

19 NOTICE OF MOTION

19.1 Notice of Motion: Cumberland Council censorship action

Clr Matt Brown has submitted the following Notice of Motion for Council's consideration:

MOTION

That Council, in light of the censorship motion from Cumberland Council (suburbs include: Auban, Granville, Greystanes, Merrylands and Toongabbie) 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.

Signed Councillor Matt Brown

Chief Executive Officer response

Councillors are permitted to lodge notices of motion (NoM's) on a wide range of matters and all NoM's must be processed in line with the Code of Meeting Practice. The CEO did provide the Councillor with advice on the NoM.

Local Government plays a pivotal role in providing the community access to public library services. Kiama Municipal Council has two public libraries located at Gerringong and Kiama and has a proud history of supporting free public access to literature and learning for all. Council's commitment to this service will continue. Council is likewise supportive and proud of its diverse, tolerant and strong community.

There are over 550 local governments in Australia who all work tirelessly for their communities and who provide essential services to support communities everywhere. That the actions of one council serve to swiftly bring all others into disrepute does a great disservice to reputation of the whole sector.

The Australian Library and Information Association (ALIA) is the peak body representing public library services across the country and their recent public response to the poor decision making of Cumberland is to be commended.

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19.1 Notice of Motion: Cumberland Council censorship action (cont)

ALIA's public statement reads:

"ALIA is committed to libraries providing access to information for all. There is no place for censorship. People should be free to decide what books they borrow from their public library. People should also be able to find stories that represent their culture, their families and their identities. This freedom of choice and access to information and stories that represent them is a fundamental pillar of democracy. ALIA is appalled by the actions of some members of Cumberland City Council who voted last week to ban books about same-sex parenting in their libraries.

As stated in the APLA-ALIA Standards and Guidelines for Australian Public Libraries, 'public library collections should cover a wide range of popular topics, express a variety of viewpoints and cultural understandings, and represent a diversity of people, places, events, issues and ideas.'

Item 19.1

19.2 Notice of Motion: Jamberoo Village speed zone reduction request

Clr Stuart Larkins has submitted the following Notice of Motion for Council's consideration:

MOTION

That Council:

1. Write to Transport for NSW requesting a reduction in the permanent speed limit for Allowrie and Churchill Streets, Jamberoo from 50 kmph to 40 kmph for the urbanized-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.

Signed Councillor Stuart Larkins

Purpose

Advocacy to Transport for NSW for a reduction in speed in Jamberoo village.

Background

The primary focus of this motion is to advocate for a speed reduction in parts of Jamberoo village – on Allowrie Street and Churchill Street from 50km/h to 40km/h.

It is noted that Terralong-Manning Streets, Kiama and Fern-Belinda Streets, Gerringong have previously been 50km/h and were reduced to a permanent 40km/h for the safety of road users and pedestrians.

A number of Jamberoo residents have contacted me about speed-related concerns in and around the village and believe it would be appropriate for the safety of all road users that the main town centre has a permanent reduction in speed to 40km/h.

As part of my attendance at the 2023 National Local Roads, Transport & Infrastructure Congress, I attended the panel discussion titled Building road safety into precincts and road design, and listened to the research by associate professor Ben Beck (Head of Sustainable Mobility and Safety Research, School of Public Health and Preventive Medicine, Monash University), regarding statistics of pedestrian injuries associated with car speeds. The research about speed and road safety is clear, there is just a 10% chance of survival for a pedestrian who is hit by a car at 50km/h. A reduction, even to 40km/h is a 60% survival rate.

There are even serious debates around the country for 30km/h zones in urbanised areas, such as what is occurring in parts of Shellharbour.

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19.2 Notice of Motion: Jamberoo Village speed zone reduction request (cont)

The Local Traffic Committee has discussed requests for reductions of speed in and around Jamberoo, such as 2 April 2024, 5 September 2023, and 5 April 2022 committee meetings.

Permanent speed zones remain the responsibility of Transport for NSW and, if reduced, they would arrange the required signage changes. While there is limited data from council, it is also noted that Transport for NSW and NSW Police have information and data related to speeding behaviours on Allowrie Street and Churchill Street through the mobile speed camera.

Costing/ budget

None, advocacy motion only.

Chief Executive Officer response

Council does not currently possess any contemporary speed and volume data for these roads and is not able to describe the speed environment being experienced by pedestrians.

Officers have been endeavoring to engage a contractor to undertake a statistical survey at this site; however, despite a procurement process being completed, have thus far been unable to engage a contractor to undertake the survey. The engagement process is being pursued.

With respect to a specific speed zone of 40 km/h; Transport for NSW (TfNSW) as the authority responsible for speed zones may require the undertaking of a design process to develop a Pedestrian Access & Mobility Plan (PAMP) or Local Area Traffic Management (LATM) plan that may include requirements for specific thresholding or entry treatments at the start and end of the lower than default speed zone e.g. carriageway narrowing, pavement treatments such as coloured/audio/tactical sections or speedhumps.

If thresholding treatments are required for a lower than default speed zone on local roads these are usually remain the responsibility of Council; however, they may be suitable for applying for aligned road safety grants for detailed design and implementation. There is currently no budget allocated for the development of a LATM or PAMP nor the design or implementation of the plan.

If resolved in the affirmative, a letter, including anonymised community feedback on the issue, can be issued within currently resource allocations.

19.3 Notice of Motion: The Bugle

Clr Mark Croxford has submitted the following Notice of Motion for Council's consideration:

MOTION

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. Write to Ms Farah requesting information as to the full ownership of The Bugle, specifically seeking to understand who the beneficiaries of the Trust are and whether these beneficiaries include property developers or construction companies owning land and property in the Kiama Local Government Area.

Signed Councillor Mark Croxford

Purpose

To acknowledge the new ownership of The Bugle newspaper while ensuring transparency in its ownership structure and fostering a constructive relationship between Kiama Municipal Council and The Bugle. This motion aims to clarify any potential conflicts of interest that could compromise the integrity of media reporting within our community, thereby supporting the Council's commitment to transparency and ethical journalism.

Background

Councillor Mark Croxford has proactively engaged with The Bugle's local management to obtain clarity on the newspaper's ownership and editorial influence following its recent acquisition by the Regional Media Unit Trust. Despite public records indicating the change of ownership, the specific identities of the Trust's beneficiaries remain undisclosed.

Previous attempts to clarify these details were met with non-transparent responses from The Bugle's local management, notably from Ms. Belinda Wood, who claimed that all information was publicly available. This has proven misleading due to the unit trust structure, which does not explicitly disclose beneficiary details.

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19.3 Notice of Motion: The Bugle (cont)

Further interactions underscore the need for better dialogue: dismissive responses from The Bugle's local management have raised concerns about transparency and commitment to the Media, Entertainment & Arts Alliance Journalist Code of Ethics.

For example, in a recent communication regarding a misreporting incident by The Bugle, Ms. Wood responded to Councillor Croxford's legitimate concerns with a written remark that suggested his feedback was unwelcome unless presented through paid channels, discouraging open dialogue and accountability. This type of response not only reflects a disregard for community concerns but also demonstrates a troubling lack of commitment to journalistic ethics.

Since the ownership change in mid-2023, The Bugle continues to show increasingly noticeable pro-development, pro-housing, and pro Springside Hill bias. Articles frequently lack bylines, and there is a troubling trend where issue-motivated citizen journalists blur the line between reporting and editorialising. This shift has been accompanied by an openly anti-council sentiment despite numerous offers from the council for constructive engagement.

Moreover, the decline in adherence to journalistic standards such as fact-checking, requesting Council comments, and providing rights of reply is alarming. Both the community and Council expect that all publisher and journalists at The Bugle adhere to ethical standards promoting honesty, fairness and independence.

There is genuine concern over whether The Bugle, under its new management, is pushing paid content and messaging that supports a specific growth and housing agenda, which may not align with the broader interests of residents across the Kiama Municipality.

Given these ongoing issues, this motion seeks not only to clarify The Bugle's ownership but also to initiate a dialogue aimed at fostering a more constructive relationship with its management. By doing so, the aim is to shift towards more balanced and fair media practices that reflect the true spirit and needs of the Kiama community ultimately.

Costing / budget

Not applicable. This action involves standard administrative procedures with minimal to no cost, utilising existing Council resources.

Chief Executive Officer response

The Code of Meeting Practice (CoMP) allows Councillors to put forward notice of motions (NOMs) on a wide range of matters. The CEO must consider the NOM's in line with CoMP requirements only. On this occasion the CEO has provided advice to the Councillor on the potential risks of the NOM including reputational and relationship impacts, both positive and negative.

Notwithstanding this advice, the ownership, beneficiaries, funding contributors of the Trust for the local newspaper is a matter of enduring significant public interest.

The facts concerning the ownership that KMC is aware of include:

- The Bugle Newspaper operates under the registered business name 'The Bugle'. This business name is attached to ABN 41813213873, which is owned by the Trustee for the Regional Media Unit Trust (RMUT).

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19.3 Notice of Motion: The Bugle (cont)

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- The RMUT was first registered for its ABN on 21 December 2022.
 - The actual corporate identity of the RMUT's trustee is not disclosed in the Australian Business Register, however the organizational representative associated with the business name is Regional Media Group Pty Ltd (ACN 664641650).
 - This registration date for this entity is also 21 December 2022.

Despite the above facts, several rumours concerning the ownership / funding sources have flourished and led to speculation of property developer connections. These rumours are obviously not an ideal situation for any parties involved in the generation or production of local news (including Council), or for the broader community.

This situation has understandably given rise to a degree of trepidation and reasonable local government concerns over potential conflicts of interests.

The CEO has extended multiple opportunities to meet and foster a healthy working relationship to both the listed owner and staff of the Bugle on many occasions. The CEO has in the past met with the General Manager of The Bugle and journalists. Likewise, Council staff have regularly prepared correspondence in line with Council's Media Policy to The Bugle and continue to do so. Council staff remain committed to creating a harmonious working relationship between all local news outlets, as this is constructive for the whole community.