ORDINARY MEETING OF COUNCIL

To be held at 5.00pm on

Tuesday 18 June 2024

Council Chambers

11 Manning Street, KIAMA NSW 2533

Order of Business

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3 Acknowledgement of Country
4 Statement of Ethical Obligations
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Members

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

12 June 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 18 June 2024** commencing at **5.00pm** for the consideration of the undermentioned business.

Yours faithfully

Jane Stroud
Chief Executive Officer

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AGENDA FOR THE
ORDINARY MEETING OF KIAMA MUNICIPAL COUNCIL
TUESDAY 18 JUNE 2024

1   OPENING OF MEETING

2   WEBCASTING STATEMENT

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

3   ACKNOWLEDGEMENT OF COUNTRY

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

4   STATEMENT OF ETHICAL OBLIGATIONS

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

5   APOLOGIES

6   CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1   Ordinary Meeting - 21 May 2024

Attachments

1   Minutes - 21 May 2024⇩

Enclosures
Nil

RECOMMENDED

That the Minutes of the Ordinary meeting held on 21 May 2024 be received and accepted.

Item 6.1

Attachment 1

MINUTES OF THE
ORDINARY MEETING OF COUNCIL

commencing at 5.00pm on

TUESDAY 21 MAY 2024

Council Chambers
11 Manning Street, KIAMA NSW 2533

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

MINUTES OF THE ORDINARY MEETING OF
THE COUNCIL OF THE MUNICIPALITY OF KIAMA
HELD IN THE COUNCIL CHAMBERS, KIAMA
ON TUESDAY 21 MAY 2024 AT 5PM

PRESENT: Mayor – Councillor N Reilly,
Deputy Mayor – Councillor I Draisma,
Councillors M Brown, K Rice, W Steel, J Keast, S Larkins and
M Croxford

AUDIO-VISUAL: Councillor K Renkema-Lang

IN ATTENDANCE: Jane Stroud – Chief Executive Officer

Jessica Rippon – Director Planning, Environment and Communities

Michael Malone – Director Infrastructure and Liveability

Joe Gaudiosi – Chief Operating Officer

Olena Tulubinska – Chief Financial Officer

Stephanie Salviejo – Public Officer

1 OPENING OF MEETING

The Chair opened the meeting at 5pm.

2 WEBCASTING STATEMENT

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

3 ACKNOWLEDGEMENT OF COUNTRY

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

4 STATEMENT OF ETHICAL OBLIGATIONS

The Chair reminded Councillors of their oaths or affirmations of office under section 233A of the Local Government Act 1993 and their obligations under the Code of Conduct to disclose and appropriately manage any conflicts of interest.

5 APOLOGIES

Nil

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MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

Procedural motion: Councillor excused from standing

24/117OC

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

(Councillors Draisma and Croxford)

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

Against: Nil

Request by Councillor Renkema-Lang to attend meeting via video conference

24/118OC

Resolved that Council, as required under section 5.2 of the Code of Meeting Practice, permit Councillor Renkema-Lang to attend the Council meeting held on 21 May 2024 via audio-visual.

(Councillors Brown and Larkins)

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

Against: Nil

6   CONFIRMATION OF MINUTES OF PREVIOUS MEETING

6.1   Ordinary Council meeting on 16 April 2024

24/119OC

Resolved that the Minutes of the Ordinary Council meeting held on 16 April 2024 be received and accepted.

(Councillors Larkins and Keast)

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

Against: Nil

7   BUSINESS ARISING FROM THE MINUTES

Nil.

Item 6.1

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8   DISCLOSURE OF INTEREST

Disclosure of Interest - Councillor Larkins

Councillor Larkins declared a less than significant non-pecuniary interest in item 13.8 *Sponsorship: The Man Walk* as Councillor Larkins participates in The Man Walk events. Councillor Larkins proposed to disclose and vote on this matter.

Disclosure of Interest - Councillor Brown

Councillor Brown declared a less than significant non-pecuniary interest in item 13.8 *Sponsorship: The Man Walk* as Councillor Brown participates in The Man Walk events. Councillor Brown proposed to disclose and vote on this matter.

Disclosure of Interest - Councillor Renkema-Lang

Councillor Renkema-Lang declared a pecuniary interest in item 22.6 *Supreme Court matter* as Councillor Renkema-Lang is the plaintiff in the proceedings. Councillor Renkema-Lang proposed to disclose and leave the Teams meeting.

Disclosure of Interest - Councillor Renkema-Lang

Councillor Renkema-Lang declared a pecuniary interest in item 13.2 *Current legal matters – status update* as Councillor Renkema-Lang is the plaintiff in one of the proceedings listed. Councillor Renkema-Lang proposed to disclose and leave the audio-visual meeting.

Disclosure of Interest - Councillor Renkema-Lang

Councillor Renkema-Lang declared a pecuniary interest in item 12.2 *Minutes: Performance Improvement Order Implementation and Oversight Committee - 9 May 2024* as Councillor Renkema-Lang is the plaintiff in Court proceedings that were discussed at the meeting. Councillor Renkema-Lang proposed to disclose and leave the audio-visual meeting.

9   TABLING OF PETITIONS AND OTHER DOCUMENTS

Councillor Draisma tabled the following documents:

- Australian Press Council Statement of general principles
- Australian Press Council guidelines for advertorials from the

10   PUBLIC FORUM SUMMARY

Name	Item No.	Subject
Peter Kennedy	19.2	Notice of Motion: Jamberoo Village speed zone reduction

MINUTES OF THE ORDINARY MEETING   21 MAY 2024

Procedural motion: in globo resolutions

24/120OC

Resolved that Council move inglobo and adopt the reommendations contained within the report for items 12.1, 12.3, 13.3, 13.4, 13.5, 13.6, 13.9, 14.1, 14.2, 14.3, 14.4, 15.1, 15.2, 16.2.

(Councillors Draisma and Larkins)

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

Against: Nil

11   MAYORAL MINUTE

11.1   Mayoral Minute: Bombo Quarry

24/121OC

Resolved that Council:

1.   Delegate to the CEO to prepare correspondence to all land owners at Bombo Quarry seeking up to date detailed information about their development plans for the site

2.   Following receipt of this information from the land owners of Bombo Quarry, that the CEO be requested to organise a workshop for Councillors and essential staff to discuss these developments.

(Councillor Reilly)

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

Against: Nil

11.2   Mayoral Minute: Support for Jamberoo Rural Fire Service

24/122OC

Resolved that Council support the Jamberoo Rural Fire Service request to the NSW Rural Fire Service to provide grant funding to affix photovoltaic panels to the roof of the Jamberoo Rural Fire Service building.

(Councillors Reilly and Draisma)

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

Against: Nil

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

Procedural motion

24/123OC

Resolved that at this time 5:15pm, Council bring forward and deal with supplementary item 18.1 *First Nations People Referrals.*

(Councillors Draisma and Larkins)

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

Against: Nil

18.1   First Nations people referrals

24/124OC

Resolved that Council:

1.   Appropriately refers any matter concerning First Nations people to those First Nations people and organisations for consultation before any action, motion or ideas are submitted to the Council.

2.   Documents its protocol for appropriate engagement on Local Government matters with First Nations people and makes this available to Councillors and the community.

(Councillor Reilly)

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

Against: Nil

Motion: Late Mayoral Minute – congratulations to Ivy Miller

24/125OC

Resolved that Council wish Illawarra Academy of Sport athlete, Ivy Miller every success in her endeavours to qualify for the 2024 Olympic Team, at the upcoming Australian Olympic Swimming trials.

(Councillor Reilly)

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

Against: Nil

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

12   MINUTES OF COMMITTEES

12.1   Minutes: Infrastructure and Liveability Committee Meeting - 9 April 2024

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/126OC

Resolved that the Minutes of the Infrastructure & Liveability Advisory Committee meeting held on 9 April 2024 be received and noted.

(Councillors Draisma and Larkins)

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

Against: Nil

Councillor K Renkema-Lang left the meeting at 05:19 pm.

12.2   Minutes: Performance Improvement Order Implementation and Oversight Committee - 9 May 2024

Councillor Renkema-Lang declared a pecuniary interest in this matter, disclosed and left the audio-visual meeting.

24/127OC

Resolved that the Minutes of the Performance Improvement Implementation and Oversight Committee meeting held on 9 May 2024 be received and noted.

(Councillors Brown and Croxford)

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

Against: Councillor Keast and Rice

A **point of order** was raised by Cr Draisma that Cr Keast's comments brings Council into disrepute. The Chair ruled the point of order was not valid as Cr Keast's comments did not bring the Council into disrepute.

Councillor K Renkema-Lang returned to the meeting at 05:33 pm.

12.3   Minutes: Sustainable Communities Advisory Committee - 23 April 2024

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/128OC

Resolved that the Minutes of the Sustainable Communities Advisory Committee meeting held on 23 April 2024 be received and noted.

(Councillors Draisma and Larkins)

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

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

Against: Nil

12.4   Minutes: Tourism and Economic Advisory Committee meeting - 2 May 2024

24/129OC

Resolved that Council receive and note:

1.   The minutes of the Committee meeting held on 2 May 2024

2.   The State of Our Economy Report 2024.

(Councillors Brown and Steel)

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

Against: Nil

13   REPORT OF THE CHIEF EXECUTIVE OFFICER

13.1   Councillor Neil Reilly attendance at the 2024 Australian Coastal Councils Conference in McLaren Vale, SA - 29-31 May 2024

24/130OC

Resolved that Council endorse the attendance of Councillor Neil Reilly at the 2024 Australian Coastal Council Conference in McLaren Vale from 29 to 31 May 2024.

(Councillors Brown and Larkins)

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

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

Councillor K Renkema-Lang left the meeting at 05:44 pm.

13.2   Current legal matters - status update

Councillor Renkema-Lang declared a pecuniary interest in this matter, disclosed and left the audio-visual meeting.

It was **moved** by Councillor Keast and seconded by Councillor Larkins that Council receive this report and notes that, as of 30 March 2024:

1.   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.

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2. 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

   (b) Councillor Code of Conduct Investigations = $5,200.00

3. Council had commenced and been invoiced for the following legal services:

   (a) Development application appeal and/or Mediation Conferences within the NSW Land & Environment Court = $436,765.58

   (b) NSW Civil & Administrative Tribunal matters = $176,945.60

   (c) Councillor Code of Conduct Investigations (including responding to Supreme Court summons) = $123,461.99

   (d) Legal/Probity Advice = $149,180.87

   (e) Property Development, including road closures, caveats etc., matters = $76,061.94

   (f) Federal Court matters = $3,285,222.50

   (g) Anti-Discrimination matters = $43,795.84

4. Council had commenced but has yet to be invoiced as at 30 March 2024 for the following legal services:

   (a) Development Application appeal and/or Mediation Conferences within the NSW Land & Environment Court = $13,260.19

   (b) NSW Civil & Administrative Tribunal matters = $249.00

   (c) Councillor Code of Conduct Investigations (including responding to Supreme Court summons = $17,839.00

   (d) Property Development, including road closures, caveats etc., matters = $5,832.00

   (e) Federal Court matters = $41,835.00.

24/131OC

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:

1. 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.

2. 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

   (b) Councillor Code of Conduct Investigations = $5,200.00

3. Council had commenced and been invoiced for the following legal services:

   (a) Development application appeal and/or Mediation Conferences within the NSW Land & Environment Court = $436,765.58

   (b) NSW Civil & Administrative Tribunal matters = $176,945.60

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

(c)   Councillor Code of Conduct Investigations (including responding to Supreme Court summons) = $123,461.99

(d)   Legal/Probity Advice = $149,180.87

(e)   Property Development, including road closures, caveats etc., matters = $76,061.94

(f)   Federal Court matters = $3,285,222.50

(g)   Anti-Discrimination matters = $43,795.84

4.   Council had commenced but has yet to be invoiced as at 30 March 2024 for the following legal services:

(a)   Development Application appeal and/or Mediation Conferences within the NSW Land & Environment Court = $13,260.19

(b)   NSW Civil & Administrative Tribunal matters = $249.00

(c)   Councillor Code of Conduct Investigations (including responding to Supreme Court summons = $17,839.00

(d)   Property Development, including road closures, caveats etc., matters = $5,832.00

(e)   Federal Court matters = $41,835.00.

5.   Requests the CEO to consider including job costings in future reports.

(Councillors Keast and Larkins)

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

Against: Nil

Councillor K Renkema-Lang returned to the meeting at 06:22 pm.

13.3   Deed of permission to reproduce Aunty Jodie's NAIDOC Week artwork on the Kiama Downs community battery

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/132OC

Resolved that Council:

1.   Delegate to the CEO to prepare correspondence noting Council's formal apology to Aunty Jodie Stewart for any inadvertent confusion and concern which may have occurred as a result of signing the standard licence agreement.

2.   Retrospectively delegate authority to the Mayor and/or the CEO to execute the Deed of Permission to Reproduce Aunty Jodie Stewart's artwork on the Endeavour Energy assets at Lot 338 DP790657, 8 Thornett Way Kiama Downs 2533.

(Councillors Draisma and Larkins)

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

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

Against: Nil

13.4   Endorse for public exhibition: Integrated Planning and Reporting documents 2024-2025

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/133OC

Resolved that Council:

1.   Endorse the draft Delivery Program 2022-26 & Operational Plan 2024-25, the draft 2024-25 Capital Program and the draft Fees and Charges 2024-25 to be placed on public exhibition for a period of 28 days, calling for submissions.

2.   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

3.   On the day after the completion of the public exhibition period, adopt the Delivery Program 2022-26 & Operational Plan 2024-25 and the draft Fees and Charges 2024-25, if there are no relevant submissions received and there are no substantial changes proposed for any other reasons.

(Councillors Draisma and Larkins)

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

Against: Nil

13.5   Kiama Major Events Impact Review and Recommendations Report - Tilma Group

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/134OC

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)

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

Against: Nil

13.6   Presentation of the 2022-23 Annual Financial Statements

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/135OC

Resolved that Council present the 2022-23 Audited Financial Statements and Audit Reports to the public in accordance with sections 418 and 419 of the Local Government Act 1993.

(Councillors Draisma and Larkins)

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

Against: Nil

13.7   Question for future meeting: Mayor allowance - motion for Local Government NSW conference 2024

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)

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

Against: Nil

13.8   Sponsorship: The Man Walk

Councillors Larkins and Brown declared a less than significant non-pecuniary interest in this matter, disclosed and voted.

Resolved that Council

1.   provides one off sponsorship of $10,000 to The Man Walk in recognition of the Charity's National status and it's dedicated work focused on supporting men's health.

2.   delegates to the Chief Executive Officer to prepare a sponsorship agreement for execution to ensure appropriate recognition of Kiama Municipal Council as a sponsor.

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3. delegates to the Office of the Chief Executive Officer to prepare a sponsorship policy to assist in guiding requests for sponsorship.

(Councillors Draisma and Steel)

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

Against: Nil

13.9   Submission to Legislative Council: Inquiry into the ability of local governments to fund infrastructure and services

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/137OC

Resolved that Council note the submission lodged by Council on 26 April 2024 to the NSW Legislative Council's Standing Committee on State Development inquiry into the ability of local governments to fund infrastructure and services.

(Councillors Draisma and Larkins)

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

Against: Nil

13.10   Submission to House of Representatives Standing Committee: Inquiry into Financial Sustainability of Local Government

24/138OC

Resolved that Council endorse the submission to the House of Representatives Standing Committee on Regional Development, Infrastructure and Transport Inquiry into Financial Sustainability of Local Government and include the following changes:

1. Removal of the words "bed palliative" from the first paragraph on page 2 of the submission.

2. Amend the 4th paragraph on page 13 of the submission to read:

    …Kiama is a heavy tourist destination that experiences large surges in population for at least 20% of the year. In providing adequate service to community facilities and amenities, municipal services are required outside normal working hours. This is not addressed by the NSW rate peg, nor recognised in the per capita allocation of Financial Assistance Grants.

(Councillors Draisma and Rice)

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

Against: Nil

Item 6.1

Attachment 1

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

14   REPORT OF THE CHIEF OPERATING OFFICER

14.1 Endorse for public exhibition: Draft Long Term Financial Plan 2024-25 to 2033-34

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/139OC

Resolved that Council:

1.   Endorse the (Draft) Long Term Financial Plan 2024-25 - 2033-34 to be placed on public exhibition for a period of 28 days calling for submissions.

2.   Note the Long Term Financial Plan projects Council achieving a net operating surplus before capital and one-off property sales by 2026-27.

3.   Note that the proposed budget and Long Term Financial Plan will directly impact the delivery of services by Council.

4.   Note that the outcomes of the exhibition process and the final document will be reported back to the Council for adoption prior to 30 June 2024.

(Councillors Draisma and Larkins)

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

Against: Nil

14.2 Endorse for public exhibition: Restricted Funds Policy

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/140OC

Resolved that Council:

1.   Endorse the Restricted Funds Policy to be placed on public exhibition for a period of 28 days calling for submissions.

2.   Following conclusion of the exhibition period:

   a.   Receive an updated Restricted Funds Policy, if submissions or feedback received result in substantial change to the Policy, or

   b.   Adopt the Restricted Funds Policy if submissions or feedback received do not result in substantial change to the Policy.

(Councillors Draisma and Larkins)

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

Against: Nil

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14.3   Quarterly Budget Review (QBR3) and Monthly Financial Statements March 2024

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/141OC

Resolved that Council:

1.   Receive and adopt the quarterly budget review statement for the quarter ending 31 March 2024 including the operating revenue, expenditure, and capital budget adjustments.

2.   Note the monthly financial statements for the period ending 31 March 2024.

(Councillors Draisma and Larkins)

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

Against: Nil

14.4   Statement of Investments: April 2024

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/142OC

Resolved that Council notes the information relating to the Statement of Investments as at 30 April 2024.

(Councillors Draisma and Larkins)

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

Against: Nil

15   REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

15.1   Endorse for public exhibition: Draft Planning Agreements Policy (2024)

24/143OC

Resolved that Council:

1.   Endorse the draft Planning Agreements Policy (2024) to be placed on public exhibition for a period of 28 days calling for submissions.

2.   Receive a further report for consideration, if any relevant submissions are received or if any substantial changes are proposed for any other reasons,

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detailing the public exhibition outcomes and proposed changes with further recommendations regarding adoption.

3. On the day after completion of the public exhibition period, adopt the Planning Agreements Policy (2024), if there are no relevant submissions received and there are no substantial changes proposed for any other reasons.

(Councillors Draisma and Larkins)

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

Against: Nil

15.2   Endorse for public exhibition: Draft Section 7.12 Contribution Plan (2024)

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/144OC

Resolved that Council:

1. Endorse the draft Section 7.12 Contributions Plan (2024) for public exhibition for a minimum period of 28 days calling for submissions.

2. 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.

3. On the day after completion of the public exhibition period, adopt the Section 7.12 Contributions Plan (2024), if there are no relevant submissions received and there are no substantial changes proposed for any other reasons.

(Councillors Draisma and Larkins)

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

Against: Nil

15.3   Post exhibition endorsement: Community Grants and Donations Policy and Guidelines

24/145OC

Resolved that Council endorse the Grants and Donations Policy and the Grants and donations guidelines for applicants and makes an administrative change to page 6 of the Policy to replace $2,500,000 with the correct figure of $2,500.

(Councillors Keast and Larkins)

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

Against: Nil

15.4　Post exhibition endorsement: Kiama Coastline Coastal Management Program

24/146OC

Resolved that Council:

1. Adopt the final Kiama Coastline Coastal Management Program and submit the document to the Minister for Local Government for certification.

2. Factors in incoming grants and outgoing expenditure related to the adoption of the Kiama Coastline Coastal Management Program in the long term financial plan over the next ten years.

(Councillors Croxford and Steel)

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

Against:　Nil

16　REPORT OF THE DIRECTOR INFRASTRUCTURE AND LIVEABILITY

16.1　Endorsement: Plan of Management - Council Managed Crown Land

It was **moved** by Councillor Rice and seconded by Councillor Keast that Council:

1. Defers until July 2024 the adoption of the Kiama Municipal Council Plan of Management for Council Managed Crown Land.

2. Reviews the Plan's proposed application of the Park category to beaches.

3. Corrects any other anomalies in the Plan including that for the Reserve Purpose of the Minnamurra Headland.

Councillor Brown **foreshadowed** the original motion.

Councillor Brown raised a **point of order** that his words were being misrepresented by Councillor Rice. The Chair accepted the point of order and requested that Councillor Rice withdraw her statement.

Councillor Rice withdrew her statement.

Councillor Croxford raised a **point of order** that Councillors were wordsmithing on the floor. The Chair rejected the point of order.

The Chair ruled Councillor Rice's motion as unlawful.

24/147OC

Resolved that Council:

1. Receive and note this report on the adoption of the Kiama Municipal Council Plan of Management for Council managed Crown Land.

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

2.   Formally adopt the final Kiama Municipal Council Plan of Management for Council managed Crown Land in accordance with the Crown Land Management Act 2016 as shown in Attachment 1 - Post exhibition Letter of consent to adopt - Council Managed Crown Land - 4 April 2024.

3.   Delegate to the CEO to prepare correspondence to the Minister for Lands and Property seeking clarity on the application of the designation of the category of Park specifically for the reserves at Seven Mile Beach, Werri Beach, Easts Beach and Bombo, as well as noting one potential anomaly relating to Reserve Purpose at Minnamurra Headland so that Council can understand the process for any future amendment.

(Councillors Brown and Croxford)

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

Against: Nil

16.2   Traffic management: Kiama Local Traffic Committee meeting - 7 May 2024

This item was moved as part of the in globo recommendation – refer minute 24/120OC.

24/148OC

Resolved that Council receive the Minutes of the Kiama Local Traffic Committee meeting of 7 May 2024 and the following recommendation be adopted, subject to any other approvals that may be required:

24/001LTC   the changes to traffic arrangements in Terralong Street Kiama and the installation of the raised medians around the bridge supports, made necessary by the replacement of the railway bridge crash beams, with the exception that the amber flashing lights currently in place be retained.

(Councillors Draisma and Larkins)

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

Against: Nil

17   REPORTS FOR INFORMATION

The following Reports for Information are noted:

17.1   Question for future meeting: Compliance officer activities

17.2   Question for future meeting: Terralong Street Kiama - Transverse Rumble Strip Crossings

17.3   Questions for Future Meetings Register - May 2024

17.4   Resolution Register - February 2024 to March 2024 and update on previous periods

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MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

17.5   SENTRAL Youth Service - Kiama Youth Week 2024 and Program Update

17.6   Question with notice: Cr Croxford - Unreasonable Complainant Conduct Policy

17.7   Question with notice: Cr Croxford - Protection measures for Councillors.

18   LATE ITEMS

That at this time 7.08pm, Council bring forward and deal with matters pertaining to the Addendum to Reports.

18.2   NSW Local Government Remuneration Tribunal - Annual fees payable to Mayors and Councillors

It was **moved** by Councillor Larkins and seconded by Councillor Draisma that Council:

1.   Note the Local Government Remuneration Tribunal decision made under Section 41 of the Local Government Act 1993, that a 3.75% increase is payable on the annual fees for Mayor and Councillors for the period 1 July 2024 to 30 June 2025.

2.   Due to community expectations and Kiama Council's budgetary circumstances, declines to apply the annual fee increase for Mayor and Councillors for the 1 July 2024 to 30 June 2025 period.

Councillor Brown **foreshadowed** the original motion.

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

For: Councillors Draisma, Keast and Renkema-Lang

Against: Councillors Brown, Croxford, Larkins, Reilly, Rice and Steel

24/149OC

Resolved that Council comply with the Local Government Remuneration Tribunal decision made under Section 41 of the Local Government Act 1993, that a 3.75% increase is payable on the annual fees for Mayor and Councillors for the period 1 July 2024 to 30 June 2025, resulting in the following:

1. $22,540 for each Councillor including the Mayor, and

2. $49,200 additional fee for the Mayor.

(Councillors Brown and Croxford)

For: Councillors Brown, Croxford, Keast, Reilly, Rice and Steel

Against: Councillors Draisma, Larkins and Renkema-Lang

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

19   NOTICE OF MOTION

19.1   Notice of Motion: Cumberland Council censorship action

24/150OC

Resolved that Council, in light of the censorship motion from Cumberland Council (suburbs include: Auburn, Granville, Greystanes, Merrylands and Toongabbie), now overturned, against their libraries holding certain books in relation to same sex parents, will:

1.   Support our libraries to be free from intolerant censorship.

2.   Encourage our community members to make use of our library resources to help create a rich and diverse and supportive community.

3   Approve the statement from NSW Minister of Arts, the Hon John Graham MLC that the "Cumberland Council resolution contravened the Library Council of NSW Guideline on Freedom of Access to Information".

4.   Welcome Cumberland residents to visit Kiama so they can experience an open and loving community without divisive censorship.

5.   Do our best to ensure all our residents are as informed and supported, on all issues, as much as is possible.

(Councillors Brown and Draisma)

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

Against: Nil

19.2   Notice of Motion: Jamberoo Village speed zone reduction request

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)

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

Against: Nil

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19.3 Notice of Motion: The Bugle

24/152OC

Resolved that Council:

1. Congratulate Ms Chantelle Farah, as Director and Trustee of the Regional Media Unit Trust, on the purchase and being the new owner of The Bugle newspaper.

2. Thank Cathy and Steve Law on the establishment of The Bugle and wish them well in their next endeavours.

3. Invite Ms Farah, to meet with the CEO and Councillors to foster building a professional relationship between Council and the local staff at The Bugle to assist our community.

4. Delegate to the CEO to write to Ms Farah requesting detailed information on the full ownership of The Bugle, specifically seeking to understand who the beneficiaries of the Regional Media Unit Trust are and whether these beneficiaries include persons or entities with interests in property developers or construction companies owning land and property in the Kiama Local Government Area. Additionally, inquire if these beneficiaries are involved in submitting Planning Proposals or Development Applications within the municipality, which ought to be disclosed to mitigate potential conflicts of interest and ensure journalistic integrity.

(Councillors Croxford and Draisma)

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

Against: Nil

20   QUESTIONS WITH NOTICE

Refer items 17.6 and 17.7.

21   CONFIDENTIAL SUMMARY

24/153OC

Resolved that at this time, 7.40pm, Council form itself into a Confidential Committee of the Whole to deal with matters listed in the recommendations as set out below subject to the consideration of any representations relating to such action.

(Councillors Rice and Larkins)

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

Against: Nil

MINUTES OF THE ORDINARY MEETING　　　　　　　　　　**21 MAY 2024**

Public Representations:

The Mayor called for representations regarding issues which had been proposed to be disclosed in Confidential Committee of the Whole. No such representations were received.

21.1　Exclusion Of Press And Public:

24/154OC

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

22.1　BLUE HAVEN UPDATE

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

22.2　LAND ACQUISITION & TRANSFER UNDER THE NSW COASTAL LANDS PROTECTION SCHEME - GERRINGONG

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.

22.3　SALE OF LAND: 9 O'CONNELL PLACE, GERRINGONG (LOT 208 DP 792192)

Reason for Confidentiality: This matter deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council as per Section 10A(2)(dii) of the Local Government Act.

22.4　SALE OF LAND: LOT 100 SOUTH KIAMA DRIVE, KIAMA (LOT 100 DP 1231831)

Reason for Confidentiality: This matter deals with information that would, if disclosed, confer a commercial advantage on a competitor of the council as per Section 10A(2)(dii) of the Local Government Act.

22.5　SINGLE USE SPORTS CLUB REVIEW OF INSURANCE COSTS

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

22.6　SUPREME COURT MATTER

Reason for Confidentiality: This matter deals with advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged

Kiama Municipal Council　　　　　　　　　　　　　　　　　Page 22

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

from production in legal proceedings on the ground of legal professional privilege as per Section 10A(2)(g) of the Local Government Act.

(Councillors Larkins and Croxford)

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

Against: Nil

22   CONFIDENTIAL REPORTS

Procedural motion: extension of time

24/155OC

Committee recommendation that in accordance with section 18.2 of the Code of Meeting Practice the meeting be extended by 15 minutes.

(Councillors Larkins and Draisma)

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

Against: Nil

22.1   Blue Haven Update

24/156OC

Committee recommendation that Council:

1. Note the information provided in the Blue Haven Update report.

2. Endorse the onsite administration of the NSW Voluntary Assisted Dying Act 2022 and accompanying Blue Haven policy.

(Councillors Larkins and Brown)

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

Against: Nil

22.2   Land Acquisition & Transfer under the NSW Coastal Lands Protection Scheme - Gerringong

It was **moved** by Councillor Brown and seconded by Councillor Steel that Council reject the offer of land acquisition and transfer under the NSW Coastal Lands Protection.

Councillor Keast **foreshadowed** the original motion.

Councillor Brown withdrew his motion.

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MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

Councillor Draisma raised a **point of order** that as Councillor Brown's motion was withdrawn Council must consider the foreshadowed original motion.

The Chair ruled the original motion unlawful.

24/157OC

Committee recommendation that Council strike this matter on land acquisition and transfer under the NSW Coastal Lands Protection Scheme from the business papers.

(Councillors Reilly and Brown)

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

Against: Councillors Keast and Larkins

22.3   Sale of land: 9 O'Connell Place, Gerringong (Lot 208 DP 792192)

24/158OC

Committee recommendation that Council:

1. Note the commencement of the sale process for 9 O'Connell Place, Gerringong (Lot 208 DP 792192), by public auction.

2. Set the reserve price for auction as the highest of the valuations in the body of this report.

3. Delegate the Chief Executive Officer authorisation to enter into negotiations if the reserve price is not met at auction regarding the sale price for the land, including terms, and accept a suitable offer as stipulated in the report.

4. Delegate to the Chief Executive Officer and/or Mayor authorisation to sign and execute all documentation in relation to and including the contract of sale and the application of the seal of Council if required.

(Councillors Croxford and Draisma)

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

Against: Nil

22.4   Sale of land: Lot 100 South Kiama Drive, Kiama (Lot 100 DP 1231831)

24/159OC

Committee recommendation that Council:

1. Delegate to the Chief Executive Officer authorisation to enter into direct negotiations regarding the sale price for Lot 100 South Kiama Drive, Kiama (Lot 100 DP1231831), including terms, and accept a suitable offer as stipulated in the report.

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

2.   Delegate to the Chief Executive Officer and/or Mayor authorisation to sign and execute all documentation in relation to and including the contract of sale and the application of the seal of Council if required.

3.   Allocate the proceeds of the sale of Lot 100 to the Roads Reserve.

(Councillors Brown and Steel)

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

Against: Nil

22.5   Single use sports club review of insurance costs

24/160OC

Committee recommendation that Council:

1.   Approve waiving of 50% insurance fees charged to those sporting clubs identified as having single use of a facility in 2022/23 financial year.

2.   Approve that the 2023/24 insurance costs are not charged to those sporting clubs identified as single use of a facility, and that a review of the Public Land Management Policy, Lease Policy and associated agreements is completed to better resolve this issue.

(Councillors Rice and Draisma)

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

Against: Nil

Councillor K Renkema-Lang left the meeting at 08:03 pm and did not rejoin due to technical difficulties.

Procedural motion: extension of time

24/161OC

Committee recommendation that in accordance with section 18.2 of the Code of Meeting Practice the meeting be extended by 15 minutes

(Councillors Croxford and Larkins)

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

Against: Nil

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MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

22.6 Supreme Court matter

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

1   set aside resolution 23/350OC from the 21 November 20243 Ordinary Council meeting as agreed in consent orders issued by the Supreme Court in the matter of *Renkema-Lang v Kiama Municipal Council and Symons* (2024) NSWSC 61606 as the resolution is invalid due to the Second Defendant conceding that the Second Defendant's final investigation report (dated 31 October 2023) was affected by a reasonable apprehension of bias.

2   respectfully urges the plaintiff, Councillor Karen Renkema-Lang, to also recognise the consent orders as mentioned in point 1 above and the outcome as stated in point 1 above, and cease and desist from any further legal action in this matter to reduce the cost burden of the Kiama LGA ratepayer.

Councillor Draisma **foreshadowed** the original motion.

Councillor Brown's motion was varied by consent.

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 *Renkema-Lang v Kiama Municipal Council and Symons* [2024] NSWSC 61606 due to the Second Defendant's final investigation report (dated 31 October 2023) being affected by a reasonable apprehension of bias which therefore makes the Council resolution invalid.

(Councillors Brown and Steel)

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

Against: Nil

Close of Confidential Committee of the Whole:

24/163OC

Resolved that at this time, 8:30pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Keast and Croxford)

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

Against: Nil

Adoption of Report

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

MINUTES OF THE ORDINARY MEETING   **21 MAY 2024**

24/164OC

Resolved that that the Confidential Committee of the Whole recommendations numbered 24/154OC to 24/163OC be confirmed and adopted.

(Councillors Keast and Croxford)

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

Against: Nil

23   CLOSURE

There being no further business the meeting closed at 8:38pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 18 June 2024.

…………………………
Mayor

6.2   Extraordinary Meeting - 27 May 2024

Attachments

1   Minutes - Extraordinary - 27 May 2024⇩

Enclosures

Nil

RECOMMENDED

That the Minutes of the Extraordinary meeting held on 27 May 2024 be received and accepted.

Item 6.2

**KIAMA
MUNICIPAL
COUNCIL**

MINUTES OF THE EXTRAORDINARY MEETING OF COUNCIL

commencing at 1.00pm on

MONDAY 27 MAY 2024

Council Chambers
11 Manning Street, KIAMA NSW 2533

MINUTES OF THE EXTRAORDINARY MEETING   27 MAY 2024

**MINUTES OF THE EXTRAORDINARY MEETING OF
THE COUNCIL OF THE MUNICIPALITY OF KIAMA
HELD IN THE COUNCIL CHAMBERS
ON MONDAY 27 MAY 2024 AT 1.00PM**

PRESENT: Mayor – Councillor N Reilly,
Deputy Mayor – Councillor I Draisma,
Councillors K Rice, W Steel, J Keast, S Larkins and M Croxford

BY AUDIO-VISUAL: Councillors K Renkema-Lang and M Brown

IN ATTENDANCE: Jane Stroud – Chief Executive Officer

                      Edward Paterson – Head of Implementation

                      Michael Malone – Director Infrastructure and Liveability

                      Joe Gaudiosi – Chief Operating Officer

                      Olena Tulubinska – Chief Financial Officer

                      Stephanie Salviejo – Public Officer

1   OPENING OF MEETING

The Mayor opened the meeting at 5pm.

2   WEBCASTING STATEMENT

The Mayor stated that the meeting is being recorded and made publicly available on the Council website, and that persons attending the meeting should refrain from making any defamatory statements.

3   ACKNOWLEDGEMENT OF COUNTRY

The Mayor acknowledged the traditional owners:

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

4   STATEMENT OF ETHICAL OBLIGATIONS

The Mayor read the 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."*

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MINUTES OF THE EXTRAORDINARY MEETING   **27 MAY 2024**

5   APOLOGIES

Nil

Procedural motion: Councillor excused from standing when speaking

24/165OC

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

(Councillors Draisma and Larkins)

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

Against: Nil

Motion: Approval to attend meeting by audio-visual

24/166OC

Resolved that Council, as required under section 5.2 of the Code of Meeting Practice, permit Councillors Brown and Renkema-Lang to attend the Council meeting held on 27 May 2024 via audio-visual.

(Councillors Larkins and Rice)

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

Against: Nil

6   DISCLOSURE OF INTEREST

Nil

7   REPORT OF THE DIRECTOR INFRASTRUCTURE AND LIVEABILITY

7.1   Temporary change to the Chief Executive Officer's delegations for accepting a tender

24/167OC

Resolved that Council:

1. Delegates to the Chief Executive Officer the authority to accept the tender for the comingled recyclate receipt and processing contract.

Kiama Municipal Council   Page 3

MINUTES OF THE EXTRAORDINARY MEETING   **27 MAY 2024**

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)

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

Against: Councillor Keast

24/168OC

Resolved that at this time 1.09pm, Council bring forward and deal with matters pertaining to the Addendum to Reports.

(Councillors Croxford and Larkins)

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

Against: Nil

S.1   Receipt of Varied Performance Improvement Order

24/169OC

Resolved that Council:

1. Note that the Minister for Local Government, The Hon Ron Hoenig MP's has formally issued Kiama Municipal Council with a variation to the Performance Improvement Order on 24 May 2024,

2. Display a copy of the varied Performance Improvement Order on the Council website,

3. Acknowledge that the varied Performance Improvement Order establishes actions required to be undertaken by Kiama Municipal Council over the following three (3) financial years to improve its operating performance which will take organisational precedence,

4. Acknowledge that a Strategic Finance and Governance Improvement Plan will be reported to Council's extraordinary June 2024 Integrated Planning and Reporting meeting, and that this Plan will respond directly to the requirements of the varied Performance Improvement Order, including compliance with the cycle of reporting to Council and the Office of Local Government.

(Councillors Draisma and Rice)

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

Against: Nil

Item 6.2

Attachment 1

MINUTES OF THE EXTRAORDINARY MEETING   27 MAY 2024

8   CONFIDENTIAL SUMMARY

24/170OC

Resolved that at this time, 1:16pm, Council form itself into a Confidential Committee of the Whole to deal with matters listed in the recommendations as set out below subject to the consideration of any representations relating to such action.

(Councillors Croxford and Keast)

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

Against: Nil

Public Representations:

The Mayor called for representations regarding issues which had been proposed to be disclosed in Confidential Committee of the Whole. No such representations were received.

8.1   Exclusion Of Press And Public:

24/171OC

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

9.1   PARAMETERS FOR CONTRACT DRAFTING - BLUE HAVEN BONAIRA

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

(Councillors Draisma and Larkins)

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

Against: Nil

MINUTES OF THE EXTRAORDINARY MEETING   **27 MAY 2024**

9   CONFIDENTIAL REPORTS

9.1   Parameters for contract drafting - Blue Haven Bonaira

24/172OC

Committee recommendation that Council:

1.   Endorse the Chief Executive Officer to pursue completion of the sale contract for Blue Haven Bonaira site and associated services excluding Community Transport in accordance with the parameters and framework of the sale conditions as noted in the report.

2.   Report and present the final sale contract to Council at the July 2024 ordinary meeting for execution and public announcement regarding the sale.

(Councillors Brown and Croxford)

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

Against: Councillor Rice

Close of Confidential Committee of the Whole:

24/173OC

Committee recommendation that at this time, 1.50pm, the Confidential Committee of the Whole revert to Open Council.

(Councillors Draisma and Rice)

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

Against: Nil

Adoption of Report

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

24/174OC

Resolved that that the Confidential Committee of the Whole recommendations numbered 24/171OC to 24/173OC be confirmed and adopted.

(Councillors Croxford and Draisma)

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

Against: Nil

MINUTES OF THE EXTRAORDINARY MEETING   **27 MAY 2024**

10   CLOSURE

There being no further business the meeting closed at 1.53pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 27 May 2024.

……………………………
Mayor

Item 6.2

Attachment 1

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   Mayoral Minute: our Local Government Week awards

Attachments

Nil

Enclosures

Nil

RECOMMENDED

That Council invites nominations for the Local Government community awards to be presented at a ceremony during Local Government Week on 30 July 2024.

REPORT

I am pleased to announce that Council has launched its Local Government Awards for 2024, that recognise those people that play a part in our community. The Local Government Awards are an opportunity to shine a light on people in our municipality who make a difference no matter how large or small. These awards highlight the many and varied ways people contribute to our 'social fabric.

The Local Government Awards for 2024 will be presented in the following categories:

- Citizen of the Year Award: for an individual who has made an outstanding contribution to the community, either during the previous 12 months or over many years of service.

- Young Citizen of the Year Award: for an individual aged 24 years or less who has made an outstanding contribution to the community, either during the previous 12 months or over many years of service

- Senior Citizen of the Year Award: for an individual aged 65 years and over who has made an outstanding contribution to the community, either during the past previous 12 months or over many years of service.

- Community Group of the Year Award: for a community group based and operating in the Kiama Municipality that has made an outstanding contribution to the community, either during the previous 12 months or over many years of service.

- Sports Honour Roll: honours residents who have made an exceptional contribution to sport at a national or international level, either as a participant, coach or administrator as well as successful teams.

- Arts Honour Roll: honours the outstanding achievements of artists from all genres form the community.

- Sports Achievement Awards: recognises and celebrates individuals that play an important part in the sporting community in these categories, sports person, young sports person and sports volunteer.

- Megan Dalley Award: recognises outstanding performance by a Council trainee, apprentice or cadet.

- Robert East Award: recognises the outstanding contributions made by Kiama Municipal Council's volunteers in the community. Nominees may be Council staff who volunteer outside their work with Council, or non Council employees.

Further information about each award, including the selection criteria and online nomination forms, can be found on Council's website and nominations close at 5pm on Sunday 30 June 2024:

https://www.kiama.nsw.gov.au/Council/Awards/Local-Government-Awards.

I encourage you to nominate your friends, family, neighbours, club/committee members or anyone else that lives within the Municipality that are the heroes of the community and worthy of special recognition.

The awards will be presented and celebrated at a function on 30 July 2024 being held at The Pavilion Kiama.

Item 11.1

11.2   Mayoral Minute: Congratulations to Col Rathbone

Item 11.2

Attachments

Nil

Enclosures

Nil

RECOMMENDED

That Council formally congratulate Col Rathbone for being awarded the Medal of the Order of Australia OAM in the 2024 King's Birthday Honours List.

REPORT

The award is in recognition of Col's decades of dedicated volunteering in the Kiama community. Col is currently riding The National Trail, 5330km on horseback from Cooktown to Healesville. He is doing this ride to raise funds for Melanoma Research. This is particularly close to home for me as I was treated by the melanoma clinic, the recipient of Col's generosity. Sadly Col lost his wife to this hideous disease in 2020.

Col also arranged and created the Light Horse in Kiama Centenary of Anzac parade, and we have had this particular legacy of Col's in every ANZAC Parade and Dawn Service since.

Col Rathbone was President of the Kiama & District Sports Association (KDSA) since its inception in 1978. Col was the calm influence who could always find a solution to a difficult situation.

As Col said in his final President's Report, his main ambition was to get the clubs to talk to each other for the betterment of sport and sporting facilities. If your children (or you) have enjoyed playing organised sports in Kiama at one the clubs, fields or courts, any time over the last 45 years, then you might have Col Rathbone to thank.

The citation states he received the OAM "For service to the community of Kiama." Few could compete with his record.

12   MINUTES OF COMMITTEES

12.1   Minutes: Finance Advisory Committee - 6 June 2024

Responsible Director: Office of the Chief Operating Officer

Item 12.1

Attachments

1   06/06/2024 - Finance Advisory Committee - Minutes⇩

Enclosures
Nil

RECOMMENDED

That the Minutes of the Finance Advisory Committee meeting held on 6 June 2024 be received and accepted.

Background

Attached for Councillors' information are the minutes of the Finance Advisory Committee meeting held on 6 June 2024.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE
MEETING OF THE FINANCE ADVISORY COMMITTEE

commencing at 3.00pm on

THURSDAY 6 JUNE 2024

Council Chambers, 11 Manning Street, KIAMA NSW 2533

Item 12.1

Attachment 1

MINUTES OF THE FINANCE ADVISORY COMMITTEE   6 JUNE 2024

MINUTES OF THE
FINANCE ADVISORY COMMITTEE
HELD IN THE COUNCIL CHAMBERS, KIAMA,
ON THURSDAY 6 JUNE 2024 AT 3.00PM

PRESENT: Graeme Gherashe (Chair), Peter Currie, Mark Greaves, and Councillors Neil Reilly and Karen Renkema-Lang

BY TEAMS: Anna-Leena Risku and Elizabeth Kelly

IN ATTENDANCE: Acting Chief Executive Officer – Joe Gaudiosi

Acting Chief Financial Officer – Debra Webb

Director Planning, Environment and Communities – Jessica Rippon

Director Infrastructure and Liveability – Michael Malone

Head of Implementation – Edward Paterson

OBSERVER: Councillor Mark Croxford

1   APOLOGIES

Chief Executive Officer – Jane Stroud

Chief Financial Officer – Olena Tulubinska

2   ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

3   CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1   Finance Advisory Committee on 4 April 2024

24/038FAC

Resolved that the Minutes of the Finance Advisory Committee meeting held on 4 April 2024 be received and accepted.

(Members Kelly and Risku)

Noted:
- The action tracker is not included in the agenda and this item should follow the confirmation of minutes item on the agenda. Noted that this is important to be included and include actions for future FAC meetings.
- The information requested by Mark Greaves on the Land Development Reserve is included in the Restricted Funds Policy.

Kiama Municipal Council   Page 2

MINUTES OF THE FINANCE ADVISORY COMMITTEE   **6 JUNE 2024**

4   DECLARATIONS OF INTEREST

Nil

5   FAC STANDARD REPORTS

5.1   Quarterly Budget Review (QBR3) and Monthly Financial Statements March 2024

24/039FAC

Resolved that the Finance Advisory Committee note:

1.   The quarterly budget review statement for the quarter ending 31 March 2024 and the monthly financial statements for period ending 31 March 2024.

2.   The quarter 3 capital works progress report.

(Members Renkema-Lang and Greaves)

Noted:
- Increase in operational revenue is a result of refinement of waste and hire services internal charging and better realisation of revenue
- Review of overtime has resulted in correction to costings and improved budgeting for the waste, commercial waste, cleaning and hire services. These operations necessitate weekend work and can be revenue raising and therefore commercially viable. Further refinement of internal allocation will be evident in next year's budget.
- Overtime is also impacted by weather events.
- Percentage changes are now far more accurate in the budgeting process and there is more integrity in the data however opening balances remain an issue.
- Capital works expenditure is $13M from the budget of $19M. There has been delays in works due to weather events which affect resources as they are applied to recovery and the availability of contractors.

5.2   Endorse for public exhibition: Restricted Funds Policy

24/040FAC

Resolved that the Finance Advisory Committee note the Restricted Funds.

(Members Reilly and Renkema-Lang)

Noted:
- A significant increase in the Crown Reserve is due to a lag in the accounting process and an opening balance issue which is being addressed.
- **Action**: CFO to include the "Security bonds, Deposits and Retentions" in the Restricted Funds Policy
- Some of the reserves are planned new items and have a nil balance but will be built up over time. Councillor Renkema Lang suggested that there should be a target amounts.
- **Action**: A/CEO to recommend target amounts for the new reserves.
- Blue Haven Bonaira reserves will be released when the sale is completed.
- **Action**: CFO to rename the Working Capital Reserve to be more meaningful.
- **Action**: Mark Greaves to provide wording / feedback to A/CEO on section 9 of the Policy regarding adding interest to earnings.

Kiama Municipal Council   Page 3

MINUTES OF THE FINANCE ADVISORY COMMITTEE   **6 JUNE 2024**

5.3   Statement of Investments: April 2024

24/041FAC

Resolved that the Finance Advisory Committee note and receive the information relating to the Statement of Investments as at 30 April 2024.

(Members Greaves and Renkema-Lang)

Noted:
- **Action**: CFO to request Arlo Advisory provide average yield to maturity and term to maturity of the original investment across the portfolio.
- **Action**: CFO to add an additional column to the restricted funds movement table to include a target for month to month movement.

5.4   Endorse for public exhibition: Draft Long Term Financial Plan 2024-25 to 2033-34

As this was dicussed indepth at the briefing to Councillors on 4 June 2024 the Committee did not discuss or make a recommendation on this item.

5.5   Continuous Improvement Framework

24/042FAC

Resolved that the Finance Advisory Committee:

1.   Note the update provided by this report.

2.   Workshop Finance Advisory Committee member involvement in Service Reviews.

(Members Gherashe and Greaves)

Noted:
- 7 service reviews have been undertaken or almost completed – Waste Services, Holiday Parks, The Pavilion, Kiama Leisure Centre, Libraries, Tourism and Events and open spaces.
- The Chair strongly recommended submitting recommendations to Council following the 'urgency principle' and what can be achieved.
- The FAC sponsor should be involved at the beginning with scope, at interview and review the report.
- Relevant benchmarking needs to be included in the service review reports
- A continuous improvement framework is being developed that will direct all service reviews going forward.
- The Performance Improvement Order requires a review of timing for service reviews with a particular focus on revenue and saving opportunities.
- A catalogue of services will be developed.
- Once the 7 service reviews reach the same stage (by August) recommendations will be reviewed for synergies and impacts across the organisation, and implemented in the 2024-25 operational plan.
- Urgency is important.

Kiama Municipal Council   Page 4

Item 12.1

Attachment 1

MINUTES OF THE FINANCE ADVISORY COMMITTEE   **6 JUNE 2024**

5.6   Blue Haven Update

24/043FAC

Resolved that the Finance Advisory Committee note the Blue Haven update.

(Members Greaves and Kelly)

Noted:

- Positive to see a reduction in agency hours and improvement in vacancy rates.
- Review of pricing strategies for Blue Haven Terralong will consider refurbishment costs and market value.
- The subdivision for Blue Haven Terralong, adjusting the boundary for the community garden and excising Havilah on a separate parcel is progressing to the next DAU meeting.

6   REPORTS FOR INFORMATION

The Finance Advisory Committee received the information report on the monthly cashflow forecast.

Action: COO to move the item on cash flow forecasting to sit with the finance items on the agenda.

7   GENERAL BUSINESS

For future consideration: Is there a better way to present financial documents and reporting that would be simpler and easier to understand for the community?

8   CLOSURE

There being no further business the meeting closed at 4:48pm.

These Minutes were confirmed at the Ordinary Meeting of Council held on 28 June 2024.

…………………………

Chair

12.2 Minutes: Infrastructure and Liveability Advisory Committee meeting - 14 May 2024

Responsible Director: Infrastructure and Liveability

Item 12.2

Attachments

1   Minutes - Infrastructure and Liveability Advisory Committee - 14 May 2024⇩

Enclosures

Nil

RECOMMENDED

That the Minutes of the Infrastructure and Liveability Advisory Committee meeting held on 14 May 2024 be received and accepted.

Background

The Minutes of the Infrastructure & Liveability Advisory Committee meeting held on 14 May 2024 are attached for Councillors' information.

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE MEETING

commencing at 5pm on

TUESDAY 14 MAY 2024

Council Chambers, 11 Manning Street, KIAMA NSW 2533

Item 12.2

Attachment 1

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE   **14 MAY 2024**

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE

HELD AT KIAMA MUNICIPAL COUNCIL

ON TUESDAY 14 MAY 2024 AT 5PM

PRESENT: Cr Mark Croxford

Dr Tony Gilmour

Dr Fiona Mackie

Roy Rogers

Michael Malone | Director Infrastructure and Liveability

1   APOLOGIES

Cr Stuart Larkins

2   ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

3   CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1   Infrastructure and Liveability Advisory Committee Meeting on 9 April 2024

Resolved that the Minutes of the Infrastructure and Liveability Advisory Committee meeting held on 9 April be received and accepted.

(Member Gilmour and Councillor Croxford)

4   BUSINESS ARISING FROM THE MINUTES

MM advised that the Waste Service Report was received on Friday afternoon, however it is currently being checked for errors and reviewed. MM advised that it is his intention to send it to the group once it has been checked. MM will aim to have it for the Committee at the next meeting.

Kiama Municipal Council   Page 2

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE   **14 MAY 2024**

Committee members agreed that focussing each meeting on a specific topic/theme helps improve the way the committee works. Ideally this would involve a summary background paper prepared in advance, by a community committee member, and a follow-up paper summarising conclusions. The committee would then agree where best this follow-up paper should be directed.

5   DISCUSSION ITEMS

5.1   Declarations of Conflict of Interest

Nil

5.2   New Applicants for the Committee

The Committee agreed that they would like to fill the position as soon as possible, and if possible, to reflect the diversity/gender balance of the Committee, as per the Terms of Reference.

5.3   Planning for Community Facilities - Main discussion

The Community members that attended the walk through of the Leisure Centre and Quarry Sports Fields spoke about their summary of findings. RR advised that this precinct would be a great place to develop. MC added that the Committee need a long term future plan for this precinct, and to be visionary rather than a 'bandaid' fix for now. FM added that Council need to think about having a social infrastructure plan, to tie everything together.

MM requested broader views and a Committee based collective response to the community consultation on the Leisure Centre Service Review. Also, now that the Committee know a bit more about the site, whether there is any comments regarding the master plan process.

FM advised that if we were building a new Leisure Centre facility, it would have to be built first, before the old one was removed as the Community really need the Leisure Centre to keep running. Also, the new pool should be a 50 metre pool rather than 25 metres as that was is required for competition swimming. FM also noted that there are some short term financial gains that can be done, such as a pop up coffee van to sell coffee to parents whilst they are waiting for their children to finish swimming lessons.

MC suggested that we keep the current facility operating, whilst we build something side by side or nearby. That way everything keeps running, whilst the new facility is being developed.

FM suggested that there is a 'supply and demand' analysis, so that we know what is required of the new facility, according to the future demographics of the community. MM advised that the Director of Planning, Environment & Communities

Kiama Municipal Council   Page 3

MINUTES OF THE INFRASTRUCTURE AND LIVEABILITY ADVISORY COMMITTEE   **14 MAY 2024**

will working on this, it is known as the Growth Management Strategy, which is done for the community as a whole.

MM advised that the Committee call their summary of findings from the Leisure Centre facility a 'Submission', and to submit this to the officer that is looking after the service review for the Leisure Centre, and to MM's team for the recreational planning, and to Ed Paterson, the Head of Implementation who has an oversite for the Havilah site.

Action: TG to finalise the Submission before the next meeting, and to make sure everyone is in agreeance on the submission.

6   REPORTS FOR INFORMATION

Nil

7   GENERAL BUSINESS
7.1   Kiama Town Centre & Parking Strategy

TG advised that the next meeting will focus on the Kiama Town Centre and Parking Strategy. TG suggested that the Committee get together again, and drive around the town centre and look for any issues or changes that might be needed.

Action: RR to prepare some background information on this topic for the committee for the next meeting.

8   CLOSURE

There being no further business the meeting closed at 6.25pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 11 June 2024

12.3   Minutes: Sustainable Communities Advisory Committee - 4 June 2024

Responsible Director: Planning, Environment and Communities

Item 12.3

Attachments

1   Minutes - 4 June 2024⇩

Enclosures

Nil

RECOMMENDED

That the Minutes of the Sustainable Communities Advisory Committee meeting held on 4 June 2024 be received and accepted.

Background

The minutes of the meeting are attached for Councillors' information.

MINUTES OF THE
SUSTAINABLE COMMUNITIES
ADVISORY COMMITTEE MEETING

commencing at 5pm on

TUESDAY 4 JUNE 2024

Kiama Municipal Council
Manning Street, KIAMA NSW 2533

MINUTES OF THE SUSTAINABLE COMMUNITIES COMMITTEE   4/6/24

MINUTES OF THE SUSTAINABLE COMMUNITIES ADVISORY COMMITTEE
HELD AT KIAMA MUNICIPAL COUNCIL
ON TUESDAY 28 MAY 2024 AT 4PM

PRESENT: Cr Neil Reilly, Mayor
          Michael Bowden
          Narreda Grimley
          Liam Pettigrew
          Alan Smith
          Cr Karen Renkema-Lang (observer)
          Cr Stuart Larkins (observer)
          Jessica Rippon | Director Planning, Environment and Communities

1   APOLOGIES

Cr Imogen Draisma

2   ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

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

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

3   DECLARATIONS OF INTEREST

Nil

4   CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1   Sustainable Communities Advisory Committee - 23 April 2024

RECOMMENDED

That the Minutes of the Sustainable Communities Advisory Committee meeting held on 23 April 2024 be received and accepted.

(Alan Smith/Narreda Grimley)

Kiama Municipal Council   Page 2

MINUTES OF THE SUSTAINABLE COMMUNITIES COMMITTEE   **4/6/24**

5   BUSINESS ARISING FROM THE MINUTES

Nil

6   REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

6.1   Short Term Holiday Rentals

RECOMMENDATION

That:

1.   The Committee note the contents of the report.

2.   At the next meeting a further workshop be held on Short Term Holiday Rentals.

NOTES:
- The Committee discussed the contents of the report and the request provided by Alan Smith following his recent attendance at the South Precinct Meeting.
- The Mayor attended the 2024 Coastal Australian Coastal Council's Conference held on 29-31 May where a Professor Nicole Gurran had compiled a research paper on "Short Term Rentals in Urban and Coastal Communities: Impacts and Policy Responses". An overview of findings presented at the conference was provided by the Mayor.
- A detailed discussion about STRA impacts and also work that was already being undertaken was carried out during the meeting.
- In order to explore the topic further the Committee agreed to hold a workshop at the next meeting.

6.2   Post exhibition endorsement: Kiama Coastline Coastal Management Program

RECOMMENDATION

That the Committee note the contents of the report to Council.

Kiama Municipal Council   Page 3

MINUTES OF THE SUSTAINABLE COMMUNITIES COMMITTEE   **4/6/24**

7   REPORTS FOR INFORMATION

The following Reports for Information be received and note
      7.1   Growth and Housing Strategy - Verbal Update:

NOTES:
- A verbal update was provided on the progress of the Strategy.
- Discussion about dwelling targets was also held.
- The Committee was advised that the Community Engagement Report would be provided to the June Council meeting.

8   GENERAL BUSINESS

<u>Council Policies</u>

- Discussion took place on the upgrading of policies on Council's website.

9   CLOSURE

There being no further business the meeting closed at 4.56pm

These Minutes were confirmed at the Ordinary Meeting of Council held on 25 June 2024

……………………………
Chair

Kiama Municipal Council   Page 4

13   REPORT OF THE CHIEF EXECUTIVE OFFICER

13.1   Destination Event Funding - Round Three

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

CSP Strategy: 3.2.2 Support sustainable local business development, visitations and events.

Delivery Program: 3.2.2.1 Deliver Kiama Tourism and Events Strategic Plan 2022–2026.

Item 13.1

Summary

Council's *Internal Assessment Panel* met Wednesday 5 June 2024 to review and evaluate the applications received for the third and final round of Destination Event Funding for 2023/24.

Attached to this report is a summarised score sheet. The two applications were from:

- Kiama and Jamberoo Golf Club supporting the Seaside and Valley Veterans Golf Tournament

- Illawarra Folk Club Inc supporting the Kiama Folk by the Sea Festival

The allocation, which the attachment demonstrates, has seen the remaining full $6,000.00 divided between the two applications based on the tallied and averaged scores against the scoring criteria.

- $600 to support the five-day mid-week golf tournament, and

- $5,400 (incl $4,000 in-kind) to support the three-day Folk by the Sea festival

Financial implication

$6,000.00 represents the remaining funds in the Destination Event Funding Program budget for 2023/24.

Risk implication

Nil.

Policy

Grants and Donations Policy 2024

Consultation (internal)

The Internal Assessment Panel met following an individual review of each of the submitted applications. The score sheets were tallied and an average score was determined and agreed upon following discussion.

Communication/Community engagement

The members of the Tourism and Economic Advisory Committee were provided the opportunity to review the applications and allocated scoring, with zero objections.

Item 13.1

Attachments

1   Destination Event Funding Assessment - Round Three 2023/24⇩

Enclosures
Nil

RECOMMENDATION

That Council

1.   review the consensus scoring and funding recommendation summary provided by Council's *Internal Assessment Panel.*

2.   provide $600 financial funding to the Kiama and Jamberoo Golf Club to support the Seaside and Valley Veterans Golf Tournament

3.   provide $5,400 ($4,000 in-kind and $1,400 financial) funding to the Illawarra Folk Club Inc to support the Folk by the Sea festival

3.   congratulate and distribute contracts to successful applicants detailing funding obligations as per the Destination Event Funding Guidelines.

Background

The Destination Event Funding Program would in a normal year open two rounds of funding.

Recommendation *24/015TEAC* of the Tourism and Economic Advisory Committee meeting minutes of 14 March 2024, at point 3 recommended that *a third round of Destination Event Funding be offered in the case of more than $5,000 remaining in the budget.*

Assessment Matrix Summary & Assessor Consensus Scoring

Program: Destination Event Funding

Round: Three 2023/24

Remaining funds: $ 6,000.00

#	Group / Organisation name	Event Title	Proposed Date & Duration	Location	Strength summary	Assessor comments	Concensus Score	Amount recommended	Monetary	In-kind
1	Kiama and Jamberoo Golf Clubs	**Seaside and Valley Veterans Golf Tournament**	5 Days: Mon 24 - Fri 29 Nov 2024	Kiama Golf Club, Kiama	Mid week, low impact, dispersing over two golf clubs.	The committee discussed that this event would be better suited to the Council Community Event Funding and should be directed to apply there in the future, if they are going to maintain the event concept and size.	47	$600.00	$600.00	$0.00
2	Illawarra Folk Club Inc	**Kiama Folk by the Sea**	3 Days: Friday 20 - Sunday 22 September 2024	Pavilion, Rugby Club, Uniting Hall, Anglican Hall	Three days, shoulder season, high community and volunteer support.	The committee discussed for this event to apply for community event funding in future if they are going to maintain the event concept and size. Well thought out application, responds to all questions entirely.	90	$5,400.00	$1,400.00	$4,000.00
						ROUND 3 TOTAL		**$ 6,000.00**		

13.2   Post exhibition endorsement: Community Engagement Strategy

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

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

Delivery Program: 5.2.3.1 Implement the Community Engagement Strategy.

Item 13.2

Summary

Council at its meeting on 16 April 2024 resolved to endorse the draft Community Engagement Strategy for public exhibition; and if submissions were received to receive a further report back, including an engagement report, on any proposed amendments to the Strategy.

The draft Community Engagement Strategy was placed on public exhibition from 17 April to 17 May 2024 for public comment and input. During this time, Council staff also undertook further work to engage stakeholder groups in the community (eg: youth, people living with disability) and further refine the Strategy.

Council received 13 submissions during the public exhibition period, attended four community pop-ups and engaged with youth of all ages, Officers attended a Council-hosted developer industry forum, presented the strategy to the Jamberoo Valley Residents and Ratepayers Association (by invitation) and held two Disability Inclusion Focus Group discussions.

Engagement Reports for Phase 1: Co-Design and Phase 2: Consultation-Public Exhibition are included (note the report for Phase 1: Co-Design includes a link to the 'Your community, your say' survey data.)

The Community Engagement Strategy has been refined, added and amended where appropriate, based on the feedback gathered during the exhibition and interim period. Additional images have been added and all significant changes made to the strategy have been outlined in the Phase 2 Community Engagement Report.

Financial implication

Nil

Risk implication

Risk of not having an updated strategy include falling short of community expectations and Integrated Planning and Reporting (IP&R) requirements.

Policy

Nil

Consultation (internal)

Kiama Council staff – draft Strategy shared with staff and feedback gathered.

Communication/Community engagement

Summary of Engagement Activities

Date	Event	Reach	Engaged
Phase 1: consultation - Co-design			
29- Feb	Your community your say Project page	879	
29-Feb	Press release: "Growth and Community Engagement" on Council website, distributed to media lists.	959	
29-Feb	Social media schedule launched of 8 posts		
13 March	Launch of "your community, your say" survey – online and paper versions		242
13-Mar	Infrastructure & Liveability Committee – workshop		7
14-Mar	Flyers printed and handed out, and available at Council's Administration Centre and Libraries.	1000	
14-17 March	Council staff at Household Bulky Waste event engaging with community and handing out flyers	520	50
22-Mar	Community pop-ups at Kiama Downs - FoodWorks	100	20
22-Mar	Community pop-ups at Kiama Downs - IGA	30	10
22-Mar	Meeting with Precincts and Associations (KAPA)	40	9
23-Mar	Community pop-ups at Minnamurra	20	5
23-Mar	Community pop-ups at Jamberoo	50	20
23-Mar	Community pop-ups at Gerringong	200	25
23-Mar	Community pop-ups at Gerroa	2	
26-Mar	Sustainable Communities Committee – workshop		7
27-Mar	Community pop-ups at Farmers Market	50	25
2-Apr	Meeting with Kiama High School SRC students		16
12-Apr	Industry forum round table discussion		60
Phase 2: Consultation - Public Exhibition			
17-Apr	Press release "Draft Community Engagement Strategy placed on public exhibition" on Council website, distributed to media lists	256	

Item 13.2

13.2   Post exhibition endorsement: Community Engagement Strategy (cont)

Date	Event	Reach	Engaged
17-Apr	Publication Community engagement report: Phase 1	15	
18-Apr	Social media schedule launched of 6 posts		
30-Apr	Community pop-ups at Kiama Library	50	15
1-May	Observation of Primary School Engagement		90
2-May	Community pop-ups at Gerringong Library	20	8
2-May	Community pop-ups at Kiama Leisure Centre	55	10
7-May	JVRRA - presentation and discussion		20
8-May	Community pop-ups at Kiama Farmers Market	40	10
9-May	Community pop-ups at Kiama Leisure Centre	40	10
15-May	Observation of Highschool School Engagement		200
31-May	Disability Inclusion Interviews		3
	Total	**3,311**	**620**

Item 13.2

Attachments

1   Community Engagement Strategy - June2024⇩

2   Community Engagement Report - Phase 1: Co-Design⇩

3   Community Engagement Report - Phase 2: Consultation - Public Exhibition⇩

Enclosures
Nil

RECOMMENDATION

That Council adopt the Community Engagement Strategy and publish to the Council website.

Background

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

13.2   Post exhibition endorsement: Community Engagement Strategy (cont)

Item 13.2

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

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

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

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

The finalised strategy is a complete rework of previous strategies, with Kiama Council taking a fresh, co-design approach to developing the strategy, and continuing to take on feedback from community, stakeholders, staff and Councillors throughout the exhibition period to refine the Strategy.

The engagement process involved community pop-ups, workshops, a survey, gathering submissions, presentations and focus groups, reaching almost 3,500 people.

Community Engagement Reports on both Phase 1: Co-design and Phase 2: Consultation-Public Exhibition, are attached to this report. Survey data from Phase 1 can be accessed via Council's website via: https://www.kiama.nsw.gov.au/Council/Your-say/Draft-Community-Engagement-Strategy.

Under the Integrated Planning and Reporting guidelines, Council must review its Community Engagement Strategy in the three months post-local Government Elections (by December 2024).

It is hoped that, given all the hard work that has gone into the Strategy throughout 2024, this process can be streamlined and will take the form of a minor review, thus freeing the new Council to direct their focus to high-level strategic documents such as the Community Strategic Plan and important and pressing matters such as Council's ongoing Performance Improvement Order.

KIAMA MUNICIPAL COUNCIL
your council, your community

Community Engagement Strategy
2024-2028

Your community, your say

Acknowledgement of Country

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

2 | Community Engagement Strategy

Front cover image: Engagement at Kiama Library
This page image: Kiama Council Australia Day 2024 activities. Peter Izzard Photography

Item 13.2

Attachment 1

Table of contents

Overview

Purpose

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

Legislative requirements

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

The Integrated Planning and Reporting (IP&R) framework, displayed in diagram 1, illustrates the important role of community engagement across Council's planning. Under this framework, Community Engagement Strategies must:

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

Community Participation Plan

Council is also required to have a Community Participation Plan (CPP). The CPP sets out when and how Council will engage with the community on statutory planning and development matters, such as development applications and planning proposals. The CPP sits alongside this Strategy in providing Council's overall framework for community engagement.

Diagram 1: Integrated Planning and Reporting framework

Understanding community engagement

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

Best practice

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

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

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

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

Community Engagement Strategy | 5

Developing the Strategy

Developed in consultation with both the community and Council staff, this Strategy outlines community priorities for meaningful engagement with Council and the Staff requirements to deliver meaningful engagement effectively. The Strategy was also developed with due consideration to local, State and Federal strategies and plans, policies, and other requirements. Insights from community engagement activities undertaken as part of the development and delivery of the Community Strategic Plan (2022-2032) and Disability Inclusion Action Plan were also used to inform this Strategy.

Consultation

A series of engagement activities were delivered across Phase 1: Co-design and Phase 2: Public Exhibition in early 2024 to guide the development of the Strategy. Detailed Engagement Summary Reports for both phases are available on our Your Say page.

Community consultation	Staff consultation
• Community pop-ups across the Municipality • Met with various committees and stakeholder groups • "Your community, your say" survey • Youth engagement observations • Called for submissions on the Draft Strategy	• Cross-departmental staff workshop • Staff survey • Interviews with executives and key staff members • Councillor briefing • Called for submissions on the Draft Strategy

What we heard

Community told us:	Staff told us:
• Meet community where they are to be more visible and reach a greater diversity of voices. • Clear and transparent communication on the purpose of engagement, timeline and the extent of community influence on decisions. • Close the loop through timely follow-up communications tailored to the audience, detailing progress, outcomes, how input was used and fulfilment of commitments. • Community pop-ups with relevant staff are a popular, informal and effective way for the community to interact with Council staff. • Collaborate with youth and other underrepresented groups to co-design and implement engagement activities that are relevant and accessible to them.	• Significant barriers to overcome include limited resources and budget and required organisational /systems transformation. • Provide clarity on roles and responsibilities for all stages of community engagement. • Build staff capacity and provide practical tools. • Consider the time required to effectively plan, design, implement and report on community engagement. • Continuously evaluate community engagement activities to ensure the program effectively meets community needs.

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Community preferences

Receive Council information	Provide Council with input and feedback:
Multiple mediums, with a preference for:	Multiple mediums, with a preference for:
• Local newspapers	• Filling out a survey
• Regular e-newsletter	• Writing a letter or email
• Rates notice/brochure in letterbox	• Community pop-ups
• Council's social media pages	• Quick online polls
• Council website	• Phone call

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

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

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

"Progress can be qualitative not quantitative"

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

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

"Ratepayers are looking for outcomes, not more talk"

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

"Council needs to close the loop and be transparent"

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

"Students liked feeling heard and giving feedback on big issues impacting the community,"

"Our youth are the future of our community, so being heard is something that is very important to today's society."
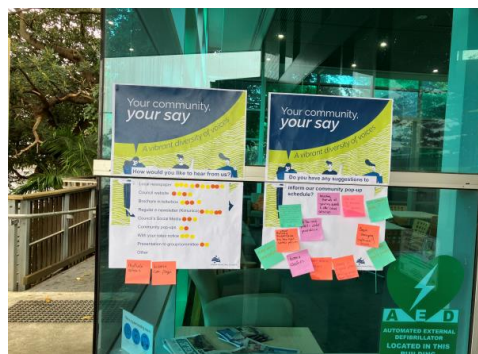
Strategic approach

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

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

Objective

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

Principles

In addition to the strategic objective above, insights from community and staff consultation led to the development of 5 key principles for undertaking meaningful community engagement, which are underpinned by the Social Justice Principles:

These are:

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

Actions

Council will uphold the key principles of meaningful community engagement by adopting the following actions (based on input from staff and community stakeholder consultation). It is important to note that due consideration is to be given to budget and resource limitations in delivering these actions.

1. Build staff capacity
We will:

1. Provide IAP2 training to managers and other relevant staff.
2. Develop a community engagement toolkit that includes planning and reporting templates to support staff and standardise engagement across the organisation.
3. Identify and train engagement champions across Council teams to support the work of Council's Communications and Engagement Team.
4. Provide embedded community engagement training into staff onboarding and ongoing professional development to ensure all staff understand Council's commitment to best-practice engagement.
5. Develop an approvals process to ensure engagement processes meet internal, legislative and accessibility requirements.

2. Meet community where they are
We will:

1. Clearly communicate and promote engagement opportunities through various mediums, e.g. local newspapers, regular Council e-newsletters, Council website, Council social media, rates notice, etc.
2. Offer a range of face-to-face, online and paper-based engagement opportunities for people to engage with Council decisions in various ways.
3. Develop an engagement calendar to meet community where they are and streamline engagement activities across the organisation (see Appendix 1 for the proposed Community Engagement Schedule).
4. Explore digital engagement platforms to enhance accessibility and broaden community reach, including online polls that provide feedback by design.
5. Build on existing community networks and identify community champions to drive engagement with communities of place, identity, interest and need.
6. Collaborate with youth and other underrepresented groups to co-design and implement engagement activities that are relevant and accessible to them.

3. Close the loop
We will:

1. Develop processes to close the loop in a variety of ways, including Council reporting, website, email, social media and other mediums, with a focus on explaining how and when community feedback was considered in the decision-making process.
2. Continually develop and improve Council's community engagement practises and capacity through regular review and evaluation.
3. Assess engagement activities' effectiveness against the Strategy's principles and the diversity, equity and inclusion objectives.
4. Monitor community sentiment via a range of mediums e.g. social media monitoring, a demographic "community satisfaction" survey of Kiama Municipality, feedback from workshops, community events, committees and community groups.

See Appendix 2 for the Strategy Evaluation Metrics.

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Engaging with community

Council, commits to engaging with a broad cross-section of the community. The community includes many stakeholders, which means Council needs to understand and balance their diverse interests, priorities and needs. When planning community engagement, Council will analyse the stakeholders and target those who might be interested in, impacted by or benefit from a plan, project or decision. The key stakeholders are broadly described below:

Key stakeholders

Stakeholders	Description
Residents and ratepayers	Anybody who lives and/or pays rates in the Kiama Local Government Area (LGA)
Kiama's future	Kiama's young people who will lead the area in the future
Communities of place	Location-based communities (towns, neighbourhoods, streets)
Communities of interest	Communities that share activities, events or interests
Communities of identity	People of all ages, backgrounds, gender identities and religions
Communities of need	Kiama residents most vulnerable to the impact of decisions such as those experiencing or at risk of homelessness, those with different abilities, people from non-English speaking backgrounds, those who rent and those immediately impacted by disasters
Schools and education providers	Primary and secondary educational institutions and early learning providers
Business community	Kiama businesses, business networks and associations
Community participants	Those who use or access council facilities such as libraries, parks and recreation centres
Community organisations and groups	Council Committees, precincts and associations, interagency networks, community, religious and faith-based organisations, voluntary groups, and sporting and recreation clubs
NSW and Federal government departments/agencies	State and Commonwealth departments and agencies with impacting plans or information
Neighbouring councils and representative bodies	Surrounding local government areas and joint organisations such as ISJO, NSW Office of Local Government (NSWOLG)
Councillors	Nine elected representatives of Council
Council Staff	All employees of Council, including, contractors and volunteers
Visitors and tourists	Those who visit the Kiama LGA

Diversity, equity and inclusion

Council is committed to strengthening the diverse voices of our community. We aim to provide inclusive and equitable engagement processes, ensuring that anybody who wants or needs to participate can do so. Through this strategy, Council reaffirms its commitment to engage with:

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

Council will support community participation, accessibility and inclusion by providing:

- Plain English and multi-modal information that meets accessibility requirements and provide key documents in Easy Read format,
- Multiple ways to provide input and feedback, including face-to-face, online, and paper-based engagement options, and;
  Translated documents as requested or required.

Decision making

Community views, ideas and local knowledge are an important part of the decision-making process. Other things Council needs to consider include:

- Budget or financial impact
- Legislation (State and Federal)
- Council policies and resolutions (endorsed by our elected representatives)
- Evidence provided by technical and professional assessment and industry best practice, and;
- Economic, environmental, social and governance impacts.

Council Strategies and Action Plans

Council delivers several strategies, policies and action plans to guide the delivery of its services and operations. These will guide what projects are undertaken through Council's Delivery Program, and inform the design and delivery of engagement programs, including:

- Community Strategic Plan (2022-2032)
- Community Participation Plan (2019)
- Committees Framework Policy (2023)
- Community Development Strategy (under development)
- Disability Inclusion Action Plan (2023-2027)
- Reconciliation Action Plan (under development)
- Cultural Plan (under development)
- Growth and Housing Strategy (under development)
- Economic Development Strategy (Under development)
- Tourism and Events Plan (2022–2026)
- Corporate Emissions Reduction Plan (Net Zero Strategy) 2021-2031
- Service Reviews
- Performance Improvement Order
- Strategic Finance and Governance Improvement Plan (under development)

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Community engagement opportunities

Community engagement is undertaken when there is an opportunity for impacted communities to influence specific actions, outcomes or decisions, or when there is a legislative requirement to do so. The following matrix allows project teams to determine if engagement is required, to what degree, and which stakeholders will need to be engaged.
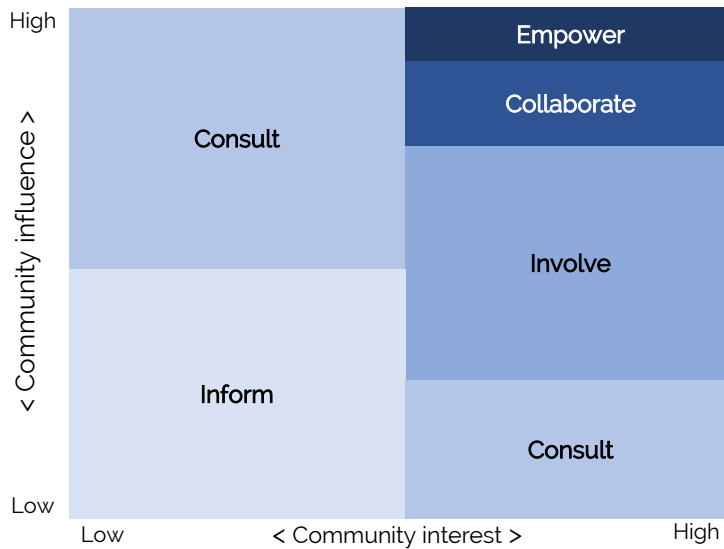
Note: If community engagement is not required or desired, Council should inform the community about the action, outcome or decision being made.

Roles and responsibilities

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

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

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Stakeholder	Roles and responsibilities
CEO and Directors (cont'd)	• Report and communicate community engagement activities and outcomes (as provided by Managers) to elected members.
Managers and Coordinators	• Maintain an 'engagement mindset' when overseeing projects, plans, and activities in their team. • Support teams to prioritise the 4 stages – design, plan, implement and close the loop – of community engagement activities. • Ensure engagement activities within their team are communicated to elected members through the CEO and Directors.
Project Lead	• Community engagement is the responsibility of all Council staff who deliver projects or services that impact the community. • Work with the Community Engagement Officer and use the Community Engagement Toolkit to prepare engagement plans, deliver activities, and report back on engagement outcomes, including adequate feedback to community.
Community Engagement Officer	• Train and guide staff to ensure a consistent, best-practice, and evaluated approach to community engagement activities. • Develop a Community Engagement Toolkit, including templates available to all staff. • Develop and manage an engagement schedule (see Appendix 1) to streamline engagement activities across Council • Manage a Community Engagement Register. • Collaborate closely with the Community Hubs Manager to leverage existing networks and engagement opportunities and to ensure diversity and inclusion principles are met.
Communications Officer	• Work with the Community Engagement Officer and project teams to create communications plans for engagement activities. • Contribute to the Community Engagement Register. • Provide advice on appropriate communication methods to promote engagement opportunities and outcomes.
Manager Communications & Engagement	• Manage this Strategy's implementation, including quarterly reporting on the Community Engagement plans, schedule and register. • Checking final engagement plans.
Community (see key stakeholders table p10)	• Responsible for contributing to the decision-making processes available to them, including staying informed about engagement opportunities, considering the information or options available, providing timely feedback, participating respectfully, and considering the ideas of others.

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Attachment 1

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Four-stage engagement framework

The following engagement framework is used by Council to design, plan, implement and report on community engagement activities. This framework ensures that engagement processes are **meaningful** and **measurable,** promoting consistent, best-practise engagement across the organisation. In addition to the steps below, Kiama Council's Engagement team will develop a Community Engagement Toolkit to assist staff throughout the four stages of this framework. It is important to note that due consideration is to be given to budget and resource limitations in delivering engagement activities.

1. Design

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

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

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

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

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

2. Plan

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

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

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Activities	Engagement methods/activities are selected to correspond with the determined level of stakeholder engagement. This may mean selecting different activities for different groups.
	They should be selected with due consideration to the project budget, timeframe, scale and complexity, and legislative requirements, among other factors.
	Activities should be designed to meet community where they are, ensuring community preferences and expectations are considered. Equitable and inclusive engagement opportunities must be provided to ensure a diversity of voices are heard.

Questions to consider:
- [ ] What are the *project objectives* and what are the *engagement objectives*?
- [ ] What *outputs* are required from community to achieve these objectives?
- [ ] What are the best *activities* to generate these outputs?

Other key considerations:
- [ ] What support materials are required to deliver engagement? e.g. communications plan, risk management plan
- [ ] How will engagement outputs (data) be collected, analysed and reported?
- [ ] What measures will support diverse voices to participate in the activity/activities?
- [ ] How and when will the community be informed of progress, outcomes, how input was used and fulfilment of commitments to close the loop? Consider timely, tailored and regular communication (see Continuous Communication p19).

Resourcing	A detailed **implementation plan** will identify resources required to deliver engagement, and determine roles and responsibilities for undertaking key tasks.

Questions to consider:
- [ ] What tasks must be performed to prepare for engagement?
- [ ] What tangible and human resources are required to deliver the engagement?
- [ ] Who is responsible for coordinating these tasks and resources? (see Roles and Responsibilities p12)
- [ ] Who is responsible for capturing the engagement data and preparing the engagement report?
- [ ] Identify budget for engagement activities

Engagement Methods Matrix

The following methods matrix provides an overview of common communication and engagement activities and tools.

As mentioned above, engagement methods are selected with due consideration to the level of engagement, project budget, timeframe, scale and complexity, and legislative requirements, among other factors.

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

3. Implement

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

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

4. Close the loop

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

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

Continuous communication

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

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

Item 13.2 - **Post exhibition endorsement: Community**
Engagement Strategy

Attachments 1 - Community
Engagement Strategy - June2024

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Attachment 1

Appendix 1: Community Engagement Schedule

Council is committed to engaging the community and stakeholders on decisions that affect them, and meeting people where they are to engage with a diversity of voices. Community pop-ups, where Council staff are stationed at various high-traffic locations across the Municipality during peak times, offer a casual setting for residents to chat with Council staff throughout the year.

These events are typically scheduled for the week following an Ordinary Council meeting, which occurs on the third Tuesday of the month. This timing allows community members to provide input on plans, policies, and strategies that have been placed on public exhibition or opened for consultation. This schedule will be complemented by online engagement opportunities and targeted stakeholder-holder engagement activities, such as workshops, focus groups and meetings with committees and community groups.

Month	Township	Location	Date	Time
July	Kiama	Kiama Topshop	Wed 24 Jul	9am - 11am
	Jamberoo	Jamberoo Football Club	Thu 25 Jul	3pm - 5pm
Aug	Note: No pop-ups due to the local government election caretaker period			
September	Minnamurra CRC – Waste Depot	Household Bulky Waste Event	Sat 14 Sep (Election Day)	8am - 4pm
	Minnamurra CRC – Waste Depot	Household Bulky Waste Event	Sun 15 Sep	8am - 4pm
October	Kiama	Kiama Library	Tue 30 Oct	10am - 12pm
	Kiama Downs	Oztag, Gainsborough Oval	Wed 31 Oct	4pm - 6pm
November	Kiama	Kiama Leisure Centre	Thu 28 Nov	3pm - 6pm
	Gerringong	Gerringong IGA	Fri 29 Nov	3pm - 5pm
December	Kiama	Kiama Farmers Market	Wed 18 Dec	3pm - 6pm
	Kiama	Alchemy Chorus, Uniting Church	Thu 19 Dec	10am-12pm
January	Kiama	Kiama Show	Fri 24 Jan	8pm - 4pm
	Jamberoo	Jamberoo Pool	Thu 30 Jan	3pm - 5pm
February	Kiama	Kiama Blue Haven	Tue 25 Feb	10am - 12pm
	Kiama Downs	Kiama Downs IGA	Thu 27 Feb	3pm - 5pm
March	Minnamurra CRC – Waste Depot	Household Bulky Waste Event	TBC	8am - 4pm
	Minnamurra CRC – Waste Depot	Household Bulky Waste Event	TBC	8am - 4pm
April	Kiama	Kiama Woolworths	Tue 29 Apr	5pm - 7pm
	Gerringong	Gerringong Library	Wed 30 Apr	10am - 12pm
May	Kiama	AFL training, Bonaira Oval	Tue 27 May	3pm - 5pm
	Gerringong	Uniting Mayflower	Wed 28 May	10am-12pm
June	Kiama	Kiama Farmers Market	Wed 25 Jun	2pm – 5pm
	Jamberoo	Jamberoo IGA	Thu 26 Jun	4pm – 6pm

Note[1]: We will review and adjust this pop-up schedule throughout the year to ensure it remains effective and continues to meet community where they are.

Note[2]: Saturdays and Sundays are actively avoided if alternative options are available during the week due to Council budget limitations.

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Appendix 2: Evaluation Metrics

1. Build staff capacity

Actions	Measure	Target	Timeline
1. Provide IAP2 training to managers and other relevant staff.	No. of staff provided with IAP2 training	4 staff until all relevant staff are qualified	Yearly ongoing – as staff turnover and require refresher training
2. Develop a Community Engagement Toolkit that includes planning and reporting templates to support staff and standardise engagement across the organisation.	Development of Community engagement toolkit	Complete toolkit	2024-25
	No. of staff utilising the toolkit/no. of engagements	80% of engagements	Yearly
3. Identify and train "Engagement Champions" across Council teams to support the work of Council's Communications and Engagement Team.	No. of champions identified and trained	4 staff in line with above action	Yearly
4. Provide embedded community engagement training into staff onboarding, and ongoing professional development, to ensure all staff understand Council's commitment to best-practice engagement.	Development of community engagement training module	Complete training module	2025-26
	No. of staff completed community engagement onboarding training	20% of new recruits	Yearly
5. Develop an approvals process to ensure engagement processes meet internal, legislative and accessibility requirements.	Development of approval process	Complete of the approval process	February 2025

2. Meet community where they are

Actions	Measure	Target	Timeline
1. Clearly communicate and promote engagement opportunities through various mediums, e.g. local newspapers, regular Council e-newsletters, Council website, Council social media, rates notice, etc.	Promotion of engagement opportunities incl. mediums and reach	TBC based on baseline	Continuously
2. Offer a range of face-to-face, online and paper-based engagement opportunities for people to engage with Council decisions in various ways.	Offering a mix of face-to-face, online and paper-based engagement opportunities	Where suitable or required Demonstrate a mix of	Continuously
3. Develop an Engagement Schedule to streamline engagement across the organisation and meet community where they are.	Development of Engagement Schedule	Engagement Schedule created No. of community members engaged	Included in this Strategy, to be reviewed yearly
4. Explore digital engagement platforms to enhance accessibility and broaden community reach, including online polls that provide feedback by design.	Develop a business case for the acquisition of a Digital Engagement Platform. Implementation and uptake of Digital Engagement Platform	Business case completion + implementation	2025-26
5. Build on existing community networks and identify community champions to drive engagement with communities of place, identity, interest and need.	Develop and maintain a stakeholder map for internal use	Completion, regular review	Review yearly
6. Collaborate with youth and other underrepresented groups to co-design and implement engagement activities that are relevant and accessible to them.	No. of co-design engagements Strengthen the diversity of voices	TBC based on baseline	Continuously

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3. Close the loop

Actions	Measure	Target	Timeline
1. Develop processes to close the loop in a variety of ways, including Council reporting, website, email, social media and other mediums, with a focus on explaining how and when community feedback was considered in the decision-making process.	Develop processes to close the loop sufficiently on engagement activities	Development of process	2024-2025
	Evaluation of the effectiveness of the process based on sentiment	TBC based on baseline	2025-2026
2. Continually develop and improve Council's community engagement practises and capacity through regular review and evaluation.	Review and evaluate engagement activities	Review with relevant departments	June 2025
3. Assess engagement activities' effectiveness against the Strategy's principles and the diversity, equity and inclusion objectives.	Review and evaluate engagement activities	TBC based on baseline	Yearly
4. Monitor community sentiment via a range of mediums e.g. social media monitoring, a demographic "community satisfaction" survey of Kiama Municipality, feedback from workshops, community events, committees and community groups.	Undertaking of a demographic "community satisfaction" survey	Completion of survey	2025-2026

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Authorisation and version control

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

Variation and review

The Strategy should be reviewed within 3 months of the local government elections as part of the broader review of the Community Strategic Plan.

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

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

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Your community, *your say*

A vibrant diversity of voices

Community Engagement Report
Your community, your say
Phase 1: Consultation (co-design)
13 March – 2 April 2024

Acknowledgement of Country

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

2 | Community Engagement Report: Phase 1

This page image: Kiama Council Australia Day 2024 activities. Peter Izzard Photography

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Introduction

This report presents the results of the co-design phase of the community engagement consultation to draft Kiama Municipal Council's Community Engagement Strategy.

Kiama Council is committed to developing a culture of meaningful community engagement to achieve better and more sustainable outcomes for the municipality. Insights from the co-design consultation are used to re-draft the Community Engagement Strategy as a practical framework for Council to engage with diverse voices across our community, businesses and other stakeholders in a meaningful and measurable way. It will also form actions for delivery that will be commitments made to our community through our Integrated Planning and Reporting Framework – namely the delivery program and operational plan.

Our engagement with community on the draft Strategy does not end here. During the exhibition process, we will continue to gather feedback and actively engage with stakeholders, including but not limited to youth, First Nations groups, the business community and more.

Who we engaged

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

Community consultation	Staff consultation

• Spoke to 160+ individuals and handed out flyers to more than 1,000 people at community pop-ups across eight locations in our Municipality
• Met with various committees and stakeholder groups, including:
  o Kiama High Student Representative Council
  o Kiama Area Precincts Alliance
  o Liveability and Infrastructure Committee
  o Sustainable Communities Committee
• Received 240+ "Your community, your say" survey responses
	• Organised a workshop with Councillors
	• Facilitated a cross-departmental staff workshop with 29 participants
	• Received 20+ responses to the Council staff survey
	• Conducted interviews with executives and key staff members

What we heard – summary

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

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

Receive Council information
1. Local newspapers (56%)
2. Regular e-newsletter (42%)
3. Council website (41%),
4. Council's Facebook page (41%)
5. Brochures in letterbox (38%).

Provide Council with input
1. Filling out a survey (64%),
2. Writing a letter or email (48%),
3. Quick online polls (44%)
4. Talking to council staff (37%)
5. Online forums (26%)

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

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

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

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

"Progress can be qualitative not quantitative"

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

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

"Ratepayers are looking for outcomes, not more talk"

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

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

"Council needs to close the loop and be transparent"

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

Detailed consultation insights

Kiama Council Executive and key staff interviews

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

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

Communication was seen as an area for significant improvement, with a desire to provide community with timely information about Council activities – from both strategic and day-to-day operations perspectives. While innovation and creativity was welcomed, it was noted that the Community Engagement Strategy should provide a practical framework that allows Council to plan and deliver engagement activities with the resources they currently have.

Staff and Councillor workshops

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

However, time and resourcing were seen as significant barriers to undertaking meaningful two-way engagement, with staff commenting that the substantial prep work required to deliver activities was disruptive to project delivery timeframes. Additionally, engagement fatigue was highlighted as a potential issue within the small community. With this in mind, staff highlighted the need to ask community how they want be engaged by Council and what topics/issues they are most interested in.

Relationship building was seen as necessary to improving the community's trust in Council. Clarity and transparency were seen as essential, especially with regards to what community can and can't influence. When considering the strategy itself, a simple, high-level document was preferred, utilising visual communication such as flowcharts and process maps as opposed to lists and heavy text.

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Council committees and KAPA meetings

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

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

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

Some of the Precinct and Association (P&A) office-bearers are dissatisfied with their minutes no longer being in Council's business papers and would like their groups to be promoted by Council as a conduit for community views. Council has advised these meeting minutes can be published on the Precincts and Associations' own websites with a link from Council's site.

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

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

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

Council staff reiterated that, while the P&As and committees are a valued part of our community engagement mix, we are looking to increase the diversity of voices and reach out to those who are less-often heard.

Youth consultation

Kiama Council's Community Hubs Manager, Youth Worker, and Community Engagement Officer engaged with Kiama High School's Student Representative Council (SRC) to discuss effective methods of involving youth in important topics such as growth and housing.

The meeting's insights emphasised that young people have busy lives and a lot on their plates; meeting them where they are and integrating engagement activities within existing commitments works well, eg: as part of a school term/period. Clear communication about the purpose, level of influence and outcomes of engagement activities are crucial. Graphic recording of workshops was highlighted as a great and interactive way to achieve this.

Several recommendations were put forward, including tailoring discussion topics to align with youth interests and leveraging tools like sticky notes for anonymous contributions, creative mediums, and interactive games. Drawing from past successful experiences like the 2022 Housing and Recreation & Outdoor Spaces Youth Workshop, the group emphasised providing clear instructions, fostering interactive sessions, and facilitating connections between participants and local leaders, such as the mayor, councillors and staff. Furthermore, there was a suggestion to incorporate a career-oriented perspective and focus on themes like the future, sustainability, and environmental awareness to enhance engagement among young audiences.

SRC students also expressed an interest in co-designing and leading engagement activities for their peers. Engaging young people can be used as an avenue to reach their often-busy parents.

Your community, your say – Community survey

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

The survey had around 250 responses (approximately representative of 1% of the population of Kiama LGA) via digital and on-paper. The largest group of respondents were aged 65-84 (38%) followed by age 55-64 (19%), 45-54 (17%) and 35-44 (16%), however we received responses in all age brackets, including respondents aged under 18 and 85+.
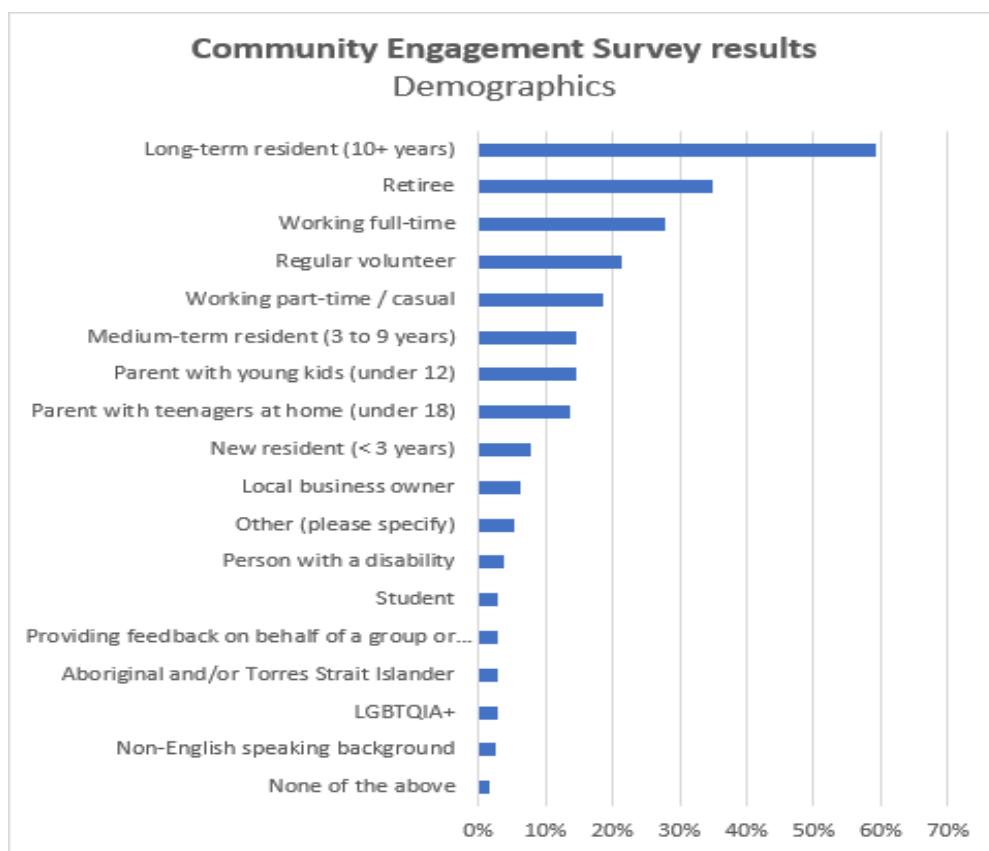
Demographics: The largest cohort had lived in the Kiama Municipality for 10+ years (60%). 35% of respondents were retirees, 28% working full time, 19% work part time and 21% regularly volunteer, with 6% of respondents identifying as a local business owner. Around 4% of survey respondents identified as living with a disability, 3% identified as LGBTQIA+ and 3% as Aboriginal or Torres Strait Islander. Please note that people could identify themselves as multiple categories in this question. (see demographics graph page 9).

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

Top 5 topics people want to engage on:
1. Town planning and Development (65%)
2. Opportunities to provide feedback on Council projects etc (48%)
3. Environment and land/coastal management (35%)
4. Parks, venues, playgrounds, recreational facilities etc (34%)
5. Roadworks & Infrastructure (26%)

Community Engagement Survey results
Comparison of ideal and usual medium for Council information

% Difference in ideal versus usual	Medium
-8%	Local newspapers
18%	Regular e-newsletter (Kimunico)
11%	Council website
11%	Council's official Facebook page
18%	Brochure in letterbox
14%	With your rates notice
4%	Community meeting
14%	From Council staff at pop up stalls
6%	Council meetings (online)
3%	Radio
2%	Local Library
6%	Public notice boards
5%	Council's official Instagram page
5%	Television
-7%	Council meetings (face to face)
-49%	Community group Facebook page

Legend: ■ Usual medium ■ Ideal medium

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

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

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

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

Community Engagement Survey results
Medium for providing input to Council

Medium	%
Filling out a survey	64%
Writting an email or letter	48%
Quick online polls	44%
Talk to a Council staff at pop-up stalls	37%
Participating in a council led online forum or webinar	26%
Attending the public forum prior to a council meeting	23%
Phoning us	17%
Commenting on Council's social media posts	16%
Other (please specify)	7%

Most survey respondents indicated they would like to tell Council their thoughts by filling out a survey (64%), writing a letter or email (48%), quick online polls or talking to council staff (37%). This data will guide the Council in prioritising these channels to engage with the community. Overall feedback (incl. comments provided in "Other" option) highlighted a desire for Council to provide a combination of online and in-person engagement methods.

Community Engagement Survey results
Level of desired involvement in desision-making

Segment	%
Just keep me informed	24%
I would like to be consulted	37%
I want to actively participate	35%
Other (please specify)	4%
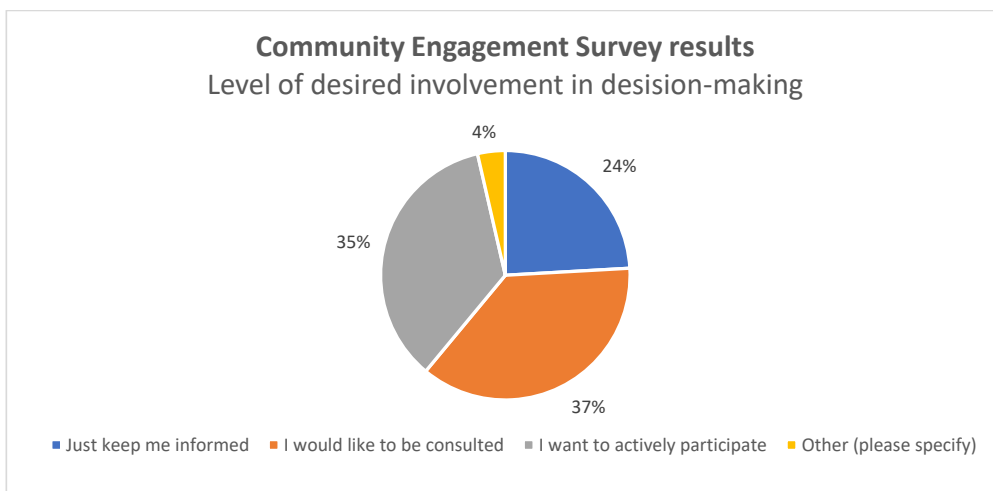
The majority (72%) of survey respondents were interested in being involved in Council's decision-making. The Strategy highlights a variety of methods and tools for the community to be involved and participate in decision-making. It's also important for Council to make clear to community how much influence they can have on each decision, to manage expectations and avoid negative backlash.

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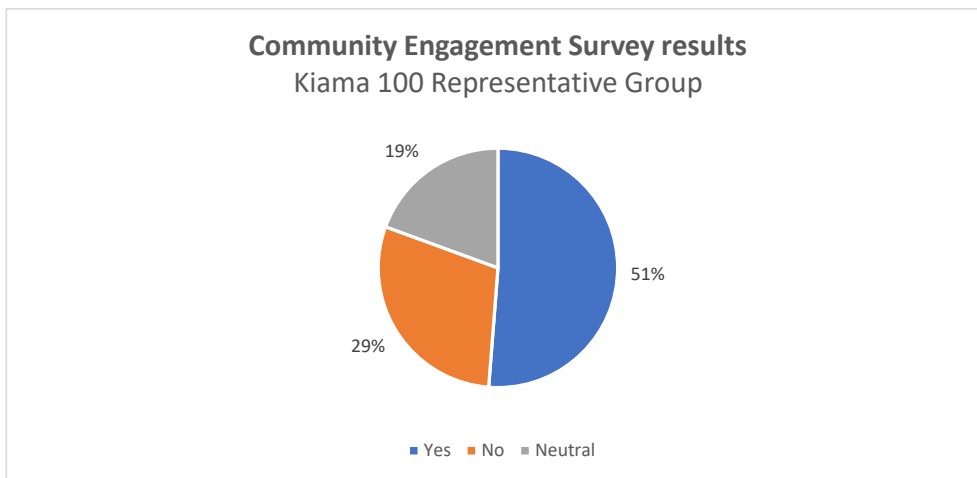
More than half of survey respondents (51%) supported the Kiama 100 initiative, which aims to capture the diversity of voices within our community.

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

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

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

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

Community pop-ups

Council staff reached more than 1,000 residents, including holding in-depth conversations with around 160 people across the Municipality at our Household Bulky Waste event and community pop-ups.

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

Although not able to deeply engage with everyone, those who were handed flyers were given a brief introduction to explain Council is developing Community Engagement and Growth & Housing strategies and encouraged to take the online survey.
Many expressed appreciation at seeing Council "out and about" and engaging in these discussions. Council's Community Engagement team is keen to make these a regular occurrence and will look to include pop-ups as part of engagement planning and schedules going forward.

Below is a table indicating the main themes discussed with members of the public at our community pop-ups and Household Bulky Waste event. Where possible, feedback will be disseminated to the relevant decision-makers for their information and deliberation.

Community Pop-up results
Overall Themes
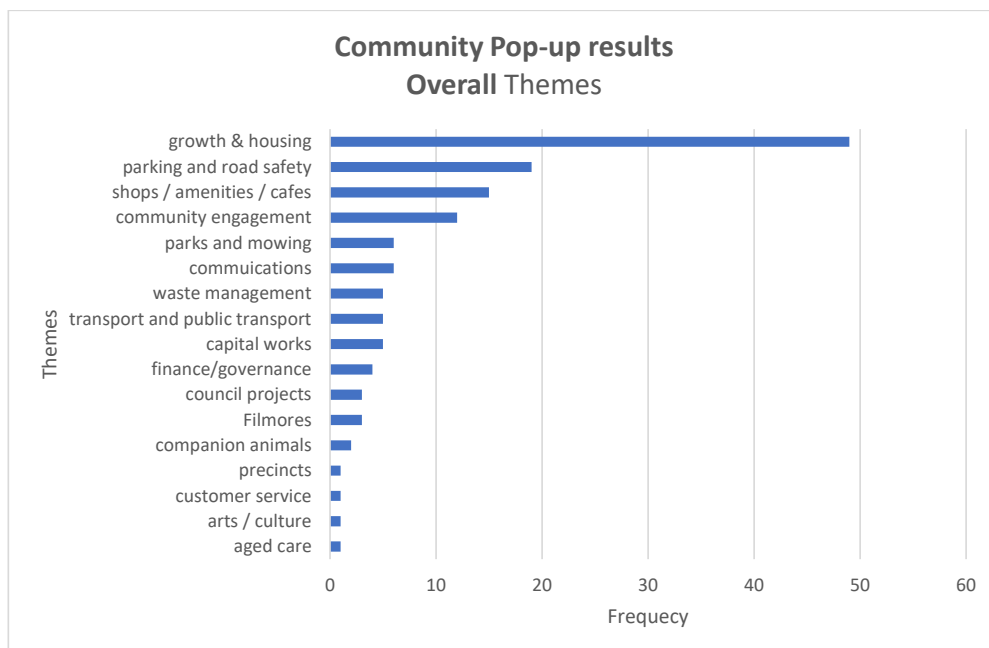
Below is a table indicating the sub-themes within the Community Engagement realm discussed with members of the public at our community pop-ups and Household Bulky Waste event.

Community Pop-up Resulst
Community Engagement Results
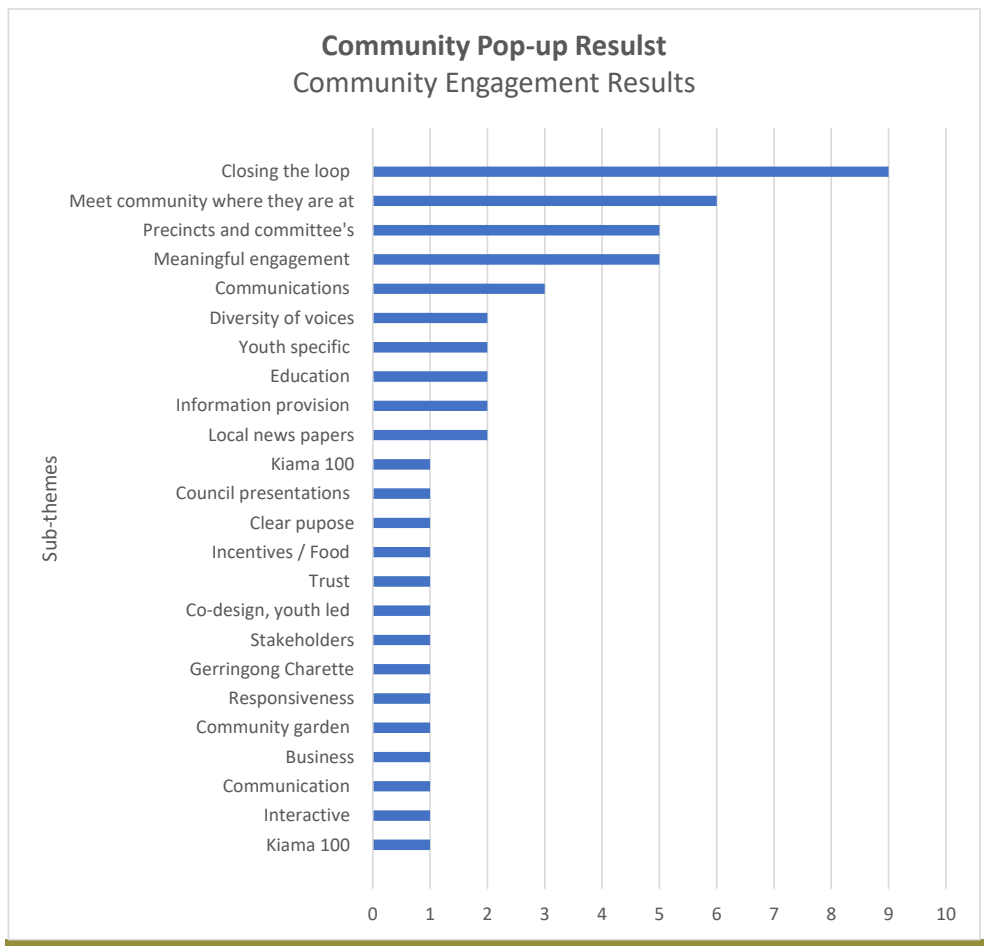
The feedback gained during the phase 1/ co-design period has provided a range of insights that were considered when developing the Draft Community Engagement Strategy.
These insights will also form the basis of the development and improvement of Council's Community Engagement Toolkit, templates and future engagement activities.

Next steps

The Draft Strategy was endorsed by Council for public exhibition at its Ordinary Meeting on 16 April 2024 as follows:

Resolution 24/097OC.
Resolved that Council:
1. Endorse the draft Community Engagement Strategy for public exhibition for a period of 28 days.
2. Note if submissions are received during the exhibition period a further report, including an engagement report will be provided on any proposed amendments to the Strategy.
3. Adopt the Community Engagement Strategy if no submissions are received, on the day after the completion of the public exhibition period. (Councillors Larkins and Draisma)

Next steps

1. **Public exhibition of draft strategy**
   The Draft Strategy has been placed on public exhibition for 28 days until 17 May 2024. Council staff will continue to actively engage during the exhibition period with stakeholders including but not limited to youth, First Nations groups, the business community and more. This will provide community and stakeholders with another opportunity to have their say.
2. **Consideration feedback**
   Feedback and insights from the exhibition period will be collected and collated alongside data already gathered during the co-design period to further refine the Strategy.
3. **Council endorsement**
   The final Strategy will be reported back to Council for adoption, including a Community Engagement Report outlining how feedback received during the consultation phases shaped and informed the Strategy.
4. **Post Local Government Elections review**
   Council will be asked to once again review the Community Engagement Strategy. It is hoped that, given all the hard work that is going into the Strategy now, this process can be streamlined and will take the form of a minor review, thus freeing the new Council to direct their focus to high-level strategic documents such as the Community Strategic Plan and important and pressing matters such as Council's ongoing Performance Improvement Order.

Have your say:

https://www.kiama.nsw.gov.au/Council/Your-say/Community-Engagement-Strategy

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Appendix 1: Survey Results

See: <u>Survey Results – Your community, your say.</u>

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Appendix 2: Summary of engagement activities

Date	Event	Reach	Engaged
Phase 1: consultation - Co-design			
29- Feb	Your community your say Project page	879	
29-Feb	Press release: "Growth and Community Engagement" on Council website, distributed to media lists.	959	
29-Feb	Social media schedule launched of 8 posts		
13 March	Launch of "your community, your say" survey – online and paper versions		242
13-Mar	Infrastructure & Liveability Committee – workshop		7
14-Mar	Flyers printed and handed out, and available at Council's Administration Centre and Libraries.	1000	
14-17 March	Council staff at Household Bulky Waste event engaging with community and handing out flyers	520	50
22-Mar	Community pop-ups at Kiama Downs - FoodWorks	100	20
22-Mar	Community pop-ups at Kiama Downs - IGA	30	10
22-Mar	Meeting with Precincts and Associations (KAPA)	40	9
23-Mar	Community pop-ups at Minnamurra	20	5
23-Mar	Community pop-ups at Jamberoo	50	20
23-Mar	Community pop-ups at Gerringong	200	25
23-Mar	Community pop-ups at Gerroa	2	
26-Mar	Sustainable Communities Committee – workshop		7
27-Mar	Community pop-ups at Farmers Market	50	25
2-Apr	Meeting with Kiama High School SRC students		16
	Total	**2848**	**429**

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Your community, *your say*

A vibrant diversity of voices

Community Engagement Report
Your community, your say
Phase 2: Consultation – Public Exhibition
17 April – 17 May 2024

Item 13.2

Attachment 3

Acknowledgement of Country

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

2 | Community Engagement Report: Phase 2

Image: Kiama Council Australia Day 2024 by Peter Izzard Photograph

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Introduction

This report presents the results of Phase 2, the Public Exhibition of the draft Community Engagement Strategy (the draft Strategy). Insights from this phase have been used to refine and finalise the Strategy to provide a practical framework for Council to engage with diverse voices across our community, businesses, and other stakeholders in a meaningful and measurable way.

During Phase 1, the Co-design of the Strategy, Council engaged with stakeholders through workshops, pop-ups, and surveys, capturing more than 1,000 interactions. This inclusive approach included staff, Councillors and committees, as well as gathering community feedback through direct interactions with community members in various locations and events throughout our Municipality. Representatives of community groups in the Kiama area, including the Precincts and Associations and Kiama High School students, were also engaged. The Phase 1 Engagement Summary Report is available on our Your Say page.

Who we engaged during Phase 2 (Public Exhibition):

The following engagement activities were undertaken to receive feedback on the draft Strategy during the Public Exhibition.

Community and staff consultation
- The draft Strategy was placed on public exhibition for 28 days from 17 April – 17 May 2024, which was promoted through the usual website and social media channels, as well as emailed to 125+ "Your community, your say" survey participants.
- Staff were updated through the staff newsletter and an intranet news article.
- Promotional posters were distributed across Council buildings in the Municipality, and local community groups were engaged to help spread the word by providing them with posters/flyers to distribute.
- Community pop-ups across four locations in our Municipality during Phase 2 reached around 200 community members, with in-depth engagement with about 60 individuals through conversation and participation in interactive engagement activities. (This builds on the 1,000+ community members and stakeholders reached in Phase 1, co-design).
- Presented and discussed the draft Strategy with Jamberoo Valley Ratepayers & Residents Association.
- Held several disability Inclusion focussed conversations that build on the Disability Inclusion Action Plan (2023-27) consultation findings.
- Observed the effectiveness of interactive youth engagement activities across the libraries, primarily school and high school, reaching around 450 young people.
- Thirteen (13) formal submissions were received.

The planned consultation with the First Nations reference group was unfortunately not able to be undertaken during the exhibition period. Consultation is planned as part of the Strategy review which will occur post-Local Government election (by December 2024).

See Appendix 1 for a summary of all engagement activities undertaken.

What we heard – summary

Staff told us:
- Provide clarity on roles and responsibilities for all stages of community engagement.
- Build staff capacity and provide practical tools.
- Important to consider how much time it takes to effectively plan, design, implement and report on community engagement.
- Continuously evaluate community engagement activities to ensure the program effectively meets community needs.
- Limited resources and budget are significant barriers to overcome.

Community told us:
- Meet community where they are to reach a greater diversity of voices.
- Clearly communicate the purpose of engagement and the extent of community influence on decisions.
- Community pop-ups with relevant staff are a popular, informal and effective way for the community to interact with Council staff.
- Close the loop through follow-up communications that prompt and are tailored to specific audiences, detailing progress, outcomes, and fulfilment of commitments.
- Collaborate with youth and other underrepresented groups to design and implement engagement activities that are relevant and accessible to them.

How people hear from Council:
Multiple mediums, with a preference for:
- Local newspapers (88%)
- Regular e-newsletter (47%)
- Rates notice (41%)
- Council's Facebook page (36%)
- Brochures in letterbox (29%).

Provide Council with input and feedback:
Multiple mediums, with a preference for:
- Filling out a survey (68%),
- Community Pop-ups (65%)
- Writing a letter or email (61%),
- Phoning us (37%)
- Quick online polls (31%)

What we heard - detailed consultation insights

Community pop-ups

The community pop-ups were held at various locations, including Kiama Leisure Centre, Kiama Farmers Market, Gerringong Library, and Kiama Library. These events were strategically timed to maximise participation, such as during after-school swimming lessons at the Leisure Centre and early learning activities at the Kiama Library. These pop-ups build on the work Council had already done with nine (10) Community Pop-ups in Phase 1:Co-design of Strategy development, where we reached 1,000+ individuals.

The community responded positively to seeing Council staff actively engaging on the draft Strategy alongside the Growth and Housing Strategy. Overall, the Phase 2 pop-ups reached around 200 additional community members, including in-depth engagement with more than 60 individuals through conversations and participation in engagement activities. These activities included interactive sticky notes and dot-mocracy exercises, allowing participants to consider different aspects of the draft Strategy and provide immediate input. Additionally, participants had the opportunity to make a formal submission.

Interactive engagement activities:

Each pop-up included two dot-mocracy activities that asked participants to vote on their preferred mediums regarding "How would you like to hear from Council" and "How would you like to provide input and Feedback to Council".

Prefered mediums to hear from Council
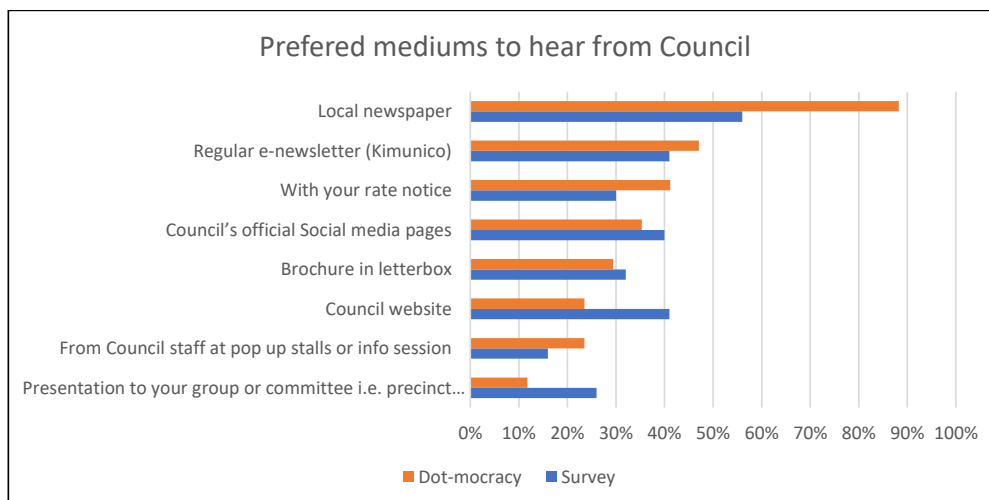
The results of the dot-mocracy activity on "How community like to hear from Council" mirrored the hierarchy of preferred communication mediums from the Phase 1 survey. Local newspapers were highly favoured at 88%, followed by Council's regular e-newsletter, Kimunico, at 47%, and the rates notice at 41%. A notable difference between the dot-mocracy and survey results was the community's indication that they would not regularly visit Council's website without prompts, such as those provided via social media or the e-newsletter.

Community feedback emphasised a preference for receiving information through multiple mediums, indicating that calls for action need to be seen multiple times and across different platforms for them to act. Council is responsive to all media requests, as per our Media Policy and subsequently receives good coverage in local newspapers. Additionally, community-administered Facebook pages are common sources of local news and information. Although these pages are not administered by Council, and staff have limited influence over the content, Council however maintains good relationships with the administrators of most community pages, and information is regularly shared through these channels.

Prefered mediums to provide Council with input and feedback
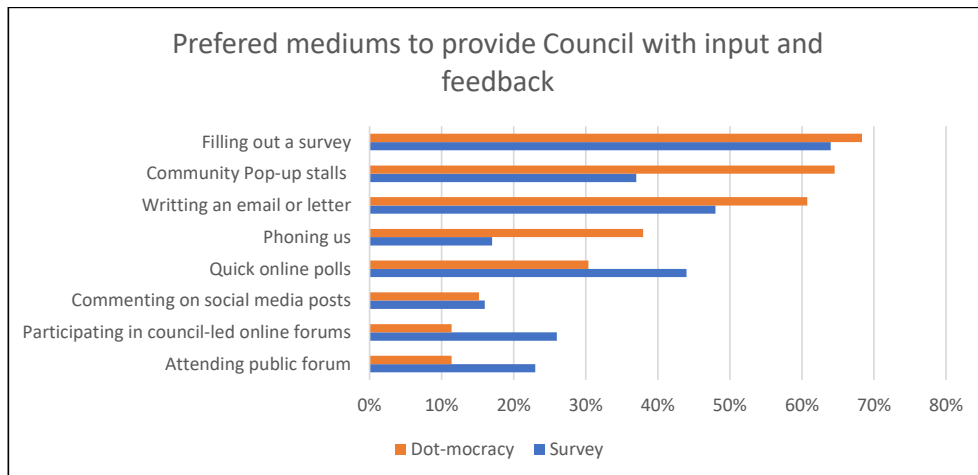
The outcomes of the dot-mocracy activity on "preferred mediums for providing input and feedback to Council" showed a slight adjustment to the hierarchy from the Phase 1 survey results. While filling out a survey remains the most popular medium at 68%, community pop-ups emerged as the second preferred medium at 65%, likely influenced by the positive experiences of those who participated in the pop-ups. This was followed closely by writing an email or letter at 61%.

Like the feedback on receiving information, community input emphasised the need to engage through a combination of face-to-face, online and paper-based opportunities to make participation accessible to all. Additionally, there was a desire for engagement tools that showcased others' opinions to broaden the community's perspective on the diversity of viewpoints and understanding of why decisions are made.

Observations

These were obtained from testing the pop-ups in different locations, the conversations held, and the interactive sticky note activity responses collected during the pop-ups:

- Community pop-ups are an effective way to meet the community where they are and engage with a wide range of community members who don't usually connect with Council. Many participants indicated they found the pop-ups approachable and a unique opportunity to engage with Council.

- Successfully delivering the pop-ups in conjunction with the Growth and Housing Strategy highlighted the possibility for consolidating engagement efforts on multiple topics.
- Meaningful engagement through pop-ups requires the presence of relevant staff, preferably senior officials or subject-matter experts (SMEs). Connecting the community with SMEs helps rebuild trust with Council and provides relevant staff with valuable insights into community needs, concerns, and aspirations, leading to more sustainable outcomes.
- Attending sporting activities, such as swimming, rugby, football or Oz tag training, is an effective way to reach families with primary-school age children. This was evidenced by a spike in survey responses from that demographic after hosting a pop-up at the Kiama Leisure Centre. Using pre-loaded iPads for surveys or online polls can further enhance engagement with this stakeholder segment.
- Community members emphasised the importance of timely information about upcoming pop-ups and spreading events across different townships to ensure a diversity of perspectives on local issues and differing voices are captured.
- Many community members raised non-engagement-related concerns or enquiries during the pop-ups, highlighting that this process could be an opportunity to capture and address additional Council-related issues. Common topics included grass mowing, parking, maintenance, safety issues, and resource distribution.
- The community's engagement experience is closely tied to the community's perception of Council's responsiveness. While this perception is sometimes influenced by information shared on Facebook groups, community pages, and local gossip, providing confirmation of receipt of communication, expected waiting times, next steps, and keeping the community informed throughout the process is crucial. Response templates will be developed as part of the engagement toolkit to ensure the community is kept in the loop.
- Some community members suggested that Councillors join the pop-ups to provide a direct and approachable opportunity to communicate with elected officials.
- The timing of pop-ups should align with Council meetings to provide the community with a sufficient timeframe for providing input. A duration of two hours for each pop-up was considered ideal by participants and staff hosting.

Potential location for future pop-ups:

Township	Location	Day	Time	Demographics
All (other than Kiama)	Outside local supermarkets	Any day	Anytime	Mix
Gerringong	Gerringong Markets	3rd Saturday of the month	8:30am - 1:30pm	Mix, including tourists/visitors
Gerringong	Library	timed with early learning activity	10am - 12am	Families with infants and young children + mix
Gerringong	Dementia Dancing, Uniting Age Care Facility	First Friday of each month	10am -12pm	People with a disability and carer
Gerringong	Mayflower, Uniting Age Care Facility	During the week	Between 9 am - 5pm	Older persons, people with a disability and carer
Jamberoo	Jamberoo Football Club	Training days or Saturdays for games (April – September)		Families with young children
Jamberoo	Jamberoo Markets	Last Sunday of every month	8am - 3pm	Mix, including tourists/visitors
Jamberoo	Pool	From Dec	3pm - 5pm	TBC
Kiama	Farmers Market	Wednesdays	2pm -4pm	Families with young children, retirees + Mix
Kiama	Woolworths	Any day	Anytime	Mix
Kiama	Topshop	During the week	Anytime	Mix
Kiama	Leisure Centre	During the week	3pm - 5pm	Families with young children
Kiama	Main street / Old Fire Station Gallery	During the week	9am - 5pm	Mix, including tourists/visitors
Kiama	Library	timed with early learning activity	9:30am - 11:30am	Families with infants and young children + mix
Kiama	Blue Haven Bonaira and Terralong	During the week	9am - 5pm	Retirees, older persons, people with a disability and carers
Kiama	Rugby League, Kiama Showgrounds	Training days or Saturdays for games (April – September)	Afternoon/ Morning	Families with school-age children
Kiama	AFL, Bonaira Oval	Training days or Sundays for games (April – September)	Afternoon/ Morning	Families with school-age children s
Kiama	Community Transport	During the week	9am - 5pm	Older persons, people with a disability and carer
Kiama	Alchemy Chorus Uniting Church	Every Thursday	10am – 12pm	People with a disability and carer
Kiama Downs	Oz tag, Gainsborough Oval	Tuesday / Wednesday afternoons (October – March)	4pm - 6pm	Families with school-age children

Note: Due to budget limitations, Council staff will generally avoid scheduling pop-ups on Saturdays and Sundays when alternative options are available during the week.

Youth Engagement:

Young people are the future of our region, and it is important that they have the opportunity to shape that future. Building on the learnings from the youth engagement focus group undertaken with the SRC representative student from Kiama High School during Phase 1, the following engagement activities are considered from an observational and reflective lens to identify an effective engagement approach to encourage youth participation. It was decided not to combine the engagements to avoid potential confusion for the young participants.

Pre-school-aged children

Council staff from the Strategic Planning, Community Engagement and Library teams installed an interactive activity station at both Gerringong and Kiama Libraries from 16 April to 31 May to engage children in thoughts around growth and housing. The interactive set-up included cardboard houses that could be decorated and drawing sheets prompting children to draw or write about what makes our community special (beyond their family and pets) and what would make this town an amazing place to live in 20 years.

Although the constructive feedback from the children was limited, the activity successfully engaged young children and sparked conversation amongst the parents and caregivers who were, through the activity, informed of the project and encouraged to complete the available survey.

Primary school

Council staff from the Strategic Planning, Community Engagement and Community Hubs teams facilitated an interactive workshop to engage primary school-aged youth, specifically about 90 students from Years 5 and 6 at St Peter & Paul Catholic Primary School. The workshop began with an overview of the role of local government and an introduction to town planning. Following this, the students participated in two hands-on activities designed to gather their insights and ideas.

The first activity provided aerial maps of suburb and village areas, asking, 'What do you like about the Kiama LGA?'. The students were given three sticky notes to write down their thoughts and place them on the map. A total of 324 responses were received, demonstrating the effectiveness of this activity. It ensured that everyone could write down their thoughts anonymously, allowing quieter or more reserved students to share their ideas without the pressure of speaking in front of the group. Students also actively reflected on their peers' responses, stimulating further discussion.

The next activity focused on 'What does the Kiama LGA look like in the future?' and the students got to be town planners for a day. They were provided with a map of a new greenfield site and, together in small groups, designed a new town that included visual representations and written words. The students enjoyed the activity's creative process, allowing them to express their imagination and ideas while working together towards a common goal.

Overall, this interactive workshop was a great way to meet the young people where they are, empower students to take an active interest in their community's future and spark conversations beyond the school boundary.

"Thank you for this initiative. It started a great conversation at home with my son about our community. He felt really engaged." Parent of Participant, SS Peter & Paul Catholic Primary School, Kiama

High School

Council staff from the Strategic Planning, Community Engagement and Community Hubs teams, together with students from the Student Representative Council (SRC), facilitated 10 workshops over 2 days which were attended by about 200 students from Years 9, 10, 11 and 12, including a Specialist Support class.

The Workshop included a brief introduction to the role of Council, the aim and objectives of the engagement, an online game of Kahoots to warm up, 3 activities and some practical time at the end for building Lego houses. Using a diverse and interactive mix of learning, competitive, practical, and personal-based activities worked well, and effectively kept students interested and engaged. The involvement of SRC students in co-designing and co-facilitating the workshops significantly enhanced engagement levels, indicating a potential for their deeper involvement in future activities.

After delivering the first two workshops, adaptations were made to the run sheet based on feedback from the SRC students, highlighting the importance of agility in responding to participants' needs. The workshop with the Special Support class underscored the necessity for tailored activities, suggesting a need for co-design with teachers and support staff for future engagement. Post-workshop feedback from SRC students emphasised the importance of timely, youth-specific communications to close the engagement loop. This includes sending a thank you email, providing overviews of the next steps, sharing feedback summaries, and organising follow-up activities to review outcomes.

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Looking ahead, there is strong interest from high school teachers, SRC students, and the broader student body in continued engagement activities. Sufficient time should be allocated within the engagement timeline to support the co-design and facilitation together with the SRC students. Additional methods such as vox-pop stands, explanatory videos, and combining face-to-face with online engagements can enrich the process. The collaboration across various departments proved beneficial, though clearer role delineation could improve future efforts.

"Students liked feeling heard and giving feedback on big issues impacting the community," Gemma, Relieving Head Teacher Wellbeing

"Our youth are the future of our community, so being heard is something that is very important to today's society. This program has really nurtured youth's voice in a positive manner." Thomas, School Captain

"It was an engaging program for the students to have their opinions on issues in the Kiama LGA heard, and suggest improvements that can be made to benefit young people," Ruby, School Vice-Captain

"An amazing interactive experience, as it allowed the future of the community to have their say on relevant and future issues." Jack, School Vice-Captain

Industry Forum

Council staff from the Strategic Planning, Economic Development and Community Engagement teams hosted an industry forum as part of the Growth and Housing on 12 April, attended by over 60 stakeholders, including builders, developers and building designers. The session included presentations from Council staff, Q&As and round table discussions. Feedback from the round table discussions on Community engagement and notification included:

- Matters interested in including DAs, Council strategies, DCPs etc.
- The preferred medium to receive information includes email, e-newsletter, and social media,
- The preferred medium to provide feedback includes submitting forms, surveys, and open discussions, i.e.: the industry forum.
- To not just listen to the squeaky wheel but hear from the silent majority.

Jamberoo Valley Ratepayers and Residents Association

Members of the Communication and Engagement team presented at the Jamberoo Valley Ratepayers and Residents Association meeting on 7 May, attended by about 20 community members. The team discussed the development of the draft Strategy and its key themes. This was followed by an interactive session inviting attendees to use Menti to respond to several prepared questions about the draft. Menti proved to be less ideal for the setting, which resulted in opening the floor to audience questions. Key themes included:

- The role of precincts and committees to be more formally recognised in the Strategy, particularly in their ability to provide place-based feedback on Council plans, projects, policies etc.
- Some concern over newer Council staff being unfamiliar with local issues and all locations in the municipality.
- A desire to know who does what at Council and how to contact them directly.
- Suggestions for face-to-face engagement included holding regular, widely promoted pop-ups at schools, especially during pickup times.
- 'Closing the loop' was another common theme, with participants expressing a desire for regular updates or outcomes from consultations and to be notified of results. This stresses the importance of timely action on survey results and consultation /exhibition submissions.

Recommendation: The draft Strategy to be updated with a link to the Committees Framework Policy, this policy provides an overview of how Council continues to support and value the contributions of the Precinct Groups and Community Associations and a roadmap for how Council committees operate with community members as committee members.

Disability Inclusion Consultation

Building on the community engagement undertaken to develop the Disability Inclusion Action Plan (2023-27), the Community Engagement Officer held extensive conversations with the Community Hubs team, Illawarra Advocacy, and the Dementia Inclusive Kiama Project. The objective was to cross-check and refine the actions included in the Strategy to support and encourage the participation of people with lived experience and/or experience in disability in decision-making processes.

These conversations highlighted the following points:
- It is crucial to disseminate information through established and trusted networks. Emphasising the importance of building on existing networks and collaborating with community champions can enhance outreach and engagement. Some suggestions include Illawarra Interagency, Dementia Inclusive Kiama Project, Carer Gateway, Meals on Wheels, and the Parkinson Network.
- Carers and support workers play a vital role in the daily lives of individuals with disabilities; therefore, they are key stakeholders in the participation of the disability community. This was further underscored by observations made during the engagement with the Special Support class at the local high school.
- It is essential to engage with the community in locations and settings where they feel most comfortable and supported. Some suggestions include Community Transport, Mayflower Uniting Church Age Care Facility, Blue Haven independent living and residential aged care, Alchemy Chorus at the Uniting Church in Kiama, and Dementia Café.

These insights have been instrumental in refining the Strategy actions related to disability inclusion and informing the Community Engagement Schedule to ensure it is inclusive and effective in meeting community members with experience of a disability and their carers where they are.

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Submissions

A total of 13 submissions were received during the public exhibition period, which were in read and considered in full by the project team. Respondents were asked to:

- Reflect on the feedback received by Council during Phase 1 – co-design - of the Consultation (via the Phase 1 Community Engagement Report) and offer additional insights.
- Review the draft Strategy and identify any potential gaps or omissions.
- Contribute insights to scheduling face-to-face community engagement activities, such as community pop-ups.

Summary of submission comments	Themes	Response and recommended adjustments
Four (4) submissions indicated that the draft Community Engagement Strategy lacks the opportunity for community members and groups to be recognised and heard and to be able to influence Council decisions. To resolve this, the following additions are called for: • Clear definition of the "stakeholders" and who defines who a "stakeholder" is and who is not. • Community Stakeholders list (incl. community groups) that you intend to engage with, which is a requirement by the Office of Local Government (OLG). • A new formal connection between the Precincts with Councillors and staff to be identified in the Community Engagement Strategy. • Pre-defined pathways on how to access and organise access to Councillors and KMC to openly discuss community matters (rather than the community members "being informed" of what Council has decided.	Community Stakeholders definition and identification Precincts and associations Clear pathway to engage Councillors and staff	The different cross-sections of community have been identified through the table on p10 in the Strategy. The role of community is also included in the Roles & Responsibility table on p12-13. The Strategy highlights that community engagement is undertaken when there is an opportunity for impacted communities to influence specific actions, outcomes or decisions or when there is a legislative requirement to do so. The IAP2 matrix allows Council project teams to determine if engagement is required and the degree to which community will be engaged. Council will continue to support and value the contributions of the Precinct Groups and Community Associations, as outlined in Council's Committees Framework Policy, (Endorsed September 2023) **Recommendation:** The draft Strategy to be updated with an adjustment of the "Engaging with Community" to "Engaging community and other stakeholders" with a clear definition of how stakeholders are defined. The table to be updated with the inclusion of the following: • Community organisations and groups • Schools and education providers • Mayor and Councillors • Council staff In addition, the Committees Framework Policy had been added under "Council Strategies and Action Plans" on p11

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Comments	Theme	Recommendation
Five (5) submissions included suggestions for future face-to face opportunities in the engagement schedule. Overall, welcoming additional genuine face-to-face opportunities for Council staff and locals to have conversations and be kept in the loop. The following comments are community pop-up specific: • To have relevant staff, ideally senior, to be present at the pop-up to be able to address any concerns and give confidence that the source is reliable. • Councillors to be present • To involve genuine two-way information between the Community and Council with the opportunity to make a submission, not just an information session with pamphlets. • Location suggestions: farmers markets, Kiama Leagues Club, Bowling Club, Council Halls, at Council and Libraries • Time and place variety to make it accessible to as many community members as possible e.g.: 6pm for those who work full time. • Timing to be aligned to council meetings or important consultation cut offs. In addition, presentations at Precinct Groups and Associations were highlighted as another face-to-face opportunity to engage with community.	Relevant staff Meaningful engagement Meeting community where they are Alignment with Council Meeting schedule Precincts and Associations	All comments have been considered in developing the community pop-up schedule. In addition, this schedule will be reviewed and adjusted throughout the year to ensure it remains effective and continues to meet the community where they are. **Recommendation:** The draft Strategy is to be updated with a community engagement schedule in Appendix 2. The pop-ups are typically scheduled for the week following the Ordinary Council meeting, which occurs on the third Tuesday of the month. This timing allows community members to have their say on any new plans, policies, and strategies placed on public exhibition or opened for consultation. Councillors to be invited to attend pop-ups as appropriate
Three (3) submissions called for more transparent and genuine engagement and communication, with the urge to rebuild trust with the community.	Meaningful and transparent engagement,	Meaningful and transparent engagement is reflected in the objective and principles of the draft Strategy. Additionally, Council's commitment to close the loop on engagement activities more effectively will support rebuilding community trust. **Recommendation:** No amendment to the draft Strategy.

One submission raised concerns that surveys could be designed to elicit specific results and that replies might be 'hand-picked' to support certain views. Consequently, it calls for Council to consider polls as a consultation method, as their results are clear and straightforward.	Community engagement tools that provide feedback by design	The draft Strategy includes an action that commits to exploring digital engagement platforms to enhance accessibility and broaden community reach, including quick online polls. **Recommendation:** The draft Strategy action is to be updated to "Explore digital engagement platforms to enhance accessibility and broaden community reach, including online polls that provide feedback by design".
One submission indicated not enough involvement of the community, direct voting on big Council decisions should be introduced. Not for every little decision, but for very big decisions, probably once or twice a year, like very large developments, sales of Council land (that belongs to the community!) Council should give the community the opportunity to directly vote pro or con. That way Council would truly see what the community wants	Empower (IAP2)	For Council to host a direct vote involving all community members has significant budget and resourcing implications. Councillors are the elected body responsible for voting on major council decisions. The draft CES highlights that community engagement is undertaken when there is an opportunity for impacted communities to influence specific actions, outcomes or decisions or when there is a legislative requirement. The IAP2 matrix allows Council project teams to determine if engagement is required and the degree to which stakeholders will be engaged. Community members are always welcome and encouraged to attend Council meetings and Public Access forums and/or watch via Livestream. **Recommendation:** No amendment to the draft Strategy.
One submission highlighted the need for an engagement Strategy to recognise the different needs of different locations.	Communities of place	The draft Strategy recognises communities of place in the table on P10-11. Also, the Community engagement schedule includes pop-ups across the municipality. **Recommendation:** No amendment to the draft Strategy.
One submission called to consider the inclusion of engagement on state and regional proposals to change legislation or regulations that have a significant impact on Kiama LGA within the Strategy. While there is usually a requirement for Council to formally respond to a proposal, and often Council submission is brought to the full Council for endorsement, there is often no broader publicity of the changes in the wider community.	Regional and state proposals and regulations	The draft Strategy recognises NSW and Federal government departments/agencies as key stakeholders in the table on P10. In addition, Council often acts as a conduit for information between the NS/Federal governments and the community, including opportunities for community to provide input. **Recommendation:** No amendment to the draft Strategy.

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Theme	Submission	Council response
Building on Local network / Integrate local expertise	One submission highlighted a critical gap in Kiama Council's approach to community engagement and resource allocation. The Council has failed to effectively utilise the local knowledge and expertise available, particularly evident in the missed opportunities for dairy farmers under the Dairy Industry Recovery and Preparation Plan. This oversight has prevented the local dairy industry from benefiting from national funding initiatives to enhance resilience and preparedness. Calling for: • Strengthening local networks by establishing a formal mechanism for regular communication and collaboration between the Council, local experts, and community leaders. • Developing and maintaining a dynamic database of local professionals and experts, especially those with significant ties to major projects and funding programs. These measures aim to ensure that the community fully benefits from relevant opportunities and resources. • Utilise Council engagement surveys to pinpoint the top two areas that community is most passionate about. Harness this insight to identify and mobilise local expertise, enhancing Council's personnel and funding capacity to successfully deliver on the outcomes of the engagement strategy.	The draft Strategy references Council's commitment to build on existing community networks and Identify community champions to drive engagement with communities of place, identity, interest and need on p11. The development and maintenance of a public community expertise database are resource intensive and not currently within the Council's remint; however, as part of the Community Engagement toolkit, an extensive stakeholder overview will be developed to guide targeted engagements. Council will identify community priorities as part of the review of the Community Strategic Plan, which will take place within three months of the Local Government elections. **Recommendation:** No amendment to the draft Strategy
Evaluation metrics	One submission highlighted that the draft Strategy does not detail the specific metrics or indicators that will be used to assess the effectiveness of the Community Engagement Strategy both during and after the exhibition period and requested clarity on how frequently these evaluations will be conducted to ensure the Strategy adapts and remains effective in meeting	The Council will measure the Strategy's effectiveness against indicators linked to the actions on p8 in the draft strategy. This feeds into the operational plan action (5.2.3.1.1) proposed for 2024-25: Update and implement Council's Community Engagement Strategy following Integrated Planning and Reporting requirements and incorporating Community Participation Plan, in accordance with Local

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community needs before its final endorsement by the Council.		Government Act and NSW Department of Planning (DPE) requirements. In addition, each individual community engagement project will be evaluated against the guiding principles of the Strategy as part of the reporting phase (p19) of the engagement framework. **Recommendation:** The draft Strategy is to be updated with Appendix 1: Evaluation Metrics.
One submission highlighted that Council does not advertise in *The Bugle*, which is one local newspaper. Please reference to advertising in the 'local newspaper' as 'optional' or the limitations noted.	Local newspaper	Council currently focuses its advertising spend on the Illawarra Mercury, which is a local newspaper. Council's Communications Officers continue to provide media releases and Council statements as well as supply answers to questions from Bugle journalists, as per Council's Media Policy. This means the editorial in the paper continues to provide broad coverage of Council events, projects, strategies and engagements. **Recommendation:** No amendment to the draft Strategy.
One submission called to include a sentence or two somewhere in this section to note the role of the CPP alongside the CES and to Community Participation Plan (2019) to the list on p11.	Community Participation Plan	The draft Strategy will be updated accordingly. **Recommendation:** The draft Strategy is to be updated with an additional paragraph on the Community Participation Plan (CPP) on p4 and the CPP has been included in the" Strategies and Action Plan" list on p11.
One submission highlighted Council's Community Strategic Plan references Social Justice Principles that underpin our work. Community engagement is a huge part of this. Suggest providing a brief description of the principles of equity, participation, access and rights.	Social justice principles	The draft Strategy will be updated accordingly. **Recommendation:** The draft Strategy to be updated with the inclusion of social justice principles.

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One submission highlighted (under strategies and action plans) community action plans should not be sitting separately to the list above and the wording to describe them is inaccurate. They currently read as secondary plans. Suggest having two subheadings, one for strategies and one for action plans.	Strategies and Action plans	The draft Strategy will be updated accordingly. **Recommendation:** the draft Strategy is to be updated with the inclusion of social justice principles.
One submission highlighted there to be relatively short time span to respond to the "Your community, your say" survey. Being launched between the resumption of schools & universities and close to Easter. Council should conduct community engagement at times of the year that are not close to holiday periods.		The survey was provided as part of the co-design process and, therefore, was not a legislative requirement with a specified timeline. Considering the survey was live for from 13 Mach to 2 April and received 250+ responses, representing roughly 1% of Kiama LGA's population, it was a good result. Council during this co-design period also reached around 1,000 community members to make them aware of the Strategy being drafted and gather their thoughts and feedback. **Recommendation:** No amendment to the draft Strategy.

Other significant additions or amendments

Section	Addition / Amendment	Reason
Strategic approach (p8-9)	Refined "Actions" section	Based on the learnings from engagement during Public Exhibition phase
Engaging with Community (p10-11)	Added "Decision-making" section	To highlight the other factors that play a role in Council decision-making
	Moved the Diversity, equity and inclusion actions into the "Actions" section p9	For consistency
4. Report (p19)	Rename "Report" to "Close the Loop"	To emphasise the importance of this phase
Appendix 1: Community Engagement Schedule (p20)	Added "Community Engagement Schedule"	Developed during the Public Exhibition phase

Thank you!

Thank you to those who joined us at the community pop-ups throughout the Municipality, participated in our workshops or provided us with a submission. Your input and feedback are invaluable in this process and ensure that the Strategy meets the needs and aspirations of our community and stakeholder.

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Appendix 1: Summary of engagement activities

Date	Event	Reach	Engaged
Phase 1: consultation - Co-design			
29- Feb	Your community your say Project page	879	
29-Feb	Press release: "Growth and Community Engagement" on Council website, distributed to media lists.	959	
29-Feb	Social media schedule launched of 8 posts		
13 March	Launch of "your community, your say" survey – online and paper versions		242
13-Mar	Infrastructure & Liveability Committee – workshop		7
14-Mar	Flyers printed and handed out, and available at Council's Administration Centre and Libraries.	1000	
14-17 March	Council staff at Household Bulky Waste event engaging with community and handing out flyers	520	50
22-Mar	Community pop-ups at Kiama Downs - FoodWorks	100	20
22-Mar	Community pop-ups at Kiama Downs - IGA	30	10
22-Mar	Meeting with Precincts and Associations (KAPA)	40	9
23-Mar	Community pop-ups at Minnamurra	20	5
23-Mar	Community pop-ups at Jamberoo	50	20
23-Mar	Community pop-ups at Gerringong	200	25
23-Mar	Community pop-ups at Gerroa	2	
26-Mar	Sustainable Communities Committee – workshop		7
27-Mar	Community pop-ups at Farmers Market	50	25
2-Apr	Meeting with Kiama High School SRC students		16
12-Apr	Industry forum round table discussion		60
Phase 2: Consultation - Public Exhibition			
17-Apr	Press release "Draft Community Engagement Strategy placed on public exhibition" on Council website, distributed to media lists	256	
17-Apr	Publication Community engagement report: Phase 1	15	
18-Apr	Social media schedule launched of 6 posts		
30-Apr	Community pop-ups at Kiama Library	50	15
1-May	Observation of Primary School Engagement		90
2-May	Community pop-ups at Gerringong Library	20	8
2-May	Community pop-ups at Kiama Leisure Centre	55	10
7-May	JVRRA - presentation and discussion		20
8-May	Community pop-ups at Kiama Farmers Market	40	10
9-May	Community pop-ups at Kiama Leisure Centre	40	10
15-May	Observation of Highschool School Engagement		200
31-May	Disability Inclusion conversations		3
	Total	**3311**	**620**

14   REPORT OF THE CHIEF OPERATING OFFICER

14.1   Post exhibition endorsement: Enterprise Risk Management Policy

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

CSP Strategy: 5.3.1 Council will build organisational capabilities and capacity to deliver excellent customer service.

Delivery Program: 5.3.1.2 To reduce risk and promote, maintain and improve the safety culture within the organisation.

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Summary

The Draft Enterprise Risk Management Policy has been developed based on requirements under the Office of Local Government *Guidelines for Risk Management and Internal Audit for Local Government in NSW.* The Policy updates and replaces Council's current Enterprise Risk Policy, last endorsed in November 2021.

Risk implication

The purpose of this policy is to express Council's commitment to implementing organisation-wide risk management principles, systems and processes that ensure the consistent, efficient and effective assessment of risk in all Council planning, decision-making and operational processes.

Policy

Policy framework

Consultation (internal)

This policy is based on the *Guidelines for Risk Management and Internal Audit for Local Government in NSW.*

Council's Audit, Risk and Improvement Committee are aware of Council's activity towards meeting the guidelines which become effective on 1 July 2024.

Communication/Community engagement

The draft Enterprise Risk Management Policy was endorsed by Council at its February meeting to be placed on public exhibition for a period of 28 days.

The draft Policy had initially been developed based on the 'example' policy included on the *Guidelines for Risk Management and Internal Audit for Local Government in NSW.* It was incorrectly referred to as a model in the former report.

Feedback was provided by the Audit Risk and Improvement Committee as well as two written submissions, which collectively noted that the 'example' policy template was inferior to the currently adopted policy. On review of these submissions, this feedback has been considered and the final draft Policy has been prepared by updating the current endorsed policy accordingly.

The Table below reflects the summarised points raised in submissions.

Submission No.	Received from	Condensed submission details	Council response
1	Councillor	**Summary** I congratulate all staff involved in the preparation of the Currently Adopted Policy, which is a far superior policy than the Exhibition Draft Policy. The major concerns I raise below that have led me to this conclusion relate to the Exhibition Draft a) being based on an example, not a model policy b) being inferior to the Currently Adopted Policy c) not having clear accountabilities, roles and responsibilities defined d) not clearly defining how the framework aligns with the AS ISO risk management standard process, particularly with regard to: i. defining how the Governing Body (Council) will define the 'risk appetite' of Council. ii. clearly defining the monitoring, reporting and review processes. iii. defining how performance indicators will be used to assess the effectiveness of the Risk Management Framework and Policy. **Recommendation** While some of the matters raised in this submission may be documented elsewhere this is not evident, in the Exhibition Draft, to the Governing Body or the community at large. Based on my experience the matters raised above, in my	a) Correct, the draft was an example policy (not model), Council is not required to use and have determined to retain current adopted policy content and update. b) Agree, the example policy in the Guidelines is not as robust as Council's existing policy. c) Responsibilities and Accountabilities are included in final draft. LG Act references are included. d) i Risk appetite defined in final draft. Ongoing refining and detail across specific categories will occur in consultation with ARIC. ii. Enterprise Risk Framework will detail monitoring, reporting and review process. iii. Enterprise Risk Framework will detail performance indicators council will use to measure the effectiveness of its risk management framework. **Recommendation**: Agree, Guidelines example policy not pursued, and final draft presented for endorsement is an update to the current adopted policy in line with AS ISO standard and OLG Guidelines.

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14.1   Post exhibition endorsement: Enterprise Risk Management Policy (cont)

Submission No.	Received from	Condensed submission details	Council response
		view, should be documented in whatever Risk Management Policy Council resolves to adopt. This will result in better alignment with the AS ISO standard, greater transparency and accountability, and all those responsible for risk management having a common and complete understanding of how risks are managed across Council. Consequently, I recommend that Council. • Reject the Exhibition Draft Policy, and • Continue to adhere to Currently Adopted Policy, or update the Currently Adopted Policy to further improve it in alignment with the LG Guidelines.	

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14.1   Post exhibition endorsement: Enterprise Risk Management Policy (cont)

Submission No.	Received from	Condensed submission details	Council response
2	Councillor	Council's current Enterprise Risk Management Policy is more comprehensive than the 'draft' This new draft is sourced from an 'example' provided by the Office of Local Government, which is not a 'model' policy. This OLG 'example' is not mandatory. There are always opportunities for continuous improvement, and I feel that our current policy should be the basis for moving forward/amendment. a) The new 'draft' excludes a paragraph on 'scope' b) The new 'draft' makes no reference to risk appetite – it is included in the current policy c) The current policy lists how council will implement risk management. The new 'draft' excludes this section. d) The current policy lists the following roles and responsibilities i.e. 'the council', ARIC, ELT, CEO, Directors, Managers, Risk coordinator, All staff & contractors e) The new 'draft' lists only 'council', all employees, ELT, management team, ARIC, internal audit… no mention of CEO or contractors f) The roles and responsibilities in the new 'draft' are fairly non-descript – refer to Wollongong Council's Risk Management Framework for a good example of well defined 'roles and responsibilities'	a) Scope included in final draft b) Risk appetite defined in final draft c) Framework components and Implementing Risk Management detail included in final draft. d) Responsibilities and Accountabilities are included in final draft. e) CEO now included in responsibilities and accountabilities table, contractors are included in definition table. f) roles and responsibilities have been updated. g) Risk Management and Council are both included in Definitions table h) Correct, the draft was an example policy (not model), Council is not required to use and have determined to retain current

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Submission No.	Received from	Condensed submission details	Council response
		g) The new 'draft' does not include a definition of 'risk management' or 'council' (it was included in the current policy)	adopted policy content and update.
		h) The new 'draft' policy makes reference to the 'model' policy from OLG, but it should state it's an '*example* risk management policy' (page 100 &101 of ARIC) this is correct.	i) these recommendations will be implemented into the Enterprise Risk Framework.
		i) The new draft should take into consideration the findings from the Fraud and Corruption Internal Audit e.g. page 36 ARIC papers and recommendation #13	

Item 14.1

Attachments

1   DRAFT Enterprise Risk Management Policy⇩

Enclosures
Nil

RECOMMENDATION

That Council endorse the Enterprise Risk Management Policy.

DRAFT Enterprise Risk Management Policy

KIAMA MUNICIPAL COUNCIL
your council, your community

Policy Owner/Responsible Officer	Enterprise Risk Management Coordinator
Department	People and Performance
Date endorsed	D Month Year
Next review date	D Month Year
TRIM reference	XX

Contents

Policy Statement/Objectives

The purpose of this policy is to express Kiama Municipal Council's commitment to implementing organisation-wide risk management principles, systems and processes that ensure consistent, efficient and effective assessment of all risks in all Kiama Municipal Council's planning, decision making and operational processes.

The objectives of this Policy are to:

- To provide a framework for the management of risk to support the achievement of corporate objectives, to protect employees and business assets and to ensure regulatory compliance and financial sustainability, while minimising the risk of fraud and corruption.

- To provide a reference for Council, Executive Leadership team and Management to make informed business decisions based on risk assessment methodology in line with AS/NZS ISO 31000:2018.

RESPECT · INTEGRITY · INNOVATION · TEAMWORK · EXCELLENCE ·

Scope

This Policy applies to Councillors, all Council employees, contractors and volunteers of Council. It applies to all Council business, activities and processes.

References

This Policy should be read in conjunction with the following:

- Local Government Act 1993
- AS/NZS ISO 31000:2018 – Risk Management - Guidelines
- Council's Enterprise Risk Management Framework
- Council's Risk Management Procedures

Consultations

- Guidelines for Risk Management
- Internal Audit for Local Government in NSW (2022)

Definitions

Term	Definition
ARIC	Audit Risk and Improvement Committee – an advisory committee to Council made up of three (3) independent external members and one (non-voting) Councillor
Councillors	Elected Councillors
Employees	All Council employees, contractors and volunteers of Council.
ELT	Executive Leadership Team – compromising Chief Executive Officer, Chief Financial Officer, Chief Operating Officer and Directors.
Risk	Risk is the effect of uncertainty on objectives, where a effect is a deviation from the expected. It can be positive, negative, or both, and can address, create or result in opportunities and threats.
Risk appetite	Risk appetite is the amount of risk, at a broad level, that Council is willing to accept in pursuit of its strategic objectives.
Risk management	Risk management is the coordinated activities to direct and control an organisation with regard to risk

Variation and review

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

This Policy was originally adopted on 14 March 2014. Further reviews and amendments are dated 17 April 2018 and May 2021.

This Policy will be reviewed annually however Council reserves the right to review or vary this document and associated processes at any time if required.

Review History

Date reviewed	Date adopted/ endorsed	Brief detail of amendments
N/A	14 March 2014	Adopted
April 2018	April 2018	Policy reviewed
May 2021	May 2021	Policy reviewed
May 2024	TBA	Policy placed on new template; risk appetite purpose and objectives refined; responsibilities and accountabilities amended; and Framework content updated.

POLICY

Council is committed to the formal, systematic, structured, and proactive management of risks across the organisation. This includes financial, reputational, regulatory, safety, environmental, service disruption and strategic risks.

1. Risk Management Framework

1.1. Kiama Municipal Council (Council) is committed to maintaining an effective, efficient and tailored risk management framework that protects the organisation from harm by addressing potential risks and creates opportunities to improve business performance by proactively managing risks.

1.2. The Framework consists of:

    a) This Policy

    b) Enterprise Risk Management Framework

    c) Assurance and attestation from Audit Risk Improvement Committee

    d) Internal and external audit

    e) Strategic and Operational Risk Registers and reviews

    f) Insurance program for transferrable risk

    g) Incident reporting, escalation and trend analysis

    h) Supporting policies and processes

1.3. The Framework enables:

    a) Three lines of defence to: own and manage risk in daily activities; oversee risk management compliance and evaluating effectiveness by independent assurance.

    b) A formal, structured approach to risk management that is appropriate to Council's operating environment allowing risk-based decision making

    c) A risk management approach consistent with the principles of AS/NZS ISO 31000:2018 Risk Management – Guidelines

2.   Risk appetite

2.1.   As a Local Government Authority, Council has an obligation to its stakeholders to ensure that it does not accept high levels of risk that might impact on community wellbeing and amenity or the ongoing viability of Council. Accordingly, Council generally has a low appetite for unmitigated risks across all its operations.

2.2.   Whilst Council will take all reasonable steps to control such risks, it is recognised that Council has limited resources and may not always be able to mitigate risk to the lowest possible level. Council acknowledges that it will have to take some calculated risks to achieve strategic objectives.

2.3.   Council's Risk Rating Matrix, is used to classify risks as minor, moderate, significant or extreme. Factors that may influence the risk levels are determined to assess the impact and the likelihood of the risks.

2.4.   Council has little or no appetite for known and avoidable risks that might have been assessed as having a significant or extreme rating with respect to financial, reputational, regulatory, safety, environmental, service disruption or strategic objectives of Council.

3.   Implementing risk management

3.1.   Council will implement risk management by making the strategy operational through all the measures listed:

   a)   align risk management processes to existing planning and operational processes;

   b)   allocate sufficient funding and resources to risk management activities;

   c)   provide employees with appropriate training in risk management principles;

   d)   assign clear responsibilities to employees at all levels for managing risk;

   e)   embed key controls to manage risks into business processes;

   f)   establish appropriate mechanisms for measuring and reporting risk management performance;

   g)   communicate risk management policies, plans and issues to employees and other stakeholders;

   h)   take human and cultural factors into account; and

   i)   is dynamic, iterative and facilitates continual improvement.

4.   Responsibilities and accountabilities

Council aims to create a positive risk management culture where risk management is integrated into all everyday activities and managing risks is an integral part of governance, good management practice and decision-making. It is the responsibility of every employee and business area to observe and implement this Policy and Council's Risk Management Framework.

4.1.   Council

The Council is the Governing Body that has a strategic leadership role under section 223 of the *Local Government Act 1993 (LG Act)*, and the Governing body is responsible for establishing the foundational elements of the Council's Risk Management Framework and setting the tone at the top.

4.2.   The Chief Executive Officer

The Chief Executive Officer (CEO), under section 335 of the *LG Act* has ultimate responsibility and accountability for risk management in the Council.

With the assistance of Executive Leadership Team (ELT), is responsible for leading the development of an enterprise risk management culture across the organisation and ensuring that the Enterprise Risk Management Policy and Framework are being effectively implemented.

4.3. Managers

Managers are responsible for:

a) ensuring all employees manage their risks within their own work areas. Risks should be anticipated, and reasonable protective measures taken;

b) encouraging openness and honesty in the reporting and escalation of risks;

c) ensuring all employees have the appropriate capability to perform their risk management roles;

d) reporting to the CEO on the status of risks and controls; and

e) identifying and communicating improvements in Council's risk management function.

4.4. Enterprise Risk Management Coordinator

The Enterprise Risk Management Coordinator is responsible for coordinating the processes for risk management throughout the organisation within available resources. This may include the provision of advice and service assistance to all area on risk management matters. As members of Civic Risk Mutual, risk management assistance is generally sought from the Mutual and their service providers.

4.5. Employees

All employees are responsible for identifying and managing risk within their work areas. Key responsibilities include:

a) being familiar with, and understanding the principles of risk management

b) complying with all policies, procedures and practices relating to risk management

c) understand the risks that exist within their work area, and alert their manager to any new risks

d) performing any risk management activities assigned to them as part of their daily role.

4.6. Council's Audit, Risk and Improvement Committee

Council's Audit, Risk and Improvement Committee (ARIC) is responsible for providing independent assurance to Council by monitoring, reviewing and providing advice about governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

5. Monitoring and Review

5.1. Council is committed to continually improving its ability to manage risk. This Policy and its Risk Management Framework will be reviewed annually to ensure it continues to meet the requirements of the *Local Government Act 1993* and Council's requirements.

Related Forms/Documents

- Nil

Attachments

Nil	

Authorisation

Name: Title of person authorising OR ELT OR Council Resolution No: ****

Date: Date endorsed by ELT or adopted by Council

14.2   Post exhibition endorsement: Unsolicited Proposals Policy

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

CSP Strategy: 5.2.2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

Delivery Program: 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.

Summary

This report recommends the adoption of the Unsolicited Proposals Policy adopted for public exhibition at the Council meeting on 21 February 2023. Management and staff changes have resulted in the process not continuing. This has been rectified with the updated policy being considered by ARIC at its February 2024 meeting.

Financial implication

Resources required to apply the policy, if adopted, would be determined on a case by case basis, however it is assumed that the review of unsolicited proposals would be managed by internal resources with additional probity advice provided from one of Council's legal service providers

Risk implication

This draft Policy has been drafted to address a current risk where Council is presented with unsolicited proposals from the community, businesses or other government agencies without a clear policy and process to guide how this is managed. It provides a framework to better assist in appropriately managing governance and probity issues that may arise. Furthermore, risk assessment and management features as a core element of the Policy, including the criteria applied to proposals.

Policy

- NSW Local Government Act 1993

- NSW Local Government (General) Regulations 2005

- Tendering Guidelines for NSW Local Government 2009

- NSW State Government Unsolicited Proposals Guide for Submission and Assessment, May 2022.

- Challenges of Innovative Projects and/or Preferential Treatment under the Tendering Process in NSW Local Government, Local Government Procurement, Nov 2021.

- Council's Acquisition & Disposal of Land and Easements Policy

- Kiama Municipal Council Statement of Business Ethics

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Consultation (internal)

The draft Policy was prepared in consultation with staff from Council's Property, and Governance teams and reviewed by Council's Executive and Management Leadership Teams.

Finance Advisory Committee

Audit Risk & Improvement Committee

Communication/Community engagement

The draft Policy was placed on public exhibition for the period 20 March 2023 to 18 April 2023.

Attachments

1   DRAFT POLICY - Unsolicited Proposals Policy - post submission assessment⇩

Enclosures

Nil

RECOMMENDATION

That Council endorse the Unsolicited Proposals Policy.

Background

At the February 2023 Council meeting, Council resolved to place the draft Unsolicited Proposals Policy on public exhibition for 28 days. The draft Policy was on exhibition from 20 March 2023 to 18 April 2023. Management and staff changes have resulted in the process not continuing. Updated Policy with exhibition amendments were considered by ARIC at its February 2024 meeting.

Submissions

A summary of the submissions received are provided below:

Submission No.	Received From	Submission Details	Council Response
1.	ELT	That the Unsolicited Proposals Policy is endorsed to go to the first Council meeting of 2024 subject to the removal of "Audit, Risk and Improvement Committee" at clause 8.1, and the report to include a summary of the submissions received	Draft Policy amended.

Submission No.	Received From	Submission Details	Council Response
2.	Resident submission	a) The draft policy should include an explicit objective to uphold the test of public interest in assessments of any unsolicited proposals, indicating that the net economic benefit test should go beyond what is beneficial to the Council, and extent to an assessment of what is in the interest of the public - the residents of Kiama LGA. b) Unsolicited proposals that cannot demonstrate a public benefit beyond sectional interests or Council institutional benefits should be given special consideration. c) The section on Value for Money (5.9.2) should include the assessment of social impact - benefits and costs - in any assessment of the value of an unsolicited proposal. d) The policy should explicitly relate the assessments of unsolicited proposals to the Council Procurement Policy to ensure alignment between the two policies. e) The policy should not establish separate Steering Committees to consider unsolicited proposals. Rather, unsolicited proposals should be referred to one of the four proposed Council Advisory Committees for consideration, if stage 2 is enacted. These Committees could consider unsolicited proposals in confidence. The advantage of having established Advisory Committees consider unsolicited proposals is that they will take into account existing Council activities and insights on community needs. A separate Steering Committee seems a cumbersome process, unnecessarily costly and	a) Scope amended to include public interest. b) Considered. Public interest considered sufficient. c) Considered. Have captured by amended strategic merit to link with CSP which captures social impact. d) Noted and added to References. Currently noted in point 3.2. e) Considered. Clarified reference of steering committee as internal management. Prior to reporting prior to Council and/or advisory committee.

Report of the Chief Operating Officer

14.2   Post exhibition endorsement: Unsolicited Proposals Policy (cont)

Submission No.	Received From	Submission Details	Council Response
		potentially creating the risk of an uncoordinated parallel process to the government structures that Council is using routinely.	
3	Resident submission	a) What is the reason for excluding purchase/lease of property? Par 2 p 3. This should be explicitly stated. b) Does Council have a complementary policy for the sale of assets and/or services? If so, this should be referenced. If not, why not? c) Although there are multiple references to "sustainability" and a reference to 'environmental risk' (at 7.2) there is no assessment measure of "environmental impact". The science (IPCC Reports and Australia State of the Environment) shows that population growth and per capita GDP (production/consumption of goods and services) are the strongest drivers of climate change and the decimation of the natural environment including loss of species etc etc etc. Council's credibility on environmental matters would be improved by making assessment of the absolute environmental impact mandatory when making procurement decisions. Council should report on this annually. d) I strongly oppose the suggestion implicit in the separate "Draft Unsolicited Proposals Policy" ie that Council will be encouraging these. Does the community want a Barangaroo? It seems at odds with the principle in 7.3 "Suppliers may be eliminated from any procurement process if found to be lobbying Councillors or staff during the procurement process." If Council democratically decides there is a need then a Request for	a) Noted. 9.4.2 is amended – will always be considered case by case against this criteria. b) Considered. Incudes in Councils Asset Management Plan and divestment program. No amendment made. c) Noted. Will be considered by Steering committee on case by case basis. No amendment made. d) Considered. Amendments made to scope. e) Noted.

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Report of the Chief Operating Officer

14.2   Post exhibition endorsement: Unsolicited Proposals Policy (cont)

Submission No.	Received From	Submission Details	Council Response
		Proposals process should be undertaken. For all the reasons stated for the need for a Procurement Policy this process should be added to the Procurement Policy. e) As a new ratepayer in the LGA I am somewhat stunned that Council would set the closing date for the Procurement Policy submissions at 5 pm on Easter Sunday. How many senior staff signed off on this time and date as the consultation process made its way through the bureaucracy to publication? I suggest that a deadline such as 9 am on a normal day of business should be the norm. Thank you for the opportunity to comment.	

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Unsolicited Proposals Policy

Policy Owner/Responsible Officer	Public Officer
Department	People and Performance
Date adopted/endorsed	TBC
Resolution number (if applicable)	TBC
Next review date	TBC
TRIM reference	TBC

Contents

RESPECT · INTEGRITY · INNOVATION · TEAMWORK · EXCELLENCE ·

Policy Statement/Objectives

The main objectives of this Policy, and associated procedures, are to:

a) provide a clear and identifiable process for parties seeking to put forward investment and innovation proposals to Council;

b) provide Council and the community with assurance around transparency, consistency and reporting for Unsolicited Proposals, ensuring that outcomes are always in the best interest of the Municipality of Kiama;

c) provide a framework for assessing such proposals with a view to delivering uniqueness, value for money and strategic fit for Council, consistent with Council's strategic direction and existing suite of policies;

d) ensure that commercial dealings arising from the Unsolicited Proposal process are conducted with integrity and impartiality following a defined process;

e) establish a robust level of probity to be applied to all Unsolicited Proposals, by maintaining accountability and transparency, managing conflicts of interests and confidentiality and implementing appropriate governance structures for each proposal; and

f) define processes and information sharing processes that aim to balance resource input at each stage of the Unsolicited Proposal process in order to reduce the potential for unnecessary expenditure by both the proponent and Council.

Scope

From time to time, Council is presented with Unsolicited Proposals from the community, businesses or other government agencies. The purpose of this Policy is to assist business investment and innovation in the Municipality of Kiama with a process to manage governance and probity issues that arise in such circumstances. The Policy seeks to ensure that Unsolicited Proposals are of benefit to the Council and the public interest.

References

This document should be read in conjunction with the following:

- NSW Local Government Act 1993

- NSW Local Government (General) Regulations 2021

- Tendering Guidelines for NSW Local Government 2009

- NSW State Government Unsolicited Proposals Guide for Submission and Assessment, May 2022

- Challenges of Innovative Projects and/or Preferential Treatment under the Tendering Process in NSW Local Government, Local Government Procurement, November 2021.

- Council's Procurement Policy

Consultations

- ARIC
- FAC
- Community exhibition

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Definitions

For the purpose of this document the following definitions apply:

Term	Definition
Assessment Criteria	The criteria upon which Unsolicited Proposals will be assessed.
Detailed Proposal	A submission by a Proponent to Council at Stage 2.
Final Binding Offer	A formal proposal submitted by the Proponent at the conclusion of Stage 2 which is capable of acceptance by Council.
Council	Council - this includes the elected Council and Council staff. Where possible, specific reference to relevant Council Departments or functions is made throughout the Policy.
Intellectual Property	Inventions, original designs and practical applications of good ideas protected by statute law through copyright, patents, registered designs, circuit layout rights and trademarks; also trade secrets, proprietary know-how and other confidential information protected against unlawful disclosure by common law and additional contractual obligations such as Confidentiality Agreements.
Probity Advisor	An advisor with specialist governance or legal qualifications and experience, including, where appointed, an external contractor.
Proponent	The person or organisation that submits an Unsolicited Proposal.
Proposal Manager	The person with responsibility for coordinating Council input for the receipt and assessment of an Unsolicited Proposal.
Proposal Specific Steering Committee	A committee of senior Council management representatives with responsibility for oversight of any specific Unsolicited Proposal.
Public-Private Partnership	An arrangement between a council and a private person where public infrastructure or facilities are provided in part or in whole through private sector financing, ownership or control.
Uniqueness	The elements of a proposal that could provide justification for Council to enter into direct negotiations with the proponent. Unique elements may include characteristics such as: Intellectual property or genuinely innovative ideas, ownership of real property, ownership of software or technology offering a unique benefit, unique financial arrangements, unique ability to deliver strategic outcome or other demonstrably unique elements (refer to section 9.4 for more details).
Unsolicited Proposal	An approach to Council from a Proponent with a proposal to deal directly with Council over a commercial proposition, where Council has not requested the proposal. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction.
Value for Money	The overall value of a proposal to Government (refer to section 9.5 for further details).

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Variation and review

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

Review History

Date reviewed	Date adopted/ endorsed	Brief detail of amendments
TBC	TBC	New policy

POLICY

1.   Application of Unsolicited Proposal Policy

This Policy applies to all applications made to Council from a Proponent with a proposal to deal directly with Council over a commercial proposition, where Council has not requested the proposal. This may include proposals to build and/or finance infrastructure, provide goods or services, or undertake a major commercial transaction.

2.   Legislative Requirements

All Unsolicited Proposals must meet the legislative requirements in relation to procurement, tendering and public private partnerships, as applicable, as defined in the *Local Government Act 1993.*

3.   Commitment to Procurement Principles

3.1   Council operates consistent with its charter set out within the Local Government Act 1993 (the LG Act). Under the LG Act, it generally procures projects, goods and services via an adopted procurement framework, which includes a statutory tendering process for goods or services above a specified value. Council's approach to procurement (whether via quotation or tendering) is based on competition in order to achieve value for money in a fair and transparent manner.

3.2   Unsolicited Proposals are not directly covered by Council's procurement framework; however, the statutory requirements under the LG Act are still applicable to procurement decisions above a certain value that are captured by this Policy as Unsolicited Proposals. Those statutory requirements under the LG Act also extend to public-private partnerships (PPP), as further defined in that Act.

3.3   The Unsolicited Proposals process is not a substitute for routine competitive procurement by Council. The focus of Unsolicited Proposals is on unique and innovative projects or services with clear and tangible benefits for the Municipality of Kiama. Similarly, the Unsolicited Proposals process is not designed to replace applicable environmental and planning assessment processes. If Council decides to progress an Unsolicited Proposal, it should not be interpreted as any form of explicit or tacit support for planning consents or approvals.

3.4   While direct negotiation with a proponent in response to an Unsolicited Proposal may be pursued in justifying circumstances, Council's usual procurement approach is to test the

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market. This generally results in the demonstrable achievement of value-for-money outcomes and provides fair and equal opportunities.

3.5   Accordingly, Council will generally only consider proposals where both the proposal and its proponent have unique attributes such that others could not deliver a similar proposal with the same value-for-money outcome. Council will consider directly negotiating with an individual or organisation that presents an Unsolicited Proposal where circumstances justify this approach and at its absolute discretion, consistent with its statutory responsibilities under the LG Act.

4.   Contact between Council and the Proponent

Once an Unsolicited Proposal has been submitted, Proponents must not contact Councillors or Council Officers, in regard to the submitted proposal, outside of the formal assessment process. This includes organisations authorised to act on the Proponent's behalf. Councillors will be notified by a confidential note that an Unsolicited Proposal (with some detail) has been received and now formal processes are in place, Councillors are obligated to no longer engage with any party involved in the process.

5.   Public Private Partnerships

5.1   If an Unsolicited Proposal relates to the provision of public infrastructure or facilities, there is potential that such a proposal may be considered a public-private partnership (PPP). Section 400B(1) of the LG Act defines a PPP as an arrangement:

(a)   between a council and a private person to provide public infrastructure or facilities (being infrastructure or facilities in respect of which the council has an interest, liability or responsibility under the arrangement), and

(b)   in which the public infrastructure or facilities are provided in part or in whole through private sector financing, ownership or control.

5.2   All Local Government PPP proposals, regardless of whether they originate from within council or from an external source, are required to be subjected to a market test via a formal Expression of Interest process to identify preferred partners for the project. If circumstances prevent a market test process in accordance with the Office of Local Government PPP Guidelines, council cannot enter into a PPP arrangement.

5.3   If an Unsolicited Proposal relates to the provision of public infrastructure or facilities, Council will, as soon as practicable, determine if the proposed arrangement is required to be treated as a PPP. Council will consult with the Office of Local Government in this regard if required.

5.4   If an Unsolicited Proposal is determined to be a PPP, the proposal may not be able to continue to be progressed for consideration under this policy.

6.   Staged Assessment

A three-stage assessment process will be followed to guide the preparation of, and assessment of proposals:

1.   Pre-Submission Concept Review;

2.   Stage 1: Initial Submission and Preliminary Assessment; and

3.   Stage 2: Detailed Proposal and Negotiation.

Council recognises the right of Proponents to derive benefit from unique ideas. The approach to the identification, recognition and protection of intellectual property rights will be addressed and agreed with the Proponent during Stage 1 of the process.

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6.1   Pre-submission concept review stage

Proponents will have an opportunity to meet with a Council appointed Proposal Manager in order to formally explore whether the proposal is likely to meet the Stage 1 assessment criteria and to guide Proponents in their decision regarding whether to lodge their proposal. Council may provide feedback at this stage as to whether it considers that the proposal, as presented, is consistent with this Policy. Notwithstanding this feedback, it is the Proponent's decision as to whether it proceeds with making a formal Stage 1 submission.

6.2   Stage 1: Initial Submission and Preliminary Assessment

Upon submission of a formal proposal under this policy, Council is to undertake a preliminary assessment of the proposal to determine if the submission constitutes an Unsolicited Proposal and if sufficient justification exists to undertake a Stage 2 assessment. Council reserves the right to further consider, or not consider, Unsolicited Proposals beyond this stage at its absolute discretion.

Council's Executive Leadership Team shall have the authority to approve progress of a proposal to Stage 2 of the process.

6.3   Stage 2: Detailed Proposal and Negotiation

Following progression of a proposal to Stage 2 of the process, the Proponent and Council will work cooperatively in the development and assessment of a Detailed Proposal, which may require a degree of preliminary negotiation on key issues, subject to the nature of the proposal.

For all Stage 2 proposals council will:

a)   establish a Proposal Specific Steering Committee;

b)   appoint a Probity Advisor;

c)   prepare an internal Governance Plan; and

d)   enter into a Memorandum of Understanding with the Proponent.

If the detailed proposal is considered acceptable, a Council resolution will be required to progress to agreement or a Final Binding Offer.

Full details of the assessment process are outlined in the *Unsolicited Proposals Procedures Guidelines.*

7.   Probity

7.1   Council seeks to conduct its commercial dealings with integrity. The assessment of Unsolicited Proposals must be fair, open and demonstrate the highest levels of probity consistent with the public interest. The assessment of Unsolicited Proposals will be conducted through the application of established probity principles that aim to assure all parties of the integrity of the decision-making processes. In summary Council will:

a)   Maintain accountability and transparency

Accountability requires that all participants be held accountable for their actions. The assessment process will identify responsibilities, provide feedback mechanisms and require that all activities and decision making be appropriately documented.

Transparency refers to the preparedness to open a project and its processes to scrutiny, debate and possible criticism. This also involves providing reasons for all decisions taken and the provision of appropriate information to relevant stakeholders. Relevant summary information regarding proposals under consideration at Stage 2 will be made publicly available. Further information may be published as appropriate.

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b) Manage Conflicts of Interest

In support of the public interest, transparency and accountability, Council will require the identification, management and monitoring of Conflicts of Interest.

Participants will be required to disclose any current or past relationships or connections that may unfairly influence or be seen to unfairly influence the integrity of the assessment process.

c) Maintain confidentiality

In the assessment of Unsolicited Proposals there is need for high levels of accountability and transparency. However, there is also a need for some information to be kept confidential, at least for a specified period of time. This is important to provide participants with confidence in the integrity of the process. All proposals submitted will be kept confidential at Stage 1 of the assessment process.

d) Obtain value for money

At Stage 2 of the assessment process, the approach to assessing Value for Money will be confirmed. At this stage a Probity Advisor will be appointed, and their role is to monitor the evaluation process, ensure that Value for Money has been optimally considered and that the probity principles have been adhered to. It is not the role of the Probity Advisor to determine whether the proposal meets the required Value for Money criterion.

8. Governance Arrangements

8.1 In the spirit of collaboration and efficiency, governance arrangements will include an appointed Proposal Manager, a Proposal Specific Steering Committee where required, a staged approach to assessment, negotiation and contracting, and regular reporting to Council's Executive Leadership Team (ELT).

8.2 Those arrangements seek to encourage a Council approach that allows input from a range of relevant parts of Council in understanding and assessing an Unsolicited Proposal.

8.3 Once a proposal reaches Stage 2 of the assessment process, Council will establish appropriate governance arrangements that will detail the make-up and responsibilities of the Steering Committee and assessment/technical panels, management of confidentiality and Conflict of Interest, and provide details of any appointed Probity Advisor.

8.4 Unsolicited Proposals must consider relevant processes and approval requirements in the LG Act in relation to procurement and Public Private Partnerships (PPP's) (where relevant).

8.5 The Stage 2 Participation Agreement will outline whether the proposal will be subject to an approval process outlined in another procurement policy document and/or a project assurance mechanism.

9. Assessment Criteria

9.1 Where Council determines a proposal as not meeting the criteria set out below, it reserves its usual right to go to market. The Proponent will be provided with the opportunity to participate in that procurement process should the concept be offered to the market but will have no additional rights beyond those afforded to other market participants. If Council elects to go to market in such circumstances, it will respect any Intellectual Property (IP) owned by the Proponent.9.2 The Unsolicited Proposals assessment process is separate to other Council statutory approvals processes. However, where appropriate, the assessment of Unsolicited Proposals will consider the potential consistency of the proposal with relevant planning and environmental controls, and approvals processes.

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9.3 Proposals will be initially assessed against the seven (7) Assessment Criteria listed below. Assessment will be based on the proposal satisfactorily meeting each of the criteria. Additional criteria relevant to a particular proposal may also be applied at later stages. If so, the Proponent will be informed of the criteria in order for these to be addressed in its Detailed Proposal during Stage 2.

9.4 Uniqueness

    9.4.1 Demonstration of unique benefits of the proposal and the unique ability of the proponent to deliver the proposal. In particular, the following are to be demonstrated:

        a) Can this proposal be readily delivered by competitors? If the answer is yes, then what, if any justification would Council have to the public for not seeking best value through a competitive tender process? What benefit(s) would Council gain? Are the benefits and outcomes of the proposal unlikely to be obtained via a standard competitive procurement process? Could a competitor present an alternative proposal that would achieve the same or greater benefits for the locality, Council's strategic objectives and the community?

        b) Does the proponent own something that would limit Council from achieving the same beneficial results from other parties if Council went to quotation or tender? This would include intellectual property, real property and other unique assets.

        c) Are there other attributes which may not necessarily stand alone as unique but, when combined, create a "unique" proposal? This may include genuinely innovative ideas, including financial arrangements or a unique ability to deliver a strategic outcome. It is possible that Council might agree to initiate market testing of a new proposal that has merit but is not unique.

        d) Note that while a proposal may contain unique characteristics such as design or technology, this may represent one option among a range of technologies or solutions available to Council.

    9.4.2 The following are types of proposals will **NOT** typically be considered unique and are therefore proposals are unlikely to be progressed:

        a) Proponents seeking to directly purchase or acquire a Council-owned entity or property. Unless the proposal presents a unique opportunity to it, Council is unlikely to enter into such an arrangement without an open tender process. Standard land transaction proposals will be referred to Council's Property and Recreation Division for consideration;

        b) Proponents with an existing Council license or agreement to provide goods or services seeking to bypass a future tender process;

        c) Proposals for significant extensions/variations to existing contracts/leases, or the next stage of a staged project on the basis that the contractor is already "on-site", or has some other claimed advantages, absent of other "uniqueness" criteria;

        d) Proposals seeking to develop land that is not owned by Council or the proponent;

        e) Proposals that do not contain a commercial proposition for Council;

        f) Proposals that identify the proponent's skills or workforce capability as the only unique characteristic are unlikely to progress to Stage 2;

        g) Proposals to provide widely available goods or services to Council;

        h) Proposals seeking only to change Council policy that have no associated project;

        i) Proposals for consultancy services;

        j) Proposals for projects where the tender process has formally commenced,

whether published or not;

k) Proposals that are early concepts or lack detail;

l) Proposals seeking grants (eg. scientific research), loans or bank guarantees, etc;

m) Proposals whose claim to uniqueness is trivial, eg. a 'unique' view from particular site;

n) Proposals seeking Council support for a 'pilot' program;

o) Proposals seeking to stop or suspend another Council process (eg. compulsory acquisition); and/or

p) Proposals seeking an exclusive mandate, or exclusive rights over a Council asset, for a period of time so the Proponent can develop a feasibility study.

9.5 Value for Money

9.5.1 Does the proposal deliver value for money to Council? determined by assessing each of the following considerations:

a) What are the *net* economic benefits of the proposal (the status quo should be defined)?

b) Is the proposal seeking to purchase a Council asset at less than its value in exchange for other services?

c) Does the proposal provide time and/or financial benefits/savings that would not otherwise be achieved?

9.5.2 A proposal is Value for Money if it achieves the required project outcomes and objectives in an efficient, high quality, innovative and cost-effective way with appropriate regard to the allocation, management and mitigation of risks.

While Value for Money will be tested appropriately in the context of each specific proposal, factors that will be given consideration are likely to include:

a) Quality of all aspects of the proposal, including: achievable timetable, clearly stated proposal objectives and outcomes, design, community impacts, detailed proposal documentation and appropriate commercial and/or contractual agreements (including any key performance targets), and a clearly set-out process for obtaining any planning or other required approvals;

b) Innovation in service delivery, infrastructure design, construction methodologies, and maintenance;

c) Competitively tendering aspects of the proposal where feasible or likely to yield value for money;

d) Cost efficient delivery of Council policy targets; and

e) Optimal risk allocation (refer to criterion below).

9.5.3 Evaluation of Value for Money may also include, but not be limited to the following quantitative analysis:

a) Interrogation of the Proponent's financial models to determine the reasonableness of any capital, land acquisition, service and maintenance cost estimates and, if relevant, revenue estimates (including the appropriateness of any user fees or prices and estimates of quantity levels);

b) This evaluation may include the use of independent experts or valuers, benchmarking analysis or sensitivity testing; and

c) Return on Investment (refer to criterion below).

Note: A high level indicative Value for Money assessment will occur at Stage 1. A more detailed assessment of Value for Money will occur at Stage 2.

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9.6 Whole of Council Impact

9.6.1 Does the proposal meet a project or service need?

9.6.2 What is the overall strategic merit of the proposal, how does it align to the Community Strategic Plan objectives?

9.6.3 What is the opportunity cost for Council if it were to proceed with the proposal?

9.6.4 Is the proposal consistent with the Council's plans and priorities?

9.6.5 Does the proposal have the potential to achieve planning approval, considering relevant planning and environmental controls?

9.6.6 Consideration will be given to whether the proposal would require Council to re-prioritise and re-allocate funding.

9.7 Return on Investment

Is the proposed Return on Investment to the proponent proportionate to the proponent's risks, and industry standards? Where feasible, the proposed rate of return may be subject to independent review or benchmarking.

9.8 Capability and Capacity

Does the proponent have the experience, capability and capacity to carry out the proposal? What reliance is there on third parties?

Where appropriate, the Proponent should provide referees in relation to working with government (e.g. local, state or Commonwealth governments).

9.7 Affordability

Does the proposal require other Government or Council funding, or for Council to purchase proposed services? Does Council have these funds available or budgeted and if not, what source would be proposed?

Where Council funding is required, Council may undertake or require the Proponent to undertake a (Preliminary) Business Case and/or an economic appraisal at Stage 2 (where appropriate). Regardless of the outcome of the Business Case/economic appraisal, the proposal still needs to be affordable in the context of Council's other priorities, and to be considered as part of its budget process.

9.10 Risk Allocation

What risks are to be borne by the proponent and by Council? Does the proposal require Environmental and Planning consents or approvals? If so, has the process been appropriately considered, including whether Council or Proponent bears the risks associated in obtaining the approvals.

10. Reporting

10.1 Information on all Unsolicited Proposals that progress to Stage 2 will be reported in the subsequent Council Annual Report as Unsolicited Proposals, even where they do not ultimately result in a report to Council. This may include details of the proponent and proposal, the governance structure for Stage 2, the Probity Advisor appointed and reasons why the proposal has progressed to Stage 2. Further information may be published as appropriate. Council will consult with the Proponent before any information is disclosed to ensure that commercially sensitive information remains confidential.

10.2 Generally, Council would seek to disclose all proposals in this stage. In some cases, Proponents may request that proposals are not listed, if this would pose significant risks to commercial negotiations or Intellectual Property. Council will consider each request and may agree not to

disclose a proposal. The ability to undertake an assessment in confidence is considered essential to creating a receptive environment to elicit innovative private sector proposals.

11. Roles and Responsibilities

11.1   Council

The elected Council has final responsibility for the approval of any Unsolicited Proposal. If the detailed proposal is considered acceptable a Council resolution will be required to progress to agreement or a Final Binding Offer. If appropriate the elected Council will have the responsibility to pass a resolution, due to extenuating circumstances, that Council does not proceed to tender for the project, goods or services under contemplation pursuant to Section 55A of the *Local Government Act 1993*.

11.2   Proposal Manager

The Proposal Manager will act as the contact-point for Unsolicited Proposals and is charged with evaluating the information supplied by the Proponent in conjunction with the meeting of Council representatives. The Proposal Manager also reports to Executive Leadership Team (ELT) and the Audit, Risk and Improvement Committee, as required.

11.3   Proposal Specific Steering Committees

A Proposal Specific Steering Committee will be established to oversee assessment of each proposal. The Committee will have at least three (3) members from different Departments of Council and additionally will include the Proposal Manager and the Governance Coordinator, or their delegate.

11.4   Advisers

The following key advisers may be appointed, as required, to provide specialist expertise to assist in project scoping and assessment:

a)   Legal;

b)   Financial;

c)   Technical; and

d)   Environmental.

Advisers are to follow all project governance and probity requirements.

11.5   Probity Adviser

All proposals that progress to Stage 2 will have a probity advisor appointed who reports to the chair of the Proposal Specific Steering Committee and will be available to Proponents to discuss probity related matters. The role of the probity adviser is to monitor and report on the application of the probity fundamentals during the assessment process. The Probity Advisor will:

a)   assist in the development of a Governance Plan (where applicable);

b)   provide a probity report at the end of each step to be considered by a Proposal Specific Steering Committee before the decision to proceed to the next step (or otherwise); and

c)   escalate probity concerns to Council's Public Officer or to the 'escalation contact point', where one has been provided. An escalation contact point can be determined by a Proposal Specific Steering Committee, as needed.

Related Forms/Documents

- Unsolicited Proposals Procedures Guidelines (under preparation)

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Attachments

Nil	

Authorisation

Name: <mark>Title of person authorising OR ELT OR Council Resolution No: ****</mark>

Date: <mark>Date endorsed by ELT or adopted by Council</mark>

14.3   Monthly Financial Report - April 2024

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

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

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

Summary

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

Financial implication

This report relates directly to the financial performance of Council.

Policy

Local Government Act 1993

Local Government (General) Regulation 2021

Consultation (internal)

Chief Executive Officer

Chief Financial Officer

Management Accountants

Communication/Community engagement

N/A

Attachments

1   Financial Report - April 2024⇩

Enclosures

Nil

RECOMMENDATION

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

Item 14.3

Report of the Chief Operating Officer

14.3   Monthly Financial Report - April 2024 (cont.)

Item 14.3

Background

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

Consolidated Income and Expenditure Statement

Please note that all budget variance figures, and analysis provided in this report now incorporate quarterly budget review changes from QBR 3, which were adopted by Council at the May 2024 ordinary meeting. Therefore, variances and commentary described in this report are compared to the revised budget.

As at April 2024, Council has achieved an operational surplus of $1.8M at a consolidated level. The adopted budget for the same period was projected to present a surplus of $6.2M, subsequently resulting in an unfavourable variance of $4.4M year to date. This variance is due to operational revenue being $2.2M or 2.5% unfavourable to budget, while concurrently operational expenditure is also unfavourable by $2.2M or 2.7%.

The timing of capital grants is a key factor for the income variance. If the unfavourable variance of $3.6M relating to capital grants is excluded, the consolidated revenue variance would be $1.5M favourable. Overall this largely offsets the $2.2M unfavourable variance in operational expenditure. This can be seen by the $761K or 14.4% unfavourable variance to budget after excluding capital grants and contributions.

Further explanations regarding material income and expenditure variances, along with a financial overview of each of the Council's entities, are provided below.

<u>**Table 1.**</u> **The following table presents variances in operating results to the adopted budget, per entity as at April 2024**

$'000	Consolidated	Council General Operations	Blue Haven	Holiday Parks	Pavilion
Income Actual	84,786	51,250	23,072	9,782	682
Income Budget	86,976	53,511	23,128	9,652	685
Income Variance $	(2,190)	(2,262)	(56)	130	(3)
Income Variance %	(2.5%)	(4.2%)	(0.2%)	1.3%	(0.4%)
Expenses Actual	82,960	50,882	25,441	5,940	696
Expenses Budget	80,754	50,505	23,170	6,333	746
Expenses Variance $	(2,207)	(377)	(2,271)	392	49
Expense Variance %	(2.7%)	(0.7%)	(9.8%)	6.2%	6.6%
Actual operating results	1,826	367	(2,369)	3,841	(14)
Budgeted operating results	6,222	3,006	(43)	3,319	(60)
Operating results Variance $	(4,397)	(2,639)	(2,326)	522	46
Operating results Variance %	(70.7%)	(87.8%)	(5,473.3%)	15.7%	77.1%
Actual operating results (before capital grants and contributions)	(6,038)	(7,496)	(2,369)	3,841	(14)

Report of the Chief Operating Officer

14.3   Monthly Financial Report - April 2024 (cont.)

$'000	Consolidated	Council General Operations	Blue Haven	Holiday Parks	Pavilion
Budgeted operating results (before capital grants and contributions)	(5,277)	(8,493)	(43)	3,319	(60)
Operating results Variance $ (before capital grants and contributions)	(761)	997	(2,326)	522	46
Operating results Variance % (before capital grants and contributions)	(14.4%)	11.7%	(5,473.3%)	15.7%	77.1%

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

The above table adjusts for capital grants. If the consolidated loss of $6M was further adjusted for depreciation $10.2M and non-cash ILU amortised income $4.2M, this would create an operating cash result of $43K or breakeven.

Income

Grants and contributions

Operational

The variance of $730K has arisen because certain grants expected to be received in previous financial years have been delayed and received in the current financial year. For instance, in 2022-23, the Council was expected to receive $246K for Roads to Recovery funding but only received it in March 2024. Additionally, delays in receiving claims for various Transport for NSW projects from previous financial years also contribute to the remaining variance. The variance is expected to reduce before year end but some may still extend into the next financial year. The full reconciliation of grants and the grant register process has been noted previously and will be completed by December 2024.

Capital

The unfavorable variance of $3.6M is due to Council still awaiting the next claim payments of Disaster Recovery Funding from Transport for NSW. The Council has spent approximately $8M on projects under the Disaster Recovery Funding Arrangements and has received $4.2M to date. The payment was included in the budget for April and is still expected in this financial year which will reduce the variance.

Delays in receiving anticipated capital grant funding not only impacts Council's operating budget but also has repercussions on Council's unrestricted cash position, as highlighted in Council's Investment Report.

Net gain/(loss) from the disposal of assets

The net gain/(loss) from asset disposals variance of $508K predominantly arises from a backlog of Council fleet and plant asset disposals. This reconciliation will be completed prior to year end and the variance expected to reduce.

Council's forecast for land and property divestment is on track with budget. The sale of 22B Irvine Street (Lot 121 DP 1282295) was fully executed in April 2024. Settlement of purchase price was $1.225M (GST inclusive).

Item 14.3

Report of the Chief Operating Officer

14.3   Monthly Financial Report - April 2024 (cont.)

The final pending property divestment of 2023-24 is Gray Street (Lot 1 DP 797886) with a sale price of $32K (exclusive GST) with settlement in the 2024/25 financial year.

Expenses

Employee Benefits

Employee benefits and on-costs are unfavourable and exceed the budget by $1.2M at a consolidated level. General Fund represents a significant portion of this discrepancy, with an overspend of $834K. Additionally, Blue Haven's contributes the second largest amount, being $436K unfavourable. Holiday Park and Pavilion have minor variances.

The variance in General Fund primarily arises from $342K overspend in employee allowances, notably lump sum back payments for various allowances (specifically 'adverse working conditions') made recently but relating to previous financial years. These back payments were not in the budget. Additionally, undercapitalisation of wages is contributing $360K to the variance with only $152K being capitalised against capital projects against an expected $517K. This issue will be reviewed prior to year-end with the intention of reducing the variance, but noting this is an internal allocation and a non-cash adjustment.

Employee cost overspends at Blue Haven are predominately attributed to additional staffing including casual employees to cover for permanent employees while on leave or to cover vacant positions. Higher occupancy has impacted, ACQSC regulation and mandatory staff minutes along with the improved Accreditation result have impacted. The extent of these higher costs was not fully absorbed in the budget review process.

Materials and Services

Consolidated materials and services are $832K over budget year to date to April 2024 with Blue Haven $1.6M unfavourable and General Fund $800K favourable.

As noted in previous months, Contractors and Agency Staff usage, building and other site maintenance and medical supply costs are the main reasons at Blue Haven.

Despite significant legal costs notwithstanding previous budget review adjustments, other savings across Council offset and contribute the net favourable result. legal costs significantly exceeding the adopted budget i

At a consolidated level, it is expected that the variance will reduce by year end.

Borrowing Costs

The unfavourable variance of $220K is due to a timing issue with loan repayments. The next Bonaira payment due in early August. The actual result of $725K aligns with Council's current debt facilities from an annualised accrual perspective.

Blue Haven

Blue Haven Care Consolidated

The consolidated operating loss of $2.3M is specifically due to employment costs and agency staff or contractor costs in materials and services. Revenue through increased focus on occupancy and funding during a year that has seen significant improvement in operating standards as evidenced with the Accreditation result, along with the ACQSC and aged care regulatory environment has been more than offset by underlying costs, but largely similar to previous years.

Blue Haven Bonaira Residential Aged Care (RAC)

The RAC recorded a net deficit of $2.5M which is in line with recent months and the improvements in occupancy and roster management that has occurred. Occupancy is currently 118 compared to 105 earlier this year. Agency costs have decreased as a percentage of overall roster establishment compared to October 2023. However, occupancy increases also require increase to mandated care minutes and staff costs along with other associated costs such as catering and medical supplies.

Blue Haven Bonaira Community Programs

Community Programs has reported a net deficit of $78K. While revenues reached $4.7M, expenses were $4.8M. Home care programs struggle from the same workforce and staffing challenges as RAC, and the same regulatory oversight from Aged Care Quality & Safety Commission.

Blue Haven Bonaira Independent Living Units (ILUs)

The ILU Bonaira has recorded a net surplus of $1.2M, attributed to revenue of $2.4M and expenses of $1.2M. Note this result includes amortised deferred management fee income of $2.1M.

Blue Haven Terralong Independent Living Units (ILUs)

The ILU Terralong has a net deficit of $305K, attributed to revenue of $2.8M and expenses of $3.1M. This deficit is mainly due to a higher-than-anticipated increase in materials and contract expenses, including asset and maintenance backlog. Note this result includes amortised deferred management fee income of $2M.

Holiday Parks

All Holiday Parks are showing a net operating result of $3,841 compared to budget of $3,319. The variance of $522K is assisted by the receipt of $83K in operational grant funding under the Crown Land Flood Recovery Program for storm and flood event repair work not included in the budget. Materials and services is under budget by $262K due to high occupancy rates postponing some cabin and site maintenance works. The $85K favourable variance in Other Expenses relates to Crown Reserve Levy payment liabilities that have been paid as of May 2024.

The Pavilion

The Pavilion is showing a net operating deficit of $14K and relatively in line with budget. A sustained rise in the demand for community and corporate events, as well as weddings at The Pavilion, from both local and intrastate clients has contributed to its consistent performance relative to the budget this financial year.

Consolidated Statement of Financial Position

The 2022-23 financial statement audit has now been completed. Therefore, the opening balances of the 2023-24 financial year are prepared in accordance with the relevant accounting standards. The 2023-24 financial statement audit commenced in May 2024.

Current Asset Ratio

The current asset ratio measures a company's ability to pay its short-term obligations. The consolidated current asset ratio is approximately 0.35 as at April 2024, decreasing marginally

from 0.36 in March. This is in part due to a decrease in cash and cash equivalents and investments of $1.3M, mainly associated with expenditures spent in advance of funding being received relating to the landslide repair projects. Please see the Statement of Investments - April 2024 for further details.

KIAMA MUNICIPAL COUNCIL

Income Statement - Consolidated

For the Period Ending 30 April 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	23,343	23,511	(168)	21,767	26,494	28,175
User charges and fees	20,302	20,007	295	20,099	23,530	23,476
Other revenue	5,321	5,277	43	4,843	5,913	6,251
Grants and contributions provided for operating purposes	15,273	14,544	730	14,018	20,130	19,613
Grants and contributions provided for capital purposes	7,863	11,499	(3,636)	5,348	1,314	14,346
Interest and investment income	1,923	1,989	(66)	1,289	1,859	2,387
Other income	-	0	(0)	-	-	0
Net gain/(loss) from the disposal of assets	3,033	2,525	508	16,985	7,834	28,921
Internal Revenue	7,727	7,623	105	4,320	7,088	9,144
Total income from continuing operations	84,786	86,976	(2,190)	88,669	94,162	132,313
Expenses from continuing operations						
Employee benefits and on-costs	32,603	31,401	(1,202)	30,244	35,638	38,027
Materials and services	30,909	30,077	(832)	23,717	34,011	36,579
Borrowing costs	725	505	(220)	1,747	1,263	549
Depreciation,amortisation and impairment for non financial assets	10,271	10,308	37	9,322	11,253	12,370
Other expenses	732	845	112	745	1,045	1,165
Internal Expenditure	7,719	7,618	(102)	4,312	7,088	9,144
Total Expenses from continuing operations	82,960	80,754	(2,207)	70,088	90,299	97,835
Operating result from continuing operations	1,826	6,222	(4,397)	18,582	3,864	34,478
Net operating results for the year	1,826	6,222	(4,397)	18,582	3,864	34,478
Net operating result for the year before grants and contributions provided for capital purposes	(6,038)	(5,277)	(761)	13,233	2,549	20,132

Attachment 1

Item 14.3

KIAMA MUNICIPAL COUNCIL

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

For the Period Ending 30 April 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	23,343	23,511	(168)	21,767	26,494	28,175
User charges and fees	5,494	5,095	399	5,746	6,726	6,098
Other revenue	1,122	1,099	23	1,160	1,424	1,236
Grants and contributions provided for operating purposes	1,926	1,286	640	3,717	7,455	3,891
Grants and contributions provided for capital purposes	7,863	11,499	(3,636)	5,348	1,314	14,346
Interest and investment income	1,916	1,988	(72)	540	1,449	2,386
Other income	-	-	-	-	-	-
Net gain/(loss) from the disposal of assets	3,030	2,523	507	16,985	7,834	28,918
Internal Revenue	6,555	6,510	46	3,173	5,750	7,808
Total income from continuing operations	51,250	53,511	(2,262)	58,437	58,447	92,859
Expenses from continuing operations						
Employee benefits and on-costs	20,995	20,162	(834)	19,255	22,478	24,455
Materials and services	17,471	17,939	468	13,969	19,688	21,899
Borrowing costs	63	63	(1)	84	101	83
Depreciation,amortisation and impairment for non financial assets	7,828	7,848	20	8,274	9,499	9,570
Other expenses	441	515	74	610	637	726
Internal Expenditure	4,084	3,979	(105)	1,804	3,006	4,775
Total Expenses from continuing operations	50,882	50,505	(377)	43,996	55,409	61,507
Operating result from continuing operations	367	3,006	(2,639)	14,440	3,038	31,352
Net operating results for the year	367	3,006	(2,639)	14,440	3,038	31,352
Net operating result for the year before grants and contributions provided for capital purposes	(7,496)	(8,493)	997	9,092	1,724	17,006

Attachment 1

Item 14.3

KIAMA MUNICIPAL COUNCIL
Income Statement - Blue Haven
For the Period Ending 30 April 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	4,523	4,589	(66)	4,056	5,007	5,507
Other revenue	4,190	4,177	13	3,681	4,487	5,013
Grants and contributions provided for operating purposes	13,264	13,258	7	10,301	12,675	15,722
Grants and contributions provided for capital purposes	-	-	-	-	-	-
Interest and investment income	6	1	6	749	409	1
Other income	-	0	(0)	-	-	0
Net gain/(loss) from the disposal of assets	-	-	-	-	-	-
Internal Revenue	1,088	1,103	(14)	1,066	1,247	1,323
Total income from continuing operations	23,072	23,128	(56)	19,853	23,825	27,566
Expenses from continuing operations						
Employee benefits and on-costs	11,138	10,703	(436)	10,531	12,600	12,914
Materials and services	8,507	6,926	(1,581)	5,397	8,396	8,311
Borrowing costs	612	393	(219)	1,597	1,076	393
Depreciation,amortisation and impairment for non financial assets	1,802	1,817	15	1,048	1,064	2,181
Other expenses	54	7	(46)	2	3	9
Internal Expenditure	3,329	3,325	(4)	2,345	3,234	3,993
Total Expenses from continuing operations	25,441	23,170	(2,271)	20,919	26,374	27,799
Operating result from continuing operations	(2,369)	(43)	(2,326)	(1,067)	(2,548)	(233)
Net operating results for the year	(2,369)	(43)	(2,326)	(1,067)	(2,548)	(233)
Net operating result for the year before grants and contributions provided for capital purposes	(2,369)	(43)	(2,326)	(1,067)	(2,548)	(233)

Attachment 1

Item 14.3

KIAMA MUNICIPAL COUNCIL

Income Statement – Blue Haven Per Area

For the Period Ending 30 April 2024

	RACF	ILU	Community Programs	Barroul House	BH Management	Check	Total Bluehaven			Last Year Actual	Full Year Last Year Actual	Adopted Budget
	Actual 2023/24 $'000	Actual 2023/24 $'000	Actual 2023/24 $'000	Actual 2023/24 $'000	Actual 2023/24 $'000		Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	2022/23 $'000	2022/23 $'000	2023/24 $'000
Income from continuing operations												
Rates and annual charges	-	-	-	-	-	-	-	-	-	-	-	-
User charges and fees	3,206	1,161	156	-	-	-	4,523	4,589	(66)	4,056	5,007	5,507
Other revenue	10	4,070	19	90	-	-	4,190	4,177	13	3,681	4,487	5,013
Grants and contributions provided for operating purposes	9,100	-	4,164	-	-	-	13,264	13,258	7	10,301	12,675	15,722
Grants and contributions provided for capital purposes	-	-	-	-	-	-	-	-	-	-	-	-
Interest and investment income	-	6	-	-	-	-	6	1	6	-	409	1
Other income	-	-	-	-	-	-	-	-	(0)	-	-	0
Net gain/(loss) from the disposal of assets	-	-	-	-	-	-	-	-	-	-	-	-
Internal Revenue	-	-	349	-	740	-	1,088	1,103	(14)	1,066	1,247	1,323
Total income from continuing operations	12,317	5,238	4,688	90	740	-	23,072	23,128	(56)	19,853	23,825	27,566
Expenses from continuing operations												
Employee benefits and on-costs	7,484	222	2,693	297	442	-	11,138	10,703	(436)	10,531	12,600	12,914
Materials and services	5,849	1,345	705	89	520	-	8,507	6,926	(1,581)	5,397	8,396	8,311
Borrowing costs	428	184	-	-	-	-	612	393	(219)	1,597	1,076	393
Depreciation,amortisation and impairment for non financial assets	182	1,620	-	-	-	-	1,802	1,817	15	1,048	1,064	2,181
Other expenses	54	-	-	-	-	-	54	7	(46)	2	3	9
Internal Expenditure	882	964	1,368	30	85	-	3,329	3,325	(4)	2,345	3,234	3,993
Total Expenses from continuing operations	14,878	4,334	4,766	416	1,047	-	25,441	23,170	(2,271)	20,919	26,374	27,799
Operating result from continuing operations	(2,562)	904	(78)	(326)	(307)	-	(2,369)	(43)	(2,326)	(1,067)	(2,548)	(233)
Net operating results for the year	(2,562)	904	(78)	(326)	(307)	-	(2,369)	(43)	(2,326)	(1,067)	(2,548)	(233)
Net operating result for the year before grants and contributions provided for capital purposes	(2,562)	904	(78)	(326)	(307)	-	(2,369)	(43)	(2,326)	(1,067)	(2,548)	(233)

Attachment 1

Item 14.3

KIAMA MUNICIPAL COUNCIL
Income Statement - Holiday Parks
For the Period Ending 30 April 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	9,652	9,650	2	9,704	11,131	11,063
Other revenue	9	1	8	1	2	2
Grants and contributions provided for operating purposes	83	-	83	-	0	-
Grants and contributions provided for capital purposes	-	-	-	-	-	-
Interest and investment income	-	-	-	-	-	-
Other income	-	-	-	-	-	-
Net gain/(loss) from the disposal of assets	-	-	-	-	-	-
Internal Revenue	37	-	37	63	72	-
Total income from continuing operations	9,782	9,652	130	9,769	11,205	11,065
Expenses from continuing operations						
Employee benefits and on-costs	271	319	48	287	355	397
Materials and services	4,580	4,842	262	4,273	5,519	5,925
Borrowing costs	50	49	(0)	67	85	73
Depreciation,amortisation and impairment for non financial assets	515	517	1	-	689	620
Other expenses	238	323	85	133	406	430
Internal Expenditure	287	282	(4)	158	827	339
Total Expenses from continuing operations	5,940	6,333	392	4,918	7,880	7,784
Operating result from continuing operations	3,841	3,319	522	4,850	3,325	3,281
Net operating results for the year	3,841	3,319	522	4,850	3,325	3,281
Net operating result for the year before grants and contributions provided for capital purposes	3,841	3,319	522	4,850	3,325	3,281

Attachment 1

Item 14.3

KIAMA MUNICIPAL COUNCIL

Income Statement - The Pavilion

For the Period Ending 30 April 2024

	Year to Date				Full Year	
	Actual 2023/24 $'000	Adopted Budget 2023/24 $'000	Variance 2023/24 $'000	Last Year Actual 2022/23 $'000	Last Year Actual 2022/23 $'000	Adopted Budget 2023/24 $'000
Income from continuing operations						
Rates and annual charges	-	-	-	-	-	-
User charges and fees	633	673	(39)	594	666	807
Other revenue	-	-	-	-	-	-
Grants and contributions provided for operating purposes	-	-	-	-	-	-
Grants and contributions provided for capital purposes	-	-	-	-	-	-
Interest and investment income	-	-	-	-	-	-
Other income	-	-	-	-	-	-
Net gain/(loss) from the disposal of assets	3	2	0	-	-	3
Internal Revenue	46	11	36	17	19	13
Total income from continuing operations	682	685	(3)	612	685	823
Expenses from continuing operations						
Employee benefits and on-costs	199	217	18	170	205	262
Materials and services	352	370	19	78	409	445
Borrowing costs	-	-	-	-	-	-
Depreciation,amortisation and impairment for non financial assets	126	126	0	-	-	-
Other expenses	-	-	-	-	-	-
Internal Expenditure	20	31	12	5	23	38
Total Expenses from continuing operations	696	746	49	254	636	744
Operating result from continuing operations	(14)	(60)	46	358	49	78
Net operating results for the year	(14)	(60)	46	358	49	78
Net operating result for the year before grants and contributions provided for capital purposes	(14)	(60)	46	358	49	78

Attachment 1

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KIAMA MUNICIPAL COUNCIL

Consolidated

Statement of Financial Position

For the Period Ended 30 June 2024

	Notes	Actual 10 Months 2024 $'000	Actual 10 Months 2023 $'000
ASSETS			
Current assets			
Cash and cash equivalants	C1-1	**19,553**	16,399
Investments	C1-2	**22,750**	54,734
Receivables	C1-4	**4,591**	3,201
Inventories	C1-5	**322**	338
Contract assets and contract cost assets	C1-6	**822**	216
Current assets classified as 'held for sale'	C1-7	**5,461**	16,426
Other		**902**	483
Total current assets		**54,401**	91,796
Non current assets			
Investments	C1-2	**9,000**	7,000
Receivables	C1-4	**203**	196
Infrastructure, property, plant and equipment	C1-8	**583,618**	539,481
Investment property	C1-9	**124,950**	139,030
Intangable assets	C1-10	**-**	-
Right of use assets	C2-1	**122**	122
Total non current assets		**717,893**	685,829
Total assets		**772,294**	777,625
LIABILITIES			
Current liabilities			
Payables	C3-1	**141,124**	134,598
Contract liabilities	C3-2	**6,949**	**2,693**
Lease liabilities	C2-1	**36**	**36**
Borrowings	C3-3	**674**	1,167
Employee benefit provisions	C3-4	**6,401**	7,757
Total current liabilities		**155,184**	146,250
Non current liabilities			
Payables	C3-1	**18**	24
Lease liabilities	C2-1	**6**	6
Borrowings	C3-3	**20,197**	50,427
Employee benefit provisions	C3-4	**601**	741
Total non current liabilities		**20,822**	51,198
Total Liabilities		**176,006**	197,448
Net Assets		**596,288**	580,177
EQUITY			
Retained earnings		**176,921**	187,204
Revaluation reserves		**415,779**	376,063
Current Year Net Earnings		**1,787**	16,910
Total equity		**594,488**	580,177

14.4   Statement of Investments: May 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 14.4

Summary

This report provides an overview of Council's cash and investment portfolio and investment performance as at May 2024 and endorsement of the restricted funds position.

Financial implication

Investments are undertaken based upon the best rate on the day and after consideration of spreading Council's Investment risk across various institutions as per the Investment Policy and section 625 of the Local Government Act 1993. The distinction between restricted and unrestricted funds is a key operational and financial understanding.

Risk implication

The risk related to this information is non-compliance with Council's Investment Policy and Office of Local Government guidelines for appropriate monitoring and reporting of changes and the position of restricted funds.

Policy

Clause 625 of the *Local Government Act 1993*

Clause 212 of the Local Government (General) Regulation 2021

Kiama Municipal Council – Investment Policy

Kiama Municipal Council – Restricted Funds Policy

Consultation (internal)

Chief Executive Officer

Chief Financial Officer

Financial Accountant

Communication/Community engagement

N/A

Attachments

1   May 2024 Investment Report⇩

Enclosures
Nil

Report of the Chief Operating Officer

14.4   Statement of Investments: May 2024 (cont)

<div style="text-align: right">**Item 14.4**</div>

RECOMMENDATION

That Council:

1. Receives the information relating to the Statement of Investments as at 31 May 2024.

2. Approves the transfer of $3,900,000 from the Land Development Reserve to Unrestricted Funds and endorses the restricted funds position outlined in the report

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 May, excluding cash, the total portfolio provided a return of +0.45% (actual) or +5.37% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.37% (actual) or +4.50% p.a. (annualised). All previously held low yielding deposits coming out of the pandemic period have all matured and have been reinvested with higher prevailing rates. This brings Council's all time period investments above the one year benchmark returns.
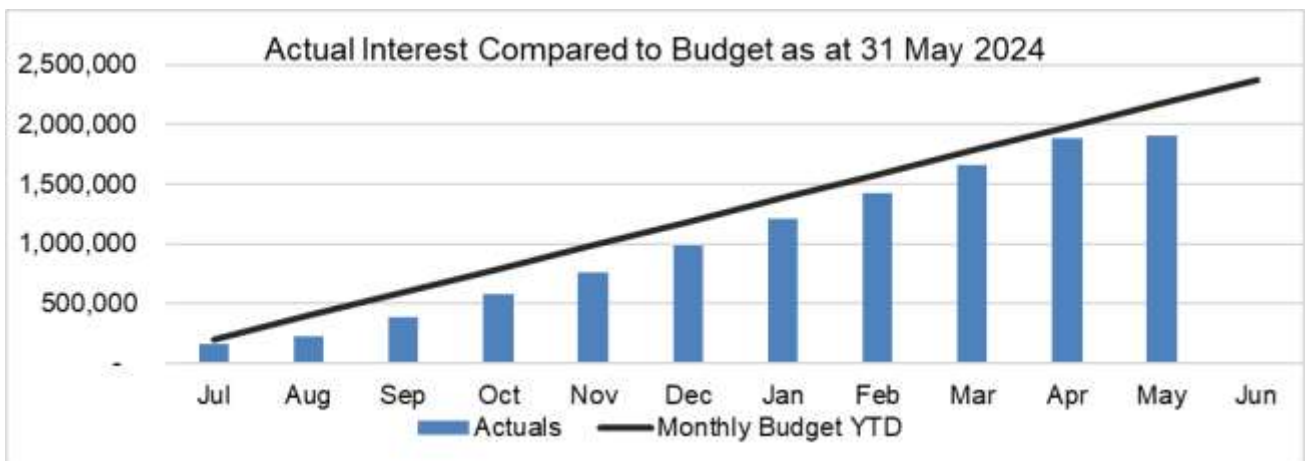
Movement in Investments
Compared to May 2023 Council's investments portfolio decreased by $38M. Repayment of TCorp loan tranches of $30M (excluding interest payments) being the key outflows.

14.4   Statement of Investments: May 2024 (cont)

Item 14.4

Balance of Funds available for Investment
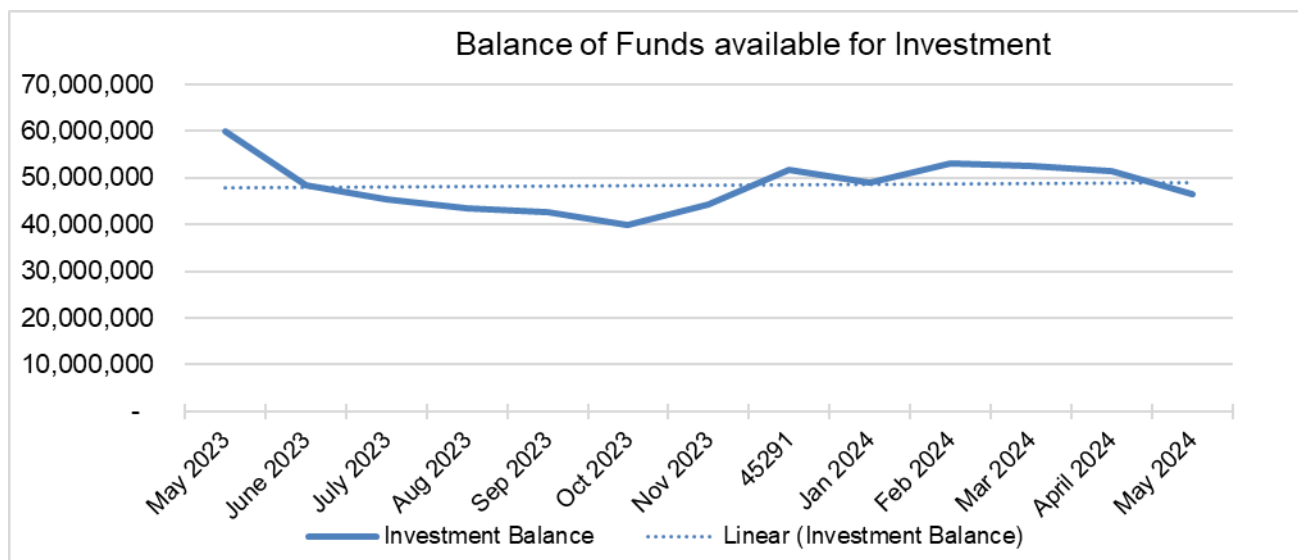
Matured trades for May:

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate %	Value
Suncorp	A+	TD	At Maturity	11/10/2023	13/05/2024	5.15	2,000,000
Total							**2,000,000**

No new trades were entered into during May.

Report of the Chief Operating Officer

14.4   Statement of Investments: May 2024 (cont)

Portfolio Summary:

Issuer	Rating	Type	Interest	Purchase	Maturity	Rate %	Value
Suncorp	A+	TD	At Maturity	04/12/2023	03/06/2024	5.28	1,000,000
NAB	AA-	TD	At Maturity	10/01/2024	12/06/2024	5.10	4,000,000
NAB	AA-	TD	At Maturity	26/02/2024	26/06/2024	5.05	2,000,000
NAB	AA-	TD	At Maturity	06/03/2024	10/07/2024	5.10	2,000,000
Suncorp	A+	TD	At Maturity	30/10/2023	30/07/2024	5.35	2,000,000
NAB	AA-	TD	At Maturity	11/03/2024	07/08/2024	5.10	1,000,000
BOQ	A-	TD	At Maturity	21/11/2023	21/08/2024	5.40	1,000,000
NAB	AA-	TD	Annual	18/12/2023	18/09/2024	5.13	1,000,000
AMP Bank	BBB+	TD	Annual	27/09/2022	26/09/2024	4.95	750,000
ING Bank (Australia) Ltd	A	TD	At Maturity	16/10/2023	16/10/2024	5.23	2,000,000
Commonwealth Bank	AA-	TD	At Maturity	23/10/2023	23/10/2024	5.26	2,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	15/11/2023	15/11/2024	5.48	2,000,000
Suncorp	A+	TD	At Maturity	21/11/2023	21/11/2024	5.40	1,000,000
Suncorp	A+	TD	At Maturity	28/11/2023	28/11/2024	5.50	2,000,000
Suncorp	A+	TD	At Maturity	04/12/2023	04/12/2024	5.35	1,000,000
Suncorp	A+	TD	At Maturity	13/12/2023	13/12/2024	5.30	2,000,000
ING Bank (Australia) Ltd	A	TD	Annual	21/12/2023	18/12/2024	5.23	2,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	10/01/2024	09/01/2025	5.22	1,000,000
NAB	AA-	TD	At Maturity	26/02/2024	26/02/2025	5.08	2,000,000
Suncorp	A+	TD	At Maturity	06/03/2024	12/03/2025	5.14	1,000,000
BankVic	BBB+	TD	At Maturity	25/03/2024	26/03/2025	5.15	2,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	16/04/2024	02/04/2025	5.13	1,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	22/11/2023	23/09/2025	5.35	1,000,000
Suncorp	A+	TD	At Maturity	21/11/2023	21/11/2025	5.36	1,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	04/12/2023	04/12/2025	5.25	1,000,000
ING Bank (Australia) Ltd	A	TD	Annual	18/12/2023	18/12/2025	5.20	2,000,000
ING Bank (Australia) Ltd	A	TD	Annual	10/01/2024	14/01/2026	4.96	1,000,000
Bank of Us	BBB+	TD	At Maturity	06/03/2024	11/03/2026	4.96	1,000,000
ING Bank (Australia) Ltd	A	TD	At Maturity	11/04/2024	08/04/2026	4.92	2,000,000
Westpac	AA-	CASH	Monthly	31/05/2024	31/05/2024	4.24	7,232,708
Total **51,982,708**							

Item 14.4

Restricted Funds Movements

The restricted funds movement for this month and balances are presented in the table below.

Cash and Investments Held	Apr-24	Movement	May-24
Cash at Bank - Transactional Account	5,878,737	1,353,972	7,232,708
Other Cash and Investments	46,750,000	(2,000,000)	44,750,000
Total Portfolio Balance (agrees to Arlo Advisory report)	**52,628,737**	**(646,028)**	**51,982,708**
Cash on Hand	6,110		6,110
Bank Reconciliation items	(1,332,154)	(4,088,680)	(5,420,834)
Book Value of Cash and Investments	**51,302,692**	**(4,734,709)**	**46,567,984**
Developer Contributions	12,764,954	12,361	12,777,315
Unexpended Grants	2,677,144		2,677,144
Domestic Waste	5,727,549		5,727,549
Blue Haven Terralong ILU Maintenance Levy	2,023,322		2,023,322
Blue Haven Bonaira ILU Maintenance Levy	395,562		395,562
Blue Haven RAC Prudential Liquidity Management	5,000,000		5,000,000
Blue Haven Community Transport Vehicle	315,000		315,000
Blue Haven Home Care Client credit Balance	193,817		193,817
Crown Holiday parks	4,802,733	(108,838)	4,693,895
Closed Roads	-		-
Leisure Centre Unspent Loan Funding	500,000		500,000
Stormwater Levy	228,947		228,947
Security bonds, Deposits & Retentions	1,998,343	(7,215)	1,991,128
Externally Restricted	**36,627,371**	**(103,692)**	**36,523,679**
Council Elections	49,776		49,776
Employee Leave Liabilities	3,367,000		3,367,000
Land development	4,646,565	(3,900,000)	746,565
Plant replacement	-		-
Risk Improvement Incentive	99,097		99,097
Waste Business Unit	865,308		865,308
Waste and Sustainability	558,180		558,180
Blue Haven ILU Prudential Cover	4,300,000		4,300,000
Internally Restricted	**13,885,926**	**(3,900,000)**	**9,985,926**
Unrestricted Funds	**789,396**	**(731,016)**	**58,379**

Note the Disaster Recovery Funding grant request of $3.8M which is outstanding as referred in the Monthly Financial Report.

May's reserve movements include:

- An increase in the Developer Contribution reserve of $12K

- A decrease in the Crown Holiday Parks reserve of $109K

- A decrease in the Security and Bonds, Deposits and Retentions reserve of $7K

- A decrease in the Land Development reserve of $3.9M

Some reimbursement of the land development reserve is expected to occur next month through receipt of rate instalments and $1.8M of the $3.8M Disaster Recovery Funding in June.

The public exhibition period of the 2022/23 Draft Financial Statements has ended. However, due to the continual work in resolving the historic underlying issues relating to reserve balances, the final adjustments to the reserve opening balances has not been reflected in this month's Investment report.

Overall decrease in cash is explained in the unrestricted cash section of this report.

Unrestricted Funds
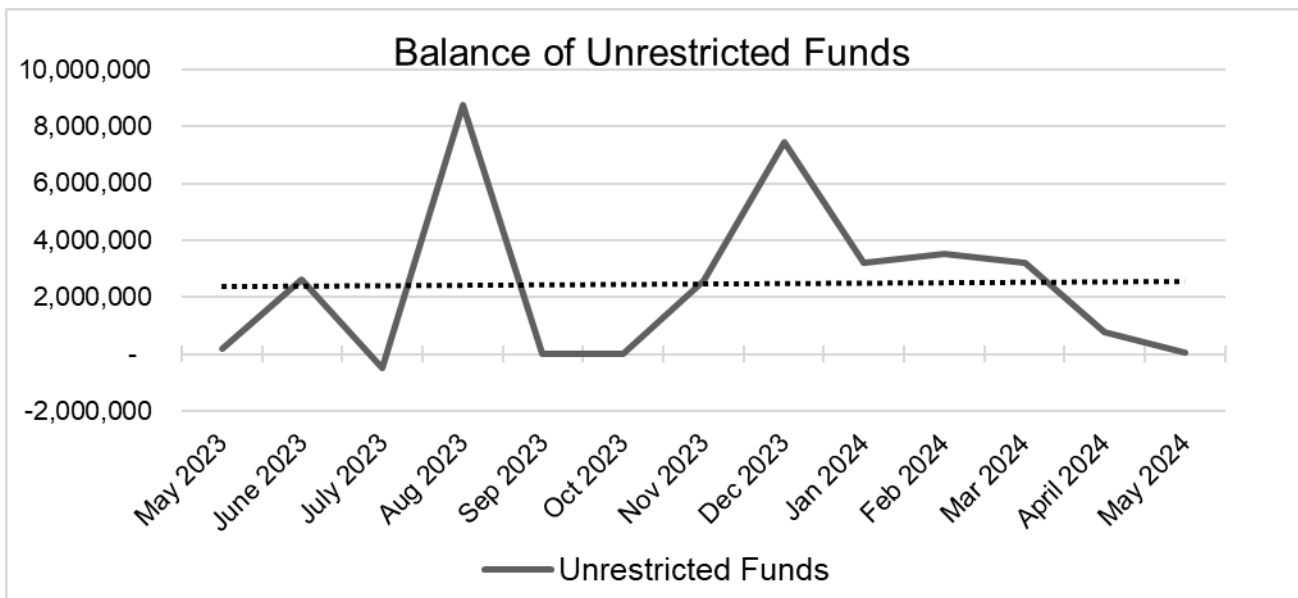
Council's overall cash balance decreased during May from $51.3M to $46.6M. This $4.7M decrease is mainly associated with the net outflow of Residential Accommodation Deposit and ILU refunds of $2.2M. These are timing matters based on resident departure and also probate processes. The additional works at Terralong ILU are slowing the refurbishment process which is also impacting.

Legal costs and capital expenditure were some $1M higher than expected. Other operating expenses such as loan repayments and Audit Office fees also contributed.

The unrestricted funds balance as at 31 May decreased from $789K to $58k.

The summary of transfers from internal reserves in order to replenish unrestricted cash as per previous Council resolutions is summarised below:

Reference	Date Effective	Reserve	Amount	Reason
23/126OC	30/04/2023	Land Development Reserve	-5,000,000	insufficient unrestricted cash balance
23/195OC	31/07/2023	Land Development Reserve	-500,000	insufficient unrestricted cash balance
23/256OC	31/08/2023	Land Development Reserve	-1,800,000	insufficient unrestricted cash balance
23/329OC	31/10/2023	Land Development Reserve	-2,174,773	insufficient unrestricted cash balance
23/365OC	30/11/2023	Land Development Reserve	2,000,000	transfer to increase reserve
24/018OC	29/02/2024	Land Development Reserve	1,000,000	transfer to increase reserve
	Total:		**-6,474,773**	

Consolidated Cash Position and Cash Flow Forecast

Council's Forecasted Cashflow was reviewed, updated, and presented to the Financial Advisory Committee in early June. .

The below graph depicts the revised cash forecast for the coming 12 months, whilst comparing the current cash reserve balance to the predicted cash reserve balance.
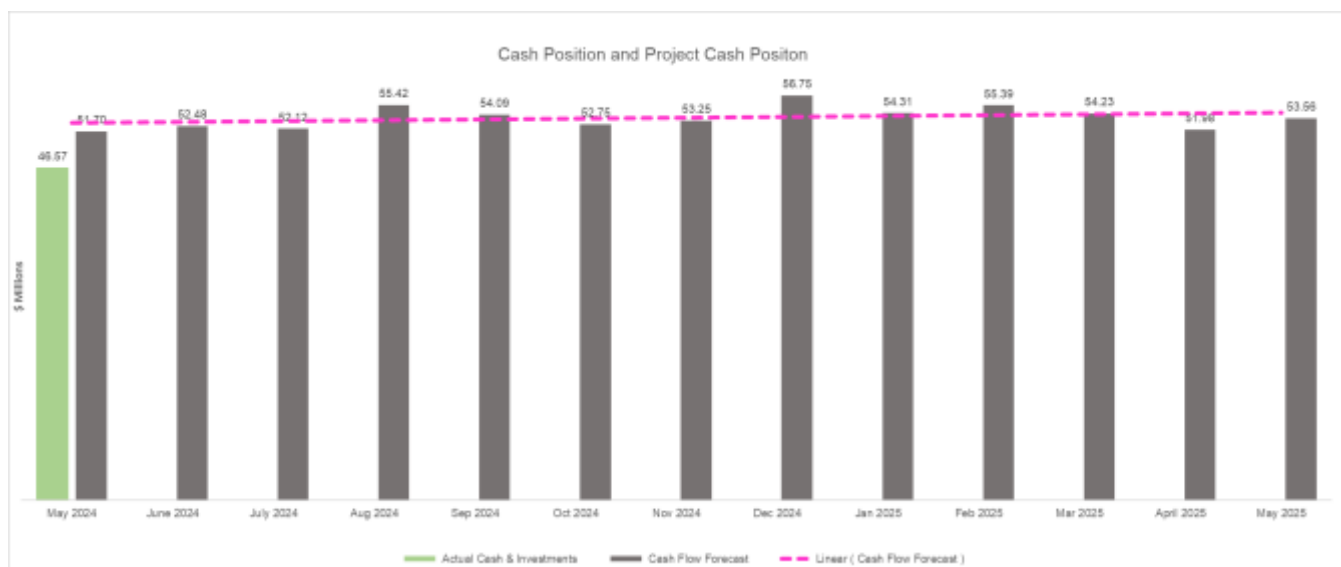
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Certification – Responsible Accounting Officer

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.

Debbie Webb
Acting Chief Financial Officer

07/06/2024

Monthly Investment Review

KIAMA MUNICIPAL COUNCIL
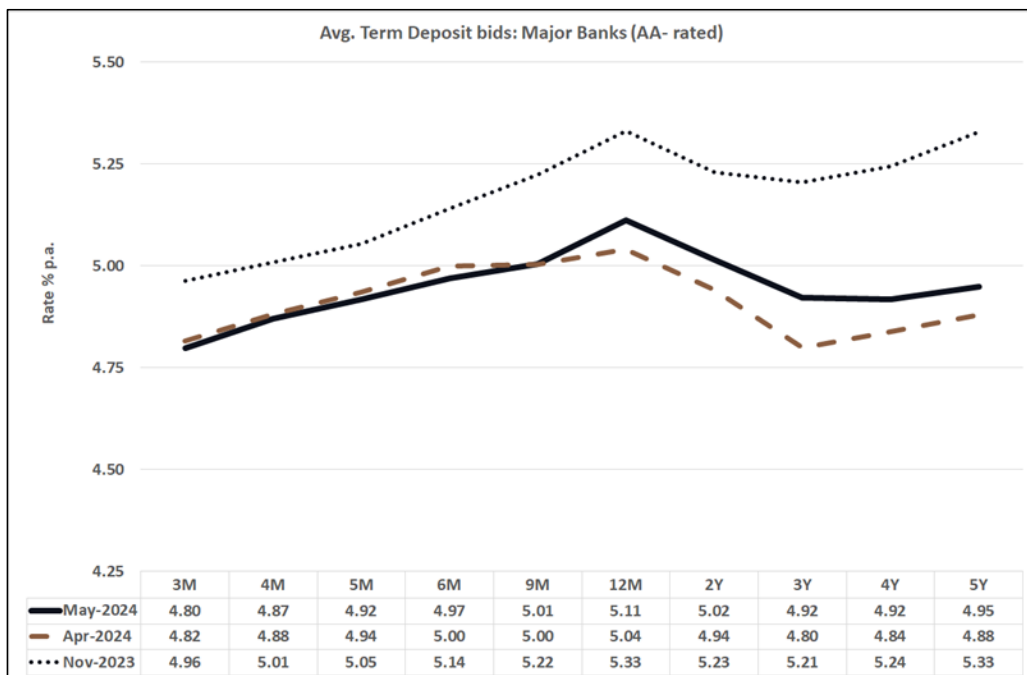your council, your community

May 2024

Arlo Advisory

Market Update Summary

In May, risk assets rebounded despite inflation data continuing to challenge expectations for when central banks will begin easing monetary policy. In response, global bond yields remain elevated and have been volatile in recent months.

Over May, the average deposit rates offered by the major banks at the short-end (up to 9 months) remained relatively flat. In the medium-term (1-3 years), the average bids from the major banks rose between 7-12bp, reflective of the market positioning a 'higher-for-longer' period where official interest rates may remain stagnant for the foreseeable future. The deposit curve still remains inverse with markets still factoring in rate cuts in future years.

Avg. Term Deposit bids: Major Banks (AA- rated)

	3M	4M	5M	6M	9M	12M	2Y	3Y	4Y	5Y
May-2024	4.80	4.87	4.92	4.97	5.01	5.11	5.02	4.92	4.92	4.95
Apr-2024	4.82	4.88	4.94	5.00	5.00	5.04	4.94	4.80	4.84	4.88
Nov-2023	4.96	5.01	5.05	5.14	5.22	5.33	5.23	5.21	5.24	5.33

Source: Imperium Markets

With a global economic downturn and interest rate cuts being priced over the next 12 months, investors should consider diversifying and taking an 'insurance policy' against a potentially lower rate environment by investing across 2-5 year fixed deposits, targeting rates above 5% p.a. (small allocation only).

Item 14.4

Attachment 1

Kiama Municipal Council's Portfolio & Compliance

Asset Allocation

The majority of the portfolio is directed to term deposits (86.1%), with the remainder in cash (13.9%).

Senior FRNs remain relatively attractive as spreads have generally widened over the past 2 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 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 2–5 year fixed deposits, locking in and targeting yields above 5% p.a.

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.
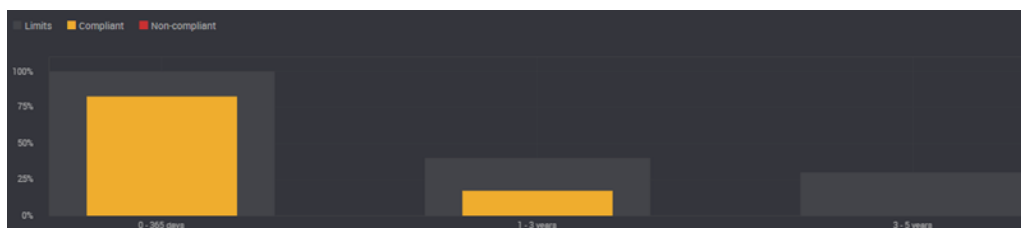
Compliant	Horizon	Invested ($)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available ($)
✔	0 - 365 days	$42,982,708	82.69%	0%	100%	$7,441,790
✔	1 - 3 years	$9,000,000	17.31%	0%	40%	$9,751,294
✔	3 - 5 years	$0	0.00%	0%	30%	$12,894,812
✔	5 - 10 years	$0	0.00%	0%	30%	$12,894,812
		$51,982,708	**100.00%**			

Counterparty

As at the end of May, all individual counterparties are within limits and compliant. Overall, the portfolio is lightly diversified across the investment grade credit spectrum with zero exposure to the unrated ADI sector.

Compliant	Issuer	Rating	Invested ($)	Invested (%)	Max. Limit (%)	Available ($)
✔	CBA	AA-	$2,000,000	3.85%	40%	$18,793,083
✔	Westpac	AA-	$7,232,708	13.91%	40%	$13,560,375
✔	NAB	AA-	$12,000,000	23.08%	40%	$8,793,083
✔	Suncorp	A+	$11,000,000	21.16%	30%	$4,594,812
✔	ING	A	$15,000,000	28.86%	30%	$594,812
✔	BoQ	A-	$1,000,000	1.92%	30%	$14,594,812
✔	AMP	BBB+	$750,000	1.44%	15%	$7,047,406
✔	Bank of Us	BBB+	$1,000,000	1.92%	15%	$6,797,406
✔	BankVic	BBB+	$2,000,000	3.85%	15%	$5,797,406
			$51,982,708	**100.00%**		

In February 2024, ANZ's takeover of Suncorp was given the green light by the Australian Competition Tribunal (ACT), six months after the Australian Competition and Consumer Commission (ACCC) blocked the deal on the grounds that it could lessen competition in the mortgage market. As such, Suncorp's assets are likely to be upgraded to AA– in the near future by S&P, potentially within 6 months (but also, they may be flagged as an ADI lending to the fossil fuel industry in future).

In early April 2024, BoQ was upgraded by S&P from BBB+ to A–. Separately, several other regional banks were upgraded from BBB to BBB+ (including AMP). This has resulted in increased capacity to invest in some of these individual institutions from a counterparty perspective, as well as the aggregate "BBB" rated category (see "Credit Quality" section).

Fossil Fuel Investments

What is Council's current exposure to institutions that fund fossil fuels?

Using the following link http://www.marketforces.org.au/banks/compare, based on the Council's investment portfolio balance as at 31/05/2024 (~$51.98m), we can roughly estimate that ~71% of the institutions invested have some form of exposure. Note this is purely based on the institution/counterparty and not the actual underlying investments themselves.

Council's exposure is summarised as follows:

Counterparty	Rating	Funding Fossil Fuel
CBA	AA-	Yes
WBC	AA-	Yes
NAB	AA-	Yes
Suncorp	A+	No
ING	A	Yes
BoQ	A-	No
AMP Bank	BBB+	Yes
Bank of Us	BBB+	No
BankVIC	BBB+	No

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

Summary	Amount	Invested %
Yes	$36,982,708	71%
No	$15,000,000	29%
	$51,982,708	**100%**

Transition to investments without major exposure to fossil fuels

Council has not made a formal decision to divest from the current portfolio of investments which have exposure to fossil fuels. To do so would have unfavourable implications to the credit quality, rating and interest income forecasts.

However, where possible, and within the ministerial and policy guidelines, Council will continue to favour newly issued fossil fuel free investment products, providing it does not compromise the risk and return profile.

In time, it is Councils intention to move to a more balanced portfolio which has less exposure to fossil fuels, providing it is prudent to do so.

What would be implications on our portfolio credit rating?

By adopting a free fossil fuel policy or an active divestment strategy, this would eliminate the major banks rated "AA-" as well as some other potential "A" rated banks (e.g. Macquarie and ING). Council would be left with a smaller sub-sector of banks to choose to invest with.

What would be risks and implications on Council's portfolio performance?

Some implications include:

- High concentration risk – limiting Council to a selected number of banks;
- Increased credit/counterparty risk;
- May lead to a reduction in performance (e.g. should Council choose to invest in securities, most of the senior FRN issues are with the higher rated ADIs);
- Underperformance compared to other Councils which could result in a significant loss of income generated – could be in excess of hundreds of thousands of dollars per annum.

It may actually be contrary to Council's primary objective to preserve capital as the investment portfolio's risk would increase (all things being equal). Council may not be maximising its returns – this is one of the primary objectives written in the Investment Policy.

Credit Quality

The portfolio is diversified from a credit ratings perspective, with exposure down to the BBB category. All ratings categories are within the Policy limits:

Compliant	Credit Rating	Invested ($)	Invested (%)	Max. Limit (%)	Available ($)
✔	AAA Category	$0	0.0%	100%	$51,982,708
✔	AA Category	$21,232,708	40.8%	100%	$30,750,000
✔	A Category	$27,000,000	51.9%	70%	$9,387,896
✔	BBB Category	$3,750,000	7.2%	30%	$11,844,812
✔	Unrated Category	$0	0.0%	0%	$0
		$51,982,708	**100.0%**		

There is now much higher capacity to invest with the "BBB" rated ADIs following the recent ratings upgrade for BoQ (moved up from BBB to A category range). From a ratings perspective, the "BBB" rated banks still generally dominate the number of ADIs issuing deposits within the investment grade space. There has been some signs of appetite growing in the wholesale deposit market as additional lower rated ("BBB" and unrated) ADIs have come to market to raise 'new' money.

Performance

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

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.36%	1.08%	2.16%	3.91%	4.26%
AusBond Bank Bill Index	0.37%	1.10%	2.20%	4.01%	4.32%
Council's Portfolio^	0.45%	1.30%	2.60%	4.58%	4.89%
Outperformance	0.07%	0.20%	0.40%	0.57%	0.57%

^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%	4.26%	4.26%
AusBond Bank Bill Index	4.50%	4.43%	4.43%	4.36%	4.32%
Council's Portfolio^	5.37%	5.26%	5.24%	4.99%	4.89%
Outperformance	0.87%	0.84%	0.81%	0.62%	0.57%

^Total portfolio performance excludes Council's cash account holdings.

For the month of May, excluding cash, the total portfolio provided a return of +0.45% (actual) or +5.37% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.37% (actual) or +4.50% p.a. (annualised). All time periods are now 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.

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<u>Recommendations for Council</u>

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 interest rate cuts and a global economic downturn is forthcoming and so locking in rates above 5% p.a. across 1 5 year tenors may provide some income protection against a lower rate environment.

As at the end of May 2024, Council's deposit portfolio was yielding around 5.20% p.a. (unchanged from the previous month), with a weighted average duration of 231 days (~8 months). *We commend Council for improving its weighted average duration in recent months reflective of investments in high yielding term deposits in 1 and 2 year tenors. We continue to recommend Council to increase the portfolio's duration closer to 9 months incrementally over the current financial year (with a view to extending closer to 12 months in the medium-term).*

Please refer to the section below for further details on the Term Deposit market.

Securities

Primary (new) **FRNs** (with maturities between 3–5 years) continue to be appealing (particularly for those investors with portfolios skewed towards fixed assets) and should be considered on a case by case scenario.

Please refer to the section below for further details on the FRN market.

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Term Deposit Market Review

Current Term Deposits Rates

As at the end of May, we see value in the following:

ADI	LT Credit Rating	Term	Rate % p.a.
ING	A	5 years	5.35%
ING	A	4 years	5.26%
ING	A	2 years	5.25%
ING	A	3 years	5.20%
Westpac	AA-	2 years	5.13%
Bank of Us	BBB+	2 years	5.12%
Suncorp	A+	2 years	5.11%
Australian Military	BBB+	2 years	5.11%
NAB	AA-	2 years	5.05%
Suncorp	A+	3 years	5.03%

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*):

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Attachment 1

ADI	LT Credit Rating	Term	Rate % p.a.
P&N Bank	BBB+	12 months	5.40%
Rabobank	A	12 months	5.37%
ING	A	12 months	5.31%
Bank of Us	BBB+	12 months	5.25%
NAB	AA-	12 months	5.25%
BankVIC	BBB+	12 months	5.25%
Westpac	AA-	12 months	5.24%
Suncorp	A+	12 months	5.23%
Suncorp	A+	9 months	5.21%
NAB	AA-	10-11 months	5.20%
NAB	AA-	6-9 months	5.15%
BoQ	A-	6-12 months	5.10%
NAB	AA-	3-4 months	5.00%

If Council does not require high levels of liquidity and can stagger a proportion of its investments across the longer term horizons (1–5 years), it will be rewarded over a longer–term cycle. Investing a spread of 12 months to 3 year horizons is likely to yield, on average, up to ¼–½% p.a. higher compared to those investors that entirely invest in short–dated deposits (under 6–9 months).

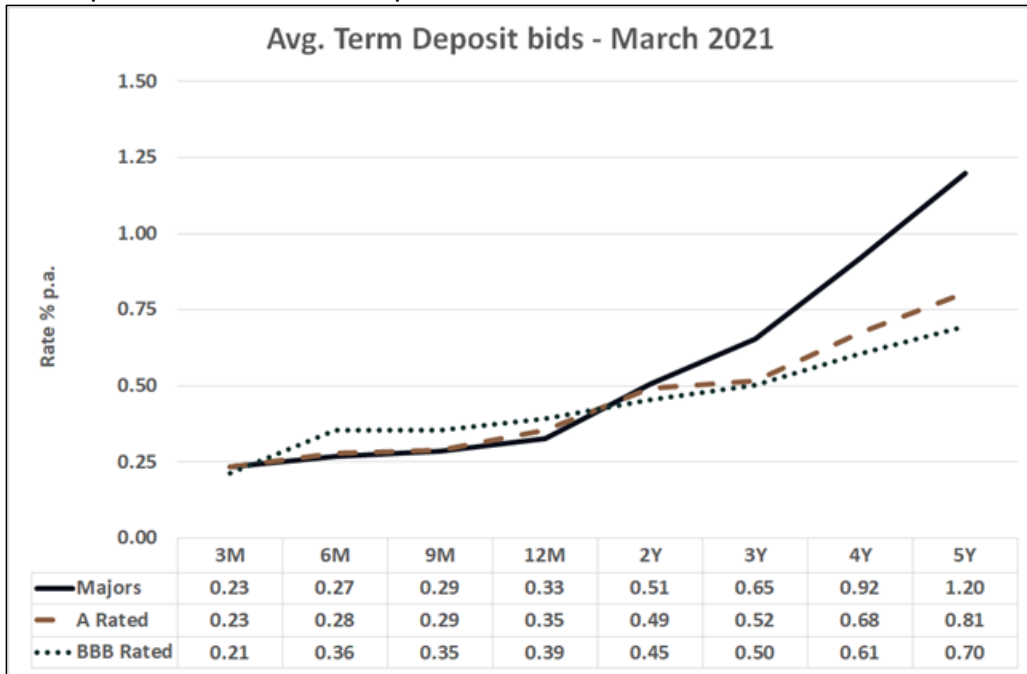With a global economic slowdown and interest rate cuts being priced over the next few years, investors should strongly consider diversifying by allocating some longer term surplus funds and undertake an insurance policy by investing across 2–5 year fixed deposits and locking in rates above 5% p.a. This will provide some income protection with central banks now potentially looking to cut rates in 2025.

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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)

Avg. Term Deposit bids - March 2021

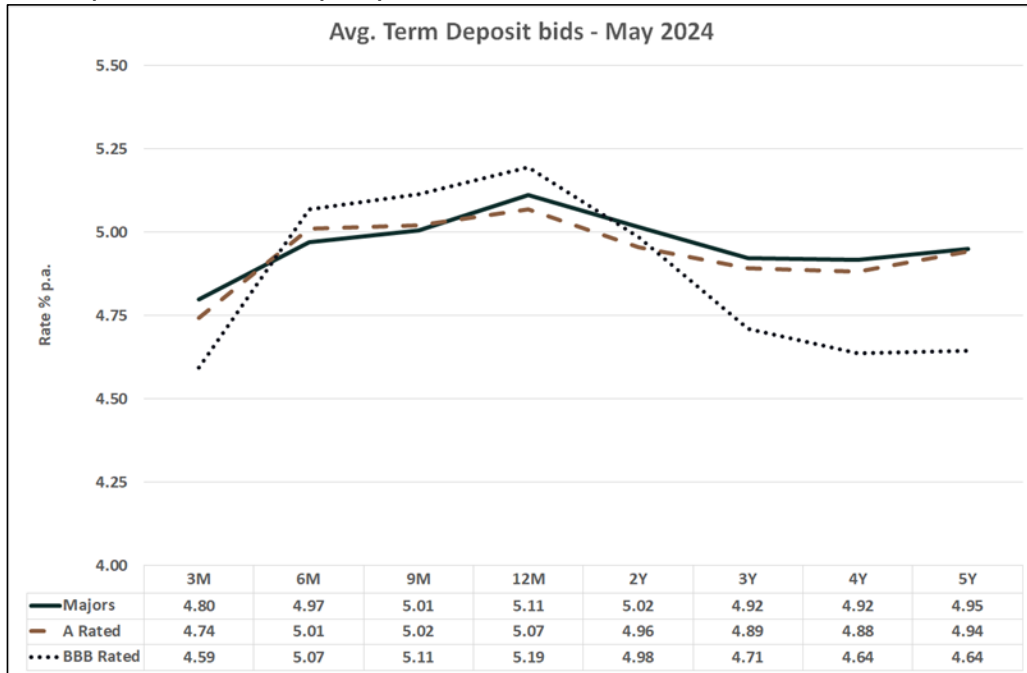|	3M	6M	9M	12M	2Y	3Y	4Y	5Y
Majors	0.23	0.27	0.29	0.33	0.51	0.65	0.92	1.20
A Rated	0.23	0.28	0.29	0.35	0.49	0.52	0.68	0.81
BBB Rated	0.21	0.36	0.35	0.39	0.45	0.50	0.61	0.70

Source: Imperium Markets

The abnormal marketplace experienced during the pandemic is starting to reverse as the competition for deposits slowly increases, 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 to volatility more quickly than the rest of the market, as was the case again this month:

Term Deposit Rates – Currently (May 2024)

Avg. Term Deposit bids - May 2024

	3M	6M	9M	12M	2Y	3Y	4Y	5Y
Majors	4.80	4.97	5.01	5.11	5.02	4.92	4.92	4.95
A Rated	4.74	5.01	5.02	5.07	4.96	4.89	4.88	4.94
BBB Rated	4.59	5.07	5.11	5.19	4.98	4.71	4.64	4.64

Source: Imperium Markets

Regional & Unrated ADI Sector

Ratings agency S&P has commented that "*mergers remain compelling for mutuals lenders*" in providing smaller lenders greater economies of scale and assisting them in being able to price competitively and will see "*the banking landscape will settle with a small number of larger mutual players*". S&P expects that consolidation to continue over the next two years.

We remain supportive of the regional and unrated ADI sector (and have been even throughout the post–GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25–40% more capital than the domestic major banks, and well above the Basel III requirements.
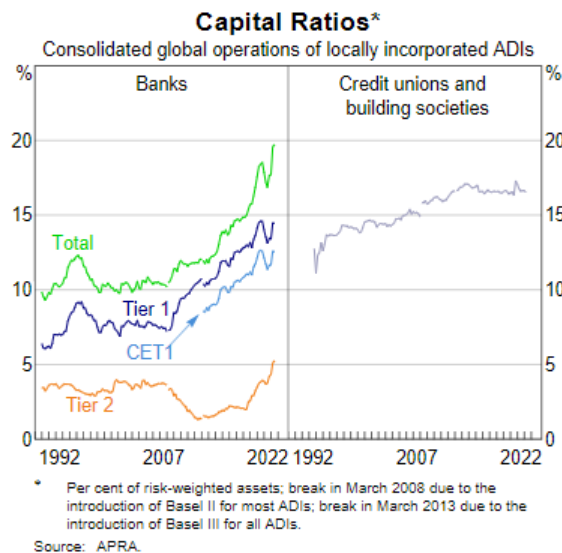
Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position then they have been historically (see the Capital Ratio figure below). The financial regulator, APRA has noted that

the Common Equity Tier 1 capital of Australian banks now exceeds a quarter of a trillion dollars. It has increased by $110 billion, or more than 70%, over the past decade. Over the same time, banks' assets have grown by 44%. Some of the extra capital is supporting growth in the banking system itself but clearly, there has been a strengthening in overall resilience and leverage in the system is lower.

We believe that deposit investments with the lower rated ADIs should be considered going forward, particularly when they offer 'above market' specials. Not only would it diversify the investment portfolio and reduce credit risk, it would also improve the portfolio's overall returns. The lower rated entities are generally deemed to be the more 'ethical' ADIs compared to the higher rated ADIs.

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

Capital Ratios*
Consolidated global operations of locally incorporated ADIs

*   Per cent of risk-weighted assets; break in March 2008 due to the introduction of Basel II for most ADIs; break in March 2013 due to the introduction of Basel III for all ADIs.
Source: APRA.

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Senior FRNs Market Review

Over May, amongst the senior major bank FRNs, physical credit securities tightened by around 7bp at the 5 year part of the curve. During the month, NAB (AA–) issued a 3 year senior deal at +70bp, whilst WBC (AA–) issued a 5 year senior issue at +88bp. Major bank senior securities remain at fair value on a historical basis (5yr margins around +90bp level).

5yr Senior Major Bank Spreads
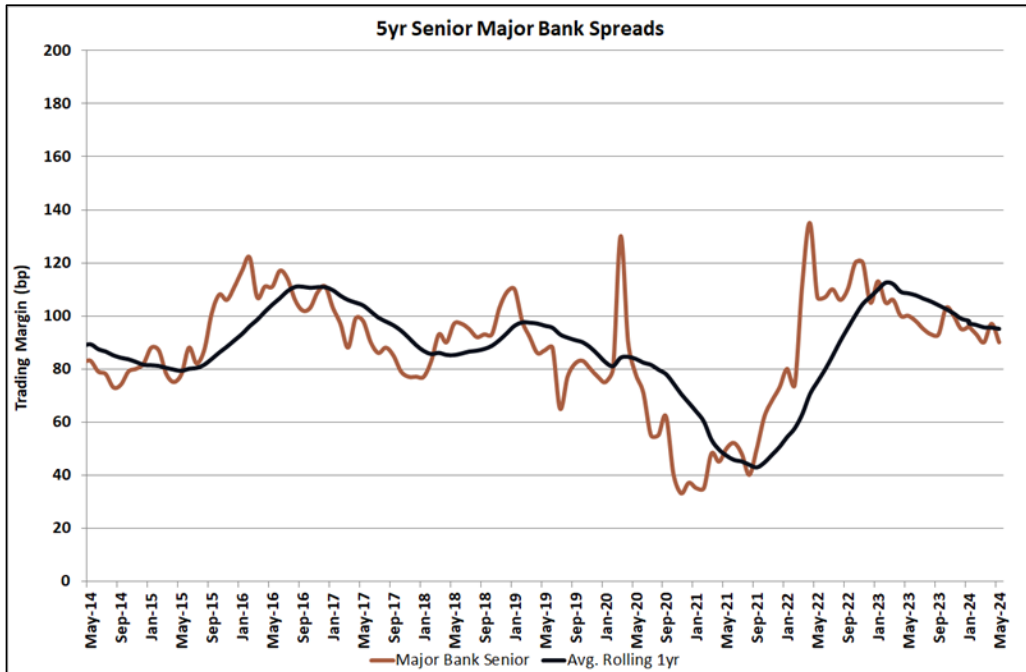
Source: IBS Capital

There was very little notable issuances during the month apart from Bendigo & Adelaide's (A–) 3 year senior security at +100bp and a small private placement from Bank of Us (BBB+) for 1 year at +95bp. Amongst the "A" rated sector, the securities tightened by around 3–10bp at the longer–end of the curve, whilst the "BBB" rated sector remained flat at the 3 year part of the curve. Overall, credit securities are looking much more attractive given the widening of spreads over the past 2 years and as more primary issuances become available. FRNs will continue to play a role in investors' portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment).

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Senior FRNs (ADIs)	31/05/2024	30/04/2024
"AA" rated – 5yrs	+90bp	+97bp
"AA" rated – 3yrs	+68bp	+66bp
"A" rated – 5yrs	+105bp	+115bp
"A" rated – 3yrs	+85bp	+88bp
"BBB" rated – 3yrs	+160bp	+160bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- On or before mid-2026 for the "AA" rated ADIs (domestic major banks);
- On or before mid-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.

Item 14.4

Attachment 1

Senior Fixed Bonds – ADIs (Secondary Market)

With global inflation still high by historical standards, this has seen a significant lift in longer-term bond yields over the past 2 years (valuations have fallen) as markets have reacted sharply.

This has resulted in some opportunities in the secondary market. We currently see value in the following fixed bond lines, with the majority now being marked at a significant discount to par (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0278174	UBS	A+	Senior	26/02/2026	1.74	1.1000%	5.22%
AU3CB0280030	BoQ	A-	Senior	06/05/2026	1.93	1.4000%	5.35%
AU3CB0299337	Bendigo	A-	Senior	15/05/2026	1.95	4.7000%	5.27%
AU3CB0296168	BoQ	A-	Senior	27/01/2027	2.66	4.7000%	5.34%
AU3CB0308955	BoQ	A-	Senior	30/04/2029	4.92	5.3580%	5.45%

Economic Commentary

In May, risk assets rebounded despite markets pushing back their expectations with regards to the timing of the easing cycle by central banks.

Across equity markets, the S&P 500 Index rose +4.80% over the month, whilst the NASDAQ surged +6.88%. Europe's main indices also experienced gains, led by Germany's DAX (+3.16%), UK's FTSE (+1.61%) and France's CAC (+0.10%).

The US Fed kept rates on hold for the sixth meeting in a row, warning that there had been a lack of further progress towards their 2% inflation target. Fed Chair Powell also commented however "*it's unlikely that the next policy rate move will be a hike*". US Fed Chair Powell repeated his view that he and most Fed officials do not anticipate having to resume interest rate rises but that patience is required before they can be cut, saying "*we're just going to have to see where the inflation data fall out*".

US core CPI for April came in at +0.3% m/m as expected, with headline a touch lower at +0.3% vs +0.4% expected. On an annual basis, core CPI ticked down to +3.6% y/y, down from +3.8% y/y in March. The annual headline rate also fell to +3.4% y/y in April, from +3.5% y/y in March.

Canada CPI came in at +2.7% y/y in April (which was lower than market expectations) and was down from +2.9% y/y in March.

UK headline CPI was +2.3% y/y in April, decreasing from +3.3% y/y in March. Core inflation also slowed to +3.9% y/y in April from +4.2% y/y in March.

European Q1 GDP surprised a little stronger, while April inflation was broadly in line. Q1 GDP growth rose +0.3% q/q (+0.1% expected) for annual growth of +0.4% y/y.

As expected, the RBNZ left the Official Cash Rate unchanged at 5.50% at its May meeting. The central bank flagged it now expects to keep rates high for longer amid some signs of sticky inflation.

Sweden's Riksbank cut rates by 25bp as expected as markets going into the meeting were 64% priced for a cut.

The MSCI World ex–Aus Index rose +4.26% for the month of May:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	+4.80%	+3.56%	+26.26%	+7.87%	+13.91%	+10.62%
MSCI World ex-AUS	+4.26%	+3.27%	+23.23%	+5.16%	+11.16%	+7.42%
S&P ASX 200 Accum. Index	+0.92%	+1.16%	+12.93%	+6.80%	+7.83%	+7.78%

Source: S&P, MSCI

Item 14.4

Attachment 1

Domestic Market

The RBA kept rates on hold at 4.35% in its meeting in May, as universally expected. They still see trimmed mean inflation at +2.6% y/y by mid–2026. Staff still assess policy as being "*restrictive*" based on financial indicators and ongoing easing in growth of aggregate demand.

The monthly CPI Indicator for April printed higher than expected at +3.6% y/y (consensus +3.4%) and +3.5% in March. Importantly, core measures also printed higher than expected. The CPI excluding volatile items and holiday travel was +4.1% y/y.

The Q1 wage price index (WPI) growth was 0.1% below expectations at +0.8% q/q and +4.1% y/y (consensus +0.9%/+4.2%). By sector, private sector wages growth was +0.8% q/q, and public sector wages growth was just +0.5% after +1.4% q/q in Q4.

The seasonally adjusted unemployment rate rose by 0.2% to 4.1% in April, up from a revised 3.9% in March. Employment rose by around 38,000 people and the number of unemployed grew by 30,000 people, leading to an uplift in the participation rate, increasing to 66.7% (by 0.1%).

April retail sales rose +0.1% m/m (consensus +0.2% m/m).

The February trade balance narrowed to $5.0bn, its lowest since November 2020. The February surplus was revised down to $6.6bn from $7.3bn. In the month, exports were little changed (+0.1%) while imports rose +4.2%.

Dwelling approvals were +1.9% higher in March, but private house and apartment approvals were a bit stronger, up +3.8% and +3.6%.

The Australian dollar rose +1.72%, finishing the month at US66.37 cents (from US65.25 cents the previous month).

Credit Market

The global credit indices marginally tightened across the board in May. They are now back to their levels in early 2022 (prior to the rate hike cycle from most central banks):

Index	May 2024	April 2024
CDX North American 5yr CDS	51bp	52bp
iTraxx Europe 5yr CDS	52bp	55bp
iTraxx Australia 5yr CDS	65bp	73bp

Source: Markit

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Fixed Interest Review

Benchmark Index Returns

| Index	May 2024	April 2024
Bloomberg AusBond Bank Bill Index (0+YR)	+0.37%	+0.35%
Bloomberg AusBond Composite Bond Index (0+YR)	+0.39%	-1.98%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.50%	+0.48%
Bloomberg AusBond Credit Index (0+YR)	+0.70%	-0.91%
Bloomberg AusBond Treasury Index (0+YR)	+0.35%	-2.03%
Bloomberg AusBond Inflation Gov't Index (0+YR)	-0.30%	-1.82%

Source: Bloomberg

Other Key Rates

Index	May 2024	April 2024
RBA Official Cash Rate	4.35%	4.35%
90 Day (3 month) BBSW Rate	4.35%	4.41%
3yr Australian Government Bonds	4.05%	4.03%
10yr Australian Government Bonds	4.41%	4.42%
US Fed Funds Rate	5.25%-5.50%	5.25%-5.50%
2yr US Treasury Bonds	4.89%	5.04%
10yr US Treasury Bonds	4.51%	4.69%

Source: RBA, ASX, US Department of Treasury

Item 14.4

Attachment 1

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90 Day Bill Futures

Bill futures fell across the board this month, following the movement in bond markets. Markets continue to push back their expectations of when the first rate cut will be delivered, resulting in a flattening of the curve.

**90 Day Bank Bill Futures**
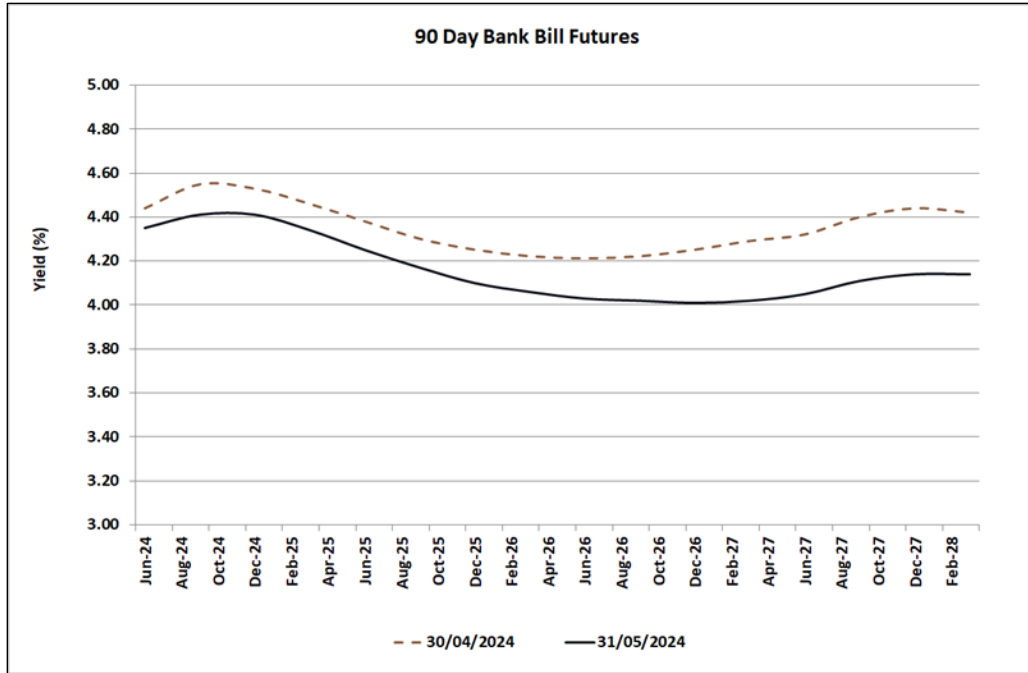
Source: ASX

Fixed Interest Outlook

As per the minutes of the US Fed May meeting, policymakers concluded recent data had not increased their confidence that inflation was moving sustainably toward the 2% target to begin cutting rates. Monetary policy is currently considered "*well-positioned*" and further tightening is only required if inflation surprises to the upside.

Domestically, the RBA May meeting minutes stated inflation had eased more slowly than anticipated and that "*risks around inflation had risen somewhat…Given this, members agreed that it was difficult either to rule in or rule out future changes in the cash rate target.*" As is the case with most central banks at the moment, the RBA is waiting for current economic data to show a clear trend before taking any decisive action.

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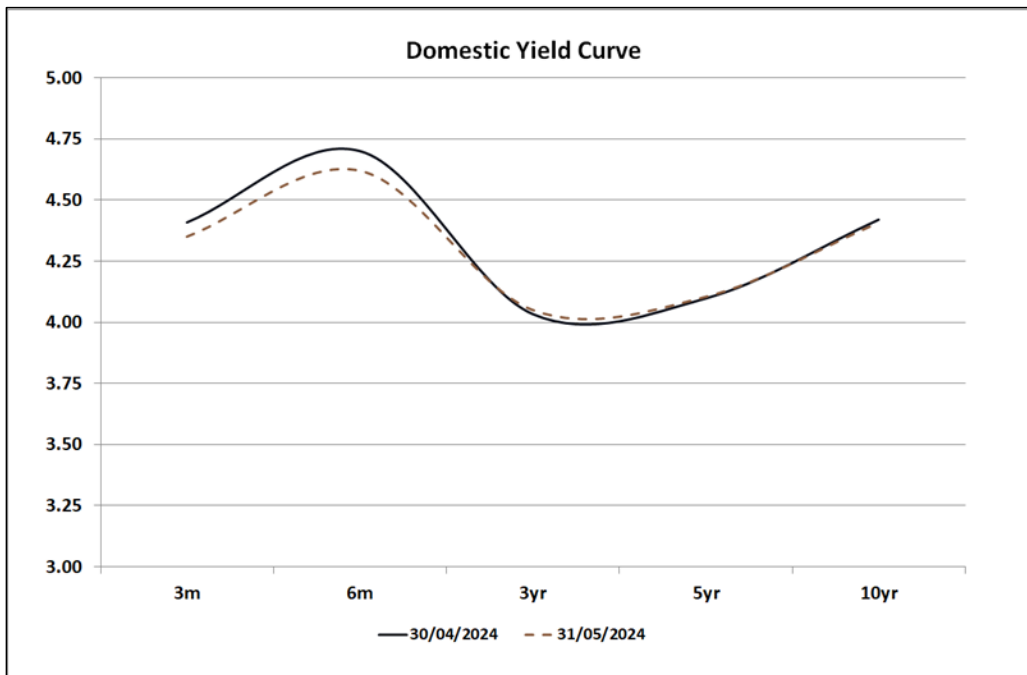
Source: ASX, RBA

For the time being, the consensus from the broader market is that we have reached the peak of the interest rate cycle. With inflation remaining sticky, financial markets have pushed back their expectations of rate cuts, with the first cut pencilled in for early-mid 2025.
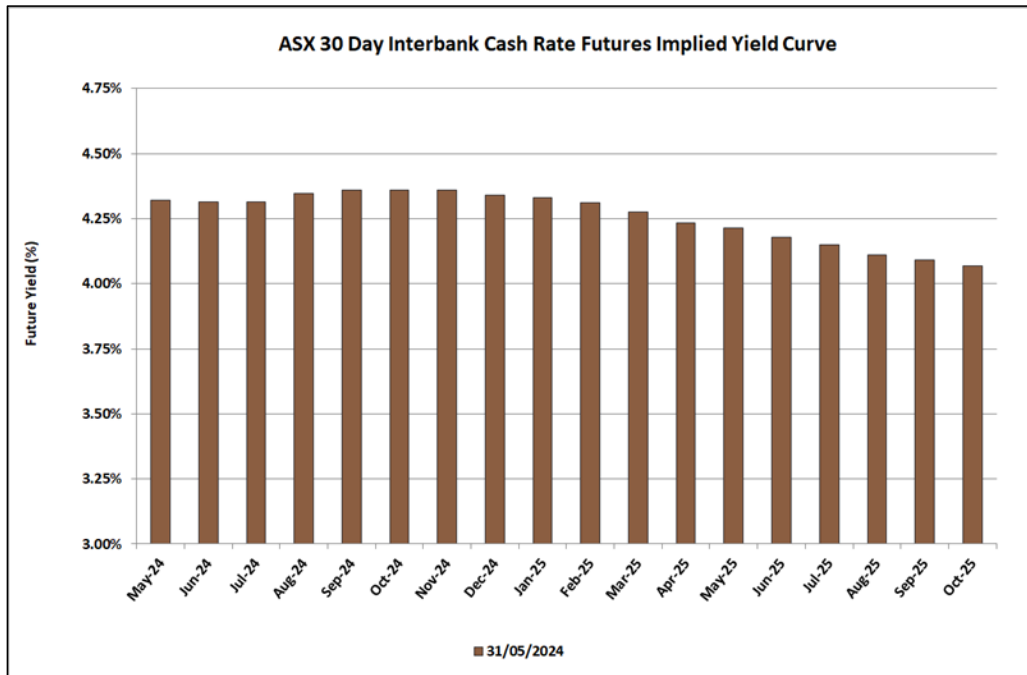
Source: ASX

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15   REPORT OF THE DIRECTOR PLANNING, ENVIRONMENT AND COMMUNITIES

Item 15.1

15.1   Endorse for public exhibition: Dog Friendly Spaces Strategy

CSP Objective: Outcome 4.3: Our built environment is safe and inclusive; our infrastructure is well planned and well managed.

CSP Strategy: 4.3.1 Create a regional network of interconnected roads, shared pathways and cycleways to maximise access to key destinations and facilities.

Delivery Program: 4.3.1.1 Manage recreation and open space infrastructure to cater for current and future generations

Summary

Council resolved to undertake the development of a five year Companion Animals Management Plan. The Dog Friendly Spaces Strategy makes up part of this plan. This plan will provide a strategic approach to the future provision of our dog friendly spaces throughout our Municipality.

The aim of this strategy is to provide guidance for the development, improvement, and management of dog-friendly areas within the Kiama Local Government Area (LGA). This strategy outlines specific objectives:

• To find a balance between the needs of dog owners and those of the wider community, ensuring parks and reserves are accessible and safe for everyone.

• To identify any gaps in dog friendly spaces provision and ensure fair distribution across the LGA.

• To plan for dog friendly areas in consideration of expected population growth and trends in dog ownership.

The strategy also includes various actions to be carried out over the next 10 years. These actions are categorised into short-term, medium-term, and long-term goals, aligning with the timelines of the Council's Operational Plan, Delivery Program, and Community Strategic Plan.

The draft strategy is provided as an attachment to this report. The intent of this report is to seek for Council to endorse the draft strategy and place it on exhibition, to seek community feedback and further input.

Financial implication

The actions outlined in the Draft Dog Friendly Spaces Strategy range from an internal audit of signage to the creation of a new fenced dog off leash area. The short-term actions can be accommodated by the current budget however actions that require the installation of infrastructure will need to be sourced either from the capital works, developer contributions or grants.

Council has been successful in obtaining a grant for $42,600 from the Premier's Department under the Local Small Commitments Allocation (LSCA) program. It is proposed that these funds will be used to fund a fenced dog off-leash area.

Regardless of the nominated priorities and timeframe of each of Management Actions listed in the strategy, implementation will largely hinge on the availability of resources and funding.

Risk implication

Council could be seen to not value or listen to community needs or demands. By not structuring and strategically planning its dog friendly spaces the risk to the community and open space used could lead to an increase in dog attacks or non-compliance. This could also lead to an increase in animosity between dog owners and non-dog owners.

Policy

Compliance and response measures for regulating Companion Animals are governed by the Companion Animals Act 1998 and Local Government Act 1993. Council policies that influence this strategy are Complaints Handling Policy, Disability Inclusion Action Plan, Enforcement Policy, Health and Sustainability Policy, Markets – Public Places Policy, Media Policy, Procurement Policy, Public Land Management Policy and Use of Public Reserves for Commercial Fitness Activities and Personal Training Policy.

Consultation (internal)

Council's Property Section has been consulted regarding possible location of a dog off-leash area in Jamberoo. Other sections of Council that have been consulted in relation to this draft Strategy are the Compliance team, Engineering and Communications team.

Communication/Community engagement

Council undertook a survey to gauge what the community thought of dog friendly spaces. This was conducted online through Council's website and social media platforms for a period of just over three weeks (23 February – 22 March 2024).

The survey had 533 responses with 76% being dog owners, and 20% identifying as non-dog owners. The remaining responses were made up from visitors to the area.

Feedback from community consultation and previous correspondence to Council indicates that overall, the existing off-leash spaces are operating well with most concerns being focussed on responsible dog ownership and that there is a desire for Council to provide a fenced dog off leash area in the local government area. These issues and more are discussed in detail in the attachments, and where relevant, are accompanied by recommendations that feed into the implementation plan component of the Strategy.

Attachments

1   Dog Friendly Spaces Strategy⇩

2   Community Engagement Report⇩

Enclosures
Nil

Item 15.1

RECOMMENDATION

That Council:

1. Endorse the Dog Friendly Spaces Strategy to be placed on public exhibition for a period of 28 days calling for submissions.

2. 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.

3. On the day after completion of the public exhibition period, adopt the Dog Friendly Spaces Strategy, if there are no relevant submissions received and there are no substantial changes proposed for any other reasons.

Background

With a high ratio of dog ownership, one dog per every 2.5 people, Kiama dog owners make up a key user group of our open spaces. Council provides several dog off-leash areas and other dog friendly spaces that dogs can access on lead. With limited private spaces, reduced yard sizes and apartment living increasing it is important for Council to plan for future open spaces where dogs and their owners can exercise. This plan will provide a strategic approach to the future provision of our dog friendly spaces.

The Strategy is linked with Kiama Council's Community Strategic Plan objectives and strategies strongly tied to Pillar 1 – We belong and contribute.

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).*

Survey outcomes

The survey found that most dog owners choose to exercise in and around their own neighbourhood with 82% of respondents falling in the category. The most popular dog off-leash area being Bombo Beach showing that 43% of respondents choose to exercise their dogs at this location. Jones Beach (37%), Minnamurra Headland (33%) and Bombo Headland (32%) off-leash areas following close behind.

Dog owners strongly indicated that the provision of dog waste bags and bins was the most important amenity for a dog off-leash area with 87% of respondents specifying this. The survey showed that 63% of dog owners responded that drinking water facilities were an important feature of a dog off-leash area. At 48% tree shade and at 46% clear signage were both shown to be important features of a dog off-leash area. 47% of respondents felt that there were not enough dog off-leash areas and 37% felt that the balance was just right. Thirteen percent of respondents thought there were enough dog off-leash spaces and didn't see the need to provide further dog off-leash area. Of the non-dog owners 9% indicated that there were too many dog off-leash spaces.

Full details of the survey and engagement findings are outlined within the Community Engagement Outcomes report which is attached.

Item 15.1

Attachment 1

KIAMA MUNICIPAL COUNCIL
your council, your community

Draft Dog Friendly Spaces Strategy **2024-2029**

Adopted XXXX

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Item 15.1
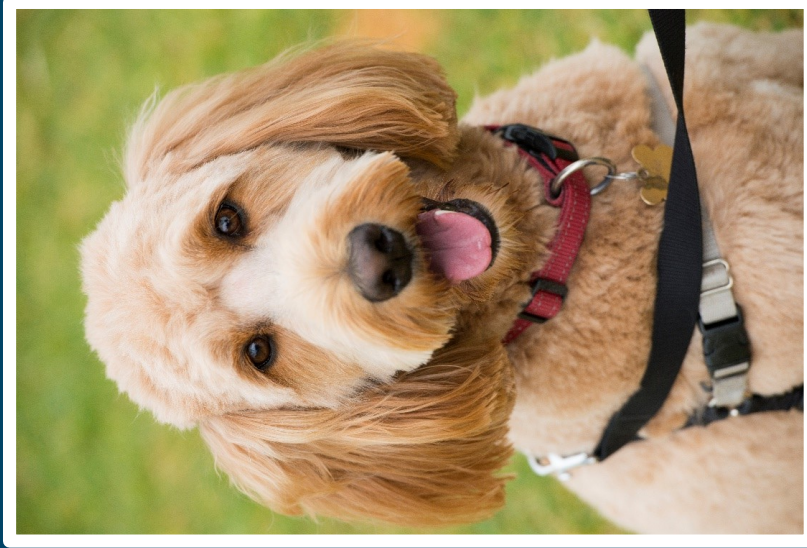
Why Does Kiama Council need a Dog Friendly Spaces Strategy?

Kiama Municipal Council has just over 9,000 dogs (NSW Companion Animal Register 2024) and a population of just over 23,000 people, making dog owners a key user group of our open spaces.

Council currently provides several dog friendly spaces for dogs and owners to spend quality time together and to facilitate opportunities for socialisation and exercise. With limited private open space, the need for Council to strategically plan for the future provision of open spaces for dogs to exercise is necessary.

Council resolved to prepare a Dog Friendly Spaces Strategy (the Strategy). On 12 April 2022 a Council resolution was passed to undertake the development of a 5 year Companion Animals Management Plan, the Dog Friendly Spaces Strategy makes up part of this plan. This plan will provide a strategic approach to the future provision of our dog friendly spaces.

The formulation of the Strategy is based on the combination of community consultation and best practice learnt from other Council spaces and related documentation.

The Strategy is linked with the Kiama Council Community Strategic Plan objectives and strategies strongly tied to Pillar 1 – We belong and contribute.

- **Outcome 1:** A strong sense of community and belonging, where social and cultural life flourishes; and our families, friends and visitors feel welcome and included
- **Outcome 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

Our operational plan identifies the development of a Companion Animals Management Plan.

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The purpose of the Dog Friendly Spaces Strategy

The aim of this Strategy is to provide guidance for the development, improvement, and management of dog-friendly areas within the Kiama Local Government Area (LGA). This Strategy outlines specific objectives:

- To find a balance between the needs of dog owners and those of the wider community, ensuring parks are accessible and safe for everyone.
- To ensure compliance with legislative requirements.
- To identify any gaps in dog-friendly spaces provision and ensure fair distribution across the LGA.
- To plan for dog-friendly areas in consideration of expected population growth and trends in dog ownership.

The Strategy also includes various actions to be carried out over the next decade. These actions are categorised into short-term, medium-term, and long-term goals, aligning with the timelines of the Council's Operational Plan, Delivery Program, and Community Strategic Plan.

Dog Friendly Spaces Strategy 2024 | 4

Attachment 1   **Item 15.1**
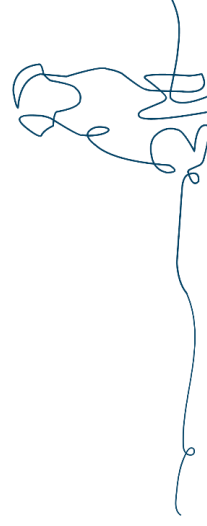
Definitions of Dog Friendly Spaces

For the purpose of this Strategy:

- **Dog Friendly Spaces** – Council owned and or Council Managed Crown Land open spaces that allow dogs either on-leash or off-leash under the supervision of their owners.

- **Dog Agility Park** – A fenced or unfenced area where dogs can exercise off-leash under the supervision of their owners.

- **Dog Off-leash area** – An area where dogs can exercise off-leash under the supervision of their owners but it is not fenced.

- **Fenced Dog Off-leash area** – An area where dogs can exercise off-leash in a fenced area under the supervision of their owners.

- **Dog On-leash area** – An area where dogs can be on a lead under the supervision of their owners.

- **An Open Space** – means:
  o any pathway, road, bridge, jetty, wharf, reserve, park, beach or garden, and
  o any other place, that the public are entitled to use. (Local Government Act 1993)

- **Dog Prohibited area** – An area where dogs are excluded regardless of if they are on or off lead. E.g. within 10m of children's playground (see page 8 for further details).

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Responsibilities of Dog Owners and Council

The Companion Animals Act 1998 (the Act) sets out obligations for both dog owners and local councils regarding the regulation of dogs in public spaces.

The Act can be accessed through the NSW legislation website and is crucial in determining suitable locations and considerations for dog-friendly areas. Local councils are mandated by law to designate at least one off-leash area and to ensure effective and responsible management of dogs within their jurisdiction.

According to the Act, individuals or those responsible for dogs should not be in control of more than four dogs simultaneously, and they must maintain control over the dogs at all times

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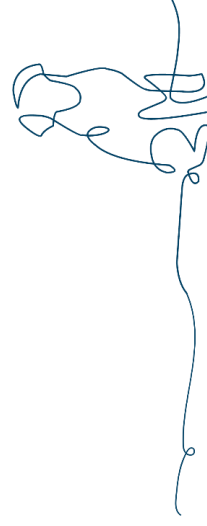
Dog Friendly Spaces in our Municipality

Currently the Kiama LGA has a variety of dog friendly spaces including one dog agility park.

These areas are listed below and outlined on our website:

- Minnamurra Headland dog off-leash area
- Jones Beach dog off-leash area (Southern end)
- Bombo Headland dog off-leash area and agility park
- Bombo Beach dog off-leash area
- Kaleula Reserve dog off-leash area
- Marsden Headland dog off-leash area
- Werri Beach dog off-leash area
- Gerringong Headland dog off-leash area
- Black Head Reserve Gerroa dog off-leash area

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Management of Dog Friendly Spaces

Current approach	Comment / analysis
Dogs permitted only on-leash	Unless spaces are prohibited which will be identified on signage, dogs on a leash can be walked throughout Council's public spaces.
Dog Agility Parks: Dogs are permitted off-leash.	Council currently has one dog agility park at Bombo Headland. Generally only used by dogs and their owners
Dogs off-Leash area: Dogs permitted off-leash	Council currently has nine designated dog off-leash spaces at Minnamurra Headland, Jones Beach, Bombo Headland, Bombo Beach, Kaleula Reserve, Marsden Headland, Werri Beach, Gerringong Headland and Blackhead Reserve Gerroa.
Dog prohibited area: Dogs are not permitted in certain spaces	Under the Companion Animals Act 1998, dogs are prohibited in the following places (whether or not they are leashed or otherwise controlled): • 10 metres of any children's play spaces in a open space • 10 metres of any food preparation or food consumption spaces (public barbeques and kiosks) • Recreation areas such as sports fields, ovals and courts (unless otherwise sign posted) • Public bathing areas • School grounds unless with permission of the principal • Childcare centres unless with permission from the director Under the Act, Councils also have the authority to prohibit dogs from other public spaces including; • Shopping complexes • Wildlife protection spaces (such as shorebird nesting habitats on the beaches and rock platforms of the LGA) In this respect, currently Seven Mile Beach and all beach areas not designated as an off-leash areas are dog prohibited spaces.

Note: In NSW, a Guide Dog in harness is legally allowed to enter all Open Spaces, therefore the above does not apply to guide dogs.

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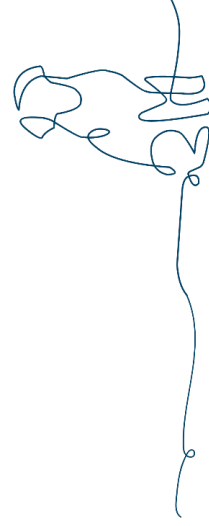
Kiama Community opinion on dog friendly spaces

Council undertook a survey to gauge what the community thought of dog friendly spaces. This was conducted online through Council's website and social media platforms for a period of just over three weeks (23 February – 22 March 2024).

The survey had 533 responses with 76% being dog owners, and 20% identifying as non-dog owners. The remaining responses were made up of visitors to the area.

The survey results have provided information that has helped to inform the preparation of this Strategy. In addition to the survey, Council has also used previous community correspondence to Council including complaints, reports of dog attacks and general feedback on dogs in public spaces to help inform the Strategy.

Feedback from community consultation and previous correspondence to Council indicates that overall, the existing off-leash spaces are operating well with most concerns being focused on responsible dog ownership and that there is a desire for Council to provide a fenced dog off-leash area in the LGA. These issues and more are discussed in detail below, and where relevant, are accompanied by recommendations that feed into the implementation plan component of the Strategy.

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# Balancing the needs of dog owners and open space users

Council must navigate the challenge of accommodating the varied needs of different users, including children, cyclists, sports clubs, and dog owners. However, the presence of dogs in these areas can affect the enjoyment of other park users. Therefore, it's crucial to implement a sustainable, lasting solution to manage the presence of dogs within the open space network effectively.

The community have highlighted the following main concerns:

- Access points to dog off-leash areas
- Provision of a fenced dog off-leash area
- People not taking responsibility for their dogs behaviour
- People not picking up after their dog
- Increased Ranger presence
- Improved signage
- Dog attacks
- Non-compliance with relevant legislation

The concerns raised demonstrate that more education and regulation needs to occur in the community to inform both dog owners and non-dog owners about the rules and responsibilities associated with dogs in open spaces.

- 82% of respondents liked to walk their dogs around their local neighbourhood.
- 43% of people liked to exercise their dogs at the off-leash area of Bombo Beach.
- 36% of the 404 dog owners used the Jones Beach off-leash area.
- 33% of dog owners used the Minnamurra Headland dog off-leash area.
- 32% of people liked to exercise their dogs at the off-leash area at Bombo Headland.
- 28% of people liked to exercise their dogs at Gerringong Headland dog off-leash area.
- 25% of people liked to use the Werri Beach dog off-leash area to exercise their dogs.
- 14% use the Kaleula Reserve dog off-leash area to exercise their dogs.
- 14% of dog owners like to use Blackhead Reserve Gerringong to exercise their dogs at the dog off lease area.

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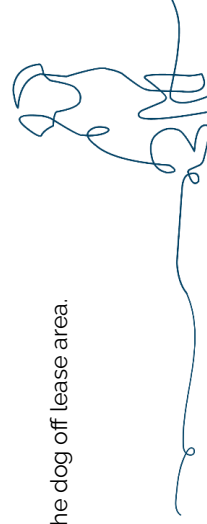
47% of respondents wanted to see an increase in dog-friendly spaces across the Municipality to provide variety and an equal spread to increase everyone's accessibility to dog friendly spaces, particularly off-leash spaces. Jamberoo, Kendell's Beach, Kiama Township and Kiama Downs were all suggested for new spaces.

A common theme from the survey and from previous correspondence to Council indicated that there is a strong desire for an off-leash area in Jamberoo. Council currently has no dog off-leash area in Jamberoo. Currently, Council does not provide a fenced dog off leash area within the Municipality.

Previous community submissions and interactions have highlighted the possibility of using existing sporting fields as dog friendly spaces either as dog off leash areas or dog on leash areas while fields are not in use. Currently, all sporting fields are dog prohibited areas, and Jamberoo sporting fields in particular are highly utilised by a number of sporting clubs who share the spaces, the school and other community members.

13% of respondents thought there was enough dog off leash spaces and didn't see the need to provide further dog off-leash area.

Action - continue education programs to inform dog owners of their responsibilities and consequences of having their dogs in public spaces. (short/medium)

Action – investigate providing an equitable spread of new spaces across the Municipality to provide off-leash and dog agility spaces. (short/medium)

Action – investigate the suitability of providing a dog off-leash area at Jamberoo. (short)

Action – develop a policy position on circumstances where dogs should be allowed or prohibited at sporting fields. (medium)

Action – develop a policy position on circumstances where dogs should be allowed or prohibited at markets. (medium)

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Ancillary infrastructure

Feedback from the community has expressed the desire for the installation of various pieces of infrastructure to enhance the site, increase use and encourage higher levels of compliance. It is important to note that when Council provides fencing, seating, water and natural shade, the cost and responsibility to maintain infrastructure falls on Council. Consideration towards the financial life cycle costs and resourcing implications has to occur before placing infrastructure into any public space including dog friendly spaces.

The survey revealed that the most important features of a dog off-leash area were:

- fencing (41%)
- segregation for different size dogs (29%)
- dog pool (23%)
- drinking water

Fencing

Fencing is a significant consideration for dog owners in off-leash areas. Fencing serves to delineate these spaces from other reserve activities and provides a clear boundary for the designated area. There are drawbacks associated with fencing such as being visually intrusive, limiting future reserve usage, being costly to install, and increasing maintenance expenses are some of the considerations that need to be taken into account when determining the need for fencing. There is also a thought that fencing these areas entirely can accelerate wear on the reserve surface and lead to a more relaxed attitude among dog owners in supervising their pets because they are contained within a defined space.

The decision to install fencing or gates is contingent upon a site audit confirming its suitability. Currently, the Council does not offer any fenced dog off-leash areas in the Municipality. All nine existing dog off-leash areas are currently unfenced, including three located on a beach. All beach areas will continue to be unfenced, with signage, bollards, or natural features used as alternative means to visually define the dog spaces.

Action – investigate the feasibility of providing a fenced dog off-leash area at Jamberoo. (short)

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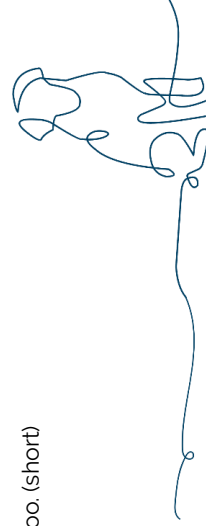
Segregation for different dog sizes

Segregation based on dog sizes in off-leash areas is a topic that warrants thoughtful discussion. While some dog owners advocate for segregated spaces to ensure safety and comfort for dogs of varying sizes, others argue that such segregation may limit socialisation opportunities and perpetuate stereotypes about specific breeds or sizes.

Advocates of segregation often cite safety concerns as a primary reason. Larger dogs can inadvertently pose a risk to smaller breeds during play due to differences in size and strength. Segregated areas could mitigate these risks by allowing smaller dogs to interact without fear of being overwhelmed or injured by larger, more energetic dogs.

Additionally, segregating based on size can cater to the specific needs and play styles of different breeds. Smaller dogs may prefer gentler interactions, while larger breeds often require more space and robust play. Separating these groups could enhance the overall experience for both owners and pets by creating environments tailored to their needs.

As with fencing, segregation brings with it increased installation, regulation and maintenance costs.

Action – when investigating a fenced off-leash area consider the option of having segregated areas for different sized dogs, including specific locations for each group. (short)

Shade

Tree shade made it into one of the top 3 most important amenities. The amenity of dog friendly spaces is enhanced by shade. All of the Council's designated dog-friendly sites are situated within natural park settings, offering diverse natural shade from trees and vegetation. Council remains committed to prioritising natural shade in future locations, integrating this consideration into site selection criteria for upcoming projects.

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Attachment 1   **Item 15.1**

Dog Pool

The provision of a dog pool in a dog off-leash area offers several potential benefits. It provides dogs with a safe and enjoyable way to cool off during hot weather, promoting physical exercise and overall well-being. Water play can also be mentally stimulating and enriching for dogs, offering a novel activity that helps alleviate boredom.

A dog pool can enhance socialisation opportunities among dogs and their owners. It creates a designated space where dogs can interact and play in a controlled environment, fostering positive social behaviours and community engagement among dog owners.

The implementation of a dog pool requires careful planning and maintenance. Considerations include ensuring water quality and hygiene, implementing safety measures to prevent accidents, and regular cleaning to minimise health risks. Additionally, ongoing maintenance costs, such as water treatment and pool upkeep, should be factored into the decision-making process. Overall, a dog pool can enhance the recreational experience within off-leash areas, but it's essential to address practicalities and maintenance requirements to ensure its effectiveness and safety.

Action – investigate the cost of installation and maintenance of a dog pool. (medium)

Dog On Leash Swimming Area

On 15 July 2014 Council supported a (6 month) trial for a dog on leash swimming area in the Minnamurra River. From feedback received and based on regular patrols by Council. Compliance Officers have found that dog owners are not utilising this area correctly. Dog owners are not keeping the dogs on a lead in this area and there is often issues with the conflicting uses in this area. The area is heavily used by families with young children as it is seen as safe place to swim. Concerns relating to dogs located in environmental sensitive areas has also been identified as an issue in this area. Because of the low compliance rates and conflicting uses in this area it is strongly recommended that the "dog on leash swimming area" be ceased and declared a dog prohibited area.

Action – report to Council to support the cessation of the dog on leash swimming area in Minnamurra River. (short)
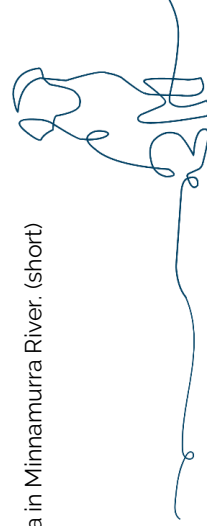
Bins and Managing Dog Waste

The survey overwhelmingly identified the provision of dog waste bags and bins as the most important feature of a dog off-leash area. Under the Companion Animals Act 1998 dog owners are responsible for removal and proper disposal of dog waste. Council currently provides dog waste bag dispensers and bins at existing dog off-leash areas, and other various locations with a high foot traffic volume throughout the LGA. Failure to dispose of dog waste appropriately can result in fines, although enforcement of this regulation is often difficult.

Survey results demonstrate strong support for the Council to continue providing dog waste bag dispensers and bins at dog off-leash areas, and to consider expanding this service to other locations within the Municipality.

However, increasing the number of bins and installing dog waste bag dispensers comes with significant initial and ongoing costs to the Council, including addressing issues such as vandalism of dispensers. Feedback from the survey emphasised the importance of regularly replenishing dog waste bags in high-use areas where supplies are quickly depleted.

Action – implement measures to reduce the impact of dog waste in public spaces. (medium)

Dog Agility Equipment

Dog agility equipment adds another activity option to a dog friendly space. It provides the opportunity for dogs to develop confidence, competencies and have fun. It also allows dogs to practice skills learned at agility and education training. The only space within our Municipality that offers Dog Agility facilities is the dog off-leash area at Bombo Beach Headland.

Action – consider the availability or installation of dog agility equipment for any current and proposed dog off-leash and dog friendly spaces. (short/medium)

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Drinking Water

The survey revealed that available drinking water was an important feature of a dog park. Currently Council provides drinking water stations in conjunction with the majority of our outdoor shower facilities.

There are also a number of parks and reserves where dogs are permitted off-leash and on-leash where water taps are provided these include:

- Reid park, Jamberoo
- Charmain Clift Reserve – Hothersal Street, Kiama – near the entry to South end of Bombo beach
- Minnamurra Headland – End of Eureka Ave, Kiama Downs – council has provided a new water supply with a hose tap to provide drinking water for dogs
- Gainsborough Skate Park
- South Werri beach – outside the surf club
- Gerroa boat ramp – Ricketts reserve, Gerroa
- Hindmarsh Park toilets – next to the old Fire Station

It is highly beneficial to provide infrastructure such as drinking water stations where they can be used by multiple user groups, therefore detailed planning and design will ensure the most efficient and equitable distribution of this resource.

Council intends to continue considering the provision of drinking water at future locations, incorporating this into site design and infrastructure criteria when selecting new sites. This approach aims to enhance the usability and accessibility of public spaces for all community members, including dog owners.

Action – when investigating the installation of a fenced dog off-leash area, ensure a dog drinking water station is made available. (short)

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Attachment 1   **Item 15.1**
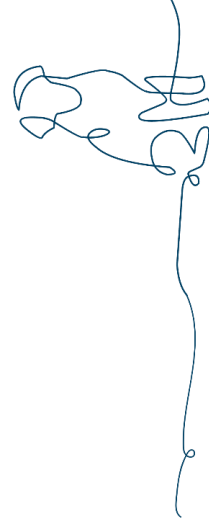
Signage

Effective signage in parks and reserves was recognised as the primary factor for promoting responsible pet ownership in public areas. Signage within reserve provides direct guidance to visitors and dog owners regarding designated dog-friendly areas, boundaries, and regulations.

Well-positioned and clear signage can:

- Encourage better adherence to legislation and aids the Council in promoting responsible ownership.
- Help define areas for on leash, off-leash and dog prohibited areas, potentially reducing the need for extensive fencing and minimising confusion and conflicts with other reserve users and activities.

Currently, Council uses various signs indicating dog-prohibited areas, leash regulations, and associated rules like picking up after your dog. Some signs are text-heavy while others use simple graphics. Community feedback has highlighted confusion caused by differing signage styles, prompting a review to adopt a clearer, image-focused approach for conveying key messages.

Signage can fulfill the following functions:

- Educational messaging
- Boundary demarcation
- Identification of Dog friendly or Dog Prohibited areas
- Leash-specific guidelines (On-leash / Off-leash)
- Signage for shared spaces
- Environmental protection directives

Action – conduct an audit of all dog friendly and dog prohibited signage currently within the municipality. (short)

Action – review and update the design of the current signage for dog friendly spaces and dog prohibited areas. Ensure it is clear, consistent and easy to understand. (short/medium)

Action – conduct an audit of all dog off-leash areas and ensure signage and bollards and other infrastructure used to denote the dog off-leash is clear, visible and easy to identify. (short)

Action – review and update all dog off-leash areas and ensure signage and bollards and other infrastructure used to denote the dog off-leash is clear, visible and easy to identify. (short/medium)

Enforcement

The survey results and previous correspondence received by Council overwhelmingly shows that enforcement is a very important tool to ensuring compliance with rules relating to dogs in public spaces. Council's Compliance Officers enforce these rules using the Companion Animals Act 1998 and Local Government Act 1993. Council's Compliance Officers are responsible for regulating various dog-related issues within the community. While staff have achieved positive outcomes in enforcing these issues, the challenge lies in allocating resources effectively to ensure staff are present at the right time and place.

Many community concerns regarding dog management in public areas extend beyond designated dog-friendly spaces, focusing on broader issues of responsible pet ownership and compliance with legislation. The success of dog-friendly spaces hinges on promoting responsible pet ownership and educating dog owners about their responsibilities when in public spaces.

Council's Compliance staff will maintain regular patrols of dog-friendly areas and address community complaints related to dogs in public spaces.

Action – increased presence of Compliance Officers in dog friendly and dog prohibited areas. (short)

Action – investigate tools that Compliance Officer can use to increase compliance with dog related legislation, this could include the purchase of additional microchip readers, use of a specialist vehicle to access off-leash areas on beaches. (short)

Action – investigate options for different incentives or education programs promoting responsible dog ownership. (medium)

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Attachment 1 **Item 15.1**
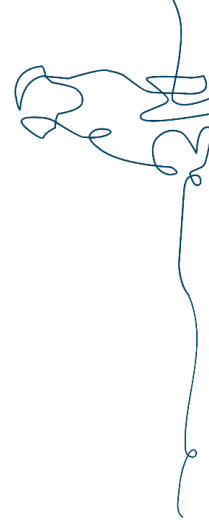
Community Education

One of the main challenges with operating dog-friendly spaces in the Kiama LGA is the occasional confusion among dog owners and non-dog owners regarding the precise locations of dog-friendly versus prohibited areas. This confusion can lead to conflicts between these groups. The source of this confusion includes outdated or unclear signage and information, as well as some owners not realising that specific spaces are designated dog prohibited areas, for example, sporting fields and children's play grounds. Where possible, when out in the field Compliance Officers aim to educate the public by advising owners if they are in breach of the relevant legislative requirements i.e. dog in a prohibited area. Our Compliance Team takes a graduated enforcement approach with education at the forefront of our practice. Currently, Council provides information about pet ownership and the location of dog prohibited areas, dog on lead areas and off-leash spaces on its website.

The Council uses various communication channels such as brochures, social media, signage, public events, and community consultations to engage with the public. Survey results have emphasised the need for increased community education on Council regulations for dog owners and the responsibilities associated with having dogs in Open Spaces.

Action – investigate various education opportunities for responsible dog ownership. (medium)

Action – devise education programs for the community in relation to the requirements of the Companion Animals Act 1998. Common noncompliance areas will be targeted as a priority. (medium)

Action – review and update the Dog Off-Leash Areas Conditions of Entry brochure every four years. (ongoing)

Attachment 1 **Item 15.1**

Expansion of the Dog Friendly Spaces

Staff consultations, desktop research, and site investigations were conducted to explore the potential for increasing the number of dog agility parks in the Kiama LGA. This process revealed opportunities to enhance existing off-leash spaces by adding fencing or agility equipment, as well as identifying new locations for additional dog off leash areas throughout the LGA, pending grant funding opportunities or budget allocation.

Community consultation identified a strong desire for a fenced dog off leash area. The main focus was for a dog off-leash area in Jamberoo as this is the only township that does not have a dog off-leash area.

In addition to this, community feedback has identified the disconnect for access to the coastal walking track in the vicinity of Easts Beach and Kendalls Beach, and the disconnected access between dog prohibited areas and Bombo Beach dog off-leash area.

Any expansion or enhancement of dog friendly spaces will be guided by several key factors, including community demand, areas expected to experience significant growth, site suitability, and consideration of native fauna habitats, particularly nesting shorebirds.

- **Action –** investigate areas in the Jamberoo township that would be appropriate for a dog off-leash area with the potential of providing the first fenced dog off-leash area in the municipality. (short/medium)

- **Action –** investigate areas with high non-compliance and determine whether moving the area or improving delineation would improve compliance. Bombo beach off leash area has a high incidence of non-compliance where it is difficult to for dog owners to access the site without entering dog prohibited areas. It may mean that the dog off-leash area is moved slightly north to accommodate better access.

- **Action –** investigate the possibility of allowing dogs on lead on Kendalls Beach so that dogs and dog owners can access the Kiama Coast Walk (coastal walking track) to the south of Kendalls Beach.

- **Action –** investigate the possibility of allowing dogs on lead on Easts Beach so that dogs and dog owners can access the Kiama Coast Walk (coastal walking track) to the south off Easts Beach.
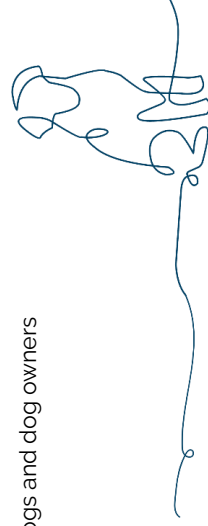
Evaluation criteria for potential Dog Friendly Spaces

Expanding the dog off-leash network is contingent upon robust enforcement, the provision of supporting infrastructure for off-leash activities, and comprehensive community education.

Factors to consider for identifying new sites may include:

- Community preference: Incorporating community input when selecting dog off-leash spaces.
- Network approach: Ensuring an equitable distribution of dog off-leash areas across the LGA.
- Emphasis on reserves: Prioritising reserves for their ample space and existing infrastructure that can accommodate dog off-leash areas alongside other recreational activities.
- Dog registration data: Using data on dog ownership concentrations to guide the placement of off-leash spaces.
- Reserve form and layout.
- Size, shape, and configuration of the park and off-leash area.
- Accessibility to and within the site.
- Compatibility with adjacent Reserve activities, such as organised sports.
- Consideration of conservation or environmental significance, including Council's major reserves, wetlands, and shorebird habitats.
- Reserve usage levels.
- Appropriate zoning and land classifications.

Utilising selection criteria to evaluate potential dog-friendly spaces offers a strategic approach to planning new areas for off-leash activities.

Action – establish a set of selection criteria to assess potential dog friendly spaces. (short/medium)

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Site Design

After selecting a site for an off-leash or dog agility park, the next phase involves designing the space with careful consideration of essential elements, taking into account available space and budget constraints.

A well-designed dog-friendly space might include but may not limited to:

- Ensuring the area is accessible and inclusive for people of all abilities.
- Drinking water station.
- Easy to maintain and accommodates machinery and equipment used to maintain the site.
- Incorporation of natural features such as rock scrambles.
- Use of durable surfaces capable of withstanding regular use.
- Installation of fencing, gates, seating, water stations, and shade structures.
- Landscaping with sufficient tree planting to provide natural shade.
- Provision of parking facilities and easy access from the parking area to the dog-friendly space.
- Segregated areas for large and small dogs.
- Rest areas for dogs to take breaks from park activities.
- Various activity zones like ball-play areas and spaces equipped with dog agility equipment.
- Access to dog waste bags and dog waste disposal bins.

Action – ensure any new and/or upgraded dog friendly spaces meet the design criteria and ensure they are safe and easy to use as well as maintain. (medium/long)
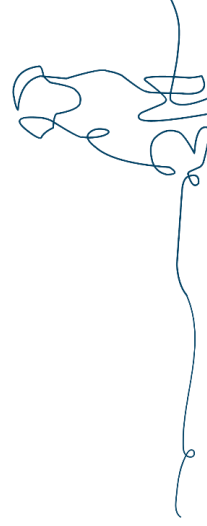
Funding

Expanding dog friendly spaces around the Municipality will impact on Council's compliance resources as increased patrols will be required. This could potentially result in the need for additional staff to monitor off-leash spaces, particularly if spaces become problematic and create conflict between open space users.

The expenses associated with developing new dog-friendly spaces like agility parks and off-leash areas will need to be sourced from capital works, developer contributions, and potentially grant funding.

Council has been successful in obtaining a grant for $42,600 from the Premier's Department under the Local Small Commitments Allocation (LSCA) program. It is proposed that these funds will be used to fund a fenced dog off leash area.

Regardless of the nominated priorities and timeframes of each of Management Actions listed in this strategy, implementation will largely hinge on the availability of resources and funding.

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Item 15.1

Summary of Action Points

ACTION	TIMEFRAME	COSTINGS
Action - continue education programs to inform dog owners of their responsibilities and consequences of having their dogs in public spaces. (short/medium)	Short term (within 2 years) to Medium term (within 2–5 years)	Existing internal resources
Action - investigate providing an equitable spread of new spaces across the Municipality to provide off-leash and dog agility spaces. This investigation will be used to inform the Open Spaces and Recreation Strategy. (short/medium)	Short term (within 2 years) to Medium term (within 2–5 years)	Existing internal resources and grant funding
Action - investigate the suitability of providing a dog off-leash area at Jamberoo. This investigation will be used to inform the Open Spaces and Recreation Strategy. (short)	Short term (within 2 years)	Existing internal resources and grant funding
Action - develop a policy position on circumstances where dogs should be allowed or prohibited at sporting fields while not in use. This decision will be used to inform the Open Spaces and Recreation Strategy. (medium)	Medium term (within 2–5 years)	Existing internal resources

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ACTION	TIMEFRAME	COSTINGS
Action - develop a policy position on circumstances where dogs should be allowed or prohibited at markets. This decision will be used to inform the Open Spaces and Recreation Strategy. (medium)	Medium term (within 2–5 years)	Existing internal resources
Action - investigate the feasibility of providing a fenced dog off-leash area at Jamberoo. This investigation will be used to inform the Open Spaces and Recreation Strategy. (short)	Short term (within 2 years)	Existing internal resources and grant funding
Action - when investigating a fenced off-leash area consider the option of having segregated areas for different sized dogs, including specific locations for each group. This investigation will be used to inform the Open Spaces and Recreation Strategy. (short)	Short term (within 2 years)	Existing internal resources and grant funding
Action - investigate the cost of installation and maintenance of a dog pool. This investigation will be used to inform the Open Spaces and Recreation Strategy. (medium)	Medium term (within 2–5 years)	Existing internal resources and grant funding
Action - report to Council to support the cessation of the dog on leash swimming area in Minnamurra River. (short)	Short term (within 2 years)	Existing internal resources
Action - when investigating the installation of a fenced dog off-leash area, ensure a (combined human and dog) hydration station is made available. (short)	Short term (within 2 years)	Existing internal resources and grant funding

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ACTION	TIMEFRAME	COSTINGS
Action – conduct an audit of all dog friendly and dog prohibited signage currently within the municipality. This audit will be used to inform the Open Spaces and Recreation Strategy. (short)	Short term (within 2 years)	Existing internal resources
Action – review and update the design of the current signage for dog friendly spaces and dog prohibited areas. Ensure it is clear, consistent and easy to understand. This review will be used to inform the Open Spaces and Recreation Strategy. (short/medium)	Short term (within 2 years) to Medium term (within 2–5 years)	Existing internal resources
Action – conduct an audit of all dog off-leash areas and ensure signage and bollards and other infrastructure used to denote the dog off-leash is clear, visible and easy to identify. This audit will be used to inform the Open Spaces and Recreation Strategy. (short)	Short term (within 2 years)	Existing internal resources
Action – review and update all dog off-leash areas and ensure signage and bollards and other infrastructure used to denote the dog off-leash is clear, visible and easy to identify. This review will be used to inform the Open Spaces and Recreation Strategy. (short/medium)	Short term (within 2 years) to Medium term (within 2–5 years)	Existing internal resources and cost of signage which is estimated to be $15,000

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ACTION	TIMEFRAME	COSTINGS
Action - increased presence of Compliance Officers in dog friendly and dog prohibited areas. (short)	Short term (within 2 years)	Existing internal resources
Action - investigate tools that Compliance Officer can use to increase compliance with dog related legislation, this could include the purchase of additional microchip readers, use of a specialist vehicle to access off-leash areas on beaches. (short)	Short term (within 2 years)	$200 for microchip reader $8,000 for vehicle and trailer
Action - investigate options for different incentives or education programs promoting responsible dog ownership. (medium)	Medium term (within 2–5 years)	Existing internal resources
Action - investigate various education opportunities for responsible dog ownership. (medium)	Medium term (within 2–5 years)	Existing internal resources or grant funded
Action - devise education programs for the community in relation to the requirements of the Companion Animals Act 1998. Common noncompliance areas will be targeted as a priority. (medium)	Medium term (within 2–5 years)	Existing internal resources or grant funded
Action - review and update the Dog Off-Leash Areas Conditions of Entry brochure every four years. This review will be used to inform the Open Spaces and Recreation Strategy. (ongoing)	Ongoing	$2,000

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Attachment 1   **Item 15.1**

ACTION	TIMEFRAME	COSTINGS
Action - investigate areas in the Jamberoo township that would be appropriate for a dog off-leash area with the potential of providing the first fenced dog off-leash area in the municipality. This investigation will be used to inform the Open Spaces and Recreation Strategy. (short/medium)	Short term (within 2 years) to Medium term (within 2–5 years)	Existing internal resources or grant funded
Action - investigate areas with high non-compliance and determine whether moving the area or improving delineation would improve compliance. Bombo beach off leash area has a high incidence of non-compliance where it is difficult to for dog owners to access the site without entering dog prohibited areas. It may mean that the dog off-leash area is moved slightly north to accommodate better access. (short/medium)	Short term (within 2 years) to Medium term (within 2–5 years)	Existing internal resources
Action - investigate the possibility of allowing dogs on lead on Kendalls Beach so that dogs and dog owners can access the Kiama Coast Walk (coastal walking track) to the south off Kendalls Beach. This investigation will be used to inform the Open Spaces and Recreation Strategy. (short/medium)	Short term (within 2 years) to Medium term (within 2–5 years)	Existing internal resources

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ACTION	TIMEFRAME	COSTINGS
Action - investigate the possibility of allowing dogs on lead on Easts Beach so that dogs and dog owners can access the Kiama Coast Walk (coastal walking track) to the south of Easts Beach. This investigation will be used to inform the Open Spaces and Recreation Strategy. (short/medium)	Short term (within 2 years) to Medium term (within 2-5 years)	Existing internal resources
Action - establish a set of selection criteria to assess potential dog friendly spaces. This set of selection criteria will be used to inform the Open Spaces and Recreation Strategy. (short/medium)	Short term (within 2 years) to Medium term (within 2-5 years)	Existing internal resources
Action - ensure any new and/or upgraded dog friendly spaces meet the design criteria and ensure they are safe and easy to use as well as maintain. (medium/long)	Medium term (within 2-5 years) to Long term (within 5-10 years)	Existing internal resources

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Item 15.1

References

In the development of Kiama Council's Dog Friendly Spaces Strategy the following documents were reviewed:

- Shellharbour City Council Dog Friendly Spaces Strategy 2019
- Blue Mountains City Council Dogs in Public Spaces Strategic Plan 2017
- City of Bayside – Dog Off-Leash Policy 28 September 2022
- City of Greater Dandenong Dog Off Leash Strategy 2019
- Maitland City Council – Off Leash Dog Exercise Area Strategy 2013
- NSW Office of Local Government
- Paws for Play
- NSW Companion Animals Act 1998
- NSW Local Government Act 1993

Available on request

- Online survey questions / summary
- Dog Friendly Spaces Strategy Community Engagement summary report

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Attachment 1   **Item 15.1**

KIAMA MUNICIPAL COUNCIL
your council, your community
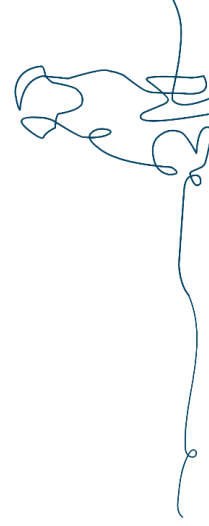
Community Engagement Report
Dog Friendly Spaces Strategy
Phase 1: Consultation (co-design)
23 February - 22 March 2024

Item 15.1

Attachment 2

Item 15.1 - Endorse for public exhibition: Dog Friendly
Spaces Strategy

Attachments 2 - Community
Engagement Report

Item 15.1

Attachment 2

Background

Council resolved to prepare a Dog Friendly Spaces Strategy (the Strategy). On 12 April 2022 a Council resolution was passed to undertake the development of a 5 year Companion Animals Management Plan, the Dog Friendly Spaces Strategy makes up part of this plan. This plan will provide a strategic approach to the future management of our dog friendly spaces.

The formulation of the Strategy is based on the combination of community consultation and best practice learnt from other Council spaces and related documentation.

The Strategy is linked with Kiama Council's Community Strategic Plan objectives and strategies strongly tied to Pillar 1 – We belong and contribute.

> **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.
> >
> > > **1.2.1.2** Partner with the stakeholders to develop a Strategy for Open Spaces and Recreation Places within the Kiama Local Government Area
> >
> > **1.2.3** Look after each other in times of disaster.
> >
> > > **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).

Our operational plan identifies the development of a Companion Animals Management Plan.

Consultation

Consultation was conducted internally with Compliance, Property and Engineering staff in relation to the challenges they currently face and the first hand feedback that they receive from customers.

Community consultation consisted of a combination of previous feedback and correspondence to Council and an online survey.

The survey sought feedback from participants on existing dog friendly spaces. The survey also invited suggestions on what Council can do to improve dog friendly spaces and how to find a balance between the needs of dog owners and those of the wider community.

Community Engagement Report: Phase 1 | 2

Item 15.1 - Endorse for public exhibition: Dog Friendly
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Attachments 2 - Community
Engagement Report

Item 15.1

Attachment 2

A copy of the survey questions is provided in Appendix 1 of this report.

The survey had 533 responses with 76% being dog owners, and 20% identifying as non-dog owners. The remaining responses were made up from visitors to the area.

The survey results and comments have provided information that has helped to inform the preparation of the Strategy. In addition to the survey, Council has used previous community correspondence to Council including complaints, reports of dog attacks and general feedback on dogs in public spaces to help inform the Strategy.

Feedback from community consultation and previous correspondence to Council indicates that overall the existing off-leash spaces are operating well with most concerns being focussed on responsible dog ownership and that there is a desire for Council to provide a fenced dog off-leash area in the Municipality.

Key findings

Where do dog owners exercise their dogs?
The survey found that most dog owners choose to exercise in and around their own neighbourhood with 82% of respondents falling in the category. The most popular dog off-leash area being Bombo Beach showing that 43% of respondents choose to exercise their dogs at this location. Jones Beach (37%), Minnamurra Headland (33%) and Bombo Headland (32%) off-leash areas following close behind.

What were the most important amenities in dog off-leash areas?
Dog owners strongly indicated that the provision of dog waste bags and bins was the most important amenity for a dog off-leash area with 87% of respondents specifying this. The survey showed that 63% of dog owners responded that drinking water facilities were an important feature of a dog off-leash area. At 48% tree shade and at 46% clear signage were both shown to be important features of a dog off-leash area.

Do the current dog off-leash areas provide a good balance for sharing our public spaces?
47% of respondents felt that there was not enough dog off-leash areas and 37% felt that the balance was just right. 13% of respondents thought there was enough dog off-leash spaces and didn't see the need to provide further dog off-leash area.
Of the non-dog owners 9% indicated that there were too many dog off-leash spaces.

When analysing the data it is clear that dog owners are strongly in favour of an educational response from Council with upgrading of signage being a suggestion to improving compliance. However, non-dog owners have indicated that regulation in the form of active patrols, increased enforcement and fines are approaches that could achieve better compliance.

Do the current (nine) dog off-leash areas provide a good balance for sharing our public spaces?

Answered: 490   Skipped: 43
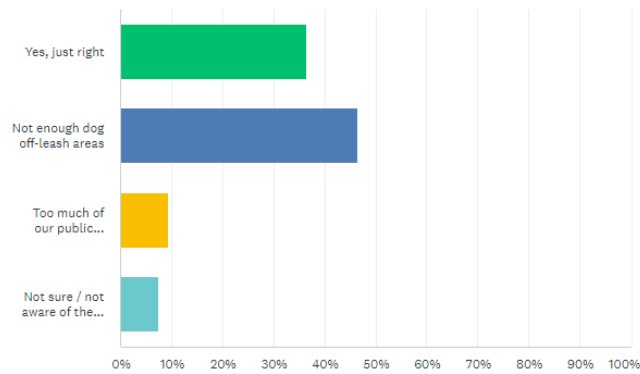
ANSWER CHOICES	RESPONSES	
Yes, just right	36.53%	179
Not enough dog off-leash areas	46.53%	228
Too much of our public spaces are dog off-leash areas	9.39%	46
Not sure / not aware of the dedicated spaces	7.55%	37
TOTAL		490

Preferred location for a new dog off-leash area?
A majority of respondents identified Jamberoo as the preferred location for a potential future dog off-leash area. Other locations mentioned were Chapman Oval, Gainsborough, Easts Beach, Kendall's Beach, Hindmarsh Park, and sporting fields.

What features would you like to see in a dog off-leash area?
Of the options provided the majority (41%) of respondents indicated that the most important feature for a dog off-leash area is fencing followed by segregated fenced areas.

If the Council had the resources and budget to create an additional dog off-leash area, what key feature would you like to see included? (Select your top 2)

Answered: 417   Skipped: 116
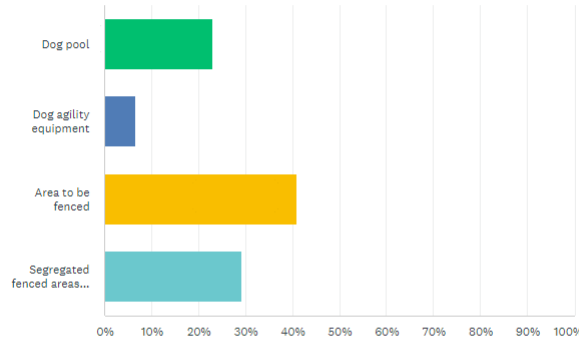
ANSWER CHOICES	RESPONSES	
Dog pool	23.02%	96
Dog agility equipment	6.71%	28
Area to be fenced	41.01%	171
Segregated fenced areas for small vs large dogs	29.26%	122
TOTAL		417

Overall experience of dogs in our public spaces

What is your overarching experience of dogs in our public spaces?

Answered: 505   Skipped: 28
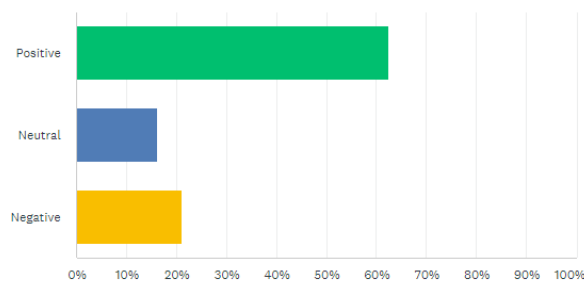
ANSWER CHOICES	RESPONSES	
Positive	62.57%	316
Neutral	16.24%	82
Negative	21.19%	107
TOTAL		505

Community Engagement Report: Phase 1 | 5

How can Council encourage responsible pet ownership and behaviour within our public spaces? (Select all that apply)

Answered: 487   Skipped: 21
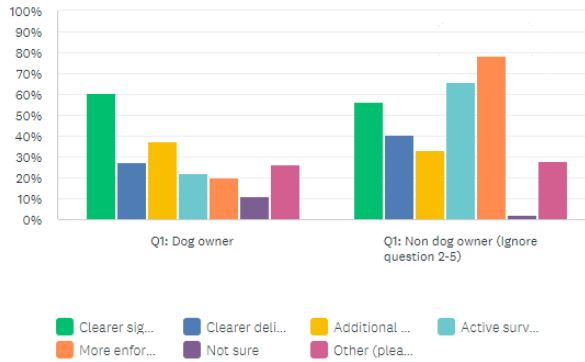
	CLEARER SIGNAGE	CLEARER DELINEATION	ADDITIONAL EDUCATION	ACTIVE SURVEILLANCE AND CHECKING REGISTRATION THROUGH PATROLS.	MORE ENFORCEMENT AND FINES	NOT SURE	OTHER (PLEASE SPECIFY)	
Q1: Dog owner	60.78% 234	27.27% 105	37.14% 143	22.34% 86	19.74% 76	10.91% 42	26.23% 101 Responses	1
Q1: Non dog owner (Ignore question 2-5)	56.31% 58	40.78% 42	33.01% 34	66.02% 68	78.64% 81	1.94% 2	28.16% 29 Responses	
Total Respondents	291	147	177	154	157	44	130	

We are generally aware dog owners

Awareness of Council regulations and responsible pet ownership is relatively high, with the opportunity for more awareness on:

- Dogs not being allowed on or off-leash within 10m of children's playground equipment, food preparation areas (public barbeques and kiosks), and active recreation areas (during the play of an organised sport)
- Uncollected dog poo washing into a waterway can create bacteria and make the water unsafe for swimming

Conclusion

The feedback from the community and other stakeholders indicates that generally that the dog off-leash spaces are working well with the major concerns being responsible dog ownership, the provision of a dog off-leash area in the Jamberoo township and a fenced dog-off-leash area to be provided. The Dog Friendly Spaces Strategy will aim to address these concerns and actions. In addition to this, the Strategy will seek to provide consistent rules and signage for these spaces.

Item 15.1 - Endorse for public exhibition: Dog Friendly
Spaces Strategy

Attachments 2 - Community
Engagement Report

Item 15.1

Attachment 2

Community quotes

"*Please don't reduce the number of off- leash areas! It's so important for dogs (and their people) to have spaces to run and play.*"

"*My biggest concern with current area relates to access to the Bombo beach site. When accessing this area from the north the only permitted way to get there is by walking along the road. There is no footpath or speed humps to slow traffic. It is dangerous on busy days or when cars speed along that road (which is often). I have been told off by rangers and life guards for walking my dog (on lead) along the beach to the off-leash area but to me it's the safest option.*"

"*Jamberoo - an off-leash area required. We have family with a dog who have moved to Jamberoo.*"

"*The coastal walk at easts beach needs clearer signage for passing through the area with a dog (on lead). The caravan park won't allow access and the signs indicate dogs aren't allowed on the beach or in the creek.*"

"*Unfortunately there is a segment of the community that does not respect guidelines and make it difficult for owners, that includes owners that place droppings in bag and then drop the bag.*"

"*There is way too many areas that are dog off-leash. I don't feel safe at the dog beaches so am very selective as to when I visit them. During lockdown I tried to face my fear and exercise at Bombo as it was close to my home and nice to walk along, but I was surprised how many dog owners were not taking responsibility for their dog and also assumed I wanted to interact with their dog. Already many people walk their dogs off-lead on rocks around Bombo and the coast track too. Can some of the areas be timed like in the Shoalhaven eg between the hours of 4pm and 8am?*"

"*Our experience is that people walking around the streets don't pick up after their dog. Signs and plenty of poo bags might help, but it's usually the people who don't leash their dog that don't pick up.*"

"*In my experience of walking in the Jones Beach and Minnamurra Headland area dogs are off-lease in non designated areas and dog prints often evident near the signs to Jones Beach that state "No Dog to enter the beach at the point" obviously the sign is ignored.*"

"*Would love to see more off-leash areas in Kiama.*"

"*Often I find dogs off-leash in the No Dogs Past This Point on the beach. Also we have continual trouble with owners of dogs not picking up after their dog on our footpath.*"

"*Any expansion of these areas should not involve any loss of amenity to adjoining property owners and to people who normally use the area for recreation. It is vital that significant native vegetation and bush regeneration projects or wildlife should not be put at risk. There should be clearer and sufficient signage to adequately delineate the boundaries of the off-leash area. There should be at least 2 entrances / exits for any off-leash area and no blind spots so that dogs are always exercising in direct view of owners. Off-leash areas should not include through roads or paths frequently used by bike riders and walkers. There should be a concerted education campaign for dog owners using off leash areas and all other public spaces.*"

"*I think that the Kiama Council area is treated as a dog off lead area. over the summer period, we have had 10-15 dogs off-lead per day on the Minnamurra River Reserve on Charles Avenue. This is an accident looking for a place to happen. There are plenty of signs ignored by dog owners clearly stating the need for on leash dogs. Such is life in Kiama Council Area which makes you anxious with small grand children in the river.*"

"*Congratulations to Kiama Council for initiating this survey and soliciting input from the Kiama community. This is an important issue and hopefully the community feedback will support the Council to finesse the 'right' balance for dogs and dog owners, and pooch loving but non-dog owners, to all enjoy and responsibly share the open spaces of our beautiful open spaces.*"

Next steps

The Draft Strategy was endorsed by Council for public exhibition at its Ordinary Meeting on date] as follows:
[Resolution detail]

Next steps

1. **Council consideration**
   Draft strategy will be reported to the Council for consideration.
2. **Public exhibition**
   The Draft Strategy will go on formal public exhibition for 28 days, providing you with another chance to have your say.
3. **Consideration feedback**
   Any feedback received during the exhibition period will be considered and incorporate where relevant.
4. **Council endorsement**
   The final Strategy will go to Council for endorsement, including a report outlining how feedback received during the consultation phase shaped the final Dog Friendly Spaces Strategy.

Have your say: Dogs in Public Spaces Kiama Council (nsw.gov.au)

Community Engagement Report: Phase 1 | 9

Appendix 1

Copy of Survey Questions

Q1 How do you identify? (select all that apply)

☐ **Dog owner**

☐ **Non dog owner**

☐ **Kiama Local**

☐ **Visitor**

Q2 Dog owners only. Where do you take your dog(s) to exercise? (Select all that apply)

☐ **Around my neighbourhood**

☐ **Bombo Beach (dog off-leash area)**

☐ **Bombo Headland (dog off-leash area)**

☐ **Kaleula Reserve (dog off-leash area)**

☐ **Marsden Headland (dog off-leash area)**

☐ **Jones Beach (dog off-leash area)**

☐ **Minnamurra Headland (dog off-leash area)**

☐ **Werri Beach (dog off-leash area)**

☐ **Gerringong Headland (dog off-leash area)**

☐ **Blackhead Reserve Gerroa (dog off-leash area)**

☐ **Other (please specify)**

☐ **None of the above**

Item 15.1 - Endorse for public exhibition: Dog Friendly
Spaces Strategy

Attachments 2 - Community
Engagement Report

Item 15.1

Attachment 2

Q3 Dog owners only. What are the most important amenities in dog off-leash areas? (Select your top 3)

☐ **Clear signage**

☐ **Tree shade**

☐ **Seating**

☐ **Drinking water facilities**

☐ **Provision of dog waste bags and bins**

☐ **Accessible parking**

☐ **Toilets nearby**

☐ **Children playground nearby**

☐ **Other (please specify)**

☐ **None of the above**

Q4 Dog owners only Are you aware that…? (Select all that apply)

☐ **The NSW Government has three education programs targeting responsible pet ownership and safe pet interaction – We are Family: Home (nsw.gov.au)**

☐ **Dogs are not allowed on or off-leash within 10m of children's playground equipment, food preparation areas (public barbeques and kiosks), and active recreation areas (during the play of an organised sport)**

☐ **Uncollected dog poo washing into a waterway can create bacteria and make the water unsafe for swimming**

☐ **All pet dogs must be registered with Council as part of the NSW Companion Animal Register**

☐ **Dogs must be microchipped before 6 months of age**

☐ **Dog owners must always effectively control their dog(s) in a designated off-leash area. Effective control means their dog returns immediately when called, doesn't approach strangers uninvited and is under constant supervision**

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☐ **Microchipping and registration make it easier to reunite a lost pet with its family**

☐ **People walking dogs must carry a bag to collect dog poo**

☐ **Dogs must be on leash at all times in public spaces, unless in an area designated off-leash**

Q5 What is your overarching experience of dogs in our public spaces?

☐ **Positive**

☐ **Neutral**

☐ **Negative**

Q6 How can Council encourage responsible pet ownership and behaviour within our public spaces? (Select all that apply)

☐ **Clearer signage**

☐ **Clear delineation**

☐ **Additional education**

☐ **Active surveillance and checking registration through patrols**

☐ **More enforcement and fines**

☐ **Not sure**

☐ **Other (please specify)**

Q7 Do the current (nine) dog off-leash areas provide a good balance for sharing our public spaces?

☐ **Yes, just right**

☐ **Not enough dog off-leash areas**

☐ **Too much of our public spaces are dog off-leash areas**

☐ **Not sure/ not aware of the dedicated spaces**

Q8 What would be your preferred location in our community for a potential future dog off-leash area?

Q9 If the Council had the resources and budget to create an additional dog off-leash area, what key feature would you like to see included? (Select your top 2)

☐ **Dog pool**

☐ **Dog agility equipment**

☐ **Area to be fenced**

☐ **Segregated fenced areas for small vs large dogs**

Q10 Do you have any other comments, questions, or concerns?

Q11 (Optional) Leave your email address to stay in the loop with the developments of the Dog Friendly Spaces Strategy

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15.2   Endorse for public exhibition: Draft Development Control Plan Chapter 12.11 South Kiama Urban Release Area

CSP Objective: Outcome 4.2: We are well connected within our local community, and to our region.

CSP Strategy: 4.2.2 Manage landuse planning to retain distinct towns and villages.

Delivery Program: 4.2.2.1 Ensure Council's planning systems and processes are contemporary and transparent

Item 15.2

Summary

The purpose of this report is to seek Council's endorsement of the proposed amendment to Kiama Development Control Plan 2020 Chapter 12.11: Site Specific Controls – South Kiama Urban Release Area (Draft DCP Chapter 12.11) (Attachment 1) for public exhibition.

The South Kiama Urban Release Area was rezoned for urban development (approximately 450 lots/dwellings) by the NSW Minister for Planning and Homes in 2021. Preparation of a site specific DCP is the next step in the planning process for an urban release area. The Draft DCP Chapter 12.11 will introduce site specific controls to guide future development on the site.

The Draft DCP Chapter 12.11 has been prepared by an external consultant on behalf of Council and provides the overarching objectives and controls for the site. It is recommended that the Draft DCP Chapter 12.11 be endorsed for public exhibition.

Financial implication

The development of an urban release area will have both positive and negative financial impacts. The additional residential lots, when created, will increase the rating revenue for council. In contrast the additional assets will create a financial liability in terms of maintenance, depreciation, and renewal costs. Both these positive and negative impacts have been considered as part of Council's long term financial plan and will continue to be monitored and refined as the development progresses.

The adoption of a council prepared DCP chapter for the site will ensure that future development on the site occurs in a way that mitigates financial impacts to council, for example, assets to be dedicated to council are in accordance with our technical specifications.

Risk implication

In the absence of a site specific DCP chapter for the site, there is a risk of Development Applications being lodged prior to any council established development standards or guidelines being in place. Subsequently, without a specific DCP chapter outlining development guidelines and standards for this site an applicant can prepare a concept development application which would, if approved, supersede the need for a DCP. This would remove control from council in relation to the development outcome.

It is noted that the applicant has prepared a concept development application and this has been submitted on the Planning Portal. The application has not yet been lodged (accepted) by Council as it has incomplete information. Should this application be

Report of the Director Planning, Environment and Communities

15.2   Endorse for public exhibition: Draft Development Control Plan Chapter 12.11
         South Kiama Urban Release Area (cont)

lodged, then Council will assess the application in accordance with relevant policies and legislation.

Policy

The adoption of DCP Chapter 12.11 will ensure that Council has adequate development controls in place to assess development applications for land within the South Kiama Urban Release Area.

The Draft DCP Chapter 12.11 has been prepared in accordance with the:

- Environmental Planning and Assessment Act 1979

- Environmental Planning and Assessment Regulation 2021

The Draft DCP Chapter 12.11 supports the implementation of the following strategies:

- Illawarra Shoalhaven Regional Plan (2021) – in broad terms, as it supports urban development within the Kiama LGA.

- Kiama Local Strategic Planning Statement 2020, as it supports urban development within the mapped urban release area.

- The South Kiama Urban Release Area Planning Proposal approval.

Consultation (internal)

The attached Draft DCP Chapter 12.11 incorporates the comments made during the internal consultation process with council staff including Strategic Planners, Development Assessment Officers, Engineering and Landscaping.

Communication/Community engagement

If Council endorses the Draft DCP Chapter 12.11, it will be exhibited for 28 days to enable community comment.

Following the exhibition period, a report on submissions will be prepared for Council's consideration, along with a recommendation regarding adoption. If no submissions are received, the DCP will be amended following exhibition.

Attachments

1   Draft Development Control Plan - Chapter 12.11 South Kiama Urban Release
      Area⇩

Enclosures
Nil

RECOMMENDATION

That Council:

1.   Endorse the Draft Kiama Development Control Plan Chapter 12.11 South Kiama
     Urban Release Area for public exhibition for 28 days.

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15.2   Endorse for public exhibition: Draft Development Control Plan Chapter 12.11 South Kiama Urban Release Area (cont)

2.   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.

3.   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.

Background

Planning Proposal

In late 2018, a Planning Proposal (PP) for the site was lodged. The PP sought to amend the Kiama LEP 2011 to rezone 40ha of rural land west of the Princes Highway between Saddleback Mountain Road to south of Weir Street South Kiama and modify development standards to enable residential development and environmental conservation. The site area is shown below:
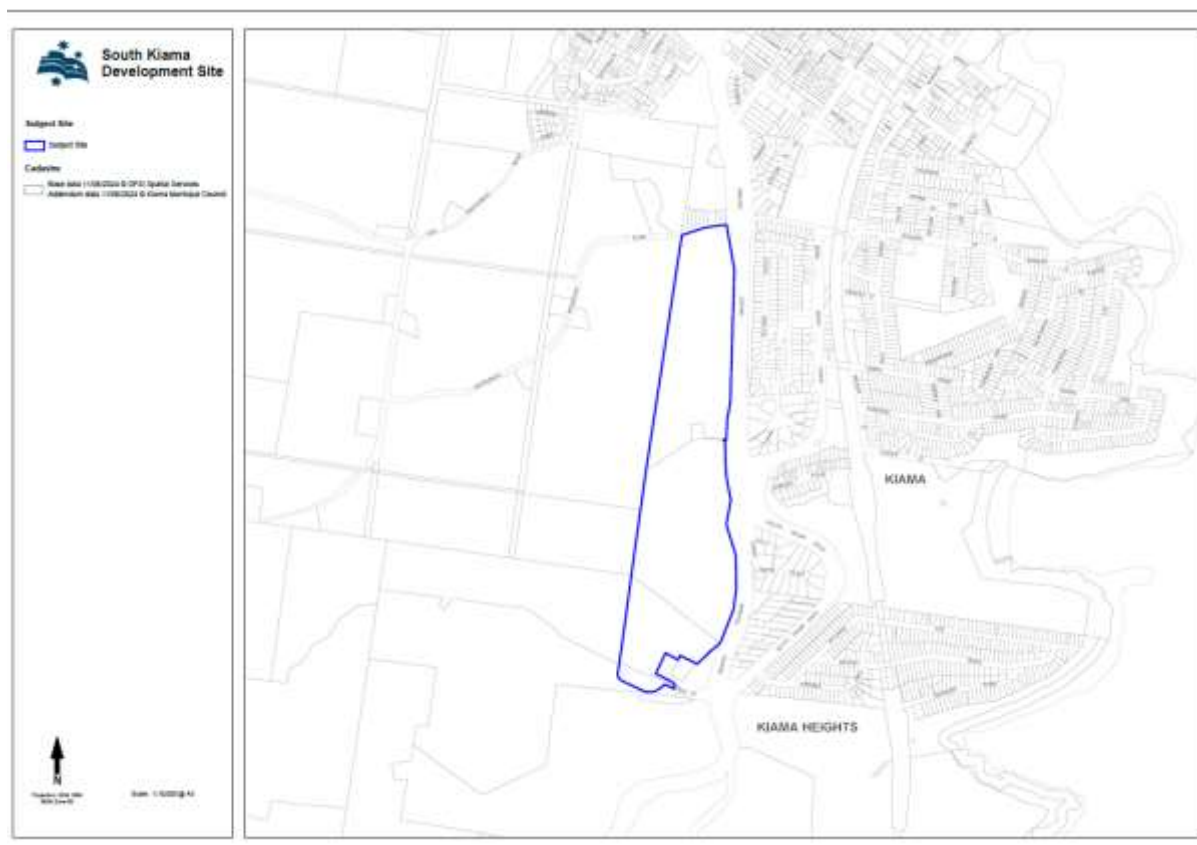
Council received 296 submissions from individuals and 4 from community organisations. Of these, 284 objected to the proposal and 16 supported the proposal.

In March 2019, Council resolved not to support the PP, although Council staff recommended to support the rezoning. The proponent subsequently requested a

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         South Kiama Urban Release Area (cont)

rezoning review. The Southern Regional Planning Panel determined that the proposal should be submitted for a Gateway Determination.

In December 2019, the Department issued a Gateway Determination. Council also did not receive delegation to finalise the proposal as it had been subject to a rezoning review.

In July 2021, Kiama Council again resolved not to support the Planning Proposal and an independent review was conducted. The Department considered Council's position to not support the proposal, community and agency submissions, planning strategies and the findings of the Independent Review.

In October 2021, the Department advised Council that it intended to proceed to rezone the site on the basis that it had strategic and site-specific merit. The Department noted that issues raised during consultation and the matters identified in the independent review could be satisfactory addressed through further master planning, the preparation of a Development Control Plan and the development application process.

In October 2021, Council resolved to allow its staff to prepare the LEP maps and to provide advice to the Department in relation to finalisation of the amendment.

Subsequently, the Delegate of the Minister for Planning and Homes made a plan under section 3.36(2)(a) of the *Environmental Planning and Assessment Act 1979*, and under section 3.24(5). At this time a range of issues identified by state agencies were still outstanding.

In early 2022, the final version of the Independent Review Report was submitted which included outstanding matters. The Independent Review recommended:

- That the amendment to the Kiama LEP be finalised once the issue of proposed public open space zones has been resolved with Council. Comment – this has been resolved.

- More detailed master planning for the site be carried out to inform a future development application (but not prior to rezoning) including:

- a new visual impact assessment.

- engagement with the local Aboriginal community in the master planning process.

- noise attenuation from the highway.

- pedestrian and cyclist connectivity.

- bushfire issues relating to site design, layout and access provisions.

- resolution of the buffer around Kendalls Cemetery and on-going management of dry-stone walls.

- on-going management of conservation and public recreation areas.

- finalisation of a stormwater management strategy and flood control.

- an outstanding Ministerial Direction - 6.2 Reserving Land for Public Purposes, should be capable of being resolved with Kiama Council before the LEP is made. Comment – this has been resolved.

Report of the Director Planning, Environment and Communities

15.2   Endorse for public exhibition: Draft Development Control Plan Chapter 12.11 South Kiama Urban Release Area (cont)

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The Department acknowledged that these outstanding matters could be satisfactorily addressed following rezoning and through further master planning, the preparation of a Development Control Plan and the development application assessment process.

Site Specific Development Control Plan

The site is now zoned for residential development and environmental conservation. The residential subdivision is expected to accommodate approximately 450 lots/dwellings.

A draft DCP chapter has been prepared (Attachment 1). The draft DCP chapter contains the following controls:

- Site overview, character, vision and principles.

- Connectivity.

- Lot density, type and layout.

- Public open space and tree canopy.

- Views and vistas.

- Heritage.

- Water management.

- Noise and vibration.

- Utility infrastructure.

- Bushfire, Geotechnical, Contamination.

- Built form (setbacks, site coverage, building height etc).

- Private open space, landscaping and tree canopy.

- Retaining walls, batters and culverts.

- Environmentally sustainable design.

Conclusion

The proposed planning objectives and development guidelines in the Draft DCP Chapter 12.11 will ensure that the scale and operation of developments assessed in the South Kiama Urban Release Area are in keeping with Council's overall environmental and strategic planning objectives.

It is recommended that Council resolve to progress the Draft Development Control Plan Chapter 12.11 to public exhibition for community comment.

Item 15.2 - **Endorse for public exhibition: Draft Development Control Plan Chapter 12.11 South Kiama Urban Release Area**

Attachments 1 - **Draft Development Control Plan - Chapter 12.11 South Kiama Urban Release Area**

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Attachment 1

Kiama Development Control Plan 2020
DRAFT Chapter 12.11
South Kiama Urban Release Area

for public exhibition

KIAMA MUNICIPAL COUNCIL
your council, your community

RESPECT   **INNOVATION**   **INTEGRITY**   **TEAMWORK**   **EXCELLENCE**

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Chapter 12. Location Specific Controls

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Topic 12.11 – South Kiama Urban Release Area

Site overview

The South Kiama Urban Release Area (the Site) lies in the Wollongong Coastal Plain region, between the Pacific Ocean and the Illawarra Escarpment (Figure 1 and Figure 2). The Site is approximately 41 hectares in size and is located approximately 1.6 kilometres to the southwest of Kiama Town Centre. It has frontages to Saddleback Mountain Road to the north, Weir Street to the south and the Princes Highway to the east. A vehicular culvert, located to the north of Munna Munnora Creek, provides access from the Site to South Kiama Drive.
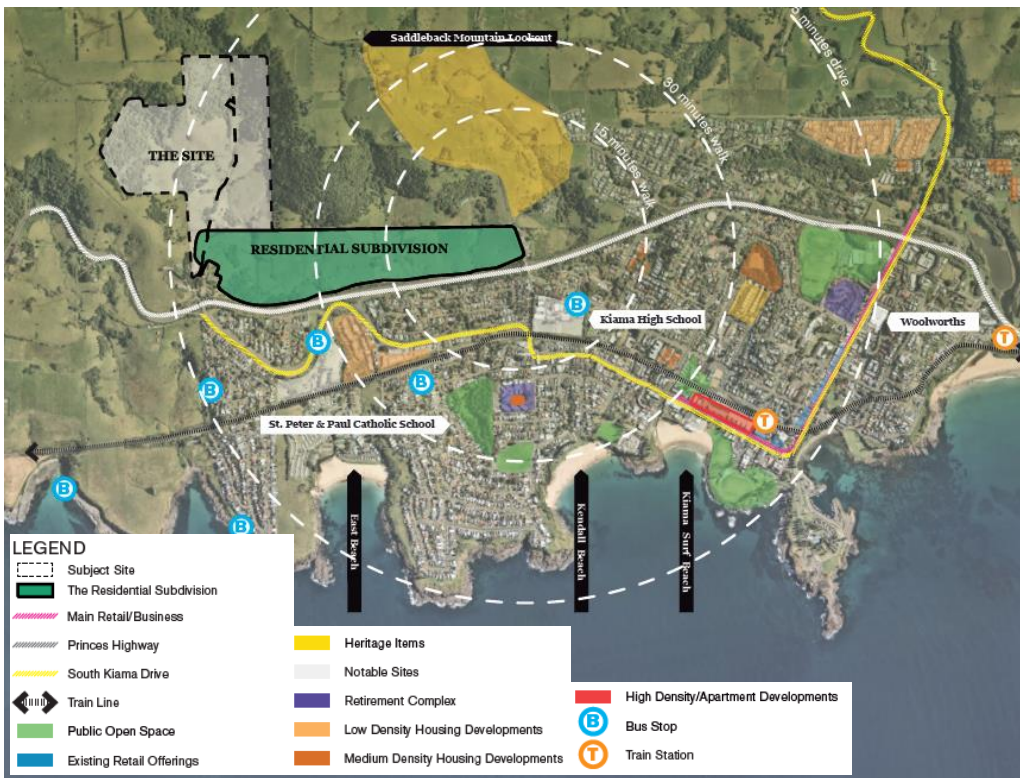
Figure 1: Context map (DKO, 2023)

Figure 2: Aerial image of the Site – South West view (DKO, 2023)

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Attachments 1 - **Draft Development Control Plan - Chapter 12.11 South Kiama Urban Release Area**

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Attachment 1

Future character

The character of the South Kiama Urban Release Area is transitioning from a rural landscape to an urban landscape of predominantly residential, recreational, and environmental protection uses. The desired future character will be achieved through adherence to the vision statement, place principles, concept plan and site-specific objectives and controls in Chapter 12.11 of this Development Control Plan. In determining the appropriate future character of the Site, the following objectives and controls apply:

Objectives

O:12.11.1	Maintain and enhance the environmental, scenic, and historic features of the Site while creating a sustainable and liveable residential neighbourhood for future residents.
O:12.11.2	Deliver greenfield housing and associated infrastructure in Kiama near existing services and facilities.
O:12.11.3	Create residential neighbourhoods that respond to the natural landscapes, natural topography and corridors that define the Site.
O:12.11.4	Promote liveability and high-quality urban design outcomes.
O:12.11.5	Enable the logical development of the Site, introducing a local 'village' character typical of the neighbourhoods found through the Kiama township.
O:12.11.6	Integrate transport and pedestrian access and infrastructure within the Site layout to support the future neighbourhoods whilst providing enhanced connectivity to the wider locality.
O:12.11.7	Create a community of unique living experiences, interconnected by nature to restore a healthy landscape and promote a healthy lifestyle.
O:12.11.8	Realise the landscape vision that promotes conservation and restoration, environmental custodianship, community identity, cultural character and celebrates the setting.

Site Specific Control

12.11.1 Development applications are to demonstrate consistency with the vision statement, place principles and the Concept Plan described below and relevant Site-specific objectives and controls.

Place vision

The vision for Kiama South Urban Release Area is to create a liveable and sustainable residential community that provides innovative housing design and high levels of amenity for the future residents.

This vision includes the following objectives that guide the urban design principles:

Place principles

Six (6) place principles will drive the urban design and built form outcomes for the residential subdivision of the Site and will continue to influence the various design and construction stages of the Site and future residential dwellings. These are:

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Attachments 1 - **Draft Development Control Plan - Chapter 12.11 South Kiama Urban Release Area**

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Heritage Fabric Management

Retain significant number of original elements including Kendalls Cemetery and dry stone walls throughout the Site, and incorporate the Site's historic, social and cultural significance into the desired character of the concept DA.

Topography

Use the Site's unique topography to maximise outlook to open green corridors within the Site, minimise earthworks and create five distinct villages. Create houses that will be unique to coastal Kiama, creating a special vernacular.

Riparian Corridor Use

Enhance the Munna Munnora Creek and riparian corridors to manage flood risks, offer a mix of active and passive recreational uses and introduce water quality management.

Valuing Ecological Communities

Enhance and maximise preservation of identified important ecological communities throughout the Site. Street trees to be placed to provide fauna connection points. Preservation of threatened species of flora and embellishment of planting in the riparian corridor.

Open Space Diversity

Achieve high quality open spaces, provide spaces for all ages and create opportunities for more residents to have nature at their doorstep. Create an open space network across the Site that contributes to the character and amenity of each residential villages.

Connecting into the Local Network

Create vehicular, public transport and active movement links to provide easy and safe access to Kiama Town Centre, local parks, open spaces and other residential neighbourhoods. Deliver a street network that is legible, safe and designed to provide amenity and a cool microclimate within the Site with generous street verge and street widths.

The principles above are complemented by five (5) landscape principles:

Conserve and restore

Utilise the opportunity to recognise the unique and beautiful natural aspects of the site. Improve inter-site ecology through restorative landscape applications

Environmental custodianship

Promote the connectivity and accessibility of great natural areas throughout the site. Improve degraded pasture areas to encourage pride in natural systems and custodianship of the environment by South Kiama residents.

Community identity

Bring people together, promoting activation and sense of Community and celebrate the fantastic south coast lifestyle

Cultural character

Acknowledge, protect, and celebrate Indigenous heritage, promoting a sense of place and integrating cultural heritage into design outcomes.

Celebrate setting

Celebrate the unique aspect and topography of the site. Create opportunities with walking trails and rest points which provide access to views for all. Careful consideration of entries with deliberate landscape intervention to enhance gateway arrival experience.

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Control Plan Chapter 12.11 South Kiama Urban Release Area

Attachments 1 - Draft Development
Control Plan - Chapter 12.11 South
Kiama Urban Release Area

Figure 3: Vision for South Kiama (DKO, 2023)

Concept plan

The concept plan (Figure 4) illustrates the spatial directions that will guide land use and development of the Site pertaining to housing, streets, pedestrian and bicycle networks, environmental protection areas, public open spaces, Aboriginal and European heritage, infrastructure and others.

Development Applications (DA) are to be assessed against the concept plan to ensure that the strategic directions identified are achieved.

KEY FEATURES

1	Village 1 – Ridgetop Gateway	6	Entry Signage Location	11	Bio-retention Basin
2	Village 2 – Ocean Outlook	7	Riparian Corridors	12	Future Bus Stop
3	Village 3 – Central Village	8	Kendall Cemetery	13	Offset planting
4	Village 4 – Munna Munnora	9	Retained Vegetation	14	Munna Munnora Creek
5	Village 5 – Ridgetop	10	Retained Dry Stone Walls	15	Community Picnic Lawns

Figure 4: Concept plan (DKO, 2023)

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Attachments 1 - **Draft Development Control Plan - Chapter 12.11 South Kiama Urban Release Area**

Development Controls

This section should be read in conjunction with the other chapters of the Kiama Development Control Plan 2020. Where there are inconsistencies, this chapter (12.11) of the Kiama DCP should prevail.

1. Connectivity

Objectives

O:12.11.9	Create safe, pleasant, walkable, and accessible streets and footpaths within the Site.
O:12.11.10	Provide a legible, connected, and permeable grid of streets that are sympathetic to the natural topography and natural assets and is connected to the surrounding urban areas.
O:12.11.11	Create streets that encourage social interaction while balancing the efficient movement of people and goods.
O:12.11.12	Create a street layout that maximises views to significant landscapes and waterways.
O:12.11.13	Provide bus stops in accessible locations for residents and visitors.
O:12.11.14	Integrate the bus route and stops throughout the Site.
O:12.11.15	Incorporate high quality landscaping, street trees and public lighting to streets, cycleways, and footpaths.
O:12.11.16	Provide safe and pleasant cycleways and/or shared paths across the Site to promote active transport and active lifestyles.

Site Specific Controls – Street network and hierarchy

12.11.2 Development applications are to demonstrate consistency with the vision statement, place principles and the Concept Plan described below and relevant Site-specific objectives and controls.

12.11.3 The street network should follow natural ground contours and overland flow as much as possible to minimise requirements for cut and fill.

12.11.4 Cul-de-sacs and dead-end streets are to be avoided.

12.11.5 The north-south collector road is to connect to Weir Street to the south, Saddleback Mountain Road to the north, and the Kendalls Cemetery Access to the east and is to be designed in accordance with Austroads Guide to Road Design.

12.11.6 The collector road is to be designed to balance the efficient movement of people and goods while creating a safe, walkable and pleasant environment for pedestrians and cyclists.

12.11.7 A shared path of a minimum 2.5 metres wide is to be provided on the collector road, between Saddleback Mountain Road and Weir Street.

12.11.8 Access streets and access roads are to be designed as low-speed and low-traffic zones.

12.11.9 Access roads adjacent to environmental corridors and riparian corridors are to be designed to reduce risk of vehicle strike to wildlife.

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Attachments 1 - **Draft Development Control Plan - Chapter 12.11 South Kiama Urban Release Area**

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12.11.10   Any temporary fire access road must be designed to allow safe access and egress for firefighting vehicles in accordance with *Planning for Bushfire Protection 2019* (PBP). This includes:

a)   An 8 metre wide carriageway kerb to kerb.

b)   Parking and footpaths are to be provided outside of the carriageway.

12.11.11   All perimeter access roads are designed to allow safe access and egress for firefighting vehicles while occupants are evacuating as well as providing a safe operational environment for emergency service personnel during firefighting and emergency management on the interface. This includes:

a)   Minimum 8 metre wide carriageway kerb to kerb.

b)   Parking is to be provided outside of the carriageway width.

12.11.12   Non-perimeter access roads, access streets and private access roads are designed to allow safe access and egress for firefighting vehicles while occupants are evacuating in accordance with PBP. This includes:

a)   Minimum 5.5 metre wide carriageway kerb to kerb.

b)   Parking is provided outside of the carriageway width.

12.11.13   Road layouts / street design should accommodate manoeuvring in accordance with Austroads Design Vehicles and Turning Path Templates Guide. All intersections must accommodate the turning movements of the 9.64 metre Refuse Collection Vehicle (RCV) or as required by the Austroads Guide (whichever is larger).

12.11.14   An access point for pedestrians, cyclists and emergency vehicles only is to be provided in the former Kendalls Cemetery Access, connecting the collector road to Hillview Crescent to the east.

Refer to 10. Bushfire for further objectives and controls.

12.11.15   Intersections and streets should be design in accordance with the relevant Australian Standards and guidelines.

12.11.16   Traffic management and calming devices should generally comply with the requirements of *Austroads Guide to Traffic Management Part 8: Local Area Traffic Management* and be subject to review and approval by the consent authority.

12.11.17   A footpath of a minimum width of 1.5 metres is to be provided on the northern side of Saddleback Mountain Road. This excludes the Saddleback Mountain Road overpass.

12.11.18   All emergency access routes must be designed in consultation and concurrence with TfNSW and RFS.

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Site Specific Controls – Street typology

12.11.19   The collector road must allow for:

   a) An 8 metre wide carriageway kerb to kerb that is clear of parking bays and that meets RFS requirements.

   b) Parking lanes or indented parking bays on both sides of the road that are a minimum of 2.1 metres wide.

   c) A verge with a minimum width of 3.5 metres. The verge must include:

   − a continuous shared path on one side that is a minimum of 2.5 metres wide,

   − a footpath on one side of the road that is a minimum of 1.2 metres wide.

   − high-quality landscaping and tree planting on both sides of the road.

12.11.20   Perimeter access roads must allow for:

   a) An 8 metre wide carriageway kerb to kerb that is clear of parking bays and that meets RFS requirements.

   b) A parking lane or parking bays where the road fronts residential lots that are a minimum of 2.1 metres wide.

   c) A verge with a minimum width of 3.5 metres where the road fronts residential lots. The verge must include:

   − a footpath where the road fronts residential lots that is a minimum of 1.2 metres wide.

   − high-quality landscaping and tree planting on both sides of the road.

   d) Dry stone walls must be located a minimum of 3.5 metres from the kerb line.

12.11.21   Internal access roads must allow for:

   a) A 5.5 metre wide carriageway kerb to kerb that is clear of parking bays and meets RFS requirements.
   b) On-street parking bays or a parking lane that is a minimum of 2.1 metres wide where it fronts residential lots.
   c) A verge with a minimum width of 3.5 metres.
   d) Footpaths on both sides of the road that each have a minimum width of 1.2 metres.
   e) Where the road fronts an open space, a shared path with a minimum width of 2.5 metres within the open space.
   f) Tree planting and landscaping within the verge on both sides of the road.
   g) Dry stone walls must be located a minimum of 3.5 metres from the road reserve.

12.11.22   Private access roads must allow for:

   a) A 5.5 metre wide carriageway kerb to kerb that is clear of parking bays and meets RFS requirements.

   b) A road reserve that is at least 8 metres wide.

   c) A footpath that is a minimum of 1.2 metres wide on one side of the road where the road fronts residential lots.

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d) Local residents and emergency vehicle access only.

12.11.23 Temporary access roads must allow for an 8 metre carriageway width kerb to kerb that is clear of parking bays, verges and footpaths and meets PBP requirements.

Site Specific Controls – Pedestrian and bicycle network

12.11.24 A pedestrian and bicycle network plan is required to accompany a Development Application for a residential subdivision of the Site.

12.11.25 Pedestrian and bicycle facilities within the road reserve are to be designed and implemented in accordance with the controls – Street Typologies.

12.11.26 The central underpass of the motorway (Former Kendalls Cemetery Access) must accommodate a shared path, connecting the Site to the residential neighbourhoods to the east, to the satisfaction of Council and TfNSW.

12.11.27 An interconnected network of dedicated shared paths for pedestrians and cyclists is to be provided within the Site along the collector road, between Saddleback Mountain Road and Weir Street, and on green open spaces.

12.11.28 The shared path network is to be connected to the cycle routes identified in the Kiama Cycleway Plan.

12.11.29 The shared paths are to:
a) Be developed in consultation with Council and TfNSW.
b) Be designed and constructed in accordance with the relevant Australian Standards and Development Design Specification D9 Cycleway and Pathway Design.
c) Be safe and comfortable for people of all abilities through measures such as level pavements, ramps and tactile markers at crossings.
d) Ensure legibility and ease of wayfinding with clear sightlines.
e) Be well lit for safety, while avoiding glare into private residences and minimising light pollution.

12.11.30 Provide tree planting and landscape buffers for shade and visual interest.

12.11.31 Traffic management should not impede upon pedestrian movements.

12.11.32 Layout and road marking for bicycle and pedestrian network facilities at intersections are to be designed for the safe and continuous movement of pedestrians and cyclists.

Site Specific Controls – Public transport

12.11.33 Bus routes and bus stop facilities are to be developed in consultation with Council, the local bus operator and TfNSW.

12.11.34 Bus routes and bus stops are to be located along the collector road and be within walking distance to all dwellings.

12.11.35 Bus stop shelters are to be designed to reduce users' sun exposure in summer and to enhance protection from bad weather such as rain, wind and hail.

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Attachments 1 - **Draft Development Control Plan - Chapter 12.11 South Kiama Urban Release Area**

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2. Lot density, type and layout

Objectives

O:12.11.17	Achieve a diversity of lot sizes and building types to offer greater housing choices to meet the changing needs of the community.
O:12.11.18	Orient lots to follow the natural contours, maximise views and support the desired future character of the Site.
O:12.11.19	Provide larger lot sizes in steeper and more visually prominent areas of the Site to minimise disturbance to the Sites' unique topography and maintain its landscape escarpment character.
O:12.11.20	Provide smaller lot sizes in flat and less visually prominent areas and close to green open spaces.
O:12.11.21	Maximise lots with principal street frontages and restrict the number of battle-axe lots to promote a safe, active and vibrant community.
O:12.11.22	Be consistent with the principles of ecologically sustainable development and solar energy efficiency.
O:12.11.23	Achieve total lot yield and dwelling densities that are commensurate with the anticipated provision of utility and transport infrastructure for the Site.

Site Specific Controls

12.11.36 Provide a maximum of 419 residential allotments across the Site that is made up of:

 a) small lots (300m² – 450m²) along the flatter and less visually prominent central sections of the Site. These small lots should account for a maximum of 34% of the total residential allotments across the Site.

 b) average-sized lots (>450m² – <1,000m²) located over the majority of the remaining area suitable for residential development. Average sized lots should account for a maximum of 62% of the total residential allotments across the Site.

 c) large lots (>1,000m²) and lower building heights on visually prominent sections of the Site. Large lots should account for a minimum of 4% of the total residential allotments across the Site.

12.11.37 Include a range of lot sizes, orientations, and access arrangements to deliver a mix of housing typologies as shown in the indicative density strategy (Figure 5).

12.11.38 The lot layout must accommodate the appropriate building type and respond to the location by:

 a) Orienting east-west to maximise views while minimising cut and fill.

 b) Orienting north/south to follow natural topography.

 c) Minimising overlooking and overshadowing.

 d) Retaining existing heritage dry stone walls as identified in 6. Heritage.

 e) Supporting active street frontages and creating opportunities for passive surveillance.

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f) Providing battle-axe lots on lots fronting riparian corridors if required

12.11.39 All lots must meet the prescribed solar access, open space, and setback requirements.

Refer to 13. Built form.

LOT SIZE
1. 450sqm lots - large density
2. 300sqm lots - general housing
3. 1000sqm lots - large lot housing
4. Designated flexible zone

Figure 5: Density strategy (DKO, 2023)

3. Public open space and tree canopy

Objectives

O:12.11.24	Create a network of high-quality and diverse public open space throughout the Site.
O:12.11.25	Ensure public open spaces are designed to be inclusive and equitable and are accessible by pedestrian and cycle paths.
O:12.11.26	Provide for landscaping and enhance tree canopy in public open spaces.
O:12.11.27	Protect and enhance the biodiversity values of the Site
O:12.11.28	Ensure that additional landscaping is considered within the expansion of public land beyond the Cemetery's walled boundaries.
O:12.11.29	Achieve a minimum of 30% tree canopy coverage across open space areas through preservation of existing trees and new tree planting.
O:12.11.30	Be consistent with the five (5) landscape principles in this DCP Chapter.

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Site Specific Controls – Public open space network

12.11.40 A detailed landscape plan must be provided for any development application for the subdivision of land where public/green open space is proposed.

12.11.41 The Open Space Structure Strategy and landscaping for the Site shall:

a) Regenerate and rehabilitate the riparian/ecological corridors and existing creek lines with planting of species belonging to the Illawarra Subtropical rainforest and Coastal Freshwater Wetlands only.

b) Re-vegetate riparian/ecological corridors and visually prominent areas towards reduction of visual impacts upon surrounding areas.

c) Retain native trees and other significant mature trees within public land where possible.

d) Provide appropriate open space across the Site, including a range of open space types, functions, and hierarchy.

e) Achieve a 30% tree canopy coverage across the residential areas (villages).

f) Utilise trees and shrubs endemic to the local area.

g) Remove weeds in line with the Riparian Vegetation Management Plan (RVMP).

h) Include landscaping for Kendalls Cemetery and any surrounding open space, the Munna Munnora Trail, any Community Picnic Lawns and Managed Grassland.

i) Provide efficient, safe and pleasant pedestrian and bicycle connections to open spaces for recreation and transportation purposes and allow connection to the waterways.

12.11.42 The Munna Munnora Trail is to be designed as a parkland that includes:

a) Entry and educational signage.

b) Meandering pathways through the parkland adjacent to riparian zones.

c) An open space zone to support active open space activities.

d) A bio-retention basin and riparian regeneration planting.

e) Nature pause nodes.

f) A vegetation management trail, local paths, shared paths.

g) Conservation for existing heritage stone walls.

12.11.43 The community picnic lawns is to be designed as an accessible conservation area that:

a) Provides entry and educational signage.

b) Provides spaces for social gatherings.

c) Provides sealed and unsealed footpaths.

d) Conserves the existing heritage stone walls.

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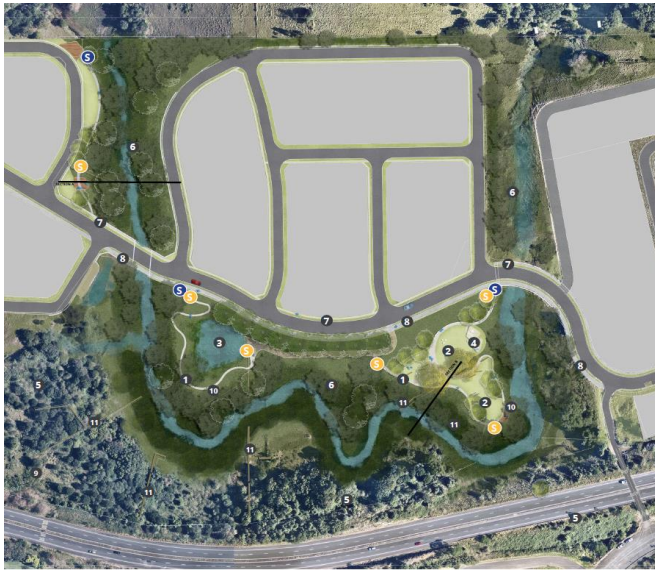
S Entry Signage along walking path
S Educational Signage opportunities
1 Vegetation Management Trails
2 Open turfed multi-use areas
3 Bio- Retention Basin
4 Community Picnic Lawns
5 Vegetation Management Trail
6 Riparian Regeneration Planting
7 Local Paths
8 Shared Paths
9 Existing Native Vegetation to be retained
10 Nature Pause Nodes
11 Existing Heritage Walls

Figure 6: Munna Munnora Trail (Arcadia, 2023)

MUNNA MUNNORA SECTIONS
SECTION A
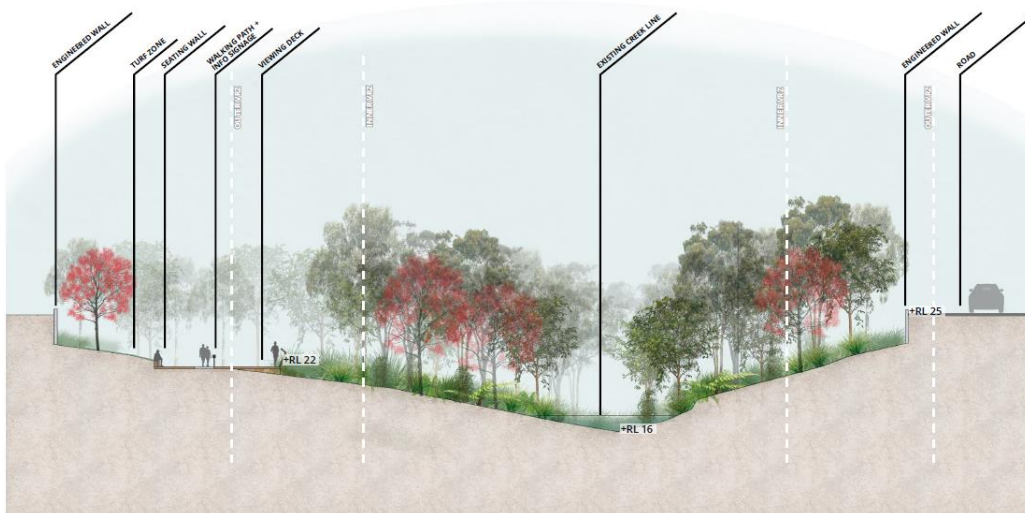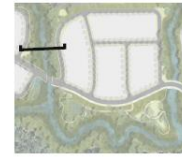
Figure 7: Munna Munnora Trail, Section A (Arcadia, 2023)

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MUNNA MUNNORA SECTIONS
SECTION B
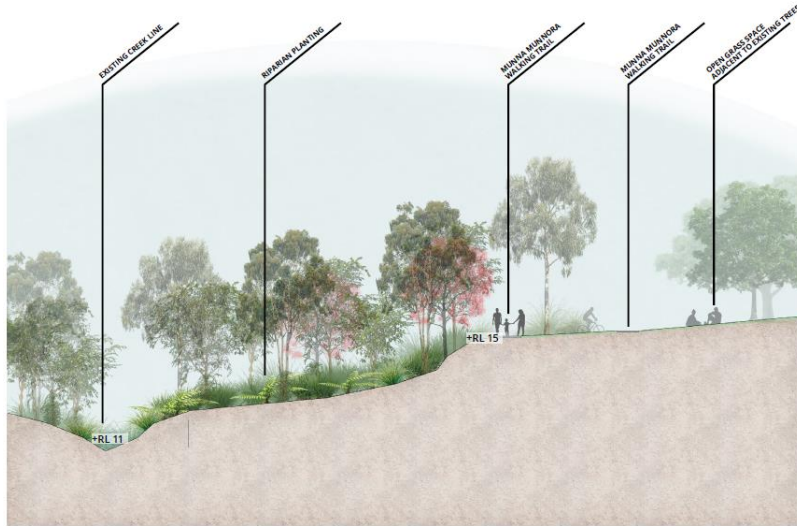
Figure 8: Munna Munnora Trail, Section B (Arcadia, 2023)

1 Existing Heritage Walls
2 Open turfed multi-use areas
3 Creek Line
4 Opportunity for formalized social events and sheltered space
5 Gravel Service Road
6 Local Shared Path
S Entry Signage along walking path
S Educational Signage opportunities

Figure 9: Community picnic lawns (Arcadia, 2023)

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12.11.44   The Riparian Zones illustrated in Figure 10, Figure 11 and Figure 12 are to:

a)   Ensure the regeneration of riparian planting and rehabilitation of the existing conditions of the creek line

b)   Provide groundcover, shrubs and canopy layers with species belonging to Illawarra Subtropical rainforest and Coastal Freshwater Wetlands.

c)   Provide shared paths to allow connection to the waterways and nature and promote an active lifestyle.

d)   Provide well-located entry signage

e)   Provide retailing walls and civil scour protections in accordance with the objectives and controls in 15. Retaining walls, batters and culverts.

f)   Provide bio-retention basins and water sensitive urban design measures in accordance with the objectives and controls in 7. Water management.

12.11.45   A detailed Concept Plan for Kendalls Cemetery Park is to be prepared and submitted with the Development Application for residential subdivision of the Site. The Concept Plan shall:

a)   Provide a high-quality passive open space, and

b)   Be consistent with the objectives and controls in 5 - Heritage of this DCP Chapter.

1 Retaining Walls
2 Riparian Planting
3 Adjacent Pedestrian Shared Path
4 Entry Signage Location
5 Bio-Retention Basin
6 Civil scour protection
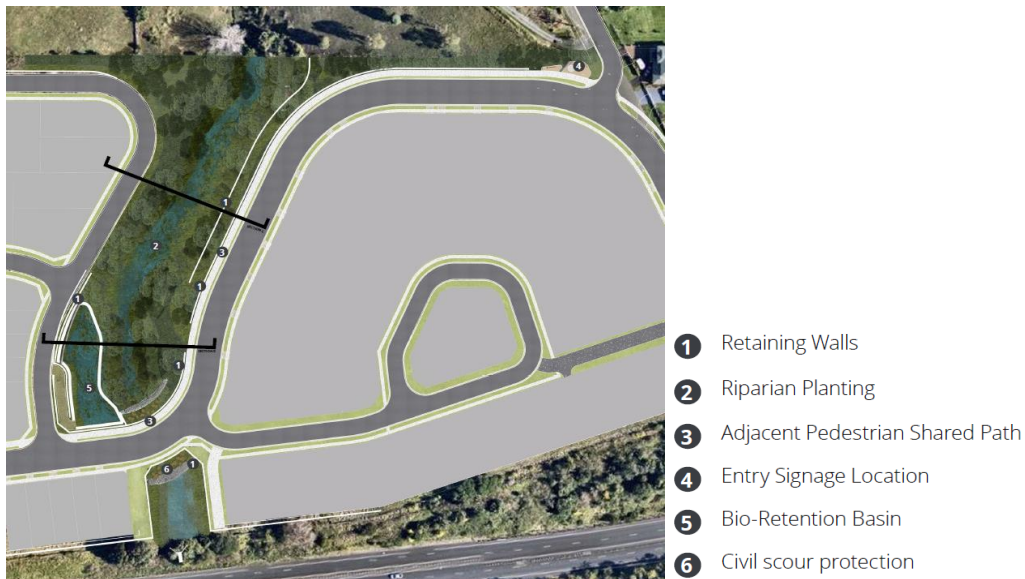
Figure 10: Riparian zone – Typical approach (Arcadia, 2023)

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RIPARIAN ZONE SECTIONS

SECTION C

Figure 11: Riparian zone, Section C (Arcadia, 2023)

RIPARIAN ZONE SECTIONS

SECTION D
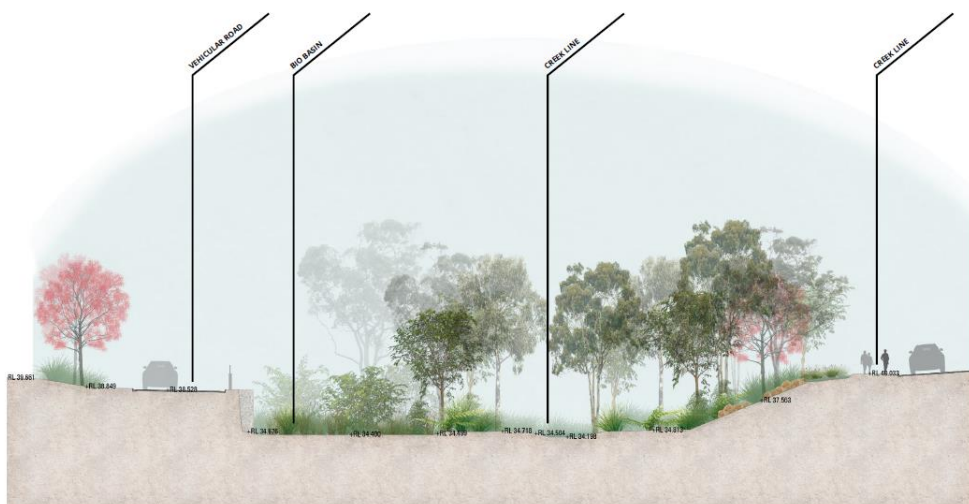
Figure 12: Riparian zone, Section D (Arcadia, 2023)

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Site Specific Controls – Street trees

12.11.46   Street tree planting shall:

a) Contribute towards a minimum of 30% tree canopy with a minimum of 500 street trees planted across the Site. Trees are to be planted in a way that ensures their ability to thrive.

b) Create a unique character for each neighbourhood using a different selection of tree species. An example of the potential tree species for each neighbourhood is shown in Figure 13 and includes:

− Escarpment Village – *Eucalyptus saligna* and *Eucalyptus robusta*
− Munna Munnora – *Backhousia myrtifolia* and *Tristaniopsis*
− Central Village – *Cordyline australis, Glochidion ferdinandi* and *Brachychiton populneus*
− Ocean Outlook – *Commersonia fraseri* and *Alphitonia excelsa*
− Ridgetop Gateway – *Illawarra Flame Tree* and *Brachychiton populneus*

Ocean Outlook
Commersonia fraseri
Alphitonia excelsa

Ridgetop Gateway
Illawarra Flame Tree
Brachychiton populneus

Escarpment Village
Eucalyptus saligna
Eucalyptus robusta

Munna Munnora
Backhousia myrtifolia
Tristaniopsis

Central Village
Cordyline australis
Glochidion ferdinandi
Brachychiton populneus
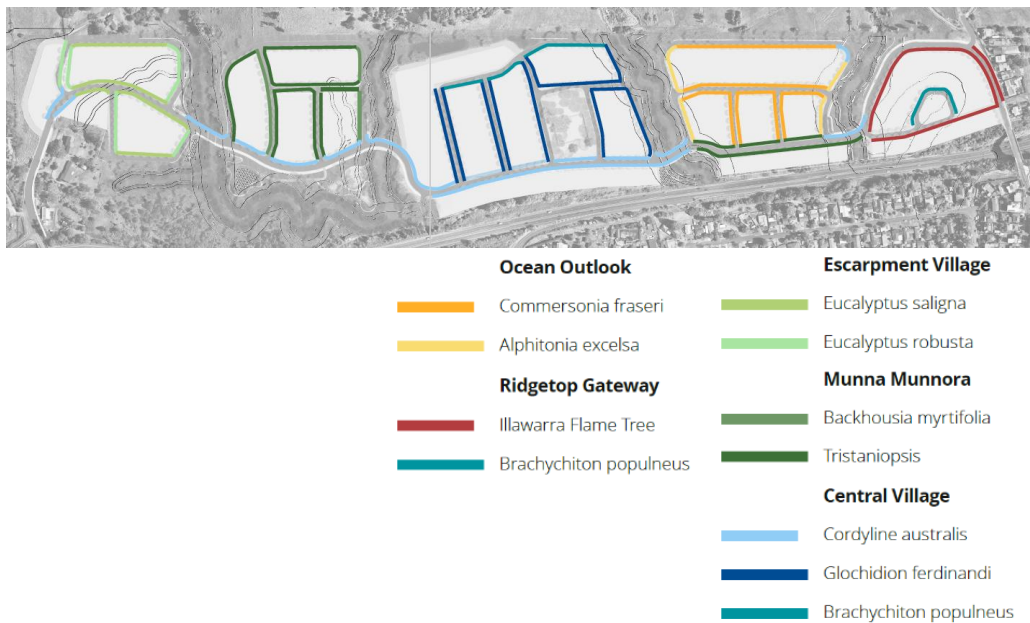
Figure 13: Street tree strategy (Arcadia, 2023)

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Site Specific Controls – Signage and public art

12.11.47 A Public Art Strategy is to be prepared and submitted with the Development Application for the residential subdivision of the Site in collaboration and discussions with Council.

12.11.48 A signage strategy is to be prepared and submitted with the Development Application for the residential subdivision of the Site in collaboration and discussions with Council.

12.11.49 The Signage Strategy is to be consistent with Figure 14 and shall:

a) Provide a strong sense of place and provide wayfinding opportunities throughout the Site.

b) Provide educational information throughout the Site to encourage connection to the surrounding landscape.

c) Design entrances to public open spaces and parklands that are clearly signposted and visible to optimise wayfinding and with car-free frontages.

d) Be constructed of high quality, durable and sustainable materials that are compatible with the future architectural design of dwellings.

e) Acknowledge and celebrate the Aboriginal and non-Aboriginal historic, cultural and heritage values of the Site through educational signage to be in accordance with the objectives and controls in 6. Heritage.

S **Entrance Signage (2)**
Signage to accommodate development entrances to the northern and southern roads. Timber, Steel and Boulder forming structure.

S **Flora + Fauna Education Signage (7)**
Signage adjacent to walking trails and planting containing graphic depiction of species and informative text. Powder coated engraved steel, ash grey/ rust colour.

S **Park Signage (3)**
Signage to accompany public open spaces entry points. Entry points to lookout point, and Munna Munnora walking trail.

Figure 14: Signage strategy (Arcadia, 2023)

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Site Specific Controls – Lighting

12.11.50 A Public Lighting Plan for streets and open spaces is to be prepared and submitted with a Development Application for the residential subdivision of the Site.

12.11.51 Lighting design is to:

    a) address the principles of Crime Prevention Through Environmental Design (CPTED) having regard to street topographies and location of dwellings and open space areas.

    b) implement sustainable solutions eliminating unnecessary energy / power consumption.

12.11.52 Street lighting along the street network is to be provided in accordance with the provisions of Australian Standard: AS1158 – Lighting for Roads and Public Spaces.

Site Specific Controls – Materials palette

12.11.53 Use materials to communicate a high quality standard that contributes to the comfort and resort style experience.

12.11.54 Use natural material and tones while ensuring accessibility and safety (refer to Figure 15).

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Walls

1:1 rock batters
Managing gradients in riparian and natural setting. Large boulder placements with planting in pockets, up to 1m height

Freestanding stone walls
(non-retaining) as feature barriers and fence lines. Up to 1.0m height

Stacktone walls
Mimicking heritage walls, utilising sit-won rock materials. Free-standing stone walls (non-retaining) as feature barriers and fence lines. Up to 1.0m height

Corten Steel Edge
Edging planting zones within gathering areas and parks

Engineered Walls
Pre-cast 'natural façade' on walls greater than 1 metre height

Surfaces/ Paths

Concrete Footpath
Lining the walkways adjacent to roads and formalised footpaths through communal areas

Concrete seating walls
Insitu and including timber seating elements to open space areas. Typically 500mm height

Stepping Stones
Bluestone stone steppers through park and informal play areas

Veg Management Bush Trail
Compacted gravel

Educational Signage
Recycled timber for base of sign with mild steel Black powered coat

Composite Timber Decking
Surface for pedestrian nodes/ resting points throughout Munna Munnora trails and community picnic area.

Development Entry Signage
Combination of powder coated embossed steel and recycled timber

Recycled Timber Logs
Nature play element within communal open space and park.

Recycled Timber Log Stumps
Nature play element within communal open space and park.

Figure 15: Example materials palette (Arcadia, 2023)

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4. Biodiversity and ecology

Objectives

O:12.11.31	Identify, protect and enhance areas that have a high biodiversity value, including areas of contiguous remnant vegetation.
O:12.11.32	Ensure no adverse direct or indirect impacts occur on native vegetation and fauna habitat on land identified for environmental conservation.
O:12.11.33	Locate and design the subdivision to avoid and minimise impacts on biodiversity values.
O:12.11.34	Revegetate and rejuvenate watercourses and wetlands.
O:12.11.35	Ensure long term management of land identified for environmental conservation occurs.
O:12.11.36	Provide habitat for fauna along vegetated riparian corridors.
O:12.11.37	Provide vegetated linkages between the coast and the hinterlands.
O:12.11.38	Reduce pollution and erosion along the creek lines.
O:12.11.39	Manage construction works to protect significant environmental features and habitats.
O:12.11.40	To protect, retain and preserve trees in good health across the Site that do not require removal.

Site Specific Controls

12.11.55 The subdivision of the land must avoid and minimise impacts to native vegetation and habitats by:

a) Locating the development within mostly exotic vegetation and areas of the poorest quality native vegetation.

b) Rejecting the design options that would enable an increased dwelling yield in order to preserve and rehabilitate existing good quality native vegetation and riparian corridors.

c) Revegetating and rehabilitating the riparian corridors under a Riparian Vegetation Management Plan (VMP).

d) Preserving most of the existing dry stacked stone walls to minimise potential impacts on fauna that may be using the walls as sheltering habitat. Common herpetofauna that would use this habitat include Blue-tongue Lizard and Eastern Water Skink among other species.

e) Implementing water quality treatment measures to manage potential pollutants entering the riparian corridor.

12.11.56 Riparian corridors are to be provided in accordance with the *Guidelines for Riparian Corridors on Waterfront Land* for each of the watercourses identified for retention and embellishment across the Site (refer to Table 1).

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12.11.57 A Vegetation Management Plan (VMP) must be implemented for each detailed Development Application across the Site to rehabilitate the riparian corridors and general ecological condition of the Site to a function PCT 3077 ecosystem. The VMPs will ensure a minimum of 9.12 hectares of revegetation and management area is provided across the Site.

Watercourse Type	VRZ width (each side of watercourse)	Total RC width
1st order	10 metres	20 metres + channel width
2nd order	20 metres	40 metres + channel width
3rd order	30 metres	60 metres + channel width
4th order	40 metres	80 metres + channel width

Table 1: Requirements for Vegetated Riparian Zones (VRZ)

12.11.58 Biodiversity credits are required to offset any residual unavoidable impacts. A Biodiversity Development Assessment Report must accompany a Development Application for the residential subdivision of the Site, identifying any unavoidable impacts and mitigation measures, including the required number and type of biodiversity credits.

12.11.59 Better quality vegetation and habitats are to be retained along with most of the watercourses, as well as the location of the recorded Zieria granulate.

12.11.60 The subdivision pattern must support and/or enable contiguous retention and/or planting of vegetation to enhance existing habitats and ecology.

12.11.61 An Arboricultural Impact Assessment must be undertaken for any Development Application where the removal of non-exempt tree species are proposed.

12.11.62 As a result of VMPs being implemented by the applicants for each detailed Development Application, the following maintenance actions should be undertaken:

a) Weed management,
b) Primary weed control,
c) Secondary weed control,
d) Discovery of threatened species,
e) Weed disposal,
f) Maintenance of revegetated areas,
g) Implementation of minimal disturbance principles,
h) Ensuring appropriate equipment is used for maintenance.

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12.11.63 VMPs are to be designed to exceed the Controlled Activities – Guidelines for Vegetation Management Plans on Waterfront Land, which will include the following performance criteria:

a) End of Year 1

- 90% survival of plantings
- 100% original woody weeds controlled
- 100% original annual weeds controlled.
- Emergent weeds controlled and comprised of <10% cover.

b) End of Year 2

- 90% survival of plantings.
- 20% native ground cover achieved by natural regeneration.
- Emergent weeds controlled and comprised of <10% cover.

c) End of Year 3

- 90% survival of plantings.
- 20% native ground cover achieved by natural regeneration.
- Emergent weeds controlled and comprised of <5% cover.

d) End of Year 4

- 90% survival of plantings.
- 30% native ground cover achieved by natural regeneration.
- Emergent weeds controlled and comprised of <5% cover.

e) End of Year 5

- 90% survival of plantings.
- 30% native ground cover achieved by natural regeneration.
- Emergent weeds controlled and comprised of <5% cover.

5. Views and vistas

This section should be read and applied in addition to 'Chapter 3 – Common Requirements – Topic 3.2 – Amenity' of the Kiama DCP 2020.

Objectives

O:12.11.41	Ensure that coordinated development outcomes are visually congruent with the existing surrounding landscape.
O:12.11.42	Minimise the need for significant earthworks to retain the undulating topography and landscape qualities of the Site and minimise impacts from the Princes Highway.
O:12.11.43	Ensure that the development does not adversely impact on the scenic and visual qualities of the Site and escarpments beyond the Site.
O:12.11.44	Ensure adequate setbacks and separation between buildings on visually prominent areas to maintain views and vistas and allow tree planting to maintain and enhance the scenic and visual qualities of the Site.

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O:12.11.45   Ensure that building heights, roof forms and building materials complement and enhance the scenic and visual qualities of the Site and escarpments beyond the Site.

</div>

Site Specific Controls

12.11.64   A Visual Impact Assessment (VIA) is required to accompany any Development Application (DA) for the subdivision of land or in visually prominent locations (e.g. on the escarpment). The VIA must be prepared by a suitably qualified consultant and must include (but not be limited to):

a) A detailed description and photographs of the Site and surrounds, including existing vegetation, topography, slope, surrounding development and any features that may affect visual impact.
b) The proposed development, including any proposed increases in ground level associated with bulk earthworks, built form, height, roofline, materials, colour schemes, external surface finishes and landscape treatment.
c) Measures proposed to ameliorate visual impacts (if any).
d) Description and assessment of the visual prominence of the Site and proposed development.

12.11.65   Views and vistas towards and along natural and built assets are to be retained, including the waterways, the escarpment and Kendall's Cemetery.

12.11.66   Screen planting between lots is encouraged to minimise potential visual impacts to adjoining properties.

12.11.67   Dwellings and other ancillary residential development should be designed and sited to avoid (where possible) or minimise any obstruction to public views and vistas containing natural features such as water, ridgeline or bushland, and particularly those containing significant landscape features such as the mountains, waterways, Kendalls Cemetery, Dry Stone Walls, identified Aboriginal sites and areas of high cultural significance.

12.11.68   Building siting, height, bulk, and projecting elements are designed to minimise the impact on existing views from living areas and other highly utilised spaces of surrounding properties.

12.11.69   Where views from neighbouring properties will be reduced as a result of new buildings or structures, the Development Application must address the established NSW Land and Environment Court Planning Principles relating to view sharing between properties.

Note: The NSW Land and Environment Court Planning Principles relating to View Sharing can be found in Tenacity Consulting v Warringah Council (2004) NSWLEC 140.

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6. Heritage

Objectives

O:12.11.46	Identify, acknowledge, and protect Aboriginal archaeological and cultural significance and heritage across the Site.
O:12.11.47	Recognise and honour the importance of Aboriginal culture and heritage found within the Site to Aboriginal people.
O:12.11.48	Consult with the local Aboriginal community concerning ongoing management of Aboriginal cultural heritage items.
O:12.11.49	Implement a 'Life Framework of Values' to guide and facilitate well-placed cultural values outcomes across the Site.
O:12.11.50	Recognise the protections afforded to Aboriginal culture and heritage under the *Environmental Planning and Assessment Act 1979*, *National Parks and Wildlife Act 1974* and the Kiama LEP.
O:12.11.51	Conserve and enhance Aboriginal archaeological and cultural heritage for the education of future generations.
O:12.11.52	Identify and protect areas that contain European heritage, cultural landscapes or scenic value.
O:12.11.53	Ensure that development is located and designed to minimise potential impacts on identified heritage items.
O:12.11.54	Encourage heritage items to be used for purposes appropriate to their heritage significance.
O:12.11.55	Ensure development does not detrimentally impact on the significance of heritage items.
O:12.11.56	Ensure the protection, retention and conservation of Kendalls Cemetery.
O:12.11.57	Provide educational signage and public art to acknowledge and celebrate the site's history and heritage.

Site Specific Controls – Aboriginal culture and heritage

12.11.70 All efforts must be made to avoid known and/or potential Aboriginal sites and/or sensitive landforms.

12.11.71 Each Detailed Development Application is to address and consider areas of archaeological potential and acknowledge identified artefacts.

12.11.72 The applicant is to continue to inform the Registered Aboriginal Parties (RAPs) about the management of Aboriginal Cultural Heritage.

12.11.73 If a proposed development application cannot avoid impacts to the artefacts, an application must be made to Heritage NSW for an Aboriginal Heritage Impact Permit (AHIP) to impact these sites, which are currently protected under the *National Parks and Wildlife Act 1974*.

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12.11.74 Notwithstanding (4), a Development Application (DA) which proposes to alter, demolish and/or destroy a known Aboriginal site and/or sensitive landform must give regard to the following:

a) Detailed Development Applications must include provisions to establish a long-term management strategy of Aboriginal cultural heritage items that should be developed in consultation with RAPs and in accordance with Requirement 26 of the 'Code'.

b) Should any historical archaeological sites be identified during any phase of development, all works must cease in the vicinity of the find and the project archaeologist and Proponent notified. Should the archaeological nature of the find be confirmed, then Heritage NSW must be notified.

c) In the event an appropriate reburial location cannot be found, a care and control agreement should be determined in consultation with the RAPs to ensure all parties are satisfied as to the long-term care of the Aboriginal artefacts.

12.11.75 Detailed Development Applications (where applicable) should include the provision of an Aboriginal Cultural Heritage Management Plan (ACHMP) to be prepared outlining requirements for management of existing sites and unexpected finds, site inductions and reporting processes during bulk earthworks and construction phases of development to ensure no Aboriginal sites are impacted during later stages of the project.

12.11.76 If any suspected human remains are discovered during any activity works, all activity in the vicinity must cease immediately. The remains must be left in place and protected from harm or damage. The following actions must be taken in instances where human remains or suspected human remains are discovered:

a) Discovery: If suspected human remains are discovered all activity in the vicinity must stop to ensure minimal damage is caused to the remains; and the remains must be left in place and protected from harm or damage.

b) Notification: Once suspected human skeletal remains have been found, the Coroner's Office and the NSW Police must be notified immediately. Following this, and if the human remains are likely to be Aboriginal in origin, the find will be reported to the Aboriginal parties and Heritage NSW. If the find is likely to be non-Aboriginal in origin and more than 100 years in age, the heritage division of NSW will be notified of the find under S146 of the Heritage Act.

Site Specific Controls – European heritage

12.11.77 A Conservation Management Plan (CMP) is required to be developed for the South Kiama Urban Release Area (comprising of Kendalls Cemetery and dry stone walls) prior to any Development Application (DA) for the subdivision of land. The CMP should be formulated in accordance with the following guidelines:

a) Assessing Heritage Significance (Heritage Office 2001).
b) *Conservation Management Documents* (Heritage Office 1996, revised 2002).
c) The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance (Australia ICOMOS 2013).

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d) *The Conservation Management Plan* (National Trust of Australia [NSW] 2000).

The CMP must:

a) Address issues such as security of the cemetery and of the wells to reduce the chances of vandalism and theft.

b) Include ground penetrating radar study outside the cemetery walls to attempt to locate additional graves will be included in the information gathering component of the conservation document.

c) Identify historical cultural plantings for retention; if these plantings are now considered weeds their removal must be assessed and reconsidered based on the outcomes of the assessment.

d) Address the management of existing stone walls.

e) Address the reuse of stone from walls that will be demolished (if applicable).

f) Provide practical solutions for stone wall repair using local stone.

12.11.78   A Heritage Impact Statement (HIS) is required to accompany any Development Application (DA) relating to the heritage items and/or all proposed development in the vicinity of heritage items listed under the Kiama Local Environmental Plan 2011. The HIS should be prepared in accordance with the following guidelines:

a) *Statements of Heritage Impact* (Heritage Office 1996, revised 2002)

b) *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance* (Australia ICOMOS 2013)

12.11.79   A Heritage Interpretation Plan (HIP) prepared by a specialist heritage consultant is required to accompany any detailed DA. The HIP should:

a) Highlight the heritage values of Kendalls Cemetery, dry stone walls and cultural landscape across the Site.

b) Be used to inform a design that allows the heritage significance of the place to be retained and demonstrated to the public.

c) Include guidance for signage, landscaping and interpretative elements of the green space design.

12.11.80   All proposed development around Kendalls Cemetery, including any ground disturbance and roadways, must be setback at least 10 metres from the surrounding dry stone wall boundary.

12.11.81   All residential allotments must be set back a minimum of 20 metres from the surrounding dry stone wall of Kendalls Cemetery.

12.11.82   To minimise loss of value and reduce heritage impacts to the curtilage for Kendalls cemetery, the subdivision of land is to:

a) Provide a designated and landscaped green space area/park surrounding the cemetery, between the cemetery walls and the surrounding streets.

b) Plant a native fig tree to the east of Kendalls Cemetery. Advice from a suitably qualified arborist or botanist is required to determine a suitable distance between the tree, the cemetery and the wall surrounding the cemetery to avoid aggressive roof system impacting on the heritage-listed items.

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c) Maintain the entry and provide interpretation of the heritage values for public engagement and education.

d) Consider the abovementioned mitigating measures and other design responses in a CMP and CMS to be prepared and submitted to Council for approval prior to commencement of works for Village 3.

12.11.83   All development shall maintain an appropriate visual setting for the dry stone walls through retention of existing vegetation

12.11.84   Bulk earthworks are to be avoided around dry stone wall 5 and 7. If avoidance is not possible, the development should include dismantling them and reinstating them in their original alignment under the supervision of a stone wall expert.

12.11.85   Dry stone walls 4 and 22 are to be protected by making the wall a 'no access' area. Bollards must be installed during construction to separate construction vehicles and provide protection from inadvertent harm.

12.11.86   Dry stone wall 4 must be protected during the construction of any proposed development.

12.11.87   Dry stone wall 22 is to be reassessed when access is possible. The removal of lantana and other weeds binding to the structure must be done with care and under the supervision of a consultant with dry stone wall experience.

12.11.88   Where dry stone walls are located to the front or rear of new properties, all structures, habitable and non-habitable (such as sheds, pergolas, clothes hoists and the like) must be located at least 6 metres from the dry stone wall.

12.11.89   Where dry stone walls are located within the road reserve or to the side of new properties, all structures, habitable and non-habitable (such as sheds, pergolas, clothes hoists, road carriageway and the like) must be located at least 3.5 metres from the dry stone wall.

12.11.90   Where retaining walls of up to 1 metre in height are proposed, these must be setback a minimum of 2 metres from the dry stone walls. The setback from dry stone walls to retaining walls above 1 metre in height will be considered on a case-by-case basis by Council.

12.11.91   Houses adjacent to Kendalls Cemetery are to be designed to incorporate passive surveillance design principles towards the Cemetery.

12.11.92   An unexpected finds procedure must be established for each DA to guide actions where new walls, burials, human remains and relics (as defined by the *Heritage Act 1977*) are discovered before, during or after any works.

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Figure 16: Dry stone walls (EMM, 2023)

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7. Water management

Objectives

O:12.11.58	Adopt Water Sensitive Urban Design (WSUD) principles and systems.
O:12.11.59	Reduce wastewater generation, pollution and erosion and protect downstream environments.
O:12.11.60	Slow down the flow of stormwater and provide for stormwater treatment measures on Site.
O:12.11.61	Support the retention of natural topography and stormwater flow paths.
O:12.11.62	Ensure regular monitoring and maintenance of water sensitive urban design systems to retain their performance throughout its life cycle.
O:12.11.63	Ensure the highest water quality targets are met for human health, the environment and the recreational value of waterways and wetlands.
O:12.11.64	Ensure ecologically vulnerable land and associated watercourses are protected.
O:12.11.65	Prevent stormwater damage to the downstream built environment.
O:12.11.66	Development does not result in adverse flooding impacts at a local and regional level.
O:12.11.67	Minimise development on flood affected land.
O:12.11.68	Protect the floodplain and avoid geomorphic instability along riparian corridors.

Site Specific Controls – Water Sensitive Urban Design (WSUD)

12.11.93   Any proposed WSUD devices/assets are to be whole-of-life cost effective with detailed maintenance plans and funding arrangements (if required) for maintenance.

12.11.94   The treatment train should not be reliant on devices (such as pit baskets or lot-scale rain gardens) that require ongoing maintenance by residential property owners.

Site Specific Controls – Water quality and quantity

12.11.95   A detailed Water Cycle Management Plan is to be prepared by a suitably qualified consultant and submitted with any Development Application (DA) for the subdivision of the land.

12.11.96   Water re-use is to be maximised, particularly in areas such as public open spaces.

12.11.97   Pit and pipe network is to be provided to convey minor flows, with the excess flow for events above the minor event to be conveyed by the road network.

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12.11.98   OSD shall not be provided in the Southern catchment to prevent the increase in peak flow downstream of the three culverts beneath the Princes Highway.

12.11.99   On-site Stormwater Detention (OSD) is to be provided on the two northern catchments to ensure there is no increase in peak flow downstream of the Princes Highway culverts in all events up to and including the 1% AEP event. These OSDs shall be designed as follows:

   a)   In the Northern catchment, draining to the 900mm and 1650mm culverts, OSD shall be in the form of a detention basin with a low flow pipe and an overflow weir for flows in excess of the basin capacity, controlling flows up to and including the 100 year ARI event.

   b)   In the middle catchment, OSD shall be provided by the road crossing of the watercourse. A low flow pipe and overflow structure shall convey stormwater up to and including the PMF event so that the proposed road crossing the creek remains accessible in the case of an emergency.

Site Specific Controls – Stormwater treatment

12.11.100   All stormwater management outcomes are to be designed by a suitably qualified engineer.

12.11.101   All allotments are to connect to the proposed stormwater network upstream of the bio-retention basins where possible.

12.11.102   Two (2) bio-retention swales are to be provided across the Site as an end of line treatment, removing nutrients from the stormwater. The basins are to be planted out with plants that are effective at nutrient removal.

12.11.103   The following parameters and design are to apply to the bio-retention basins (refer to Table 2 and Figure 17):

Structure	Bio-retention Filter Media Area (sqm)	Bio-retention Surface Area (sqm)
Basin 1	180	180
Basin 2	150	150
Total	**330**	**330**

Table 2: Bio-retention basin area

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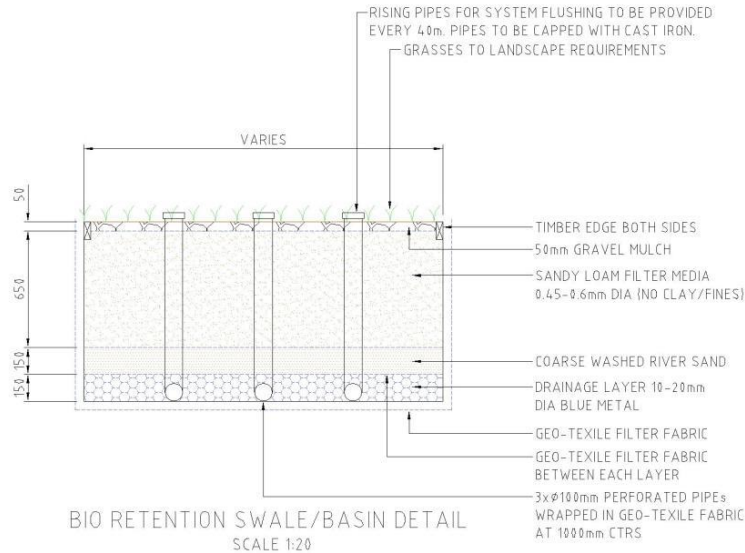
Figure 17: Bio-retention swale detail

12.11.104 Seven (7) Gross Pollutant Traps (GPT) are to be implemented across the Site to treat all stormwater prior to discharge to a watercourse or water quality basin.

12.11.105 The parameters for post-development pollution reduction treatment targets are:

a) 70% removal of Gross pollutants,

b) 80% removal of suspended solids,

c) 45% removal of Phosphorus, and

d) 45% removal of Nitrogen.

12.11.106 A detailed monitoring and maintenance schedule of water sensitive urban design systems is to be prepared by a suitably qualified consultant and submitted with any Development Application for subdivision of land. As a minimum, the schedule should include:

a) Gross Pollutant Trap must be cleaned every 3 months or after major storm events that exceed 35mm in total as per manufactures standards and specifications.

b) During the vegetation establishment period, bio-retention systems must be inspected every three (3) months or after a major rainfall event.

c) After bio-retention basin has been established, monitoring and maintenance of the system must be carried out every six (6) months.

12.11.107 Rainwater tanks are to be provided for all future residential development to treat runoff from roof areas and to provide stormwater retention for non-potable water use.

12.11.108 Detention storage is to be located at a level that considers flooding.

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12.11.109 Detention systems are to be designed using a catchment wide approach that considers treatment, overland flow and drainage requirements having regard to input from Council.

12.11.110 Restrictions as to user and positive covenants relating to the provision and ongoing maintenance of retention and detention storage shall be registered on title of all residential allotments to ensure that their ongoing retention and maintenance can be achieved.

12.11.111 Development flows should not impact upon riparian corridor bank stabilisation as a result of the post-development scenarios.

Site Specific Controls – Flooding

12.11.112 Flood hazard is to be kept at an acceptable level up to an including the 100-year ARI event.

12.11.113 The road network to be delivered should be raised and include provision for a high-flow box culvert system to ensure safe egress for vehicles during the PMF event.

12.11.114 No future allotments and dwellings should be located within the 1% AEP flood event (including 500mm freeboard).

12.11.115 All future subdivision building components below the FPL are to be flood compatible being constructed of masonry or concrete.

12.11.116 All future allotments are to be located above the 1% AEP flood level and therefore are suitable for refuge.

12.11.117 A Flood Impact and Risk Assessment must be prepared by a suitably qualified consultant and submitted with any development application for the subdivision of land. The assessment should confirm the development will not increase flood hazards or susceptibility to flooding, or damage dwellings as a result of subdivision, earthworks, and future built form.
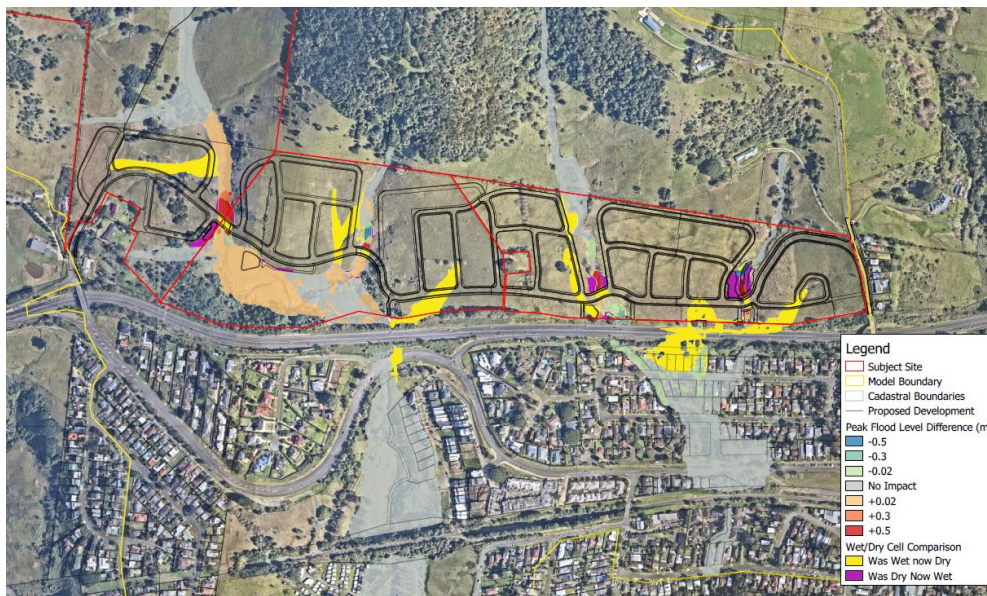

Figure 18: Post-development peak flood impacts, 1% AEP flood level (Siteplus, 2023)

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8. Noise and vibration

Objectives

| O:12.11.69 | Avoid adverse environmental impacts to adjoining receivers during construction generated from noise and vibration. |
| O:12.11.70 | Avoid adverse environmental impacts to future dwellings emitted from the Princes Highway generated by traffic and road noise. |

Site Specific Controls

12.11.118   Implementation of 2.1 metre high lapped and capped fencing for residential allotments along the eastern boundary. These are to be installed along the nominated retaining wall areas as per the Civil Engineering drawings during construction of the relevant residential dwelling.

12.11.119   Façade treatment requirements as detailed in Attachment 1.

12.11.120   Each stage detailed development application will provide allotment specific façade treatment requirements, informing future residential development within the residential subdivision.

12.11.121   Any room on a façade with a noise level >60 decibels require ventilation that allows windows and doors to remain closed and the room whilst still maintaining ventilation.

12.11.122   Future detailed Development Applications should include provision for a Construction Noise and Vibration Management Plan that considers the relevant scope of works and includes review against the Interim Construction Noise Guideline.

9. Utility infrastructure

Objectives

O:12.11.71	Ensure that water and sewerage infrastructure is delivered within the existing or proposed infrastructure capacity and requirements.
O:12.11.72	Ensure that electricity infrastructure is delivered within the existing or proposed infrastructure capacity and requirements.
O:12.11.73	Provide upgrades of essential services ahead of delivery of residential allotments
O:12.11.74	Reduce the generation of greenhouse gas emissions.

Site Specific Controls – Water and sewerage infrastructure

12.11.123   Detailed Development Applications must provide servicing details to satisfy the proposed demand.

12.11.124   For potable water, connection along Saddleback Mountain Road to service allotments above RL60 metres and underboring of the Princes Highway to connect the trunk main will be required for the remaining allotments.

12.11.125   For sewerage, two under bored sections under the Princes Highway are required for connection to an existing manhole. Upsizing of the main may be required to meet increased capacity requirements.

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12.11.126 Sewerage infrastructure is to be connected to the Bombo catchment area (under the Kiama Sewerage Catchment Area Management Plan). Upsizing of the mains must be considered for as part each detailed Development Application.

12.11.127 Concurrence from Sydney Water is to be obtained as part of any Development Application for the subdivision of land.

12.11.128 A minimum of one (1) rainwater tank with a capacity of 5kL is to be provided for each new dwelling.

Site Specific Controls – Electricity infrastructure

12.11.129 A new High Voltage 11kV feed is to be established via the new road on Saddleback Mountain Road.

12.11.130 Seven (7) padmount substations are required to be delivered across the four stages.

12.11.131 All electrical infrastructure is to be provided underground within the Site.

12.11.132 Street lighting is to be provided throughout the Site.

12.11.133 The use of renewable energy sources is to be prioritised.

12.11.134 Installation of photovoltaic panel and solar thermal hot water systems is to be maximised.

12.11.135 Concurrence from relevant energy provider is to be obtained as part of a Development Application for the subdivision of land.

12.11.136 A certificate from the service provider is to be obtained outlining their notification of arrangements for servicing the Site, including the provision of street lighting for each respective stage of development.

Site Specific Controls – National Broadband Network (NBN) services

12.11.137 Telecommunications services are to be provided in accordance with the requirements of the relevant services provider (e.g. NBNCo. And Telstra).

12.11.138 Telecommunications services shall be provided by the Applicant, including consultation and design certification required to provide pit and pipe conduit in accordance with the relevant provider requirements.

12.11.139 Underground fibre installation to each lot is to be provided (fibre to the premises).

12.11.140 NBN is to be provided to stages 1 and 2 of the development via the existing infrastructure within Saddleback Mountain Road or as directed by NBN.

12.11.141 NBN is to be provided to stages 3 and 4 of the development via existing infrastructure within Weir Street or as directed by NBN.

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10. Bushfire

This section should be read and applied in addition to 'Chapter 2 – Site considerations – Topic 2.5 – Risk minimisation and management' of the Kiama DCP 2020.

Objectives

O:12.11.75   Mitigate risks to development associated with bushfires.
O:12.11.76   Provide opportunities within the Site for bushfire hazard management (eg. asset protection zones, fire trails).
O:12.11.77   Provide access for emergency personnel, vehicles and equipment.

Site Specific Controls

12.11.142   Land identified as bushfire prone land under Kiama Municipal Council's Bushfire Prone Land Map is to address the relevant bushfire protection measures pertaining to the *Planning for Bushfire Protection 2019* (PBP) document. This includes, but is not limited to:

     a) Provision of Asset Protection Zones (APZs) within the proposed lots in accordance with Table 5.3a in the PBP.
     b) Provision of access for Category 1 appliances in accordance with the specifications set out in Table 5.3b in the PBP.
     c) Provision of services in accordance with Table 5.3 in the PBP.

12.11.143   Future Development Applications are to include provision for the procurement of a Bushfire Risk Assessment Report, and implement the following recommendations:

     a) For each staged development application, a 50 metre temporary APZ will be implemented on the temporary grassland hazards. Temporary PBP compliant turning areas to temporary dead-ends are to be provided.
     b) 10-18 metre APZs from Top of Bank areas along the VRZs are to be implemented across the construction stages.
     c) Bushfire Attack Levels (BAL) are to be determined during individual development assessment.
     d) Permanent emergency access for the residential subdivision will be provided via the existing underpass at the southern end of Village 3 to be provided with the Stage 3 development application. The final route and street cross section is subject to consultation and endorsement by RFS and TfNSW.
     e) A temporary emergency access for the residential subdivision is to be provided via Saddleback Mountain Road at the northeastern end of Village 1 pending RFS agreement and endorsement of the emergency access routes (refer to Figure 19). This temporary access will cease operation once the permanent egress is completed under Stage 3.

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12.11.144   APZs are not to extend into any land to be dedicated or managed by Council (eg. riparian corridors).

12.11.145   Notwithstanding (3), road reserves with residential property frontages are exempt.

Additional controls relating to access requirements for emergency services including the RFS are found in 1. Connectivity.

Figure 19: Temporary emergency access (DKO, 2023)

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11. Geotechnical

Objectives

O:12.11.78   Excavation should remain cognisant of the existing geotechnical profile and consider site stability when establishing subdivision layouts / allotments.

Site Specific Controls

12.11.146   For the low to moderate and moderate slope stability risk areas, the following must be considered in any detailed design phase:

a) Orientation of access roads, residential structures and services to minimise requirements for excessive excavation, fill and possible retaining structures.

b) Road subgrades should be side cuts; partial side cutting and side filling are undesirable. Where undesirable. Where road construction parallel to contours is unavoidable, the proposed upslope side of the alignments are to be over-excavated to a depth of 1 metre below proposed subgrade and filled under engineering controls to have a uniform fill across the pavement width.

c) Maximisation and / or replacement of tree cover.

d) Implementation of techniques to minimise erosion such as spray.

e) Installation of site-specific surface and subsurface drainage.

f) Founding of residential and retaining structure in stratum of appropriate strength.

g) Selection of residential design to minimise the requirement for excavation.

12.11.147   Geotechnical remediation and hazard reduction measures to achieve a moderate risk classification for slope stability in the northwestern corner of Village 2 should include:

a) Removal of all colluvial soils within the proposed allotments and road alignments and replace with Level 1 engineered fill. The stripped surface is to be inspected by the geotechnical consultant.

b) Installation of a drainage blanket underlying areas of proposed pavement and subsurface drains along the proposed upslope-downslope allotment boundaries to control seepage and porewater pressures within the soil profile.

c) Erosion protection measures must be implemented adjacent the riparian corridor to protect cut and fill batters from erosion and under cutting.

d) Maintain slope integrity and implement erosion control measures, including maintenance and / or the implementation of soil stabilisation, by the planting of local native, deep-rooted shrubs or trees in road and riparian corridor batters. This should be done in concert with a botanical expert and review of VMP.

e) Site-specific investigation and review of plans by an experienced geotechnical consultant for all affected allotments.

f) Transferral of structural loads for dwellings should be a uniform bearing, either 3 metres below the existing natural surface or at least 2 metres

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below a cut surface, whichever is deeper. If bedrock is encountered for any footing excavation, then all footings for the dwelling must be founded in bedrock. Bedrock footings should be socketed / embedded 0.5 metre into weathered bedrock or drilled.

g) An inspection and maintenance program must be implemented by property owners to maintain the slope stability over the design life of the development.

h) Excavation of colluvium must not extend any closer to the western boundary than twice the depth of excavation. This must be considered for the detailed design of future residences as allotment and road layouts may require modification.

12.11.148 Site preparation for pavement and dwelling construction, in conjunction with the slope stability recommendations, should be incorporated into future detailed development as follows:

a) Pavement areas, the upper 0.5 metre should be compacted to at least 100% dry density ratio relative to standard compaction.

b) Fill batters should be constructed no steeper than 2.5:1 and vegetated to reduce the effects of erosion.

c) Allowance is to be made for course-bridging layers over geotextiles in the road alignment in the vicinity of Pits 8 and Pits 116 in Village 2 and Village 3 respectively.

d) Conventional sediment and erosion control measures should be implemented during the construction phase of the relevant detailed development with exposed surfaces to be topsoiled and vegetated as soon as practicable following the completion of earthworks.

12.11.149 Further investigations and reviews required during the planning, design and construction phase include:

a) Drilling (including coring) in areas of proposed deep cut where excavation deeper than excavator refusal is proposed.

b) Review of engineering plans to provide comment on geotechnical aspects with respect to the recommendations.

c) Sampling along the alignments of proposed road system, as design levels are reached, to finalise pavement thickness design.

d) At subdivisional stage, test pitting in proposed building envelopes to provide appropriate classification of individual allotments for residential development.

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12. Contamination

Objectives

O:12.11.79	To minimise the risk to human health or any other aspects of the environment from the remediation of land and development of the Site to make it suitable for residential and open space land use activities.
O:12.11.80	To provide for a detailed assessment and remediation (where required) of potentially (or) contaminated land.

Site Specific Controls

12.11.150   A Remediation Action Plan should be prepared for the detailed Development Application for Stage 3 of the Concept Plan.

12.11.151   An unexpected finds protocol (UFP) should be prepared and implemented as part of a construction environmental management plan (CEMP).

13. Built form

Objectives

O:12.11.81	Respect and minimise the bulk, scale and visual impacts from surrounding views and vistas towards the Site.
O:12.11.82	Ensure residential dwellings are sited and designed appropriately to respect and address the natural topography, Aboriginal and non-Aboriginal heritage, scenic views and values, and areas of environmental significance.
O:12.11.83	Provide for an appropriate scale of development that is consistent with the LEP and considers the topography and scale of development.
O:12.11.84	Minimise the bulk and scale of dwellings particularly on visually prominent areas through adequate building setbacks, tree planting and landscaping and carefully considered material palette and roof forms.
O:12.11.85	Promote high quality architectural design through the selection of appropriate and sustainable building materials and finishes for dwellings that responds to the natural environment, the escarpment and coastal location.
O:12.11.86	Incorporate retaining walls within the built form and promote split-level home design to minimise the need for significant earthworks and retain the significant landscape character and views and vistas.
O:12.11.87	Maximise views to the ocean and the escarpment.
O:12.11.88	Promote architecturally designed homes on visually prominent areas.
O:12.11.89	Allow for well-designed project homes on flat areas to promote housing affordability.
O:12.11.90	Ensure residential dwellings are sited to retain existing mature trees and significant vegetation.
O:12.11.91	Provide garages on development lots that are visually unintrusive and do not dominate the built form nor the streetscape.

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Site Specific Controls – Setbacks

12.11.152   Development must comply with the following minimum setbacks described in Table 3.

Control	Requirement
Front setback (300 – <1000m² allotments)	• 4.5 metres to building façade line on primary street frontage. • 5.5 metres to garage line and 1 metre behind the building façade line. • 3.5 metres to building façade line on secondary street frontage (if applicable).
Front setback (>1,000m² allotments)	• 6 metres to building façade line on primary street frontage. • 4.5 metres to articulation zone. • Garage is 1 metre behind the building façade line. • 3.5 metres to building façade line on secondary street frontage (if applicable).
Side setback (300 – <1000m² allotments)	• 0.9 metre (single storey dwelling) • 1.2 metres (double storey dwelling)
Side setback (>1,000m² allotments)	• 3 metres
Rear setback (300–450m² allotments)	• 6 metres • Single storey non-habitable structures, such as garages, pools, pergolas and barbecue areas, may be sited at a lesser distance from the rear property boundary, where such a structure satisfies the objectives of this plan and where, in the opinion of Council, no unreasonable impacts on neighbouring properties will result.
Rear setback (450–1,000m² allotments)	• 6 metres • Single storey non-habitable structures, such as garages, pools, pergolas and barbecue areas, may be sited at a lesser distance from the rear property boundary, where such a structure satisfies the objectives of this plan and where, in the opinion of Council, no unreasonable impacts on neighbouring properties will result.
Rear setback (>1,000m2 allotments)	• 8 metres

Table 3: Minimum setbacks

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12.11.153   Notwithstanding the minimum setbacks described in Table 3, the minimum setbacks may increase to achieve adequate visual privacy, ventilation and solar access, minimise building bulk and retain mature trees.

Site Specific Controls – Site coverage

12.11.154   Lots sized 300-450m^2 must not have a cumulative building footprint greater than 70% of the lot area.

12.11.155   Lots sized >450-1000m^2 must not have a cumulative building footprint greater than 60% of the lot area.

12.11.156   Lots sized greater than 1000m^2 must not have a cumulative building footprint greater than 50% of the lot area.

Site Specific Controls – Building height

12.11.157   Dwellings must comply with the prescribed building heights in the *Kiama Local Environmental Plan 2011*.

12.11.158   Dwellings should be sited and designed to minimise potential visual impacts.

Site Specific Controls – Roof form

12.11.159   New buildings, including roofs, must be designed to not increase the bulk and scale of the development and be consistent with the landscape character of the escarpment.

12.11.160   Lighter roof colours should be adopted for heat deflection and global warming Albedo Effect benefits.

12.11.161   The roof design, location and materials must ensure that reflectivity and glare do not adversely affect neighbours' or wider public amenity. Where amenity cannot be reasonably addressed by redesign, low reflectivity materials may be specified.

12.11.162   Roof design on visually prominent areas must achieve a high-quality architectural outcome.

Site Specific Controls – Building articulation and materials

12.11.163   The location of the built form on the lot must be able to facilitate safe and efficient vehicle access without street frontages being dominated by garages, multiple wide driveways or parked cars.

12.11.164   The selected materials should reference the architectural materials and styles of the Kiama locality with varying degrees of influence from historical heritage character. These include fencing and housing veneers in local stone and other stone types that reflect the rural character and soften the visibility and impact of the development, contributing toward the mitigation of potentially high visual impacts.

12.11.165   The development application for each village is to address materiality in detail in consultation with a heritage consultant with built heritage experience prior to final decisions being made. Consultation with Kiama Municipal Council at design stage is also recommended.

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Site Specific Controls – Parking within private property

12.11.166   For allotments between 300-450m^2:

  a) Single width garage or car space to be provided.
  b) The garage must be less than 50% of the total width of the frontage.

12.11.167   For allotments between 450-1,000m^2:

  a) Double garages are permitted.
  b) The garage must be less than 50% of the total width of the frontage at the building line.
  c) Triple garages are not permitted.
  d) The garage line must be setback in accordance with the setback controls.

12.11.168   For allotments >1,000m^2:

  a) Double garages are permitted.
  b) Triple garages are permitted where at least one garage door is not visible from the street, or where the total width of the garage is less than 50% of the total width of the building façade.
  c) The garage line must be setback in accordance with the setback controls.

12.11.169   Parking rates for residential development is to be consistent with the KDCP2020 – Chapter 3, which includes:

  a) Dwelling House: One (1) dedicated space behind the building line; and, one space behind the front boundary.

  b) Dual Occupancy: For each occupant, one (1) dedicated space behind the building line.

12.11.170   The maximum width of all driveways measured at the boundary to which the front of the dwelling house faces is:
  a) 3.2 metres for lot width less than 10 metres.
  b) 3.2 metres for single entry driveway for lot width equal to 10 metres or more but less than 15 metres.
  c) 4.8 metres for double entry driveway for lot width equal to 15 metres or more.
  d) The maximum grade of all driveways is to be 25%.

Site Specific Controls – Fencing and privacy

12.11.171   Fencing along the side and rear boundaries is to follow the allotment boundaries.

12.11.172   Front fencing, if required, is to be a maximum of 1.2 metres in height.

12.11.173   Boundary fencing is to be a maximum of 1.8 metres in height.

12.11.174   Fencing along the eastern boundary of the site for acoustic screening is to be 2.1 metres in height to provide acoustic and visual screening from the Princes Highway. These are to be installed along the nominated retaining wall areas as per the Civil Engineering drawings during construction of the relevant residential dwelling.

14. *Private open space, landscaping and tree canopy*

Objectives

O:12.11.92	Enhance the appearance and amenity of residential developments through careful integration of private open spaces, tree canopy and landscaping within residential lots.
O:12.11.93	Provide a consistent approach to village and streetscape aesthetics across the development.
O:12.11.94	Ensure a strong character is derived from the landscape to assist mitigating broader visual impacts.
O:12.11.95	Protect and enhance the biodiversity values of the Site with indigenous planting.
O:12.11.96	Minimise site disturbances and preserve the existing landscape through appropriate site design and the retention of mature trees.
O:12.11.97	Provide an integrated landscaping outcome that includes screening from sensitive views, embellishment of riparian corridors and complementary settings towards recreation areas.
O:12.11.98	Promote high quality landscape design that integrates with the built form, the natural environment, and the landscaping strategy of the public domain.
O:12.11.99	Incorporate character elements derived from existing heritage walls and rural and coastal living styles.

Site Specific Controls

12.11.175 Native trees and mature trees are to be retained where possible.

12.11.176 Landscaping should respond to the built form and to provide screening from adjoining dwellings.

12.11.177 A Landscape Plan should be prepared and submitted with each detailed Development Application.

12.11.178 Landscaped front and rear setbacks should include canopy cover trees, shrubs and groundcover species to provide enhanced shading and cooling.

12.11.179 Tree planting on lots that are less than 800m² must include a minimum of one (1) large tree (200 L pot size) per residential allotment.

12.11.180 Tree planting on lots that are greater than 800m² must include a minimum of two (2) large trees (200 L pot size) per residential allotment.

12.11.181 New tree planting should be located giving regard to views and vistas, privacy requirements, and need for shade in summer and sun in winter.

12.11.182 Retaining walls that are within private property but not integrated within the dwelling house must be provided in accordance with 15. Retaining walls, batters and culverts.

12.11.183 Landscaping must be provided for all new dwellings (including secondary dwellings) that:

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a) Enhances the appearance of the streetscape and the residential allotment through the provision of substantial landscaping to street frontage.
b) Integrates the dwelling with the landscape and wider Site.
c) Utilises vegetation types that are locally endemic and other appropriate native species to improve biodiversity.

Is an appropriate scale relative to the street reserve and proposed development.

12.11.184 Planting should include species within the Illawarra Subtropical Rainforest and Coastal Freshwater Wetlands or additional plants that are successful in subtropical climates.

12.11.185 Indicative plantings on residential allotments could include:

a) *Amenca smithii*
b) *Atriplex cinerea*
c) *Casuarina glauca*
d) *Carpobrotus*
e) *Dianella caerulea*
f) *Eupomatia laurina*
g) *Heliconia psittacorum*
h) *Liriope muscari*
i) *Lomandra tanika*
j) *Myoporum parvifolium*
k) *Trachelospermum jasminoides*
l) *Viola hederacea.*

12.11.186 Landscape palette is to be derived from the natural landscape and the Site's heritage, cultural and environmental significance and should be generally in accordance with the indicative planting list above (12.11.185), the palette in Figure 20, and typical residential lot landscape design in Figure 21.

12.11.187 Where tree removal within residential allotments is necessary, replacement tree planting must be provided at a ratio of 2:1.
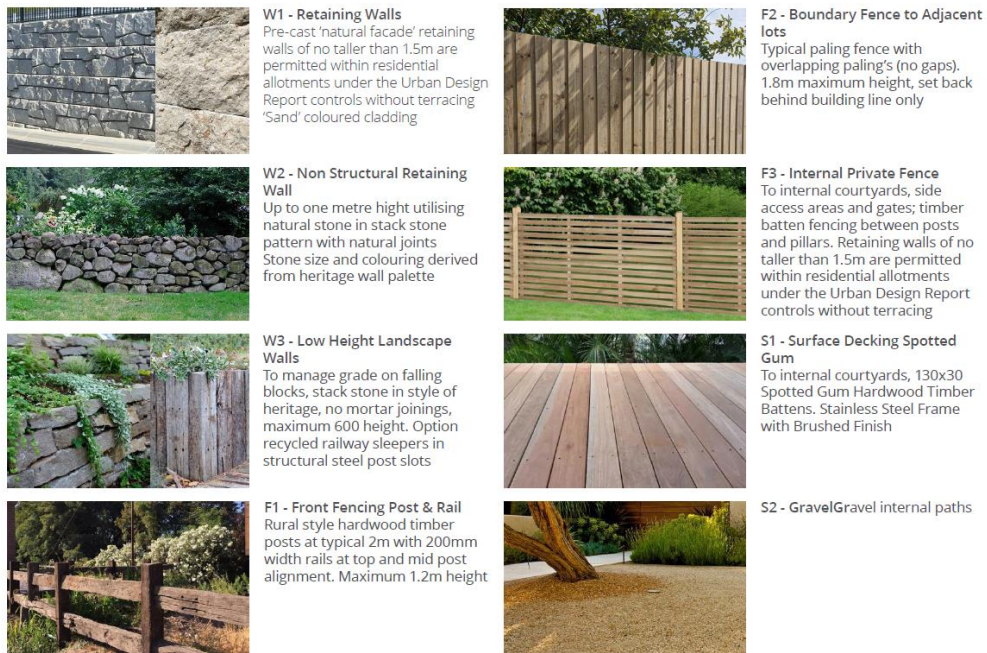
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W1 - Retaining Walls
Pre-cast 'natural facade' retaining walls of no taller than 1.5m are permitted within residential allotments under the Urban Design Report controls without terracing 'Sand' coloured cladding

W2 - Non Structural Retaining Wall
Up to one metre hight utilising natural stone in stack stone pattern with natural joints Stone size and colouring derived from heritage wall palette

W3 - Low Height Landscape Walls
To manage grade on falling blocks, stack stone in style of heritage, no mortar joinings, maximum 600 height. Option recycled railway sleepers in structural steel post slots

F1 - Front Fencing Post & Rail
Rural style hardwood timber posts at typical 2m with 200mm width rails at top and mid post alignment. Maximum 1.2m height

F2 - Boundary Fence to Adjacent lots
Typical paling fence with overlapping paling's (no gaps). 1.8m maximum height, set back behind building line only

F3 - Internal Private Fence
To internal courtyards, side access areas and gates; timber batten fencing between posts and pillars. Retaining walls of no taller than 1.5m are permitted within residential allotments under the Urban Design Report controls without terracing

S1 - Surface Decking Spotted Gum
To internal courtyards, 130x30 Spotted Gum Hardwood Timber Battens. Stainless Steel Frame with Brushed Finish

S2 - GravelGravel internal paths

Figure 20: Residential landscape design guidelines (Arcadia, 2023)

Adjacent Lot

Tree Planting
Min 1 per lot

Timber Decking
Spotted Gum

Gravel
Buff coloured

Gravel or concrete
courtyard to
match driveway or
gravel surface

Large Tree Option
Min 1 per lot

Street Tree

Footpath

Concrete Driveway

W1 **Retaining Walls**
W2 **Non Structural Retaining Wall**
W3 **Low Height Landscape Walls**
F1 **Front Fencing Post & Rail**
F2 **Boundary Fence to Adjacent lots**
F3 **Internal Private Fence**

Figure 21: Typical residential lot landscape design (Arcadia, 2023)

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15. Retaining walls, batters and culverts

This section should be read and applied in addition to 'Chapter 3 – Common Requirements – Topic 3.3 – 'Earthworks and retaining walls' of the Kiama DCP 2020.

Objectives

O:12.11.100	Design and implement the subdivision layout to follow natural ground contours and overland flow as much as possible to minimise requirements for earthworks and retaining walls.
O:12.11.101	Minimise the need for significant earthworks to retain the undulating topography, protect ecological corridors and waterways and protect the scenic and landscape qualities of the Site.
O:12.11.102	Allow for gradual level changes and avoid sudden level changes.
O:12.11.103	Maximise the use of non-structural batters to address level changes.
O:12.11.104	If unavoidable, incorporate retaining walls into landscape features and within the built form and promote split-level home design to minimise the need for bulk earthworks, retain the significant landscape character and views and vistas.
O:12.11.105	Incorporated level changes within the residential allotments and into an integrated landscaping feature.
O:12.11.106	Minimise the extent and scale of retaining walls within public land to reduce ongoing liability.
O:12.11.107	Enter into an agreement with Council to ensure that costs associated with maintenance and replacement of retaining walls within public land are covered in perpetuity.
O:12.11.108	Ensure the design and construction of retaining walls within public and private land consider whole-of-life costs and safety-in-design.
O:12.11.109	Manage and mitigate any adverse visual impact of retaining walls.
O:12.11.110	Ensure road levels are sympathetic, protect and maintain views to existing dry stone walls.

Site Specific Controls – Retaining walls within public property

12.11.188   Civil re-grade of the Site is to follow natural ground contours, allow gradual level changes and minimise retaining walls as much as possible.

12.11.189   Use of retaining walls is to be minimised as much as possible.

12.11.190   Road levels are to be sympathetic to existing dry stone walls and avoid the isolation of the walls from the road and public views. Refer to objectives and controls in 6. Heritage.

12.11.191   At human-scale interface areas (streets, walkways, etc.) the following apply:

  a)   Natural earth batters are to be implemented for level changes that are less than 1 metre in height as shown in Figure 22.

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b) Reinforced earth batters are to be implemented for level changes that are greater than 1 metre in height but less than 2 metres as shown in Figure 23.

c) The maximum height of a retaining wall is 1.5 metres. In instances where a retaining wall greater than 1.5 metres in height is required, a second retaining wall is permitted providing the retaining wall structure incorporates (1) a step of a minimum 1.5 metres in width, with the second retaining wall being limited to 1.5 metres in height, (2) reinforced earth batters, and (3) sufficient separation to allow for tree planting and shrubs to mask the retaining walls.

12.11.192   At nature and riparian interface areas:

a) Reinforced earth batters are to be implemented for level changes that are a maximum of 3 metres in height as shown in Figure 24.

b) The maximum height of a retaining wall is 1.5 metres. In instances where a retaining wall greater than 1.5 metres in height is required, a second and third retaining wall is permitted providing the retaining wall structure incorporates (1) a step of a minimum 1.5 metres in width, with the second retaining wall being limited to 1.5 metres in height to a maximum height of 4.5 metres, (2) reinforced earth batters, and (3) sufficient separation to allow for tree planting and shrubs to mask the retaining walls.

c) Notwithstanding the above, level changes greater than 3 metres in height are to be avoided as much as possible.

Figure 22: Human scale interface – Natural earth batter (>1m level difference) (DKO, 2023)

Figure 23: Human scale interface – Reinforced earth batter (1-2m level difference) (DKO, 2023)

Figure 24: Nature and riparian interface – Reinforced earth batter (0-3m level difference) (DKO, 2023)

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12.11.193 Stream crossings are to be designed and implemented generally in accordance with Figure 25.

12.11.194 The design and construction of retaining walls are to consider whole-of-life costs and safety-in-design.

12.11.195 The applicant of the Development Application for the residential subdivision on the Site is to enter into an agreement with Council to cover the costs associated with maintenance and replacement of retaining walls within public land in perpetuity.
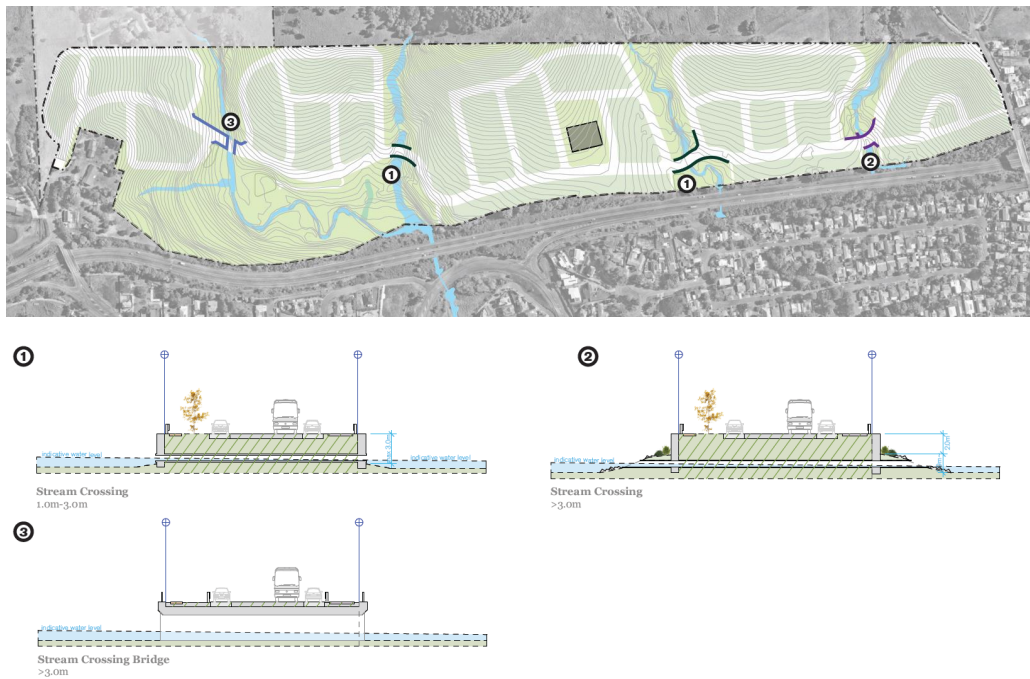
Figure 25: Stream crossings (DKO, 2023)

Site Specific Controls – Retaining walls within private property

12.11.196 Dwelling houses on steeper sites are to be designed as split level homes and incorporate retaining walls within the built form as shown in Figure 26 – Figure 30.

12.11.197 The maximum height of a retaining wall is 3 metres where it is integrated into the built form.

12.11.198 The maximum height of a retaining wall is 1.5 metres where it is not integrated into the dwelling design. Refer to Figure 27.

12.11.199 In instances where a retaining wall greater than 1.5 metres in height is required and not integrated into the dwelling design, a second retaining wall is permitted providing the retaining wall structure incorporates a step of 1.5 metre in width, with the second retaining wall being limited to 1.5 metres in height. Refer to Figure 28.

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12.11.200   The design and construction of retaining walls are to consider whole-of-life costs and safety-in-design.
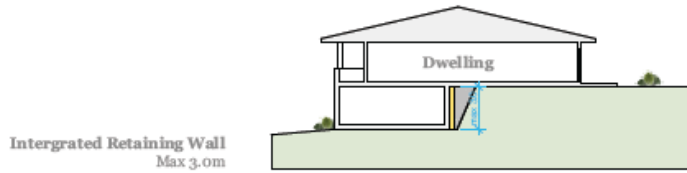
Figure 26: Integrated retaining wall (DKO, 2023)

Figure 27: Non-integrated retaining wall (less than 1.5m) (DKO, 2023)

Figure 28: Non-integrated retaining wall (greater than 1.5m) (DKO, 2023)
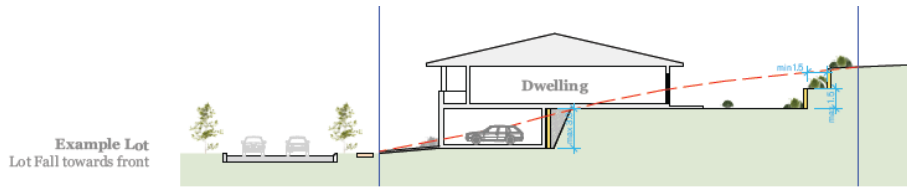
Figure 29: Example lot fall towards front (DKO, 2023)
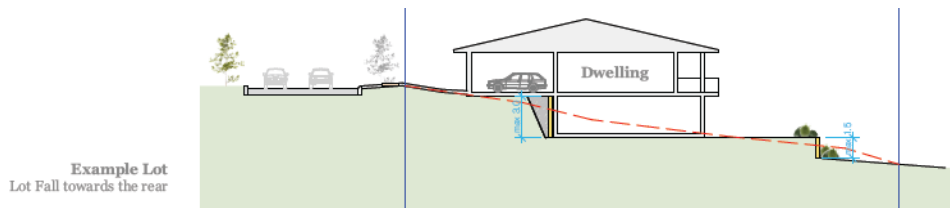
Figure 30: Example lot fall towards rear (DKO, 2023)

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16. Environmentally sustainable design

Objectives

O:12.11.111	To encourage innovation and a high standard of architectural design, utilising quality materials and finishes that are sympathetic to the Kiama landscape and palette.
O:12.11.112	To ensure future dwellings achieve a high level of sustainability and environmental performance.

Site Specific Controls

12.11.201　All future applications are to demonstrate commitments to implementing Ecologically Sustainable Development / Design (ESD) measures as part of future built form.

12.11.202　Light coloured materials should be used for dwelling roofs to reduce potential heat impacts.

12.11.203　Solar panels should be installed on roofs to promote sustainable energy solutions for dwellings.

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Attachment 1: Acoustic treatment categories (Renzo Tonin, 2023)

Category no.	Building element	Required acoustic rating of building element, Rw	Construction recommendation
1	Windows / Sliding Doors	24+	Openable with minimum 4mm monolithic glass and standard weather seals.
	Facade	38+	Cladding Construction: 9mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm timber stud, R2 insulation batts in wall cavity, 10mm standard plasterboard internally. — Brick Veneer Construction: 110mm brick, 90mm timber stud, minimum 40mm clearance between masonry and stud frame, R2 insulation batts in wall cavity, 10mm standard plasterboard internally. — Cavity Brick Construction: 2 leaves of 110mm brickwork separated by 50mm gap.
	Roof	40+	Pitched concrete or terracotta tile or metal sheet roof, 10mm plasterboard ceiling fixed to ceiling joists, bulk insulation in roof cavity.
	Door	28+	35mm solid core timber door fitted with full perimeter acoustic seals.
	Floor	29	1 layer of 19mm structural floorboards, timber joists on piers. — Concrete slab floor on ground or suspended.
2	Windows / Sliding doors	27+	Openable with minimum 6mm monolithic glass and full perimeter acoustic seals.
	Facade	45+	Cladding Construction: 9mm fibre cement sheeting or weatherboards or plank cladding externally, 90mm timber stud, R2 insulation — Brick Veneer Construction: 110mm brick, 90mm timber stud, minimum 40mm clearance between masonry and stud frame, — Cavity Brick Construction: 2 leaves of 110mm brickwork separated by 50mm gap.

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			batts in wall cavity, 10mm standard plasterboard internally.	R2 insulation batts in wall cavity, 10mm standard plasterboard internally.
	Roof	43+	Pitched concrete or terracotta tile or metal sheet roof, 10mm plasterboard ceiling fixed to ceiling joists, bulk insulation in roof cavity.	
	Door	30+	40mm solid core timber door fitted with full perimeter acoustic seals.	
	Floor	50	1 layer of 19mm structural floorboards, timber joists on piers.	Concrete slab floor on ground or suspended slab min 100mm thick.
	Windows / Sliding doors	32+	Openable with minimum 6.38mm laminated glass and full perimeter acoustic seals.	
3	Facade	52+	Brick Veneer Construction: 110mm brick, 90mm timber stud, minimum 40mm clearance between masonry and stud frame, R2 insulation batts in wall cavity, 10mm standard plasterboard internally.	Cavity Brick Construction: 2 leaves of 110mm brickwork separated by 50mm gap.
	Roof	48+	Pitched concrete or terracotta tile or sheet metal roof, 1 layer of 13mm sound-rated plasterboard fixed to ceiling joists, bulk insulation in roof cavity.	
	Door	33+	45mm solid core timber door fitted with full perimeter acoustic seals.	
	Floor	50	1 layer of 19mm structural floorboards, timber joists on piers, with minimum 250mm cavity insulated with 75mm thick 11kg/m3 glass/mineral wool insulation and 9mm fibre cement sheeting externally.	Concrete slab floor on ground or suspended slab min 100mm thick.
4	Windows / Sliding doors	35+	Openable with minimum 10.38mm laminated glass and full perimeter acoustic seals.	

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	Facade	55+	Brick Veneer Construction: 110mm brick, 90mm timber stud, minimum 40mm clearance between masonry and stud frame, R2 insulation batts in wall cavity, 10mm standard plasterboard internally. / Cavity Brick Construction: 2 leaves of 110mm brickwork separated by 50mm gap.
	Roof	52+	Pitched concrete or terracotta tile or sheet metal, 2 layers of 13mm sound-rated plasterboard fixed to ceiling joists, bulk insulation in roof cavity.
	Door	33+	45mm solid core timber door fitted with full perimeter acoustic seals.
	Floor	50+	1 layer of 19mmm structural floorboards, timber joists on piers, with minimum 250mm cavity insulated with 75mm thick 11kg/m3 glass/mineral wool insulation and 9mm fibre cement sheeting externally. / Concrete slab floor on ground or suspended slab min 150mm thick
5	Windows / Sliding doors	43+	Openable with minimum 5mm float, 100mm clear gap, 6mm float glass and full perimeter acoustic seals (two sets of glass, each in frames with 100mm between the glass); OR / High performance IGU with 8mm glass / 16mm airgap / 8.38mm laminated glass.
	Facade	55+	Brick Veneer Construction: 110mm brick externally, 90mm timber stud, minimum 50mm clearance between masonry and stud frame, R2 insulation batts in wall cavity, min10mm standard plasterboard internally. / Cavity Brick Construction: 2 leaves of 110mm brickwork separated by 50mm gap with cement render to the external face of the wall and cement render or 13mm plasterboard direct fixed to internal faces of the wall.
	Roof	55	Pitched concrete or terracotta tile or sheet metal roof with sarking, 2 layers of 10mm sound-rated plasterboard fixed to ceiling joist using resilient mounts, R2 insulation batts in roof cavity.

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Entry Door (on the category 5 façade)	40	Special high performance acoustic door required – Consult an Acoustic Engineer. Alternatively, if the entry door comes into a dedicated hallway, with an additional internal door to all other internal habitable spaces, then door can be Rw 33 - 45mm solid core timber door fitted with full perimeter acoustic seals and drop seal, or min 12.38mm laminated glass with full perimeter acoustic seals and drop seal.	
Floor	50	1 layer of 19mm structural floorboards, timber joists on piers, with minimum 250mm cavity insulated with 75mm thick 11kg/m3 glass/mineral wool insulation and minimum 2x9mm fibre cement sheeting externally.	Concrete slab floor on ground or suspended slab min 150mm thick.

Notes

- Where a room has different category recommendations on two or more facades, the roof recommendation for the highest category applies.

- Where a room is adjacent to the road and has different category recommendations on two or more facades, both the roof and the glazing recommendation for the highest category applies.

- Any wall, roof or ceiling penetrations shall be acoustically sealed so as not to reduce the acoustic performance of the element.

- The acoustic performance of glazed doors should be in accordance with the window glazing requirement of the applicable category.

- Development Near Rail Corridors and Busy Roads – Interim Guideline recommends solid core timber doors of 45mm thickness for treatment categories 3 and 4. To align with current industry construction methods, solid core door recommendations have been limited to no more than 40mm thickness.

- The required acoustic rating is for the entire system. For example, for windows this includes the glass, frame and seals including the perimeter seal at the wall junction.

- By way of explanation, the Sound Insulation Rating Rw is a measure of the noise reduction property of the glazing assembly, a higher rating implying a higher sound reduction performance.

- Note that the Rw rating of systems measured as built on Site (R'w Field Test) may be up to 5 points lower than the laboratory result.

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- The client is advised not to commence detailing or otherwise commit to systems which have not been tested in an approved laboratory or for which an opinion only is available. Testing of systems and assemblies is a component of the quality control of the design process and should be viewed as a priority because there is no guarantee the forecast results will be achieved. No responsibility is taken for use of or reliance upon untested systems, estimates or opinions. The advice provided here is in respect of acoustics only.

- The advice provided here is in respect of acoustics only. Supplementary professional advice may need to be sought in respect of fire ratings, structural design, buildability, fitness for purpose and the like.

Notes (Glazing constructions)

- All openable glass windows and doors shall incorporate full perimeter acoustic seals equivalent to Q-Lon, which enable the Rw rating performance of the glazing to not be reduced.

- The above glazing thicknesses should be considered the minimum thicknesses to achieve acoustical ratings. Greater glazing thicknesses may be required for structural loading, wind loading etc.

Notes (General)

- The sealing of all gaps in acoustic rated glazing assemblies and facades is critical in a sound rated construction. Use only sealer approved by the acoustic consultant.

- Check design of all junction details with acoustic consultant prior to construction.

- Check the necessity for HOLD POINTS with the acoustic consultant to ensure that all building details have been correctly interpreted and constructed.

- The information provided in this table is subject to modification and review without notice.

- The advice provided here is in respect of acoustics only. Supplementary professional advice may need to be sought in respect of fire ratings, structural design, buildability, fitness for purpose and the like.

15.3   Growth and Housing Strategy - Update and Engagement Report

CSP Objective: Outcome 4.2: We are well connected within our local community, and to our region.

CSP Strategy: 4.2.2 Manage landuse planning to retain distinct towns and villages.

Delivery Program: 4.2.2.1 Ensure Council's planning systems and processes are contemporary and transparent

Item 15.3

Summary

The purpose of this report is to provide Council with an update on the preparation of the Growth and Housing Strategy, and a copy of the Growth and Housing Strategy Engagement Report (attached).

On 19 March 2024 Council endorsed the Growth and Housing Strategy Engagement Schedule. Throughout April, May and June 2024, a range of community and stakeholder engagement activities were carried out to gather feedback to inform the strategy. The Engagement Report provides an overview of the engagement methodology and activities and presents a summary of the feedback received. This information will inform the Growth and Housing Strategy, which is on track to be reported to Council in July 2024.

It is recommended that Council note the update and Engagement Report.

Financial implication

The engagement activities have been planned and carried out internally using existing resources, including staff from planning, council's community engagement officer and community development staff.

There have been some costs incurred for printing and other materials and this has been funded from an existing budget allocation.

Risk implication

The preparation of the Growth and Housing Strategy is essential to provide Council with a strategic approach to development in the LGA and ensure that proposals put forward to council are considered against an adopted strategic document.

The community and stakeholder engagement carried out to inform preparation of the Growth and Housing Strategy has been comprehensive and will ensure that the strategy is reflective of community and other stakeholder's feedback.

Policy

The engagement and Engagement Report has been completed in accordance with:

- Council's Community Engagement Strategy
- Disability Inclusion Action Plan
- Community Participation Plan

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Consultation (internal)

The community and stakeholder engagement has been carried out by staff from strategic planning, community engagement, and cultural development teams.

Communication/Community engagement

The Engagement Report presents the findings from the community and stakeholder engagement that was carried out as part of the Growth and Housing Strategy development. The Draft Growth and Housing Strategy, once endorsed by Council, will be placed on public exhibition for 28 days.

Attachments

1   Growth & Housing Stragegy - Engagement Report⇓

Enclosures
Nil

RECOMMENDATION

That Council

1.   Note the update on the preparation of the Growth and Housing Strategy.

2.   Note the Growth and Housing Strategy Engagement Report.

Background

Growth and Housing Strategy

The population of Kiama LGA is growing, and more houses will be required to support the increased population. The ability to just say "no" is no longer sustainable and supply will be instead forced upon the community rather than being appropriately located and strategically planned.

It is also noted that the State Government housing targets are sustainably higher than any previous growth targets and Council needs to be proactive in providing a strategy that can accommodate these targets and create a pipeline of supply, whilst also including the provision of supporting infrastructure, social infrastructure and creating great communities.

The Growth and Housing Strategy will clearly articulate where, how and why growth will occur within the LGA and to carefully and appropriately manage this growth well. It is therefore essential that the Strategy be informed by the community.

Community and Stakeholder Engagement

During March, April and May 2024 extensive community and stakeholder engagement was carried out to gather feedback to inform the Draft Strategy.

The community members and stakeholders that were engaged with included:

- Community members – residents and visitors.

- Landowners.

- People who work in the Kiama LGA (regardless of where they live).

- Business owners.

- Developers.

- Precinct groups.

- Councillors.

- Youth – including pre-school, primary and high school aged children.

- State agencies.

A summary of the engagement activities carried out is provided in the table below:

Date	Activity	Summary of activity
29 February 2024	Media Release	Public notice of project commencing.
8 March to 31 May 2024	Kiama Council website project page	The 'growth' page on Councils website provided information and links.
1 April to 31 May 2024	Social Pinpoint engagement webpage	The 'social pinpoint' webpage provided information and engagement activities. There were over 1,500 page views.
16 April to 31 May 2024	Survey	Online and paper copy survey – completed over 300 times.
21 March 2024	Media release	Update on project - commencement.
1 April to 31 May 2024	Community Pop ups	Numerous community pop ups were held across various venues and suburbs.
1 April to 31 May 2024	Brochure / postcard	Over 2,000 brochures distributed.
19 April 2024	Flyer with rates notice	9,061 brochures distributed with the 4th instalment rates notices.
22 March 2024	KAPA Meeting	Meeting with Kiama Area Precinct Alliance.
12 April 2024	Industry Forum	Presentations, Q&As and open table conversations on specific topics.
16 April 2024	Media Release	Update on project – survey, forum.
19 April 2024	Evidence bases.	Information provided on webpage.
23 April 2024	Committee workshop	Combined SCAC and ILAC workshop.
16 April to 10 May 2024	Youth engagement – young children	Cardboard houses and craft provided at libraries for young children to engage.

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1 May 2024	Youth engagement - Primary School	A one-hour workshop was held where 90 students completed two activities.
15 and 16 May 2024	Youth engagement - High School	Ten workshops were held over 2 days with 200 students completing 4 activities.
10 May to 24 May 2024	Developer Expression of Interest (EOI)	Developer / Landowner EOI for potential development sites to be nominated.
3 June 2024	Stakeholder workshop	Consultation session with stakeholders.

Next steps

The Draft Growth and Housing Strategy is currently being prepared and will be reported to Council seeking endorsement for public exhibition at the July Council meeting. Should the Draft Strategy be endorsed it will be placed on public exhibition for 28 days to enable community comment.

Conclusion

The Growth and Housing Strategy will be an important strategic planning document that will guide future development in the Kiama LGA. The community and stakeholder engagement that has been carried out will provide valuable input into the strategy.

It is recommended that Council note this report and that additional engagement will be carried out during exhibition of the Draft Growth and Housing Strategy.

Item 15.3

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KIAMA MUNICIPAL COUNCIL
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FOR GOOD

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Growth and Housing Strategy
Engagement Report

June 2024

Acknowledgement of Country

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

Document Control

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Author	Manager Planning and Economic Development

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Introduction

This engagement report presents the results of the community and stakeholder engagement consultation to inform the Kiama Municipal Council's Draft Growth and Housing Strategy.

Kiama Council is committed to developing a culture of meaningful community and stakeholder engagement to achieve better and more sustainable outcomes for the Kiama Council area. Feedback from the engagement activities will be used to prepare a Draft Growth and Housing Strategy that will help shape the future growth of Kiama over the next 20 years.

The engagement methods used have been specifically selected to encourage input from unheard voices and to reach a wider part of the community, who may not have been previously engaged or who are not already actively engaged with Council.

Our engagement with community and stakeholders on the Draft Growth and Housing Strategy will continue during the public exhibition process. We will continue to gather feedback and actively engage with community members and other stakeholders to ensure that the Growth and Housing Strategy is an accurate reflection of our community and stakeholders.

What we did

Engagement Plan

A comprehensive Engagement Plan was developed to guide community and stakeholder engagement during the preparation of the Draft Growth and Housing Strategy. This Engagement Plan was endorsed by Council at the Ordinary Meeting on 19 March 2024.

A number of different engagement methods have been utilised throughout the engagement process including a dedicated engagement webpage, comprehensive survey, face to face engagement, stakeholder interviews, media releases and target specific activities (i.e. youth).

Taking time to provide input and feedback is valued and the intent is for this feedback and input to be about areas that can be influenced or changed rather than the community feeling their voices are not heard.

It is also a key aim for the engagement methods that have been selected to encourage input from unheard voices and to reach most of the community, who may not have been previously engaged or who are not already actively engaged with Council.

A summary of the Engagement Plan activities by phase is:

Phase	Dates	Phase Title
Phase 1	March 2024	Commit and get ready
Phase 2	March – April 2024	Identify, assess and create
Phase 3	May 2024	Shape the Strategy: Future growth opportunities
Phase 4	June 2024	Finalise the Draft Strategy
Phase 5	July 2024	Draft Strategy to Council and Community
Phase 6	TBD	Adoption of Growth and Housing Strategy

The full working draft engagement plan was endorsed by Council at the 19 March meeting.

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Engagement methods

The engagement methods used throughout this project included:

- Online project page and community engagement.
- Individual stakeholder interviews.
- Traditional communication methods (website, media release, social media).
- Discussion papers and blog posts.
- Town and village community pop up stalls.
- Distributed brochures and other hard copy information.
- Workshop with councillors and precinct groups.
- Craft activities with families and young children.
- Workshops at a local primary and high school.
- Industry Forum with developers, landowners, and other stakeholders.
- Developer EOI to identify potential development sites.
- Formal exhibition of the draft strategy.

Who we engaged

The community members and stakeholders that were engaged with included:

- Community members – residents and visitors.
- Landowners.
- People who work in the Kiama LGA (regardless of where they live).
- Business owners.
- Developers.
- Precinct and committee groups.
- Councillors.
- Youth – including pre-school, primary and high school aged children.

The following stakeholder engagement will be carried out and/or will be ongoing:

- State agencies
- First Nations groups
- Disability inclusion groups

Scope and Limitations

Throughout the engagement for this Strategy, the scope and limitations were acknowledged.

The community and stakeholders engaged have been involved in and part of a robust and diverse conversation on the role growth will play within our community, the opportunity it brings, the way in which change can be managed and the best places for growth to occur. These conversations were focussed on the areas that can be influenced or changed from the engagement feedback, to ensure that respondents feel their voice has been heard.

Throughout this process we also acknowledged the challenges that growth will bring and will look to clearly articulate these challenges. It is also acknowledged that parts of this project and its outcomes may be driven by decisions that have already been made (i.e. the rezoning of South Kiama), or future decisions that Council may have limited capacity to influence (i.e. NSW State Government decisions).

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Summary of engagement activities

A summary of the engagement activities carried out is provided in the table below:

Date	Activity	Summary of activity
29 February 2024	Media Release	Public notice of project commencing.
8 March to 31 May 2024	Kiama Council website project page	The 'growth' page on Council's website provided information and links.
1 April to 31 May 2024	Social Pinpoint engagement webpage	The 'social pinpoint' webpage provided information and engagement activities. There were over 1,500 page views.
16 April to 31 May 2024	Survey	Online and paper copy survey – completed over 300 times.
21 March 2024	Media release	Update on project - commencement.
1 April to 31 May 2024	Community Pop ups	Numerous community pop ups were held across various venues and suburbs.
1 April to 31 May 2024	Brochure / postcard	Over 2,000 brochures distributed.
22 March 2024	KAPA Meeting	Meeting with Kiama Area Precinct Alliance.
12 April 2024	Industry Forum	Presentations, Q&As and open table conversations on specific topics.
16 April 2024	Media Release	Update on project – survey, forum.
19 April 2024	Evidence bases	Information provided on webpage.
19 April 2024	Flyer with rates notice	9,061 brochures distributed with 4th instalment rates notices.
23 April 2024	Committee workshop	Combined SCAC and ILAC workshop.
16 April to 10 May 2024	Youth engagement – young children	Cardboard houses and craft provided at libraries for young children to engage.
1 May 2024	Youth engagement - Primary School	A one-hour workshop was held where 90 students completed 2 activities.
15 and 16 May 2024	Youth engagement - High School	Ten workshops were held over 2 days with 200 students completing 4 activities.
10 May to 24 May 2024	Developer Expression of Interest (EOI)	Developer / Landowner EOI for potential development sites to be nominated.
3 June 2024	Stakeholder workshop	Consultation session with stakeholders.

Note: The engagement plan (endorsed by Council on 19 March 2024) is an overview of the process and, as planned, was reviewed and modified as the engagement process occurred to allow for variations to meet the needs of community and respond to feedback received.

For example, the community pop ups (held in conjunction with the Community Engagement Strategy) were found to be effective in reaching a wide range of community members that don't usually engage with Council, so additional sessions were held. There were also opportunities to combine engagement, for example the Precinct and Councillor workshops were effectively combined to a single stakeholder workshop which enhanced the activity.

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Engaged with 200 high school students

Over 300 survey responses

Multiple precinct and committee group meetings

Over 2,000 brochures handed out

9,061 flyers sent with rates notices

60 attendees at industry forum

90 primary school children

12 email submissions

1,000 people reached at communtiy pop ups

35 Developer/ Landowner EOIs

What we heard – summary

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

"Kiama's housing and growth strategy should strike the balance between community expectations with priorities needed by government locally, state and nationally!"

"Sustainability must come first, access and environmental values should lead development rather than having blueprints superimposed on the land."

"We want a liveable town – walkways, amenities, dog parks."

"We love the beaches and river in Kiama."

"There is nothing for young people to do in Kiama, we need more entertainment and cheap food options."

"Students liked feeling heard and giving feedback on big issues impacting the community."

"Growth will provide more employment opportunities."

"Growth in Kiama needs to be considered in a regional context. Kiama is a small area that can't deliver everything."

"Too many houses are used for holiday rentals, it's impacting housing availability for locals and the community feel."

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

"Start with the end in mind. We need a long-term vision."

What we heard - detail

Community Pop-ups

Council staff reached more than 1,000 residents at a range of community pop-ups.

The community pop-ups were held outside Kiama Downs/Gainsborough Foodworks, Kiama Downs IGA, Minnamurra Café, Jamberoo IGA, Gerringong IGA, Gerroa General Store, Kiama Leisure Centre, Kiama Farmers Market, Gerringong Library, and Kiama Library. They were timed for maximum foot traffic reach depending on the location, for example on Friday and Saturday, during the day and after school to ensure a good reach across our various localities and to reach people where they were, many of whom do not have the time or inclination to get in touch with Council otherwise. There was evidence in the survey participation that an increased number of families completed the survey in the days following the Kiama Leisure Centre pop-ups (which were held during children's swimming lessons).

Although not able to deeply engage with everyone, those who were handed flyers were given a brief introduction to explain Council is developing a Growth & Housing Strategy and were encouraged to participate in the online survey. Many people expressed appreciation at seeing Council "out and about" engaging in these discussions. It helped reach many residents who wouldn't usually have been engaged.

The feedback from community pop ups is reflected in the survey responses.

Kiama Area Precincts Alliance (KAPA) Meeting

The Kiama Area Precincts Alliance (KAPA) includes representatives from the Kiama Central Precinct, South Precinct, Minnamurra Progress Association, Jamberoo Valley Ratepayers and Residents Association (JVRRA) and Kiama Heights Residents Group. Council staff were also in attendance at the meeting held on 22 March 2024.

The meeting provided Council staff an opportunity to outline the process of preparing the Growth and Housing Strategy, and how the KAPA members could assist to direct community members on how they could have their say over the coming weeks.

Discussion included the lack of housing targets from NSW Department of Planning, and therefore a need for clarification around numbers within any housing targets. There was also interest in the technical papers for the Local Strategic Planning Statement and Growth and Housing Strategy.

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Combined Committees Workshop

A combined workshop with members from the Sustainable Communities Advisory Committee (SCAC) and the Infrastructure and Liveability Committee (ILAC) was held. During this workshop the attendees participated in round table discussions and activities to generate thought and discussion. Some of the responses are provided below:

What we need in identified growth sites: Water and sewer servicing is essential, connections to main roads, pedestrian connectivity, a variety of houses to suit all demographics, maintain the existing village style and character, employment lands to ensure local job opportunities, a secondary link between Kiama and Gerringong to provide opportunities.

Areas that have opportunity for future growth: Potentially a number of small pockets that may be suitable, additional permitted use at Blowhole Point Road and Kiama SLSC.

Top priorities for infrastructure: Water and sewer, public transport, car parking, safer pedestrian and bike access, flood mitigation, upgrading rural roads, bike storage racks.

Other growth priorities: Ensuring growth of schools and medical facilities etc aligns with housing growth, maintain the villages and scenic beauty, retention of younger people in the LGA, manage tourism and tourist growth.

Other places where growth has been done well: Toronto Canada, infill development at Jamberoo, Bomaderry social housing project, Fremantle WA, Adelaide SA.

Stakeholder Workshop

A stakeholder workshop was held with key members of the community in attendance. During this workshop attendees participated in activities to generate thought and discussion. Some of the responses and key thoughts are provided below:

What we need in identified growth sites: Open space, housing diversity (keeping within the existing character), affordable housing, safe and flood free access, sufficient capacity for water and sewer connections, improved public transport options, employment land opportunities.

Areas that have opportunity for future growth: Bombo quarry and surrounding precincts, other brownfield development sites (including some owned by Council), infill development, extension of existing urban areas in Gerringong, Jamberoo, and Kiama.

Top priorities for infrastructure: Water and sewerage, open spaces and sports fields, roads, car parking, and flood management.

Other growth priorities: Schools, public transport, employment lands, sustainable initiatives, cycle tracks and walkways, protecting heritage areas, agricultural and environmental lands.

Other places where growth has been done well: East Mittagong (complete pre-planning to ensure all needs are met), Canberra (new housing supply includes affordable housing).

Industry Forum

The industry forum was attended by over 60 stakeholders and was an effective way of engagement where Council could provide updates and the attendees could give direct feedback. The session included presentations from Council staff, Q&As and round table discussions. A summary of feedback from the round table discussion topics is:

Development Application process: While not directly informing the Growth and Housing Strategy, it was a great opportunity to discuss areas where council has already made improvements, other areas we are currently looking at and what we still need to do. This feedback will be used to inform the Development Assessment Policy and will contribute to a more efficient and streamlined process for development in the LGA.

Community engagement and notification: Council is concurrently preparing a Community Engagement Strategy, which sits alongside the Community Participation Plan to provide the overall framework for Council's community and stakeholder engagement. We heard that:
- Matters you would like to be engaged on include DAs, Council strategies, DCPs etc.
- You would like to be notified by email, social media, e-newsletter.
- You would like to provide your feedback by submission forms, surveys, and open discussions.
- Comment - it is also important to hear from the silent majority, not just the squeaky wheel.

Housing: The main challenges for housing in the Kiama LGA include an ageing demographic, lack of understanding of strategic planning, political influences on decisions, and length of assessment processes. New housing should be encouraged in the Bombo Precinct and the KLC car park, greater densities, and a mix of greenfield and infill development. It was noted that there is no affordable housing in the Kiama LGA. Other suggestions included an increase of permitted FSR in some areas, to maintain village boundaries, a need for increased densities, mix of housing types, reduced parking requirements and mandated social housing.

Infrastructure: To accommodate an increased population we need additional water and sewer capacity (this was consistently raised), expanded public transport network, and open space. There was discussion around the complexities of infrastructure provision and the many stakeholders including Council, State Government and Agencies, developers, and landowners.

Employment Lands: The current state of employment lands in Kiama LGA include a lack of office space, a lack of accommodation, no industrial or commercial space and a lack of car parking. Tourism and hospitality were noted as key industries for the Kiama LGA, as well as IT professional services and construction. Agricultural lands should be on the outskirts of urban areas. Council should prioritise rezoning of land to provide employment opportunities, policies that discuss changing economies and research into future employment demands.

Developer Expression of Interest (EOI)

A total of 35 Expression of Interests (EOIs) were received from landowners/developers. These will be assessed in accordance with a probity plan based on the criteria set out in the EOI submission form and other relevant criteria. Due to confidentiality only the sites that were assessed to have strategic merit will be included in the Draft Growth and Housing Strategy.

Written Submissions

12 general submissions (ie emails) were also received. The submission content will be considered in full when preparing the Draft Strategy. A summary of the feedback provided is:

Sustainable development
As a coastal area, Kiama must maintain the delicate balance between growth and environmental preservation. Successful international and national housing strategies can assist Kiama to tailor solutions that respect the unique character of the region while addressing these pressing housing challenges. E.g. Eco-housing Freiburg in Germany or Sydney's Green Square development.

Urban expansion limitations
The development of Bombo quarry for medium to high density housing is supported. Saddleback Mountain has scenic, heritage, biological and agricultural values that warrant protection from urban expansion and should be listed on the State Heritage Register as a cultural landscape. Kiama has supported growth in the past 30 years because it has not been excessive. There are currently opportunities for urban consolidation through medium to high density development and future new urban release areas (i.e Bombo quarry). There is no need for further greenfield urban expansion into our food producing farmlands. Council should prevent developing farmlands that are a resource for future food production.

Flora and fauna impacts
Concerns regarding overdevelopment and the impact on the environment and habitats. The Illawarra is known for its beautiful green mountain views that people travel to see. We need to protect the beautiful mountains and escarpment and stop the housing 'creeping up'. We only have one chance to preserve our environment. The infrastructure, particularly roads, cannot cope with the increased density. It is causing traffic congestion onto the Highway, especially during peak hour. Our mountains should be untouched and areas such as Jamberoo to remain as a country town.

Opportunities identified:
Tourism enhancement, economic growth, improved infrastructure, housing opportunities and sustainable practices. Well planned urban development, amenities and infrastructure can improve quality of life, boost tourism, and stimulate local economies by attracting new businesses to the area. Increasing housing stock provides an opportunity to deliver more diverse housing types that cater to a broader demographic of people. Sustainable urban planning and incorporating green building practices may assist with preserving Kiama's natural beauty while accommodating growth.

Housing diversity
Providing housing diversity will allow people to choose their housing type and respond to different household compositions and the needs of vulnerable people including older people.

Other
Other feedback, including articles on population growth and climate risk, and the need to preserve heritage buildings, were also received.

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Youth Consultation – pre-school aged children

To engage young children in their thoughts around growth and housing, there was a child friendly activity station set up at both Gerringong and Kiama Libraries. The interactive set-up included cardboard houses that could be decorated, and drawing sheets prompting children to draw or write about what makes our community special (beyond their family and pets) and what would make this town an amazing place to live in 20 years.

Although the constructive feedback was limited, the activity successfully engaged young children and sparked conversation from parents and caregivers who were then informed of the project and encouraged to complete the available survey.

Youth Consultation – primary school

Council staff from planning, community services and community engagement facilitated an interactive workshop to engage primary school aged youth. There were about 90 students from Years 5 and 6 in attendance.

The primary school students were provided with an overview of local government's role and what town planning is, and then participated in two hands-on activities.

Activity 1 – What do you like about the Kiama LGA?
The first activity provided arial maps of suburb and village areas, with the question 'what do you like about the Kiama LGA?'. The students were provided with three sticky notes to write down their thoughts and place them on the map. 324 responses were received. The key themes from responses included:
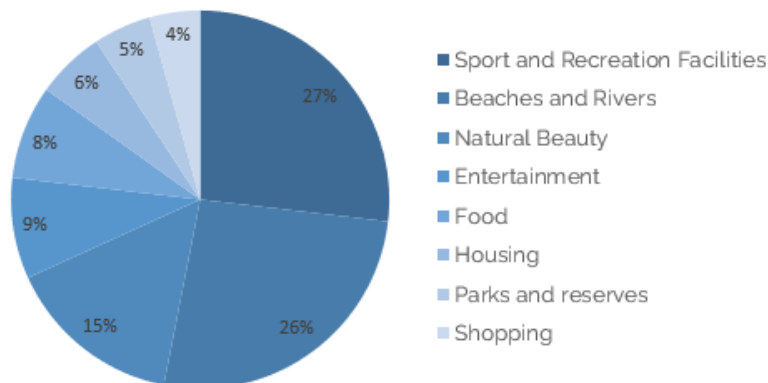
Activity 2 – Town Planner for a Day
The next activity was focussed on 'what does the Kiama LGA look like in the future' and the students got to be a town planner for a day. They were provided with a map of a new greenfield site and together in small groups they designed a new town which included both visual representations and written words. The key themes from this activity were:

- Sport and Recreation Facilities
- Parks and reserves
- Shopping
- Food
- Natural Beauty
- Transport
- Housing
- Health and other services
- Entertainment
- Tourism and accomodation
- Beaches and Rivers
- Community and Culture
- Employment
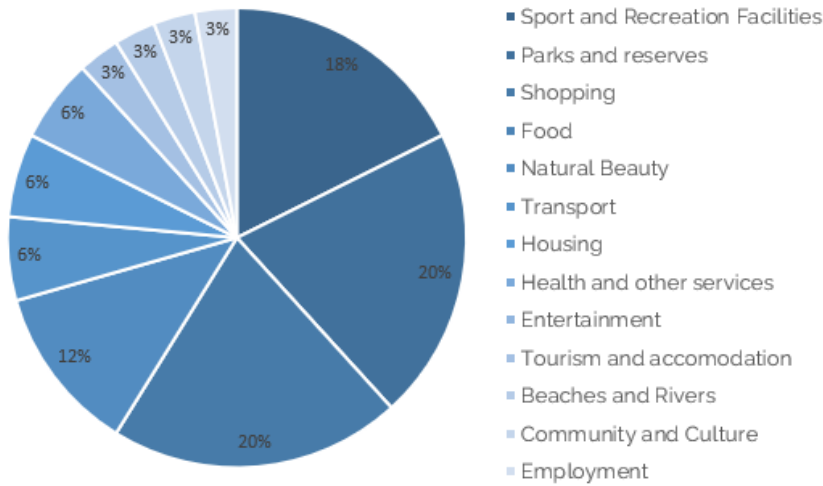
The students were actively engaged in designing their towns. They included houses, roads and sports fields, as well as entertainment including shops, movies, theme parks, trampoline park and a water park. The towns included shops, restaurants, and services such as hospitals, schools, and police stations. The towns included parks, dog parks and a lot of trees. Some had farms and farm animals. All of the towns included car parks.

Overall, this was a really successful day. The students were eager to participate and had lots of creative ideas. There was a lot of positive feedback received and the students enjoyed the activities and having the opportunity to be creative and design their own town.

"Thank you for this initiative. It started a great conversation at home with my son about our community. He felt really engaged. It seems our community may be gaining a whole lot more footy fields in the future if his views are considered!"
Parent of Participant, SS Peter & Paul Catholic Primary School, Kiama.

Youth Consultation – high school

Council staff from planning, community services and community engagement, together with students from the Student Representative Council (SRC), facilitated 10 workshops over two days which were attended by about 200 students from Years 9, 10, 11 and 12, including a specialist support class.

The workshop included a brief introduction and town planning overview, an online game of Kahoots to warm up, three activities, and practical time at the end for building Lego houses.

The feedback from the three activities is provided below.

Activity 1a – What do you like about the Kiama LGA
Each student was given one post it note to write down one thing they liked about the Kiama LGA. The feedback has been grouped by theme:
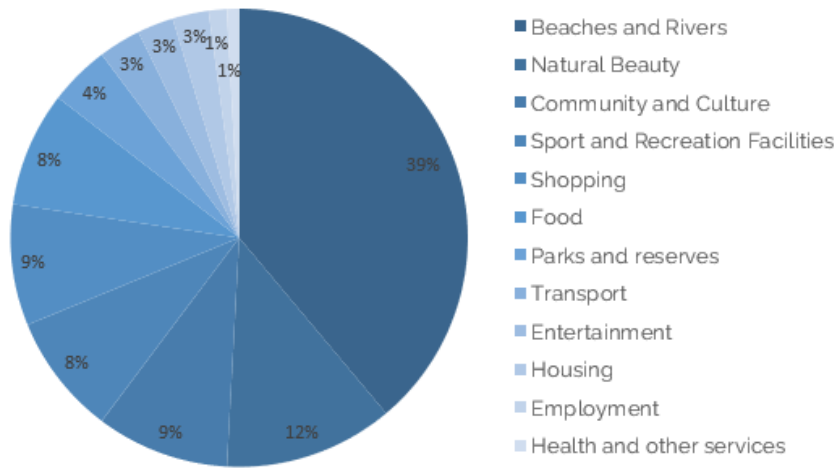
The beaches and river were overwhelmingly (39%) noted as being what the students liked about the Kiama LGA. They like to be at the beach and river because it's a nice place to swim, surf and snorkel, and it is fun, calm and enjoyable.

The natural beauty of the Kiama LGA was also reiterated (12%), students liked the headlands, greenery, coastal views, blow hole and farms.

9% of responses referred to community and culture – the people, community feel, how clean and safe it feels, and that everything is close together.

The sport and recreation facilities were also appreciated by the students (8%).

Activity 1b – What do you dislike about the Kiama LGA
Each student was given one post it note to write down one thing they disliked about the Kiama LGA. The feedback has been grouped by theme in the pie chart below:

Legend:
- Transport
- Entertainment
- Food
- Sport and Recreation Facilities
- Housing
- Shopping
- Parks and reserves
- Tourism and accomodation
- Community and Culture
- Health and other services
- Beaches and Rivers
- Employment
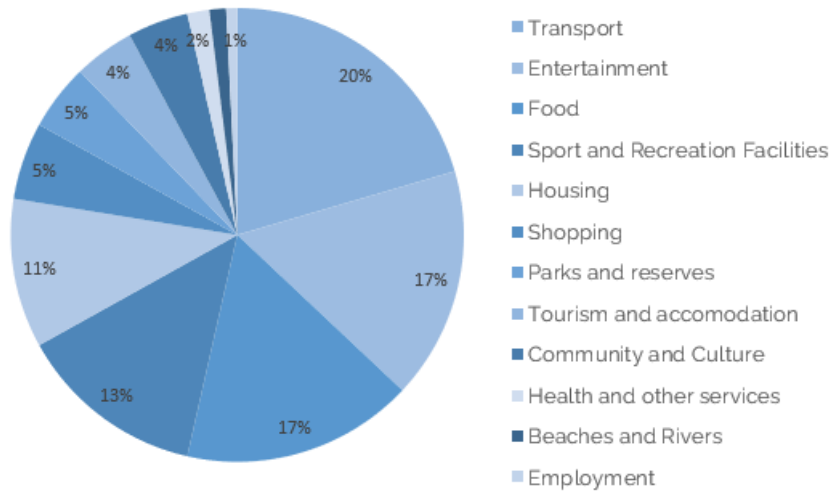
The common responses included:

- There are not enough basketball courts.
- Skate parks need upgrading, sports fields need better drainage.
- The LGA is too busy with tourists, resulting in increased prices for everything.
- Not enough parking, not enough public transport, train station needs amenities.
- Public amenities not well maintained.
- House prices are too expensive.
- Cafes close at 3pm, not enough options later at night, limited cheap food choices.
- There is nothing for teenagers to do in Kiama. Need more activities, food options.
- There are too many old people and decisions are made for them, not youth.

"It was an engaging program for the students to have their opinions on issues in the Kiama LGA heard, and suggest improvements that can be made to benefit young people,"
Kiama High School Vice School Captains.

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Activity 2 - Dot-mocracy

This activity provided the students with a range of considerations for planning a town. Each student was provided with three dots to place on their top three priorities. The key priorities were entertainment (21% of votes), sport fields and sports complexes (16%) and public transport (12%). The number of votes for each planning consideration is shown in the table below.

Town planning consideration	No. of votes	Percentage of votes
Lots of different houses	29	5%
Transport roads for cars	30	5%
Public transport - buses, trains etc	71	12%
Active transport - bike walking paths	25	4%
Parks and green open spaces	27	5%
Sports fields and sports complexes	93	16%
Shops - groceries and other shops	52	9%
Cafes and restaurants	42	7%
Maintain the natural landscape	54	9%
Hotels and accommodation	12	2%
Entertainment	127	21%
Places to work	38	6%
TOTAL	**600**	**100%**

Activity 3 – My House

This activity was focussed on housing types and asked whether the students house (unit, townhouse etc) met their needs to provide insight into the need for different dwelling types.

About 67% of students stated that there was adequate room for car parking at their house, however 33% stated it was inadequate and noted the following reasons:

- Too many cars to fit in the garage or driveway.
- The street is too narrow, or too busy, or doesn't have any on street parking.
- Sometimes the spaces are taken up by tourists.

About 69% of students stated that their house was located within walking distance to public transport (ie bus stop, train station), however 31% stated their house was not close to public transport and noted the following:

- It's too far to walk to the train station.
- There is not enough public transport.

99% of students noted that their house had enough bedrooms for the family members.

98% of students stated they could go for a walk around the block from their house, and noted:

- It is very safe, and I walk my dog to the nearby park.
- Some had adequate pathways near their house, and some do not.

Some students stated their backyard was a sufficient size with enough room for a pool and a dog, while others would like a larger yard with room for a pool and a dog.

Students liked that their house was located close to amenities (shops, school, bus stop, train station), the proximity to the beach and also the natural surrounding landscapes.

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Community and Stakeholder Survey

The comprehensive public survey was open from 16 April to 31 May 2024. The survey had over 300 responses (approximately representative of 1% of the population of Kiama LGA) via digital and on-paper.

The survey was broken into 3 parts:
1. About you
2. Where we are now
3. Looking ahead.

Part 1 - About the respondents

Q1 Age Group: The largest group of respondents were aged 60-74 (31%) followed by age 45-59 (30%), and 30-44 (26%), however we received responses in all age brackets, including respondents aged under 18 (4%) and over 75 (9%).
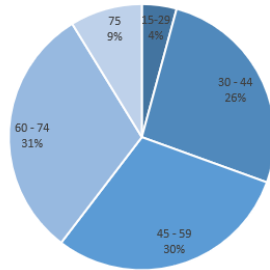
Q2 Gender: 54% of respondents were female, and 41% were male. The remaining 5% preferred not to say or identified as non-binary.

Q3 Town/Village: Most respondents live in the Kiama suburb (53%), followed by Kiama Downs (13%), Gerringong (8%) and Jamberoo (7%) with responders also from Croom, Curramore, Foxground, Gerroa, Jerrara, Kiama Heights, Minnamurra, Rose Valley, Saddleback Mountain, and Werri Beach. About 5% of respondents do not live in the Kiama LGA.

Part 2 - Where are we now?

Q4 Current housing situation: 46% of respondents were homeowners without a mortgage, 32% were homeowners with a mortgage and 11% were renters.

Q5 Current dwelling: Most respondents (39%) reside in a 4 bedroom house, followed by 1-3 bedroom house (27%). About 7% of respondents live on an acreage or working farm. All results are shown below:
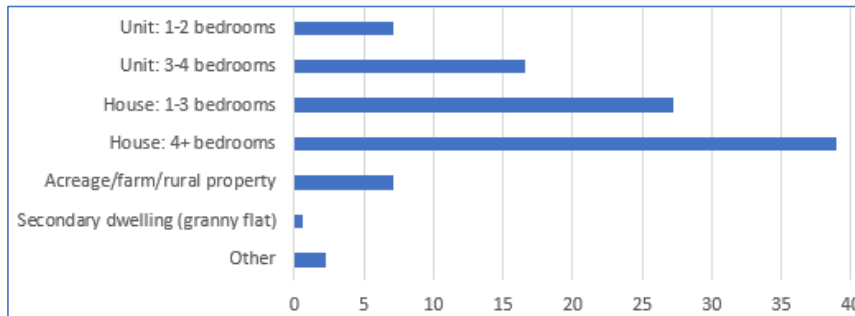
Q6 Does your current dwelling meet your needs: 64% of respondents stated that the dwelling that they live in or own completely meets their needs, 29% stated mostly and 7% not at all.

Q7 What aspects of the Kiama LGA do you love the most?

Aspect about the Kiama LGA	No. of votes (3 each)	Percentage of Votes
Natural environmental incl. scenic amenity, hills, beaches	195	21%
Location - proximity to beaches, hills, distance from Sydney	188	21%
Lifestyle incl. relaxed, peaceful, outdoor	114	12%
Town/Village character	107	12%
Community and social networks incl. family and friends	78	9%
Public spaces incl. parks and beaches	67	7%
Recreation incl. parks, beaches, pools	43	5%
Historic feel and heritage values	42	5%
Safety and security of place	41	4%
Retail and hospitality incl. cafe's, restaurants, and shops	25	3%
Amenities incl. schools, hospital	8	1%
Public transport options	6	1%

Q8: How do you feel about the Kiama LGA growing?
The overall results were that 32% of respondents stated positive and 32% stated negative. 25% were neutral and 11% not sure. These results are shown in the pie graph below:
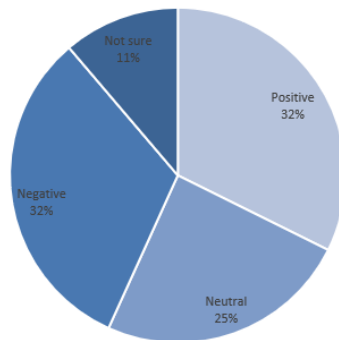
The results by age group are shown in the graph below:
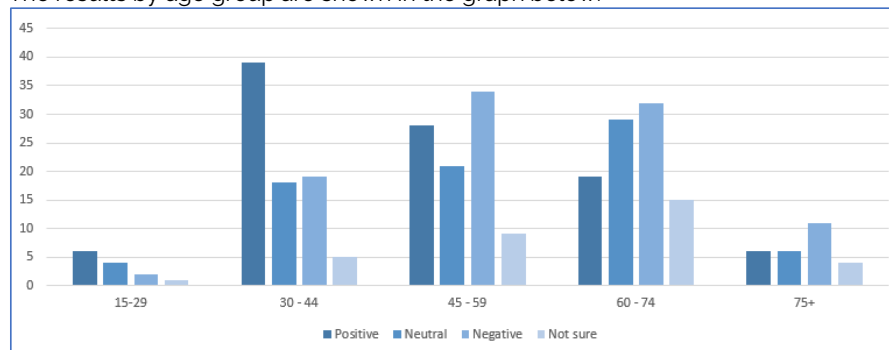
Part 3 – Looking ahead

Q9 Benefits and opportunities from population increase: Common responses included:

- More employment opportunities, including hospitality and light industrial.
- There will be more local services, for example another shopping centre and supermarket. Longer opening hours of shops and cafes.
- There will be better and more amenities, for example parks and open space areas.
- It will put Kiama LGA on the map with the State Government for increased services.
- Increased rates revenue for Council will increase income and financial position.
- Better atmosphere in town, more late-night options, more festivals, and entertainment.
- More housing will mean our kids can stay in the area instead of being forced to move.
- Great for businesses and it will keep the area vibrant through the year.
- A more demographically diverse community (age and culture).

Q10 Concerns about population increase: 22% of respondents do not have any concerns about the population increasing. Of the 78% of respondents that expressed concerns, the common themes were:

- Insufficient and inadequate infrastructure to accommodate population growth.
- Increased strain on services and facilities, such as doctors and schools.
- Loss of sense of community and knowing people 'down the street'.
- Increase in tourists and reduced car parking due to increased Airbnb's.
- The quiet coastal town with a rural feel will be lost if overdeveloped.
- Changing the character of the municipality will make tourism less desirable.
- Loss of scenic amenity and environmental impacts to rural lands.

Q11: Rank the top three (3) housing challenges that impact Kiama LGA?

Rank	Challenge	Score
1st	Inadequate infrastructure for additional housing developments	146
2nd	Loss of green spaces due to housing development	126
3rd	Loss of agricultural lands (food security) due to housing development	112
4th	Rising property prices making homeownership unattainable	104
5th	Use of Residential Accommodation for short term rental / holiday letting	103
6th	Young people unable stay in Kiama LGA due to housing situation	85
7th	Lack of affordable housing options for essential workers	69
8th	Limited availability of rental properties	54
9th	Inadequate services and retail choices near homes	43
10th	Lack of available residential zoned land	33
11th	Lack of diversity in housing types (ie for seniors or people with disabilities)	25
12th	Inability to have housing close to work place or employment	9

Q12: What needs to be done to address these challenges:
Responses included:
- Increase the housing supply with minimal increase to the existing urban footprint.
- Manage the number of holiday rentals (ie Airbnb's) that are allowed, consider increased rate cost for these properties to account for increased demand on services.
- Lobby the NSW State Government for increased infrastructure and utilities.
- Council to undertake careful and considered strategic planning.

Q13: Top 3 infrastructure improvements to accommodate a larger population:

Infrastructure improvement	No. of votes (3 per respondent)
Upgrades to utilities e.g.: water, sewerage, and electricity	23%
Improved road networks and safety measures	16%
Increased healthcare facilities and services	15%
Expansion of public transportation e.g.: bus routes, train services	12%
Enhanced recreational facilities and green spaces	11%
Implementation of sustainable infrastructure e.g.: renewable energy	10%
Construction of new schools or expansion of existing ones	9%
Other	4%

Q14 Top 5 areas to ensure great neighbourhoods:
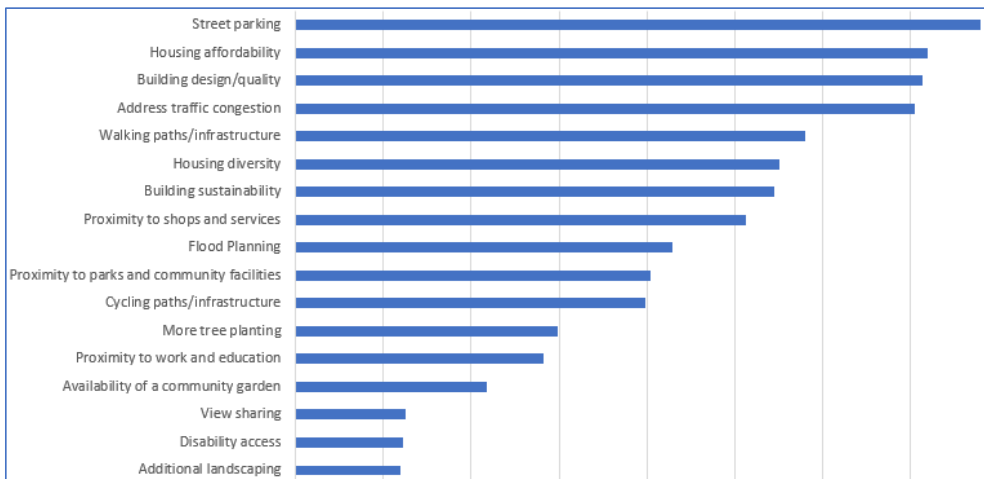
Q15 Future housing needs:
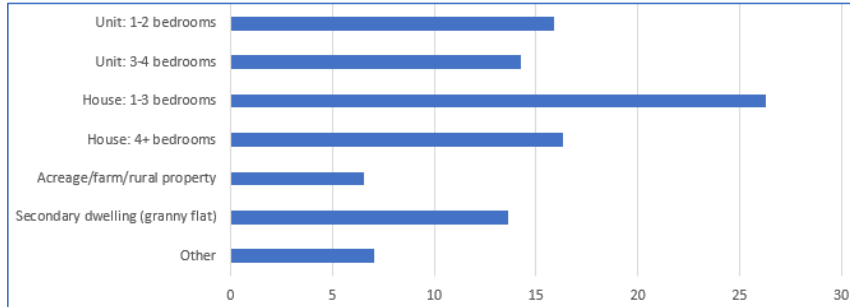
A comparison between current needs (Q5) and future needs (Q15) is shown below:
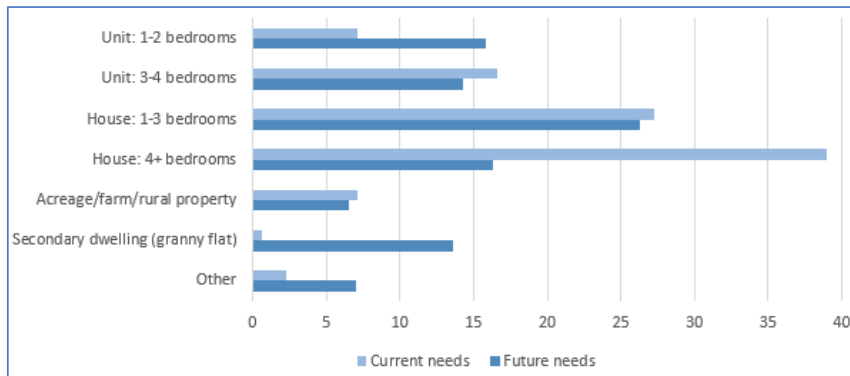
Q16 Locations for future growth:

Possible location	Percentage
In our town centres (infill) with things like townhouses or apartments	25%
Outward expansion into bush or agricultural lands (greenfield)	8%
Reusing old industrial areas (brownfield), like Bombo quarry	44%
A combination of all the above	17%
Other	6%

Q17 Other comments: The survey provided an opportunity for other comments:
- Infill and brownfield areas should be developed first, then identified greenfield sites.
- Homeowners using their houses for holiday rentals is impacting our communities.
- Kiama's beauty, identity and natural lifestyle needs to be retained and protected.
- Council's role in planning and approving developments needs to be more certain.
- The Kiama LGA could be more advanced and adaptive to new technology.
- There should not be an expectation for first home buyers to live in the Kiama LGA.
- There is a need for more entertainment and activities for young people and families.
- The cottage / heritage / small dwelling type is suitable for the Kiama LGA.
- Additional shopping and dining choices are needed, as well as meal delivery services.

Next steps

The next steps in the preparation of the Draft Growth and Housing Strategy are:

1. **Finalise the Draft Strategy**
   The Draft Growth and Housing Strategy will be prepared based on plans and studies, evidence bases, community and stakeholder feedback (including this summary report and full responses) and NSW State Government policies.

2. **Council endorsement for exhibition**
   The Draft Strategy will be reported to Council seeking endorsement for public exhibition at a meeting in July 2024. The report will include a recommendation such as:

   That Council:
   1. *Endorse the Draft Growth and Housing Strategy for exhibition for a period of 28 days.*
   2. *If submissions are received during the exhibition period, a further report (including an engagement summary and any proposed changes) be reported back to Council.*
   3. *If no submissions are received during the exhibition period, adopt the Growth and Housing Strategy one week after the completion of the public exhibition period.*

3. **Public Exhibition of Draft Strategy**
   Following endorsement by Council, the Draft Growth and Housing Strategy will be placed on public exhibition for 28 days which will provide the community and stakeholders with another opportunity to provide feedback. During the exhibition period Council staff will continue to actively engage with the community and stakeholders.

4. **Consideration of feedback**
   Feedback and insights from the exhibition period will be collated alongside data already gathered during the engagement period to further refine the Strategy.

5. **Council endorsement for adoption**
   The final Strategy will be reported back to Council for adoption, including an engagement summary, outlining how feedback received during the consultation phases shaped and informed the Strategy.

6. **Adoption**
   Following endorsement of the final Strategy by Council it will be formally adopted. A copy will also be sent to the Minister for Planning and Public Spaces for endorsement as Kiama Municipal Council's Local Housing Strategy.

7. **Implementation**
   Once adopted, the Strategy will be implemented. This will include things such as a Local Environmental Plan (LEP) review, Development Control Plan (DCP) review, and advocacy for strategically identified sites to be included on Sydney Water's program.

For more information on the Growth and Housing Strategy and for updates, visit:
www.kiama.nsw.gov.au/growth

Growth and Housing Strategy - **Engagement Report**:| 24

HOW TO CONTACT COUNCIL

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(excluding public holidays)

KIAMA MUNICIPAL COUNCIL
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RESPECT · INNOVATION · INTEGRITY · TEAMWORK · EXCELLENCE

16 REPORT OF THE DIRECTOR INFRASTRUCTURE AND LIVEABILITY

16.1 Beach Lifeguard Services 2023/2024 Annual Report

CSP Objective: Outcome 1.2: We love where we live; we have the services and facilities we need the natural beauty of our surroundings enhances our active and healthy lifestyle.

CSP Strategy: 1.2.2 Take steps to feel safe wherever we are, any time of day or night.

Delivery Program: 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

Item 16.1

Summary

A report has been completed on the Kiama Council Lifeguards Beach Seasonal Operation for 2023/2024. This report is attached for Councilor's information.

Financial implication

The lifeguard services are funded under Council's operational budget.

There are no financial implication arising from this report.

Risk implication

By Council providing Lifeguard services and beach supervision it reduces the risk of drownings and personal injury.

Policy

Lifeguard Services Strategy 2025

Consultation (internal)

Manager Property & Recreation

Communication/Community engagement

N/A

Attachments

1   Ocean Lifeguard Seasonal Report 2023-2024 - PDF⇩

Enclosures

Nil

RECOMMENDATION

That Council

1.   Note the report of the Kiama Council Lifeguards Beach Seasonal Operation for 2023/2024.

2.   Acknowledge the efforts of Council's lifeguard team and our volunteer partners in managing a successful and safe season for our community

Background

At the conclusion of the beach patrol Council's Lifeguard Supervisor prepares a report for the information of the Council. The 2023/2024 season report is attached, with the following key findings for the season:

- Over 275,000 visitors to our beaches during this season.

- Council lifeguards operated a total of 375 patrol days - 207 days at beaches where the surf clubs also provide patrol services to the public plus 168 days at the non-surf club beaches.

- Kiama Municipal Council beaches experienced an overall increase in attendance during the season.

- There was a total of 104 rescues during the season.

Incidents, rescues and first aid treatments were lower than the previous season, and there were no fatalities.

KIAMA MUNICIPAL COUNCIL
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Kiama Council Ocean Lifeguards
Seasonal Report 23/24

Strategic choices for a sustainable future

Annual Lifeguard Services Report

Kiama Council Ocean Lifeguard Season 2023/2024

Introduction

Over the last seven months Kiama Council lifeguards have been diligently monitoring visitors and locals to our seven stunning beaches. This report encapsulates the fantastic job Council's lifeguards have provided to the public, ensuring that all visitors are protected and kept out of harm's way.

This report does not contain any of the three local volunteer surf lifesaving club statistics.

Executive summary

At the commencement of the 2023-2024 season, Surf Beach saw an increase in visitor numbers. From the first patrol on September 25th to the final patrol on the 26$^{th\,of}$ April, the beaches witnessed a total footfall exceeding 275,000 visitors, reaffirming that Kiama's beaches are a favourite destination for holiday makers. While this marked a slight decrease from the previous season, it did little to dampen the spirit our team of dedicated lifeguards.

Spring Patrols

Spring shoulder season (September-November) saw Surf Beach hosting 12,612 beach goers. This is a welcomed 17% increase from the previous season. This influx can be attributed to a particularly warm school holiday period.

Peak season patrols

As summer peaked, so did the visitor numbers to Surf Beach and Bombo Beach, who showed and increase in visitor numbers over the same period last year. Our beaches welcomed an average of 1,100 sun seekers per day across the seven beaches.

Seven Mile	1,470
Surf Beach	885
Kendall's Beach	732
Easts Beach	727
Werri Beach	682
Bombo Beach	588
Jones Beach	347

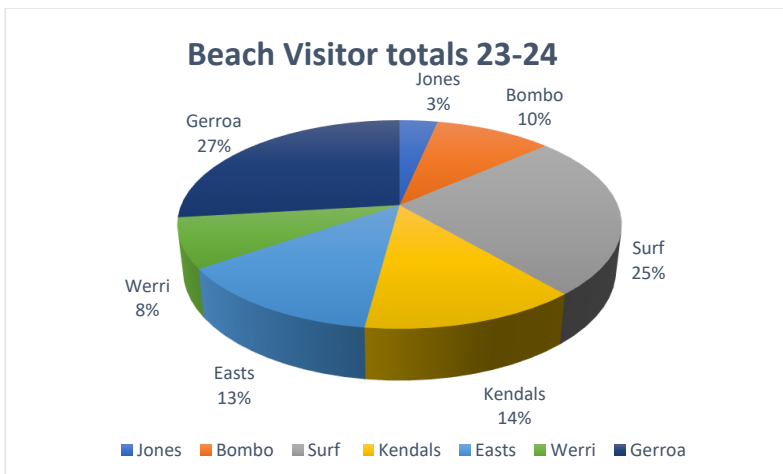*Average daily attendance*

February weekends

February weekends witnessed 26,701 visitors across the four non surf club beaches. This attendance is slightly lower than the same time last year and can be attributed to poor weather conditions over the last two weekends in the month.
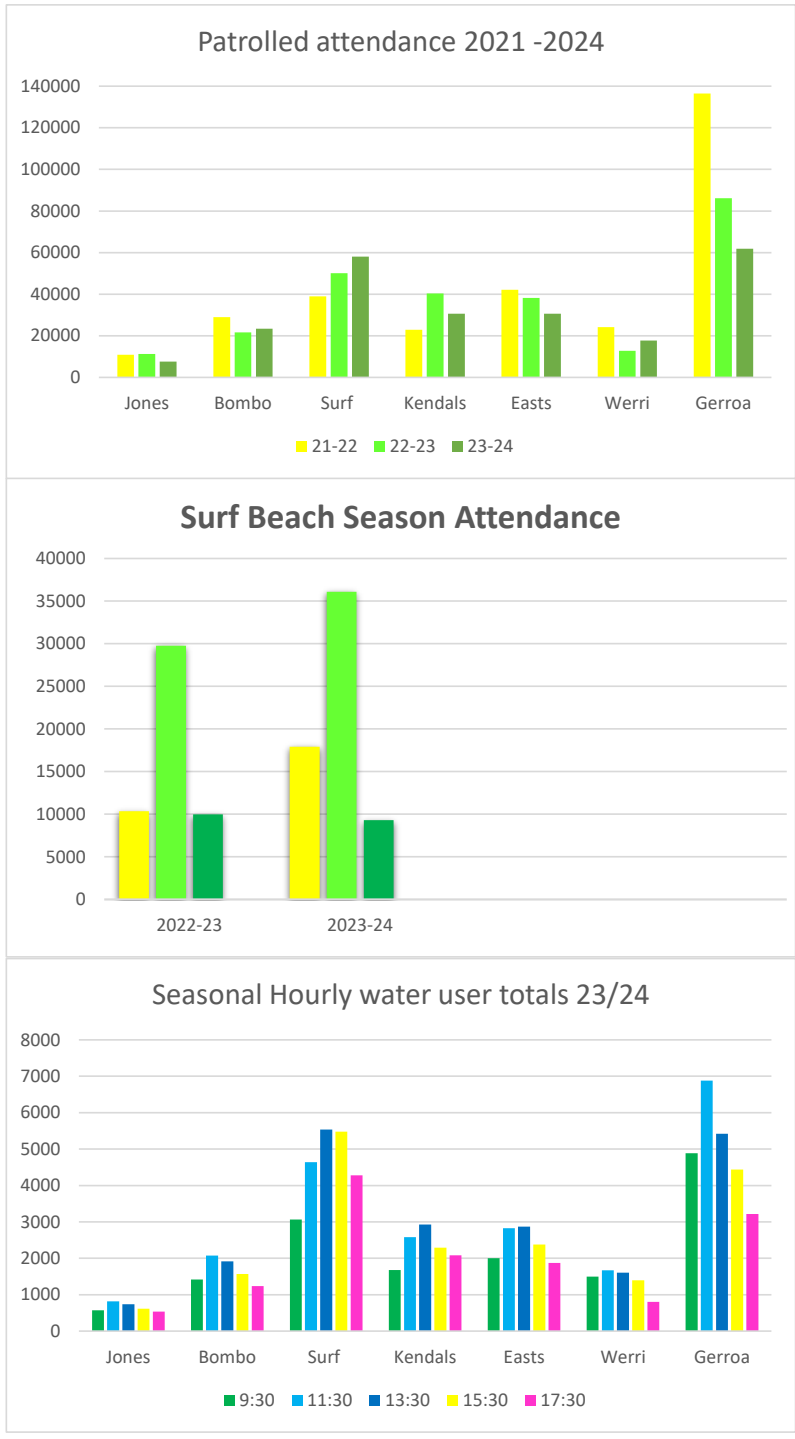
Bombo Beach	3,759
Kendall's Beach	5,996
East's Beach	5,681
Seven Mile Beach	11,265

Total visitor numbers for weekends in February

Autumn season

Autumn bought with it some favourable beach conditions especially late on in the season. Surf Beach recorded 9,300 visitors over the period from March through to April, while a flurry of warm days during school holidays in late April saw Werri record 3200 visitors over nine days.

Beach Visitor totals 23-24

Item 16.1

Attachment 1

Patrolled attendance 2021 -2024

Surf Beach Season Attendance

Seasonal Hourly water user totals 23/24

Vigilance and Service

Beside the dip in visitor numbers, safety remained Council lifeguard's unwavering priority. General rescues saw a slight dip from the previous season with 104 preformed by our vigilant team.

Surf Beach attributed to over 50% of rescues as a strong rip cemented itself on the south/mid part of the beach. These rescues were more of an assistance back onto the sand bank rather than casualties close to going under and requiring ambulance calls.

First aids followed suit with 101 incidents recorded across the seven beaches. Notably only six calls were made to Ambulance NSW which underscored the effectiveness of our proactive lifeguard service.

First Aids

Recues
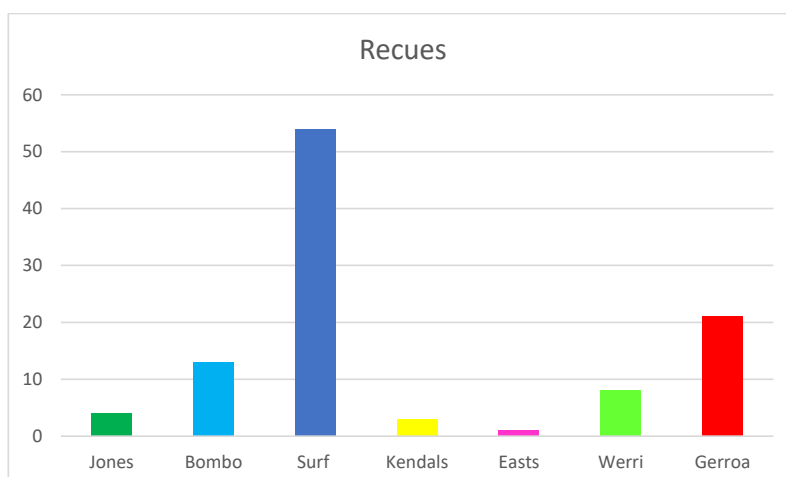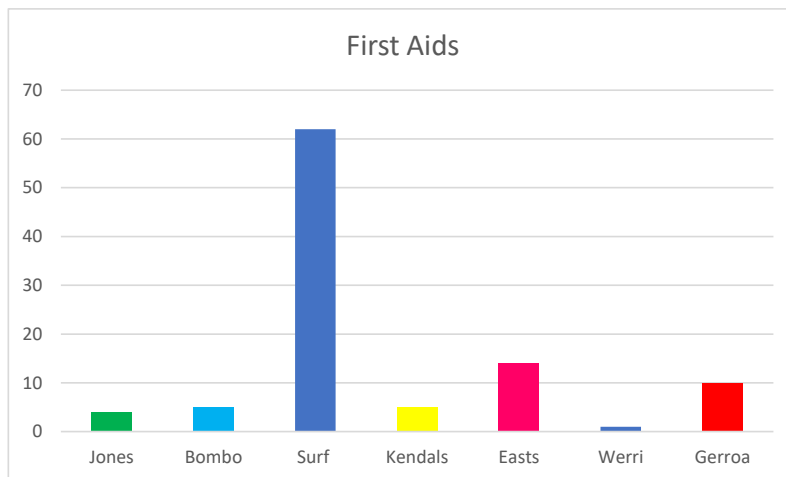
Strategic moves and seasonal shifts

Guided by Council's Lifeguard Service Strategy, our patrols maintained a steady watch over both surf club and non-surf club beaches.

Seasonal adjustments made last season were continued this year, including a later start (10:00am – 5:30pm) as well as the extended weekend patrols throughout February.

With a ration of rescues to preventative actions exceeding expectations at 1:42, our lifeguard's proactive stance shone through, affirming Councils' commitment to safeguarding all visitors at its beaches.
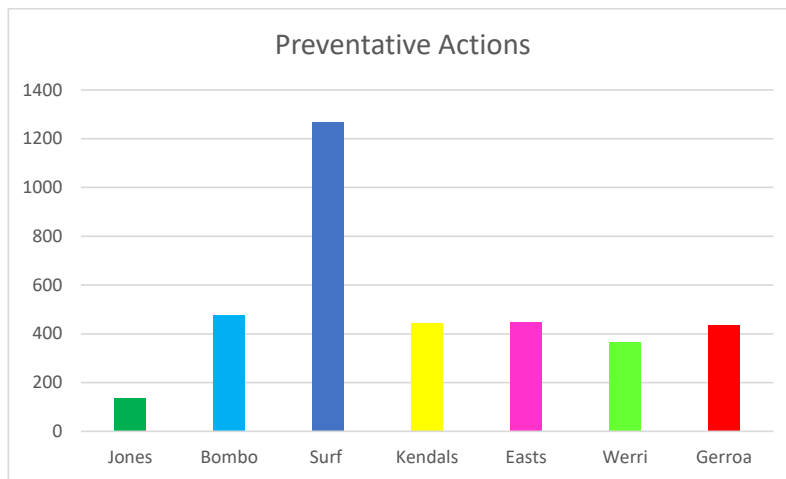
Preventive actions are when lifeguards engage with public ensuring they are aware of the dangers that a posed to them.

Council's lifeguards are not only proactive in keeping visitors to the beaches safe but are just as proactive in upholding the bylaws.
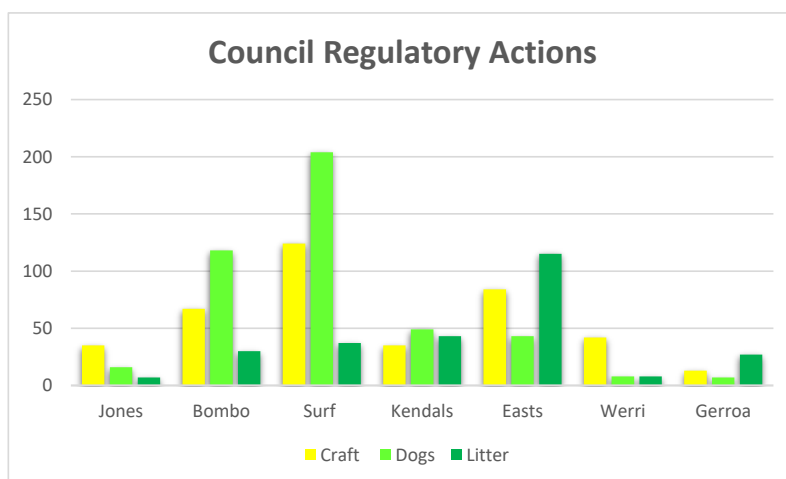
Empowering the next wave

Beyond performing rescues and beach patrols, our lifeguard service are champions of education and empowering the youth through surf education awareness programs, by giving them the necessary knowledge and skills to navigate the surf safely.

From sun safety to surf survival techniques, we inform them of the inherent dangers when visiting our beaches. All five of the local primary school's form part of the surf survival program (Years 1-6). This program is delivered in September in time for the school holidays in the lead up to spring.

Lifesaving Services

Kiama's Lifeguard Service operates in conjunction with our volunteer surf lifesaving clubs, ensuring seamless coverage and community support.

While the three surf clubs take the helm at Jones Beach, Surf Beach and Werri Beach on weekends and public holidays, the lifeguard service operates vigilantly throughout the week, weekends, and public holidays at the non-surf club beaches.

Beach	Patrol Days	Patrol Season
Jones Beach	26	6-week summer M-F
Bombo Beach	42	6-week summer weekends Feb
Surf Beach	146	Sept – Apr M-F
Kendall's Beach	42	6-week summer weekends Feb
East's Beach	42	6-week summer weekends Feb
Werri Beach	35	6-week summer M-F Easter holidays M-F
Seven Mile Beach	42	6-week summer weekends Feb

16.2 Traffic Management: Kiama Local Traffic Committee meeting - 4 June 2024

CSP Objective: Outcome 11: We are well connected within our local community, and to our region

CSP Strategy: 11.1 Actively plan how we travel and create safe travel routes whether we are walking, cycling, driving or accessing public transport

Delivery Program: 11.1.2 Implement road safety and traffic management programs and responsibilities

Item 16.2

Summary

Council submitted proposals to the Kiama Local Traffic Committee (LTC) Meeting held on Tuesday 4 June 2024 to consider reports for traffic regulation in the Kiama Local Government Area. The Traffic Management Plans considered at that meeting require Council endorsement.

Financial implication

The traffic management items under Recommendation 1 will be implemented under existing resources allocations.

Risk implication

The risk associated with the information contained in this report is not complying with the Transport for NSW guidelines.

Policy

A Guide to the Delegation to Councils for the Regulation of Traffic (TfNSW)

Consultation (internal)

Kiama Local Traffic Committee

Communication/Community engagement

Organisers are required to advertise and notify of closures as per endorsed Traffic Management Plans

Attachments

1   Minutes - Kiama Local Traffic Committee Meeting - 04 06 24⇩

Enclosures

Nil

RECOMMENDATION

That Council receive the Minutes of the Kiama Local Traffic Committee meeting of 4 June 2024 and the following recommendation be adopted, subject to any other approvals that may be required:

Report of the Director Infrastructure and Liveability

16.2   Traffic Management: Kiama Local Traffic Committee meeting - 4 June 2024
           (cont)

Item 16.2

24/001LTC the temporary closure of Terralong Street on Saturday 13 and Sunday
              14 July 2024 for the Kiama Winter Street Festival in accordance with the
              plans attached, subject to:

   a) Provision of 2 x VMS boards advising of the upcoming event, at each
        end of the proposed closure for at least seven days prior to the event.

   b) Provision of a Traffic Guidance Scheme detailing the controls
        required for Terralong Street remaining closed to traffic for the
        duration of the festival from Saturday 13 July 24 to Sunday 14 July
        24, to the satisfaction of Council prior to the issue of the Road
        Occupancy Permit.

   c) Notification letters being sent to all affected residents and
        businesses along the closed route.

   d) Advertisement of the closure on Council's website and social media,
        and in local radio and print media.

   e) Council Event staff consulting with emergency services regarding
        the event and road closure.

   f) TfNSW has organised additional train services for the event.

Background

The Kiama Local Traffic Committee Meeting was held on 4 June 2024 to consider
reports for traffic management in the Kiama Local Government Area with the Agenda
papers also being distributed to all Councillors.

The Kiama Local Traffic Committee considered 1 item that requires 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.

Item 16.2

KIAMA MUNICIPAL COUNCIL

MINUTES OF THE
KIAMA LOCAL TRAFFIC COMMITTEE MEETING

commencing at 9.00am on

TUESDAY 4 JUNE 2024

Council Chambers, 11 Manning Street, KIAMA NSW 2533

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE   **4 JUNE 2024**

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE

HELD IN THE COUNCIL CHAMBERS, KIAMA

ON TUESDAY 4 JUNE 2024 AT 9.00AM

PRESENT: Lindsay Dunstan (Resilience Engineer)(Chairman), Stuart Larkins (Councillor Representative), Andy Gaudiosi (Transport for NSW Representative), Jaime Gooch (NSW Police Representative), Darrell Clingan (Local Member's Representative), Seren McKenzie (Acting Manager Engineering and Technical), Janelle Burns (Kiama Council Road Safety Officer), Chris Balzarano (Council Ranger) and Alyson Hodgekiss (Minutes)

1   APOLOGIES

Michael Malone (Director Infrastructure and Liveability),

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 7 May 2024

24/022LTC

Resolved that the Minutes of the Kiama Local Traffic Committee meeting held on 7 May 2024 be received and accepted.

(Member Andy Gaudiosi and Member Stuart Larkins)

4   BUSINESS ARISING FROM THE MINUTES

Nil

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE   **4 JUNE 2024**

5   REPORT OF RMS DELEGATED FORMAL ITEMS

5.1   Proposed Temporary Road Closure - Terrralong St, Kiama - Kiama Winter Street Festival - 13-14 July 2024

24/023LTC

Resolved that the Committee approve the temporary closure of Terralong Street on Saturday 13th and Sunday 14th July 2024 for the Kiama Winter Street Festival in accordance with the plans attached, subject to:

a) Provision of 2x VMS boards advising of the upcoming event, at each end of the proposed closure for at least seven days prior to the event.

b) Provision of a Traffic Guidance Scheme detailing the controls required for Terralong Street remaining closed to traffic for the duration of the festival from Saturday 13 July 24 to Sunday 14 July 24, to the satisfaction of Council prior to the issue of the Road Occupancy Permit.

c) Notification letters being sent to all affected residents and businesses along the closed route.

d) Advertisement of the closure on Council's website and social media, and in local radio and print media.

e) Council Event staff consulting with emergency services regarding the event and road closure.

f) TfNSW has organised additional train services for the event.

(Member Darrell Clingan and Member Andy Gaudiosi)

6   GENERAL BUSINESS
6.1   Fern Street Pedestrian Crossing, Gerringong

DC raised a recent accident on 14 May at 1.08pm, where a pedestrian was hit at the Fern Street Pedestrian Crossing in Gerringong by an 85 year old driver. The resident that was hit sustained serious injuries and is in hospital. The accident is currently being investigated by the police. DC advised that he has inspected the crossing, and has concerns about the condition and environment of the crossing.

It was noted that:

- KMC is aware of the incident.
- If the Police investigation identifies any road safety issues they will be investigated and if a change to the traffic facilities is required these will be brought to the LTC for consideration once a proposal is developed by council.
- The members of the LTC are welcome to attend a site inspection if available.

MINUTES OF THE KIAMA LOCAL TRAFFIC COMMITTEE   **4 JUNE 2024**

Subsequent to the meeting it was confirmed by KMC that:

- A Road Safety Auditor be tasked by Council to inspect the site and identify any issues that should be attended to. Issues such as condition of existing line marking or signs, encroachment by street trees etc can be managed by Council as the Roads Authority within its resource capacity and don't require the consideration of the LTC.
- If the Road Safety Auditor identifies issues that require changes to the traffic facilities, a proposal will be developed for LTC consideration.
- NSW Police will be undertaking an additional inspection o the site and have requested that no alterations be made until that inspection is completed.

6.2   Coffee with a Cop - 16 June 2024

AG advised that there will be a motorcycle safety event called "Coffee with a Cop" at the Kiama Lighthouse on Sunday 16 June 2024, between 10am and 2pm. There will be a marquee set up, with free coffee vouchers being given out to members of the public that visit the event.

6.3   New town entry treatment at Gerroa

AG advised that the new town entry treatment at Gerroa has received a lot of positive feedback from the public, and that it is very effective. LD added that the contractor who did the work did a very good job.

6.4   Motorcycle speeding between Kiama and Jamberoo

SL advised that the Mayor and some Councillors have received quite a bit of correspondence from residents regarding an increase in motorcycles speeding on roads between Kiama and Jamberoo, and antisocial behaviour. Some of the motorbikes are registered, some are not.

7   CLOSURE

There being no further business the meeting closed at 9.33am

These Minutes were confirmed at the Ordinary Meeting of Council held on 2 July 2024

17   REPORTS FOR INFORMATION

17.1   Compliance Officer activities - May 2024

Responsible Director: Planning, Environment and Communities

Item 17.1

RECOMMENDED

That Council receives and notes the information on Compliance Officer activities for May 2024.

Report

Below is information on the activities of the Compliance Officer for May 2024:

Patrols conducted	47
Infringements issued	14
Total infringement value	$3,704
Vehicle spaces inspected	1,800
CRM requests received and actioned	16

Timed Zones	No. of patrols	PINS Issued	School Zone Patrols	No. of patrols	PINS Issued
Kiama CBD	12	10	St Peter & Pauls	9	0
			Kiama High	9	3
Gerringong CBD	3	0	Kiama Public	9	0
Other Parking	1	1	Jamberoo Public	1	0
			Minnamurra Public	2	0
			Gerringong Public	1	0

Pro-active patrols

Offence	PINS Issued	offence	PINS Issued
No Stopping	4	No Stopping (**School Zone Patrols**)	3
Bus Zone	0	Bus Zone (**School Zone Patrols**)	0
No Parking	1	No Parking (**School Zone Patrols**)	0
Unbroken Yellow Edge Line	0	Double Park (**School Zone Patrols**)	0
Mail/Loading Zone	3	No stopping Path/Strip/Ramp	0
Dividing Line	0	Disabled Parking Zone	0

Item 17.1

17.2   Conference Report: Councillor Reilly attendance at the Australian Coastal Councils Association Conference - May 2024

Responsible Director: Office of the Chief Operating Officer

RECOMMENDED

That Council receive and note the Australian Coastal Councils Association Conference report from Councillor Reilly.

Report

In late May 2024, the Mayor, Councillor Reilly had the privilege of attending the 20th Annual Coastal Conference hosted by the Australian Coastal Councils Association Inc. (ACCA) held in the scenic coastal town of McLaren Vale, South Australia. This marked the Mayor's 15th time participating in this Conference, having been a regular attendee since 2009. The Mayor attends representing both Kiama Municipal Council but also as one of two Committee delegates of NSW Councils. Councillor Reilly shares the key subjects and his learnings from the conference in this report. The conference details can be found at: www.coastalcouncils.org.au/australian-coastal-councils-conference/.

Introduction

The ACCA is a national body which was established in 2004 to represent the interests of coastal councils across Australia. Their annual conference brings together experts, policymakers, and stakeholders from various sectors, including local governments, scientific institutions, and community organisations, to discuss pressing issues and share knowledge related to the sustainable management of Australia's coastal zones. The ACCA conferences are invaluable platforms for staying informed about the latest research, policies, and best practices in coastal management. The Association's evidence-based approach and commitment to fostering collaboration among diverse stakeholders has consistently provided insightful perspectives and practical solutions to the challenges faced by coastal communities. This year's conference theme, *"Resilient Coasts: Adapting to a Changing Climate"* was particularly relevant given the increasing impacts of climate change on coastal regions worldwide. The 3-day event featured keynote presentations, concurrent sessions, workshops, and networking opportunities, all aimed at exploring innovative strategies for enhancing coastal resilience and promoting sustainable development along Australia's vast and diverse coastlines.

Conference Overview

As climate change intensifies coastal hazards like rising sea levels and storm surges, communities and governments must adapt to build resilience. Managed retreat, the strategic relocation of at-risk development, is increasingly seen as a necessary adaptation strategy. Still, it poses complex challenges for local governments regarding financial costs, legal barriers, social resistance and coordination across stakeholders.

As climate change makes disasters more frequent and severe, the homeowner's insurance industry is tumultuous.

ORDINARY MEETING   18 JUNE 2024

Reports for Information

17.2   Conference Report: Councillor Reilly attendance at the Australian Coastal
         Councils Association Conference - May 2024 (cont)

Presenters offered their expertise and knowledge towards adapting to a changing climate, offering the following alternatives that may be used individually or in unison. The collection of accurate data underpinned the nature of a resilient response. In addition to these natural challenges, the conference also took academic oversight on short-term rental accommodation.

Protection strategies

Protection strategies involve defending coastal areas against climate change impacts using various methods. Shoreline armoring utilises hard engineering structures like seawalls and revetments to prevent erosion and flooding.

Natural elements such as oyster reefs have ben used as breakwaters to dissipate wave energy and protect shorelines. Beach nourishment, which involves adding sand to eroding beaches, helps maintain beach profiles and protect estuarine areas.

Accommodation strategies

Accommodation strategies focus on enhancing the resilience of existing coastal infrastructure and communities without relocation. These include:

•   Elevating buildings and infrastructure to reduce flood risk;

•   Improving stormwater management systems to handle increased rainfall and runoff;

•   Restoring and maintaining wetlands, which act as natural buffers against storm surges and flooding.

By implementing these measures, coastal communities can adapt to the impacts of climate change while minimising the need for more disruptive strategies like managed retreat.

Managed retreat

Managed retreat involves the strategic relocation of infrastructure, communities and ecosystems away from high-risk coastal areas. While often seen as a last resort, it is increasingly recognised as a necessary component of long-term resilience in the face of climate change.

Managed retreat strategies can include:

•   Voluntary buyouts that offer financial incentives for property owners to relocate from vulnerable areas;

•   Implementing new zoning laws to prevent future development in high-risk zones;

•   Engaging local communities in the planning and decision-making process to ensure social acceptance and equity However, implementing managed retreat poses significant challenges for local governments, including financial constraints, legal and policy barriers, social and political resistance, and the need for coordination across multiple stakeholders.

Challenges for local governments

Local governments face significant financial burdens when implementing coastal adaptation strategies, particularly managed retreat. The costs of purchasing land,

ORDINARY MEETING   **18 JUNE 2024**

Reports for Information

17.2   Conference Report: Councillor Reilly attendance at the Australian Coastal
           Councils Association Conference - May 2024 (cont)

compensating property owners and relocating infrastructure can be prohibitive and local governments often lack the necessary resources.

Legal and policy frameworks can also pose challenges, as existing laws may not support managed retreat, and changing these laws can be slow and contentious. Managed retreat often faces resistance from communities and political leaders who are reluctant to leave their homes and businesses or restrict development. Effective coastal adaptation requires coordination across multiple levels of government and sectors, which can be challenging due to differing priorities, resources, and capacities among stakeholders.

Key presentations/sessions

Every single component of this conference was relevant to Council's own situation. Rather than comment on each and every presentation, below is a brief precis only of the most significant or relevant topics to Kiama. Full copies of all presentations can also be downloaded at https://www.coastalcouncils.org.au/australian-coastal-councils-conference/.

1.   <u>Building a resilient Australia – Kylie Macfarlane, Chief Operating Officer, Insurance Council of Australia.</u>

How is the Australian Insurance industry handling climate change?

The Australian insurance industry faces significant challenges due to climate change and the increasing frequency and severity of extreme weather events like bushfires, floods, and storms. The following are some key points on how the industry is handling climate change:

Rising insurance costs and affordability crisis

•   Insurance premiums are skyrocketing in disaster-prone areas across Australia as insurers attempt to cover escalating claims costs from natural catastrophes exacerbated by climate change.

•   There are concerns that insurance will become unaffordable or unavailable in many high-risk regions, leaving properties effectively uninsurable. One estimate suggests around 520,940 properties (1 in 25) across Australia could be uninsurable by 2030 due to climate risks.

•   The Insurance Council of Australia warns that some international reinsurers are already pulling back from covering risks in Australia due to the increasing costs from climate-fueled disasters.

Industry initiatives and net zero commitments

•   The Insurance Council of Australia (ICA) has released a Climate Change Roadmap outlining the industry's commitment to achieving net zero emissions by 2050 across investments, underwriting, and operations.

•   Over 85% of insurers have set organisation-wide net zero targets by 2050 or earlier, with over 60% setting interim emissions reduction targets across operations, investments and supply chains.

•   Insurers are investing in renewable energy, improving energy efficiency, and working with communities to build resilience against extreme weather events.

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Building resilience and adaptation

- The ICA strongly supports the climate adaptation and resilience objectives in the proposed NSW Climate Change (Net Zero Future) Bill 2023 to make the State more resilient to climate change impacts.

- Kylie Macfarlane, ICA's Chief Operating Officer, emphasised the need for increased investment in resilience, mitigation measures like improved building codes, and potential buybacks of properties in high-risk areas to address growing climate risks.

- The ICA advocates for policy settings that accelerate Australia's transition to net zero emissions and create a more resilient built environment.

Responding to extreme weather events

- The insurance industry paid out an unprecedented $16.8 billion in extreme weather claims since the 2019-20 Black Summer bushfires, with over 302,000 disaster-related claims lodged in 2022 alone, costing $7.28 billion.

- In response to the 2022 floods, the ICA commissioned an independent review by Deloitte, which identified areas for improvement in claims handling, communication, identifying vulnerability, resourcing, processes, technology, and governance. The industry has accepted all recommendations for better preparedness.

- The Australian Prudential Regulation Authority (APRA) and the Australian Securities and Investments Commission (ASIC) are closely monitoring insurers' claims handling and responses to severe weather events, with potential enforcement actions for significant misconduct.

Regulatory pressure and climate risk reporting

- Australian regulators like APRA are increasing scrutiny on how insurers manage and disclose climate-related financial risks. Mandatory climate risk reporting for large firms, including insurers, is expected from 2024-25.

- Insurers will likely need to adopt frameworks like the Partnership for Carbon Accounting Financials (PCAF) to measure and report insured emissions across their underwriting activities.

- There are concerns around potential greenwashing claims if insurers overstate their climate credentials or preparedness.

2.   <u>Short term rentals in urban and coastal communities: impacts and policy responses - Nicole Gurran, Professor of Urban and Regional Planning, the University of Sydney</u>

As an adjunct to this presentation, Cr Reilly participated in a panel discussion. This was due to Kiama's long-term association with this study.

Impacts of short-term rentals

Professor Gurran's research highlights several key impacts of short-term rentals like Airbnb on communities:

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Housing affordability and supply

- In popular tourist destinations like coastal towns, a significant portion of the housing stock (up to 15-25% in some areas) is being used for short-term rentals rather than long-term rentals or owner-occupied housing.

- This reduces the supply of housing available for residents, driving up rents and home prices and making housing unaffordable for many locals.

- The "Airbnb effect" of rising rents due to increased short-term rentals has been observed internationally.

Neighbourhood impacts

- Transient visitors staying in residential areas can lead to noise, parking issues, and disruptions for permanent residents.

- There are concerns about "party houses" and illegal activities facilitated by the anonymity of short-term rentals. Neighbourhoods can lose their residential character and sense of community as homes convert to tourist accommodations, a process called "touristification" or gentrification.

Regulatory challenges

- Existing planning and zoning rules were not designed for this new form of residential tourist accommodation and have struggled to keep up.

- Platforms like Airbnb have been resistant to sharing data on listings, making it difficult for Councils to monitor the extent and impacts.

Policy responses

Professor Gurran's research has examined policy responses by governments globally and in Australia to better regulate short-term rentals:

International approaches

- Many cities have enacted "night caps" limiting the number of nights entire homes can be rented out (e.g. 30-90 nights per year in London, Amsterdam, New Orleans).

- Some have restricted short-term rentals to certain zones or required special permits.

- Others have imposed taxes or fees to offset impacts and create a level playing field with hotels.

- Enforcement remains an ongoing challenge, with some cities using specialized technology and "sting" operations to identify illegal rentals.

Australian approaches

- State governments in Australia have been slower to act, taking a "light touch" approach focused on enabling tourism benefits over managing housing impacts.

- New South Wales has a 180-night cap for Sydney/Newcastle, while Brisbane charges higher rates for investor hosts. Other states have similar rules. However, Professor Gurran argues that regulation should be tailored to local housing

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17.2 Conference Report: Councillor Reilly attendance at the Australian Coastal Councils Association Conference - May 2024 (cont)

conditions rather than one-size-fits-all, with stronger protections in areas with severe rental shortages.

- Better use of short-term rental stock could be mandated during disasters or housing crises to provide temporary accommodation.

- Overall, Professor Gurran's research highlights the complex housing and community impacts of short-term rentals, especially in coastal/tourist towns. It calls for more effective regulations balanced with tourism benefits and tailored to local market conditions.

Networking and social events

- There were many notable networking opportunities, meetings as well as a social events that allowed attendees to connect with each other. The Conference dinner held at The Kitchen at Bec Hardy, McLaren Vale focused on sustainability and ethically sourced produce, much of which is grown on their nearby farm.

- The conference comprised of national representation, including some participants which were well known:

  o Councillor Sharon Cadwallader was elected to Ballina Shire Council in March 2004 and elected as Mayor in December 2021 and Current President of ACCA. Councillor Cadwallader is also a regular attendee to the NSW Country Councils meeting.

  o Councillor Race was elected to the Mornington Peninsula Shire Council in 2020 and represents the Nepean Ward. Councillor Race was elected as Deputy Mayor in 2020-21. Although relatively new to the ACCA, Councillor Race has a wealth of community engagement and professional skills.

  o Councillor Tom Crook, Mayor of East Gippsland Shire Council. Councillor Crook is a strong advocate of working together with people to find common ground and positive approaches and is also aware of Council's problems in Kiama and has offered thoughtful advice on collaboration.

  o Councillor Bree Hunter - Clarence City Council, Tasmania. Councillor Hunter is genuinely independent and not tied to any political party and speaks for the whole community. Councillor Hunter is not only an effective Councillor; but has also worked in local government for 9 years and understands the reality of how a Council operates as an organisation.

Policy forum

In the lead-up to the facilitated Policy Forum on Friday 31 May, input was sought from delegates. Responses were anonymous, put together with feedback from other delegates and then circulated again before the conference closed. A communique will be issued after the board gives its approval.

Conclusion

Overall impressions of the conference experience.

The seriousness of climate change and sea level rise is very real and ever-present, but this qualified group of local government representatives have developed an

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objective means to confront the fears we all share. They all have the right attitude: that is a goodness of nature, a happy disposition and a genuine gift for communication.

Councillor Reilly concludes, "*Being among this strong group, I felt that nothing could stop the person with the right mental attitude from achieving their goal; nothing on earth can help the person with the wrong mental attitude.*"

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17.3   Question for future meeting: Circular economy initiatives

Responsible Director: Infrastructure and Liveability

RECOMMENDED

That Council receives and notes the response to Councillor Croxford's question on current and planned 'circular economy' initiatives by the Council.

Report

At its meeting held on 16 April 2024 a question for future meeting was asked by Councillor Croxford for a report on *current and planned 'circular economy' initiatives by the Council. This report should detail existing activities contributing to the circular economy and explore any proposed initiatives not yet implemented*.

Kiama Council can position itself to achieve the benefits of a circular economy by aligning with regional partners. Council staff will continue to work with regional Councils, through ISJO, to assist in developing a coordinated regional response that aligns with priority waste streams and reduces emissions from waste operations, as much as current resourcing levels will allow.

Current Projects and Initiatives

The Community Recycling Centre (CRC) located at the Minnamurra depot is well supported by the community. This was a State funded initiative and has been in operation since October 2016, the management of which is now funded by Council. In 2023 the CRC diverted 5,310 tonnes of hazardous and problem waste from landfill to be processed in various off-site locations.

Metals collected at Minnamurra depot are recycled through the steel recycling provider in Unanderra. Current initiatives include a proposal to separate non-ferrous metals from ferrous, providing a clean product line that attracts a higher sale price and additional source of revenue.

Greenwaste accepted at Council's Minnamurra waste facility attracts a gate fee and is processed off-site.

Reclaimed road profilings are repurposed for pavement works under the relevant EPA Exemption.

Household comingled recycling and cardboard is transported to Visy in Smithfield and is manufactured into new packaging. This service comes at a cost but also saves in reduced landfill cost.

Household Food Organics and Garden Organics (FoGo) was introduced in 2008 and has been well accepted by the community, with lower than State average contamination levels observed but still some work to be done. A regional advertising campaign is planned to communicate statewide changes prohibiting paper products from being processed as FoGo.

Currently organics collection is sent to a processing centre in Dunmore to be processed & manufactured into bulk soil products used in broadscale land rehabilitation projects.

The twice year bulky waste collections are held at the Minnamurra Depot in conjunction with the "Up for Grabs" which is another means for useable items to be rehoused. Other Bulky waste diversion strategies include separation of Mattresses and lounges to be transported to Shoalhaven for recycling, and additional redistribution of saleable items through second hand shops to further improve the resource recovery rate.

In addition to bulky waste drop-off, Council also facilitates:

- the annual Household Chemical Cleanout, a useful adjunct to the CRC, and

- The much loved and well attended 2nd Hand Saturday serves to connect residents with a shared passion for a second-hand bargain. Promoting reuse is an important means to keep items of value circulating for as long as possible.

Due to recent developments with the current Melbourne based electronics processor, council is investigating options to deal with the steady flow of electricals that are delivered to the Minnamurra depot. Well-meaning residents doing their best to divert valuable materials from landfill may not fully understand the limitations of the current Product Stewardship scheme which extends to computers and televisions only. By trialing local processing solutions that deal with a greatly expanded range of discarded ewaste, which include electronics, peripherals and electrical appliances - a significant value proposition has emerged to fill the gap which is currently under investigation.

Should this trial be successful as an on-going arrangement, this could represent

- less kilometres travelled and therefore a reduction in emissions;

- a cleaner, higher value supply chain;

- less contamination in the CRC ewaste stream; and

- significant overall net benefits in resource recovery.

Rekindle Me is a start-up with strong ambitions to serve ewaste processing across the Illawarra. Taking an ethical stance on plastics with a commitment to finding better solutions for managing problem and hazardous plastics. This collaboration is an example of Council fostering mutually beneficial partnerships and building capacity within a regional context.

ISJO Circular Economy Investigation

In November 2021, the Illawarra Shoalhaven Joint Organisation (ISJO) instigated a Circular Economy Investigation. This project was to take place in two phases, Phase 1 being planning and Phase 2 being implementation.

In the 2022 financial year Kiama Council contributed $24,200 towards the Phase 1 project budget of $132,000. ISJO engaged Edge consultants to prepare an investigation report. Edge conducted material flow analysis and stakeholder consultation throughout 2022 and 2023.

ISJO and Edge delivered the Circular Economy Investigation Consolidated Report in April 2023. The report recommended the following eight opportunities:

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1.   A platform for recirculating materials in the region (e.g. 'Aspire')

2.   Localised circular procurement with member councils

3.   Circular economy collaborative model (e.g. a working group)

4.   Elevating circular outcomes for commercial and industrial food organics

5.   Establish a circular textiles hub

6.   Establish a circular e-product hub

7.   Elevating circular outcomes for timer and garden organics

8.   Expanding circular outcomes for plastics

This project is now in its implementation phase.

The opportunities and material flows identified in the Circular Economy Investigation Consolidated Report serve as guiding principles for ISJO's member councils. Some opportunities to contribute to this implantation phase of the project include:

Waste Wood

$389k of EPA funding was recently awarded to ISJO to address the 59% of all wood that ends up as waste in landfill. Kiama's Waste Services is a stakeholder in this project which has the potential to create new service offerings and products to Council and residents.

Solar Panel – Recycling

Fast moving developments in recycling science could open additional opportunities for Kiama Council to take an active role in converting priority waste materials to economically viable solutions with wide reaching benefits. The Scoping Study into Solar Panel End-of-Life Management in Australia has identified a pressing need for collection and processing facilities within 150km of major population centres.

Options for timber and solar panel receipt and potentially processing will be investigated during the master planning exercise for the Minnamurra depot site.

Private Public Partnerships

Being open to Private-Public Partnerships (PPP) with industry leaders, co-funding and shared cost/profit arrangements will help to overcome the upfront capital investment needed to build the necessary infrastructure to support a circular economy. Agreements between neighboring councils to access material feedlots will also be necessary to ensure optimized transport logistics.

By positioning itself as a willing and active participant to address priority materials, Kiama Council can be the host to a myriad of economic, social and environmental outcomes.

Further Options

As a commitment to the Circular Economy, it is within Council's scope to:

1.   Set achievable targets to reduce waste across all of Councils operations.

2.   Create a sustainable procurement policy, that favours:

- durable, long lasting products;

- products that can be repaired;

- established end-of-life arrangements with producers;

- products with a percentage of recycled content.

3.   Lobby state and federal governments to:

- extend Extended Producer Responsibility (EPR) to include all appliances in addition to TV's and computers; and

- restrict the import of composite and hazardous plastics for which we have no means to process in Australia.

Council's waste team are currently preparing a Waste Strategy for exhibition and endorsement. This strategy will define Council's plans and will align with many of the circular economy initiatives discussed in this report.

Communication/Community Engagement

Discussion with Yvette Barrs, ISJO Regional Program Manager.

Risk implication

The circular economy initiatives discussed in this report aim to address substantial environmental risks associated with pollution and waste.

17.4   Question for future meeting: Occupational violence

Responsible Director: Office of the Chief Operating Officer

Item 17.4

RECOMMENDED

That Council receive and note the response to Councillor Larkins' question on occupational violence.

At the 16 April 2024 Ordinary Council meeting:

Councillor Larkins advised that Shoalhaven City Council recently publicly reported a significant increase in aggression and threats of violence directed to councillors and council staff from a small number of members of the community.

Councillor Larkins requested a report as to whether there has been an increase in these type of incidents toward Council personnel, manifesting in multiple forms including virtually and on social media, and advise what strategies are currently in place for the safety of all council personnel.

Councillor Larkins also requested the report include whether additional strategies can be considered, including initiatives through the Illawarra-Shoalhaven Joint Organisation.

Background

Council have a positive duty under Workplace Health & Safety to identify, record and manage psychosocial risks. Psychosocial risks can include risks of occupational violence which may be physical or verbal.

Our existing approach to employee welfare initiatives that address occupational violence risks include:

- **Work Health and Safety Management Policy**

Kiama Council has a commitment to a philosophy of risk evaluation and continual improvement in providing safe systems of work, policies, procedures and practices aimed at eliminating work related illness and injury.

- **Managing Psychosocial Hazards at Work Procedure, Hazard Identification Form and Risk Assessment**

Kiama Municipal Council is committed to improving worker health, safety and wellbeing by implementing a mechanism for Council to identify and control psychosocial risks in the workplace. Specifically

- Promote a culture of open communication, response and accountability where workers feel supported and confident in reporting hazards;

- Protect the wellbeing and mental health of workers;

- Enhance employee satisfaction, engagement and productivity by addressing and resolving workplace conflicts and concerns in a proactive and constructive manner; and

- Provide a fair and accessible process for workers to raise and address grievances, fostering a safe and inclusive environment.

- **Incident reporting system**

All employees incidents are recorded into a centralised data base which is used to register, record corrective actions, monitor trends and used for evaluation of current systems and benchmarking.

- **Safety layer process**

  - This process addresses the sharing of information where a significant risk presents that has the potential to impact another employees safety at a specific property. Identified field based hazards may be animal, terrain or people related. Incidents are stored confidentially and alerted to employees who are tasked work activity at a flagged location.

  - People related hazards include specific threats made to a person, or to council. The process supports the staff member to: debrief, review approach to task (ie. inflammatory factors, venue), formal letter to the property owner and/or escalate ie NSW Police.

- **Social media threat/Unreasonable commentary response**

In the event of a council employee's name being disclosed in a disparaging or threatening manner on social media, a review by Communications, People & Performance and the relevant Director occurs, the employee is notified and supported (as above) and commentary removed (if on a council platform) or the respective page owner is contacted with a stern request for removal, (ie., may be a breach of rules of a community group page).

- **Unreasonable Complainant Conduct (UCC) Policy**

Council's UCC Policy provides for unreasonable conduct in the context of persistence, demands, lack of cooperation, arguments or behaviour to be managed by Council which may result in a consequence of limiting or removing a person's ability to contact council.

- **Employee Assistance Program (EAP)**

Employees have access to free and confidential counselling via Councils EAP provider TELUS Health.

Illawarra Shellharbour Joint Organisation (ISJO)

On review of ISJO website programs and in discussion with Executive Officer, Roger Stephan, ISJO do not have a current program that has scope to include employee occupational violence. ISJO will take employee-based welfare initiatives under consideration if approached by any member council.

Data

As stated above, Council has a practice of incident reporting where instances of occupational violence and psychosocial hazards are captured.

The review of the data shows:

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17.4   Question for future meeting: Occupational violence (cont)

Year	Number of aggressive/threatening incidents
2020	3
2021	13
2022	2
2023	2
2024	2

The peak experienced in 2021 is COVID related. There are no other correlations in the data reviewed.

Conclusion

Incident tracking data for Council employees does not reflect an increase of recent aggressive or threatening incidents. There is no correlation between the two incidents this year (one related to a broken domestic sewer pipe, the other around lack of lawnmowing). The year-to-date data will continue to be tracked. Our operational approach to occupational violence is appropriate and Council's Risk Team will highlight the issue in an upcoming employee awareness update.

Item 17.4

Item 17.5

17.5   Questions for Future Meetings Register - June 2024

Responsible Director: Office of the Chief Operating Officer

RECOMMENDED

That Council receive and note the Questions for Future Meetings Register for June 2024.

Report

Attached for Councillors' information is the Questions for Future Meetings Register for June 2024.

Communication/Community Engagement

Nil.

Risk implication

The information in this report ensures that Councillor questions for future meetings are responded to as they arise and are not overlooked.

Attachments

1   Questions for Future Meetings Register - June 2024⇩

Questions for Future Meetings Register

16/73192

KIAMA MUNICIPAL COUNCIL

No	Details	Actions
21 February 2023		
18.1	**Seven Mile Beach community consultation** Councillor Rice requested a report on what else stands in the way of actioning Point 2 of the Council following resolutions 19/170OC, 19/171OC and 19/172OC from 21 May 2019 – *"That Council expedites the community consultation to devise new guidelines for the use of Seven Mile Beach"* now that finalisation of Council's Crown Lands Management Plans is likely to occur within a few months. This matter was referred to the Director Infrastructure and Liveability for action.	The report for Endorsement for Plan of Management – Council Managed Crown Land went to the May 2024 Council meeting and was adopted.
17 October 2023		
20.6	**Shoalhaven Water** Councillor Reilly requested a report on the possibility of Shoalhaven Water connecting utilities to the village of Jamberoo given the reluctance of Sydney Water to address the current and future requirements of the village. This matter was referred to the Director Planning, Environment and Communities for consideration.	To be reported to the July 2024 ordinary Council meeting.
16 April 2024		
20.3	**Circular economy initiatives** Councillor Croxford requested a report on current and planned 'circular economy' initiatives by the Council. This report should detail existing activities contributing to the circular economy and explore any proposed initiatives not yet implemented. The matter was referred to Director Planning, Environment and Communities for consideration.	Reported to the June 2024 ordinary Council meeting.
20.5	**Outdoor dining areas as exempt development** Councillor Croxford requested a report on outdoor dining areas as exempt development on footways or public open spaces across the local government area. This report should also address the annual revenue generated and the annual cost to administer. The matter was referred to Director Planning, Environment and Communities for consideration.	To be reported to the July 2024 ordinary Council meeting.

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Attachment 1   **Item 17.5**

No	Details	Actions
20.6	**Threats of violence** Councillor Larkins advised that Shoalhaven City Council recently publicly reported a significant increase in aggression and threats of violence directed to councillors and council staff from a small number of members of the community. Councillor Larkins requested a report as to whether there has been an increase in these type of incidents toward Council personnel, manifesting in multiple forms including virtually and on social media, and advise what strategies are currently in place for the safety of all council personnel. Councillor Larkins also requested the report include whether additional strategies can be considered, including initiatives through the Illawarra-Shoalhaven Joint Organisation. The matter was referred to Chief Operating Officer for consideration.	Reported to the June 2024 ordinary Council meeting.

17.6 Response to Cr Croxford's question with notice: Protection measures for Councillors

Responsible Director: Office of the Chief Operating Officer

RECOMMENDED

That Council receive and note this response to Councillor Croxford's question with notice regarding protection measures for Councillors.

Report

At the Council meeting held on 21 May 2024, Cr Croxford asked the following question with notice:

While the "Code of Conduct for Councillors" specifies councillor responsibilities against making complaints for an improper purpose, it does not address the protections against similar complaints made by the public, which could be weaponised against councillors.

1. ***Review of current protections****: Could the CEO elaborate on the existing mechanisms in place to protect councillors from potentially malicious or weaponised complaints made by the public under the Code of Conduct?*

2. ***Potential policy enhancements****: Considering the absence of explicit references to handling improper public complaints within the "Code of Conduct for Councillors," what steps can be taken to ensure that councillors are safeguarded against unfounded or vexatious complaints? Are there provisions to integrate such protections within the existing policy frameworks, including the Unreasonable Complainant Conduct Policy?*

3. ***Examples of application****: Are there recent examples where the council successfully identified and managed unfounded complaints against councillors? With hindsight, are there any Code of Conduct complaints lodged during the term that could, in retrospect, be considered in this context? What were the outcomes, and how did these processes uphold the integrity and fairness of the council's complaint handling procedures?*

Response to point 1

There are two key mechanisms in place to protect Councillors from potentially malicious or weaponised complaints made by the public under the Code of conduct.

Firstly, A Code of Conduct complaint against a Councillor must be managed in accordance with ***The Procedures for the Administration of the Code of Conduct (The Procedures).***

The Procedures refer to this circumstance as '*a complaint that may be 'trivial, frivolous, vexatious or not made in good faith'*

Such complaints may be considered at 3 stages of the process:

17.6   Response to Cr Croxford's question with notice: Protection measures for Councillors (cont)

a)   Declined at the outset by the CEO

What complaints may be declined at the outset?

5.3 Without limiting any other provision in these procedures, the chief executive officer or, in the case of a complaint about the chief executive officer, the mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:

c. is trivial, frivolous, vexatious or not made in good faith.

b)   Considered under The Procedures and No Action taken by CEO

If the CEO decides to deal with a 'complaint for improper purposes' under the procedures, clause 5.22 and 5.23 may apply:

5.22 The chief executive officer may decide to take no action in relation to a code of conduct complaint about a councillor where they consider that no action is warranted in relation to the complaint.

5.23 Where the chief executive officer decides to take no action in relation to a code of conduct complaint about a councillor, the chief executive officer must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.

c)   Considered under The Procedures and No action taken by conduct reviewer

6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the chief executive officer that have not been referred to an external agency or declined or resolved by the chief executive officer, mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the chief executive officer or the mayor.

6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.

6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:

a. to take no action

6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.

6.31 In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:

c. whether the complaint is trivial, frivolous, vexatious or not made in good faith

Secondly, ***Council's Unreasonable Complainant Conduct Policy*** may also apply in such instances.   The policy applies to all employees, including Councillors, Contractors, Volunteers, Delegates and Committee Members.   It distinguishes between the strategies that frontline staff are authorised to use and those that must

be considered and acted on at a senior management level eg those that seek to change or restrict a complainant's ability to access our services.

Unreasonable complainant conduct is any behaviour by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for our council, our staff, other service users and complainants or the complainant himself/herself.

Complaints for improper purpose could be assessed under the following prescribed categories:

 a)   Unreasonable arguments: Unreasonable arguments include any arguments that are not based in reason or logic, that are incomprehensible, false or inflammatory, trivial or delirious and that disproportionately and unreasonably impact upon our Council, staff, services, time, and/or resources. Arguments are unreasonable when they:

   -   fail to follow a logical sequence

   -   are not supported by any evidence and/or are based on conspiracy theories

   -   lead a complainant to reject all other valid and contrary arguments

   -   are trivial when compared to the amount of time, resources and attention that the complainant demands

   -   are false, inflammatory or defamatory.

 b)   Unreasonable behaviour: Unreasonable behaviour is conduct that is unreasonable in all circumstances – regardless of how stressed, angry or frustrated that a complainant is – because it unreasonably compromises the health, safety and security of our staff, other service users or the complainant himself/herself. Some examples of unreasonable behaviours include:

   -   acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks

   -   harassment, intimidation or physical violence

   -   rude, confronting and threatening correspondence

   -   emotional manipulation.

Response to point 2

a)   *Code of Conduct* and *The Procedures*.

Although there is no explicit reference to improper public complaints within the *Code of Conduct or The Procedures*, as noted above, such complaints would reasonably fall into the terms ' *is trivial, frivolous, vexatious or not made in good faith.'* These are used throughout the document. Anything unfounded, vexatious or improper would be captured.

b)   The *Unreasonable Complainant Conduct Policy*, as noted above, does prescribe for instances of:

17.6   Response to Cr Croxford's question with notice: Protection measures for
         Councillors (cont)

Arguments are unreasonable when they:

- fail to follow a logical sequence

- are not supported by any evidence and/or are based on conspiracy theories

- lead a complainant to reject all other valid and contrary arguments

- are trivial when compared to the amount of time, resources and attention that the complainant demands

- are false, inflammatory or defamatory

- acts of aggression, verbal abuse, derogatory, racist, or grossly defamatory remarks

- harassment, intimidation or physical violence

- rude, confronting and threatening correspondence

- emotional manipulation.

Consideration of adding terms such as 'complaints made for improper purpose' is taken on notice for the upcoming Policy review.

Response to point 3

There are no recent examples, or examples in last year's term of complaints from the public that have been made as Code of Conduct complaints against Councillors where the existing options of; to decline at outset, take no action by CEO, or take no action by conduct reviewer apply.

Note- this response is specific to the context of Code of Conduct complaints made by the pubic to council and does not include, nor mean to address commentary by the public on social media.

Communication/Community Engagement

Nil

Risk implication

This report considers reputational and safety risks faced by Councillors.

17.7 Response to Cr Croxford's question with notice: Unreasonable Complainant Conduct Policy

Responsible Director: Office of the Chief Operating Officer

Item 17.7

RECOMMENDED

That Council receive and note the response to Councillor Croxford's question regarding the Unreasonable Complainant Conduct Policy.

Report

At the Council meeting held on 21 May 2024 Cr Croxford asked the following question with notice:

Since the local government elections in December 2021, the Kiama Municipal Council has continued to uphold standards for managing interactions with not only our staff but also with councillors, contractors, and other council officials through the Unreasonable Complainant Conduct Policy. With evolving challenges and the ongoing need for effective policy, it is crucial that we review and possibly update this policy to align with current needs and practices.

Could the Chief Executive Officer please provide:

1. ***Policy review frequency and need for updates****: How frequently is the Unreasonable Complainant Conduct Policy reviewed? Are there current indications, especially in the context of this council session, that the policy requires updates or amendments to address our comprehensive needs more effectively?*

2. ***Instances of application and challenges****: Could you provide examples from the current council session where the Unreasonable Complainant Conduct Policy has been effectively applied across different groups such as staff, councillors, and contractors? What challenges or limitations have been identified in its application?*

3. ***Future directions and enhancements****: What changes or enhancements are being considered to ensure the Unreasonable Complainant Conduct Policy continues to manage these interactions effectively while adapting to the needs of the current council session and evolving circumstances?*

4. ***Legal considerations****: Under what specific circumstances have the Public Officer and the Chief Executive Officer considered or implemented legal actions such as injunctions or restraining orders against persistent unreasonable complainants, particularly in protecting the varied groups covered by this policy?*

Response to point 1

The Unreasonable Complainant Conduct (UCC) Policy was endorsed in February 2020 and was due for review February 2022. The review is outstanding and is on the current action list for the Governance Team.

Reports for Information

17.7   Response to Cr Croxford's question with notice: Unreasonable Complainant
         Conduct Policy (cont)

Item 17.7

The key reference for update will be the NSW Ombudsman's Unreasonable Complainant Conduct Model Policy which was updated in July 2022, and consideration of recent events and complaint trends will also be part of the review process.

Once updated, the Policy should be reviewed annually.

Response to point 2

The policy has been applied in cases of both staff and councillors being contacted with what was determined to be unreasonable conduct, and measures in the policy applied. UCC assessments are confidential.

In some instances, a warning has been issued, in others, a complete block to contact has occurred.

Challenges have included assessment of persistence, where customers may be validly following up incomplete responses, as opposed to repeat contact based on disputed acceptance of a logically structured response.

Response to point 3

The key reference for update will be the NSW Ombudsman's Unreasonable Complainant Conduct Model Policy which updated in July 2022, and consideration of recent events and complaint trends will be part of the review process.

Changes and enhancements identified in the model policy are:

- Statement of support (diversity and inclusion focus)
- Standardised procedures (and template forms) to be followed when changing or restricting a complainant's access to our services
- Prescriptive criteria for assessment
- Warning and Notification requirements
- Internal notifications
- Periodic review of each instance, inviting complainant to participate.

Further, the draft revised UCC Policy will be sent to Council prior and for endorsement for public exhibition.

17.7   Response to Cr Croxford's question with notice: Unreasonable Complainant
         Conduct Policy (cont)

Response to point 4

The Unreasonable Complainant Conduct Policy details the following strategies to be considered for unreasonable complainants:

- Changing or restricting access to our services

- Limiting the complainant to a sole contact point

- Restricting the subject matter of communications

- Limiting when and how council can be contacted

- Limiting face to face interviews to secure areas

- Contact through a representative only

- Completely terminating access to our services

There have not been instances of injunctions or restraining orders in the current term of Council.

Communication/Community Engagement

Nil

Risk implication

This report considers one of the risk mitigations Council uses to manage safety and service disruption risks.

18   LATE ITEMS

18   LATE ITEMS

19   QUESTIONS WITH NOTICE

19.1   Question with notice: Cr Renkema-Lang - Forecast and actual cash receipts from sale of assets - 2023-2027

Clr Karen Renkema-Lang has submitted the following question with notice for Councillors' consideration.

Item 19.1

Question

Could Council please have a report detailing actual or forecast cash flows from investing activities covering financial years 2023-2027 that identifies:

(a)   public land sales

(b)   redemption of term deposits

(c)   a year-by-year breakdown

(d)   totals for the 5-year period.

Background

This report is requested to provide transparency and improve understanding of the extent to which Council has and will continue to be reliant on the sale of assets as progress is made along the improvement journey. This is consistent with Part A of the Performance Improvement Order – Council's Financial Management, action (6) '…to break the practice of adopting a deficit budget without relying on property sales'.

Chief Executive Officer response

This question will be taken on notice and a reply provided at a subsequent ordinary meeting of Council.

19.2 Question with notice: Cr Rice - Confidential meetings of committees of Council

Clr Kathy Rice has submitted the following question with notice for Councillors' consideration:

Item 19.2

Question

Receive an independent report that interprets Council's Code of Meeting Practice, and the NSW Local Government Act 1993, to determine whether parts of a Council committee may be closed to observer Councillors, rather than members of the public, where such councillors do not have any conflict of interest with that part of the meeting.

Chief Executive Officer response

This question will be taken on notice and a reply provided at a subsequent ordinary meeting of Council.

19.3   Question with notice: Cr Rice - Crown Land categorisation

Clr Kathy Rice has submitted the following question with notice for Councillors' consideration:

Question

Receive a report based upon the previous staff discussions with Crown Lands, that details precisely why the Park category rather than Natural Area Foreshore was applied to the dunal edge of Seven Mile Beach, Werri Beach and Bombo Beach. The report is to explain why the provisions of Section 46 subsection 4 of the NSW Local Government Act 1993 were not instead utilised to allow long term leases for businesses such as surf lifesaving clubs, restaurants and kiosks to operate on these Crown Lands.

Chief Executive Officer response

This question will be taken on notice and a reply provided at a subsequent ordinary meeting of Council.

Item 19.3

19.4   Question with notice: Cr Larkins - memorial plaque at Kiama Harbour rock pool

Clr Stuart Larkins has submitted the following question with notice for Councillors' consideration:

Question

Could Kiama Council please advise of the feasibility of a memorial plaque being installed at the Kiama Harbour rock pool, in remembrance of Mrs Edith Clark?

Background

Mrs Edith Clark was a very frequent and regular user of the Kiama Harbour Rockpool, and was swimming at the pool into her late nineties. Mrs Clark sadly passed away in January 2023 at the age of 100. Many users of the rock pool and local residents describe her as a wonderful and warm lady.

Ms Donna Stevens, the granddaughter of Mrs Clark, has made requests for memorialising Mrs Clark's frequent presence at the rockpool and I understand that there have been meetings with the Mayor previously on memorialising Mrs Clark. Ms Stevens states that Mrs Clark regularly described the rockpool as her happy place, with the cold crisp water and even in winter she would swim. The family believe a plaque being placed at the site would be an appropriate way to memorialise Mrs Clark, her connection to the rockpool and the swimming community who utilise the rockpool on a daily basis.

Following on from Ms Stevens' recent social media post, there has been a great number of community members who are interested in a plaque at the pool and are happy to contribute to the remembrance of Mrs Clark.

Chief Executive Officer response

This question will be taken on notice and a reply provided at a subsequent ordinary meeting of Council.

Council officers have spoken with a relative of Mrs Clark to discuss memorial plaque options preferred and are currently seeking advice from suppliers so that the site can be inspected to confirm that there is an appropriate location available.

Item 19.4

20   NOTICE OF MOTION

20.1   Notice of motion: Cr Croxford - pedestrian crossings

Clr Mark Croxford has submitted the following Notice of Motion for Councillors' consideration:

MOTION

That Council:

1. Note the "Question for future meeting" content item 17.2 from the ordinary meeting of 21 May 2024, concerning the transverse rumble strips in Terralong Street, Kiama, and the issues raised in the staff report.

2. Note the recommendations from the "Kiama Town Centre Study - Integrated Report - Part 1" (April 2019) regarding the removal and replacement of transverse rumble strips in Terralong Street due to safety, compliance, and accessibility concerns.

3. Request a report on a comprehensive review and reassessment of all pedestrian crossings, including transverse rumble strips, throughout the Kiama Municipality, focusing on:

    - Compliance with current Australian standards and guidelines, including Austroads Guide to Road Design.

    - Safety assessments for all users, particularly vulnerable groups such as the elderly, people with disabilities, and cyclists.

    - Potential legal liabilities associated with the current pedestrian crossings.

    - Already obtained community feedback on the effectiveness and safety of the pedestrian crossings.

4. Prepare a report for Council that includes:

    - Findings from the review, identifying any deficiencies and risks.

    - Recommendations for compliant and safer alternatives, such as elevated zebra crossings.

    - Estimated costs and potential funding sources for implementing the recommended changes.

    - A proposed timeline for the implementation of the recommended actions, noting current budgetary constraints.

Signed Councillor Mark Croxford

Item 20.1

Purpose

To address safety, regulatory, and legal concerns associated with pedestrian crossings, including transverse rumble strips, throughout the Kiama Municipality. This motion aims to ensure pedestrian safety, regulatory compliance, and mitigate potential legal liabilities by instructing the CEO to conduct a comprehensive review and reassessment of these traffic management features. It also responds to issues raised in item 17.2 from the ordinary meeting of 21 May 2024 and incorporates recommendations from the "Kiama Town Centre Study - Integrated Report - Part 1" (April 2019).

Background

Transverse rumble strips were installed in the late 1980s as a traffic calming measure to reduce vehicular speeds in high pedestrian areas. These strips are now problematic for several reasons:

Regulatory compliance – they are not a prescribed traffic facility and do not comply with current Australian standards and guidelines, including Austroads Guide to Road Design. potentially exposing the Council to legal liabilities.

Safety risks – the cobblestone material and uneven surface pose tripping hazards, particularly for the elderly, people with disabilities, and cyclists. They can also confuse pedestrians and drivers, especially tourists, increasing the risk of accidents and injuries.

Community feedback – observations indicate that their use as informal crossings can be misleading and hazardous, even though there have not been significant complaints in recent years.

Strategic recommendations – the "Kiama Town Centre Study - Integrated Report - Part 1" (April 2019) recommends replacing these rumble strips with elevated zebra crossings to enhance pedestrian safety, accessibility, and overall traffic management.

Council's previous discussion – during the ordinary meeting of 21 May 2024, Councillor Croxford commented on the question for future meeting report presented to Council addressing the transverse rumble strips in Terralong Street, highlighting compliance issues, potential liabilities, safety concerns, community feedback, and alternative measures.

Costing/budget

The CEO's report will include detailed cost estimates for implementing the recommended changes, along with potential funding sources. This will ensure that the Council is fully informed of the financial implications and opportunities associated with the proposed actions.

Chief Executive Officer response

Council is not required to update or upgrade previously authorised/compliant traffic facilities unless it is the subject of a specific direction from Transport for NSW as the main Roads Authority in NSW e.g. replacement of No Standing signs with No Parking or No Stopping.

To maintain its protections and obligations under the Civil Liability Act, 2002 Council is required to undertake reviews, inspections, maintenance of its public assets within its resource capacity and priorities.

The recommendations noted in point 2 regarding the transverse rumble strips are noted but not current priority. Additionally there is currently no resource capacity including budget to undertake a review of all pedestrian crossings in the Kiama LGA nor data that indicates that such a review should impact in council's short to medium term priorities.

Item 20.1

20.2 Notice of motion: Cr Croxford - Irvine Oval lighting

Clr Mark Croxford has submitted the following Notice of Motion for Council's consideration:

MOTION

That Council:

1. Note the current resolution (19/129OC) passed on 16 April 2019, which restricts the use of field lighting at Keith Irvine Oval, Jamberoo to weekdays only, with an automatic cut-off at 8.30 pm.

2. Request a report on the feasibility and implications of amending the current resolution to allow for more flexible and extended use of field lighting at Keith Irvine Oval, Jamberoo, including:
   • Removing the timer restrictions entirely to allow lighting use on weekends.
   • Assessing the impact on local residents and addressing any concerns regarding light pollution and noise.
   • Evaluating the safety benefits for evening and weekend sporting activities.
   • Considering the potential economic and community benefits from extended use, including hosting events like the Jamberoo Sevens tournament.
   • Reviewing the adequacy and effectiveness of the current lighting system and the planned upgrades, ensuring they meet the needs of current and future users.

3. Report back to Council with findings and recommendations, including potential costs and funding sources for any necessary upgrades or adjustments to the lighting system.

Signed Councillor Mark Croxford

Purpose

To revisit and amend the current lighting restrictions at Keith Irvine Oval, Jamberoo, in response to increased usage and community needs, ensuring the facility can be used safely and effectively during evening and weekend sporting events.

Background

The current resolution passed on 16 April 2019 restricts the use of field lighting at Keith Irvine Oval to weekdays only, with an automatic cut-off at 8.30 pm. This has led to several issues:

> **Increased usage** – the field is now used more extensively by sporting clubs, necessitating lighting beyond the current restrictions.

Safety concerns – there have been instances where games had to be concluded in semi-darkness due to the inability to turn on the lights outside the permitted hours.

Community impact – the current lighting system has not met expectations, partly due to a lack of consultation during its installation. There is a need for upgrades to ensure it meets current requirements.

Economic benefits – extending the use of lighting could facilitate events like the Jamberoo Sevens tournament, which has significant economic benefits for the community.

Future considerations – changes in climate and increased frequency of evening games necessitate more flexible lighting solutions.

Costings / budget

The CEO's report will include detailed cost estimates for any recommended changes and potential funding sources, ensuring that the Council is fully informed of the financial implications and opportunities associated with the proposed actions.

Chief Executive Officer response

A targeted community engagement process can be undertaken for a potential change to the lighting timer for a later curfew and/or potential weekend use within existing resources and the outcomes reported to Council. The potential change to the timer system can be achieved within existing resources.

There is currently no resource capacity to undertake the larger feasibility investigations and assessment of the broader matters outlined in the Notice of Motion.

21 CONFIDENTIAL SUMMARY

CONFIDENTIAL COMMITTEE OF THE WHOLE

Submitted to the Ordinary Meeting of Council held on 18 June 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 BLUE HAVEN UPDATE - JUNE 2024

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

22.2 MICROSOFT LICENSING RENEWAL

Reason for Confidentiality: This matter deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act. .

22.3 TENDER FOR ROADWORKS FOR HOLIDAY PARKS COMPLIANCE PROGRAM

Reason for Confidentiality: This matter deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it as per Section 10A(2)(di) of the Local Government Act. .

22   CONFIDENTIAL REPORTS

22.1   Blue Haven Update - June 2024

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

CSP Strategy: 5.1.4 Commercial investments are managed to maximise their value; and in accordance with legislative obligations.

Delivery Program: 5.1.4.2 Continue to implement Council Resolution 22/1040C for Blue Haven and Resolution 23/053OC

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and information that would, if disclosed, confer a commercial advantage on a competitor of the council.

22.2   Microsoft Licensing Renewal

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

CSP Strategy: 5.3.3 A customer centric Information Management & Technology Strategy will be developed to build the capacity and capability of Council.

Delivery Program: 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.

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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

22.3   Tender for roadworks for Holiday Parks Compliance Program

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

CSP Strategy: 3.2.4 Foster economic diversity to attract and retain investment in our Municipality.

Item 23.1 CONFIDENTIAL

Delivery Program: 3.2.4.1 Operate Kiama Coast Holiday Parks as a financially sustainable, quality accommodation provider

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 commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

23   CLOSURE

Item 23.1 CONFIDENTIAL