resolution	Responsible officer	Action	Status
		<p>long standing encroachment issues that Council's own building and swimming pool approval processes contributed to and which created a false boundary line at the rear of the properties.</p> <p>3. Charges all costs associated with the land reclassification and disposal costs onto the affected landowners of lots and notes the undertakings given from all owners made in correspondence and during public access to pay those costs and purchase the land once reclassified.</p> <p>4. Notes that failure to proceed and comply with points 2 and 3 of the report entitled "Encroachments onto Eureka Reserve" dated 19 July 2022 will result in Council seeking costs and expenses from the affected landowners of lots DP231597, 1019, 1020, 1021, and 1018 which are adjacent to 1 DP593079 Eureka Reserve, and the continuation of Notices and Orders under the Local Government Act 1993 for the removal of the illegal structures and ground reinstatement.</p> <p>5. Notes the measures taken by staff to ensure that current development assessment approval processes and additional checks are in place to avoid a reoccurrence of this issue.</p> <p>(Councillors Steel and Larkins)</p>		<p>access from the road across the reserve. Meeting to be confirmed with the consultant and Strategic Planning to outline the planning proposal and seek advice to commence the application. 3. Noted 4. Noted. 5. Noted</p>	
19/07/2022	17.2	<p>22/1970C Resolved that Council:</p> <p>1. Review and revise DCP Chapter 2 – clauses 2.4.1 to 2.4.3 and the tree assessment risk matrix at appendix 5, so that the risks to all people (on private or public land) are considered when Council is assessing applications to prune or remove trees.</p> <p>2. Development of the Kiama Urban Greening Strategy and associated policies related to tree management be included in the forward budget estimates register for consideration in the 23/24 budget.</p>	Acting Director Planning, Environment and Communities	<p>No change.</p> <p>Budget has not been provided within the 2024-25 budget to enable this action to be completed. Consideration of priorities and resource allocation in future years may allow for this project to be commenced in the future.</p>	On hold.



Meeting	Item	Resolution	Responsible officer	Action	Status
17/05/2022	17.1	<p>(Councillors Renkema-Lang and Keast)</p> <p>22/09/2020 Resolved that Council:</p> <ol style="list-style-type: none"> 1. affirms and endorses the Uluru Statement from the Heart and commits to enacting its principles, with the following additional action points: <ol style="list-style-type: none"> a. to consult with Aboriginal and Torres Strait Islander peoples as to how best to incorporate the Uluru Statement from the Heart into Council's Community Strategic Plan b. the Chief Executive Officer and Mayor jointly write to the Illawarra Local Aboriginal Council with a view to commence negotiations towards the signing a Principles of Co-operation Agreement between Council and the Local Aboriginal Land Council. c. Council expresses, through the Illawarra-Shoalhaven Joint Organisation, the need for a regional Principles of Co-Operation Agreement between Local Aboriginal Land Councils and the regions local governments. 2. as part of future budget considerations, explores community-based and culturally appropriate initiatives to improve access and support to aged care services and My Aged Care plans for local Aboriginal and Torres Strait Islander Elders by Council's Blue Haven business. (Councillors Larkins and Brown) 	Chief Executive Officer	<ol style="list-style-type: none"> 1a. Council's first Reconciliation Action Plan (Reflective RAP), inclusive of actions Council will undertake toward reconciliation has been drafted. A RAP Working Group established and held its first meeting on 18 July. The next meeting is scheduled for 8 August to review the draft RAP. The Aboriginal community are working toward the establishment of Aboriginal Reference Group, with its first meeting scheduled on 6 August. The Reference Group will be consulted on the draft RAP, as well as other key stakeholders such as the Local Aboriginal Land Councils. 1b. There are two Local Aboriginal Land Councils (LALC) bordering the Kiama LGA - The Illawarra Aboriginal Land Council in the north and Jerrinja Land Council to the south. Once a draft RAP is ready for consultation, joint letters by the Mayor and CEO is recommended, 	Needing attention

Page 20 of 22

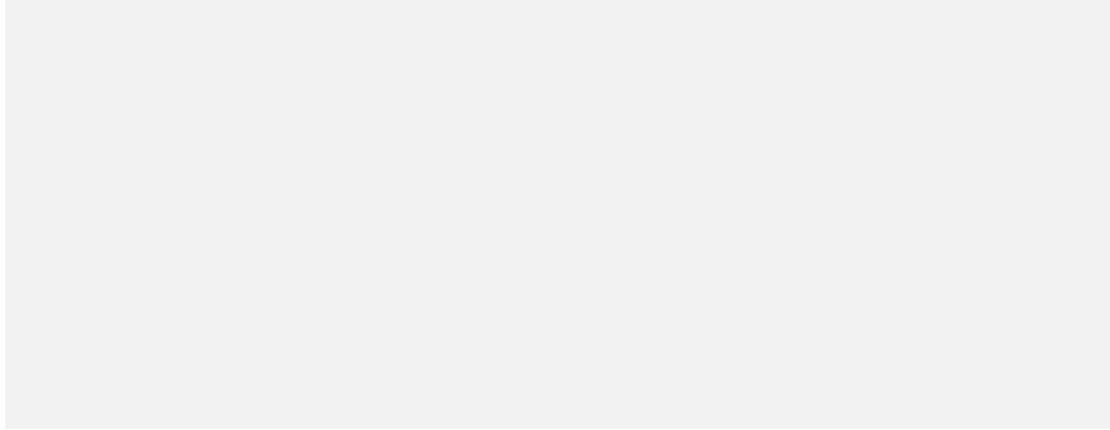
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Meeting	Item	Resolution	Responsible officer	Action	Status
12/04/2022	13.1	<p>22/0380C Committee recommendation that Council:</p> <ol style="list-style-type: none"> endorse the sale of the unused section of public road reserve identified in Figure 1 of this report to the registered owner of Lot 1 DP 797886 Gray Street, Gerringong. endorse the purchase price of \$32,000 (GST exclusive). authorise the Mayor and Chief Executive Officer to sign any documentation associated with the sale of the land on behalf of Council under Council seal. <p>(Councillors Steel and Renkema-Lang)</p>	Acting Director Infrastructure and Liveability	<p>inviting both LALC CEOs to a meeting, to discuss Council's intent on item 1 b. and c.</p> <p>1c. Staff are working on similar approaches that have been successfully implemented elsewhere, which facilitate formal but none binding agreement between LALCs and local government. This proposal will be noted for discussion at the future meeting with LALCs.</p> <p>2. In progress.</p>	On track
12/04/2022	17.1	<p>22/0450C Resolved that Council:</p> <ol style="list-style-type: none"> as part of considerations for the 2022/23 draft Operational Plan and Budget consider funding and the allocation of resources to undertake the development of a five-year Companion Animals Management Plan. 	Acting Director Planning, Environment and Communities	<p>Anticipated to be reported to Council for adoption early 2025.</p> <p>1. The Dog Friendly Spaces Strategy was adopted for</p>	On track

Page 21 of 22

24/107350



Meeting	Item	Resolution	Responsible officer	Action	Status
	2.	<p>include in the Plan:</p> <ul style="list-style-type: none"> a. A Dog Friendly Spaces Strategy. b. Identifying potential future dog friendly spaces, including potential options for fenced dog spaces in the Kiama Local Government Area. c. An outline of how Council responds and actions incidents of companion animal aggression and attacks. d. Identify potential Council initiatives to encourage the desexing, registration, microchipping and behavioural management of companion animals. e. Providing community information on responsible pet ownership, including but not limited to information around best practice management of cats, and the consideration on the use of therapy and assistance Dogs and other animals in the Local Government Area. 		<p>exhibition by Council in the June 2024.</p> <ul style="list-style-type: none"> 2. The Strategy included the requirements of 2 (a-e) The strategy has been placed on exhibition for community feedback 3. A report on the yearly data will be provided to the new Council at the end of the year e.g. December Council meeting. 4. Council has been liaising with neighbouring councils to find partnership solutions especially since the RSPCA has ceased their contract for providing an animal shelter to Wollongong and Shellharbour Councils. 	
	3.	<p>regularly provide yearly data to Councillors on the number of animals registered in the Kiama Local Government Area, including a breakdown of suburb area, and include the rates of desexing, animal vaccinations and number of incidents involving companion animal attacks and number of listed dangerous dogs residing in the Local Government Area. This is to assist with informing future Council policy decisions.</p>			
	4.	<p>That Council explores options for additional animal management initiatives, and business efficiencies, through the Illawarra-Shoalhaven Joint Organisation for council services.</p> <p>(Councillors Larkins and Draisma)</p>			

16.2 Update on Kiama West (Springside Hill) Rezoning Proposal - Planning Proposal (PP 2023-2833) and Rezoning Review (RR-2024/21)

Responsible Director: Planning, Environment and Communities

Summary

The purpose of this report is to provide the newly elected Council with information on the Planning Proposal (PP-2023-2833) (PP) to rezone land at 177 Long Brush Road, Jerrara, 33 Greyleigh Drive, Kiama and 103 Jamberoo Drive, Kiama for, predominantly, residential purposes.

Planning Proposal

A Planning Proposal (PP) is the process to amend the zoning or development standards in a Council's Local Environmental Plan (LEP).

On 15 December 2023 Council received PP-2023-2833 via the NSW Planning Portal. Figure 1 below shows the site and Figure 2 shows the proposed masterplan.



Figure 1: Site Locality Plan

Item 16.2

Reports for Information

16.2 Update on Kiama West (Springside Hill) Rezoning Proposal - Planning Proposal (PP 2023-2833) and Rezoning Review (RR-2024/21) (cont)

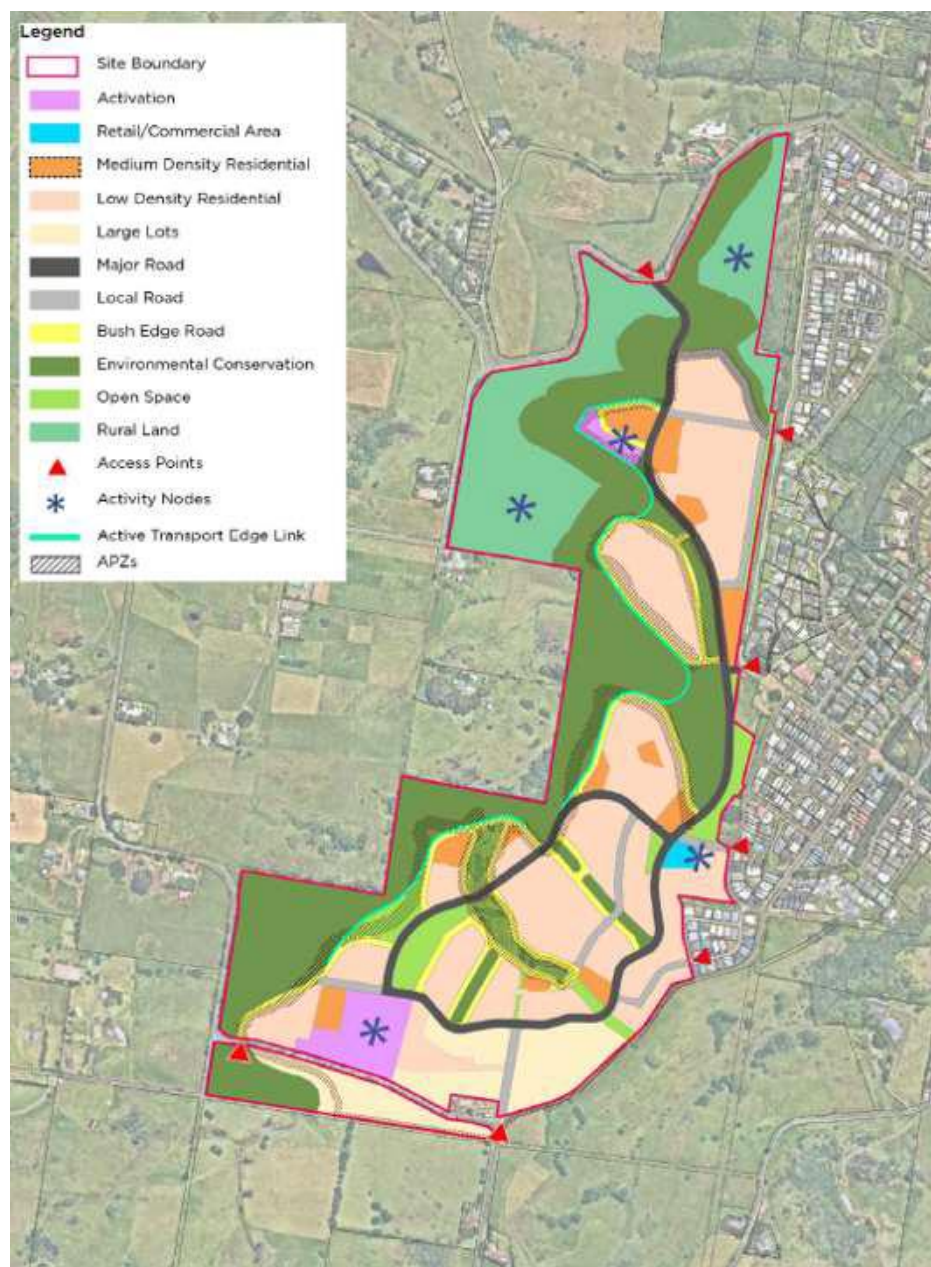


Figure 2: Proposed Master Plan

The PP was assessed by Council staff against the relevant legislation and guidelines. The staff assessment and recommendations were reported to the Council's Ordinary April 2024 meeting, where it was unanimously resolved 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.*

Reports for Information

16.2 Update on Kiama West (Springside Hill) Rezoning Proposal - Planning Proposal (PP 2023-2833) and Rezoning Review (RR-2024/21) (cont)

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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.*

The reasons for the PP not being supported were:

- 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 informed the applicant of the above resolution on 3 May 2024 and has continued to engage with the proponent as part of preparing the draft Growth and Housing Strategy. The draft Growth and Housing Strategy was reported to Council's

Reports for Information

16.2 Update on Kiama West (Springside Hill) Rezoning Proposal - Planning Proposal (PP 2023-2833) and Rezoning Review (RR-2024/21) (cont)

Ordinary July 2024 meeting and endorsed for public exhibition. The Kiama West site was not included in the Draft Strategy as a future urban expansion area. The draft Strategy was placed on public exhibition between 19 July and 16 August 2024. Over 300 submissions from community members, industry stakeholders and government agencies were received. An engagement summary report and discussion paper are being prepared for Council's Ordinary November 2024 meeting to outline how the draft Strategy will respond to submissions received and the vision of the new Council.

Rezoning Review

The NSW Government's 'LEP Making Guidelines' enables an applicant to seek a review by the independent planning panel if a planning proposal is not supported by a Council, known as a Rezoning Review.

On 6 May 2024 the applicant submitted a review of Council's decision, by lodging a Rezoning Review (RR-2024/21) for the Southern Regional Planning Panel (SRPP) to consider and determine.

The SRPP met on 12 September 2024 and after a site inspection convened at Council's administration building where they were briefed by the Department of Planning, Council Officers and the Proponent. The SRPP did not make a decision on the day.

A decision was made on 20 September 2024 and on 23 September 2024 the SRPP advised Council of their decision which was:

*The proposed instrument **should** be submitted for a Gateway determination because the proposal has demonstrated strategic merit and subject to changes site specific merit.*

It is important to note that the decision with respect to the planning proposal's strategic merit was divided 2:2, with the Panel Chair providing a casting vote in the affirmative.

In recommending that the planning proposal proceed to a Gateway determination, the SRPP appointed itself as the Planning Proposal Authority (PPA), effectively removing Council's local planning powers in relation to this application.

It is also important to note that the Panel also recommended that prior to submitting the Planning Proposal for a Gateway determination, the Planning Proposal is to be revised to address all the issues identified under the heading Site Specific Merit and a subsequent meeting of the Panel is required to confirm its decision (see attached).

Interestingly, these matters that are required to be addressed before the PP can proceed to Gateway are substantially the same reasons why Council did not support the PP at that time.

It is Council's position that in addressing these matters the Planning Proposal is unlikely to be substantially the same as the Proposal originally submitted and assessed by Council. Therefore, a new Planning Proposal should be submitted and Council should be given the opportunity to assess the PP following the submission of all additional information originally missing from the application that was considered by Council.

Reports for Information

16.2 Update on Kiama West (Springside Hill) Rezoning Proposal - Planning Proposal (PP 2023-2833) and Rezoning Review (RR-2024/21) (cont)

Risk implication

If the Planning Proposal is supported by the SRPP and a Gateway determination issued, this will remove Council's local planning powers for the assessment of this PP. This means that Council will not have a role in the assessment of the Planning Proposal, which will also impact the opportunity for community voices to be heard.

There are significant risks around infrastructure including water and sewer servicing, as well as risks for potential future residents with unresolved flooding and bushfire issues.

Communication/Community Engagement

There has been significant community interest in this project, and in accordance with the Community Participation Plan Council has strived to ensure the community are kept informed of the proposal.

On 19 January 2024 the project was added to the Significant Development part of Council's and 25 comments were received. During public access ahead of the April Ordinary Meeting a petition with 642 signatures objecting to the Planning Proposal was received. Throughout the engagement and preparation of the Draft Growth and Housing Strategy there was continued objection to the Planning Proposal.

Council continues to update its website and make relevant information available to the public, including of the SRPP Record of Decision dated 23 September 2024.

Attachments

- 1 Southern Regional Planning Panel Record of Decision [↓](#)

Enclosures

Nil



**REZONING REVIEW
RECORD OF DECISION**
STRATEGIC PLANNING PANEL of the
SOUTHERN REGIONAL PLANNING PANEL

DATE OF DETERMINATION	20 September 2024
DATE OF DECISION	12 September 2024
PANEL MEMBERS	Stephen O'Connor (Acting Chair), Cinnamon Dunsford, Stephen Leathley and Luke Musgrave
APOLOGIES	None
DECLARATIONS OF INTEREST	Kiama Municipal Council's three local members are unable to sit on the panel due to a conflict of interest. Councillors Neil Reilly, Imogen Draisma, and Stuart Larkins voted on the matter at the Council meeting of 16 April 2024.

REZONING REVIEW

RR-2024-21 – Kiama LGA – PP-2023-2833

177 Long Brush Road, Jerrara and 33 Greyleigh Drive and 103 Jamberoo Road, West Kiama (As described in Schedule 1).

Reason for Review:

- The council has notified the proponent that the request to prepare a planning proposal has not been supported.
- The council has failed to indicate its support 115 days after the proponent submitted a request to prepare a planning proposal.
- The council has not submitted the planning proposal for a Gateway determination within 28 days of indicating its support for the proposal.

PANEL CONSIDERATION AND DECISION

The Panel considered the material listed at item 4 and the matters raised and/or observed at briefings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel recommends that the proposed instrument:

- should** be submitted for a Gateway determination because the proposal has demonstrated strategic and subject to changes site specific merit
- should not** be submitted for a Gateway determination because the proposal has:
 - not demonstrated strategic merit
 - demonstrated strategic merit but not site specific merit

The decision with respect to the planning proposal's strategic merit was divided 2:2, with the Panel Chair providing a casting vote in the affirmative.

Luke Musgrave and Cinnamon Dunsford considered the planning proposal did not have strategic merit given the following reasons:

- The proposed site is not included in any current strategic planning (including Illawarra Shoalhaven Regional Plan, Kiama LSPS, or draft Kiama Growth & Housing Strategy).
- The proposal is inconsistent with the Illawarra Shoalhaven Regional Plan and the NSW Government's reform agenda that seeks to prioritise opportunities for new housing in existing centres, leveraging investment into infrastructure and services, with access to public transport,

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community facilities and commercial services. The Regional Plan specifically notes that this should be a specific focus for Kiama in developing its local housing strategy to plan for a larger proportion of housing stock in the existing centres of Kiama and Gerringong.

- The Illawarra-Shoalhaven Regional Plan identifies the need for Kiama Council to develop a local housing strategy to manage growth and identify opportunities to meet housing demand in the short, medium and long term.
- Council has recently exhibited a draft local housing strategy (Kiama Growth & Housing Strategy) which identified that additional supply is required to satisfy demand in the long term.
- Council has also undertaken an EOI process to understand opportunities for additional sites to be included in the draft strategy.
- The proposed site was submitted as an EOI and after assessment by Council, was not included in the draft strategy.
- Council is in the process of reviewing submissions and will seek to finalise the growth and housing strategy.
- Based on the information provided to date it is not clear whether the proposal responds to a change in circumstances that has not been recognised. Rather, there has been a substantial delay in Kiama Council delivering the local growth and housing strategy. The NSW housing crisis alone is not considered a justification for strategic merit. It is appreciated that the Illawarra Shoalhaven UDP Dashboard indicates an average completion rate of 106 dwellings/ year since 2018. However, with a forecast supply of 401 infill housing dwellings across the next 5 years, the recent development of South Kiama URA DCP, Dido Street precinct and other approved greenfield sites it is possible that Kiama LGA can meet its 900 new home target (without the inclusion of Bombo Quarry if this continues to be delayed), especially if demand in the LGA is as high as indicated by both Council and the proponent.
- The proposal is considered long term in terms of providing supply (especially based on site specific land constraints yet to be investigated) and will not contribute to Council meeting its 5-year housing target of 900 new homes. Council should be provided the opportunity to finalise its local housing strategy and the identification of long term housing supply.
- In August 2024, the Department advised Kiama Council that they are generally supportive of the draft local growth and housing strategy subject to the comments included in an attachment. The comments did not reference the subject site, indicating support for the strategy without the inclusion of the subject site.

The decisions with respect to the planning proposal's site specific merit was unanimous, with all Panel members voting that while the proposal has significant site specific challenges, it does have site specific merit, subject to recommended changes.

REASONS FOR THE DECISION

The Panel considered the documentation, was briefed by the Department of Planning, Housing and Infrastructure, and heard extensively from Kiama Municipal Council and the proponent, Traders in Purple and their consultant Mecone.

Strategic Merit

Two of the Panel members, namely Stephen O'Connor (Acting Chair) and Stephen Leathley, agreed that the planning proposal had Strategic Merit given that:

- The planning proposal is generally consistent with applicable strategic planning documents, particularly as they relate to the general objectives for housing. These include the Illawarra Shoalhaven Regional Plan 2041 (the Regional Plan), Kiama Local Strategic Planning Statement 2020 (LSPS), Kiama Urban Strategy 2011, relevant State Environmental Planning Policies (SEPP) and relevant Section 9.1 Ministerial Directions.

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- Delivering housing supply is a priority for all levels of Government and the provision of additional housing in this location has strategic merit given its response to changing circumstances. Council has advised that Kiama is the most unaffordable regional area in NSW with a chronic shortage of social and affordable housing. This planning proposal seeks to significantly assist in addressing this issue by providing much needed additional housing supply in close proximity to existing facilities and services.

Two of the Panel members, Cinnamon Dunsford and Luke Musgrave did not agree that the planning proposal had Strategic Merit given that:

- The planning proposal does not consider Kiama Municipal Council's concurrent planning strategies currently underway with an aim of identifying growth opportunities and housing options for the local government area (LGA).
- The planning proposal did not include adequate justification that it has strategic merit given it is not included in the Illawarra Shoalhaven Regional Plan or Kiama LSPS. Further, Council are addressing the changing circumstances in housing supply needs for the area through its contemporary local growth and housing strategy (which in draft form does not include the subject land).
- The planning proposal was considered for inclusion in the draft Kiama growth and housing strategy through an EOI process but failed to meet the criteria for inclusion.
- Council should be afforded the opportunity to finalise its local growth and housing strategy to identify how it will meet long term housing demand. Council should be encouraged to continue to make the finalisation of its local growth and housing strategy a key priority.
- The planning proposal did not include sufficient information to justify consistency with all Section 9.1 Ministerial Directions.

Site Specific Merit

The Panel agreed that the planning proposal should be able to achieve Site Specific Merit subject to revisions addressing site constraints and servicing noting that further work is required to satisfy the Panel with respect to:

- Government agency and authority consultation, including:
 - Transport for NSW to ensure traffic and transport matters are adequately addressed, including connectivity to the existing road network and the capacity of the road network to accommodate the traffic generated by the planning proposal;
 - Schools Infrastructure NSW to ensure adequate school infrastructure is in place to support the proposal, including clarifying the proposal to facilitate the development of a school within the proposed development;
 - Sydney Water to ensure adequate water and sewer services for the proposal;
 - NSW Rural Fire Service to ensure the proposal is compatible with any bushfire hazards;
 - NSW Department of Climate Change, Energy, the Environment and Water's (DCCEEW) Biodiversity, Conservation and Science (BCS) Group to adequately address the matters raised in their letter dated 22 March 2024, including stormwater management, clarifying whether biodiversity offsetting is proposed as part of the environmental conservation measures associated with the planning proposal and preparation of a suitable flood impact and risk assessment (FIRA);
 - State Emergency Service to confirm the proposal is compatible with any flooding hazards; and
 - Local Indigenous Land Council to confirm Aboriginal Cultural Heritage issues associated with the proposal have been adequately addressed.
- Feasibility analysis investigating increasing the amount of affordable housing proposed;
- Adequately address the future management arrangements for proposed conservation zones and other potentially 'public' or 'community' lands, including justification of community need for those lands and any associated infrastructure and mechanisms to provide for public access where appropriate;

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- Delivery of appropriate residential densities for the site and its topography as well as the surrounding context;
- The geotechnical capacity of the land to accommodate the proposed development;
- Addressing how the proposal will assist with providing for net zero outcomes;
- Clarification of the intended use of the 'activity areas' included; and
- Clarification of timing of delivery of housing on the site.

The Panel anticipates that addressing these issues will result in a reduction in the dwelling yield of the proposal, though the Panel does not require any specific reduction subject to these matters being adequately addressed.

Panel recommendations

The Panel recommends that prior to submitting the Planning Proposal for a Gateway determination, the Planning Proposal is to be revised to address all the issues identified under the heading Site Specific Merit above.

The Panel considers that as the planning proposal progresses the issue of developer contributions and an appropriate DCP need to be appropriately resolved. Appropriate funding to ensure the timely delivery of suitable infrastructure and public amenity for the proposal will be essential. The Panel strongly encourages Council and the proponent to work closely to adequately address these matters as the proposal progresses.

Once the proposal has been adequately revised, the Panel requires to review the proposal before proceeding to a Gateway determination.

The Panel requires confirmation from the proponent that they agree to:

- a) revise the planning proposal to be consistent with the Panel's recommendations; and
- b) subsequently provide a revised planning proposal to address the Panel's concerns.

The proponent has up to two weeks from the date of this determination to confirm whether they agree to revise their planning proposal to be consistent with the Panel's recommendations. Should the proponent not agree to revise their planning proposal, then the Panel will reconvene to determine that the planning proposal does not have site specific merit and will not be submitted for a Gateway determination.

Should the proponent agree to revise their planning proposal to address the Panel's concerns, then the proponent has up to a further four months to provide the revised planning proposal, including supporting reports and studies to the Panel.





The Panel will reconvene two weeks following the receipt of the revised Planning Proposal to assess and determine whether the Planning Proposal has met the Panel's recommendations and has demonstrated site specific merit and is suitable for submitting to a Gateway determination.

Kiama Municipal Council resolved not to support the planning proposal, and thus are unable to accept the role of Planning Proposal Authority (PPA) for this planning proposal. In accordance with Section 3.32(1) of the *Environmental Planning and Assessment Act 1979*, the Planning Panel as delegate of the Minister for Planning has determined to appoint itself as the PPA for this planning proposal.

Should the proponent fail to pay the PPA fee by the designated date, then the Panel will no longer proceed with the planning proposal and the making of a local environmental plan amendment.

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PANEL MEMBERS	
 Stephen O'Connor (Acting Chair)	 Cinnamon Dunsford
 Stephen Leathley	 Luke Musgrave

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2024-21 – Kiama LGA – PP-2023-2833 – at 177 Long Brush Road, Jerrara and 33 Greyleigh Drive and 103 Jamberoo Road, West Kiama
2	LEP TO BE AMENDED	Kiama Local Environmental Plan (LEP) 2011
3	PROPOSED INSTRUMENT	<p>The proposal seeks to:</p> <ul style="list-style-type: none"> • Rezone the part of the site zoned RU2 Rural Landscape (RU2) to part R2 Low Density Residential (R2), part R3 Medium Density Residential (R3); part E1 Local Centre (E1); and part RE1 Public Recreation (RE1); • Introduce maximum height of buildings of 8.5m for R2 zoned land; and 15m for the R3 and E1 zoned land; • Reduce the minimum subdivision lot size on part of the site from 40ha to 450sqm on R2 and R3 zoned land; and • Reduce the minimum subdivision lot size to 1,000sqm on RU2 zoned land on the southern portion of the site. Remaining RU2 zoned land (northern portion of the site) will retain its existing 40ha minimum lot size.
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Rezoning review request documentation. • Department of Planning, Housing and Infrastructure, Rezoning Review Briefing Report, 30 August 2024. • Slide presentations from DPHI, 11 September 2024; Kiama Municipal Council, 6 September 2024; and Mecone, 11 September 2024.
5	SITE INSPECTIONS AND BRIEFINGS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection with Department of Planning, Housing and Infrastructure (DPHI): 9:30am – 10:45am, 12 September 2024 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen O’Connor (Acting Chair), Cinnamon Dunsford, Stephen Leathley and Luke Musgrave ○ DPHI staff in attendance: Louise McMahon, Kate McKinnon, Graham Towers and Andrew Hartcher ○ Key issues discussed: <ul style="list-style-type: none"> • Site topography • Existing surrounding land uses and development patterns • existing and proposed road network and connectivity • Briefing with Department of Planning, Housing and Infrastructure (DPHI): 11:30am – 11:50am, 12 September 2024 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen O’Connor (Acting Chair), Cinnamon Dunsford, Stephen Leathley and Luke Musgrave ○ DPHI staff in attendance: Louise McMahon, Shruthi Sriram, Graham Towers, Andrew Hartcher, Kate McKinnon, Taylah Fenning and Adam Williams ○ Key issues discussed: <ul style="list-style-type: none"> • Private water and sewer provider • Staging of intended future development of the site • Heritage issues and proposed impact mitigation measures (Aboriginal and European)

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		<ul style="list-style-type: none"> • Briefing with Kiama Municipal Council: 12:00pm – 12:58pm, 12 September 2024 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen O’Connor (Acting Chair), Cinnamon Dunsford, Stephen Leathley and Luke Musgrave ○ DPHI staff in attendance: Louise McMahon, Shruthi Sriram, Graham Towers, Andrew Hartcher, Kate McKinnon, Taylah Fenning and Adam Williams ○ Council representatives in attendance: Jane Stroud, Cheryl Lappin and Melissa Ballinger ○ Key issues discussed: <ul style="list-style-type: none"> • Scale of planning proposal within historic and existing economic and environmental context of the LGA • Planning proposal’s lack of linkage to existing strategic plans for the LGA (Strategic Merit test) • Community views on the planning proposal • Agency consultation • Additional concerns with planning proposal including lack of sufficient studies on; employment lands study, road and traffic movement and linkages information, flood risk management plan, bushfire risk assessment, threatened species and biodiversity studies, open space (particularly active recreation), water quality and geotechnical analysis • Briefing with Mecone and Traders in Purple (Proponent): 1:35pm – 2:28pm, 12 September 2024 <ul style="list-style-type: none"> ○ Panel members in attendance: Stephen O’Connor (Acting Chair), Cinnamon Dunsford, Stephen Leathley and Luke Musgrave ○ DPHI staff in attendance: Louise McMahon, Shruthi Sriram, Graham Towers, Andrew Hartcher, Kate McKinnon, Taylah Fenning and Adam Williams ○ Proponent representatives in attendance: George Geagea, Thomas Zdun, Michael Teoh, Ben Hendriks, Chris Shannon, Joe Rowling and Michele Adair ○ Key issues discussed: <ul style="list-style-type: none"> • Description of site, planning proposal • Housing supply as argument for strategic merit • Rationale behind open space typology proposed • Traffic, transport and infrastructure serviceability • Community consultation and engagement with the DPHI, agencies and Kiama Shire Council • Affordable and community housing proposed • Masterplan changes arising from community consultation • Proposed space allocation for the provision of a school • Approach proposed to VPA
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		<ul style="list-style-type: none">• Panel Discussion: 2:15pm – 3:00pm, 12 September 2024<ul style="list-style-type: none">○ Panel members in attendance: Stephen O'Connor (Acting Chair), Cinnamon Dunsford, Stephen Leathley and Luke Musgrave○ DPHI staff in attendance: Louise McMahon, Shruthi Sriram, Graham Towers, Andrew Hartcher, Kate McKinnon, Taylah Fenning and Adam Williams
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16.3 Minutes: Kiama Liquor Accord Meeting and Annual General Meeting - August 2024Responsible Director: Infrastructure and Liveability

Report

The Minutes of the Kiama Liquor Accord Meeting held on 21 August 2024 and the Annual General Meeting held on 21 August 2024, are attached for Councillors' information.

Communication/Community Engagement

N/A

Risk implication

This report is for information only and does not result in any risk exposure for Council.

Attachments

- 1 Liquor Accord Minutes - 21 August 2024 [↓](#)
- 2 Liquor Accord AGM Minutes - 21 August 2024 [↓](#)



**KIAMA LIQUOR ACCORD
Minutes of meeting**

Date & time	Wednesday 21 August 2024, 10.00am	
Location	Kiama Golf Club, 79-81 Oxley Ave, KIAMA DOWNS, NSW 2533	
Present (indicate name & venue/organisation)	David Rootham Jamie Warren Janelle Burns Darren Ormsby Jessica Lines Joseph Lyons Vele Bujarosk Rito Peter Grogan Brad Hodgkiss Heidi Hutchison Paul Paterno Christina Paterno Glen Gould Andrew Broadwood Councillor Mark Croxford Sally Bursell	Kiama Golf Club Jamberoo Pub Kiama Municipal Council KG Cafe BWS Kiama Gamble Aware Insign Security Insign Security Gerroa Fishos Gerroa Fishos Gerringong Bowlo Little Bettys Little Bettys Barmax Kiama Bowling Club Kiama Municipal Council Tourism and Events Manager – Kiama Municipal Council

Item 16.3

Attachment 1

Apologies	<p>Rosalie Cronin Cronins Liquor Gerringong Mathew Croin Cronins Liquor Gerringong John Croin Cronins Liquor Gerringong Matthew Williams Managing Partner & Legal Director Craig Hardy The Sebel Jesse O Brien Kiama Leagues Club Tony Holmes Kiama Leagues Club Daris Gear Kiama Inn Hotel Michael Faulkner Lake Illawarra Police Nathan Lawrence Gerringong Bowlo Rodney Zarif KD Cellars Melissa Matters The Hill Bar and Kitchen Gabi Martinez ISLHD Brent McInnes The Lodge</p>
Agenda	
<p>2. Minutes of last meeting Wednesday Wednesday 15th May 2024,</p> <ul style="list-style-type: none"> • Adopted without change • Carried Unanimous Consent 	
<p>3. Business arising: Nil</p>	
<p>3. Correspondence</p> <ul style="list-style-type: none"> • Joseph Lyons from Gamble Aware provided information to Accord members on assistance available for people with gambling problems, outlining a new code of conduct training. 	

4. Treasures Report

Kiama Liquor Accord – Treasurer’s Report Wednesday 21 August 2024

The Treasurer’s Report comprises of the Kiama Liquor Accord cash position as of 21 August 2024, income and expenditure since the last meeting and a current Kiama Liquor Accord membership list.

Kiama Liquor Accord Cash Position at 21 August 2024

Westpac Account

Community Solutions One \$ 22,236.00

Income and Expenditure

The Kiama Liquor Accord has received \$3480.00 in membership income and has not incurred any expenditure since its last meeting on 15 May 2024.

Carried: Unanimous Consent

5. OLGR

- Nil

6. Police Report

NIL

- Police Contact: Michael Faulkner
Sergeant – Licensing Supervisor
Lake Illawarra Police District
6 Pioneer Drive, Oak Flats, NSW, 2529
E: faul1mic@police.nsw.gov.au M: [0428 738 712](tel:0428738712) P: [02 42325391](tel:0242325391) E: [89391](tel:89391)

7. Events – Compliance

Concerns were raised in relation to Police protocol's for attendees at local Music Events. After much discussion the following motion was requested to be put forward by Councillor Croxford:

That the Kiama Liquor Accord request a meeting with Police Supervisors, Office of Liquor Gaming and Racing, Council and the State Member for Kiama to request a more conciliatory approach with clear guidelines to event management protocols.

The Licencing Sergeant was not in attendance at this meeting to address any concerns therefore, the Accord Executive have agreed that this matter will be carried over to the November meeting for Kiama Liquor Accord members to consult directly with the Licencing Sergeant for further clarification if they have concerns.

8. Multi Barring – Process

Following a presentation at the May meeting on 'Barred from one, Barred from all' policy by John Green- Director of Liquor and Policing at AHA

Information was made available for members to decide on

- Process involved
- Template barring documents and Relevant legislation

This will be discussed in more detail at the November 2024 meeting

- Carried Unanimous Consent

9. General business

Gender-based violence – was tabled and discussion was held:

At the July Council Meeting, the following resolution was made:

24/2340C

Resolved that Council write to the Kiama Liquor Accord:

1. advising of Council's commitment to work with organisations, such as the Illawarra Police District and the Kiama Liquor Accord, to address the growing problem of gender-based violence
2. bringing attention to the 'Safety, Love and Respect' poster available on Kiama Council's website, and
3. Encouraging members of the Kiama Liquor Accord to download, print and display the poster at their respective venues.

Council would like confirm its commitment to work with organisations such as the Illawarra Police District and the Kiama Liquor Accord to address the growing problem of gender-based violence. Please note that Council has a poster available on our website regarding domestic, family and sexual violence and abuse awareness. Council encourages members of the Kiama Liquor Accord to download, print and display the poster at their respective venues.

It can be found on the following link:

Domestic, family and sexual violence and abuse Kiama Council (nsw.gov.au)

- If you require any further information, please contact Council's Road Safety Officer,

The Accord agreed to support this document in principal and would further investigate the cost of printing a series of posters to be distributed to members for display in venues.

- Carried Unanimous Consent

10. Next meeting

Wednesday 20 November 2024, 10.00am, Venue TBC

11. Meeting closed.

At 11 am

12. Action summary

Barred from one, Barred from all' policy development

Accord investigate the cost of printing a series of posters to be distributed to members to display in venues- Gender based violence



KIAMA LIQUOR ACCORD
Minutes of meeting AGM Wednesday 21 August 2024

Date & time	Wednesday 21 August 2023, 10am	
Location	Kiama Golf Club, 79-81 Oxley Ave, KIAMA DOWNS, NSW 2533	
Present (indicate name & venue/organisation)	David Rootham Jamie Warren Janelle Burns Darren Ormsby Jessica Lines Joseph Lyons Vele Bujarosk Rito Peter Grogan Brad Hodgkiss Heidi Hutchison Paul Paterno Christina Paterno Glen Gould Andrew Broadwood Councillor Mark Croxford Sally Bursell	Kiama Golf Club Jamberoo Pub Kiama Municipal Council KG Cafe BWS Kiama Gamble Aware Insign Security Insight Security Gerroa Fishos Gerroa Fishos Gerringong Bowlo Little Bettys Little Bettys Barmax Kiama Bowling Club Kiama Municipal Council Tourism and Events Manager – Kiama Municipal Council

Apologies	<p>Rosalie Cronin Cronins Liquor Gerringong Mathew Croin Cronins Liquor Gerringong John Croin Cronins Liquor Gerringong Matthew Williams Managing Partner & Legal Director Craig Hardy The Sebel Jesse O Brien Kiama Leagues Club Tony Holmes Kiama Leagues Club Daris Gear Kiama Inn Hotel Michael Faulkner Lake Illawarra Police Nathan Lawrence Gerringong Bowlo Rodney Zarif KD Cellars Melissa Matters The Hill Bar and Kitchen Gabi Martinez ISLHD Brent McInnes The Lodge</p>
Agenda	
<p>1. Minutes of last meeting</p> <ul style="list-style-type: none"> • AGM Wednesday 23 August 2023 Adopted without change <p><i>Unanimously carried unopposed</i></p>	
<p>2. Correspondence</p> <ul style="list-style-type: none"> • Nil 	

3. **Treasurers Report**

Kiama Liquor Accord – Treasurer’s Report
Wednesday 21 August 2024

The Treasurer’s Report comprises of the Kiama Liquor Accord cash position as of 21 August 2024, income and expenditure since the last meeting and a current Kiama Liquor Accord membership list.

Kiama Liquor Accord Cash Position at 21 August 2024

Westpac Account

Community Solutions One \$ 22,236.00

Income and Expenditure

The Kiama Liquor Accord has received \$3480.00 in membership income and has not incurred any expenditure since its last meeting on 15 May 2024.

4. *Unanimously carried unopposed*

5. Chair Report

Kiama Liquor Accord President David Rootham welcomed members

Unanimously carried unopposed

6. Constitution Update

Current constitution was tabled with no changes.

Unanimously carried unopposed

7. Election of Officers

Committee members elected as per the constitution which was adopted in 2017 electing committee members for a period of two years.

The next committee is due for election in August 2025.

A new committee was that was elected in 2023 was done so with the results shown below:

- David Rootham - Accord President.
- Craig Hardy - Accord Secretary/Public Officer.
- Janelle Burns - coordination
- Jamie Warren- Accord Treasurer

Unanimously carried unopposed

8. Next meeting AGM

To be held August 2025 TBA The next committee is due for election in August 2025

¶
Please contact the Kiama Council's Road Safety Officer on 024232 0444 or at Janelleb@kiama.nsw.gov.au to:¶

- ¶
1. - place items on agendas (deadline 2 weeks prior to scheduled meeting)¶
 2. - tender your apologies for a meeting - please send an apology if unable to attend¶
 3. - obtain copies of minutes of previous meetings¶
 4. - notify of a change of member details¶

¶
OFFICE USE ONLY¶
Please include the OLGR Liquor Accord Delivery Unit in your minute's distribution at either accords@communities.nsw.gov.au or at your individual Liquor Accord Project Officer email address.¶

16.4 Compliance Office activities - August 2024 to September 2024

Responsible Director: Planning, Environment and Communities

Item 16.4

Summary

Parking statistics, including the number of patrols conducted and the number of fines issued, have been reported to Council to provide information and data on the enforcement activities. Collating and publishing this data enables Council to assess the effectiveness of current parking enforcement strategies and identify trends in parking behaviour.

Background

This data helps identify trends in parking behaviour, areas with frequent violations, and the overall impact of fines on compliance. This data allows Council to make informed decisions about potential changes to parking regulations, adjust patrol frequencies, and allocate resources more effectively to improve parking management in the community. Additionally, this information may support discussions around public transportation options and alternative solutions to improve space turnover and compliance.

The following table show the enforcement activities for the months of August and September 2024.

Table 1: General Parking Enforcement Statistics

	August	September
Action	Number/Value	Number/Value
Patrols conducted	6	57
Vehicle Spaces Inspected	650	1300
CRM requests received and actioned	11	11
Infringements Issued	19	35
Total Infringement Value	\$2,003	\$10,252

During August 2024, Council’s part-time, 3 days a week, Parking Officer was on leave for three (3) weeks which has resulted in a lower output.

For this period all Customer Request Management (CRM) requests received were actioned within 7 days.

Tables 2, 3 and 4 provide specific details parking enforcement activities is specific locations.

Reports for Information

16.4 Compliance Office activities - August 2024 to September 2024 (cont)

Table 2: Parking Patrols and Fines Issued - GENERAL

Timed Zones	No. of patrols	PINS Issued
Kiama CBD	13	35
Gerringong CBD	2	0
Other Parking	0	0
Total	15	35

Table 3: Parking Patrols and Fines Issued – SCHOOL ZONES

School Zone Patrols	No. of patrols	PINS Issued
St Peter & Pauls	10	8
Kiama High	10	7
Kiama Public	8	0
Jamberoo Public	1	0
Minnamurra Public	0	0
Gerringong Public	0	0
Total	29	15

Table 4: Pro-active Patrols

Offence	PINS Issued	offence	PINS Issued
No Stopping	7	No Stopping (School Zone Patrols)	7
Bus Zone		Bus Zone (School Zone Patrols)	8
No Parking		No Parking (School Zone Patrols)	
Unbroken Yellow Edge Line		Double Park (School Zone Patrols)	
Mail / Loading Zone	3	No stopping Path/Strip/Ramp	1
Dividing Line		Disabled Parking Zone	

Reports for Information

16.4 Compliance Office activities - August 2024 to September 2024 (cont)

Parking continuously for longer than indicated	9		
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Council officers will continue to provide this information to the elected Council on a monthly basis. In future versions of these reports, staff will provide an analysis on these trends, comparing statistics from previous years and months.

Communication/Community Engagement

Council’s Compliance Team do an excellent job engaging the community on compliance matters. This high level of engagement will continue as the team finalises the development of Council’s Compliance Policy and associated procedure/s.

Risk implication

The information provided in this report raise no risks for the organisation.

17 REPORT OF THE DIRECTOR INFRASTRUCTURE AND LIVEABILITY

17.1 Traffic Management: Kiama Local Traffic Committee meeting - 1 October 2024

CSP Objective: Outcome 4.3: Our built environment is safe and inclusive; our infrastructure is well planned and well managed.

CSP Strategy: 4.3.2 Actively plan how we travel and create safe travel routes whether we are walking, cycling, driving or accessing public transport.

Delivery Program: 4.3.2.2 Implement road safety and traffic management programs and responsibilities

Summary

Council submitted proposals to the Kiama Local Traffic Committee (LTC) Meeting held on Tuesday 1 October 2024 via email, to consider reports for traffic regulation in the Kiama Local Government Area. The proposals considered at that meeting require Council endorsement.

Financial implication

The traffic management proposals will be implemented within existing budget allocations.

Risk implication

Not implementing the recommendations which are in accordance with standards and guidelines may not result in the intended improved road safety of all users.

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 Meeting - 01 10 24 [↓](#)

Enclosures

Nil

Report of the Director Infrastructure and Liveability

17.1 Traffic Management: Kiama Local Traffic Committee meeting - 1 October 2024 (cont)

RECOMMENDATION

That Council receive the Minutes of the Kiama Local Traffic Committee meeting of 1 October 2024 and the following recommendations be adopted, subject to the following:

1. **24/00127LTC** The implementation of the give way signage and line marking improvements on Cedar Ridge Road at the intersection with Bland Street, Kiama. Works to be completed in accordance with AS1742.2.
2. **24/0028LTC** the implementation of the signage and line marking improvements at the pedestrian crossing in Fern Street, Gerringong, as shown in the plan attached to the report.
Council may wish to consider addition of W6-2 sign trees may obstruct view of pedestrian signage at the crossing and repeat of '40' pavement numerals to reinforce low speed environment however not compulsory. Checks on 5 year validated crash data and preliminary crash data (until May 2023) show 1 x moderate injury pedestrian crash only.
3. **24/029LTC** the implementation of an extension to the existing 'No Stopping' zone in Merrick Circuit, Kiama, through the relocation of regulatory signage and additional linemarking, as shown in the plan attached to this report.
Should compliance be an issue after install, relocation R5-400(R) and then installing R5-400(LR) (double arrows) somewhere just past the corner may be considered.
4. **24/030LTC** the traffic changes associated with the Kiama Sky Show event at Black Beach Reserve, to be held on Tuesday 31 December 2024, to implement proposed traffic changes, subject to the organisers and suitably qualified traffic controllers complying with the following conditions:
 - i. All road closures, diversions and traffic changes be undertaken by suitably qualified traffic controllers in compliance with the Traffic Control Plan TLTGS-6618 Rev F prepared by Traffic Logistics Pty Ltd.
 - ii. The organisers be responsible for the supply, erection and removal of all traffic control devices, equipment and personnel associated with the implementation of the approved Traffic Control Plan.
 - iii. The following provisions be made to address anti-terrorism, hostile vehicle guidelines and provide a safe environment for attendees to the event:
 - a. Road closure on a section of Terralong Street, from Railway Parade to Manning Street roundabout, between 2pm and 10:30pm and from Railway Parade to Collins Street roundabout, between 4pm and 10:30pm; intended to allow for attendees to exit the event using Terralong Street as a pedestrian zone free from vehicles until 10:30pm.
 - b. Road closure on a section of Shoalhaven Street, from Minnamurra Street roundabout to Terralong Street, from 4pm to 10:30pm; intended

Report of the Director Infrastructure and Liveability

17.1 Traffic Management: Kiama Local Traffic Committee meeting - 1 October 2024 (cont)

-
- to provide a safe environment for attendees to walk between the event sites in Hindmarsh Park and Black Beach reserve; and amplify the event by delivering an 'Eat Street' on Shoalhaven Street.
- c. Road closure on a section of Stobo Road, between 8pm to 9:30pm for the fireworks exclusion zone.
 - d. Road closure of Bong Bong Street on either side of the Bong Bong Street / Manning Street roundabout, 8pm to 10:30pm, to guide traffic from blowhole point.
- iv. Lodgement with Council of an application for a Section 138 Roads Act permit and payment of associated fee.
 - v. Notification of proposed traffic changes be given to police, local emergency services, businesses and residents effected by the closure.
 - vi. An advertisement be placed in the local media advising of the closure.

Background

The Kiama Local Traffic Committee Meeting was held on 1 October 2024 via email to consider reports for traffic management in the Kiama Local Government Area.

The Kiama Local Traffic Committee considered 4 items that require adoption by Council, 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.

Report of the Director Infrastructure and Liveability

17.1 Traffic Management: Kiama Local Traffic Committee meeting - 1 October 2024 (cont)

Item 17.1



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

Held via email on

TUESDAY 1 OCTOBER 2024

Council Chambers, 11 Manning Street, KIAMA NSW 2533

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE 1 OCTOBER 2024

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE
HELD IN THE COUNCIL CHAMBERS, KIAMA
ON TUESDAY 1 OCTOBER 2024 AT 9.00AM

PRESENT: Seren McKenzie (Acting Director Infrastructure and Liveability) (Chairman), Ariann Fernie (Transport for NSW Representative), Patrick Mortimer (NSW Police Representative), Darrell Clingan (Local Member's Representative), Lindsay Dunstan (Resilience Engineer), Janelle Burns (Kiama Council Road Safety Officer), Julie Milevski (Manager Environment and Compliance), Darren Hewitt (Council Ranger) and Alyson Hodgekiss (Minutes)

1 APOLOGIES

Nil

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 Tuesday 2 July 2024

[24/026LTC](#)

Resolved that the Minutes of the Kiama Local Traffic Committee meeting held on 2 July 2024 be received and accepted.

(Member Darrell Clingan and Member Ariann Fernie)

4 BUSINESS ARISING FROM THE MINUTES

Nil

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE 1 OCTOBER 2024

5 REPORT OF RMS DELEGATED FORMAL ITEMS

5.1 Installation of a give way sign on Cedar Ridge Road and Bland Street, Kiama

24/027LTC

Resolved that the Kiama Local Traffic Committee supports the implementation of the give way signage and line marking improvements on Cedar Ridge Road at the intersection with Bland Street, Kiama. Works to be completed in accordance with AS1742.2.

(Member Darrell Clingan and Member Ariann Fernie)

5.2 Signage and line marking improvements for pedestrian crossing on Fern Street, Gerringong

24/028LTC

Resolved that the Kiama Local Traffic Committee supports the implementation of the signage and line marking improvements at the pedestrian crossing in Fern Street, Gerringong, as shown in the plan attached to the report.

AF advised that Council may wish to consider addition of W6-2 sign trees may obstruct view of pedestrian signage at the crossing, and repeat of '40' pavement numerals to reinforce low speed environment however not compulsory. Checks on 5 year validated crash data and preliminary crash data (until May 2023) show 1 x moderate injury pedestrian crash only.

(Member Patrick Mortimer and Member Darrell Clingan)

5.3 Provision of the extension of the 'No Stopping' zone in Merrick Circuit, Kiama

24/029LTC

Resolved that the Kiama Local Traffic Committee supports the implementation of an extension to the existing 'No Stopping' zone in Merrick Circuit, Kiama, through the relocation of regulatory signage and additional linemarking, as shown in the plan attached to this report.

AF advised that should compliance be an issue after install, relocation R5-400(R) and then installing R5-400(LR) (double arrows) somewhere just past the corner may be considered.

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE **1 OCTOBER 2024**

(Member Emma Pietruska and Member Darrell Clingan)

6 SUPPLEMENTARY REPORTS

6.1 New Years Eve 2024 road closures

24/030LTC

Committee recommendation that the Kiama Local Traffic Committee endorses the traffic changes associated with the Kiama Sky Show event at Black Beach Reserve, to be held on Tuesday 31 December 2024, to implement proposed traffic changes, subject to the organisers and suitably qualified traffic controllers complying with the following conditions:

1. All road closures, diversions and traffic changes be undertaken by suitably qualified traffic controllers in compliance with the Traffic Control Plan TLTGS-6618 Rev F prepared by Traffic Logistics Pty Ltd.
2. The organisers be responsible for the supply, erection and removal of all traffic control devices, equipment and personnel associated with the implementation of the approved Traffic Control Plan.
3. The following provisions be made to address anti-terrorism, hostile vehicle guidelines and provide a safe environment for attendees to the event:
 - a. Road closure on a section of Terralong Street, from Railway Parade to Manning Street roundabout, between 2pm and 10:30pm and from Railway Parade to Collins Street roundabout, between 4pm and 10:30pm; intended to allow for attendees to exit the event using Terralong Street as a pedestrian zone free from vehicles until 10:30pm.
 - b. Road closure on a section of Shoalhaven Street, from Minnamurra Street roundabout to Terralong Street, from 4pm to 10:30pm; intended to provide a safe environment for attendees to walk between the event sites in Hindmarsh Park and Black Beach reserve; and amplify the event by delivering an 'Eat Street' on Shoalhaven Street.
 - c. Road closure on a section of Stobo Road, between 8pm to 9:30pm for the fireworks exclusion zone.
 - d. Road closure of Bong Bong Street on either side of the Bong Bong Street / Manning Street roundabout, 8pm to 10:30pm, to guide traffic from blowhole point.
4. Lodgement with Council of an application for a Section 138 Roads Act permit and payment of associated fee.
5. Notification of proposed traffic changes be given to police, local emergency services, businesses and residents effected by the closure.
6. An advertisement be placed in the local media advising of the closure.

(Member Darrell Clingan and Member Patrick Mortimer)

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE 1 OCTOBER 2024

7 GENERAL BUSINESS

7.1 Two speed zone changes

AF advised that two speed zone changes are to be installed in the coming weeks. A Media Release went out last Monday (23 September) about the changes.

- From 30 September 2024, the speed limit on Riverside Drive at Minnamurra will be reduced from 80 km/h to 60 km/h between Fig Hill Lane and Federal Street. The speed reduction will make the full length of Riverside Drive consistently 60 km/h, resulting in a travel time increase of about 27 seconds.
- From 8 October 2024, The speed limit will also be reduced to 60 km/h providing a consistent speed zone on Jamberoo Road from Jamberoo Mountain Road at Jamberoo to Terry Street at Albion Park. This will replace the existing 70 km/h and 80 km/h speed zones, providing a consistent speed limit through the area, resulting in a travel time increase of about one minute and 39 seconds along the seven-kilometre stretch.
The speed zone review was initiated in response to requests from residents. There have been 23 crashes within this length of road in the past five years, one of which resulted in a fatality and 12 which resulted in serious injuries.
Due to the significant crash history, the inconsistency in speed zones and sight distance restrictions due to the winding nature of the road and the proximity of vegetation, the review found 60 km/h is appropriate and would improve safety for motorists.

8 CLOSURE

These Minutes were confirmed at the Ordinary Meeting of Council held on 5
November 2024

18 LATE ITEMS**19 QUESTIONS WITH NOTICE**

Nil

20 NOTICE OF MOTION

Nil

21 CONFIDENTIAL SUMMARY**CONFIDENTIAL COMMITTEE OF THE WHOLE**

Submitted to the Ordinary Meeting of Council held on 15 October 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 CHIEF EXECUTIVE OFFICER MID-TERM PERFORMANCE REVIEW

Reason for Confidentiality: This matter deals with personnel matters concerning particular individuals (other than councillors) as per Section 10A(2)(a) of the Local Government Act. .

22 CONFIDENTIAL REPORTS

22.1 Chief Executive Officer mid-term performance review

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to personnel matters concerning particular individuals (other than councillors).

23 CLOSURE

Item 22.1 CONFIDENTIAL